

1 STATE OF ILLINOIS
2 PIATT COUNTY ZONING BOARD
3 **GOOSE CREEK WIND, LLC**
4 **APPLICATION FOR SPECIAL USE PERMIT**
5 12/19/2022
6 6:00 P.M. - 9:23 P.M.

7 PIATT COUNTY ZONING OFFICER:
8 Keri Nusbaum

9 HEARING FACILITATOR:
10 Scott Kains, Esq.

11 PIATT COUNTY ZONING BOARD MEMBERS:
12 Loyd Wax, Chairman
13 William Chambers
14 Paul Foran
15 Jim Harrington
16 Kyle Lovin

17 PIATT COUNTY BOARD MEMBERS:
18 Jerry Edwards
19 Todd Henricks
20 Michael Beem
21 Kathleen Piatt
22 Ms. Johns

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1 BE IT REMEMBERED and certified that
2 heretofore, on the 19th day of December, 2022, the
3 following proceedings were had of record:

4 MR. WAX: Let's call the meeting to order.
5 Keri, would you like to call the roll, please. We may
6 not have a flag so.

7 MS. NUSBAUM: Yes. Mr. Larson?

8 MR. LARSON: Here.

9 MS. NUSBAUM: Mr. Harrington?

10 MR. HARRINGTON: Here.

11 MS. NUSBAUM: Mr. Lovin?

12 MR. LOVIN: Here.

13 MS. NUSBAUM: Mr. Wax?

14 MR. WAX: Here.

15 MS. NUSBAUM: Mr. Chambers?

16 MR. CHAMBERS: Here.

17 MS. NUSBAUM: Mr. Foran?

18 MR. FORAN: Here.

19 MS. NUSBAUM: Mr. Henricks?

20 MR. HENRICKS: Here.

21 MS. NUSBAUM: Mr. Edwards?

22 MR. EDWARDS: Here.

23 MS. NUSBAUM: Mr. Beem?

24 MR. BEEM: Here.

1 MS. NUSBAUM: Ms. Johns?

2 MS. JOHNS: Here.

3 MS. NUSBAUM: Ms. Piatt?

4 MS. PIATT: Here.

5 MS. NUSBAUM: Thank you.

6 MR. KAINS: Thank you, Keri. Good evening,
7 ladies and gentlemen. It is hard to pledge allegiance
8 to our flag when the flag isn't here. That's why we had
9 to skip that part. All right. Folks, when last we met,
10 Mr. Leutkehans was presenting his case in opposition to
11 the application for the Goose Creek Wind Energy for a
12 special use permit. Mr. Leutkehans, you may call your
13 next witness.

14 MR. LUETKEHANS: We would call Dylan
15 Gallagher.

16 EXAMINATION BY

17 MR. LUETKEHANS:

18 MR. KAINS: Good evening, Mr. Gallagher.

19 Could you please state your name, spelling your first
20 and last name for the court reporter.

21 A. Dylan Gallagher, D-Y-L-A-N, G-A-L-L-A-G-H-E-R.

22 Q. Mr. Gallagher, could you state your address?

23 A. 2399 North 1000 East Road.

24 MR. KAINS: Mr. Leutkehans, before we go any

1 further, we need to swear the witness.

2 MR. LUETKEHANS: Oh, we need to swear the
3 witness.

4 MR. KAINS: Would you raise your right hand
5 please, sir.

6 (Witness Sworn)

7 Q. Okay. Now could you state your address?

8 A. 2399 North 1000 East Road, Mansfield, Illinois
9 61854.

10 Q. And do you know what receptor you are in the
11 application?

12 A. Receptor 120.

13 Q. Okay. And do you reside at 2399 North 1000
14 East Road?

15 A. Yes. I do.

16 Q. And how many acres do you reside on?

17 A. There's, like, 4.75 acres.

18 Q. Do you own farmland around the 4.75 acres?

19 A. Yes.

20 Q. How much?

21 A. 40.

22 Q. Okay. But the 4.75 acres -- there's -- is the
23 4.75 acres a different pin number than the 40?

24 A. Yes. It is.

1 Q. And you use that just for your residence,
2 correct?

3 A. Yes.

4 MR. LUETKEHANS: Nothing further.

5 MR. KAINS: Mr. Gallagher, is there anything
6 else you would like to add?

7 MR. GALLAGHER: No.

8 MR. KAINS: Very good. Questions for Mr.
9 Gallagher from members of the Zoning Board of Appeals?
10 Questions for Mr. Gallagher from members of units of
11 local government including school districts? Questions
12 from interested parties represented by licensed
13 attorneys? Mr. Jacobi?

14 MR. JACOBI: Yes, sir. Thank you. If I may
15 approach the witness with a cross exhibit.

16 MR. KAINS: Yes. Show it to Mr. Luetkehans
17 first. What exhibit number is this going to be?

18 MR. JACOBI: We have marked it as --

19 MR. KAINS: Mr. Keyt says 42. Do we all agree
20 on that?

21 MR. JACOBI: I have it marked 40, but we'll
22 call this Applicant's Exhibit 42.

23 EXAMINATION BY

24 MR. JACOBI:

1 Q. Mr. Gallagher, thank you for your testimony
2 tonight. What I have just marked as Applicant's
3 Exhibit 42, is this the residence you were referring to?

4 A. Yes. It is.

5 Q. This is your residence?

6 A. Yes.

7 Q. You can see North 1000 East traveling south to
8 north on the map?

9 A. That's correct.

10 Q. And on the map, there's two structures. The
11 top one looks like your house; is that accurate?

12 A. Yes. The one on the north side of the
13 property is the house.

14 Q. Thank you. What's the structure to the south
15 of your house?

16 A. You know, there's several structures. What
17 structure are you referring to?

18 Q. Everything south of the house, the driveway
19 going down to those facilities. I am not sure what they
20 are?

21 A. That's a cattle feeding facility.

22 Q. Okay. The 4.75 acres, can you describe where
23 on this map those are located, that pin?

24 A. That is the -- basically, the north side of

1 the property. If you drew a line from 1000 heading
2 straight east where you can kind of see where the first
3 building starts. That's the separation of parcels.

4 Q. Okay. So from the road going east just north
5 of that first building, that's part of your cattle
6 feeding facilities?

7 A. Yes. That's correct.

8 Q. That goes straight east to the darker colored
9 green area?

10 A. Yes. Where it changes. Yes.

11 Q. And then does it -- does the 4.75 acres travel
12 north along that boundary in the dark green and the
13 lighter green?

14 A. Yes. That's correct.

15 Q. Then it's bounded at the top by a crop?

16 A. Where at?

17 Q. Oh, bounded on the north end by -- it looks
18 like a row of trees in your road?

19 A. Yes. That's correct. Yes.

20 MR. JACOBI: No further questions. Thank you.

21 MR. KAINS: Thank you. Are there questions --
22 oh, wait Mr. Gallagher. Are there questions from any
23 other licensed attorneys in the room? Questions from
24 other interested parties or those in support of the

1 application for special use permit or those who are
2 neutral, any questions from those folks for Mr.
3 Gallagher? Questions for Mr. Gallagher from Piatt
4 County staff and consultants? Mr. Leutkehans, any
5 redirect?

6 MR. LEUTKEHANS: Real quick.

7 EXAMINATION BY

8 MR. LEUTKEHANS:

9 Q. If it's acceptable to the board, I am going to
10 ask Mr. Gallagher just to highlight in orange on his
11 copy the 4.75 acres so it's clear for the record.

12 MR. KAINS: Very good.

13 Q. Mr. Gallagher, on the exhibit that you were
14 handed, you have highlighted the entire area in orange.
15 That's the 4.75 acres; is that correct?

16 A. Yes. That's correct.

17 MR. LUETKEHANS: I'm going to submit this, I
18 think. I don't know if it's acceptable -- well, here,
19 how about this. I will submit this as Objector's
20 Exhibit 40. Let's call it 40 for the record and give
21 that one to the --

22 MR. KAINS: Mr. Keyt.

23 MR. JACOBI: I think I marked it incorrectly
24 at the bottom the first time around so you might just

1 want to cross out what I have marked.

2 MR. LUETKEHANS: I have nothing further of Mr.
3 Gallagher.

4 MR. KAINS: All right. Thank you. In light
5 of Mr. Leutkehans's question, do you have anything
6 further, Mr. Jacobi?

7 MR. JACOBI: No.

8 MR. KAINS: All right. Final questions come
9 from the Zoning Board of Appeals. Questions from the
10 ZBA for Mr. Gallagher?

11 EXAMINATION BY

12 MR. HARRINGTON:

13 Q. Dylan, you got anything you want to tell us?
14 Anything you want to tell us in particular, I mean,
15 outside of the fact of location?

16 A. No. Not at this time, I don't.

17 Q. I guess one question I would have in general.
18 Receptor 120, what are we referring to here?

19 MR. LUETKEHANS: If I may for the record, it
20 is -- Receptor 120 is shown on the SUP application.
21 It's something that's in the sound report and we'll talk
22 about it in closing, but I just wanted to create the
23 record. But here, receptor -- I don't think Mr. Jacobi
24 will disagree that these are numbers from the sound

1 report that you heard about.

2 MR. JACOBI: That's right. The receptors were
3 each labeled a number. So Receptor 140 was -- actually
4 104.

5 A. 120.

6 MR. JACOBI: I'm sorry?

7 A. 120.

8 MR. JACOBI: 120 was it? This was the
9 receptor.

10 MR. LUETKEHANS: You will hear a few more
11 numbers with the next witness, but it will all be the
12 same concept.

13 MR. KAINS: Are there any other questions from
14 the zoning board?

15 EXAMINATION BY

16 MR. LOVIN:

17 Q. Yes. Dylan, what kind of operation are you
18 running? Is it more of a feeding operation or cow/calf
19 or what is it that you're doing?

20 A. It's a cow/calf operation and feeding
21 operation.

22 MR. KAINS: Anything else for Mr. Gallagher
23 from the board? Mr. Gallagher, I'm going to just
24 admonish you and everyone in the room, what you've done

1 is fine. But I want to note for the record that this is
2 your opportunity to speak. I have been questioned about
3 public comments, whether there's a separate public
4 comment period, whether there is an opportunity for
5 closing statements or remarks from individuals. This is
6 the one time when you come up to testify that you will
7 be able to make -- you will be able to testify as to
8 exhibits, you will be able to say what you want as if
9 you were in a public comment period of a meeting and
10 this is what you would -- this is also the time to make
11 a statement of your feelings on the issues. So with
12 that said, folks, when you come up to the microphone
13 when your name is called tonight and if we go into
14 tomorrow night on this, this will be your one
15 opportunity to address the board by way of evidence,
16 testimony, exhibits, public comments, closing
17 statements. This is your chance to say what you would
18 like. With that, anything further from you, Mr.
19 Gallagher?

20 MR. GALLAGHER: Yes. I guess I would like to
21 say something.

22 MR. KAINS: Yes, sir.

23 COMMENTS BY MR. GALLAGHER:

24 MR. GALLAGHER: I think we can all say we've

1 learned a lot from these meetings good, bad,
2 indifferent, whatever it may be. But I think one thing
3 we have learned that maybe when the WECS was put into
4 place, we all didn't have the information that we
5 needed. Maybe there is some things, setback, noise,
6 flicker, whatever it may be, that could be done
7 different. I think this special use permit should be
8 voted down and everybody should go back with what they
9 learned and the WECS should be rewritten to protect the
10 people of Piatt County.

11 MR. KAINS: Very good, sir. Thank you.
12 Appreciate your comments. Mr. Leutkehans, call your
13 next witness.

14 MR. LUETKEHANS: Steve Gantz.

15 MR. KAINS: Sir, could you please raise your
16 right hand and be sworn by the court reporter.

17 EXAMINATION BY

18 BY LUETKEHANS:

19 (Witness Sworn)

20 THE COURT: Mr. Luetkehans, you may proceed.

21 Q. Could you state your name and spell your name,
22 please.

23 A. Steven, S-T-E-V-E-N. Gantz, G-A-N-T-Z.

24 Q. Could you tell us your address, please.

1 A. 754 East 2400 North Road, De Land, Illinois.

2 Q. And do you know what receptor you are in for
3 the special use application?

4 A. 1104.

5 Q. And how many acres of land do you own at that
6 address -- strike that. Do you reside there?

7 A. Yes.

8 Q. And many acres do you own at that address?

9 A. We own about 110 acres.

10 Q. Is there a particular acreage that you use for
11 just your residence?

12 A. Yes.

13 Q. How much is that, do you know?

14 A. Probably three and a half acres, something
15 like that.

16 Q. Who do you live there with?

17 A. My wife, Michelle.

18 MR. LEUTKEHANS: Nothing further.

19 MR. KAINS: Very good. Thank you, Mr.

20 Leutkehans. Are there questions for Mr. Gantz from

21 members of the Piatt County Zoning Board of Appeals?

22 Mr. Harrington. And if you could bring the microphone
23 closer.

24 MR. HARRINGTON: I'll steal it from Kyle.

1 MR. KAINS: Well, we know your voice booms,
2 Mr. Harrington, but it's still helpful to have a
3 microphone. Go right ahead, sir.

4 MR. HARRINGTON: You bet.

5 EXAMINATION BY

6 MR. HARRINGTON:

7 Q. Steve, if I understand right, the highline
8 proposed in this map is across from your house; is that
9 accurate?

10 A. Yes.

11 Q. I gotcha. Can you tell me a little bit about
12 the distance from your home? Is it right across the
13 road or is it how many feet, I don't know, and maybe you
14 don't know either?

15 A. Well, I guess I don't know. I asked the other
16 day for the actual distance, but they never did get back
17 to me even though I asked them a second time. It's
18 going to be less than a quarter of a mile. The way it
19 looks to me, I don't know for sure, the way it looks
20 like on the map, it would be less than a quarter mile.

21 Q. I gotcha. Is it correct in saying this will
22 be on the south side of your property; is that accurate?

23 A. Well, it's across the road. It's not on my
24 property. It will be across the road on a different

1 person's.

2 Q. But to the south of your property?

3 A. Yes.

4 Q. That's what I thought looking at the map. So
5 it's going to be pretty close if it's within a quarter
6 of a mile, I guess?

7 A. Yes.

8 Q. I would assume that you saw the published
9 request, but were you ever consulted or contacted prior
10 to that, I don't know?

11 A. No. Not at all. I didn't know about that
12 until I saw Apex's map that I got from the zoning board.

13 Q. Right. Same thing we are working off of?

14 A. Yes.

15 Q. I gotcha. Any other thoughts or concerns
16 regarding that that you would like to share?

17 A. Well, I guess it would have been nice -- they
18 came out of the substation and headed straight east
19 which brings it right in front of my house. Then they
20 went south, straight south, down to the transmission
21 line where the peaker plant is. It looks like it would
22 have been a lot better to me if they would have gone
23 just straight south out of the substation and then gone
24 east. It would have been, you know, farther away from

1 my house and also my neighbor's house over there too.

2 Q. I easily understand what you're saying.

3 A. Pardon?

4 Q. I said I easily understand what you're saying.

5 A. Yes.

6 MR. KAINS: Are there any additional questions
7 from the Zoning Board of Appeals for Mr. Gantz? Very
8 good. Questions for Mr. Gantz of members of units of
9 local government including the school districts?
10 Questions for Mr. Gantz from interested parties
11 represented by licensed attorneys? Mr. Jacobi?

12 MR. JACOBI: No thank you, Mr. Gantz.

13 MR. KAINS: Very good. Any other licensed
14 attorneys in the room with questions for this witness?
15 Questions from other interested parties, members of the
16 public in support of or neutral on the application for
17 special use permit? Questions for Mr. Gantz from Piatt
18 County staff and consultants? Any other questions from
19 you, Mr. Leutkehans?

20 MR. LUETKEHANS: One follow up based on what
21 Mr. Harrington asked.

22 EXAMINATION BY

23 MR. LUETKEHANS:

24 Q. I forgot to ask, how close is this substation

1 to you, do you know?

2 A. Yes. Half a mile, little bit less than a half
3 mile probably.

4 Q. That they're planning on putting there?

5 A. Yes.

6 MR. LUETKEHANS: Nothing further. Thank you.

7 MR. KAINS: Mr. Jacobi, in light of that
8 question?

9 MR. JACOBI: No.

10 MR. KAINS: Very good. Final questions for
11 this witness coming from the Zoning Board of Appeals?
12 Mr. Gantz, is there anything else you would like to say,
13 sir, in opposition?

14 MR. GANTZ: Yes.

15 MR. KAINS: You may proceed.

16 COMMENTS BY MR. GANTZ:

17 MR. GANTZ: The wind turbine coming to Piatt
18 County will be huge, 610 feet tall with a rotor diameter
19 of 550 feet, some of the biggest being made at this
20 time. The turbines in McLean County near Saybrook and
21 Arrowsmith are 400 feet tall. These in Piatt County
22 will be over 200 feet taller than those. Apex's own
23 expert witness told us these big turbines will catch
24 shadow flicker for over a mile. On a sunny day if the

1 wind is from the west or the east, in the mornings the
2 flicker will reach to the west for a mile as the sun
3 comes up. That shadow flicker would become shorter as
4 the day progresses. As the afternoon goes on, the
5 flicker pattern will extend on the east side of the
6 turbine until, again, it can reach an area over a mile
7 long to the east of the turbine. That's a big area of
8 moving pulsating light. Yes. There is a limit to how
9 long this moving pulsating light pattern can contact
10 your house, but there is no limit to shadow flicker out
11 in the fields. And in Piatt County Illinois, the fields
12 are where many people spend their days working. I think
13 it could be disorienting operating or working on
14 machinery in this environment. These huge wind turbines
15 are better suited in less populated areas where land is
16 more marginal and not as intensively used or maybe these
17 turbines would be better used offshore in, say, Lake
18 Michigan. Vertical shaft wind turbines are being
19 developed. Maybe they will be a better alternative. I
20 am sure there is much more new technology being
21 developed that we don't even know about. Here I would
22 like to say that I wrote the above two weekends ago
23 before the announcement by scientists on Tuesday
24 December 12 of the breakthrough development in nuclear

1 fusion. We are in a new age, a nuclear fusion age.
2 That announcement only strengthens my resolve that giant
3 wind turbines are not suited to or desirable in Piatt
4 County. I would also like to express my concern about
5 damage to drainage tile. When talking to a farmer near
6 Bellflower, I learned they have had many damaged tile
7 lines. When damage occurs, is Apex going to only
8 replace the four feet of tile where the hole is? What
9 about the next 1000 feet that is now half-full of dirt?
10 To sum up, I have two remaining concerns: The first is
11 the possibility of infrasound which is made by the
12 turbines affecting our health. Dr. Jerry Punch, an
13 expert witness, testified that ten percent of the
14 population can be affected by infrasound. Infrasound
15 can affect people in many different ways irritability,
16 headaches, motion sickness, an inability to sleep are
17 just a few. Some people have even had to leave their
18 homes to get away from the turbine. We live in close
19 enough proximity to the turbines to be affected by this
20 if we are susceptible. Are we susceptible? There is no
21 way of knowing until we live in the wind farm and by
22 then it will be too late. The last concern we have is a
23 lowered value of our home. Mr. Kurt Kielisch testified
24 that homes on one to five acre lots decreased in value

1 24 to 29 percent if they are in one mile of a wind
2 turbine. Many of our homes certainly qualifies in this
3 category. Using a ruler and carefully measuring the
4 Apex map, I found that Turbine 59 is approximately
5 seven-tenths of a mile almost straight west of our home.
6 Turbine 48 is approximately three-fourths of a mile
7 about straight north of our home. Turbine 63 is
8 approximately eight-tenths of a mile slightly southwest
9 of our home and Turbine 62 is just slightly over one
10 mile southeast from our house. Because of our close
11 proximity to Apex wind turbines, our home value will
12 certainly drop. This puts Apex in violation of Piatt
13 County Zoning Ordinance No. 2, which states, "The
14 specialized use will not substantially diminish and
15 impair property values within the neighborhood." Being
16 in violation of Piatt County Zoning Ordinance No. 2, I
17 ask that the Piatt County Zoning Board deny Apex Energy
18 it's special use permit.

