

In The Matter Of:
LIVINGSTON COUNTY ZONING BOARD OF APPEALS

March 25, 2015

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1 LIVINGSTON COUNTY ZONING BOARD OF APPEALS
 2 CASE SU-7-14
 3 PLEASANT RIDGE WIND ENERGY PROJECT
 4
 5 March 25, 2015
 6 6:30 PM
 7 Walton Centre
 8 100 West Locust Street
 9 Fairbury, Illinois

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1 (Commencing at 6:30 p.m.)
 2 **CHAIRMAN CORNALE:** All right. We'll go
 3 ahead and get going this evening. Chuck, roll call
 4 please.
 5 **MR. SCHOPP:** This will be the March 25th,
 6 2015, continuation hearing of Livingston County
 7 Zoning Board of Appeals review of Livingston County
 8 Zoning Case SU-7-14, Pleasant Ridge Energy, LLC,
 9 Pleasant Ridge Wind Energy Project. Michael
 10 Cornale.
 11 **CHAIRMAN CORNALE:** Here.
 12 **MR. SCHOPP:** John Vitzthum.
 13 **MR. VITZTHUM:** Here.
 14 **MR. SCHOPP:** Richard Kiefer. Diana
 15 Iverson.
 16 **MS. IVERSON:** Here.
 17 **MR. SCHOPP:** Howard Zimmerman. Joan
 18 Huisman.
 19 **MS. HUISMAN:** Here.
 20 **MR. SCHOPP:** And Gibs Nielsen.
 21 **CHAIRMAN CORNALE:** All right. Certainly
 22 want to welcome everybody here for our 24th evening
 23 that we've spent together. First thing I -- and I
 24 really want to remind this and we're going to stay

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1 firm with this. Tonight is -- it is the final night
 2 to sign up. If you plan to testify in this hearing,
 3 you need to get signed up tonight. If you're not on
 4 the list, we will not call your name and we will not
 5 take anybody if you're not on the list. If you
 6 testify, you have the opportunity to make a closing
 7 statement. If you don't testify, your opportunity
 8 to make a closing statement is also I guess not
 9 available.
 10 All right. We'll get going this evening.
 11 Sounds like we have a witness, we understand he's
 12 here, and he's got about an hour and 15 minutes
 13 worth of presentation. Probably after he goes
 14 through that -- he's asked for some reminders on
 15 time, so we'll get through that with him. Sounds
 16 like the applicant may have a few questions of him.
 17 He's indicated about 35 minutes worth. We'll take a
 18 break after Mr. Hartke presents and we'll see how
 19 everything shakes out after that.
 20 So with that, Mr. Hartke -- is that
 21 correct?
 22 **MR. HARTKE:** Yes, sir.
 23 **CHAIRMAN CORNALE:** All right, I'm going to
 24 go ahead and swear you in so you can go ahead and

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1 begin.
 2 (Mr. Ted Hartke was duly sworn.)
 3 **CHAIRMAN CORNALE:** All right. Could you
 4 please state your name and address for our court
 5 reporter and then go ahead when you're ready.
 6 **MR. HARTKE:** My name is Theodore Phillip
 7 Hartke. My house address is 2121 East 2350 North
 8 Road, Fithian, Illinois, but I live at 7336 Walnut
 9 Avenue in Collision, Illinois.
 10 Good evening, everyone. Thank you for
 11 allowing me to present some information about my
 12 family's experience living in a wind farm. I
 13 created a slide show specifically for Livingston
 14 County.
 15 Invenergy constructed a wind farm in my
 16 neighborhood during 2012, and at the beginning of
 17 2013, they turned on their machines, and almost
 18 right at the beginning of the time period we
 19 instantly had a reaction in our home, my wife and I
 20 and our two kids. We lost our ability to sleep at
 21 night when the turbines were running. At first
 22 Invenergy turned off the turbines when we were
 23 having issues. They turned them down 51 times
 24 between January and May of 2013. After May of 2013,

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1 they refused to turn off the machines, and we
 2 struggled a lot. And we moved out of our home, we
 3 abandoned our home in December 2013, the weekend of
 4 Christmas.
 5 The turbine size is 1.6 megawatt 100 wind
 6 turbines manufactured by General Electric. They are
 7 approximately 495 feet tall to the tip of the
 8 highest blade. And my wife, my children and I and
 9 our two dogs, we currently live in a doublewide
 10 mobile home in Collision.
 11 This is my family. This was taken
 12 Christmas weekend on December 25th in 2012. At this
 13 point in time the turbines were constructed and it
 14 was right before they turned on the machines. My
 15 daughter's name is Sophia, my name is Ted, my wife
 16 is, her name is Jess, and my son is Phillip.
 17 This is a picture of my home. This is
 18 next to Hope Church in the middle of Invenergy's
 19 wind farm. And when we lived here, it was -- Shadow
 20 my dog lived in the garage. My son Phillip's
 21 bedroom is in the southwest corner of the house, my
 22 daughter Sophia's room is in the southeast corner,
 23 and my wife and I's bedroom was underneath her
 24 bedroom on the first floor in the southeast corner

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1 of the house.
 2 And behind our house, the closest wind
 3 turbine, and this wind turbine here is turbine
 4 number 75 and it's 1,665 feet away from the corner
 5 of my house.
 6 This is a picture of a view from my front
 7 yard. I'm looking southwest, this is directly
 8 towards the direction of prevailing winds, and this
 9 Invenergy wind turbine is 2,225 feet away. I've had
 10 people ask me, Ted, if they tear down the turbine
 11 closest to your house, will you be okay? And I
 12 honestly can tell them that if I got to choose one
 13 or the other, I would choose this one. This turbine
 14 is upwind from my house. I think that the many
 15 times that we've had troubles, I felt like this one
 16 was the one that was the most problematic. It --
 17 this one causes the most amount of shadow flicker
 18 and the most amount of our discomfort.
 19 I've been asked many times what was the
 20 first night you actually complained? And I dug
 21 through all of my emails and all of my texts and all
 22 of my phone calls, and this is the first, oldest
 23 documented one. On January 22nd, 2013, at 1:22 a.m.
 24 in the morning, I wrote this text to Marlin Conroy.

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1 I said, "Marlin, turbines are unbearable tonight.
 2 We need to talk. I've been awake for 45 minutes
 3 praying for the wind direction to change or wind
 4 speed to change to quiet the machine noise." When I
 5 say machine noise, I was talking about a really
 6 strong hum like an engine parked outside your house,
 7 like similar to a diesel engine parked in -- a
 8 diesel truck parked in your driveway type of noise.
 9 Okay. That first photo had the turbine
 10 that was behind our house above the roof line. This
 11 is a photo taken from my backyard. I don't mean to
 12 be rude. I don't want to put my back to you guys.
 13 **CHAIRMAN CORNALE:** You're fine.
 14 **MR. HARTKE:** This is a very oddly set up
 15 room. I feel like I have lots of people to look at.
 16 So in our backyard we have a play set, and
 17 this is the turbine that's -- it's approximately
 18 1600 feet from our playground equipment. My
 19 children are -- I describe them as the outdoors,
 20 feel wild, run-with-the-dog type kids who always
 21 find their way to the creek, and they were only --
 22 they were happy for as long as they were outside.
 23 That's the kind of kids I had. And those cool,
 24 summer, breezy days that kids make memories out of

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1 on the make-believe games and things like that
 2 outside were taken away from us. They could not and
 3 did not want to be outside anymore on those nice
 4 awesome days.
 5 This is my daughter Sophia. She was six
 6 years old in this photo and this is in the summer of
 7 2013. I believe this was in July. And on one
 8 particular night, this is about eleven o'clock at
 9 night, she had been in bed at 8:00 or 8:30 and had
 10 woken up and she was upset and having a hard time
 11 sleeping, and this was when we had noise inside of
 12 our home that was audible and the discomfort feeling
 13 that you have that we've experienced a lot.
 14 And I told her I was sorry, mom and dad
 15 are doing our best to fix the situation, and we're
 16 working really hard to try to overcome it. And I
 17 tried to cuddle her and hold her and do the
 18 nighttime bed routine like we do. And she perked up
 19 instantly, said, daddy, I have an idea, and she
 20 jumped out of bed and ran and dug through a toy box
 21 and pulled out Hello Kitty headphones. And these
 22 are just headphones that kids listen to with music
 23 on their little CD player or play a video game or
 24 something. And she said, daddy, will you let me

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1 wear these to bed and I think these will help.
 2 About two weeks ago I was at my house
 3 checking on it, and I stood in her bedroom and
 4 looked out the window. And the turbine behind her
 5 window, I wanted to take a photo of it because this
 6 is what it looks like from her bedroom window. And
 7 when this turbine spins, it almost fills up the
 8 whole window and it spins and spins and it's a big
 9 distraction, and it's about 1700 feet away. This is
 10 what a GE turbine with -- that's 495 feet tall looks
 11 like 1700 feet away from your bedroom window.
 12 And I put these little circles in there
 13 because it just gives you an idea of what -- the
 14 motion of it. It's not just the tower standing
 15 there still like the photo that you see. This thing
 16 is a moving machine and it grabs your attention.
 17 So we tried everything to stay in our
 18 home. We would get up in the mornings and we would
 19 find our children had moved themselves to the living
 20 room. Phillip would claim the red recliner and my
 21 daughter would claim the green couch. And we would
 22 wake up and they're out there in the living room
 23 because they had gotten up in the middle of the
 24 night and moved into the middle of the house.

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1 And on a bad night, I think it was in
 2 October, my wife and I, we were up, the kids were
 3 already in the living room, and we took our top
 4 mattress off our bed and we drug it into the living
 5 room to sleep with the kids in the living room so we
 6 could get some sleep. We did that for about a week,
 7 and by the time the weekend came, we moved all of
 8 our beds into the living room.
 9 So I have this wonderful, beautiful, three
 10 bedroom house in the country, and it's eerie to be
 11 in that house because there are no beds in any of
 12 the bedrooms. All the beds are in my living room.
 13 We don't have a basement, we just have a crawl
 14 space, and this is the best I could do to try to
 15 escape from the noise.
 16 I want to tell you that this whole
 17 situation is extremely hard on your marriage. Not
 18 only do you spend the first six, seven, eight months
 19 waking up at night and your kids are awake at night
 20 and you're worried about your children, and in the
 21 daytime you're angry at your children because you're
 22 sleep deprived and you're tired and you yell at them
 23 at the baseball park. And you think your kids are
 24 being bad, but they're just exhausted. And you're

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1 exhausted and you have no patience with your
 2 children.
 3 And my wife and I have spent time in bed
 4 at four o'clock in the morning arguing about what
 5 we're going to do. How are we going to fix our
 6 problem? How do we tell people that this is
 7 happening to us? We go places and we tell them and
 8 people just cannot believe it. They don't
 9 understand and I can see that they don't understand.
 10 And to just tell the truth and explain what we did
 11 and ease them into it as to what's going on, and it
 12 usually takes them about ten minutes, with a person
 13 who doesn't believe it, to tell them, hey, this is
 14 the real thing, we don't want this to happen to
 15 anyone else, that's why we're telling you.
 16 This is -- I need to explain something.
 17 I'm a professional land surveyor and an Illinois
 18 professional licensed engineer, and I created this
 19 map. This map -- I also have a big panel here to
 20 leave behind to submit. And this map shows the
 21 exact distances from the wind turbines that we
 22 surveyed from the center of the turbine to the very
 23 closest corner of our home.
 24 And on this map I have my house, which is

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1 this house right here, and also my neighbor Dave and
 2 Jean Miles's home which is located right there. So
 3 the closest turbine is this one, number 75, which is
 4 1665 feet from my house. And this is my least
 5 favorite turbine, number 57, which is 2,225 feet
 6 away. And then this farthest turbine -- there's one
 7 a little closer there that's downwind from me, but
 8 the farthest one that I believe bothers us is
 9 southwest of our house and that's turbine number 56
 10 and that is 3,226 feet away.

11 These two turbines in combination for
 12 about an hour in the wintertime, probably for about
 13 two months each, when the sun is setting in the
 14 wintertime it's more towards the south, and both of
 15 these wind turbines causes shadow flicker. This one
 16 starts, pretty soon they're both -- both blades are
 17 causing like a twin shadow flicker at my house, and
 18 then later on as the sun gets further on down, only
 19 this one is causing us troubles.

20 Of all the times that we asked to have
 21 turbines turned off at night because we couldn't
 22 sleep, there are two occasions that we had number 75
 23 and 57 turned off, those would be the most common
 24 ones turned off, and also the next further one,

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1 number 56 and number -- I can't remember, I'm sorry.
 2 56, 57, 75 and 76, all four of those turbines were
 3 turned off because we were hearing and feeling and
 4 experiencing this noise in our home and we just
 5 could not sleep.

6 This photo was taken by the News-Gazette.
 7 I think -- I don't know when it was. I think it was
 8 probably late summer of 2013. People in this --
 9 this used to be my sign along Route 49 that said
 10 Hartke Engineering and Surveying, and I covered it
 11 up with a 4-foot-by-12-foot panel after Invenergy
 12 quit giving us relief at night and turning off the
 13 turbines.

14 I was very angry that they wouldn't give
 15 us permission to sleep in my own home, and so I
 16 called my sign guy and I said I want a big -- I want
 17 a big sign, I want it to be this size, and I want it
 18 right away, and I think within a week we had this
 19 sign set up. And this was my first time I ever
 20 really put something out there on my property. And
 21 when I -- when I put this sign up and covered up my
 22 name on my business sign, that was a very low moment
 23 because that was when I knew I would be -- would get
 24 this label as, hey, everyone, this is what happened

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1 to this family. I was afraid of being the -- known
 2 for this instead of known for being a good engineer
 3 and good surveyor.

4 These are my neighbors. This is Gina
 5 Isabelli, this is her boyfriend, my wife and I and
 6 our two children, this is my neighbor Jean Miles and
 7 this is my neighbor's, Dave and Jean Miles, daughter
 8 Rachel Miles. I think in this photo Rachel was 17
 9 years old. My children are nine and six in this
 10 photo.

11 For my family, for us, it was all about
 12 the noise. My wife doesn't like the flicker part,
 13 but flicker didn't drive us out of our house.
 14 Flicker didn't cause my kids to get bad grades in
 15 school. Having a house taken from us for the
 16 nighttime hours every time turbines were running was
 17 having our home stolen from you every night. And I
 18 never -- after Invenergy quit turning off the
 19 turbines to let us sleep in our home, I realized
 20 that I asked permission from a young male person in
 21 Elgin, Illinois, who's running a computer, I asked
 22 him permission to sleep in my own house.

23 The noise is three-dimensional. People
 24 can typically stand to hear me talk for about an

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1 hour and 15 minutes.

2 **MR. BLAZER:** Mr. Chairman, if I may, I
 3 haven't heard this witness provide any background in
 4 acoustics or acoustical engineering.

5 **CHAIRMAN CORNALE:** Mr. Hartke, just go
 6 ahead and continue please.

7 **MR. HARTKE:** So the three things about
 8 noise: it's how loud it is; it's the level of
 9 noise, like the frequency, high pitch or low pitch;
 10 and the last part, which I believe is the most
 11 devastating part, is the duration. People can
 12 typically handle being around loud equipment for an
 13 hour or two and then they can get away from it and
 14 rest, rest their ears and their body and get the
 15 tension out of themselves, but at nighttime when
 16 this is incessant and doesn't go away and you're
 17 trying to sleep, it wears you down. Although I'm
 18 not a noise expert, I lived with it and tried to
 19 live with it for almost over a year.

20 I want to compare this to carpal tunnel
 21 disease. A person who types a lot can type and type
 22 and type, but if that person has bad posture and
 23 types, it can injure your hands. I've seen
 24 secretaries with braces on their hands from injuring

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1 themselves during typing.
 2 I also want to compare this to Fed Ex. At
 3 Fed Ex I think you have to weigh -- you have to be
 4 able to lift and carry 40 pounds. If I asked anyone
 5 in this room to pick up this bag and hold onto it,
 6 let's put 40 pounds in it first, and hold onto this
 7 bag, your grip starts to get tired, you can't hold
 8 onto it, and your back starts to hurt because you're
 9 holding this bag the whole time and you're standing
 10 in the same spot and you're not supposed to let the
 11 bag go. This was my nighttime noise torture.
 12 Constant. Always there. My kids holding the Fed Ex
 13 40 pounds in their bed every night all night long,
 14 and it was hurting them, and it's because of the
 15 time part of it.
 16 I was looking for a lot of help to learn
 17 and educate myself, figure out what I could do to
 18 help my family, and I spent nights studying on this.
 19 And I asked help from experts because I'm not an
 20 expert in sound or acoustics. I studied it and I
 21 studied it and I learned it. I think I know more
 22 about sound than some parts of surveying and some
 23 parts of engineering. Although I'm a licensed
 24 engineer and a licensed surveyor, I know more about

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1 sound than all of my experience surveying land. I
 2 know more about sound than I ever cared to know
 3 about sound. For me, it's -- it's a burden.
 4 **MR. BLAZER:** Mr. Chairman, I do have to
 5 object to this letter. This is from an individual
 6 named Stephen Ambrose who appears to be some sort of
 7 an acoustician. He's not on our list. We have no
 8 indication that he's going to be testifying.
 9 There's no basis for this document in this
 10 proceeding.
 11 **CHAIRMAN CORNALE:** All right, just to
 12 clarify, this particular -- particular letter is
 13 from Stephen Ambrose, but it's dealing exclusively
 14 with the wind turbines immediately surrounding your
 15 home; is that correct?
 16 **MR. HARTKE:** I would have no other reason
 17 to contact anyone unless it had something to do with
 18 turbines around my home. This is written directly
 19 to me about my particular case at my house while I
 20 was searching for information. Steve Ambrose is one
 21 of the experts I called and who would call me back
 22 while I was on a dead-end trail looking for ways to
 23 soundproof my home.
 24 **MR. BLAZER:** Mr. Chairman, as you can see

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1 if you read the letter, these comments are not just
 2 limited to the turbines around Mr. Hartke's home.
 3 They provide general commentary on noise issues, on
 4 wind turbines, on other people's research and
 5 studies.
 6 **CHAIRMAN CORNALE:** All right, I think you
 7 hit it right there, general commentary. So we're
 8 going to allow it. It's not specific to our wind
 9 turbine siting. So since it's general commentary,
 10 let's go ahead and allow it. We'll keep moving.
 11 **MR. HARTKE:** Okay, thank you. I was
 12 trying to get my house looked into for
 13 soundproofing, and he wrote about my home used to be
 14 in a quiet rural environment. And he said, Ted,
 15 your reaction to the turbines in your neighborhood
 16 is expected, it's not a surprise, I've dealt with
 17 this lots of times.
 18 And the thing I wanted to point out here
 19 was this. The 35 dB(A) level is where widespread
 20 complaints and sporadic complaints start. And
 21 design goal should be no louder than 32 dB(A) for
 22 neighbors to have no reaction or even have sporadic
 23 complaints at worst.
 24 This is a very popular chart that Steve

