

In The Matter Of:
McLEAN COUNTY ZONING BOARD OF APPEALS

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Area Wide Reporting and Video Conferencing

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1 Creek. It seems like that's awfully close.
 2 **CHAIRMAN FINNIGAN:** I agree with you on
 3 that point, but it was kind of brought out, too,
 4 that the reason they did that was to keep it further
 5 away, as far as they could away from a residence.
 6 **MS. TAYLOR:** Yes, again I --
 7 **CHAIRMAN FINNIGAN:** And there's some
 8 discussion about who has jurisdiction on that, and
 9 is that something we could get -- is it something we
 10 need to worry about who has jurisdiction over it,
 11 the water district or us?
 12 **MS. TAYLOR:** The drainage district, right.
 13 **MS. WALLEY:** So your question was about
 14 controlling the drainage district; is that --
 15 **CHAIRMAN FINNIGAN:** No, I'm not going to
 16 control the drainage district I don't think, but my
 17 question would be is, you know, what we say, will it
 18 be something that's upheld or what they say?
 19 **MS. WALLEY:** Well, what I can tell you is,
 20 and I think you guys have all been provided a copy
 21 of what we look at with regard to the wind energy
 22 towers and the standards that have been adopted.
 23 Under it is OO(2)(a), I believe it's the first page
 24 that you received, you heard there was a lot of talk

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1 about the drainage districts having easements with
 2 regard to the drainage ditches, the levies, those
 3 sorts of things. The OO(2)(a) says: No building or
 4 tower that is part of a WECS shall encroach onto any
 5 recorded easement prohibiting the use of said
 6 easement unless the grantees of the easement have
 7 given their approval. To that extent, there's a
 8 little interplay with what decision you may come to
 9 and any easements a drainage district would have on
 10 a ditch, so those would have to be honored. If they
 11 are, in fact, recorded and in place, those would
 12 have to be honored irrespective of whatever decision
 13 is made today. Does that make sense?
 14 **MR. DEAN:** Yes. If the drainage has an
 15 easement, if we say they can have one there --
 16 **MS. WALLEY:** That the easement would
 17 control, yes.
 18 **MR. DEAN:** Okay, thank you.
 19 **CHAIRMAN FINNIGAN:** Does that help you,
 20 Mary Beth?
 21 **MS. TAYLOR:** Yes, yeah, I -- my overall
 22 concern is the tendency to try to I think -- I hope
 23 that in the future applicants will try as closely as
 24 possible to adhere to the recommendations of the

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1 IDNR knowing that they are recommendations rather
 2 than regulations, but, you know, it's just an
 3 overall concern of trying to -- trying to stay away
 4 from streams as much as possible. And I know those
 5 things are difficult.
 6 **MS. TURNER:** I do think it's -- it's a
 7 positive that they are doing a study. There's two
 8 concerns with being close to the stream, what it's
 9 doing to the wildlife in there and also the drainage
 10 and how it affects the stream in being that close.
 11 **MS. TAYLOR:** Right, yeah, absolutely the
 12 study would be a big benefit.
 13 **MS. TURNER:** So I feel like a few of the
 14 major things we need to discuss, and, Jim, I would
 15 be happy for you to pick the order of that --
 16 **CHAIRMAN FINNIGAN:** Nope.
 17 **MS. TURNER:** -- is the IDNR
 18 recommendations versus what they're asking to do. I
 19 think we do need to talk about property valuations,
 20 how we feel about what was presented to us, and the
 21 noise factor and what that means overall for the
 22 project and what types of things we need to be
 23 putting in there on that.
 24 **MR. DEAN:** Pick one, is that what you're

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1 saying?
 2 **MS. TAYLOR:** Would you list those again?
 3 **MS. TURNER:** The IDNR recommendations
 4 versus what they're saying, the property valuations
 5 and that study and how we interpret those, and then
 6 also the noise.
 7 **MS. TAYLOR:** Noise, okay.
 8 **MR. DEAN:** Let's just start with the
 9 noise. We've heard all the three sigma, all that,
 10 which kind of confused me a little bit, but in the
 11 end, I think that the applicant has been
 12 conservative in their estimates using the .5 as the
 13 base for the surface. And to be frank about it,
 14 I've been around the wind farms more this last -- I
 15 visited a couple of them, and I don't really find
 16 them to be oppressive. I know that's not -- that we
 17 didn't hear that in the testimony, so we'll talk
 18 about what's in the testimony.
 19 The applicant has, I think, shown us that
 20 they've kept the noise level down there and
 21 they've --
 22 **CHAIRMAN FINNIGAN:** Pull the mic a little
 23 closer.
 24 **MR. DEAN:** -- and they've used

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1 conservative estimates.
 2 **CHAIRMAN FINNIGAN:** That's a lot better.
 3 **MR. DEAN:** Okay.
 4 **MS. TURNER:** I would agree with you. I
 5 think, I think it's -- I think it would only be
 6 fair, if we're going to ask them to do studies for
 7 fish and mussels, that maybe we put it out there
 8 that they come back after they have everything up
 9 and actually measure the sound from a few locations,
 10 you know, the closest locations to homes, and report
 11 back to us. That way we know. We've done nothing
 12 to at this point verify the information that they've
 13 given us, and I think that that's what our public is
 14 telling us, that we've got estimations but we don't
 15 have any actual readings, so what about that as a
 16 stipulation?
 17 **MR. DEAN:** I think that would be
 18 appropriate.
 19 **CHAIRMAN FINNIGAN:** Well, there was some
 20 pretty --
 21 **MS. TAYLOR:** I agree.
 22 **CHAIRMAN FINNIGAN:** -- bold statements
 23 about, you know, the levels, taking the turbine at
 24 full power load 24 hours a day aimed at the houses,

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1 and I think they need to back that up. I'm in full
 2 support of that, coming back and doing a study and
 3 just seeing if they're right. And if they're that
 4 adamant that they are right, they shouldn't be
 5 afraid of doing it. And if they're not, they're
 6 going to have to remedy the problem.
 7 **MS. TURNER:** I think this is especially
 8 important because we are reaching our max height on
 9 these, and we've heard this while -- just here
 10 before, we don't know, these are bigger ones and
 11 they haven't really used them, we haven't seen a lot
 12 of them live, so I think it's only appropriate to do
 13 that. And then there's an assumed risk on their
 14 part. If they're putting minimum limits on some of
 15 these, maybe they'll think twice if they know they
 16 have to come back and measure to make sure that
 17 they're going to meet, if they're second-guessing or
 18 if they are playing the numbers game, which I don't
 19 think they are, but this would just be a chance for
 20 them to show that.
 21 **MS. TAYLOR:** And would be some very
 22 interesting information for the whole issue of wind
 23 turbines and -- yes.
 24 **MR. DEAN:** Would you be suggesting we

