

In The Matter Of:
McLEAN COUNTY ZONING BOARD OF APPEALS

October 4, 2016

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Original File 1004MCLEANZONING.TXT

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2
3 McLEAN COUNTY ZONING BOARD OF APPEALS
4 MEETING
5
6 Tuesday, October 4, 2016
7 7:30 p.m.
8
9 at
10 Government Center
11 115 East Washington Street
12 Bloomington, Illinois
13
14 Case Number ZA-16-01
15
16 ZONING BOARD MEMBERS PRESENT:
17 Brian Bangert
18 Chris Carlton
19 Rick Dean
20 James Finnigan
21 Michael Kuritz
22 Drake Zimmerman - Chairman
23
24 Court Reporter:
Brenda Zeitler, CSR-RPR
License No. 084-004062
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1 EXHIBITS:
2 BOARD EXHIBIT NUMBER 1 6
3 Findings of Fact and the Ordinance
as Proposed
4 BOARD EXHIBIT NUMBER 2 6
5 Letter from McLean County Farm
Bureau Requesting Withdrawal
6 OBJECTORS EXHIBIT NUMBER 1 50
7 Champaign Country Wind Ordinance
8 OBJECTORS EXHIBIT NUMBER 2 51
9 Summary of Mr. Capparella's
Testimony
10 OBJECTORS EXHIBIT NUMBER 3 82
11 Summary of Mr. Glennon's Testimony
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24

1 ALSO PRESENT:
2 PHILIP DICK, Director of Building & Zoning
3 HIRA AAMIR, County Planner
4 SAMANTHA WALLEY, Assistant States Attorney
5
6 I N D E X
7
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9 TESTIMONY:
10 SUPPORTERS
11 BRAD PNAZEK 9
12 MICHAEL BLAZER 18
13 DR. MARK ROBERTS 20
14 JACOB BAKER 20
15 MIKE HANKART 20
16 ERIC PENN 21
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MIKE GLENNON 80

1 **CHAIRMAN ZIMMERMAN:** For all of you who have
2 the procedures, we'll generally follow them. And
3 where I get off track, they will put me back on track.
4 We're not quite used to doing these hearings
5 all the time, but the hearing process is fairly
6 formalized. We have a few rules around testimony.
7 One, we prefer to have people sign up beforehand.
8 Secondly, we prefer to limit the testimony
9 officially to ten minutes. If we can get it to five
10 minutes or if you are just agreeing to what everybody
11 has said before and want to add something, come in and
12 say: "I agree with all these other people, and I'd
13 like to emphasize this particular point."
14 We realize there is a debate going on right
15 now and many of you would prefer to be here rather
16 than there. We will not drag this out much longer
17 than we would have to otherwise to spare you the
18 debates.
19 How should we proceed, Mr. Dick?
20 **MR. DICK:** I'll introduce the case somewhat,
21 and then we'll go from there.
22 The Zoning Board heard this case before and
23 made a recommendation of a Text Amendment to the
24 County Board. A copy of that is on the table if you

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1 would like to see that.
 2 This is Case Number ZA-16-01, "Application
 3 of the McLean County Farm Bureau for a Text Amendment
 4 of Regulations for Wind Power Generation Facilities in
 5 the McLean County Zoning Ordinance." The zoning
 6 ordinance is in Chapter 350 of the Code of McLean
 7 County.
 8 Sections of the County Code which are
 9 proposed to be amended include but are not limited to
 10 Section 350-26, which is Definitions, and Section
 11 350-43-OO, Use Standards for a Major Utility.
 12 A public hearing for this case previously
 13 took place on June 7, 2016, with findings and
 14 recommendations that were on the County Board agenda
 15 on July 19, 2016. The action of the County Board was
 16 to send the application back to the Zoning Board of
 17 Appeals to allow additional testimony to be presented.
 18 The McLean County Farm Bureau notified
 19 McLean County on September 9, 2016, that it has
 20 withdrawn its text amendment.
 21 Public notice of this hearing was published
 22 in the Pantagraph on September 17, 2016, and in eight
 23 McLean County newspapers of the Normalite group on
 24 September 15, 2016. Notices were mailed to all McLean

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1 County township supervisors and mayors or presidents
 2 of incorporated municipalities in McLean County. The
 3 County has paid the publication cost.
 4 The first Exhibit that I'd like to pass is
 5 the findings of fact and the ordinance as proposed,
 6 which was part of your packet, which is also on the
 7 table over there.
 8 The second item I would like to pass is a
 9 letter from McLean County Farm Bureau requesting
 10 withdrawal from this case. I think many of you have
 11 seen copies of this as well.
 12 As the staff report, I'd like to add as
 13 follows: Staff has used the existing regulations of
 14 the zoning ordinance for wind farms and established
 15 consistent stipulations that were recommended by the
 16 Zoning Board of Appeals and were approved by the
 17 County Board with each of the wind farms that were
 18 approved and built in McLean County.
 19 The existing regulations for wind farms are
 20 adequate. The Proposed Text Amendment as recommended
 21 by the Zoning Board of Appeals on June 7, 2016, to the
 22 County Board codifies many of the stipulations as
 23 approved with previous special uses for wind farms.
 24 In conclusion, staff does not recommend any

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1 changes to the findings of fact and recommendation
 2 that were approved unanimously by the Zoning Board of
 3 Appeals in this case on June 7, 2016.
 4 The Applicant has withdrawn, but I think
 5 they would have a right to add something, if they
 6 would, at this time.
 7 **CHAIRMAN ZIMMERMAN:** We have someone
 8 standing up in the back and shaking his head. So that
 9 we have an auditory record of this, we do not have
 10 anything added at this time, I don't believe.
 11 We have the unusual situation where we've
 12 had something proposed, it's gone through our
 13 hearings, and now it's come back to us but been
 14 withdrawn.
 15 The County Board has recommended this
 16 particular passing; so we're having a hearing on this.
 17 The County Board can go ahead and we as a Zoning Board
 18 can go ahead with this hearing, correct?
 19 **MR. DICK:** Yes. The County Board has
 20 directed the Zoning Board of Appeals to take
 21 additional testimony and come up with some kind of a
 22 recommendation to go back to the County Board.
 23 **CHAIRMAN ZIMMERMAN:** Okay. So at this
 24 point, we proceed with getting further

