

**In The Matter Of:**  
*McLEAN COUNTY ZONING BOARD OF APPEALS*

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*WIND FARM*  
*January 25, 2018*

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1 McLEAN COUNTY ZONING BOARD OF APPEALS  
2 MEETING  
3 THURSDAY, JANUARY 25, 2018  
4 6:00 P.M.  
5 at  
6 McLean County Government Center  
7 115 East Washington Street  
8 Bloomington, Illinois  
9 Case Number SU-17-11  
10  
11 BOARD MEMBERS PRESENT:  
12 Brian Bangert  
13 Chris Carlton - 1st Alternate  
14 Rick Dean  
15 James Finnigan - Chairman  
16 Michael Kuritz  
17 Mary Beth Taylor - 2nd Alternate  
18 Julia Turner  
19 Drake Zimmerman  
20  
21 ALSO PRESENT:  
22 Philip Dick, Director of Building and Zoning  
23 Samantha Walley, Assistant State's Attorney  
24 Jerry Stokes, County Engineer

20 Holly Wingstrom, RPR, CRR, CSR #84-03888  
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1 (COMMENCING AT 6:02 P.M.)  
2 CHAIRMAN FINNIGAN: We are going to the  
3 McLean County Zoning Board of Appeals open for  
4 business.  
5 Will the secretary call the roll?  
6 MR. DICK: Mark Judd?  
7 Brian Bangert?  
8 MR. BANGERT: Here.  
9 MR. DICK: Michael Kuritz?  
10 MR. KURTIZ: Here.  
11 MR. DICK: Rick Dean?  
12 MR. DEAN: Here.  
13 MR. DICK: Julia Turner?  
14 MS. TURNER: Here.  
15 MR. DICK: Drake Zimmerman?  
16 MR. ZIMMERMAN: Here.  
17 MR. DICK: Jim Finnigan?  
18 CHAIRMAN FINNIGAN: Here.  
19 MR. DICK: Chris Carlton?  
20 MS. CARLTON: Here.  
21 MR. DICK: Mary Beth Taylor?  
22 MS. TAYLOR: Here.  
23 CHAIRMAN FINNIGAN: This is a continuation  
24 of case SU-1711. I am going to have my counsel tell

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1 us where we are at in the procedure.  
 2 **MS. WALLEY:** Good evening, ladies and  
 3 gentlemen. We are still at the testimony portion of  
 4 our evidentiary hearing, so what we are doing is  
 5 going through the list of sign-ups. We will cycle  
 6 through that one last time. We will then have an  
 7 opportunity for brief rebuttal testimony, if that is  
 8 exercised. If not, then we will have closing  
 9 arguments, and we can talk about that a little bit  
 10 as we get closer to that.  
 11 For right now we are just going to go  
 12 through the sign-up sheet and make sure that anyone  
 13 that is here that signed up to testify and wants to  
 14 testify can do so.  
 15 **MR. DICK:** Dan Deneen?  
 16 **MR. DENEEN:** Here.  
 17 **MR. DICK:** Do you want to come up and  
 18 testify?  
 19 **MR. DENEEN:** Who would be getting copies  
 20 of the exhibit?  
 21 **MR. DICK:** One for the exhibit and one for  
 22 each of the zoning board.  
 23 **MS. WALLEY:** Do you need copies made?  
 24 **MR. DENEEN:** I have copies. Angelo

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1 prepared those for me.  
 2 **CHAIRMAN FINNIGAN:** Would you like to be  
 3 sworn in or affirmed?  
 4 **MR. DENEEN:** Sworn.  
 5 (MR. DENEEN PLACED UNDER OATH.)  
 6 **CHAIRMAN FINNIGAN:** Would you state your  
 7 name and address and spell your last name for the  
 8 record?  
 9 **MR. DENEEN:** Daniel Deneen, D-e-n-e-e-n,  
 10 2219 West Oakland Avenue, Bloomington, Illinois.  
 11 **CHAIRMAN FINNIGAN:** Thank you. Go ahead.  
 12 **MR. DENEEN:** Okay. I am here, and I am  
 13 wearing two hats today.  
 14 **MS. WALLEY:** Mr. Deneen, I am sorry.  
 15 Before you start, did you want to be qualified as an  
 16 expert?  
 17 **MR. DENEEN:** No.  
 18 **MS. WALLEY:** Okay. I just wanted to  
 19 verify that.  
 20 (NEUTRAL EXHIBIT NO. 7 - PARKLAND  
 21 RESOLUTION.  
 22 **MR. DICK:** We'll call your exhibit,  
 23 Mr. Deneen, Neutral Exhibit 7.  
 24 **MR. DENEEN:** Thank you. The first hat I

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1 am wearing is Parkland's Foundation President.  
 2 Parkland's Foundation is a not-for-profit  
 3 organization that provides a very valuable resource  
 4 for the community. It is a public resource and open  
 5 to the public although it is 100 percent private.  
 6 Parkland's Foundation has approximately 3500 to  
 7 4000 acres of conservation ground in McLean and  
 8 Woodford County.  
 9 I have given you the resolution by the  
 10 Parkland Foundation Board. The Parkland Foundation  
 11 does not support or oppose the Invenergy McLean Wind  
 12 Energy Center. Parkland's Foundation supports all  
 13 of the Illinois Department of Natural Resources'  
 14 recommendations in effect at time of vote by the  
 15 Zoning Board of Appeal or McLean County Board as a  
 16 condition of approval, especially including a one  
 17 half mile setback from the Mackinaw River as well as  
 18 all of Heinlein Creek including within the INAI  
 19 designation for any wind turbine.  
 20 And I will comment first on the  
 21 environmental factors. The county has in its  
 22 ordinances support for the IDNR positions.  
 23 The IDNR recommendations must be honored  
 24 except for credible evidence otherwise.

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1 And you have the different resolutions. I  
 2 won't go into them. I know you want to get out of  
 3 here quickly.  
 4 I will state, though, when I first  
 5 questioned Mr. Parzyck, he tried to evade the  
 6 answers. He didn't know the standards. He didn't  
 7 provide credible evidence. He was upset when I  
 8 asked him what credible evidence he had. I do not  
 9 believe they have given credible evidence for any of  
 10 the factors, so I would ask the board to make -- the  
 11 zoning board to make a recommendation to the full  
 12 board that it accept all the IDNR recommendations.  
 13 I was further incensed when Angelo  
 14 Capparella was up here. He was attacked. The  
 15 burden of proof was on Invenergy to provide credible  
 16 evidence; instead, Mr. Griffin kept asking him  
 17 questions that Ms. Walley said were improper later  
 18 on in this proceeding. He kept asking Angelo, "Are  
 19 you aware?" And he would say something. How could  
 20 he be aware of a study that was not in the record?  
 21 They could have provided the credible evidence.  
 22 They didn't.  
 23 So, on behalf of Parkland's foundation, we  
 24 would ask to protect this because Parkland's

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1 foundation has an ecological wildlife oasis in the  
 2 middle of what's basically an ecological desert  
 3 because of farm ground and other things, not that I  
 4 oppose farm ground.  
 5 I will take off my hat for Parkland and  
 6 testify privately now. This will surprise  
 7 Mr. Griffin and Mr. Parzyck, but I am in support of  
 8 a wind farm. Coal is dead, oil is dying, and other  
 9 factors.  
 10 Alternative energy sources and  
 11 conservation are increasing more so in the rest of  
 12 the world than they are here. We need to get behind  
 13 it.  
 14 However, that being said, it is for this  
 15 zoning board and county board to protect its  
 16 citizens from just taking a project at face value  
 17 and saying we will accept your money, build this  
 18 project.  
 19 You've heard numerous comments in other  
 20 areas, but they are trying to get as many turbines  
 21 as they can in different areas.  
 22 I will just comment briefly on the most  
 23 important area, and that is noise, which a lot of  
 24 the people are here about.

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1 The board must look towards the health,  
 2 safety, and welfare of the citizens in this  
 3 community. First, I would say you need to take a  
 4 look also what is objective and what is subjective.  
 5 Mr. Hartke might have been a little too subjective,  
 6 but you get to objective on some of the other  
 7 information.  
 8 ISO standards are objective. They are  
 9 from the people around the world who say this is the  
 10 best standards for wind farms.  
 11 Subjective is their witness who said,  
 12 "Well, I don't really agree with their standards. I  
 13 want to knock two decibels off."  
 14 I know at least four of you up there are  
 15 very familiar with noise standards. Two decibels is  
 16 a lot of noise standard. Three decibels increases  
 17 the energy, the noise power by a factor of double,  
 18 and I believe the noise loudness is about 23 percent  
 19 more.  
 20 So, on behalf of the people around the  
 21 community, be very, very conservative and protect  
 22 the people from the excess noise.  
 23 I think you need to break things into two  
 24 different classes and ask them to go back to their

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1 computer model and readjust. The first are what  
 2 they call the participating people; and the  
 3 participating people, they should be protected by  
 4 the 1500-foot minimum standard which should get you  
 5 to about a 39-decibel level unadjusted.  
 6 But for the nonparticipating persons, the  
 7 ones who aren't asking for a wind farm, the ones who  
 8 are not getting paid a nice amount, then you should  
 9 be much, much more conservative. I would suggest --  
 10 I'll leave it to you, and you'll probably debate it  
 11 but, I believe they should have at least a 3-decibel  
 12 cushion. If their expert was willing to throw out 2  
 13 decibels, I think it's only fair that you protect  
 14 them with about 3 decibels below the Illinois  
 15 Pollution Control Board standards. That would  
 16 result I believe in 23 percent less noise energy --  
 17 not energy -- loudness. That might not be exact,  
 18 but anyone can go to the Internet and see it's in  
 19 the 20 to 25 percent range.  
 20 Their expert was correct. I'm not going  
 21 to give an estimate as to whether you need to  
 22 stretch that to 1750, 1800 feet or more. But their  
 23 expert was correct in it depends on how far away  
 24 from the turbine, the further away from the turbine

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1 I believe the less -- the more affect you get with  
 2 it, but that could have been explained by their  
 3 expert instead of by a layman.  
 4 So I am not going to suggest a distance,  
 5 but they should have at least a 3-decibel cushion,  
 6 in my opinion, for the nonparticipating people.  
 7 For the Village of Lexington, City of  
 8 Lexington, I think it needs to be at least half a  
 9 mile because that is a community and you don't want  
 10 to restrict Lexington's expansion because they want  
 11 to lock them in with this.  
 12 And then, just going back and to  
 13 summarize, really, you had the one exhibit, and you  
 14 saw it up there, turn all of the red areas with  
 15 houses green. The nonparticipating persons should  
 16 not be within the red zone, and the red zone should  
 17 not be calculated taking off 2 decibels but perhaps  
 18 adding 3 decibels to the standards. Go conservative  
 19 for these people.  
 20 And one other thing that did come up that  
 21 I would suggest also, they talked about, if they do  
 22 build turbines too close to persons, they are going  
 23 to have to make adjustments. They have to turn them  
 24 on and off. They lose their productivity. I would

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1 suggest this board tell them to crunch their numbers  
 2 further and, instead of turning off turbines and  
 3 making adjustments just for nonparticipating  
 4 persons, put them a little further away. Thank you.  
 5 **CHAIRMAN FINNIGAN:** Question from the  
 6 board?  
 7 (QUESTIONS BY THE BOARD:)  
 8 **MS. TURNER:** Dan, are you under the  
 9 assumption that he took 2 decibels off of the  
 10 standard?  
 11 **MR. DENEEN:** Yeah. It's my understanding  
 12 that he took the ISO standard and he randomly --  
 13 well, he doesn't think it's randomly. He  
 14 subjectively believes he doesn't fit the model.  
 15 **MS. TURNER:** Right. I don't -- I think he  
 16 was taking it off of his own model, is what he's  
 17 saying, not off the standard but off his own model.  
 18 Could that be possible?  
 19 **MR. DENEEN:** You would have to ask him,  
 20 but I did hear quite clearly that he crunched the  
 21 numbers and he said, well, let's reduce it by 2  
 22 decibels. He did say, I did add in. I figured it  
 23 out to see if it was a parking lot, but there was no  
 24 discussion as to the magnitude of that deviation,

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1 and we don't know if it's more or less than 2  
 2 decibels.  
 3 **MS. TURNER:** Okay. I'll be sure to go  
 4 back and read that again.  
 5 **MR. DENEEN:** I wasn't able to attend all  
 6 the hearings, of course. I had other meetings,  
 7 other engagements, and I wasn't brought in until the  
 8 end.  
 9 **MS. TURNER:** You're a lucky guy.  
 10 **MR. DENEEN:** And, also, going with what  
 11 the school retired superintendent said, I am a  
 12 voluntarily person for Parkland.  
 13 **MR. ZIMMERMAN:** For the record, my  
 14 partners in one of my businesses is the treasurer of  
 15 Parkland's organization, I believe she is still.  
 16 **MR. DENEEN:** Yes. We haven't allowed her  
 17 to exit.  
 18 **MR. ZIMMERMAN:** What I am hearing you  
 19 suggest is that one of the possibilities, were we to  
 20 vote for this, that he would request that we  
 21 stipulate that we would have the applicant adjust or  
 22 program some of the turbines so that they would  
 23 reduce the sound for a particular period of time,  
 24 like at night have them shut off at the particular

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1 level, whatever that would be, so that they would  
 2 create less noise.  
 3 **MR. DENEEN:** My suggestion, to avoid  
 4 friction between nonparticipating residents and  
 5 Invenergy, instead of making their adjustments,  
 6 which cuts back on their productivity, and it will  
 7 be even more critical in the coming years if the  
 8 price of energy goes up, but the better practice  
 9 would be to move them away from the nonparticipating  
 10 persons. Maybe it's up to 1750; 250 feet added to  
 11 1500 would lower it not just one/sixth but probably  
 12 greater than that.  
 13 I am not an expert in that area, but I do  
 14 understand the science. And when he stated, it's  
 15 dependent upon how far you are from the turbine.  
 16 That is a proper general statement, but I cannot  
 17 quantify it. If they pushed all the  
 18 nonparticipating persons to at least 1750 feet, I  
 19 think it would avoid friction a great amount, and I  
 20 believe that they would have the ability to do it in  
 21 their computer models when they plot these out.  
 22 The one witness was very candid. He just  
 23 said I am not too concerned about the participating  
 24 persons; they made their choice. And I would agree

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1 with that.  
 2 **MR. ZIMMERMAN:** Thank you.  
 3 **CHAIRMAN FINNIGAN:** Any questions of  
 4 staff?  
 5 **MR. DICK:** No.  
 6 **CHAIRMAN FINNIGAN:** Would anyone in the  
 7 audience have questions of this witness? They are  
 8 to come forward.  
 9 (QUESTIONS BY MS. SLEETER.)  
 10 **CHAIRMAN FINNIGAN:** State your name and  
 11 address.  
 12 **MS. SLEETER:** My name is Laurie Sleeter,  
 13 S-l-e-e-t-e-r. My address is 23903 North 2900 East  
 14 Road, in Lexington.  
 15 **CHAIRMAN FINNIGAN:** Could you spell your  
 16 first name?  
 17 **MS. SLEETER:** L-a-u-r-i-e.  
 18 **CHAIRMAN FINNIGAN:** Go ahead.  
 19 **MS. SLEETER:** Mr. Deneen, I was wondering,  
 20 you mentioned the IDNR recommendations for both the  
 21 Mackinaw River and Heinlein Creek?  
 22 **MR. DENEEN:** Correct.  
 23 **MS. SLEETER:** And the setback should be  
 24 their standard of 500 feet?

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1       **MR. DENEEN:** That's what IDNR recommended,  
 2 half mile from the Mackinaw River, and then I  
 3 believe most of the lower Heinlein Creek is a half  
 4 mile, but the upper water courses would be 500 feet.  
 5       **MS. SLEETER:** I am just wondering if on  
 6 your list, for the record, if you could also include  
 7 Patton Creek?  
 8       **MR. DENEEN:** I think that would be  
 9 considered definitely in the record as being one of  
 10 the recommendation 5's, 500 feet of perennial stream  
 11 having to pre-qualify. Certainly from the photo  
 12 that the gentleman provided, it isn't a  
 13 steep-pitched straight waterway.  
 14       **MS. SLEETER:** Yes. Thank you. I  
 15 appreciate that. That's it.  
 16       **CHAIRMAN FINNIGAN:** Any other questions?  
 17 I think that's it. Thank you for your  
 18 time and patience over all the evenings. Thanks for  
 19 coming up.  
 20       **MR. DICK:** David Klein?  
 21 Dennis Bourgerie?  
 22       **CHAIRMAN FINNIGAN:** Would you like to be  
 23 sworn in or affirmed?  
 24       **MR. BOURGERIE:** Sworn in.

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1       (DENNIS BOURGERIE PLACED UNDER OATH.)  
 2       **CHAIRMAN FINNIGAN:** Would you state your  
 3 name and address and spell your last name?  
 4       **MR. BOURGERIE:** My first name is Dennis,  
 5 two N's. Last name is Bourgerie. It's a long one.  
 6 **B- as in baseball, O-U-R-G as in Georgia, E-R-I-E:**  
 7 I live at 1621 North School Street in Normal,  
 8 Illinois, with my wife Irene.  
 9 We've lived there for 38 years. I grew up  
 10 in Lexington. I graduated from Lexington Grade  
 11 School and from Lexington High School before  
 12 graduating from the University of Illinois.  
 13 I am a little nervous.  
 14 I own half of a farm with Judd Stover, who  
 15 owns the other half. He and his son Aaron farm the  
 16 property. I have owned my half of this property for  
 17 32 years.  
 18 Full disclosure: We have signed a  
 19 contract with Invenergy.  
 20 Over the past three years the farm income  
 21 has gone down, down, down, and land taxes have gone  
 22 up, up, up. So this sequence squeezes us  
 23 financially very much. We would like to leave  
 24 something for our two children when we pass away --

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1 my wife is 80 and I am 78 -- and the wind farm  
 2 revenue would benefit their lives very much.  
 3 I had a conversation with Judd Stover,  
 4 III, who is a member of the town counsel of  
 5 Lexington just yesterday. He told me that the  
 6 Lexington school had two teachers retire recently.  
 7 They are not going to be replaced. The physics  
 8 courses for students are going to be discontinued.  
 9 This is a blow to science education in the Lexington  
 10 school district.  
 11 By the way, I have 16 relatives who live  
 12 in the Lexington school district and seven children  
 13 who attend Lexington schools.  
 14 People want to have a good school for  
 15 their children. If the school system deteriorates,  
 16 property values will go down and people don't want  
 17 to move into the community. I strongly support this  
 18 clean energy project. Thank you for allowing me to  
 19 speak before you.  
 20       **CHAIRMAN FINNIGAN:** Any questions from the  
 21 board?  
 22 (QUESTIONS BY THE BOARD.)  
 23       **MS. TURNER:** Do you currently still live  
 24 on your farm?

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1       **MR. BOURGERIE:** No. I live on 1621 North  
 2 School Street.  
 3       **MS. TURNER:** Sorry. I missed that. I was  
 4 looking at something else here. Thank you.  
 5       **MR. BOURGERIE:** Yes.  
 6       **MR. DEAN:** Does your tenant live on the  
 7 farm?  
 8       **MR. BOURGERIE:** There is no house on the  
 9 farm anymore. My co-owner is Judd Stover. He farms  
 10 the farm with his son Aaron Stover.  
 11       **MR. DEAN:** Do they live in the area?  
 12       **MR. BOURGERIE:** They live in the Lexington  
 13 school district. I think Aaron lives within the  
 14 City of Lexington and Judd lives south of Lexington.  
 15       **MR. DEAN:** Thank you.  
 16       **CHAIRMAN FINNIGAN:** Any questions? No  
 17 questions from staff.  
 18 Anyone in the audience have questions of  
 19 this witness? It looks like we have one.  
 20 (QUESTIONS BY MS. BACHMAN:)  
 21       **CHAIRMAN FINNIGAN:** State your name and  
 22 address.  
 23       **MS. BACHMAN:** My name is Lindsay Bachman,  
 24 B-a-c-h-m-a-n, 23479 East 2700 North Road,

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1 Lexington.  
 2 Just a little background: My husband and  
 3 I are going to be residing on a very much affected  
 4 nonparticipating residence should this all go  
 5 through.  
 6 My question for you is: You specifically  
 7 stated that you do not live near this project. Why  
 8 is it the responsibility of the people that do to  
 9 help you provide an inheritance for your family?  
 10 I just want to understand where your logic  
 11 is coming from.  
 12 **MR. BOURGERIE:** Well, I believe this  
 13 project is environmentally safe. I believe it has  
 14 clean energy. It is our property. Normally you can  
 15 do what is legal with the property.  
 16 **MS. BACHMAN:** I understand that. When you  
 17 went under contract with -- go ahead. I am sorry.  
 18 **MR. BOURGERIE:** And I do hope that the  
 19 turbines will be as soft as going as possible.  
 20 **MS. BACHMAN:** When you went under contract  
 21 with Invenergy, were you aware of how  
 22 nonparticipating residences could be affected by  
 23 what you are putting on your ground? Did they give  
 24 you any of that information?

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1 **MR. BOURGERIE:** I would say no.  
 2 **MS. BACHMAN:** Okay. If you lived on your  
 3 farm and were going to be near this turbine, would  
 4 you be as willing to have it put on your ground as  
 5 you were living in Normal?  
 6 **MR. BOURGERIE:** Yes.  
 7 **MS. BACHMAN:** Okay. And just so I am  
 8 clear: You are -- it sounded like -- I understand  
 9 you are in support of the project but solely in this  
 10 for financial gain and to eventually benefit your  
 11 family?  
 12 **MR. BOURGERIE:** Yes. We will receive  
 13 money from the turbine. The school district, as I  
 14 understand it, will also receive a lot of money from  
 15 these turbines.  
 16 **MS. BACHMAN:** I think that is all the  
 17 questions that I have.  
 18 **CHAIRMAN FINNIGAN:** Any other questions  
 19 for this witness? Come forward, please.  
 20 (QUESTIONS BY MS. SLEETER:)  
 21 **MS. SLEETER:** Laurie Sleeter, 23903 North  
 22 2900 East Road, Lexington.  
 23 This is really nerve wracking.  
 24 Bourgerie, is that how you say your last

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1 name, Bourgerie?  
 2 **MR. BOURGERIE:** Yeah.  
 3 **MS. SLEETER:** Hi. Do you think the  
 4 turbines are the only way to save our school?  
 5 **MR. BOURGERIE:** I am not really an expert  
 6 on the financial system.  
 7 **MS. SLEETER:** Just in your opinion, do you  
 8 think it's the only way? Do you think our school  
 9 will close if we don't sign up or have the project  
 10 in place?  
 11 **MR. BOURGERIE:** You mean just an opinion?  
 12 **MS. SLEETER:** Uh-huh.  
 13 **MR. BOURGERIE:** I think it will prevent  
 14 the school from deteriorating.  
 15 **MS. SLEETER:** Do you know of other ways  
 16 that Lexingtonian residents have supported the  
 17 school?  
 18 **MR. BOURGERIE:** By very high taxes.  
 19 **MS. SLEETER:** We had a vote --  
 20 **MR. BOURGERIE:** I've had conversations  
 21 with people.  
 22 **MS. SLEETER:** And you know about the tax  
 23 referendum that we voted for the school?  
 24 **MR. BOURGERIE:** I am not familiar with it.

