

In The Matter Of:
LIVINGSTON COUNTY ZONING BOARD OF APPEALS

April 7, 2015

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1 LIVINGSTON COUNTY ZONING BOARD OF APPEALS
 2 CASE SU-7-14
 3 PLEASANT RIDGE WIND ENERGY PROJECT
 4 April 7, 2015
 5 6:30 PM
 6 Livingston County Historic Courthouse
 7 112 West Madison Street
 8 Pontiac, Illinois

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Page 3160

1 (Commencing at 6:30 p.m.)
 2 **CHAIRMAN CORNALE:** All right, we'll go
 3 ahead and get going this evening. Chuck, roll call
 4 please.
 5 **MR. SCHOPP:** This is the April 7th, 2015,
 6 continuation hearing of Livingston County Zoning
 7 Board of Appeals review of Livingston County Zoning
 8 Case SU-7-14, Pleasant Ridge Energy, LLC, Pleasant
 9 Ridge Wind Energy Project. 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. Joan
 17 Huisman.
 18 **MS. HUISMAN:** Here.
 19 **MR. SCHOPP:** And Gibs Nielsen. So we have
 20 a quorum.
 21 **CHAIRMAN CORNALE:** All right. Understand
 22 that a few of those fellow aviators that perished
 23 here are members of our county. We'll just take a
 24 moment of silence for those individuals.

Page 3159

	Page
1 INDEX OF PRESENTERS	
2	
3 TOM BRUCKER.....	3165
4 QUESTIONS BY MR. BLAZER.....	3168
5 QUESTIONS BY MS. GERWIN.....	3169
6 SUSAN GERO.....	3170
7 BARB COOK.....	3174
8 QUESTIONS BY BOARD MEMBER HUISMAN.....	3186
9 QUESTIONS BY MR. BLAZER.....	3190
10 REBEKAH FEHR.....	3191
11 QUESTIONS BY MR. BLAZER.....	3226
12 QUESTIONS BY MR. CAVAZOS.....	3231
13 QUESTIONS BY BOARD MEMBER HUISMAN.....	3235
14 HARVEY ZEHR.....	3237
15 QUESTIONS BY MR. LUETKEHANS.....	3262
16 QUESTIONS BY MR. BLAZER.....	3264
17 CONNIE DASSOW.....	3267
18 LESLIE CHOUINARD.....	3272
19 QUINN ZEHR.....	3277
20	
21	
22	
23	
24	

Page 3161

1 (Moment of silence.)
 2 **CHAIRMAN CORNALE:** All right, thank you.
 3 Understand it's our 25th evening here. Sorry about
 4 the venue change. Looks like we can squeak some
 5 people in. There's some seats up here in the front
 6 if you guys want to come up here. We don't bite, we
 7 promise. We'll try to get everybody a seat so we
 8 can try to accommodate everybody as best as we can.
 9 We've got a list here, I've got a list of
 10 six names in front of me of individuals probably to
 11 testify, and another list of 80 individuals. We
 12 probably have been through half of them, so there's
 13 probably 40 more. So we're going to work through
 14 these people tonight and Thursday evening, hopefully
 15 get through a lot of them, and try to wind down on
 16 testimony from individuals.
 17 With that, is there any items you need?
 18 Okay, we understand that Mr. Luetkehans will provide
 19 surrebuttal witnesses by the 10th of April.
 20 **MR. LUETKEHANS:** Yes, with the one caveat
 21 that I'm kind of shooting in the dark obviously
 22 since I don't know what Mr. Blazer's people are
 23 going to say. My list will probably be overly large
 24 to be careful, and I'll probably not call 90 percent

Page 3162

1 of them, but there may be one or two. As soon as I
 2 know who I'll be calling, have something, I'll let
 3 you know as soon as I know.
 4 **CHAIRMAN CORNALE:** Okay. Well, yeah, just
 5 try to do the best you can. I understand, Mr.
 6 Blazer, you do have your list already submitted in
 7 surrebuttal.
 8 (Microphone interference.)
 9 **MR. BLAZER:** I think that was a message
 10 from on high for me to shut up. Yes, Mr. Chairman,
 11 I tendered my list last week.
 12 **CHAIRMAN CORNALE:** Very good.
 13 **MR. BLAZER:** And actually already took one
 14 name off.
 15 **CHAIRMAN CORNALE:** All right.
 16 **MR. BLAZER:** I do have a couple other
 17 housekeeping matters if I may.
 18 **CHAIRMAN CORNALE:** Okay.
 19 **MR. BLAZER:** The first thing is I handed
 20 Mr. Blakeman --
 21 (Microphone interference.)
 22 **MR. BLAZER:** Whoever is going to testify
 23 is not going to be very happy if I can't talk. I
 24 have handed Mr. Blakeman what we have marked as

Page 3163

1 Pleasant Ridge Exhibit 312. That is a second report
 2 from the appraiser, Mr. MaRous. He'll be presenting
 3 it during rebuttal. I've already cleared it with
 4 Mr. Luetkehans. It was just so everybody could have
 5 it now. You also already have 311 which is his
 6 first report.
 7 The next thing is we've tendered a motion.
 8 I had served it yesterday to all the attorneys and
 9 given Mr. Blakeman hard copies today for everyone.
 10 It's a motion to strike significant portions of Mr.
 11 Maier's testimony and exhibits. I'm assuming Mr.
 12 Luetkehans is going to want a little bit of time to
 13 respond to that.
 14 **MR. BLAKEMAN:** We're going to take that up
 15 later in time.
 16 **MR. BLAZER:** Okay.
 17 **MR. BLAKEMAN:** Give everybody a chance to
 18 look it over and read through it.
 19 **MR. BLAZER:** All right. I handed out the
 20 latest version of our exhibit list which is just
 21 taking it through last Wednesday or a week before
 22 last when Mr. Hartke was cross-examined.
 23 And then the only other thing I had, this
 24 relates to Rand, you had already stricken Ms.

Page 3164

1 Kelson's testimony regarding the Rand report. The
 2 only thing that was left was a bit of testimony from
 3 Whitney Bell, and I had handed out the -- that
 4 portion of the transcript at the last hearing.
 5 That's -- it's from March 10th. It's page 267 --
 6 excuse me, 2667 line 24 to 2668 line 2, and then
 7 2668 line 23 to 2669 line 11. It was just a short
 8 piece of her presentation that talked about the Rand
 9 report.
 10 **MR. BLAKEMAN:** And we'll take that up when
 11 we take up the motion.
 12 **MR. BLAZER:** Okay. And that's all I have
 13 for now.
 14 **MR. BLAKEMAN:** Can you indicate which of
 15 the seven witnesses on your list from March 25th are
 16 no longer --
 17 **MR. BLAZER:** Wingler.
 18 **MR. BLAKEMAN:** Wingler?
 19 **MR. BLAZER:** Right.
 20 **MR. LUETKEHANS:** What about Rautmann?
 21 **MR. BLAZER:** No, Rautmann -- actually Mr.
 22 Luetkehans and I had reached an agreement on that.
 23 I also circulated -- thanks for reminding me of
 24 that. We had agreed to handle what I was going to

Page 3165

1 do with Mr. Rautmann via an affidavit, which we did
 2 circulate the last time. I believe I handed it out
 3 the last time.
 4 **MR. BLAKEMAN:** Yes.
 5 **MR. BLAZER:** Okay, so he can come off the
 6 list as well.
 7 **CHAIRMAN CORNALE:** All right. Okay, so
 8 we'll take both the motion under advisement from
 9 counsel and we'll sort through that Whitney Bell
 10 transcript and decide on that.
 11 With that, we'll go ahead and call our
 12 first witness this evening. Understand he
 13 represents Indian Grove Township, Tom Brucker.
 14 Mr. Brucker, can you please be sworn in?
 15 (Mr. Tom Brucker was duly sworn.)
 16 **CHAIRMAN CORNALE:** You may begin.
 17 **MR. BRUCKER:** Thank you. Good evening.
 18 Thank you for the opportunity to address this body.
 19 I represent Indian Grove Township which encompasses
 20 the city of Fairbury and surrounding landowners and
 21 homeowners a little bit to the south, east and west
 22 as well of Fairbury.
 23 In January of this past year, the Planning
 24 Commission for Indian Grove Township got together

Page 3166

1 and they had some concerns or a lot of concerns
 2 about the ordinance as it is presently constituted
 3 by the county, and so they got together and had a
 4 lot of discussions about particular setbacks. I
 5 know everybody here has had a lot of discussions
 6 about setbacks, but some of those discussions are
 7 pretty important to adjacent homeowners, not
 8 necessarily landowners but homeowners who do not
 9 have a wind turbine but they're sitting out there
 10 and out in the country and these wind turbines are
 11 nearby, and so they have concerns about how far
 12 these wind turbines are to their homes.
 13 And you've had discussions about noise, I
 14 think, about the birds and bees and everything else,
 15 but it is a real concern for Indian Grove Township
 16 board, and so they adopted this resolution that I
 17 think everybody has in front of them on February
 18 25th of this year. And what we're asking for that
 19 the county incorporate into their Livingston County
 20 wind energy ordinance --
 21 **MR. BLAZER:** Mr. Chairman, I'm sorry to
 22 interrupt, but I'm looking at this and it purports
 23 to be a resolution dealing with a requested
 24 amendment to the county's wind energy ordinance.

Page 3167

1 Whether or not that amendment ever goes through, it
 2 has -- it won't impact this project. It really has
 3 nothing to do with the criteria that are being
 4 considered by this board. I don't see the relevance
 5 of this presentation.
 6 **CHAIRMAN CORNALE:** All right, Mr. Blazer,
 7 we'll note your objection. We do also understand
 8 that this particular resolution will not apply to
 9 the current application that is out there.
 10 **MR. BRUCKER:** We're well aware of that.
 11 **CHAIRMAN CORNALE:** Okay, very good.
 12 **MR. BRUCKER:** Our purpose here is to come
 13 before this body and discuss our concerns and ask
 14 that this resolution, which has been adopted by a
 15 township within this community that has a lot of
 16 people there, that we're concerned about this, and
 17 we're asking this to be kind of a comment, public
 18 comment if you will, regarding your -- this proposed
 19 Pleasant Ridge turbine. So we're well aware that
 20 you can't change it, but for the future down the
 21 road, we're hoping this resolution is going to have
 22 some impact on the county board as to the setbacks.
 23 **CHAIRMAN CORNALE:** Very good.
 24 **MR. BRUCKER:** I think the setback, the

Page 3168

1 resolution, is pretty self-explanatory. I'll
 2 entertain any questions if there are any questions.
 3 **CHAIRMAN CORNALE:** Fellow members of the
 4 ZBA, do we have any questions? No questions. All
 5 right. Any units of local government have any
 6 questions for Mr. Brucker? Mr. Blazer or Mr.
 7 Luetkehans, do you have any questions for Mr.
 8 Brucker?
 9 **MR. BLAZER:** Just very briefly, Mr.
 10 Chairman.
 11 **CHAIRMAN CORNALE:** Okay.
 12 **QUESTIONS BY**
 13 **MR. BLAZER:**
 14 Q. Mr. Brucker, you're familiar with the
 15 members of the Planning Commission --
 16 **A. Yes.**
 17 Q. -- in Indian Grove?
 18 **A. Yes.**
 19 Q. That includes Nelson Zehr?
 20 **A. Yes.**
 21 Q. Brett Fehr?
 22 **A. Yes.**
 23 Q. Brad Steidinger?
 24 **A. Yes.**

Page 3169

1 Q. John Slagel?
 2 **A. Yes.**
 3 Q. And Paul Sutter?
 4 **A. Yes.**
 5 **MR. BLAZER:** That's all I have. Thank
 6 you.
 7 **CHAIRMAN CORNALE:** Good?
 8 **MR. LUETKEHANS:** (Nods head.)
 9 **CHAIRMAN CORNALE:** Any members of the
 10 audience have any questions for Mr. Brucker? County
 11 staff? Oh, oh, we have a question. Carolyn, if you
 12 can state your name for us.
 13 **QUESTIONS BY**
 14 **MS. GERWIN:**
 15 Q. Carolyn Gerwin. Is it your intent or
 16 expectation or suggestion that the ZBA and the
 17 county board consider this in terms of a special
 18 condition --
 19 **A. Yes.**
 20 Q. -- for this application's approval?
 21 **A. Not only that. We believe that the**
 22 **homeowner should have some negotiable ability on**
 23 **some of these things. When -- you know, they may**
 24 **have three acres out there by themselves but it's a**

Page 3170

1 **home, and they don't have a say-so if these wind**
 2 **turbines are coming right next to them. And how**
 3 **close they are under this -- under this ordinance is**
 4 **a real problem, so that's why we'd like the setbacks**
 5 **moved back.**
 6 **CHAIRMAN CORNALE:** Any other questions
 7 from the audience? Anybody else? County staff?
 8 County counsel? Mr. Brucker, thank you.
 9 **MR. BRUCKER:** Thank you.
 10 **CHAIRMAN CORNALE:** Next on our list, Sue
 11 Gero, G-E-R-O. Ms. Gero, can you please raise your
 12 right hand and be sworn in?
 13 (Ms. Sue Gero was duly sworn.)
 14 **CHAIRMAN CORNALE:** Please state your name
 15 and address for us and you may begin.
 16 **MS. GERO:** My name is Susan Gero, 400 East
 17 Wanda Lane, Fairbury, Illinois. Okay, some of you
 18 know me in this room from previous interactions.
 19 You also know my husband. We moved here 20 years
 20 ago to Livingston County from the suburbs of
 21 Chicago. We were in search of a better place to
 22 raise our children. We landed in Forrest. And a
 23 few years ago, after a medical issue, we sold our
 24 two story house and bought a ranch in Fairbury. I

Page 3171

1 can remember coming down from Pontiac the first time
 2 and saying what a beautiful area this is. The wide
 3 open fields, grasslands, farmland. As I said, we
 4 settled in Forrest and couldn't have been happier.
 5 A few months ago, I was returning from the
 6 city after visiting my folks, came down I-55 with my
 7 grandson in the car, it was dusk, and when we
 8 arrived in Dwight, my grandson said to me, "Look,
 9 grandma, that is so scary." He was referring to the
 10 wind turbines that were flashing, the red lights on
 11 top of the wind turbines that were flashing as we
 12 exited onto Route 47. There were so many lights, so
 13 many of them, that he could not even focus on what
 14 he was trying to tell me. He didn't see the beauty
 15 of the fields, the grasslands and the farmland.
 16 We live in an area that is so special that
 17 people from the north head south seeking something
 18 simpler, something quiet, something beautiful, a
 19 place where everyone still waves when you pass them
 20 in a car, a place where you sit out on the porch and
 21 you can watch the sunset. We are now selling this
 22 beauty and peace to the highest bidder. New
 23 families are not going to seek out Livingston County
 24 to move to or raise their families because they know

Page 3172

1 it will be a short time until they -- until the next
 2 project will come along and our greed will prevail.
 3 You all don't know how wonderful it is to
 4 live down here maybe because most of you have grown
 5 up down here. By putting up the wind farm, the
 6 beauty of this land will be forever lost. We are
 7 literally raping our land and not leaving the land
 8 that our forefathers founded, and we are not -- and
 9 we will leave -- we will not leave anything for our
 10 children and future generations because once it's
 11 gone, it's gone.
 12 I'm not a rocket scientist but a nurse
 13 with some common sense. I know the next wave of
 14 technology is right around the corner. What happens
 15 when the wind turbines are no longer the most
 16 profitable and logical choice for energy, what
 17 happens to the turbines? They will stand in our
 18 beautiful fields for years to come while we sort out
 19 the legal aspect of it all. And then we will have
 20 our fields of rusting nonoperational eyesores.
 21 There are no guarantees, folks, from anyone or any
 22 business.
 23 We need our land for this generation and
 24 the future generations of this county. Don't sell

Page 3173

1 out and leave our children with fields of rust.
 2 Stop raping the land that has been so precious to
 3 our forefathers and the future of Livingston County.
 4 Thank you.
 5 **CHAIRMAN CORNALE:** Thank you, Ms. Gero.
 6 Do we have any questions, ZBA? We may have
 7 questions. Any questions? Okay. County or local
 8 government, units of local government. Mr. Blazer?
 9 **MR. BLAZER:** No, sir.
 10 **CHAIRMAN CORNALE:** Mr. Luetkehans.
 11 **MR. LUETKEHANS:** (Shakes head).
 12 **CHAIRMAN CORNALE:** Members of the
 13 community, audience, anybody with questions for Ms.
 14 Gero? Nobody? Thank you.
 15 **MS. GERO:** You're welcome.
 16 **CHAIRMAN CORNALE:** Oh, county staff?
 17 There are some additional chairs out there if you
 18 guys -- if you want them. If you want to stand,
 19 that's okay, but there's chairs. And I think
 20 there's probably some chairs in that back room if
 21 you guys want to pull them out here. So just
 22 throwing that out there.
 23 Okay, next on the list, Barb Cook. Barb
 24 Cook, are you available to speak this evening?

Page 3174

1 **MS. COOK:** Yes.
 2 **CHAIRMAN CORNALE:** All right, Ms. Cook,
 3 can you please raise your right hand?
 4 (Ms. Barb Cook was duly sworn.)
 5 **CHAIRMAN CORNALE:** All right, please state
 6 your name and address for our court reporter and
 7 then you can begin when you're ready.
 8 **MS. COOK:** Okay. Barb Cook, 12496 East
 9 1100 North, Chenoa, Illinois. Sorry, I don't have a
 10 very loud voice for speaking and I've got kind of a
 11 cold, so I hope you can all hear me.
 12 There's a couple issues I'd like to
 13 discuss with you tonight. One of them is my medical
 14 issue. I'm nervous about talking about that
 15 because, like the rest of you, I don't like talking
 16 about medical issues, but I know about, oh, a dozen
 17 people who have been diagnosed with this and they
 18 asked if I might come up and talk about it, so I
 19 said I would. I have no medical background except I
 20 was a nurse's aide when I was in college and I think
 21 my job was probably bedpans, so I don't think that
 22 counts. I'm someone who has an art degree.
 23 A while back, many years ago actually, my
 24 dad and I were going through Saybrook, Illinois. I

Page 3175

1 and my dad were not aware that the industrial
 2 turbines had been put in at that time. I don't know
 3 if you've been through there or not, but it's a
 4 small country road and the turbines are on both
 5 sides of the road. I immediately became ill. I
 6 became dizzy, nauseated, and I don't know if any of
 7 you've ever had the feeling that you might pass out,
 8 that's how I felt. The reason for this, I had been
 9 diagnosed with vertigo prior to this trip.
 10 My first episode of vertigo, I was in a
 11 room at home and we had built-in bookcases, and it
 12 just seemed like the bookcases just popped out of
 13 the wall at me, and all the furniture and the room
 14 just started spinning around. I became very dizzy.
 15 I was just struggling not to pass out at the time.
 16 I couldn't stand up because I was too off balance,
 17 and I found that if I sat, it actually started to
 18 subside and I started to feel better.
 19 I made it out to where my husband was, and
 20 we went to the hospital. I saw my doctor. He
 21 ordered for me to have physical therapy, go to the
 22 ear doctor, and after that I had to have other
 23 testing done also. Even though I went through all
 24 this, we never really did come to a medical

Page 3176

1 conclusion as to what was wrong or what started this
 2 process of the vertigo.
 3 There's different theories out there.
 4 One's a blow to the head which, yes, I had that. We
 5 live on a redeveloped quarry and I had fallen on the
 6 limestone rock chasing my cat. Another theory, and
 7 these are just theories, I also want -- before I
 8 continue, this is my experience. I'm not trying to
 9 make this into a medical, you know, thing. It's
 10 just my viewpoint and how this vertigo affected me
 11 and how the turbines affected me.
 12 But -- now I've lost my place. That's
 13 what happens when you write on a little piece of
 14 paper here.
 15 There's different theories to vertigo, a
 16 blow to the head, which I had had, and there's also
 17 one that has to do with imbalance of crystals in the
 18 ear. And when I went through physical therapy, I
 19 actually learned different exercises to balance the
 20 crystals in the ear, whatever, and other exercises
 21 that I learned to help with balance in the ears
 22 also. I actually swam to do these exercises and I
 23 did that up until just last year.
 24 I was actually diagnosed with this about

Page 3177

1 ten years ago or nine years ago. I suffered for
 2 about two and a half to three years, and during that
 3 time, I call it the knock-out session, and that's
 4 the session that -- the first one I described to you
 5 where everything starts spinning, you feel like
 6 you're going to blackout, and I've actually had
 7 friends that have blacked out from that. That's why
 8 I'm up here because it can be serious. It's not
 9 just the dizziness.
 10 I -- through all this, like I said, we
 11 never came to a real medical conclusion as to why I
 12 had this even though I went through all this other
 13 stuff. I did find out through the years, though,
 14 that different things affected me. With vertigo,
 15 there's motion sickness and there's also position.
 16 I was lucky, I had both of them, and I know other
 17 people that maybe one thing affects them and another
 18 doesn't.
 19 When we think about motion sickness and we
 20 think about like being in a boat and getting sick,
 21 with me it wasn't like that. We live on a lake and
 22 I'm in a boat all the time. It doesn't bother me.
 23 What happens with me is to watch something in a
 24 spinning motion and that triggers it off. So, for

Page 3178

1 instance, wheels on a car sets me off if it goes
 2 spinning by if I focus in on it. A minute hand on a
 3 clock can bother me. Of course, amusement rides, I
 4 don't go near those.
 5 And you know where I'm going with this.
 6 When I was in Saybrook, Illinois, it was like a
 7 double whammy because it's on both sides of the
 8 road. Here's these huge turbines, they're huge and
 9 they're spinning like crazy, so that bothers me a
 10 lot. And it seems like the closer I am to them, the
 11 more there are and the faster they're going, the
 12 worse it is for me.
 13 I want to make it quite clear. These
 14 turbines did not create the initial problem of the
 15 vertigo. Medical cause, we never did figure that
 16 out I don't think, but they along with me watching
 17 other spinning motion act like stimulus that
 18 triggers this dizziness of me.
 19 After about two and a half, three years,
 20 after I had been on a prescription medication, it
 21 kind of dwindled down. I had maybe three of those
 22 really bad episodes, and then afterwards there is an
 23 aftermath where, oh, the days are like
 24 uncomfortable, off balance, maybe dizziness off and

Page 3179

1 on. Maybe you'll go a day and you're fine and then
 2 the next day, bam, maybe 16 little dizzy things.
 3 Then I could go maybe half a year and no problems,
 4 but always had to be careful about what I focused in
 5 on, especially things spinning.
 6 I haven't had a major problem in years,
 7 but I still am bothered by looking at things in
 8 motion, spinning, and I've learned through the years
 9 to not focus on those things, not to look at them.
 10 So if I go by the turbines, I don't look at them.
 11 If I'm driving, I look ahead of me or at the road.
 12 I'd like to go on to where I live. Sounds
 13 corny, we call it Cook's Cove, but over 25 years
 14 ago, my husband and I bought a little piece of
 15 property on a redeveloped quarry. It -- at that
 16 point, we were struggling financially as most people
 17 do. My husband was trying to buy into a business.
 18 He was working six, seven days a week. I was
 19 working. We didn't have time to go anywhere. We
 20 also had a son who was in every sport possible as
 21 most of us do. So this became our little world away
 22 from the craziness of our jobs and everything else.
 23 As the years went on, we managed to add on
 24 a few more acres. This has been set up by Dr. Dan

Page 3180

1 as kind of a conservation area that's subdivided,
 2 it's about 80 acres, and a safe habitat for
 3 wildlife. We have, and this number fluctuates,
 4 maybe 30 to 45 geese that live there all year long,
 5 and we have little islands in the back. The geese,
 6 they rebuild these nests every spring. At the end
 7 of this month, we're looking forward to having
 8 babies, which I look forward to all the time.
 9 And as the years went on, we did -- we
 10 added on a few more acres, we added on a couple
 11 rooms, and one of the rooms, I call it our room with
 12 the indoor loft because there's a little loft that
 13 only seats about two people up there. We have
 14 windows that overlook the lake and we have no
 15 curtains on our windows because this is what we like
 16 to do in the country and that's why we're on the
 17 lake.
 18 Our family grew. I have a one and a half
 19 year old grand-girl who I baby-sat with her today.
 20 And I am frazzled tonight because of it and I have
 21 her again tomorrow morning. So she loves to go up
 22 there and she loves to watch the geese.
 23 I don't know if anyone brought up the
 24 quarries. If they did, I apologize. Because we

Page 3181

1 have 80 acres on our side, behind me about another
 2 80 acres, and I'm not sure about if I'm saying the
 3 right amount of land, but -- and then to the west of
 4 us, we have another huge quarry. This is just a
 5 natural stopover for thousands of birds that migrate
 6 through.
 7 And I'm not a bird specialist, I have a
 8 lot of bird books but I'm not a specialist, so I'm
 9 just going to name a few. We, of course, have all
 10 Canadian geese, snow geese. Blue herons are there
 11 all the time. Every year we have osprey that go
 12 through spring and fall. Last year we had a couple
 13 bald eagles go through. We also have had cranes and
 14 we've had white pelicans. I'm glad that Amber got
 15 up and spoke about the crane program. I believe she
 16 said it was out of Wisconsin, I'm not sure if I'm
 17 right on that, but we also were involved in the
 18 program out of Wisconsin. We have six trumpeter
 19 swans on the back of our lake and they had the bands
 20 on them. My husband and I managed to get the
 21 numbers off the bands and found that they were
 22 traced back to Wisconsin also.
 23 I would like to think that these programs
 24 are important and maybe have brought back endangered

Page 3182

1 species a bit. Our ancestors saw to set up a
 2 migration treaty act law, and we have a protective
 3 act for golden eagles and bald eagles, and it upsets
 4 me now because I'm reading about take permits and
 5 I'm reading about incidental deaths from the
 6 turbines, and this just makes me sad.

7 Other animals. Deer, are they going to be
 8 displaced from the turbines? I don't know. Dogs.
 9 Well, we all know that dogs have more sensitive ears
 10 than we do. They hear things we don't hear. Like
 11 the little girl that got up here, I'm worried about
 12 my dog.

13 Horses. I've had 50 years of experience
 14 with horses. It's a thousand pound animal with a
 15 mind of its own. I'm not a veterinarian either.
 16 They have eyesight that's a little bit different
 17 from ours and I can't go into that medically, but
 18 they shy very easily, especially things that move.
 19 If it's a real windy day, I do not like to get on a
 20 horse. There's just too much action going on.
 21 Moving shadows, big ones, they don't like it.
 22 Noises, don't like that either.

23 You know what? Blinking lights, I don't
 24 know if I've ever been in a situation with a horse

Page 3183

1 and blinking lights, so I don't know, but I do know
 2 one thing. If I ever came around a corner and I was
 3 face-to-face with a turbine and if it was in motion
 4 and I was on that horse, my horse would probably run
 5 back to the barn because it would be scared to
 6 death.

7 Education. When I retired, all I did was
 8 substitute teach. During that time, after about 25
 9 years, I saw some of my best friends and coworkers
 10 lose their jobs: PE, music, art. Not only did they
 11 lose, the kids lost. Not only did the kids lose,
 12 the classroom teacher was stuck on overwhelm. She
 13 was now everything. She was the art teacher, the PE
 14 teacher, the music teacher. I even went and
 15 volunteered to help a friend of mine because she was
 16 on such overload and hated to do art.

17 Does anyone have the answer for this? I
 18 don't know. Our state's in a mess. Our new
 19 governor doesn't really paint a beautiful picture.
 20 Looks like he's going to take on just about
 21 everything and it's going to affect all of us in
 22 this room.

23 Like I said, I don't know what the answer
 24 is here for education except for one thing. I would

Page 3184

1 hate to see for us to take in money -- and it
 2 doesn't look like the turbines are the answer, but I
 3 would hate to see us take in money that might affect
 4 the welfare or homes or families of other children.

5 Avoca Road. I just want to barely mention
 6 this. This is just kind of a question mark, a red
 7 flag to me. I live a road off Avoca Road. I live
 8 to the south of it. We've had problems in the past
 9 with the semi trucks loaded with gravel because the
 10 gravel pits are down the road. My neighbor has a
 11 one-lane bridge. I don't want to go into it, but
 12 it's just a problem we've had in the past, and I --
 13 I don't know, maybe it will be a problem.

14 I was prepared to talk about California
 15 Ridge in Illinois, Vermilion County, same wind
 16 company. I believe Mr. Blazer also represented
 17 Vermilion County. I have best friends who live
 18 there. Although they're not affected by the
 19 turbines, they have friends who are, and we've been
 20 going back and forth and discussing it. I'm not
 21 really going to go into that. I was told all their
 22 signs are up.

23 And one of their friends called me, we had
 24 a long discussion, and actually Ted Hartke's name

Page 3185

1 was brought up. And I guess after his testimony
 2 there isn't anything left for me to say, I'm
 3 speechless, except I hope none of us will never be
 4 another Ted Hartke story. Thank you.

5 **CHAIRMAN CORNALE:** Does the ZBA have --
 6 **MS. COOK:** I'm sorry, I have some things
 7 to submit.

8 **CHAIRMAN CORNALE:** Okay, Joan's got a
 9 question.

10 **MS. HUISMAN:** She has something to submit.
 11 **MS. COOK:** I'm sorry, I'm not organized.
 12 This is what happens when you baby-sit. I have --
 13 I'm not releasing my medical records. I just have
 14 -- I went and got a form that is my doctor ordering
 15 me to go through physical therapy and a hearing
 16 doctor. And I have a picture of the trumpeter swans
 17 in here. And I think I forgot to say, too, that I
 18 worry about the migration. We're about three or
 19 four miles from actually the turbines, but during
 20 that -- I'm sorry, I forgot this.

21 During that time, when our water freezes
 22 over, these birds are looking for running water,
 23 like in a creek or rivers or whatever, and this
 24 year, I've never seen this before, but we have a

Page 3186

1 little running creek going through our neighbor's
 2 pasture, and we had hundreds of geese in there this
 3 year. And they're also forging for food and they
 4 stayed there for a long time too. So there's a
 5 picture of that in there also. Anyway...

6 **CHAIRMAN CORNALE:** Very good, thank you.

7 **MR. BLAKEMAN:** Do you have more than one
 8 copy?

9 **MS. COOK:** There's one for Mr. Blazer and
 10 ZBA and whoever.

11 **CHAIRMAN CORNALE:** All right. Joan, you
 12 had a question for Ms. Cook?

13 **QUESTIONS BY**

14 **MS. HUISMAN:**

15 Q. Ms. Cook, when something triggers your
 16 vertigo --

17 A. Yes.

18 Q. -- what do you do to treat it?

19 A. When I used to -- first of all, I'm not
 20 one to take medicine because I have bad side
 21 effects. I'm not on any medication right now, but
 22 when I was, I took -- what have I used for motion
 23 sickness? Is it meclizine, Susan? She's in a
 24 pharmacy. Meclizine. And since I haven't had the

Page 3187

1 bad episodes, I really don't carry it with me
 2 anymore. And I've learned how to -- I think the
 3 bottom line is warning signals. If something is
 4 going to happen, you can kind of sense I'm starting
 5 to get dizzy and you refocus.

6 Like with vertigo, there's two parts,
 7 there's the motion sickness and there's position.
 8 And if I start to get that feeling, I don't want to
 9 be laying down, I want to be sitting up. And as far
 10 as something triggering it off, I completely refocus
 11 on something else. If I'm looking at something like
 12 a turbine and I start to get that feeling, I just
 13 quit looking at it. That's it.

14 Q. So there are medications; they just don't
 15 help you.

16 A. Meclizine.

17 Q. Will help you?

18 A. It -- it will to a certain point. I mean
 19 if --

20 Q. Okay, the other dozen people that you
 21 mentioned that you know have vertigo, are they
 22 living near or in the footprint of this wind turbine
 23 project?

24 A. I wanted -- I think I brought them up

Page 3188

1 because I wanted to make a point that this affects
 2 us in different ways. There's different theories
 3 about vertigo. I know two people that were
 4 diagnosed with a bad case of flu. They had one
 5 episode; that was it. I know other people and one
 6 lives in Chenoa where she was just diagnosed about
 7 three weeks ago and went to a specialist in Chicago,
 8 and we were talking about the turbines with --
 9 there's actually about five of us that are board
 10 members of the art center, and there's four of us on
 11 the board that have had vertigo.

12 And anyway, this one person said that she
 13 actually was more positional and she didn't know if
 14 the turbines would bother her or not. And there's
 15 another one sitting there that was -- her story is
 16 more like mine, that certain things just set us off.

17 And I forgot to bring up something else
 18 that sets me off and that's a strobe light effect
 19 too, if I happen to get into that.

20 The thing of it is, because I haven't had
 21 any serious problems, I really don't carry anything
 22 with me and I just try to not focus on it. It's
 23 just if my husband's driving, we're going to
 24 Bloomington and through the wind turbines, I just

Page 3189

1 look at the floor.

2 Q. Okay, you also mentioned Avoca blacktop or
 3 Avoca Road.

4 A. Yes.

5 Q. What was your concern with that? Was it
 6 all the traffic?

7 A. The traffic. Like I said, I don't really
 8 want to get into this because I don't know if it
 9 will be a problem. The problems in the past, for
 10 instance, if Avoca Road -- if there's something
 11 going on with the railroad crossing on Avoca Road,
 12 we're an alternative road. Also with the quarry
 13 pits, we found out that the truck drivers will use
 14 us as a one-way road because of the weight limit and
 15 they'll be unloaded and then they can go fast one
 16 way down our road. And then they'll load up and
 17 then they'll go Avoca, and they kind of save time
 18 doing that, which our road ends up being like a tar
 19 mess during the summer. And I don't know if we'll
 20 be affected or not, but it has been a problem in the
 21 past.

22 **MS. HUISMAN:** Okay, thank you.

23 **CHAIRMAN CORNALE:** Members of the local
 24 government have questions for Ms. Cook? Mr. Blazer,

Page 3190

1 anything?

2 **MR. BLAZER:** Just very briefly, Ms. Cook.

3 **QUESTIONS BY**

4 **MR. BLAZER:**

5 Q. Typical doctor's handwriting. What is

6 the --

7 **A. I know. That's not -- I just wanted to**

8 **show some proof.**

9 Q. No, I understand. What's the name of the

10 doctor?

11 **A. Hough, H-O-U-G-H.**

12 Q. H-O-U-G --

13 **A. H-O-U-G-H.**

14 Q. Do you know what his area of expertise is?

15 **A. He's my family doctor.**

16 Q. He's a general practitioner?

17 **A. Yes.**

18 **MR. BLAZER:** That's all I have, thank you.

19 **CHAIRMAN CORNALE:** Mr. Luetkehans, any

20 questions?

21 **MR. LUETKEHANS:** (Shakes head).

22 **CHAIRMAN CORNALE:** Members of the audience

23 with any questions for Ms. Cook? Anybody in the

24 audience? County staff? County counsel?

Page 3191

1 Thank you, Ms. Cook.

2 **MS. COOK:** Thank you.

3 **CHAIRMAN CORNALE:** Next on the list I have

4 Bekah Fehr. Bekah Fehr, are you available this

5 evening to speak? All right, Ms. Fehr, if you could

6 raise your right hand?

7 (Ms. Rebekah Fehr was duly sworn.)

8 **CHAIRMAN CORNALE:** Please state your name

9 and address for our court reporter and then go ahead

10 whenever you're ready.

11 **MS. FEHR:** It's Rebekah, R-E-B-E-K-A-H,

12 Fehr, 8290 North 1900 East Road, Fairbury.

13 **MR. BLAKEMAN:** Before you get started, I'm

14 trying to decipher how you've got these things.

15 **MS. FEHR:** I don't have exhibits --

16 (Discussion off the record.)

17 **MS. FEHR:** As I said, I'm Rebekah Fehr and

18 my family farm has been south of Fairbury since

19 1879. I'm a fifth generation part owner of this

20 farm. I was born and raised most of my life in

21 southeast Livingston County. In my 20s, I moved out

22 of the area to see what the big city had to offer.

23 While I lived out of state, I still received our

24 local paper, and every Friday I would take that

Page 3192

1 paper to work and share the stories in it. It

2 became quite a tradition.

3 On the front page of one particular

4 edition one fall was a picture of six or seven

5 combines manned by area farmers taking out the crop

6 of a farmer who had recently passed away. In the

7 background you could see the grain wagons waiting to

8 take grain to the elevators, and the wives of these

9 helpful farmers were providing food. The reaction

10 of the people that saw this story was priceless.

11 They were very impressed with the way our community

12 comes together to help one another and genuinely

13 cared for each other. As the years went on and this

14 tradition of sharing the Fairbury Blade continued,

15 they read more and more stories of this community

16 coming together and supporting each other. When I

17 still talk to my friends even today, they still ask

18 about the happenings in our community.

19 After ten years of being out of state, I

20 took a position at the university in Bloomington.

21 This was my opportunity to come back and live in my

22 community. I drove back and forth for several

23 years. As I drove down 24 and 55 each day, I would

24 see so many other of our residents driving to their

Page 3193

1 jobs as well. I would see many State Farm vans full

2 of our citizens going to their jobs in

3 Bloomington-Normal. We have so many residents that

4 drive every day to their jobs in Peoria, Pekin,

5 Joliet, Chicago, Champaign-Urbana. It's the

6 trade-off that we choose because we want to live in

7 this community.

8 Since being home, I have witnessed and

9 been a part of so many acts of kindness and love in

10 this community. To see how it comes together in

11 times of tragedy and sorrow as well as loving

12 fellowship is quite amazing. We support our

13 neighbors' businesses and schools. Most recently, a

14 couple years ago, a 1 percent sales tax was approved

15 by the voters to help support our schools.

16 On the east of Main Street in Fairbury,

17 you'll see the brand-new Brian Munz safety complex

18 that houses our ambulance service and fire

19 department supported by the citizens of this

20 community. We have a couple of groups in our

21 community that have worked very hard over the past

22 couple of years promoting our community. Brochures

23 designed and printed by these groups were hand

24 delivered to welcome centers all over the state and

Page 3194

1 neighboring states. These groups are all volunteers
 2 and they have personally paid for all the
 3 advertising that has been done. One local business
 4 has reported a 20 percent sales increase since the
 5 campaign began to promote our community.
 6 South of Fairbury we have Slagel Family
 7 Farms. Slagel Family Farms supplies meat products
 8 all over the state, including the finest restaurants
 9 around Chicago. From spring until fall, bus tours
 10 from Chicago travel here for farm tours and dinners
 11 being held at the farm. Each farm tour and dinner
 12 is paired with one or more well-known chefs from
 13 Chicago. Following the farm tour, guests can attend
 14 a butchering demo and then head back to the barn and
 15 enjoy a four course meal prepared by using products
 16 raised within feet of where they're sitting.
 17 We also have Spence Farms settled in the
 18 1830s, the oldest family farm in Livingston County.
 19 The sixth, seventh and eighth generation run the
 20 farm and have organized two groups of local farmers:
 21 Stewards of the Land and Legacy of the Land. These
 22 two groups function as food hubs that aggregate farm
 23 products and sell them to chefs, restaurants,
 24 grocery stores and institutions. Just a couple of

Page 3195

1 weeks ago, Slow Food International selected Spence
 2 Farms to represent the United States in the yearly
 3 Almanac which features one family per country. Per
 4 country. Spence Farms was chosen to represent the
 5 incredible innovation and resilience of family
 6 farmers in the United States of America and to
 7 recognize Spence Farms particular contribution to
 8 growing the Ark of Taste and creating alliances with
 9 chefs and their urban clientele. Spence Farms have
 10 several tours and events every year as well, and it
 11 is the subject of a documentary called Sustainable,
 12 a documentary highlighting Spence Farms. This is
 13 true sustainability.
 14 Our community also has Kilgus Farmstead.
 15 They're the only single source farmstead milk
 16 bottling plant in central Illinois. On the farm
 17 they have 130 registered Jersey milking cows, 75
 18 calves and heifers and 25 steer. Their milk is
 19 highly prized by cheese makers, chefs and others
 20 because of its increased protein and calcium.
 21 During the visitors tour, you will learn about the
 22 Kilgus family, visit their milking parlor, learn how
 23 the cows give us their rich milk, and you can also
 24 watch the bottling processes on certain days.