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1 recommendations.
 2 **MR. DICK:** Would you like me to get the list
 3 of people who have requested to speak?
 4 **CHAIRMAN ZIMMERMAN:** That would be good.
 5 The County Planner will get up and get that, and we
 6 will start hearing some further testimony.
 7 Am I correct to say that I heard that the
 8 County Board made no changes to our recommendations
 9 from before?
 10 **MR. DICK:** The County Board did not approve
 11 any changes to the Text Amendment and sent it back as
 12 it came to them.
 13 **CHAIRMAN ZIMMERMAN:** I state that because
 14 sometimes the County Board will change some items.
 15 So we've got signed up to speak both
 16 Objectors and Supporters. How should we do these?
 17 One from each? Or go down the list of one versus the
 18 other?
 19 **MS. WALLEY:** I would go ahead, since this is
 20 further evidence, and do all of the Supporters. That
 21 way we can have everyone in kind of one line. And
 22 then you can do cross-examination as the evidence
 23 comes up.
 24 **CHAIRMAN ZIMMERMAN:** All right. Thank you

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1 very much. The first Supporter signed up to speak is
 2 Brad Pnazek.
 3 (Witness sworn.)
 4 **CHAIRMAN ZIMMERMAN:** Would you please state
 5 your name and address for the record?
 6 **THE WITNESS:** My name is Brad Pnazek. My
 7 office is located 108 West Main Street, Lexington,
 8 Illinois, 61753.
 9 Good evening. My name is Brad Pnazek. I am
 10 Development Manager for Invenergy Wind Development
 11 based out of Chicago. I'm here tonight to offer
 12 Invenergy support of the McLean County Farm Bureau's
 13 Text Amendment as proposed and the staff report that
 14 accompanied it back in June.
 15 I just want to remind everybody that
 16 Invenergy is not associated with the application.
 17 We're just here to just kind of support what was
 18 submitted and already decided upon by this Board.
 19 With the approval of the Proposed Text
 20 Amendment, the updated wind ordinance will be
 21 protective of both public health, safety, and welfare.
 22 With us here tonight, Invenergy has brought
 23 a number of outstanding experts that can answer any
 24 questions that the ZBA may have that might arise from

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1 any kind of questions or comments brought here.
 2 Those folks will be proceeding to be on the
 3 Supporters list. They are Mike Blazer, Senior Vice
 4 President and General Counsel of Invenergy, and
 5 Dr. Mark Roberts, a licensed physician here in the
 6 state of Illinois, Wisconsin, Oklahoma. He has his MD
 7 in occupational and environmental medicine and his PhD
 8 in epidemiology.
 9 Also here is Mike Hankart. He is an
 10 acoustical expert and a consultant. We also have here
 11 Jacob Baker, a Regional ONM Director for Invenergy
 12 here for the state of Illinois. He is also a McLean
 13 County resident.
 14 We thank you for your time this evening, and
 15 we hope that we can aid in any clarifications or
 16 questions you may have in this process. Again, my
 17 name is Brad Pnazek with Invenergy. Thank you.
 18 **CHAIRMAN ZIMMERMAN:** That's the testimony
 19 that we have. Normally, we would have someone ask him
 20 questions. How would you like to work with this?
 21 **MS. WALLEY:** If you have any questions for
 22 the individual, if anyone on the Board does, they can
 23 ask questions. If anyone in the audience would like
 24 to ask Mr. Pnazek questions, they can do so.

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1 **CHAIRMAN ZIMMERMAN:** Mr. Pnazek, would you
 2 come back up? First, does staff have any questions?
 3 **MR. DICK:** I do not.
 4 **CHAIRMAN ZIMMERMAN:** Does anyone from the
 5 Board?
 6 (No response.)
 7 **CHAIRMAN ZIMMERMAN:** Not at this time.
 8 Does anyone in the audience have any
 9 questions for Mr. Pnazek?
 10 **AUDIENCE MEMBER:** I can't hear.
 11 **CHAIRMAN ZIMMERMAN:** We're very sorry about
 12 that.
 13 **MR. DICK:** Could you not hear Mr. Pnazek?
 14 **AUDIENCE MEMBER:** No.
 15 **MR. PNAZEK:** I can repeat what I said. Is
 16 that better?
 17 **AUDIENCE MEMBER:** Yes.
 18 **MR. PNAZEK:** Again, my name is Brad Pnazek.
 19 My business office is at 108 West Main Street in
 20 Lexington, Illinois. I am a Development Manager for
 21 Invenergy Wind Development. I'm here to voice
 22 Invenergy support of the McLean County Farm Bureau's
 23 Text Amendment Proposal, which was approved by the
 24 Board back in June and was sent to the County Board in

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1 July.
 2 With me here this evening to answer
 3 questions as it pertains to anything that may arise
 4 during this proceeding is Invenergy's Senior Vice
 5 President and General Counsel, Mike Blazer, and Mike
 6 Hankart, an acoustical expert and consultant.
 7 Dr. Mark Roberts is a licensed physician here in
 8 Illinois, Wisconsin, and Oklahoma. He has his MD in
 9 occupational and environmental medicine and his PhD in
 10 epidemiology. Also with us is Invenergy's Regional
 11 ONM Director, Jacob Backer, who is also a McLean
 12 County resident.
 13 Those were my comments, and again I just
 14 want to voice our support of the Text Amendment as it
 15 was proposed and approved previously. We're here to
 16 answer any questions or field any comments from the
 17 Board. That's it.
 18 **CHAIRMAN ZIMMERMAN:** Did everybody get a
 19 chance to hear that? Does anyone have any questions
 20 for Mr. Pnazek? I see someone back here. Would you
 21 please come forward, sir?
 22 At this point, we are questions only. We
 23 follow a rather strict procedure. Would you please
 24 have a seat and state your name. Since it's questions