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1 **MS. SLEETER:** Okay. We did do that.  
 2 And do you think that all Lexington  
 3 residents, including myself, that live in the  
 4 country, do you think that we have been properly  
 5 notified about this project? As a landowner, you  
 6 were notified almost two years ago, correct?  
 7 **MR. BOURGERIE:** That sounds right.  
 8 **MS. SLEETER:** Do you think that all  
 9 Lexington residents were notified at that time or  
 10 since?  
 11 **CHAIRMAN FINNIGAN:** You don't have to  
 12 answer. If you know, otherwise don't. You don't  
 13 have to answer the question. I mean to the best of  
 14 your ability.  
 15 **MR. BOURGERIE:** I don't know.  
 16 **CHAIRMAN FINNIGAN:** Any other questions?  
 17 **MS. SLEETER:** Yes.  
 18 Do you know anything about school  
 19 enrollment and how that affects the programs,  
 20 teachers, sports, do you know how that affects  
 21 Lexington schools?  
 22 **MR. BOURGERIE:** I am not that involved  
 23 with the specifics of Lexington schools.  
 24 **MS. SLEETER:** Okay. Thank you.

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1 **MR. BOURGERIE:** Thank you.  
 2 **CHAIRMAN FINNIGAN:** Thank you.  
 3 Any other questions?  
 4 **MR. DICK:** Thank you for coming.  
 5 Lewis Lipscomb? Louise?  
 6 **MS. LIPSCOMB:** Lois.  
 7 **MR. DICK:** Lois. Sorry.  
 8 **CHAIRMAN FINNIGAN:** Would you like to be  
 9 sworn in or affirmed?  
 10 (MS. LOIS LIPSCOMB PLACED UNDER OATH.)  
 11 **MS. LIPSCOMB:** Yes, please.  
 12 **CHAIRMAN FINNIGAN:** Would you state your  
 13 name and address and spell your last name?  
 14 **MS. LIPSCOMB:** Lois, which is L-o-i-s,  
 15 Lipscomb, L-i-p-s-c-o-m-b, 342 Fieldcrest Court,  
 16 Normal, Illinois.  
 17 As I have stated my name, my husband Frank  
 18 and our three daughters comprise the Warlow  
 19 Corporation. We own farmland east of the interstate  
 20 in the Lexington area.  
 21 When approached by Invenergy for the  
 22 possibility of a wind turbine on our land, we took  
 23 several weeks to research the company and also  
 24 connect with farm owners who have currently wind

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1 turbines on their land. We weighed the pros and  
 2 cons and then signed the Invenergy contact.  
 3 Obviously, the pros outweigh the cons.  
 4 We did not find any problems of the  
 5 magnitude which were described by Mr. Hartke on  
 6 Tuesday evening. On Tuesday evening, during the  
 7 question portion of Mr. Bertsche's testimony, the  
 8 comment was made that farming has its ups and downs  
 9 but you still made it, and he agreed with that.  
 10 My parents farmed during their life and  
 11 they, too, made it. However, there were farm owners  
 12 in those downtimes who did not make it.  
 13 Farming is currently in a downtime. Our  
 14 family felt adding a wind turbine to our land would  
 15 not only augment the farm income but produce much  
 16 needed electricity for our country. We actually  
 17 feel that we are being berated for signing the  
 18 contract with Invenergy. Farming is a business. A  
 19 business must make a profit to continue.  
 20 **CHAIRMAN FINNIGAN:** Any questions from the  
 21 board?  
 22 (QUESTIONS BY THE BOARD.)  
 23 **MS. TURNER:** How many of your family  
 24 members are living close to the windmill?

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1 **MS. LIPSCOMB:** None.  
 2 **MS. TURNER:** None. Okay.  
 3 **CHAIRMAN FINNIGAN:** You might have said  
 4 this, but I don't know. I missed it. Does some of  
 5 your family still farm the farm right now?  
 6 **MS. LIPSCOMB:** No, they do not.  
 7 **CHAIRMAN FINNIGAN:** You have it rented out  
 8 to people?  
 9 **MS. LIPSCOMB:** Yes, we do.  
 10 **CHAIRMAN FINNIGAN:** Okay. Thank you.  
 11 **MR. DICK:** How many turbines will you have  
 12 on your land?  
 13 **MS. LIPSCOMB:** Possibly one.  
 14 **MS. SLEETER:** Possibly more? Possibly  
 15 none?  
 16 **MS. LIPSCOMB:** That, I can't tell you. I  
 17 know there is a possibility of one.  
 18 **CHAIRMAN FINNIGAN:** Okay. Thank you.  
 19 **MS. LIPSCOMB:** I don't think it's gotten  
 20 to that point yet.  
 21 **CHAIRMAN FINNIGAN:** Would anyone in the  
 22 audience have questions of this witness?  
 23 (QUESTIONS BY MR. HUDSON.)  
 24 **CHAIRMAN FINNIGAN:** I do need your name

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1 and address and how to spell it.  
 2 **MR. HUDSON:** Jarrod Hudson, H-u-d-s-o-n.  
 3 Lexington, Illinois.  
 4 **CHAIRMAN FINNIGAN:** Could you give your  
 5 address in Lexington, please?  
 6 **MR. HUDSON:** I believe, by state law, with  
 7 the Open Meetings Act, I am not required to. Thank  
 8 you.  
 9 **MS. WALLEY:** I am sorry. I just wanted to  
 10 let you know that is fine. You don't have to give  
 11 your physical address. It's like you said, it's not  
 12 necessarily an OMA issue, but it's important for the  
 13 board. It's a weight issue for testimony. They  
 14 want to make sure that, when they are considering  
 15 evidence, that they are looking at individuals from  
 16 our community that are testifying. So you certainly  
 17 don't have to, but I just wanted to make you aware  
 18 of that.  
 19 **MR. HUDSON:** I'll give you the crossroads.  
 20 **MS. WALLEY:** That's fine.  
 21 **MR. HUDSON:** It's 2450 North Road and 3100  
 22 East.  
 23 So you said a big reason that you signed  
 24 the contract with Invenergy is because of the hard



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1 times with farmers, prices are down, and it's hard  
 2 to make a living. I understand that. I work in  
 3 agriculture, so I know where you are coming from.  
 4 But you also made the comment that you  
 5 don't farm the ground yourself, that you rent it  
 6 out?  
 7 **MS. LIPSCOMB:** That is correct.  
 8 **MR. HUDSON:** Currently most renters are  
 9 not having a hardship the farmers have because they  
 10 do not have the cost involved. So is that money  
 11 really to help the farm or is it just for the money  
 12 in your pocket at the end of the day?  
 13 **MS. LIPSCOMB:** I believe it's both.  
 14 **MR. HUDSON:** How will the money from the  
 15 windmill help your farm, if you are not farming it?  
 16 **MS. LIPSCOMB:** I am sorry. I can't answer  
 17 that question.  
 18 **MR. HUDSON:** Okay. That's all I've got.  
 19 **CHAIRMAN FINNIGAN:** Thank you very much.  
 20 (QUESTIONS BY MS. DUZAN.)  
 21 **CHAIRMAN FINNIGAN:** Would you state your  
 22 name and address and spell your last name?  
 23 **MS. DUZAN:** Kellie, K-e-l-l-i-e, Duzan,  
 24 D-u-z-a-n.

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1 **CHAIRMAN FINNIGAN:** Can we have your  
 2 address?  
 3 **MS. DUZAN:** Yeah. Sorry. 24322 North  
 4 2250 East Road, in Lexington, Illinois.  
 5 I just have a question for you. You  
 6 caught my attention when you described your  
 7 business, your farming business, and you said that  
 8 you needed to do more than just make it. You wanted  
 9 to have a thriving business; am I correct?  
 10 **MS. LIPSCOMB:** I guess I think you kind of  
 11 misconstrued what I said. Any business, whether  
 12 it's farming or not, has to make a profit in order  
 13 to keep viable.  
 14 **MS. DUZAN:** Most definitely. My husband  
 15 is self-employed, so I do get that.  
 16 **MS. LIPSCOMB:** Right. Okay.  
 17 **MS. DUZAN:** If somebody came in and  
 18 somehow made you change the way you ran your  
 19 business, and you could no longer thrive, you only  
 20 had a choice to make it, how would you feel?  
 21 **MS. LIPSCOMB:** I really don't think that  
 22 pertains to what we're talking about here. I think  
 23 you've gotten off the subject.  
 24 **MS. DUZAN:** Well, you don't live on your

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1 farm; am I correct?  
 2 **MS. LIPSCOMB:** That is correct.  
 3 **MS. DUZAN:** So you are using this turbine  
 4 so that your business can do more than just make it?  
 5 **MS. LIPSCOMB:** Yeah.  
 6 **MS. DUZAN:** So a main question that I  
 7 have -- I am an RN.  
 8 **MS. LIPSCOMB:** So am I.  
 9 **MS. DUZAN:** Are you? It's a hard field,  
 10 isn't it?  
 11 **MS. LIPSCOMB:** Yes.  
 12 **MS. DUZAN:** When I speak with patients, or  
 13 when I did speak with patients when I worked, there  
 14 is a difference between surviving --  
 15 **CHAIRMAN FINNIGAN:** We need to get down to  
 16 a question, though, if you would.  
 17 **MS. DUZAN:** Sure.  
 18 I am comparing your make it and be  
 19 successful to a person who whose health is  
 20 surviving, getting by, and thriving as a healthy  
 21 individual.  
 22 **MS. LIPSCOMB:** I really don't find the  
 23 comparison there and what we are trying to do here.  
 24 I am really sorry. I just --

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1 **MS. DUZAN:** So you don't feel like having  
 2 nonparticipating members in the pathway or the  
 3 affected area of your turbine will affect their  
 4 lifestyle and wellbeing and allow them what they  
 5 deserve?  
 6 **MS. LIPSCOMB:** I don't see how a turbine  
 7 is going to affect somebody's lifestyle.  
 8 **MS. DUZAN:** Really?  
 9 **MS. LIPSCOMB:** You know, I have an  
 10 opinion. You have an opinion. Obviously, we have  
 11 different opinions.  
 12 **MS. DUZAN:** Uh-huh. But would you agree  
 13 that there is a difference between health wise  
 14 surviving and health wise thriving?  
 15 **MS. LIPSCOMB:** Yes, there would be.  
 16 **MS. DUZAN:** Okay. Thank you. That's all  
 17 I have.  
 18 **CHAIRMAN FINNIGAN:** Thank you.  
 19 (QUESTIONS BY MS. WINTERLAND.)  
 20 **MS. WINTERLAND:** Amy Winterland, 22825  
 21 North 3075 East Road, Colfax.  
 22 **MR. DICK:** Would you spell your last name,  
 23 please?  
 24 **MS. WINTERLAND:** W-i-n-t-e-r-l-a-n-d,

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1 A-m-y.  
 2 So you said this turbine is going to  
 3 augment your farm income, correct?  
 4 **MS. LIPSCOMB:** That is our hope. That is  
 5 what we hope to have happen.  
 6 **MS. WINTERLAND:** So are you an active --  
 7 are you active farming or a passive farmer?  
 8 **MS. LIPSCOMB:** No. We have a -- Soy  
 9 Capital does the managing.  
 10 **MS. WINTERLAND:** Farm manager?  
 11 **MS. LIPSCOMB:** Yes.  
 12 **MS. WINTERLAND:** So are you sharing the  
 13 income you are getting from the turbine with the  
 14 person who is actually farming the ground?  
 15 **CHAIRMAN FINNIGAN:** That is a personal  
 16 question. I don't think she has to answer that if  
 17 she doesn't want to.  
 18 **MS. WINTERLAND:** Okay. So the person  
 19 farming the ground is paying cash rent. Did you  
 20 take into consideration the additional income you  
 21 are getting from the turbine when setting your cash  
 22 rent?  
 23 **MS. LIPSCOMB:** I think you are way off of  
 24 the subject. I don't see somehow that is pertinent

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1 with what I have said.  
 2 **MS. WINTERLAND:** Well --  
 3 **CHAIRMAN FINNIGAN:** You are into her  
 4 personal business. It's not relevant.  
 5 **MS. WINTERLAND:** Okay. I am just -- what  
 6 -- I was probably not saying this correctly, but --  
 7 **CHAIRMAN FINNIGAN:** No, you were.  
 8 **MS. WINTERLAND:** -- the farm income is the  
 9 farmer who is actually farming the ground. Okay.  
 10 **CHAIRMAN FINNIGAN:** That is a matter of  
 11 debate.  
 12 **MS. WINTERLAND:** Okay. Sorry.  
 13 **CHAIRMAN FINNIGAN:** Any other questions?  
 14 Come forward.  
 15 (QUESTIONS BY MR. POWELL.)  
 16 **CHAIRMAN FINNIGAN:** Name, address, spell  
 17 your last name.  
 18 **MR. POWELL:** Jeff Powell, P-o-w-e-l-l.  
 19 **CHAIRMAN FINNIGAN:** And your address?  
 20 **MR. POWELL:** 32897 East 2700 North.  
 21 **CHAIRMAN FINNIGAN:** Could you repeat that,  
 22 please?  
 23 **MR. POWELL:** 32897 North East 2700 North.  
 24 **CHAIRMAN FINNIGAN:** In Lexington?

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1 **MR. POWELL:** Chenoa.  
 2 Sorry. I haven't had a chance to talk to  
 3 anybody that has signed with Invenergy yet. I was  
 4 kept in the dark about it pretty well. The reason  
 5 why I am asking this question is I am just  
 6 unfamiliar how the process worked.  
 7 At what point -- you said you live in  
 8 North Normal, right?  
 9 **MS. LIPSCOMB:** We do.  
 10 **MR. POWELL:** At what point, when you were  
 11 signing with Invenergy, did you find out the size of  
 12 the wind turbine?  
 13 **MS. LIPSCOMB:** I don't know. I don't  
 14 remember that. I am sorry.  
 15 **MR. POWELL:** Were you basing any of your  
 16 decision on what you have seen in the White Oak Farm  
 17 in the size of those turbines?  
 18 **MS. LIPSCOMB:** No.  
 19 **MR. POWELL:** So the size of them didn't  
 20 matter to you?  
 21 **MS. LIPSCOMB:** No. I didn't say it didn't  
 22 matter. I just wasn't aware.  
 23 **MR. POWELL:** So, when you signed with  
 24 Invenergy, you did not know what size the wind

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1 turbines would be?  
 2 **MS. LIPSCOMB:** I am sorry. I can't  
 3 remember that.  
 4 **MR. POWELL:** Okay. How do you feel about,  
 5 after signing with them, finding out that they will  
 6 be up to three times bigger than what is at White  
 7 Oak that you probably see every day?  
 8 **MS. LIPSCOMB:** I wasn't aware of that.  
 9 Sorry.  
 10 **MR. POWELL:** Thank you. That is all I  
 11 have.  
 12 **CHAIRMAN FINNIGAN:** Any other questions?  
 13 Thanks for coming up.  
 14 **MR. DICK:** Art Schlipf?  
 15 **CHAIRMAN FINNIGAN:** Do you like to be  
 16 affirmed, is what you told me?  
 17 **MR. SCHLIPF:** Affirm.  
 18 (ARTHUR SCHLIPF PLACED UNDER OATH.)  
 19 **CHAIRMAN FINNIGAN:** Would you state your  
 20 name and address and spell your last name?  
 21 **MR. SCHLIPF:** Arthur Schlipf,  
 22 S-c-h-l-i-p-f, 21302 East 2950 North Road, Greeley,  
 23 Illinois.  
 24 **CHAIRMAN FINNIGAN:** If you would -- I

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1 think we got it all. Go ahead.  
 2 **MR. SCHLIPF:** I just wanted to state that  
 3 I'm in favor of the project. I feel that the  
 4 benefits to the schools, to the community, to the  
 5 county, to the landowners of this project are a  
 6 plus. Thank you. That is all I have.  
 7 **CHAIRMAN FINNIGAN:** And wait a minute.  
 8 Any questions from the board?  
 9 (QUESTIONS BY THE BOARD.)  
 10 **CHAIRMAN FINNIGAN:** Do you farm your farm?  
 11 **MR. SCHLIPF:** I help farm with my son. I  
 12 farm half and half.  
 13 **CHAIRMAN FINNIGAN:** So your farm is going  
 14 to be passed down to your son?  
 15 **MR. SCHLIPF:** Correct.  
 16 **CHAIRMAN FINNIGAN:** And you're a  
 17 participant, so you are going to get a windmill or  
 18 whatever?  
 19 **MR. SCHLIPF:** Yeah, proposed to get one  
 20 windmill.  
 21 **CHAIRMAN FINNIGAN:** Okay. Thank you.  
 22 Questions from the staff?  
 23 (QUESTIONS BY THE STAFF.)  
 24 **MR. DICK:** Do you live on the same

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1 property where this turbine is going to be located?  
 2 **MR. SCHLIPF:** Yes, I do.  
 3 **MR. DICK:** Are you concerned about it  
 4 being on your farm?  
 5 **MR. SCHLIPF:** No.  
 6 **MR. DICK:** Thank you.  
 7 **CHAIRMAN FINNIGAN:** Any questions from the  
 8 audience for this witness?  
 9 You got by on the first trip.  
 10 Call the next one, please.  
 11 **MR. DICK:** Matt Wyss.  
 12 **CHAIRMAN FINNIGAN:** Would you like to be  
 13 sworn or affirmed?  
 14 **MR. WYSS:** I'll affirm.  
 15 (MATT WYSS PLACED UNDER OATH.)  
 16 **CHAIRMAN FINNIGAN:** State your name and  
 17 address and spell your last name.  
 18 **MR. WYSS:** Matt Wyss, W-y-s-s, 517 West  
 19 Sunset Drive, Eureka, Illinois.  
 20 **MR. DICK:** Does Matt have two T's in it?  
 21 **MR. WYSS:** It does.  
 22 **CHAIRMAN FINNIGAN:** I think you can go  
 23 ahead.  
 24 **MR. WYSS:** I am here wearing two hats

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1 also: (1) I am a vice-president trust officer and  
 2 farm manager for Heartland Bank, and I represent  
 3 five clients who have signed with Invenegy and will  
 4 have turbines. They are in support because of the  
 5 clean energy because of the increase in land values  
 6 that the turbines will bring and, yes, for the added  
 7 income so they can pass on the farm heritage to  
 8 their children.  
 9 There has been a lot of conversations  
 10 about whether a landowner who doesn't live on the  
 11 farm has skin in the game like the tenant, and I  
 12 would just say, for a good piece of farmland that is  
 13 worth \$10,000, they stand to lose a couple thousand  
 14 dollars an acre in a downturn like we've seen in the  
 15 last couple years from the highs. They have a lot  
 16 of skin in the game. So, from that regard, my  
 17 clients are in support of the project.  
 18 Personally, my family owns 320 acres in  
 19 Lawndale Township, and they have signed up and are  
 20 proposed to get two wind turbines. So they are --  
 21 my family is also in favor of the project.  
 22 My family farms in Woodford and Tazwell  
 23 County. There haven't been any wind farms near my  
 24 home farm. It's just the population is far too

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1 dense and apparently it's not a high wind area. But  
 2 if there were a turbine on my family's land, they  
 3 would allow me to quit my desk job and start in on  
 4 the farming operation. There is such a huge barrier  
 5 to entry right now; any extra income would help the  
 6 next generation of farmers get back involved in the  
 7 home farm.  
 8 **CHAIRMAN FINNIGAN:** Any questions from the  
 9 board?  
 10 (QUESTIONS BY THE BOARD.)  
 11 **MS. TURNER:** You said you have five  
 12 clients that you help manage the farm in that area?  
 13 **MR. WYSS:** I do, yes.  
 14 **MS. TURNER:** Do any of them have families  
 15 who live on the farms where the turbines would be?  
 16 **MR. WYSS:** No. None of them do.  
 17 **MR. ZIMMERMAN:** Do you have any family  
 18 that lives on the farms? You said there were two  
 19 proposed turbines?  
 20 **MR. WYSS:** No. No family that lives  
 21 there.  
 22 **MS. TURNER:** Now I want to talk to your  
 23 other hat.  
 24 **MR. WYSS:** Sure.

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1       **MS. TURNER:** You said that the farm income  
 2 helps with the entry and that there is a big barrier  
 3 to entry at this point. Could you tell me a little  
 4 bit more about that?  
 5       **MR. WYSS:** Sure. For myself, coming out  
 6 of college, I knew I would not be able to jump into  
 7 the farming operation. My dad and my uncle farm  
 8 1400 acres together supporting two families. My dad  
 9 is not ready to retire. He's not really ready to  
 10 scale back. And if there was a wind turbine or two  
 11 on the farm providing income, he would be able to  
 12 scale back so that I would be able to take on some  
 13 of those acres and be able to farm.  
 14       **CHAIRMAN FINNIGAN:** It looks like you are  
 15 kind of young. You got a little time here.  
 16       **MR. WYSS:** I hope so.  
 17       **CHAIRMAN FINNIGAN:** Give your dad a little  
 18 chance.  
 19       Any questions from the staff?  
 20       (QUESTIONS BY THE STAFF.)  
 21       **MR. DICK:** You said that as a family who  
 22 owns land, has skin in the game, what do you mean?  
 23       **MR. WYSS:** Yes. I am saying, you know, a  
 24 couple years ago when good land was selling for

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1 13,000 or 14,000 an acre, and in some cases land is  
 2 still selling for that much, my point is, land  
 3 values have decreased quite a bit the last few years  
 4 from commodity highs. If you look at farmland  
 5 purely as an investment, which my clients don't,  
 6 they stand to lose 2 or 3000, maybe \$4,000 per acre,  
 7 whereas if you are a farmer and maybe you are paying  
 8 \$200 an acre cash rent, \$250 an acre cash rent, that  
 9 200 dollars/\$250 an acre is a whole lot different  
 10 than what the landowner stands to lose when land  
 11 values decrease.  
 12       **MR. DICK:** Are these landowners in a  
 13 difficult situation then when this land is decreased  
 14 and the turbines put them in a much better position?  
 15 Is that what you are thinking?  
 16       **MR. WYSS:** I don't think their personal  
 17 finances are important. I am just saying, if you  
 18 look at it stickily as an investment, they do have a  
 19 lot of skin in the game.  
 20       And, you know, I don't know if Dave Klein  
 21 has testified yet. I know what his numbers say. I  
 22 am an appraiser. I know that a turbine adds between  
 23 1,000 and \$1,200 per acre on a lot of farms, and it  
 24 can really help offset some of those decreases.