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1 stipulate that they come back and measure sound from
 2 25 percent of the turbines or 30 percent?
 3 **MS. TURNER:** I think they should measure
 4 from the five highest that they've indicated, the
 5 five highest noise level residents that they've
 6 indicated in their information to us. What do you
 7 think about that?
 8 **MR. DEAN:** So that would be 10 percent
 9 approximately.
 10 **MS. TURNER:** Roughly, yeah.
 11 **CHAIRMAN FINNIGAN:** One thing we'd have to
 12 get is cooperation from the people with the property
 13 also. I mean, so if they won't let them -- you
 14 know, we've heard, we heard testimony from Mr.
 15 Hartke that he wouldn't let them come back and do a
 16 study at his house, which that kind of lessened
 17 credibility with me, but, you know, the people are
 18 going to have to cooperate to have this done, so,
 19 you know, it's going to be on both sides.
 20 **MR. DEAN:** Appears to me that would just
 21 let the wind farm off the hook if they refused to
 22 participate, right, they couldn't measure?
 23 **CHAIRMAN FINNIGAN:** That's what we think,
 24 but I'm not sure -- I mean, but I don't know that we

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1 can require them to. I mean I think it would be to
 2 their benefit to know what the noise is.
 3 **MS. TURNER:** Yeah, but in no way can we
 4 require a homeowner to let them on there. I mean
 5 that would be, of course, if the homeowner agrees to
 6 have that done. And if not, then I'm not sure what
 7 else we can do.
 8 **CHAIRMAN FINNIGAN:** Well, that was my
 9 point. I just said we can't force the people to do
 10 it, but I think it would be to their benefit to do
 11 it. I don't know, you can't get in somebody else's
 12 mind to know what they're thinking.
 13 **MS. TAYLOR:** But can we force the
 14 applicant to do something?
 15 **MS. TURNER:** Yes.
 16 **CHAIRMAN FINNIGAN:** Yes.
 17 **MS. TAYLOR:** Okay.
 18 **CHAIRMAN FINNIGAN:** While we're talking
 19 about noise, do we want to talk about any particular
 20 turbines?
 21 **MR. DEAN:** We could. In testimony from
 22 the opposition, there's a few turbines that we've
 23 kind of -- I've looked at and thought if they could
 24 be moved it would be beneficial. One thought I've

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1 had is perhaps moving these back to 2,000 feet, and
 2 that would be turbine 83, 85, 95 and 97. The first
 3 three were close to Mr. Taylor's home and the last
 4 one was fairly close to Mr. Jolly.
 5 **MS. TAYLOR:** How many feet did you say?
 6 **MR. DEAN:** 2,000 is what I think. We can
 7 take it from 1500 to 2,000. And these are all set
 8 at 1500, correct, as the closest?
 9 **CHAIRMAN FINNIGAN:** 1600 I think.
 10 **MR. DEAN:** Is it 1600?
 11 **MR. DICK:** 1650.
 12 **MR. DEAN:** Okay.
 13 **MR. BANGERT:** And that would also address
 14 shadow flicker on at least the Travis property.
 15 **CHAIRMAN FINNIGAN:** I'd be in favor of
 16 doing that. I think he's, he definitely is impacted
 17 with -- he's the one that seemed like he got the
 18 most of the towers, you know, around his property
 19 and it seems like that would be reasonable.
 20 **MR. DICK:** Mr. Dean, could you tell me
 21 those numbers again please?
 22 **MR. DEAN:** 83, 85, 95 and 97. And that's
 23 just a thought that 2,000 feet would help with the
 24 noise.

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1 **CHAIRMAN FINNIGAN:** Is there anything else
 2 on noise we need to talk about?
 3 **MR. DEAN:** We can move on.
 4 **CHAIRMAN FINNIGAN:** Let's go to property
 5 values then.
 6 **MR. DEAN:** My thoughts on property values
 7 is both sides provided evidence and it was all
 8 pretty confusing. I have an understanding of the
 9 short-term and the three year window that they've
 10 asked for, there's probably -- there's a potential
 11 for some lower property values, but I think
 12 long-term there has been evidence provided that
 13 there's very little significant long-term impact on
 14 property values.
 15 **MS. TAYLOR:** I agree that I did not find
 16 any of the presentations very convincing on property
 17 values.
 18 **CHAIRMAN FINNIGAN:** I definitely agree
 19 with the group, it was inconclusive at best, but I
 20 don't think they made a case that they were going
 21 either way, I mean not to my thought. And I think
 22 what Rick said is kind of my feeling, that there is
 23 a short-term effect with not knowing what's going to
 24 happen and maybe during construction, but after

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1 that, they kind of seem to come back. That's my
 2 feeling.
 3 The other thing we don't really talk about
 4 is that farmland values with towers go up, and it's
 5 not really our point, but they're talking about
 6 theirs going down, but definitely if you put a tower
 7 on your property, it makes your farm worth more. It
 8 will generate more revenue, your farm's going to be
 9 worth more to sell. Now, you don't -- you can't not
 10 say that that's not right. That's a true fact.
 11 **MR. BANGERT:** Yeah, I agree on both sides
 12 of the testimony, that it wasn't terribly convincing
 13 to me either. I also think that some of these
 14 properties, and if I understand this, the good
 15 neighbor agreement should help defer it even
 16 further.
 17 **MR. DEAN:** Yeah, I would concur with Brian
 18 there, too, that it appears to me that this company
 19 has been more proactive in the neighbor agreements.
 20 **CHAIRMAN FINNIGAN:** Well, there's one
 21 point that we probably -- if you want to go ahead.
 22 **MS. TURNER:** No, go ahead.
 23 **CHAIRMAN FINNIGAN:** The 3.6 turbines, if
 24 you figure out how many turbines you're going to

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1 have compared to what's out at Horizon or at Twin
 2 Groves, I think those are 1.5 but I don't know, it's
 3 been so long since we've done those, but, you know,
 4 you're talking about three to one. So if you were
 5 going to take that same, you'd have 139 towers if
 6 they were the same size as Twin Groves. To me,
 7 that's more intrusive than 30 -- than 58 of these.
 8 **MR. BANGERT:** Yeah, I agree with that.
 9 **MS. TURNER:** I think also, you know, on
 10 property values, and this is something that's in
 11 front of us a lot as people ask for exceptions, and
 12 I mean the whole reason we're here is for the appeal
 13 on doing things outside, so we listen to -- just in
 14 general, it's something that we deal with a lot, and
 15 I feel that it's very hard to point to one thing or
 16 another when it comes to property values.
 17 I think that what the opponents would say
 18 is, you know, it's up to the applicant to prove that
 19 it won't lower property values, so that's the
 20 question I've tried to keep in mind is, you know,
 21 have they proven that it won't lower property
 22 values, and I think it's a wash probably. I think
 23 that overall it won't lower property values from
 24 what I'm seeing there and I didn't hear anything