19 MR. KAINS: Very good, Mr. Gantz. Thank you.
20 Based upon his statement, any questions for him just
21 based on his statement from the board? Mr. Jacobi,
22 anything further?

23 MR. LUETKEHANS: Can I clarify something maybe
24 I -- this was just intended for public comment, not for

1 testimony as was Mr. Gallagher's statement at the end.
2 Since you didn't break it up, I didn't make it clear.
3 But I know Mr. Gantz was just intending this for public
4 comment later and he was doing it now because we asked
5 him to.

6 MR. KAINS: Do you have anything, Mr. Jacobi?

7 MR. JACOBI: I don't have any questions for
8 this witness, but I think we should clarify this going
9 forward because --

10 MR. LEUTKEHANS: -- I will. I apologize.

11 MR. KAINS: I think the best course of action
12 is, Mr. Leutkehans, if they are your client, you can ask
13 them questions and they can make whatever statement they
14 wish. Then we'll have questions for them.

15 MR. LUETKEHANS: Well, I don't -- I mean, I
16 don't know the gentleman who is testifying for public
17 comment purposes only should have questions by the
18 applicant or the public. I mean, if you want us to,
19 we'll have him testify what I want him to and then later
20 go back in the line, but I don't know that it's fair
21 just because they're my client that they have to be
22 cross-examined on public comment.

23 MR. JACOBI: I think Mr. Kains -- those
24 interested parties who testify under oath as evidence in

1 the case which is what their testimony would be, would
2 be subject to cross-examination by the applicant.

3 MR. LUETKEHANS: We are not asking that it be
4 considered evidence. We are asking it be considered for
5 public comment. The first question and answers are
6 clearly evidence. After that, unless I say otherwise, I
7 mean, we'll denote it that that was intended for public
8 comment.

9 MR. KAINS: I understand your position, Mr.
10 Luetkehans; and Mr. Jacobi, I understand yours. What I
11 think would be best and what we're going to do is,
12 anything that anybody gets up and says, if this board
13 has questions about it, this board should be able to ask
14 it and they will. If Mr. Jacobi has questions, and I've
15 had folks ask me, is he going to -- are they going to
16 have the right to cross-examine me? And the answer is
17 yes. When you have something you have to say about it,
18 unless you specifically state and -- perhaps we'll do it
19 this way, Mr. Luetkehans. Specifically state this is
20 just in lieu of a closing statement at the end.

21 MR. LUETKEHANS: We'll do that then.

22 MR. JACOBI: Well, if it's going to be
23 testimony under oath, how are you going to distinguish
24 that?

1 MR. LUETKEHANS: I guess my point is, we are
2 not going to offer, I mean, if you wanted to go back out
3 and say he's not testifying under oath, that's fine.
4 But there is a distinction we have made in these rules
5 that has public comment as one thing and evidence is
6 another. The evidence is one thing, but it's public
7 comment. You know, I think it's subject under
8 cross-examination for public comment is not what you
9 intended under these rules.

10 MR. JACOBI: Any interested party testifying
11 under oath is subject to cross-examination.

12 MR. LUETKEHANS: No. The point is, they're
13 not going to testify under oath at this point. It's a
14 different type of statement.

15 MR. JACOBI: And that public comment might
16 come after the decision, but it wouldn't come as --

17 MR. LUETKEHANS: -- no. They come before the
18 decision. Under the rules, they come next. I mean,
19 we'll let -- my suggestion is we have them testify
20 evidence now and then put them back for public comments
21 so it's very clear. But the evidence that they're
22 testifying to are those five or six questions that I
23 ask. If someone from the public comes up and gives
24 public comment, not under oath, which most of these

1 people are here to do, that's not subject to
2 cross-examination.

3 MR. JACOBI: I agree that if they're not under
4 oath and they're not providing evidence to the Court,
5 there's no cross-examination. But that's not how it was
6 presented here, that's not how I understood the next
7 stage of this hearing would take place.

8 MR. KAINS: All right. Here's what we're
9 going to do. Folks who have things that they wish to
10 say to the board under oath that they can consider
11 testimony and if they have exhibits, then those will be
12 considered testimony subject to cross-examination by the
13 room. If all you have to say is public comment, but I
14 am going to be strict about this public comment. It's
15 going to be limited to three minutes because if you want
16 to have your 45 minutes for Piatt County residents, you
17 may have that, but it's going to be under oath. If you
18 just want to make a summary statement of what your
19 feeling is on the project, we don't subject you to
20 cross-examination. I think that's fair because the
21 whole thing is, we want to make sure that if you make a
22 statement and you are considering it evidence, then this
23 board has the right to ask you questions, as do the
24 attorneys, as do members of public on the other side of

1 the issue. If you just want to stand up for
2 three-minutes and say I am opposed to this and here is
3 why, then I am not going to subject you to examination
4 questions from the board, the public and the attorneys.
5 I think that's fair. Counsel?

6 MR. JACOBI: Yes. That would be a new order
7 of presentation in the rules, but on behalf of the
8 applicant, we would agree to that.

9 MR. KAINS: Mr. Luetkehans?

10 MR. LUETKEHANS: Agreed.

11 MR. KAINS: All right. Counsel on each side
12 is in agreement. Your public comment period once you
13 begin, will be for three minutes and it won't be subject
14 to cross-examination. I think that way everyone will
15 feel at ease saying what they want to say without being
16 subject to cross-examination by this board, by counsel,
17 and by people on the other side. But however, please
18 note that if you're going to have a 45-minute
19 presentation, it's going to be under oath, sworn
20 testimony, and questions from the board, the public and
21 the attorneys. All right.

22 MR. JACOBI: I think just one point of
23 clarification. Public comment is not under oath, so
24 it's not evidence to be considered by the board outside

1 of it's value as public comment.

2 MR. KAINS: Absolutely. Thank you for that
3 point, Mr. Jacobi. Anything else on this issue from
4 you, Mr. Leutkehans?

5 MR. LUETKEHANS: No, sir.

6 MR. KAINS: Very good. Mr. Gantz, sorry to
7 have you stand up there while we do legal stuff, but we
8 appreciate your testimony and your comment. Thank you.

9 MR. GANTZ: Thank you.

10 MR. LUETKEHANS: We would call Mr. Garrett to
11 the stand.

12 MR. KAINS: Sir, are you going to be sworn and
13 make a sworn statement? Okay. Could you please raise
14 your right hand and be sworn by the court reporter,
15 please.

16 EXAMINATION BY

17 MR. LUETKEHANS:

18 (Witness Sworn)

19 Q. Could you please state your name and spell
20 your name for the record.

21 A. John Garrett. J-O-H-N, G-A-R-R-E-T-T.

22 Q. Mr. Garrett, could you give us your address?

23 A. 787 East 2300 North Road.

24 Q. Is there a town associated with that mailing

1 address?

2 A. De Land.

3 Q. Say that again, I'm sorry.

4 A. De Land.

5 Q. I was talking over you so I apologize. Do you
6 know what receptor number you are on the application?

7 A. 846.

8 Q. Okay. And many acres do you own there?

9 A. Almost four.

10 Q. Do you live at that address?

11 A. Yes. I do.

12 Q. Do you live there with anyone?

13 A. Yes. My wife, Teresa.

14 Q. Okay. Do you farm any of those four acres?

15 A. No.

16 MR. LUETKEHANS: Nothing further.

17 MR. KAINS: Questions for Mr. Garrett from
18 members of Piatt County Zoning Board of Appeals?

19 Questions for members of units of local government
20 including school districts? Questions for interested
21 parties represented by attorneys? Mr. Jacobi?

22 MR. JACOBI: No thank you, Mr. Garrett.

23 MR. KAINS: Questions from other interested
24 parties, members of the public in support of the

1 application or are neutral on the issue? Questions from
2 Piatt County staff and consultants? Mr. Garrett, under
3 public comment, if you would like to make a statement
4 for a few minutes.

5 COMMENTS BY MR. GARRETT:

6 MS. GARRETT: Well, I just disagree with it.
7 I don't want it there. I have lived here for over
8 30 years. We spend 85 percent of our time on the deck
9 outside. They told us the power plant wasn't going to
10 make no noise. That was a joke. I can hear it in the
11 middle of summer. And I am sure the wind turbines -- I
12 know because I've heard them at night. That's all I got
13 to say.

14 MR. KAINS: Very good. Thank you, Mr.
15 Garrett, for your testimony. Mr. Luetkehans?

16 MR. LUETKEHANS: Kevin Rice, please.

17 MR. KAINS: Hang on just a second. Sir, would
18 you please raise your right hand and be sworn.

19 EXAMINATION BY

20 MR. LUETKEHANS:

21 (Witness Sworn)

22 Q. Mr. Rice, could you please state your address,
23 please.

24 A. 3137 North 900 East Road in Farmer City, zip

1 code 61842.

2 Q. And do you know what receptor number you are?

3 A. Yes. 631.

4 Q. And that's Receptor 631 on the application for
5 the record. And how much -- do you own land at that
6 address?

7 A. Yes. About five and a half acres.

8 Q. And you live there?

9 A. Yes. With my girlfriend, Kristin.

10 Q. And do you reside there?

11 A. Yes.

12 Q. Does -- do -- is any of that land farmed?

13 A. I believe about two acres of it are by a
14 neighbor farmer.

15 Q. Okay. But other than two acres, 3.5 are used
16 just for your residence and lived on?

17 A. Yes.

18 MR. LUETKEHANS: Nothing further.

19 MR. KAINS: Very good. Thank you, Mr.

20 Luetkehans. Questions for Mr. Rice from members of the
21 Piatt County Zoning Board of Appeals? Mr. Wax.

22 EXAMINATION BY

23 MR. WAX:

24 Q. How far is your residence from the turbine or

1 proposed turbine or substation?

2 A. One is going in just north of us within the
3 one decibel danger zone noise. Basically, as I
4 understand, as close as they can get it to us just to
5 our north.

6 MR. WAX: Okay. Thank you.

7 MR. KAINS: Any other questions from the board
8 from Mr. Rice? Questions for Mr. Rice from the members
9 of units of local government including school districts?
10 Questions for Mr. Rice from interested parties
11 represented by licensed attorneys? Mr. Jacobi?

12 EXAMINATION BY

13 MR. JACOBI:

14 Q. Mr. Rice, thank you. I think I found your
15 property on the map. Is there a barn and a shed or a
16 garage on the north side?

17 A. Yes. That is our shed to the north there.

18 Q. What's that shed used for?

19 A. It's storage space mostly. Yes.

20 Q. Do you put vehicles in it?

21 A. A camper trailer. We have some cats in there.

22 Q. A tractor?

23 A. No.

24 Q. Lawn mower?

1 A. Lawn mower right now.

2 Q. Does the farmer use it at all?

3 A. He does not use it.

4 MR. JACOBI: Okay. Thank you.

5 MR. KAINS: Questions for Mr. Rice from any
6 other licensed attorneys in the room? Questions for Mr.
7 Rice from other interested parties, those being persons
8 in support of or neutral on the application? Questions
9 from Piatt County staff and consultants? Anything
10 further, Mr. Leutkehans?

11 MR. LUETKEHANS: No, sir.

12 MR. KAINS: Mr. Rice, if you want to comment
13 for a few minutes, you certainly have that right.

14 MR. RICE: I don't think I do.

15 MR. KAINS: Thank you so much for your
16 participation, sir. Mr. Leutkehans -- yes, sir?

17 UNKNOWN AUDIENCE MEMBER: Could we have people
18 talk a little louder? We're having a hard time hearing,
19 especially against that thing back here, if you would,
20 please.

21 MR. KAINS: Okay. The comment back there was
22 everybody needs to speak up just a little louder so
23 folks in the back can hear.

24 MR. LUETKEHANS: At this time, we have a

1 couple objector's exhibits we would submit into
2 evidence. The first one is Objector's Exhibit No. 1.
3 For the record, this is just a Piatt Comprehensive Plan.
4 We'll also submit into evidence Objector's Exhibit
5 No. 11. The other night we were --

6 MR. KAINS: -- Mr. Luetkehans, could you use
7 the microphone, please.

8 MR. LUETKEHANS: All right. The other night,
9 Mr. Gershon put in a transcript of testimony from Dr.
10 Schomer and we also put in a separate transcript of
11 testimony from Dr. Schomer at this time as Objector's
12 Exhibit 11. For the record, it's of January 24, 2018
13 transcript under oath from McLean County Zoning Board
14 meeting.

15 MR. KAINS: Thank you.

16 MR. LUETKEHANS: We have no further evidence
17 to enter. I know earlier today the hearing officer
18 asked that at least to the extent we could, try and
19 provide a list of those who are here that wish to
20 provide public comment and/or testimony. I don't know
21 who wants to do what, but I know we have a few names
22 that are definitely here that we'd like to get started
23 and let them go. If it's acceptable, Cindy Ihrke,
24 I-H-R-K-E, she signed in tonight.

1 MR. KAINS: Yes. If you want her to go, I
2 don't see her on the list.

3 MR. LUETKEHANS: I think she signed in after
4 the beginning of the hearing.

5 MR. KAINS: Okay. Very good.

6 MR. LUETKEHANS: I think she got here around
7 6:15.

8 MS. IHRKE: I did.

9 MR. KAINS: Very good. Could you please --
10 are you going to testify and give evidence or are you
11 just going to make a public comment?

12 MS. IHRKE: I think just a public comment, if
13 that's okay.

14 MR. KAINS: Yes, ma'am.

15 MR. JACOBI: Before we start, can I just
16 clarify, is the objector's evidence then closed?

17 MR. LUETKEHANS: Yes. We closed.

18 MR. KAINS: Okay. Thank you for that point of
19 clarification.

20 MR. LUETKEHANS: At least I did. I can't
21 promise you anybody else, but I did.

22 MR. JACOBI: As long as Mr. Leutkehans is
23 closed.

24 MR. LUETKEHANS: Yes. I have. Thank you.

1 MR. KAINS: Very good. Ma'am, could you
2 please state your name, spelling your first and last
3 names for the record.

4 COMMENTS BY MS. IHRKE:

5 MS. IHRKE: Sure. My name is Cindy Ihrke,
6 C-I-N-D-Y, I-H-R-K-E. I am here from Ford County. I am
7 a member of the Ford County Board and I'm also on the
8 zoning committee there. I am here tonight from a
9 personal perspective. I just thought I'd come up and
10 give you guys some firsthand information on Ford County,
11 what we have experienced there. We have three working
12 wind farms in our county. The first one went into
13 operation in, I think, 2011. The second one was 2018, I
14 believe. Our board there has received a multitude of
15 complaints throughout the year -- years of those in
16 operation ranging from noise complaints to television
17 reception complaints. We learned after the second
18 project went online, a lot of people showed up with
19 complaints. We learned that as a board we didn't have
20 very good options to help these people in our ordinance
21 with the remedy section. So we did our best to try and
22 help people in that we had meetings with a company,
23 representatives from the company called EDF. It was a
24 interesting meeting because we learned that the people

1 -- that the people that are here getting the permits and
2 doing the -- getting people to sign contracts are a
3 completely different team of people than what who are
4 actually building and operating the wind farms. So
5 there is a disconnect there. So their advice to us was
6 that anything that you really wanted to make sure got
7 done, needed to be in your ordinance because that is
8 what the people that are building it go off of. So it's
9 really important for you all as a group when you're
10 doing your deliberations to take that -- keep that in
11 mind that the rules that are in that ordinance, that's
12 what they're going to be looking at when they build.
13 Apex came to, well, they held the permit in our county
14 for eleven years. They bought that -- the project was
15 permanent under BP. They bought the project from BP
16 Energy. They never built it, they just kept getting
17 extensions. So our county went ahead after we had the
18 incident with EDF and all the complaints and we realized
19 that we didn't have teeth in our ordinance. We opened
20 our ordinance up and updated it to all the new
21 information. So we had all the hearings like you guys
22 did. We got findings of fact and all the evidence. So
23 we have increased our ordinance. We kept our height
24 restrictions at 500 feet. That was something that the

1 board wished to do. But Apex recently did move forward
2 and they did build the project. There have been
3 numerous issues with the roads. Our county highway
4 engineer dealt -- although he didn't have a lot of
5 county roads in the project, the road commissioner
6 looked to our county engineer for help in dealing with
7 all of this because the road commissioner was
8 inexperienced. They'd never had to deal with things
9 like this before.

10 MR. KAINS: Ms. Ihrke, your time is about up.
11 You can have another 30 seconds just to address board,
12 please.

13 MS. IHRKE: Thank you. So to wrap it up, they
14 ended up settling. Our road commissioners ended up
15 having to do all of the repair work, the finish work by
16 themselves. We also had a recent -- we found out that
17 our supervisor of assessments office did not get their
18 pin numbers on the turbines because the project has sold
19 and for whatever reason in the sale, they lost the --
20 the people that were supposed to do the pin numbers
21 didn't do them. So there was a delay in getting our
22 assessments up to date for our board to use for levying
23 things because that got kind of lost in the mix. My
24 point is, I wanted to hopefully come and let you guys

1 know that, although everything sounds like it's going to
2 move smoothly, there are pitfalls. So please be aware
3 of that and when you do your deliberations. Take those
4 into consideration. Thank you.