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1 Ambrose gives out, and he points out that the
 2 widespread complaints start at 33 and a half dB(A).
 3 Right here (indicating). So if widespread
 4 complaints start at 33 and a half dB(A) from the
 5 1970s EPA research for community noise standards, I
 6 want to know how this happened to my house. If this
 7 noise level causes problems, why do I have these
 8 noise problems at my house? I want to know who
 9 dropped the ball. If I can't sleep in my house
 10 because a turbine was permitted and built next to my
 11 home, somebody didn't do their homework. I want to
 12 know who dropped the ball. I want to know who may
 13 have lied about what the effect was going to be in
 14 my neighborhood that my county board members would
 15 believe it and think it was perfectly fine and let
 16 this to happen.
 17 And the reason I came here tonight is to
 18 hopefully avoid this mess for you. So what needs to
 19 be done to keep this from happening in Livingston
 20 County.
 21 I call this the wind turbine infomercial.
 22 So you see this put in some applications. This
 23 thing is all over the web and GE puts this out. And
 24 they talk about if the turbine is 105 dB(A), it's as

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1 loud as a refrigerator at 40 dB(A) 1312 feet from
 2 your house. These turbines are 1,665 or 2,225 feet.
 3 The noise of a refrigerator did not cause me to
 4 leave home. The noise of a refrigerator, a
 5 household appliance, doesn't cause home abandonment.
 6 I believe that this is a terrible disservice. This
 7 is a cartoon paraphernalia. What's the P word they
 8 drop on war zones?
 9 So I looked at the application for the
 10 wind farm next to my house, and this is done by HDR
 11 Engineering and they're a big engineering company.
 12 This is the front cover sheet. And HDR Engineering
 13 told us these turbines are fine. If these turbines
 14 are fine, why do we have this sign?
 15 So here's HDR Engineering's claim which is
 16 in the Invenergy California Ridge project next to my
 17 house. It says here the loudest predicted turbine
 18 sound level at the receptor -- that would be at my
 19 house -- within Vermilion County is 45 dB(A),
 20 comparable to a refrigerator with a closed door. I
 21 question that.
 22 The character of sound produced is
 23 broadband. It's absent of tones as well as
 24 impulsive or thumping qualities. When I read that,

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1 I think of all the times that I said, hey, our house
 2 is -- we have like a thumping noise, car doors in
 3 the driveway closing, a pulse. If the turbine has
 4 got -- is broadband, absent of tones and especially
 5 thumping qualities, how can this be a true statement
 6 in this HDR Engineering? You know, this is where I
 7 think engineers are wrong here. My fellow engineers
 8 are lying to people.
 9 Then they say this. These conservative
 10 additions result in predicted sound levels in excess
 11 of sound levels likely to be generated during
 12 turbine operation. So they say that we're going to
 13 be conservative and this is louder -- we're going to
 14 say it's going to be louder than it actually will
 15 be. That's a preposterous statement. I can't
 16 understand why someone would sign a document with
 17 their engineering license and put that out there.
 18 That's crazy.
 19 Here's some more of their claims. With
 20 the conservative additions, the analysis indicates
 21 that the majority of locations would experience less
 22 than 40 dB(A). I don't think I would experience
 23 being in the majority of locations. So is this like
 24 Russian roulette? Hey, we're going to place

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1 turbines. Most of them are going to be under 40
 2 dB(A). What about the ones that aren't? Hartke,
 3 Miles, Isabelli, Lomax, Pease, and those families, I
 4 guess they're screwed. We don't protect everyone;
 5 just most. And this engineer signed on that they
 6 protect just most.
 7 I think I broke the pointer. Does anybody
 8 have a pointer? I'm just going to read what's
 9 underlined here. This level is sufficiently low to
 10 minimize or eliminate any potential for sleep
 11 interference. What the heck? This is sufficiently
 12 low to minimize or eliminate any potential for sleep
 13 interference. These guys are wrong. I can tell you
 14 that this did not eliminate sleep interference in my
 15 house at these levels per the application.
 16 So the Invenergy Vermilion County
 17 application has major problems. Majority of
 18 locations would experience sound levels of less than
 19 40 dB(A). This level is sufficiently low to
 20 minimize or eliminate any potential sleep
 21 interference. If true, then why Hartke home
 22 abandonment after sleep deprivation issues
 23 persisted?
 24 I want to go back to this famous chart

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1 here. This is the sleep chart. The widespread
 2 complaints are 33 and a half. And this is
 3 information from 1970s. Here's some more.
 4 Anybody have a laser pointer yet?
 5 **MR. LUETKEHANS:** Ted, hold on. You have
 6 to stop speaking so she can look.
 7 (Off the record.)
 8 **MR. HARTKE:** Look at what's underlined
 9 here. HDR's analysis concludes that overall,
 10 A-weighted sound levels modified from -- modelled
 11 from the 134 GE 1.6-100 wind turbines will be
 12 consistent with levels that are considered within
 13 tolerance of safety for human health and welfare and
 14 at or below ambient environmental noise levels
 15 existing on-site today. So now they claim later on
 16 that the sound levels of the turbines is at or below
 17 the ambient environmental noise. I can tell you
 18 that that is a joke. It's not even funny. That's
 19 disgusting, that's an outright lie, and I can't
 20 believe HDR Engineering would put that in a
 21 document.
 22 If there's any statements like any of
 23 these statements that I just showed you in any of
 24 the application forms, that needs to be tossed out

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1 because it's technically impossible and it's
 2 incorrect.
 3 This is a noise level compliance report
 4 from Michael Hankard and Dr. Paul Schomer. This was
 5 prepared for Jeep and Blazer. I noted here that
 6 Mike Blazer one time said, "Blades are designed to
 7 fall straight down." And when Mike Hankard came to
 8 my property on my north property line and I met him,
 9 he said just a few things to me and one thing stuck
 10 out. He said, "I don't envy you one bit." Michael
 11 Hankard was there to prove that Invenergy was under
 12 the numerical sound limits and he told me, "I don't
 13 envy you one bit." I told Michael Hankard that I
 14 was requesting that he complete his study per the
 15 IPCB standard protocols and follow it to a tee or it
 16 would probably cause problems later on.
 17 Dr. Paul Schomer lives in Champaign,
 18 Illinois, and when we had problems, my wife called
 19 him on April the 5th. This was before anybody knew
 20 that I was having troubles, besides a handful of
 21 Invenergy employees, because on April 15th at the
 22 Potomac Grade School gymnasium was the first time
 23 that my wife and I ever told anyone in public that
 24 we were having any troubles.

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1 So on April 5th, my wife was told by Dr.
 2 Paul Schomer, "I am under contract doing research
 3 for Invenergy." Those were his exact words that my
 4 wife wrote down after she talked to him. That's
 5 going to become very important later on.
 6 So this is from Michael Hankard's sound
 7 study. This is one of his exhibits. They set up
 8 microphones out in the bean field here near this
 9 turbine, one next to my neighbor's house, across
 10 Route 49. They set one of them on my north property
 11 line. My property's in this blue area. Dave
 12 Miles's property, this is where he has his house,
 13 and there's a narrow lot with an old house in
 14 between separating his main house property from
 15 where Dave Miles built a brand-new shed in 2012, the
 16 same time as they were building wind turbines. So
 17 this -- others down here was right next to my north
 18 property line.
 19 We were accused of not cooperating with
 20 Invenergy as we were looking at their property
 21 access agreement from before they did the sound
 22 study, and we looked at that and that contract was
 23 very one-sided. May be perhaps the same type of
 24 contract that they have with farmers around here.

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1 It's very, very, very one-sided. We thought it was
 2 ridiculous to give them full access to all of our
 3 property when the IPCB rules say that the sound
 4 level measurements from the property line noise
 5 source, those measurements must be measured at the
 6 property line. They had no reason to even come on
 7 our property to do their measurements, but they like
 8 to blame it on us for being uncooperative.
 9 So this is a note within Michael Hankard's
 10 March of 2014 report. I'm just going to read some
 11 slides to you. It's going to be boring, okay? "The
 12 first step in the data analysis process was to
 13 determine which month or months of data to include
 14 in the analysis. There were very limited maximum or
 15 near maximum turbine operations in August or
 16 September due to light winds and the facility was
 17 under a U.S. Fish and Wildlife Service endangered
 18 species curtailment order where most of the turbines
 19 did not operate under the low wind conditions."
 20 So the U.S. Fish and Wildlife Service had
 21 a prearranged agreement with Invenergy that they
 22 couldn't run their turbines during August and
 23 September, and Invenergy and their spokespeople
 24 claim that we were uncooperative and they had to get

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1 -- they had to get the sound studies started. And
 2 they wanted us to sign this contract immediately and
 3 they pressured us to sign this contract and said we
 4 were being uncooperative, and they still showed up
 5 first week of August because they had to get their
 6 sound studies started.
 7 Those first two months -- when they showed
 8 up at the October 8th county board meeting, we said,
 9 hey, August and September, it's been like a
 10 vacation. These turbines haven't been running. And
 11 then they said, oh, wait, we need to get more data.
 12 Those are bad wind months, we need to get more data.
 13 So we asked later on in the year, Steve
 14 Ambrose shows up again here and --
 15 **MR. BLAZER:** Mr. Chairman, this one I will
 16 object to. This one is not general information.
 17 This one is specific to Mr. Ambrose's purported
 18 criticisms of the sound study at California Ridge.
 19 **AUDIENCE VOICE:** Excuse me.
 20 **AUDIENCE VOICE:** Can I ask a question?
 21 I'm not familiar with your format here, but is
 22 anybody allowed to interrupt the presenter?
 23 **AUDIENCE VOICE:** No.
 24 **CHAIRMAN CORNALE:** No.

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1 **AUDIENCE VOICE:** Not this guy either?
 2 **CHAIRMAN CORNALE:** Well -- all right.
 3 **MR. HARTKE:** I'd like to point out --
 4 **MR. CHAIRMAN CORNALE:** Hold on, Mr.
 5 Hartke, hold on.
 6 **MR. HARTKE:** This is my house and my
 7 situation and the sound study that happened at my
 8 house, behind my house. I'm trying to point out
 9 that they --
 10 **MR. BLAZER:** Mr. Chairman, there's an
 11 objection pending.
 12 **MR. LUETKEHANS:** And he's responding to
 13 it. Doesn't he have that right?
 14 **CHAIRMAN CORNALE:** The particulars of this
 15 are, there again, for the California Ridge project,
 16 so we -- you can continue. Since it's not
 17 specifically about our wind farm, we can allow this.
 18 **MR. HARTKE:** Okay, so Steve Ambrose. Do I
 19 get two more minutes on my hour and 15?
 20 Mr. Ambrose writes this letter to me. He
 21 looked over Mike Hankard -- oh, by the way, Dr.
 22 Schomer -- I mean Steve Ambrose called Michael
 23 Hankard and said, hey, I want to talk to you about
 24 this, I'm going to review your work, and Michael

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1 Hankard failed to return the phone call. And that
 2 could be hearsay evidence, but I think you could
 3 follow up with Michael Hankard and ask him if Steve
 4 Ambrose, his former coworker at Stone and Webster,
 5 talked to him.
 6 So he completes his review. He noticed
 7 that the IPCB rules were not followed. None of the
 8 measurements were done with any observations, okay?
 9 The IPCB rules require that any sound that's
 10 measured and recorded must have an observer there to
 11 eliminate questionable data, such as a semi truck
 12 drove by, a lawn was mowed or a combine was
 13 operating or the bin fan turned on or turned off a
 14 mile away, because you can hear that. And if you
 15 only have measurements with no observations, it's
 16 garbage in, garbage out. You have no idea what you
 17 have.
 18 So he said that there was -- it was made
 19 without an observer, measurements were made during
 20 the curtailment of the turbines, and it was a highly
 21 subjective methodology used to select the noise
 22 level measurements for the analysis.
 23 One of the statements in Hankard's report
 24 was that at certain points turbines reach a maximum

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1 rotational speed, and the noise levels do not
 2 continue to increase with increasing wind speed.
 3 Many of the county acousticians, including in this
 4 statement, say it's totally false. Blades can be
 5 feathered to produce less electric output and noise
 6 at lower RPMs. Dave Miles and I can tell you before
 7 we get home if the turbines are noisy or not. We
 8 can tell by looking at them. I should have drawn a
 9 picture of this.
 10 When the turbines are quiet and the blades
 11 are feathered, the blades are tipped out of the
 12 wind, and from the stem of the tower, those blades
 13 will reach out and bend out away from the tower.
 14 When they're running at a good clip and a speed and
 15 they're producing power that we can tell and it's
 16 moderately loud but you can stand it, those blades
 17 will be feathered and turned and they'll be catching
 18 that wind. They'll be perfectly straight when you
 19 look at it on the side like a profile view. When
 20 they're noisy, these blades are fully tipped into
 21 the wind trying to catch the most wind possible and
 22 make the most power with the most coverage, and when
 23 they're like that and there's a lot of wind pressure
 24 on them, the tips of the blades will be curled and

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1 tipped backward and be closer to the stem of the
 2 tower than what it is at the height of the hub.
 3 This is what Steve Ambrose talks about.
 4 You can feather those blades and they can be quiet
 5 because they're just dumping wind, they're
 6 freewheeling, or they can -- rotational speed has
 7 nothing to do -- doesn't not have nothing to do, but
 8 has less to do with the noise compared to being at
 9 full tipped into the wind to catch the most wind.
 10 He has conflicting statements on page 10.
 11 The purpose of the subject measurements is to
 12 demonstrate to a reasonable degree of scientific
 13 certainty, but on page 14 it says we do not know
 14 exactly when or where it occurred. We're not
 15 confident with a reasonable degree of scientific
 16 certainty when they're trying to separate harvest
 17 noise from the turbine noise. If there's no
 18 certainty or confidence, they should've had a guy
 19 there observing measurements per the IPCB standards.
 20 Just a second. Okay, repeatedly we've
 21 asked Invenergy we're going to have our own sound
 22 acoustician look at all your work and we want to
 23 review it. Invenergy said no problem, we'll share
 24 the data with you, we have nothing to hide. So we

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1 asked for the SCADA data for turbines 55 -- or 56,
 2 57, 75 and 76, and they alluded to that we're going
 3 to get the data when it's available and it got
 4 delayed. And finally when the report came out, they
 5 said that's all the data, that's all you're getting,
 6 that's it, and they refused to hand over any
 7 production SCADA data for these four turbines.
 8 Michael Hankard in his report talks about
 9 how he has a rotational speed for each turbine
 10 that's close to my house, but when he gives power
 11 output, he only gives power output for the entire
 12 wind complex. We were not measuring the entire wind
 13 complex power output. We want to know what the
 14 power output was for these four turbines. We
 15 suspect that they freewheeled these turbines and had
 16 these blades curtailed. I suspect that during the
 17 testing when it was pretty darn quiet and not near
 18 as bad, I suspect that they had their blades
 19 feathered and they were freewheeling their turbines,
 20 which is perceptibly -- visually you can't tell the
 21 difference, but in our house, we can tell the
 22 difference inside our house.
 23 So Steve Ambrose sums it up. Before he
 24 signed off, he says, "The noise level compliance

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1 analysis by Michael Hankard report should not be
 2 used as a reference source for any purpose." Don't
 3 use this report for any purpose. It was not done
 4 right, it has questions in it, there's issues here.
 5 And I wrote on there I take exception to that
 6 because we should use this for the purpose of
 7 pointing out shortcomings for other wind farm
 8 applications from Invenergy.
 9 So earlier I talked about HDR making a
 10 claim about this being nonimpulsive, and I was
 11 reading some stuff and found this. The doctor --
 12 Irish Doctors' Environmental Association, whoever
 13 they are, they wrote here, "Because of its
 14 impulsive, intrusive and sometimes incessant nature,
 15 the noise generated by wind turbines is particularly
 16 likely to disturb sleep." That's what I'm here to
 17 tell you. That's a true statement. And HDR, I have
 18 no idea where they got their stuff from.
 19 Does anybody know what this word is?
 20 Looks like ingenious, right? This is what ingenious
 21 is. That's the U of I State Farm Center, used to be
 22 called the Assembly Hall. Inventive, creative,
 23 imaginative, pioneering, resourceful, enterprising
 24 and inspired. That's ingenious.

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1 This is my daughter's interpretation of
 2 that. My daughter drew this after a dentist
 3 appointment on March 6th. I took her to her dentist
 4 appointment, we got back to my office, she does her
 5 thing, grabs the colors or whatever, pens and
 6 highlighters is all I have, and she made this. And
 7 I thought, oh, my God, I didn't know what to think
 8 about this. And my daughter is seven years old, so
 9 she knows, she knows what this is and knows what has
 10 happened, she lived it, so she wrote this to explain
 11 her drawing.
 12 By Sophia Ruth Hartke. I'm going to read
 13 it. You may think wind turbines are good, but when
 14 you have fifty by your home, you can't sleep in your
 15 own room and you try to sleep but you can't because
 16 of the wind turbine "ingen nous". I had to move to
 17 a mobile home because my mom, dad and brother plus
 18 me couldn't sleep. And that's what "ingen nous" is,
 19 not ingenious. It's engine noise. That's my
 20 innocent daughter who's telling me this. I want you
 21 to listen to my daughter.
 22 On Christmas morning, it had snowed. I
 23 drove to my house to go get my newspaper. I drove
 24 to my house to go get my newspaper. And I had never

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1 seen snow from the road looking at my house that did
 2 not have wheel tracks, dog prints, children
 3 destroying the snow. That's what God invented snow
 4 for, so children could destroy it and wreak havoc in
 5 the front yard. And I can't believe that I pulled
 6 up and saw my house like this. And I stopped and
 7 took a photo of it.
 8 So how far away is the nearest, newest
 9 turbine planned near you? Are you at a safe
 10 distance which protects your health? Some
 11 acousticians who have studied wind turbine noise
 12 have called for safe setback distances of 1.25
 13 miles. 1.25 miles is how far my current mobile home
 14 where I live. It was my wife's deceased
 15 grandmother's mobile home in Collision, Illinois.
 16 Once or twice a week we can hear wind turbines and
 17 feel them and hear them inside of our house when
 18 it's quiet at night and we're in bed.
 19 What's the safe distance promoted by
 20 doctors for the most recent wind farm projects
 21 throughout the world? Everybody wants to know why.
 22 Why, why, why.
 23 **CHAIRMAN CORNALE:** Mr. Hartke, just to
 24 tell you, about 30 minutes.