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1 only, it's not testimony. Would you hit the little
 2 oval button?
 3 **MR. STEPHENS:** My name is Gary Stephens. I
 4 live at 1612 Iowa Street in Bloomington. Is that
 5 sufficient?
 6 **MR. DICK:** Yes.
 7 **CHAIRMAN ZIMMERMAN:** Yes. You have
 8 questions for Mr. Pnazek?
 9 **MR. STEPHENS:** Right.
 10 **MR. STEPHENS:** What is the name of the
 11 company you're working for?
 12 **MR. PNAZEK:** Invenergy.
 13 **MR. STEPHENS:** Okay. I couldn't understand.
 14 This company is trying to build a wind farm
 15 for electrical generation?
 16 **MR. PNAZEK:** We're soliciting sentiments
 17 from local landowners that might be interested in
 18 participating in a wind generation project here in
 19 McLean County. Yes.
 20 **MR. STEPHENS:** Does the wind generation
 21 facilities -- do they get the tax credits for the
 22 energy they produce?
 23 **MR. PNAZEK:** There's a tax policy that the
 24 IRS runs. Just like any other form of energy

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1 generation or any other company, we follow a tax
 2 policy that's set forth for --
 3 **MR. STEPHENS:** Are the stipulations of tax
 4 credits the same for every energy-generating facility,
 5 or are they different?
 6 **MR. PNAZEK:** No, they are not. Each one has
 7 its own tax policy for that form of generation.
 8 **MR. STEPHENS:** Does the wind energy have
 9 more tax credits or less than coal?
 10 **MR. PNAZEK:** I can't answer that right off
 11 the bat. I can't speak for coal. I do know what the
 12 tax policies are for the wind energy. I'm not an
 13 expert on the coal side of it.
 14 **MR. STEPHENS:** Is there a wind credit from
 15 both federal and state sources or not?
 16 **MR. PNAZEK:** As far as I know, it's just
 17 from the federal level. It's a production tax credit
 18 based on how much energy we generate each year. And
 19 then when we go to file our taxes, those tax credits
 20 are applied to our tax liability. You can think of it
 21 very similar to the mortgage interest credit that you
 22 would have on a home mortgage.
 23 **MR. STEPHENS:** How much -- if you say you
 24 have 100 windmills, about how much energy do you think

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1 you produce a year out of that?
 2 **MR. PNAZEK:** It depends across very
 3 different kinds of technologies and how big those
 4 turbines are sized; so I can't give specifics for that
 5 right now.
 6 **MR. STEPHENS:** Is there anyplace in McLean
 7 County that has about 100 that has a track record of
 8 how much they produced?
 9 **MR. PNAZEK:** Sure. As I understand it and
 10 as Mr. Dick mentioned, there are several projects that
 11 have been approved here in McLean County already that
 12 would have that data. If those operators of those
 13 facilities want to share, you could get that
 14 information.
 15 **MR. STEPHENS:** Do you have some idea what
 16 the proportion of tax credit would be to the amount of
 17 profits that would be generated?
 18 **MR. PNAZEK:** That's on a very case-by-case
 19 basis, and I wouldn't be able to tell you. Again, the
 20 tax credit associated with the production tax credit
 21 for wind energy generation facilities is a credit
 22 based on production. So however many megawatt hours
 23 we produce each year, those tax credits are applied
 24 towards that.

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1 For a real rough estimate, you might think
 2 of something like 100 turbines. Today, for some of
 3 the standard pieces of equipment being installed, you
 4 might have anywhere between 800 thousand to a million
 5 megawatt hours produced each year.
 6 **MR. STEPHENS:** What percentage of hours in a
 7 day over a year do the wind turbines turn?
 8 **MR. PNAZEK:** I think you're probably getting
 9 at the net capacity factor. And again, that varies on
 10 models and types of -- you know, pieces of equipment
 11 out there, geography, how fast the wind speeds are.
 12 As a general assumption, here in the state
 13 of Illinois, you might be able to use a net capacity
 14 factor between 30 and 45 percent, maybe.
 15 **MR. STEPHENS:** Is there any way of storing
 16 energy if you have excess energy?
 17 **MR. PNAZEK:** Absolutely. Invenergy owns a
 18 facility that is up in LaSalle County. It's known as
 19 our Grand Ridge facility. We operate energy storage
 20 facilities there.
 21 You can think of them as large batteries,
 22 and they do have that capability. It's used in
 23 various different ways by off-takers and other people
 24 within the electrical transmission grid.

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1 **MR. STEPHENS:** Do you have any idea how much
2 it costs to generate electricity from wind as opposed
3 to, like, the Clinton nuclear power plant that
4 produces electricity?
5 **MR. PNAZEK:** I don't have any specifics
6 there on the Clinton plant. Wind -- am I good to
7 answer?
8 **MR. BLAZER:** If you know.
9 **MR. PNAZEK:** Here in the state of Illinois
10 wind can generated -- oftentimes when we generate and
11 sell the power, that's what you'd be looking for, is a
12 utility to purchase that from us. That kind of
13 purchase price here is somewhere between the high --
14 if we're talking in dollars per megawatt hour, the
15 high 20s to the low 40s per megawatt hour. That
16 Translates maybe to 2.8 cents to 4.2 cents per
17 kilowatt hour that you might see on your local utility
18 bill.
19 **MR. STEPHENS:** If people want to have just
20 wind energy, do you have an arrangement with somebody
21 else to supply power if the wind stops?
22 **MR. PNAZEK:** Invenergy is an independent
23 power producer. We are not a publicly owned utility.
24 What we do is we sell the energy that we generate in a