5 MR. KAINS: Thank you, ma'am.

6 MS. IHRKE: Thank you very much.

7 MR. LUETKEHANS: I think the next one is Emily
8 Latz, L-A-T-Z.

9 MR. KAINS: Ms. Lattz, will you be testifying,
10 offering evidence or do you just want to make a public
11 comment?

12 MS. LATTZ: I'll be testifying.

13 MR. KAINS: Yes, ma'am. Could you please
14 raise your right hand and be sworn.

15 EXAMINATION BY

16 MR. KAINS:

17 (Witness Sworn)

18 Q. Can you spell your first and last names for
19 the record.

20 A. Sure. My name is Emily, E-M-I-L-Y, Lattz,
21 L-A-T-T-Z.

22 Q. Very good. Where do you reside?

23 A. My address is 414 East 800 North Road, Gibson
24 City, Illinois.

1 Q. And what county does your residence lie?

2 A. Ford County.

3 Q. In Ford County. All right. Then under the
4 rules, she has 15 minutes to testify and offer evidence.
5 You may proceed.

6 COMMENTS BY MS. LATTZ:

7 MS. LATTZ: I just thought that being someone
8 who is living this currently, I could offer some things
9 that maybe your board would like to know. I am not
10 actually considered part of the wind farm because I
11 never signed an agreement for compensation of any sort.
12 However, with that being -- especially the rural folks
13 would understand this -- at the one mile section, there
14 is a wind turbine about in the middle of our one mile
15 section that is close to my property that I did not -- I
16 am not a consenting party. Some of the things I can
17 tell you that I think is interesting is that I heard
18 someone complained back here about this very quiet
19 furnace you have back here making noise. Because I kind
20 of want to know how many people are bothered by that or
21 aren't. I mean, it is an annoying thing to have and we
22 have that out by where we are now with these wind
23 turbines even though I didn't want them. Anything
24 that's in the ordinance, they're going -- you have to

1 have that ordinance so airtight because if you don't
2 have it spelled out, it doesn't matter what they promise
3 you. It won't happen. In fact, right now, we were told
4 that those red flashing lights would go off if there was
5 air traffic -- if there wasn't air traffic in the area.
6 And I've never seen them go off since they came on. So
7 we -- I can't take a picture of my house anywhere
8 because it looks like it's on fire at night because of
9 all the red lights around us. You can't go out -- if
10 I'm driving to my house which is an old historic home
11 built in 1909 and it looks like I've got birthday
12 candles sticking out of it everywhere as you drive up
13 because of all the wind turbines around and ours are
14 just under 500 feet. Again, they're not -- they're
15 still outside of the allowed -- restricted area from my
16 property because I did not sign, but they're still on
17 our section. Then I can tell you that while some of the
18 older people may not hear them quite as much, my kids
19 which range in age -- I have four children ranging
20 between ages 14 and 21. They all hear them. And they
21 can tell me that there's this different hum from when it
22 starts and kicks on until when it's going at a higher
23 speed. We also do have livestock. I do not have shadow
24 flicker on my house. That's not allowed in Ford County,

1 but we do have it in the field and we will see it on 47
2 as you're driving back and forth. I work at a bar in
3 Sibley where I bar tend and I can tell you there have
4 been many people up there that are upset about it even
5 afterwards that didn't know when they should come
6 forward, didn't know when they should talk, didn't know
7 what they could do, didn't know who was supposed to be
8 representing all of them, and have been very upset by it
9 after the fact. The people that are coming for these
10 jobs are not going to be your neighbors down the street.
11 They're people from Michigan, they're people from
12 Wisconsin, they're people from Southern Illinois. Even
13 the dirt workers are from other parts of the state.
14 It's not -- the wind turbine people are coming --
15 they're sending crane operators from Wisconsin and
16 Michigan and other places. So this isn't exactly what
17 you might think it's going to be and once it's there,
18 you can't get rid of it. So you're stuck with whatever
19 you don't have in your ordinance and anyone who doesn't
20 want it who, I mean, like, we've lived there over
21 20 years and this is all of our hardworking income that
22 my husband and I can put together to have 20 acres and a
23 house for our four kids. Now if we want to sell it, we
24 have wind turbines all around us. Who wants to buy a

1 really nice farm in the middle of a wind farm? So just
2 things I think you guys should consider because the
3 money is a diminishing amount of money that you get over
4 the course of the contract. Inflation will continue to
5 rise. That's not all the benefit you might think it to
6 be either and you're going to have continuous upkeep and
7 issues with things going forward. So I'm hoping that
8 you also have your road commissioners look at other
9 ordinances in the area or talk to other road
10 commissioners who have been through this because that is
11 another issue and the traffic and it will be ongoing for
12 some time. People, whether they sign it or not, are
13 going to be affected. That's all.

14 MR. KAINS: Mr. Luetkehans, do you have any
15 questions for this witness?

16 MR. LUETKEHANS: Just a couple clarifications.

17 EXAMINATION BY

18 MR. LUETKEHANS:

19 Q. The wind farm you live in was the one built
20 in, like, the last two years?

21 A. Yes. It is -- it was under the old ordinance
22 of Ford County. Now they're doing the new one.

23 Q. And that was built by Apex?

24 A. Yes. It was and it was sold immediately.

1 Q. Okay. And you said that the lights are always
2 on. Do you mean the aircraft lighting detection system
3 is not working, it's just going on -- it's blinking on
4 and off the entire time?

5 A. Correct. They initially told us they were
6 waiting for some sort of, like, internet service through
7 fiber optics or something. I'm sure I'm butchering
8 that, but they were waiting for something else and it's
9 never happened. So ever since, it's continuously been
10 on.

11 Q. So you were told there was going to be an
12 aircraft lighting detection system?

13 A. Yes. We were. We were told that it would go
14 off if there was not an aircraft in the immediate area.

15 Q. Do you know if the Ford County Ordinance
16 requires that?

17 A. I don't think our old ordinance required it.
18 I think our new one did. I think that was part of the
19 agreement with Sibley and the area that it's in because
20 these wind turbines are in between Gibson and Sibley.
21 They are north of Gibson so they affect the Sibley
22 community more than they do Gibson.

23 MR. LUETKEHANS: Okay. I have nothing
24 further. Thank you. Thank you for coming in, Ms.

1 Lattz.

2 MR. KAINS: Okay. Ms. Lattz, hang on just a
3 second. Questions for this witness from members of the
4 Piatt County Zoning Board of Appeals? Mr. Larson. Turn
5 the microphone down to him.

6 EXAMINATION BY

7 MR. LARSON:

8 Q. You say --

9 MR. KAINS: -- Mr. Larson, you're just going to
10 have to speak up a little.

11 Q. So to be clear, if your house hadn't decreased
12 in value and the wind turbines were still there and if
13 you could get what it's worth, you would move because of
14 them?

15 A. Yes. We do not like them and we would be
16 moving. We -- my husband's job affects that issue as
17 well, but, yes, we are not happy with them. We weren't
18 happy with them -- we didn't want them going in before,
19 but, yes, we are concerned about selling our property
20 now.

21 MR. LARSON: Okay. Thank you.

22 MR. KAINS: Any other questions for this
23 witness by the board?

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EXAMINATION BY

MR. HARRINGTON:

Q. You mentioned you were in a section where there was a wind turbine?

A. Yes.

Q. Right? So you're with -- you're inside of a mile from it; is that accurate?

A. Yes. Oh, yes. I would say I am about a half a mile from it or less.

Q. Is there only one turbine that close or do you have adjacent properties around you with turbines?

A. There's only one in the section that I am in. We are the farthest south section -- I take that back. There's one several miles down the road that is on the south side of 800. But otherwise in this section, there is one in the middle and there are multiple houses in this section. So there is one about halfway up on the west, then there are two on the south, there are two on the east of this same section.

Q. Those are homes?

A. With acreage around them. Yes.

Q. I gotcha. Very good. Thank you.

A. Yes.

MR. KAINS: Any other questions for Ms. Lattz

1 from members of the Zoning Board of Appeals? Questions
2 for this witness from members of units of local
3 government including school districts? Questions from
4 interested parties represented by licensed attorneys?
5 Mr. Jacobi?

6 MR. JACOBI: No thank you.

7 MR. KAINS: Very good. Thank you. Questions
8 for this witness from any other licensed attorneys in
9 the room? Questions from other interested parties,
10 persons in support of the application or neutral on the
11 application? Questions from Piatt County staff and
12 consultants? Any last questions from the zoning board?
13 Ms. Lattz, thank you for your time and your testimony.
14 Anybody else on your special list, Mr. Leutkehans?

15 MR. LUETKEHANS: Kayla Gallagher. Ms.
16 Gallagher is going to testify.

17 MR. KAINS: Okay. Very good. Could you
18 please raise your right hand and be sworn.

19 EXAMINATION BY

20 MR. KAINS:

21 (Witness Sworn)

22 Q. Could you please spell your first and last
23 names for the court reporter.

24 A. Kayla, K-A-Y-L-A. Gallagher,

1 G-A-L-L-A-G-H-E-R.

2 Q. All right. Are you wishing to give public
3 comment or are you wishing to testify?

4 A. Testify.

5 Q. Then you will have 45-minutes, assuming you're
6 a Piatt County residence. And I think you are.

7 A. Yes. I am.

8 Q. I guess for the record, Ms. Gallagher, could
9 you please state your address and whether that community
10 is in Piatt County?

11 A. 2399 North 1000 East Road in Mansfield. It's
12 in Piatt County.

13 MR. KAINS: Very good. You may go right
14 ahead.

15 COMMENTS BY MS. GALLAGHER:

16 MS. GALLAGHER: Let me begin by telling you a
17 little bit about the Gallagher's. Our roots run deep in
18 Piatt County. In fact, we've been living and farming
19 here for generations. We put beef on many of your
20 tables that we raised just north of town. We pride
21 ourselves on being stewards of the land and are proud of
22 the conservation efforts that we use on our farm like no
23 tilling, pollinator plots, split applying nitrogen,
24 incorporating cover crops and the list goes on. We're

1 even incorporating regenerative ag practices by using
2 aerial application of cover crops over a standing cash
3 crop allowing our cattle to graze those covers, then
4 utilizing the manure they produce in our nutrient
5 management plan. We are not climate change deniers, nor
6 are we opposed to renewable energy. We are engaged and
7 comitted to being good neighbors and friends. You
8 probably haven't heard us tout our community involvement
9 before and you probably won't hear us talk about it
10 again outside of this room. We are engaged in and
11 support our community in many ways from donating meat
12 for fundraising raffles for the Monticello Rotary Club,
13 the Monticello Christian Academy, the Blue Ridge FFA who
14 has one of the best agriculture FFA programs in the
15 entire State of Illinois. We make financial
16 contributions to community activities like the Farmer
17 City Heritage Days, the Mansfield Homecoming and the
18 Blue Ridge Yearbook Committee. We invite your children
19 into our home, literally, 20-something kids into our
20 actual house once a month to learn more about
21 agriculture through our two 4-H Clubs. One is for five
22 to seven year-olds and one for eight to
23 eighteen year-olds. We invite your children to our farm
24 to learn more about livestock production through our vet

1 science clinics for kids where we only charge for
2 supplies, not for profit. We invite you and your
3 families to tour our calving barn to learn more about
4 livestock and our family's farming operation during our
5 calving season free of charge. We don't only invest our
6 money in our community, we also invest our time and
7 energy. Contrary to what you've heard during these
8 hearings so far, there are local businesses who are
9 engaged and invested into doing what's right for our
10 community who are still very much opposed to this
11 project. There are several reasons that Apex fails to
12 meet their requirements of the WECS ordinance and their
13 application, but I am sure Mr. Luetkehans will do a
14 great job at covering those during his closing argument.
15 In an effort to limit the redundancy of comments that
16 you'll hear from the public tonight, I've chosen simply
17 to give you comments on topics that I don't anticipate
18 many other members of the public will touch on. These
19 comments are not a comprehensive overview of all the
20 reasons that I oppose this project. First, I'm going to
21 start with a few brief comments on land use change which
22 we all know is one of the primary reasons that zoning
23 exists. Wind developers like to come to counties like
24 ours, make claims about the minimal land use change

1 impacts associated with their projects, but I would
2 argue that we really need to take a look at the bigger
3 picture when it comes to land use change. Dr. Randy
4 Pearson and Joshua Pritsolas from the Geospatial Mapping
5 and Application and Research Center at Southern Illinois
6 University, Edwardsville, gave me written permission to
7 submit their research to you during these hearings.
8 There is research you can follow and I won't speak much
9 about it since it's not mine. Piatt County -- do you
10 want this?

11 MR. LUETKEHANS: I will take that.

12 MR. KAINS: Mr. Luetkehans, what is this
13 document?

14 MR. LUETKEHANS: You know what, I'm about to
15 -- it's called, "*Updated Wind Turbine Assessment Across*
16 *the Midwest and in Illinois.*" If it's acceptable, I
17 will put this as Kayla Gallagher Exhibit No. 1?

18 MR. KAINS: Yes.

19 MR. LUETKEHANS: Well, write on -- I'll let
20 Andrew do that.

21 MR. KAINS: Yes. Thank you, Mr. Luetkehans.
22 Ms. Gallagher, you may proceed with your testimony.

23 MS. GALLAGHER: Piatt County is unique in that
24 we consistently top, not just the state, but the entire

1 nation in corn and soy bean production per acre. We
2 farm on some of the most productive soil in the world.
3 So I'll ask you to consider whether or not it makes
4 sense to continue putting additional wind turbines on
5 prime farm ground when we know we can't make up that
6 production on the same amount of land anywhere else.
7 You don't need reminding, but I'm going to remind you
8 anyway. The purpose of the WECS ordinance is to (1)
9 Assure that any development or production of wind
10 generated electricity in Piatt County is safe and
11 effective; and (2) To facility economic opportunities
12 for local residents. I now want to direct your
13 attention to Appendix A of Apex's application where you
14 will find the landowner contact information signature
15 document. I reviewed this document and found that most
16 of these participating landowners do not live in Piatt
17 County. I want to make sure that everyone understands
18 that the farmers who do farm this ground probably have
19 some kind of cash rent or lease agreement set up with
20 the absentee renters you see on this list. To be clear,
21 their hands are tied. Even though they live here, they
22 can't speak out in opposition to this project without
23 fear that they will lose the lease agreement on the
24 piece of ground owned by a person on this list. Now

1 that we know that the majority of these participating
2 landowners don't live in Piatt County, then the WECS
3 ordinance was not put in place for their benefit. Let's
4 consider how actual Piatt County residents will be
5 impacted: (1) Farmers within the project area will
6 either lose the ability to do aerial applications on
7 their crops or be forced to pay up to a 50 percent
8 premium for aerial applications within the project area.
9 Unfortunately, it's not quite as simple as just
10 switching over to a ground rig. Timeliness of
11 applications is often very important and it's not always
12 feasible to get a ground rig through a field due to the
13 height of your crop or because of wet field conditions.
14 We rely heavily on aerial applications. We'll face
15 increased costs even on fields that don't have turbines,
16 but happen to be in close proximity to one. (2) We know
17 that according to the Agriculture Impact Mitigation
18 Agreement or AMA, the landowner should be compensated
19 for things like crop loss due to flooding after tile
20 damage caused from trucking a new crane over the ground,
21 et cetera. However, AMA only provides this protection
22 for two years. Farmers and drainage experts would agree
23 that it often takes at least two years for these impacts
24 to be seen upstream from the actual site of the damage.

1 Apex might think it will take care of damage, but I
2 haven't seen anything in writing that protects
3 non-participating landowners from potential crop loss
4 associated with downstream drainage system failure. I
5 also know that Apex claims to have changed their ways
6 and plans to own and operate this project in Piatt
7 County, but there is absolutely no guarantee of that.
8 So any unwritten promises on this issue don't hold very
9 much weight for me. (3) My husband and I own and
10 operate an excavation and demolition business. In our
11 professional opinion, the cost for decommissioning that
12 Apex presented to you are grossly underestimated. The
13 zoning board can't rule out the possibility that better,
14 more reliable and affordable technology will come on
15 line in the next 20 to 30 years that will make these
16 turbines obsolete. In fact, I am guessing you'll hear
17 about some of these exciting potential technologies from
18 other members of the public before these hearings
19 conclude. The future possible decommissioning should be
20 a very real concern for this committee and county board.
21 The fact is, this decommissioning plan that Apex
22 submitted is inadequate. (4) The most recent Illinois
23 energy legislation, the Climate and Equitable Jobs Act,
24 requires that Ameren purchase 40 percent of their power

1 from solar and wind by a certain date. This is a
2 mandate that impacts the competitive marketplace for
3 electricity and gives solar and wind a definitive
4 advantage over other sources of power that are more
5 reliable and affordable. If Apex is coming to
6 communities like ours and investing huge sums of money
7 in these wind projects, what will the financial impacts
8 be to the people who live here and are actually paying
9 an Ameren electricity bill? I would argue that we
10 should expect to increase our personal budgets for
11 electricity. (5) We heard from Mr. Kielisch about how
12 our property values will face a definite measurable loss
13 of value within the project area. We heard two
14 conflicting testimonies on this issue, but for what it's
15 worth, I can you that if I were in the market for a new
16 home, I would not choose to buy a residential property
17 in the middle of a wind farm. (6) We, like many other
18 rural Piatt County residents, use a fixed wireless
19 broadband service for internet. I personally rely on
20 this service to regularly work remotely for my full-time
21 job in addition to running the day-to-day operations of
22 our farm. If you refer to pages 24 and 25 of Report
23 No. 2 of Appendix F of Apex's application, you will see
24 that, "Evans Engineering Solutions cannot do a

1 comprehensive analysis on fixed broadband providers like
2 ours since they did not know subscriber locations at the
3 time of the report." It should also be noted that Evans
4 Engineering Solutions stated that, "There is no doubt
5 that our F signals that cross the wind farm do interact
6 with the turbines. The questions is whether or not the
7 affects are significant enough to cause the expected
8 quality of operations to be compromised." To be fair,
9 Evans Engineering Solution goes on to say that they
10 don't anticipate any issues arising in connection with
11 this wind project, but there is no guarantee or
12 agreement that broadband internet issues will be covered
13 if they were to occur. (7) Can I have a drink?

14 MR. KAINS: Absolutely.

15 MS. GALLAGHER: After review of Apex's *Sound*
16 *Level Assessment Report* we just discussed a second ago
17 which is Report No. 5 in Apex's application, you will
18 notice that, "Many Piatt County residents will
19 experience perceptible increases in sound on their
20 properties." I would argue that any perceptible
21 increase in sound is too much. After all, most of us
22 choose to live in rural Piatt County because it's
23 peaceful, quiet and free from industrial noise.
24 Finally, my last point is very personal and specific to

1 my property. One of my favorite things about where I
2 live is that during certain times of the year, I can
3 watch the sunset behind De Land's farmer's grain
4 elevator which is almost five miles from my home as the
5 crow flies. If you know where I live, I would invite
6 you to check the project map at the back of the room to
7 verify that are three proposed wind turbines in a
8 straight line between my home and the De Land's farmer's
9 grain. Now after reviewing all of the negative impacts
10 to me financially, in addition to the fact that my
11 personal enjoyment of property will be affected, the
12 economic opportunities outlined in this proposal don't
13 seem very attractive to me as a Piatt County landowner,
14 farmer and residence. I want to thank the zoning board
15 who has been engaged in this process from start to
16 finish and the county board members who have been
17 attending these hearings regularly and will use this
18 information to make a final decision about this project.
19 Finally, thank you to the Piatt County residents in
20 attendance tonight. Before I conclude, I would like to
21 ask that everyone who lives in Piatt County and is
22 opposed to this project to stand up at this time.