Page 3196

1 All three of these farmsteads provide
 2 tours. Most tourists travel from big cities to see
 3 our beautiful landscapes, quaint towns, unique shops
 4 and eateries, and our working farms. We need to
 5 consider how 136 industrial power plants scattered
 6 throughout our countryside affects commerce and
 7 education in our rural community. We also need to
 8 consider how the industrial turbines will affect the
 9 production of food and other farm products.
 10 And now here we are, the community coming
 11 together once again, this time to defend our land,
 12 our health, our property rights, and our basic human
 13 rights. In June of 2014, a map was being handed out
 14 on Main Street in Fairbury of the Pleasant Ridge
 15 industrial wind project. Invenenergy rented and moved
 16 into a storefront in downtown Fairbury. The buzz of
 17 these two events was all over town and in the rural
 18 community. Citizens were shocked to find out this
 19 was happening in our community and that they knew
 20 nothing about it. I contacted some of our County
 21 Board members, of which I heard back from three.
 22 Several of the board members have said on record
 23 that they didn't even know about the project.
 24 In order to find out more about it, I

Page 3197

1 attended the open house Invenenergy held at the Indian
 2 Creek Country Club in July of last year. I looked
 3 around at the maps that were scattered on tables and
 4 walls and I asked a few questions of the Invenenergy
 5 representatives. I asked about this flicker I had
 6 been reading about. The answer I received was "Buy
 7 mini blinds." When I asked about home abandonment,
 8 noise and sleep deprivation and property values, the
 9 answer I received was "I don't know anything about
 10 that."
 11 After sitting through these hearings and
 12 listening to the Invenenergy speakers, I find out the
 13 answers I received at the open house were not the
 14 truth. They did know about these issues I asked
 15 about; they just didn't want to answer. The
 16 speakers Invenenergy has brought to the hearings were
 17 trying to defend the very issues I asked about at
 18 the open house. As I was leaving the open house, I
 19 stopped to look at a map on the wall that showed the
 20 checkerboard project area, and I commented to an
 21 employee that was standing there, "Boy, these
 22 projects sure can tear a community apart." And his
 23 answer to me was, "Yes, they do."
 24 Wind developers like Invenenergy slither

Page 3198

1 into communities and pick winners and losers.
 2 Quotes from Invenergy employees saying things like
 3 "We pick the communities we do because they have
 4 good wind and the community is welcoming the wind
 5 farms." Apparently they haven't driven around the
 6 county and noticed the signs that show how the
 7 majority of the community feel about the 130 plus
 8 industrial wind energy power stations in southeast
 9 Livingston County. Perhaps if Invenergy would have
 10 opened a storefront and put out their full page ads
 11 in 2006 and beyond, they would have understood this
 12 sooner. Invenergy should have been open to talking
 13 with, instead of down to, the citizens of this
 14 county. Instead, they operated under the radar of
 15 the majority of citizens and took a risk that this
 16 project would be approved without any knowledge from
 17 the majority, but this is the way they choose to do
 18 business and it's the risk that they take. All wind
 19 developers are very aware of the growing and
 20 on-going opposition to these projects.
 21 There are 309 registered centennial farms
 22 in Livingston County. One-third of those are in the
 23 townships affected by this project. These are farms
 24 that for generation after generation have worked

Page 3199

1 together with their neighbors, townships and county
 2 to build a better tomorrow for future generations.
 3 For over a century, these families have built trust
 4 in each other and farmed together. As heard in
 5 previous testimony, Invenergy has used tactics like
 6 "Your neighbors are signed up and you're holding up
 7 the project that your neighbors want" just to gain
 8 participation, taking advantage of decades of trust
 9 and care that we have for each other. This
 10 repulsive tactic is generally used by most wind
 11 developers.
 12 I have here with me petitions of over
 13 2,000 Livingston County citizens' and Livingston
 14 County landowners' signatures, and there are still
 15 signatures coming in. Some signatures have been
 16 removed because they were participants who have
 17 changed their minds about participating in this
 18 project and they were removed in order to protect
 19 them from any lawsuits.
 20 The petition reads: We, the undersigned,
 21 are in opposition of the Pleasant Ridge Energy wind
 22 farm project proposed and applied for by Invenergy.
 23 We are also opposed to any further wind development
 24 in Livingston County.

Page 3200

1 The action petitioned for, number one, a
 2 vote of no from the Livingston County Board on the
 3 application submitted by Invenergy for the Pleasant
 4 Ridge Energy project. Number two, a revision of the
 5 current 2006 Livingston County wind ordinance in
 6 addition to further protections in the wind
 7 ordinance for the residents of Livingston County.
 8 One of the most disturbing aspects of this
 9 project is the lack of respect and integrity from
 10 wind developers pitting neighbor against neighbor,
 11 brother against brother, parents against children,
 12 picking winners and losers and misleading the public
 13 all in the name of promising riches.
 14 In an article published -- you should have
 15 that as an exhibit. In an article published in
 16 southwestern Ontario, Canada, Wind Concerns Ontario
 17 executive member Warren Howard said after the
 18 Invenergy wind farm project was terminated in Elma
 19 and Mornington, quote, awareness and education
 20 played a large part in the campaign against the wind
 21 turbine project in this community, which included
 22 speakers and information from other project areas,
 23 such as Ripley, where turbines were blamed for
 24 health problems ranging from headaches and sleep

Page 3201

1 loss to high blood pressure. The key thing in this
 2 project was that everybody knew what happened in
 3 Ripley, Howard said. When you came to those public
 4 meetings and Invenergy said there were no problems,
 5 they have no credibility.
 6 Invenergy hosted several public
 7 consultation meetings over the course of the project
 8 which Howard said fell short of answering the
 9 concerns of residents. I just think Invenergy shot
 10 themselves in the foot a number of times, Howard
 11 said. They never really treated people who live
 12 here with any respect or give them straight answers.
 13 There are several of us that went to the
 14 Invenergy open house in Fairbury, and after
 15 comparing notes with each other, we agreed with the
 16 statements of Mr. Howard when he said Invenergy
 17 never really treated people who live here with
 18 respect or give them straight answers. And we know
 19 about all the problems in the California Ridge
 20 project in Vermilion County: the abandoned home,
 21 the washed-out access roads and other complaints
 22 from families in that area. And just to set the
 23 record straight, I am the one that asked Ted Hartke
 24 and others from California Ridge to speak in

Page 3202

1 Fairbury, and he did discuss the offer from
 2 Invenergy to so-call soundproof his home.
 3 After receiving no information from
 4 representatives from Invenergy in regard to some of
 5 the issues I asked about, I did some research on my
 6 own, and I found the following issues and lawsuits
 7 involving Invenergy projects. Number one --
 8 **MR. LUETKEHANS:** For the record, we are
 9 handing out UCLC Exhibits 133, 3, 4, 5, 7 and 8.
 10 **MS. FEHR:** Number one, a notice of
 11 violation of failure to comply with the state
 12 Pollutant Discharge Elimination System permit for
 13 storm water discharges from construction activity at
 14 the Invenergy Stony Creek Wind Farm substation site
 15 from the New York State Department of Environmental
 16 Conservation.
 17 In August of last year, around 60
 18 residents from Orangeville and Attica, New York, who
 19 have filed a lawsuit claim that the Invenergy Stony
 20 Creek Wind Farm is ruining their quality of life,
 21 has destroyed property values and affected their
 22 health because of noise vibration, and this
 23 industrial wind complex only has 58 turbines.
 24 Number three. A lawsuit filed against

Page 3203

1 Invenergy project of six wind turbines on property
 2 located within 800 and 1500 feet of the property of
 3 the Slowinskis in Wyoming County, New York, for
 4 significant diminishment of the plaintiff's use and
 5 enjoyment of his property, quality of life, health,
 6 value of the property, and economic well-being.
 7 Included in this complaint: Upon information and
 8 belief, these Invenergy project turbines have
 9 violated on a regular basis the town noise ordinance
 10 that restricts the noise to 50 decibels.
 11 Number four. Lawsuit filed against the
 12 Invenergy project called Willow Creek Energy, LLC,
 13 by Daniel Williams of Willow Creek Valley, Morrow
 14 County, Oregon. The plaintiff's complaints include
 15 violation of statewide noise pollution regulations,
 16 invasion of noise, vibrations, flicker, strobe glare
 17 and flashing red lights causing the plaintiff to
 18 suffer from deteriorating physical and emotional
 19 health, dizziness, inability to sleep, drowsiness,
 20 fatigue, headaches, difficulty thinking, irritation
 21 and lethargy.
 22 Number fire. In a noise complaint filed
 23 with the Public Service Commission of Wisconsin, Ann
 24 and Jason Wirtz argue that Invenergy and its Forward

Page 3204

1 Energy Wind Center in Brownsville cost them their
 2 home and their alpaca breeding business and created
 3 health problems for the family. "The family
 4 couldn't stand to live there anymore," their
 5 attorney said. They had to move from Brownsville to
 6 Oakfield.
 7 We have been told that industrial wind
 8 complexes employ local people. When a group of
 9 workers were noticed boring a field within the
 10 footprint of the Pleasant Ridge wind project, local
 11 citizens stopped and asked, "Where you all from?"
 12 They said, "New Jersey." We've also been told that
 13 industrial wind complexes will keep our taxes down.
 14 My taxes have gone up every year since 2004 and this
 15 is while two wind farms have come online in
 16 Livingston County.
 17 And we haven't just researched information
 18 on the Internet. We are people that get into our
 19 vehicles and see for ourselves. We talk to the
 20 people currently living in and around industrial
 21 wind factories all over the state, country and the
 22 world. We drive to industrial wind turbines and
 23 listen and feel for ourselves. We've gone to wind
 24 projects currently under construction and we've seen

Page 3205

1 where the construction trucks are from.
 2 The citizens of this county have raised
 3 close to \$300,000 to defend ourselves from this
 4 project and the costs are still mounting. This is
 5 money that could have been used for products and
 6 services within our county. We've spent countless
 7 hours since June of last year when this project came
 8 to light at board meetings, committee meetings,
 9 researching and gathering information and
 10 fund-raising. These are hours that could have been
 11 spent doing what we do best in our community, and
 12 that's helping our community grow and prosper.
 13 In the Stantec sound study submitted by
 14 Invenergy in the Pleasant Ridge application, under
 15 the heading of Predicted Noise Analysis Methodology,
 16 the potential impact of sound on receptors was
 17 estimated using the decibel module of Wind Pro and
 18 is based on ISO 9613 algorithms to estimate sound
 19 propagation.
 20 In the official transcripts from the
 21 Highland Wind Farm hearings in Wisconsin, Professor
 22 John Lamancusa, a professor of mechanical
 23 engineering and a member of the engineering design
 24 faculty, graduate faculty in acoustics and

Page 3206

1 registered professional engineer in the state of
 2 Wisconsin read and reviewed the testimony of Michael
 3 Hankard, Tim Osterberg, JoAnne Blank and Jesse
 4 Stowell, and he testified to the following.
 5 He was asked: Do you have any further
 6 comments on the accuracy of the Wind Pro model as
 7 it's used in making noise predictions here? The
 8 professor answered: As stated in the --
 9 **MR. BLAZER:** Objection, Mr. Chairman.
 10 This witness has no basis for commenting on the
 11 authenticity of a proposed expert from another
 12 proceeding.
 13 **MR. LUETKEHANS:** Oh, we'll take care of
 14 that. UCLC Exhibit 28, I have certified copies of
 15 his testimony before the Public Service Commission
 16 of Wisconsin.
 17 **MR. BLAZER:** My objection goes to the fact
 18 that this witness can't authenticate this, can't
 19 comment on whether or not this testimony is in any
 20 way accurate.
 21 **MR. LUETKEHANS:** Doesn't matter. The
 22 hearsay objection is covered by the fact that this
 23 is a certified copy of a document of a municipal
 24 body. That is an exception to the hearsay rule in

Page 3207

1 the State of Illinois.
 2 **MR. BLAZER:** I'm not objecting on the
 3 basis of hearsay. I'm objecting on the basis of
 4 relevance and foundation. This witness can't lay a
 5 foundation for this testimony.
 6 **MR. LUETKEHANS:** She doesn't need to lay a
 7 foundation if it's a certified copy. That's number
 8 one.
 9 **MR. BLAZER:** This has no --
 10 **MR. LUETKEHANS:** That's why I have a
 11 certified copy. Let me finish please, Mr. Blazer.
 12 Number two, it is completely relevant because it
 13 goes to the issue of Wind Pro's accuracy, which is
 14 what Mr. Hankard testified about.
 15 **MR. BLAZER:** Except that this person can't
 16 testify regarding Wind Pro's accuracy.
 17 **MR. LUETKEHANS:** You're right. Mr.
 18 Lamancusa can.
 19 **MR. BLAZER:** Except that Mr. Lamancusa
 20 isn't going to be testifying in this proceeding.
 21 It's the same situation we've had in the past.
 22 **MR. LUETKEHANS:** The objections keep
 23 changing all of a sudden when I tell him that
 24 there's no hearsay anymore.

Page 3208

1 **CHAIRMAN CORNALE:** All right, as long as
 2 this is a certified copy of previous testimony,
 3 she's just articulating what's in the document
 4 that's already been brought before the Public
 5 Service Commission, so we'll have to allow that.
 6 **MR. LUETKEHANS:** Mr. Cornale, let me just
 7 -- I realize I took the original, which is the
 8 actual certified registered copy, so I want to give
 9 you the original, thank you.
 10 **CHAIRMAN CORNALE:** All right, and just to
 11 note, this is an official copy, it does have a seal,
 12 raised seal. It's marked UCLC Exhibit 28.
 13 Continue.
 14 **MS. FEHR:** The question was: Do you have
 15 any further comments on the accuracy of the Wind Pro
 16 model as it is used in making noise predictions
 17 here? The professor answered: As stated in the ISO
 18 standard, this method has an estimated accuracy of
 19 plus or minus 3 dB for predicting average noise
 20 levels from sources up to 30 meters above ground and
 21 for distances up to a thousand meters from the
 22 source. The ISO model claims to be valid to plus or
 23 minus 3 dB for wind speed between 1 and 5 meters per
 24 second measured at a height of 3 to 11 meters above

Page 3209

1 ground. Outside of these conditions, no indication
 2 of accuracy is provided, but it can be assumed that
 3 the accuracy will decrease further.
 4 He was then asked: Has the accuracy of
 5 the ISO 9613 method of estimating wind turbine noise
 6 been studied? He answered, the professor answered:
 7 The ability of the ISO 9613 method for predicting
 8 wind turbine noise was studied by K. Kaliski and E.
 9 Duncan in 2007. They found that the ISO method
 10 significantly underestimated actual sound levels by
 11 13 percent on average.
 12 He was then asked: Based on your
 13 experience, do actual noise levels deviate from the
 14 ISO 9613 predicted average and, if so, by how much?
 15 The professor answered: In my direct experience of
 16 over 25 years and in the experience of other noise
 17 experts, actual levels can vary by plus or minus 5
 18 dB or more from the ISO predicted average over
 19 durations of minutes to hours depending on distance
 20 from source and atmospheric conditions. The loudest
 21 levels typically occur in the evening or night when
 22 surface winds are light and thermal inversions are
 23 common. Unfortunately this coincides with the time
 24 that people are home and trying to sleep. In my

Page 3210

1 experience, peak levels of short durations, seconds
 2 or minutes, can exceed the predicted average by more
 3 than 10 dB in moderate temperature inversions at
 4 ranges similar to those proposed at the Highland
 5 Wind Farm.

6 The professor was then asked: What other
 7 concerns do you have regarding the safety margin?
 8 The professor answered: In my professional
 9 judgment, these predictions are accurate at best to
 10 within 5 dB. In other words, a good rule of thumb
 11 for using these simplistic noise models is, if you
 12 want to achieve a 45 dB, design it for 40. This
 13 would provide a reasonable estimate of noise levels
 14 that would not be exceeded 90 percent of the time.
 15 Even with this safety factor, if you design for 40
 16 dB(A), there would still be occasional noise peaks
 17 in excess of 45 dB(A) 5 to 10 percent of the time.
 18 Any noise limit is a compromise between economic
 19 benefit and social impact. It is impossible to have
 20 one without the other.

21 I would now like to address the recent
 22 Cape Bridgewater Cooper study. Before these
 23 hearings started, Pacific Hydro, a renewable energy
 24 company headquartered in Australia, commissioned the

Page 3211

1 Cape Bridgewater Wind Farm acoustics study. They
 2 decided to conduct this study to try to better
 3 understand the ongoing concerns being raised by a
 4 number of residents who live near the Cape
 5 Bridgewater Wind Farm in southwest Victoria. This
 6 was part of their commitment to working with these
 7 residents. Since the start of these hearings, the
 8 results of this study have been made public. This
 9 report is no way a medical study; it is a technical
 10 acoustical study.

11 There were several firsts in this study.
 12 Number one, Cooper took a variety of measurements in
 13 and around the three homes during both times when
 14 the turbines were operating and when they were shut
 15 down with the cooperation of Pacific Hydro.

16 Number two. Their measurements went
 17 beyond standard dB(A) to capture harmonics peculiar
 18 to wind turbines as the blades passed by the
 19 stationary mast. This yielded new readings branded
 20 by Cooper as wind turbine signature or WTS.
 21 Infrasound below the audible range was captured as
 22 well.

23 Number three. The residents kept
 24 continuous diaries recording their experience of

Page 3212

1 noise which can be heard, vibration which can be
 2 felt, and sensations which were considered to be
 3 reactions to infrasound. The diary entries were
 4 later correlated with recorded measurements. This
 5 is a peer-reviewed study.

6 Stephen Ambrose, an acoustician with a
 7 distinguished career devoted to protecting
 8 individuals from excess noise, congratulated Cooper
 9 on his efforts. In his letter, Ambrose noted the
 10 advances made by this study. Quote, Your
 11 correlation of human response journal entries with
 12 scientific waveform analysis clearly shows hearing
 13 is not limited to audible sounds. Research
 14 continues to reveal that the ear has multiple
 15 functions and capabilities.

16 Another U.S. acoustician, Robert Rand,
 17 wrote, "The correlation of sensation level to wind
 18 turbine signature tone level in the infrasonic and
 19 audible bands brings wind turbine acoustics right to
 20 the door of medical science. Medical tests in the
 21 homes, which are long overdue, can now be correlated
 22 directly to wind turbine signature. May the medical
 23 testing in homes begin without further delay."
 24 Canadian researcher, Carmen Krogh, who has

Page 3213

1 monitored findings from self-reported projects as
 2 well as the recent Canadian government study said,
 3 "Through the study design, your exhaustive
 4 infrasound measurements, the detailed diaries kept
 5 by the families and Pacific Hydro's cooperation,
 6 this study has advanced the understanding of the
 7 role of infrasound and human responses associated
 8 with industrial wind turbines. Such collaborative
 9 efforts have set a new standard in conducting future
 10 research."

11 Australian Bob Thorne who had previously
 12 studied the Cape Bridgewater experience of --
 13 experience of residents pointed out several unique
 14 contributions of Cooper's study and he said, "The
 15 obvious support from both Pacific Hydro and the
 16 residents is the standout feature of the study and
 17 it is clear from the text that the outcomes were not
 18 envisioned by yourself or the study participants at
 19 the commencement of the study. The approach taken
 20 is highly professional and supportive to both your
 21 client, Pacific Hydro, and sympathetic to the
 22 residents who provided you with their assistance."
 23 Dr. Paul Schomer, Electrical Engineering
 24 Acoustics Standards director, Acoustical Society of

Page 3214

1 America, and past hired acoustician for Invenergy in
 2 the California Ridge wind project has also reviewed
 3 this study. Dr. Schomer said: Recently Cooper has
 4 completed a first-of-its-kind test regarding the
 5 acoustical emissions of wind turbines. His is the
 6 first study of effects on people that includes a
 7 cooperating wind farm operator in conjunction with a
 8 researcher who does not exclusively work for wind
 9 farms. This study makes three very simple points.
 10 There is at least one nonvisual, nonaudible pathway
 11 for wind turbine emissions to reach, enter and
 12 affect some people. Number two, this is a
 13 longitudinal study wherein the subjects record in a
 14 diary regularly as a function of time the level of
 15 effects they are experiencing at that time. Number
 16 three, this periodic recording allows for responses
 17 as the wind turbine power changes up and down,
 18 changes not known by the subject.
 19 The results are presented in a 218 page
 20 report augmented by 22 appendices spread over six
 21 volumes so that every single detail in the study has
 22 been documented for all to see and examine. The
 23 methods and results are totally transparent and the
 24 22 appendices and the main text exhaustively

Page 3215

1 document everything involved in this study.
 2 Dr. Schomer goes on to say: Pacific Hydro
 3 requested the conduct of an acoustical study at
 4 three residential properties to ascertain any
 5 identifiable noise impacts of the wind farm
 6 operations or certain wind conditions that could
 7 relate to the complaints that had been received.
 8 This study was to incorporate three houses that are
 9 located between 650 meters and 1600 meters from the
 10 nearest turbine. This research represents a case
 11 study at three houses, each with one couple or six
 12 people. This is one sample, and only one sample, of
 13 a small group of people who are all self-selected as
 14 being very or extremely sensitive to wind turbine
 15 acoustic emissions. A similar group could be
 16 assembled elsewhere, such as in Shirley, Wisconsin,
 17 or Ontario, Canada.
 18 This study finds that these six people
 19 sense the operation of the turbines via other
 20 pathways than hearing or seeing and that the adverse
 21 reactions to the operations of the wind turbines
 22 correlates directly with the power output of the
 23 wind turbine and fairly large changes in power
 24 output.

Page 3216

1 Dr. Schomer goes on to say: Attempts made
 2 -- attempts may be made to confuse these simple
 3 points with such arguments as it can't be proved
 4 that infrasound is the cause of the discomfort, but
 5 that again is a specious argument. The important
 6 point here is that something is coming from the wind
 7 turbines to affect these people and that something
 8 increases or decreases as the power output of the
 9 turbine increases or decreases. Denying infrasound
 10 as the agent accomplishes nothing. It really does
 11 not matter what the pathway is, whether it's
 12 infrasound or some new form of rays or
 13 electromagnetic field coming off the turbine blades.
 14 If the turbines are the cause, then the wind farm is
 15 responsible and needs to fix it. Anyone who truly
 16 doubts the results should want to replicate this
 17 study using independent acoustical consultants at
 18 some other wind farm, such as Shirley, Wisconsin,
 19 where there are residents who are self-selected as
 20 being very or extremely sensitive to wind turbine
 21 acoustic emissions.
 22 So some may ask, there's only six people,
 23 why is that important? The answer is that up until
 24 now wind farm operators have said that there are no

Page 3217

1 known cause-and-effect relations between wind farm
 2 emissions and the response of people living in the
 3 vicinity of the wind farm other than those related
 4 to visual and/or audible stimuli, and these lead to
 5 flicker, which is treated, and some annoyance with
 6 noise.
 7 This study proves that there are other
 8 pathways that affect some people, at least six. The
 9 wind farm operators simply cannot say there are no
 10 known effects and no known people affected. One
 11 person affected is a lot more than none. The
 12 existence of just one cause-and-effect pathway is a
 13 lot more than none. It only takes one example to
 14 prove that a broad assertion is not -- assertion
 15 is not true and that is the case here. Wind farms
 16 will be in the position where they must say we may
 17 affect some people, and regulators charged with
 18 protecting the health and welfare of its citizenry
 19 will not be able to say they know of no adverse
 20 health effects. Rather, if they choose to support
 21 the wind farm, they will do so knowing that they may
 22 not be protecting the health and welfare of all
 23 citizenry, unquote.
 24 This study has opened up so many more

Page 3218

1 opportunities for studies like this. We need to
 2 learn from these studies. We need to learn from the
 3 mistakes already made by other counties, states and
 4 countries. Three documentaries have been produced
 5 called Down Wind, Windfall and Big Wind. These
 6 documentaries show the destructive impact of wind
 7 turbines being forced into communities in New York
 8 and Canada, and I highly recommended watching these
 9 documentaries.

10 My parents taught me that if you need to
 11 make a decision you make a list of pros and cons,
 12 which I have done several times in my life.
 13 However, I also learned that although I was free to
 14 make that decision, I was not free from the
 15 consequences of that decision.

16 To the county board, I would like to read
 17 a letter written by Jane Harper, Tipton County,
 18 Indiana, commissioner from 2009 through 2012, and
 19 Jane wrote this letter to warn the Howard County,
 20 Indiana, officials about the many pitfalls of wind
 21 energy development, but its message is equally
 22 applicable to Livingston County as well.

23 I am writing to you all as a former
 24 commissioner and colleague who aided in negotiations

Page 3219

1 and agreements with E.ON Climate & Renewables in
 2 Tipton County in 2011. From the onset, I was open
 3 to wind farm development in a small section of
 4 Tipton County because the commissioners had received
 5 no opposition and I felt that the landowners wanted
 6 it. My own family was offered an opportunity to
 7 lease land to E.ON and we declined because my
 8 husband didn't want to farm around the towers and I
 9 just didn't want to look at them.

10 I set my own personal views aside and made
 11 decisions based on what I felt the majority of the
 12 public wanted. I was outspoken enough, however, to
 13 say that I would never support a plan to cover a
 14 large portion of the county with wind turbines.

15 As it turned out, the problem was that
 16 when the decisions were being made to build Wildcat
 17 I, the commissioners were not hearing from the
 18 majority. People really did not know this was
 19 happening or, if they did, they didn't perceive it
 20 to be as intrusive as it was, invasive as it was.
 21 As you know, public notices are small and often
 22 overlooked in newspapers, so not much resistance was
 23 present until the towers went up and the people saw
 24 how enormous and intrusive they were. The red

Page 3220

1 blinking lights even disturbed my own summer
 2 evenings and my home is six miles from the closest
 3 tower.

4 You don't have the time to read what all I
 5 can tell you, so in a nutshell I just want to say
 6 that I wish I had the knowledge then that I have
 7 now. However, what I can do is try to pass on --
 8 pass some of what I know on to elected officials in
 9 the neighboring counties so that perhaps you can
 10 gain some wisdom from what I learned in the school
 11 of hard knocks.

12 In Tipton County, my 83-year-old mother is
 13 mad at me since I signed the agreements because she
 14 no longer has colorful birds coming to her feeders.
 15 My brother's view from his family dining room used
 16 to be a vast expanse of crops and natural habitat.
 17 Now that pristine vista is forever marred by giant
 18 metal structures. Neighbors hate each other. Back
 19 and forth letters to the editor have been seen in
 20 papers for over a year now. Families are torn
 21 apart. And because the physical presence of these
 22 towers will be there for 30 years, these
 23 relationships will never be repaired.

24 In short, this has become an issue that

Page 3221

1 has divided our community like no other. It has
 2 torn our county apart. In May 2014, the primary
 3 election is evidence the majority of the voters
 4 support candidates openly opposed to wind farm
 5 development and an incumbent commissioner was voted
 6 out of office due to his unwillingness to listen to
 7 the majority on any issue including wind.

8 If I had to do this over, I would never
 9 enter into an agreement with any wind company now,
 10 now that I know what it has done to my home
 11 community. I'm not proud that my name is on those
 12 documents. The wind company has breached many parts
 13 of the agreement but insists that their failures are
 14 minor. Their field representative is arrogant and
 15 cavalier in his attitude toward the people who are
 16 suffering with the effects of the noise and the
 17 flicker.

18 You can't lose something you never had, so
 19 you're not losing the supposed windfall of money
 20 that the project purportedly brings in. What you
 21 will lose, however, can't be measured in dollars.
 22 You will lose the rural landscape as you know it,
 23 you will lose the closeness of community spirit
 24 because people will hate each other over this, and

Page 3222

1 the presence of the towers will always be a constant
 2 reminder of the rift. Thus, the wounds will never
 3 heal.
 4 Please consider this. What do you think
 5 of a company that knows it has fierce opposition
 6 from a segment of the county citizenry but would
 7 still want to build in your county? It is a company
 8 forcing themselves onto you when they know they're
 9 not wanted by those in the project area who would be
 10 affected by their presence and are receiving no
 11 compensation for the change in their environment.
 12 How much of a community partner would they be when
 13 they really don't care about the wishes of the
 14 people?
 15 I don't know anything about the facts or
 16 which facts are true about property values and
 17 personal health issues, but what I do know as fact
 18 is this. Any issue that has become so contentious
 19 that it's caused a large group of people to assemble
 20 and be openly opposed and which has caused so much
 21 heartache and angst among citizenry just cannot be
 22 good for the whole. I don't feel that Tipton County
 23 will ever fully heal from the deep personal wounds
 24 incurred by many from the placement of wind turbines

Page 3223

1 in our county.
 2 I will leave you with one last piece of
 3 wisdom from somebody who has been there and done
 4 that. As an elected official and public servant, if
 5 you must go forward with approval that allows wind
 6 farm development and thus you become the reason a
 7 wind farm is built in Howard County, it will be a
 8 decision you will regret the rest of your life and
 9 you will join me. Jane Harper.
 10 I respectfully say to the county board
 11 just because it's been done before and it's always
 12 been done that way is not the reason to abandon
 13 common sense about present needs and changed
 14 circumstances. We have an opportunity to learn from
 15 others' mistakes.
 16 I respectfully ask the ZBA and the County
 17 Board that this application be denied for the
 18 following reasons:
 19 Number one. The special use is not
 20 consistent with the spirit, purpose and intent of
 21 the regulations and will substantially and
 22 permanently injure the appropriate use of
 23 neighboring property and will be detrimental to the
 24 public convenience and welfare.

Page 3224

1 Number two. The project is not consistent
 2 with the Livingston County Comprehensive Plan. The
 3 Regional Planning Commission voted unanimously the
 4 application is not consistent.
 5 Number three. The Invenergy Pleasant
 6 Ridge wind project will be detrimental to and
 7 endanger the public health, safety, morals, comfort
 8 and general welfare.
 9 Number four. The Invenergy Pleasant Ridge
 10 project will be injurious to the use and enjoyment
 11 of other property in the immediate vicinity for the
 12 uses already permitted. And it has been proven the
 13 industrial wind turbines and power stations and
 14 overhead electric lines will substantially reduce
 15 the value of neighboring property.
 16 Number five. This project will impede
 17 orderly growth, development, improvement of
 18 surrounding properties for those uses permitted in
 19 the zoning district.
 20 Should the ZBA decide to approve the
 21 application with special conditions, I would like to
 22 offer the special -- the following special
 23 condition, and I just narrowed it down to one here.
 24 A minimum setback from a nonparticipant property

Page 3225

1 line of half a mile. This setback is inclusive of
 2 the minimum setback from the manufacturer's
 3 evacuation zones shown in the Vesta and Nordex wind
 4 turbine safety manuals of 1640 feet plus 500 feet
 5 noise setback and 500 feet flicker setback, and a
 6 nonparticipant is allowed to waiver -- a waiver for
 7 this provision.
 8 When a population density is such that we
 9 can't establish a wind turbine and not maintain at
 10 bare minimum a half mile setback from a property
 11 line, then it's not a place for wind turbines.
 12 Thank you.
 13 **CHAIRMAN CORNALE:** Why don't we -- why
 14 don't we take about a 15 minute break and then we'll
 15 get some questions for you. Okay, I've got 7:54, so
 16 10 after 8:00 we'll get rolling.
 17 (Recess at 7:54 p.m. to 8:11 p.m.)
 18 **CHAIRMAN CORNALE:** Okay, if we can resume.
 19 All right, I believe we left off with Ms. Fehr and
 20 some questions. ZBA, did we have any questions at
 21 this particular time for Ms. Fehr? Do we have
 22 anything?
 23 All right, any local government with
 24 questions for Ms. Fehr? Anybody out there?

Page 3226

1 All right. Mr. Blazer, do you have any
 2 questions for Ms. Fehr?
 3 **MR. BLAZER:** Just a few.
 4 **CHAIRMAN CORNALE:** All right.
 5 **QUESTIONS BY**
 6 **MR. BLAZER:**
 7 Q. Ms. Fehr, you mentioned something called
 8 Stewards of the Land.
 9 **A. Yes.**
 10 Q. Is that something like a co-op?
 11 **A. That I'm not aware of.**
 12 Q. Okay.
 13 **A. I think it has --**
 14 Q. Okay. Do you know somebody named Nancy
 15 Homerding? You don't know her?
 16 **A. (Shakes head).**
 17 Q. You're not familiar with something called
 18 Calico Gardens? No?
 19 **A. Never heard of it.**
 20 Q. Okay. You made some comments about the
 21 Cape Bridgewater material out of Australia.
 22 **A. Uh-huh.**
 23 Q. Have you actually read that report?
 24 **A. I've read all the reviews, the peer**

Page 3227

1 **reviews, and I read the conclusion.**
 2 Q. All right. Have you read --
 3 **A. Because it's very, very long, yes.**
 4 Q. All right. So you have not read the
 5 report itself?
 6 **A. No, uh-uh.**
 7 Q. And the things you found about that
 8 report, where did you find them?
 9 **A. They -- I think it's on the --**
 10 Q. On the Internet?
 11 **A. Do you have my report? I did -- actually**
 12 **we -- I printed out the entire report from the**
 13 **Internet with the reviews. Everything I read was**
 14 **word for word from that.**
 15 Q. Okay. And where did you find all those
 16 materials?
 17 **A. I believe it was on Pacific Hydro.**
 18 Q. All of those comments and everything were
 19 on Pacific Hydro's site?
 20 **A. That I'm not sure.**
 21 Q. All right. Are you familiar with a site
 22 called -- out of Australia called Stop These Things?
 23 **A. I am.**
 24 Q. All right. Did you get some of the

Page 3228

1 materials from that site?
 2 **A. No, I think a lot of them came from Wind**
 3 **Watch.**
 4 Q. National Wind Watch?
 5 **A. National Wind Watch, Pacific Hydro, and**
 6 **there was another Australian group as well. I can't**
 7 **remember the name.**
 8 Q. Just a few questions about some of these
 9 materials that you provided us tonight. Let's start
 10 with this. This is marked UCLC 133. I hope I got
 11 the right one. This is from the New York State
 12 Department of Environmental Conservation. This is
 13 one of the documents you talked about, right?
 14 **A. Correct.**
 15 Q. All right. Do you know what the
 16 resolution of this was back in 2013?
 17 **A. I do not.**
 18 Q. Let's go to your UCLC Exhibit 3. That's
 19 this complaint by -- filed by a law firm called
 20 Lippes and Lippes. That's L-I-P-P-E-S.
 21 **A. Yes.**
 22 Q. Do you know what the current status is
 23 of --
 24 **A. My understanding is that it's in Federal**

Page 3229

1 **Court.**
 2 Q. Okay. Do you know what the current status
 3 is?
 4 **A. Uh-uh.**
 5 Q. No?
 6 **A. (Shakes head).**
 7 Q. You have to answer audibly.
 8 **A. No.**
 9 Q. Okay. Let's go to the next one. This is
 10 UCLC No. 4. Also by the same Lippes firm. Do you
 11 know what the current status of this proceeding is?
 12 **A. No.**
 13 Q. Let's go to the next one, UCLC No. 7.
 14 This is the one from Oregon. Do you know what the
 15 current status of this proceeding is?
 16 **A. I'm not sure what -- I think it -- I think**
 17 **this is the one that they settled for 5 million.**
 18 Q. Where did you find that?
 19 **A. Actually I read it in an article, an**
 20 **article in an Oregon paper.**
 21 Q. You think that Invenenergy settled this
 22 complaint for \$5 million?
 23 **A. There was an Oregon complaint that was**
 24 **settled, but I'm not sure it was this one.**

Page 3230

1 Q. Okay. The next one is UCLC No. 8. That's
 2 this article from Dailyreporter.com dated April 2,
 3 2010. Do you have that one?
 4 A. Yes.
 5 Q. Do you know whatever became of this
 6 proceeding?
 7 A. No.
 8 Q. And then let's go to UCLC No. 28, which is
 9 this rehearing, direct testimony of Dr. John
 10 Lamancusa. You got that?
 11 A. Yes.
 12 Q. This is the Highland Wind Farm proceeding?
 13 A. Yes.
 14 Q. All right. Do you know why there was a
 15 rehearing?
 16 A. No.
 17 Q. Do you know whether the Wisconsin Public
 18 Service Commission accepted Mr. Lamancusa's opinions
 19 as they're stated in this document?
 20 A. No, I don't.
 21 Q. Do you know if they accepted Mr. Hankard's
 22 model and testimony in this proceeding?
 23 A. No, I don't.
 24 Q. Do you know whether the Wisconsin Public

Page 3231

1 Service Commission, in fact, issued a permit for the
 2 Highland Wind Farm based on Mr. Hankard's
 3 testimony --
 4 A. No.
 5 Q. -- and model? No, you don't?
 6 A. No.
 7 MR. BLAZER: That's all I have.
 8 CHAIRMAN CORNALE: All right, thank you.
 9 Mr. Luetkehans, do you have any questions?
 10 MR. LUETKEHANS: She's actually my client.
 11 CHAIRMAN CORNALE: All right. Anybody in
 12 the audience with questions of Ms. Fehr? Got one
 13 back there.
 14 MR. CAVAZOS: Should I speak up or --
 15 CHAIRMAN CORNALE: If you can talk loud
 16 enough or maybe --
 17 QUESTIONS BY
 18 MR. CAVAZOS:
 19 Q. Okay, Ambiro Cavazos. Okay, I've got a
 20 couple questions. Was that Mr. Lamancusa, was that
 21 the one that gave different testimony in Wisconsin
 22 from the Invenergy experts?
 23 A. Yes, Professor Lamancusa.
 24 Q. Is that the same, I guess, experts that we

Page 3232

1 have here too?
 2 A. Hankard and --
 3 Q. Blackman?
 4 A. Blakeman or -- sorry.
 5 MR. BLAKEMAN: Thank you.
 6 A. Make sure you get your check for that.
 7 MR. BLAZER: I think Phil and I can
 8 testify that Mr. Blakeman is definitely an expert.
 9 MR. BLAKEMAN: In what?
 10 MR. LUETKEHANS: Don't say I want a raise.
 11 A. It was Blank.
 12 Q. I guess what did he say about their
 13 testimonies? I didn't quite catch that.
 14 A. Well, basically what he talked about was
 15 the ISO model that they used actually doesn't have a
 16 cushion. There's -- that he recommended that
 17 there's --
 18 MR. BLAZER: Mr. Chairman, I think this is
 19 repetitive at this point. She already read it. Not
 20 only do we have the document, but she read it in.
 21 AUDIENCE VOICE: It's his question.
 22 AUDIENCE VOICE: Yeah.
 23 CHAIRMAN CORNALE: Correct. I will agree
 24 that it is repetitive and I do ask everyone to try

Page 3233

1 to listen. She did read the testimony of him.
 2 BY MR. CAVAZOS:
 3 Q. I guess I wondered not necessarily the
 4 exact numbers, but what -- did he think it was a
 5 valid model or -- I didn't know what his opinion
 6 was, I guess, on their testimony.
 7 A. His testimony says that it is simplistic.
 8 However, that it's only -- the accuracy is only plus
 9 or minus 3 dB, which you should really have a
 10 cushion of plus or minus 5 dB in order to be -- to
 11 more safely site these for the different issues that
 12 come with sound and the other issues that come up.
 13 Q. Okay. And that ISO 9613 model and he said
 14 it was 13 percent basically underestimating, which
 15 means it's really louder than what this model shows.
 16 A. That's what he said.
 17 Q. Okay. And during a temperature inversion,
 18 it would also be even louder than that.
 19 A. Correct, that's what he said.
 20 Q. And that usually a lot of times you get
 21 fog when you have temperature inversions. We had a
 22 fog.
 23 And also the power output. The power
 24 output, I guess, really doesn't mean a thing unless

Page 3234

1 you get individual wind turbines to get these
 2 numbers accurate; is that correct? Is that -- you
 3 know, unless you get individual turbine power output
 4 numbers, you get an average of the whole -- the
 5 power output numbers for the turbines, can you get
 6 individual ones rather than a whole footprint of
 7 them I guess?
 8 **A. You mean like in the Cape Bridgewater?**
 9 **Q. Yes.**
 10 **A. They picked individual turbines that were**
 11 **within 600 meters and 1600 meters from around the**
 12 **families that were having the issues, those were the**
 13 **two distances, so they took all the turbines within**
 14 **those meters.**
 15 **Q. Okay. I guess to clarify a little bit,**
 16 **for the 13 percent underestimation, it also depends**
 17 **on the power output.**
 18 **A. Uh-huh.**
 19 **Q. So unless you get an individual power**
 20 **output, you really won't know what you have --**
 21 **A. (Nods head).**
 22 **Q. -- for these numbers. I guess that's what**
 23 **I was wondering.**
 24 **MR. CAVAZOS: That's all.**

Page 3235

1 **CHAIRMAN CORNALE: Any other questions**
 2 **from the audience? Anybody else from the audience**
 3 **out there? County staff? County counsel? Nothing?**
 4 **All right.**
 5 **MS. HUISMAN: I've got one.**
 6 **CHAIRMAN CORNALE: Oh, sorry, Joan.**
 7 **QUESTIONS BY**
 8 **MS. HUISMAN:**
 9 **Q. How did you circulate the petitions that**
 10 **you got signed?**
 11 **A. Most of them were door to door. We mailed**
 12 **out petitions as well to people within the**
 13 **footprint. We also had petitions at the information**
 14 **meetings that we had in Pontiac, in Fairbury. I**
 15 **think those are the three main ways that we got them**
 16 **out.**
 17 **Q. When you mailed them out, were you**
 18 **targeting just footprint, people in the footprint?**
 19 **Did you -- I haven't looked at the list, I don't**
 20 **know where all these folks live, where their**
 21 **addresses are, but did you send it out to folks in**
 22 **town as well?**
 23 **A. Those actually -- most of those we did by**
 24 **door to door, and then the ones that are within the**