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1 bulk purchase or bulk sale to a utility such as Ameren
2 or Com Ed and those kind of things. They are the ones
3 then that will distribute and get that energy to the
4 retail customers. So our arrangement is just with
5 those utilities on that power purchase arrangement.
6 **MR. STEPHENS:** Okay. All right. I believe
7 that's all the questions I have. Thank you very much.
8 **MR. PNAZEK:** You are very welcome.
9 **CHAIRMAN ZIMMERMAN:** Thank you,
10 Mr. Stephens. Appreciate that. Is there anyone else
11 who has questions for Mr. Pnazeck?
12 (No response.)
13 **CHAIRMAN ZIMMERMAN:** There being none, the
14 next step is to get the next person up, which would be
15 Michael Blazer. Please come forward. You signed up
16 to be a speaker. You can waive that, or you can --
17 **MR. BLAZER:** I am Michael Blazer. My office
18 address is 1 South Wacker Drive, Chicago, Illinois,
19 60606. I am Senior Vice President and General Counsel
20 for Invenergy.
21 Myself and our other experts -- Jacob Baker,
22 Dr. Roberts, and Michael Hankart -- are really not
23 here to comment. We are here to answer any questions
24 that may come up during this process: technical

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1 questions, operational questions, questions about
2 production tax credit, whatever you may have.
3 Other than that, we're not adding anything
4 to what I think I principally already said at the last
5 hearing last June. But if any questions come up,
6 we'll be here throughout the whole evening.
7 **CHAIRMAN ZIMMERMAN:** We might swear you guys
8 in as a group. Mr. Dick, I'm going to ask permission
9 to have the group -- Mr. Blazer, Hankart, Roberts,
10 Baker -- come up. We would swear them in, and that
11 way we have their names and addresses on the record
12 should anyone have any questions of them.
13 Actually, why don't we get you all up here
14 and see if there are any questions.
15 **MR. BLAZER:** We can move some chairs up
16 here, if you want.
17 **CHAIRMAN ZIMMERMAN:** That would be fine.
18 They happen to be the first five people on
19 the Supporters list. So if you don't want to do
20 testimony, the next thing is to ask for questions.
21 If you would, tip your speakers up and use
22 it more adeptly than I have been in the last couple of
23 minutes.
24 (Witnesses sworn.)

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1 **CHAIRMAN ZIMMERMAN:** Would you please state
2 your names for the record?
3 **MR. BLAZER:** Again, Michael Blazer, Senior
4 Vice President and General Counsel of Invenergy.
5 **MR. ROBERTS:** Dr. Mark Roberts, 525 West
6 Monroe, Chicago, Illinois, 60661. I'm a physician,
7 and I have been asked to come and answer questions as
8 needed.
9 **CHAIRMAN ZIMMERMAN:** Welcome. Mr. Blazer,
10 can we get your address for the record?
11 **MR. BLAZER:** Sorry. Office address is 1
12 South Wacker Drive, Suite 1800, Chicago, 60606.
13 **MR. BAKER:** I am Jacob Baker, Regional
14 Operations Director over the Midwest. My home address
15 is 913 Teegan Street in Normal.
16 **MR. HANKART:** Michael Hankart. I'm with
17 Hankart Environmental. We are acoustical consultants.
18 We measure and predict noise levels from wind turbine
19 facilities. Office address is 211 East Verona Avenue,
20 Verona, Wisconsin, 53593.
21 **CHAIRMAN ZIMMERMAN:** First, is there
22 anything you would like to add to the testimony you
23 have heard? Things you wanted to say?
24 **MR. BLAZER:** Not at this time, Mr. Chairman.

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1 **CHAIRMAN ZIMMERMAN:** Would there be any
2 questions for the Invenergy group, if I may refer to
3 you as that, for the experts that we have here?
4 (No response.)
5 **CHAIRMAN ZIMMERMAN:** We may call you back if
6 there are questions, and it sounds like you are here
7 to offer yourselves as experts should any questions
8 come up.
9 **MR. BLAZER:** That is correct, sir.
10 **CHAIRMAN ZIMMERMAN:** There being no
11 questions at this point, we'll move to the next person
12 on the list, which would be Eric Penn. Would Eric
13 Penn please come forward.
14 (Witness sworn.)
15 **CHAIRMAN ZIMMERMAN:** Would you please state
16 your name and address for the record.
17 **MR. PENN:** My name is Eric Penn. I live at
18 1016 McGregor Street, Bloomington.
19 **MR. DICK:** Could you spell your first name?
20 **MR. PENN:** E-r-i-c.
21 **CHAIRMAN ZIMMERMAN:** What testimony would
22 you like to give, sir?
23 **MR. PENN:** I'd just like to vote in favor of
24 the wind energy. I'm in favor of that.

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1 I want the Zoning Board to move forward with
2 what they've done in the past, move forward and
3 approve things moving forward and have the opportunity
4 for Invenergy or other developers to come into the
5 area to have wind farms.
6 I believe that it is very beneficial to the
7 area as far as tax base revenues to the police, fire,
8 schools, local businesses.
9 I am also a member of the laborer's union.
10 I grew up here. My family has been here all my life.
11 I believe this would be beneficial to my family and
12 beneficial to my other family, being the laborer's
13 union. There are opportunities to maybe benefit from
14 a project like this.
15 **CHAIRMAN ZIMMERMAN:** Excellent. Would
16 anyone like to ask questions of Mr. Penn at this time?
17 First, the staff.
18 **MR. DICK:** Did you agree with what the text
19 amendment has proposed as the Zoning Board recommended
20 to the County Board? Is that what you're saying?
21 **MR. PENN:** Yes.
22 **CHAIRMAN ZIMMERMAN:** Thank you. Members of
23 the Board?
24 (No response.)