23 (All Audience Stands)

24 MS. GALLAGHER: Thank you. You can sit down.

1 I'm going to close with an audio clip from the Senator
2 of the Illinois 51st District, Chapin Rose. If you live
3 here and didn't know, Chapin is your state senator. He
4 did this interview on November 23, 2022. If you've been
5 following the progress of this proposed wind farm in
6 Piatt County for as long as I have, Senator Rose's
7 comments will probably sound very familiar and, in my
8 view, how Apex has conducted themselves in Piatt County.
9 We should ask ourselves if we really expect Apex to
10 behave any differently during the construction phase and
11 future phases of this project if it happens to be
12 approved.

13 MR. KAINS: Ms. Gallagher, how long is the
14 audio clip from Representative Rose?

15 MS. GALLAGHER: I think it's three minutes.

16 MR. KAINS: Shelly, will you be able to take
17 this?

18 COURT REPORTER: I'll sure try. Yes.

19 MR. LUETKEHANS: We can also send it to her
20 afterwards just so she makes sure she gets it correctly.
21 I mean, I'm sure I can e-mail it to her.

22 MR. KAINS: All right.

23 MR. LUETKEHANS: Because I know it's next to
24 impossible.

1 COURT REPORTER: Thank you. That would be
2 helpful.

3 MR. KAINS: All right. Mr. Luetkehans, if
4 your client could make sure she gets it.

5 MR. LUETKEHANS: I will have her send it to me
6 and give it to Shelly.

7 COURT REPORTER: Thank you, thank you.

8 MR. KAINS: Very good. All right. You can
9 proceed.

10 (Playing Audio Clip to Audience)

11 *"RADIO ANNOUNCER: All right. A penny for*
12 *your thoughts. A couple minutes to go here with Chapin*
13 *Rose. He does have to leave here. He's got to get to*
14 *another meeting. We're pleased he was able to join us*
15 *for this hour here the day before Thanksgiving. I asked*
16 *Chapin about what he thinks about Apex putting all the*
17 *wind mills in Piatt County. Then I'll walk outside my*
18 *house and see one a mile and a half away. That's what I*
19 *want to look at the rest of my life. Apex.*

20 *CHAPIN ROSE: Yes. It's a wind mill company.*
21 *So I have had about six of these projects -- this will*
22 *be six, I guess, go up in my district over time and of*
23 *those, one of them has, I think, been a good steward of*
24 *the land and resources and an actual understanding of*

1 the community to talk to. The rest of them have been
2 abject disasters. I mean, even down in Newman Illinois
3 we had police called because one of the windmill company
4 people was chasing a 12-year old girl down the street
5 because she was daring to put up anti-windmill flyers,
6 knocking doors against the windmill. You had some
7 British guy chasing this kid down the street and she's
8 so scared she calls the police. I mean, these folks
9 generally come in, they're not from here, they're not
10 from, in some cases, even the United States. They have
11 no local ties and they treat these little communities
12 like complete junk and they leave bodies in the street.
13 There's always people that are happy, but I'll say this:
14 Murdock Township had a vote on it to keep -- to take
15 windmill or not take windmill -- it was 92 against 8
16 percent. Okay. 92 percent against. It's because of
17 how the windmill company conduct themselves when talking
18 with locals just like that gentleman said. Usually
19 there are simple things that can be done in the case
20 like the one -- the one who was sort of done right, they
21 made accommodations of setbacks, they made
22 accommodations of tower height and everything else and
23 they kind of got the community to see, okay, we can live
24 with this. And again, there's, you know, there's

1 *property taxes going to local schools. But I've just*
2 *seen them come in with, you know, more money than --*
3 *they got more money than anybody else around to throw*
4 *around. They got all the staff and all the things and*
5 *they just sort of bull over these, you know, small towns*
6 *and small communities and they leave bodies in the*
7 *street. And, yes, that's being facetious, but, you*
8 *know, that Douglas County one in Murdock tore that*
9 *county in two. I mean --*

10 *RADIO ANNOUNCER: (INAUDIBLE).*

11 *CHAPIN ROSE: Yes. Brother against brother.*
12 *You know, one of them is getting -- gonna make a bunch*
13 *of money and the other one isn't gonna get it and has to*
14 *look at it and stare at it for the rest of his life and*
15 *it's going to flicker into his house at night and keep*
16 *him up. You know, it's just -- they're not -- that's*
17 *why, look, again, Urbana, U of I over in Urbana, what*
18 *did they say, no, no, don't do that. It's always easier*
19 *to put it in somebody else's backyard than your own back*
20 *yard.*

21 *RADIO ANNOUNCER: Real quick here. A couple*
22 *minutes to go. They have put up a bunch, a hundred*
23 *plus, too many to count windmills north of Route 136*
24 *between Le Roy and Fisher, but I don't see any of them*

1 *turning. Why not?*

2 *CHAPIN ROSE: Again, this is the -- look*
3 *folks, you know, to the folks who somehow believe that*
4 *renewable is anytime soon gonna replace the baseline*
5 *capacity of coal, right now, what's happening right now*
6 *and he's dis-proven that hypothesis, okay, that's not*
7 *going to happen. Could it happen 20 years from now? I*
8 *don't know. It's not going to happen until batteries*
9 *get better. But, you know, we're in a real problem*
10 *panic mode now and I would assert that losing any*
11 *electronics on the grid, is only going to make things*
12 *worse."*

13 MR. KAINS: Ms. Gallagher, do you have any
14 other statement to make?

15 MS. GALLAGHER: No.

16 MR. KAINS: Mr. Luetkehans, do you have any
17 questions for Ms. Gallagher?

18 MR. LUETKEHANS: No thank you.

19 MR. KAINS: Very good. I am just going to
20 state for the record with all due respect to
21 Representative Rose, there is no evidence of, in this
22 particular county, in this particular application, of
23 anybody chasing a 12-year old girl around. The
24 references to companies leaving "bodies in the street,"

1 these are to be disregarded as not credible evidence by
2 this board and should not be considered. If there was
3 evidence of this, we'd want to know about it. The
4 inflammatory nature of the representative's comments,
5 again, with all due respect to him, you know, have no
6 part of a professional hearing in which this board is to
7 make a decision regarding application. With that said,
8 questions for Ms. Gallagher from members of the Piatt
9 County Zoning Board of Appeals?

10 MR. JACOBI: Mr. Hearing Officer.

11 MR. KAINS: Yes, sir.

12 MR. JACOBI: The statement actually went even
13 further than that suggesting that companies have foreign
14 people coming into town, you know, that they are
15 splitting towns in two, pitting brother against brother.
16 The whole statement was completely inflammatory and
17 prejudicial. I'd ask that it be stricken from the
18 record in it's entirety.

19 MR. KAINS: I am not going to do that because
20 there is the possibility of workers coming from outside
21 of Piatt County. There's been testimony to that effect.
22 Whether they come from Wisconsin or Michigan, we won't
23 know, but that can stay. With respect to families being
24 pitted against one another, it's been my experience and

1 I've seen it in other hearings that this is a
2 possibility. So I am not going to strike that.

3 MR. JACOBI: I'm sorry, Mr. Hearing Officer,
4 but he didn't lay any foundation for that, he didn't
5 provide his own experience. I mean, it was an audio
6 clip from a radio show from a politician. I just don't
7 see how it should play any part in this hearing.

8 MR. KAINS: It's going to be allowed for what
9 it's worth. This board can consider the radio program
10 and the comments made by the representative, but will
11 give it it's due. And again, folks, there has to be
12 evidence that shows these things are happening or have
13 happened. I am not going to strike it however. Just
14 the comment about "chasing a 12-year old girl" and
15 "leaving bodies in the street." Those are stricken.

16 MR. JACOBI: One more. It is also hearsay and
17 it is not under oath. It wasn't even -- it's not a
18 credentialed article or a peer reviewed journal -- and I
19 just want to make my record. I know that you have
20 ruled, but in addition, you know, the statement was
21 objectionable for those reasons. I just want to make
22 sure those objections are on the record.

23 MR. KAINS: Yes. Mr. Jacobi, those objections
24 are noted. They are in the record should there be an

1 appeal over this. Then, yes, you can take that up on
2 appeal. However, yes, and it was not sworn testimony.
3 It was a politician on a radio show. So this board will
4 consider it for what's it worth. All right.

5 MR. JACOBI: Thank you.

6 MR. KAINS: Questions for Ms. Gallagher from
7 members of Zoning Board of Appeals? Mr. Harrington.

8 EXAMINATION BY

9 MR. HARRINGTON:

10 Q. Thank you for your testimony, Ms. Gallagher.
11 How close -- I can take a guess here, but you probably
12 know better -- how close is the closest proposed
13 windmill to your property here?

14 A. Now I can't tell you. I haven't got any
15 answer exactly. There are two proposed to the northeast
16 that you'll see on the map and then there are several to
17 the west.

18 Q. It would appear -- I agree with you -- it
19 would appear there is a transmission line relatively
20 close to you, is that correct, underground?

21 A. Currently?

22 Q. No. Proposed. Which I know is vague because
23 they haven't really settled on that yet?

24 A. I don't know exactly how close that is either.

1 No.

2 Q. I gotcha. I didn't know if that had been
3 discussed or not, but do you have any other concerns in
4 regards to those closest proposed sites; is there
5 anything else you would want to tell us about that?

6 A. I think that Dylan, my husband, testified
7 earlier on what receptor we are. We're Receptor No. 120
8 and our concerns about sound as I mentioned in my
9 comments. I know my comments are pretty reflective of
10 my concerns.

11 Q. Very good. Thank you for you efforts.

12 MR. KAINS: Any questions, additional
13 questions from members of the zoning board? Questions
14 from members of units of local government including
15 school districts? Questions from interested parties
16 represented by licensed attorneys? Mr. Jacobi?

17 MR. JACOBI: Thank you.

18 EXAMINATION BY

19 MR. JACOBI:

20 Q. Thank you, Ms. Gallagher. We looked at
21 Objecter's Exhibit 40, the Gallagher map? What number
22 was it?

23 MR. LUETKEHANS: Yes. It's 40.

24 MR. JACOBI: Do you mind showing me that?

1 That's fine.

2 MR. LUETKEHANS: I am giving my copy to her.

3 MR. JACOBI: That's fine.

4 Q. There's something I forgot to ask Mr.
5 Gallagher earlier, the property to the east, the darker
6 green strip of land, what is that land used for?

7 A. That's hay.

8 Q. And the property to the north, that's crop?

9 A. That's not ours, but, yes, it is.

10 Q. The hay is your property?

11 A. Straight east of the house. Yes.

12 Q. How does the hay field -- strike that. How
13 close is the edge of the hay fields to your residence?

14 A. Like a measurement to the house, I have no
15 idea. I would have to measure it.

16 Q. Okay.

17 A. It is right there at that fence on the -- you
18 can tell the distinction between the yards and the hay
19 field there.

20 Q. It's, like, a sixteenth of a mile?

21 A. I don't know. I would have to measure.

22 Q. What about the crop to the north? Looks like
23 and eighth of a mile maybe to your house?

24 A. I have no idea.

1 UNKNOWN AUDIENCE MEMBER: None of that is
2 correct.

3 Q. I'm just asking.

4 A. No. That's not correct. I don't know an
5 exact number for you.

6 Q. Okay. What's your best guess then to the
7 fields to the farm?

8 A. It's less than an eighth of a mile.

9 Q. Okay. You testified earlier about the
10 decommissioning plan?

11 A. Yes.

12 Q. Did you draft your own decommissioning plan?

13 A. No.

14 MR. JACOBI: No further questions. Thank you.

15 MR. KAINS: Thank you, Mr. Jacobi. Questions
16 for Ms. Gallagher from any other licensed attorneys in
17 the room? Questions from other interested parties,
18 members of public in support of the application or
19 neutral on the application for special use permit?
20 Questions from Piatt County staff and consultants? Mr.
21 Luetkehans, any other questions for Ms. Gallagher?

22 MR. LUETKEHANS: Just one.

23 EXAMINATION BY

24 MR. LUETKEHANS:

1 Q. The property to the east, just to clarify what
2 your husband said, that was a different pin number than
3 the property that you live on, correct?

4 A. Yes. It's a completely different parcel.

5 MR. LUETKEHANS: Okay. Nothing further.

6 MR. KAINS: Based upon, that, Mr. Jacobi?

7 MR. JACOBI: No.

8 MR. KAINS: Any questions from, final
9 questions, for Ms. Gallagher from members of the Zoning
10 Board of Appeals? Very good. Ms. Gallagher, is there
11 anything else that you would like to add?

12 MS. GALLAGHER: No. Other than I can
13 appreciate why those comments were restricted. I just
14 think that Senator Chapin Rose is our state senator and
15 does have personal experience with these companies and
16 that was purely the reason for playing that. Nothing
17 else.

18 MR. KAINS: Thank you, ma'am. Mr. Leutkehans,
19 do you have any other folks you want to push ahead?

20 MR. LUETKEHANS: No. I think whoever is on
21 the list from tonight.

22 MR. KAINS: All right. I've got a list from
23 when folks came into the room. We are going to hear
24 from Mr. Terry Ferguson. I feel like I know Mr.

1 Ferguson quite well from doing two public hearings in
2 his county, De Witt.

3 MR. FERGUSON: Yes. I've got some documents
4 here I want to leave.

5 MR. KAINS: We will mark -- do you have one or
6 two?

7 MR. FERGUSON: I have two. I've got enough
8 for everybody.

9 MR. KAINS: All right. They will be marked
10 as Ferguson Exhibit 1 and 2. All right.

11 MR. JACOBI: Do you have a copy for me there?

12 MR. KAINS: Oh, I'm sorry.

13 MR. LUETKEHANS: I don't have one either.

14 MR. KAINS: Let's get a copy to Mr. Jacobi and
15 maybe even one to Mr. Leutkehans. Now Mr. Ferguson, are
16 you wishing to testify?

17 MR. FERGUSON: Yes, sir.

18 MR. KAINS: You're a non-county person so 15
19 minutes.

20 EXAMINATION BY

21 MR. KAINS:

22 (Witness Sworn)

23 Q. All right. Sir, could you please state your
24 name, spelling your first and last names for the record.

1 A. Terry Ferguson. T-E-R-R-Y, F-E-R-G-U-S-O-N.

2 Q. All right. Mr. Ferguson, you have 15 minutes.

3 COMMENTS BY MR. FERGUSON:

4 MR. FERGUSON: Okay. I'm vice-chairman of the
5 De Witt County Board and past Land Use Chairman in the
6 De Witt County Board and we recently, well, three years
7 ago, two and a half years ago, went through this same
8 process you guys are going through. I have been
9 involved with zoning ever since zoning came into De Witt
10 County. I was an original member of the regional
11 planning commission and have been off and on that
12 several times through the 40-some years and I have
13 served as a Land Use Chairman for the De Witt County
14 Board multiple times. But I want to make it clear.
15 I know you guys are going to hear from the attorney here
16 on what the job of the zoning office, the ZBA, is and,
17 you know, it's pretty simple. Zoning is something put
18 in place to keep me from doing something on my property
19 that's gonna mess with you on your property. And I was
20 noticing the map over there on the wall. It looks like
21 it's about 40 percent of that footprint of the proposed
22 wind farm with the -- made up of non-participants. And
23 there's some things that the ZBA and the county board
24 can do to soften the blow on those non-participating

1 people. You will notice that I passed out a couple
2 documents here. One was what I originally proposed to
3 the county board as conditions for the special use
4 permit. The other one is the one that was passed. I'll
5 just highlight what I feel --

6 MR. LUETKEHANS: -- I don't mean to interrupt.

7 MR. FERGUSON: Yes, sir.

8 MR. LUETKEHANS: Could we get it clear whether
9 Mr. Ferguson is for or against this project?

10 MR. FERGUSON: I'm against. I'm speaking
11 against.

12 MR. LUETKEHANS: Okay. Thank you.

13 MR. FERGUSON: I guess -- I don't know. It's
14 kind of hard to say. But I was the lead in the county
15 to try to get some control on the proposed wind farm.
16 And, you know, it was discussed by the other young lady
17 that there was a wind farm in Gibson City that was
18 supposed to have the ADLS lighting, but it didn't occur.
19 We put it in place and our ordinance that was required
20 to apply to the FAA to get the ADLS lighting. Then as
21 the condition detailed when it was going to be put --
22 installed and when it was going to be operated. I think
23 that was probably one of the most -- biggest objections
24 you will ever hear from the community, the surrounding

1 community, the non-participating residents, those stupid
2 red flashing lights that go on forever. There is a way
3 to stop that. I know if you're going to have 600-foot
4 tall towers here, you're going to have two lights on
5 each tower and that's different than most of the towers
6 in the state. But, you know, I -- another item, you
7 know, it seems that the non-participating people are
8 pretty well ignored and we tried to put something in
9 place in De Witt County and it was worded probably
10 wrong. It was that the one company had to offer the
11 non-participating people a lease to cover the cost of
12 payment per acre, a payment for occupied residents. And
13 the problem of that was, the people that are opposed to
14 a wind farm are not going to sign a lease for anything,
15 even if it involved giving them money. So if you guys
16 are going have some kind of a condition to make a
17 payment to the non-participating folks as a nuisance
18 payment or whatever, you gotta make sure you word it
19 right from the get-go. I just want to make the
20 statement that the county board and the ZBA can make all
21 kinds of recommendations to the county board to -- for
22 things -- I don't know how to put it. You know, you've
23 got your ordinance, but you guys can make
24 recommendations on the conditions that can go over and

1 above what's written in the ordinance. So keep that in
2 mind and do your job. You know, your job is to protect
3 the landowners in the county. You know, the La Salle
4 ruling for zoning, there's six criteria that have to be
5 met before a special use permit can be granted. The two
6 most important ones are that you're not going to do
7 anything that will devalue the neighbor's property or
8 reduce their ability to enjoy their property. And I
9 might have a little anecdotal notice. We held a
10 meeting, an informational meeting, with some of the
11 people that were discussing the noise from the wind
12 mills and it all came about and the specialist said, you
13 know, it's only going to be about like a small window
14 air conditioner at your home. And the -- my comment to
15 him was, so if you've got a real nice patio and you're
16 having a wedding reception for your daughter, would you
17 care if I show up with an air conditioner and flop it
18 down on the head table and, you know, his comment was
19 no, no, I wouldn't like that. So just keep that in
20 mind, but another one of the conditions we put on dealt
21 with noise. The Illinois Pollution Control Board
22 controls the noise level and it was modeled by the wind
23 company at the residence. Several of the houses were
24 barely within standards through all the frequencies.