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1       **CHAIRMAN FINNIGAN:** Would anyone in the  
 2 audience have questions?  
 3       You might be a first.  
 4       (QUESTIONS BY MS. COTTER.)  
 5       **MS. COTTER:** Julie Hall Cotter, 23571  
 6 North 2900 East Road, Lexington, C-o-t-t-e-r.  
 7       As having grown up in the farming  
 8 community, and as a farmer, I also did. Obviously,  
 9 you are aware that part of farming is the ups and  
 10 downs?  
 11       **MR. WYSS:** Yes.  
 12       **MS. COTTER:** And all of our ancestors,  
 13 mine included, have made it through the ups and  
 14 downs. That is part of the game?  
 15       **MR. WYSS:** Yes.  
 16       **MS. COTTER:** Does it not bother your  
 17 conscious at all that what you are doing is  
 18 affecting many other lives and children that have no  
 19 say so as to what you do?  
 20       **MR. WYSS:** I believe in the right to do  
 21 what's legal on your property, whether that's a  
 22 confined hog operation or whether that is a grain  
 23 drying setup or whether that is a wind turbine.  
 24       **MS. COTTER:** Most of us that chose to live

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1 in the country aren't offended by grain dryers or  
 2 hog setups.  
 3       **CHAIRMAN FINNIGAN:** It just has to be  
 4 questions, not testimony.  
 5       **MS. COTTER:** Okay. It doesn't bother your  
 6 conscious at all?  
 7       **MR. WYSS:** It doesn't.  
 8       **MS. COTTER:** That's all.  
 9       **CHAIRMAN FINNIGAN:** Thank you.  
 10       (QUESTIONS BY MR. HUDSON.)  
 11       **CHAIRMAN FINNIGAN:** You have been here  
 12 once, so you know the drill.  
 13       **MR. HUDSON:** Jared Hudson, H-u-d-s-o-n,  
 14 2450 North Road and 3100 East Road, Lexington,  
 15 Illinois.  
 16       So you said part of the benefit for  
 17 farmers was if they are a landowner, because of land  
 18 prices and commodity prices, that will help offset.  
 19 Do you realize that farmers are able to dictate what  
 20 they buy that land for?  
 21       **MR. WYSS:** Yes. I realize nobody is  
 22 forcing anybody to buy land at any price.  
 23       **MR. HUDSON:** So, if a farmer makes a bad  
 24 business decision, should they get double subsidies

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1 to help make it?  
 2 **MR. WYSS:** No. I don't think so.  
 3 **MR. HUDSON:** So, if they shouldn't get  
 4 double subsidies -- they already get farming  
 5 subsidies from the government.  
 6 **CHAIRMAN FINNIGAN:** We are getting into  
 7 testimony again. Just a question.  
 8 **MR. HUDSON:** All right. I guess that is  
 9 it. Thank you.  
 10 **CHAIRMAN FINNIGAN:** Any other questions?  
 11 We've got one more.  
 12 (QUESTIONS BY MR. JOLLY.)  
 13 **MR. JOLLY:** Tim Jolley, 26759 East 2700  
 14 North Road, Chenoa. J-o-l-l-y.  
 15 Have you discussed with the nearby  
 16 nonparticipants how this project would impact them?  
 17 **MR. WYSS:** I have discussed it with a few.  
 18 Yes.  
 19 **MR. JOLLY:** How close would they be  
 20 approximately to the turbine that is proposed?  
 21 **MR. WYSS:** I don't know the exact  
 22 distance, but I think -- I don't know the exact  
 23 distance.  
 24 **MR. JOLLY:** A mile?

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1 **MR. WYSS:** I would say they would be  
 2 closer than a mile.  
 3 **MR. JOLLY:** Half a mile?  
 4 **MR. WYSS:** Possibly closer.  
 5 **MR. JOLLY:** Okay. And these are  
 6 nonparticipants that you have talked to?  
 7 **MR. WYSS:** Yes.  
 8 **MR. JOLLY:** What was their reaction?  
 9 **MR. WYSS:** Their reaction was they would  
 10 prefer not to have them but they understand it's not  
 11 their decision.  
 12 **MR. JOLLY:** Okay. You had talked about  
 13 farmland investing?  
 14 **MR. WYSS:** Yes.  
 15 **MR. JOLLY:** What are -- the last 15 years,  
 16 what has the trend in farmland been?  
 17 **MR. WYSS:** It's been up.  
 18 **MR. JOLLY:** Do you -- and I know this is  
 19 with your age -- about what year do you recall them  
 20 really escalating at?  
 21 **MR. WYSS:** I remember when I was in fourth  
 22 grade my grandpa bought a farm for 3,000 an acre,  
 23 and then I kind of lost touch of things. I don't --  
 24 2006 and 2007 it really took off.

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1 **MR. JOLLY:** And that was because the  
 2 commodity prices were extremely high at that time,  
 3 correct?  
 4 **MR. WYSS:** Yeah, peeking in 2012, '13.  
 5 **MR. JOLLY:** So the price of farmland kind  
 6 of fluctuates with the price of commodities?  
 7 **MR. WYSS:** Agreed.  
 8 **MR. JOLLY:** So, if the price of  
 9 commodities were to escalate again, it's quite  
 10 possibly and probable that they would escalate  
 11 again?  
 12 **MR. WYSS:** I hope so.  
 13 **MR. JOLLY:** Thank you.  
 14 **CHAIRMAN FINNIGAN:** One more question.  
 15 (QUESTIONS BY MS. BOTKIN.)  
 16 **CHAIRMAN FINNIGAN:** My name is Julie  
 17 Botkin, B-o-t-k-i-n. 23343 --  
 18 **MR. DICK:** Spell your first name.  
 19 **MS. BOTKIN:** J-u-l-i-e. 23343 North 2600  
 20 East Road, Lexington, 61753.  
 21 I just have one question for you. We  
 22 farm. We live on 100 acres ourselves. I was  
 23 wondering, what areas -- you said land values are  
 24 fluctuating, going up and down. What areas are

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1 going down? Do you see a certain trend, like places  
 2 are going down whereas other places are not?  
 3 **MR. WYSS:** I would say prime farmland is  
 4 holding its value for such. Lesser quality land has  
 5 dropped off a lot. Farmland with a drainage ditch  
 6 through it, farmland with poor drainage,  
 7 triangular-shaped tracts, anything that is difficult  
 8 to farm or doesn't look as appealing to the eye is  
 9 dropping off, but prime farmland has pretty much  
 10 held its value.  
 11 **MS. BOTKIN:** Okay. What do you consider  
 12 appealing to the eye?  
 13 **MR. WYSS:** Nice square 80s, nice square  
 14 160s.  
 15 **MS. BOTKIN:** Okay. That's all I have.  
 16 Thanks.  
 17 **CHAIRMAN FINNIGAN:** Name and address and  
 18 spell your last name again.  
 19 (QUESTIONS BY MR. BOURGERIE.)  
 20 **MR. BOURGERIE:** Dennis Bourgerie. B- as  
 21 in baseball, O-U-R-G, as in George, -e-r-i-e.  
 22 My question is: Does the real estate tax  
 23 on farmland fluctuate up and down or does it  
 24 basically stay level and only go up?

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1       **MR. WYSS:** It's supposed to fluctuate.  
 2 The last five or six years it has gone up 10 percent  
 3 every year. Finally, it's still going up, but the  
 4 percentage increase is decreasing. So, in the last  
 5 year 8 or 9 percent increase, but I think we've  
 6 leveled off. We've caught up to the increased value  
 7 of land. I am hoping farmland real estate taxes  
 8 will, if not decrease, increase at a slower rate.  
 9       **MR. BOURGERIE:** That is the end of my  
 10 questions.  
 11       **CHAIRMAN FINNIGAN:** Thank you.  
 12 (QUESTIONS BY MR. JOLLY.)  
 13       **MR. JOLLY:** Tim Jolly, same address.  
 14 You had mentioned about being prime  
 15 farmland?  
 16       **MR. WYSS:** (Nodding.)  
 17       **MR. JOLLY:** Would you probably classify  
 18 this farm ground as the best in the state?  
 19       **MR. WYSS:** That's a little subjective, but  
 20 I would say McLean County is some of the best in the  
 21 state. Yes.  
 22       **MR. JOLLY:** The yields in McLean County,  
 23 how do they rank statewide in corn and bean  
 24 production?

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1       **MR. WYSS:** I am terrible with specific  
 2 numbers. I know they are always close to the top.  
 3 Woodford County was number one a year or two ago.  
 4 Piatt County is usually excellent. Macon,  
 5 Champaign.  
 6       **MR. JOLLY:** But McLean?  
 7       **MR. WYSS:** They are right there.  
 8       **MR. JOLLY:** They are right there?  
 9       **MR. WYSS:** Uh-huh.  
 10       **MR. JOLLY:** When you are taking prime farm  
 11 ground out of production to put windmills on that,  
 12 do you think that is a prudent way to treat farm  
 13 ground?  
 14       **MR. WYSS:** I don't think taking an acre of  
 15 land for a wind turbine is imprudent.  
 16       **MR. JOLLY:** Do you think it would be  
 17 better served to put it in less productive ground?  
 18       **MR. WYSS:** I understand your question. I  
 19 don't think it would matter where you put the wind  
 20 turbine.  
 21       **MR. JOLLY:** Do you believe that the  
 22 population of the world is increasing or decreasing?  
 23       **MR. WYSS:** I believe it's increasing.  
 24 Projected to be at 9 million in 2030.

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1       **MR. JOLLY:** Nine billion?  
 2       **MR. WYSS:** Nine billion, yeah. Excuse me.  
 3       **MR. JOLLY:** Do you know how many people  
 4 that an acre of farmland would feed?  
 5       **MR. WYSS:** I do not.  
 6       **MR. JOLLY:** Okay. That is all.  
 7       **CHAIRMAN FINNIGAN:** Any other questions?  
 8 (QUESTIONS BY MR. JOHNSON.)  
 9       **MR. JOHNSON:** Bruce Johnson, Lexington,  
 10 Illinois, 15 Gregory Lane. J-o-h-n-s-o-n.  
 11 You mentioned the taxes?  
 12       **MR. WYSS:** Yes.  
 13       **MR. JOHNSON:** Will the turbine on the farm  
 14 ground cause the taxes to go up?  
 15       **MR. WYSS:** I believe any taxes associated  
 16 with the turbine itself are paid by Invenergy, but  
 17 if the assessment for the land goes up that would be  
 18 the responsibility of the landowner.  
 19       **MR. JOHNSON:** So the answer to that  
 20 question is, yes, the taxes will go up, right?  
 21       **MR. WYSS:** The assessed value on the  
 22 turbine structure itself is not taxed to the  
 23 landowner, to my understanding.  
 24       **MR. JOHNSON:** Thank you.

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1       **CHAIRMAN FINNIGAN:** Any other questions?  
 2 You better push that button and run.  
 3       **MR. DICK:** Dave Kaufman?  
 4       **CHAIRMAN FINNIGAN:** Would you like to be  
 5 sworn in or affirmed?  
 6       **MR. KAUFMAN:** Sworn.  
 7 (DAVE KAUFMAN PLACED UNDER OATH.)  
 8       **CHAIRMAN FINNIGAN:** State your time and  
 9 address it and spell your last name.  
 10       **MR. KAUFMAN:** Dave Kaufman, K-a-u-f-m-a-n,  
 11 549 County Road 500 East, El Paso, Illinois.  
 12 First of all, I would like to thank the  
 13 board for the endless hours and evenings. I hope  
 14 you don't have jobs you got to get up at 5:00 in the  
 15 morning and you got to get up and go to work because  
 16 I know it's rough.  
 17 But, anyway, my wife and I and my daughter  
 18 and granddaughter do own a farm just south of Chenoa  
 19 that we did sign up with Invenergy. And, like I  
 20 said, it's a family-owned farm with my wife,  
 21 daughter and granddaughter.  
 22 One thing I'd like to point out that I  
 23 haven't really heard pointed out is the money.  
 24 Everybody is talking about the money that the

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1 windmill will bring in. Yes, I won't sit here and  
 2 say no they are not greedy with money. Yes, they  
 3 are.  
 4 But being a businessman, you got to  
 5 realize you can't hoard money or you pay income tax  
 6 on it. So this money, the thousands of dollars that  
 7 is coming in, McLean County will be spent -- the  
 8 majority of it will be spent in McLean County such  
 9 as buying machinery.  
 10 Just our farm operation alone last year  
 11 bought over \$350,000 worth of machinery right out  
 12 here at Birkey's out here.  
 13 And the revenue from the gentleman from  
 14 the -- that is putting it up, that made -- the  
 15 contractors, the people putting up the wind towers,  
 16 the income taxes they are going to be paying, and  
 17 they are going to have the income, and it's going to  
 18 be spent in McLean County. And that is about all I  
 19 got to say.  
 20 **CHAIRMAN FINNIGAN:** Questions from the  
 21 board?  
 22 (QUESTIONS BY THE BOARD:)  
 23 **MR. DEAN:** So you are an active farmer  
 24 then?

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1 **MR. KAUFMAN:** Yes. I am an active farmer.  
 2 I have three farms over in El Paso, a farm, and one  
 3 over in Chenoa I rent to my nephew, and I help him  
 4 farm.  
 5 **MR. DEAN:** Okay.  
 6 **CHAIRMAN FINNIGAN:** Will the farms that  
 7 are in this opposed district here, the wind farms,  
 8 stay in your family?  
 9 **MR. KAUFMAN:** Yes.  
 10 **CHAIRMAN FINNIGAN:** So your --  
 11 **MR. KAUFMAN:** No. No. They are already  
 12 in trust. You mean as far as renting them?  
 13 **CHAIRMAN FINNIGAN:** Renting them.  
 14 **MR. KAUFMAN:** Yes. My nephew rents them,  
 15 yes.  
 16 **CHAIRMAN FINNIGAN:** That's all I have.  
 17 **MR. ZIMMERMAN:** Does your nephew live on  
 18 the farm?  
 19 **MR. KAUFMAN:** No.  
 20 **CHAIRMAN FINNIGAN:** Any questions from the  
 21 staff?  
 22 Anyone in the audience have any questions  
 23 of this witness?  
 24 (QUESTIONS BY MR. POWELL:)

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1 **MR. POWELL:** Jeff Powell, P-o-w-e-l-l,  
 2 32897 East 2700 North, Chenoa, Illinois.  
 3 I want to ask you the same question that I  
 4 asked earlier. Were you aware of the size of these  
 5 turbines when you signed with Invenergy?  
 6 **MR. KAUFMAN:** I knew they were 2.5. Yes.  
 7 **MR. POWELL:** You said you farm. So, you  
 8 probably spent a lot of time on township roads?  
 9 **MR. KAUFMAN:** Yes.  
 10 **MR. POWELL:** Would the size of those  
 11 turbines getting trucked in and all the construction  
 12 equipment and concrete trucks and whatnot, are you  
 13 concerned at all with that impact it will have on  
 14 those township roads?  
 15 **MR. KAUFMAN:** No, because I watched -- I  
 16 work in North Normal. I watched the White Oak Farm  
 17 they put up on the northwest corner of Normal, and I  
 18 watched them, and I watched the roads.  
 19 The main reason I watched the roads, Dave  
 20 Brown from the surveyor's, is my neighbor, and he  
 21 worked with the township commissioner as far as  
 22 watching the roads and stuff like that, too; and I  
 23 never seen anything tore up out there.  
 24 **MR. POWELL:** So, with the size of the

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1 White Oak Farm, you didn't see any issues; but these  
 2 are more than twice as big, maybe up to three times  
 3 as big. Do you think, you know, a bigger windmill,  
 4 bigger turbines, do you think that might have an  
 5 impact on the roads?  
 6 **MR. KAUFMAN:** Are you sure of the facts of  
 7 two and a half to three times bigger than the White  
 8 Oaks?  
 9 **MR. POWELL:** That is the information.  
 10 **MR. KAUFMAN:** Pardon me?  
 11 **MR. POWELL:** The ones that the information  
 12 that you have been given is the White Oak windmills.  
 13 **MR. KAUFMAN:** If they are three times  
 14 bigger, they would have to be -- they would have to  
 15 be like a 2.75 megawatt, and these they are putting  
 16 up is 2.5.  
 17 Can any of you gentlemen? I don't know.  
 18 **MR. POWELL:** That is what I am trying  
 19 to --  
 20 **CHAIRMAN FINNIGAN:** We are just kind of  
 21 questions here. Someone will clarify later if we  
 22 have to.  
 23 **MR. POWELL:** I mean I am in the dark about  
 24 it myself, so I am trying to find out exactly how

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1 big these will be myself.  
 2 **MR. KAUFMAN:** We do farm right next to the  
 3 farm in Woodford County that has got a MED tower --  
 4 they call it MED tower -- on the farm that we've got  
 5 to farm. Right next to it, within I would guess  
 6 maybe -- don't get me to quote on this -- but I  
 7 would guess within 100 feet of the fence line there  
 8 is a turbine. I took my grandson out there with me  
 9 last fall to just to stand under it just to see  
 10 what, to show him what it looked like. And it was a  
 11 windy, fall day. Turbines were turning. I don't  
 12 know how many revolutions. And the farm that we was  
 13 on had four of them, four had turbines within an  
 14 eighth of a mile of the fence line, and not once  
 15 that afternoon did we hear the windmills, and I  
 16 don't know what size.  
 17 **MR. POWELL:** In your experience in farming  
 18 all these years on township roads, have you  
 19 experienced whenever any road damage has occurred?  
 20 **MR. KAUFMAN:** From farm machines, or what  
 21 are you talking about?  
 22 **MR. POWELL:** Just overweight equipment.  
 23 **MR. KAUFMAN:** First of all, I am also in  
 24 the trucking business, and I don't believe the

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1 gentlemen are going to go out on the road with the  
 2 trucks that are over legal limit.  
 3 Do you know what the legal limit is on a  
 4 truck?  
 5 **MR. POWELL:** Semi is 8,000.  
 6 **MR. KAUFMAN:** Per an axle. On a dual --  
 7 on an axle truck, do you know what the weight limit  
 8 is?  
 9 **CHAIRMAN FINNIGAN:** We are getting into  
 10 testimony.  
 11 **MR. POWELL:** Well, that is the thing. I  
 12 don't know what is coming in. I don't know how --  
 13 **MR. KAUFMAN:** I am sure they would have to  
 14 be coming in legal. They are governed by -- they  
 15 are watched by the township road commissioner.  
 16 **MR. POWELL:** Okay. The reason why I am  
 17 asking this question is because my concern is if  
 18 there is damage --  
 19 **CHAIRMAN FINNIGAN:** Has to be a question.  
 20 **MR. POWELL:** If you have seen road damage  
 21 before, has it been fixed properly in a manner, and  
 22 do you think that will happen after this project, if  
 23 there is road damage?  
 24 **MR. KAUFMAN:** Yes, I do.

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1 **MR. POWELL:** Okay. Thank you.  
 2 **CHAIRMAN FINNIGAN:** Thank you.  
 3 Any other questions?  
 4 **MR. KAUFMAN:** I can't get off that easy.  
 5 (QUESTIONS BY MR. JOHNSON:)  
 6 **MR. JOHNSON:** Bruce Johnson, 15 Gregory  
 7 Lane, Lexington, Illinois.  
 8 Do any of your family members live on  
 9 these farms with the wind turbines?  
 10 **MR. KAUFMAN:** No.  
 11 **MR. JOHNSON:** Thank you.  
 12 **CHAIRMAN FINNIGAN:** Thank you.  
 13 **MR. KAUFMAN:** Can I say? I do live within  
 14 a mile of White Oak.  
 15 **CHAIRMAN FINNIGAN:** Any other questions?  
 16 I think I would run, if I was you.  
 17 **MR. KAUFMAN:** Thank you.  
 18 **MR. DICK:** Dave Glacinski.  
 19 **CHAIRMAN FINNIGAN:** Would you like to be  
 20 sworn in or affirmed?  
 21 **MR. GLACINSKI:** Whatever.  
 22 **CHAIRMAN FINNIGAN:** I'll swear you in.  
 23 (DAVE GLACINSKI PLACED UNDER OATH.)  
 24 **CHAIRMAN FINNIGAN:** State your name and

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1 address and spell your last name.  
 2 **MR. GLACINSKI:** Dave Glacinski.  
 3 My wife and I live at 132 Hilton Drive in  
 4 Lexington.  
 5 **CHAIRMAN FINNIGAN:** You are going to have  
 6 to spell your last name.  
 7 **MR. GLACINSKI:** Again? It's  
 8 G-l-a-c-i-n-s-k-i.  
 9 Like I said, my wife and I live in  
 10 Lexington, and there is a big need in Lexington  
 11 Township for a project like this to be successful.  
 12 The real estate prices, our taxes are too high, and  
 13 the school system, the cost of running the schooling  
 14 is not sustainable.  
 15 I am going to point out four homes that I  
 16 know --  
 17 **CHAIRMAN FINNIGAN:** Could you kind of  
 18 speak a little bit closer to the mic or pull it  
 19 toward you?  
 20 **MR. GLACINSKI:** Okay. I know personally  
 21 of four homes that have gone on the real estate  
 22 market over the last three years, or off and on  
 23 repeatedly. They could not sell, all right? The  
 24 owners told me it was due to the shaky school system



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1 and the high real estate taxes. Two of those homes  
 2 went into foreclosure. I was told a couple weeks  
 3 ago the third one went back to the bank. So,  
 4 obviously, the real estate value is not going to be  
 5 hurt by the windmills, all right?  
 6 However, after listening to the testimony  
 7 of Mr. Hartke and I think it was Dr. Schomer -- is  
 8 that right? -- it appears to be an issue with a  
 9 decibel rating in the proximity of the turbines. So  
 10 I think, unless that gets reasonably addressed, we  
 11 may be doing some harm to people living by. That is  
 12 all I have to say.  
 13 **CHAIRMAN FINNIGAN:** Questions from the  
 14 board?  
 15 (QUESTIONS BY THE BOARD.)  
 16 **MS. TURNER:** How long have you lived in  
 17 Lexington?  
 18 **MR. GLACINSKI:** 40 years. 41 years.  
 19 **MS. TURNER:** Do you work in Lexington  
 20 also?  
 21 **MR. GLACINSKI:** Oh, no. I am retired. I  
 22 come from a farming family, all right? I worked in  
 23 manufacturing myself.  
 24 **MS. TURNER:** Okay. Thank you.

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1 **CHAIRMAN FINNIGAN:** Questions from the  
 2 staff?  
 3 **MR. DICK:** No.  
 4 **CHAIRMAN FINNIGAN:** I guess I should ask  
 5 the applicant?  
 6 Any questions from the audience?  
 7 I think you are okay.  
 8 **MR. DICK:** Daryl Haney?  
 9 **MR. HANEY:** I am going to pass for now,  
 10 until February 6.  
 11 **MR. DICK:** That will be a different  
 12 hearing you know?  
 13 **MR. HANEY:** I understand.  
 14 **MR. DICK:** Amy Laible?  
 15 **VOICE FROM AUDIENCE:** She isn't here.  
 16 **MR. DICK:** Kellie Duzan?  
 17 **CHAIRMAN FINNIGAN:** Would you like to be  
 18 sworn in?  
 19 **MS. DUZAN:** Please.  
 20 (KELLIE DUZAN PLACED UNDER OATH.)  
 21 **CHAIRMAN FINNIGAN:** State your name and  
 22 address and spell your last name, please.  
 23 **MS. DUZAN:** Kellie Duzan, D-u-z-a-n, 24322  
 24 North 2250 East Road, Lexington.

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1 **CHAIRMAN FINNIGAN:** Could you spell your  
 2 first name, too, please?  
 3 **MS. DUZAN:** K-e-l-l-i-e.  
 4 Well, you all know my name. I am Kellie.  
 5 And you all know that I am a nurse. I have a  
 6 bachelor's of science degree in nursing from  
 7 Illinois Wesleyan, and for 11 years of my career I  
 8 was the school nurse in Lexington School District.  
 9 So, because of my nursing background, I have had an  
 10 interest in reading articles and studies that have  
 11 been done regarding the health effects of the  
 12 turbines.  
 13 One caught my eye especially. These  
 14 results are disturbing to me; I'll be honest. I  
 15 read of a conference on wind turbine syndrome, and I  
 16 am just going to read to you some bullet points,  
 17 some quotes from this, the professors and physicians  
 18 that spoke at that conference. It gives you a  
 19 little bit of information on how the ear actually  
 20 works.  
 21 So, we are not going to get technical, but  
 22 your ear has three organs in it, one is used for  
 23 hearing, and two are used for motion sensing. So  
 24 that is a little bit of background.