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1 that convinced me otherwise to that. I felt like
 2 they did an adequate job of showing that, not a
 3 great job, but I didn't hear anything conclusive on
 4 the other side that would make me think otherwise.
 5 **MR. DEAN:** I would agree and restate that
 6 long-term I think there could be some positives to
 7 having a business in the area.
 8 Okay, let's talk about IDNR. Mr. Dick, do
 9 you have the IDNR recommendations that we have?
 10 Could you help us go over those one by one?
 11 **MR. DICK:** Do you still have a copy of
 12 those or do you need me to come up with a copy?
 13 **MR. DEAN:** No, what's the exhibit number?
 14 I'm looking at Neutral 1 is what I was looking at
 15 from Angelo Capparella is what I reviewed earlier.
 16 **MS. TURNER:** This [indicating] is Neutral
 17 1.
 18 **MR. DICK:** Probably the three documents
 19 you're thinking of is IDNR's February 5 dated
 20 exhibit and then there's Angelo's Comments on
 21 Wildlife Portion of Case SU-18-12[sic] and then
 22 there's the EDPR response to IDNR.
 23 **MR. DEAN:** What's the exhibit number on
 24 IDNR or on EDP?

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1 **MR. DICK:** EDP's?
 2 **MR. DEAN:** EDP's.
 3 **MS. TURNER:** It's App 17 and it was the --
 4 it looked like this [indicating].
 5 **MR. DEAN:** Okay, thank you.
 6 **MS. TURNER:** I think if we went through
 7 what the applicant said, they would do -- I think
 8 they spelled it out which ones they were going to
 9 meet and which ones they requested modifying, and
 10 then talk about whether we agree with those
 11 modifications or not. Is that a good way to go
 12 about it or not?
 13 **MR. DEAN:** I believe so. This was created
 14 after the Capparella piece.
 15 **MS. TURNER:** Yes.
 16 **MR. DEAN:** So this should be more
 17 inclusive.
 18 **MS. TURNER:** So essentially what they're
 19 wanting to do is modify recommendation number two
 20 and number six.
 21 **MR. DEAN:** So one, three, four and five
 22 would stand.
 23 **MS. TURNER:** Correct. I feel their
 24 experienced with number two, and, you know, given

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1 that they are going to be looking at it, they're not
 2 just running it without looking, and that they're
 3 willing to take -- make changes if they do find a
 4 high mortality rate or a higher mortality rate than
 5 what's over in the Twin Groves facility, that
 6 they'll take adaptive management procedures. And I
 7 think Mr. Capparella even said that is a logical way
 8 of doing things. And he felt, and I do too, I feel
 9 like we should know rather than -- why not know if
 10 we're going to have an issue rather than just assume
 11 we're going to.
 12 **MS. TAYLOR:** My understanding is they've
 13 agreed to three years of studies, right?
 14 **MS. TURNER:** Right.
 15 **MR. BANGERT:** I'm in agreement with the
 16 adaptive measures on recommendation number two.
 17 **CHAIRMAN FINNIGAN:** I am also.
 18 **MS. CARLTON:** I am also too.
 19 **MS. TAYLOR:** Agreed.
 20 **MR. DEAN:** Okay, let's look at number six
 21 then. Department recommends the county consider no
 22 wind turbines within a half mile, but they're
 23 proposing that they have them closer than that. And
 24 they're willing to study the mussels and the aquatic

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1 features of the stream. Was that for three years as
 2 well? I believe it was, correct, Phil? Was that
 3 for three years?
 4 **MR. DICK:** Yes.
 5 **MR. DEAN:** And we've talked about this
 6 would be good information to have for the whole
 7 state.
 8 **CHAIRMAN FINNIGAN:** I think it helped a
 9 lot when Mr. Shank came up here and we had asked the
 10 question before, you know, was this a -- was this
 11 recommendation made up for this particular project,
 12 and he said, no, it was a blanket, a blanket
 13 recommendation, and he was willing to do something
 14 different than that. So I think it's reasonable
 15 that we can do them closer than. At what point, I
 16 don't know, but closer than his first
 17 recommendation.
 18 **MS. TURNER:** And I think that is a great
 19 area, you know, to get a chance to study one. You
 20 don't have a lot of homes right there around the
 21 Henline Creek where those that are mentioned, the
 22 76, 94, 60, 61 and 162, other than the owner is in
 23 there. I think the one that -- and they don't
 24 mention it in here, but the one that's come up more

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1 often is up by Rooks Creek, the 101 and 167, and
 2 that's not addressed in either one of these, so --
 3 and the one that seems to be a sticking point with
 4 people is the 167 at 110 feet away from the creek,
 5 and, you know, do we want to address that at all or
 6 are we happy with the study?
 7 **MR. DEAN:** Well, the study doesn't address
 8 167 at all. My thought on 167 is if you, it's
 9 further -- they've got it there because it's to keep
 10 it further away from residences. And if they move
 11 it back to 500 feet, they wouldn't be -- you know,
 12 they might still be 1500 feet from the residences,
 13 but they won't be as far away as possible.
 14 **MS. TURNER:** And I think, you know, they
 15 feel that it's not that they ignored that. I think
 16 they feel that they addressed that in number four,
 17 in recommendation number four, by saying they would
 18 study up, you know, survey 100 meters up and
 19 downstream of Rooks Creek. So I just wanted to
 20 clarify it's not that they omitted that, it's
 21 just --
 22 **MS. TAYLOR:** Right, and I feel like
 23 they're working to try to -- that one just makes me
 24 uncomfortable generally, but I can -- I understand

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1 the part about being further away from a house too,
 2 so --
 3 **CHAIRMAN FINNIGAN:** Well, it would be nice
 4 to know if they need all these turbines, and I guess
 5 it's not for us to give them what they want, but,
 6 you know, if this is one that we didn't need, I
 7 would say that it wouldn't be in our favor to take
 8 -- you know, this would be the one we take away, but
 9 I think it's more important to me for the people and
 10 the houses than the stream. Those streams are not
 11 pristine. I mean they're very nice, well-maintained
 12 streams that have been dredged, and if a turbine
 13 falls over for some reason, I don't know what -- why
 14 one would ever do that, but it's going to fall
 15 across the stream not into it. My wife told me
 16 that. So, you know, it's -- it's not ideal, but I
 17 think it's okay.
 18 **MS. TAYLOR:** I agree, yeah.
 19 **MS. TURNER:** And quite frankly, you know,
 20 if the drainage district does have easements on
 21 that, then they won't be able to put it there, so it
 22 sounds like -- unless they come to some better
 23 agreements than what it sounds like the drainage
 24 district has put forth here.