Page 3236

1 **footprint we went door to door, plus we also mailed**
 2 **them out.**
 3 **Q. I was curious how many you might have**
 4 **gotten back that were not interested in signing the**
 5 **petition or if you kept track of any of that?**
 6 **A. We had two that came back that weren't**
 7 **interested.**
 8 **Q. Okay.**
 9 **A. Because they actually mailed them back.**
 10 **They were self-stamped, so they could just put them**
 11 **in the mail. And we had two out of all that we sent**
 12 **out.**
 13 **MS. HUISMAN: Okay, thanks.**
 14 **CHAIRMAN CORNALE: Any other questions**
 15 **from the ZBA? We already went through the --**
 16 **MS. GERWIN: It's a point of order. Has**
 17 **that exhibit actually been entered, the petition?**
 18 **MS. FEHR: I entered them tonight.**
 19 **MR. BLAKEMAN: They've been submitted.**
 20 **CHAIRMAN CORNALE: They've been submitted.**
 21 **All right, thank you.**
 22 **MS. FEHR: Thank you.**
 23 **CHAIRMAN CORNALE: All right, next on the**
 24 **list I have Harvey Zehr. Harvey Zehr, are you**

Page 3237

1 available this evening?
 2 **MR. ZEHR: Yes, I am. Affirm if you**
 3 **please.**
 4 **CHAIRMAN CORNALE: All right, Mr. Zehr,**
 5 **can you please raise your right hand?**
 6 **(Mr. Harvey Zehr was duly affirmed.)**
 7 **CHAIRMAN CORNALE: Please state your name**
 8 **and address for our court reporter and then you can**
 9 **go ahead and begin.**
 10 **MR. ZEHR: My name is Harvey Zehr. I'm at**
 11 **3100 Ashwood Drive, Urbandale, Iowa, is my**
 12 **residence.**
 13 **CHAIRMAN CORNALE: Mr. Zehr, just out of**
 14 **curiosity, where is Urbandale?**
 15 **MR. ZEHR: Iowa.**
 16 **CHAIRMAN CORNALE: Urbandale, Iowa.**
 17 **MR. ZEHR: USA, North America.**
 18 **CHAIRMAN CORNALE: No, no, no, I --**
 19 **MR. ZEHR: It's a suburb, contiguous**
 20 **suburb to Des Moines.**
 21 **CHAIRMAN CORNALE: Oh, okay, okay,**
 22 **because, interestingly here, you're in the petition.**
 23 **And I just happened to come across Urbandale and it**
 24 **says Livingston County.**

Page 3238

1 **MR. ZEHR:** Well, on the petitions, I went
 2 out myself and had the people sign petitions. I was
 3 at some restaurants and stuff like that where people
 4 outside the footprint would sign. As a matter of
 5 fact, one guy said his mailbox was in the footprint.
 6 **CHAIRMAN CORNALE:** Okay.
 7 **MR. ZEHR:** And he was in McLean County,
 8 so --
 9 **CHAIRMAN CORNALE:** Okay.
 10 **MR. ZEHR:** His mailbox was in Livingston
 11 County.
 12 **CHAIRMAN CORNALE:** All right.
 13 **MR. ZEHR:** I hope we can keep this
 14 straight, but I doubt it.
 15 **MR. BLAKEMAN:** Are these a group exhibit
 16 or are they each one a separate exhibit?
 17 **MR. ZEHR:** Kind of. Exhibit A is my
 18 remarks as I go through.
 19 **MR. BLAKEMAN:** Okay.
 20 **MR. ZEHR:** These are the actual exhibits
 21 that I'll be talking about when I do this and
 22 they're in order and they're a group. They're
 23 all -- this is all Exhibit 1.
 24 **MR. BLAKEMAN:** Okay. These are all

Page 3239

1 marked?
 2 **MR. ZEHR:** They're all marked. Are you
 3 going to want to hand all these out first or want to
 4 wait until I get to them?
 5 **MR. BLAKEMAN:** It would probably be better
 6 if you're going to refer to them by number.
 7 **MR. ZEHR:** I'll refer to them by number.
 8 **MR. BLAKEMAN:** Let me just ask, I'm
 9 confused. That is Exhibit No. --
 10 **MR. ZEHR:** H. Zehr 001. I passed out
 11 Exhibit A.
 12 **MR. BLAKEMAN:** Okay, I guess in order to
 13 have consistency, you know, you number them 1
 14 through whatever.
 15 **MR. ZEHR:** They are.
 16 **MR. BLAKEMAN:** Okay, but -- so this is
 17 Exhibit --
 18 **MR. ZEHR:** 1.
 19 **MR. BLAKEMAN:** This is Exhibit 1.
 20 **MR. ZEHR:** Right.
 21 **MR. BLAKEMAN:** Okay.
 22 **MR. ZEHR:** As I said, my name is Harvey
 23 Zehr Junior a/k/a Bill. I'm not an expert at
 24 anything as defined by Mr. Blazer, but I have

Page 3240

1 experience in some issues that we will talk about
 2 and have talked about in the ZBA.
 3 My background is I got a comprehensive
 4 business major with emphasis in accounting in 1972
 5 from Illinois State University; a master's of
 6 business administration, Drake University in Des
 7 Moines, Iowa; Certified Public Accountant, I'm a
 8 Certified Internal Auditor, Certified Information
 9 System Auditor, among other things.
 10 I started my business career as a systems
 11 analyst one and a half years -- for one and a half
 12 years. Then I went to audit and spent 19 years, 17
 13 years as director of audit as an EDP auditor and an
 14 operational auditor for three different companies.
 15 The next seven years I was head of agency
 16 administration and retired at 58 as head of agency
 17 administration. Then I did two additional years
 18 work as an audit consultant for a multi-national
 19 manufacturing corporation. These are all Exhibit A
 20 if you want to look where I was reading from, okay?
 21 Judith Gap, Wheatland County, Montana.
 22 It's Exhibit 5 of Mr. Parzyck's video during his
 23 presentation on wind energy. It showed that how
 24 happy people were with the wind turbines, some of

Page 3241

1 them from Judith Gap. I'm sure they are thrilled
 2 with the turbines that they were able to -- that
 3 they needed to fund some of their local town
 4 activities. The site of the project appears to me
 5 to be near perfect for them.
 6 Exhibit 1, H. Zehr 1, is from the Montana
 7 state government, the Montana government website.
 8 It gives some background on the Invenergy project
 9 and mentions that the size of the turbines are
 10 similar to those proposed for our area, except the
 11 blades are a little bit shorter and also weigh about
 12 28 percent less. One of the comments made in -- on
 13 the website was, on page 3 of Exhibit 1, was that a
 14 critical component of the project's success was
 15 approval by the Montana Public Service Commission to
 16 sell power to Northwestern Energy under a 20 year
 17 contract for \$31.75 per megawatt hour. One of the
 18 comments that come up early in our presentations is
 19 whether they had a contract to buy the power, which
 20 was important.
 21 Some background on the site for turbines.
 22 Judith Gap is a town of 2600 -- 126 people. It's on
 23 page 4. The nearest town to Judith Gap is Harlowton
 24 which is 18 miles south. That's on page 5 of the

Page 3242

1 handout. The total population of Wheatland County,
 2 Montana, is 2,168. The population of Livingston
 3 County is about 38,000, which is 17 times the
 4 population density -- or not density, the population
 5 of Wheatland County.
 6 The land area of Wheatland County is 1423
 7 square miles, which is about 40 percent larger than
 8 McLean -- I mean Livingston County. This shows that
 9 the density out there is a lot less per square mile,
 10 and of course they're not going to bother any people
 11 I wouldn't think because they're not near them.
 12 Second to last page on Exhibit 1. Like I
 13 mentioned earlier, the siting is near perfect, for
 14 the closest residence to a turbine is about
 15 six-tenths of a mile away. The second closest
 16 residence is over one mile away from the turbine,
 17 nearest turbine. The town of Judith Gap is over
 18 four miles away from the nearest turbine. Obviously
 19 that is a lot less dense population out there and
 20 allows that to happen.
 21 The last page is a map. At the top, you
 22 can see the town of Judith Gap with the green
 23 balloons up there. All residences are not marked,
 24 just the closest ones, so we could do a measurement

Page 3243

1 to see how far they were away. In siting the
 2 Pleasant Ridge wind turbines was similar -- if the
 3 siting of Pleasant Ridge turbines was similar to the
 4 Judith Gap siting, these meetings of the ZBA would
 5 have been over the first night and I would have
 6 spent my winter in Florida. And that's true.
 7 Some of the comments that come up for
 8 one -- when one of our, one of the speakers, Mr.
 9 Blazer asked one of the witnesses if the government
 10 was pro-wind, and the witness did not answer the
 11 question. As a matter of fact, Mr. Blazer asked him
 12 several times and he did not answer the question. I
 13 will. The federal government's obviously pro-wind
 14 because they provide a 30 percent production tax
 15 credit, which is a write-off against taxes owed, and
 16 that can be transferred to other companies, and it
 17 subsidizes electricity generated at 3 cents per
 18 kilowatt hour, over 3 cents per kilowatt hour.
 19 The Department of Energy, which is Exhibit
 20 43, UCLC Exhibit 43 --
 21 **MR. LUETKEHANS:** Here's 42 and 43.
 22 **MR. ZEHR:** I will quote some things out of
 23 there. There's a lot in there, I'm not going to
 24 read it to you, but I will take some quotes out of

Page 3244

1 there. The first -- at the top it says About the
 2 DOE Wind Program. The U.S. Department of Energy
 3 Wind Program is committed to developing and
 4 deploying a portfolio of innovative technologies for
 5 clean domestic power generation to support the
 6 ever-growing industry. And targeting at 20 percent
 7 of the nation's electricity by 2030.
 8 Exhibit 42, page 3, there's a heading in
 9 there. Under Market Acceleration and Barrier
 10 Reduction Activities, quote, DOE-funded market
 11 acceleration and environmental activities
 12 initiatives, such as Wind Powering America and the
 13 National Wind Coordinating Cooperatives, were
 14 critical in enabling wind to break out of California
 15 and develop in markets across the country, unquote.
 16 I'd like to point out that government did not have
 17 to do anything to get Silicon Valley to go across
 18 the country with Apple and Google and all the other
 19 companies out there.
 20 Wind Powering America created the jobs and
 21 economic development model JEDI. The National Wind
 22 Coordinating Cooperative built the private --
 23 public/private partnerships. So JEDI comes with a
 24 lot of help from the federal government.

Page 3245

1 And that is my -- Pleasant Ridge Exhibit
 2 114, which I took four pages out or several pages
 3 out of, which it's H. Zehr Exhibit 9, to show that
 4 DOE funds universities that are pro-wind. For
 5 example, Dr. David Loomis at Illinois State
 6 University, grants from U.S. Department of Energy,
 7 \$990,000 from 2006 to 2010; \$107,000 2009 through
 8 2011.
 9 Exhibit 6 is printed off from the Energy
 10 Information Administration website and the report --
 11 it's a report done for a Congressman. He did it in
 12 2010 and 2013. That's Exhibit 6. On pages 12
 13 through 15, it gives the breakdowns of some of the
 14 subsidies given to wind turbines and all subsidies
 15 to all energy production as a matter of fact, with
 16 72 percent going to renewables and 37 percent going
 17 to wind. Now, 37 percent is a part of the 72
 18 percent, so...
 19 H. Zehr Exhibit 7 is a pie chart that
 20 shows the subsidies broken down between the subsidy
 21 percentages and the electricity generation
 22 percentages. The 2010 numbers are inside the pie
 23 chart. The 2013 numbers, which come directly out of
 24 the report I just showed you, are on the outside,

Page 3246

1 around the outside. I did not get a copy of the
 2 2010 report, but I did find a copy of the pie chart,
 3 so I was able to transfer the new numbers onto the
 4 2013.
 5 Wind energy gets 37 percent of the
 6 subsidies and produces 4.3 percent of the
 7 electricity. Coal gets 6 percent of the subsidies
 8 and produces 40 percent of the electricity. Coal
 9 gets one-sixth of the subsidy of wind and produces
 10 over nine times the electricity.
 11 We had a comment earlier on a couple of
 12 meetings ago that the nuclear plants were going to
 13 be shutting down or something like that. Well, this
 14 chart will kind of show you maybe why they're
 15 threatening to shut down. Inside the -- in the
 16 nuclear part there on the subsidies, they were 21
 17 percent of the subsidies in 2010, and now in 2013
 18 they were 10 percent of the subsidies. Now, their
 19 actual subsidies probably didn't go down, but a lot
 20 more money went into the programs, but they went to
 21 other renewable energy places, so they are being --
 22 feel the need to say something about getting more
 23 money. So nuclear subsidy percentage was cut in
 24 half with the share of the electricity produced the

Page 3247

1 same. Now we know why the nuclear plants are doing
 2 a little politicking for more money.
 3 Again, pro government -- pro-wind versus
 4 anti-wind for government. Illinois state government
 5 is pro-wind. For example, back on the exhibit from
 6 Pleasant Ridge 114 and Zehr 9, Dr. Loomis at
 7 Illinois State University got grants from the
 8 United -- State of Illinois Department of Commerce
 9 and Economic Activity of \$190,000 in March 2011,
 10 125,000 in April of 2009, and 98,000 in March of
 11 2012. An Illinois -- a previous governor in
 12 Illinois, I don't know if it was passed into law or
 13 not, but a previous governor in Illinois said that
 14 they wanted to mandate electric companies to buy 25
 15 percent of their wind energy -- their electricity
 16 from wind energy by 2025.
 17 County governments are pro-wind. The
 18 county will get a stipend for allowing turbines to
 19 be placed in their county, unless of course they
 20 determined that unbalanced wind farms are a
 21 detriment to the citizens of that county.
 22 Therefore, state and federal governments are
 23 obviously pro-wind.
 24 Easements. Pleasant Ridge Exhibit 7, 6

Page 3248

1 and 8 are easement agreements. Exhibit 7, my
 2 Exhibit 2, is called the agreement regarding
 3 easements from which I got the following
 4 information. Under item 2, Easements, quote,
 5 permitting electronic -- electromagnetic, audio,
 6 flicker, visual, light, noise, vibration, air
 7 turbulence, wake, electric, radio interference,
 8 shadow or other effects attributable to wind power
 9 facilities or any other operational or developmental
 10 activities.
 11 Drones are becoming big and the farmers --
 12 are used by farmers to scout crops during the
 13 growing season. The applicant has proposed siting
 14 three wind turbines within a thousand feet of my
 15 farm. How will the air turbulence, wake, electric
 16 and radio interference affect me and other
 17 nonparticipating farmers on new technology that
 18 comes along? Farming has changed dramatically in
 19 the last 10 to 15 years. What new technology will
 20 be used effectively -- will not be able to be used
 21 effectively because of air turbulence, wake,
 22 electronic and radio interference?
 23 I've wondered about the claims that there
 24 were few complaints within -- from people within the

Page 3249

1 footprint of the wind farm. Well, the easement
 2 gives the wind farm permission to produce all these
 3 things and they're being paid for it, so I -- and
 4 one of them is all other effects attributable to
 5 wind power facilities. So I imagine there wouldn't
 6 be any legitimate complaints because they're being
 7 paid for.
 8 The agreement gives the grantee the right
 9 to produce the causes of the complaints, other
 10 effects attributable to wind power facilities or any
 11 other operational or development activities. Well,
 12 obviously there would be nothing again to complain
 13 about.
 14 Invenergy -- Exhibit 6 in my Exhibit 3
 15 called Neighbor Agreement has a section called Term.
 16 I quote, "The term of this agreement and the
 17 easements described above, the term shall commence."
 18 I can find no -- unquote. I can find no other place
 19 in the agreement that defines what the easements are
 20 allowing Pleasant Ridge Energy, LLC, to do. They're
 21 paying for something in the -- is the Neighbor
 22 Agreement easement buying the same rights as Exhibit
 23 7 called the Agreement Regarding Easements? Any
 24 additional or any less rights? All easements I have

Page 3250

1 seen have been -- specifically say what rights you
 2 are giving to the grantee. I don't see that in the
 3 Neighbor Agreement. The old adage, you don't get
 4 something for nothing gets my antenna up. What is
 5 Pleasant Ridge Energy, LLC, buying the rights to?
 6 Pleasant Ridge Exhibit 8, H. Zehr Exhibit
 7 4, is called a Cooperation and Release Agreement.
 8 This agreement between Pleasant Ridge Energy, LLC,
 9 and the village of Forrest releases the one and a
 10 half mile buffer zone between the village of Forrest
 11 and wind turbines. It does say that there is a new
 12 buffer zone of one-half mile created. Item 3B
 13 states, and I quote, "The village also expressly
 14 agrees that it will not oppose the placement by
 15 Pleasant Ridge of any project infrastructure,
 16 including but not limited to, transmission systems,
 17 substations, underground electrical connection
 18 systems or road access regardless of the distance
 19 from any portion of the village -- system from the
 20 village boundary." Could this be a problem for
 21 Pleasant Ridge -- if Pleasant Ridge, LLC, is sold or
 22 if Forrest needs to expand because they're right up
 23 against the city limits? There is no mention in the
 24 agreements about permitting or not permitting

Page 3251

1 electromagnetic, audio, flicker, and all these kind
 2 of things I mentioned, that was mentioned in Exhibit
 3 7. This could be a problem for the future.
 4 All right, getting down to one here, the
 5 power of sleep, Exhibit -- it's a Time Magazine
 6 article that I think is important whether you look
 7 at this for the wind farm or not. I have to credit
 8 my son-in-law, Dan Zehr, with this presentation. He
 9 saw this and read this article in the Time Magazine
 10 while he was waiting for my daughter to come out of
 11 surgery last year. It does not mention or even
 12 allude to wind turbines. It does not -- I doubt
 13 that the author or any of those contributing to the
 14 report ever heard of wind turbine because of --
 15 resistance to wind turbines because of sleep
 16 problems.
 17 The article is about the consequences of
 18 sleep deprivation and how serious these consequences
 19 are to human health. I strongly urge anyone in the
 20 sound of my voice to get a copy and read it, and
 21 it's at the Fairbury library. I have highlighted
 22 some of the article, but after reading it again, I
 23 saw more important information that I didn't
 24 highlight that I should have. I have read the

Page 3252

1 article several times trying to summarize it for the
 2 ZBA but cannot. It's too long to read to you
 3 because I don't want to really destroy your patience
 4 over the last 25 meetings and the print is too small
 5 for me to read is probably the bigger reason.
 6 This information in this article is on why
 7 the brain needs eight consecutive hours of sleep,
 8 what the brain does throughout the night while we
 9 sleep and why it cannot do it while we're not
 10 asleep, that the brain works hard taking up the mess
 11 from its work during the day, and it also mentions
 12 how dramatically the brain changes while you sleep,
 13 which is truly amazing. Just because you feel
 14 rested does not mean your brain has finished its
 15 nightly chores. The health issues that we would be
 16 less prone to get if we got some -- as much sleep as
 17 our bodies are designed for.
 18 For example, on page 4 of the handout,
 19 Exhibit 5, getting the recommended 7 to -- this is a
 20 quote now. "Getting the recommended 7 to 8 hours
 21 sleep each night can improve concentration, sharpen
 22 planning and memory skills, maintain the fat-burning
 23 system that regulate our weight." If every one of
 24 us slept as much as we're supposed to, we'd be

Page 3253

1 lighter, less prone to developing Type 2 diabetes
 2 and most likely better equipped to battle depression
 3 and anxiety. We might even lower our risks for
 4 Alzheimer's disease, osteoporosis and cancer.
 5 On page 7, the right-hand column, second
 6 paragraph, I am now looking at -- I quote, "I am now
 7 looking and thinking of sleep as an environmental
 8 exposure," says Brown University's Carskadon,
 9 C-A-R-S-K-A-D-O-N, I don't think I spelled it right
 10 but said it right anyway, "which means we should
 11 look to sleep -- at sleep similar to how we look at
 12 and view air pollution exposure, secondhand smoke,
 13 toxins -- or toxins in our drinking water."
 14 Paragraph -- I mean page 7, paragraph --
 15 the last two paragraphs. Quote, "Given what
 16 scientists are learning about how much the body,
 17 especially the brain, needs a solid consistent
 18 amount of sleep, in-the-know doctors aren't waiting
 19 for more studies to prove what we as a species know
 20 intuitively: that cheating ourselves of sleep is
 21 depriving us from taking advantage of one of
 22 nature's most powerful drugs. We know now that
 23 there is a lasting price to pay for sleep loss, says
 24 V-E-A-S-E-Y. We used to think that if you don't

Page 3254

1 sleep enough you can sleep more later and be fine
 2 tomorrow. We now know that if you push the system
 3 enough, that's not true."
 4 Dr. Jeffrey Ellenbogen testified that wind
 5 turbines do not directly affect human health. I
 6 would agree with that. He testified that several
 7 people he interviewed had existing health problems
 8 before the wind came -- wind turbines came to their
 9 area. I don't argue with that either. He did not
 10 say, that I could find, that lack of sleep would not
 11 exacerbate any health problems that people already
 12 had. Sleep loss can -- sleep loss caused by wind
 13 turbines could make tolerable health issues worse to
 14 the point of being intolerable.
 15 The loss of sleep or interruption of sleep
 16 by whatever means will cause problems with proper
 17 functioning of the brain. The article points out
 18 that long-term effects of sleep deprivation cannot
 19 be completely reversed by getting extra sleep later.
 20 Even though getting extra sleep later will -- may
 21 help mitigate effects but not completely reverse the
 22 effects. In other words, skipping on sleep during
 23 the week and then sleeping an extra few hours on the
 24 weekend will not correct all the damage done during

Page 3255

1 the week.
 2 She did not -- she did say that the extra
 3 sleep on the weekend will be beneficial but not
 4 completely solve the problem. Just because you feel
 5 rested after catching up on sleep does not mean the
 6 damage to your brain has not been -- has been
 7 corrected. She compared eating healthy only on the
 8 weekend but eating junk food during the week. The
 9 article mentions some stressors that cause sleep
 10 deprivation.
 11 What I would say is why do we want to add
 12 more, even more stressors to our sleep problems that
 13 would cause sleep problems?
 14 In reference to some of Attorney Blazer's
 15 comments on decommissioning. Our experts were
 16 questioned by Mr. Blazer -- and I don't have any
 17 handout for this except Exhibit 8. Our experts were
 18 questioned by Mr. Blazer about using any one of four
 19 contractors for decommissioning cost estimates.
 20 Made it sound like that was a bad thing that we
 21 didn't do that or they didn't do that. But
 22 Stantec's David Rautmann did not mention using a
 23 construction contractor in his determination of the
 24 net cost of \$37,000 per turbine.

Page 3256

1 Talking to a contractor about actual --
 2 that actually does the work and pays expenses
 3 incurred in decommissioning sounds appropriate
 4 because the engineers do not have the accountability
 5 of losing money on the project if they underestimate
 6 the net cost or getting the bid if they -- to do the
 7 work if they overestimate the cost. Therefore, I
 8 took Mr. Blazer's challenge, and I called the four
 9 contractors, construction contractors he mentioned.
 10 I had a long conversation with one
 11 estimator who worked on estimating the costs for
 12 wind farms. He bought, brought up his computer --
 13 he said he'd bring up on his computer, and he did, a
 14 wind farm that they worked on, and it was one-third
 15 the size of the proposed Pleasant Ridge project but
 16 with smaller -- with larger turbines, a little
 17 larger turbines. He asked me questions about the
 18 project. I asked him questions about estimating.
 19 The facts that came out were he said
 20 Stantec was a quality company, but could not
 21 understand how they could estimate their cost, net
 22 cost for decommissioning so low. And I misstated a
 23 quote when I talked to him. I said 40 some thousand
 24 and it was actually 37,000 minus five dollars. So

Page 3257

1 he thought that number -- he just couldn't
 2 understand why that number was so low.
 3 He said that we need to get a construction
 4 contractor to do an estimate, like Mr. Blazer kind
 5 of insinuated, but he might be biased because for a
 6 construction -- for he was a construction, worked
 7 for a construction contractor. I told him we did
 8 not get a -- we did get a local contractor's
 9 estimate of over \$200,000 net cost per turbine for
 10 decommissioning. After some discussion, he said
 11 engineers usually underestimate the cost and
 12 overestimate the salvage values. He said at the end
 13 of the conversation or towards the end of the
 14 conversation that the net cost per turbine would
 15 probably be somewhere between 150 and 200,000 per
 16 turbine.
 17 To justify the steel and copper price, Mr.
 18 Stantec -- used by Stantec, Mr. Blazer stated that
 19 steel and copper were world markets, which is true,
 20 but the price is not the same around the world. It
 21 depends on where the demand is versus where the
 22 supply is, and getting the -- and the cost of
 23 getting supply to where the demand -- where there is
 24 demand, the product is demanded, has to be

Page 3258

1 considered.

2 I called some local recyclers. Only one

3 would talk about the price that he would pay for

4 copper. They said that the market quotes No. 1

5 copper, which is pure copper with no coating. I

6 asked him about what they'd pay for copper in a

7 generator, and they say if I brought one in, they

8 would give me a quote. Well, obviously I wasn't

9 going to bring one in. May have stolen one

10 somewhere, but how do you carry one of those things

11 around?

12 If generator was not broken down and the

13 copper and steel separated, they would pay 15 cents

14 a pound or less. I asked if they would pay \$1.60 a

15 pound for pure copper with no coatings, in other

16 words No. 1 copper. They said, nah, it's a little

17 high. They wouldn't quote me a number, but they

18 definitely said they wouldn't pay a dollar sixty.

19 Stantec used \$2.60 a pound. Now, keep in mind I did

20 this at the same time back when Stantec got --

21 Stantec's report was put out to us. Stantec did use

22 2.60 a pound in their estimate and did they have --

23 and did not, that I could find, have any cost listed

24 to show how they would be disassembled in the

Page 3259

1 generators to clean copper, which would be very

2 expensive.

3 Any farmer can tell you that you rarely

4 get market price for their commodities, and steel

5 and copper are commodities. The vast majority of

6 the time the price they get is well under the market

7 price. The ethanol plant in Gibson City has helped

8 us in our area out, helped keep the corn price that

9 we get paid closer to the market price because the

10 corn is used there. Like I said earlier, it's a --

11 corn is a world market and you can sell -- I think

12 the last time I heard corn in China is \$10 a bushel.

13 Believe me, we won't get \$10 a bushel because it's

14 got to go from here, down the Mississippi, across

15 the ocean there, and so the price goes -- the price

16 there is different.

17 The cash prices on Thursday April 2nd,

18 2015, was 3.63 at Campus in Livingston County. At

19 Memphis, for example, on the river it was 4.01 and a

20 half, Memphis, Tennessee. And a multitude of other

21 below market prices in Livingston County. And

22 Gibson City, the market price closed that day at

23 3.86 and a half. So you don't get the market price

24 is my bottom line. And at times when we had the

Page 3260

1 shortage in 2012, I actually got more, and probably

2 a lot of other farmers did too, more than the market

3 price, even though it's a Chicago quoted market and

4 we sold it then in Illinois.

5 Mr. Blazer questioned two expert witnesses

6 about not having a college degree. Each had decades

7 of experience which I believe would qualify them as

8 experts. Steve Jobs, Bill Gates, Mark Zuckerberg

9 did not finish college. Are they not qualified to

10 do what they did? Or do or did in Steve Job's case.

11 The bachelor of science degree gets some people

12 their first job, and then it's how well they do the

13 job and how productive they are determines how

14 successful they are.

15 For the financial impact on Livingston

16 County, we are expected to rely on JEDI computer

17 model output. I spent a significant amount of my

18 time, over a dozen years, auditing computer programs

19 with computer programs I wrote. Major problems are

20 garbage in, garbage out and modelling programs to

21 get a desired result or flawed coding. Just because

22 it comes out of a computer don't make it right.

23 That's a saying we had when I was in systems, is

24 that people screw stuff up. If you want to really

Page 3261

1 screw it up, put it on a computer.

2 One of our companies hired an expert to

3 determine the value of an industrial park that the

4 company had a half interest in in order to come up

5 with a sales price to the company, sales price to

6 our company's partner. It's a pretty easy process.

7 You agree on a discount rate to determine the

8 present value of all future lease payments, in this

9 case ten years, and then you add that present value

10 to the present value of the property in ten years.

11 I was told not to review it because the expert was

12 the most respected in the area. And I was hoping

13 you guys didn't know my area, but now you know.

14 I asked for and he gave me the floppy disk

15 with the program on it. I took it to the office, my

16 office, and started checking the inputs, lease

17 payments. Well, he did not have or use the current

18 list of lease payments, so I put the correct ones

19 in. And then when I did that, the property value

20 come up to be \$2 million more than what he had put

21 down. He was very upset when I brought that back to

22 him because he was paid as an expert to value that

23 property, and he asked to keep it over the weekend

24 and get back to me, which he did.

Page 3262

1 With his projection based on new lease
 2 payments, what he did was put a modifier in his
 3 present value formula, so he still used the present
 4 value, I think it was 6 percent, I can't remember
 5 the number exactly, he put a modifier buried in the
 6 program to increase the discount rate so that
 7 property value, even though it was -- had higher
 8 inputs going into it, reduced the value back to his
 9 original projected amount.

10 I ask you to closely evaluate the proposed
 11 project and how it will affect the community today
 12 and in the future. Will the real benefit to the
 13 community -- real benefit to the community offset
 14 the negatives to the extent that it should be
 15 approved? I for one do not think so, but I don't
 16 get to vote on the matter. Thank you for your time.

17 **MR. LUETKEHANS:** Mr. Chairman, I have a
 18 couple follow-up questions for my client real
 19 quickly.

20 QUESTIONS BY
 21 **MR. LUETKEHANS:**
 22 Q. You said you live in Urbandale?
 23 A. **That's true.**
 24 Q. Have you been at all these meetings even

Page 3263

1 though you live in Urbandale?
 2 A. **I've stayed out here for every one of**
 3 **them.**
 4 Q. Okay.
 5 A. **Well, I went back a couple times we didn't**
 6 **have meetings, but I've been here for all --**
 7 Q. But you've been to all the hearings?
 8 A. **I've been to every hearing.**
 9 Q. And you mentioned --
 10 A. **And every board meeting and every --**
 11 Q. You mentioned your farm?
 12 A. **Yes.**
 13 Q. Okay. Where is that in location of the
 14 wind turbines? You said a thousand feet?
 15 A. **The farm that I have a beneficial**
 16 **interest, that she owns part of, is on the edge of**
 17 **the footprint. Footprint blocks us out of it. And**
 18 **there's a wind turbine to the north that's less than**
 19 **a thousand feet. There might be another one that's**
 20 **less, the one to the south. I didn't count the**
 21 **other farm I got in the center of the footprint. I**
 22 **didn't bother to figure it out. Nobody lives in**
 23 **that place, so I didn't --**
 24 Q. Okay, and how many acres of farmland do

Page 3264

1 you and your family own?
 2 A. **About 300.**
 3 Q. Thank you.
 4 A. **40 of it's in McLean County right across**
 5 **the line from --**
 6 Q. Okay.
 7 **MR. LUETKEHANS:** Thank you, Mr. Zehr.
 8 **CHAIRMAN CORNALE:** All right, Mr. Zehr.
 9 Do we have any questions? Does the ZBA have any
 10 questions for Mr. Zehr at this time? All right.
 11 Units of local government, any questions for Mr.
 12 Zehr?
 13 Mr. Blazer, do you have any questions of
 14 Mr. Zehr?
 15 **MR. BLAZER:** Just a couple.
 16 **CHAIRMAN CORNALE:** All right.
 17 QUESTIONS BY
 18 **MR. BLAZER:**
 19 Q. Mr. Zehr, how long have you lived in Iowa?
 20 A. **I moved there in September 1980. 35 years**
 21 **almost, 34 or something.**
 22 Q. So are you aware that there are over 100
 23 wind farms in Iowa with a total of over 3400 wind
 24 turbines currently operating?

Page 3265

1 A. **Yep. Well, I didn't know that exact**
 2 **number. You go out west, you go about 20, 30 miles**
 3 **west of Des Moines, you start picking them up, and**
 4 **there's a few of them. But Iowa is not populated**
 5 **anything like Indian Grove and Forrest Townships.**
 6 Q. Are you aware that Iowa is, in fact,
 7 ranked third in the entire country in installed wind
 8 capacity?
 9 A. **I'm surprised at that because I thought**
 10 **they were number two, but --**
 11 Q. All right.
 12 A. **But I -- well, my energy company out there**
 13 **is proud of having 25 percent energy from wind**
 14 **turbines, except my rates are higher out there, so**
 15 **that irritates me a little bit.**
 16 Q. Actually are you aware that it's 27
 17 percent that's generated by wind in Iowa?
 18 A. **Well, 25, 25 is what they said. That's**
 19 **from -- personally I have MidAmerican Energy. I**
 20 **read that off their website, so I -- well, maybe**
 21 **some other companies. Maybe just them is 25, I**
 22 **don't know.**
 23 **MR. BLAZER:** Okay, that's all I have.
 24 **CHAIRMAN CORNALE:** All right. Anybody in

Page 3266

1 the audience with questions of Mr. Zehr? Anybody?
 2 ZBA, do we have anything? County staff? County
 3 counsel? Mr. Zehr, thank you.
 4 **MR. ZEHR:** Thank you very much.
 5 **CHAIRMAN CORNALE:** All right, next on my
 6 list I have Mr. John Dassow.
 7 **MR. LUETKEHANS:** Mr. Chairman, I think Mr.
 8 Dassow has a PowerPoint presentation and I don't
 9 know if we're set up for it here, so maybe that
 10 would be more appropriate to start Thursday night.
 11 **CHAIRMAN CORNALE:** Okay.
 12 **MR. LUETKEHANS:** That's what he advised
 13 me.
 14 **CHAIRMAN CORNALE:** All right. Is there
 15 anybody else in the audience this evening that's on
 16 the list that has a shorter presentation? I see
 17 them pointing to you. Are you on my list?
 18 **MS. DASSOW:** Connie Dassow.
 19 **CHAIRMAN CORNALE:** All right, I'm looking.
 20 Megan -- say that again? Connie Dassow, all right.
 21 Yeah, you're on my list. 15, 20 minutes? Oh, yeah.
 22 All right, do it. Ms. Dassow, can you please raise
 23 your right hand?
 24 (Ms. Connie Dassow was duly sworn.)

Page 3267

1 **CHAIRMAN CORNALE:** Please state your name
 2 and address and then you may begin.
 3 **MS. DASSOW:** Connie Dassow, 3341 North
 4 3350 East, Chatsworth, Illinois. First of all, I'd
 5 like to thank the ZBA for their hard work and
 6 patience during this process.
 7 My husband and I live and farm in the
 8 Chatsworth area, part of which has been in the
 9 family for around 150 years. Our son will be the
 10 sixth generation to farm this land. We both grew up
 11 in the country and feel there's no better place to
 12 raise a family. Living in the country allows us to
 13 enjoy the solitude, beautiful landscapes and
 14 wildlife. It may be hard for some who have never
 15 experienced living on a farm to understand, a farm
 16 that your family has been on for generations where
 17 you have invested your time and energy and most of
 18 all your heart and soul.
 19 We've had the pleasure of raising our
 20 three children on a beautiful farm that includes
 21 timber, native prairie and numerous wetlands and
 22 ponds. We were Illinois's first Wildlife Landowner
 23 of the Year and have been recognized for many
 24 conservation practices that we utilize on our land.

Page 3268

1 We believe that the sustainability and preservation
 2 of the land is important for the persistence of
 3 agriculture for future generations. We are stewards
 4 of this land and we want to be able to pass this
 5 down to future generations knowing we did the best
 6 we could for the land.
 7 It is difficult for me to articulate those
 8 feelings that are so deep and personal, the ties to
 9 the land and wildlife. No matter the problems I may
 10 have, I always feel at peace when I walk in the
 11 beauty of the country. It is not a job to us.
 12 There is no doubt that it's a way of life and you
 13 can't put a price on something like that.
 14 Around 2006 we were approached by the
 15 developer, and after doing our own research and
 16 talking to others, we decided that the risks
 17 significantly outweighed the benefits. That was
 18 over eight years ago, and many more issues have come
 19 to light since then. Invenergy claims they work
 20 with communities to ensure that everyone is
 21 involved. It is evident that this couldn't be
 22 further from the truth with all the secrecy and
 23 dishonesty that has taken place.
 24 It's saddens me, I'm sorry, that our

Page 3269

1 communities have to deal with this. We're the ones
 2 who live here, we're the ones who have our whole
 3 lives invested here, and we will be the ones to pick
 4 up the pieces when Invenergy moves on to its next
 5 project. I pray that our children and grandchildren
 6 will not be left to suffer the consequences if this
 7 project is approved. The damage will be done; you
 8 can't go back. The pleasures that we have enjoyed
 9 here will no longer be. They will look out over a
 10 towering industrial park wondering why they have to
 11 deal with the possible harm to their farmland,
 12 roads, health and safety, and most of all their
 13 overall well-being.
 14 Listening to all the testimony made it
 15 clear that there are significant risks associated
 16 with these industrial wind complexes. There seems
 17 to be little protection for nonparticipating
 18 landowners and homeowners. It infringes on our
 19 rights as property owners, possibly restricting what
 20 can and can't be done on our own property.
 21 Shouldn't we be safe and protected on our own
 22 property? My son and his wife are going to have
 23 five turbines within three-quarters of a mile of
 24 their house, the closest one at half a mile. I am

Page 3270

1 truly concerned for their health and safety.
 2 The testimonies given at these hearings
 3 have raised a lot of red flags and questions, many
 4 of which have not -- have been unaddressed, some
 5 purposefully and some just unknowns. In my eyes,
 6 the applicant has in no way proven that their
 7 project meets the criteria for a special use in an
 8 agricultural area. They do not guarantee that the
 9 people and animals of the area will not be affected
 10 by these industrial wind turbines.
 11 This project in no way provides benefits
 12 to agriculture, which is the number one, most
 13 important purpose of the Comprehensive Plan. This
 14 project will undoubtedly be injurious to the use and
 15 enjoyment of many properties and could ultimately
 16 affect value and future development of those
 17 properties.
 18 We as citizens of Livingston County do not
 19 want our county to be turned further into an
 20 industrial wind complex and feel the risks
 21 associated with this project are substantial. We
 22 ask that those of you who represent us deny this
 23 application. That's it.
 24 **CHAIRMAN CORNALE:** Thank you, Ms. Dassow.

Page 3271

1 Do we have any questions? ZBA have any questions?
 2 All right. Units of local government? Mr. Blazer?
 3 **MR. BLAZER:** No, sir.
 4 **CHAIRMAN CORNALE:** Mr. Luetkehans.
 5 **MR. LUETKEHANS:** (Shakes head).
 6 **CHAIRMAN CORNALE:** All right. Anybody in
 7 the audience with questions of Ms. Dassow? Anybody
 8 out there with questions? County staff? County
 9 counsel? No questions? Thank you.
 10 Do I have anybody else in the audience
 11 that -- oh, I've got some hands in the back.
 12 Shorter presentation?
 13 **MS. CHOUINARD:** Yes.
 14 **CHAIRMAN CORNALE:** Okay, come on up.
 15 What's your name?
 16 **MS. CHOUINARD:** Leslie Chouinard.
 17 **CHAIRMAN CORNALE:** Gotcha. How do you say
 18 your last name?
 19 **MS. CHOUINARD:** Chouinard.
 20 **CHAIRMAN CORNALE:** All right.
 21 **MS. CHOUINARD:** I'll spell it for her.
 22 **CHAIRMAN CORNALE:** All right, Ms.
 23 Chouinard, please raise your right hand.
 24 (Ms. Leslie Chouinard was duly sworn.)