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1 So I am quoting these first few points  
 2 from Nina Pierpont, M.D., Ph.D., and a behavioral  
 3 pediatric specialist:  
 4 1.) The physiologic responses in the  
 5 hearing organ inside the ear suppress the hearing  
 6 response to low frequency sounds so we are not going  
 7 to hear that but still sends signals to the brain.  
 8 This physiologic response to turbine noise is a  
 9 trigger for tinnitus and the brain cell level  
 10 reorganization that that represents.  
 11 So we know tinnitus is a ringing in the  
 12 ear. Most of us are kind of familiar with that  
 13 term.  
 14 The New England Journal of Medicine  
 15 describes the pathophysiology as, quote, "What is  
 16 happening here is that the cells in the brain are  
 17 making new connections, not good connections. It's  
 18 like chaos in the brain, and it's like hearing a  
 19 noise that isn't really there. To take it a little  
 20 further, it is kind of like a phantom pain. If you  
 21 have known anybody who has had an amputation, there  
 22 is no lower leg there but they will still feel pain.  
 23 2.) The motion detecting organs in the  
 24 ear also respond to the airborne low-frequency

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1 sound. The physiological responses and signals from  
 2 these organs are known to generate a wide range of  
 3 brain responses, including dizziness and nausea,  
 4 fear and alerting, and difficulties with  
 5 visually-based problem solving.  
 6 3.) The increased alerting and the  
 7 presence of wind turbine noise disturbs sleep even  
 8 when people do not recall being awoken.  
 9 Population level surveys show clear  
 10 disturbance of sleep and mental wellbeing out to  
 11 4600 feet from turbines with diminishing effects out  
 12 to 3 miles.  
 13 These sensory systems in our ears change  
 14 our brain functioning. They affect not only what an  
 15 animal or person feels and thinks at that very  
 16 moment but also how that brain will function in the  
 17 future, even the near future.  
 18 Dr. Pierpont says that in her wind turbine  
 19 study she did a survey and a study from her private  
 20 practice. She started seeing so many symptoms that  
 21 were new after the project opened near her home.  
 22 Seven out of ten school-aged children and  
 23 teens did worse in school during exposure to  
 24 turbines compared to before or after, including

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1 unexpected problems in reading, math, concentration,  
 2 and test performance noticed by both teachers and  
 3 parents. Teachers sent home notes asking what was  
 4 wrong with the children.  
 5 And then she says over 90 percent of her  
 6 sample of affected people, both adults and children,  
 7 had cognitive difficulties during wind turbine  
 8 exposure, problems that lingered and resolved slowly  
 9 after exposure ended. These include difficulties  
 10 with reading, math, spelling, writing, multitasking  
 11 in kitchen and home, remembering a series of  
 12 errands, maintaining a train of thought in a  
 13 telephone conversation, following the plot of a TV  
 14 show, following recipes, and following directions to  
 15 put together furniture.  
 16 Some of those seem a little trite, but we  
 17 in the nursing profession call those activities of  
 18 daily living, and we rate a person's health in the  
 19 home very highly. We regard those activities of  
 20 daily living very highly. Obviously, we need those  
 21 to survive.  
 22 Also, the balance system is closely linked  
 23 to emotions, especially fear, anxiety, and panic.  
 24 In her study, she says that 14 out of 21 of the

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1 adult subjects experienced a highly disturbing  
 2 collection of symptoms when exposed to high levels  
 3 of turbine noise. They felt movement inside their  
 4 chests, described a quivering, jitteriness or  
 5 pulsation, and then an uncomfortable urge to flee,  
 6 to get out of there. That is called the flight or  
 7 fight response. Or the feeling awoke them at night,  
 8 panic with racing heart, a feeling they could not  
 9 breathe or the sense that there had just been an  
 10 alarming noise like a window breaking, and then they  
 11 had to go check the house.  
 12 Dr. Christopher Hanning, M.D., is a sleep  
 13 specialist: Wind turbines create a particularly  
 14 disturbing kind of noise with high alert potential.  
 15 This type of disturbance requires even less noise  
 16 than full awakening but still disrupts sleep and  
 17 restorative properties for mood, memories, thinking,  
 18 alertness, and coordination.  
 19 From Rick James, a noise control engineer:  
 20 Disturbing high alert qualities of wind turbine  
 21 noise include high levels of low frequency noise and  
 22 infrasound as well as the pulsating quality of the  
 23 low frequency noise and infrasound. Both the  
 24 audible noise and the infrasound from turbines are

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1 subject to "amplitude modulation," meaning the  
 2 loudness goes up and down, a quality that adds  
 3 markedly to its disturbing character.  
 4 A second point from the noise control  
 5 engineer is the arrangement and spacing of turbines  
 6 in clusters also affects how much noise they make.  
 7 A second turbine beating in the downwind turbulence  
 8 of the first turbine makes more noise.  
 9 A final word from Dr. Pierpont at the end  
 10 of her presentation, which was called wind turbine  
 11 syndrome and the brain speaks loud and clear, "For  
 12 me it was both sobering and energizing to talk again  
 13 with victims of wind turbine syndrome at the  
 14 conference. At times distracted by political and  
 15 journalist noise, I forget how serious WTS actually  
 16 is. Separately a man and a woman from different  
 17 countries told me quietly of their thoughts of  
 18 committing suicide. Both are older with good  
 19 marriages and productive lives and adequate  
 20 resources. One has been driven from her home by  
 21 relentless nausea and vomiting, and the other is  
 22 made ill whenever he returns home. While  
 23 governments, the wind industry, and the media  
 24 continue to belittle and deny the experience of

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1 these individuals, I am reminded once more that the  
 2 physical, mental, social, and financial consequences  
 3 of this perfectly correctable condition are  
 4 appalling."  
 5 One other thing I would like to read  
 6 briefly -- you know what? I am not going to do  
 7 that. I've only got two minutes left.  
 8 It's a letter written, though, by the  
 9 Superintendent of the Armstrong Township High School  
 10 after the Cal Ridge project was completed, and it  
 11 describes some of the issues their school is having  
 12 with their students, with families leaving the  
 13 district.  
 14 In one sentence he says, "The revenue  
 15 generated by the turbines is a blessing to our  
 16 schools, but the unintended consequences are real."  
 17 So what does this mean for us personally  
 18 here in the footprint of this project? It means  
 19 that we must find a way to protect ourselves and  
 20 families. However, we are finding that those of us  
 21 with the most to lose have the least voice in the  
 22 matter. We are forced then to rely on each one of  
 23 you and the McLean County Board to protect our  
 24 rights. You have the opportunity to deny Invenergy

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1 this project or at the very least demand setbacks  
 2 that will be safe for people rather than simply  
 3 meeting the minimum requirements.  
 4 Are each one of you willing to shoulder  
 5 the responsibility for undue difficulties placed on  
 6 the affected children and families of McLean County?  
 7 Do me a favor, take a good long look at  
 8 the room. I am serious. Just humor me. Look at  
 9 the people in this room. I don't see anybody  
 10 looking. Thanks.  
 11 There are valuable lives at stake here.  
 12 Forcing each one of us to live among these dangerous  
 13 turbines against our will will force each one of you  
 14 to live with the weight of that decision. Thank  
 15 you.  
 16 **CHAIRMAN FINNIGAN:** Thank you. Questions  
 17 from the board?  
 18 (QUESTIONS BY THE BOARD.)  
 19 **MS. CARLTON:** Were you reading from a  
 20 magazine or a conference?  
 21 **MS. DUZAN:** Conference articles. I have  
 22 them here if you need them. There are several  
 23 stapled here. And those are just bullet points that  
 24 I pulled out that caught my attention. There are a

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1 lot more. It's easy to find.  
 2 **MS. CARLTON:** I'd like a copy of that.  
 3 **MS. DUZAN:** Sure. You can have that.  
 4 **MS. CARLTON:** Thank you.  
 5 **MS. DUZAN:** Uh-huh.  
 6 **MS. TURNER:** Kellie, have you had any  
 7 direct conversation with Dr. Pierpont who was at  
 8 that conference?  
 9 **MS. DUZAN:** No. No.  
 10 **MS. TURNER:** Okay. Have you had any  
 11 direct -- any direct connection with anyone who has  
 12 had this windmill syndrome?  
 13 **MS. DUZAN:** No. And this term windmill or  
 14 turbine syndrome is new. This is a new thing. This  
 15 is new territory.  
 16 **MS. TURNER:** Are there other school  
 17 districts in -- are there other schools within your  
 18 school district that you were an RN in that had wind  
 19 turbines in their school's area?  
 20 **MS. DUZAN:** No. Lexington is a K-12  
 21 district on our own.  
 22 **MS. TURNER:** On your own?  
 23 **MS. DUZAN:** Yeah.  
 24 **MS. TURNER:** Do you ever get together with

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1 any nurses from other school districts?  
 2 **MS. DUZAN:** Not anymore. I haven't worked  
 3 in the school since 2009.  
 4 **MS. TURNER:** Okay. All right. Windmills  
 5 haven't been around before that. I was just  
 6 wondering if any of them have ever said anything to  
 7 you.  
 8 **MS. DUZAN:** You might like to read the  
 9 letter from the superintendent, though.  
 10 **MR. BANGERT:** Are you an RN in  
 11 Bloomington? In a hospital up here? Where?  
 12 **MS. DUZAN:** I am not employed anymore. I  
 13 have haven't work for six years. I worked until  
 14 2009 at the school, and then I worked at Advocate  
 15 BroMenn in an office. But before that I worked in  
 16 pediatrics in the hospital setting and in the public  
 17 health setting and in the school. Pediatrics was my  
 18 chosen field, my chosen specialty.  
 19 **MR. BANGERT:** So we do have another wind  
 20 farm in the county. It's rather close. Do we know  
 21 of any -- do you know of any, I should say, instance  
 22 where people were brought into the hospital for --  
 23 **MS. DUZAN:** You know, I don't know that.  
 24 I haven't spoken to anybody about that. As you

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1 know, we got late notice on this, so it's not been  
 2 that long since I've known that we were getting it,  
 3 and then it really peaked my interest even more.  
 4 **MR. BANGERT:** Thank you.  
 5 **MS. CARLTON:** Kellie, you referred to a  
 6 high level of turbine effect. Did they define that?  
 7 **MS. DUZAN:** No. No. I don't have any  
 8 measurements.  
 9 **CHAIRMAN FINNIGAN:** Questions from staff?  
 10 (QUESTIONS BY THE STAFF.)  
 11 **MR. DICK:** Did you not see any Pantograph  
 12 articles about a wind farm?  
 13 **MS. DUZAN:** I am sorry?  
 14 **MR. DICK:** Did you not see Pantograph  
 15 articles about a wind farm six months or a year ago?  
 16 **MS. DUZAN:** No, I did not. We only get  
 17 the Pantograph on the weekends, and I did not see  
 18 that.  
 19 **MR. DICK:** Thank you.  
 20 **MS. TURNER:** Kellie, you live in  
 21 Lexington?  
 22 **MS. DUZAN:** I do, and I have for -- I am  
 23 56 -- for all but about two years.  
 24 **MS. TURNER:** So a long time?

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1 **MS. DUZAN:** Uh-huh.  
 2 **MS. TURNER:** Have you seen the Invenergy  
 3 sign on the door? Have you seen that they had a  
 4 place there in Lexington?  
 5 **MS. DUZAN:** Not until recently.  
 6 **MS. TURNER:** Okay.  
 7 **MS. DUZAN:** It's just located in a spot on  
 8 the block in Main Street that I don't have to go  
 9 that far east.  
 10 **MS. TURNER:** Okay. And you haven't heard  
 11 people in Lexington talking about it?  
 12 **MS. DUZAN:** I've heard rumblings.  
 13 **MS. TURNER:** Okay.  
 14 **CHAIRMAN FINNIGAN:** Would the applicant  
 15 have questions?  
 16 Do you want a copy of the report?  
 17 (QUESTIONS BY MR. GRIFFIN.)  
 18 **MR. GRIFFIN:** Jim Griffin, law firm of  
 19 Schain Banks, 70 West Madison, Suite 5300, Chicago,  
 20 60602.  
 21 Ms. Duzan, do you know whether Nina  
 22 Pierpont actually diagnosed any of the people she is  
 23 describing in person or whether she just talked to  
 24 them on the telephone?

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1 **MS. DUZAN:** Both.  
 2 **MR. GRIFFIN:** You know that? How do you  
 3 know that?  
 4 **MS. DUZAN:** From what I've read.  
 5 **MR. GRIFFIN:** I see. And from what you  
 6 read, she did meet with people and diagnose them as  
 7 a doctor? That is what you read?  
 8 **MS. DUZAN:** Yes. She is a pediatrician  
 9 with a private practice, and she started noticing  
 10 symptoms in her patients.  
 11 **MR. GRIFFIN:** Okay. Do you know whether  
 12 Dr. Pierpont's work has ever been peer reviewed?  
 13 **MS. DUZAN:** I know that it has not gotten  
 14 good peer reviews in some instances. Her study was  
 15 small. It was based on her personal experience.  
 16 And it is my belief that, even though it  
 17 was small, if this is real for her patients, this is  
 18 a real physical problem.  
 19 **MR. GRIFFIN:** Are you aware of anyone in  
 20 the state of Illinois that has ever been diagnosed  
 21 with wind turbine syndrome?  
 22 **MS. DUZAN:** No. It is not a recognized  
 23 diagnosis by the medical society. I am not trying  
 24 to say that.

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1 **MR. GRIFFIN:** That's all the questions  
 2 that I have. Thank you.  
 3 **CHAIRMAN FINNIGAN:** Would anyone in the  
 4 audience have questions?  
 5 (QUESTIONS BY MS. BOTKIN:)  
 6 **MS. BOTKIN:** Julie Botkin, 23343 North  
 7 2600 Road, Lexington.  
 8 I have four children, and we live on a  
 9 farm, and there is no windmills on our property on  
 10 the special use permits, and it shows that our farm  
 11 is supposed to be at 46 decibels. How do you think  
 12 my children are going to be affected?  
 13 **MS. DUZAN:** They will be affected greatly.  
 14 I would -- I mean I can't. I don't know that. I  
 15 can't promise you that. I don't think -- I can't go  
 16 there. I can't answer you, but I do think that I  
 17 can't imagine that they wouldn't be affected in some  
 18 way.  
 19 **MS. BOTKIN:** So you think their grades are  
 20 going to -- they are not going to do their best and  
 21 not get the sleep that they probably should?  
 22 **MS. DUZAN:** There is a lot of evidence out  
 23 there to that effect.  
 24 **MS. BOTKIN:** Okay. Thank you. I

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1 apologize.  
 2 (QUESTIONS BY MS. METZ.)  
 3 **MS. METZ:** Barb Metz, 27709 North 2550  
 4 East Road, in Lexington. M-e-t-z.  
 5 Kids in school nowadays, I think there is  
 6 -- would you agree there is an increase in attention  
 7 deficit disorder?  
 8 **MS. DUZAN:** Oh, absolutely.  
 9 **MS. METZ:** So what do you think sleep  
 10 depravation is going to do to those children?  
 11 **MS. DUZAN:** They can't concentrate in  
 12 school. They can't -- believe it or not, with,  
 13 like, the hyperactivity and the ADD, they can't sit  
 14 still. These kids will be different. They will  
 15 want to sleep. It is almost similar to a sleep  
 16 apnea, if anybody has ever worn a sleep apnea mask.  
 17 You don't realize that you are waking up in the  
 18 night, but during the day you are tired and you have  
 19 headaches.  
 20 **MS. METZ:** So, in your medical opinion,  
 21 why do you think Invenergy denies the symptoms that  
 22 people may be experiencing?  
 23 **MS. DUZAN:** Well, it costs them money; but  
 24 that's just my opinion.

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1 **CHAIRMAN FINNIGAN:** We are getting off the  
 2 edge here with this kind of questions.  
 3 **MS. DUZAN:** It is a new area for health  
 4 care; I admit that. And there are not a lot of  
 5 solid answers, so it is the subjective thing.  
 6 **MS. METZ:** So, as a medical background  
 7 person -- I am not a medical background person, but  
 8 I work in health claims -- would you perceive an  
 9 increase in health care costs in the county?  
 10 **MS. DUZAN:** I've actually thought about  
 11 that. Health insurance costs as well.  
 12 **MS. METZ:** And so a lot of people in our  
 13 county are farmers. Where do they get their health  
 14 care from?  
 15 **CHAIRMAN FINNIGAN:** We are kind of getting  
 16 beyond the scope of what they testified to.  
 17 **MS. DUZAN:** As a self-employed family, I  
 18 know that they buy it on their own.  
 19 **MS. METZ:** In your medical opinion, has  
 20 Invenergy produced evidence to you to say they are  
 21 not hurting our people in our community?  
 22 **MS. DUZAN:** I haven't spoken to anybody  
 23 from Invenergy, but I haven't heard either way on  
 24 that one.

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1 **MS. METZ:** Okay. Thank you.  
 2 **CHAIRMAN FINNIGAN:** Thank you.  
 3 (QUESTIONS BY MS. SLEETER.)  
 4 **MR. DICK:** Laurie Sleeter? 23903 North  
 5 2900 East Road, in Lexington.  
 6 **CHAIRMAN FINNIGAN:** Let's kind of get this  
 7 right. It's not cross examination. It's questions.  
 8 You can't help each other. That is not what we are  
 9 here for.  
 10 **MS. SLEETER:** I didn't know what she was  
 11 going to talk about.  
 12 **CHAIRMAN FINNIGAN:** Well, I am just -- I  
 13 just want you to ask questions. If that is what you  
 14 are doing, that is fine. We are kind of getting  
 15 past it a little bit along the last one.  
 16 **MS. SLEETER:** Do you want me to go ahead?  
 17 **CHAIRMAN FINNIGAN:** Yeah.  
 18 **MS. SLEETER:** Kellie, when did you find  
 19 out about this project?  
 20 **MS. DUZAN:** In December.  
 21 **MS. SLEETER:** Of?  
 22 **MS. DUZAN:** 2017, when my daughter got a  
 23 notice.  
 24 **MS. SLEETER:** And do you think you would

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1 have known about it if there was any articles pro  
 2 and con in the Lexingtonian newspaper?  
 3 **MS. DUZAN:** Yes. I do read the  
 4 Lexingtonian.  
 5 **MS. SLEETER:** You do get the Lexingtonian?  
 6 You are a subscriber and you read it. And did you  
 7 ever see any news about the wind turbine project in  
 8 the Lexingtonian?  
 9 **MS. DUZAN:** No.  
 10 **MS. SLEETER:** Okay. My final question is:  
 11 Are you familiar with the seven standards for  
 12 special use permits listed on this piece of paper?  
 13 **MS. DUZAN:** I am learning.  
 14 **MS. SLEETER:** Have you read the number,  
 15 the first one? Are you familiar with the very first  
 16 one of the seven standards?  
 17 **MS. DUZAN:** No.  
 18 **MS. SLEETER:** Could I read it?  
 19 **MS. DUZAN:** Yes.  
 20 **MS. SLEETER:** The proposed special use  
 21 will not be detrimental or to endanger the health,  
 22 safety, morals, comfort, or welfare of the public.  
 23 Based on your testimony, do you believe that to be  
 24 true or not true?

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1 **MS. DUZAN:** I do believe that to be true.  
 2 **MS. SLEETER:** Thank you.  
 3 **CHAIRMAN FINNIGAN:** Any other questions?  
 4 I think that's it. Push the button.  
 5 Thank you for coming.  
 6 I think we are going to take a break, a  
 7 ten-minute break.  
 8 (BREAK TAKEN.)  
 9 **MR. DICK:** Teri Pitzer?  
 10 **CHAIRMAN FINNIGAN:** Would you like to be  
 11 sworn in?  
 12 **MS. PITZER:** Sure.  
 13 (TERI PITZER PLACED UNDER OATH.)  
 14 **CHAIRMAN FINNIGAN:** State your name and  
 15 address, and spell your last name, please.  
 16 **MR. PITZER:** Teri Pitzer, P-i-t-z-e-r.  
 17 29485 East 2100 North Road, Colfax, Illinois.  
 18 **CHAIRMAN FINNIGAN:** She got it. Go ahead.  
 19 **MS. PITZER:** Good evening. I want to say  
 20 thank you to the board for the many hours you spent  
 21 listening to both sides of this. I know we all have  
 22 better things to do, and I appreciate your continued  
 23 attention, and I will try not to bore you.  
 24 A lot of this seems to boil down to me to

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1 the difference between what is legally allowable and  
 2 what is morally responsible. I'll be speaking to  
 3 two points tonight, the first being specific to  
 4 Turbine Number 80 and the second being a general  
 5 statement.  
 6 1.) In regard to Turbine Number 80  
 7 specifically, we have already heard extensive  
 8 testimony about the unique environmental importance  
 9 of this area surrounding the confluence of Heinlein  
 10 Creek and the Mackinaw River rating among the best  
 11 of the best in the state as testified by Dr. Angelo  
 12 Capparella. We have also heard from Scott Schertz,  
 13 owner of Schertz Aerial, who flies crop dusters in  
 14 and out of the airport dozens of times a day all day  
 15 long from spring through fall. He testified to the  
 16 danger this turbine and the others in close  
 17 proximity that he identified would pose to his  
 18 pilots and the aircraft.  
 19 In the 12 years since moving to our family  
 20 farm, we have already witnessed one crash on a clear  
 21 day with no manmade interferences, just natural  
 22 atmospheric conditions. The plane was destroyed,  
 23 but fortunately the pilot was not hurt and no homes  
 24 were impacted.