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1 **MS. TAYLOR:** Yes.
 2 **MR. DEAN:** While we're talking about that
 3 one, let's talk about 101 as well. 167 is closer to
 4 the Rooks Creek than 101, correct? 101 is almost
 5 500 feet.
 6 **CHAIRMAN FINNIGAN:** 380.
 7 **MR. DEAN:** Okay, yeah, thank you.
 8 **CHAIRMAN FINNIGAN:** The other issue I've
 9 got on mind is health issues. Is there some health
 10 issues we haven't looked at? You know, there was
 11 some talk about Dr. Punch. Maybe we ought to
 12 discuss it.
 13 **MR. DEAN:** That's a pretty tough one. I
 14 don't really in my heart don't believe there's
 15 health issues, I certainly hope there aren't any
 16 health issues, and I think the evidence that has
 17 been provided to us, the science is not there to
 18 justify, you know, rejecting these things because of
 19 potential health issues.
 20 **CHAIRMAN FINNIGAN:** We've got it in
 21 evidence I guess that, you know, we have two working
 22 wind towers, wind farms in McLean County that never
 23 had one. And I can't tell you exactly what year
 24 that first one was approved, but we have some pretty

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1 -- we have some pretty good data, and so you would
 2 think that somebody would have brought an issue up.
 3 And this is a McLean County study. I mean I guess
 4 that's kind of important to me. I mean it's
 5 something that happened here, it's our data.
 6 **MS. TURNER:** I felt like -- you know, I
 7 just felt like Dr. Punch was pulling in a lot of
 8 information that wasn't overly credible as he was
 9 putting that out there, and I just didn't -- I think
 10 that's what they were, you know, putting forth to
 11 say that there is. Again, what they would say is,
 12 well, they have to prove that there's not. Well,
 13 it's very hard to prove that there's not if there's
 14 not. So I land on the side of I don't feel that
 15 we've seen any clear evidence of health issues.
 16 **MR. DEAN:** And again, we could ask staff
 17 if we've had complaints from the Twin Groves area.
 18 They're the same people that are --
 19 **CHAIRMAN FINNIGAN:** We were given a FOIA
 20 statement the other night that came from staff and
 21 it showed no complaints, right?
 22 **MR. DICK:** (Nods head).
 23 **MR. DEAN:** That's correct, yeah, thank
 24 you.

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1 **CHAIRMAN FINNIGAN:** I guess there was a
 2 question asked if we should use -- put the nuisance
 3 disclaimer in there, talk about the nuisance
 4 disclaimer. What's your feelings on the nuisance
 5 disclaimer? I mean I have one, but if you would
 6 start it out, I'd appreciate it.
 7 **MR. DEAN:** The nuisance disclaimer is
 8 there and it's there to protect the farming
 9 community. That's what it's for, the landowners and
 10 the people that operate the farms. As sensitive as
 11 it was the last time, I don't know that we
 12 necessarily have to put it in there this time
 13 because I don't think it's hugely important. It's
 14 kind of a good piece of information to remind people
 15 that when you live in the country you're going to
 16 have hogs, cattle, dust, you know, all those things
 17 that the nuisance disclaimer lists, so I don't know
 18 if we think we need to put it in there this time.
 19 **MS. TURNER:** I think really, you know,
 20 what we're talking about is, and I don't feel a need
 21 to put it in there, does it apply to this? I don't
 22 know. It doesn't matter to me because really what
 23 we're talking about and where it comes up is the
 24 annoyance factor and we heard a lot on annoyance

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1 factor. And I just -- I don't think anywhere we're
 2 guaranteed to live without annoyances. I'm
 3 certainly not guaranteed to live without annoyances
 4 where I am. If I could choose what my neighbors did
 5 at all times, I would make a lot different choices
 6 than what have been there. So are our neighbors
 7 going to annoy us? Are things near us going to
 8 annoy us? Absolutely. But I do not think that we
 9 have that necessarily to take into a factor here any
 10 more than anywhere else.
 11 **CHAIRMAN FINNIGAN:** The only thing I
 12 would -- point I would bring out is that they kind
 13 of act like windmills are kind of a new thing.
 14 They're not really a new thing. They've been there
 15 forever. They've been a part of farm life since the
 16 start of time. They are different, but farming is
 17 different too. They've evolved with farming and
 18 they're still a part of farming, and I guess I would
 19 say that that's the reason I think that it kind of
 20 applies, but I don't have to put it in there or not.
 21 It's up to you guys.
 22 **MR. BANGERT:** Yeah, I don't know that we
 23 need to include it. It exists, the document exists.
 24 I don't know that we need to add it into this case.

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1 **MS. CARLTON:** I don't really feel that we
 2 need to add it in.
 3 **CHAIRMAN FINNIGAN:** I'm getting down to
 4 the end of my list. I don't know if you guys have
 5 any other stuff or not on your list?
 6 **MR. BANGERT:** On the obstruction
 7 evaluation, do we need to talk about anything there
 8 with the microwave system? As part of the
 9 application, the applicant has said that they'll add
 10 repeaters and, you know, use as their bases
 11 repeaters, and they said that they'll address every
 12 single aspect of this, but do we feel comfortable
 13 that that is the case or do we need to add anything
 14 else there?
 15 **MR. DEAN:** Are you talking about a
 16 stipulation? I think it's lined out in their
 17 application what they will do and they've got to
 18 make good on it.
 19 **MS. TURNER:** I think it's fine to put a
 20 reminder in there even though it is lined out. I
 21 mean we heard about it. I think it's very important
 22 that they make sure they're talking to the right
 23 people before they put these things up and make sure
 24 that it's all taken care of. Again, it's one of

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1 those things that's in their best interest to do
 2 because it's a lot harder to fix once it's up than
 3 it is before you're putting them up. But I think a
 4 reminder to -- because this is a lifeline for a
 5 school district and people out in that area and
 6 maybe isn't something that they're as used to
 7 working with, it's particular to this area, so I
 8 think a very friendly strong reminder for them to do
 9 it would be appropriate.
 10 **MR. DEAN:** So would that be in the form of
 11 a stipulation? Could be.
 12 **MS. TURNER:** Sure.
 13 **MR. BANGERT:** There's a paragraph here
 14 that states a professional engineer shall certify as
 15 part of the building permit application that the
 16 foundation and entire design of the WECS is within
 17 the accepted professional standards. After
 18 construction is completed, a professional engineer
 19 will certify that they're built according to
 20 approved plans. Are we talking about a civil
 21 engineer here or is this a question for staff? Is
 22 this a civil engineer or do we need to add
 23 additional information there?
 24 **MR. DICK:** It's a civil engineer, a