Page 3272

1 **CHAIRMAN CORNALE:** Please state your name
 2 and address for our court reporter and spell your
 3 last name please.
 4 **MS. CHOUINARD:** It's Leslie and it's
 5 C-H-O-U-I-N-A-R-D, Chouinard, 2785 Conley Road,
 6 Morris, Illinois.
 7 Thank you for allowing me to speak
 8 tonight. I'd like to thank the County Board and the
 9 community for allowing me to take a few moments of
 10 your time tonight. For those of you who don't know
 11 me, I am Willa Virkler's daughter. I would like to
 12 share my thoughts about the proposed wind turbine
 13 farm.
 14 As my mom stated, our family were the
 15 first white settlers in Livingston County 185 years
 16 ago in 1830. As people have moved into the county
 17 and settled with their families through the years,
 18 our farmlands have become prime farmland which
 19 produces crops that the country relies on.
 20 There has been much discussion about the
 21 pros and cons of the wind turbines and many opinions
 22 have been formed. The turbines have the potential
 23 for health hazards, tearing up prime farmland for
 24 easement rights, to the possibility of damaging

Page 3273

1 field tiles with heavy equipment, to the possibility
 2 of huge expenses to the townships if the roads are
 3 not maintained properly, which the County Board
 4 needs to take into consideration now if they hadn't
 5 before, let alone to think about the future about
 6 the enormous task of decommissioning the turbines
 7 and the thought of planning for the huge financial
 8 costs and pricing 30 years into the future.
 9 But another concern that I hope that the
 10 board has been investigating is how many acres of
 11 farmland will now not be used for crops to be
 12 harvested. As these wind turbines continue to
 13 spread themselves throughout the Midwest and here in
 14 the balance of Livingston County and throughout the
 15 rest of Illinois where many farmers rely on their
 16 crops to bring in money for their families, it is a
 17 shame that our county and our country will be
 18 raising less beans, corn, wheat and other crops that
 19 our country -- for our country to live on and feed
 20 our livestock. This will raise the prices for
 21 everyday food and we will have less harvest due to
 22 the turbines consuming up our prime farmland and
 23 farming acreage.
 24 My other concern that I hope that is

Page 3274

1 really taken into consideration is the fact that
 2 many people through the years have chosen to find
 3 land to live on in the country, like my ancestors
 4 and your ancestors. I myself after being raised in
 5 the country, where my mom still lives with a little
 6 over three acres, I live on five acres in Morris. I
 7 love the peace and quiet, the starlit nights,
 8 watching a storm roll in and the beautiful sunsets.
 9 I couldn't imagine having these huge turbines
 10 ruining my view.
 11 I feel for all the people that are in --
 12 that are currently living in the country for these
 13 same reasons; not to necessarily have a business on
 14 their land, but just to live there for the love of
 15 being in the country, for the enjoyment of life, to
 16 raise animals just for fun and personal use, and
 17 teach and show their children the beauty of living
 18 outside of town.
 19 It is a shame that these families were not
 20 really considered as the wind turbine companies made
 21 their plans. There are many families with small
 22 acreage that are continuing to find out how many
 23 turbines will be on their -- will be surrounding
 24 them, like my mom having seven in a one mile radius

Page 3275

1 and three more in a one and a half mile radius of
 2 her. These other families living in the country are
 3 now feeling the same devastation at the possible
 4 future surrounding of turbines. This land of my
 5 mom's will be mine some day and I will have the
 6 option of moving back here. However, the site being
 7 surrounded by turbines is not what I had envisioned
 8 for my future.
 9 I hope you as a board take into
 10 consideration the true impact the wind turbine farm
 11 will have here on Livingston County. I hope you
 12 seriously take into consideration the prime farmland
 13 left in the county that has been used for
 14 generations for the good of the country in raising
 15 crops and feeding our livestock, and to understand
 16 that by putting in more turbines, our country and
 17 our county will continue to lose ground in raising
 18 crops and harvesting by the loss of acreage of these
 19 turbines.
 20 I hope you put yourself into the shoes of
 21 these nonparticipants and the farmers who really
 22 weren't sure what they were signing up for and what
 23 they were saying yes to; and to take a drive in the
 24 country and see where these landowners live and then

Page 3276

1 take time to speak to them and put in the record
 2 their views and feelings about the love of their
 3 homes and small acreage and see the impact the
 4 possible turbines could have in their future.
 5 And I hope that after you take that drive
 6 in the country and look around at what the prime
 7 farmland is left, that you will vote no to the
 8 proposed wind turbines. Thank you.
 9 **CHAIRMAN CORNALE:** ZBA, any questions? Do
 10 we have any questions? One quick one, you said you
 11 were the daughter of --
 12 **A. Willa Virkler.**
 13 **CHAIRMAN CORNALE:** Okay, okay. Units of
 14 local government, any questions for Ms. Chouinard?
 15 Mr. Blazer?
 16 **MR. BLAZER:** No, sir.
 17 **CHAIRMAN CORNALE:** Mr. Luetkehans?
 18 **MR. LUETKEHANS:** Are you involved with
 19 Spence Farms?
 20 **A. It's my family, yes, and I do go down**
 21 **there and work on the farm as well --**
 22 **MR. LUETKEHANS:** Thank you.
 23 **A. -- and help out when I can.**
 24 **CHAIRMAN CORNALE:** Anybody in the audience

Page 3277

1 with questions? Anybody out there with any
 2 questions? All right, thank you.
 3 Anybody else out there with a shorter
 4 presentation? Anybody? Nobody's jumping up. 10,
 5 15 minutes? Oh, boy, that means the rest of you
 6 guys have big long presentations, and I've got 30 of
 7 them. Oh, boy. All right. Well --
 8 **MR. QUINN ZEHR:** I can do it.
 9 **CHAIRMAN CORNALE:** All right, come on up.
 10 What's your name?
 11 **MR. QUINN ZEHR:** Quinn Zehr.
 12 **CHAIRMAN CORNALE:** Quinn Zehr.
 13 **MR. QUINN ZEHR:** Appreciate the
 14 opportunity.
 15 **CHAIRMAN CORNALE:** Mr. Zehr, please raise
 16 your right hand.
 17 **MR. QUINN ZEHR:** I will affirm.
 18 **CHAIRMAN CORNALE:** Okay.
 19 (Mr. Quinn Zehr was duly affirmed.)
 20 **CHAIRMAN CORNALE:** All right, please state
 21 your name and address for our court reporter, and
 22 you can go ahead and begin.
 23 **MR. QUINN ZEHR:** Quinn Zehr, Q-U-I-N-N,
 24 3283 North 2300 East Road, Fairbury.

Page 3278

1 Good evening. And I'll make it quick, I
 2 promise you. I feel like I've sat through a lot of
 3 these hearings and I've walked out of here time
 4 after time, and on the way home I just think about
 5 what I've heard and it always comes down to about
 6 two words. And I think about this every time and
 7 I've told my wife about this and my kids, and I said
 8 there's only two words to me that sum up what all
 9 this is about and it's community support.

10 During these past five months we have had
 11 literally exhausting hours of testimony for and
 12 against the siting of this new wind farm project
 13 here in our county, and my intention tonight is not
 14 to talk about any of these details. I think we've
 15 all heard enough of that.

16 The very first night back in November
 17 sitting up there in Pontiac, I wrote three questions
 18 down in this notebook. They're probably worthless
 19 in the minds of about everybody, but my question
 20 was, I said, and this was in reference to Mr.
 21 Parzyck's opening presentation, and I have the quote
 22 of what he said here. He had just shown the video
 23 and he said, "Thank you, Mr. Chairman. The point
 24 I'd like to stress is that, as stated in the video,

Page 3279

1 it's important for us that we work very closely with
 2 the community and we have acceptance in our
 3 communities. We stand by what we say."

4 And I believe that. I would think if I
 5 was in their situation, frankly that's about the
 6 biggest thing that has to happen if you're going to
 7 have success. Think about any business that comes
 8 into our area. They want the acceptance of the
 9 community and they want the community support. So
 10 what I wrote down that night is I says -- I said:
 11 In your opening presentation on Invenergy, you
 12 reference community acceptance and community support
 13 as being important to your company when siting a
 14 wind farm. What do these terms mean?

15 And throughout these last several months,
 16 I think I've thought about this a lot and I have
 17 tried to figure out myself what does that mean,
 18 because I think it might mean different things to
 19 different people.

20 There's acceptance, that's maybe one
 21 thing, and there's support. I'm not really here to
 22 give any big definition. You've heard all kinds of
 23 definitions and everything else, but I'm going to
 24 give a couple examples personally that I thought

Page 3280

1 about and this is what it means to me.

2 Back -- it would have been two Novembers
 3 back now when the tornado hit over in Washington,
 4 Washington, Illinois. Our farm got the aftermath,
 5 so we got the follow-up wind and all the turbulence.
 6 And my brother and I were out there about 12:30 that
 7 afternoon when that hit and we watched our calf
 8 hutches sucked up into the air and they were one to
 9 two miles away, a lot of them. We had 160 some
 10 calves running around. At first we thought we were
 11 going to fix this ourselves, and we kind of just
 12 hoped and prayed that they weren't going to all blow
 13 away.

14 And within ten minutes of that storm
 15 hitting, our first neighbor from across the section
 16 came driving over and he said, "hey, I thought you
 17 guys might need some help." And literally over the
 18 next hour, hour and a half, we had -- we don't even
 19 know the count, but we probably had between 70 and
 20 90 people show up that helped us. They pitched in.
 21 And after about eight hours, by about nine o'clock
 22 that night when we were shutting down, all eating
 23 pizza in the shop, we had everything back how it was
 24 supposed to be. The calves were put away, bedded.

Page 3281

1 We were overwhelmed. I mean that's community
 2 support. Not just because of who we are, but that's
 3 what our community does. And I think Bekah referred
 4 to that and I appreciated very much her comments on
 5 that behalf.

6 One more example I thought of was I'm also
 7 a -- I'm a board member for SELCAS right now, the
 8 Southeast Livingston County Ambulance Service, and
 9 last month SELCAS moved into that new building that
 10 Bekah referred to at a cost over \$600,000, and we
 11 didn't use any money from tax dollars or from
 12 operating. That was all from our community. And
 13 that is very humbling to us. That building was
 14 completely paid for because of generous donations,
 15 memorials, fund-raising. That was our community.
 16 And I think that's the kind of community that we
 17 live in, and I think frankly that's probably why
 18 we're struggling with this whole topic.

19 I would assume that for a project like
 20 Pleasant Ridge wind project to be successful, it
 21 will need community support before moving ahead. It
 22 seems to me that the men and women that will
 23 construct this wind farm would want community
 24 support when they're out in our area, they're out in

Page 3282

1 our fields and they're on our farms.
 2 And I would assume that the Livingston
 3 County Board and the ZBA would also want to see
 4 strong community support before you would give a
 5 special use permit to this project.
 6 I have thought about this and I thought
 7 how do we do this? I had some ideas that came to my
 8 head and they might seem trivial or funny to some of
 9 you, I don't know, but I would propose that before
 10 moving ahead with this project, each of the
 11 participating landowners be contacted as to their
 12 desire for further participation, because many of
 13 these people are neighbors, fellow farmers, and
 14 they're my personal friends. And I think I know how
 15 they feel and I think a lot of them feel like
 16 they're a little bit caught. And it sounds like a
 17 blunt way to say it, but some of them are counting
 18 on you to get them off the hook. That's the bottom
 19 line.
 20 I have heard all kinds of stuff. People
 21 -- people have stopped by the farm, we'll jump in
 22 the pickup, we talk, and I've heard all kinds of
 23 different comments. One is my dad signed up and now
 24 our situation has changed. And I know you've heard

Page 3283

1 that, but it has changed. Many were told that their
 2 neighbors were signed up, but they later found out
 3 that they weren't. Some say we don't want towers if
 4 our neighbors don't, and I believe that because that
 5 is how we operate in our area.
 6 Some say my understanding was that this
 7 was just an exploratory research effort and I would
 8 be asked before they would build on my land, and
 9 that was a little hard for me to believe, but that
 10 is what that person understood from what he was
 11 told. And I'm not meaning to discredit anybody, I
 12 think we all have ways of doing business, and
 13 probably to put together something like this that
 14 covers nine townships, I think it would be tough,
 15 especially in an area like ours where we have a lot
 16 of small parcel ownership, because a lot of these
 17 are sited in areas where there's a -- very few large
 18 tracts of land that are signed up and that does make
 19 it a lot easier, so I'm somewhat sympathetic that it
 20 could be tough in an area like ours.
 21 I know some have said, you know, I'm
 22 signed up, but I don't want them if my tenant
 23 doesn't want them. Now they're no longer farming
 24 it, now it's a tenant and family, and they said if

Page 3284

1 they're not comfortable with it, I'm not comfortable
 2 with it. I've heard some say we're just kind of
 3 hoping this is going to go away, and I don't know
 4 what that means, but that is a common comment.
 5 And there are some that are saying we
 6 don't want towers, but we can't say anything or we
 7 might breach our contract. That I kind of struggle
 8 with because I guess I feel like a lot of us in the
 9 farming community, we do, we sign contracts for lots
 10 of different things, and when we become
 11 uncomfortable with something, we go and sit down and
 12 talk about it, and a lot of times the contract is
 13 changed.
 14 And this is to quote my dad, and this may
 15 be something that he's taught us and maybe I'm
 16 taking it out of context, but he told us over and
 17 over when we were kind of honed in on something,
 18 he'd say, "Boys, a wise man changes his mind." And
 19 I will tell you I've had to do that many times in my
 20 life, and I'm not saying I don't know where your
 21 mind's at on this, but I think these are things that
 22 we really have to think about. I think the support
 23 for the community that we are living in is really
 24 crucial.

Page 3285

1 There have been people out doing work in
 2 our area the last few months. They pressure tested
 3 the roads back in the summer. There were survey
 4 crews coming across the fields. They did two times
 5 of track machines boring test holes. We know. This
 6 is ground that we farm. And a gentleman was taking
 7 pictures and they were doing the architectural and
 8 archeological study. And some of our neighbors as
 9 well as ourselves, we've talked to these people, and
 10 they have said they have never seen this much
 11 opposition anywhere they have gone before. I don't
 12 know what that means, but in my mind I'm not sure
 13 that's real strong community support.
 14 In our community, I feel we have been
 15 blessed, we have, and we care about each other and
 16 what our neighbor thinks, and we help each other
 17 even if we don't always see eye to eye on every
 18 issue, and I'm saying that because I have personal
 19 friends that are probably on the other side of this
 20 issue. And frankly we don't want this to change. I
 21 think it's important because we are in an area where
 22 we do care about each other and I -- during these
 23 past five months, I've asked myself: Does the
 24 Pleasant Ridge Wind Energy project have community

Page 3286

1 support?
 2 And just to sum up what I've said here
 3 tonight, which is probably very trivial, I'm just
 4 asking each one of you to answer this question for
 5 yourself. Thanks.
 6 **CHAIRMAN CORNALE:** Thank you, Mr. Zehr.
 7 Does ZBA have any questions at this time? Units of
 8 local government? Mr. Blazer? Mr. Luetkehans?
 9 Anybody in the audience with any questions for Mr.
 10 Zehr? Anybody out there? County staff? County
 11 counsel? Anything? All right. ZBA again? Thank
 12 you.
 13 **MR. QUINN ZEHR:** Thanks for listening.
 14 **CHAIRMAN CORNALE:** All right. Looking
 15 ahead, we're going to be at the Walton Centre on the
 16 9th at 6:30. The 13th, April 13th, do we know the
 17 venue yet on that, Chuck? All right, we'll know
 18 more on Thursday night with regard to that.
 19 I'm going to run through some names that
 20 are left on the list here, so if your name is
 21 called, we're getting close, so I'm not going to be
 22 able to skip over a lot. I'm just going to go in
 23 number, and this is not going to be the order
 24 they'll probably be called, but Carol Knapp, George

Page 3287

1 Busch, Terry Cope, Carolyn Gerwin, John Slagel,
 2 Warren Gillett, Adam Followell, Glen Schrof, Jerome
 3 Kurtenbach, Cheryl Hoffman, Jeff Bryan, Carrie
 4 Followell, Tom Ambrose, Mathew Kaisner, John Hayes,
 5 Ruth Wessels, Mary Russell, Kent Zimmerman, Dieter
 6 Elbert, Jon Freed, Megan Dassow, John Dassow, Jo
 7 Whitman, Sharon Schrof, Lori Schahrer -- Schahrer,
 8 sorry. I did pretty good. John Rich. That's all
 9 the names left on my list. There are a lot.
 10 **MR. LUETKEHANS:** Mr. Chairman, I think
 11 lines 19 and 24, Mr. Schrof and Mr. Kurtenbach,
 12 already said they were not coming.
 13 **CHAIRMAN CORNALE:** Okay.
 14 **MR. LUETKEHANS:** So I don't -- I mean you
 15 can call them again, but I mean that was our
 16 understanding.
 17 **CHAIRMAN CORNALE:** All right. We'll --
 18 **MR. BLAKEMAN:** Is that number 78?
 19 **MR. LUETKEHANS:** 19 and 24.
 20 **CHAIRMAN CORNALE:** 19 and 24, okay. With
 21 that, I think we're at a good spot to stop this
 22 evening. I need a motion to recess.
 23 **MR. VITZTHUM:** I'll make that motion.
 24 **CHAIRMAN CORNALE:** Vitzthum motions. Can

Page 3288

1 I get a second? Iverson seconds. All in favor?
 2 **ALL MEMBERS:** Aye.
 3 **CHAIRMAN CORNALE:** Opposed?
 4 (Adjourned at 9:31 p.m.)
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Page 3289

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 Livingston County Historic Courthouse, 112 West
 9 Madison Street, Pontiac, Illinois, on April 7, 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 13th day of
 21 April, 2015.
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	3240:7	Adam (1)	3237:2;3277:17	3253:12;3280:8
\$	accounting (1)	3287:2	affirmed (2)	algorithms (1)
	3240:4	add (3)	3237:6;3277:19	3205:18
\$1.60 (1)	accuracy (9)	3179:23;3255:11;	aftermath (2)	alliances (1)
3258:14	3206:6;3207:13,16;	3261:9	3178:23;3280:4	3195:8
\$10 (2)	3208:15,18;3209:2,3,4;	added (2)	afternoon (1)	allow (1)
3259:12,13	3233:8	3180:10,10	3280:7	3208:5
\$107,000 (1)	accurate (3)	addition (1)	afterwards (1)	allowed (1)
3245:7	3206:20;3210:9;	3200:6	3178:22	3225:6
\$190,000 (1)	3234:2	additional (3)	again (9)	allowing (4)
3247:9	achieve (1)	3173:17;3240:17;	3180:21;3196:11;	3247:18;3249:20;
\$2 (1)	3210:12	3249:24	3216:5;3247:3;	3272:7,9
3261:20	acoustic (2)	address (9)	3249:12;3251:22;	allows (4)
\$2.60 (1)	3215:15;3216:21	3165:18;3170:15;	3266:20;3286:11;	3214:16;3223:5;
3258:19	acoustical (5)	3174:6;3191:9;	3287:15	3242:20;3267:12
\$200,000 (1)	3211:10;3213:24;	3210:21;3237:8;	against (9)	allude (1)
3257:9	3214:5;3215:3;	3267:2;3272:2;	3200:10,11,11,20;	3251:12
\$300,000 (1)	3216:17	3277:21	3202:24;3203:11;	Almanac (1)
3205:3	acoustician (3)	addresses (1)	3243:15;3250:23;	3195:3
\$31.75 (1)	3212:6,16;3214:1	3235:21	3278:12	almost (1)
3241:17	acoustics (4)	adjacent (1)	agency (2)	3264:21
\$37,000 (1)	3205:24;3211:1;	3166:7	3240:15,16	alone (1)
3255:24	3212:19;3213:24	Adjourned (1)	agent (1)	3273:5
\$5 (1)	acreage (4)	3288:4	3216:10	along (3)
3229:22	3273:23;3274:22;	administration (4)	aggregate (1)	3172:2;3178:16;
\$600,000 (1)	3275:18;3276:3	3240:6,16,17;	3194:22	3248:18
3281:10	acres (10)	3245:10	ago (13)	alpaca (1)
\$990,000 (1)	3169:24;3179:24;	adopted (2)	3170:20,23;3171:5;	3204:2
3245:7	3180:2,10;3181:1,2;	3166:16;3167:14	3174:23;3177:1,1;	alternative (1)
	3263:24;3273:10;	ads (1)	3179:14;3188:7;	3189:12
A	3274:6,6	3198:10	3193:14;3195:1;	Although (2)
	across (7)	advanced (1)	3246:12;3268:18;	3184:18;3218:13
a/k/a (1)	3237:23;3244:15,17;	3213:6	3272:16	always (6)
3239:23	3259:14;3264:4;	advances (1)	agree (3)	3179:4;3222:1;
abandon (1)	3280:15;3285:4	3212:10	3232:23;3254:6;	3223:11;3268:10;
3223:12	act (3)	advantage (2)	3261:7	3278:5;3285:17
abandoned (1)	3178:17;3182:2,3	3199:8;3253:21	agreed (2)	Alzheimer's (1)
3201:20	action (2)	adverse (2)	3164:24;3201:15	3253:4
abandonment (1)	3182:20;3200:1	3215:20;3217:19	agreement (13)	amazing (2)
3197:7	activities (5)	advertising (1)	3164:22;3221:9,13;	3193:12;3252:13
ability (2)	3241:4;3244:10,11;	3194:3	3248:2;3249:8,15,16,	Amber (1)
3169:22;3209:7	3248:10;3249:11	advised (1)	19,22,23;3250:3,7,8	3181:14
able (6)	activity (2)	3266:12	agreements (4)	Ambiro (1)
3217:19;3241:2;	3202:13;3247:9	advisement (1)	3219:1;3220:13;	3231:19
3246:3;3248:20;	acts (1)	3165:8	3248:1;3250:24	Ambrose (3)
3268:4;3286:22	3193:9	affect (11)	agrees (1)	3212:6,9;3287:4
above (3)	actual (7)	3183:21;3184:3;	3250:14	ambulance (2)
3208:20,24;3249:17	3208:8;3209:10,13,	3196:8;3214:12;	agricultural (1)	3193:18;3281:8
Acceleration (2)	17;3238:20;3246:19;	3216:7;3217:8,17;	3270:8	amendment (2)
3244:9,11	3256:1	3248:16;3254:5;	agriculture (2)	3166:24;3167:1
acceptance (4)	actually (24)	3262:11;3270:16	3268:3;3270:12	America (5)
3279:2,8,12,20	3162:13;3164:21;	affected (11)	ahead (9)	3195:6;3214:1;
accepted (2)	3174:23;3175:17;	3176:10,11;3177:14;	3160:3;3165:11;	3237:17;3244:12,20
3230:18,21	3176:19,22,24;3177:6;	3184:18;3189:20;	3179:11;3191:9;	among (2)
access (2)	3184:24;3185:19;	3198:23;3202:21;	3237:9;3277:22;	3222:21;3240:9
3201:21;3250:18	3188:9,13;3226:23;	3217:10,11;3222:10;	3281:21;3282:10;	amount (4)
accommodate (1)	3227:11;3229:19;	3270:9	3286:15	3181:3;3253:18;
3161:8	3231:10;3232:15;	affects (3)	aide (1)	3260:17;3262:9
accomplishes (1)	3235:23;3236:9,17;	3177:17;3188:1;	3174:20	amusement (1)
3216:10	3256:2,24;3260:1;	3196:6	aided (1)	3178:3
accountability (1)	3265:16	affidavit (1)	3218:24	Analysis (2)
3256:4	adage (1)	3165:1	air (5)	3205:15;3212:12
Accountant (1)	3250:3	Affirm (2)	3248:6,15,21;	analyst (1)

<p>3240:11 ancestors (3) 3182:1;3274:3,4 and/or (1) 3217:4 angst (1) 3222:21 animal (1) 3182:14 animals (3) 3182:7;3270:9; 3274:16 Ann (1) 3203:23 annoyance (1) 3217:5 answered (6) 3206:8;3208:17; 3209:6,6,15;3210:8 antenna (1) 3250:4 anti-wind (1) 3247:4 anxiety (1) 3253:3 anymore (3) 3187:2;3204:4; 3207:24 apart (3) 3197:22;3220:21; 3221:2 apologize (1) 3180:24 Apparently (1) 3198:5 Appeals (1) 3160:7 appears (1) 3241:4 appendices (2) 3214:20,24 Apple (1) 3244:18 applicable (1) 3218:22 applicant (2) 3248:13;3270:6 application (7) 3167:9;3200:3; 3205:14;3223:17; 3224:4,21;3270:23 application's (1) 3169:20 applied (1) 3199:22 apply (1) 3167:8 appraiser (1) 3163:2 Appreciate (1) 3277:13 appreciated (1) 3281:4</p>	<p>approach (1) 3213:19 approached (1) 3268:14 appropriate (3) 3223:22;3256:3; 3266:10 approval (3) 3169:20;3223:5; 3241:15 approve (1) 3224:20 approved (4) 3193:14;3198:16; 3262:15;3269:7 April (6) 3160:5;3161:19; 3230:2;3247:10; 3259:17;3286:16 archeological (1) 3285:8 architectural (1) 3285:7 area (25) 3171:2,16;3180:1; 3190:14;3191:22; 3192:5;3197:20; 3201:22;3222:9; 3241:10;3242:6; 3254:9;3259:8; 3261:12,13;3267:8; 3270:8,9;3279:8; 3281:24;3283:5,15,20; 3285:2,21 areas (2) 3200:22;3283:17 argue (2) 3203:24;3254:9 argument (1) 3216:5 arguments (1) 3216:3 Ark (1) 3195:8 around (18) 3172:14;3175:14; 3183:2;3194:9;3197:3; 3198:5;3202:17; 3204:20;3211:13; 3219:8;3234:11; 3246:1;3257:20; 3258:11;3267:9; 3268:14;3276:6; 3280:10 arrived (1) 3171:8 arrogant (1) 3221:14 art (5) 3174:22;3183:10,13, 16;3188:10 article (13) 3200:14,15;3229:19,</p>	<p>20;3230:2;3251:6,9,17, 22;3252:1,6;3254:17; 3255:9 articulate (1) 3268:7 articulating (1) 3208:3 ascertain (1) 3215:4 Ashwood (1) 3237:11 aside (1) 3219:10 asleep (1) 3252:10 aspect (1) 3172:19 aspects (1) 3200:8 assemble (1) 3222:19 assembled (1) 3215:16 assertation (1) 3217:14 assertion (1) 3217:14 assistance (1) 3213:22 associated (3) 3213:7;3269:15; 3270:21 assume (2) 3281:19;3282:2 assumed (1) 3209:2 assuming (1) 3163:11 atmospheric (1) 3209:20 Attempts (2) 3216:1,2 attend (1) 3194:13 attended (1) 3197:1 Attica (1) 3202:18 attitude (1) 3221:15 attorney (2) 3204:5;3255:14 attorneys (1) 3163:8 attributable (3) 3248:8;3249:4,10 audible (4) 3211:21;3212:13,19; 3217:4 audibly (1) 3229:7 audience (16) 3169:10;3170:7;</p>	<p>3173:13;3190:22,24; 3231:12;3232:21,22; 3235:2,2;3266:1,15; 3271:7,10;3276:24; 3286:9 audio (2) 3248:5;3251:1 audit (3) 3240:12,13,18 auditing (1) 3260:18 Auditor (4) 3240:8,9,13,14 augmented (1) 3214:20 August (1) 3202:17 Australia (3) 3210:24;3226:21; 3227:22 Australian (2) 3213:11;3228:6 authenticate (1) 3206:18 authenticity (1) 3206:11 author (1) 3251:13 available (3) 3173:24;3191:4; 3237:1 average (6) 3208:19;3209:11,14, 18;3210:2;3234:4 aviators (1) 3160:22 Avoca (7) 3184:5,7;3189:2,3, 10,11,17 aware (8) 3167:10,19;3175:1; 3198:19;3226:11; 3264:22;3265:6,16 awareness (1) 3200:19 away (10) 3179:21;3192:6; 3242:15,16,18;3243:1; 3280:9,13,24;3284:3 Aye (1) 3288:2</p>	<p>3170:5;3173:20; 3174:23;3180:5; 3181:19,22,24;3183:5; 3184:20;3192:21,22; 3194:14;3196:21; 3220:18;3228:16; 3231:13;3236:4,6,9; 3247:5;3258:20; 3261:21,24;3262:8; 3263:5;3269:8; 3271:11;3275:6; 3278:16;3280:2,3,23; 3285:3 background (5) 3174:19;3192:7; 3240:3;3241:8,21 bad (5) 3178:22;3186:20; 3187:1;3188:4; 3255:20 balance (5) 3175:16;3176:19,21; 3178:24;3273:14 bald (2) 3181:13;3182:3 balloons (1) 3242:23 bam (1) 3179:2 bands (3) 3181:19,21;3212:19 Barb (4) 3173:23,23;3174:4,8 bare (1) 3225:10 barely (1) 3184:5 barn (2) 3183:5;3194:14 Barrier (1) 3244:9 based (5) 3205:18;3209:12; 3219:11;3231:2; 3262:1 basic (1) 3196:12 basically (2) 3232:14;3233:14 basis (4) 3203:9;3206:10; 3207:3,3 battle (1) 3253:2 beans (1) 3273:18 beautiful (8) 3171:2,18;3172:18; 3183:19;3196:3; 3267:13,20;3274:8 beauty (5) 3171:14,22;3172:6; 3268:11;3274:17</p>
B				
<p>babies (1) 3180:8 baby-sat (1) 3180:19 baby-sit (1) 3185:12 bachelor (1) 3260:11 back (33)</p>	<p>back (33)</p>			

<p>became (6) 3175:5,6,14; 3179:21;3192:2; 3230:5</p> <p>become (5) 3220:24;3222:18; 3223:6;3272:18; 3284:10</p> <p>becoming (1) 3248:11</p> <p>bedded (1) 3280:24</p> <p>bedpans (1) 3174:21</p> <p>bees (1) 3166:14</p> <p>began (1) 3194:5</p> <p>begin (7) 3165:16;3170:15; 3174:7;3212:23; 3237:9;3267:2; 3277:22</p> <p>behalf (1) 3281:5</p> <p>behind (1) 3181:1</p> <p>Bekah (4) 3191:4,4;3281:3,10</p> <p>belief (1) 3203:8</p> <p>Bell (2) 3164:3;3165:9</p> <p>below (2) 3211:21;3259:21</p> <p>beneficial (2) 3255:3;3263:15</p> <p>benefit (3) 3210:19;3262:12,13</p> <p>benefits (2) 3268:17;3270:11</p> <p>best (7) 3161:8;3162:5; 3183:9;3184:17; 3205:11;3210:9; 3268:5</p> <p>better (7) 3170:21;3175:18; 3199:2;3211:2;3239:5; 3253:2;3267:11</p> <p>beyond (2) 3198:11;3211:17</p> <p>biased (1) 3257:5</p> <p>bid (1) 3256:6</p> <p>bidder (1) 3171:22</p> <p>big (7) 3182:21;3191:22; 3196:2;3218:5; 3248:11;3277:6; 3279:22</p>	<p>bigger (1) 3252:5</p> <p>biggest (1) 3279:6</p> <p>Bill (2) 3239:23;3260:8</p> <p>bird (2) 3181:7,8</p> <p>birds (4) 3166:14;3181:5; 3185:22;3220:14</p> <p>bit (9) 3163:12;3164:2; 3165:21;3182:1,16; 3234:15;3241:11; 3265:15;3282:16</p> <p>bite (1) 3161:6</p> <p>blacked (1) 3177:7</p> <p>Blackman (1) 3232:3</p> <p>blackout (1) 3177:6</p> <p>blacktop (1) 3189:2</p> <p>Blade (1) 3192:14</p> <p>blades (3) 3211:18;3216:13; 3241:11</p> <p>Blakeman (26) 3162:20,24;3163:9, 14,17;3164:10,14,18; 3165:4;3186:7; 3191:13;3232:4,5,8,9; 3236:19;3238:15,19, 24;3239:5,8,12,16,19, 21;3287:18</p> <p>blamed (1) 3200:23</p> <p>Blank (2) 3206:3;3232:11</p> <p>Blazer (57) 3162:6,9,13,16,19, 22;3163:16,19; 3164:12,17,19,21; 3165:5;3166:21; 3167:6;3168:6,9,13; 3169:5;3173:8,9; 3184:16;3186:9; 3189:24;3190:2,4,18; 3206:9,17;3207:2,9,11, 15,19;3226:1,3,6; 3231:7;3232:7,18; 3239:24;3243:9,11; 3255:16,18;3257:4,18; 3260:5;3264:13,15,18; 3265:23;3271:2,3; 3276:15,16;3286:8</p> <p>Blazer's (3) 3161:22;3255:14; 3256:8</p>	<p>blessed (1) 3285:15</p> <p>blinds (1) 3197:7</p> <p>Blinking (3) 3182:23;3183:1; 3220:1</p> <p>blocks (1) 3263:17</p> <p>blood (1) 3201:1</p> <p>Bloomington (2) 3188:24;3192:20</p> <p>Bloomington-Normal (1) 3193:3</p> <p>blow (3) 3176:4,16;3280:12</p> <p>Blue (1) 3181:10</p> <p>blunt (1) 3282:17</p> <p>Board (21) 3160:7;3166:16; 3167:4,22;3169:17; 3188:9,11;3196:21,22; 3200:2;3205:8; 3218:16;3223:10,17; 3263:10;3272:8; 3273:3,10;3275:9; 3281:7;3282:3</p> <p>boat (2) 3177:20,22</p> <p>Bob (1) 3213:11</p> <p>bodies (1) 3252:17</p> <p>body (4) 3165:18;3167:13; 3206:24;3253:16</p> <p>bookcases (2) 3175:11,12</p> <p>books (1) 3181:8</p> <p>boring (2) 3204:9;3285:5</p> <p>born (1) 3191:20</p> <p>both (8) 3165:8;3175:4; 3177:16;3178:7; 3211:13;3213:15,20; 3267:10</p> <p>bother (5) 3177:22;3178:3; 3188:14;3242:10; 3263:22</p> <p>bothered (1) 3179:7</p> <p>bothers (1) 3178:9</p> <p>bottling (2) 3195:16,24</p> <p>bottom (3) 3187:3;3259:24; 3282:18</p> <p>bought (3) 3170:24;3179:14; 3256:12</p> <p>boundary (1) 3250:20</p> <p>Boy (3) 3197:21;3277:5,7</p> <p>Boys (1) 3284:18</p> <p>Brad (1) 3168:23</p> <p>brain (8) 3252:7,8,10,12,14; 3253:17;3254:17; 3255:6</p> <p>branded (1) 3211:19</p> <p>brand-new (1) 3193:17</p> <p>breach (1) 3284:7</p> <p>breached (1) 3221:12</p> <p>break (2) 3225:14;3244:14</p> <p>breakdowns (1) 3245:13</p> <p>breeding (1) 3204:2</p> <p>Brett (1) 3168:21</p> <p>Brian (1) 3193:17</p> <p>bridge (1) 3184:11</p> <p>Bridgewater (6) 3210:22;3211:1,5; 3213:12;3226:21; 3234:8</p> <p>briefly (2) 3168:9;3190:2</p> <p>bring (4) 3188:17;3256:13; 3258:9;3273:16</p> <p>brings (2) 3212:19;3221:20</p> <p>broad (1) 3217:14</p> <p>Brochures (1) 3193:22</p> <p>broken (2) 3245:20;3258:12</p> <p>brother (3) 3200:11,11;3280:6</p> <p>brother's (1) 3220:15</p> <p>brought (9) 3180:23;3181:24; 3185:1;3187:24; 3197:16;3208:4; 3256:12;3258:7;</p>	<p>3261:21</p> <p>Brown (1) 3253:8</p> <p>Brownsville (2) 3204:1,5</p> <p>Brucker (13) 3165:13,14,15,17; 3167:10,12,24;3168:6, 8,14;3169:10;3170:8,9</p> <p>Bryan (1) 3287:3</p> <p>buffer (2) 3250:10,12</p> <p>build (4) 3199:2;3219:16; 3222:7;3283:8</p> <p>building (2) 3281:9,13</p> <p>built (3) 3199:3;3223:7; 3244:22</p> <p>built-in (1) 3175:11</p> <p>buried (1) 3262:5</p> <p>bus (1) 3194:9</p> <p>Busch (1) 3287:1</p> <p>bushel (2) 3259:12,13</p> <p>business (11) 3172:22;3179:17; 3194:3;3198:18; 3204:2;3240:4,6,10; 3274:13;3279:7; 3283:12</p> <p>businesses (1) 3193:13</p> <p>butchering (1) 3194:14</p> <p>buy (4) 3179:17;3197:6; 3241:19;3247:14</p> <p>buying (2) 3249:22;3250:5</p> <p>buzz (1) 3196:16</p>
C			
			<p>calcium (1) 3195:20</p> <p>calf (1) 3280:7</p> <p>Calico (1) 3226:18</p> <p>California (5) 3184:14;3201:19,24; 3214:2;3244:14</p> <p>call (7) 3160:3;3161:24; 3165:11;3177:3;</p>