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1 I can't imagine the peril the pilots would  
 2 be put in having to navigate around spinning blades  
 3 500 feet high in their flight path and the turbulent  
 4 wind conditions they would create.  
 5 I want to bring out a third factor that  
 6 has not yet been brought up and I am guessing most  
 7 of you if not all of you are unaware of. The land  
 8 surrounding Turbine Number 80 along the Mackinaw  
 9 River was the site of the home of the Delaware  
 10 Indian Tribe believed to be the only one in the  
 11 state of Illinois. Researchers from the Illinois  
 12 State Archeological Survey spent several weeks  
 13 excavating the land along the side of the road in  
 14 preparation for proposed improvements to the gravel  
 15 road along the one-mile stretch we, along with four  
 16 other families, live on. And, yes, it is a gravel  
 17 road.  
 18 I have spoken to Dr. Thomas Loebel several  
 19 times in the last week. Dr. Loebel has a Ph.D. in  
 20 anthropology from the University of Illinois Chicago  
 21 and is the Senior Cultural Resources Coordinator for  
 22 the Illinois State Archeological Survey.  
 23 After permanently leading the research  
 24 team at the site, it is his professional opinion

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1 that Turbine Number 80 is uncomfortably close to an  
 2 area that has not been studied and is on the edge of  
 3 a high-probability zone. There is a known density  
 4 of archeological sites along the Mackinaw River he  
 5 said in this area, several of which are recommended  
 6 and eligible for inclusion in the Natural Registry  
 7 of Historic Places. He spoke with an engineer at  
 8 Burns and McDonnell, the company who will be doing  
 9 the engineering studies for this project, and he was  
 10 told no studies have yet been done.  
 11 In light of all these extenuating  
 12 circumstances, I am requesting that Turbine  
 13 Number 80 be removed from the proposed plans.  
 14 2.) Neither my husband nor I are natives  
 15 of McLean County. We both came to Bloomington in  
 16 1968 to attend college. Little did we expect that  
 17 we would choose McLean County to be our home; but  
 18 after we married and started our family, we soon  
 19 realized that the quality of life that McLean County  
 20 offered was just what we were looking for, and we  
 21 decided to stay.  
 22 In the early 2000s our former home  
 23 southeast of town was threatened by a request to  
 24 rezone the farmland adjoining our property from

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1 agricultural to a zoning which allowed for  
 2 absolutely anything to be built there. The county  
 3 board was forward thinking and in the end rejected  
 4 the rezoning. Through another means that beautiful  
 5 farmland was eventually declared a TIF district  
 6 which cleared the way for the construction of  
 7 storage units and a business. Despite expert  
 8 testimony to the contrary, property values were  
 9 dramatically impacted, and the business that was  
 10 built there has now sat abandoned for more than a  
 11 decade.  
 12 I say this to illustrate the fact that a  
 13 lot of these proposals promise much but end up  
 14 delivering much less and leaving eyesores behind.  
 15 Unintended consequences.  
 16 McLean County is a wonderful place to call  
 17 home. What I used to see is acres and acres of just  
 18 boring corn and soybeans I now appreciate as the  
 19 richest most productive farmland in the world. We  
 20 own two farms.  
 21 But it's the people that make McLean  
 22 County what it is. We choose to live here. We  
 23 choose to raise our families here, to go to school  
 24 here, to work here, to shop here. We have choices,

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1 but to many of us it's a quality of life decision.  
 2 According to a January 24, 2018, article  
 3 in the Chicago Tribune, 33,700 people chose to leave  
 4 the state of Illinois last year. That is the  
 5 greatest numeric loss of any state. This wasn't  
 6 just a one-year blip but the fourth year in a row,  
 7 and the decline continues to get bigger every year.  
 8 Illinois property taxes are the highest in the  
 9 nation according to US Census Bureau, as quoted in  
 10 the Chicago Tribune 4/27/2016, and the state income  
 11 tax is going up by 32 percent.  
 12 Illinois home owners are fed up, and many  
 13 consider moving, and as people leave they take their  
 14 pocketbooks with them.  
 15 Bloomington-Normal used to be recession  
 16 proof. Not anymore. We all know people who are  
 17 moving or have already moved as a result of  
 18 businesses closing, like Mitsubishi, or relocating  
 19 with their employees, like State Farm, to more  
 20 business-friendly states.  
 21 For some, McLean County will always be  
 22 home because of their work or their families. But  
 23 for many, remaining here is a choice. It has become  
 24 a quality of life choice. It certainly isn't the

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1 best economic choice for many of us to remain here  
 2 when we can move to a state with little or no state  
 3 income tax, not to mention the better weather, but  
 4 we chose to stay because of the lifestyle and the  
 5 people.  
 6 All of the money in the world will not  
 7 help a school district if there are not enough  
 8 children living in the district to keep it open.  
 9 Personally, we are not against wind energy  
 10 in the wide open spaces of the heartland. It's when  
 11 it gets up close and personal that we have a  
 12 problem, a big problem. Many if not most of the  
 13 homeowner's most intimately affected by this project  
 14 stand to gain nothing but will be impacted the most.  
 15 The closest turbine to us is twice as far as away  
 16 from the person who has agreed to it than it is for  
 17 the five homes who will be impacted by it and gain  
 18 nothing.  
 19 The 1500-foot proposed distance from homes  
 20 is less than one third of a mile. Now, in town,  
 21 three tenths of a mile might seem like a long way.  
 22 In the country, three tenths of a mile is often in  
 23 our backyards. We can see an eagle soar or hear the  
 24 hoot of owls for over a mile away.

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1 The people employed by Invenergy will go  
 2 back to their high-rise offices in Chicago when all  
 3 this is over and never have to look at let alone  
 4 live wit, the results of their proposal.  
 5 And I am guessing most of you live in town  
 6 and only will be seeing these turbines from a  
 7 comfortable distance.  
 8 But for me it will be different. It will  
 9 be personal. When I walk out to get my mail and  
 10 look up, and I mean way up, I'll be looking at a  
 11 structure about the height of a 50-story building  
 12 only about 800 to 1000 feet away.  
 13 For me and many of my neighbors, it is a  
 14 quality of life issue, and we are looking to you to  
 15 stand in the gap and protect our homes. Imagine for  
 16 a minute if it was your mailbox or your home. Thank  
 17 you.  
 18 **CHAIRMAN FINNIGAN:** Thank you. Questions  
 19 from the board?  
 20 Staff?  
 21 Applicant?  
 22 Anyone in the audience have a question?  
 23 **MR. LUETKEHANS:** I have a question.  
 24 **CHAIRMAN FINNIGAN:** You've got to give

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1 your full name and address.  
 2 (QUESTIONS BY MR. LUETKEHANS.)  
 3 **MR. LUETKEHANS:** Phil Luetkehans, 105 East  
 4 Irving Park Road, Itasca, Illinois.  
 5 **MR. DICK:** Could you spell your name?  
 6 **MR. LUETKEHANS:** L-u-e-t-k-e-h-a-n-s.  
 7 How far is your home from the nearest wind  
 8 turbine? Do you know?  
 9 **MS. PITZER:** I think it's supposed to be  
 10 1500 feet from the foundation for our home. About  
 11 800 feet from the closest part of our property.  
 12 **MR. LUETKEHANS:** Okay. You said when you  
 13 were at your mailbox it was about 800 to 1000 feet,  
 14 correct?  
 15 **MS. PITZER:** (Nodding.)  
 16 **MR. LUETKEHANS:** You have to say yes.  
 17 **MS. PITZER:** Yes.  
 18 **MR. LUETKEHANS:** Sorry. She can't take  
 19 down shakes, nods of the head, etc.  
 20 **MS. PITZER:** Sorry.  
 21 **MR. LUETKEHANS:** Between your husband and  
 22 the mailbox is that farmland?  
 23 **MS. PITZER:** It is not. No. It is our  
 24 yard.

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1 **MR. LUETKEHANS:** Thank you. One more  
 2 second. I am sorry. What do you use your yard for?  
 3 **MS. PITZER:** Oh, we have -- our family is  
 4 -- we now have 23 in our family. We have 11  
 5 grandchildren, five married children. We use it for  
 6 our family, and the land has been in our family for  
 7 -- since 1897, and we hope to pass it on to our  
 8 family in the future.  
 9 **MR. LUETKEHANS:** I am just talking about  
 10 the yard itself, not the farmland, okay?  
 11 **MS. PITZER:** Our grandchildren play out  
 12 there.  
 13 **MR. LUETKEHANS:** That is what I want to  
 14 know. Could you explain that?  
 15 **MS. PITZER:** Yes. I babysit a lot and  
 16 have grandchildren over a lot. They play. They  
 17 ride their bikes. We play with our dogs out there.  
 18 We have a fire pit where we have a lot of friends  
 19 and family over and have cookouts.  
 20 **MR. LUETKEHANS:** Thank you very much.  
 21 **CHAIRMAN FINNIGAN:** Any other questions?  
 22 Push the button, if you would. Thank you.  
 23 **MR. DICK:** Eric Elder?  
 24 **CHAIRMAN FINNIGAN:** Would you like to be

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1 sworn in or affirmed?  
 2 **MR. ELDER:** Sworn, please.  
 3 (ERIC ELDER PLACED UNDER OATH.)  
 4 **CHAIRMAN FINNIGAN:** State your name and  
 5 address, and spell your last name.  
 6 **MR. ELDER:** Eric Elder, E-l-d-e-r. I live  
 7 at 25615 East 3000 North Road, Chenoa, Illinois, and  
 8 directly in the impacted area of this project.  
 9 **CHAIRMAN FINNIGAN:** Could you spell your  
 10 first name?  
 11 **MR. ELDER:** E-r-i-c. And I apologize. I  
 12 have some laryngitis tonight.  
 13 **CHAIRMAN FINNIGAN:** Don't worry about it.  
 14 Move a little closer.  
 15 **MR. ELDER:** Thanks. Really, thanks for  
 16 asking for our comments and our thoughts. I really  
 17 appreciate it.  
 18 Like many in this room, I live directly in  
 19 the impacted area, and this is very new information,  
 20 and quite surprising to most of us. Others, it  
 21 sounds like have signed contracts and have had  
 22 months and even tonight I heard two years to  
 23 consider this.  
 24 Last night at the meeting was the first

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1 chance I had to talk to any of my neighbors about  
 2 this, with the holidays and being sick. This is the  
 3 first time I've had a chance in the last four weeks  
 4 since I got the letter. That is the first time I  
 5 ever heard of it.  
 6 Of my three neighbors that I talked to,  
 7 one was for, one was against, and one was neutral.  
 8 Now, within another day I am supposed to decide  
 9 whether I am for, against, or neutral on a project  
 10 that even some of the expert witnesses I have heard  
 11 here over the last 60 years gone from testifying on  
 12 behalf of the wind companies to testifying on behalf  
 13 of those against the wind companies.  
 14 And so this is a very complex issue, and  
 15 part of my frustration, and some of these others in  
 16 the room, is all of a sudden there is a decision  
 17 needing to be made, and it's very hard.  
 18 I do want to say, though, to my friends  
 19 and neighbors in the room and the others in my  
 20 community: You know, I love them, I respect them,  
 21 and regardless of how this all goes I will continue  
 22 to love them and respect them. This isn't about  
 23 money. This is about neighbors and friends and  
 24 community, and that's just the way that we roll



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1 here.  
 2 So I am not here in any way to deprive  
 3 anyone of an economic opportunity. I am just here  
 4 as a concerned citizen who has just gotten this  
 5 news. It was sort of like getting a letter from the  
 6 IRS and you open it and all of a sudden you find out  
 7 that something bad is happening around you that has  
 8 a negative impact and personally no direct positive  
 9 impacts to me.  
 10 In fact, it's actually more like getting a  
 11 letter or hearing from one of my daughters -- I've  
 12 got three daughters, and if one of them were to call  
 13 me up and, say, you know what, this guy has proposed  
 14 to me and we've set a date, and I know you've never  
 15 met him before but we are planning to get married by  
 16 the end of the year. What do you think, Dad.  
 17 We are talking about my very valuable  
 18 daughters, and I am going to just trust them to  
 19 someone that I've only just met and not even met  
 20 but, you know, I am just getting to know and they  
 21 want to make a decision that is going to impact them  
 22 for the rest of their life. And I am 54 years old.  
 23 This project will likely last for the rest of my  
 24 life.

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1 So it's all very new information. You  
 2 guys have been down this road before. You've seen  
 3 other wind projects around. But when it comes to  
 4 your doorstep, when it's in your backyard, as I've  
 5 heard from several people tonight, people don't mind  
 6 wind farms. It's a great idea. I love it, just not  
 7 in my backyard.  
 8 And I think there is real valid concern  
 9 with that, and that addresses criteria number 1 of  
 10 your seven criteria. This does substantially affect  
 11 my health and comfort and welfare; and so, on that  
 12 basis, just from me personally, it fails on that  
 13 criteria.  
 14 Also, I believe it fails criteria Number 2  
 15 on your list, which is that it substantially impacts  
 16 the enjoyment. And even though it says it does not  
 17 substantially impact the property values, the fact  
 18 that they put that word in there, apparently it does  
 19 affect property values or they would say it will not  
 20 affect your property values.  
 21 My frustration with this is Invenergy has  
 22 not come to me as a homeowner in this area and has  
 23 not offered me any kind of compensation for the  
 24 negatives they are going up in my backyard.

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1 I read the proposal I believe from EDP  
 2 which is coming to Chenoa, and maybe that is what  
 3 you are hearing February 6; I am not sure. That is  
 4 a different one, but I just read their proposal on  
 5 the other side of Chenoa, and they offered a good  
 6 neighbor offer to people in the neighborhood who are  
 7 going to be negatively impacted. I don't know what  
 8 those amounts are, but I think that is very kind and  
 9 a neighborly kind of thing to do when you are going  
 10 to come and take something away from someone.  
 11 I am not expecting my neighbors to make  
 12 any other kind of decision that is not good for  
 13 them. I don't want to deprive them of making a good  
 14 sound decision. At the same time I don't want to be  
 15 deprived of my way of life, and I have lived in this  
 16 home for my life. I grew up here. My dad lived  
 17 there. My children live with me there. I moved  
 18 away after college. Happy to leave. Happy to go  
 19 live in big cities. And after years and years of  
 20 that, I am so, so happy to have moved back seven  
 21 years ago to this home where I grew up.  
 22 I believe there is a flaw in the Invenergy  
 23 plan. I do believe this must be remedied before  
 24 approval, and I think that would alleviate a lot of

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1 the concerns of people in this room. A lot of  
 2 people are just frustrated by this. They are  
 3 annoyed by this. It's highly annoying -- and using  
 4 Dr. Schomer's words -- to many of us that have this  
 5 in our backyards, and I believe there should be some  
 6 kind of compensation offered. I am not saying I  
 7 would take it or not take it. I am not even  
 8 suggesting an amount, although an amount of \$6,000  
 9 per year for the life of the project would at least  
 10 make me a little happier, it would at least make me  
 11 look at the wind turbines. I know I grew up on a  
 12 farm, and my dad had pigs. We had a pig farm, small  
 13 farm, pig farm. I've lived around pig farms. I  
 14 live around them now, and I've lived around all  
 15 kinds of grain bins, all kinds of projects. I  
 16 understand small farming.  
 17 But when you come in and have a whole  
 18 industry here, that is when it takes a change of  
 19 course. And the phrase at home was, whenever we  
 20 smell pigs or drive by cows or any kind of thing  
 21 that might be a little unpleasant, and what did we  
 22 say? "Smells like money," and it puts a smile on  
 23 your face. And I think this is putting a smile on a  
 24 lot of people's faces, communities, schools,

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1 farmers, landowners. Unfortunately, it's not  
 2 putting a smile on my face, and I think that is a  
 3 flaw in the plan when other energy companies offer  
 4 such a thing.  
 5 Living in the impacted zone myself, when I  
 6 read these criteria, the first two -- let me just  
 7 repeat those. I believe it does not meet it at  
 8 least for me personally. It might for others, and  
 9 for others are who being compensated and compensated  
 10 well. Obviously, they took the contracts because  
 11 they are being compensated well. They were able to  
 12 balance this out. I am not. It is detrimental to  
 13 my health, my comfort and my welfare and, in short,  
 14 my quality of life with no benefit to me to offset  
 15 that detriment.  
 16 The second: It will be injurious to my  
 17 enjoyment of the other property in the immediate  
 18 area and will affect my property values.  
 19 And, of course, the definition of  
 20 substantial impact on your property values is very  
 21 debatable.  
 22 For me, I live in my home 24/7, nearly  
 23 365 days a year. I am an author and composer, I  
 24 write piano music, and I write books, and my home is

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1 my getaway. My home is my respite. The reason I  
 2 love coming back to here is to enjoy the peace, the  
 3 quiet, the solitude. I take daily walks down my  
 4 property, summer and winter. I take my family down  
 5 the country roads. We take starry-night walks. I  
 6 done mean to get sentimental, but when you've lived  
 7 in the city for years and years and years, this is a  
 8 huge plus to my life at this stage of my life and  
 9 especially for my children.  
 10 This is not just a like for me personally,  
 11 but it also helps clear my mind, helps me to think  
 12 deeply and to write the books and the music that I  
 13 write, which are my livelihood, most creatively.  
 14 I've never lived by a wind turbine before.  
 15 I am concerned what I read about the visual flicker,  
 16 what that could cause on my sunset walks.  
 17 I am concerned about the audible noise  
 18 that that could cause whenever the wind turbines are  
 19 running day or night because I live there, as I say,  
 20 24/7.  
 21 I simply don't know how the turbines might  
 22 affect me. The potential is negative, though, with  
 23 no potential positive. I've chosen to live there  
 24 because of the peace and quiet, the views of the

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1 daytime sky, and the stars at night. I have also  
 2 chosen to live there because this is the home and  
 3 community where I grew up, where my mom and dad  
 4 lived and died, where my kids live me. I don't mean  
 5 to be overly emotional, but this is the home where I  
 6 held the hand of my wife as she passed from this  
 7 life to the next five years ago. I don't want to  
 8 look for another place to live. This is my home. I  
 9 love it. I love the people here. And if something  
 10 happens with these turbines where it significantly  
 11 impacts my life and my way of life, that will be the  
 12 choice that I'll have to face just like others have  
 13 had to face.  
 14 Not to be mysterious, but I just want to  
 15 protect this picture. I brought a picture with me  
 16 of my farmstead. This was taken three years ago and  
 17 taken by an aerial photographer. I will be glad to  
 18 walk around and show it to you. This is my farm.  
 19 And one of my kids asked, Why did you buy  
 20 that from the aerial photographer? You know, he's  
 21 just trying to scam you. He's just making a deal.  
 22 And I said, To me, this is so worth it. This is why  
 23 I moved back here. I look at this is my house that  
 24 I've lived in from childhood until now, and all this

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1 property back here is free and clear and open.  
 2 And I told my daughter who asked me why I  
 3 bought this, I said, because it is not always going  
 4 to be free and open and clear like this, and I want  
 5 to be able to remember it like this because I love  
 6 it like this and this is where I want to live.  
 7 I had little idea that three years later  
 8 everything you see here will be covered with  
 9 turbines. Everything you see here, this is the  
 10 direction where the turbine farm will be.  
 11 If it's okay if I approach you, I just  
 12 want to let you know this is real, this is my life,  
 13 and this is the life of many of us in this room,  
 14 farmers included. And I am not saying that I have  
 15 any other special right. I am saying I do have a  
 16 right to some kind of compensation to offset for the  
 17 loss of what this is.  
 18 If anyone else cares to see it closer,  
 19 I'll leave it up here on my desk.  
 20 I don't know that anything I am going to  
 21 say is going to make a difference. You've already  
 22 approved two or three wind turbine farms here in the  
 23 county.  
 24 You know, I just know that for me it hurts

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1 me. It's disappointing. And I would like more time  
 2 to get used to the idea, just like if I married off  
 3 my daughter. Maybe it's not a bad idea. I am not  
 4 opposed to wind energy. I wish I thought of it. I  
 5 wish I could have gathered the neighbors and said,  
 6 hey, guys, we've got this great natural resource. I  
 7 am a little bummed that a company from outside that  
 8 does not live here is coming down and able to do  
 9 this project. I mean I am glad for them. They are  
 10 able to do it and able to provide for their  
 11 families; I am not against that. I am just saying  
 12 I've not had time.  
 13 **CHAIRMAN FINNIGAN:** Hate to cut you off.  
 14 You're a little bit over.  
 15 **MR. ELDER:** Thanks.  
 16 **CHAIRMAN FINNIGAN:** We are a little bit  
 17 over.  
 18 **MR. ELDER:** I am sorry. I didn't realize.  
 19 **CHAIRMAN FINNIGAN:** We understand.  
 20 **MR. ELDER:** So my concluding would be just  
 21 that I believe it fails on the first two criteria  
 22 for me, and I believe there should be some  
 23 compensation in the proposal to offset people like  
 24 me. Thanks.

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1 **CHAIRMAN FINNIGAN:** Questions?  
 2 (QUESTIONS BY THE BOARD:)  
 3 **MS. TURNER:** Eric, did you say how many  
 4 acres you are on there?  
 5 **MR. ELDER:** I live on two and a half  
 6 acres. My dad used to farm the 400 that are all  
 7 around me, so everything you see here was he farmed  
 8 this back 400 and across the road.  
 9 And a good friend of mine and a neighbor  
 10 farms it now, and they are putting turbines up, and  
 11 I don't despise them at all. I am very thankful. I  
 12 am glad for their opportunity.  
 13 **MS. TURNER:** Thank you.  
 14 **MR. ZIMMERMAN:** How far away are you from  
 15 the turbines that are going up there?  
 16 **MR. ELDER:** A neighbor just told me  
 17 tonight. I didn't know the actual distance.  
 18 Do they know?  
 19 It's in my backyard. Yeah, in my  
 20 backyard, and it's not just that one but it's the  
 21 whole slew of them. I take advantage of the country  
 22 road. I ride bikes. This is my land. This is my  
 23 stomping grounds, so it's not just my backyard that  
 24 is affected. It's all of ours.

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1 **CHAIRMAN FINNIGAN:** Questions from the  
 2 staff?  
 3 **MR. DICK:** No.  
 4 **CHAIRMAN FINNIGAN:** Applicant?  
 5 **MR. GRIFFIN:** No thank you.  
 6 **CHAIRMAN FINNIGAN:** Anyone in the audience  
 7 have questions?  
 8 **MR. ELDER:** Thanks.  
 9 **CHAIRMAN FINNIGAN:** Thank you.  
 10 **MR. DICK:** Larry Ryan?  
 11 **CHAIRMAN FINNIGAN:** Would you like to be  
 12 sworn in?  
 13 **MR. RYAN:** Yes.  
 14 (LARRY RYAN PLACED UNDER OATH.)  
 15 **CHAIRMAN FINNIGAN:** State your name and  
 16 address. Spell your last name.  
 17 **MR. RYAN:** Larry Ryan, R-y-a-n.  
 18 **CHAIRMAN FINNIGAN:** And your address?  
 19 **MR. RYAN:** 21544 North 1100 East Road,  
 20 Carlock, Illinois.  
 21 **CHAIRMAN FINNIGAN:** Okay. Go ahead.  
 22 **MR. RYAN:** I understand that there was  
 23 comments recently for the lack of complaints from  
 24 the White Oak project, which I am, and have been

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1 from the start to finish part of that project,  
 2 within it, and I would like to talk tonight about  
 3 the realities when you live in the middle of one of  
 4 these wind factories.  
 5 I currently live where I live. I have  
 6 four of them that are within 1500 feet, completely  
 7 in a 360 radius around my house, and I thought I  
 8 just wanted to tell you what it's like for the past  
 9 five years of living there and how things have  
 10 changed for my wife and I.  
 11 I am retired, so now I spend most of my  
 12 time on the property. I have five acres. And I  
 13 thought, well, I would just talk a little bit about  
 14 what actually goes on through the project.  
 15 The first thing is the construction  
 16 process. I can tell you it's very disrupting for  
 17 anybody that lives within the project itself.  
 18 There's many times that your road will be blocked.  
 19 For some of us there is one way in and one way out,  
 20 and so you have to wait. It's not blocked all the  
 21 time, all day long. Sometimes it's four hours  
 22 because they are delivering the wind blades, the  
 23 towers, whatever. And I noticed that even some of  
 24 the farmers would have to wait until the roads were

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1 clear.

2 Most of the time, without notification,

3 you could be out grocery shopping and come back and

4 you've got groceries in your car and ice cream is

5 melting and whatever because you can't get into your

6 house.