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1 certified engineer.
 2 **MR. BANGERT:** Okay, thank you.
 3 **CHAIRMAN FINNIGAN:** And they also will be
 4 the ones to certify where these towers go? I mean
 5 is it a different surveyor or is it the same guy?
 6 **MR. DICK:** A surveyor will be different,
 7 but we will check all the surveyor locations as
 8 well, but a surveyor will have to certify it's
 9 located and meets all the setback requirements.
 10 **CHAIRMAN FINNIGAN:** Done by GPS or I mean
 11 you've got a GPS where all those are going to go?
 12 **MR. DICK:** Yes.
 13 **CHAIRMAN FINNIGAN:** And that's going to be
 14 sent out to all these crop dusters so they know it
 15 too?
 16 **MR. DICK:** Yes. The meteorological towers
 17 that they've put up, we've let them know as well.
 18 **CHAIRMAN FINNIGAN:** I missed what you
 19 said, Rick, sorry.
 20 **MR. DEAN:** Let's look through our notes
 21 and be sure we don't have further questions.
 22 **MS. TAYLOR:** So did we decide we would
 23 stipulate that 83, 85, 95 and 97 be moved from 1650
 24 to 2,000?

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1 **CHAIRMAN FINNIGAN:** Yes.
 2 **MS. TAYLOR:** Okay.
 3 **MS. TURNER:** Do we need to stipulate at
 4 this point, we're calling it the AIMA, I've heard
 5 AIMA, whatever, that for the decommissioning amount
 6 that we do want to have another estimate at ten
 7 years or is that something that you guys decide,
 8 Phil, at the time?
 9 **MR. DICK:** Let's look at that AIMA
 10 agreement just to see how that stipulation reads. I
 11 think it stipulates that they have to do it after
 12 ten years.
 13 **MS. TURNER:** It says that we can request
 14 it. I think.
 15 **MR. DICK:** If you have it in front of you,
 16 on page 13 it says during the county permit process,
 17 the commercial wind energy facility owner shall file
 18 with the county a deconstruction plan. A second
 19 deconstruction plan shall be filed with the county
 20 on or before the end of the tenth year of the
 21 commercial operation date.
 22 **MS. TURNER:** Okay, so it says shall,
 23 that's good.
 24 **CHAIRMAN FINNIGAN:** So does that mean -- I

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1 mean they've made an estimate now, but they'll make
 2 another determination of value at that point?
 3 **MR. DICK:** That's what it looks like to
 4 me.
 5 **CHAIRMAN FINNIGAN:** Well, then is that the
 6 last one that's going to be done or will it be done
 7 every ten years afterwards?
 8 **MS. TURNER:** That's to determine the
 9 escrow, correct?
 10 **MR. DICK:** An update of the escrow, yes.
 11 They have to put some -- some amount in before then
 12 though after year one. It says on or before the
 13 first anniversary of the commercial operation date,
 14 the commercial wind energy facility owner shall
 15 provide the county with financial assurance to cover
 16 10 percent of the estimated costs of deconstruction
 17 of the commercial wind energy facility as determined
 18 in the deconstruction plan provided during the
 19 county permit process. On or before the sixth
 20 anniversary of the commercial operation date, the
 21 commercial wind energy facility owner shall provide
 22 the county with financial assurance to cover 50
 23 percent of the estimated costs of deconstruction of
 24 the commercial wind energy facility. Then on or

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1 before the eleventh anniversary of the commercial
 2 operation date, the commercial wind energy facility
 3 owner shall provide the county with financial
 4 assurance to cover 100 percent of the estimated
 5 costs of deconstruction of the commercial wind
 6 energy facility as determined in the deconstruction
 7 plan provided during the tenth year of the
 8 commercial operation date.
 9 **CHAIRMAN FINNIGAN:** And this is by bond
 10 and it's something that the county holds?
 11 **MR. DICK:** Yes.
 12 **CHAIRMAN FINNIGAN:** So the county has no
 13 liability.
 14 **MR. DICK:** It would more likely be a
 15 letter of credit. The county prefers that versus a
 16 bond.
 17 **CHAIRMAN FINNIGAN:** But the county would
 18 have no financial responsibility in this at all.
 19 **MR. DICK:** Except to keep track of it,
 20 yes.
 21 **CHAIRMAN FINNIGAN:** So let's just say that
 22 it comes up short 20 years from now. Who's
 23 ultimately responsible, the homeowner -- I mean the
 24 landowner but not the county or what keeps -- just

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1 say it's wrong.
 2 **MR. DICK:** They are obliged to tear it
 3 down. If the county has to tear it down, we're in
 4 trouble, we would be short, but they are still
 5 responsible to tear it down.
 6 **CHAIRMAN FINNIGAN:** I guess to me it's on
 7 private property. Why wouldn't the owner of the
 8 property be ultimately responsible? He's the one
 9 that gets the money.
 10 **MR. DICK:** It's in their agreement that
 11 they, the tower company, to have it removed, but it
 12 would ultimately fall back on the landowner too.
 13 **CHAIRMAN FINNIGAN:** Okay, that's my
 14 thought, that it's -- ultimately shouldn't be the
 15 county's responsibility. You're the straw man,
 16 you're making sure it's there, but I guess the more
 17 we can do to protect the county, I'm all for it. So
 18 if this needs to be done every ten years after that
 19 for an update, it might be a good thing to do that
 20 so that you never wind up short.
 21 **MR. BANGERT:** I think it says in here it's
 22 reevaluated every five years.
 23 **CHAIRMAN FINNIGAN:** Okay, that's even
 24 better.

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1 **MR. BANGERT:** But on Section E, it says
 2 the county may but is not required to reevaluate the
 3 estimated costs of deconstruction of any commercial
 4 wind energy facility after the tenth anniversary and
 5 every five years after. So if it's not required to
 6 but it's in the best interest to, then how do you --
 7 **MR. DEAN:** Make a stipulation.
 8 **MR. BANGERT:** -- how do you make that so?
 9 **CHAIRMAN FINNIGAN:** Well, I don't want to
 10 get the county in trouble. I mean I think that we
 11 ought to make it as stringent as we can.
 12 **MR. DEAN:** Yeah, I think Brian's found
 13 something there that we need to incorporate into a
 14 stipulation.
 15 **MR. BANGERT:** And I would just say we
 16 remove --
 17 **MR. DICK:** This is E after the part that I
 18 read, so the county may but is not required to, and
 19 we could add a stipulation to have it reevaluated
 20 every five years.
 21 **CHAIRMAN FINNIGAN:** After the tenth year
 22 or after the eleventh year.
 23 **MR. DICK:** It's evaluated at the tenth
 24 year.