1 There was one there that was above the levels that are
2 supported by the Illinois Pollution Control Board. But
3 we put in that that they had to do a sound study to
4 prove that their model was correct. But when they did
5 that, the consulting firm that worked with us on it --
6 they haven't done it yet, you know, it's not operational
7 -- but the sound study was done at the residence, but
8 the Illinois Pollution Control Board requires that the
9 noise level be at the property line. So there's several
10 houses that, you know, it might be a couple hundred feet
11 from the property line as being farther away from the
12 wind tower than what the property line is. So, you
13 know, there's -- you just got to watch the way you word
14 everything. And with that, that's all I've got.

15 MR. KAINS: Thank you Mr. Ferguson. Questions
16 for Mr. Ferguson from members of the Piatt County Zoning
17 Board of Appeals?

18 MR. FERGUSON: De Witt County. Oh, I'm sorry.

19 MR. KAINS: For these folks.

20 MR. FERGUSON: Yes.

21 MR. KAINS: For the De Witt County guy.

22 MR. FERGUSON: Sorry. Yes.

23 MR. KAINS: For our neighbor to the west.

24 Questions for Mr. Ferguson from members of units of

1 local government including school districts? Questions
2 from interested parties represented by licensed
3 attorneys? Mr. Jacobi?

4 MR. JACOBI: Thank you. No questions.

5 MR. KAINS: Very good. Thank you. Questions
6 from any other licensed attorneys in the room?
7 Questions from other interested parties or persons in
8 support of the application or neutral on the application
9 for special use permit? Questions from Piatt County
10 staff and consultants? Mr. Leutkehans, do you have any
11 questions for Mr. Ferguson?

12 MR. LUETKEHANS: No. When you're done, I just
13 have a question for Mr. Keyt.

14 MR. KAINS: Okay. Very good. Any last
15 questions from the zoning board? Mr. Ferguson, thank
16 you.

17 MR. FERGUSON: Thank you for the opportunity.

18 MR. KAINS: Thank you.

19 MR. LUETKEHANS: If I could just ask Mr. Keyt
20 from -- what is -- I'm trying to figure out which one
21 we're labeling what?

22 MR. KAINS: Yes.

23 MR. KEYT: Well, I'll try and keep my voice
24 up. So I marked as Ferguson Exhibit 1, is the one that

1 has the bold type at the time top that starts with
2 *Conditions for Special Use 250-21019, All for Farms* and
3 Ferguson Exhibit 2 is the one that is marked with the
4 un-bolded type at the top and it says, *Terry's Proposal*
5 *for Conditions* listed in the attachment S of the SUP.

6 MR. LUETKEHANS: Thank you. I just wanted to
7 make sure I had it clear.

8 MR. KEYT: You're welcome.

9 MR. KAINS: All right. I'm going to knock
10 this whole thing over so Kenny is going to sue me. All
11 right. Folks, it is time for a brief recess. The time
12 is 7:38. Shelly, ten minutes or fifteen?

13 COURT REPORTER: Ten is fine.

14 MR. KAINS: Ten is fine. You're great. We
15 will back in session at 7:48. This board is in recess.

16 (Whereupon, Recess Taken)

17 MR. KAINS: Okay. Folks, find your seats,
18 please. Find your seats. All right. Our next witness
19 is Claudia Coil. Ms. Coil, will you be testifying and
20 asking for 45 minutes or do you just want to make a
21 public comment?

22 MS. COIL: It's gonna be over three minutes
23 so.

24 MR. KAINS: Okay. All right. You need to

1 raise your right hand and be sworn.

2 EXAMINATION BY

3 MR. KAINS:

4 (Witness Sworn)

5 Q. Okay. Ma'am, could you please state your
6 name, spelling your first and last names for the record.

7 A. Okay. My name is Claudia Coil, C-L-A-U-D-I-A,
8 C-O-I-L.

9 Q. And where do you live?

10 A. I live at 2692 North 1300 East, Mansfield.

11 Q. And is that in Piatt County?

12 A. Yes.

13 MR. KAINS: Therefore, you have 45 minutes
14 under the board rules. You may proceed.

15 COMMENTS BY MS. COIL:

16 MS. COIL: Okay. Thank you for allowing us to
17 speak tonight. I think it's extremely important that
18 you hear what the opposition has to say and to hear it
19 clearly. I am not speaking as an expert on wind
20 turbines. I am somewhat of an expert, I think, since
21 I've lived in America since 1974 and have been -- we
22 have farmed, dairy farmed, hogs, harness horses and in
23 the last ten years we have raised on our home in Piatt
24 County, free range chickens. We have 1000 free range

1 chickens that we sold eggs to numerous places in the
2 area. So I'll just begin what I'm going to say. Also
3 there will be -- right now there are two proposed
4 turbines approximately a mile south of us and one west
5 of us. This project has been mistakenly referred to as
6 a wind farm. Wind farm gives the impression of
7 something that blends and flows with real farms and
8 rural America. One definition of farm is an area of
9 land and it's buildings used to grow crops and for the
10 rearing of animals. What Apex proposes for Piatt County
11 does the opposite of blending and flowing with rural
12 America. What they propose eliminates and damages
13 productive farmland and potentially harms animals. What
14 Apex proposes for Piatt County are not windmills, but
15 industrial wind turbines. This is truly the story of
16 David and Goliath. Goliath, Apex, has come to Piatt
17 County uninvited representing a large corporation which
18 is well funded by tax dollars, tax credits or whatever
19 linguistic description one wants by lobbyists and their
20 government energy policy that is not supported by all
21 citizens. Apex has no long-term personal interest in
22 Piatt County. Each employee of Apex will return to
23 their own homes in places like Virginia or Minnesota or
24 moving on to their next project. They, themselves, will

1 not be living with the results this project. We, the
2 residents of Piatt County, have been doing our best to
3 work our farms, businesses and jobs to provide for our
4 families while Apex, unbeknownst to most residents, has
5 been having people sign 30-year leases, mostly by
6 non-residents, and promising an economic windfall for
7 the county. As most people seem to be dispensable or
8 collateral damage in this process, we were never asked
9 if this was something we want for our home. It is true
10 that reports of this project were available in the Piatt
11 County Journal, but as one of our board members pointed
12 out at a past meeting, this paper is not read by many
13 residents in the county and many are not informed about
14 the project. These people, however, may have the
15 opportunity to find out firsthand what similar -- about
16 similar wind projects. If Apex's project is approved,
17 the door will be open for industrial wind turbines
18 throughout Piatt. The goal of Apex seems to differ
19 completely from the goals of many residents. Apex wants
20 financial success in their company and preservation of
21 their jobs. Those of us opposing the project want
22 preservation of our homes and lives, preservation of our
23 environment, preservation of our soil, preservation of
24 an area that will attract future generations and

1 preservation of our health. The vision for our children
2 and grandchildren is of open spaces of productive land
3 that will provide for them, not for industrial wind
4 turbines which will be a reminder of a possibly failed
5 energy policy or a defunct technology. This has never
6 been an issue of resisting all change. It has been an
7 issue of slowing this process down to provide an
8 environmentally sound reliable energy to better
9 innovation and technology. Reliable energy leads to a
10 safer, more secure and prosperous world, county and
11 country. It's seemingly irresponsible to make Piatt
12 County an industrial wasteland in order to produce a
13 non-reliable source of energy that creates an enormous
14 carbon footprint in it's manufacture, transportation
15 construction and maintenance of it's turbines and
16 transmission lines. This hearing failed to address this
17 or what happens to non-biodegradable and potentially
18 toxic blades and turbines when they erode or are
19 terminated. Whose responsibility should it be to
20 dispose of used turbines and parts? Wind energy is
21 presented as a totally benign form of energy. Nobody
22 addressed things like the potential environmental damage
23 that can be caused in the mining of rare earth in places
24 like China or even the USA. No one addressed findings

1 of potential toxic BPA found in the turbine blade epoxy
2 and plastics. One of the purposes of these hearings is
3 to determine if Apex has met the standard set by Piatt
4 County for this project. This seems to imply that Piatt
5 County set up standards independent of Apex; however,
6 Apex participated and had significant input on approved
7 ordinances. Many of same experts from Apex testified at
8 the ZBA hearings. When the ordinances met the
9 parameters required by Apex, they were approved.
10 Requests were made by citizens for safer setbacks,
11 shorter turbines, no shadow flicker of participating
12 residents and reduced noise, but were dismissed on the
13 grounds that these changes would prevent Apex or another
14 wind company from proceeding with their project. The
15 concerns for potential infrastructure sound harm were
16 not addressed in the ordinances. How does the wind
17 industry totally dismiss research findings of
18 researchers like Nina Pierpont who has studied what she
19 describes as the "Wind Turbine Syndrome" or research of
20 Eric Zou in 2020 that suggested an increase suicide rate
21 from the industrial wind complex once it becomes
22 operational. The plan for Apex hales the financial
23 windfall that will occur with it's approval, but let's
24 not mention how it will compensate for potential losses

1 due to the effects of the turbines. Agriculture losses
2 from decreased crop yields from compacted soil, drainage
3 disruption, potential livestock changes in reproduction
4 or production, increased need for pesticides due to
5 decreased bat population and increased cost of aerial
6 applications. A bat population that is now listed on
7 the endangered species list. How will residents be
8 compensated if they experience health issues due to
9 flicker, audible noise and infrasound? How will they
10 compensate for loss of revenue when they try to sell
11 their home or from lack of future growth to surrounding
12 areas? I will have no -- I still have never met anyone
13 who would want to live by a wind turbine. Who is really
14 accountable in the wind industry? The answer to many
15 questions of this hearing have been, "We have met the
16 standards set by ZBA, DNR, Fish and Wildlife and the
17 Illinois Public Control Board -- Pollution Control
18 Board." I propose these standards have not addressed
19 adequately the problems that wind turbines create.
20 Follow-up studies, if done, seem to be merely more
21 studies. Many of the problems or complaints are never
22 heard due to contracts lease owners and neighbors may
23 have signed which prevent verbalizing them. One truth
24 exists: Once the wind turbines are constructed, little

1 can be done. People, livestock and wildlife are out of
2 luck. For those who indicate that change may be
3 difficult, but people will adapt, I suggest that an
4 overflowing healthcare system and mental health system
5 indicates that humans haven't adapted well to an
6 ever-growing stressful world. As a medical expert
7 testified at his hearing, the only long-term study on
8 the affects of wind turbines was done from 2012 to 2014
9 in Canada. This is hardly a long-term study. The study
10 was done on adults only in an environment unlike Central
11 Illinois. No one has even really studied the potential
12 affects on children or pregnancy. Wildlife can adapt to
13 reducing habitats goes against every environmental
14 philosophy I've heard. For those who say livestock is
15 not bothered have never watched milk or egg production
16 drop from stress or inability to breed and produce
17 healthy -- I'm a little dry -- offspring due to stress.
18 Where does a livestock producer go? One must remember
19 that the same energy policy that fuels the wind industry
20 ultimately would like to eliminate livestock and animal
21 products. It is the same energy policy that has
22 increased fertilizer and agriculture fuel costs, but now
23 wants to replace this with wind subsidized money. Do
24 generous grants to conservation projects make up for the

1 environmental damage they create? If Apex sells to
2 another company, who is accountable? It's not enough to
3 say that other places have wind turbines or this will
4 eventually happen. It is time for communities to have
5 the courage to say no. Since 2015, approximately 315
6 communities have said no. To the residents that feel
7 that the revenue from this project is absolutely
8 necessary for your schools, conservation and budgets, I
9 say we have the power to improve all of these entities
10 without the assistance of Apex. People are creative and
11 hardworking. Good leadership and role models can make
12 these things grow. Your children's education will
13 blossom with your involvement. Test scores from
14 Monticello recently have improved not because of Apex,
15 but because of good leadership, teachers and parent
16 involvement. In conclusion, I ask the zoning and county
17 board members to weigh their upcoming decision
18 carefully. This project does not seem to meet your
19 usual criteria. This does compete with current land
20 use. It does not promote the health, safety and general
21 welfare for all citizens. Do you want to transform
22 Piatt County for an energy source that is not even
23 commercially viable on it's own? Drive up to
24 Bellflower, McLean County, De Witt County as you ponder

1 this decision. Ask yourself if you're ready to commit
2 Piatt County's future for 30 plus years to this project?
3 Is this the vision you have for your home? Does it
4 truly protect the welfare, health and safety of every
5 resident? Remember: Quality of life is not for sale.
6 Thank you.

7 MR. KAINS: Thank you, Ms. Coil. Questions
8 for Ms. Coil from members of the Zoning Board of
9 Appeals? Very good. Questions for Ms. Coil from
10 members of units of local government including school
11 districts? Licensed attorneys? Mr. Jacobi?

12 MR. JACOBI: Thank you, Ms. Coil, no. No
13 questions.

14 MR. KAINS: Very good. Thank you. Other
15 interested parties, members of the public in support of
16 or neutral on the application for special use permit?
17 Questions for Ms. Coil from Piatt County staff and
18 consultants? Mr. Leutkehans, do you have any questions?

19 MR. LUETKEHANS: No.

20 MR. KAINS: Very good. Thank you, Ms. Coil.
21 Brian Sebens, please. Mr. Sebens, do you wish to
22 testify or just make a three-minute public comment?

23 MR. SEBENS: Just a three-minute public
24 comment.

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EXAMINATION BY

MR. KAINS:

(Witness Sworn)

MR. KAINS: Okay. Very good. Could you please state your name, spelling your first and last names for the record.

A. Brian Sebens, B-R-I-A-N, S-E-B-E-N-S.

MR. KAINS: Very good. Go right ahead, Mr. Sebens.

COMMENTS BY MR. SEBENS:

MR. SEBENS: Okay. We own a small two-acre white dot in the sea of green over there on that map. We have worked over 30 years on improving our place. I would never have considered starting there if we had known this was going to happen. I have seen nothing in these meetings about the wind farm that would benefit us. The lure of big money let's them in. We might be considered collateral damages for the greater good, but when others come they might get close to someone that you don't want and can't stop them from invading. Please think very hard on letting this get started in Piatt County. Thank you.

MR. KAINS: Thank you, Mr. Seben's. I have on the sheet, it says Brian or Debbie Seben's. Ms.

1 Seben's, you're going to echo what he says?

2 DEBBIE SEBENS: Yes. Double.

3 MR. KAINS: Thank you. Mr. Bill Gallagher,
4 please. Shelly, are you going to need a spelling on his
5 last name?

6 COURT REPORTER: I think I've got that one.

7 MR. KAINS: Same as the other ones.

8 COURT REPORTER: Thank you.

9 MR. KAINS: I do believe Mr. Gallagher is the
10 patriarch of the family. Mr. Gallagher, I'm going to
11 ask you the question I've asked the other folks. Do you
12 want to testify for 45-minutes or just talk for three
13 minutes?

14 MR. GALLAGHER: You've given me no choice. I
15 don't think I can do it for three minutes.

16 MR. KAINS: Could you please raise your right
17 hand and be sworn, sir.

18 EXAMINATION BY

19 MR. KAINS:

20 (Witness Sworn)

21 Q. Go right ahead, Mr. Gallagher -- I assume
22 you're a Piatt County resident, it says Bement?

23 A. That's correct.

24 MR. KAINS: Okay. Go right ahead.

1 COMMENTS BY MR. BILL GALLAGHER: A few weeks
2 ago an expert witness for Apex was here talking about
3 wind noise. I asked him if he was aware of a study that
4 was done in Australia that wind noise from the turbines
5 is greater at night. He said he was not aware of that
6 study. At that time, I presented a document that I
7 believe was identified as Gallagher Document No. 1,
8 something of that nature. Mr. Gershon, after the break,
9 made it apparent that that was just an article and he
10 was right. That was just an article that I had found.
11 Tonight I have the supporting documents from that
12 article and I would like to present them to all the
13 parties that are here tonight.

14 MR. KAINS: All right. I will give you leave
15 to do that. Shelly, let's just go off the record real
16 quick.

17 (Off the Record)

18 MR. KAINS: All right. You may proceed. By
19 the way, we are back on the record. We won't count that
20 minute and a half toward your time, Mr. Gallagher.

21 MR. GALLAGHER: Thank you. First thing I'd
22 like to do is to thank the Piatt County Zoning Board for
23 the many hours that they've spent listening to witnesses
24 and the public who have provided testimony and questions

1 about the Goose Creek Wind Farm Project. I appreciate
2 that. Having served on the Piatt County Zoning Board in
3 the past, I can appreciate the time spent. This wind
4 farm project is a big deal. One of the ways I can gauge
5 just how big of a deal it is, is by how many lawyers are
6 in the room, men in suits, especially on the side of the
7 room that's representing Apex. You may have noticed
8 often that they have more than one. So as it was said
9 earlier, this is sort of a David and Goliath story. One
10 side has a little bit more money in their pocket. We
11 have gotten to listen to experts give testimony on the
12 pros and cons of this project. Expert witnesses have
13 mentioned all the jobs the project will bring to our
14 county, even the shadow jobs and services that will be
15 here to service the project. I'm still not sure what a
16 shadow job really is, but it was mentioned here one
17 evening by an expert witness from Apex. Having taken a
18 drive to Twin Groves Wind Farm which has been operating
19 since 2008, I really couldn't see much evidence of
20 continuing job creation or service sector jobs in the
21 small towns of Ellsworth or Arrowsmith. Maybe shadow
22 jobs are hard to see. I am not an expert in such
23 matters. We heard expert witnesses tell us that the
24 sounds from the turning turbine blades are not a big

1 deal and we have heard expert witnesses say just the
2 opposite, that the sounds can cause some people to
3 experience real health problems. And as was earlier
4 stated, we may not know the answer to this question
5 until it's too late. We even had witnesses speaking
6 about the affects of wind towers on bald eagles and
7 bats. He didn't spend much time at all discussing the
8 affects on domestic livestock. I guess that doesn't
9 matter, but then I am not an expert. We have heard
10 about the low level sounds and vibrations that can or
11 cannot be perceived by those who live close to the
12 turbines. So much data, it was at times enough to make
13 your held spin listening to it. And the flicker effect.
14 Remember that? The flicker effect. How many hours is
15 acceptable? Yes, acceptable. Like, there is some
16 industry standard that makes flicker okay, just so it's
17 not too much. I, for one, remember the term "Vesta
18 stigma" and "nuisance stigma." That one actually made
19 complete sense even to me. After all, something that is
20 600 feet tall is definitely going to spoil your Vesta
21 and it's certainly a nuisance. Of course, we heard
22 expert witnesses talk about the money. It's always
23 about the money, isn't it? And yet some taxing bodies
24 will receive additional income. That's a given. Those

1 who cooperate will receive payments. If my memory
2 serves me, some of those who receive payments may even
3 actually even live within the footprint, but they are in
4 the minority. Most won't. They don't live around here
5 so they get no Vesta stigma or nuisance stigma. So
6 that's brings to us the folks in Piatt County who live
7 in and close by the wind farm. Being from Piatt County,
8 it's kind of a big deal in the scope of things. I don't
9 seem to remember any of the expert witnesses being from
10 Piatt County. But if you're in Piatt County, I think
11 you should be called an expert witness because you're
12 going to live close. We have heard these good people
13 from Piatt County ask a lot of good questions.
14 Sometimes our good questions went without good answers.
15 Many of those folks will not be cooperating or receiving
16 payments, but they will pay the biggest price. They
17 will do so for many years to come. Is it fair to ask
18 that a small group of our citizens in Piatt County pay
19 the highest price? Most of the people in Piatt County
20 will not be impacted by this project and those that are
21 impacted by this project in parts of Piatt County won't
22 receive no income to their taxing bodies. But my belief
23 is if the Goose Creek Project is approved, then there
24 will be others, other sites in Piatt County considered

1 for wind towers. Just south of where we are here
2 tonight or just north of Bement is something called the
3 Cerro Gordo Ring. It's a ridge cutting northeast to
4 southwest across that part of Piatt County. If you've
5 ever traveled south of Monticello to Bement, you cross
6 this ridge at the Bement Township Cemetery. So if you
7 think this wind farm in Goose Creek is of no concern,
8 you might think again because that ridge is not a
9 secret, it's not invisible, it's most likely already on
10 their radar of potential wind farm companies. So those
11 red blinking lights you see north of Mansfield and
12 Bellflower and the big white turbine towers you see up
13 there, with the Goose Creek Project, those lights and
14 towers are coming closer to you and closer yet. We just
15 need to ask ourselves, is this what we really want? In
16 closing, something that's come to my attention is, many
17 of the attorneys that I've mentioned have done this
18 before. They know each other. They've worked in other
19 counties on this same issue. It's just one more county
20 that they have to get through to get to the next county.
21 We haven't probably asked one question here tonight in
22 all of the weeks of testimony that these guys haven't
23 heard before. The only difference is, difference faces,
24 different county, different zoning board, different

1 county board. Thank you.