7 Another thing is the noise. I've heard a

8 lot this evening about the noise and decibels and

9 all that. They are noisy, and I can tell you that

10 you hear a swish that sounds like a jet, whatever;

11 but the reality is that they are noisy. I can tell

12 you whichever way the wind is coming from. They are

13 less noisy when you are on the backside of the blade

14 as on the front side of the blade. Either way they

15 are noisy.

16 I can tell you when you really know how

17 noisy they are is when they are not running. You go

18 outside and it is so quiet. You cannot believe the

19 difference. You can hear birds signing, whatever.

20 That is just the way it is.

21 Another thing is the wildlife. Where I

22 live, I live close to Lake Evergreen, south of it,

23 and we've always had birds, deer going through our

24 property and so forth. We have no deer now. We

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1 haven't had deer for quite some time. But birds,

2 less of the birds. And we always enjoyed that,

3 feeding the birds, especially in the winter, and

4 that doesn't happen either.

5 The last thing I wanted to talk about is

6 the landscape. I've heard a lot of people talking,

7 the gentleman before me, about the landscape. Where

8 I live you could, before the construction of these,

9 you could see forever and a beautiful sunset, but

10 everywhere I look now all I see is the towers.

11 Also along with that is the flicker. The

12 flicker is not all the time. It happens mostly in

13 the a.m. and the p.m. for me. Other people, it

14 depends on the location, when the sun comes up. And

15 it happens all year round. Because of the location

16 of all these, fortunately, for me I always get the

17 flicker, but, again, at the most one hour in the

18 morning and about an hour in the afternoon. The

19 flicker cannot be reduced by shutting your blinds or

20 anything like that. Most of the time my wife and I

21 just decided it's about time we go to breakfast, so

22 we'll leave or we'll go to dinner somewhere just to

23 avoid the flicker, but it does occur.

24 The last thing I want to say, after all of

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1 this -- and I watched the project through the entire

2 process. I wanted to explain to you what I got out

3 of this. Nothing. I got nothing out of it.

4 That's all I have. I just wanted to pass

5 on what it's really like, and I do live in the

6 middle of all of these. Thank you.

7 **CHAIRMAN FINNIGAN:** Thank you. Questions?

8 **(QUESTIONS BY THE BOARD.)**

9 **MR. BANGERT:** When this wind farm was

10 announced, did you know about it right away, or how

11 did you first find out about it?

12 **MR. RYAN:** Through our rural grapevine,

13 which the decision was already made, knew nothing

14 about it.

15 And, you know, where they measure the

16 wind, they have a tower they put up, and it was half

17 a mile from my property and I would drive by it

18 every day and wondered, the farmer must be measuring

19 something. I had no idea what was going on until we

20 learned after the fact.

21 **MR. BANGERT:** And did you attend the

22 hearings during that project?

23 **MR. RYAN:** Yes. Yes, I did. Yes.

24 **MR. BANGERT:** Have you had to file any

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1 complaints of any nature in order to establish --

2 you know, you noticed the noise, you noticed the

3 flicker. Have you had any independent companies

4 test these levels on your property?

5 **MR. RYAN:** No, I have not.

6 **MR. BANGERT:** Thank you.

7 **MR. RYAN:** Yes.

8 **MR. ZIMMERMAN:** You've talked about noise.

9 Do you feel anything?

10 We've heard some testimony on infrasound

11 at the lower decibel range. Do you or your wife --

12 you can't really testify on her behalf, but do you

13 sense that there is any other vibration that you

14 feel?

15 **MR. RYAN:** When we first -- when they

16 first fired those turbines up, we felt vibration in

17 the base of our house. And, again, it doesn't seem

18 to -- it doesn't seem to be there now. So could it

19 possibly be caused by those? I can't say, but it

20 was there in the beginning.

21 I know that when you're standing out on

22 the road or you're between them, you got one on each

23 side of you and three are 1500 feet apart, sometimes

24 you will feel vibration. But, again, is that -- I

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1 don't know what it is. I would like to blame it on  
 2 that, but you know.  
 3 **MR. ZIMMERMAN:** Have you noticed any  
 4 cracks appearing in your house in the plaster,  
 5 foundation, or anything like that, that weren't  
 6 there before?  
 7 **MR. RYAN:** To answer that, I have not  
 8 noticed cracks in the foundation. But I will tell  
 9 you this: The contour must be much different after.  
 10 When they put the cable underground, they are  
 11 digging up everywhere. They have crossed waterways  
 12 and so forth. We've had all kinds of problems with  
 13 the waterways around our house. Since the start of  
 14 this project I have water in my basement, especially  
 15 in the spring when it rains, which I never had  
 16 before. I have a sump pump, but I also -- it's an  
 17 older farmhouse, and I have drains in the floor, and  
 18 the water comes up through the drains.  
 19 **MR. ZIMMERMAN:** So how far away from your  
 20 house were these conduits or whatever was put  
 21 underground, just an estimate?  
 22 **MR. RYAN:** It's just south of my property  
 23 I would say 500 feet.  
 24 **MR. ZIMMERMAN:** Okay. Uphill? Downhill?

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1 **MR. RYAN:** I am -- from that, I am uphill.  
 2 **CHAIRMAN FINNIGAN:** How large is the  
 3 acreage you live on?  
 4 **MR. RYAN:** Five acres.  
 5 **CHAIRMAN FINNIGAN:** Five acres. You  
 6 probably said that and I didn't hear it. Sorry. Do  
 7 you notice the noise in your house?  
 8 **MR. RYAN:** Yes.  
 9 **CHAIRMAN FINNIGAN:** Every day?  
 10 **MR. RYAN:** I'll give you an example. You  
 11 know, a lot of people go to sleep with a fan  
 12 running, okay? And my grandkids love a fan every  
 13 night. But in the summertime, you know, when it's  
 14 not real hot outside, you have your windows open.  
 15 You do not need to run the fan because you can hear  
 16 those, and it's not as strong as a fan right next to  
 17 your bed, but you can still hear those at night.  
 18 **CHAIRMAN FINNIGAN:** Does it bother you  
 19 getting to sleep or do you get used to it?  
 20 **MR. RYAN:** At first it was annoying, very  
 21 annoying. Five years, you get used to it. I mean  
 22 what else can we do?  
 23 **CHAIRMAN FINNIGAN:** You are being honest.  
 24 That is what we want. You seem like an honest guy,

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1 and that is what we want to hear.  
 2 So any other questions?  
 3 **MR. KURITZ:** Have you talked to the  
 4 company that runs that wind farm about your water  
 5 problems since then?  
 6 I mean they were supposed to have fixed  
 7 all the field tile and everything that they crossed,  
 8 but, obviously, they could have missed one.  
 9 **MR. RYAN:** I do not live too far from  
 10 where the offices are and the substation. I will  
 11 tell you that it wasn't long after we had the water  
 12 problem and I went there to talk to them about, you  
 13 know, what is going on here and, to be honest with  
 14 you, I got the runaround.  
 15 But the next time I went, it was a  
 16 different company. It wasn't Invenergy. They had  
 17 sold, and now I am talking to people, and they are  
 18 like you should have taken care of that before. I  
 19 never went back.  
 20 **CHAIRMAN FINNIGAN:** Questions from staff?  
 21 **MR. DICK:** No.  
 22 **CHAIRMAN FINNIGAN:** Applicant?  
 23 **MR. GRIFFIN:** No thank you.  
 24 **CHAIRMAN FINNIGAN:** Come forward.

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1 (QUESTIONS BY MR. POWELL:)  
 2 **MR. POWELL:** Jeff Powell, P-o-w-e-l-l,  
 3 32897 East 2700 North, Chenoa, Illinois.  
 4 You mentioned how you haven't seen any  
 5 deer and the birds that you enjoyed don't come  
 6 around anymore. I like to go outside at night and  
 7 look at the stars. That is one of the reasons why I  
 8 moved to the country. What is it like at night?  
 9 **MR. RYAN:** You mean what is it like to be  
 10 outside at night?  
 11 **MR. POWELL:** (Nodding.)  
 12 **MR. RYAN:** It's noisy; I know that.  
 13 **MR. POWELL:** But can you still look at the  
 14 stars? Is there a red glow from the lights flashing  
 15 upon you? That is what I am curious about.  
 16 **MR. RYAN:** In our project, not all of the  
 17 towers have the red light flashing, okay? Now, I  
 18 believe three of the four do not have the light  
 19 flashing. So, yet, you can be outside. You can  
 20 look straight up, see the stars and all that. You  
 21 don't want to look, north, south, east, or west; you  
 22 need to look straight up.  
 23 But I can tell you that from one of our  
 24 picture windows, if we are sitting in there watching

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1 TV, sure enough the one straight out there, the  
 2 light does work and it goes off and on. You know,  
 3 based on the experience prior to approaching the  
 4 company about the issues, we just pulled the blinds.  
 5 That is what we did.  
 6 **MR. POWELL:** Okay. I, too, live near a  
 7 waterway and have concerns about water coming in my  
 8 basement. Did you have to add a sump pump? You  
 9 said you have one.  
 10 **MR. RYAN:** We have one sump pump. I did  
 11 not do anything. We just -- I bought a pump. I run  
 12 the hose down and, when the water comes up, I just  
 13 pump it outside through one of the basement windows.  
 14 **MR. POWELL:** So now you have to keep  
 15 everything up off of the floor?  
 16 **MR. RYAN:** It is.  
 17 **MR. POWELL:** Okay. I think that is all I  
 18 have. Thank you for coming and sharing.  
 19 **MR. RYAN:** Thank you.  
 20 (QUESTIONS BY MR. DUZAN:)  
 21 **MR. DUZAN:** Dave Duzan, 2423 North 2250  
 22 East Road, Lexington. D-a-v-e D-u-z-a-n.  
 23 Mr. Ryan, you spoke to the fact of during  
 24 construction of the wind turbine project that there

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1 was frequent road interruptions?  
 2 **MR. RYAN:** Uh-huh.  
 3 **MR. DUZAN:** In your opinion, if you would  
 4 have had a heart attack or a fire, how easy would it  
 5 have been for emergency vehicles to get to your  
 6 location?  
 7 **MR. RYAN:** I don't know. But how could  
 8 they get through?  
 9 **MR. DUZAN:** So you might be cold before  
 10 they get there?  
 11 **MR. RYAN:** It could happen.  
 12 **MR. DUZAN:** Yeah.  
 13 **MR. RYAN:** We were worried and we even  
 14 went to the EMS -- well, Carlock Fire Department,  
 15 and I believe that there was some discussion already  
 16 about in case this were to happen. But it still  
 17 makes you wonder when the road is blocked.  
 18 **MR. DUZAN:** Yeah. That's all I have.  
 19 **CHAIRMAN FINNIGAN:** Any other questions?  
 20 I think you are off the hook. Thank you  
 21 for coming.  
 22 **MR. DICK:** Tim Killian?  
 23 **MR. KILLIAN:** I pass.  
 24 **MR. DICK:** Lindsay Bachman?

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1 **CHAIRMAN FINNIGAN:** Would you like to be  
 2 sworn in?  
 3 **MS. BACHMAN:** Yes, please.  
 4 (LINDSAY BACHMAN PLACED UNDER OATH.)  
 5 **MS. BACHMAN:** My name is a Lindsay  
 6 Bachman, L-i-n-d-s-a-y, last name B-a-c-h-m-a-n. I  
 7 live at 23479 East 2700 North Road, Lexington.  
 8 I am a lifelong resident of McLean County,  
 9 specifically Lexington. My parents are also  
 10 lifelong residents as well as their parents. This  
 11 makes me the third generation to call McLean County  
 12 home.  
 13 My husband was raised in Woodford County  
 14 but has been here the last seven years. We recently  
 15 chose to make this our permanent home and to raise a  
 16 fourth generation of McLean County residents.  
 17 Unfortunately, for the first time in my life I am  
 18 being forced to wonder if we made the right  
 19 decision.  
 20 For the eight years that I have known my  
 21 husband we wanted nothing more than to raise our  
 22 family in the country. We both had the privilege of  
 23 growing up on family farms, my family raising  
 24 cattle, and his family growing corn and soybeans.

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1 I firmly believe that there is no better  
 2 way to spend a childhood, and we wanted that life  
 3 for our own family. Went spent five years working  
 4 hard, saving money, and praying for the opportunity.  
 5 Finally, last spring that opportunity came. On  
 6 March 8, 2017, our offer was accepted on a small  
 7 farm north of Lexington. On April 21, 2017, we  
 8 closed and it officially became ours. I am not  
 9 exaggerating when I say that the three happiest days  
 10 of my life have been the day I married my husband,  
 11 the day our daughter was born, and the day we bought  
 12 our farm; although, I will say the order could  
 13 depend on the day. The last nine months of living  
 14 on our new property have been some of the very  
 15 happiest in my 30 years.  
 16 My daughter, who celebrated her second  
 17 birthday in our new home, I actually grabbed her  
 18 picture off the wall as I was walking out the door.  
 19 I'll just put that here. She loves nothing more  
 20 than to be outside. I stay home with her. We are  
 21 home almost all day every day. The weather has to  
 22 be pretty bad for us to not spend as much time  
 23 outside as possible. In the summer, this meant 8:00  
 24 in the morning until 8:00 or even later at night.

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1 My entire adult life all I've ever wanted  
 2 was a front porch that faces west to enjoy our  
 3 beautiful Central Illinois sunsets and unobstructed  
 4 views. We have that at our new home, and it is  
 5 truly my most favorite place in all the world to be.  
 6 In fact, this past summer my husband knew  
 7 that if he wanted to do something that meant a lot  
 8 to me, it would be to put our daughter to bed so I  
 9 could spend my evening on the porch with a good  
 10 book.  
 11 Now, after only nine months of getting  
 12 settled and enjoying our new home, it's all being  
 13 threatened. We were given no notice of a possible  
 14 wind farm from the couple that sold us their  
 15 property. Whether or not they had a legal  
 16 obligation to disclose this information, I do not  
 17 know. But being a longtime family friend and a  
 18 family that we see at church every Sunday, one would  
 19 think they would have felt a personal obligation.  
 20 We are set to have five turbines within  
 21 4600 feet of our house. I actually -- before Kellie  
 22 testified, I had no idea that she was going to be  
 23 bringing up that exact number and some of the  
 24 medical research that she did.

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1 The closest of those being only 1,710 feet  
 2 away from our foundation. Ironically, three of  
 3 those five turbines are on family ground associated  
 4 with the couple that we purchased our home from.  
 5 They moved to town, and not only will they reap the  
 6 financial benefits of these turbines without the  
 7 negative side effects but they may have knowingly  
 8 put my family in a compromising situation.  
 9 I can sit here and tell you with 100  
 10 percent certainty that had we known what might  
 11 happen less than a year later and the effects of  
 12 which it could have on us, we more than likely would  
 13 not have purchased our home.  
 14 You were all here on Tuesday night when I  
 15 noticed my own home on Mr. Slagel's slideshow. You  
 16 saw it. Our property was up there. I would say we  
 17 were more than three quarters covered in red. The  
 18 only small portion that was in the yellow was the  
 19 northwest corner of our property. None of our  
 20 buildings are there. We spend none of our time  
 21 there.  
 22 It is my understanding, though, from last  
 23 night's meeting that his sound study will not be  
 24 considered applicable due to him not being deemed an

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1 expert. However, has a homeowner with an obligation  
 2 to protect and speak up for my family, that does not  
 3 make it any less applicable to me.  
 4 I would also venture to say that, if any  
 5 of your homes were being presented as being  
 6 threatened in such a way as mine was, your feelings  
 7 towards Mr. Slagel's testimony may be different as  
 8 well.  
 9 I have with me a copy of Mr. Hankard's  
 10 sound portion of Invenergy's application to the  
 11 county. On page 13 of that study -- excuse me -- on  
 12 page 13 of that study is a table of highest  
 13 predicting noise levels at nonparticipating  
 14 residents.  
 15 My family residence falls in the number 2  
 16 spot on that table. I will admit all of these sound  
 17 figures are a bit hard for me to make sense of, but  
 18 I do know that the potential noise levels at our  
 19 home are extremely close to those that Ted Hartke  
 20 testified to on Tuesday night.  
 21 I am begging you, each one of you to not  
 22 do that to my family. At the very least, if you  
 23 vote to allow this project, I ask that you would  
 24 please consider safer setbacks of these turbines to

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1 our homes.  
 2 Unfortunately, this is not the fact-based  
 3 testimony I wanted to bring before you tonight. Our  
 4 family was hit by illness this week, and I have  
 5 spent that time tending to my child. It is more  
 6 emotionally charged than I had intended because that  
 7 is what became easier and, frankly, quicker for me  
 8 to compose; but at this point that might not matter.  
 9 You've heard the facts already. You didn't need me  
 10 to reiterate them. Whether or not you choose to  
 11 take them as seriously as those of us threatened  
 12 with this situation are, that is not my choice to  
 13 make.  
 14 At this point you need to know that there  
 15 are very real people facing very real consequences  
 16 of your actions, actions that we have very little to  
 17 no control over but will experience the greatest  
 18 amount of turmoil from.  
 19 I debated being here tonight. My daughter  
 20 is at home sick, and I originally felt that my  
 21 obligation was to be at home with her. But the more  
 22 I spent my day thinking about it, I came to one  
 23 conclusion: My daughter will never remember that I  
 24 wasn't home to be with her tonight, but I can make

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1 sure that she is able to someday remember that her  
 2 mom did everything in her power to keep her safe, to  
 3 keep her comfortable, and to keep her happy, and  
 4 that means being in front of you tonight.  
 5 I've already lost plenty of sleep over the  
 6 thought of our future in regard to this wind  
 7 project. I am going to ask you one more time to  
 8 please not be the reason I lose more.  
 9 At the end of the day I am only  
 10 responsible for advocating for three people, myself,  
 11 my husband, and my daughter. Regardless of the  
 12 outcome of your decision, I will be able to know  
 13 that I did everything I could to stop it and to  
 14 stand up for us, but you as a board are responsible  
 15 for the health and safety of many more people than  
 16 that, very real people living very real lives whose  
 17 quality of life is very much at stake.  
 18 If you vote to move forward with this wind  
 19 project and our lives are as affected as much as I  
 20 believe they will be, I sincerely hope that you  
 21 possess enough of a conscious to lose a little sleep  
 22 right alongside us. That's all I have to say.  
 23 **CHAIRMAN FINNIGAN:** Thank you.  
 24 Questions from the board?

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1 (QUESTIONS BY THE BOARD:)  
 2 **MS. TURNER:** Do you know the numbers of  
 3 the wind turbines, Kellie -- or Lindsay?  
 4 **MS. BACHMAN:** That's all right. I have  
 5 been called Kellie before.  
 6 I do. Let me find that paper. I don't  
 7 have the distances with me tonight.  
 8 **MS. TURNER:** That's okay. All I need are  
 9 the numbers.  
 10 **MS. BACHMAN:** 32 is the closest one that I  
 11 referenced, 31, 33, 105, and I believe 29 are the  
 12 five that I mentioned are within 4600 feet.  
 13 So, if I were to say, 32 is possibly our  
 14 biggest concern and the one that if I were to ask  
 15 you to specifically take action on one would be to  
 16 at least move that one further from our home.  
 17 **MS. TURNER:** And I am sorry. I got 32,  
 18 31, 33, 105, and then what was the last one? 29?  
 19 **MS. BACHMAN:** I believe 29.  
 20 **MS. TURNER:** Okay. Thank you.  
 21 **CHAIRMAN FINNIGAN:** Does the staff have  
 22 questions?  
 23 Applicant?  
 24 **MR. GRIFFIN:** No thank you.

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1 **CHAIRMAN FINNIGAN:** Anyone in the audience  
 2 have questions?  
 3 It looks like you are off the hook.  
 4 Thanks for coming.  
 5 **MS. BACHMAN:** That was easy. Thank you  
 6 for listening.  
 7 **MR. DICK:** Jarrod Hudson?  
 8 **CHAIRMAN FINNIGAN:** I think we are going  
 9 to swear you in.  
 10 (JARROD JUDSON PLACED UNDER OATH.)  
 11 **MR. HUDSON:** Jarrod J-a-r-r-o-d, and  
 12 Hudson, H-u-d-s-o-n, 2450 North Road 3100 East Road,  
 13 Lexington Illinois, Lawndale Township.  
 14 It's actually kind of interesting that  
 15 Lindsay just went before me because we are in a very  
 16 similar situation to them, to where the previous  
 17 homeowners I believe left because of the project.  
 18 We did not know, which explains the deal we got on  
 19 the house.  
 20 So, with that, I'll get into the letter I  
 21 whipped up before I came. As a nonparticipating  
 22 resident within the proposed area of the Invenergy  
 23 project, my wife and I have many concerns about what  
 24 life may be like if the project goes through. My

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1 wife and I both grew up in the country, and I have  
 2 been connected to agricultural since the day I could  
 3 walk.  
 4 Over the past several years we have lived  
 5 within the city limits of a few towns in McLean  
 6 County because we wanted to see what city living --  
 7 if it would be better for our kids since we did not  
 8 know what that was when we were growing up. It did  
 9 not take very long for us to realize that we wanted  
 10 to get back to the country in the worst way because  
 11 of the peace and quiet and freedom that it gives.  
 12 Needless to say, this wish was easier said  
 13 than done since a nice house in the country with  
 14 land in McLean County is typically not cheap.  
 15 Luckily for us, we found a home on a few acres east  
 16 of Lexington that is exactly what we were looking  
 17 for, and we moved in on October 6, 2017. We felt  
 18 like we hit the jackpot. We love the house. We  
 19 love the land that we have, the open views of the  
 20 sunrise and sunset, and the peace and quiet.  
 21 We are fully aware of some of the  
 22 inconveniences that can come from rural living such  
 23 as the smells, dust, farm machinery, noise, etc.,  
 24 but we are completely fine with those things because



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1 we have been around them most of our lives.  
 2 Unfortunately, our joy was quickly  
 3 squashed when went found out about the proposed  
 4 Invenergy plan. Their plan has a turbine placed  
 5 about 1500 feet upwind from our house. It shocked  
 6 me to find out that the setback for these turbines  
 7 was only 1500 feet even though they are much larger  
 8 than any other in McLean County and have more than  
 9 double the sweep area of those that are existing.  
 10 I do not know yet if the blade noise,  
 11 shadow effect or motor noise will have any adverse  
 12 effects on my family or not, but I do know that I do  
 13 not want to have to just wait and see.  
 14 I have a hard time believing that the best  
 15 interest of the residents within the footprint of  
 16 this project have been considered.  
 17 Has there been a survey sent out to all  
 18 the residents involved to find out if anybody has  
 19 sensory issues such as kids with autism or  
 20 Asperger's or any condition that these effects would  
 21 have a greater impact on? I know that I have not  
 22 received anything of that sort.  
 23 Is a 1500-foot setback with much larger  
 24 turbines guaranteed to not create issues with