<p>3179:13;3180:11; 3287:15 called (18) 3184:23;3195:11; 3203:12;3218:5; 3226:7,17;3227:22,22; 3228:19;3248:2; 3249:15,15,23;3250:7; 3256:8;3258:2; 3286:21,24 calling (1) 3162:2 calves (3) 3195:18;3280:10,24 came (12) 3171:6;3177:11; 3183:2;3201:3;3205:7; 3228:2;3236:6;3254:8, 8;3256:19;3280:16; 3282:7 campaign (2) 3194:5;3200:20 Campus (1) 3259:18 can (54) 3161:4,8,8;3162:5; 3164:14;3165:5,14; 3169:12;3170:11; 3171:1,21;3174:3,7,11; 3177:8;3178:3;3187:4; 3189:15;3194:13; 3195:23;3197:22; 3207:18;3209:2,17; 3210:2;3212:1,1,21; 3220:5,7,9;3225:18; 3231:15;3232:7; 3234:5;3237:5,8; 3238:13;3242:22; 3243:16;3249:18,18; 3252:21;3254:1,12; 3259:3,11;3266:22; 3269:20;3276:23; 3277:8,22;3287:15,24 Canada (3) 3200:16;3215:17; 3218:8 Canadian (3) 3181:10;3212:24; 3213:2 cancer (1) 3253:4 candidates (1) 3221:4 capabilities (1) 3212:15 capacity (1) 3265:8 Cape (6) 3210:22;3211:1,4; 3213:12;3226:21; 3234:8 capture (1) 3211:17</p>	<p>captured (1) 3211:21 car (3) 3171:7,20;3178:1 care (5) 3199:9;3206:13; 3222:13;3285:15,22 cared (1) 3192:13 career (2) 3212:7;3240:10 careful (2) 3161:24;3179:4 Carmen (1) 3212:24 Carol (1) 3286:24 Carolyn (3) 3169:11,15;3287:1 Carrie (1) 3287:3 carry (3) 3187:1;3188:21; 3258:10 Carskadon (1) 3253:8 C-A-R-S-K-A-D-O-N (1) 3253:9 Case (6) 3160:8;3188:4; 3215:10;3217:15; 3260:10;3261:9 cash (1) 3259:17 cat (1) 3176:6 catch (1) 3232:13 catching (1) 3255:5 caught (1) 3282:16 cause (6) 3178:15;3216:4,14; 3254:16;3255:9,13 cause-and-effect (2) 3217:1,12 caused (3) 3222:19,20;3254:12 causes (1) 3249:9 causing (1) 3203:17 cavalier (1) 3221:15 CAVAZOS (5) 3231:14,18,19; 3233:2;3234:24 caveat (1) 3161:20 centennial (1) 3198:21 center (3)</p>	<p>3188:10;3204:1; 3263:21 centers (1) 3193:24 central (1) 3195:16 Centre (1) 3286:15 cents (3) 3243:17,18;3258:13 century (1) 3199:3 certain (4) 3187:18;3188:16; 3195:24;3215:6 certified (9) 3206:14,23;3207:7, 11;3208:2,8;3240:7,8,8 CHAIRMAN (99) 3160:2,10,21; 3161:2;3162:4,10,12, 15,18;3165:7,16; 3166:21;3167:6,11,23; 3168:3,10,11;3169:7,9; 3170:6,10,14;3173:5, 10,12,16;3174:2,5; 3185:5,8;3186:6,11; 3189:23;3190:19,22; 3191:3,8;3206:9; 3208:1,10;3225:13,18; 3226:4;3231:8,11,15; 3232:18,23;3235:1,6; 3236:14,20,23;3237:4, 7,13,16,18,21;3238:6, 9,12;3262:17;3264:8, 16;3265:24;3266:5,7, 11,14,19;3267:1; 3270:24;3271:4,6,14, 17,20,22;3272:1; 3276:9,13,17,24; 3277:9,12,15,18,20; 3278:23;3286:6,14; 3287:10,13,17,20,24; 3288:3 chairs (3) 3173:17,19,20 challenge (1) 3256:8 Champaign-Urbana (1) 3193:5 chance (1) 3163:17 change (4) 3161:4;3167:20; 3222:11;3285:20 changed (6) 3199:17;3223:13; 3248:18;3282:24; 3283:1;3284:13 changes (5) 3214:17,18;3215:23; 3252:12;3284:18 changing (1)</p>	<p>3207:23 charged (1) 3217:17 chart (4) 3245:19,23;3246:2, 14 chasing (1) 3176:6 Chatsworth (2) 3267:4,8 cheating (1) 3253:20 check (1) 3232:6 checkerboard (1) 3197:20 checking (1) 3261:16 cheese (1) 3195:19 chefs (4) 3194:12,23;3195:9, 19 Chenoa (2) 3174:9;3188:6 Cheryl (1) 3287:3 Chicago (7) 3170:21;3188:7; 3193:5;3194:9,10,13; 3260:3 children (8) 3170:22;3172:10; 3173:1;3184:4; 3200:11;3267:20; 3269:5;3274:17 China (1) 3259:12 choice (1) 3172:16 choose (3) 3193:6;3198:17; 3217:20 chores (1) 3252:15 chosen (2) 3195:4;3274:2 CHOUNARD (11) 3271:13,16,16,19,19, 21,23,24;3272:4,5; 3276:14 C-H-O-U-I-N-A-R-D (1) 3272:5 Chuck (2) 3160:3;3286:17 circulate (2) 3165:2;3235:9 circulated (1) 3164:23 circumstances (1) 3223:14 cities (1) 3196:2</p>	<p>citizenry (4) 3217:18,23;3222:6, 21 citizens (9) 3193:2,19;3196:18; 3198:13,15;3204:11; 3205:2;3247:21; 3270:18 citizens' (1) 3199:13 city (6) 3165:20;3171:6; 3191:22;3250:23; 3259:7,22 claim (1) 3202:19 claims (3) 3208:22;3248:23; 3268:19 clarify (1) 3234:15 classroom (1) 3183:12 clean (2) 3244:5;3259:1 clear (3) 3178:13;3213:17; 3269:15 cleared (1) 3163:3 clearly (1) 3212:12 client (3) 3213:21;3231:10; 3262:18 clientele (1) 3195:9 Climate (1) 3219:1 clock (1) 3178:3 close (3) 3170:3;3205:3; 3286:21 closed (1) 3259:22 closely (2) 3262:10;3279:1 closeness (1) 3221:23 closer (2) 3178:10;3259:9 closest (5) 3220:2;3242:14,15, 24;3269:24 Club (1) 3197:2 Coal (2) 3246:7,8 coating (1) 3258:5 coatings (1) 3258:15</p>
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<p>coding (1) 3260:21</p> <p>coincides (1) 3209:23</p> <p>cold (1) 3174:11</p> <p>collaborative (1) 3213:8</p> <p>colleague (1) 3218:24</p> <p>college (3) 3174:20;3260:6,9</p> <p>colorful (1) 3220:14</p> <p>column (1) 3253:5</p> <p>combines (1) 3192:5</p> <p>comfort (1) 3224:7</p> <p>comfortable (2) 3284:1,1</p> <p>coming (10) 3170:2;3171:1; 3192:16;3196:10; 3199:15;3216:6,13; 3220:14;3285:4; 3287:12</p> <p>commence (1) 3249:17</p> <p>commencement (1) 3213:19</p> <p>Commencing (1) 3160:1</p> <p>comment (5) 3167:17,18;3206:19; 3246:11;3284:4</p> <p>commented (1) 3197:20</p> <p>commenting (1) 3206:10</p> <p>comments (10) 3206:6;3208:15; 3226:20;3227:18; 3241:12,18;3243:7; 3255:15;3281:4; 3282:23</p> <p>commerce (2) 3196:6;3247:8</p> <p>Commission (9) 3165:24;3168:15; 3203:23;3206:15; 3208:5;3224:3; 3230:18;3231:1; 3241:15</p> <p>commissioned (1) 3210:24</p> <p>commissioner (3) 3218:18,24;3221:5</p> <p>commissioners (2) 3219:4,17</p> <p>commitment (1) 3211:6</p>	<p>committed (1) 3244:3</p> <p>committee (1) 3205:8</p> <p>commodities (2) 3259:4,5</p> <p>common (4) 3172:13;3209:23; 3223:13;3284:4</p> <p>communities (6) 3198:1,3;3218:7; 3268:20;3269:1; 3279:3</p> <p>community (50) 3167:15;3173:13; 3192:11,15,18,22; 3193:7,10,20,21,22; 3194:5;3195:14; 3196:7,10,18,19; 3197:22;3198:4,7; 3200:21;3205:11,12; 3221:1,11,23;3222:12; 3262:11,13,13;3272:9; 3278:9;3279:2,9,9,12, 12;3281:1,3,12,15,16, 21,23;3282:4;3284:9, 23;3285:13,14,24</p> <p>companies (7) 3240:14;3243:16; 3244:19;3247:14; 3261:2;3265:21; 3274:20</p> <p>company (11) 3184:16;3210:24; 3221:9,12;3222:5,7; 3256:20;3261:4,5; 3265:12;3279:13</p> <p>company's (1) 3261:6</p> <p>compared (1) 3255:7</p> <p>comparing (1) 3201:15</p> <p>compensation (1) 3222:11</p> <p>complain (1) 3249:12</p> <p>complaint (5) 3203:7,22;3228:19; 3229:22,23</p> <p>complaints (6) 3201:21;3203:14; 3215:7;3248:24; 3249:6,9</p> <p>completed (1) 3214:4</p> <p>completely (6) 3187:10;3207:12; 3254:19,21;3255:4; 3281:14</p> <p>complex (3) 3193:17;3202:23; 3270:20</p>	<p>complexes (3) 3204:8,13;3269:16</p> <p>comply (1) 3202:11</p> <p>component (1) 3241:14</p> <p>Comprehensive (3) 3224:2;3240:3; 3270:13</p> <p>compromise (1) 3210:18</p> <p>computer (7) 3256:12,13;3260:16, 18,19,22;3261:1</p> <p>concentration (1) 3252:21</p> <p>concern (4) 3166:15;3189:5; 3273:9,24</p> <p>concerned (2) 3167:16;3270:1</p> <p>concerns (8) 3166:1,1,11; 3167:13;3200:16; 3201:9;3210:7;3211:3</p> <p>conclusion (3) 3176:1;3177:11; 3227:1</p> <p>condition (2) 3169:18;3224:23</p> <p>conditions (4) 3209:1,20;3215:6; 3224:21</p> <p>conduct (2) 3211:2;3215:3</p> <p>conducting (1) 3213:9</p> <p>confuse (1) 3216:2</p> <p>confused (1) 3239:9</p> <p>congratulated (1) 3212:8</p> <p>Congressman (1) 3245:11</p> <p>conjunction (1) 3214:7</p> <p>Conley (1) 3272:5</p> <p>connection (1) 3250:17</p> <p>Connie (4) 3266:18,20,24; 3267:3</p> <p>cons (2) 3218:11;3272:21</p> <p>consecutive (1) 3252:7</p> <p>consequences (4) 3218:15;3251:17,18; 3269:6</p> <p>conservation (4) 3180:1;3202:16;</p>	<p>3228:12;3267:24</p> <p>consider (4) 3169:17;3196:5,8; 3222:4</p> <p>consideration (4) 3273:4;3274:1; 3275:10,12</p> <p>considered (4) 3167:4;3212:2; 3258:1;3274:20</p> <p>consistency (1) 3239:13</p> <p>consistent (4) 3223:20;3224:1,4; 3253:17</p> <p>constant (1) 3222:1</p> <p>constituted (1) 3166:2</p> <p>construct (1) 3281:23</p> <p>construction (9) 3202:13;3204:24; 3205:1;3255:23; 3256:9;3257:3,6,6,7</p> <p>consultant (1) 3240:18</p> <p>consultants (1) 3216:17</p> <p>consultation (1) 3201:7</p> <p>consuming (1) 3273:22</p> <p>contacted (2) 3196:20;3282:11</p> <p>contentious (1) 3222:18</p> <p>context (1) 3284:16</p> <p>contiguous (1) 3237:19</p> <p>continuation (1) 3160:6</p> <p>continue (4) 3176:8;3208:13; 3273:12;3275:17</p> <p>continued (1) 3192:14</p> <p>continues (1) 3212:14</p> <p>continuing (1) 3274:22</p> <p>continuous (1) 3211:24</p> <p>contract (4) 3241:17,19;3284:7, 12</p> <p>contractor (4) 3255:23;3256:1; 3257:4,7</p> <p>contractors (3) 3255:19;3256:9,9</p> <p>contractor's (1)</p>	<p>3257:8</p> <p>contracts (1) 3284:9</p> <p>contributing (1) 3251:13</p> <p>contribution (1) 3195:7</p> <p>contributions (1) 3213:14</p> <p>convenience (1) 3223:24</p> <p>conversation (3) 3256:10;3257:13,14</p> <p>Cook (17) 3173:23,24;3174:1, 2,4,8,8;3185:6,11; 3186:9,12,15;3189:24; 3190:2,23;3191:1,2</p> <p>Cook's (1) 3179:13</p> <p>co-op (1) 3226:10</p> <p>Cooper (5) 3210:22;3211:12,20; 3212:8;3214:3</p> <p>cooperating (1) 3214:7</p> <p>cooperation (3) 3211:15;3213:5; 3250:7</p> <p>Cooperative (1) 3244:22</p> <p>Cooperatives (1) 3244:13</p> <p>Cooper's (1) 3213:14</p> <p>Coordinating (2) 3244:13,22</p> <p>Cope (1) 3287:1</p> <p>copies (2) 3163:9;3206:14</p> <p>copper (11) 3257:17,19;3258:4, 5,5,6,13,15,16;3259:1, 5</p> <p>copy (10) 3186:8;3206:23; 3207:7,11;3208:2,8,11; 3246:1,2;3251:20</p> <p>corn (5) 3259:8,10,11,12; 3273:18</p> <p>CORNALE (92) 3160:2,9,10,21; 3161:2;3162:4,12,15, 18;3165:7,16;3167:6, 11,23;3168:3,11; 3169:7,9;3170:6,10,14; 3173:5,10,12,16; 3174:2,5;3185:5,8; 3186:6,11;3189:23; 3190:19,22;3191:3,8;</p>
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<p>3208:1,6,10;3225:13, 18;3226:4;3231:8,11, 15;3232:23;3235:1,6; 3236:14,20,23;3237:4, 7,13,16,18,21;3238:6, 9,12;3264:8,16; 3265:24;3266:5,11,14, 19;3267:1;3270:24; 3271:4,6,14,17,20,22; 3272:1;3276:9,13,17, 24;3277:9,12,15,18,20; 3286:6,14;3287:13,17, 20,24;3288:3</p> <p>corner (2) 3172:14;3183:2</p> <p>corny (1) 3179:13</p> <p>corporation (1) 3240:19</p> <p>corrected (1) 3255:7</p> <p>correlated (2) 3212:4,21</p> <p>correlates (1) 3215:22</p> <p>correlation (2) 3212:11,17</p> <p>cost (13) 3204:1;3255:19,24; 3256:6,7,21,22;3257:9, 11,14,22;3258:23; 3281:10</p> <p>costs (3) 3205:4;3256:11; 3273:8</p> <p>counsel (7) 3165:9;3170:8; 3190:24;3235:3; 3266:3;3271:9; 3286:11</p> <p>count (2) 3263:20;3280:19</p> <p>counties (2) 3218:3;3220:9</p> <p>counting (1) 3282:17</p> <p>countless (1) 3205:6</p> <p>countries (1) 3218:4</p> <p>country (26) 3166:10;3175:4; 3180:16;3195:3,4; 3197:2;3204:21; 3244:15,18;3265:7; 3267:11,12;3268:11; 3272:19;3273:17,19, 19;3274:3,5,12,15; 3275:2,14,16,24; 3276:6</p> <p>countryside (1) 3196:6</p> <p>counts (1)</p>	<p>3174:22</p> <p>County (97) 3160:6,7,23;3166:3, 19,19;3167:22; 3169:10,17;3170:7,8, 20;3171:23;3172:24; 3173:3,7,16;3184:15, 17;3190:24,24; 3191:21;3194:18; 3196:20;3198:6,9,14, 22;3199:1,13,14,24; 3200:2,5,7;3201:20; 3203:3,14;3204:16; 3205:2,6;3218:16,17, 19,22;3219:2,4,14; 3220:12;3221:2; 3222:6,7,22;3223:1,7, 10,16;3224:2;3235:3, 3;3237:24;3238:7,11; 3240:21;3242:1,3,5,6, 8;3247:17,18,19,21; 3259:18,21;3260:16; 3264:4;3266:2,2; 3270:18,19;3271:8,8; 3272:8,15,16;3273:3, 14,17;3275:11,13,17; 3278:13;3281:8; 3282:3;3286:10,10</p> <p>county's (1) 3166:24</p> <p>couple (15) 3162:16;3174:12; 3180:10;3181:12; 3193:14,20,22; 3194:24;3215:11; 3231:20;3246:11; 3262:18;3263:5; 3264:15;3279:24</p> <p>course (6) 3178:3;3181:9; 3194:15;3201:7; 3242:10;3247:19</p> <p>court (6) 3174:6;3191:9; 3229:1;3237:8;3272:2; 3277:21</p> <p>Cove (1) 3179:13</p> <p>cover (1) 3219:13</p> <p>covered (1) 3206:22</p> <p>covers (1) 3283:14</p> <p>coworkers (1) 3183:9</p> <p>cows (2) 3195:17,23</p> <p>crane (1) 3181:15</p> <p>cranes (1) 3181:13</p> <p>craziness (1)</p>	<p>3179:22</p> <p>crazy (1) 3178:9</p> <p>create (1) 3178:14</p> <p>created (3) 3204:2;3244:20; 3250:12</p> <p>creating (1) 3195:8</p> <p>credibility (1) 3201:5</p> <p>credit (2) 3243:15;3251:7</p> <p>creek (7) 3185:23;3186:1; 3197:2;3202:14,20; 3203:12,13</p> <p>crews (1) 3285:4</p> <p>criteria (2) 3167:3;3270:7</p> <p>critical (2) 3241:14;3244:14</p> <p>crop (1) 3192:5</p> <p>crops (8) 3220:16;3248:12; 3272:19;3273:11,16, 18;3275:15,18</p> <p>cross-examined (1) 3163:22</p> <p>crossing (1) 3189:11</p> <p>crucial (1) 3284:24</p> <p>crystals (2) 3176:17,20</p> <p>curiosity (1) 3237:14</p> <p>curious (1) 3236:3</p> <p>current (7) 3167:9;3200:5; 3228:22;3229:2,11,15; 3261:17</p> <p>currently (4) 3204:20,24;3264:24; 3274:12</p> <p>curtains (1) 3180:15</p> <p>cushion (2) 3232:16;3233:10</p> <p>cut (1) 3246:23</p>	<p>damage (3) 3254:24;3255:6; 3269:7</p> <p>damaging (1) 3272:24</p> <p>Dan (2) 3179:24;3251:8</p> <p>Daniel (1) 3203:13</p> <p>dark (1) 3161:21</p> <p>Dassow (13) 3266:6,8,18,18,20, 22,24;3267:3,3; 3270:24;3271:7; 3287:6,6</p> <p>dated (1) 3230:2</p> <p>daughter (3) 3251:10;3272:11; 3276:11</p> <p>David (2) 3245:5;3255:22</p> <p>day (8) 3179:1,2;3182:19; 3192:23;3193:4; 3252:11;3259:22; 3275:5</p> <p>days (3) 3178:23;3179:18; 3195:24</p> <p>dB (8) 3208:19,23;3209:18; 3210:3,10,12;3233:9, 10</p> <p>dBA (3) 3210:16,17;3211:17</p> <p>deal (2) 3269:1,11</p> <p>dealing (1) 3166:23</p> <p>death (1) 3183:6</p> <p>deaths (1) 3182:5</p> <p>decades (2) 3199:8;3260:6</p> <p>decibel (1) 3205:17</p> <p>decibels (1) 3203:10</p> <p>decide (2) 3165:10;3224:20</p> <p>decided (2) 3211:2;3268:16</p> <p>decipher (1) 3191:14</p> <p>decision (4) 3218:11,14,15; 3223:8</p> <p>decisions (2) 3219:11,16</p> <p>declined (1)</p>	<p>3219:7</p> <p>decommissioning (6) 3255:15,19;3256:3, 22;3257:10;3273:6</p> <p>decrease (1) 3209:3</p> <p>decreases (2) 3216:8,9</p> <p>deep (2) 3222:23;3268:8</p> <p>Deer (1) 3182:7</p> <p>defend (3) 3196:11;3197:17; 3205:3</p> <p>defined (1) 3239:24</p> <p>defines (1) 3249:19</p> <p>definitely (2) 3232:8;3258:18</p> <p>definition (1) 3279:22</p> <p>definitions (1) 3279:23</p> <p>degree (3) 3174:22;3260:6,11</p> <p>delay (1) 3212:23</p> <p>delivered (1) 3193:24</p> <p>demand (3) 3257:21,23,24</p> <p>demanded (1) 3257:24</p> <p>demo (1) 3194:14</p> <p>denied (1) 3223:17</p> <p>dense (1) 3242:19</p> <p>density (4) 3225:8;3242:4,4,9</p> <p>deny (1) 3270:22</p> <p>Denying (1) 3216:9</p> <p>department (7) 3193:19;3202:15; 3228:12;3243:19; 3244:2;3245:6;3247:8</p> <p>depending (1) 3209:19</p> <p>depends (2) 3234:16;3257:21</p> <p>deploying (1) 3244:4</p> <p>depression (1) 3253:2</p> <p>deprivation (4) 3197:8;3251:18; 3254:18;3255:10</p> <p>depriving (1)</p>
---	--	--	--	---

<p>3253:21 Des (3) 3237:20;3240:6; 3265:3 described (2) 3177:4;3249:17 design (4) 3205:23;3210:12,15; 3213:3 designed (2) 3193:23;3252:17 desire (1) 3282:12 desired (1) 3260:21 destroy (1) 3252:3 destroyed (1) 3202:21 destructive (1) 3218:6 detail (1) 3214:21 detailed (1) 3213:4 details (1) 3278:14 deteriorating (1) 3203:18 determination (1) 3255:23 determine (2) 3261:3,7 determined (1) 3247:20 determines (1) 3260:13 detriment (1) 3247:21 detrimental (2) 3223:23;3224:6 devastation (1) 3275:3 develop (1) 3244:15 developer (1) 3268:15 developers (4) 3197:24;3198:19; 3199:11;3200:10 developing (2) 3244:3;3253:1 development (9) 3199:23;3218:21; 3219:3;3221:5;3223:6; 3224:17;3244:21; 3249:11;3270:16 developmental (1) 3248:9 deviate (1) 3209:13 devoted (1) 3212:7</p>	<p>diabetes (1) 3253:1 diagnosed (5) 3174:17;3175:9; 3176:24;3188:4,6 Diana (1) 3160:13 diaries (2) 3211:24;3213:4 diary (2) 3212:3;3214:14 Dieter (1) 3287:5 different (15) 3176:3,15,19; 3177:14;3182:16; 3188:2,2;3231:21; 3233:11;3240:14; 3259:16;3279:18,19; 3282:23;3284:10 difficult (1) 3268:7 difficulty (1) 3203:20 diminishment (1) 3203:4 dining (1) 3220:15 dinner (1) 3194:11 dinners (1) 3194:10 direct (2) 3209:15;3230:9 directly (4) 3212:22;3215:22; 3245:23;3254:5 director (2) 3213:24;3240:13 disassembled (1) 3258:24 Discharge (1) 3202:12 discharges (1) 3202:13 discomfort (1) 3216:4 discount (2) 3261:7;3262:6 discredit (1) 3283:11 discuss (3) 3167:13;3174:13; 3202:1 discussing (1) 3184:20 discussion (4) 3184:24;3191:16; 3257:10;3272:20 discussions (4) 3166:4,5,6,13 disease (1) 3253:4</p>	<p>dishonesty (1) 3268:23 disk (1) 3261:14 displaced (1) 3182:8 distance (2) 3209:19;3250:18 distances (2) 3208:21;3234:13 distinguished (1) 3212:7 district (1) 3224:19 disturbed (1) 3220:1 disturbing (1) 3200:8 divided (1) 3221:1 dizziness (4) 3177:9;3178:18,24; 3203:19 dizzy (4) 3175:6,14;3179:2; 3187:5 doctor (6) 3175:20,22;3185:14, 16;3190:10,15 doctors (1) 3253:18 doctor's (1) 3190:5 document (5) 3206:23;3208:3; 3215:1;3230:19; 3232:20 documentaries (3) 3218:4,6,9 documentary (2) 3195:11,12 documented (1) 3214:22 documents (2) 3221:12;3228:13 DOE (2) 3244:2;3245:4 DOE-funded (1) 3244:10 dog (1) 3182:12 Dogs (2) 3182:8,9 dollar (1) 3258:18 dollars (3) 3221:21;3256:24; 3281:11 domestic (1) 3244:5 donations (1) 3281:14 done (11)</p>	<p>3175:23;3194:3; 3218:12;3221:10; 3223:3,11,12;3245:11; 3254:24;3269:7,20 door (7) 3212:20;3235:11,11, 24,24;3236:1,1 double (1) 3178:7 doubt (3) 3238:14;3251:12; 3268:12 doubts (1) 3216:16 down (32) 3161:15;3167:20; 3171:1,6;3172:4,5; 3178:21;3184:10; 3187:9;3189:16; 3192:23;3198:13; 3204:13;3211:15; 3214:17;3218:5; 3224:23;3245:20; 3246:13,15,19;3251:4; 3258:12;3259:14; 3261:21;3268:5; 3276:20;3278:5,18; 3279:10;3280:22; 3284:11 downtown (1) 3196:16 dozen (3) 3174:16;3187:20; 3260:18 Dr (9) 3179:24;3213:23; 3214:3;3215:2;3216:1; 3230:9;3245:5;3247:6; 3254:4 Drake (1) 3240:6 dramatically (2) 3248:18;3252:12 drinking (1) 3253:13 drive (5) 3193:4;3204:22; 3237:11;3275:23; 3276:5 driven (1) 3198:5 drivers (1) 3189:13 driving (4) 3179:11;3188:23; 3192:24;3280:16 Drones (1) 3248:11 drove (2) 3192:22,23 drowsiness (1) 3203:19 drugs (1)</p>	<p>3253:22 due (2) 3221:6;3273:21 duly (8) 3165:15;3170:13; 3174:4;3191:7;3237:6; 3266:24;3271:24; 3277:19 Duncan (1) 3209:9 durations (2) 3209:19;3210:1 during (18) 3163:3;3177:2; 3183:8;3185:19,21; 3189:19;3195:21; 3211:13;3233:17; 3240:22;3248:12; 3252:11;3254:22,24; 3255:8;3267:6; 3278:10;3285:22 dusk (1) 3171:7 Dwight (1) 3171:8 dwindled (1) 3178:21</p> <hr/> <p style="text-align: center;">E</p> <hr/> <p>eagles (3) 3181:13;3182:3,3 ear (4) 3175:22;3176:18,20; 3212:14 earlier (3) 3242:13;3246:11; 3259:10 early (1) 3241:18 ears (2) 3176:21;3182:9 easement (4) 3248:1;3249:1,22; 3272:24 Easements (7) 3247:24;3248:3,4; 3249:17,19,23,24 easier (1) 3283:19 easily (1) 3182:18 east (7) 3165:21;3170:16; 3174:8;3191:12; 3193:16;3267:4; 3277:24 easy (1) 3261:6 eateries (1) 3196:4 eating (3) 3255:7,8;3280:22</p>
---	--	---	---	---

<p>economic (4) 3203:6;3210:18; 3244:21;3247:9</p> <p>edge (1) 3263:16</p> <p>edition (1) 3192:4</p> <p>editor (1) 3220:19</p> <p>EDP (1) 3240:13</p> <p>Education (4) 3183:7,24;3196:7; 3200:19</p> <p>effect (1) 3188:18</p> <p>effectively (2) 3248:20,21</p> <p>effects (12) 3186:21;3214:6,15; 3217:10,20;3221:16; 3248:8;3249:4,10; 3254:18,21,22</p> <p>effort (1) 3283:7</p> <p>efforts (2) 3212:9;3213:9</p> <p>eight (3) 3252:7;3268:18; 3280:21</p> <p>eighth (1) 3194:19</p> <p>either (3) 3182:15,22;3254:9</p> <p>Elbert (1) 3287:6</p> <p>elected (2) 3220:8;3223:4</p> <p>election (1) 3221:3</p> <p>electric (4) 3224:14;3247:14; 3248:7,15</p> <p>Electrical (2) 3213:23;3250:17</p> <p>electricity (8) 3243:17;3244:7; 3245:21;3246:7,8,10, 24;3247:15</p> <p>electromagnetic (3) 3216:13;3248:5; 3251:1</p> <p>electronic (2) 3248:5,22</p> <p>elevators (1) 3192:8</p> <p>Elimination (1) 3202:12</p> <p>Ellenbogen (1) 3254:4</p> <p>Elma (1) 3200:18</p> <p>else (10)</p>	<p>3166:14;3170:7; 3179:22;3187:11; 3188:17;3235:2; 3266:15;3271:10; 3277:3;3279:23</p> <p>elsewhere (1) 3215:16</p> <p>emissions (5) 3214:5,11;3215:15; 3216:21;3217:2</p> <p>emotional (1) 3203:18</p> <p>emphasis (1) 3240:4</p> <p>employ (1) 3204:8</p> <p>employee (1) 3197:21</p> <p>employees (1) 3198:2</p> <p>enabling (1) 3244:14</p> <p>encompasses (1) 3165:19</p> <p>end (3) 3180:6;3257:12,13</p> <p>endanger (1) 3224:7</p> <p>endangered (1) 3181:24</p> <p>ends (1) 3189:18</p> <p>Energy (31) 3160:8,9;3166:20, 24;3172:16;3198:8; 3199:21;3200:4; 3203:12;3204:1; 3210:23;3218:21; 3240:23;3241:16; 3243:19;3244:2; 3245:6,9,15;3246:5,21; 3247:15,16;3249:20; 3250:5,8;3265:12,13, 19;3267:17;3285:24</p> <p>engineer (1) 3206:1</p> <p>engineering (3) 3205:23,23;3213:23</p> <p>engineers (2) 3256:4;3257:11</p> <p>enjoy (2) 3194:15;3267:13</p> <p>enjoyed (1) 3269:8</p> <p>enjoyment (4) 3203:5;3224:10; 3270:15;3274:15</p> <p>enormous (2) 3219:24;3273:6</p> <p>enough (5) 3219:12;3231:16; 3254:1,3;3278:15</p> <p>ensure (1)</p>	<p>3268:20</p> <p>enter (2) 3214:11;3221:9</p> <p>entered (2) 3236:17,18</p> <p>entertain (1) 3168:2</p> <p>entire (2) 3227:12;3265:7</p> <p>entries (2) 3212:3,11</p> <p>environment (1) 3222:11</p> <p>Environmental (4) 3202:15;3228:12; 3244:11;3253:7</p> <p>envisioned (2) 3213:18;3275:7</p> <p>EON (2) 3219:1,7</p> <p>episode (2) 3175:10;3188:5</p> <p>episodes (2) 3178:22;3187:1</p> <p>equally (1) 3218:21</p> <p>equipment (1) 3273:1</p> <p>equipped (1) 3253:2</p> <p>especially (4) 3179:5;3182:18; 3253:17;3283:15</p> <p>establish (1) 3225:9</p> <p>estimate (6) 3205:18;3210:13; 3256:21;3257:4,9; 3258:22</p> <p>estimated (2) 3205:17;3208:18</p> <p>estimates (1) 3255:19</p> <p>estimating (3) 3209:5;3256:11,18</p> <p>estimator (1) 3256:11</p> <p>ethanol (1) 3259:7</p> <p>evacuation (1) 3225:3</p> <p>evaluate (1) 3262:10</p> <p>even (18) 3171:13;3175:23; 3177:12;3183:14; 3192:17;3196:23; 3210:15;3220:1; 3233:18;3251:11; 3253:3;3254:20; 3255:12;3260:3; 3262:7,24;3280:18; 3285:17</p>	<p>evening (12) 3160:3;3161:3,14; 3165:12,17;3173:24; 3191:5;3209:21; 3237:1;3266:15; 3278:1;3287:22</p> <p>evenings (1) 3220:2</p> <p>events (2) 3195:10;3196:17</p> <p>ever-growing (1) 3244:6</p> <p>everybody (8) 3161:7,8;3163:4,17; 3166:5,17;3201:2; 3278:19</p> <p>everyday (1) 3273:21</p> <p>everyone (4) 3163:9;3171:19; 3232:24;3268:20</p> <p>evidence (1) 3221:3</p> <p>evident (1) 3268:21</p> <p>exacerbate (1) 3254:11</p> <p>exact (2) 3233:4;3265:1</p> <p>exactly (1) 3262:5</p> <p>examine (1) 3214:22</p> <p>example (6) 3217:13;3245:5; 3247:5;3252:18; 3259:19;3281:6</p> <p>examples (1) 3279:24</p> <p>exceed (1) 3210:2</p> <p>exceeded (1) 3210:14</p> <p>except (8) 3174:19;3183:24; 3185:3;3207:15,19; 3241:10;3255:17; 3265:14</p> <p>exception (1) 3206:24</p> <p>excess (2) 3210:17;3212:8</p> <p>exclusively (1) 3214:8</p> <p>excuse (1) 3164:6</p> <p>executive (1) 3200:17</p> <p>exercises (3) 3176:19,20,22</p> <p>exhausting (1) 3278:11</p> <p>exhaustive (1)</p>	<p>3213:3</p> <p>exhaustively (1) 3214:24</p> <p>Exhibit (41) 3163:1,20;3200:15; 3206:14;3208:12; 3228:18;3236:17; 3238:15,16,17,23; 3239:9,11,17,19; 3240:19,22;3241:6,13; 3242:12;3243:19,20; 3244:8;3245:1,3,9,12, 19;3247:5,24;3248:1, 2;3249:14,14,22; 3250:6,6;3251:2,5; 3252:19;3255:17</p> <p>exhibits (4) 3163:11;3191:15; 3202:9;3238:20</p> <p>existence (1) 3217:12</p> <p>existing (1) 3254:7</p> <p>exited (1) 3171:12</p> <p>expand (1) 3250:22</p> <p>expanse (1) 3220:16</p> <p>expectation (1) 3169:16</p> <p>expected (1) 3260:16</p> <p>expenses (2) 3256:2;3273:2</p> <p>expensive (1) 3259:2</p> <p>experience (11) 3176:8;3182:13; 3209:13,15,16;3210:1; 3211:24;3213:12,13; 3240:1;3260:7</p> <p>experienced (1) 3267:15</p> <p>experiencing (1) 3214:15</p> <p>expert (7) 3206:11;3232:8; 3239:23;3260:5; 3261:2,11,22</p> <p>expertise (1) 3190:14</p> <p>experts (6) 3209:17;3231:22,24; 3255:15,17;3260:8</p> <p>exploratory (1) 3283:7</p> <p>exposure (2) 3253:8,12</p> <p>expressly (1) 3250:13</p> <p>extent (1) 3262:14</p>
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<p>extra (4) 3254:19,20,23; 3255:2</p> <p>extremely (2) 3215:14;3216:20</p> <p>eye (2) 3285:17,17</p> <p>eyes (1) 3270:5</p> <p>eyesight (1) 3182:16</p> <p>eyesores (1) 3172:20</p> <hr/> <p style="text-align: center;">F</p> <hr/> <p>face-to-face (1) 3183:3</p> <p>facilities (3) 3248:9;3249:5,10</p> <p>fact (9) 3206:17,22;3222:17; 3231:1;3238:5; 3243:11;3245:15; 3265:6;3274:1</p> <p>factor (1) 3210:15</p> <p>factories (1) 3204:21</p> <p>facts (3) 3222:15,16;3256:19</p> <p>faculty (2) 3205:24,24</p> <p>failure (1) 3202:11</p> <p>failures (1) 3221:13</p> <p>Fairbury (16) 3165:20,22;3170:17, 24;3191:12,18; 3192:14;3193:16; 3194:6;3196:14,16; 3201:14;3202:1; 3235:14;3251:21; 3277:24</p> <p>fairly (1) 3215:23</p> <p>fall (3) 3181:12;3192:4; 3194:9</p> <p>fallen (1) 3176:5</p> <p>familiar (3) 3168:14;3226:17; 3227:21</p> <p>families (13) 3171:23,24;3184:4; 3199:3;3201:22; 3213:5;3220:20; 3234:12;3272:17; 3273:16;3274:19,21; 3275:2</p> <p>family (20)</p>	<p>3180:18;3190:15; 3191:18;3194:6,7,18; 3195:3,5,22;3204:3,3; 3219:6;3220:15; 3264:1;3267:9,12,16; 3272:14;3276:20; 3283:24</p> <p>far (3) 3166:11;3187:9; 3243:1</p> <p>farm (59) 3172:5;3191:18,20; 3193:1;3194:10,11,11, 13,18,20,22;3195:16; 3196:9;3199:22; 3200:18;3202:14,20; 3205:21;3210:5; 3211:1,5;3214:7; 3215:5;3216:14,18,24; 3217:1,3,9,21;3219:3, 8;3221:4;3223:6,7; 3230:12;3231:2; 3248:15;3249:1,2; 3251:7;3256:14; 3263:11,15,21;3267:7, 10,15,15,20;3272:13; 3275:10;3276:21; 3278:12;3279:14; 3280:4;3281:23; 3282:21;3285:6</p> <p>farmed (1) 3199:4</p> <p>farmer (2) 3192:6;3259:3</p> <p>farmers (11) 3192:5,9;3194:20; 3195:6;3248:11,12,17; 3260:2;3273:15; 3275:21;3282:13</p> <p>Farming (4) 3248:18;3273:23; 3283:23;3284:9</p> <p>farmland (10) 3171:3,15;3263:24; 3269:11;3272:18,23; 3273:11,22;3275:12; 3276:7</p> <p>farmlands (1) 3272:18</p> <p>Farms (20) 3194:7,7,17;3195:2, 4,7,9,12;3196:4; 3198:5,21,23;3204:15; 3214:9;3217:15; 3247:20;3256:12; 3264:23;3276:19; 3282:1</p> <p>Farmstead (2) 3195:14,15</p> <p>farmsteads (1) 3196:1</p> <p>fast (1) 3189:15</p>	<p>faster (1) 3178:11</p> <p>fat-burning (1) 3252:22</p> <p>fatigue (1) 3203:20</p> <p>favor (1) 3288:1</p> <p>feature (1) 3213:16</p> <p>features (1) 3195:3</p> <p>February (1) 3166:17</p> <p>Federal (4) 3228:24;3243:13; 3244:24;3247:22</p> <p>feed (1) 3273:19</p> <p>feeders (1) 3220:14</p> <p>feeding (1) 3275:15</p> <p>feel (17) 3175:18;3177:5; 3198:7;3204:23; 3222:22;3246:22; 3252:13;3255:4; 3267:11;3268:10; 3270:20;3274:11; 3278:2;3282:15,15; 3284:8;3285:14</p> <p>feeling (4) 3175:7;3187:8,12; 3275:3</p> <p>feelings (2) 3268:8;3276:2</p> <p>feet (8) 3194:16;3203:2; 3225:4,4,5;3248:14; 3263:14,19</p> <p>Fehr (20) 3168:21;3191:4,4,5, 7,11,12,15,17,17; 3202:10;3208:14; 3225:19,21,24;3226:2, 7;3231:12;3236:18,22</p> <p>fell (1) 3201:8</p> <p>fellow (3) 3160:22;3168:3; 3282:13</p> <p>fellowship (1) 3193:12</p> <p>felt (4) 3175:8;3212:2; 3219:5,11</p> <p>few (15) 3160:22;3170:23; 3171:5;3179:24; 3180:10;3181:9; 3197:4;3226:3;3228:8; 3248:24;3254:23;</p>	<p>3265:4;3272:9; 3283:17;3285:2</p> <p>field (4) 3204:9;3216:13; 3221:14;3273:1</p> <p>fields (7) 3171:3,15;3172:18, 20;3173:1;3282:1; 3285:4</p> <p>fierce (1) 3222:5</p> <p>fifth (1) 3191:19</p> <p>figure (3) 3178:15;3263:22; 3279:17</p> <p>filed (5) 3202:19,24;3203:11, 22;3228:19</p> <p>financial (2) 3260:15;3273:7</p> <p>financially (1) 3179:16</p> <p>find (14) 3177:13;3196:18,24; 3197:12;3227:8,15; 3229:18;3246:2; 3249:18,18;3254:10; 3258:23;3274:2,22</p> <p>findings (1) 3213:1</p> <p>finds (1) 3215:18</p> <p>fine (2) 3179:1;3254:1</p> <p>finest (1) 3194:8</p> <p>finish (2) 3207:11;3260:9</p> <p>finished (1) 3252:14</p> <p>fire (2) 3193:18;3203:22</p> <p>firm (2) 3228:19;3229:10</p> <p>first (18) 3162:19;3163:6; 3165:12;3171:1; 3175:10;3177:4; 3186:19;3214:6; 3239:3;3243:5;3244:1; 3260:12;3267:4,22; 3272:15;3278:16; 3280:10,15</p> <p>first-of-its-kind (1) 3214:4</p> <p>firsts (1) 3211:11</p> <p>five (7) 3188:9;3224:16; 3256:24;3269:23; 3274:6;3278:10; 3285:23</p>	<p>fix (2) 3216:15;3280:11</p> <p>flag (1) 3184:7</p> <p>flags (1) 3270:3</p> <p>flashing (3) 3171:10,11;3203:17</p> <p>flawed (1) 3260:21</p> <p>flicker (7) 3197:5;3203:16; 3217:5;3221:17; 3225:5;3248:6;3251:1</p> <p>floor (1) 3189:1</p> <p>floppy (1) 3261:14</p> <p>Florida (1) 3243:6</p> <p>flu (1) 3188:4</p> <p>fluctuates (1) 3180:3</p> <p>focus (4) 3171:13;3178:2; 3179:9;3188:22</p> <p>focused (1) 3179:4</p> <p>fog (2) 3233:21,22</p> <p>folks (4) 3171:6;3172:21; 3235:20,21</p> <p>Followell (2) 3287:2,4</p> <p>Following (6) 3194:13;3202:6; 3206:4;3223:18; 3224:22;3248:3</p> <p>follow-up (2) 3262:18;3280:5</p> <p>food (7) 3186:3;3192:9; 3194:22;3195:1; 3196:9;3255:8; 3273:21</p> <p>foot (1) 3201:10</p> <p>footprint (13) 3187:22;3204:10; 3234:6;3235:13,18,18; 3236:1;3238:4,5; 3249:1;3263:17,17,21</p> <p>forced (1) 3218:7</p> <p>forcing (1) 3222:8</p> <p>forefathers (2) 3172:8;3173:3</p> <p>forever (2) 3172:6;3220:17</p> <p>forging (1)</p>
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<p>3186:3 forgot (3) 3185:17,20;3188:17 form (2) 3185:14;3216:12 formed (1) 3272:22 former (1) 3218:23 formula (1) 3262:3 Forrest (6) 3170:22;3171:4; 3250:9,10,22;3265:5 forth (3) 3184:20;3192:22; 3220:19 forward (4) 3180:7,8;3203:24; 3223:5 found (7) 3175:17;3181:21; 3189:13;3202:6; 3209:9;3227:7;3283:2 foundation (3) 3207:4,5,7 founded (1) 3172:8 four (9) 3185:19;3188:10; 3194:15;3203:11; 3224:9;3242:18; 3245:2;3255:18; 3256:8 frankly (3) 3279:5;3281:17; 3285:20 frazzled (1) 3180:20 free (2) 3218:13,14 Freed (1) 3287:6 freezes (1) 3185:21 Friday (1) 3191:24 friend (1) 3183:15 friends (8) 3177:7;3183:9; 3184:17,19,23; 3192:17;3282:14; 3285:19 front (4) 3161:5,10;3166:17; 3192:3 full (2) 3193:1;3198:10 fully (1) 3222:23 fun (1) 3274:16</p>	<p>function (2) 3194:22;3214:14 functioning (1) 3254:17 functions (1) 3212:15 fund (1) 3241:3 fund-raising (2) 3205:10;3281:15 funds (1) 3245:4 funny (1) 3282:8 furniture (1) 3175:13 further (9) 3199:23;3200:6; 3206:5;3208:15; 3209:3;3212:23; 3268:22;3270:19; 3282:12 future (17) 3167:20;3172:10,24; 3173:3;3199:2;3213:9; 3251:3;3261:8; 3262:12;3268:3,5; 3270:16;3273:5,8; 3275:4,8;3276:4</p>	<p>3267:16;3268:3,5; 3275:14 generator (2) 3258:7,12 generators (1) 3259:1 generous (1) 3281:14 gentleman (1) 3285:6 genuinely (1) 3192:12 George (1) 3286:24 Gero (8) 3170:11,11,13,16,16; 3173:5,14,15 G-E-R-O (1) 3170:11 GERWIN (4) 3169:14,15;3236:16; 3287:1 gets (5) 3246:5,7,9;3250:4; 3260:11 giant (1) 3220:17 Gibs (1) 3160:19 Gibson (2) 3259:7,22 Gillett (1) 3287:2 girl (1) 3182:11 given (4) 3163:9;3245:14; 3253:15;3270:2 gives (4) 3241:8;3245:13; 3249:2,8 giving (1) 3250:2 glad (1) 3181:14 glare (1) 3203:16 Glen (1) 3287:2 goes (7) 3167:1;3178:1; 3206:17;3207:13; 3215:2;3216:1; 3259:15 golden (1) 3182:3 good (13) 3162:12;3165:17; 3167:11,23;3169:7; 3186:6;3198:4; 3210:10;3222:22; 3275:14;3278:1; 3287:8,21</p>	<p>Google (1) 3244:18 Gotcha (1) 3271:17 government (18) 3168:5;3173:8,8; 3189:24;3213:2; 3225:23;3241:7,7; 3243:9;3244:16,24; 3247:3,4,4;3264:11; 3271:2;3276:14; 3286:8 governments (2) 3247:17,22 government's (1) 3243:13 governor (3) 3183:19;3247:11,13 graduate (1) 3205:24 grain (2) 3192:7,8 grandchildren (1) 3269:5 grand-girl (1) 3180:19 grandma (1) 3171:9 grandson (2) 3171:7,8 grantee (2) 3249:8;3250:2 grants (2) 3245:6;3247:7 grasslands (2) 3171:3,15 gravel (2) 3184:9,10 greed (1) 3172:2 green (1) 3242:22 grew (2) 3180:18;3267:10 grocery (1) 3194:24 ground (4) 3208:20;3209:1; 3275:17;3285:6 group (7) 3204:8;3215:13,15; 3222:19;3228:6; 3238:15,22 groups (5) 3193:20,23;3194:1, 20,22 Grove (6) 3165:13,19,24; 3166:15;3168:17; 3265:5 grow (1) 3205:12 growing (3)</p>	<p>3195:8;3198:19; 3248:13 grown (1) 3172:4 growth (1) 3224:17 guarantee (1) 3270:8 guarantees (1) 3172:21 guess (11) 3185:1;3231:24; 3232:12;3233:3,6,24; 3234:7,15,22;3239:12; 3284:8 guests (1) 3194:13 guy (1) 3238:5 guys (6) 3161:6;3173:18,21; 3261:13;3277:6; 3280:17</p>
H				
				<p>habitat (2) 3180:2;3220:16 half (17) 3161:12;3177:2; 3178:19;3179:3; 3180:18;3225:1,10; 3240:11,11;3246:24; 3250:10;3259:20,23; 3261:4;3269:24; 3275:1;3280:18 hand (10) 3170:12;3174:3; 3178:2;3191:6; 3193:23;3237:5; 3239:3;3266:23; 3271:23;3277:16 handed (6) 3162:19,24;3163:19; 3164:3;3165:2; 3196:13 handing (1) 3202:9 handle (1) 3164:24 handout (3) 3242:1;3252:18; 3255:17 hands (1) 3271:11 handwriting (1) 3190:5 Hankard (3) 3206:3;3207:14; 3232:2 Hankard's (2) 3230:21;3231:2 happen (4)</p>