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1 **MR. HARTKE:** 30?
 2 **CHAIRMAN CORNALE:** Yes.
 3 **MR. HARTKE:** Did you give me the extra
 4 five?
 5 **CHAIRMAN CORNALE:** No, we can give you an
 6 extra five.
 7 **MR. HARTKE:** I think we're going to be
 8 good. So first, some of this I'll briefly touch.
 9 The McPherson study, it's the McPherson whatever.
 10 Bruce McPherson is a guy who lived in a house that
 11 was disturbed by wind turbine noise. And the
 12 problem with wind turbines, it's worse than
 13 railways, it's worse than road traffic, it's worse
 14 than air traffic because of its infrasound
 15 component. I lived next to railroad tracks in
 16 college and that was nothing. Five or ten minutes a
 17 train would go by, in five or ten minutes it would
 18 be gone, and I could sleep for the next hour. That
 19 was nothing.
 20 My house is close to Route 49, my neighbor
 21 David G. Miles's house is like 80 feet from Route
 22 49, and a semi truck would go by and rumble by at
 23 night, or a snowplow banging on the pavement, maybe
 24 that would wake them up, but they lived there a long

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1 time right immediately next to the highway. I think
 2 it has 1600 cars a day or something like that.
 3 Here's a letter from Bill Mulvaney. He's
 4 the superintendent of my children's school. He
 5 wrote headaches and lack of sleep, jaw issues, seem
 6 to be the most common. For my son and I, he had
 7 some teeth grinding problems because we would tense
 8 up at night trying to sleep. I think it was in my
 9 sleep I would tense up because I'm trying to block
 10 out the noise. And you get around something very
 11 loud and your whole body tends to get tense, and
 12 that's what I feel like my jaw issue that I had was
 13 from.
 14 I would -- the superintendent of the
 15 school says, "I was not fully aware of the impact
 16 that the wind turbines would have to my school
 17 districts. It's never a good thing when children
 18 have health issues or families have to leave their
 19 homes to get away from the turbines." He's talking
 20 about my family. "The revenue generated by the
 21 turbines is a blessing, but the unintended
 22 consequences are real. I hope this letter sheds
 23 light on the real issues that affect districts that
 24 house wind turbines -- wind farms. I hope that when

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1 ordinances are discussed these issues are
 2 considered."
 3 So we should verify things before
 4 welcoming turbines. So this is what I learned.
 5 Insulation will not help soundproof your house
 6 against low frequency noise. Some people have
 7 terrible reactions to low frequency noise. I have
 8 next door neighbors east of my home, the Harrisons,
 9 no problems. I never said that this was for
 10 everybody. But next door I've asked them, did you
 11 guys have an okay night, did you wake up any? And
 12 they said, Ted, I'm sorry, but we seem to be doing
 13 fine. But my neighbors on the other side, Dave and
 14 Jean Miles, they're not fine and I'm not fine. So
 15 it doesn't happen to everyone.
 16 It seems to have the most profound effect
 17 on those who are susceptible to motion sickness. We
 18 have a little bit of that in our house, but we're
 19 not horribly motion sick for my family. I know that
 20 rumbling engine noise kept me from being able to
 21 relax the last 5 percent to allow sleep. You could
 22 probably watch TV or read a book or be awake, but
 23 you cannot sleep with that last little bit of
 24 rumbling noise in the background.

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1 Many people have abandoned their homes.
 2 We're surprised by the number of people that read
 3 about us and they email us or call us and they say,
 4 oh, my God, can you help us? And I say not -- I
 5 can't really help you. I can give you some advice,
 6 but we're having a problem that's not fixable.
 7 We've been sleeping much better now that
 8 we live away from our house. And we do not want
 9 anyone else to suffer losses which we suffered
 10 through. It's always easier to learn from the
 11 mistakes of others.
 12 So Edgar County Watchdogs is a group from
 13 Vermilion County, and they had some comments about
 14 this too. This is a posting on their website after
 15 a visit from Mike Blazer. Mike Blazer told my
 16 county board, "We've heard for the first time today
 17 all of a sudden low frequency bands," and further,
 18 that "Each and every time we received a complaint,
 19 it would be forwarded to me and the sound engineer
 20 all the way back to February." That's what he told
 21 my county board.
 22 Here's an email from March 25th. From the
 23 last line, as of 11:05 p.m. we still hear turbine
 24 low frequency sound inside our house. I thought he

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1 said each time they forwarded it to the sound
 2 engineer all the way to February. This email must
 3 have got lost.
 4 This one got lost too. Sorry to email
 5 you -- I'm sorry to have to email you again. We
 6 have the perfect pitch of noise/vibration not
 7 allowing us to sleep. Today is the first time I
 8 ever heard we are talking about low frequency noise
 9 was one of Blazer's comments during that meeting.
 10 Here's April 13. This is two days before
 11 we told the public at the April 15th Potomac
 12 hearings. MW is Matt Wingler. At first I put that
 13 up there thinking I'd keep him anonymous, but Matt
 14 Wingler is the manager of the California Ridge
 15 project, and his office is about a mile east of my
 16 house. Let's see here. Here's where I talk about
 17 clenching my teeth and my -- when Jess wakes up, she
 18 has a headache and a sensation of being shaken awake
 19 by vibrating of her feet and lower legs down at the
 20 end of the bed.
 21 Oh, I'm talking about trying to meet with
 22 contractors here, but all the contractors bailed on
 23 me when they figured out, like me, that low
 24 frequency noise cannot be insulated against.

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1 April 17th, two days after the Potomac
 2 hearing, I said we have rumble, drum beat vibration
 3 which is just as loud as the engine droning low
 4 frequency sound, like a parked train with diesel
 5 engine rumbling.
 6 So the quote at the top, "Every time we
 7 received a complaint, complaint was forwarded to me
 8 and forwarded to the engineers, and also every
 9 single complaint since February." I posted --
 10 pasted this out of the recent sound study. On May
 11 20th, 2013, the turbines next to my house are 15
 12 RPMs, maximum rotation, the site power is 95 percent
 13 power for the whole project, and the note is that
 14 this is near maximum turbine operation. So here's
 15 all our complaints, and look at all the RPMs and the
 16 site outputs. Michael Hankard complimented us and
 17 said, hey, these Mileses and these Hartkes, they
 18 never cried wolf, because each time they cried --
 19 they complained, it correlated with maximum RPMs and
 20 high output for the whole wind farm. So on May 20th
 21 they got that one.
 22 Here's my May 20th 10:44 p.m. Looks like
 23 here's 2200. That's ten o'clock. Here's the actual
 24 email, 10:44. This is the third time in a row that

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1 Invenergy has refused to help us on noisy nights. I
 2 sit here listening to noisy turbines thinking of
 3 what I should do next. Turbines make terrible
 4 neighbors. My wife is upset. She's trying to
 5 sleep. My wife and I are arguing here. I hope my
 6 kids are doing okay upstairs. As a dad, I wonder if
 7 I'm doing the right thing. What's best for my
 8 children? They have school tomorrow.
 9 I would -- I got my kids out of bed. I
 10 would drag them out of bed, I would put their
 11 clothes on, put on a backpack and shove them out the
 12 front door. I did that over and over and my kids
 13 were not ready to go to school. I can't tell you
 14 how many days I did that and turned to my wife at
 15 the front door and we were speechless. We didn't
 16 know what we were going to do. And I wrote I hope
 17 that our last fourth contractor has a solution for
 18 soundproofing against low frequency noise.
 19 So this morning I took a picture of my
 20 children. This is Phillip and that's Sophia. I was
 21 talking about this with a friend from Mahomet, her
 22 name is Kelly Pfeiffer, and I said, you know, Kelly,
 23 we've been through hell, and my kids, they've been
 24 really tough, my kids have been amazing and they're

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1 really tough. And she said, Ted, people say that.
 2 That's the biggest copout of all time. The biggest
 3 copout of all time is that kids are tough and they
 4 can adjust.
 5 So my daughter Sophia was five years old
 6 when this started. Now she's eight years old and
 7 she's a gymnast. My son Phillip was eight years old
 8 and now he's going on 20. How much of my child's --
 9 of my children's childhood gets to be spent missing
 10 their dad on Wednesday nights, whatever the heck
 11 today is, March 25th, and not put them to bed, not
 12 watch the Scholar Bowl meet, not take her to
 13 gymnastics and not eat supper with them, and I come
 14 here and try to help out other communities with
 15 other children just like my children. And I tell
 16 them all the time, kids, I'm going to be gone
 17 tomorrow night, I'm not going to see you, but I'm
 18 doing it for a good reason. It's not a work
 19 meeting; it's volunteerism.
 20 And I'm trying to get the most out of
 21 what's happened and get it -- I gave out my fliers,
 22 15 cents at a time, try to give away my house to get
 23 the most good out of it because it's ruined, but I'm
 24 not -- I refuse to let my house get wasted.

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1 Children are the most vulnerable things on
 2 planet earth. They are gifts from God. They need
 3 to be nurtured, loved and protected against all
 4 things, especially this thing that I'm talking about
 5 tonight. Children need responsible adults to make
 6 life's decisions for them. Our children cannot make
 7 decisions for themselves. It's up to me and it's up
 8 to you. I think you need to do a poll and find out
 9 how many children live in this wind farm and find
 10 out how many of them are worth however many dollars
 11 per turbine per year that you guys can get for
 12 taxes. See if it balances out.

13 People want to say that we can do whatever
 14 we want on our own land. I'm a land surveyor.
 15 People fight about one foot of real estate. In the
 16 middle of town, they fight over inches. Out in the
 17 country, we fight over a few feet because they're
 18 not making any more land.

19 When I do a survey, today I'm working for
 20 a client on the east side of the line, but a month
 21 or two years from now, I'll be working for the
 22 offspring of the family living on the west side of
 23 that line. And I know that my job is to put it in
 24 the right place, and it doesn't matter who the

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1 client is. In this case, the property rights go up
 2 to the property line. It doesn't matter whose side
 3 is what on which side. Both property owners have
 4 their own property rights.

5 I was totally cool with my neighbor
 6 farmers growing 25 foot tall corn with 40 ears per
 7 stock and getting a million bushels per acre or
 8 growing marijuana in their field. If they can
 9 legally make money being prosperous and being
 10 farmers and cultivating the land, getting the most
 11 best use out of it, that's awesome. I was totally
 12 cool with my neighbors having wind farms and wind
 13 turbine leases. I never ever, one time ever
 14 complained or felt any feelings of jealousy that my
 15 neighbors were having turbines and making all this
 16 money. I never felt that.

17 And the moment that changed was right
 18 here. They can do what they want on their land, but
 19 not when those activities come into the sacred
 20 private places, such as my daughter Sophia's
 21 bedroom -- that's her bedroom that I have provided
 22 for her and not Invenergy's bedroom -- Phillip's
 23 bedroom and my wife and I's bedroom. That was our
 24 sacred space.

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1 And wind turbine low frequency noise is a
 2 well-kept secret nobody wants to talk about and just
 3 sweep under the rug, but we need to shed a spotlight
 4 on it. It's just as good a secret as asbestos. We
 5 have asbestos in all our schools and buildings and
 6 public buildings and we're paying for it. Lead
 7 paint. You have to have lead paint disclosure in
 8 your home if you sell it. We got rid of lead --
 9 we're getting rid of lead paint. We're dealing with
 10 asbestos.

11 Think about cigarette smoke. Used to be
 12 you'd go to a restaurant or bar and it was smoky
 13 because everybody smoked. Then they had a smoking
 14 section because it was backwards and people didn't
 15 like smokers. Some people don't like turbines
 16 either. Pretty soon they had some setbacks between
 17 the smoking section and nonsmoking. Pretty soon it
 18 was illegal to smoke in buildings. We've got to
 19 move these smokers -- and turbines -- out further,
 20 put them outside, outside the door, and now it's 15
 21 feet outside the front door. State law, right? 15
 22 feet outside the front door.

23 Well, that sounds like the turbine story.
 24 When turbines got bigger and bigger and bigger,

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1 those setbacks didn't go with them. They needed to,
 2 but they didn't. And wind company says, hey, no
 3 problemo, refrigerator noise, just think
 4 refrigerator noise, okay?

5 Livingston County should not be the
 6 location of Invenergy's next science experiment. No
 7 way. I'm giving you my house. I'm giving you my
 8 evening away from my kids. There ain't no way I'm
 9 going to let that happen. If I can say something or
 10 do something or tell you something, I'll do that.

11 And I'll take any kind of questions that
 12 you want.

13 **CHAIRMAN CORNALE:** Mr. Hartke, thank you.
 14 **AUDIENCE VOICE:** Thank you, Ted.
 15 **CHAIRMAN CORNALE:** I think this is a good
 16 opportunity right now. Why don't we take -- why
 17 don't we take a ten minute break. Mr. Hartke, too,
 18 thanks for keeping yourself on schedule. So I got
 19 7:40, so 7:50. Why don't we come back at 7:50 and
 20 we'll get going again.

21 (Recess at 7:40 p.m. to 7:51 p.m.)
 22 **CHAIRMAN CORNALE:** Okay, if we can go
 23 ahead and try to make our way back to our seats,
 24 we'll get going again. All right, Mr. Hartke, we'll

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1 go ahead and take questions at this point. Are
 2 there any school boards, school districts,
 3 government entities that may have any questions of
 4 Mr. Hartke?
 5 **MR. MARK SLAGEL:** I do.
 6 **CHAIRMAN CORNALE:** As a school board
 7 member?
 8 **MR. MARK SLAGEL:** Yes. You remembered.
 9 **CHAIRMAN CORNALE:** State your name for us
 10 and the government body you represent.
 11 **MR. MARK SLAGEL:** Mark Slagel. I'm a
 12 member of the Prairie Central Board of Education.
 13 **QUESTIONS BY**
 14 **MR. MARK SLAGEL:**
 15 Q. Just a couple quick questions. You said
 16 you noticed your kids being tired and stuff in the
 17 morning. Has it had a direct effect on their grades
 18 and stuff at school and maybe some attendance too?
 19 **A. Yes on both answers. After a night or two**
 20 **or three nights of noise all night and our son**
 21 **Phillip was up all night -- my child Phillip is a**
 22 **straight A student, he's never had anything besides**
 23 **an A on any report card, and after those nights, he**
 24 **would come home at the end of the week with math**

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1 **tests and he'd have numerous answers on his test**
 2 **blank, no answer. And I'd grab him and say,**
 3 **Phillip, this is old stuff, you took -- you knew**
 4 **these easy algebra questions a year ago. And he**
 5 **said, daddy, I'm just too tired, I can't think, I**
 6 **can't remember the answers. And it only takes two**
 7 **or three exams like that and my son brought home a B**
 8 **plus on his report card in math, and that just**
 9 **didn't make any sense. My kid, he's a whiz, and --**
 10 **so he came home with bad grades.**
 11 **My daughter Sophia had some difficult days**
 12 **at school, she was very exhausted, and I have gone**
 13 **to school from my work job, work site in Champaign,**
 14 **drive all the way to Armstrong, pick up my daughter.**
 15 **And the one instance I think of when I did that**
 16 **specifically, I grabbed my daughter from school, I**
 17 **went home with her, it was too noisy in my house. I**
 18 **took her to my office and my daughter slept on a --**
 19 **we had like a little leather couch in a spare space**
 20 **in my office. So, you know, when your children are**
 21 **sick, you should take them home and not -- so they**
 22 **can sleep and not in the office, at your office**
 23 **where you work and there's lots of phone calls and**
 24 **activity.**

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1 **So does that answer your question, sir?**
 2 Q. Yes. And it's probably not fair to ask,
 3 but I'm sure your kids aren't the only ones
 4 affected. Do you know of any other circumstances?
 5 **A. I know of other circumstances, and these**
 6 **are my neighbors that you're referring to, and I --**
 7 **I do not want to answer those questions so they can**
 8 **remain anonymous. In this case, it was not the**
 9 **entire household of kids, but it ended up affecting**
 10 **just one grade school-aged student in two different**
 11 **homes that I'm aware of that are neighbors of mine**
 12 **that are -- that have children in the younger**
 13 **grades, such as my son's age. And I do have a**
 14 **neighbor with a teenaged daughter that has had**
 15 **nights that she has not been able to sleep and had**
 16 **the car sickness-like discomfort, the headache, the**
 17 **queasiness type issue. But I decline to tell you**
 18 **their names. I want to respect their privacy.**
 19 Q. Yeah, that's fine with respecting that,
 20 sir.
 21 **MR. MARK SLAGEL:** No more questions, thank
 22 you.
 23 **CHAIRMAN CORNALE:** Thank you. Any other
 24 school districts or local government bodies? All

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1 right. Mr. Blazer, have any questions for Mr.
 2 Hartke?
 3 **MR. BLAZER:** Yes, sir, thank you.
 4 **QUESTIONS BY**
 5 **MR. BLAZER:**
 6 Q. Mr. Hartke, do you know what turbines are
 7 proposed for this project?
 8 **A. I have no idea what type or size -- well,**
 9 **I may have been told before, but I have not paid**
 10 **attention to size or the type of wind turbines for**
 11 **here.**
 12 Q. Okay. I believe you said that you started
 13 complaining to Invenergy that the turbines were too
 14 loud shortly after the project began operation; is
 15 that correct?
 16 **A. Yes, my first --**
 17 Q. Yes was fine.
 18 **A. -- documented one on January 20, whatever**
 19 **I told you, to Marlin Conroy.**
 20 Q. And in response to those complaints,
 21 Invenergy started turning the turbines off nearest
 22 your home; is that correct?
 23 **A. That's correct.**
 24 Q. And -- but they told you that that wasn't

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1 going to be a permanent solution, do you remember
 2 that?
 3 **A. Yes.**
 4 Q. And you agreed to get some quotes for
 5 soundproofing your house, correct? Is that correct,
 6 sir?
 7 **A. Oh, I tried and they --**
 8 Q. Were you -- I'm sorry.
 9 **A. I agreed to get quotes for soundproofing.**
 10 Q. Okay. I'm going to hand you a stack of
 11 documents.
 12 **A. Sure.**
 13 Q. We're going to be going through a few of
 14 these. All right, so let's go to -- you can put
 15 them on the table there. It's going to be easier
 16 for you. Let's go to April 2013. This is Pleasant
 17 Ridge Exhibit 132 and this is an email exchange
 18 between you and Matt Wingler who's the operations
 19 and maintenance manager at the California Ridge
 20 project, correct?
 21 **A. Yes, sir.**
 22 Q. All right. And you're telling Mr. Wingler
 23 here that you've been doing lots of research on
 24 windmills and insulation working towards a

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1 consistent request to get contractors competing for
 2 the same construction details, correct?
 3 **A. Yes.**
 4 Q. And then you said you hadn't had time to
 5 meet with the contractors, but you had two of them
 6 that you wanted to start discussions with; is that
 7 correct?
 8 **A. Yes, sir.**
 9 Q. And you're saying the turbines are really
 10 loud? The next sentence, correct?
 11 **A. Yes.**
 12 Q. Okay. And then Mr. Wingler responded a
 13 couple of days later and he pointed out that this
 14 had been going on for four weeks already and they
 15 would like to get moving along, correct?
 16 **A. Yes.**
 17 Q. Okay.
 18 **A. We done with this one?**
 19 Q. Yes. And you did understand, at least as
 20 of April 15, 2013, that you needed to make some
 21 progress on getting those quotes, right?
 22 **A. Yes, and I was working very hard to make**
 23 **any kind of progress because we weren't sleeping.**
 24 Q. Okay. Your background is in civil