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1 neighbors, especially those with sensory issues?  
 2 My concerns are not just limited to the  
 3 potential health issues, but I also have concerns  
 4 with the longevity of wind farms. It should be no  
 5 secret to anyone that wind companies are highly  
 6 subsidized by the government. Not a single wind  
 7 energy company would not be in business if they did  
 8 not get their pockets lined by the government.  
 9 My question is: What happens to the  
 10 established wind farms and when or hopefully the  
 11 federal government decides to cut all funding to  
 12 wind energy?  
 13 I know Invenergy is suppose to be setting  
 14 aside something like -- I think the number I heard  
 15 was \$50,000 per turbine for removal if that happens,  
 16 but that money will not even exist in an account for  
 17 several years.  
 18 What if funding gets pulled before that  
 19 timeframe or what if the company goes bankrupt and  
 20 there is no company that wants to buy them?  
 21 I also have a hard time believing that  
 22 full removal of a turbine, concrete, rebar, etc.,  
 23 would only cost \$50,000 because if you probably look  
 24 at your homeowner's insurance, removal for your

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1 house is at least that, and a turbine would be much  
 2 more involved. There are other wind companies that  
 3 have had much more set aside.  
 4 For the acreage that does get used with  
 5 the wind farm, will it change to be zoned commercial  
 6 rather than agricultural?  
 7 When the 1-acre turbine and 15-acre  
 8 substation gets taken out of agricultural  
 9 production, they should then be zoned as commercial  
 10 property. That is no different than if I let a  
 11 convenience store or any other company build on one  
 12 acre of my land. The McLean County Board would have  
 13 that acre of land changed to commercially zoned  
 14 within a heartbeat.  
 15 We hear that the wonderful benefit of  
 16 having this wind farm is that it will bring all  
 17 kinds of tax money to the local schools and the  
 18 county. I would like to know that, if this is the  
 19 case, and with McLean County already having several  
 20 wind farms, has anyone's taxes ever gone down? Are  
 21 schools really that much better off? I know that my  
 22 taxes have increased every year in the ten years we  
 23 have lived in McLean County. So, in my mind, the  
 24 only financial benefit for those projects is to give

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1 our county and local governments more money to  
 2 waste. The supposed influx of tax dollars never  
 3 really goes to benefit the citizens of the county.  
 4 I am also curious to know if Invenergy is  
 5 going to offer all 450 nonparticipating property  
 6 owners a neighbor agreement and property value  
 7 guarantee agreement like they did to the residents  
 8 of Livingston County to the tune of 15 to \$20,000.  
 9 I do not care about the money nor necessarily know  
 10 that I would even take it if they offered it, but I  
 11 am curious to see if they are willing to treat  
 12 McLean County residents like they were prepared to  
 13 treat Livingston County residents.  
 14 I would also like to know if they are  
 15 going to give all of the nonparticipating residents  
 16 a 24-hour hotline phone number to call in order to  
 17 have turbines shut down at night if residents cannot  
 18 sleep.  
 19 If they do not, are the members of the ZBA  
 20 and McLean County Board that may potentially vote in  
 21 favor of this project willing to give us your phone  
 22 number so that we can call you instead?  
 23 Going back to my comments earlier about  
 24 how happy my wife and I and kids were about finally

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1 being in the country and having land with a  
 2 beautiful view as God intended, my heart broke the  
 3 other night this week when I got home to find that  
 4 my wife was already looking at houses online in  
 5 order to get out while we still could.  
 6 We have already poured out a lot of blood,  
 7 sweat and tears in our new home that we love so much  
 8 in the four short months that we have been there,  
 9 and now we face the possibility of our dreams being  
 10 shattered by a company that is only concerned about  
 11 money and a select handful of people that will vote  
 12 on the project.  
 13 I am obviously opposed to this project  
 14 going through because I do not feel that the limited  
 15 benefits will outweigh the downfalls of the project.  
 16 I hope that everyone here seriously takes  
 17 to heart all sides of the equation and that you  
 18 would ask yourselves if you would be willing to have  
 19 your house surrounded by wind turbines only  
 20 1500 feet away.  
 21 Please remember that the duty of  
 22 government and all levels of it is to uphold the  
 23 state and federal constitution and protect the  
 24 rights of its citizens which are whom all government

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1 employees report to and it is not the duty of any  
 2 government body to help pad the pockets and greed of  
 3 corporations. Thank you.  
 4 **CHAIRMAN FINNIGAN:** Thank you.  
 5 Questions from the board?  
 6 (QUESTIONS BY THE BOARD:)  
 7 **MR. ZIMMERMAN:** Do you know which turbine  
 8 is marked the 1500?  
 9 **MR. HUDSON:** I can't recall the number on  
 10 it offhand. I would have to look at it on the map.  
 11 **MR. ZIMMERMAN:** You mentioned autism and  
 12 other concerns. Do any of your children have these  
 13 sorts of afflictions?  
 14 **MR. HUDSON:** Fortunately, mine do not; but  
 15 I am aware of a few within Lexington that do.  
 16 **CHAIRMAN FINNIGAN:** Questions from staff?  
 17 **MR. DICK:** No.  
 18 **CHAIRMAN FINNIGAN:** Applicant?  
 19 **MR. GRIFFIN:** No thank you.  
 20 **CHAIRMAN FINNIGAN:** Anyone in the audience  
 21 have questions?  
 22 We are wearing them down. I think you are  
 23 okay.  
 24 **MR. HUDSON:** Thank you.

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1 **MR. DICK:** Tim Jolly.  
 2 **CHAIRMAN FINNIGAN:** Do you want to be  
 3 sworn in or affirmed?  
 4 **MR. JOLLY:** Sworn in, please.  
 5 (TIM JOLLY PLACED UNDER OATH.)  
 6 **CHAIRMAN FINNIGAN:** State your name and  
 7 address and spell your last name.  
 8 **MR. JOLLY:** Tim Jolly, J-o-l-l-y, 26759  
 9 East 2700 North Road, Chenoa.  
 10 First, I would like to start out that  
 11 there is no way that I can speak as eloquently and  
 12 completely as what Eric Elder and this last  
 13 gentleman did, but you could ditto everything they  
 14 say to my circumstance.  
 15 I've testified before. I've started  
 16 testifying in these hearings since October of 2016  
 17 when they first started and undertook to try to set  
 18 the zoning ordinances for what this wind farm is  
 19 about to do to this county.  
 20 At that time I addressed the  
 21 decommissioning. There was an agricultural impact  
 22 mitigation agreement, and what I was dealing with or  
 23 what I was asking about was the decommissioning of  
 24 the concrete that was in the ground, what it would

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1 take to get rid of this mess above the ground, and  
 2 the mitigation agreement suggested that they grind  
 3 the concrete down to a 5-foot level below the  
 4 ground. Invenergy didn't think that they should  
 5 have to go that far because that was too costly.  
 6 So, what they were suggesting was 48 inches. So  
 7 that was the first time that I noticed that they  
 8 seemed to think they were calling the shots in this  
 9 operation.  
 10 After that, that evening there was several  
 11 people on hand. They all signed up just like these  
 12 meetings have been done, and about the second or  
 13 third on the list there was somebody that had signed  
 14 up to testify to the sound or the noise or something  
 15 to that effect, and I believe that they even had  
 16 contacted Dr. Schomer to come and testify at that  
 17 time.  
 18 When they got to his name they saw that he  
 19 had boxes, as you see here, people with testimony  
 20 that is pertinent to this situation. So they asked  
 21 him and told him that everybody was going to have a  
 22 chance to speak, if he could sit and wait until the  
 23 end and have his presentation heard. It was ten  
 24 minutes until 10 -- not even that. I think it was

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1 like 9:57, and he began his presentation. He  
 2 couldn't even get into what had to do with the  
 3 sound. He couldn't even get into the particulars of  
 4 his presentation, and he was cut off. The hearing  
 5 that night was not continued. There was not another  
 6 one scheduled to hear the facts on that, that I know  
 7 of.

8 But just like everybody I've heard, this  
 9 thing has been rushed through, shoved through and  
 10 not told to anyone. None of the Chenoa or Lexington  
 11 papers have had notice of these hearings for the  
 12 people that it affects. So, to that fact, that in  
 13 itself, it ought to be denied completely.

14 Then you have the towns of Chenoa and  
 15 Lexington put in a very bad circumstance. Invenergy  
 16 approaches them, tells them, if you put turbines  
 17 within the mile and a half surface around your town,  
 18 we'll give you money. That's a bribe.

19 They put -- they wanted to put 18 turbines  
 20 inside the mile and a half around Lexington.  
 21 Ridiculous. That town is growing, thriving, the  
 22 only small town in this area that has a school K  
 23 through 12.

24 I am from Chenoa. I know what it's like

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1 to have a school dissolved, not something that is  
 2 agreed to but dissolved by a school board that I sat  
 3 on that I opposed four to three. We had a board  
 4 election to get rid of those three, but we couldn't  
 5 get the fourth vote.

6 So Lexington decides to barter with  
 7 Invenergy. Whether they raise the price, I don't  
 8 know; but somehow they decided to accept nine  
 9 turbines on the west and north side because they  
 10 wanted to advance their expansion on the east side.  
 11 So, they wanted to agree to them. I think they are  
 12 getting like \$1,500 a turbine to agree to that  
 13 agreement.

14 So then, before that even, they went up to  
 15 Chenoa, and they have four turbines in their mile  
 16 and a half area.

17 I've talked to the mayor in both towns.  
 18 The people in the towns don't even know what hit  
 19 them. The mayor in Chenoa, after visiting with him,  
 20 I believe he abstained his vote, but the councilmen  
 21 voted it through, clearly.

22 So now you've got nine in Lexington, four  
 23 in Chenoa that are within the limits that you set  
 24 for them to keep out of. So that's the second point

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1 that I see that Invenergy is trying to control this  
 2 show.

3 So then we get into this hearing. I  
 4 missed the first one. I wasn't even sure when it  
 5 was. I had a friend told me. They were at  
 6 Heartland College, which is great. It is a great  
 7 setting. We had good presentations. Invenergy  
 8 spent four days presenting their evidence. They had  
 9 evidence that was pretty interesting, but it was all  
 10 paid for by Invenergy.

11 So you have sound system or the sound  
 12 testimony where you are adding decibels, subtracting  
 13 decibels. They had so many figures and things  
 14 thrown out there how can anybody understand? The  
 15 thing is, is everything I saw they were at the state  
 16 limits; they were right there.

17 There is also those state limits are to  
 18 the foundation of the house. Just as you've heard  
 19 tonight, we don't stay in our house. I heard  
 20 testimony the other night that it's at nighttime is  
 21 when you check it. People work at night. People  
 22 live outside at night. I go out and see stars at  
 23 night. So why aren't those taken into account?

24 It's a 24/7, our homestead. We live in a

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1 house that is rented. It's probably got  
 2 approximately five acres. We use the entire area.  
 3 We are renovating, and I testified to this at that  
 4 October of '16. We are renovating a house that has  
 5 been in my family since 1864. I am fifth-generation  
 6 farmer, proud to be so. We bought the house and 80  
 7 acres. The building, there again, is about another  
 8 5 or 6 acres. Use every bit of it.

9 They don't measure to the edge of the  
 10 property that we use. They measure to that  
 11 foundation of a house. I am not staying inside my  
 12 house.

13 We are spending a lot of money to renovate  
 14 this house, and now all of a sudden this comes up.

15 Now, this last week I find out that, once  
 16 this is over, February 6 they are going to undertake  
 17 an EDP application that is right where that house  
 18 is. Now we get to do it again. How many times is  
 19 it going to go? Where does it stop?

20 These people come in. They do their dog  
 21 and pony shows. They get on their greed train, and  
 22 they leave town. This is our lives. We live here.  
 23 My family has been here. I am emotionally tied, and  
 24 I can't speak as well as they do.

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1 Questioning on the farmland aspect, each  
 2 turbine takes up an acre of ground. Each acre feeds  
 3 two to four people. 100 turbine projects could  
 4 possibly take food away from 2 to 400 people. You  
 5 heard tonight the population is going to get to 9  
 6 billion. It ain't going to stop there. They don't  
 7 make farmland no more. When it comes down to it,  
 8 what do you want to do? Eat food or have  
 9 electricity? That is where your decision needs to  
 10 lie as far as farm ground goes.

11 But as far as the people's houses and  
 12 that, it's got to come down to what is important to  
 13 you, staying in town where there is no turbines or  
 14 do you want to live out where the turbines are and  
 15 take your chances at what the repercussions are.  
 16 And I want to live there with no repercussions.  
 17 There hasn't been any before. We were fine before  
 18 they got here. We will be fine when they leave  
 19 without this project. Thank you. I'll stay here.

20 **CHAIRMAN FINNIGAN:** You did a good job.  
 21 **MR. JOLLY:** Thank you.  
 22 **CHAIRMAN FINNIGAN:** Questions from the  
 23 board?  
 24 (QUESTIONS BY THE BOARD:)

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1 **MR. BANGERT:** How close was, on this  
 2 project, the nearest turbine?  
 3 **MR. JOLLY:** On this project, just down the  
 4 road, I want to say they are within a mile, a little  
 5 over a half a mile. I am not sure.  
 6 This project doesn't concern me as much as  
 7 the EDP because their 550-foot wingspan I'll call  
 8 it, there I have one 1644 feet behind my house.  
 9 That is why I am concerned. These need to be  
 10 stopped, period, subsidies and everything. If there  
 11 were no subsidies there would be no windmills. That  
 12 is where it stands.

13 **MR. BANGERT:** So you farmed, and you farm  
 14 in and around this area?  
 15 **MR. JOLLY:** Yes.  
 16 **MR. BANGERT:** Fairly close to where all  
 17 these are going to be going?  
 18 **MR. JOLLY:** Yes, I do. I have two farms.  
 19 Where our home place is, we have 80 acres that we  
 20 purchased in 2004 with our home place to keep it in  
 21 the family. A mile over -- it would be a mile over  
 22 and a mile over is 160 acres that is in our family  
 23 that my grandfather went from that house, the  
 24 homestead, started 160 acres about 100 years ago,

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1 1917. And we have 160 acres there that my four  
 2 brothers or three brothers and I are in my mom's  
 3 trust. My wife and I actually bought 60 acres off  
 4 Myanfers (phonetic), and then now my brothers and I,  
 5 the four of us, we split the 100 acres in a trust.  
 6 So they are involved, too.

7 **MR. BANGERT:** There is a reoccurring theme  
 8 that we've heard through the course of these  
 9 meetings, which is we just found out, we just heard  
 10 about this. And I guess I should be asking this  
 11 more often: What form of notifications are  
 12 reaching, say, you?

13 **MR. JOLLY:** Okay. Well, we have to  
 14 actually go back to the 2016 meeting, okay? And  
 15 that was just by word of mouth that, hey, they are  
 16 in town, okay? Didn't know them. They never talked  
 17 to me, but somebody had told me they are in town.  
 18 This is even before the office in Lexington I  
 19 believe; I don't know. But I didn't know about it.

20 So I found out about the meeting. Well  
 21 then, of course, I am going to be involved. After  
 22 that meeting I was not happy with what I saw from  
 23 what I understand may have -- your recommendations  
 24 went to the board and I think they came back to you,

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1 and that mitigation agreement then ended up going to  
 2 5-foot grind on the concrete, which is what it  
 3 should be, and some other things that should have  
 4 been clarified.

5 So the other notifications that I've had  
 6 is just by small-town word of mouth. There is  
 7 nothing in -- you know, there ought to be some kind  
 8 of public notice in the town square people go to,  
 9 but no, no notice. I don't get the Pantograph. I  
 10 don't get the Leader. We get the Lexingtonian and  
 11 the Chenoa Town Crier.

12 **MR. BANGERT:** Thanks. Facebook?  
 13 **MR. JOLLY:** I don't get on Facebook. I  
 14 wouldn't be on there for nothing.  
 15 **MR. BANGERT:** Thank you.  
 16 **CHAIRMAN FINNIGAN:** Any other questions  
 17 from the board?  
 18 Staff?  
 19 **MR. DICK:** No thanks.  
 20 **CHAIRMAN FINNIGAN:** The applicant?  
 21 **MR. GRIFFIN:** No thank you.  
 22 **CHAIRMAN FINNIGAN:** Would anyone in the  
 23 audience have questions? One.  
 24 (QUESTIONS BY MS. WINTERLAND:)

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1       **MS. WINTERLAND:** Amy Winterland, 22825  
 2 North 3075 East Road.  
 3       I am not sure I got this down right. You  
 4 are going to have Invenergy windmills and EDP  
 5 turbines?  
 6       **MR. JOLLY:** Where we currently live is a  
 7 total Invenergy area, okay? Where we are going to  
 8 move there is some Invenergy people there that I  
 9 don't know why they weren't included in this because  
 10 they are in Yates Township but they are Invenergy  
 11 customers. Why they are not involved in this I have  
 12 no idea. Maybe they can answer. But right there,  
 13 now you've got those with Invenergy, and then this  
 14 last week now you are throwing EDP on top, and I  
 15 don't know how they intermingle or what. I haven't  
 16 seen enough maps to figure out how they work.  
 17       **MS. WINTERLAND:** So I kind of have  
 18 questions about that. Can we ask you guys questions  
 19 about that, like how they intermingle and whether  
 20 they are talking to each other as far as noise  
 21 studies go?  
 22       **CHAIRMAN FINNIGAN:** We have no information  
 23 about it as a board.  
 24       **MS. WINTERLAND:** Okay.

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1       **MR. JOLLY:** Interesting.  
 2       **MS. WINTERLAND:** So you don't know yet how  
 3 they're dovetailing together?  
 4       **MR. JOLLY:** I do not. I have to do  
 5 research because, once again, this is just something  
 6 that came up.  
 7       **MS. WINTERLAND:** All right. Thanks.  
 8       **MR. JOLLY:** If I may real quick? I am  
 9 sorry. That is not to do with you, Amy. Well,  
 10 maybe because you've seen them.  
 11       In the area, I am a mail carrier. I have  
 12 seen six bald eagles, two golden eagles that I know  
 13 of. I am not an expert. They are huge. They are  
 14 beautiful, awesome birds. Never saw them before. I  
 15 know of a nest just north of Chenoa on the way to  
 16 Pontiac. I took my wife out there last week or so  
 17 and we went out and checked it out and I got a  
 18 picture on my phone. Awesome, awesome sites. We  
 19 have deer and birds and everything running around as  
 20 they are now, too.  
 21       **CHAIRMAN FINNIGAN:** Any other questions?  
 22 Thanks for coming. You did a good job.  
 23       **MR. JOLLY:** Thank you.  
 24       **CHAIRMAN FINNIGAN:** You don't have to be a

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1 professional to come talk.  
 2       **MR. JOLLY:** By the way, I have got to  
 3 thank you guys for your time, too. And listening to  
 4 emotions and stuff, it's got to be hard, but I  
 5 appreciate your time.  
 6       **MR. DICK:** Andrew Jacobs?  
 7 Samuel Fehr?  
 8 Paul Karl.  
 9 Jack Cotter.  
 10       **VOICE FROM AUDIENCE:** He wasn't going to  
 11 be here.  
 12       **MR. DICK:** Daniel Short? Daniel Stewart.  
 13 Excuse me. Daniel Stewart?  
 14 Renee Taylor?  
 15 Bevin Choban?  
 16 Elizabeth Cave, on Clinton Place in  
 17 Normal?  
 18 Ryan Worthy?  
 19 Jake Bolton?  
 20 Dwight Strickland?  
 21 Andrew Downey?  
 22 That's all we have.  
 23       **MR. ZIMMERMAN:** At this point I would like  
 24 to see if Dr. Angelo Capparella, who is a specialist

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1 in birds, would mind coming up.  
 2       And you have been doing raptor studies I  
 3 believe systematically throughout the county, and if  
 4 you would come and give us a little bit of insight  
 5 on what you might have found should you have done  
 6 them through this area. I don't know.  
 7       I am sorry to put you on the spot. I  
 8 haven't talked to you about this, other than I knew  
 9 you had done them historically, and I don't know if  
 10 you still do them on behalf of Audubon. And from  
 11 what I understand you do them systematically. And I  
 12 don't know. Okay.  
 13       **DR. CAPPARELLA:** Angelo Capparella,  
 14 A-n-g-e-l-o.  
 15       **CHAIRMAN FINNIGAN:** I think you need to be  
 16 sworn in.  
 17       **DR. CAPPARELLA:** Oh, I'm sorry. I was  
 18 sworn in when I gave my testimony.  
 19 (DR. ANGELO CAPPARELLA PLACED UNDER OATH.)  
 20       **CHAIRMAN FINNIGAN:** You're quite loud.  
 21       **DR. CAPPARELLA:** Oh, I'm sorry.  
 22       **CHAIRMAN FINNIGAN:** We can hear you quite  
 23 well. It's not a bad thing. I'm just saying, you  
 24 know, it's actually --

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1       **DR. CAPPARELLA:** I am sorry. I appreciate  
 2 it. No, I understand. It's my classroom lecturing  
 3 voice. Sorry about that. You tell me if I get too  
 4 voluminous.  
 5       All right. I am going to spell it.  
 6 A-n-g-e-l-o C-a-p-p-a-r-e-l-l-a, 907 South Fell  
 7 Avenue, Normal.  
 8       Yes, I do raptor studies. They are a  
 9 project throughout the state, winter raptor surveys,  
 10 where one sets up 50-mile circuits that you do once  
 11 each month during the four months of what they  
 12 define as winter.  
 13       I have one, and I myself monitor one in  
 14 McLean County and in Tazwell County, and a colleague  
 15 of mine does one in Woodford County, southeast of  
 16 Woodford County; I think it may straddle into McLean  
 17 a little, but I am not sure.  
 18       However, my particular route does not go  
 19 through this part of the county where the footprint  
 20 of the proposed wind farm is, so I would not be able  
 21 to directly apply any data from that part of the  
 22 county. Ours basically goes from Moraine View to  
 23 Downs and then all the way south to near the DeWitt  
 24 County border and then back up through Funks Grove

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1 and then Stanford, so I wouldn't be able to address  
 2 directly from any data that I have regarding  
 3 raptors.  
 4       **MR. ZIMMERMAN:** Do raptors range so that  
 5 any that you had seen in another part of the county  
 6 would be up there, or is that just irrelevant?  
 7       **DR. CAPPARELLA:** Oh, yea. Oh, yeah.  
 8 Sure. I mean as people have noted, bald eagle  
 9 sightings are certainly -- we have certainly seen an  
 10 increase in bald eagle nests, and the result, young  
 11 and adult adults, they move wildly over the area,  
 12 particularly between feeding areas where the river  
 13 is open, where reservoirs are open and the like.  
 14 And we certainly have good -- I am sure the same  
 15 kinds of portions of raptors that we see in my route  
 16 kind of on the southern end of the county would be  
 17 present in the northern end as well in terms of  
 18 raptors.  
 19       Any other questions that I can try to  
 20 address them?  
 21       **MR. BANGERT:** Going back to the DNR  
 22 recommendations, was it your position that they  
 23 should, every one of them should be followed or  
 24 certain ones?