<p>3187:4;3188:19; 3242:20;3279:6 happened (2) 3201:2;3237:23 happening (2) 3196:19;3219:19 happenings (1) 3192:18 happens (5) 3172:14,17;3176:13; 3177:23;3185:12 happier (1) 3171:4 happy (2) 3162:23;3240:24 hard (7) 3163:9;3193:21; 3220:11;3252:10; 3267:5,14;3283:9 Harlowton (1) 3241:23 harm (1) 3269:11 harmonics (1) 3211:17 Harper (2) 3218:17;3223:9 Hartke (3) 3163:22;3185:4; 3201:23 Hartke's (1) 3184:24 harvest (1) 3273:21 harvested (1) 3273:12 harvesting (1) 3275:18 Harvey (5) 3236:24,24;3237:6, 10;3239:22 hate (4) 3184:1,3;3220:18; 3221:24 hated (1) 3183:16 Hayes (1) 3287:4 hazards (1) 3272:23 head (14) 3169:8;3171:17; 3173:11;3176:4,16; 3190:21;3194:14; 3226:16;3229:6; 3234:21;3240:15,16; 3271:5;3282:8 headaches (2) 3200:24;3203:20 heading (2) 3205:15;3244:8 headquartered (1) 3210:24</p>	<p>heal (2) 3222:3,23 health (20) 3196:12;3200:24; 3202:22;3203:5,19; 3204:3;3217:18,20,22; 3222:17;3224:7; 3251:19;3252:15; 3254:5,7,11,13; 3269:12;3270:1; 3272:23 healthy (1) 3255:7 hear (3) 3174:11;3182:10,10 heard (13) 3196:21;3199:4; 3212:1;3226:19; 3251:14;3259:12; 3278:5,15;3279:22; 3282:20,22,24;3284:2 hearing (7) 3160:6;3164:4; 3185:15;3212:12; 3215:20;3219:17; 3263:8 hearings (8) 3197:11,16;3205:21; 3210:23;3211:7; 3263:7;3270:2;3278:3 hearsay (4) 3206:22,24;3207:3, 24 heart (1) 3267:18 heartache (1) 3222:21 heavy (1) 3273:1 heifers (1) 3195:18 height (4) 3208:24 held (2) 3194:11;3197:1 help (11) 3176:21;3183:15; 3187:15,17;3192:12; 3193:15;3244:24; 3254:21;3276:23; 3280:17;3285:16 helped (3) 3259:7,8;3280:20 helpful (1) 3192:9 helping (1) 3205:12 Here's (2) 3178:8;3243:21 herons (1) 3181:10 hey (1) 3280:16</p>	<p>high (3) 3162:10;3201:1; 3258:17 higher (2) 3262:7;3265:14 highest (1) 3171:22 Highland (4) 3205:21;3210:4; 3230:12;3231:2 highlight (1) 3251:24 highlighted (1) 3251:21 highlighting (1) 3195:12 highly (3) 3195:19;3213:20; 3218:8 hired (2) 3214:1;3261:2 hit (2) 3280:3,7 hitting (1) 3280:15 Hoffman (1) 3287:3 holding (1) 3199:6 holes (1) 3285:5 home (11) 3170:1;3175:11; 3193:8;3197:7; 3201:20;3202:2; 3204:2;3209:24; 3220:2;3221:10; 3278:4 homeowner (1) 3169:22 homeowners (4) 3165:21;3166:7,8; 3269:18 Homerding (1) 3226:15 homes (6) 3166:12;3184:4; 3211:13;3212:21,23; 3276:3 honed (1) 3284:17 hook (1) 3282:18 hope (10) 3174:11;3185:3; 3228:10;3238:13; 3273:9,24;3275:9,11, 20;3276:5 hoped (1) 3280:12 hopefully (1) 3161:14 hoping (3)</p>	<p>3167:21;3261:12; 3284:3 horse (4) 3182:20,24;3183:4,4 Horses (2) 3182:13,14 hospital (1) 3175:20 hosted (1) 3201:6 H-O-U-G (1) 3190:12 Hough (1) 3190:11 H-O-U-G-H (2) 3190:11,13 hour (5) 3241:17;3243:18,18; 3280:18,18 hours (8) 3205:7,10;3209:19; 3252:7,20;3254:23; 3278:11;3280:21 house (7) 3170:24;3197:1,13, 18,18;3201:14; 3269:24 housekeeping (1) 3162:17 houses (3) 3193:18;3215:8,11 Howard (8) 3160:16;3200:17; 3201:3,8,10,16; 3218:19;3223:7 hubs (1) 3194:22 huge (6) 3178:8,8;3181:4; 3273:2,7;3274:9 Huisman (8) 3160:17,18;3185:10; 3186:14;3189:22; 3235:5,8;3236:13 human (5) 3196:12;3212:11; 3213:7;3251:19; 3254:5 humbling (1) 3281:13 hundreds (1) 3186:2 husband (7) 3170:19;3175:19; 3179:14,17;3181:20; 3219:8;3267:7 husband's (1) 3188:23 hutches (1) 3280:8 Hydro (7) 3210:23;3211:15; 3213:15,21;3215:2;</p>	<p>3227:17;3228:5 Hydro's (2) 3213:5;3227:19</p> <hr/> <p style="text-align: center;">I</p> <hr/> <p>I-55 (1) 3171:6 ideas (1) 3282:7 identifiable (1) 3215:5 ill (1) 3175:5 Illinois (20) 3170:17;3174:9,24; 3178:6;3184:15; 3195:16;3207:1; 3240:5;3245:5;3247:4, 7,8,11,12,13;3260:4; 3267:4;3272:6; 3273:15;3280:4 Illinois's (1) 3267:22 imagine (2) 3249:5;3274:9 imbalance (1) 3176:17 immediate (1) 3224:11 immediately (1) 3175:5 impact (8) 3167:2,22;3205:16; 3210:19;3218:6; 3260:15;3275:10; 3276:3 impacts (1) 3215:5 impede (1) 3224:16 important (12) 3166:7;3181:24; 3216:5,23;3241:20; 3251:6,23;3268:2; 3270:13;3279:1,13; 3285:21 impossible (1) 3210:19 impressed (1) 3192:11 improve (1) 3252:21 improvement (1) 3224:17 inability (1) 3203:19 incidental (1) 3182:5 include (1) 3203:14 included (2) 3200:21;3203:7</p>
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<p>includes (3) 3168:19;3214:6; 3267:20</p> <p>including (3) 3194:8;3221:7; 3250:16</p> <p>inclusive (1) 3225:1</p> <p>incorporate (2) 3166:19;3215:8</p> <p>increase (2) 3194:4;3262:6</p> <p>increased (1) 3195:20</p> <p>increases (2) 3216:8,9</p> <p>incredible (1) 3195:5</p> <p>incumbent (1) 3221:5</p> <p>incurred (2) 3222:24;3256:3</p> <p>independent (1) 3216:17</p> <p>Indian (7) 3165:13,19,24; 3166:15;3168:17; 3197:1;3265:5</p> <p>Indiana (2) 3218:18,20</p> <p>indicate (1) 3164:14</p> <p>indication (1) 3209:1</p> <p>individual (5) 3234:1,3,6,10,19</p> <p>individuals (5) 3160:24;3161:10,11, 16;3212:8</p> <p>indoor (1) 3180:12</p> <p>industrial (17) 3175:1;3196:5,8,15; 3198:8;3202:23; 3204:7,13,20,22; 3213:8;3224:13; 3261:3;3269:10,16; 3270:10,20</p> <p>industry (1) 3244:6</p> <p>information (11) 3200:22;3202:3; 3203:7;3204:17; 3205:9;3235:13; 3240:8;3245:10; 3248:4;3251:23; 3252:6</p> <p>infrasonic (1) 3212:18</p> <p>Infrasound (7) 3211:21;3212:3; 3213:4,7;3216:4,9,12</p> <p>infrastructure (1)</p>	<p>3250:15</p> <p>infringes (1) 3269:18</p> <p>initial (1) 3178:14</p> <p>initiatives (1) 3244:12</p> <p>injure (1) 3223:22</p> <p>injurious (2) 3224:10;3270:14</p> <p>innovation (1) 3195:5</p> <p>innovative (1) 3244:4</p> <p>inputs (2) 3261:16;3262:8</p> <p>inside (2) 3245:22;3246:15</p> <p>insinuated (1) 3257:5</p> <p>insists (1) 3221:13</p> <p>installed (1) 3265:7</p> <p>instance (2) 3178:1;3189:10</p> <p>instead (2) 3198:13,14</p> <p>institutions (1) 3194:24</p> <p>integrity (1) 3200:9</p> <p>intent (2) 3169:15;3223:20</p> <p>intention (1) 3278:13</p> <p>interactions (1) 3170:18</p> <p>interest (2) 3261:4;3263:16</p> <p>interested (2) 3236:4,7</p> <p>interestingly (1) 3237:22</p> <p>interference (5) 3162:8,21;3248:7, 16,22</p> <p>Internal (1) 3240:8</p> <p>International (1) 3195:1</p> <p>Internet (3) 3204:18;3227:10,13</p> <p>interrupt (1) 3166:22</p> <p>interruption (1) 3254:15</p> <p>interviewed (1) 3254:7</p> <p>in-the-know (1) 3253:18</p> <p>into (27)</p>	<p>3166:19;3176:9; 3179:17;3182:17; 3184:11,21;3188:19; 3189:8;3196:16; 3198:1;3204:18; 3218:7;3221:9; 3246:20;3247:12; 3262:8;3270:19; 3272:16;3273:4,8; 3274:1;3275:9,12,20; 3279:8;3280:8;3281:9</p> <p>intolerable (1) 3254:14</p> <p>intrusive (2) 3219:20,24</p> <p>intuitively (1) 3253:20</p> <p>invasion (1) 3203:16</p> <p>invasive (1) 3219:20</p> <p>Invenergy (38) 3196:15;3197:1,4, 12,16,24;3198:2,9,12; 3199:5,22;3200:3,18; 3201:4,6,9,14,16; 3202:2,4,7,14,19; 3203:1,8,12,24; 3205:14;3214:1; 3224:5,9;3229:21; 3231:22;3241:8; 3249:14;3268:19; 3269:4;3279:11</p> <p>inversion (1) 3233:17</p> <p>inversions (3) 3209:22;3210:3; 3233:21</p> <p>invested (2) 3267:17;3269:3</p> <p>investigating (1) 3273:10</p> <p>involved (4) 3181:17;3215:1; 3268:21;3276:18</p> <p>involving (1) 3202:7</p> <p>Iowa (9) 3237:11,15,16; 3240:7;3264:19,23; 3265:4,6,17</p> <p>irritates (1) 3265:15</p> <p>irritation (1) 3203:20</p> <p>islands (1) 3180:5</p> <p>ISO (10) 3205:18;3208:17,22; 3209:5,7,9,14,18; 3232:15;3233:13</p> <p>issue (8) 3170:23;3174:14;</p>	<p>3207:13;3220:24; 3221:7;3222:18; 3285:18,20</p> <p>issued (1) 3231:1</p> <p>issues (14) 3174:12,16;3197:14, 17;3202:5,6;3222:17; 3233:11,12;3234:12; 3240:1;3252:15; 3254:13;3268:18</p> <p>item (2) 3248:4;3250:12</p> <p>items (1) 3161:17</p> <p>Iverson (3) 3160:14,15;3288:1</p>	<p>3193:5</p> <p>Jon (1) 3287:6</p> <p>journal (1) 3212:11</p> <p>judgment (1) 3210:9</p> <p>Judith (7) 3240:21;3241:1,22, 23;3242:17,22;3243:4</p> <p>July (1) 3197:2</p> <p>jump (1) 3282:21</p> <p>jumping (1) 3277:4</p> <p>June (2) 3196:13;3205:7</p> <p>Junior (1) 3239:23</p> <p>junk (1) 3255:8</p> <p>justify (1) 3257:17</p>
J				
<p>Jane (3) 3218:17,19;3223:9</p> <p>January (1) 3165:23</p> <p>Jason (1) 3203:24</p> <p>JEDI (3) 3244:21,23;3260:16</p> <p>Jeff (1) 3287:3</p> <p>Jeffrey (1) 3254:4</p> <p>Jerome (1) 3287:2</p> <p>Jersey (2) 3195:17;3204:12</p> <p>Jesse (1) 3206:3</p> <p>Jo (1) 3287:6</p> <p>Joan (3) 3160:16;3186:11; 3235:6</p> <p>JoAnne (1) 3206:3</p> <p>Joan's (1) 3185:8</p> <p>job (4) 3174:21;3260:12,13; 3268:11</p> <p>jobs (7) 3179:22;3183:10; 3193:1,2,4;3244:20; 3260:8</p> <p>Job's (1) 3260:10</p> <p>John (9) 3160:11;3169:1; 3205:22;3230:9; 3266:6;3287:1,4,6,8</p> <p>join (1) 3223:9</p> <p>Joliet (1)</p>	<p>K</p>			
K				
<p>Kaisner (1) 3287:4</p> <p>Kaliski (1) 3209:8</p> <p>keep (6) 3204:13;3207:22; 3238:13;3258:19; 3259:8;3261:23</p> <p>Kelson's (1) 3164:1</p> <p>Kent (1) 3287:5</p> <p>kept (3) 3211:23;3213:4; 3236:5</p> <p>key (1) 3201:1</p> <p>kids (3) 3183:11,11;3278:7</p> <p>Kiefer (1) 3160:13</p> <p>Kilgus (2) 3195:14,22</p> <p>kilowatt (2) 3243:18,18</p> <p>kind (17) 3161:21;3167:17; 3174:10;3178:21; 3180:1;3184:6;3187:4; 3189:17;3238:17; 3246:14;3251:1; 3257:4;3280:11; 3281:16;3284:2,7,17</p> <p>kindness (1) 3193:9</p> <p>kinds (3)</p>				

<p>3279:22;3282:20,22 Knapp (1) 3286:24 knew (2) 3196:19;3201:2 knock-out (1) 3177:3 knocks (1) 3220:11 knowing (2) 3217:21;3268:5 knowledge (2) 3198:16;3220:6 known (4) 3214:18;3217:1,10,10 knows (1) 3222:5 Krogh (1) 3212:24 Kurtenbach (2) 3287:3,11</p>	<p>larger (3) 3242:7;3256:16,17 last (24) 3162:11;3163:21,22; 3164:4;3165:2,3; 3176:23;3181:12; 3197:2;3202:17; 3205:7;3223:2; 3242:12,21;3248:19; 3251:11;3252:4; 3253:15;3259:12; 3271:18;3272:3; 3279:15;3281:9; 3285:2 lasting (1) 3253:23 later (6) 3163:15;3212:4; 3254:1,19,20;3283:2 latest (1) 3163:20 law (3) 3182:2;3228:19; 3247:12 lawsuit (3) 3202:19,24;3203:11 lawsuits (2) 3199:19;3202:6 lay (2) 3207:4,6 laying (1) 3187:9 lead (1) 3217:4 learn (5) 3195:21,22;3218:2, 2;3223:14 learned (6) 3176:19,21;3179:8; 3187:2;3218:13; 3220:10 learning (1) 3253:16 lease (5) 3219:7;3261:8,16, 18;3262:1 least (2) 3214:10;3217:8 leave (4) 3172:9,9;3173:1; 3223:2 leaving (2) 3172:7;3197:18 left (8) 3164:2;3185:2; 3225:19;3269:6; 3275:13;3276:7; 3286:20;3287:9 Legacy (1) 3194:21 legal (1) 3172:19 legitimate (1)</p>	<p>3249:6 Leslie (3) 3271:16,24;3272:4 less (11) 3241:12;3242:9,19; 3249:24;3252:16; 3253:1;3258:14; 3263:18,20;3273:18,21 lethargy (1) 3203:21 letter (3) 3212:9;3218:17,19 letters (1) 3220:19 level (3) 3212:17,18;3214:14 levels (7) 3208:20;3209:10,13, 17,21;3210:1,13 library (1) 3251:21 life (8) 3191:20;3202:20; 3203:5;3218:12; 3223:8;3268:12; 3274:15;3284:20 light (5) 3188:18;3205:8; 3209:22;3248:6; 3268:19 lighter (1) 3253:1 lights (6) 3171:10,12;3182:23; 3183:1;3203:17; 3220:1 likely (1) 3253:2 limestone (1) 3176:6 limit (2) 3189:14;3210:18 limited (2) 3212:13;3250:16 limits (1) 3250:23 line (10) 3164:6,6,7,7;3187:3; 3225:1,11;3259:24; 3264:5;3282:19 lines (2) 3224:14;3287:11 Lippes (3) 3228:20,20;3229:10 L-I-P-P-E-S (1) 3228:20 list (22) 3161:9,9,11,23; 3162:6,11;3163:20; 3164:15;3165:6; 3170:10;3173:23; 3191:3;3218:11; 3235:19;3236:24;</p>	<p>3261:18;3266:6,16,17, 21;3286:20;3287:9 listed (1) 3258:23 listen (3) 3204:23;3221:6; 3233:1 listening (3) 3197:12;3269:14; 3286:13 literally (3) 3172:7;3278:11; 3280:17 little (21) 3163:12;3165:21; 3176:13;3179:2,14,21; 3180:5,12;3182:11,16; 3186:1;3234:15; 3241:11;3247:2; 3256:16;3258:16; 3265:15;3269:17; 3274:5;3282:16; 3283:9 live (26) 3171:16;3172:4; 3176:5;3177:21; 3179:12;3180:4; 3184:7,7,17;3192:21; 3193:6;3201:11,17; 3204:4;3211:4; 3235:20;3262:22; 3263:1;3267:7;3269:2; 3273:19;3274:3,6,14; 3275:24;3281:17 lived (2) 3191:23;3264:19 lives (4) 3188:6;3263:22; 3269:3;3274:5 livestock (2) 3273:20;3275:15 living (9) 3187:22;3204:20; 3217:2;3267:12,15; 3274:12,17;3275:2; 3284:23 Livingston (32) 3160:6,7;3166:19; 3170:20;3171:23; 3173:3;3191:21; 3194:18;3198:9,22; 3199:13,13,24;3200:2, 5,7;3204:16;3218:22; 3224:2;3237:24; 3238:10;3242:2,8; 3259:18,21;3260:15; 3270:18;3272:15; 3273:14;3275:11; 3281:8;3282:2 LLC (6) 3160:8;3203:12; 3249:20;3250:5,8,21 load (1)</p>	<p>3189:16 loaded (1) 3184:9 local (17) 3168:5;3173:7,8; 3189:23;3191:24; 3194:3,20;3204:8,10; 3225:23;3241:3; 3257:8;3258:2; 3264:11;3271:2; 3276:14;3286:8 located (2) 3203:2;3215:9 location (1) 3263:13 loft (2) 3180:12,12 logical (1) 3172:16 long (10) 3180:4;3184:24; 3186:4;3208:1; 3212:21;3227:3; 3252:2;3256:10; 3264:19;3277:6 longer (5) 3164:16;3172:15; 3220:14;3269:9; 3283:23 longitudinal (1) 3214:13 long-term (1) 3254:18 look (16) 3163:18;3171:8; 3179:9,10,11;3180:8; 3184:2;3189:1; 3197:19;3219:9; 3240:20;3251:6; 3253:11,11;3269:9; 3276:6 looked (2) 3197:2;3235:19 looking (10) 3166:22;3179:7; 3180:7;3185:22; 3187:11,13;3253:6,7; 3266:19;3286:14 Looks (2) 3161:4;3183:20 Loomis (2) 3245:5;3247:6 Lori (1) 3287:7 lose (8) 3183:10,11,11; 3221:18,21,22,23; 3275:17 losers (2) 3198:1;3200:12 losing (2) 3221:19;3256:5 loss (6)</p>
L				
<p>lack (2) 3200:9;3254:10 lake (4) 3177:21;3180:14,17; 3181:19 Lamancusa (6) 3205:22;3207:18,19; 3230:10;3231:20,23 Lamancusa's (1) 3230:18 land (23) 3172:6,7,7,23; 3173:2;3181:3; 3194:21,21;3196:11; 3219:7;3226:8;3242:6; 3267:10,24;3268:2,4,6, 9;3274:3,14;3275:4; 3283:8,18 landed (1) 3170:22 Landowner (1) 3267:22 landowners (6) 3165:20;3166:8; 3219:5;3269:18; 3275:24;3282:11 landowners' (1) 3199:14 landscape (1) 3221:22 landscapes (2) 3196:3;3267:13 Lane (1) 3170:17 large (6) 3161:23;3200:20; 3215:23;3219:14; 3222:19;3283:17</p>				

<p>3201:1;3253:23; 3254:12,12,15;3275:18 lost (3) 3172:6;3176:12; 3183:11 lot (29) 3161:15;3166:1,4,5; 3167:15;3178:10; 3181:8;3217:11,13; 3228:2;3233:20; 3242:9,19;3243:23; 3244:24;3246:19; 3260:2;3270:3;3278:2; 3279:16;3280:9; 3282:15;3283:15,16, 19;3284:8,12;3286:22; 3287:9 lots (1) 3284:9 loud (2) 3174:10;3231:15 louder (2) 3233:15,18 loudest (1) 3209:20 love (4) 3193:9;3274:7,14; 3276:2 loves (2) 3180:21,22 loving (1) 3193:11 low (2) 3256:22;3257:2 lower (1) 3253:3 lucky (1) 3177:16 Luetkehans (38) 3161:18,20;3163:4, 12;3164:20,22;3168:7; 3169:8;3173:10,11; 3190:19,21;3202:8; 3206:13,21;3207:6,10, 17,22;3208:6;3231:9, 10;3232:10;3243:21; 3262:17,21;3264:7; 3266:7,12;3271:4,5; 3276:17,18,22;3286:8; 3287:10,14,19</p>	<p>mailbox (2) 3238:5,10 mailed (4) 3235:11,17;3236:1,9 Main (4) 3193:16;3196:14; 3214:24;3235:15 maintain (2) 3225:9;3252:22 maintained (1) 3273:3 major (3) 3179:6;3240:4; 3260:19 majority (8) 3198:7,15,17; 3219:11,18;3221:3,7; 3259:5 makers (1) 3195:19 makes (2) 3182:6;3214:9 making (2) 3206:7;3208:16 man (1) 3284:18 managed (2) 3179:23;3181:20 mandate (1) 3247:14 manned (1) 3192:5 manuals (1) 3225:4 manufacturer's (1) 3225:2 manufacturing (1) 3240:19 many (26) 3171:12,13;3174:23; 3192:24;3193:1,3,9; 3217:24;3218:20; 3221:12;3222:24; 3236:3;3263:24; 3267:23;3268:18; 3270:3,15;3272:21; 3273:10,15;3274:2,21, 22;3282:12;3283:1; 3284:19 map (3) 3196:13;3197:19; 3242:21 maps (1) 3197:3 March (4) 3164:5,15;3247:9,10 margin (1) 3210:7 mark (2) 3184:6;3260:8 marked (6) 3162:24;3208:12; 3228:10;3239:1,2;</p>	<p>3242:23 Market (12) 3244:9,10;3258:4; 3259:4,6,9,11,21,22, 23;3260:2,3 markets (2) 3244:15;3257:19 MaRous (1) 3163:2 marred (1) 3220:17 Mary (1) 3287:5 mast (1) 3211:19 master's (1) 3240:5 material (1) 3226:21 materials (3) 3227:16;3228:1,9 Mathew (1) 3287:4 matter (7) 3206:21;3216:11; 3238:4;3243:11; 3245:15;3262:16; 3268:9 matters (1) 3162:17 may (18) 3162:1,17;3165:16; 3169:23;3170:15; 3173:6;3212:22; 3216:2,22;3217:16,21; 3221:2;3254:20; 3258:9;3267:2,14; 3268:9;3284:14 maybe (17) 3172:4;3177:17; 3178:21,24;3179:1,2,3; 3180:4;3181:24; 3184:13;3231:16; 3246:14;3265:20,21; 3266:9;3279:20; 3284:15 McLean (3) 3238:7;3242:8; 3264:4 meal (1) 3194:15 mean (13) 3187:18;3233:24; 3234:8;3242:8; 3252:14;3253:14; 3255:5;3279:14,17,18; 3281:1;3287:14,15 meaning (1) 3283:11 means (7) 3233:15;3253:10; 3254:16;3277:5; 3280:1;3284:4;</p>	<p>3285:12 measured (2) 3208:24;3221:21 measurement (1) 3242:24 measurements (4) 3211:12,16;3212:4; 3213:4 meat (1) 3194:7 mechanical (1) 3205:22 meclizine (3) 3186:23,24;3187:16 medical (13) 3170:23;3174:13,16, 19;3175:24;3176:9; 3177:11;3178:15; 3185:13;3211:9; 3212:20,20,22 medically (1) 3182:17 medication (2) 3178:20;3186:21 medications (1) 3187:14 medicine (1) 3186:20 meeting (1) 3263:10 meetings (10) 3201:4,7;3205:8,8; 3235:14;3243:4; 3246:12;3252:4; 3262:24;3263:6 meets (1) 3270:7 Megan (2) 3266:20;3287:6 megawatt (1) 3241:17 member (3) 3200:17;3205:23; 3281:7 members (11) 3160:23;3168:3,15; 3169:9;3173:12; 3188:10;3189:23; 3190:22;3196:21,22; 3288:2 memorials (1) 3281:15 memory (1) 3252:22 Memphis (2) 3259:19,20 men (1) 3281:22 mention (4) 3184:5;3250:23; 3251:11;3255:22 mentioned (9) 3187:21;3189:2;</p>	<p>3226:7;3242:13; 3251:2,2;3256:9; 3263:9,11 mentions (3) 3241:9;3252:11; 3255:9 mess (3) 3183:18;3189:19; 3252:10 message (2) 3162:9;3218:21 metal (1) 3220:18 meters (9) 3208:20,21,23,24; 3215:9,9;3234:11,11, 14 method (4) 3208:18;3209:5,7,9 Methodology (1) 3205:15 methods (1) 3214:23 Michael (2) 3160:9;3206:2 Microphone (2) 3162:8,21 MidAmerican (1) 3265:19 Midwest (1) 3273:13 might (11) 3174:18;3175:7; 3184:3;3236:3;3253:3; 3257:5;3263:19; 3279:18;3280:17; 3282:8;3284:7 migrate (1) 3181:5 migration (2) 3182:2;3185:18 mile (11) 3225:1,10;3242:9, 15,16;3250:10,12; 3269:23,24;3274:24; 3275:1 miles (7) 3185:19;3220:2; 3241:24;3242:7,18; 3265:2;3280:9 milk (3) 3195:15,18,23 milking (2) 3195:17,22 million (3) 3229:17,22;3261:20 mind (4) 3182:15;3258:19; 3284:18;3285:12 minds (2) 3199:17;3278:19 mind's (1) 3284:21</p>
M				
<p>machines (1) 3285:5 mad (1) 3220:13 Magazine (2) 3251:5,9 Maier's (1) 3163:11 mail (1) 3236:11</p>				

<p>mine (3) 3183:15;3188:16; 3275:5</p> <p>mini (1) 3197:7</p> <p>minimum (3) 3224:24;3225:2,10</p> <p>minor (1) 3221:14</p> <p>minus (6) 3208:19,23;3209:17; 3233:9,10;3256:24</p> <p>minute (2) 3178:2;3225:14</p> <p>minutes (5) 3209:19;3210:2; 3266:21;3277:5; 3280:14</p> <p>misleading (1) 3200:12</p> <p>Mississippi (1) 3259:14</p> <p>misstated (1) 3256:22</p> <p>mistakes (2) 3218:3;3223:15</p> <p>mitigate (1) 3254:21</p> <p>model (11) 3206:6;3208:16,22; 3230:22;3231:5; 3232:15;3233:5,13,15; 3244:21;3260:17</p> <p>modelling (1) 3260:20</p> <p>models (1) 3210:11</p> <p>moderate (1) 3210:3</p> <p>modifier (2) 3262:2,5</p> <p>module (1) 3205:17</p> <p>Moines (3) 3237:20;3240:7; 3265:3</p> <p>mom (3) 3272:14;3274:5,24</p> <p>moment (2) 3160:24;3161:1</p> <p>moments (1) 3272:9</p> <p>mom's (1) 3275:5</p> <p>money (10) 3184:1,3;3205:5; 3221:19;3246:20,23; 3247:2;3256:5; 3273:16;3281:11</p> <p>monitored (1) 3213:1</p> <p>Montana (5) 3240:21;3241:6,7,</p>	<p>15;3242:2</p> <p>month (2) 3180:7;3281:9</p> <p>months (5) 3171:5;3278:10; 3279:15;3285:2,23</p> <p>morals (1) 3224:7</p> <p>more (35) 3161:13;3178:11; 3179:24;3180:10; 3182:9;3186:7; 3188:13,16;3192:15, 15;3194:12;3196:24; 3209:18;3210:2; 3217:11,13,24; 3233:11;3246:20,22; 3247:2;3251:23; 3253:19;3254:1; 3255:12,12;3260:1,2; 3261:20;3266:10; 3268:18;3275:1,16; 3281:6;3286:18</p> <p>morning (1) 3180:21</p> <p>Mornington (1) 3200:19</p> <p>Morris (2) 3272:6;3274:6</p> <p>Morrow (1) 3203:13</p> <p>most (17) 3172:4,15;3179:16, 21;3191:20;3193:13; 3196:2;3199:10; 3200:8;3235:11,23; 3253:2,22;3261:12; 3267:17;3269:12; 3270:12</p> <p>mother (1) 3220:12</p> <p>motion (14) 3163:7,10;3164:11; 3165:8;3177:15,19,24; 3178:17;3179:8; 3183:3;3186:22; 3187:7;3287:22,23</p> <p>motions (1) 3287:24</p> <p>mounting (1) 3205:4</p> <p>move (3) 3171:24;3182:18; 3204:5</p> <p>moved (7) 3170:5,19;3191:21; 3196:15;3264:20; 3272:16;3281:9</p> <p>moves (1) 3269:4</p> <p>Moving (4) 3182:21;3275:6; 3281:21;3282:10</p>	<p>much (12) 3182:20;3209:14; 3219:22;3222:12,20; 3252:16,24;3253:16; 3266:4;3272:20; 3281:4;3285:10</p> <p>multi-national (1) 3240:18</p> <p>multiple (1) 3212:14</p> <p>multitude (1) 3259:20</p> <p>municipal (1) 3206:23</p> <p>Munz (1) 3193:17</p> <p>music (2) 3183:10,14</p> <p>must (2) 3217:16;3223:5</p> <p>myself (4) 3238:2;3274:4; 3279:17;3285:23</p>	<p>nearby (1) 3166:11</p> <p>nearest (4) 3215:10;3241:23; 3242:17,18</p> <p>necessarily (3) 3166:8;3233:3; 3274:13</p> <p>need (13) 3161:17;3172:23; 3196:4,7;3207:6; 3218:1,2,10;3246:22; 3257:3;3280:17; 3281:21;3287:22</p> <p>needed (1) 3241:3</p> <p>needs (6) 3216:15;3223:13; 3250:22;3252:7; 3253:17;3273:4</p> <p>negatives (1) 3262:14</p> <p>negotiable (1) 3169:22</p> <p>negotiations (1) 3218:24</p> <p>neighbor (8) 3184:10;3200:10,10; 3249:15,21;3250:3; 3280:15;3285:16</p> <p>neighboring (4) 3194:1;3220:9; 3223:23;3224:15</p> <p>neighbors (8) 3199:1,6,7;3220:18; 3282:13;3283:2,4; 3285:8</p> <p>neighbors' (1) 3193:13</p> <p>neighbor's (1) 3186:1</p> <p>Nelson (1) 3168:19</p> <p>nervous (1) 3174:14</p> <p>nest (1) 3180:6</p> <p>net (5) 3255:24;3256:6,21; 3257:9,14</p> <p>New (18) 3171:22;3183:18; 3202:15,18;3203:3; 3204:12;3211:19; 3213:9;3216:12; 3218:7;3228:11; 3246:3;3248:17,19; 3250:11;3262:1; 3278:12;3281:9</p> <p>newspapers (1) 3219:22</p> <p>next (16) 3163:7;3170:2,10;</p>	<p>3172:1,13;3173:23; 3179:2;3191:3;3229:9, 13;3230:1;3236:23; 3240:15;3266:5; 3269:4;3280:18</p> <p>Nielsen (1) 3160:19</p> <p>night (9) 3209:21;3243:5; 3252:8,21;3266:10; 3278:16;3279:10; 3280:22;3286:18</p> <p>nightly (1) 3252:15</p> <p>nights (1) 3274:7</p> <p>nine (4) 3177:1;3246:10; 3280:21;3283:14</p> <p>Nobody (2) 3173:14;3263:22</p> <p>Nobody's (1) 3277:4</p> <p>Nods (2) 3169:8;3234:21</p> <p>noise (27) 3166:13;3197:8; 3202:22;3203:9,10,15, 16,22;3205:15;3206:7; 3208:16,19;3209:5,8, 13,16;3210:11,13,16, 18;3212:1,8;3215:5; 3217:6;3221:16; 3225:5;3248:6</p> <p>Noises (1) 3182:22</p> <p>nonaudible (1) 3214:10</p> <p>none (3) 3185:3;3217:11,13</p> <p>nonoperational (1) 3172:20</p> <p>nonparticipant (2) 3224:24;3225:6</p> <p>nonparticipants (1) 3275:21</p> <p>nonparticipating (2) 3248:17;3269:17</p> <p>nonvisual (1) 3214:10</p> <p>Nordex (1) 3225:3</p> <p>north (7) 3171:17;3174:9; 3191:12;3237:17; 3263:18;3267:3; 3277:24</p> <p>Northwestern (1) 3241:16</p> <p>note (2) 3167:7;3208:11</p> <p>notebook (1) 3278:18</p>
N				
<p>nah (1) 3258:16</p> <p>name (23) 3162:14;3169:12; 3170:14,16;3174:6; 3181:9;3184:24; 3190:9;3191:8; 3200:13;3221:11; 3228:7;3237:7,10; 3239:22;3267:1; 3271:15,18;3272:1,3; 3277:10,21;3286:20</p> <p>named (1) 3226:14</p> <p>names (3) 3161:10;3286:19; 3287:9</p> <p>Nancy (1) 3226:14</p> <p>narrowed (1) 3224:23</p> <p>National (4) 3228:4,5;3244:13,21</p> <p>nation's (1) 3244:7</p> <p>native (1) 3267:21</p> <p>natural (2) 3181:5;3220:16</p> <p>nature's (1) 3253:22</p> <p>nauseated (1) 3175:6</p> <p>near (6) 3178:4;3187:22; 3211:4;3241:5; 3242:11,13</p>	<p>nearby (1) 3166:11</p> <p>nearest (4) 3215:10;3241:23; 3242:17,18</p> <p>necessarily (3) 3166:8;3233:3; 3274:13</p> <p>need (13) 3161:17;3172:23; 3196:4,7;3207:6; 3218:1,2,10;3246:22; 3257:3;3280:17; 3281:21;3287:22</p> <p>needed (1) 3241:3</p> <p>needs (6) 3216:15;3223:13; 3250:22;3252:7; 3253:17;3273:4</p> <p>negatives (1) 3262:14</p> <p>negotiable (1) 3169:22</p> <p>negotiations (1) 3218:24</p> <p>neighbor (8) 3184:10;3200:10,10; 3249:15,21;3250:3; 3280:15;3285:16</p> <p>neighboring (4) 3194:1;3220:9; 3223:23;3224:15</p> <p>neighbors (8) 3199:1,6,7;3220:18; 3282:13;3283:2,4; 3285:8</p> <p>neighbors' (1) 3193:13</p> <p>neighbor's (1) 3186:1</p> <p>Nelson (1) 3168:19</p> <p>nervous (1) 3174:14</p> <p>nest (1) 3180:6</p> <p>net (5) 3255:24;3256:6,21; 3257:9,14</p> <p>New (18) 3171:22;3183:18; 3202:15,18;3203:3; 3204:12;3211:19; 3213:9;3216:12; 3218:7;3228:11; 3246:3;3248:17,19; 3250:11;3262:1; 3278:12;3281:9</p> <p>newspapers (1) 3219:22</p> <p>next (16) 3163:7;3170:2,10;</p>	<p>nah (1) 3258:16</p> <p>name (23) 3162:14;3169:12; 3170:14,16;3174:6; 3181:9;3184:24; 3190:9;3191:8; 3200:13;3221:11; 3228:7;3237:7,10; 3239:22;3267:1; 3271:15,18;3272:1,3; 3277:10,21;3286:20</p> <p>named (1) 3226:14</p> <p>names (3) 3161:10;3286:19; 3287:9</p> <p>Nancy (1) 3226:14</p> <p>narrowed (1) 3224:23</p> <p>National (4) 3228:4,5;3244:13,21</p> <p>nation's (1) 3244:7</p> <p>native (1) 3267:21</p> <p>natural (2) 3181:5;3220:16</p> <p>nature's (1) 3253:22</p> <p>nauseated (1) 3175:6</p> <p>near (6) 3178:4;3187:22; 3211:4;3241:5; 3242:11,13</p>	<p>3172:1,13;3173:23; 3179:2;3191:3;3229:9, 13;3230:1;3236:23; 3240:15;3266:5; 3269:4;3280:18</p> <p>Nielsen (1) 3160:19</p> <p>night (9) 3209:21;3243:5; 3252:8,21;3266:10; 3278:16;3279:10; 3280:22;3286:18</p> <p>nightly (1) 3252:15</p> <p>nights (1) 3274:7</p> <p>nine (4) 3177:1;3246:10; 3280:21;3283:14</p> <p>Nobody (2) 3173:14;3263:22</p> <p>Nobody's (1) 3277:4</p> <p>Nods (2) 3169:8;3234:21</p> <p>noise (27) 3166:13;3197:8; 3202:22;3203:9,10,15, 16,22;3205:15;3206:7; 3208:16,19;3209:5,8, 13,16;3210:11,13,16, 18;3212:1,8;3215:5; 3217:6;3221:16; 3225:5;3248:6</p> <p>Noises (1) 3182:22</p> <p>nonaudible (1) 3214:10</p> <p>none (3) 3185:3;3217:11,13</p> <p>nonoperational (1) 3172:20</p> <p>nonparticipant (2) 3224:24;3225:6</p> <p>nonparticipants (1) 3275:21</p> <p>nonparticipating (2) 3248:17;3269:17</p> <p>nonvisual (1) 3214:10</p> <p>Nordex (1) 3225:3</p> <p>north (7) 3171:17;3174:9; 3191:12;3237:17; 3263:18;3267:3; 3277:24</p> <p>Northwestern (1) 3241:16</p> <p>note (2) 3167:7;3208:11</p> <p>notebook (1) 3278:18</p>	