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1 engineering; is that correct?
 2 **A. Yes.**
 3 Q. And surveying?
 4 **A. Yes, engineering and surveying both.**
 5 Q. Okay. And I think you mentioned this.
 6 You're not a noise expert?
 7 **A. I am not licensed in any noise issue and I**
 8 **do not offer any noise consulting work for a client**
 9 **or get paid or anything like that, not**
 10 **professionally. My noise knowledge --**
 11 Q. You're not an acoustic engineer; is that
 12 correct?
 13 **A. I am not --**
 14 **MR. LUETKEHANS:** Can he finish the answer
 15 please, Mr. Chairman?
 16 **CHAIRMAN CORNALE:** Go ahead and finish the
 17 answer. You already have stated this, so if we can
 18 avoid questions that he's already made the statement
 19 previously.
 20 Q. Okay.
 21 **A. If I can finish the question -- the answer**
 22 **here. I have no intention to make a claim that I am**
 23 **any sort of acoustician or whatever. I was trying**
 24 **to solve sleeping issues for my wife and myself and**

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1 **my children. I was very highly motivated to fix**
 2 **this problem. I looked many places, I could not**
 3 **find any help, and I worked diligently many times to**
 4 **contact soundproofing companies to soundproof**
 5 **against the particular noise that we were**
 6 **experiencing. I -- I never found a solution.**
 7 Q. Your company is called Hartke Engineering
 8 and Surveying; is that correct?
 9 **A. Hartke Engineering and Surveying**
 10 **Incorporated, yes, sir.**
 11 Q. Okay. And you started that company in
 12 early 2011?
 13 **A. I started in -- it was approximately April**
 14 **1st, 2011.**
 15 Q. Okay. And before that time, you were at
 16 F-O-T-H. It's pronounced Foth; is that correct?
 17 **A. It's Foth just like both.**
 18 Q. Foth and Associates for several years?
 19 **A. It was Foth and Van Dyke and then became**
 20 **Foth Infrastructure and Environment. And I worked**
 21 **at Foth the previous five years before Foth**
 22 **purchased and bought out Daily and Associates**
 23 **Engineering. And at Daily and Associates, I worked**
 24 **there for five years before that. So my duration of**

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1 **time working for those companies was approximately**
 2 **ten years.**
 3 Q. At this point I was just asking about
 4 Foth, but --
 5 **A. Sure, and it's very confusing to some**
 6 **people I think.**
 7 Q. When you were at Foth, you did survey work
 8 for the Cal Ridge project, didn't you?
 9 **A. Yes, sir, I did all -- I was in charge of**
 10 **the boundary surveying portions of the project.**
 11 Q. So Foth had been retained by someone on
 12 behalf of Invenergy?
 13 **A. Yes, it was John Doster.**
 14 Q. All right. Let's go back to
 15 soundproofing. We were just in mid April. You had
 16 told Mr. Wingler that you were going to start
 17 discussions with a couple contractors.
 18 **A. Yes, sir.**
 19 Q. The next exhibit in that pile -- you can
 20 put that one down. The next one is 231.
 21 **A. Yes.**
 22 Q. You've got that one there?
 23 **A. Yes.**
 24 Q. This is, I guess, in response to the last

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1 one Mr. Wingler had sent you. You said here, "I've
 2 been working hard to find a combination of
 3 contractors willing to take on this noise insulating
 4 project. I have not had time in my busy schedule."
 5 And as of this time, Invenergy was
 6 continuing to turn the turbines off at your request,
 7 correct?
 8 **A. Yes, we were still asking turbines be**
 9 **turned off at night and they still would turn off**
 10 **one or two or three or four turbines.**
 11 Q. All right. Let's go to the next document.
 12 It's Pleasant Ridge 232. This one is now the next
 13 day, April 17th, and you've got an update.
 14 "Contractor, I assume you meant contractor --
 15 **A. Yes.**
 16 Q. -- making house visit today to measure
 17 surface areas and window sizes. Jess and I have
 18 spent up to a hundred hours talking to experts,
 19 looking for information and going to meetings,
 20 trying to find help so far. Please continue to be
 21 patient. Thank you for shutting down the turbines
 22 when we needed it."
 23 And, in fact, Invenergy again was
 24 continuing to turn the turbines off when they were

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1 waiting for you to get these quotes, right?
 2 **A. That's correct.**
 3 Q. And as of early May 2013 you still hadn't
 4 gotten those quotes. Do you remember that?
 5 **A. Yes, we -- we could not get a contractor**
 6 **to take us seriously or fathom the idea that they're**
 7 **going to soundproof this really big, well-built**
 8 **house for any particular amount of dollars it was**
 9 **going to take? They were -- they were coming in**
 10 **with six figures, and they were baffled as to what**
 11 **they were going to do. So many contractors did not**
 12 **do the job because it was above -- beyond their**
 13 **knowledge or capability. They shrugged and many**
 14 **contractors did not help us. They just said we're**
 15 **not interested. This is a problem, we don't think**
 16 **we can solve it, we feel for you, good luck. It was**
 17 **-- it was a joke.**
 18 Q. All right. As of May 2013, as we
 19 discussed, you hadn't gotten those quotes. Could
 20 you look at Exhibit 133?
 21 **A. I'm on Exhibit 174.**
 22 Q. No, I'm sorry, they might be out of order.
 23 The next one should be 133.
 24 **A. Okay, it's out of order.**

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1 Q. Okay. You can put 174 to the side.
 2 **A. Okay.**
 3 Q. And this is an email dated May 6 from Mr.
 4 Wingler to you, and he references a conversation you
 5 had the preceding Tuesday or that he had the
 6 preceding Tuesday with you. And he says, "As I
 7 mentioned during the phone conversation, we need to
 8 see some progress on you obtaining quotes for what
 9 you believe will mitigate the issues you say you
 10 have been experiencing. Please get us the three
 11 quotes requested by close of business Friday, May
 12 10th. If quotes are not received by then, we will
 13 no longer be able to shut turbines down at your
 14 request." And you recall that conversation, don't
 15 you?
 16 **A. What was the question about this --**
 17 Q. You recall this email, right?
 18 **A. Yes.**
 19 Q. And you responded to it --
 20 **A. Is there another --**
 21 Q. -- the very next day. Yeah, No. 134. And
 22 this one is dated May 7th?
 23 **A. Yes, sir.**
 24 Q. All right. So would it be correct as of

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1 May 7 when you wrote this email, no contractors had
 2 told you that the job couldn't be done?
 3 **A. Oh, we had had several contractors that**
 4 **told us the job could not be done.**
 5 Q. Well, let's see what you said here.
 6 **A. Okay.**
 7 Q. "We've been trying to pry the price for
 8 all the items out of our contractor who has been
 9 very busy like me and he's being held up by a window
 10 supplier. The windows have been difficult, probably
 11 the hardest thing to soundproof. On top of Jess and
 12 I going through busy seasons at our jobs right now,
 13 Jess also had some serious health issues --" and
 14 stopping right there, those health issues didn't
 15 have anything to do with the turbines, correct?
 16 **A. Has to do directly with the turbines.**
 17 Q. Huh?
 18 **A. My wife's health issues was from no sleep.**
 19 Q. Oh, okay, I was wondering because you
 20 hadn't mentioned, "-- that caused major setbacks
 21 these last two and a half weeks, not allowed us to
 22 travel, being home a lot during the daytime
 23 listening to wind turbines." And then you conclude
 24 or down at the bottom of the next paragraph, "We are

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1 supposed to have everything soon for the first
 2 quote; the second quote probably a ways off." And I
 3 assume when you wrote this to Mr. Wingler you were
 4 telling him the truth?
 5 **A. Yes, contractor --**
 6 Q. Okay.
 7 **A. Wait a minute. Contractors who are trying**
 8 **to do a big job like this -- I don't know what your**
 9 **experience with contractors are. What they say**
 10 **they'll do is many times not what they're going to**
 11 **do. And I truly had a project or a problem that no**
 12 **contractor felt comfortable with. I was -- I was**
 13 **begging for help and I could not get cooperation**
 14 **from contractors. Just because I didn't say that**
 15 **contractors are uncooperative, they're blowing me**
 16 **off, that's what was going on this entire period of**
 17 **time.**
 18 Q. And you didn't put that anywhere in this
 19 email that we're looking at, correct?
 20 **A. Not -- not unless I wrote it.**
 21 Q. You can look if you want, but I didn't see
 22 it.
 23 **A. You know, I see here we wrote, "This is**
 24 **going to end up being a science experiment." We**

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1 **didn't know if it was going to work and we were**
 2 **struggling with the idea that when you live in a**
 3 **home and it's being gutted and they're ripping walls**
 4 **down to rebuild and make walls thicker or whatever**
 5 **they're going to do, that's a major upsetting thing.**
 6 **We already remodelled this house and made it**
 7 **wonderful for us once, and we're thinking about**
 8 **whether we rip off all the brand-new siding on the**
 9 **outside, come in from the outside, or take all the**
 10 **drywall from the inside and trash all the carpets.**
 11 **This is a disaster. And we -- we were not sleeping,**
 12 **my business was --**
 13 **MR. BLAZER:** Mr. Chairman, Mr. Chairman.
 14 **A. You can't blame me for not having the**
 15 **contractor prices on time for a deadline.**
 16 **MR. BLAZER:** Mr. Chairman, particularly
 17 since we're on a tight time frame, I would
 18 appreciate it if you would instruct the witness to
 19 answer my question.
 20 **MR. LUETKEHANS:** Now he's worried about
 21 time frame?
 22 **CHAIRMAN CORNALE:** Just you were answering
 23 the question.
 24 **A. If you -- we can pick and choose pieces of**

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1 **these emails, but this email is two pages long.**
 2 Q. All right.
 3 **A. And this is my --**
 4 Q. Let's go to another part of it. The
 5 concerns you expressed at the bottom of the second
 6 paragraph were flicker, noise and loss of
 7 unobstructed views; is that correct?
 8 **A. Yes. My wife was upset about flicker and**
 9 **unobstructed views. When the flicker is happening,**
 10 **it's -- it's extremely uncomfortable and you're**
 11 **having your house stolen from you. And this is not**
 12 **what we bought, to have our neighbor's wind turbines**
 13 **doing this to our house, inside of our house to us.**
 14 Q. Going to the bottom of the page, then, and
 15 the top of the second page, you asked Mr. Wingler
 16 some questions. Do you see that? Can you tell us
 17 about --
 18 **A. The bottom of page 2?**
 19 Q. Bottom of page 1 going to the top of page
 20 2. You see you asked him some questions?
 21 **A. Yes.**
 22 Q. You tell --
 23 **A. Who do we submit our information to? Who**
 24 **reviews or approves this stuff? What would be a**

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1 **time line for repairs to begin?**
 2 Q. Okay. And then could you look at -- and
 3 the last one was --
 4 **A. Does Invenergy issue a lump sum check for**
 5 **the construction costs?**
 6 Q. Correct.
 7 **A. We felt like we might be getting jerked**
 8 **around at this point in time when I was writing**
 9 **these emails.**
 10 **MR. BLAZER:** Mr. Chairman, there's no
 11 question pending.
 12 **A. And can I continue?**
 13 **MR. BLAZER:** Or --
 14 **A. This is very important.**
 15 **MR. BLAZER:** -- Mr. Chairman, Mr. Blakeman
 16 and I talked about a time limit for my cross-exam.
 17 If this is going to continue, there's no way we can
 18 stick to that time limit.
 19 **CHAIRMAN CORNALE:** Okay, if -- if you can
 20 answer the questions a little more poignantly for
 21 them.
 22 **MR. HARTKE:** I will try.
 23 **CHAIRMAN CORNALE:** Yeah, do your best on
 24 that. If we do -- if there are any other portions

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1 of the answer that are important, you feel are
 2 important, we do want to hear that, so --
 3 **MR. HARTKE:** I'm also here really thinking
 4 on my feet, so --
 5 **CHAIRMAN CORNALE:** I understand, I
 6 understand. Yeah, you didn't have time to prepare
 7 or have several hundred emails in front of you with
 8 questions about them, so --
 9 **MR. HARTKE:** Just let me have a --
 10 **CHAIRMAN CORNALE:** Okay, absolutely. All
 11 right. So, Mr. Blazer, continue with questions.
 12 Make sure they're questions --
 13 **MR. BLAZER:** Absolutely.
 14 **CHAIRMAN CORNALE:** -- not necessarily read
 15 what's on these emails.
 16 **BY MR. BLAZER:**
 17 Q. If you could look to the next document,
 18 Pleasant Ridge 233. That's Mr. Wingler's answers to
 19 your questions, correct?
 20 **A. Yes.**
 21 Q. And after that, you still didn't provide
 22 any quotes for soundproofing; is that correct?
 23 **A. No, we still had no quotes.**
 24 Q. And so Invenergy stopped turning the

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1 turbines off at that point sometime in May; is that
 2 correct?
 3 **A. The first time Invenergy refused to turn**
 4 **off a wind turbine was Mother's Day, whatever day**
 5 **Mother's Day was. Probably mid May in 2013.**
 6 Q. And after they stopped turning the
 7 turbines off, you still didn't get any quotes for
 8 soundproofing; is that correct?
 9 **A. We were still diligently working trying to**
 10 **get quotes for soundproofing.**
 11 Q. So Invenergy on its own went ahead and
 12 called a company called Illini Home Improvements to
 13 provide a quote for you; isn't that correct?
 14 **A. That's correct.**
 15 Q. And if you could go to Exhibit 135, that's
 16 the email from Illini Home Improvements along with
 17 the quote that they provided; is that correct?
 18 **A. Yes.**
 19 Q. Okay. And you did receive it on June 11,
 20 2013; is that correct?
 21 **A. I think we may have gotten it June 10th or**
 22 **June 11th.**
 23 Q. I'm sorry?
 24 **A. I think we may have gotten it either on**

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1 **June the 10th or June the 11th.**
 2 Q. Okay. Let's fast forward just a little
 3 bit, Mr. Hartke. You attended a town hall meeting
 4 last June, actually June the 28th, here in
 5 Livingston County. Do you recall that?
 6 **A. I don't know that it was -- I have been**
 7 **here this summer three occasions. I -- I don't know**
 8 **the date of the town hall meeting.**
 9 Q. All right. Well, you do recall you spoke
 10 at that meeting --
 11 **A. Yes.**
 12 Q. -- you attended?
 13 **A. I spoke at a town hall meeting.**
 14 Q. And who asked you to do that?
 15 **A. Sorry, I got to remember. I was contacted**
 16 **by I think three people. I think one of them was**
 17 **Carolyn Gerwin, she's a county board member.**
 18 **There's a gentleman that's on the county board, I**
 19 **don't know his name, who invited me. And there was**
 20 **a member of the -- I think it's a person that's in a**
 21 **group that actually has a wind turbine permit on his**
 22 **property. I think there was those three people.**
 23 **I'm very fuzzy. I don't remember.**
 24 Q. That's fine.

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1 **A. Yes, I came to these three different**
 2 **events.**
 3 Q. Okay. And you recall that one of the
 4 things you told the folks at that meeting was that
 5 you had looked into insulating your house from the
 6 noise, but it was cost prohibitive. Do you remember
 7 saying that?
 8 **A. Oh, yes, that's why the contractors would**
 9 **not, you know, give a price because there was no way**
 10 **this guy was going to spend this much money on this**
 11 **house in the middle of a wind farm and --**
 12 Q. All right.
 13 **A. -- they didn't -- it was hopeless, cost**
 14 **prohibitive. It was -- it was huge costs.**
 15 Q. And what you didn't tell the folks at that
 16 meeting was that Invenergy had offered to pay for
 17 the work, did you?
 18 **A. I believe that within the three meetings I**
 19 **went to here in Livingston County, I specifically**
 20 **said that Invenergy has offered me \$58,000 because**
 21 **one of these quotes was sent directly to Invenergy.**
 22 **And the particular quote from Illini insulation --**
 23 **I'm going to look at that a second. This was for**
 24 **house insulating. This is not soundproofing. This**

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1 **does not work. There was no -- nothing to address**
 2 **the gale winds on my house.**
 3 **The cost prohibitive proposal that I**
 4 **received was for roof decking, insulating the attic**
 5 **under rafters, lots of detail. And this price quote**
 6 **was -- I would call this the guy that goes to the**
 7 **home show and tries to sell you some stuff and fancy**
 8 **windows. This is Illini Home Improvement. They --**
 9 Q. You mentioned earlier --
 10 **A. This was your contractor that you picked**
 11 **and that you sent to my house. I -- I would not**
 12 **have picked this and you picked them and then it**
 13 **came out to be \$58,000. There's no way that this**
 14 **offsets and soundproofs my house. This was a dead**
 15 **end.**
 16 Q. You mentioned earlier in your presentation
 17 that you reviewed all of your texts and all of your
 18 emails over the course of time between you and
 19 Invenergy?
 20 **A. I -- I reviewed as many as I could dig up**
 21 **and find --**
 22 Q. Okay.
 23 **A. -- and remember, but --**
 24 Q. Where is the one that says what you just

Page 3080

1 said?
 2 **A. The one that says that this was --**
 3 Q. That this quote was no good and that you,
 4 in fact, had been rejected by contractors.
 5 **A. This was given to us when you had this**
 6 **particular company come to us.**
 7 Q. I don't know -- I don't know why you think
 8 it was me, but in any event --
 9 **A. Oh, Matt Wingler sent Mr. -- I got to**
 10 **think of what his name was.**
 11 Q. Again, Mr. Hartke, the question I'm asking
 12 you --
 13 **A. Okay.**
 14 Q. -- is where is the communication from you
 15 to Invenergy where you tell them what you just said?
 16 **MR. LUETKEHANS:** This is an improper
 17 question. This is not -- there is not -- this would
 18 be a proper question at trial where you had to turn
 19 over all documents, and this is -- this is asking
 20 him to go fish through six years or three years of
 21 stuff. That's an impossible question.
 22 **MR. BLAZER:** He can tell me whether there
 23 is one or there isn't one.
 24 **MR. LUETKEHANS:** No, you asked him where

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1 is it.
 2 Q. Is there one? Is there a communication
 3 from you to Invenergy where you said this quote is a
 4 sham, I can't get any contractors to do this work,
 5 or any words to that effect?
 6 **A. We were still trying to find the right --**
 7 Q. Mr. Hartke --
 8 **A. -- contractor.**
 9 Q. -- the question is, is there such a
 10 communication?
 11 **A. Okay, I'll answer that.**
 12 **MR. LUETKEHANS:** He should be allowed to
 13 finish his question. If he wants to strike it, he
 14 can. But, please, this is a person coming in to
 15 testify and give us information. This isn't an
 16 expert.
 17 **A. I can answer that. I'll go ahead.**
 18 **CHAIRMAN CORNALE:** Yeah, if you can answer
 19 it, okay, go ahead.
 20 **A. It's easy. We still had hope that we**
 21 **could fix our house. When this quote came, it was**
 22 **one quote. You hadn't seen any of the other quotes.**
 23 **This was pretty incomplete. And this was your**
 24 **contractor that you sent to us and this contractor**

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1 sent this quote directly to Matt Wingler. I keep
 2 saying you because it's Invenergy or Matt Wingler.
 3 And this was something that was completely out of
 4 our control that seemed to be going on over here on
 5 the side.
 6 And by the time I spoke the following
 7 summer, it was 12 months later, and this \$58,000
 8 offer was made to my attorney, and my attorney
 9 showed it to us and said, Ted, here's a \$58,000
 10 offer, where did this come from, because that's a
 11 weird number, and I said, oh, it's from that
 12 insulating company quote. And my attorney said this
 13 looks like a nonoffer offer, so we'll just keep
 14 moving on and continue to try to get through this
 15 issue with your family and your house.
 16 MR. BLAZER: Mr. Chairman, I'll move to
 17 strike as nonresponsive.
 18 MR. LUETKEHANS: I think he did respond.
 19 He responded very, very thoroughly.
 20 A. Are you asking when did I give you notice?
 21 Q. No.
 22 MR. LUETKEHANS: Mr. Hartke, please --
 23 Q. Is there --
 24 MR. LUETKEHANS: No, can I ask for a

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1 ruling from the chair on the question first?
 2 CHAIRMAN CORNALE: All right. I believe
 3 that his response was there was inaction, so that
 4 was the response to your 58. By not responding,
 5 that was his response. He did not accept it.
 6 BY MR. BLAZER:
 7 Q. Is there communication anywhere, as far as
 8 you know, from you to Invenergy or anyone on behalf
 9 of Invenergy rejecting that quote, questioning that
 10 quote or communicating what you just said, that you
 11 couldn't get contractors to provide you quotes? Is
 12 there any such communication anywhere that you're
 13 aware of?
 14 A. I don't remember.
 15 Q. Okay.
 16 A. But I can look to see if there's ever been
 17 a time that we responded with a hint that, hey,
 18 maybe this isn't quite good enough, something, okay?
 19 So I'll get back to you on that.
 20 Q. Please do.
 21 A. Okay.
 22 Q. Please do, okay. This hearing is going to
 23 be going on for a while and I would appreciate you
 24 providing me anything like that --

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1 A. Sure.
 2 Q. -- because I'll tell you, sir, I've looked
 3 at almost --
 4 MR. LUETKEHANS: You know what?
 5 Objection. If Mr. Blazer wants to testify, he can
 6 testify, but swear him in.
 7 CHAIRMAN CORNALE: We're sorry. We just
 8 -- we just need to focus on the questions here. And
 9 I don't want to hear your guys' take on what you
 10 guys think, counsel. Just ask the questions to Mr.
 11 Hartke. He's here and available.
 12 BY MR. BLAZER:
 13 Q. Around this same period of time in May
 14 2013, you attended a meeting in Boone County; is
 15 that correct?
 16 A. Yes. Are you looking at a -- okay, no
 17 exhibit.
 18 Q. Just focus on my question. We'll get
 19 through this a lot easier.
 20 A. I've been in Boone County multiple times.
 21 Q. All right. Do you recall making a
 22 presentation in Boone County in May 2013?
 23 A. Yes. It could have been in May. I won't
 24 testify to the date.