2 MR. KAINS: Thank you, Mr. Gallagher.
3 Questions for Mr. Gallagher from members of the Piatt
4 County Zoning Board of Appeals? Very good. Questions
5 from members of units of local government including
6 school districts? Questions from interested parties
7 represented by licensed attorneys? Mr. Jacobi?

8 MR. JACOBI: My only question is for you, Mr.
9 Hearing Officer. So I have received two exhibits and,
10 I'm sorry, what were they marked as?

11 MR. KEYT: Okay. So the one that starts with,
12 *Long-term Quantification Characterization of Wind Farm*
13 *Noise Amplitude Modulation* is Bill Gallagher Exhibit
14 No. 3. The one that begins with, *Prevalence of Wind*
15 *Farm Amplitude Modulation at Long Range Residential*
16 *Locations* is Bill Gallagher Exhibit No. 2. There was a
17 prior Bill Gallagher Exhibit 1.

18 MR. JACOBI: I recall. Gallagher 2 is, like,
19 about 13 pages, Gallagher 3 is seven or eight pages. I
20 haven't had the opportunity to review these articles.
21 But, I suppose, maybe I do have a question for Mr.
22 Gallagher.

23 EXAMINATION BY

24 MR. JACOBI:

1 Q. Mr. Gallagher, you're not an expert on these
2 subject matters, you're relying on the information in
3 the articles; is that accurate?

4 A. I am not an expert witness.

5 Q. Okay. So to the extent that you're testifying
6 here today on these matters, you're relying entirely on
7 what is in these two articles that you've marked as 2
8 and 3?

9 A. Like I said, I am not an expert witness.

10 MR. JACOBI: Okay. So as I understand it, Mr.
11 Hearing Officer, then the scope of the testimony coming
12 from these articles is in these articles, which I have
13 not had a chance to review. I wouldn't have any
14 questions for Mr. Gallagher because he couldn't answer
15 them. He's not an expert, as he just said, on these
16 subject matters. I don't think we'll need anything, but
17 I guess I would just reserve the right to respond
18 potentially tomorrow in writing from one of our
19 witnesses or something to that effect, once I've
20 reviewed these articles.

21 MR. KAINS: Any written comments from your
22 experts, any written comments from any members of the
23 public will be received, photocopied, given to all
24 members of the Zoning Board of Appeals and will be part

1 of the record. Yes. I understand the situation. You
2 can't cross-examine Mr. Gallagher on these because he's
3 not an expert witness, but these articles are received
4 and we'll take up the admissibility of these probably
5 tomorrow evening with all the rest of the exhibits that
6 have been presented.

7 MR. JACOBI: They have been presented by
8 parties outside of the applicant because, I believe,
9 that the exhibits tendered by the applicant have been
10 accepted.

11 MR. KAINS: Everything has been received.
12 Nothing has been admitted.

13 MR. JACOBI: I believe -- I thought that the
14 application was admitted at the first hearing. This is
15 just for clarification.

16 MR. KAINS: It's going to come in, but we'll
17 take that up --

18 MR. LUETKEHANS: -- I can tell you we're not
19 going to object. How's that?

20 MR. JACOBI: No. I do -- I thought we'd run
21 through that exercise though so I just wanted to make
22 sure that if we haven't, that we do. So okay. Fair
23 enough.

24 MR. KAINS: Tomorrow night we will take up the

1 exhibits. Hopefully, tomorrow night we'll take up all
2 of the exhibits. Guys, you know how I operate. They
3 will all -- all exhibits will come in for the purpose
4 they've been submitted. Unless there is some vehement
5 strenuous objection, and I will consider that. Okay.
6 All right. So any other questions for Mr. Gallagher
7 right now?

8 MR. JACOBI: No, sir. Thank you.

9 MR. KAINS: Questions for Mr. Gallagher from
10 any other licensed attorneys in the room? Questions for
11 this witness from Piatt County staff and consultants?
12 Any questions from you, Mr. Luetkehans?

13 MR. LUETKEHANS: No, sir.

14 MR. KAINS: Very good. Any final questions
15 from the zoning board? Thank you, Mr. Gallagher,
16 appreciate it. All right. Our next witness, Cassie
17 Reeser. Ms. Reeser, will you be testifying and having
18 an allotment of time subject to the questions from the
19 zoning board and counsel and the public or do you wish
20 to give a three-minute public comment?

21 MS. REESER: Public comment, please.

22 MR. KAINS: Okay. You have three minutes.
23 First of all, could you please state your name, spelling
24 your first and last names for the record.

1 MS. REESER: Cassie Reeser, C-A-S-S-I-E,
2 R-E-E-S-E-R.

3 MR. KAINS: All right. You go right ahead.

4 COMMENTS BY MS. REESER:

5 MS. REESER: First of all, thank you very much
6 to all of the zoning board members here and the county
7 board members for your time and your consideration
8 through this process. I'm going to do my best to get
9 through this through. For many that are here tonight,
10 this is a very personal subject. So I've written down
11 my comments here that I'll try to get through. I live
12 on one of our family farms aligned with the footprint of
13 the proposed wind mills near De Land Illinois. Our
14 family has been farming this area for a multiple of
15 generations, both in Piatt and De Witt counties. We
16 currently renovated my grandparent's farmhouse, built in
17 the teens, in hopes that it will stand for another
18 hundred years. This is our home, our farm and our
19 legacy. I choose to live in the country for the
20 lifestyle and peace that it brings. The idea of this
21 large of an infrastructure being built throughout prime
22 farming ground is heartbreaking. As many have
23 mentioned, sitting on a porch and enjoying the outdoors
24 during the nice weather is one of life's enjoyments when

1 living in the country. That won't happen living amongst
2 wind mills. We've heard all of the stats from Apex
3 about the amount of farm ground used per structure and
4 the concrete board left behind. The idea of any farm
5 ground to this use when we're in the middle of some of
6 the best farm ground in the United States with farmers
7 working to feed the world, it's disheartening. I
8 implore you to think about the bigger picture and not
9 the shiny ideas that Apex likes to present as a
10 smokescreen to push these proposals through. Think
11 about the impact that this infrastructure has on our
12 rural community, those who are farming and living in
13 this area. Think about the pieces that aren't being
14 said, what it's taking to manufacture, transport and
15 build these structures, resources used for each of those
16 steps. Look at the evidence of what Apex does, not just
17 what they say they will do, selling off projects once
18 they're complete, promises gone unfulfilled with the new
19 companies under no obligation to sustain the promises to
20 the community, the maintenance, or decommissioning of
21 the structures. I leave you with this: I do believe
22 that each person has the right to make decisions for
23 their own home or land up to the point when it impacts
24 their neighbors. As a member of this community who has

1 been and will be here long after Apex has come and gone,
2 please think long and hard about the impacts of those of
3 us who live in the community and how you would really
4 truly feel if this proposal was in your backyard and
5 consider that when making your final decision on how you
6 would vote on this matter.

7 MR. KAINS: Thank you, Ms. Reeser.

8 MS. REESER: Thank you.

9 MR. KAINS: Cherene White. I hope I said that
10 right.

11 MS. WHITE: You did.

12 MR. KAINS: Well, wow, I got something right.
13 Now Ms. White, would you like to testify and you would
14 have, since you're from De Land, you'd have 45 minutes
15 or would you like to give a public comment around three
16 minutes?

17 MS. WHITE: I would like to testify, please.

18 MR. KAINS: Okay.

19 EXAMINATION BY

20 MR. KAINS:

21 (Witness Sworn)

22 Q. Okay. Would you please spell your name --
23 state your name, spelling your first and last names for
24 the record.

1 A. Cherene, White. C-H-E-R-E-N-E, W-H-I-T-E.

2 Q. And you are from De Land?

3 A. That's correct.

4 Q. That's in Piatt County?

5 A. That's correct.

6 MR. KAINS: Very good. You have 45 minutes,
7 if you'd like.

8 COMMENTS BY MS. WHITE:

9 MS. WHITE: Thank you. I just would like to
10 say that we have lived in our residence for 51 years and
11 we love our home out in the country where it's peaceful
12 and quiet. When the peaker plant came in, that
13 increased the noise level. We are not interested in
14 having any other sort of commercial industrial
15 technology come in. My thinking is what happens 20,
16 30 years from now if this does come about? Where are we
17 going to be? Will we be better off? I am not so sure.
18 There will always be something better come along. Just
19 like back in the day when we didn't have cell phones, we
20 had bag phones to start out with, then we have flip
21 phones, then here comes the cell phones. The technology
22 will change every 10, 15 years, even sooner, just like
23 computers do. We didn't have computers and now it's
24 unfathomable all the things that are coming about. We

1 do not want this to come because we enjoy where we're
2 living and this will be a detriment to our personal life
3 and to our sale of our home, if we ever decide to do
4 that. We don't want to leave. We like living in Piatt
5 County. We like living where we are at. So that's what
6 I have to say. Please consider that. I appreciate all
7 your time and efforts. I know it's a tremendous job to
8 undertake the decision you have to make, but I would
9 hope you will consider the people that have to live
10 close to these. Thank you.

11 MR. KAINS: Thank you, Ms. White. Questions
12 from Ms. White from members of the zoning board? Mr.
13 Harrington?

14 MR. HARRINGTON: Thank you.

15 EXAMINATION BY

16 MR. HARRINGTON:

17 Q. Ms. White, could you maybe give me your
18 address and tell me where you're at in relation to the
19 proposed project?

20 A. Yes. 2310 North 800 East Road.

21 Q. Very good. Do you happen to know, based on
22 their map or other maps you might be working off of,
23 what your closest distance to a tower would be?

24 A. I'm not exactly sure. We haven't been given a

1 whole lot of information, but we are relatively close.
2 I think they'll be possibly west and north of us a
3 little bit, but not very far, not far enough.

4 Q. Understood. Are you maybe -- tell me from the
5 peaker plant where you are at?

6 A. We're just north of that about a quarter of a
7 mile, half mile.

8 Q. Due north?

9 A. Yes.

10 Q. So that highline would actually affect you
11 also?

12 A. Yes. It would.

13 Q. All right. Very good, ma'am. Thank you.

14 A. You're welcome.

15 MR. KAINS: Any other questions for Ms. White
16 from members of the Piatt County Zoning Board of
17 Appeals? Very good. Questions from members of units of
18 local government including school districts? Questions
19 from interested parties represented by licensed
20 attorneys? Mr. Jacobi?

21 MR. JACOBI: Thank you. No questions.

22 MR. KAINS: Very good. Any other licensed
23 attorneys in the room with questions? Questions from
24 interested parties in support of or neutral on the

1 application for special use permit? Questions from
2 Piatt County staff and consultants? Mr. Leutkehans?

3 MR. LUETKEHANS: No, sir.

4 MR. KAINS: Any other questions from the
5 board? Very good. Thank you, Ms. White.

6 MS. WHITE: Thank you.

7 MR. KAINS: Next is Mr. Gary White. Hello,
8 Mr. White. Would you like to testify or make a public
9 comment for three minutes?

10 MR. WHITE: Yes. I just want to make a
11 comment.

12 MR. KAINS: Yes, sir. Go right ahead.

13 COMMENTS BY MR. WHITE:

14 MR. WHITE: Okay. My wife stole some of my
15 thunder. So I will go ahead and get my little spiel and
16 get out of here. Like she said, we lived in our home
17 51 years and I don't know how many turbines will be
18 around us, but like she said, one is too many. We're
19 about a mile from that peaker plant and it's straight
20 south of us. When it starts up, as John Garrett earlier
21 said, it's sound like an airplane coming through your
22 house or possibly a train going through your house,
23 especially if wind is out of the south. It's very loud.
24 That's a mile away. If, you know, some turbines are

1 then, you know, closer than that, I think it could be a
2 problem. I think the project will make Piatt County
3 nothing like we've seen it before. My wife and I will
4 be severely impacted because I think there is going to
5 be several around us. I am not sure about how close.
6 So I just would talk to you people of the board,
7 hopefully, you won't let money make your decision.
8 Thank you. Thank you, sir.

9 MR. KAINS: Thank you, Mr. White. Sandy
10 Coile. Ms. Coile, you've expressed that you wish to
11 testify?

12 MS. COILE: Yes. That's correct.

13 MR. KAINS: All right. Would you please raise
14 your right hand and be sworn by the court reporter.

15 EXAMINATION BY

16 MR. KAINS:

17 (Witness Sworn)

18 Q. Ms. Coile, would you please state your name,
19 spelling your first and last names for the record.

20 A. My name is Sandra Coile, S-A-N-D-R-A,
21 C-O-I-L-E.

22 Q. And you are from Mansfield?

23 A. That's correct. I live at One Lakeside Drive
24 in Mansfield.

1 Q. Is that located in Piatt County?

2 A. Yes. It is.

3 MR. KAINS: Ms. Coile, you have 45 minutes.

4 COMMENTS BY MS. COILE:

5 MS. COILE: I don't need all of that. Thank
6 you. Okay. To begin with, I just want to say that I am
7 testifying not as an expert, but as a resident of
8 District 1 in Piatt County. These are my personal
9 thoughts and concerns. These are things that I have
10 heard, seen, experienced and so I want to speak to those
11 things. I did move to Mansfield in November of 2020.
12 So I'm fairly new to Mansfield. I am a retired training
13 and development manager and special services manager for
14 AT&T. And it reminded me when Ms. White spoke about
15 that telephone story. You know, I've been thinking
16 about all of this overhead stuff. And back in 1970's
17 when I first started working AT&T, all of the phone
18 lines were aerial, you know, everything was in the air.
19 Back -- I have seen pictures back in the early 1900's
20 where there were hundreds of aerial lines. Over the
21 years, AT&T realized that people don't want to see all
22 of that crap. They want to see a peaceful backyard.
23 Back in the 70's, we started putting our equipment, our
24 cables underground as did other utilities. At some

1 point when we started building new subdivisions, nothing
2 was in the air. The Vesta was not, you know, a problem
3 because everything was underground. We even had people
4 who lived in aerial areas who wanted buried service and
5 so they paid extra for us to come out and bury the
6 service from the pole to their home so they would not
7 have that look in their backyard. It looks like they
8 wanted peace and quiet too. So I just had to share that
9 story since she said that. It reminded me. Okay.
10 Back. I previously lived in Mahomet. I was gone from
11 this area for 12 years and when I moved back, I was
12 looking for a home. I did consider Mahomet, but
13 ultimately decided that it's grown so much that it no
14 longer looked peaceful and quiet and that's what I was
15 looking for. I was looking for a place where I could
16 enjoy the sunsets. I have a cornfield on the south side
17 of me and beans growing to the west of my house. I love
18 watching the crops change and grow. It gives me peace
19 to be in nature. I think about those of you who are
20 hunters. My husband was a hunter and I know that he
21 loved to just sit in the tree line. He just loved to
22 sit in nature. That's kind of how I feel about where I
23 live. I love sitting on my back deck, I love looking at
24 the sunsets, I even love watching the beans when it

1 changes when the wind moves it. I find that very
2 peaceful. I can't imagine looking at wind towers
3 approximately the same height as the arch in St. Louis.
4 To think of 50 of them, well, it will change our
5 landscape for many years to come. Just look at
6 Bellflower. We can see the lights from Bellflower which
7 is, I am not sure, maybe seven or eight miles from us.
8 They're blinking all of the time in the evening. It's
9 chaotic. It does look like an alien land. Had I known
10 that this proposal was in the works, I would never have
11 bought my house in Piatt County. We've heard from Apex
12 that people will want to move to these areas for jobs
13 and schools. The jobs that they talked about are
14 temporary and common sense will tell you that very few
15 folks would enjoy living under these conditions, thus
16 adversely affecting our property values. My first
17 indication that Apex was proposing a wind farm that
18 would affect my village and the county was when I saw an
19 agenda on the Mansfield Village Board Meeting. The
20 meeting was to be held last April 4 and Apex was
21 requesting permission to come within the one and a half
22 mile perimeter that we've got. I was worried about my
23 property value should this project be approved, so I
24 contacted Alisa Demarco with Caldwell Banker Realty. I

1 explained my concerns and I asked her whether she
2 thought it would make a negative impact my property
3 value. Her answer to me was, "Sandy, I have never heard
4 of anyone who said that they were looking for a house
5 near a wind farm." On May 2, the Mansfield Board
6 Meeting was packed. There was a lot of discussion about
7 what was going on and Apex was coming in and so it was
8 packed. I'm pretty sure that it's been a long time
9 since that many residents attended a meeting. Mayor
10 Andy Stiger reported that Apex was no long interested in
11 coming in our village. Residents still spoke in
12 opposition of the Apex project. There was no one at the
13 meeting that spoke in favor of the wind farm coming into
14 our area. I live in the Lakeside Subdivision and our
15 President, Dennis Stalter, presented petitions to the
16 board opposing any wind farm in our area. A discussion
17 ensued concerning the Apex grants that had been given to
18 our village. Our mayor proposed an ordinance not to
19 allow any wind farms in our mile and a half jurisdiction
20 and Attorney Amy Rupiper was tasked with drafting that
21 ordinance. On November 30, a public hearing was held in
22 Mansfield concerning our ordinance. All members of the
23 board, every member, every trustee on our board
24 expressed their wish to pass this ordinance and not