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1 **MS. TURNER:** And every five years after
 2 that.
 3 **CHAIRMAN FINNIGAN:** I think the way it
 4 reads is the eleventh year or something, isn't it,
 5 so --
 6 **MR. DICK:** I think by the eleventh year is
 7 when they have to put a hundred percent in the
 8 credit.
 9 **CHAIRMAN FINNIGAN:** Okay, if we went five
 10 years after that or ten years after that or
 11 whatever, after that point I think would be the
 12 place to put it.
 13 **MS. TURNER:** I think we just need to
 14 stipulate that in item E of the AIMA that the county
 15 will or the county shall.
 16 **MR. DEAN:** Or the county may.
 17 **MS. TURNER:** We're going to stipulate that
 18 we will.
 19 **MR. DEAN:** Sounds good to me.
 20 **MR. DICK:** Okay.
 21 **MR. DEAN:** I didn't see anything else from
 22 my notes that I had questions on.
 23 **CHAIRMAN FINNIGAN:** Anybody else have
 24 thoughts they want to talk about? I mean we can sit

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1 here as long as you want and talk about it.
 2 **MR. DEAN:** This wind company didn't talk
 3 about low trailing noise blades, did they?
 4 **CHAIRMAN FINNIGAN:** I think they called
 5 them something else.
 6 **MR. DEAN:** Okay, that's right, yep, there
 7 was a different name for them, that's right.
 8 Serrated, yep. Do you recall how they were going to
 9 implement those? Close to homes?
 10 **MR. DICK:** They will utilize them to meet
 11 their noise standards.
 12 **MR. DEAN:** So that would be close to the
 13 nonparticipating residences.
 14 **MR. DICK:** Yes.
 15 **MR. DEAN:** Brian just pointed out 27 of
 16 the 58 will have --
 17 **MR. BANGERT:** 57 actually. Yeah, it's not
 18 58, it's 57, correct, to start with?
 19 **MR. DEAN:** 27.
 20 **MR. DICK:** In their application they said
 21 up to 58, so I'm not certain that there's going to
 22 be 57 or 58.
 23 **MR. BANGERT:** Yeah, I don't have anything
 24 else in my notes that I haven't covered yet unless

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1 somebody brings something up again.
 2 **CHAIRMAN FINNIGAN:** Anything, ladies,
 3 Chris or Mary Beth?
 4 **MS. TAYLOR:** I think I've addressed the
 5 things I was concerned with.
 6 **CHAIRMAN FINNIGAN:** Julia?
 7 **MS. TURNER:** My list has been addressed
 8 also.
 9 **CHAIRMAN FINNIGAN:** I don't want to rush
 10 you, but if we're -- we can start going through
 11 standards, I'm just going to -- unless you got
 12 something else, but I'm going to start reading them
 13 by one and then just talk about -- like for standard
 14 number one, proposed special use will not be
 15 detrimental or endanger the health, safety, morals,
 16 comfort or welfare of the public.
 17 **MR. DEAN:** Based on what I perceive to be
 18 credible evidence, standard number one is met.
 19 **CHAIRMAN FINNIGAN:** Okay. Standard number
 20 two, the proposed special use will not be injurious
 21 to the use and enjoyment of other property in the
 22 immediate vicinity for purposes already permitted or
 23 substantially diminish property values in the
 24 immediate area. This says the standard can be met,

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1 so our job is was it met?
 2 **MS. TURNER:** You know, I think it was
 3 definitely pointed out to us that this is a very
 4 subjective -- it can be seen as a subjective
 5 standard when you say it, but when I consider this,
 6 I focus on the word injurious to the use and
 7 enjoyment, in other words, that it absolutely
 8 inhibits it or, you know, keeps it from being
 9 possible at all. And I don't think that it truly
 10 keeps it possible from people enjoying the use, the
 11 use and enjoyment.
 12 **MR. DEAN:** I agree.
 13 **MS. CARLTON:** I agree too.
 14 **MS. TAYLOR:** I agree. Is this -- we've
 15 addressed some stipulations, though, that are
 16 related to that I think, haven't we? That we --
 17 yes, yes.
 18 **CHAIRMAN FINNIGAN:** Yeah, I guess at this
 19 point we would be saying that the stipulation would
 20 be put in there that addresses these issues, and if
 21 we get to the point at the bottom, we'll have -- I
 22 don't know if we can read them all back or not, but
 23 we'll try to so we're kind of in agreement with
 24 that.

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1 So number three, proposed special use will
 2 not impede the orderly development of the
 3 surrounding property for uses permitted in the
 4 district.
 5 **MS. TURNER:** I think we have it built in
 6 and I think that that's met and they have to, you
 7 know, make sure that they're taking care of all the
 8 drainage issues and things like that and erosion
 9 issues and as well as the wildlife studies and
 10 mitigations.
 11 **MR. DEAN:** I look at this one very similar
 12 to Twin Groves, it's a pretty rural area, it's
 13 pretty rural up there.
 14 **CHAIRMAN FINNIGAN:** I agree with you. I
 15 mean it's more than ones we've had in the past, more
 16 rural. It's because it's far away from Bloomington,
 17 they're not -- people are not moving to, they're not
 18 driving back as much for jobs in Bloomington I don't
 19 think. There's not as many houses there.
 20 Okay, number four, adequate utilities,
 21 access roads, drainage and/or necessary facilities
 22 have been or will be provided. And it says the
 23 standard is met. Is that our feeling?
 24 **MS. TAYLOR:** Yes, I think so, I think it's

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1 been made pretty -- the stipulations and the
 2 regulations are kind of clear on that.
 3 **MR. DEAN:** And the applicant will -- we're
 4 forcing them to work with the county as well as the
 5 townships to have agreements in place before they
 6 can proceed.
 7 **CHAIRMAN FINNIGAN:** Okay.
 8 **MR. BANGERT:** Yeah, they agreed to that,
 9 and, you know, boring underneath Rooks Creek and --
 10 you know, they addressed all those things.
 11 **MS. TURNER:** I think this though, you
 12 know, and the one thing that we are reminding and
 13 stipulating is that they work with the cable and
 14 internet that is a microwave situation there.
 15 **CHAIRMAN FINNIGAN:** Okay. Number five,
 16 adequate measures have been or will be taken to
 17 provide ingress or egress so designed as to minimize
 18 traffic congestion in public streets. It says the
 19 standard is met in the report, but --
 20 **MR. DEAN:** I believe that standard is met.
 21 **CHAIRMAN FINNIGAN:** Any other discussion
 22 on that one?
 23 **MR. BANGERT:** I agree, it's met.
 24 **CHAIRMAN FINNIGAN:** The establishment,