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1 Q. Why don't you take a look at Exhibit 136?
 2 And, first, just a very -- 136. There you go. Just
 3 a very simple question first. Do you recognize that
 4 to be --
 5 A. Yes.
 6 Q. -- the notes of the presentation that you
 7 gave in Boone County on May 28th, 2013?
 8 A. These are my notes.
 9 Q. Okay. And if we look -- if you could go
 10 to the paragraph numbered 9.
 11 A. Okay.
 12 Q. That's on the second page. You say here
 13 that you were able to -- between January and May,
 14 you were able to convince Invenergy to shut the
 15 turbines down approximately 50 times, and you said,
 16 "I was rejected by several contractors who did not
 17 believe they could fix my problem."
 18 A. That's true.
 19 Q. Correct? Okay. Can you go back to
 20 Exhibit 134? That's your email of May 7 responding
 21 to Mr. Wingler. And you said here, "We are supposed
 22 to have everything soon for the first quote" -- we
 23 went over this a little bit ago -- "the second
 24 quote, probably a ways off." What two contractors

1 were you talking to?

2 **A. I'm going to refuse to answer that**
3 **question.**

4 **MR. LUETKEHANS:** Can I make an objection
5 here? This is -- we've kind of let this go for a
6 while, but this is well beyond the scope of Mr.
7 Hartke's testimony.

8 **MR. BLAZER:** Are you serious?

9 **MR. LUETKEHANS:** Yes. At any time was
10 soundproofing discussed in his testimony as far as
11 relating to his discussions with Invenergy? Not at
12 all. We're talking about the problems he had at his
13 house.

14 **MR. BLAZER:** I suppose it would be
15 contingent --

16 **CHAIRMAN CORNALE:** Mr. Luetkehans, let me
17 remind you, he's not your witness either, so
18 technically you're objecting to somebody else's
19 witness.

20 **MR. LUETKEHANS:** Which I have an absolute
21 right to do.

22 **CHAIRMAN CORNALE:** Okay.

23 **A. I'll answer that question because it's**
24 **easy.**

1 **answer for my family for a problem that was created**
2 **by not my fault, something that was not my fault.**

3 **MR. BLAZER:** Mr. Chairman, I'll ask that
4 you direct the witness to answer the question.

5 **A. I'm not going to tell you any names of any**
6 **contractors that I invited into my home to help me**
7 **figure out my problem.**

8 **CHAIRMAN CORNALE:** There's the answer.

9 **BY MR. BLAZER:**

10 **Q.** Is it correct, Mr. Hartke, that around
11 this time, May or June of 2013, that you had already
12 decided that you were going to try and force
13 Invenergy to buy your house?

14 **A. I wouldn't say the word force Invenergy to**
15 **buy my house, but the idea that Invenergy should buy**
16 **my house was put into my mind by an Invenergy**
17 **employee who said, Ted, they just need to buy your**
18 **house.**

19 **Q.** So that was put in your mind by an
20 Invenergy employee?

21 **A. Yes.**

22 **Q.** Okay. I think you mentioned you hired a
23 lawyer too --

24 **A. Oh, I need to correct that. I misspoke.**

1 **CHAIRMAN CORNALE:** Okay, okay.

2 **A. Okay. Look, these contractors work in the**
3 **area where I live. The community where these**
4 **contractors work and build and fix houses, those --**
5 **their reputations on being able to fix a home, which**
6 **was not my problem to fix, it wasn't caused by me, I**
7 **didn't make this happen, I was trying to protect my**
8 **family, and I will not sell out contractors who I**
9 **have a relationship with who tried to help me fix my**
10 **problem, and because they couldn't, I don't think**
11 **they should be faulted for that, and I don't think I**
12 **need to give you the names of these contractors.**

13 **Your company told me to go -- told you to**
14 **go find your contractors. If you have a**
15 **relationship, if they're going to be in your house,**
16 **you need to be the one who knows them and are**
17 **comfortable with what they do and the work that they**
18 **do and the quality of the work that they do. And**
19 **when you have a person come in your home, that's**
20 **your private setting, and there's no way I'm going**
21 **to give you the names of contractors within**
22 **Invenergy's Vermilion County, Champaign County area**
23 **who are possibly my friends, my clients, relatives**
24 **or distant relatives. I was trying to find an**

1 **The person who told me, Ted, they need to buy your**
2 **house was not an Invenergy employee. It was a White**
3 **Construction employee. They were still near the**
4 **area and towards the beginning of cleaning up some**
5 **little things on the project, so that's when --**

6 **Q.** And who's that White Construction
7 employee?

8 **A. My relationship with this individual, this**
9 **particular person, my relationship with them is**
10 **worth more than to sell him out and cause him to**
11 **have an issue with his employer at White**
12 **Construction. I think White Construction would fire**
13 **him if they would find out that he advised me that**
14 **Invenergy should just buy my house.**

15 **Q.** So you're refusing to provide his name as
16 well?

17 **A. I'm going to refuse to provide that name,**
18 **and I told you that this is where -- the first**
19 **person that said they should just buy your house.**
20 **He was the first one.**

21 **Q.** You mentioned a little bit ago that you
22 hired a lawyer as part of your efforts?

23 **A. Yes.**

24 **Q.** And that's James Thompson?

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1 **A. Yes, Jim Thompson.**
 2 Q. Okay. Obviously not the former governor;
 3 a different Jim Thompson.
 4 **A. The Jim Thompson from Rockford, Illinois.**
 5 Q. Okay. Could you look at Exhibit 137?
 6 **A. Sure.**
 7 Q. Now, this is a letter dated July 5, 2013,
 8 correct?
 9 **A. Yes, sir.**
 10 Q. And it was sent on your behalf?
 11 **A. Yes, by my attorney. This is our first**
 12 **correspondence with Invenergy, from an attorney to**
 13 **your company.**
 14 Q. All right. And the first sentence in the
 15 third paragraph, the first couple sentences, Mr.
 16 Thompson here says, "Attempts at meaningful and
 17 permanent resolution has been thwarted at every
 18 step. Retrofitting the residence is cost
 19 prohibitive and will likely not eliminate the issues
 20 the Hartkes are experiencing."
 21 Now I believe you said a little bit ago
 22 that you hadn't provided the Illini Home Builders
 23 quote that Invenergy had given you until sometime
 24 later. So is it correct that as of July 5, 2013,

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1 Mr. Thompson didn't know that Invenergy had
 2 offered -- had, number one, offered to pay for
 3 insulation and, number two, had gotten a quote for
 4 you?
 5 **MR. LUETKEHANS:** Objection as to what Mr.
 6 Thompson may or may not have known.
 7 Q. Did you tell him --
 8 **MR. LUETKEHANS:** Also, if you're going to
 9 ask him that question, he has the right to claim
 10 privilege and -- he has the right to claim
 11 attorney/client privilege. And he doesn't have an
 12 attorney here to advise him, so I'm providing --
 13 **MR. BLAZER:** Except he already waived the
 14 privilege because he already discussed the
 15 conversation that he had with his attorney.
 16 **MR. LUETKEHANS:** No, he hasn't. He didn't
 17 have any -- he did not waive any discussion about
 18 that, those earlier conversations.
 19 **MR. BLAZER:** Except that he already said
 20 that he discussed the Illini Home offer several
 21 months later with his attorney. He testified to
 22 that.
 23 **MR. LUETKEHANS:** He testified to one
 24 particular conversation but not any before that.

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1 **MR. BLAZER:** Mr. Chairman --
 2 **CHAIRMAN CORNALE:** Mr. Hartke, can you
 3 answer this question? Is this one of these easy
 4 questions?
 5 **A. I'm going to try.**
 6 **CHAIRMAN CORNALE:** All right. Mr. Blazer,
 7 I've got -- you've got 15 more minutes.
 8 **A. This is the time -- this is the timing**
 9 **situation. Okay, this is the timing situation. So**
 10 **May --**
 11 **MR. BLAZER:** Mr. Chairman, could we take a
 12 60 second break?
 13 **AUDIENCE VOICE:** No, no, no.
 14 **AUDIENCE VOICE:** No.
 15 **MR. BLAZER:** We need what normally in
 16 court would be referred to as a side-bar.
 17 **CHAIRMAN CORNALE:** 30 seconds. The
 18 audience is waiting.
 19 (Off-the-record discussion.)
 20 **CHAIRMAN CORNALE:** They've got it sorted
 21 out. Mr. Blazer, Mr. Hartke was going to answer the
 22 question you had. He's going to try his best to
 23 answer the question that you had.
 24 **A. Okay, during that break, Mr. Blazer, I**

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1 **spoke with Winger on May 28th, and then July the**
 2 **5th my attorney wrote this. So what's the -- what's**
 3 **the question referring to about timing of the**
 4 **sentence in the third paragraph? What are we**
 5 **looking at?**
 6 Q. Let's make it easier. Let's go to the
 7 next exhibit, Mr. Hartke, Exhibit 138.
 8 **A. All right, I'll try.**
 9 Q. Okay. This, I think, is what you referred
 10 to earlier. This is where I transmitted the Illini
 11 offer to your attorney, correct?
 12 **A. In March? This -- Exhibit 138, this is a**
 13 **March email.**
 14 Q. Yes, March 18, 2014. That's where I
 15 transmitted it to --
 16 **A. Oh, okay. 2014 the following spring.**
 17 **This is the following spring later after I testified**
 18 **summertime, and you were contacted by my attorney in**
 19 **the summer of 2013. This last one was from you to**
 20 **Thompson the next like six months later, right?**
 21 Q. Correct.
 22 **A. Okay, I'm with you.**
 23 Q. You are aware of that, correct? That that
 24 was sent to your attorney?

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1 **A. Yeah, I don't have any objection to -- you**
 2 **know, this is okay.**
 3 Q. Okay. All right, so you've spoken at
 4 Boone County. Obviously you've now spoken a few
 5 times in Livingston County. You've also gone to
 6 your own county board with your complaints; is that
 7 correct?
 8 **A. Oh, definitely.**
 9 Q. All right. Let's go to Exhibit 147. This
 10 is an email that you sent to your county board on
 11 May 23rd, 2013, correct?
 12 **A. May 23rd, yes.**
 13 Q. Okay.
 14 **A. 2013.**
 15 Q. Right, May 23rd, 2013. And this was right
 16 at the same time that you were telling Invenergy
 17 that you were attempting to get quotes for
 18 insulating your home, correct?
 19 **A. Oh, yeah, we were trying that for a long**
 20 **time.**
 21 Q. Okay. And at that point you hadn't hired
 22 Rick James yet, correct?
 23 **A. May of 2013? Yeah, I believe we may have**
 24 **already been in contact with Rick James by May of**

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1 **2013.**
 2 Q. Okay. Let's look at Exhibit 148, the next
 3 one in the pile.
 4 **A. Okay, I'm ready.**
 5 Q. And this one is actually a series of
 6 emails back and forth starting with a response from
 7 Mr. Dreher, D-R-E-H-E-R, who was and is a Vermilion
 8 County board member, correct?
 9 **A. He is no longer a board member, but he**
 10 **was.**
 11 Q. Okay, he was in June 2013?
 12 **A. Oh, yes.**
 13 Q. Okay. And what you said -- let me see if
 14 I can find this. It's at the top of the second
 15 page. This is your email. And you said here, "I'm
 16 taking one for the team. As I presented my
 17 experience with dealing with the problem, I
 18 presented solutions to prevent it from happening to
 19 other unsuspecting residents. I'm doing this as a
 20 selfless act, doing it while risking my reputation
 21 and peaceful existence among my neighbors."
 22 So from your perspective, you were doing
 23 this not just for yourself but all your neighbors
 24 around you; is that correct?

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1 **A. From my perspective, I was telling my**
 2 **county board the issues that we were having, the**
 3 **problems with the noise inside of our house. At**
 4 **this time I was placing a lot of blame on my county**
 5 **board because they didn't do their research or**
 6 **diligence and they dismissed -- they were dismissing**
 7 **our concerns. And I kept at it even though I was**
 8 **inadvertently told that if you keep this up you'll**
 9 **never work in Vermilion County again.**
 10 Q. Could you look at Exhibit 235? It's a
 11 map.
 12 **A. Okay.**
 13 Q. And I assume since you did the survey work
 14 for this project you recognize this --
 15 **A. Yes.**
 16 Q. -- as the California Ridge project site
 17 map?
 18 **A. Yes.**
 19 Q. And you'll see I plugged in there where
 20 your residence is.
 21 **A. Yes.**
 22 Q. Okay. And that's correct, isn't it?
 23 **A. Yes.**
 24 Q. Okay. And California Ridge is 134

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1 turbines. You're aware of that?
 2 **A. There was one time I misspoke and said**
 3 **136, but I corrected that after I realized I wrote**
 4 **that wrong, so I believe it's 134.**
 5 Q. Okay. And since you're so familiar with
 6 the project, I assume you're aware that there are
 7 180 residences within the project footprint?
 8 **A. Yes.**
 9 Q. Okay. I assume you're also aware that
 10 within a quarter mile of the project footprint there
 11 are 233 residences?
 12 **A. Maybe.**
 13 Q. Okay. How about within a half mile? I
 14 assume you're aware that there are 350 residences?
 15 **A. No, I've never gone out and counted the**
 16 **number or --**
 17 Q. Okay. So you're not aware that within
 18 three-quarters of a mile there are 503 residences?
 19 **MR. LUETKEHANS: Objection, asked and**
 20 **answered.**
 21 **A. No. No to all these questions.**
 22 Q. Okay. Now, in talking about your
 23 neighbors, I know it's impossible to see on that map
 24 because it's so small, but you said the Harrison

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1 family is immediately east of you, correct?
 2 **A. Yes.**
 3 Q. All right. And they said they had no
 4 problems?
 5 **A. Yeah, they have no problems.**
 6 Q. All right. And then there's also a
 7 Townsley family, T-O-W-N-S-L-E-Y, that lives
 8 southwest of you roughly?
 9 **A. Yes, they live in the brick home southwest**
 10 **of my house.**
 11 Q. Okay. And then there are the Hodson,
 12 H-O-D-S-O-N, Snyder, S-N-Y-D-E-R, and Sollars,
 13 S-O-L-L-A-R-S, families that live northwest of you;
 14 is that correct?
 15 **A. Yes.**
 16 Q. Immediately northwest.
 17 **A. Uh-huh.**
 18 Q. Okay. And then there are the Osterbur
 19 O-S-T-E-R-B-U-R, and Combest, C-O-M-B-E-S-T,
 20 families that live north of you, correct?
 21 **A. The Osterbur family moved out of their**
 22 **home right about the time the wind turbines turned**
 23 **on, so they don't live there.**
 24 Q. Okay.