1 allow wind farms in our jurisdiction. Residents also
2 spoke in the same manner. Again, no one spoke in favor
3 of the wind farms. On December 5, the Mansfield
4 ordinance was unanimously passed. In an effort to
5 better understand this issue, I attended the Champaign
6 County Zoning Board Meeting on April 14. Those in
7 attendance shared the same concerns that we've talked
8 about here. They've talked about setbacks, flicker,
9 Vesta stigma, tile issues, road issues and medical
10 concerns. They also talked about decommissioning costs.
11 I heard Ted Hartke's presentation concerning the issues
12 that he and his family experienced while living near a
13 wind farm. He presented studies showing that different
14 noise levels can cause health issues. I was impressed
15 by the study done at his location of the decibel levels
16 at different times of the day and night and how they
17 correlated with the journal that he kept. He actually
18 had a journal that whenever they were bothered, he wrote
19 the date, the time or whatever and when the studies came
20 back and showed that the decibel levels were high at
21 that time. He talked about how he and his wife and kids
22 all had to move their beds into an interior family room
23 so the low frequency noise didn't affect them as much as
24 the outside walls would have. I found Ted Hartke to be

1 truthful and credible. I have since heard Dr. Punch's
2 presentation which validates what can happen concerning
3 health issues. At the Champaign meeting, I also heard
4 Steve Littlefield's presentation. Steve has 30 years in
5 real estate and works for Keller Williams Realty. He
6 did a study on properties in Northern Champaign County
7 concerning homes sold before the wind farm came in and
8 again after. He showed that 25 percent of those farms
9 -- not farms, their residences -- lost ten percent of
10 their property value and another 75 percent lost between
11 30 and 35 percent of their property value. Since that
12 time, I have also heard in these meetings about the loss
13 of property values. I confirmed with Becky Wilson and
14 Russ Taylor of Remax Realty about my concerns. They
15 tell me that property in the Danville area near the
16 turbines have lost value. If the property -- if it
17 sells at all -- some of the properties are not selling
18 and people are just keeping them. I believe one of most
19 telling things that I heard in these meetings was when
20 we were told that perception equals value. I think
21 that's a true statement. I attended a Piatt County
22 Board Meeting on September 14 and found on their agenda
23 a revenue sharing agreement. I found that an e-mail was
24 sent to the board members less than 48 hours before Apex

1 expected them to vote on the issue. I also found out
2 that the document -- if the document was signed, that
3 there was a nondisclosure clause. My question would be:
4 If this proposal was such a great idea, why would Apex
5 not want our board members to be able to discuss it? I
6 am sure that Apex made sure that the revenue sharing
7 proposal was legal, but in my opinion it appeared to be
8 a bribe. No motion was made concerning this issue, our
9 board decided not to address this proposal and I applaud
10 them for their insight. I have attended almost every
11 zoning and board meeting from the last eight months. I
12 haven spoken to friends, neighbors, farmers and
13 residents of Piatt County. I've spoke to residents
14 mainly in District 1 where I live. I went to the
15 Mansfield Celebration, White Heath Sesquicentennial and
16 walked neighborhoods in White Heath and Mansfield. In
17 about eight hours, Lori Stalter and I received over 300
18 signatures on a petition to stop the Apex proposal.
19 When Lori speaks tomorrow, she will be giving those
20 signatures over to you folks. By far, the majority of
21 these people that we spoke to were in opposition. It's
22 my understanding that our signatures combined with
23 others come to approximately 600 residents willing to
24 speak out in protest of this proposal. I called

1 Bellflower's past mayor, Mr. Allen, to get his take on
2 the wind farms. He told me that they were told that
3 their real estate taxes would be decreased after the
4 project. However, they had increased. He was the first
5 person to use the term "bribe" when discussing wind farm
6 actions. This wind farm was not developed by Apex, but
7 gives a picture of issues that have presented themselves
8 with wind farms and the way they do business in general.
9 I've Googled Apex legal issues and found that when Apex
10 sold their project in Hoopeston to Akia, there was a
11 legal issue concerning failure to pay a vender for work
12 that was completed and that ended after lawsuits. These
13 are my issues: The Vesta stigma. I moved to the
14 country for peace and nature and not to look at
15 industrial wind farms. I'm also concerned about
16 something that really I don't think we spoke about here
17 which is severe weather predictions. According to Chris
18 Miller who worked 20 years at the National Weather
19 Service in Lincoln, in 2018, Doppler radar was distorted
20 for 15 minutes during the Taylorville tornado which they
21 attributed to the presence of a wind farm. Top Hat Wind
22 Farm has proposed installing a wind farm in Lincoln
23 Illinois close to Doppler radar. Top Hat agreed to shut
24 town the wind farms in severe weather. Kevin Lighty,

1 Chief Meteorologist at WCIA, was concerned about the
2 amount of time that it would take to shut them down. I
3 need just a minute to pull something up here.

4 MR. KAINS: Shelly, let's go off the record
5 for a minute.

6 (Off the Record)

7 MR. KAINS: Hang on, Ms. Coile. Right now
8 we'll go back on the record. You may proceed.

9 MS. COILE: Okay. While she's looking for
10 that, I also want to say that I am concerned with what
11 appears to be unethical conduct of Apex. Apex paid
12 people for a good neighbor agreement, again, with a
13 nondisclosure agreement. What are they afraid of? If
14 this is so great, why do you need to pay someone not to
15 speak ill of the project and why would you have to pay
16 neighbors at all? Apex told farmers that they might as
17 well sign the lease because their neighbor had done so.
18 The farmers that I spoke to found out by talking to
19 those neighbors that Apex had lied, that was not true.
20 To me it's a great marketing tool, but to me it's
21 unethical. Apex also approached an elderly woman living
22 in a proposed area requesting that she sign a lease and
23 when she declined, she was harassed. Apex even
24 approached her daughter and suggested that perhaps her

1 mother was not mentally able to make a good decision.
2 That concerns me. Apex handed out grants to those who
3 would be able to help them get the proposal passed. At
4 Mansfield, a grant was given to the American Legion
5 whose leader is John Hannah, our road commissioner. A
6 grant was given Northern Piatt County Fire Department.
7 The Village trustee, Todd Jones, is the fire chief and
8 would be voting on any Apex proposals that involve
9 Mansfield, like the proposal to be able to come into our
10 one and a half mile jurisdiction. Lucas Gilbert was
11 given a grant for his personal business, Lando's
12 Barbershop in Mansfield. Lucas is also a village
13 trustee who would be voting on the Apex issue. This is
14 a prime example of what appears to me to be unethical
15 practices and the last is perhaps a legal issue as well.
16 I was concerned also about the fact that Apex's sound
17 expert, I believe his name was Mr. Duncan, admitted
18 attending sound conferences, but he couldn't recall any
19 conversations in those meetings concerning sound and
20 health. I mean, really? This is an important health
21 issue and they've never discussed it? In conclusion --
22 did you find it? Sorry, I am not concluding yet. Okay.
23 Back to the Kevin Lighty thing. Kevin Lighty said on
24 November 16 on his Facebook post, "I rarely make

1 personal opinions on issues, but this one hits close to
2 home, so here it goes: *"I drove by the Lincoln Doppler
3 radar tonight after the meeting. I kind of feel bad for
4 it. It's going to be fighting through further
5 contamination from wind turbines. Let me rephrase that.
6 The meteorologists at the U.S. National Weather Service
7 Central Illinois will be fighting it. I hope the
8 curtailments wind up working. I am glad out of this
9 that maybe the schools or the jail or the roads or
10 something for the county gets improved by the money, but
11 I hope it's not the sacrifice of a life. I hope the day
12 never comes where someone at that office is put in a
13 position where they are unable to detect a tornado that
14 eventually goes on to destroy a city or, God forbid,
15 kill anyone. I hope I never have to look back at this
16 post and say I wish more could have been done."* That's
17 the end of his Facebook post. Okay. In collusion, Apex
18 is a development company. They're great at marketing,
19 but in my opinion, their actions are questionable in
20 terms of truth and ethical treatment. They pay to get
21 their proposals passed and feel the need for
22 nondisclosure deals. They often sell these projects
23 after completion which we've seen with Ford County.
24 What promises do we have that the new owners will

1 maintain safety issues? Do you really believe all of
2 the declarations from Apex about how concerned they are
3 and how they want to help Piatt County? Again, it's a
4 marketing technique. I'd love to know where they've
5 given money and grants to communities that they don't
6 happen to have a proposal in that area. What's going to
7 happen when federal subsidies expire? Who is going to
8 be responsible for decommissioning in case of bankruptcy
9 or lack of paying taxes? It is possible that it would
10 fall on the state, the county or the landowners? When
11 discussing job opportunities, yes, construction workers
12 would have perhaps eight months worth of work, but it's
13 temporary work. After completion, Apex would have
14 approximately half a dozen employees. Are they
15 full-time, are they part-time? I don't believe this
16 temporary number and minimal number of jobs would offset
17 the detrimental affects of the wind farms. I'm
18 concerned about me and my neighbors health, property
19 value, and the Vesta stigma that this proposal would
20 create. I do believe in renewable energy like nuclear
21 and solar. A few weeks ago, the zoning board was
22 discussing a solar farm. I was here that night. We
23 were informed that the height of the solar panels
24 wouldn't be higher than 16 feet and, you know, the board

1 discussed ways to hide these panels by planting trees or
2 other coverage. There is no way that you can hide a
3 600-foot wind farm, let alone, 50 of them. I had
4 attended zoning meetings that looked at the possible
5 building of a house. You've all talked about grain
6 elevators, solar plants. Each time the zoning board
7 considers the long-term issues concerning the peace and
8 enjoyment of their neighbor's life. I am asking you,
9 the zoning board, to deny this wind farm proposal. I
10 really would like to thank our moderator, the Zoning
11 Board of Appeals, the Piatt County members and really
12 all of the citizens who have shared their voices both
13 pro and con on this issue. Done.

14 MR. KAINS: Thank you, Ms. Coile. Questions
15 for Ms. Coile from the Zoning Board of Appeals?
16 Questions from members of units of local government
17 including school districts? Questions from interested
18 parties represented by licensed attorneys? Mr. Jacobi?

19 EXAMINATION BY

20 MR. JACOBI:

21 Q. Thank you, Ms. Coile. You currently live
22 within the corporate boundaries of Mansfield?

23 A. I actually live in the city limits. I am the
24 last road in the city limits. On my side of the street,

1 on the east side of the street, is the city. On the
2 left side of the street, is the county. So.

3 Q. Got it. You said you're retired from AT&T?

4 A. I am retired from AT&T after 35 years.

5 Q. Good for you.

6 A. Thank you.

7 Q. What was your role there before you retired?

8 A. I've done a lot of things.

9 Q. I'd imagine in 35 years that you've covered a
10 lot of ground?

11 A. Actually, I was an installer repair person, I
12 climbed telephone poles, I've went in manholes, I've
13 worked the cables, I worked on the aerial lines, I did
14 all of it. I retired as a manager for special services
15 and training and development. I did training and
16 development.

17 Q. You mentioned that folks would opt to have the
18 fiber optic cables buried under their yards?

19 A. It's not just fiber optics. It was before
20 fiber optics even. It was just for regular cable. We
21 got to the point in the subdivisions, in the new
22 subdivisions that we were putting in, we put everything
23 underground. You see little green pedestals that are
24 three-foot tall and that's only footprint you see. You

1 don't see the cable going to the pedestal, nor do you
2 see the wires being buried to the homes.

3 Q. Got it. So these were the telephone lines?

4 A. That's correct. And after that, you know,
5 maybe even during that, other utilities did the same
6 with electrical, you know, cable, they all went
7 underground.

8 Q. Well, not all of them. There are still some?

9 A. True, true. Where they could, they did. Yes.

10 Q. Got it. You have mentioned a lot about real
11 estate. Are you -- do you have a background in real
12 estate?

13 A. Actually, I am no expert in real estate. I'm
14 just someone who is worried about my property values and
15 I spoke to a number of people concerning that.

16 Q. I understand. I didn't catch the gentleman's
17 -- Steve's last name that you spoke of?

18 A. Yes. I'll tell you. Steve -- I think his
19 name was Littlefield, I think. Maybe. I'll find him.

20 Q. I know the Taylor's, of course, being from
21 Mahomet.

22 A. Yes. You know Russ Taylor. Yes, it was Steve
23 Littlefield's presentation and he works for Keller
24 Williams. He was at the Champaign meeting when I went

1 there to try and figure out what was going on with this.

2 Q. He spoke of properties out by Danville, you
3 said?

4 A. That's correct.

5 Q. You quoted a lot from Mr. Hartke who also
6 spoke at this Champaign meeting?

7 A. Yes. He spoke at the Champaign meeting and
8 that was the first time I had heard him. I then read
9 his presentation online and he spoke here to the board.

10 Q. You spoke a little bit of Doppler radar and
11 that's not a subject that you're an expert, but you're
12 relying on some of the communications by Mr. Lighty?

13 A. Yes. It was just really concerning. I was
14 trying to educate myself on the different issues and
15 that was something that came on Channel 3 News. They
16 were talking about all of these issues. So, no, I'm not
17 an expert, but I know that Kevin Lighty is an expert and
18 so I appreciate his opinion.

19 Q. Sure thing. It sounded like his
20 recommendation was to curtail during severe weather; he
21 thought that would help?

22 A. As long as they can do it in time.

23 Q. Got it.

24 MR. JACOBI: Thank you. No further questions.

1 MR. KAINS: Thank you, Mr. Jacobi. Any other
2 questions from licensed attorneys in the room?
3 Questions from other interested parties, persons in
4 support or neutral on the application? Questions from
5 Piatt County staff or consultants? Any questions from
6 you, Mr. Leutkehans?

7 MR. LUETKEHANS: No, sir.

8 MR. KAINS: Very good. Final questions from
9 the Zoning Board of Appeals for Ms. Coile? Very good.
10 Ma'am, thank you. We'll try to get one more in, maybe
11 two. Susan Ryan. Ms. Ryan, do you wish to testify and
12 have time or just make a three-minute public comment?

13 MS. RYAN: I can't do this in three minutes
14 so.

15 MR. KAINS: Very good. That's understood.
16 Absolutely. Then could you please raise your right hand
17 and be sworn.

18 EXAMINATION BY

19 MR. KAINS:

20 (Witness Sworn)

21 Q. Could you please state your name, spelling
22 your first and last names for the record.

23 A. Susan Ryan. S-U-S-A-N, R-Y-A-N.

24 Q. Very good. And where do you reside?

1 A. I am in De Witt County.

2 Q. You're in De Witt County?

3 A. Yes.

4 Q. What community up there?

5 A. Farmer City.

6 Q. Farmer City?

7 A. Northern Farmer City.

8 MR. KAINS: Northern Farmer City. All right.

9 Well, under the rules, you have 15 minutes.

10 COMMENTS BY MS. RYAN:

11 MS. RYAN: Okay. Thank you.

12 MR. KAINS: All right. You may go ahead.

13 MS. RYAN: Thank you, Chairman Wax, the Zoning

14 Board, Mr. Kains and Keri for your time and good

15 efforts. My great-great-grandparents farmed in what was

16 then called North Prairie, north of Farmer City. My

17 farming family has been there ever since. My family's

18 hope is that we can continue our family farm

19 stewardship. My grandfather grew up in Mansfield moving

20 to Farmer City to farm with my grandma. My classmates

21 and I were the first graduating eighth-grade class in

22 Mansfield of the newly consolidated Farmer

23 City-Mansfield School District. These are my roots.

24 Our farmhouse is a quarter of a mile from the De

1 Witt-McLean County Line and about three-quarters of a
2 mile from two Invenergy wind towers. To share our
3 proximity to the McLean County wind towers, we were even
4 given a receptor number for latest South McLean County
5 wind tower complex covering 14,000 acres of our
6 landscape. You have a map and a footprint of the space
7 in Illinois that takes up -- I have to apologize about
8 that. I didn't realize it was going to be, like,
9 testimony with my handouts. Anyway, I just wanted to
10 emphasize the footprint. We, in De Witt County, had no
11 voice in the industrial activities less than a mile from
12 our home. Our farm is about mile or so from the Piatt
13 County line to our north and our east. So that's why I
14 am here tonight. We've had a great deal of Invenergy
15 work traffic on our little country road. It's a short
16 cut to find the road and the client there. In the
17 morning, many come in northwards from, specifically,
18 I-74. The union people who spoke here the other night
19 gave their home addresses. I am assuming that the union
20 hall and Apex tried hard to bring in the right people
21 for these Piatt County meetings. But, I believe, there
22 wasn't quite a handful the other night that were Piatt
23 County residents. It seems that many of these workers
24 travel and work across the states. Dr. Loomis's models

1 show 585 local Piatt County jobs during construction.
2 Dr. Loomis also testified for Enel in De Witt County.
3 He was definitely on the friendly side with Enel where
4 he surely could have received real De Witt County job
5 numbers from them. De Witt and Piatt Counties would be
6 comparable for expert testimony here. That was, if you
7 wanted those real numbers, instead of models. Our two
8 youngest boys farm and this year they've been working
9 around McLean County with actual wind tower construction
10 going on in Farmer City. I'd like to share some of our
11 experiences with Invenergy and White Construction in
12 McLean County as we've been told to look at that
13 construction as the Apex model. Route 136 road damage
14 was brought up earlier in this hearing and 136 was
15 closed during part of harvest season north of Farmer
16 City. It was best guess work around for traveling grain
17 trucks and farm machinery. Farmers north of Farmer City
18 also learned they needed to be extremely cautious
19 harvesting in those wind tower fields because the
20 rubble, such as wood pallets, that were left in the
21 field. Combines and heavy debris in the field are not a
22 good combination. In at least one field during harvest,
23 the underground cable that wasn't underground yet was
24 laying in the field with no flags or other safety

1 warnings surrounding it. The farmers worked around it.
2 Apex's Safety Expert Mr. Conley and Vice President Mr.
3 Koziar, minimized the field fire concerns by, "Just
4 letting it burn." Developing self-contained wind tower
5 fire prevention doesn't sound like a priority. Apex can
6 grandly pay for crop fire damage their towers cause, but
7 there are homes, animals and people in the midst of a
8 fast-moving and devastating field fire too. Perhaps
9 last Thursday night, Apex's Vice President Koziar was
10 speaking of the workers' safety, not the residents
11 regarding safety priorities. Concerns about the road
12 slope on these roads are real too. In De Witt County
13 with the Enel Project on Tabor Road, a gravel hauler
14 went off the side of the road because of the steep slope
15 and overturned. This was during planting season. You
16 can see a picture posted by an anonymous footprint
17 resident on the Facebook page, *De Witt County Residents*
18 *Against Wind Turbines* warning folks to be careful of
19 them. The search tool on that page is useful. There is
20 lot of helpful Central Illinois information about these
21 wind tower companies and their projects. White
22 Construction wrapped up about 50 road use -- misuse
23 penalties during the De Witt County construction. You
24 have the article provided. They will pay dearly in