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1 **CHAIRMAN ZIMMERMAN:** Now, members of the
2 public? We're on questions only at this point. Thank
3 you.
4 **MS. BENJAMIN:** Do you need my name?
5 **CHAIRMAN ZIMMERMAN:** Please.
6 **MS. BENJAMIN:** Diane Benjamin.
7 I wanted to know if you're aware that
8 Prairie Central Schools in Livingston County did not
9 approve of the wind farms in Livingston County because
10 they figured out over ten years that their tax base
11 would actually decrease because state funding would be
12 decreased when they got more revenue from the
13 turbines?
14 **MR. PENN:** I was not aware of that
15 testimony, no.
16 **MS. BENJAMIN:** That's it.
17 **MR. DICK:** Ms. Benjamin, could you tell us
18 your address, please?
19 **MS. BENJAMIN:** No. I'm not required under
20 the Open Meetings Act to give my address.
21 **CHAIRMAN ZIMMERMAN:** You asked a question
22 and --
23 **MS. BENJAMIN:** Yes, I did.
24 **CHAIRMAN ZIMMERMAN:** You got an answer.

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1 Thank you very much.
2 Would there be anyone else who wants to ask
3 questions of Mr. Penn at this point?
4 (No response.)
5 **CHAIRMAN ZIMMERMAN:** I see none. Thank you
6 very much. We'll ask you later if you want to have a
7 closing statement.
8 I'd like to call at this point Ronnie Paul.
9 (Witness sworn.)
10 **CHAIRMAN ZIMMERMAN:** Would you please state
11 your name and address for the record.
12 **MR. PAUL:** Ronnie Paul, 305 West McArthur,
13 Bloomington.
14 **CHAIRMAN ZIMMERMAN:** What would you like to
15 say?
16 **MR. PAUL:** I'm here in support of the wind
17 amendment, how it was unanimously voted before. I've
18 worked on four of these wind projects, two east of
19 town, one in Carlock, and one in Minonk. They're
20 great jobs, but I don't want to talk about just the
21 jobs while they're going on.
22 I know she mentioned something about the
23 taxes in Livingston County. I'm not aware of that.
24 But I do know that these create a lot of tax revenue

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1 for the school. They fund future projects. It's not
 2 just while the wind farm is going on. They fund
 3 future projects every year with the tax dollars they
 4 create. With the state budget the way it is, they're
 5 going to create jobs for us to build our schools and
 6 fire stations and everything else in the future.
 7 I'm in support of it, and hopefully you guys
 8 vote unanimously the way you did before.
 9 With the setbacks that are being proposed,
 10 it's going to prove detrimental to wind farms in
 11 McLean County. That's going to take tax dollars away
 12 from our schools and other projects funded through the
 13 tax revenue.
 14 **CHAIRMAN ZIMMERMAN:** So you don't like the
 15 part of the proposed regulations that increased the
 16 setbacks?
 17 **MR. PAUL:** That is correct.
 18 **CHAIRMAN ZIMMERMAN:** Is there anything else
 19 you'd like to say?
 20 **MR. PAUL:** That's all.
 21 **CHAIRMAN ZIMMERMAN:** Are there any questions
 22 from staff?
 23 **MR. DICK:** The text amendment that the
 24 Zoning Board sent to the County Board didn't increase

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1 the setbacks.
 2 **MR. PAUL:** I understand. I'm saying I would
 3 like for you to vote the same way. That's what we are
 4 in support of and without the new proposed setbacks
 5 that were being proposed tonight.
 6 **MR. DICK:** Well, nobody has proposed any
 7 bigger setbacks yet tonight. But you don't want them
 8 to be increased. Is that what you are saying?
 9 **MR. PAUL:** That is exactly right.
 10 **CHAIRMAN ZIMMERMAN:** All right. Any
 11 questions from the Board?
 12 (No response.)
 13 **CHAIRMAN ZIMMERMAN:** Any questions from
 14 members of the public?
 15 (No response.)
 16 **CHAIRMAN ZIMMERMAN:** There being none, we
 17 may ask you back for cross-examination and a final
 18 statement. We appreciate you coming in tonight.
 19 Thank you.
 20 I'd like to call at this time Nathan Russo.
 21 As far as the hearing goes, this is
 22 remarkably efficient. I really appreciate everybody's
 23 cooperation here.
 24 (Witness sworn.)

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1 **CHAIRMAN ZIMMERMAN:** Would you please state
 2 your name and address for the record.
 3 Nathan Russo, 827 West Oakland, Bloomington,
 4 Illinois.
 5 **CHAIRMAN ZIMMERMAN:** What would you like to
 6 say?
 7 **MR. RUSSO:** Wind energy, it's good for
 8 everything. Just saw a thing today in the paper where
 9 we're at the hottest time of our world in, like,
 10 115,000 years or something like that. Wind energy is
 11 clean energy. You know what I'm saying?
 12 As the guys behind me, I have also worked on
 13 all four phases of the wind farms around here. I'm a
 14 third generation laborer. My grandfather worked on a
 15 nuclear power plant and raised my mother and my uncle.
 16 My uncle continued on laboring. And I raised my
 17 daughter off this. The windmills provided us with a
 18 really good lifestyle. Actually helped me buy my
 19 first house. My daughter is in college now.
 20 I hope we can continue on this tradition of
 21 earning. It's also good for our neighborhoods. You
 22 know, the police are better.
 23 He kind of hit on everything. All I can say
 24 is that I'm in favor of it. I hope you guys continue

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1 to vote the way you did before. Let's just get this
 2 going. You know what I'm saying? It's better. It's
 3 better.
 4 **CHAIRMAN ZIMMERMAN:** Is there anyone who
 5 would like to ask questions of Mr. Russo at this
 6 point?
 7 (No response.)
 8 **CHAIRMAN ZIMMERMAN:** We may ask you back for
 9 a concluding statement if you would like, and we'll
 10 talk to you later. Thank you very much.
 11 **MR. RUSSO:** Thank you.
 12 **CHAIRMAN ZIMMERMAN:** Now I'd like to call
 13 Joe Bertsche.
 14 (Witness sworn.)
 15 **CHAIRMAN ZIMMERMAN:** Please state your name
 16 and address for the record.
 17 **MR. BERTSCHE:** Joe Bertsche, 27651 East 2700
 18 North Road, Chenoa, Illinois.
 19 **MR. DICK:** Could you spell your last name,
 20 please?
 21 **MR. BERTSCHE:** B-e-r-t-s-c-h-e.
 22 I come before you tonight being a tenant on
 23 a farm that's going to be impacted by this wind energy
 24 project. We may or may not have a turbine. That's to