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1       **DR. CAPPARELLA:** Yeah. In lieu of  
 2 credible evidence to the contrary, which I did not  
 3 see, if you compare the IDNR recommendation letter,  
 4 which is about 15 pages explaining why they made  
 5 these seven recommendations versus the  
 6 about-two-and-a-half-page response by Invenergy in  
 7 which they rejected outright five of them and the  
 8 other two only if you tell them to do it, which  
 9 basically was to me opinion versus evidence. I  
 10 would have like to have seen -- I would have  
 11 considered evidence against evidence to try to  
 12 evaluate that, but it sort of bothered me that  
 13 Invenergy just presented opinions without any  
 14 reasoned evidence or any evidence about that versus  
 15 DNR's rather extensive explanation of why they  
 16 thought all seven recommendations should be  
 17 followed.  
 18       As a scientist, I am always open to  
 19 alternative perspectives. DNR isn't always right.  
 20 Nobody is always right. Scientific evidence  
 21 continues to grow. You always have to weigh and  
 22 balance these things. But as a scientist, I always  
 23 react negatively when somebody just says I am  
 24 throwing out your evidence just because I don't like

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1 it or think that, you know, you are wrong, but you  
 2 don't tell me why, you don't give me alternative  
 3 reasoning or anything like that; and I think that is  
 4 what -- I didn't see that happen in previous wind  
 5 farm applications. There was good evidence that was  
 6 presented to argue for or against adopting a  
 7 recommendation, and I don't see that here. And I  
 8 think that is what has troubled me the most from the  
 9 wildlife perspective.  
 10       So I guess, with a lack of compelling  
 11 contrary evidence, credible contrary evidence, I  
 12 would just say adopt all seven, but I didn't  
 13 actually say that in my recommendation testimony. I  
 14 said two of them for sure we need to adopt, and  
 15 others I think you can strongly argue for by what we  
 16 know about Heinlein Creek and what I am hearing  
 17 about Patton Creek.  
 18       But should we, for example, really survey  
 19 for Franklin's ground squirrel? I could see a case  
 20 against doing that. But I didn't see that  
 21 presented.  
 22       Should we be surveying for mud puppies,  
 23 which is one of the recommendations? I can see a  
 24 case you could make scientifically against doing

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1 that; but they didn't do it, and I don't know why.  
 2 So, in lieu of that, I just say go with  
 3 the seven that the DNR said because at least they  
 4 made a case for it. Whether a counter-case could be  
 5 made or not, I think in a few cases that you could  
 6 make a counter-case, but I didn't see it made. So  
 7 you all will have to evaluate what you think about  
 8 mud puppies and setbacks and ground squirrels; and I  
 9 don't envy you being in that position.  
 10 But if you do look at my own testimony,  
 11 the bat situation is really an important one to  
 12 consider and the adequate setbacks from INAI sites,  
 13 significant tributaries as well as the Mackinaw, I  
 14 think it is really important to maximize protection  
 15 of not only a system of nature reserves that is  
 16 currently operated for the public by Parkland's  
 17 Foundation but a lot of land that, to their credit,  
 18 landowners have kept in really good natural health,  
 19 and I believe very much in private landowners being  
 20 rewarded in a sense for doing that. Don't  
 21 compromise what they -- I hope that kind of gets  
 22 what you asked.  
 23 **MR. ZIMMERMAN:** Thank you.  
 24 (BREAK TAKEN.)

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1 **MR. ZIMMERMAN:** What I am trying to get at  
 2 is are there -- is this an opportunity, were we to  
 3 vote for this wind farm, would there be an  
 4 opportunity to specify/stipulate that there would be  
 5 some studies done for, like, multiple years? And  
 6 would that, how much of that cost is what I am  
 7 trying to get at. I don't want to do something that  
 8 is a huge burden financially or otherwise and that  
 9 would be worthless. And I would like to find out if  
 10 are there some studies that could be done, should  
 11 they be multiyear and could they be done cheaply?  
 12 Excuse me for being cheap.  
 13 **DR. CAPPARELLA:** Oh, no. I work in a  
 14 public university, so I quite understand the need to  
 15 do that, and we do science there as well.  
 16 I'm too close again?  
 17 **MS. TURNER:** No, no, no. I am sorry. I  
 18 feel like that is a pretty detailed question that we  
 19 are asking for specific studies and specific prices,  
 20 which is great and I am, you know -- but should we  
 21 give him some time to prepare that and present that  
 22 if you are truly interested in that?  
 23 **MR. ZIMMERMAN:** I am sort of interested.  
 24 I am just trying to see if there is a ballpark idea

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1 whether it's \$5 or \$5 million or --  
 2 **DR. CAPPARELLA:** I don't think these  
 3 studies done competently are that expensive just  
 4 because at least on some things, like I think I  
 5 mentioned through cross examination, mussel studies,  
 6 which I've done as a volunteer with DNR to help them  
 7 with their budgetary shortfalls, a lot of those kind  
 8 of basic survey studies, which is clearly what DNR  
 9 wants.  
 10 I mean the one thing I've learned in  
 11 working with McLean County is, despite the initial  
 12 appearance of the average person coming in here that  
 13 there is no natural areas left at all and,  
 14 therefore, no wildlife or anything else to worry  
 15 about, I have been rather surprised at the number of  
 16 rediscoveries of organisms.  
 17 The fact that I know our local birding  
 18 community often finds things that we didn't know  
 19 existed, still existed in the area. In a few rare  
 20 cases we actually discovered things that no  
 21 scientists knew were here before.  
 22 So it behooves us to be careful not to say  
 23 something isn't here. It's very hard, obviously, to  
 24 prove an absence.

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1 Many of the studies that Invenergy did do  
 2 on certain target species I thought were very well  
 3 done; others that DNR is requesting is where they  
 4 saw deficiencies or at least DNR's opinion they saw  
 5 deficiencies on some things that used to be here or  
 6 may be here or are likely to be here based on  
 7 knowledge elsewhere, and they are asking Invenergy  
 8 to invest a little bit of money into doing that.  
 9 Again, I don't know the actual prices, but  
 10 typically those things are not that expensive in the  
 11 grand scheme of things and don't take that long to  
 12 do, such as mussel and fish surveys in perennial  
 13 streams. You know, that is my opinion based on some  
 14 personal experience where we just done it for free,  
 15 not that I am offering in this case.  
 16 **MR. ZIMMERMAN:** That's all.  
 17 **CHAIRMAN FINNIGAN:** I am going to let you  
 18 go. I appreciate you coming in.  
 19 **DR. CAPPARELLA:** All right. Thank you.  
 20 **CHAIRMAN FINNIGAN:** We are at Number 5.  
 21 Rebuttal testimony from the applicant?  
 22 **MR. PARZYCK:** Yes.  
 23 **CHAIRMAN FINNIGAN:** Remember, both of you  
 24 guys are under oath, but you got to state your name

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1 and address again.  
 2 (REBUTTAL FROM APPLICANT.)  
 3 **MR. PARZYCK:** You bet. It's Kevin, last  
 4 name Parzyck, P-a-r-z-y-c-k. I am at 1 South  
 5 Wacker, Suite 1800, Chicago, Illinois, 60606.  
 6 Thank you. Just a short rebuttal here, if  
 7 I may.  
 8 We have heard testimony from Misters  
 9 Thacker and Schertz who operate airstrips in and  
 10 around the project area. We would just like to sort  
 11 of respond to that.  
 12 Since they both testified, we've been in  
 13 communication with both of them about the project  
 14 and their concerns with some turbine locations.  
 15 Concerning Mr. Thacker's airstrip, we've  
 16 agreed to eliminate Turbine Number 22 from the  
 17 project.  
 18 In addition, we've agreed to shift Turbine  
 19 Number 23 to a distance which would be 2700 feet  
 20 east of the Thacker runway, which would be in  
 21 accordance with the request that Mr. Thacker had  
 22 regarding a half mile clear on both sides of the  
 23 runway. And as I said, we had been in discussions  
 24 with Mr. Thacker regarding that matter.

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1 **MR. GRIFFIN:** Jim Griffin, Schain Banks.  
 2 And we have a couple pieces of  
 3 correspondence we want to make sure are entered into  
 4 the record. I believe the next exhibit is 17; is  
 5 that correct, Phil, for the applicant?  
 6 **MR. DICK:** The next one is 17.  
 7 **MR. GRIFFIN:** So the Applicant's Exhibit  
 8 Number 17 is a letter dated January 17, 2018, from  
 9 Mr. Thacker to Gordon Gray of Invenergy. And  
 10 Number 18 that I'll pass out in a moment is a letter  
 11 from the AOPA. I'll say what that stands for. What  
 12 does than stand for? It's their airline or airport  
 13 organization, and it's dated January 18, 2018. And  
 14 that will be applicant's Number 18.  
 15 **MS. WALLEY:** Mr. Griffin, did you move to  
 16 admit your exhibits?  
 17 **MR. GRIFFIN:** I would like to do so, yes.  
 18 **CHAIRMAN FINNIGAN:** So moved.  
 19 **MS. WALLEY:** Is that the end of your  
 20 rebuttal testimony?  
 21 **MR. PARZYCK:** No. I am sorry.  
 22 **MS. WALLEY:** It's okay.  
 23 **MR. PARZYCK:** And then, second to that,  
 24 concerning Mr. Schertz's airstrip, we've agreed we

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1 have spoken with Mr. Schertz on this matter. We've  
 2 agreed to shift Turbine Number 78 to the northwest  
 3 approximately 1100 feet.  
 4 In addition, we've agreed to shift Turbine  
 5 Number 74 west 300 feet.  
 6 And because we had mentioned we were using  
 7 two different types of turbines, the turbine with  
 8 the 116-meter rotor is shorter, the tip height is  
 9 shorter, so what we are proposing is to use the  
 10 shorter GE 2.3 116 model turbine at that location.  
 11 So it would be lower and it's moved west.  
 12 As I said, we have been in discussion with  
 13 Mr. Schertz regarding this matter. And we  
 14 appreciate our communications with both Mr. Thacker  
 15 and Schertz and are pleased that we were able to  
 16 reach an understanding regarding these turbines.  
 17 **MR. DICK:** Mr. Parzyck, which way did you  
 18 say Number 78 is to be moved 1100 feet?  
 19 **MR. PARZYCK:** Turbine 78 is to be moved  
 20 northwest, so approximately 1100 feet.  
 21 **MR. DICK:** Thank you.  
 22 **MR. GRIFFIN:** And, Mr. Parzyck, has  
 23 Invenergy also agreed to withdraw and withdraw from  
 24 its application Turbine Number 80?

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1 **MR. PARZYCK:** That is correct. We would  
 2 also like to remove Turbine Number 80 from our  
 3 application, and that is consistent with the half  
 4 mile setback from the Mackinaw River main channel.  
 5 That's all I have.  
 6 **CHAIRMAN FINNIGAN:** Any staff want to  
 7 question?  
 8 Did you say you have an agreement with  
 9 Mr. Schertz, or you are working on one?  
 10 **MR. PARZYCK:** We spoke with him. We  
 11 discussed it on the phone. We discussed those  
 12 locations. I would say that Mr. Schertz is saying,  
 13 you know, there is going to be turbines in the area  
 14 but it reduces the risk that he had expressed in his  
 15 testimony.  
 16 **MS. WALLEY:** Are you for cross  
 17 examination?  
 18 **MR. PARZYCK:** I am.  
 19 **MS. WALLEY:** The Chairman asked me to  
 20 remind everyone, since Mr. Parzyck is up here to  
 21 testify, anyone can come up and cross examination  
 22 him but your examination is limited to only what he  
 23 just testified to, so that would be Turbines 22, 23,  
 24 78, 74, and 80 and their removal, their shifting,



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1 their withdrawal. So if you would like to cross  
 2 examine him about those things only, please come up.  
 3 (CROSS EXAMINATION BY MR. LUETKEHANS.)  
 4 **MR. LUETKEHANS:** Phil Luetkehans, 105 East  
 5 Irving Park Road.  
 6 Mr. Parzyck, what I don't see is a  
 7 requisite as a noise study with the effect of these  
 8 moving turbines. Has that been done?  
 9 **MR. PARZYCK:** Well, consistent with the  
 10 recommendations that were presented at the beginning  
 11 of the application, the comment is that, if the  
 12 applicant changes the project layout or turbine  
 13 types, choose alternative turbine types and/or  
 14 employs different blades that the different -- that  
 15 the noise analysis should be upgraded accordingly,  
 16 complianced and demonstrated. We have run those  
 17 analyses at this point. We have not submitted them,  
 18 but at this point we have done calculations  
 19 regarding compliance.  
 20 **MR. LUETKEHANS:** But those have not been  
 21 submitted for any of us to cross examine on or  
 22 review, correct?  
 23 **MR. PARZYCK:** They have not been  
 24 submitted.

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1 **MR. LUETKEHANS:** So there is no way for  
 2 us, as we sit here, to know whether/how that changes  
 3 any of the noise levels of any of the receptors,  
 4 correct?  
 5 **MR. PARZYCK:** They have not been  
 6 submitted.  
 7 **CHAIRMAN FINNIGAN:** We are not going to  
 8 get finished tonight, of course. Would it be  
 9 something you could furnish to us next week, on  
 10 Monday?  
 11 **MR. PARZYCK:** Yes.  
 12 **CHAIRMAN FINNIGAN:** Okay. Would that be  
 13 agreeable?  
 14 **MR. LUETKEHANS:** It's agreeable for the  
 15 submission, but it doesn't give us any opportunity  
 16 to cross examine or to have someone review them. It  
 17 really puts everybody in this -- I mean I know you  
 18 are trying to get this done. We are trying to get  
 19 it done as well. But you've put us in a position  
 20 where they are moving three or four turbines -- I  
 21 can't count -- sorry -- and us not having any idea  
 22 what that does or being able to examine what that  
 23 does. It's an impossible situation unless you want  
 24 to continue this hearing for weeks, and I don't

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1 think that is what you want to do.  
 2 **CHAIRMAN FINNIGAN:** I am going to let my  
 3 counsel talk.  
 4 I don't know what we can do to appease  
 5 this.  
 6 You know, you are willing to bring it this  
 7 next week. That is all we can do at this point, and  
 8 that's, to my point, is all we can do.  
 9 **MR. LUETKEHANS:** Well, I understand that,  
 10 and I guess I wanted to just make the point and take  
 11 the position for the record that the inability to  
 12 cross examine on that with any fair ability  
 13 violates, in our opinion, the Klaeren Rules and  
 14 makes it really impossible for effective cross  
 15 examination.  
 16 **MR. GRIFFIN:** I'll just note, I have cross  
 17 examined all those opposition witnesses that I've  
 18 chosen to without any prior knowledge of their  
 19 testimony or their reports.  
 20 **MR. LUETKEHANS:** Just because Mr. Griffin  
 21 has cross examined one expert who he knew was coming  
 22 ahead of time, knew what he was going to testify to,  
 23 and was very familiar with on a situation where we  
 24 do not have technical reports like this --

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1 **CHAIRMAN FINNIGAN:** We are going to tell  
 2 you is your objection is noted, and we'll take it  
 3 under advisement.  
 4 **MR. LUETKEHANS:** Thank you.  
 5 **CHAIRMAN FINNIGAN:** Thank you.  
 6 Is there anything else you wanted to  
 7 present in rebuttal?  
 8 **MR. GRIFFIN:** No. We are finished.  
 9 **CHAIRMAN FINNIGAN:** I guess did the board  
 10 have any questions about any of this? It would be  
 11 just on what they testified to.  
 12 (QUESTIONS BY THE BOARD:)  
 13 **MR. BANGERT:** This data that was just  
 14 requested, how quickly will you have it available?  
 15 **MR. PARZYCK:** It depends on the -- I mean  
 16 I would have to check with my noise consultant here  
 17 as to exactly. I mean the models have been run. I  
 18 would have to look and see how they have been  
 19 compiled and what we can put into your hands. We  
 20 would do it as quickly as possible, but I couldn't  
 21 say. I don't have it at my fingertips right now,  
 22 but it shouldn't -- very, very quickly.  
 23 **MR. BANGERT:** I am just curious how we  
 24 could get it into their hands so they could have a

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1 little bit more time at least.  
 2 **MR. PARZYCK:** Let me just check and see  
 3 what -- counsel is checking with our consultant  
 4 here, so let me just check with him.  
 5 **MS. TURNER:** In the meantime, can I ask  
 6 another question?  
 7 **MR. PARZYCK:** Oh, sure. I am sorry.  
 8 **MS. TURNER:** Which of those movements will  
 9 cause any of these to be closer to a house, closer  
 10 to a resident, a nonparticipating resident?  
 11 **MR. PARZYCK:** One moment.  
 12 **MS. TURNER:** That is really the heart of  
 13 all of this.  
 14 **MR. GRIFFIN:** If I can jump in, the staff  
 15 proposed stipulations, which is what Mr. Parzyck  
 16 read, do permit the turbine locations to be moved so  
 17 long as compliance is demonstrated, and that is a  
 18 building permit requirement. So there is some  
 19 flexibility, which I think is a good idea, in order  
 20 for turbines to be relocated, locations changed so  
 21 long as it's demonstrated to be in compliance.  
 22 So I certainly don't want to be penalized  
 23 for trying to move turbines to accommodate concerns  
 24 that people have and that we are responding to.

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1 Otherwise, I suppose we would have been  
 2 better off just saying we are not going to respond  
 3 to those complaints because we don't want to have  
 4 this continued on for a lengthy period of time.  
 5 That's just a statement. Thank you, Mr. Chairman.  
 6 **MS. WALLEY:** Mr. Griffin, were you able to  
 7 find out anything about the noise revised or  
 8 reviewed noise study?  
 9 **MR. GRIFFIN:** I don't know that we could  
 10 have a complete noise study by Monday. Mr. Hankard  
 11 would be able to testify that according to the model  
 12 that he has reviewed it and he's confirmed that. He  
 13 can give his testimony, though, but we wouldn't have  
 14 a full report.  
 15 **MR. LUETKEHANS:** So we were being put in  
 16 an untenable situation of having nothing ahead of  
 17 time, no report, and his statement that their expert  
 18 says it's okay is somehow okay. That's just not how  
 19 this process works. You know it's not how it works,  
 20 and we have the right to cross examine especially  
 21 expert testimony, which is really what we are  
 22 talking about here, and effectively cross examine.  
 23 **MR. GRIFFIN:** Well, in that case then, I  
 24 would suggest that we won't -- that the board just

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1 enact as stipulations that we undertake these  
 2 movements and we'll leave the application as is.  
 3 **MR. LUETKEHANS:** That is -- so, well then,  
 4 I guess I would argue against any stipulation that  
 5 allows them to move turbines 1100 feet.  
 6 **MS. WALLEY:** I don't think we are to the  
 7 argument point.  
 8 **MR. LUETKEHANS:** I guess that is what he's  
 9 talking about doing, and I think it's important for  
 10 the board to understand that 1100 feet is a lot of  
 11 feet.  
 12 **MS. WALLEY:** I understand that.  
 13 **MR. LUETKEHANS:** Without us having the  
 14 right to cross examine, you pretty much said he can  
 15 move whatever he wants later and tell you or tell  
 16 everybody that it's moved.  
 17 **MS. WALLEY:** If you could, save it for  
 18 argument. I know the board wants to hear what you  
 19 have to say.  
 20 Am I correct in understanding that you are  
 21 now -- that your testimony or your rebuttal is  
 22 different now than it was a minute ago or is  
 23 revised?  
 24 **MR. GRIFFIN:** Well, what is going to be

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1 the process going forward? I guess that is a  
 2 question I would ask for this board to tell us.  
 3 **CHAIRMAN FINNIGAN:** I am not a lawyer, so  
 4 that is why she's here.  
 5 **MS. WALLEY:** I can only tell you what the  
 6 board rules are, what the major case process rules  
 7 are. You would be allowed to provide rebuttal, as  
 8 you are the applicant and you bear the burden.  
 9 Interested parties, those that Mr. Luetkehans  
 10 represents, they could provide surrebuttal if they  
 11 chose to do so. At the end, anyone that provided a  
 12 an opening or testimony would be allowed to provide  
 13 closing argument. Everyone will be given the same  
 14 amount of time. And once we are done, we are done.  
 15 So that's where we stand in terms of the major case  
 16 rules. They are what was handed out to everyone.  
 17 It's what we started with, and it's what we'll  
 18 finish with. So that is where we are right now.  
 19 **MR. ZIMMERMAN:** Mr. Walley, I think Julie  
 20 asked what -- whether they would provide how close  
 21 it would be to any residence if there were any  
 22 issues like this. I don't know if we are going to  
 23 get any information on shifts or whether there are  
 24 residents there. So I am not sure at this point

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1 whether we are going to get information on shifts  
 2 and, if so, how close it would be to any resident.  
 3 **MR. PARZYCK:** I can respond to  
 4 Ms. Turner's question. The turbine moves that are  
 5 proposed, none of those moves result in a turbine  
 6 closer to a residence.  
 7 **MS. TURNER:** I appreciate that.  
 8 **AUDIENCE VOICE:** That is an impossible,  
 9 sir.  
 10 **MR. LUETKEHANS:** That makes absolutely no  
 11 sense to me.  
 12 **MS. WALLEY:** Are you recross examining  
 13 him?  
 14 **MR. LUETKEHANS:** I don't even know what to  
 15 say at this point. I guess I'll cross examine.  
 16 So are these points --  
 17 **MS. TURNER:** Can you cross examine once we  
 18 are done with our questions, though?  
 19 **MR. LUETKEHANS:** Well, I am trying to  
 20 figure out what we are actually doing.  
 21 **MR. ZIMMERMAN:** Ms. Turner has a question.  
 22 **MS. TURNER:** All right. Go ahead. Sorry.  
 23 **CHAIRMAN FINNIGAN:** If you have a  
 24 question, ask it.

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1 **MS. TURNER:** I did ask the question.  
 2 Okay. I just wanted to make sure we are all done  
 3 asking questions before we went to the next thing.  
 4 **CHAIRMAN FINNIGAN:** We are all done.  
 5 Let's work something out, okay? What's  
 6 the best way to handle this?  
 7 **MR. LUETKEHANS:** Well, I think the first  
 8 thing would be to actually show us, show on a graph  
 9 which ones are being moved and where. I am doing  
 10 this in a complete vacuum. So that would be  
 11 Number 1.  
 12 I don't think it's fair to the board. I  
 13 mean we have heard it moved 1100. None of these  
 14 moved anywhere close. So that means they often move  
 15 out. There has to be a house somewhere. So we need  
 16 to understand where that is.  
 17 **CHAIRMAN FINNIGAN:** We have five minutes  
 18 left, so that is not going to happen tonight.  
 19 **MR. LUETKEHANS:** No. I know it's not.  
 20 **CHAIRMAN FINNIGAN:** Why don't we propose  
 21 this: Come back on Monday. Bring us your proposal,  
 22 bring us what you have, and we'll see if we can work  
 23 it out.  
 24 **MR. LUETKEHANS:** And I would ask that

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1 anything they are able to get done before Monday,  
 2 Mr. Griffin definitely knows how to e-mail me.  
 3 **CHAIRMAN FINNIGAN:** Can you do that?  
 4 **MR. GRIFFIN:** I'll pass along information  
 5 to counsel as soon as we get it.  
 6 **CHAIRMAN FINNIGAN:** I think we are all  
 7 trying to do the best we can. They are trying to  
 8 appease a couple of things that were brought up, and  
 9 this is where we are at. We are working on the  
 10 right direction.  
 11 So we are going to reconvene Monday in  
 12 this room at six o'clock, Monday the 29th. And so,  
 13 on the record, Monday the 29th at six o'clock in  
 14 this room.  
 15 (MEETING ADJOURNED 9:52 P.M.)  
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**CERTIFICATE OF REPORTER**

I, Holly Wingstrom, CSR #84-003888, reported  
 in machine shorthand the proceedings had in the  
 above-entitled cause and transcribed the same by  
 computer-aided transcription, which I hereby certify to  
 be a true and accurate transcript of the proceedings had.

Dated: February 13, 2018

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