1 fines, but they have the money. Just not
2 accountability. White Construction was unused by Enel
3 in De Witt County and then Grenergy in McLean County.
4 Apex would use White Construction too if this permit was
5 approved. Why do these companies continue to hire White
6 Construction with such disregard for local laws that we
7 have to follow? I do appreciate the personal stories
8 from the leaseholders here and I don't disregard the
9 money gained from their leases, but I wasn't crazy about
10 being lectured by a Northern Illinois University law
11 professor about what the rest of us rural folks should
12 be doing for the common good. Central Illinois farmers
13 know how to be good stewards of the land. It's our
14 livelihood. Parking some 30,000 tons of concrete per
15 turbine in the black dirt isn't appealing to me.
16 Checking out four feet of surface concrete leaving most
17 behind is even less appealing, if decommissioned. It's
18 a bit ironic to hear Apex with their conservation kudos
19 when their experts tell us the trees should be cut down
20 and habitats destroyed to keep birds and wildlife away
21 in the footprint. Permits for killing birds and bats
22 seem to be standard practice in the wind industrial
23 complex industry. It was mentioned by Mr. Brown in his
24 testimony. I also get tired of hearing from these wind

1 tower company experts that we don't have much of
2 anything in wildlife worth worrying about. I shared the
3 photo of the eagle in the field in Macon County with
4 you. That's by Radford's Run. We also had a bald eagle
5 in our field about a mile from the turbines and we have
6 a rough-legged hawk that comes every year from the
7 Arctic to winter. We have wildlife. There are many
8 citizens science projects such as the Bird Count
9 Project, Project Feeder Watch, Journey North and Journey
10 South, collaborations between scientists and residents.
11 I wish Mr. Brown had also used these resources, but
12 maybe it wasn't providing results he needed for his
13 report. In De Witt County, NL's experts also didn't
14 seem to have comprehensive answers. Their environmental
15 experts didn't even know of the Mahomet Aquifer when
16 first asked, despite seemingly studying groundwater
17 concerns. Apex's environmental experts, Ms. Geiger and
18 Mr. Brown were also unaware of our Mahomet Aquifer and
19 the potential affects for our groundwater and wells.
20 Strangely, we were told to wait until the Construction
21 Project Manager, Mr. Carlson, could respond and answer.
22 We heard from both lawyers, Gershon and Mr. Carlson,
23 about what they considered needless worries about the
24 Mahomet Aquifer with pretty much crickets from their

1 environmental experts. We're still discovering more
2 about the aquifer. The guided surveys just beginning
3 here was covered on November 15 on WCIA news. I think
4 you have some information about that in there too. The
5 2018 Mahomet Aquifer Task Force Report referenced a bit
6 by Mr. Gershon, also released this, *Topics suggested for*
7 *future review. The Task Force requested future studies*
8 *on potential contamination from drilling and the*
9 *potential of affects of wind mills on ground water.* You
10 have that excerpt. Please give this aquifer study more
11 time concerning one of our most precious resources, our
12 water. Flashing lights and towers loom over our north
13 horizon for miles and miles. In De Land, a turn onto
14 the De Land blacktop towards Farmer City allow you to
15 see the towers three-quarters of a mile from my house.
16 Between Mansfield and Farmer City traveling on I-74, the
17 north view is a brutal sight. We have Christmas lights
18 to the north every night of the year. Enjoying the
19 night sky is something we face south or west to do now.
20 An open door policy was promised by Enel. Daily
21 construction reports were to be provided for the
22 footprint residents in De Witt County. They were not.
23 After the residents were informed of the road condition
24 and found no way to or from work, it was a solid mess.

1 The other night, the Logan County gentleman told us all
2 about the financing benefits from the wind towers. Blue
3 Ridge School District built new schools before Apex came
4 along. With that said, it would be great to have more
5 money in our rural counties, I can't discount that. But
6 at what price? Pertaining to Logan County, the National
7 Weather Service in Lincoln, the Lincoln Center is our
8 regional weather service. I won't go into what was
9 already mentioned by Kevin Lighty. I have that quote,
10 but it's already been read so I'll spare you. It's
11 important though. He's the Chief Meteorologist for
12 Channel 3. So Kevin Lighty, the Chief Meteorologist for
13 WCIA and Chris Miller who is the Warning Coordinator
14 Meteorologist for Lincoln -- was the Warning Coordinator
15 Meteorologist for the Lincoln National Weather Service.
16 Both testified at the Logan County hearings and Chris
17 Miller was the Warning Coordinator Meteorologist until
18 he retired last year and he can now talk with no
19 limitations on his expertise. The National Weather
20 Service policy is to neither support nor disapprove of
21 wind towers, along with all the other governmental
22 agencies you've heard of not protecting us. Whether
23 they have an updated wind tower statistics incident
24 report, they're acting like a chamber of commerce. The

1 government entity's job is to protect us. So WCIA
2 interviewed former National Weather Service Warning
3 Coordinator Chris Miller on November 11 and he said,
4 "The storm that made the 2018 Taylorville tornado pass
5 right through a wind farm in northwest Macon County" --
6 that was the Radford's Run wind farm and I'm sorry if
7 I'm repeating this, but it's just one sentence -- "but
8 when it did that, the Doppler radar velocity images were
9 corrupted. They were unusable for 15 minutes." This is
10 called radar data contamination from wind turbine
11 clusters also known as wind farms. Radar data
12 contamination. So that storm that went through
13 December 1, 2018 also traveled northeast through De
14 Witt, into Le Roy, into Moraine View State Park causing
15 significant damage all along the way. It was with
16 little warning because of the radar data contamination.
17 Over 1,200 signed a petition opposing Logan County's Top
18 Hat Energy Project because of the potential problems
19 caused to the radar compromising our Central Illinois
20 regions timely weather news. After Lighty and Miller
21 and many other's opposing testimony, the Logan County
22 Board still passed this special use permit for the Top
23 Hat Project. Listing the various experiences, seeing
24 the lack of answers from many of the wind company

1 experts, hearing the conflicting information when they
2 do answer that opposes common sense is troubling. We
3 had the same in the De Witt County hearings. Then the
4 next election after the announced special use permit was
5 approved, De Witt County voted out most of the board
6 members that approved that Enel Project. As of last
7 week, after a couple voting cycles, they are now all
8 gone. The De Witt County RBC and ZBA have poured over
9 the wind and solar ordinances to try and fix them after
10 lessons learned from the Alta Wind Tower construction
11 problems. I understand you here have been marking the
12 De Witt County blunders to prevent the same. I'm glad
13 Terry testified. He did not vote for the project and he
14 -- I am glad he spoke here tonight. I shared the images
15 of the footprint map. That Apex's website page, though,
16 it caught my eye, I'm sharing the handout because it
17 emphasizes -- it was over 600-foot wind towers covering
18 the footprint. In the lower left-hand corner of that
19 Apex page, there's a red dot on the State of Illinois
20 map showing the magnitude of this project from 610 feet
21 up and across the landscape. It's not just that project
22 that's connecting to McLean County, it's just connecting
23 the dots across our countryside.

24 MR. KAINS: Ms. Ryan, with all due respect,

1 you have one minute remaining.

2 MS. RYAN: Thank you.

3 MR. KAINS: Thank you.

4 MS. RYAN: Current federal and Illinois State
5 policy provides incentives to decarbonize electric
6 generation, transportation in home, office heating
7 sectors supplying all the needed electric power for
8 renewable sources. With the percentage of actual wind
9 and solar output below 50 percent of the rated output,
10 we will still rely on fossil fuel, renewable power to
11 supply the grid likely buying it from other states at a
12 premium like California does. Yet the tax funded
13 incentives to build remain. If Piatt County officials
14 think that this project won't be followed by another and
15 another and another, such as in McLean and Logan
16 Counties, they should consider those current incentives
17 that will bring the wind and solar companies back again
18 and again once their nose is under the tent. There are
19 many ways to describe the county covered end to end with
20 these projects and rural character is not one of them.
21 Thank you.

22 MR. KAINS: Thank you, Ms. Ryan. Questions
23 for Ms. Ryan from members of the Piatt County Zoning
24 Board of Appeals? Questions for this witness from

1 members of units of local government including school
2 districts? Mr. Jacobi?

3 MR. JACOBI: Thank you, Ms. Ryan. No
4 questions.

5 MR. KAINS: Very good. Thank you. Questions
6 from other interested parties, members of the public in
7 support of or neural on the application? Questions from
8 Piatt County staff and consultants? Mr. Luetkehans?

9 MR. LUETKEHANS: No, sir.

10 MR. KAINS: Very good. Thank you, Ms. Ryan.
11 One more. Kate Rutherford, please. Ms. Rutherford,
12 would you like to testify or would you like to make a
13 three-minute public comment?

14 MS. RUTHERFORD: I didn't clock myself. So I
15 think for safety, we better go for testify. It
16 shouldn't be too long.

17 MR. KAINS: Please raise your right hand and
18 be sworn.

19 EXAMINATION BY

20 MR. KAINS:

21 (Witness Sworn)

22 Q. Could you please state your name for the
23 record, spelling your first and last names.

24 A. Yes. Katherine Rutherford, K-A-T-H-E-R-I-N-E,

1 R-U-T-H-E-R-F-O-R-D.

2 Q. And Ms. Rutherford, this indicates you are
3 from White Heath; is that correct?

4 A. Correct.

5 Q. And in what county does that lie?

6 A. Piatt County.

7 Q. Very good.

8 MR. KAINS: Then you, if you would like, have
9 45 minutes.

10 COMMENTS BY MS. RUTHERFORD:

11 MS. RUTHERFORD: Thank you. I want to start
12 by thanking the board for all of their hard work and
13 time. You should all actually already have a copy of
14 this letter that I am about to read. I dropped it off
15 at one of the first meetings in November, not sure if
16 I'd be able to come back on the night when it was time
17 for the residents opposed to read. But I am back and
18 very pleased to have the chance to read to you now. To
19 the Piatt County Zoning Board of Appeals. My name is
20 Katherine Rutherford and my husband and I own and reside
21 at 3 River Valley Ranch in White Heath. We are located
22 just outside of the Goose Creek Wind Project area. That
23 would be approximately 2.18 miles from Tower 44 and
24 2.45 miles from Tower 64. We are at a distance such

1 that, if this project is passed, I hope that the impact
2 on us will be limited to a changed neighborhood view and
3 potential future tax liability for decommissioning.
4 Moreover, I have serious concerns for the rights of
5 non-participating property owners, residents and the
6 wildlife that are in the project area. In the county's
7 zoning ordinance, there is a list of items that the
8 board may prescribe conditions upon to insure that
9 they're upheld before recommending the issuance of a
10 special use permit. Amongst this list are many items
11 that the Goose Creek Wind Project will violate and no
12 prescribed condition can reasonably insure against these
13 violations. They are as follows from the zoning
14 ordinance: "The establishment, maintenance or operation
15 of the special use will not be detrimental or endanger
16 the public health, safety, morals, comfort or general
17 welfare." Public health: The stress and sleep
18 disturbance caused by proximity to industrial wind
19 turbines is a highly debated topic which means it is not
20 completely understood as of yet. That alone should give
21 us pause when considering placing turbines as close to
22 residences as are planned in this project. Safety:
23 Turbines will bring an increased risk for fire and other
24 issues such as ice throw. It is especially concerning

1 that a fire in a turbine cannot be extinguished due to
2 the height, but must be monitored and secondary fires
3 fought until it goes out on it's own. In addition, it
4 is easily demonstrated that wind farms interfere with
5 weather Doppler radar function, even if turbines are
6 shut off within a certain amount of minutes of
7 notification by the National Weather Service. That is
8 time lost for interpreting data and sending out
9 necessary warnings that may save lives. Comfort:
10 Shadow flicker is recognized as an issue by Apex such as
11 that they have proposed limits on the amount of time
12 shadow flicker may be on a residence each day. The
13 practical reality is that people are working on and
14 enjoying their property outside of their homes where
15 there will be no limits on shadow flicker duration.
16 General Welfare: Local crop dusting businesses will
17 have their work impeded and farmers, both participating
18 and non-participating, may lose the option of aerial
19 application and products. In addition, the wildlife in
20 the area will be detrimentally affected. Increased
21 death with bats and birds, including eagles, is expected
22 to occur. Back to the zoning ordinance: "The special
23 use will not be injurious to the use and enjoyment of
24 other property in the immediate vicinity for the

1 purposes of already permitted nor substantially
2 diminished and impaired property values within the
3 neighborhood." Use and Enjoyment: As mentioned above,
4 shadow flicker is a problem. In addition, nearby
5 properties will have the addition of the sight and sound
6 of turbines to the peace, quiet and rural agriculture
7 views they currently enjoy. For many, and certainly
8 from those receiving no income from these turbines, that
9 will substantially decrease the enjoyment of their
10 property. Property Values: While the value of the
11 parcel containing the income-producing turbine may
12 increase, it is common sense that a nearby parcel will
13 have a decrease in value. The pool of prospective
14 buyers for the property will be reduced due to exclusion
15 of those who do not want to live in the proximity of an
16 industrial wind turbine. An optimistic interpretation
17 is that days on the market may increase, but in reality,
18 reduced buyers means decreased demand for the property
19 which will translate into reduced property value.
20 Here's the last portion from the zoning ordinance: "The
21 establishment of the special use will not include the
22 normal and orderly development and improvement of
23 surrounding property for uses permitted in the
24 district." Development and Improvement: In surrounding

1 property, wind turbines have the potential to encroach
2 on neighboring properties preventing those landowners
3 from building on or using their own land if desired.
4 This encroachment may be caused by dictated safety zones
5 surrounding the turbines, but alternatively, a property
6 owner's personal concerns regarding the safety of people
7 or livestock may alter or prevent plans for structures
8 they would have otherwise built. In collusion, the
9 proposed Goose Creek Wind Project will be detrimental to
10 Piatt County and it's residents on many levels: Safety,
11 property use and property values will be especially
12 affected. As a concerned resident, I ask that the
13 Zoning Board of Appeals vote no on it's recommendation
14 regarding the Goose Creek Wind Project special use
15 permit application. Thank you.

16 MR. KAINS: Thank you, Ms. Ryan. Questions
17 for this witness from members of the Piatt County Zoning
18 Board of Appeals? Yes, Mr. Harrington.

19 MR. HARRINGTON: Thank you.

20 EXAMINATION BY

21 MR. HARRINGTON:

22 Q. Thank you for your testimony. I heard you say
23 you were 2.8 miles from Tower 44?

24 A. Yes -- so, well, I looked at the Apex map and

1 I used Google maps and I did the best I could.

2 Q. I understand. I'm not trying to tie you down.
3 I'm just trying to get a grip on where you're at. Can
4 you give me your address?

5 A. 3 River Valley Ranch.

6 Q. Okay. 3 River Valley Ranch?

7 A. Yes. Near the Sangamon River.

8 Q. I gotcha. So T-44 and T-64 are the two
9 closest to you; is that right?

10 A. Yes.

11 Q. I gotcha. All right. Thank you.

12 MR. KAINS: Any other questions for Ms.
13 Rutherford from members of the Zoning Board of Appeals?
14 Questions for this witness from members of units of
15 local government including school districts? Questions,
16 Mr. Jacobi?

17 MR. JACOBI: Thank you. No, sir.

18 MR. KAINS: Very good. Questions from any
19 other licensed attorneys in the room? Questions from
20 other interested parties, persons in support of or
21 neutral on the application? Questions for Ms.
22 Rutherford from Piatt County staff and consultants?
23 Anything from you, Mr. Leutkehans?

24 MR. LUETKEHANS: No, sir.

1 MR. KAINS: Very good. Ms. Rutherford, thank
2 you very much. It's 23 minutes after 9:00. We are
3 going to come back tomorrow night. As a matter of a
4 road map for tomorrow evening, the Piatt County Board
5 has retained the services of an engineer and he has done
6 a report and will present brief testimony on that
7 tomorrow night at 6:00. Following him, the board, while
8 we have somebody considered an expert witness following
9 him, the board has opted to recall several witnesses who
10 have already testified. Dr. David Loomis, Mr. Adam
11 Carlson and Mr. Scott Koziar. They will be questioned
12 -- they've already testified in this hearing. The board
13 has the opportunity to recall them if the board has
14 additional questions. There will not be any opportunity
15 for folks to cross-examine them. They've already been
16 cross-examined. These are just questions from the
17 Zoning Board of Appeals. It will be a very limited time
18 of questioning from the zoning board then after those
19 experts testify, then we will get back to persons in
20 opposition and then persons neutral on the application.
21 When you get here tomorrow night, if you have not
22 testified yet and wish to do so, there is a -- we'd ask
23 that you sign in on those sheets. We are going through
24 all of the sign-in sheets from all of the previous

1 eleven nights to make sure we don't miss anybody. But
2 if you could do us the favor of, when you come in
3 tomorrow night, if you have not already testified or
4 spoken in a way of public comment, you may if you could
5 please, sign in on the sign-in sheet that Keri will have
6 there for everyone. It is my hope and I think it's
7 everyone's hope, that we have ample time for folks to
8 testify tomorrow night, folks in opposition and folks
9 who are neutral. Once we have that conducted, then we
10 will take up the matters of admission of exhibits. Then
11 we'll accept written comments that have been made.
12 There have been some letters and numerous e-mails. We
13 will not be reading the comments, the written comments,
14 out loud. They will -- they have been copied and will
15 be submitted to the board members. I will, however,
16 read the names of all persons who have submitted
17 something in writing to us. Hopefully, we can get
18 through all of that tomorrow night because Wednesday
19 night we are hopeful to have closing statements from the
20 attorneys for the applicant and also from Mr.
21 Leutkehans. If we don't get through everybody tomorrow
22 night, we'll take them up on Wednesday night because we
23 want everyone to be heard. With that, Mr. Chairman with
24 your consent, we are in recess until tomorrow night at

1 6:00 in this very building in this very room.

2 MS. NUSBAUM: We do not have to tear down
3 tonight.

4 MR. KAINS: In this room and we don't have to
5 tear down. This board is in recess. Thank you.

6 (Whereupon, Recess Taken)

7 (Whereas, which were all proceedings
8 had and transcribed for this date.)

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IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
DOUGLAS COUNTY, ILLINOIS

CERTIFICATE OF REPORTER

I, MICHELLE D. NIHISER, CSR #084-004615, an
Official Court Reporter for the Circuit Court of Douglas
County, Sixth Judicial Circuit of Illinois, reported in
machine shorthand the proceedings had on the hearing 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
before the Piatt County Zoning Board of Appeals for the
Goose Creek Wind Application.



Official Court Reporter

Dated this 20th day
of December 2022.

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