<p>noted (1) 3212:9</p> <p>notes (1) 3201:15</p> <p>notice (1) 3202:10</p> <p>noticed (2) 3198:6;3204:9</p> <p>notices (1) 3219:21</p> <p>November (1) 3278:16</p> <p>Novembers (1) 3280:2</p> <p>nuclear (4) 3246:12,16,23; 3247:1</p> <p>number (34) 3180:3;3200:1,4; 3201:10;3202:7,10,24; 3203:11,22;3207:7,12; 3211:4,12,16,23; 3214:12,15;3223:19; 3224:1,5,9,16;3239:6, 7,13;3257:1,2; 3258:17;3262:5; 3265:2,10;3270:12; 3286:23;3287:18</p> <p>numbers (9) 3181:21;3233:4; 3234:2,4,5,22;3245:22, 23;3246:3</p> <p>numerous (1) 3267:21</p> <p>nurse (1) 3172:12</p> <p>nurse's (1) 3174:20</p> <p>nutshell (1) 3220:5</p>	<p>o'clock (1) 3280:21</p> <p>off (18) 3162:14;3165:5; 3175:16;3177:24; 3178:1,24,24;3181:21; 3184:7;3187:10; 3188:16,18;3191:16; 3216:13;3225:19; 3245:9;3265:20; 3282:18</p> <p>offer (3) 3191:22;3202:1; 3224:22</p> <p>offered (1) 3219:6</p> <p>office (3) 3221:6;3261:15,16</p> <p>official (3) 3205:20;3208:11; 3223:4</p> <p>officials (2) 3218:20;3220:8</p> <p>offset (1) 3262:13</p> <p>often (1) 3219:21</p> <p>old (2) 3180:19;3250:3</p> <p>oldest (1) 3194:18</p> <p>once (2) 3172:10;3196:11</p> <p>one (95) 3161:20;3162:1,13; 3174:13;3176:17; 3177:4,17;3180:11,18; 3183:2,24;3184:23; 3186:7,9,20;3188:4,5, 12,15;3189:15;3192:3, 4,12;3194:3,12; 3195:3;3200:1,8; 3201:23;3202:7,10; 3207:8;3210:20; 3211:12;3214:10; 3215:11,12,12; 3217:10,12,13;3223:2, 19;3224:23;3228:11, 13;3229:9,13,14,17,24; 3230:1,3;3231:12,21; 3235:5;3238:5,16; 3240:11,11;3241:12, 17;3242:16;3243:8,8,8, 9;3249:4;3250:9; 3251:4;3252:23; 3253:21;3255:18; 3256:10;3258:2,7,9,9, 10;3261:2;3262:15; 3263:2,19,20;3269:24; 3270:12;3274:24; 3275:1;3276:10,10; 3279:20;3280:8; 3281:6;3282:23;</p>	<p>3286:4</p> <p>one-half (1) 3250:12</p> <p>one-lane (1) 3184:11</p> <p>ones (8) 3182:21;3234:6; 3235:24;3242:24; 3261:18;3269:1,2,3</p> <p>One's (1) 3176:4</p> <p>one-sixth (1) 3246:9</p> <p>One-third (2) 3198:22;3256:14</p> <p>one-way (1) 3189:14</p> <p>ongoing (1) 3211:3</p> <p>on-going (1) 3198:20</p> <p>online (1) 3204:15</p> <p>only (17) 3163:23;3164:2; 3169:21;3180:13; 3183:10,11;3195:15; 3202:23;3215:12; 3216:22;3217:13; 3232:20;3233:8,8; 3255:7;3258:2;3278:8</p> <p>onset (1) 3219:2</p> <p>Ontario (3) 3200:16,16;3215:17</p> <p>onto (3) 3171:12;3222:8; 3246:3</p> <p>open (8) 3171:3;3197:1,13, 18,18;3198:12; 3201:14;3219:2</p> <p>opened (2) 3198:10;3217:24</p> <p>opening (2) 3278:21;3279:11</p> <p>openly (2) 3221:4;3222:20</p> <p>operate (1) 3283:5</p> <p>operated (1) 3198:14</p> <p>operating (3) 3211:14;3264:24; 3281:12</p> <p>operation (1) 3215:19</p> <p>operational (3) 3240:14;3248:9; 3249:11</p> <p>operations (2) 3215:6,21</p> <p>operator (1)</p>	<p>3214:7</p> <p>operators (2) 3216:24;3217:9</p> <p>opinion (1) 3233:5</p> <p>opinions (2) 3230:18;3272:21</p> <p>opportunities (1) 3218:1</p> <p>opportunity (5) 3165:18;3192:21; 3219:6;3223:14; 3277:14</p> <p>oppose (1) 3250:14</p> <p>opposed (4) 3199:23;3221:4; 3222:20;3288:3</p> <p>opposition (5) 3198:20;3199:21; 3219:5;3222:5; 3285:11</p> <p>option (1) 3275:6</p> <p>Orangeville (1) 3202:18</p> <p>order (8) 3196:24;3199:18; 3233:10;3236:16; 3238:22;3239:12; 3261:4;3286:23</p> <p>ordered (1) 3175:21</p> <p>ordering (1) 3185:14</p> <p>orderly (1) 3224:17</p> <p>ordinance (7) 3166:2,20,24; 3170:3;3200:5,7; 3203:9</p> <p>Oregon (4) 3203:14;3229:14,20, 23</p> <p>organized (2) 3185:11;3194:20</p> <p>original (3) 3208:7,9;3262:9</p> <p>osprey (1) 3181:11</p> <p>osteoporosis (1) 3253:4</p> <p>Osterberg (1) 3206:3</p> <p>others (3) 3195:19;3201:24; 3268:16</p> <p>others' (1) 3223:15</p> <p>ours (3) 3182:17;3283:15,20</p> <p>ourselves (6) 3204:19,23;3205:3;</p>	<p>3253:20;3280:11; 3285:9</p> <p>out (92) 3163:19;3164:3; 3165:2;3166:9,10; 3167:9;3169:24; 3171:20,23;3172:18; 3173:1,17,21,22; 3175:7,12,15,19; 3176:3;3177:7,13; 3178:16;3181:16,18; 3189:13;3191:21,23; 3192:5,19;3196:13,18, 24;3197:12;3198:10; 3202:9;3213:13; 3219:15;3221:6; 3225:24;3226:21; 3227:12,22;3235:3,12, 16,17,21;3236:2,11,12; 3237:13;3238:2; 3239:3,10;3242:9,19; 3243:22,24;3244:14, 16,19;3245:2,3,23; 3251:10;3254:17; 3256:19;3258:21; 3259:8;3260:20,22; 3263:2,17,22;3265:2, 12,14;3269:9;3271:8; 3274:22;3276:23; 3277:1,3;3278:3; 3279:17;3280:6; 3281:24,24;3283:2; 3284:16;3285:1; 3286:10</p> <p>outcomes (1) 3213:17</p> <p>output (10) 3215:22,24;3216:8; 3233:23,24;3234:3,5, 17,20;3260:17</p> <p>Outside (5) 3209:1;3238:4; 3245:24;3246:1; 3274:18</p> <p>outspoken (1) 3219:12</p> <p>outweighed (1) 3268:17</p> <p>over (38) 3163:18;3179:13; 3185:22;3193:21,24; 3194:8;3196:17; 3199:3,12;3201:7; 3204:21;3209:16,18; 3214:20;3220:20; 3221:8,24;3242:16,17; 3243:5,18;3246:10; 3252:4;3257:9; 3260:18;3261:23; 3264:22,23;3268:18; 3269:9;3274:6;3280:3, 16,17;3281:10; 3284:16,17;3286:22</p>
O				
<p>Oakfield (1) 3204:6</p> <p>objecting (2) 3207:2,3</p> <p>objection (4) 3167:7;3206:9,17,22</p> <p>objections (1) 3207:22</p> <p>obvious (1) 3213:15</p> <p>obviously (6) 3161:21;3242:18; 3243:13;3247:23; 3249:12;3258:8</p> <p>occasional (1) 3210:16</p> <p>occur (1) 3209:21</p> <p>ocean (1) 3259:15</p>				

<p>overall (1) 3269:13</p> <p>overdue (1) 3212:21</p> <p>overestimate (2) 3256:7;3257:12</p> <p>overhead (1) 3224:14</p> <p>overload (1) 3183:16</p> <p>overlook (1) 3180:14</p> <p>overlooked (1) 3219:22</p> <p>overly (1) 3161:23</p> <p>overwhelm (1) 3183:12</p> <p>overwhelmed (1) 3281:1</p> <p>owed (1) 3243:15</p> <p>own (9) 3182:15;3202:6; 3219:6,10;3220:1; 3264:1;3268:15; 3269:20,21</p> <p>owner (1) 3191:19</p> <p>owners (1) 3269:19</p> <p>ownership (1) 3283:16</p> <p>owns (1) 3263:16</p>	<p>paragraph (3) 3253:6,14,14</p> <p>paragraphs (1) 3253:15</p> <p>parcel (1) 3283:16</p> <p>parents (2) 3200:11;3218:10</p> <p>park (2) 3261:3;3269:10</p> <p>parlor (1) 3195:22</p> <p>part (8) 3191:19;3193:9; 3200:20;3211:6; 3245:17;3246:16; 3263:16;3267:8</p> <p>participants (2) 3199:16;3213:18</p> <p>participating (2) 3199:17;3282:11</p> <p>participation (2) 3199:8;3282:12</p> <p>particular (5) 3166:4;3167:8; 3192:3;3195:7; 3225:21</p> <p>partner (2) 3222:12;3261:6</p> <p>partnerships (1) 3244:23</p> <p>parts (2) 3187:6;3221:12</p> <p>Parzyck's (2) 3240:22;3278:21</p> <p>pass (6) 3171:19;3175:7,15; 3220:7,8;3268:4</p> <p>passed (4) 3192:6;3211:18; 3239:10;3247:12</p> <p>past (10) 3165:23;3184:8,12; 3189:9,21;3193:21; 3207:21;3214:1; 3278:10;3285:23</p> <p>pasture (1) 3186:2</p> <p>pathway (3) 3214:10;3216:11; 3217:12</p> <p>pathways (2) 3215:20;3217:8</p> <p>patience (2) 3252:3;3267:6</p> <p>Paul (2) 3169:3;3213:23</p> <p>pay (6) 3253:23;3258:3,6, 13,14,18</p> <p>paying (1) 3249:21</p> <p>payments (4)</p>	<p>3261:8,17,18;3262:2</p> <p>pays (1) 3256:2</p> <p>PE (2) 3183:10,13</p> <p>peace (3) 3171:22;3268:10; 3274:7</p> <p>peak (1) 3210:1</p> <p>peaks (1) 3210:16</p> <p>peculiar (1) 3211:17</p> <p>peer (1) 3226:24</p> <p>peer-reviewed (1) 3212:5</p> <p>Pekin (1) 3193:4</p> <p>pelicans (1) 3181:14</p> <p>people (59) 3161:5,14,22; 3167:16;3171:17; 3174:17;3177:17; 3179:16;3180:13; 3187:20;3188:3,5; 3192:10;3201:11,17; 3204:8,18,20;3209:24; 3214:6,12;3215:12,13, 18;3216:7,22;3217:2,8, 10,17;3219:18,23; 3221:15,24;3222:14, 19;3235:12,18;3238:2, 3;3240:24;3241:22; 3242:10;3248:24; 3254:7,11;3260:11,24; 3270:9;3272:16; 3274:2,11;3279:19; 3280:20;3282:13,20, 21;3285:1,9</p> <p>Peoria (1) 3193:4</p> <p>per (11) 3195:3,3;3208:23; 3241:17;3242:9; 3243:17,18;3255:24; 3257:9,14,15</p> <p>perceive (1) 3219:19</p> <p>percent (26) 3161:24;3193:14; 3194:4;3209:11; 3210:14,17;3233:14; 3234:16;3241:12; 3242:7;3243:14; 3244:6;3245:16,16,17, 18;3246:5,6,7,8,17,18; 3247:15;3262:4; 3265:13,17</p> <p>percentage (1) 3246:23</p>	<p>percentages (2) 3245:21,22</p> <p>perfect (2) 3241:5;3242:13</p> <p>Perhaps (2) 3198:9;3220:9</p> <p>periodic (1) 3214:16</p> <p>perished (1) 3160:22</p> <p>permanently (1) 3223:22</p> <p>permission (1) 3249:2</p> <p>permit (3) 3202:12;3231:1; 3282:5</p> <p>permits (1) 3182:4</p> <p>permitted (2) 3224:12,18</p> <p>permitting (3) 3248:5;3250:24,24</p> <p>persistence (1) 3268:2</p> <p>person (4) 3188:12;3207:15; 3217:11;3283:10</p> <p>personal (7) 3219:10;3222:17,23; 3268:8;3274:16; 3282:14;3285:18</p> <p>personally (3) 3194:2;3265:19; 3279:24</p> <p>petition (4) 3199:20;3236:5,17; 3237:22</p> <p>petitioned (1) 3200:1</p> <p>petitions (6) 3199:12;3235:9,12, 13;3238:1,2</p> <p>pharmacy (1) 3186:24</p> <p>Phil (1) 3232:7</p> <p>physical (5) 3175:21;3176:18; 3185:15;3203:18; 3220:21</p> <p>pick (3) 3198:1,3;3269:3</p> <p>picked (1) 3234:10</p> <p>picking (2) 3200:12;3265:3</p> <p>pickup (1) 3282:22</p> <p>picture (4) 3183:19;3185:16; 3186:5;3192:4</p> <p>pictures (1)</p>	<p>3285:7</p> <p>pie (3) 3245:19,22;3246:2</p> <p>piece (4) 3164:8;3176:13; 3179:14;3223:2</p> <p>pieces (1) 3269:4</p> <p>pitched (1) 3280:20</p> <p>pitfalls (1) 3218:20</p> <p>pits (2) 3184:10;3189:13</p> <p>pitting (1) 3200:10</p> <p>pizza (1) 3280:23</p> <p>place (9) 3170:21;3171:19,20; 3176:12;3225:11; 3249:18;3263:23; 3267:11;3268:23</p> <p>placed (1) 3247:19</p> <p>placement (2) 3222:24;3250:14</p> <p>places (1) 3246:21</p> <p>plaintiff (1) 3203:17</p> <p>plaintiff's (2) 3203:4,14</p> <p>plan (3) 3219:13;3224:2; 3270:13</p> <p>Planning (5) 3165:23;3168:15; 3224:3;3252:22; 3273:7</p> <p>plans (1) 3274:21</p> <p>plant (2) 3195:16;3259:7</p> <p>plants (3) 3196:5;3246:12; 3247:1</p> <p>played (1) 3200:20</p> <p>Pleasant (26) 3160:8,8;3163:1; 3167:19;3196:14; 3199:21;3200:3; 3204:10;3205:14; 3224:5,9;3243:2,3; 3245:1;3247:6,24; 3249:20;3250:5,6,8,15, 21,21;3256:15; 3281:20;3285:24</p> <p>please (19) 3160:4;3165:14; 3170:11,14;3174:3,5; 3191:8;3207:11;</p>
P				
<p>Pacific (9) 3210:23;3211:15; 3213:5,15,21;3215:2; 3227:17,19;3228:5</p> <p>page (13) 3164:5;3192:3; 3198:10;3214:19; 3241:13,23,24; 3242:12,21;3244:8; 3252:18;3253:5,14</p> <p>pages (3) 3245:2,2,12</p> <p>paid (6) 3194:2;3249:3,7; 3259:9;3261:22; 3281:14</p> <p>paint (1) 3183:19</p> <p>paired (1) 3194:12</p> <p>paper (4) 3176:14;3191:24; 3192:1;3229:20</p> <p>papers (1) 3220:20</p>				

<p>3222:4;3237:3,5,7; 3266:22;3267:1; 3271:23;3272:1,3; 3277:15,20 pleasure (1) 3267:19 pleasures (1) 3269:8 plus (8) 3198:7;3208:19,22; 3209:17;3225:4; 3233:8,10;3236:1 pm (4) 3160:1;3225:17,17; 3288:4 point (9) 3179:16;3187:18; 3188:1;3216:6; 3232:19;3236:16; 3244:16;3254:14; 3278:23 pointed (1) 3213:13 pointing (1) 3266:17 points (3) 3214:9;3216:3; 3254:17 politicking (1) 3247:2 Pollutant (1) 3202:12 pollution (2) 3203:15;3253:12 ponds (1) 3267:22 Pontiac (3) 3171:1;3235:14; 3278:17 popped (1) 3175:12 populated (1) 3265:4 population (6) 3225:8;3242:1,2,4,4, 19 porch (1) 3171:20 portfolio (1) 3244:4 portion (3) 3164:4;3219:14; 3250:19 portions (1) 3163:10 position (4) 3177:15;3187:7; 3192:20;3217:16 positional (1) 3188:13 possibility (2) 3272:24;3273:1 possible (4)</p>	<p>3179:20;3269:11; 3275:3;3276:4 possibly (1) 3269:19 potential (2) 3205:16;3272:22 pound (5) 3182:14;3258:14,15, 19,22 power (20) 3196:5;3198:8; 3214:17;3215:22,23; 3216:8;3224:13; 3233:23,23;3234:3,5, 17,19;3241:16,19; 3244:5;3248:8;3249:5, 10;3251:5 powerful (1) 3253:22 Powering (2) 3244:12,20 PowerPoint (1) 3266:8 practices (1) 3267:24 practitioner (1) 3190:16 prairie (1) 3267:21 pray (1) 3269:5 prayed (1) 3280:12 precious (1) 3173:2 Predicted (4) 3205:15;3209:14,18; 3210:2 predicting (2) 3208:19;3209:7 predictions (3) 3206:7;3208:16; 3210:9 prepared (2) 3184:14;3194:15 prescription (1) 3178:20 presence (3) 3220:21;3222:1,10 present (7) 3219:23;3223:13; 3261:8,9,10;3262:3,3 presentation (10) 3164:8;3167:5; 3240:23;3251:8; 3266:8,16;3271:12; 3277:4;3278:21; 3279:11 presentations (2) 3241:18;3277:6 presented (1) 3214:19 presenting (1)</p>	<p>3163:2 presently (1) 3166:2 preservation (1) 3268:1 pressure (2) 3201:1;3285:2 pretty (4) 3166:7;3168:1; 3261:6;3287:8 prevail (1) 3172:2 previous (5) 3170:18;3199:5; 3208:2;3247:11,13 previously (1) 3213:11 price (17) 3253:23;3257:17,20; 3258:3;3259:4,6,7,8,9, 15,15,22,23;3260:3; 3261:5,5;3268:13 priceless (1) 3192:10 prices (3) 3259:17,21;3273:20 pricing (1) 3273:8 primary (1) 3221:2 prime (5) 3272:18,23;3273:22; 3275:12;3276:6 print (1) 3252:4 printed (3) 3193:23;3227:12; 3245:9 prior (1) 3175:9 pristine (1) 3220:17 private (1) 3244:22 prized (1) 3195:19 Pro (4) 3205:17;3206:6; 3208:15;3247:3 probably (20) 3161:10,12,13,23,24; 3173:20;3174:21; 3183:4;3239:5; 3246:19;3252:5; 3257:15;3260:1; 3278:18;3280:19; 3281:17;3283:13; 3285:19;3286:3,24 problem (11) 3170:4;3178:14; 3179:6;3184:12,13; 3189:9,20;3219:15; 3250:20;3251:3;</p>	<p>3255:4 problems (16) 3179:3;3184:8; 3188:21;3189:9; 3200:24;3201:4,19; 3204:3;3251:16; 3254:7,11,16;3255:12, 13;3260:19;3268:9 proceeding (7) 3206:12;3207:20; 3229:11,15;3230:6,12, 22 process (3) 3176:2;3261:6; 3267:6 processes (1) 3195:24 produce (2) 3249:2,9 produced (2) 3218:4;3246:24 produces (4) 3246:6,8,9;3272:19 product (1) 3257:24 production (3) 3196:9;3243:14; 3245:15 productive (1) 3260:13 products (5) 3194:7,15,23; 3196:9;3205:5 professional (3) 3206:1;3210:8; 3213:20 Professor (9) 3205:21,22;3206:8; 3208:17;3209:6,15; 3210:6,8;3231:23 profitable (1) 3172:16 program (6) 3181:15,18;3244:2, 3;3261:15;3262:6 programs (5) 3181:23;3246:20; 3260:18,19,20 Project (52) 3160:9;3167:2; 3172:2;3187:23; 3196:15,23;3197:20; 3198:16,23;3199:7,18, 22;3200:4,9,18,21,22; 3201:2,7,20;3203:1,8, 12;3204:10;3205:4,7; 3214:2;3221:20; 3222:9;3224:1,6,10,16; 3241:4,8;3250:15; 3256:5,15,18;3262:11; 3269:5,7;3270:7,11,14, 21;3278:12;3281:19, 20;3282:5,10;3285:24</p>	<p>projected (1) 3262:9 projection (1) 3262:1 projects (5) 3197:22;3198:20; 3202:7;3204:24; 3213:1 project's (1) 3241:14 promise (2) 3161:7;3278:2 promising (1) 3200:13 promote (1) 3194:5 promoting (1) 3193:22 prone (2) 3252:16;3253:1 proof (1) 3190:8 propagation (1) 3205:19 proper (1) 3254:16 properly (1) 3273:3 properties (4) 3215:4;3224:18; 3270:15,17 property (21) 3179:15;3196:12; 3197:8;3202:21; 3203:1,2,5,6;3222:16; 3223:23;3224:11,15, 24;3225:10;3261:10, 19,23;3262:7;3269:19, 20,22 propose (1) 3282:9 proposed (10) 3167:18;3199:22; 3206:11;3210:4; 3241:10;3248:13; 3256:15;3262:10; 3272:12;3276:8 pros (2) 3218:11;3272:21 Pro's (2) 3207:13,16 prosper (1) 3205:12 protect (1) 3199:18 protected (1) 3269:21 protecting (3) 3212:7;3217:18,22 protection (1) 3269:17 protections (1) 3200:6</p>
---	---	---	---	--

protective (1) 3182:2	putting (2) 3172:5;3275:16	3174:3;3191:6; 3232:10;3237:5; 3266:22;3267:12; 3271:23;3273:20; 3274:16;3277:15	ready (2) 3174:7;3191:10	records (1) 3185:13
protein (1) 3195:20	Q		real (8) 3166:15;3170:4; 3177:11;3182:19; 3262:12,13,18;3285:13	recyclers (1) 3258:2
proud (2) 3221:11;3265:13	quaint (1) 3196:3	raised (7) 3191:20;3194:16; 3205:2;3208:12; 3211:3;3270:3;3274:4	realize (1) 3208:7	red (5) 3171:10;3184:6; 3203:17;3219:24; 3270:3
prove (2) 3217:14;3253:19	qualified (1) 3260:9	raising (4) 3267:19;3273:18; 3275:14,17	really (25) 3167:2;3175:24; 3178:22;3183:19; 3184:21;3187:1; 3188:21;3189:7; 3201:11,17;3216:10; 3219:18;3222:13; 3233:9,15,24;3234:20; 3252:3;3260:24; 3274:1,20;3275:21; 3279:21;3284:22,23	redeveloped (2) 3176:5;3179:15
proved (1) 3216:3	qualify (1) 3260:7	ranch (1) 3170:24	reason (4) 3175:8;3223:6,12; 3252:5	reduce (1) 3224:14
proven (2) 3224:12;3270:6	quality (3) 3202:20;3203:5; 3256:20	Rand (4) 3163:24;3164:1,8; 3212:16	reasonable (1) 3210:13	reduced (1) 3262:8
proves (1) 3217:7	quarries (1) 3180:24	range (1) 3211:21	reasons (2) 3223:18;3274:13	Reduction (1) 3244:10
provide (4) 3161:18;3196:1; 3210:13;3243:14	quarry (4) 3176:5;3179:15; 3181:4;3189:12	ranging (1) 3210:4	Rebekah (3) 3191:7,11,17	refer (2) 3239:6,7
provided (3) 3209:2;3213:22; 3228:9	quick (2) 3276:10;3278:1	ranked (1) 3265:7	R-E-B-E-K-A-H (1) 3191:11	reference (3) 3255:14;3278:20; 3279:12
provides (1) 3270:11	quickly (1) 3262:19	raping (2) 3172:7;3173:2	rebuilt (1) 3180:6	referring (1) 3171:9
providing (1) 3192:9	quiet (2) 3171:18;3274:7	rarely (1) 3259:3	rebuttal (1) 3163:3	refocus (2) 3187:5,10
provision (1) 3225:7	QUINN (10) 3277:8,11,11,12,13, 17,19,23,23;3286:13	rate (2) 3261:7;3262:6	received (6) 3191:23;3197:6,9, 13;3215:7;3219:4	regard (2) 3202:4;3286:18
pro-wind (7) 3243:10,13;3245:4; 3247:3,5,17,23	Q-U-I-N-N (1) 3277:23	rates (1) 3265:14	receiving (2) 3202:3;3222:10	regarding (7) 3164:1;3167:18; 3207:16;3210:7; 3214:4;3248:2; 3249:23
public (17) 3167:17;3200:12; 3201:3,6;3203:23; 3206:15;3208:4; 3211:8;3219:12,21; 3223:4,24;3224:7; 3230:17,24;3240:7; 3241:15	quit (1) 3187:13	Rather (2) 3217:20;3234:6	recent (2) 3210:21;3213:2	regardless (1) 3250:18
public/private (1) 3244:23	quite (4) 3178:13;3192:2; 3193:12;3232:13	Rautmann (4) 3164:20,21;3165:1; 3255:22	recently (3) 3192:6;3193:13; 3214:3	Regional (1) 3224:3
published (2) 3200:14,15	quorum (1) 3160:20	rays (1) 3216:12	recess (2) 3225:17;3287:22	registered (4) 3195:17;3198:21; 3206:1;3208:8
pull (1) 3173:21	quote (15) 3200:19;3212:10; 3243:22;3244:10; 3248:4;3249:16; 3250:13;3252:20; 3253:6,15;3256:23; 3258:8,17;3278:21; 3284:14	reach (1) 3214:11	recognize (1) 3195:7	regret (1) 3223:8
pure (2) 3258:5,15	quoted (1) 3260:3	reached (1) 3164:22	recognized (1) 3267:23	regular (1) 3203:9
purportedly (1) 3221:20	Quotes (3) 3198:2;3243:24; 3258:4	reaction (1) 3192:9	recommended (4) 3218:8;3232:16; 3252:19,20	regularly (1) 3214:14
purports (1) 3166:22	R	reactions (2) 3212:3;3215:21	record (6) 3191:16;3196:22; 3201:23;3202:8; 3214:13;3276:1	regulate (1) 3252:23
purpose (3) 3167:12;3223:20; 3270:13	radar (1) 3198:14	read (22) 3163:18;3192:15; 3206:2;3218:16; 3220:4;3226:23,24; 3227:1,2,4,13;3229:19; 3232:19,20;3233:1; 3243:24;3251:9,20,24; 3252:2,5;3265:20	recorded (1) 3212:4	regulations (2) 3203:15;3223:21
purposefully (1) 3270:5	radio (3) 3248:7,16,22	reading (5) 3182:4,5;3197:6; 3240:20;3251:22	recording (2) 3211:24;3214:16	regulators (1) 3217:17
push (1) 3254:2	radius (2) 3274:24;3275:1	readings (1) 3211:19		rehearing (2) 3230:9,15
put (14) 3175:2;3198:10; 3236:10;3258:21; 3261:1,18,20;3262:2,5; 3268:13;3275:20; 3276:1;3280:24; 3283:13	railroad (1) 3189:11	reads (1) 3199:20		relate (1) 3215:7
	raise (13) 3170:11,22;3171:24;			related (1) 3217:3
				relates (1) 3163:24
				relations (1) 3217:1

<p>relationships (1) 3220:23</p> <p>Release (1) 3250:7</p> <p>releases (1) 3250:9</p> <p>releasing (1) 3185:13</p> <p>relevance (2) 3167:4;3207:4</p> <p>relevant (1) 3207:12</p> <p>relies (1) 3272:19</p> <p>rely (2) 3260:16;3273:15</p> <p>remarks (1) 3238:18</p> <p>remember (3) 3171:1;3228:7; 3262:4</p> <p>reminder (1) 3222:2</p> <p>reminding (1) 3164:23</p> <p>removed (2) 3199:16,18</p> <p>renewable (2) 3210:23;3246:21</p> <p>Renewables (2) 3219:1;3245:16</p> <p>rented (1) 3196:15</p> <p>repaired (1) 3220:23</p> <p>repetitive (2) 3232:19,24</p> <p>replicate (1) 3216:16</p> <p>report (17) 3163:1,6;3164:1,9; 3211:9;3214:20; 3226:23;3227:5,8,11, 12;3245:10,11,24; 3246:2;3251:14; 3258:21</p> <p>reported (1) 3194:4</p> <p>reporter (5) 3174:6;3191:9; 3237:8;3272:2; 3277:21</p> <p>represent (4) 3165:19;3195:2,4; 3270:22</p> <p>representative (1) 3221:14</p> <p>representatives (2) 3197:5;3202:4</p> <p>represented (1) 3184:16</p> <p>represents (2) 3165:13;3215:10</p>	<p>repulsive (1) 3199:10</p> <p>requested (2) 3166:23;3215:3</p> <p>research (6) 3202:5;3212:13; 3213:10;3215:10; 3268:15;3283:7</p> <p>researched (1) 3204:17</p> <p>researcher (2) 3212:24;3214:8</p> <p>researching (1) 3205:9</p> <p>residence (3) 3237:12;3242:14,16</p> <p>residences (1) 3242:23</p> <p>residential (1) 3215:4</p> <p>residents (12) 3192:24;3193:3; 3200:7;3201:9; 3202:18;3211:4,7,23; 3213:13,16,22;3216:19</p> <p>resilience (1) 3195:5</p> <p>resistance (2) 3219:22;3251:15</p> <p>resolution (7) 3166:16,23;3167:8, 14,21;3168:1;3228:16</p> <p>respect (3) 3200:9;3201:12,18</p> <p>respected (1) 3261:12</p> <p>respectfully (2) 3223:10,16</p> <p>respond (1) 3163:13</p> <p>response (2) 3212:11;3217:2</p> <p>responses (2) 3213:7;3214:16</p> <p>responsible (1) 3216:15</p> <p>rest (4) 3174:15;3223:8; 3273:15;3277:5</p> <p>restaurants (3) 3194:8,23;3238:3</p> <p>rested (2) 3252:14;3255:5</p> <p>restricting (1) 3269:19</p> <p>restricts (1) 3203:10</p> <p>result (1) 3260:21</p> <p>results (4) 3211:8;3214:19,23; 3216:16</p> <p>resume (1)</p>	<p>3225:18</p> <p>retired (2) 3183:7;3240:16</p> <p>returning (1) 3171:5</p> <p>reveal (1) 3212:14</p> <p>reverse (1) 3254:21</p> <p>reversed (1) 3254:19</p> <p>review (2) 3160:7;3261:11</p> <p>reviewed (2) 3206:2;3214:2</p> <p>reviews (3) 3226:24;3227:1,13</p> <p>revision (1) 3200:4</p> <p>rich (2) 3195:23;3287:8</p> <p>Richard (1) 3160:13</p> <p>riches (1) 3200:13</p> <p>rides (1) 3178:3</p> <p>Ridge (30) 3160:8,9;3163:1; 3167:19;3184:15; 3196:14;3199:21; 3200:4;3201:19,24; 3204:10;3205:14; 3214:2;3224:6,9; 3243:2,3;3245:1; 3247:6,24;3249:20; 3250:5,6,8,15,21,21; 3256:15;3281:20; 3285:24</p> <p>rift (1) 3222:2</p> <p>right (79) 3160:2,21;3161:2; 3162:15;3163:19; 3164:19;3165:7; 3167:6;3168:5;3170:2, 12;3172:14;3174:2,3, 5;3181:3,17;3186:11, 21;3191:5,6;3207:17; 3208:1,10;3212:19; 3225:19,23;3226:1,4; 3227:2,4,21,24; 3228:11,13,15; 3230:14;3231:8,11; 3235:4;3236:21,23; 3237:4,5;3238:12; 3239:20;3249:8; 3250:22;3251:4; 3253:9,10;3260:22; 3264:4,8,10,16; 3265:11,24;3266:5,14, 19,20,22,23;3271:2,6, 20,22,23;3277:2,7,9,</p>	<p>16,20;3281:7;3286:11, 14,17;3287:17</p> <p>right-hand (1) 3253:5</p> <p>rights (8) 3196:12,13;3249:22, 24;3250:1,5;3269:19; 3272:24</p> <p>Ripley (2) 3200:23;3201:3</p> <p>risk (2) 3198:15,18</p> <p>risks (4) 3253:3;3268:16; 3269:15;3270:20</p> <p>river (1) 3259:19</p> <p>rivers (1) 3185:23</p> <p>road (20) 3167:21;3175:4,5; 3178:8;3179:11; 3184:5,7,7,10;3189:3, 10,11,12,14,16,18; 3191:12;3250:18; 3272:5;3277:24</p> <p>roads (4) 3201:21;3269:12; 3273:2;3285:3</p> <p>Robert (1) 3212:16</p> <p>rock (1) 3176:6</p> <p>rocket (1) 3172:12</p> <p>role (1) 3213:7</p> <p>roll (2) 3160:3;3274:8</p> <p>rolling (1) 3225:16</p> <p>room (7) 3170:18;3173:20; 3175:11,13;3180:11; 3183:22;3220:15</p> <p>rooms (2) 3180:11,11</p> <p>Route (1) 3171:12</p> <p>ruining (2) 3202:20;3274:10</p> <p>rule (2) 3206:24;3210:10</p> <p>run (3) 3183:4;3194:19; 3286:19</p> <p>running (3) 3185:22;3186:1; 3280:10</p> <p>rural (3) 3196:7,17;3221:22</p> <p>Russell (1) 3287:5</p>	<p>rust (1) 3173:1</p> <p>rusting (1) 3172:20</p> <p>Ruth (1) 3287:5</p> <hr/> <p style="text-align: center;">S</p> <hr/> <p>sad (1) 3182:6</p> <p>saddens (1) 3268:24</p> <p>safe (2) 3180:2;3269:21</p> <p>safely (1) 3233:11</p> <p>safety (7) 3193:17;3210:7,15; 3224:7;3225:4; 3269:12;3270:1</p> <p>sales (4) 3193:14;3194:4; 3261:5,5</p> <p>salvage (1) 3257:12</p> <p>same (10) 3184:15;3207:21; 3229:10;3231:24; 3247:1;3249:22; 3257:20;3258:20; 3274:13;3275:3</p> <p>sample (2) 3215:12,12</p> <p>sat (2) 3175:17;3278:2</p> <p>save (1) 3189:17</p> <p>saw (7) 3175:20;3182:1; 3183:9;3192:10; 3219:23;3251:9,23</p> <p>Saybrook (2) 3174:24;3178:6</p> <p>saying (8) 3171:2;3181:2; 3198:2;3260:23; 3275:23;3284:5,20; 3285:18</p> <p>say-so (1) 3170:1</p> <p>scared (1) 3183:5</p> <p>scary (1) 3171:9</p> <p>scattered (2) 3196:5;3197:3</p> <p>Schahrer (2) 3287:7,7</p> <p>Schomer (4) 3213:23;3214:3; 3215:2;3216:1</p> <p>school (1)</p>
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<p>3220:10 schools (2) 3193:13,15 SCHOPP (5) 3160:5,11,13,16,19 Schrof (3) 3287:2,7,11 science (2) 3212:20;3260:11 scientific (1) 3212:12 scientist (1) 3172:12 scientists (1) 3253:16 scout (1) 3248:12 screw (2) 3260:24;3261:1 seal (2) 3208:11,12 search (1) 3170:21 season (1) 3248:13 seat (1) 3161:7 seats (2) 3161:5;3180:13 second (6) 3163:1;3208:24; 3242:12,15;3253:5; 3288:1 secondhand (1) 3253:12 seconds (2) 3210:1;3288:1 secrecy (1) 3268:22 section (3) 3219:3;3249:15; 3280:15 seeing (1) 3215:20 seek (1) 3171:23 seeking (1) 3171:17 seem (1) 3282:8 seemed (1) 3175:12 seems (3) 3178:10;3269:16; 3281:22 segment (1) 3222:6 SELCAS (2) 3281:7,9 selected (1) 3195:1 self-explanatory (1) 3168:1</p>	<p>self-reported (1) 3213:1 self-selected (2) 3215:13;3216:19 self-stamped (1) 3236:10 sell (4) 3172:24;3194:23; 3241:16;3259:11 selling (1) 3171:21 semi (1) 3184:9 send (1) 3235:21 sensation (1) 3212:17 sensations (1) 3212:2 sense (4) 3172:13;3187:4; 3215:19;3223:13 sensitive (3) 3182:9;3215:14; 3216:20 sent (1) 3236:11 separate (1) 3238:16 separated (1) 3258:13 September (1) 3264:20 serious (3) 3177:8;3188:21; 3251:18 seriously (1) 3275:12 servant (1) 3223:4 served (1) 3163:8 service (8) 3193:18;3203:23; 3206:15;3208:5; 3230:18;3231:1; 3241:15;3281:8 services (1) 3205:6 session (2) 3177:3,4 set (7) 3179:24;3182:1; 3188:16;3201:22; 3213:9;3219:10; 3266:9 setback (7) 3167:24;3224:24; 3225:1,2,5,5,10 setbacks (4) 3166:4,6;3167:22; 3170:4 sets (2)</p>	<p>3178:1;3188:18 settled (6) 3171:4;3194:17; 3229:17,21,24;3272:17 settlers (1) 3272:15 seven (5) 3164:15;3179:18; 3192:4;3240:15; 3274:24 seventh (1) 3194:19 several (13) 3192:22;3195:10; 3196:22;3201:6,13; 3211:11;3213:13; 3218:12;3243:12; 3245:2;3252:1;3254:6; 3279:15 shadow (1) 3248:8 shadows (1) 3182:21 Shakes (5) 3173:11;3190:21; 3226:16;3229:6; 3271:5 shall (1) 3249:17 shame (2) 3273:17;3274:19 share (3) 3192:1;3246:24; 3272:12 sharing (1) 3192:14 Sharon (1) 3287:7 sharpen (1) 3252:21 Shirley (2) 3215:16;3216:18 shocked (1) 3196:18 shoes (1) 3275:20 shooting (1) 3161:21 shop (1) 3280:23 shops (1) 3196:3 short (5) 3164:7;3172:1; 3201:8;3210:1; 3220:24 shortage (1) 3260:1 shorter (4) 3241:11;3266:16; 3271:12;3277:3 shot (1) 3201:9</p>	<p>show (8) 3190:8;3198:6; 3218:6;3245:3; 3246:14;3258:24; 3274:17;3280:20 showed (3) 3197:19;3240:23; 3245:24 shown (2) 3225:3;3278:22 shows (4) 3212:12;3233:15; 3242:8;3245:20 shut (3) 3162:10;3211:14; 3246:15 shutting (2) 3246:13;3280:22 shy (1) 3182:18 sick (1) 3177:20 sickness (4) 3177:15,19;3186:23; 3187:7 side (3) 3181:1;3186:20; 3285:19 sides (2) 3175:5;3178:7 sign (3) 3238:2,4;3284:9 signals (1) 3187:3 signature (3) 3211:20;3212:18,22 signatures (3) 3199:14,15,15 signed (7) 3199:6;3220:13; 3235:10;3282:23; 3283:2,18,22 significant (4) 3163:10;3203:4; 3260:17;3269:15 significantly (2) 3209:10;3268:17 signing (2) 3236:4;3275:22 signs (2) 3184:22;3198:6 silence (2) 3160:24;3161:1 Silicon (1) 3244:17 similar (6) 3210:4;3215:15; 3241:10;3243:2,3; 3253:11 simple (2) 3214:9;3216:2 simpler (1) 3171:18</p>	<p>simplistic (2) 3210:11;3233:7 simply (1) 3217:9 single (2) 3195:15;3214:21 sit (2) 3171:20;3284:11 site (8) 3202:14;3227:19,21; 3228:1;3233:11; 3241:4,21;3275:6 sited (1) 3283:17 siting (7) 3242:13;3243:1,3,4; 3248:13;3278:12; 3279:13 sitting (6) 3166:9;3187:9; 3188:15;3194:16; 3197:11;3278:17 situation (4) 3182:24;3207:21; 3279:5;3282:24 six (11) 3161:10;3179:18; 3181:18;3192:4; 3203:1;3214:20; 3215:11,18;3216:22; 3217:8;3220:2 six-tenths (1) 3242:15 sixth (2) 3194:19;3267:10 sixty (1) 3258:18 size (2) 3241:9;3256:15 skills (1) 3252:22 skip (1) 3286:22 skipping (1) 3254:22 Slagel (4) 3169:1;3194:6,7; 3287:1 sleep (34) 3197:8;3200:24; 3203:19;3209:24; 3251:5,15,18;3252:7,9, 12,16,21;3253:7,11,11, 18,20,23;3254:1,1,10, 12,12,15,15,18,19,20, 22;3255:3,5,9,12,13 sleeping (1) 3254:23 slept (1) 3252:24 slither (1) 3197:24 Slow (1)</p>
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<p>3195:1 Slowinskis (1) 3203:3 small (8) 3175:4;3215:13; 3219:3,21;3252:4; 3274:21;3276:3; 3283:16 smaller (1) 3256:16 smoke (1) 3253:12 snow (1) 3181:10 so-call (1) 3202:2 social (1) 3210:19 Society (1) 3213:24 sold (3) 3170:23;3250:21; 3260:4 solid (1) 3253:17 solitude (1) 3267:13 solve (1) 3255:4 somebody (2) 3223:3;3226:14 someone (1) 3174:22 somewhat (1) 3283:19 somewhere (2) 3257:15;3258:10 son (3) 3179:20;3267:9; 3269:22 son-in-law (1) 3251:8 soon (2) 3162:1,3 sooner (1) 3198:12 sorrow (1) 3193:11 Sorry (10) 3161:3;3166:21; 3174:9;3185:6,11,20; 3232:4;3235:6; 3268:24;3287:8 sort (2) 3165:9;3172:18 soul (1) 3267:18 sound (7) 3205:13,16,18; 3209:10;3233:12; 3251:20;3255:20 soundproof (1) 3202:2</p>	<p>Sounds (4) 3179:12;3212:13; 3256:3;3282:16 source (3) 3195:15;3208:22; 3209:20 sources (1) 3208:20 south (7) 3165:21;3171:17; 3184:8;3191:18; 3194:6;3241:24; 3263:20 southeast (3) 3191:21;3198:8; 3281:8 southwest (1) 3211:5 southwestern (1) 3200:16 spoken (6) 3173:24;3191:5; 3201:24;3231:14; 3272:7;3276:1 speakers (4) 3197:12,16;3200:22; 3243:8 speaking (1) 3174:10 special (8) 3169:17;3171:16; 3223:19;3224:21,22, 22;3270:7;3282:5 specialist (3) 3181:7,8;3188:7 species (2) 3182:1;3253:19 specifically (1) 3250:1 specious (1) 3216:5 speechless (1) 3185:3 speed (1) 3208:23 spell (2) 3271:21;3272:2 spelled (1) 3253:9 Spence (7) 3194:17;3195:1,4,7, 9,12;3276:19 spent (5) 3205:6,11;3240:12; 3243:6;3260:17 spinning (8) 3175:14;3177:5,24; 3178:2,9,17;3179:5,8 spirit (2) 3221:23;3223:20 spoke (1) 3181:15 sport (1)</p>	<p>3179:20 spot (1) 3287:21 spread (2) 3214:20;3273:13 spring (3) 3180:6;3181:12; 3194:9 square (2) 3242:7,9 squake (1) 3161:4 staff (8) 3169:11;3170:7; 3173:16;3190:24; 3235:3;3266:2;3271:8; 3286:10 stand (5) 3172:17;3173:18; 3175:16;3204:4; 3279:3 standard (3) 3208:18;3211:17; 3213:9 Standards (1) 3213:24 standing (1) 3197:21 standout (1) 3213:16 Stantec (7) 3205:13;3256:20; 3257:18,18;3258:19, 20,21 Stantec's (2) 3255:22;3258:21 starlit (1) 3274:7 start (6) 3187:8,12;3211:7; 3228:9;3265:3; 3266:10 started (8) 3175:14,17,18; 3176:1;3191:13; 3210:23;3240:10; 3261:16 starting (1) 3187:4 starts (1) 3177:5 state (26) 3169:12;3170:14; 3174:5;3191:8,23; 3192:19;3193:1,24; 3194:8;3202:11,15; 3204:21;3206:1; 3207:1;3228:11; 3237:7;3240:5;3241:7; 3245:5;3247:4,7,8,22; 3267:1;3272:1; 3277:20 sport (1)</p>	<p>3206:8;3208:17; 3230:19;3257:18; 3272:14;3278:24 statements (1) 3201:16 states (5) 3194:1;3195:2,6; 3218:3;3250:13 state's (1) 3183:18 statewide (1) 3203:15 stationary (1) 3211:19 stations (2) 3198:8;3224:13 status (4) 3228:22;3229:2,11, 15 stayed (2) 3186:4;3263:2 steel (4) 3257:17,19;3258:13; 3259:4 steer (1) 3195:18 Steidinger (1) 3168:23 Stephen (1) 3212:6 Steve (2) 3260:8,10 Stewards (3) 3194:21;3226:8; 3268:3 still (11) 3171:19;3179:7; 3191:23;3192:17,17; 3199:14;3205:4; 3210:16;3222:7; 3262:3;3274:5 stimuli (1) 3217:4 stimulus (1) 3178:17 stipend (1) 3247:18 stolen (1) 3258:9 Stony (2) 3202:14,19 Stop (3) 3173:2;3227:22; 3287:21 stopover (1) 3181:5 stopped (3) 3197:19;3204:11; 3282:21 storefront (2) 3196:16;3198:10 stores (1) 3194:24</p>	<p>stories (2) 3192:1,15 storm (3) 3202:13;3274:8; 3280:14 story (4) 3170:24;3185:4; 3188:15;3192:10 Stowell (1) 3206:4 straight (4) 3201:12,18,23; 3238:14 Street (2) 3193:16;3196:14 stress (1) 3278:24 stressors (2) 3255:9,12 stricken (1) 3163:24 strike (4) 3163:10 strobe (2) 3188:18;3203:16 strong (2) 3282:4;3285:13 strongly (1) 3251:19 structures (1) 3220:18 struggle (1) 3284:7 struggling (3) 3175:15;3179:16; 3281:18 stuck (1) 3183:12 studied (3) 3209:6,8;3213:12 studies (3) 3218:1,2;3253:19 study (31) 3205:13;3210:22; 3211:1,2,8,9,10,11; 3212:5,10;3213:2,3,6, 14,16,18,19;3214:3,6, 9,13,21;3215:1,3,8,11, 18;3216:17;3217:7,24; 3285:8 stuff (4) 3177:13;3238:3; 3260:24;3282:20 SU-7-14 (1) 3160:8 subdivided (1) 3180:1 subject (2) 3195:11;3214:18 subjects (1) 3214:13 submit (2) 3185:7,10</p>
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<p>submitted (5) 3162:6;3200:3; 3205:13;3236:19,20</p> <p>subside (1) 3175:18</p> <p>subsidies (9) 3245:14,14,20; 3246:6,7,16,17,18,19</p> <p>subsidizes (1) 3243:17</p> <p>subsidy (3) 3245:20;3246:9,23</p> <p>substantial (1) 3270:21</p> <p>substantially (2) 3223:21;3224:14</p> <p>substation (1) 3202:14</p> <p>substations (1) 3250:17</p> <p>substitute (1) 3183:8</p> <p>suburb (2) 3237:19,20</p> <p>suburbs (1) 3170:20</p> <p>success (2) 3241:14;3279:7</p> <p>successful (2) 3260:14;3281:20</p> <p>sucked (1) 3280:8</p> <p>sudden (1) 3207:23</p> <p>Sue (2) 3170:10,13</p> <p>suffer (2) 3203:18;3269:6</p> <p>suffered (1) 3177:1</p> <p>suffering (1) 3221:16</p> <p>suggestion (1) 3169:16</p> <p>sum (2) 3278:8;3286:2</p> <p>summarize (1) 3252:1</p> <p>summer (3) 3189:19;3220:1; 3285:3</p> <p>sunset (1) 3171:21</p> <p>sunsets (1) 3274:8</p> <p>supplies (1) 3194:7</p> <p>supply (2) 3257:22,23</p> <p>support (18) 3193:12,15;3213:15; 3217:20;3219:13; 3221:4;3244:5;3278:9;</p>	<p>3279:9,12,21;3281:2, 21,24;3282:4;3284:22; 3285:13;3286:1</p> <p>supported (1) 3193:19</p> <p>supporting (1) 3192:16</p> <p>supportive (1) 3213:20</p> <p>supposed (3) 3221:19;3252:24; 3280:24</p> <p>sure (10) 3181:2,16;3197:22; 3227:20;3229:16,24; 3232:6;3241:1; 3275:22;3285:12</p> <p>surface (1) 3209:22</p> <p>surgery (1) 3251:11</p> <p>surprised (1) 3265:9</p> <p>surrebuttal (2) 3161:19;3162:7</p> <p>surrounded (1) 3275:7</p> <p>surrounding (4) 3165:20;3224:18; 3274:23;3275:4</p> <p>survey (1) 3285:3</p> <p>Susan (2) 3170:16;3186:23</p> <p>sustainability (2) 3195:13;3268:1</p> <p>Sustainable (1) 3195:11</p> <p>Sutter (1) 3169:3</p> <p>swam (1) 3176:22</p> <p>swans (2) 3181:19;3185:16</p> <p>sworn (8) 3165:14,15;3170:12, 13;3174:4;3191:7; 3266:24;3271:24</p> <p>sympathetic (2) 3213:21;3283:19</p> <p>System (5) 3202:12;3240:9; 3250:19;3252:23; 3254:2</p> <p>systems (4) 3240:10;3250:16,18; 3260:23</p>	<p>3199:10</p> <p>tactics (1) 3199:5</p> <p>talk (11) 3162:23;3174:18; 3184:14;3192:17; 3204:19;3231:15; 3240:1;3258:3; 3278:14;3282:22; 3284:12</p> <p>talked (6) 3164:8;3228:13; 3232:14;3240:2; 3256:23;3285:9</p> <p>talking (7) 3174:14,15;3188:8; 3198:12;3238:21; 3256:1;3268:16</p> <p>tar (1) 3189:18</p> <p>targeting (2) 3235:18;3244:6</p> <p>task (1) 3273:6</p> <p>Taste (1) 3195:8</p> <p>taught (2) 3218:10;3284:15</p> <p>tax (3) 3193:14;3243:14; 3281:11</p> <p>taxes (3) 3204:13,14;3243:15</p> <p>teach (2) 3183:8;3274:17</p> <p>teacher (4) 3183:12,13,14,14</p> <p>tear (1) 3197:22</p> <p>tearing (1) 3272:23</p> <p>technical (1) 3211:9</p> <p>technologies (1) 3244:4</p> <p>technology (3) 3172:14;3248:17,19</p> <p>Ted (3) 3184:24;3185:4; 3201:23</p> <p>temperature (3) 3210:3;3233:17,21</p> <p>ten (5) 3177:1;3192:19; 3261:9,10;3280:14</p> <p>tenant (2) 3283:22,24</p> <p>tendered (2) 3162:11;3163:7</p> <p>Tennessee (1) 3259:20</p> <p>Term (3) 3249:15,16,17</p>	<p>terminated (1) 3200:18</p> <p>terms (2) 3169:17;3279:14</p> <p>Terry (1) 3287:1</p> <p>test (2) 3214:4;3285:5</p> <p>tested (1) 3285:2</p> <p>testified (4) 3206:4;3207:14; 3254:4,6</p> <p>testify (4) 3161:11;3162:22; 3207:16;3232:8</p> <p>testifying (1) 3207:20</p> <p>testimonies (2) 3232:13;3270:2</p> <p>testimony (20) 3161:16;3163:11; 3164:1,2;3185:1; 3199:5;3206:2,15,19; 3207:5;3208:2;3230:9, 22;3231:3,21;3233:1,6, 7;3269:14;3278:11</p> <p>testing (2) 3175:23;3212:23</p> <p>tests (1) 3212:20</p> <p>thanks (4) 3164:23;3236:13; 3286:5,13</p> <p>theories (4) 3176:3,7,15;3188:2</p> <p>theory (1) 3176:6</p> <p>therapy (3) 3175:21;3176:18; 3185:15</p> <p>Therefore (2) 3247:22;3256:7</p> <p>thermal (1) 3209:22</p> <p>thinking (2) 3203:20;3253:7</p> <p>third (1) 3265:7</p> <p>Thorne (1) 3213:11</p> <p>though (7) 3175:23;3177:12,13; 3254:20;3260:3; 3262:7;3263:1</p> <p>thought (10) 3257:1;3265:9; 3273:7;3279:16,24; 3280:10,16;3281:6; 3282:6,6</p> <p>thoughts (1) 3272:12</p> <p>thousand (6) 3182:14;3208:21; 3248:14;3256:23; 3263:14,19</p>	<p>thousands (1) 3181:5</p> <p>threatening (1) 3246:15</p> <p>three (25) 3169:24;3177:2; 3178:19,21;3185:18; 3188:7;3196:1,21; 3202:24;3211:13,23; 3214:9,16;3215:4,8,11; 3218:4;3224:5; 3235:15;3240:14; 3248:14;3267:20; 3274:6;3275:1; 3278:17</p> <p>three-quarters (1) 3269:23</p> <p>thrilled (1) 3241:1</p> <p>throughout (5) 3196:6;3252:8; 3273:13,14;3279:15</p> <p>throwing (1) 3173:22</p> <p>thumb (1) 3210:10</p> <p>Thursday (4) 3161:14;3259:17; 3266:10;3286:18</p> <p>Thus (2) 3222:2;3223:6</p> <p>ties (1) 3268:8</p> <p>tiles (1) 3273:1</p> <p>Tim (1) 3206:3</p> <p>timber (1) 3267:21</p> <p>times (14) 3193:11;3201:10; 3211:13;3218:12; 3233:20;3242:3; 3243:12;3246:10; 3252:1;3259:24; 3263:5;3284:12,19; 3285:4</p> <p>Tipton (5) 3218:17;3219:2,4; 3220:12;3222:22</p> <p>today (4) 3163:9;3180:19; 3192:17;3262:11</p> <p>together (9) 3165:24;3166:3; 3192:12,16;3193:10; 3196:11;3199:1,4; 3283:13</p> <p>told (9) 3184:21;3204:7,12;</p>
---	--	---	---	---