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1 be decided in the future. We stand in favor of it.
 2 It will help the value of the farm by the income we
 3 derive from it.
 4 The other thing I'd like to mention is
 5 yesterday received the newsletter from Prairie Central
 6 School District. They've approved a new deficit
 7 budget -- I read here \$1.45 million -- for this coming
 8 year.
 9 I'd like to state, as a former School Board
 10 member in the old Chenoa School District who worked
 11 with deficits and everything, that you're always
 12 better off raising money locally than relying on state
 13 aid. State aid is a very fickle thing. Because your
 14 valuation goes up and you generate more dollars
 15 locally, you are much better off doing that than
 16 relying on state aid. It's always nice to get state
 17 aid, but it's never as nice as to have your local tax
 18 dollars coming in.
 19 I can relate to this by my son that lives in
 20 the suburbs. They live in a very wealthy district,
 21 and they don't rely on state aid as much up there.
 22 They have money in the bank, where we down here are
 23 more or less being cut off and starved.
 24 If we don't accept this, if we turn this

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1 project down, you're looking at \$1.5 million a year
 2 not going to our local school districts, fire
 3 districts, and everything else.
 4 So I would like to speak in favor of this
 5 project. The sooner it can be done, I think, the
 6 better off we'll all be. Thank you.
 7 **CHAIRMAN ZIMMERMAN:** Thank you,
 8 Mr. Bertsche. Any questions from staff?
 9 **MR. DICK:** You are a tenant farmer. Do you
 10 actually own farms too?
 11 **MR. BERTSCHE:** My wife owns part of the
 12 ground.
 13 **MR. DICK:** Your wife owns the farm, and
 14 you're the tenant farmer?
 15 **MR. BERTSCHE:** I'm the tenant farmer. Tax
 16 reasons.
 17 **MR. DICK:** Thank you.
 18 **CHAIRMAN ZIMMERMAN:** It may be inappropriate
 19 for us to laugh, but we're informal here.
 20 Any questions from the Board?
 21 (No response.)
 22 **CHAIRMAN ZIMMERMAN:** Is there any questions
 23 from anyone in the audience for Mr. Bertsche?
 24 (No response.)

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1 **CHAIRMAN ZIMMERMAN:** Thank you, Mr.
 2 Bertsche. We may ask you back later if you have a
 3 final statement.
 4 At this point, I'd like to call Loren Poppe.
 5 (Witness sworn.)
 6 **CHAIRMAN ZIMMERMAN:** Would you please state
 7 your name and spell it and address for the record.
 8 **MR. POPPE:** Loren, L-o-r-e-n P-o-p-p-e. And
 9 the address is 32702 East 2550 North Road, Colfax.
 10 **CHAIRMAN ZIMMERMAN:** Yes, sir?
 11 **MR. POPPE:** I have a couple of points in
 12 speaking in favor of it. I agree with the other
 13 points that are brought up.
 14 They're saying they are shutting down the
 15 nuclear power plant next year. I think, if we can get
 16 the wind power going with the coal power to back it
 17 up, we're going to be much better off because the
 18 nuclear industry is iffy at best.
 19 And I think -- and the school districts,
 20 whatever, could live off this, really help with this
 21 tax that the company comes up with.
 22 And it will help farms. As I see it, if we
 23 pass the farm on to the next generation -- the farm
 24 I'm talking about we've had 99 years in the family.

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1 So if we can keep it that way, the next generation
 2 will be able to keep that farm rather than selling it
 3 off.
 4 **CHAIRMAN ZIMMERMAN:** All right. Any
 5 questions from staff?
 6 (No response.)
 7 **CHAIRMAN ZIMMERMAN:** Any questions from the
 8 Board? Yes, Mr. Finnigan.
 9 **MR. FINNIGAN:** Do you live on a farm?
 10 **MR. POPPE:** Yes.
 11 **MR. FINNIGAN:** How close would the wind
 12 towers be to you?
 13 **MR. POPPE:** Should be within half a mile,
 14 something like that.
 15 **CHAIRMAN ZIMMERMAN:** Any questions from any
 16 of the members of the audience for Mr. Poppe?
 17 (No response.)
 18 **CHAIRMAN ZIMMERMAN:** Being none, we may ask
 19 you back for a final statement. Thank you.
 20 We have five more on the supporter side.
 21 Andrew Downey.
 22 (Witness sworn.)
 23 **CHAIRMAN ZIMMERMAN:** Would you please state
 24 your name and spell it along with your address for the

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1 record.

2 **MR. DOWNEY:** My name is Andrew Downey. Last

3 name is spelled D-o-w-n-e-y. Address is 2365 North

4 17th Road in Streator, Illinois, 61364.

5 I come to you to speak on behalf of

6 supporting the Text Amendment as a resident and farmer

7 in the Grand Ridge Wind Farm that was constructed in

8 2008 and 2009.

9 Having lived within the wind farm for the

10 last several years, I've not only seen my local

11 schools benefit from it, but also benefit my family in

12 terms of tuition payments and to keep my farm within

13 the family name.

14 **CHAIRMAN ZIMMERMAN:** Thank you. Any

15 questions from staff?

16 **MR. DICK:** Do you have a turbine on your

17 family farm?

18 **MR. DOWNEY:** Yes, I do.

19 **MR. DICK:** One or two?

20 **MR. DOWNEY:** Actually, five turbines on my

21 property.

22 **MR. DICK:** And it's helping you keep your

23 farm?

24 **MR. DOWNEY:** Yes. I did not inherit the

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1 farm. I do have payments on that farm that -- the

2 turbine income is very beneficial for that.