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1 maintenance and operation of the special use will be
 2 in conformance with the intent of the district in
 3 which the special use is proposed to be located. It
 4 also says this standard has been met, but that's for
 5 us to decide I guess.
 6 **MS. TAYLOR:** Well, I think one thing on
 7 this one is that the record of the company that's
 8 doing it and the quality of the information that
 9 they provided provides some assurance on that.
 10 **MR. DEAN:** Yeah, and once again, it's a
 11 very rural area and I agree they've been proactive.
 12 **CHAIRMAN FINNIGAN:** Number seven, the
 13 proposed special use, in all other respects,
 14 conforms to the applicable regulations of the
 15 agriculture district.
 16 **MS. TURNER:** I think that's met.
 17 **MR. DEAN:** I agree.
 18 **CHAIRMAN FINNIGAN:** Before we make any
 19 motion, we need to have -- make sure we've got all
 20 the stipulations that we've talked about tonight
 21 addressed. Is Samantha taking care of that for us?
 22 **MS. WALLEY:** I am not.
 23 **MR. DICK:** Did you want to review the
 24 stipulations that were originally submitted and

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1 maybe supplement them?
 2 **CHAIRMAN FINNIGAN:** Actually I think that
 3 one might be better. If we could look through those
 4 and see if we could add in what we're wanting to put
 5 into them, then it doesn't look like we're adding to
 6 the bottom.
 7 **MR. DEAN:** Can you point me to that
 8 exhibit?
 9 **MR. DICK:** It's called Board Exhibit No.
 10 2. It's on the screen here too.
 11 **MS. TURNER:** So the written road use
 12 agreement has to be obtained it says with the county
 13 and then the second one is with the township and
 14 road commissioners.
 15 **MR. DICK:** And the county one has been
 16 approved.
 17 **MS. TURNER:** Okay, so we can take that one
 18 out.
 19 **MR. DICK:** Or leave it in.
 20 **MS. TURNER:** Okay.
 21 **MR. DICK:** It's complied with, it's not --
 22 **MS. TURNER:** All right.
 23 **MR. DICK:** And the second one would have
 24 to be done before construction begins and that

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1 hasn't been completed yet.
 2 **MS. TURNER:** And then I think number four
 3 is where we could add adequate financial assurance
 4 acceptable to the county shall be submitted with the
 5 county according to the application and the
 6 decommissioning plan submitted with the Agricultural
 7 Mitigation Agreement with the Illinois Department of
 8 Agriculture. And is this where we need to put in
 9 and the county will require updates to the
 10 decommissioning plan costs every five years after
 11 the tenth year?
 12 **MR. DICK:** Consistent with E of the use
 13 agreement, the county will stipulate that it will be
 14 reevaluate every five years.
 15 **MS. TURNER:** Great, okay. And then number
 16 six, we state that they will do studies.
 17 **MR. DICK:** We'll have to make this
 18 consistent with what they proposed in their response
 19 to IDNR, correct.
 20 **MS. TURNER:** Okay, correct, right. That
 21 they'll do the study and mitigation on the bats,
 22 their number two, and then the study of the
 23 waterways.
 24 **MR. DICK:** And working with IDNR to

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1 complete those studies and the U.S. Fish and
 2 Wildlife and Dr. Capparella.
 3 **MS. TURNER:** Yes.
 4 **MR. DICK:** Number seven, it shouldn't be
 5 4.6 megawatts, it should be 3.6. That was an error
 6 on my part.
 7 **MS. TURNER:** Typo, yes. And then number
 8 nine says that they shall rectify any television and
 9 internet, and then I would like to add in there they
 10 will work with current providers in the area before
 11 installation to avoid problems.
 12 **MR. DICK:** And we'll want to directly
 13 reference microwave paths, microwave beam paths. It
 14 was listed earlier under one of the standards, and
 15 I'll put in lay the basis for that study of
 16 microbeam paths so they don't interfere with any
 17 communications, and if they do, then they'll have to
 18 rectify it.
 19 **MS. TURNER:** Okay. And then I think that
 20 we need to put something in there -- well, we
 21 definitely need to state that they'll move towers
 22 T83, 85, and 95.
 23 **MR. DICK:** And 97.
 24 **MS. TURNER:** Right, and 97. Do we need to

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1 state specifically or just say from any residence,
 2 nonparticipating residence?
 3 **CHAIRMAN FINNIGAN:** I'd hate to move it in
 4 one direction and hurt somebody else.
 5 **MR. DEAN:** Yes. I was thinking the
 6 nearest residence. Would the nearest residence
 7 cover that?
 8 **MS. TURNER:** No.
 9 **MR. DICK:** If you want to move those
 10 turbines, you could put it under item three, too,
 11 stipulation number three, where it says development
 12 shall follow the plans and documents submitted with
 13 the application.
 14 **MS. TURNER:** Yeah, that would be a good
 15 place to put it.
 16 **MR. DICK:** So you want that to state 2,000
 17 feet from nonparticipating dwellings?
 18 **MS. TURNER:** Right, from dwellings without
 19 an agreement or whatever, however you want to put
 20 it.
 21 **MS. WALLEY:** Did you want just those five
 22 turbines or you talked about --
 23 **MS. TURNER:** It was four.
 24 **MS. WALLEY:** I'm sorry, just those four

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1 turbines specifically?
 2 **MS. TURNER:** Yes, correct. And again,
 3 those are addressing specific issues brought to us.
 4 **MR. BANGERT:** Can you read those numbers
 5 back again of those turbines?
 6 **MS. TURNER:** 83, 85, 95 and 97.
 7 **CHAIRMAN FINNIGAN:** Somewhere we've got to
 8 get in there we're going to have them come back and
 9 do the follow-up study on noise too.
 10 **MR. DICK:** After the beginning of
 11 commercial operation. Within a year?
 12 **MS. TURNER:** Say within 18 months.
 13 **MR. DICK:** Of the five closest
 14 nonparticipating dwellings?
 15 **MS. TURNER:** The five highest listed noise
 16 factors that they gave us on the 1000 megahertz I
 17 think is what we were looking at.
 18 **MS. TAYLOR:** What did you say, a year and
 19 a half?
 20 **MS. TURNER:** Uh-huh. Would it be easier
 21 to say any of them that were indicated over 40
 22 megahertz, 40 decibels at 1000 megahertz? It would
 23 probably be more than five but not too many more.
 24 **MR. DEAN:** That seems to be a trigger.