<p>3257:7;3261:11; 3278:7;3283:1,11; 3284:16 tolerable (1) 3254:13 Tom (3) 3165:13,15;3287:4 tomorrow (3) 3180:21;3199:2; 3254:2 tone (1) 3212:18 tonight (9) 3161:14;3174:13; 3180:20;3228:9; 3236:18;3272:8,10; 3278:13;3286:3 took (10) 3162:13;3186:22; 3192:20;3198:15; 3208:7;3211:12; 3234:13;3245:2; 3256:8;3261:15 top (3) 3171:11;3242:21; 3244:1 topic (1) 3281:18 torn (2) 3220:20;3221:2 tornado (1) 3280:3 total (2) 3242:1;3264:23 totally (1) 3214:23 tough (2) 3283:14,20 tour (3) 3194:11,13;3195:21 tourists (1) 3196:2 tours (4) 3194:9,10;3195:10; 3196:2 toward (1) 3221:15 towards (1) 3257:13 tower (1) 3220:3 towering (1) 3269:10 towers (6) 3219:8,23;3220:22; 3222:1;3283:3;3284:6 town (9) 3196:17;3203:9; 3235:22;3241:3,22,23; 3242:17,22;3274:18 towns (1) 3196:3 Township (5)</p>	<p>3165:13,19,24; 3166:15;3167:15 townships (5) 3198:23;3199:1; 3265:5;3273:2; 3283:14 toxins (2) 3253:13,13 traced (1) 3181:22 track (2) 3236:5;3285:5 tracts (1) 3283:18 trade-off (1) 3193:6 tradition (2) 3192:2,14 traffic (2) 3189:6,7 tragedy (1) 3193:11 transcript (2) 3164:4;3165:10 transcripts (1) 3205:20 transfer (1) 3246:3 transferred (1) 3243:16 transmission (1) 3250:16 transparent (1) 3214:23 travel (2) 3194:10;3196:2 treat (1) 3186:18 treated (3) 3201:11,17;3217:5 treaty (1) 3182:2 tried (1) 3279:17 triggering (1) 3187:10 triggers (3) 3177:24;3178:18; 3186:15 trip (1) 3175:9 trivial (2) 3282:8;3286:3 truck (1) 3189:13 trucks (2) 3184:9;3205:1 true (8) 3195:13;3217:15; 3222:16;3243:6; 3254:3;3257:19; 3262:23;3275:10 truly (3)</p>	<p>3216:15;3252:13; 3270:1 trumpeter (2) 3181:18;3185:16 trust (2) 3199:3,8 truth (2) 3197:14;3268:22 try (8) 3161:7,8,15;3162:5; 3188:22;3211:2; 3220:7;3232:24 trying (7) 3171:14;3176:8; 3179:17;3191:14; 3197:17;3209:24; 3252:1 turbine (36) 3166:9;3167:19; 3183:3;3187:12,22; 3200:21;3209:5,8; 3211:20;3212:18,19, 22;3214:11,17; 3215:10,14,23;3216:9, 13,20;3225:4,9; 3234:3;3242:14,16,17, 18;3251:14;3255:24; 3257:9,14,16;3263:18; 3272:12;3274:20; 3275:10 turbines (79) 3166:10,12;3170:2; 3171:10,11;3172:15, 17;3175:2,4;3176:11; 3178:8,14;3179:10; 3182:6,8;3184:2,19; 3185:19;3188:8,14,24; 3196:8;3200:23; 3202:23;3203:1,8; 3204:22;3211:14,18; 3213:8;3214:5; 3215:19,21;3216:7,14; 3218:7;3219:14; 3222:24;3224:13; 3225:11;3234:1,5,10, 13;3240:24;3241:2,9, 21;3243:2,3;3245:14; 3247:18;3248:14; 3250:11;3251:12,15; 3254:5,8,13;3256:16, 17;3263:14;3264:24; 3265:14;3269:23; 3270:10;3272:21,22; 3273:6,12,22;3274:9, 23;3275:4,7,16,19; 3276:4,8 turbulence (4) 3248:7,15,21;3280:5 turned (2) 3219:15;3270:19 two (28) 3162:1;3170:24; 3177:2;3178:19;</p>	<p>3180:13;3187:6; 3188:3;3194:20,22; 3196:17;3200:4; 3204:15;3207:12; 3211:16;3214:12; 3224:1;3234:13; 3236:6,11;3240:17; 3253:15;3260:5; 3265:10;3278:6,8; 3280:2,9;3285:4 Type (1) 3253:1 Typical (1) 3190:5 typically (1) 3209:21</p>	<p>units (6) 3168:5;3173:8; 3264:11;3271:2; 3276:13;3286:7 universities (1) 3245:4 university (5) 3192:20;3240:5,6; 3245:6;3247:7 University's (1) 3253:8 unknowns (1) 3270:5 unless (4) 3233:24;3234:3,19; 3247:19 unloaded (1) 3189:15 unquote (3) 3217:23;3244:15; 3249:18 unwillingness (1) 3221:6 up (69) 3161:5,6;3162:10; 3163:14;3164:10,11; 3172:5,5,5;3174:18; 3175:16;3176:23; 3177:8;3179:24; 3180:13,21,23; 3181:15;3182:1,11; 3184:22;3185:1; 3187:9,24;3188:17; 3189:16,18;3199:6,6; 3204:14;3208:20,21; 3214:17;3216:23; 3217:24;3219:23; 3231:14;3233:12; 3241:18;3242:23; 3243:7;3250:4,22; 3252:10;3255:5; 3256:12,13;3260:24; 3261:1,4,20;3265:3; 3266:9;3267:10; 3269:4;3271:14; 3272:23;3273:22; 3275:22;3277:4,9; 3278:8,17;3280:8,20; 3282:23;3283:2,18,22; 3286:2 Upon (1) 3203:7 upset (1) 3261:21 upsets (1) 3182:3 urban (1) 3195:9 Urbandale (6) 3237:11,14,16,23; 3262:22;3263:1 urge (1) 3251:19</p>
U				
<p>UCLC (10) 3202:9;3206:14; 3208:12;3228:10,18; 3229:10,13;3230:1,8; 3243:20 uh-uh (2) 3227:6;3229:4 ultimately (1) 3270:15 unaddressed (1) 3270:4 unanimously (1) 3224:3 unbalanced (1) 3247:20 uncomfortable (2) 3178:24;3284:11 under (10) 3165:8;3170:3,3; 3198:14;3204:24; 3205:14;3241:16; 3244:9;3248:4;3259:6 underestimate (2) 3256:5;3257:11 underestimated (1) 3209:10 underestimating (1) 3233:14 underestimation (1) 3234:16 underground (1) 3250:17 undersigned (1) 3199:20 understood (2) 3198:11;3283:10 undoubtedly (1) 3270:14 Unfortunately (1) 3209:23 unique (2) 3196:3;3213:13 United (3) 3195:2,6;3247:8</p>				

<p>USA (1) 3237:17</p> <p>use (12) 3189:13;3203:4; 3223:19,22;3224:10; 3258:21;3261:17; 3270:7,14;3274:16; 3281:11;3282:5</p> <p>used (19) 3186:19,22;3199:5, 10;3205:5;3206:7; 3208:16;3220:15; 3232:15;3248:12,20, 20;3253:24;3257:18; 3258:19;3259:10; 3262:3;3273:11; 3275:13</p> <p>uses (2) 3224:12,18</p> <p>using (6) 3194:15;3205:17; 3210:11;3216:17; 3255:18,22</p> <p>usually (2) 3233:20;3257:11</p> <p>utilize (1) 3267:24</p>	<p>10,15;3177:14; 3178:15;3186:16; 3187:6,21;3188:3,11</p> <p>Vesta (1) 3225:3</p> <p>veterinarian (1) 3182:15</p> <p>via (2) 3165:1;3215:19</p> <p>vibration (3) 3202:22;3212:1; 3248:6</p> <p>vibrations (1) 3203:16</p> <p>vicinity (2) 3217:3;3224:11</p> <p>Victoria (1) 3211:5</p> <p>video (3) 3240:22;3278:22,24</p> <p>view (3) 3220:15;3253:12; 3274:10</p> <p>viewpoint (1) 3176:10</p> <p>views (2) 3219:10;3276:2</p> <p>village (5) 3250:9,10,13,19,20</p> <p>violated (1) 3203:9</p> <p>violation (2) 3202:11;3203:15</p> <p>Virkler (1) 3276:12</p> <p>Virkler's (1) 3272:11</p> <p>visit (1) 3195:22</p> <p>visiting (1) 3171:6</p> <p>visitors (1) 3195:21</p> <p>vista (1) 3220:17</p> <p>visual (2) 3217:4;3248:6</p> <p>Vitzthum (4) 3160:11,12;3287:23, 24</p> <p>voice (4) 3174:10;3232:21,22; 3251:20</p> <p>volumes (1) 3214:21</p> <p>volunteered (1) 3183:15</p> <p>volunteers (1) 3194:1</p> <p>vote (3) 3200:2;3262:16; 3276:7</p> <p>voted (2)</p>	<p>3221:5;3224:3</p> <p>voters (2) 3193:15;3221:3</p> <p style="text-align: center;">W</p> <p>wagons (1) 3192:7</p> <p>wait (1) 3239:4</p> <p>waiting (3) 3192:7;3251:10; 3253:18</p> <p>waiver (2) 3225:6,6</p> <p>wake (3) 3248:7,15,21</p> <p>walk (1) 3268:10</p> <p>walked (1) 3278:3</p> <p>wall (2) 3175:13;3197:19</p> <p>walls (1) 3197:4</p> <p>Walton (1) 3286:15</p> <p>Wanda (1) 3170:17</p> <p>warn (1) 3218:19</p> <p>warning (1) 3187:3</p> <p>Warren (2) 3200:17;3287:2</p> <p>washed-out (1) 3201:21</p> <p>Washington (2) 3280:3,4</p> <p>watch (7) 3171:21;3177:23; 3180:22;3195:24; 3228:3,4,5</p> <p>watched (1) 3280:7</p> <p>watching (3) 3178:16;3218:8; 3274:8</p> <p>water (4) 3185:21,22;3202:13; 3253:13</p> <p>wave (1) 3172:13</p> <p>waveform (1) 3212:12</p> <p>waves (1) 3171:19</p> <p>way (11) 3189:16;3192:11; 3198:17;3206:20; 3211:9;3223:12; 3268:12;3270:6,11; 3278:4;3282:17</p>	<p>ways (3) 3188:2;3235:15; 3283:12</p> <p>website (4) 3241:7,13;3245:10; 3265:20</p> <p>Wednesday (1) 3163:21</p> <p>week (6) 3162:11;3163:21; 3179:18;3254:23; 3255:1,8</p> <p>weekend (4) 3254:24;3255:3,8; 3261:23</p> <p>weeks (2) 3188:7;3195:1</p> <p>weigh (1) 3241:11</p> <p>weight (2) 3189:14;3252:23</p> <p>welcome (2) 3173:15;3193:24</p> <p>welcoming (1) 3198:4</p> <p>welfare (5) 3184:4;3217:18,22; 3223:24;3224:8</p> <p>well-being (2) 3203:6;3269:13</p> <p>well-known (1) 3194:12</p> <p>weren't (4) 3236:6;3275:22; 3280:12;3283:3</p> <p>Wessels (1) 3287:5</p> <p>west (4) 3165:21;3181:3; 3265:2,3</p> <p>wetlands (1) 3267:21</p> <p>whammy (1) 3178:7</p> <p>What's (4) 3190:9;3208:3; 3271:15;3277:10</p> <p>wheat (1) 3273:18</p> <p>Wheatland (4) 3240:21;3242:1,5,6</p> <p>wheels (1) 3178:1</p> <p>whenever (1) 3191:10</p> <p>wherein (1) 3214:13</p> <p>white (2) 3181:14;3272:15</p> <p>Whitman (1) 3287:7</p> <p>Whitney (2) 3164:3;3165:9</p>	<p>whole (5) 3222:22;3234:4,6; 3269:2;3281:18</p> <p>wide (1) 3171:2</p> <p>wife (2) 3269:22;3278:7</p> <p>Wildcat (1) 3219:16</p> <p>wildlife (4) 3180:3;3267:14,22; 3268:9</p> <p>Willa (2) 3272:11;3276:12</p> <p>Williams (1) 3203:13</p> <p>Willow (2) 3203:12,13</p> <p>Wind (161) 3160:9;3161:15; 3166:9,10,12,20,24; 3170:1;3171:10,11; 3172:5,15;3184:15; 3187:22;3188:24; 3196:15;3197:24; 3198:4,4,8,18;3199:10, 21,23;3200:5,6,10,16, 18,20;3202:14,20,23; 3203:1;3204:1,7,10,13, 15,21,22,23;3205:17, 21;3206:6;3207:13,16; 3208:15,23;3209:5,8; 3210:5;3211:1,5,18,20; 3212:17,19,22;3213:8; 3214:2,5,7,8,11,17; 3215:5,6,14,21,23; 3216:6,14,18,20,24; 3217:1,3,9,15,21; 3218:5,5,6,20;3219:3, 14;3221:4,7,9,12; 3222:24;3223:5,7; 3224:6,13;3225:3,9,11; 3228:2,4,5;3230:12; 3231:2;3234:1; 3240:23,24;3243:2; 3244:2,3,12,13,14,20, 21;3245:14,17;3246:5, 9;3247:15,16,20; 3248:8,14;3249:1,2,5, 10;3250:11;3251:7,12, 14,15;3254:4,8,8,12; 3256:12,14;3263:14, 18;3264:23,23;3265:7, 13,17;3269:16; 3270:10,20;3272:12, 21;3273:12;3274:20; 3275:10;3276:8; 3278:12;3279:14; 3280:5;3281:20,23; 3285:24</p> <p>Windfall (2) 3218:5;3221:19</p> <p>windows (2)</p>
V				
<p>valid (2) 3208:22;3233:5</p> <p>Valley (2) 3203:13;3244:17</p> <p>value (13) 3203:6;3224:15; 3261:3,8,9,10,19,22; 3262:3,4,7,8;3270:16</p> <p>values (4) 3197:8;3202:21; 3222:16;3257:12</p> <p>vans (1) 3193:1</p> <p>variety (1) 3211:12</p> <p>vary (1) 3209:17</p> <p>vast (2) 3220:16;3259:5</p> <p>V-E-A-S-E-Y (1) 3253:24</p> <p>vehicles (1) 3204:19</p> <p>venue (2) 3161:4;3286:17</p> <p>Vermilion (3) 3184:15,17;3201:20</p> <p>version (1) 3163:20</p> <p>versus (2) 3247:3;3257:21</p> <p>vertigo (12) 3175:9,10;3176:2,</p>	<p>village (5) 3250:9,10,13,19,20</p> <p>violated (1) 3203:9</p> <p>violation (2) 3202:11;3203:15</p> <p>Virkler (1) 3276:12</p> <p>Virkler's (1) 3272:11</p> <p>visit (1) 3195:22</p> <p>visiting (1) 3171:6</p> <p>visitors (1) 3195:21</p> <p>vista (1) 3220:17</p> <p>visual (2) 3217:4;3248:6</p> <p>Vitzthum (4) 3160:11,12;3287:23, 24</p> <p>voice (4) 3174:10;3232:21,22; 3251:20</p> <p>volumes (1) 3214:21</p> <p>volunteered (1) 3183:15</p> <p>volunteers (1) 3194:1</p> <p>vote (3) 3200:2;3262:16; 3276:7</p> <p>voted (2)</p>	<p>Wanda (1) 3170:17</p> <p>warn (1) 3218:19</p> <p>warning (1) 3187:3</p> <p>Warren (2) 3200:17;3287:2</p> <p>washed-out (1) 3201:21</p> <p>Washington (2) 3280:3,4</p> <p>watch (7) 3171:21;3177:23; 3180:22;3195:24; 3228:3,4,5</p> <p>watched (1) 3280:7</p> <p>watching (3) 3178:16;3218:8; 3274:8</p> <p>water (4) 3185:21,22;3202:13; 3253:13</p> <p>wave (1) 3172:13</p> <p>waveform (1) 3212:12</p> <p>waves (1) 3171:19</p> <p>way (11) 3189:16;3192:11; 3198:17;3206:20; 3211:9;3223:12; 3268:12;3270:6,11; 3278:4;3282:17</p>	<p>ways (3) 3188:2;3235:15; 3283:12</p> <p>website (4) 3241:7,13;3245:10; 3265:20</p> <p>Wednesday (1) 3163:21</p> <p>week (6) 3162:11;3163:21; 3179:18;3254:23; 3255:1,8</p> <p>weekend (4) 3254:24;3255:3,8; 3261:23</p> <p>weeks (2) 3188:7;3195:1</p> <p>weigh (1) 3241:11</p> <p>weight (2) 3189:14;3252:23</p> <p>welcome (2) 3173:15;3193:24</p> <p>welcoming (1) 3198:4</p> <p>welfare (5) 3184:4;3217:18,22; 3223:24;3224:8</p> <p>well-being (2) 3203:6;3269:13</p> <p>well-known (1) 3194:12</p> <p>weren't (4) 3236:6;3275:22; 3280:12;3283:3</p> <p>Wessels (1) 3287:5</p> <p>west (4) 3165:21;3181:3; 3265:2,3</p> <p>wetlands (1) 3267:21</p> <p>whammy (1) 3178:7</p> <p>What's (4) 3190:9;3208:3; 3271:15;3277:10</p> <p>wheat (1) 3273:18</p> <p>Wheatland (4) 3240:21;3242:1,5,6</p> <p>wheels (1) 3178:1</p> <p>whenever (1) 3191:10</p> <p>wherein (1) 3214:13</p> <p>white (2) 3181:14;3272:15</p> <p>Whitman (1) 3287:7</p> <p>Whitney (2) 3164:3;3165:9</p>	<p>whole (5) 3222:22;3234:4,6; 3269:2;3281:18</p> <p>wide (1) 3171:2</p> <p>wife (2) 3269:22;3278:7</p> <p>Wildcat (1) 3219:16</p> <p>wildlife (4) 3180:3;3267:14,22; 3268:9</p> <p>Willa (2) 3272:11;3276:12</p> <p>Williams (1) 3203:13</p> <p>Willow (2) 3203:12,13</p> <p>Wind (161) 3160:9;3161:15; 3166:9,10,12,20,24; 3170:1;3171:10,11; 3172:5,15;3184:15; 3187:22;3188:24; 3196:15;3197:24; 3198:4,4,8,18;3199:10, 21,23;3200:5,6,10,16, 18,20;3202:14,20,23; 3203:1;3204:1,7,10,13, 15,21,22,23;3205:17, 21;3206:6;3207:13,16; 3208:15,23;3209:5,8; 3210:5;3211:1,5,18,20; 3212:17,19,22;3213:8; 3214:2,5,7,8,11,17; 3215:5,6,14,21,23; 3216:6,14,18,20,24; 3217:1,3,9,15,21; 3218:5,5,6,20;3219:3, 14;3221:4,7,9,12; 3222:24;3223:5,7; 3224:6,13;3225:3,9,11; 3228:2,4,5;3230:12; 3231:2;3234:1; 3240:23,24;3243:2; 3244:2,3,12,13,14,20, 21;3245:14,17;3246:5, 9;3247:15,16,20; 3248:8,14;3249:1,2,5, 10;3250:11;3251:7,12, 14,15;3254:4,8,8,12; 3256:12,14;3263:14, 18;3264:23,23;3265:7, 13,17;3269:16; 3270:10,20;3272:12, 21;3273:12;3274:20; 3275:10;3276:8; 3278:12;3279:14; 3280:5;3281:20,23; 3285:24</p> <p>Windfall (2) 3218:5;3221:19</p> <p>windows (2)</p>

<p>3180:14,15 winds (1) 3209:22 windy (1) 3182:19 Wingler (2) 3164:17,18 winners (2) 3198:1;3200:12 winter (1) 3243:6 Wirtz (1) 3203:24 Wisconsin (12) 3181:16,18,22; 3203:23;3205:21; 3206:2,16;3215:16; 3216:18;3230:17,24; 3231:21 wisdom (2) 3220:10;3223:3 wise (1) 3284:18 wish (1) 3220:6 wishes (1) 3222:13 within (15) 3167:15;3194:16; 3203:2;3204:9;3205:6; 3210:10;3234:11,13; 3235:12,24;3248:14, 24,24;3269:23; 3280:14 without (3) 3198:16;3210:20; 3212:23 witness (5) 3165:12;3206:10,18; 3207:4;3243:10 witnessed (1) 3193:8 witnesses (4) 3161:19;3164:15; 3243:9;3260:5 wives (1) 3192:8 women (1) 3281:22 wondered (2) 3233:3;3248:23 wonderful (1) 3172:3 wondering (2) 3234:23;3269:10 word (2) 3227:14,14 words (5) 3210:10;3254:22; 3258:16;3278:6,8 work (12) 3161:13;3192:1; 3214:8;3240:18;</p>	<p>3252:11;3256:2,7; 3267:5;3268:19; 3276:21;3279:1; 3285:1 worked (5) 3193:21;3198:24; 3256:11,14;3257:6 workers (1) 3204:9 working (4) 3179:18,19;3196:4; 3211:6 works (1) 3252:10 world (5) 3179:21;3204:22; 3257:19,20;3259:11 worried (1) 3182:11 worry (1) 3185:18 worse (2) 3178:12;3254:13 worthless (1) 3278:18 wounds (2) 3222:2,23 write (1) 3176:13 write-off (1) 3243:15 writing (1) 3218:23 written (1) 3218:17 wrong (1) 3176:1 wrote (5) 3212:17;3218:19; 3260:19;3278:17; 3279:10 WTS (1) 3211:20 Wyoming (1) 3203:3</p>	<p>3178:19;3179:6,8,13, 23;3180:9;3182:13; 3183:9;3192:13,19,23; 3193:14,22;3209:16; 3220:22;3240:11,12, 12,13,15,17;3248:19; 3260:18;3261:9,10; 3264:20;3267:9; 3268:18;3272:15,17; 3273:8;3274:2 Yep (1) 3265:1 yesterday (1) 3163:8 yielded (1) 3211:19 York (5) 3202:15,18;3203:3; 3218:7;3228:11</p>	<p>3193:14;3208:23; 3238:23;3239:13,18, 19;3241:6,6,13; 3242:12;3258:4,16 10 (6) 3210:3,17;3225:16; 3246:18;3248:19; 3277:4 100 (1) 3264:22 10th (2) 3161:19;3164:5 11 (2) 3164:7;3208:24 1100 (1) 3174:9 114 (2) 3245:2;3247:6 12 (1) 3245:12 12:30 (1) 3280:6 12496 (1) 3174:8 125,000 (1) 3247:10 126 (1) 3241:22 13 (3) 3209:11;3233:14; 3234:16 130 (2) 3195:17;3198:7 133 (2) 3202:9;3228:10 136 (1) 3196:5 13th (2) 3286:16,16 1423 (1) 3242:6 15 (6) 3225:14;3245:13; 3248:19;3258:13; 3266:21;3277:5 150 (2) 3257:15;3267:9 1500 (1) 3203:2 16 (1) 3179:2 160 (1) 3280:9 1600 (2) 3215:9;3234:11 1640 (1) 3225:4 17 (2) 3240:12;3242:3 18 (1) 3241:24 1830 (1) 3272:16</p>	<p>1830s (1) 3194:18 185 (1) 3272:15 1879 (1) 3191:19 19 (4) 3240:12;3287:11,19, 20 1900 (1) 3191:12 1972 (1) 3240:4 1980 (1) 3264:20</p> <hr/> <p style="text-align: center;">2</p> <hr/> <p>2 (5) 3164:6;3230:2; 3248:2,4;3253:1 2,000 (1) 3199:13 2,168 (1) 3242:2 2.60 (1) 3258:22 20 (6) 3170:19;3194:4; 3241:16;3244:6; 3265:2;3266:21 200,000 (1) 3257:15 2004 (1) 3204:14 2006 (4) 3198:11;3200:5; 3245:7;3268:14 2007 (1) 3209:9 2009 (3) 3218:18;3245:7; 3247:10 2010 (6) 3230:3;3245:7,12, 22;3246:2,17 2011 (3) 3219:2;3245:8; 3247:9 2012 (3) 3218:18;3247:11; 3260:1 2013 (5) 3228:16;3245:12,23; 3246:4,17 2014 (2) 3196:13;3221:2 2015 (2) 3160:5;3259:18 2025 (1) 3247:16 2030 (1) 3244:7</p>
	Y	Z		
		ZBA (20) 3168:4;3169:16; 3173:6;3185:5; 3186:10;3223:16; 3224:20;3225:20; 3236:15;3240:2; 3243:4;3252:2;3264:9; 3266:2;3267:5;3271:1; 3276:9;3282:3;3286:7, 11 Zehr (56) 3168:19;3236:24,24; 3237:2,4,6,10,10,13,15, 17,19;3238:1,7,10,13, 17,20;3239:2,7,10,10, 15,18,20,22,23;3241:6; 3243:22;3245:3,19; 3247:6;3250:6;3251:8; 3264:7,8,10,12,14,19; 3266:1,3,4;3277:8,11, 11,12,13,15,17,19,23, 23;3286:6,10,13 Zimmerman (2) 3160:16;3287:5 zone (2) 3250:10,12 zones (1) 3225:3 Zoning (3) 3160:6,7;3224:19 Zuckerburg (1) 3260:8	0	
		001 (1) 3239:10		
		1		
		1 (12)		

<p>20s (1) 3191:21</p> <p>21 (1) 3246:16</p> <p>218 (1) 3214:19</p> <p>22 (2) 3214:20,24</p> <p>23 (1) 3164:7</p> <p>2300 (1) 3277:24</p> <p>24 (5) 3164:6;3192:23; 3287:11,19,20</p> <p>25 (10) 3179:13;3183:8; 3195:18;3209:16; 3247:14;3252:4; 3265:13,18,18,21</p> <p>25th (3) 3161:3;3164:15; 3166:18</p> <p>2600 (1) 3241:22</p> <p>2667 (1) 3164:6</p> <p>2668 (2) 3164:6,7</p> <p>2669 (1) 3164:7</p> <p>267 (1) 3164:5</p> <p>27 (1) 3265:16</p> <p>2785 (1) 3272:5</p> <p>28 (4) 3206:14;3208:12; 3230:8;3241:12</p> <p>2nd (1) 3259:17</p>	<p>3237:11</p> <p>311 (1) 3163:5</p> <p>312 (1) 3163:1</p> <p>3283 (1) 3277:24</p> <p>3341 (1) 3267:3</p> <p>3350 (1) 3267:4</p> <p>34 (1) 3264:21</p> <p>3400 (1) 3264:23</p> <p>35 (1) 3264:20</p> <p>37 (3) 3245:16,17;3246:5</p> <p>37,000 (1) 3256:24</p> <p>38,000 (1) 3242:3</p> <p>3B (1) 3250:12</p>	<p>55 (1) 3192:23</p> <p>58 (2) 3202:23;3240:16</p>	<p>9 (2) 3245:3;3247:6</p> <p>9:31 (1) 3288:4</p> <p>90 (3) 3161:24;3210:14; 3280:20</p> <p>9613 (5) 3205:18;3209:5,7, 14;3233:13</p> <p>98,000 (1) 3247:10</p> <p>9th (1) 3286:16</p>
	4		
	<p>4 (5) 3202:9;3229:10; 3241:23;3250:7; 3252:18</p> <p>4.01 (1) 3259:19</p> <p>4.3 (1) 3246:6</p> <p>40 (7) 3161:13;3210:12,15; 3242:7;3246:8; 3256:23;3264:4</p> <p>400 (1) 3170:16</p> <p>42 (2) 3243:21;3244:8</p> <p>43 (3) 3243:20,20,21</p> <p>45 (3) 3180:4;3210:12,17</p> <p>47 (1) 3171:12</p>	<p>6 (6) 3245:9,12;3246:7; 3247:24;3249:14; 3262:4</p> <p>6:30 (2) 3160:1;3286:16</p> <p>60 (1) 3202:17</p> <p>600 (1) 3234:11</p> <p>650 (1) 3215:9</p>	
	5		
	<p>5 (10) 3202:9;3208:23; 3209:17;3210:10,17; 3229:17;3233:10; 3240:22;3241:24; 3252:19</p> <p>50 (2) 3182:13;3203:10</p> <p>500 (2) 3225:4,5</p>	<p>7 (11) 3202:9;3229:13; 3245:19;3247:24; 3248:1;3249:23; 3251:3;3252:19,20; 3253:5,14</p> <p>7:54 (2) 3225:15,17</p> <p>70 (1) 3280:19</p> <p>72 (2) 3245:16,17</p> <p>75 (1) 3195:17</p> <p>78 (1) 3287:18</p> <p>7th (1) 3160:5</p>	
		6	
		7	
		8	
		<p>8 (6) 3202:9;3230:1; 3248:1;3250:6; 3252:20;3255:17</p> <p>8:00 (1) 3225:16</p> <p>8:11 (1) 3225:17</p> <p>80 (4) 3161:11;3180:2; 3181:1,2</p> <p>800 (1) 3203:2</p> <p>8290 (1) 3191:12</p> <p>83-year-old (1) 3220:12</p>	
		9	
3			
<p>3 (11) 3202:9;3208:19,23, 24;3228:18;3233:9; 3241:13;3243:17,18; 3244:8;3249:14</p> <p>3.63 (1) 3259:18</p> <p>3.86 (1) 3259:23</p> <p>30 (7) 3180:4;3208:20; 3220:22;3243:14; 3265:2;3273:8;3277:6</p> <p>300 (1) 3264:2</p> <p>309 (1) 3198:21</p> <p>3100 (1)</p>			