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1 **A. But there's a different family that lives**
 2 **in that house.**
 3 Q. And then the Combest family is still
 4 there?
 5 **A. I -- I don't know the Combests very well,**
 6 **but I think they're still there.**
 7 Q. Okay.
 8 **A. I don't live there anymore, so I -- I**
 9 **don't know.**
 10 Q. All of those people I assume you're aware
 11 are not participants in the California Ridge
 12 project.
 13 **A. Oh, no, the Osterbur family is a**
 14 **participant.**
 15 Q. Oh, really?
 16 **A. Uh-huh, Mrs. Osterbur signed up her land**
 17 **and has Invenergy leases on her farm fields.**
 18 Q. I meant on her residence.
 19 **A. On her residence.**
 20 **MR. LUETKEHANS:** Well, she's still a
 21 participant.
 22 **A. She's still a participant.**
 23 Q. All right. How about Harrison?
 24 **A. Harrisons are nonparticipants.**

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1 Q. Townsley?
 2 **A. Townsley. Her father has I think -- I'm**
 3 **looking to someone from Vermilion County. Is there**
 4 **18 turbines on her father's property?**
 5 Q. What about her?
 6 **A. I don't think that she owns any farm**
 7 **ground, but her home is surrounded by her father's**
 8 **farm field.**
 9 Q. How about Hodsons, are they participants?
 10 **A. I think that they only have a residence**
 11 **only in their -- residential lot only.**
 12 Q. Snyder?
 13 **A. Snyder, not. Residence only.**
 14 Q. Sollars?
 15 **A. June Sollars is not. She's an old lady**
 16 **and I don't think she has any farm ground**
 17 **whatsoever.**
 18 Q. How much time did Mr. Ambrose spend in
 19 measuring noise from the turbines at the California
 20 Ridge project?
 21 **A. Time spent measuring? Like he spent**
 22 **measuring or --**
 23 Q. Yes.
 24 **A. -- the duration of his equipment being**

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1 **there?**
 2 Q. How much time -- how much time physically
 3 was Mr. Ambrose there?
 4 **A. I think that we saw him come and go twice,**
 5 **that I saw him come and go twice during the four**
 6 **month period.**
 7 Q. Okay.
 8 **A. I did not keep track of Mr. Hankard's --**
 9 Q. I didn't say Hankard, I'm sorry. I said
 10 Ambrose. How much time did Mr. Ambrose --
 11 **A. Oh, Ambrose.**
 12 Q. How much time did Mr. Ambrose spend
 13 measuring noise at California Ridge?
 14 **A. Mr. Ambrose spent zero time measuring**
 15 **noise at my -- in this wind farm, California Ridge.**
 16 Q. Well, how much time did he spend at all in
 17 California Ridge?
 18 **A. Zero minutes. Mr. Steve Ambrose has not**
 19 **been to Illinois as far as I know.**
 20 Q. All right, let's go back to Exhibit 148.
 21 This is your exchange with Mr. Dreher from the
 22 Vermilion County board.
 23 **A. Sure.**
 24 Q. In his response to you, it's on the first

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1 page, June 5, and he says, "I'm an Illinois licensed
 2 home inspector and own a sound meter. You do not
 3 want me to bring that meter to your house and
 4 measure your nighttime home noise and compare it
 5 against mine. That would be a bad day for your
 6 argument." Is this correct that Mr. Dreher, in
 7 fact, never did measure noises at --
 8 **A. Oh, no, he never did. I thought he was**
 9 **bluffing and he never showed up.**
 10 Q. Oh, okay. But around this time, I think
 11 you discussed this in your presentation, Invenergy
 12 said that they would commission a noise study,
 13 right?
 14 **A. I don't know. Was that in this email**
 15 **somewhere?**
 16 Q. Not in that email. Around this period of
 17 time, June 2013.
 18 **A. In June, did Invenergy say they were going**
 19 **to do a sound study, is that your question?**
 20 Q. Yes.
 21 **A. I -- I don't know.**
 22 Q. All right. Let's look at 152. This is
 23 another email from me to your attorney, correct?
 24 **A. Yes, sir.**

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1 Q. And your attorney was notifying you when
 2 he communicated with me, wasn't he?
 3 **A. There was times when we thought there was**
 4 **a delay, but -- maybe a day or two delay. I don't**
 5 **know.**
 6 Q. Well, all right. Recognize this email?
 7 **A. Oh, yeah, uh-huh.**
 8 Q. Okay. And the -- what's called a license
 9 agreement, access agreement, you talked about in
 10 your presentation is attached to this, right, to try
 11 to get access to your property?
 12 **A. Okay.**
 13 Q. Right?
 14 **A. There was a problem with this.**
 15 Q. You do recognize this?
 16 **A. Oh, yeah.**
 17 Q. Okay.
 18 **A. So --**
 19 Q. That was my question, Mr. Hartke. I just
 20 wanted to know if you --
 21 **A. Oh, I --**
 22 Q. -- recognize it.
 23 **A. -- recognize the easement, but when this**
 24 **started being discussed -- I'm trying to predict**

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1 **where you're going here.**
 2 Q. Well, you shouldn't predict where I'm
 3 going --
 4 **A. Well --**
 5 Q. -- because I have to ask you a question
 6 first.
 7 **A. I want --**
 8 **MR. BLAZER:** Mr. Cornale, I believe he did
 9 answer the question.
 10 **A. I want this other attorney here to ask me**
 11 **about --**
 12 **MR. LUETKEHANS:** Trust me, I've already
 13 written that down.
 14 **A. That's important to go back to.**
 15 **CHAIRMAN CORNALE:** All right, Mr. Blazer,
 16 have you got a question for Mr. Blazer[sic]? And we
 17 are at 43 and you're supposed to have until -- about
 18 five more minutes left for questions.
 19 **MR. BLAZER:** All right, that's fine.
 20 **BY MR. BLAZER:**
 21 Q. You were the one who asked that we retain
 22 Dr. Schomer, correct?
 23 **A. Through my attorney I think, yes.**
 24 Q. And we did retain Dr. Schomer?

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1 **A. Eventually you did agree to include Dr.**
 2 **Schomer as part of the project, yes.**
 3 Q. And you also wanted us to retain Rick
 4 James, correct?
 5 **A. Later on, we were -- we were seeing how**
 6 **willing you would be to get a true mixture of**
 7 **acousticians to have a team of measurements to be**
 8 **reviewed and then check one another.**
 9 Q. All right. Could you go to 155?
 10 **A. Okay.**
 11 Q. And that's another exchange between you
 12 and the county board, correct?
 13 **A. This is -- I think John Dreher was**
 14 **responding here. He's a county board member.**
 15 Q. All right. June 16, 2013, correct?
 16 **A. Yes.**
 17 Q. You do recognize this?
 18 **A. Father's Day, right?**
 19 Q. You do recognize it, correct?
 20 **A. Oh, yeah, I wrote this.**
 21 Q. Okay. And then if you look at 157.
 22 **A. Was there a question about this exhibit?**
 23 Q. I just wanted to know if you recognize
 24 this document.

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1 A. Okay.
 2 Q. Okay. Could you look at Exhibit 157?
 3 A. Yes.
 4 Q. You do recall that on December 10th
 5 Hankard and Schomer issued a preliminary version of
 6 their noise study?
 7 A. I don't -- I've never received any
 8 preliminary version, but the only way I know that
 9 there is one that exists is that you spoke about it
 10 at a county board meeting, that they released
 11 preliminary information and they were trying to work
 12 on it still, it was in progress. I don't think that
 13 I got any letter from Invenergy or from you that I
 14 can remember until I went to the board meeting
 15 February -- or December the 10th. Maybe not exactly
 16 December 10th. This is the famous board meeting
 17 that I had in my presentation where you made some
 18 crazy claims. Incorrect claims.
 19 Q. That's okay. And then just one final
 20 topic. You had mentioned the letter from the school
 21 board member, Mr. Mulaney?
 22 A. Mulvaney, yes.
 23 Q. Mulvaney, excuse me.
 24 A. From Donahue to Mulvaney.

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1 Q. Mr. Donahue is an Assistant State's
 2 Attorney for Vermilion County?
 3 A. Yes, I know him.
 4 Q. And do you recognize this letter as well
 5 from him?
 6 A. Oh, definitely.
 7 Q. Okay, good. You've seen it before?
 8 A. Yes, this is outrageous.
 9 Q. And at the bottom of this letter, Mr.
 10 Donahue on behalf of the county, Vermilion County
 11 board, asks Mr. Mulvaney to provide any additional
 12 information that he may have to substantiate these
 13 concerns about the children that you mentioned in
 14 the letter that you spoke about.
 15 A. Yes.
 16 Q. Are you aware whether or not Mr. Mulvaney,
 17 in fact, ever submitted any such information or
 18 anything else in response to this letter?
 19 A. I don't know.
 20 Q. Okay. And then one final thing, Mr.
 21 Hartke. Is it correct as -- is it correct that no
 22 medical or scientific evidence has been forwarded to
 23 the Vermilion County board to substantiate any
 24 medical issues relating to the -- related, excuse

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1 me, to the operation of wind farms in Vermilion
 2 County?
 3 A. Okay.
 4 MR. LUETKEHANS: By him or by someone
 5 else? Objection as to form.
 6 MR. BLAZER: By anyone as far as he knows.
 7 MR. LUETKEHANS: As far as he knows, okay.
 8 MR. BLAZER: Right.
 9 A. Seems -- can you ask that again? I want
 10 to --
 11 Q. Let me make this -- this is an email from
 12 Mr. Donahue, Assistant State's Attorney on behalf of
 13 the county board, to an individual named Mr. Hepler
 14 who I will represent to you is the chairman of the
 15 Logan County board.
 16 A. That's right.
 17 Q. And he says here, "No medical or
 18 scientific evidence has been forwarded to the
 19 Vermilion County board to substantiate any medical
 20 issues related to the operation of wind farms in
 21 Vermilion County." Do you have any information one
 22 way or the other about whether or not that statement
 23 is accurate?
 24 MR. LUETKEHANS: Objection, relevance.

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1 A. I believe --
 2 CHAIRMAN CORNALE: Mr. Hartke --
 3 A. I believe this statement is false. The
 4 reason I believe it's false is because I believe
 5 that all of our pleas to the county board and our
 6 analysis to the county board and our statements to
 7 the county board, our testimony at public hearings,
 8 I believe that is medical, scientific evidence that
 9 we're having major health issues in our home.
 10 Q. I see.
 11 A. I made so many statements regarding this,
 12 and Bill Donahue states that improperly.
 13 Q. So are you suggesting that the Assistant
 14 State's Attorney on behalf of the county board of
 15 Vermilion County is lying?
 16 A. Yes.
 17 MR. LUETKEHANS: Objection.
 18 MR. BLAZER: He already answered the
 19 question.
 20 A. Bill Donahue has been --
 21 CHAIRMAN CORNALE: Mr. Hartke. Mr.
 22 Blazer, let's try to wrap it up here.
 23 MR. BLAZER: Okay, just about done, just
 24 about done.

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1 **AUDIENCE VOICE:** He said that ten minutes
2 ago.
3 **A. Mr. Donahue has lied on several occasions**
4 **about several things.**
5 **BY MR. BLAZER:**
6 Q. And was this on his own behalf or on
7 behalf of the Vermilion County board?
8 **A. On behalf of the Vermilion County board,**
9 **Mr. Donahue has lied about several things.**
10 Q. I see. Have you or has anyone on your
11 behalf submitted any evidence from any medical
12 doctors regarding any of the complaints that you've
13 made on behalf of you or your family?
14 **A. My attorney has written letters directly**
15 **to you that --**
16 Q. That wasn't my question, sir. I'm asking
17 about doctors. Has anybody --
18 **A. A doctor.**
19 Q. -- on your behalf submitted any
20 information to anyone in Vermilion County, whether
21 it's on the board or not, from medical doctors
22 relating to the complaints that you've been making?
23 **A. Vermilion County refuses to accept any**
24 **complaints whatsoever.**

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1 Q. That wasn't my question, sir. Did you try
2 to submit --
3 **A. Oh, yes --**
4 Q. -- information from --
5 **A. -- we have.**
6 Q. -- doctors?
7 **A. My wife has tried to submit information in**
8 **the form of a formal complaint and the --**
9 Q. From a doctor?
10 **A. From our doctor.**
11 Q. What doctor?
12 **A. Oh, there's no way I'm going to tell you**
13 **the name of our doctor.**
14 Q. You're going to refuse to identify the
15 doctor that you claim was providing medical
16 information?
17 **MR. LUETKEHANS:** I think he just did.
18 **A. I'm going to --**
19 **CHAIRMAN CORNALE:** Mr. Hartke, that's
20 okay.
21 **A. This is something that I --**
22 **CHAIRMAN CORNALE:** Let's wrap up here.
23 Mr. Hartke, hold on. Mr. Blazer, let's wrap up.
24 Two more questions.

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1 **AUDIENCE VOICE:** No, no, no.
2 **CHAIRMAN CORNALE:** Two more questions.
3 **AUDIENCE VOICE:** No, no.
4 **A. My wife would want to have some input**
5 **whether or not we would give you any sort of answers**
6 **regarding our personal health setbacks.**
7 **MR. BLAZER:** That's all I have.
8 **CHAIRMAN CORNALE:** Mr. Luetkehans, any
9 questions for Mr. Hartke?
10 **QUESTIONS BY**
11 **MR. LUETKEHANS:**
12 Q. Mr. Hartke, prior to the wind turbines
13 being placed near your house, were you against the
14 wind turbines in any way, shape or form?
15 **A. No. We were very, very, very supportive**
16 **of the project.**
17 Q. You talked about the sound measurements on
18 your property. To your knowledge, were they
19 continually observed while measurements were being
20 taken, the sound equipment?
21 **A. There was -- from any time we've ever seen**
22 **any activity with sound equipment, it was never**
23 **being observed or maintained. They would come check**
24 **on the equipment once in a while. I assume they**

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1 **were just making sure it continued to run. They**
2 **claim -- and I can tell you that as accurate,**
3 **because in one of the claims, they said that the**
4 **solar panel or battery system failed and they had**
5 **two weeks of no data because batteries went dead.**
6 **So obviously they were not -- there was a two week**
7 **period that they never checked on that particular**
8 **piece of equipment.**
9 Q. Did you see them come out to look at the
10 equipment at any time?
11 **A. I only saw them on the first day when they**
12 **set up the equipment. One other time -- I saw**
13 **Michael Hankard's Toyota pickup driving on my road**
14 **only one other time.**
15 Q. Okay. You talked about shadow flicker.
16 Do you have any idea how much shadow flicker you and
17 your family suffered in a month, a year?
18 **A. At the worst time, I'm going to estimate**
19 **that it was maybe one hour, a little more than one**
20 **hour period for, at the worst moment, at the worst**
21 **time maybe, for maybe a two or three week period.**
22 **And then as shadow flicker starts in the late fall,**
23 **middle of the winter, it's in short bursts at first,**
24 **and as the sun starts to move down in the sky**

1 subsequent days, it gets longer and longer and
2 longer, and then when the sun starts to creep back
3 up higher in the sky as springtime comes, it
4 diminishes back down to no minutes. So up to just
5 over an hour per day every time it's sunny and wind
6 turbines are moving.

7 Q. Can you explain what it's like to live
8 within shadow flicker for an hour?

9 A. During the hour you have shadow flicker,
10 you cannot read, you cannot watch TV. It's -- when
11 you're outside, you feel like you have to duck
12 because this thing keeps -- the shadow or this image
13 feels like it's coming at you or coming close. One
14 of the things that surprises me about shadow flicker
15 when I'm sitting in my house, it's going and going
16 and going. And we sit there and be angry about it
17 because it's like having sunshine stolen from you.

18 But the -- I'm going to tell you the worst
19 thing for me is when you drive on a highway and you
20 drive past or through turbines and you'll be
21 thinking -- I'll be talking on my speaker phone,
22 I'll be thinking about my work to and from work and
23 focussing on that, and I'll cross in the path of
24 where the flicker is going on a road and I will

1 all their properties. Mike is very pro-wind and
2 he's been very difficult to get through. During a
3 conversation I had with Mike Marrons, he told me,
4 Ted, the noise is in my house too. It bothers my
5 wife, but it doesn't bother me. And I didn't think
6 about that at all. Then when my wife was bothered
7 by some things that were not so troublesome for me,
8 like flicker, it bothered my wife and that made it
9 harder for me to ignore.

10 I want to compare those to if somebody's
11 bothering your child or your wife or a loved one,
12 you want to put an end to it immediately. And
13 anything that bothers my wife definitely bothers me.

14 Q. Because you want to protect her.

15 A. And I thought that it was weird that Mike
16 Marrons would tell me that it doesn't bother him,
17 but it bothers his wife. I thought that was absurd,
18 absurd.

19 And, men, I want you to think about this.
20 Let's say you're out somewhere with your daughter or
21 your wife and a complete stranger comes up to you,
22 to your wife. He's not going to hurt her, but he's
23 a complete stranger, you have no idea who this is,
24 and he taps her on the shoulder. And you think,

1 swerve my car because it seems like something's
2 coming out of my peripheral vision. And I have
3 literally swerved -- maybe a hundred times I've
4 swerved because I felt like I was going to crash
5 into something or I wasn't being attentive enough,
6 but it was -- I look back and it's just shadow
7 flicker, just shadow flicker. So that to me was
8 most disturbing because everyone that drives through
9 the wind farm experiences that.

10 Q. Who -- you said that the shadow flicker
11 doesn't bother you as much as your wife. Can you
12 explain how it bothers her?

13 A. How my wife is bothered by shadow flicker?

14 Q. Yes.

15 A. It will give you a headache very, very
16 quickly.

17 Q. Okay.

18 A. It's disturbing. One of the things that's
19 crazy, people ask -- I'm going to expand on this
20 question. Can I expand on this question?

21 Q. Please. No, please feel free.

22 A. Okay. Look, my neighbor, Mike Marrons,
23 okay, Mike Marrons is the current chairman of the
24 county board. Mike Marrons has seven turbines on

1 hey, this guy wants something, he's tapping my wife
2 on the shoulder. And he taps her on the shoulder,
3 he doesn't hurt her, and you're like, hey, what's
4 going on here, he's touching her. And he keeps
5 tapping on the shoulder. Hey, buddy. Don't worry,
6 I'm not hurting your wife, I'm just tapping her on
7 the shoulder.

8 After a little while, he's tapping your
9 wife on her shoulder and your daughter, and you're
10 like, hey, quit that. You're like, hey, buddy, I've
11 had enough of this, quit touching my wife and quit
12 touching my daughter. They're not yours. You're
13 bothering my wife and my daughter. That's my wife,
14 that's my daughter, quit touching them, quit
15 bothering them, leave us alone. Don't make you
16 touching my kids my problem.

17 Why is it my fault and why do I have to
18 act to fix soundproofing, plant trees for flicker?
19 Why is that my problem? Stop touching my children.
20 Stop going in their bedrooms at night. That's their
21 space that I gave them. Stop it. And then come
22 here to be asked, hey, have you seen this paper?
23 Yeah, I wrote that, sure. I have nothing to hide.

24 But their refusal to give me SCADA data,

1 their refusal to let me sleep in my own house that I
2 bought and I paid the taxes and insurance and
3 mortgage on, and then have to go pay to live in a
4 doublewide mobile house down eight miles away and
5 drive past a perfectly good house twice a day to and
6 from work, and my wife has to do the same thing.

7 There were freshmen boys on my school bus
8 that told my son, Phillip -- my son's in fourth
9 grade. So a freshman tells my son, Phillip, you
10 guys are stupid for moving out of your house, you
11 guys are stupid. And my son came home, said, dad,
12 Jordan on the bus said that we're stupid. And I
13 said, Phillip, do you think we're stupid? He says,
14 oh, no, dad, we're smart, we had to get out of that
15 house because we couldn't sleep. And I said good,
16 please go tell Jordan that. Jordan, the reason why
17 we moved out of a perfectly good, wonderful house is
18 because of wind turbines, because they're touching
19 us and bothering us inside of our house that was our
20 property, our property rights, our land, our house,
21 and I had that stolen from us.

22 If you ever wrecked your car or your
23 truck, it was the perfect -- your favorite truck and
24 the seat was wore in just to fit your bottom sitting

1 doesn't judge me for having to leave it. I can't
2 believe I think I'm lucky because I can get out of
3 my house.

4 So if it bothers your wife and it bothers
5 your children, you know that you love them, it
6 bothers you more, and it causes you to -- it causes
7 you to do and write difficult things and risk your
8 image, risk making a fool of yourself in front of
9 your county board where previously they respected
10 you and thought you were a tough, good,
11 hard-working, take-one-for-the-team good guy, and
12 then when you bring this problem, instead of help,
13 instead of the right decisions, they say, Ted, you
14 are jealous of these farmers making money off their
15 turbines. Ted, you are lying. Ted, you are just --
16 you're going to ruin it for the rest of us.