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1 **MS. TURNER:** Right.
 2 **MR. DICK:** Did you say 40 and above?
 3 **MR. DEAN:** Yes, that's what she said, yes.
 4 **CHAIRMAN FINNIGAN:** So what kind of teeth
 5 are we going to put on that? Are we going to say if
 6 it comes in higher than that they have to remedy the
 7 situation, are we going to put that in there or
 8 something, because just having a study doesn't mean
 9 they're going to do anything.
 10 **MS. TURNER:** And they have -- yeah, well,
 11 it's verifying that they're under the 41, so if
 12 they're not under 41, they have to mitigate.
 13 **CHAIRMAN FINNIGAN:** I think we need to say
 14 that.
 15 **MS. TURNER:** Okay.
 16 **MR. DEAN:** I agree.
 17 **CHAIRMAN FINNIGAN:** I think it's implied,
 18 but -- is there anything else that we need in that?
 19 **MR. DEAN:** Have we said anywhere in this
 20 one that we want to make a public, contact point for
 21 the public to address any concerns that they have?
 22 **MR. DICK:** It's not in here now.
 23 **MR. DEAN:** Okay, let's put a stipulation
 24 that the applicant provide the county with a place

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1 for grievance or other potential problems or other
 2 problems that might exist with operations.
 3 **MR. BANGERT:** Is that considered part of
 4 the emergency action plan?
 5 **MR. DEAN:** I wasn't exactly sure where to
 6 put that, Phil. Would that go in number eleven or
 7 not?
 8 **MR. DICK:** You had a very similar
 9 stipulation on the previous wind farm. We'll just
 10 make sure we have such a contact person. I think
 11 that's what you're asking for, isn't it?
 12 **MR. DEAN:** Yes.
 13 **CHAIRMAN FINNIGAN:** Do we need to have the
 14 stipulations read into the record or --
 15 **MS. WALLEY:** One more time.
 16 **MR. DICK:** Can I ask you a question about
 17 that the -- the access roads and the drainage ways?
 18 We didn't put a stipulation in there I don't think
 19 that we had in the previous one, whereas I did
 20 recommend it in the standards of doing -- fixing the
 21 waterways first, and then on the upstream side
 22 putting in -- yeah, I don't think, is that a
 23 stipulation in here? I don't think it's in here.
 24 **MS. TURNER:** It's not listed in the

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1 stipulations, but it's listed in the assessment.
 2 **MR. DICK:** It was added to a stipulation
 3 in the previous wind farm.
 4 **MS. TURNER:** Yes, we can go ahead and add
 5 it. And we should probably put that with the -- on
 6 its own?
 7 **MR. DICK:** Okay.
 8 **MR. BANGERT:** Wouldn't that be an addendum
 9 to the AIMA?
 10 **MR. DEAN:** Wouldn't the AIMA cover erosion
 11 control?
 12 **MR. DICK:** I don't think we would want to
 13 do it that way. I think you would want to stipulate
 14 very similar to how it's stated in here.
 15 **MR. DEAN:** Okay.
 16 **CHAIRMAN FINNIGAN:** We'll have to make a
 17 motion.
 18 **MR. DICK:** Did you want me to go over the
 19 stipulations a little bit now or --
 20 **CHAIRMAN FINNIGAN:** Yeah, maybe we better
 21 do it that way.
 22 **MR. DICK:** Add to number three evaluating
 23 every five years -- no, it was added to four under
 24 the AIMA, to evaluate it every four years, five

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1 years. And then six, on six we would reference
 2 there consistency with the IDNR recommendations and
 3 what they're proposing to do and tie them to their
 4 studies that they're supposed to complete with IDNR,
 5 U.S. Fish and Wildlife and Angelo Capparella. And
 6 number nine we would add microbeam path analysis so
 7 that no microbeam paths are affected, and if they
 8 are, they would have to be mitigated. They have to
 9 move 83, 85, 95, 97 as part of -- that was going to
 10 be part of number three, to 2,000 feet from the
 11 dwelling of any nonparticipating property owner.
 12 That's what I have.
 13 **CHAIRMAN FINNIGAN:** Capping number seven
 14 to 3.6.
 15 **MR. DICK:** Yes, I have that. Yes, that's
 16 correct.
 17 **MS. TURNER:** And then also they come back
 18 within 18 months and do a noise study of all those
 19 measured at 40 or above.
 20 **MR. DICK:** Yes, follow-up in 18 months
 21 after start-up of the commercial operation, and then
 22 those that are above 40, 40 and above at the 1000
 23 megahertz, they will have to mitigate.
 24 **CHAIRMAN FINNIGAN:** I think we're ready

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1 for a motion if somebody wants to make one.
 2 **MR. DEAN:** I recommend approval of Case
 3 Number 18-02, SU-18-02.
 4 **CHAIRMAN FINNIGAN:** With stipulations.
 5 **MR. DEAN:** With stipulations.
 6 **MS. TAYLOR:** I'll second that.
 7 **CHAIRMAN FINNIGAN:** Okay, we have a motion
 8 by Dean, second by Taylor. Can we have a roll call
 9 vote?
 10 **MR. DICK:** Bangert?
 11 **MR. BANGERT:** Yes.
 12 **MR. DICK:** Dean?
 13 **MR. DEAN:** Yes.
 14 **MR. DICK:** Turner?
 15 **MS. TURNER:** Yes.
 16 **MR. DICK:** Finnigan?
 17 **CHAIRMAN FINNIGAN:** Yes.
 18 **MR. DICK:** Carlton?
 19 **MS. CARLTON:** Yes.
 20 **MR. DICK:** Taylor?
 21 **MS. TAYLOR:** Yes.
 22 **CHAIRMAN FINNIGAN:** Six yeses, so the
 23 motion passes. And Phil will fill you in from here.
 24 He's more -- he's our man.

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1 **MR. DICK:** This will go to the county
 2 board for a decision on March 20th at their meeting
 3 at 9:00 a.m.
 4 (Adjourned at 8:26 p.m.)
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1 STATE OF ILLINOIS)
2 COUNTY OF FORD)SS

3
4 I, June Haeme, a Notary Public in and for
5 the County of Ford, State of Illinois, do hereby
6 certify that the following hearing was taken at the
7 McLean County Government Center, 115 East Washington
8 Street, Bloomington, Illinois, on March 12, 2018.

9 That the said hearing was taken down in
10 stenograph notes and afterwards reduced to
11 typewriting under my instruction and that the
12 transcript is a true record of the testimony given
13 at the hearing.

14 I do further certify that I am a
15 disinterested person in this cause of action; that I
16 am not a relative, or otherwise interested in the
17 event of this action, and am not in the employ of
18 the attorneys for either party.

19 IN WITNESS WHEREOF, I have hereunto set my
20 hand and affixed my notarial seal this 26th day of
21 March, 2018.

22
23

JUNE HAEME, CSR
NOTARY PUBLIC

24
25

26 "OFFICIAL SEAL"
27 June Haeme
28 Notary Public, State of Illinois
29 My Commission Expires:
30 September 28, 2020

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32
33
34

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