3 **MR. DICK:** Has it interfered with your

4 agricultural operation?

5 **MR. DOWNEY:** No, sir.

6 **MR. DICK:** Thank you.

7 **CHAIRMAN ZIMMERMAN:** We have a question from

8 Mr. Finnigan.

9 **MR. FINNIGAN:** Do you live on the farm?

10 **MR. DOWNEY:** Yes, sir.

11 **MR. FINNIGAN:** How close are the turbines to

12 you?

13 **MR. DOWNEY:** They are -- I don't know

14 precise numbers. The setbacks in LaSalle County at

15 the time of construction were 1,200 feet; so they are

16 between, I'd say, 1,300 feet to 1,800 feet away from

17 the house.

18 **MR. FINNIGAN:** They haven't disturbed your

19 way of life?

20 **MR. DOWNEY:** No.

21 **MR. FINNIGAN:** No health problems?

22 **MR. DOWNEY:** No.

23 **MR. FINNIGAN:** Any of your neighbors

24 complain about them?

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1 **MR. DOWNEY:** No, they do not.

2 **MR. FINNIGAN:** Thank you.

3 **CHAIRMAN ZIMMERMAN:** Mr. Dick has another

4 question.

5 **MR. DICK:** Can you hear the wind turbine

6 from your house?

7 **MR. DOWNEY:** Yes, I can. From outside the

8 house, not within the house. From outside the house,

9 yes, I can hear the turbine.

10 **MR. DICK:** Thank you.

11 **CHAIRMAN ZIMMERMAN:** Would anyone else have

12 a question for Mr. Downey?

13 We have two people here. First,

14 Ms. Benjamin. You know the routine here.

15 **MS. BENJAMIN:** Yes. How tall are the ones

16 by you?

17 **MR. DOWNEY:** From ground to tip is 390 feet.

18 **MS. BENJAMIN:** Did you see how tall these

19 are? 500?

20 **MR. DOWNEY:** Yes, I've seen that.

21 **MS. BENJAMIN:** I just wanted to make sure

22 you knew that these are monsters compared to what you

23 have?

24 **MR. DOWNEY:** Uhhh --

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1 **MS. BENJAMIN:** I actually live out by the

2 ones east of town, and I can hear them just fine.

3 They are a lot taller.

4 **CHAIRMAN ZIMMERMAN:** Ms. Benjamin, there is

5 an opportunity for you to give testimony.

6 **MS. BENJAMIN:** All right.

7 **CHAIRMAN ZIMMERMAN:** We have someone else?

8 Yes. After the questions, we'll have opportunities

9 for people to give testimony.

10 If you would, please, state your name.

11 **MS. NEUBAUER:** It's Dawn, D-a-w-n, Neubauer,

12 N-e-u-b-a-u-e-r.

13 My main question is: Do you work for this

14 company, Invenergy, as well?

15 **MR. DOWNEY:** I have been a consultant for

16 them for several years.

17 **MS. NEUBAUER:** That's my only question right

18 there. Thank you.

19 **CHAIRMAN ZIMMERMAN:** Would there be any

20 further questions? We have another hand back here.

21 Would you please state your name?

22 **MS. WINTERLAND:** Amy Winterland. Just one

23 quick question.

24 Do you have any livestock near the wind

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1 turbines?
 2 **MR. DOWNEY:** Not now. I did before. With
 3 the Cyclical nature of the hog business and the
 4 buildings that were already constructed on the
 5 property well before I showed up being in disrepair --
 6 due to that and the market, I liquidated the swine
 7 herd.
 8 **MS. WINTERLAND:** So was that after the
 9 turbines were installed that you liquidated the swine
 10 herd?
 11 **MR. DOWNEY:** No. That was before.
 12 **MS. WINTERLAND:** Before they were installed?
 13 **MR. DOWNEY:** Yes.
 14 **MS. WINTERLAND:** Okay. Thank you.
 15 **CHAIRMAN ZIMMERMAN:** Any further questions?
 16 Anyone?
 17 (No response.)
 18 **CHAIRMAN ZIMMERMAN:** All right. Mr. Downey,
 19 we may call you back if you have a final statement
 20 later on. Thank you very much.
 21 At this point, we have four more for this
 22 side of it, and then we'll probably take a little
 23 break.
 24 Chris Wilder, would Chris Wilder be wanting

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1 to come forward and express some support?
 2 **MR. WILDER:** I have nothing to add at this
 3 time.
 4 **CHAIRMAN ZIMMERMAN:** Thank you very much,
 5 Mr. Wilder. William Rau.
 6 (Witness sworn.)
 7 **CHAIRMAN ZIMMERMAN:** Will you state your
 8 name and address for the record, please.
 9 **MR. RAU:** William Rau -- that's R-a-u -- at
 10 313 Vista Drive in Bloomington.
 11 Mr. Chair, members of the Board, I would
 12 like to strongly support the amendments to the wind
 13 farm ordinances. The chief purpose of these
 14 ordinances is to increase the heights of turbines,
 15 which is crucial and vital to the continuing growth
 16 and prosperity of wind farms in Illinois.
 17 Let's take the case here. The standard
 18 height of a wind turbine in Illinois now is 80 meters
 19 and has a wind capacity factor of around 30 to 32
 20 percent. With these new turbines at 90 meters, that
 21 capacity factor will increase to about 40 percent,
 22 maybe a little bit more or a little bit less, which is
 23 a 25 percent increase.
 24 These wind turbines will, as a consequence