17 No, I'm not going to ruin it for the rest
18 of you. There is no way, there ain't no way I'm
19 going to let this happen again and again and again,
20 and if I can afford the gas to drive to whatever
21 community to tell them this, I will. Just like I
22 promised my brother Dave. I said they ruined my
23 house, it's ruined, but I'm not going to let it be
24 wasted.

1 in that truck seat and it just felt like perfect.
2 That's what we had. But then you wreck your truck
3 and it's a total loss because you're mourning the
4 loss of your truck, but you go buy another truck and
5 you replace it and you move on. I've got to do that
6 with a house.

7 My house is not replaceable. Our pets are
8 buried in the backyard. I built my tree house with
9 my son next to our creek with him together, and we
10 haven't used our tree house for over a year. While
11 they were building wind turbines, we built that
12 place in the backyard. My children never truly
13 enjoyed and loved that place like they should have.
14 We poured concrete. My wife and I argued about
15 paint colors, picked out carpet in the house, my
16 wife and I did this together, and now we're looking
17 at different houses and we're looking at stuff that
18 other people picked out for them to make them happy,
19 but it wasn't ours that made us happy.

20 I tell people I'm very lucky that my house
21 was not a heritage farm, that my house was not the
22 place where my grandparents' and parents' blood,
23 sweat and tears were in the soil. I'm lucky that my
24 house, it was just my wife's and I's, and my family

1 Q. Let's talk about your house for a second.
2 Why haven't you sold it?

3 A. My house has been for sale since May 2014.
4 We have it for sale by owner. It's on Zillow.com.

5 Q. Have you received any offers?

6 A. It's the most used website for people that
7 are home shopping.

8 Q. Have you received any offers?

9 A. No.

10 Q. Okay. Let me -- I know you didn't want to
11 talk about your neighbors, but I actually spoke to
12 one of your neighbors here at the break, Ms. Miles,
13 and she came with you here tonight, correct?

14 A. Yes. Jean Miles is here.

15 Q. Okay. And Jean advised me and you can ask
16 her, but she advised me that she did not have any
17 problem with you telling this board the effects that
18 this has had on her family to the extent you know
19 them. Could you tell us please?

20 A. Jean and Dave and I and my wife, we've
21 discussed this at length about talking about what
22 happened in their home and what happened to us in
23 our home. We never really knew and we were never
24 really close to Dave and Jean until this happened,

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1 so we've been helping each other in discussing these
 2 matters. But what was your question?
 3 Q. I guess my question is can you advise and
 4 tell this board what you know of the problems that
 5 these wind turbines have caused the Miles family in
 6 particular?
 7 A. The Miles family has the same problems
 8 that my family has, the same you need to go and
 9 insulate your home, we'll pay for a portion of
 10 insulating your home to soundproof it. They're
 11 going through the same thing that we've been put
 12 through. The Mileses have not left their home like
 13 we did. We left because of our children.
 14 Q. But they're still -- they're having the
 15 same sleep deprivation type problems --
 16 A. Yes.
 17 Q. -- as you? Okay.
 18 A. Yes.
 19 Q. And you said -- and you might have
 20 testified to this, so I apologize, I think I missed
 21 it.
 22 A. Sure.
 23 Q. There were two wind turbines to the
 24 southeast you pointed to in the aerial.

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1 A. Southwest both.
 2 Q. Southwest, you're right. I get dyslexic
 3 in directions.
 4 A. That's okay.
 5 Q. How far are those two turbines to the
 6 southwest from you, do you recall?
 7 A. I can tell you again.
 8 Q. Please look. Feel free.
 9 A. Okay. The closest one southwest is 2,225
 10 feet and the next one closest is 3,454 feet.
 11 Q. Okay, thank you. One of the things you
 12 testified to, and I found it interesting the words
 13 you used, you said you heard noise -- there were a
 14 number of things. Let me see if I can find the
 15 quote. You felt, you heard and experienced noise in
 16 your home. Do you remember that?
 17 A. Yes.
 18 Q. Could you -- when you say -- we all
 19 understand what hearing noise is. When you say you
 20 experienced noise, what do you mean by that?
 21 A. I can give an -- noise is very difficult
 22 to describe. I can give you examples of the type of
 23 noise and the feeling that you get, okay?
 24 Q. Uh-huh.

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1 A. So imagine if you are hustling about your
 2 house and you're getting ready for guests and
 3 they're coming up the driveway. You don't hear them
 4 come up the driveway. They stop, they turn off
 5 their engine, you don't hear that. They get out of
 6 their car and you don't hear that. But when they
 7 close their car door and it goes thud and makes a
 8 thump, all of a sudden you think, hey, I -- they're
 9 here. Oh, my gosh, I've got to get the toilet
 10 cleaned or put my shirt on or dry up this mess I
 11 made. And you get that little thump of excitement
 12 or whatever you want to call it. That car door
 13 thumping is more than just a noise for your ear.
 14 You feel that. It's a reaction. It's, oh, my gosh,
 15 something's wrong, somebody's here.
 16 Same thing happens when your child falls
 17 out of bed. It's a bump in the night and you think,
 18 oh, the house is creaking. There's a difference
 19 between your child falling out of bed compared to
 20 the popping and cracking of your house settling at
 21 night. So, oh, my gosh, something's wrong.
 22 So this thumping noise and this feeling of
 23 disturbance and stimulus is what it's like to live
 24 next to a wind turbine that does it over and over

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1 and over and it won't let you relax. We have
 2 something hardwired in our ears. As a parent,
 3 there's a sixth sense that's triggered by the
 4 thumping noise of the turbine that causes you to get
 5 upset and it's upsetting. So that's the -- the
 6 experience that you have.
 7 Q. Okay. If you could go to plaintiff -- or
 8 Pleasant Ridge Exhibit 135? That was one of the
 9 documents that Mr. Blazer gave you.
 10 A. Is this the lease one?
 11 Q. No, we're going to get to that but not
 12 yet. Let me see how far in it is.
 13 A. I got it.
 14 Q. It's about the fifth or sixth one in.
 15 A. I got it.
 16 Q. This is the Illini Homes quote.
 17 A. Yep.
 18 Q. Did you ever have any confidence that this
 19 quote would solve your problem?
 20 A. Not for a moment.
 21 Q. Okay.
 22 A. No confidence at all.
 23 Q. Okay. Go like two documents before that.
 24 It's Pleasant Ridge Exhibit 134.

1 A. I got it.

2 Q. Okay. That's the May 7, 2013, email to
3 you from Matt Wingler, correct?

4 A. Yes.

5 MR. BLAZER: The other way around. It's
6 from him to Matt.

7 Q. Oh, I'm sorry, I apologize, it's from you
8 to --

9 A. From Hartke to Wingler, got it.

10 Q. Yeah. The fourth paragraph says, "We were
11 surprised by the Friday deadline." Is that the
12 first time you ever heard that deadline?

13 A. Yes. We were put under the gun, hey, fix
14 your problem or we're going to not let you sleep in
15 your house again.

16 Q. So three nights later. So this is Tuesday
17 May 7th. That was referring to that Friday to your
18 knowledge?

19 A. Yes, they gave us exactly, what, three and
20 a half days, working days to get them three quotes
21 or we're not going to let you sleep in your house
22 because we're going to make these turbines run and
23 that's your -- your do-or-die deadline.

24 Q. Okay. Now we're going to get to that

1 says at the property line.

2 And we were looking to amend this and say,
3 hey, you can have a ten foot strip around the edges
4 of our property to set up sound equipment, so it's
5 within a good reasonable distance of the property
6 line. And I'm a surveyor, I was ready to go mark
7 property lines and say here's your paint marks,
8 don't get out of your paint marks, because I don't
9 want you in my backyard hanging out with my kids.

10 We envisioned them having people sitting
11 there monitoring the noise, and I'll come home from
12 work and here's this dude in my living room, hey,
13 buddy, I'm having a coke, I'm monitoring noise. You
14 know, that would be ridiculous, right?

15 Q. So this was sent to you in July of 2013
16 when you were still living in your house. It was
17 before you moved out, correct?

18 A. Yes, this was before we moved out. And
19 there's a timing issue. I was accused at the county
20 of not cooperating and signing this access agreement
21 that we've been begging for, this sound study, for a
22 long period of time. There's, I think, a
23 communication breakdown.

24 Mike Marrons -- Mike Blazer thought that

1 license we heard of.

2 A. Okay.

3 Q. Do you have that handy?

4 A. I'm ready. The license agreement.

5 Q. What was the concern you had with the
6 license agreement that you wanted to advise the
7 board of?

8 A. First off, we gave them, the way I read
9 this, unlimited rights to do whatever they want all
10 over your whole entire property; that they're going
11 to measure all sounds of all bandwidths. They were
12 going to put my house under surveillance. I didn't
13 want this inside the walls of my home when my family
14 was living there.

15 We were on the verge of saying, hey, you
16 want to make our house a living laboratory? Maybe
17 you should get us in a hotel, rental house. Maybe
18 we should talk about the IPCB limits or IPCB
19 protocol which requires property line noise
20 measurements because that's what you have to abide
21 by is the IPCB rules, because if you abide by IPCB
22 rules, it doesn't say anything about at the
23 recipient, at the house, on the footprint of the
24 house, 20 feet on the property, in the driveway. It

1 Bill Donahue had sent this to me and my attorney or
2 one or the other, and I think Bill Donahue thought
3 that Mike Blazer had sent this to or from my
4 attorney or something, because when we are accused
5 of not cooperating and not signing this agreement,
6 my wife and I had not seen it yet, and that really
7 upset my wife because she thought I was not checking
8 my email. And, you know, wives typically will point
9 to their husband and say, hey, you didn't tell me
10 you had this easement thing, and I said we didn't.
11 So the timing is a problem, how early to claim when
12 we got this compared to when we actually did, and
13 that doesn't make any sense.

14 That was what I started to interject when
15 Mike wanted to -- Mr. Blazer wanted to continue on
16 to the next question, because we didn't get a fair
17 chance to look at this with enough time to consider
18 all the ramifications that are in it. Even when we
19 did get it, it has huge problems. There's no way
20 that a father would realistically reasonably allow
21 this to get put out there and have this happen in
22 your private home. There's no way.

23 While you're digging, I want to add some
24 stuff. At the beginning we offered to have them set

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1 up meters, equipment, because when it was bad at
 2 night, we wanted to hit record on their computers
 3 and say, okay, it's really, really bad, let's turn
 4 this on and everybody be quiet and let this thing
 5 run and everybody sleep to see how noisy it was and
 6 show them how noisy it was. We felt like nobody
 7 believed us.
 8 So there's numerous emails we sent to Matt
 9 Wingler or other -- maybe Marlin Conroy at the
 10 beginning of the job before Matt Wingler arrived.
 11 We never got a response that they would agree to
 12 come loan us some equipment to let us record any of
 13 this noise with special octave band limits,
 14 expensive measuring devices.
 15 Q. And this kind of falls to my next
 16 question. On January -- there's a text in your -- I
 17 think it's a text in your presentation, January
 18 22nd, 2013, it starts out to Marlin. Marlin is --
 19 was an employee of Invenergy at the time?
 20 A. I think that Marlin Conroy was an
 21 independent contractor hired to do construction
 22 management duties while White Construction was
 23 building the job, and I considered Marlin Conroy as
 24 the agent overseeing the contractors building the

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1 project.
 2 MR. LUETKEHANS: I have nothing further.
 3 Thank you, Mr. Hartke.
 4 CHAIRMAN CORNALE: Members of the
 5 audience, do we have any questions for Mr. Hartke?
 6 All right, I've got some out there. Need to state
 7 your name for us and go ahead with your question.
 8 QUESTIONS BY
 9 MS. SEVERSON:
 10 Q. My name is Amber Severson. Hi, Mr.
 11 Hartke. Could you please tell me when you moved
 12 into that home at that location? What's the date
 13 and year?
 14 A. We moved there in the summer of 2006.
 15 Summer of 2006 is when we moved to our house near
 16 Hope Church in the wind farm.
 17 Q. Okay. And the wind farm became
 18 operational in January of 2011?
 19 A. No, it became operational January 2013.
 20 Q. Oh, 2013, okay. So you lived there
 21 approximately seven years before then?
 22 A. Yes, seven years.
 23 Q. So in those seven years, did you have
 24 to -- ever have to write emails to multiple lawyers

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1 or people?
 2 A. No, I --
 3 Q. Was that part of your daily life?
 4 A. I've never written any letters to any
 5 attorneys except for when I set up my business for
 6 the first time to get my corporation set up. That's
 7 the only attorney's fees I had ever paid before this
 8 all started.
 9 Q. In that eight year period, did you make
 10 numerous contacts with your county board or make
 11 numerous complaints to your county board?
 12 A. I had never contacted or been in touch
 13 with any county board member for any topic for any
 14 reason at any time ever before this, before probably
 15 I think April of 2013.
 16 Q. In those eight years, did you move your
 17 furniture around so you could sleep in your living
 18 room so that you could avoid noise?
 19 A. No, we've always had the beds in bedrooms
 20 where they belong.
 21 MS. SEVERSON: Okay, thank you.
 22 CHAIRMAN CORNALE: Anybody else from the
 23 audience with questions?
 24 QUESTIONS BY

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1 MR. CAVAZOS:
 2 Q. Ambiro Cavazos. I just had a couple of
 3 questions. First of all, writing the notes on my
 4 hand, Illinois Home Improvement, is that the -- was
 5 that the company that was, you know, contacted by
 6 Invenergy?
 7 A. Yeah, Illini Home Improvement.
 8 Q. Okay. Are they or anyone else that you
 9 know of specialists in insulating from low frequency
 10 sound or infrasound?
 11 A. They -- never low frequency noise, and
 12 they had done some sound-reducing insulating with --
 13 can't think of the name of the insulation. Help me
 14 out. Can I go phone a friend? White fluffy stuff.
 15 AUDIENCE VOICE: Cellulose.
 16 A. Cellulose. They wanted to use cellulose
 17 on my house. They thought that was the most
 18 noise-reducing material that they had.
 19 Q. Well, I guess I know some people that used
 20 to be in a band and that's not what they use for
 21 soundproofing. Anyways --
 22 A. Are you talking about like eggshells?
 23 Q. Yeah, that's about the only thing that
 24 I've seen and that doesn't keep sound out totally,

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1 but --

2 **CHAIRMAN CORNALE:** Question, question.

3 Q. Okay. Now, also have you -- do you know

4 of any way to keep infrasound out? Have you heard

5 of any way? Have you heard any testimony from

6 anyone at these hearings?

7 **A. The only thing I've ever seen as far as**

8 **low frequency noise abatement where people would**

9 **sleep is people would move into their basement**

10 **underground to be able to sleep in their house.**

11 **There have been a few families that have contacted**

12 **us and said, hey, Ted, do you guys have a basement,**

13 **you need to move your stuff down to the basement,**

14 **that made a big difference for us, and we had a**

15 **crawl space, no basement.**

16 Q. So you never heard of anyone testifying

17 that 30 feet of concrete?

18 **A. 30 feet of concrete would be ridiculous.**

19 **That would be the part about being cost prohibitive.**

20 Q. Okay.

21 **A. And I want to live in a house and not a**

22 **bunker, not a prison. I want to live in a house**

23 **like normal people.**

24 Q. Would you be willing to do a sound study

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1 similar to the one done in Cape Bridgewater,

2 Australia?

3 **A. Yes.**

4 Q. I guess you've heard of that.

5 **A. Yes, I know about that sound study.**

6 Q. I would too.

7 **MR. CAVAZOS:** Thank you very much.

8 **A. Yes, I would definitely do that.**

9 **CHAIRMAN CORNALE:** Any other questions

10 from the audience? I've got some.

11 **A. I have a comment about the sound study at**

12 **Cape whatever. Can I make a commentary?**

13 **QUESTIONS BY**

14 **MR. BUNTING:**

15 **A. Hi, Jason, how are you doing?**

16 Q. How you doing, Ted? This is more a

17 character question than it is a windmill question.

18 **CHAIRMAN CORNALE:** Hold on. Name.

19 Q. Jason Bunting.

20 **A. Are you from Bureau?**

21 Q. Two questions here. Did you refuse to

22 give names of two contractors, the name of a doctor,

23 and the name of an employee for White here at

24 this --

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1 **A. Yes, I refuse to give those list of**

2 **people's names. No names for those people.**

3 Q. Did you not 15 minutes ago give the name

4 of a minor?

5 **A. Of a minor?**

6 Q. Did you say the first name of a minor on a

7 school bus? Did you give a first name of a minor?

8 **A. The first name of a freshman student on**

9 **the bus.**

10 Q. Did you give the first name?

11 **A. First name of the student on the bus, and**

12 **now that you point that out, I'm very embarrassed**

13 **that I made a mistake to identify any student. I'm**

14 **very sorry.**

15 Q. Okay, that's all I got.

16 **MR. BUNTING:** Thanks, Ted.

17 **CHAIRMAN CORNALE:** Any other questions

18 from the audience?

19 **QUESTIONS BY**

20 **MR. JOHN SLAGEL:**

21 Q. John Slagel. Well, thank you for coming,

22 Ted, and giving us a preview of how Invenergy acts

23 once they get in the community.

24 **CHAIRMAN CORNALE:** Questions.

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1 Q. Okay. Yes, questions. What all solutions

2 have you tried like besides moving your beds to the

3 middle of the room? Have you tried anything else?

4 **A. Yes. We tried earplugs, we tried**

5 **earmuffs, we tried like a white noise machine to**

6 **mask the noise. We tried box fans, ceiling fans,**

7 **running our furnace blower/air conditioner blower**

8 **fan all the time. We tried running that. We moved**

9 **our beds into the living room. And we moved out of**

10 **our house.**

11 Q. Did you have any problems with like did

12 your dogs react differently to the sound?

13 **A. Yes. While we lived there, we just had**

14 **the one dog. We've gotten another dog since we've**

15 **moved. You want me to talk about my dog?**

16 Q. Yeah, like what was his reaction to the

17 turbine noise?

18 **A. I can't ask my dog questions, say, hey, is**

19 **that a bunny rabbit that you think you see or**

20 **turbine noise? But my dog used to stay in the**

21 **garage and he would bark and bark and bark and bark**

22 **in the garage. We moved him into the foyer so he**

23 **would be closer to us and we could yell at him,**

24 **Shadow, be quiet. He would still wake up in the**

1 middle of the night and bark out the back of the
2 window, the patio window, and not sleep.

3 Our solution with that is at nighttime we
4 finally was shutting him into the laundry room which
5 has no windows and only has one exterior wall that
6 has no windows either. He would do much better in
7 the laundry room inside of our house. So he went
8 from an outside garage dog to being in our laundry
9 room every night.

10 Q. So you're saying before the wind turbines
11 he was --

12 A. Garage dog, he stayed in the garage on his
13 heat pad.

14 Q. Okay, okay, and then he started making
15 noises.

16 A. He was up all night and would bark a
17 lot --

18 Q. Okay.

19 A. -- and we moved him in. In small steps.
20 We never had any house pets ever before, and we --
21 he was miserable. It's hard to talk about your dog.
22 It's --

23 Q. I'm just curious.

24 A. -- some people don't relate well.

1 Q. Okay. And I suspect I know the answer,
2 it's been beat home, but you slept fine before the
3 wind turbines came?

4 A. Yes.

5 Q. Then they came --

6 A. Yes.

7 Q. -- and you couldn't sleep.

8 A. Right.

9 Q. And did you actually see a doctor about
10 that?

11 A. Yes. Of course we did.

12 Q. Yeah. That seems kind of odd to me when
13 you know the problem, right?

14 A. You go to the doctor to find relief for
15 sleep.

16 Q. Okay.

17 A. The doctor can prescribe medicine. I
18 took, it's starts with A, Ambien? I don't know what
19 it's called. I took that one night. It -- it works
20 really good, but I woke up the next day having no
21 recollection of anything that had happened all night
22 long and it scares me. My house, if it would have
23 burned down around me, I would have not made it out
24 of the house. I was -- my wife tried to wake me up

1 Q. When did you first find -- like after you
2 first started thinking that it was the turbines
3 causing you to not sleep. Had you ever looked like
4 on the Internet and found other wind victims?

5 A. No, not before we started having terrible
6 nights.

7 Q. And what was it like? What was your first
8 contact if you remember?

9 A. Contact for?

10 Q. Finding other people like this and
11 thinking, oh, this is a thing.

12 A. It really hit us how widespread the
13 problem was after we spoke out on April 15th, 2013,
14 because up until then we just had been dealing only
15 with Invenergy and kept it family only that knew.
16 And once we spoke at Potomac at the public hearing,
17 that article, that news thing, went worldwide on the
18 Internet, and we got contacted by people from all
19 over who said, hey, this happened to us too, we're
20 very sorry, you unfortunately get to join us, and
21 here is the things that we tried, and we're sorry.
22 And it was a lot of sympathy came out when that
23 happened. And we never realized how widespread it
24 was.

1 and she said that I would not wake up.

2 Q. Okay, and then -- so there's a rumor going
3 around. I think a letter was sent to the county
4 board that you had gotten fired from Invenergy and
5 you were ticked off at them about that.

6 A. Yeah, that's a rumor. I could address
7 that, yes. You want me to go ahead?

8 Q. Sure, yes.

9 A. Okay, several months ago I got notice from
10 somebody here who said that -- this goes down the
11 line of Ted is just jealous or mad and he doesn't
12 like his neighbors or whatever. And what happened
13 was is someone in this community had gone to my
14 house during the daytime, and while they were there,
15 a neighbor of mine -- since Jason Bunting, I'm not
16 going to say his name.

17 A neighbor of mine stopped and talked to
18 this couple that was in my driveway, and I was told
19 that he said that this is all made up crap, sorry
20 about the language here, this is not true, and Ted's
21 just mad -- he used different words maybe because I
22 know this guy, he wouldn't use mad -- and he was
23 fired by Invenergy for telling people where the
24 turbines were going to be before they were built,

1 okay? And that's what I know about the statements
2 he said.

3 Q. That's what I heard too, yes.

4 A. And this neighbor of mine, I'm going to
5 describe him, I've always gotten along very well
6 with this person, and we've shared a lot of funny
7 war stories goofing around, whatever, and this guy
8 is great about stirring up trouble, and I believe
9 that he was simply blowing smoke to try to mess with
10 people and see what they would believe. He would be
11 the type of person that would do that. I don't
12 think he did it maliciously, but he just -- he says
13 things like that.

14 So my wife was extremely mad that he did
15 these things because she says now, look, Leon
16 doesn't know what he's doing -- sorry -- and he says
17 these things and then people think it's true. And
18 they go to their community and they say, hey, no
19 problem, Hartke's made it up, it's a joke, and then
20 all that stuff gets dismissed, but he doesn't know
21 that that's going to harm people, I mean that it's
22 thoughtless and careless.

23 And throughout all this I've tried to
24 maintain the ability to realize that people are

1 that you don't own in a neighborhood that you're not
2 wanted and your children are harassed on the school
3 bus, half the community likes you, the other half of
4 the community does not like you, that's not a
5 healthy place to raise children. So we're going to
6 move and leave the area where my wife grew up, and
7 we're going to fix that first.

8 And until then, until I can afford to do
9 those things and take care of my family, I'm going
10 to -- and I'm just treading water here, I'm going to
11 try to keep this from happening to somebody else.
12 So that's why I'm here.

13 Q. If the wind farm was shut down tomorrow,
14 would you move back into your house?

15 A. I would not move back into my house in
16 fear that they would turn them back on and refuse to
17 shut them off again. I've been through that once.
18 I realize I cannot trust or believe or have any
19 faith whatsoever after being burned too many times
20 by them saying they're going to give us SCADA data
21 and stating these wonderful things to my county
22 board and never following through and never taking
23 care of the problem. We've been promised that some
24 how, some way we're going to fix this and avoid

1 going to say really crazy things about you, to you,
2 to your family. I've been told that I did all of
3 the work for the whole wind farm and I made millions
4 of dollars, okay? But then people point out and
5 say, hey, wait a minute, Hartke lives in a
6 doublewide mobile home in Collision and that's not
7 millions of dollars.

8 I've also been told that Mr. Hartke or Ted
9 Hartke, his business is doing horrible, he's broke,
10 he can't afford his house, it's going in
11 foreclosure. Well, that's not true either. I'm up
12 on my payments and taxes and my utilities.

13 The fact is this. I am of reasonable
14 means. I've learned that you can afford one good
15 house and one crappy house. You can afford one good
16 house, some attorney's fees and a bad house. You
17 cannot afford two good houses. You cannot afford
18 one house plus the cost of finding specialists and
19 acousticians and the expert testimony that it's
20 going to take to go up against a billion dollar
21 company. You can't afford that.

22 So I've prioritized my life. First, I'm
23 going to fix my family living situation. Living in
24 a doublewide mobile home with two dogs in a house

1 litigation, and they're -- they haven't done it.
2 It's been -- it's been long enough. It's a joke.

3 So I won't move back in my house. It's --
4 it would be too stressful and worrisome to be under
5 the gun and have a gun pointed at you. You feel
6 like a hostage. You feel like you would never ever
7 repaint your living room, put in any new carpet, fix
8 a crack in concrete, because you can't get that back
9 out of your house. It's not yours anymore; it's
10 been taken.

11 As soon as we had problems sleeping in our
12 house, we halted all planned projects. We stopped.
13 We thought we can't throw good money after bad
14 money, we need to figure this out. And we're not
15 going to have Illini insulation put in \$58,000 worth
16 of insulation and not have a solution. This is a
17 problem that doesn't have a long-term solution.

18 Q. Since you've lived amongst the wind farm,
19 how many -- there's been a lot of broken blades --

20 A. Yeah.

21 Q. -- and stuff like that. First off, did
22 you see any carnage and did they actually fall
23 straight down? Tell me about life in the wind farm.

24 A. The first couple --

1 Q. And that's my last question, so I'll just
2 give the mic away and sit down. You can continue.

3 A. The first blade that broke was five miles
4 north of my house. It was while they were still
5 testing turbines. And that first blade broke and
6 the blade wrapped itself around the nacelle of the
7 tower. That was the first one. We thought, hey,
8 that was a weird, rare thing, whatever. And the
9 second blade that broke was next to Newtown Middle
10 School, and that's eight miles approximately
11 straight east of my house. I had one five miles
12 north, I had one eight miles east.

13 The thing about the turbine that broke
14 next to Newtown school is that two blades fell off
15 the turbine. The first blade I believe knocked the
16 second blade off, because it's not possible two
17 blades at once would suddenly fail both at the same
18 time, so one of them impacted the other, okay? So
19 that's okay.

20 But when that one broke, the night that it
21 broke, I think it broke at like 8:00 p.m., at 10:30
22 p.m. I had written an email and it said, hey,
23 Cory -- one of these guys that works for Invenergy
24 up in Elgin -- Cory, the turbines are running really

1 equipment. And we're here witnessing this and you
2 don't even listen to the neighbors to help monitor
3 that maybe you should cool them off and slow them
4 down a little bit before you run them past the point
5 of breakage. And I wrote that. I was very smug
6 when I wrote that because I was right. These things
7 were -- they're running hard.

8 And I think that maybe this county board,
9 if Invenergy has nothing to hide, ask for the SCADA
10 data of the turbine that broke that night. They say
11 that it was damaged by lightning previously, so if
12 it got hit by lightning it was a little bit more
13 weakened, but if it broke at full tilt, you need to
14 slow these things down. They're not well-built, not
15 well-designed, and they're breaking.

16 Since those -- let me -- the first event
17 was one blade, the second event was two blades.
18 Since then, they've replaced two blades that were
19 bad before they were catastrophically broke off,
20 okay? So they've done these other blade
21 replacements. And those turbines are also about
22 five miles north of my house. And all of the blades
23 that I've seen now have a reinforcement strap from
24 about just beyond the connection point where it

1 hard. We're in our living room trying to sleep and
2 all of us are awake and we cannot sleep and these
3 things are pounding and going at full blast. I
4 can't believe how bad it is. And you got to give us
5 some relief, we're in our living room, no beds in
6 the bedrooms, come on.

7 Maybe that's not exactly all the words I
8 used in that email, but that's what I was thinking
9 when I was writing it, okay? Because I'm sure Mr.
10 Blazer will go check to see exactly what the email
11 said, okay, which is fine. I think that's good to
12 check that. So I reserve the right to change this
13 exact -- the exact wording.

14 The next morning I got a phone call at
15 6:30 and someone called me, hey, Ted, a turbine
16 blade break -- broke at next to the school. What do
17 you think of that? You should go look at it. I
18 said, okay, well -- so the first thing I did is I
19 emailed him and I said, Cory, maybe Invenergy should
20 listen to the neighbors because last night when it
21 was running like crazy, you guys broke one, you ran
22 it past the -- past the point of destruction and you
23 overdid the capability of these blades to stay
24 together, and you guys are destroying your own

1 connects to the center of the hub, from there about
2 one-third of the way out to the end of the turbine
3 blade, okay? So they have these reinforcement
4 straps that I've seen.

5 I've also seen these reinforcement straps
6 on the brand-new turbines that are near -- I can't
7 think what town it was, somewhere in northwestern
8 Illinois, and when I saw those, they have these
9 reinforcement straps. The most recent blade break
10 that I saw a photo of online was one of these blades
11 that has this reinforcement strap on there. So, to
12 me, it seems like they know they have a big problem
13 with blades, more of them are going to break,
14 they're adding some reinforcement, retrofitting, and
15 I wonder -- there's going to be more.

16 Every day I drive to and from work past my
17 old house twice, sometimes I look at my old house,
18 it makes me sad, so I kind of scan and I look, do
19 all of these have all their blades? I kind of look
20 for that now because I think it's a matter of time.
21 So I -- that's another reason why we probably would
22 not ever consider living in a wind farm ever again,
23 because I feel like these things are unsafe now that
24 I've lived next to them.

1 **And there's been four events, four cranes**
 2 **located in fields within the first two years of the**
 3 **wind project where they're replacing blades. I --**
 4 **these machines are brand-new. Is there a recall?**
 5 **Is there a lemon law that covers turbines? I think**
 6 **they have a warranty period. I don't think people**
 7 **are going to want to own or maintain these turbines**
 8 **for very long. I just -- I think it's going to be**
 9 **horribly cost prohibitive. Just like making a**
 10 **concrete bunker out of my house. Certainly over a**
 11 **long enough period of time, the cost to fix blades**
 12 **is going to be too expensive.**

13 **CHAIRMAN CORNALE:** All right. Anybody
 14 else in the audience with questions? Anybody else
 15 out there? All right. Do we have any questions? I
 16 just have just a couple. County staff, do you have
 17 any questions?

18 **QUESTIONS BY**
 19 **CHAIRMAN CORNALE:**

20 **Q.** All right. First question I'm going to
 21 ask, you lived in it, so you -- you know, your first
 22 complaint was 1/22 of '13. Was there a noticeable
 23 difference in the sound seasonally?

24 **A. Yes.**

1 **of time their battery went down is the two weeks of**
 2 **time that they practiced a little too hard and they**
 3 **didn't have their numerical values below the**
 4 **Pollution Control Board limits? To me, I think that**
 5 **could have been data that they conveniently hid or**
 6 **got rid of.**

7 **Q.** Okay. You said that you have your home
 8 listed on Zillow, and actually --

9 **A. Yes.**

10 **Q.** -- there was a reference much earlier in
 11 the hearings to Zillow. Have you had any showings?
 12 Have you had any --

13 **A. Yes.**

14 **Q.** -- interested buyers?

15 **A. We've had three different couples look at**
 16 **our home.**

17 **Q.** Okay. Have they, have either -- have any
 18 of the three made a, I guess, reasonable offer or --

19 **A. No offer.**

20 **Q.** No offer, okay. We talked a lot about the
 21 soundproofing and the whole 58,000 and that. As we
 22 looked at that, did you determine the scope of what
 23 you felt the soundproofing was adequate or didn't?
 24 Did Invenergy provide that or how was it determined

1 **Q.** Okay. The worst seasonal difference
 2 was --

3 **A. Wintertime.**

4 **Q.** Wintertime.

5 **A. Wintertime is the very, very worst part.**

6 **Q.** Okay, okay. So if we had data provided to
 7 us that was in September, October, you feel that
 8 that data would not necessarily be representative of
 9 what individuals would --

10 **A. Not representative.**

11 **Q.** Okay, okay.

12 **A. Especially since the data they provided**
 13 **didn't show how much power they're making out of the**
 14 **turbines that they were measuring. They gave us a**
 15 **project-wide power output and only the nearest**
 16 **turbine RPMs. I want to see what the nearest**
 17 **turbine output was and what the tip and tilt of**
 18 **these blades, the feathering of the blades was,**
 19 **because the feathering of the blades is how they can**
 20 **make them quieter.**

21 **I want to explain that I think it felt**
 22 **like they were practicing ways on how to be good.**
 23 **Earlier I alluded that there was two weeks of time**
 24 **that their battery went down. What if the two weeks**

1 the scope of the necessary improvements to make your
 2 house soundproof?

3 **A. Well, for the scope, we looked at what**
 4 **airports do for noise abatement. It's very dense**
 5 **wall insulation. It's multi-pane windows. We had a**
 6 **contractor that I spoke with from Chicago that does**
 7 **soundproofing along the elevated train in Chicago,**
 8 **and his prognosis was, Ted, walls next to the**
 9 **elevated train are very, very thick and the windows**
 10 **are the problem. And his suggestion was an inside**
 11 **and outside window with about one foot of separation**
 12 **between those two windows. That was some serious,**
 13 **heavy-duty stuff to be doing to a house that has**
 14 **6-inch stud walls right now.**

15 **So that was causing us to look at, well,**
 16 **if you have these windows that are a foot apart,**
 17 **you're going to have to have a double studded wall.**
 18 **So we don't know if you give up six inches around**
 19 **the inside of every single room on all exterior**
 20 **walls or if you rip down siding and you make your**
 21 **house six inches fatter all the way around and then**
 22 **redo all your soffits, eaves and things to make the**
 23 **house not look like a shed, okay?**

24 **So it was going to impact our home in many**

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1 ways visually, and it was going to make our house
 2 less desirable for having double sets of windows.
 3 It was just going to be a bizarre scenario to do
 4 that kind of a thing.
 5 So when we talk about the roof decking, we
 6 talk about plywood is a pretty good insulator. How
 7 many layers of plywood on your roof would it take to
 8 deaden some of the sound? The answer is a lot of
 9 layers because the wavelength of low frequency noise
 10 is very long. High frequency noise is easy to
 11 soundproof because the wavelength is so short it
 12 goes many, many times and breaks down through a thin
 13 wall, but low frequency noise, the thumping noise,
 14 has that very long small wavelength and it pierces
 15 through and carries through all your thin walls.
 16 One of the problems with low frequency
 17 noise is they call it the reverberation or the
 18 echoing or whatever. You get a 15 foot long
 19 wavelength of air noise pressure in a room that's 15
 20 foot wide, that room becomes like a drum and it
 21 reverberates. And I've said this many times.
 22 Outside our house when you're trying to stand there
 23 and think about it and feel it, it feels like
 24 nothing, but when you move inside your house, it's

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1 unbelievable. You can't believe where this noise is
 2 coming from because you don't sense it when you're
 3 outside as much as when you're inside.
 4 Q. Okay. All right, thank you.
 5 CHAIRMAN CORNALE: Do we have any other
 6 questions, county staff, county counsel? All right,
 7 Mr. Hartke, thank you.
 8 All right, that's it for this evening. I
 9 think -- yeah, it's 9:48. So we've got some
 10 additional meetings scheduled. We talked about
 11 April the 7th, April the 9th, and April the 13th.
 12 So tentatively April the 7th we will have the
 13 meeting at the high school in Pontiac at 6:30. So,
 14 everybody, April the 7th, 6:30, Pontiac High School.
 15 We're looking at April the 9th we'll be back here,
 16 the Walton Centre location, at 6:30. And we don't
 17 have a location yet -- yeah, we do have a location
 18 on the 13th. Tentatively that will be at the high
 19 school in Pontiac at 6:30. So the 7th at the high
 20 school in Pontiac, the 9th at the Walton Centre, and
 21 the 13th at the Pontiac High School. All of them at
 22 6:30.
 23 All right, with that, I need a motion to
 24 recess.

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1 MR. VITZTHUM: I'll make that motion.
 2 CHAIRMAN CORNALE: Vitzthum motions. Can
 3 I get a second?
 4 MS. HUISMAN: Second.
 5 CHAIRMAN CORNALE: Joan Huisman seconds.
 6 All in favor?
 7 ALL MEMBERS: Aye.
 8 CHAIRMAN CORNALE: Opposed?
 9 (Adjourned at 9:48 p.m.)
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1 STATE OF ILLINOIS)
 2 COUNTY OF FORD)SS
 3)
 4 I, June Haeme, a Notary Public in and for
 5 the County of Ford, State of Illinois, do hereby
 6 certify that the following Livingston County Zoning
 7 Board of Appeals Case SU-7-14 hearing was taken at
 8 the Walton Centre, 100 West Locust Street, Fairbury,
 9 Illinois, on March 25, 2015.
 10 That the said testimony was taken down in
 11 stenograph notes and afterwards reduced to
 12 typewriting under my instruction and that the
 13 transcript is a true record of the testimony given.
 14 I do further certify that I am a
 15 disinterested person in this cause of action; that I
 16 am not a relative, or otherwise interested in the
 17 event of this action, and am not in the employ of
 18 the attorneys for either party.
 19 IN WITNESS WHEREOF, I have hereunto set my
 20 hand and affixed my notarial seal this 30th day of
 21 March, 2015.
 22
 23
 24

JUNE HAEME, CSR
 NOTARY PUBLIC

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

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