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1 of this, produce more wind at a cheaper price and will
 2 allow greater and easier integration into the grid
 3 because when they are running 40 percent rather than
 4 30 percent, it solves a lot of problems.
 5 This is really, I think, crucial for the
 6 growth. That opens up a lot of areas in Illinois that
 7 are not commercially viable that will be now with
 8 these taller hub heights. So it will more than double
 9 the amount of land available for wind development in
 10 this state. These are really crucial amendments.
 11 I would like to add one thing to this. I
 12 would hope that Invenegy would also consider a Better
 13 Neighbor Policy that would involve three things. One,
 14 to the extent that this would be possible, to have
 15 side power purchase agreements so that local
 16 businesses, school districts, residents, government
 17 units could buy wind that's produced in their own
 18 backyard rather than having these dorky RECs that we
 19 buy from wind farms in Oklahoma. I'd like to see us
 20 buy the real thing.
 21 Secondly, for people that live in the area
 22 and maybe McLean County as a whole, it would be nice
 23 for the wind farm to offer bonds so people could buy
 24 into the construction of these wind farms and receive

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1 a modest return.
 2 Third, should the day come that Bloomington
 3 wants to create a community solar garden or wind farm,
 4 for example, on the 63-acre landfill that will be
 5 closed shortly, it would be nice if Invenegy would be
 6 willing to be a partner in the construction of such
 7 operations and would be willing to sign a contract for
 8 operations and maintenance.
 9 Now, consider what these will do. Number
 10 one, under the old farms, the wind is sold elsewhere.
 11 Under this arrangement, people could drive by a farm
 12 and say, "I buy my wind from that farm." Under the
 13 bond arrangement, people can say, "I helped to build
 14 that wind farm."
 15 And third, under the community arrangement,
 16 we can create, in a partnership with a commercial
 17 operation, the opportunity for citizens to create
 18 their own mini wind farm as well.
 19 I think that this would eliminate a lot of
 20 the objections that some people have to wind farms by
 21 creating a mutually beneficial set of exchange
 22 relationships between that farm and between the
 23 citizens of McLean County. What we could do in the
 24 process is create a model on wind farm development

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1 that would receive national recognition.
 2 So I hope that Invenegy would consider
 3 this. Their transaction costs would be higher; but
 4 what they could do is offset that by slightly higher
 5 PPA prices, which would give us energy substantially
 6 cheaper than what we pay now. People wouldn't receive
 7 the same interest rate as a commercial bank. But it
 8 would be substantially higher than what they get out
 9 of savings and loans.
 10 So the wind farm would benefit. The
 11 community would benefit. I think everyone would be
 12 happier. Thank you very much.
 13 **CHAIRMAN ZIMMERMAN:** Would you stay here?
 14 There are probably some questions. I'll have one
 15 before I turn it over here.
 16 Dorothy Rocks?
 17 **MR. RAU:** Dorky.
 18 **CHAIRMAN ZIMMERMAN:** D-o-r-k-y?
 19 **MR. RAU:** Yeah. They are what are called
 20 unbundled RECs.
 21 A wind farm anywhere in the country is
 22 producing wind. You buy the renewable energy credits
 23 for them. The wind stays there, but you can brag
 24 about the fact that you're green.

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1 A much better arrangement is to actually
 2 purchase wind that's produced in your community
 3 directly. That keeps the money in state. It keeps
 4 the jobs in state, and we will harness a very powerful
 5 resource. After all, we have Lincoln's quote about
 6 the unharnessed power of wind. It's time we live up
 7 to Lincoln's recommendation on --
 8 (Sound system down.)
 9 **CHAIRMAN ZIMMERMAN:** We might have an energy
 10 break here before the last couple of speakers.
 11 Please stay there. There may be people who
 12 have some questions for you.
 13 Why don't we go ahead and take a break here
 14 and reconvene at 8:45. We'll try to finish the whole
 15 meeting at 10:00 tonight, and let's hope that we can
 16 get there. The formal chair of the committee, Sally
 17 Rudolph, turns into a pumpkin at 10:00. We'll take a
 18 break now until 8:45.
 19 Mr. Rau, we would invite you back to take
 20 any questions at that point. SO we'll take a quick
 21 break here. We're going to try to wrap up at 10:00.
 22 So thank you very much.
 23 We have a couple more Supporters, and then
 24 we'll go to the Objectors.

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1 (Recess in proceedings.)
 2 **CHAIRMAN ZIMMERMAN:** Where we were is that
 3 we had Bill Rau up here. Dr. Rau, did you have any
 4 more testimony?
 5 **MR. RAU:** No.
 6 **CHAIRMAN ZIMMERMAN:** Does anyone have any
 7 questions for Bill at this point?
 8 (No response.)
 9 **CHAIRMAN ZIMMERMAN:** Seeing none, if you'd
 10 like to have a statement later on, we'll do that.
 11 Next, we have two more Supporters at this
 12 point; and if anyone else wants to speak in support of
 13 this, be happy to have them come in. We'll go through
 14 these, and then we will go through the Objectors after
 15 that.
 16 Now, Robert Lenz. There he is. Not a
 17 stranger to this Board. I suppose we need to swear
 18 you in.
 19 (Witness sworn.)
 20 **CHAIRMAN ZIMMERMAN:** Would you state your
 21 name and address.
 22 **MR. LENZ:** My name is Robert Lenz. I'm an
 23 attorney in Bloomington, where I've practiced for over
 24 50 years. I actually live on a farmette in the

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1 northwest corner of Hudson Township, but I have an El
 2 Paso mailing address. It's unfortunate. That address
 3 is 120761 2600 North Road, El Paso.
 4 I'm here to offer limited support for the
 5 Text Amendment Ordinance. I want to explain what I
 6 mean by that.
 7 If you feel a need to do something in terms
 8 of recommending any changes at all from the present
 9 ordinance to the County, then please adopt the staff
 10 report from June 7. I found that on the Internet and
 11 read the transcript of it.
 12 The staff pointed out that the Farm Bureau
 13 Text Amendment Proposal had a number of errors in it,
 14 duplications, things put in the wrong place, ambiguous
 15 words. All of those things they proposed to strike
 16 out are right on point. So if you feel the need to
 17 move this forward, don't send forward an ordinance
 18 that we are going to have to correct later on with
 19 corrective amendments. I think the staff was able to
 20 prevent that for you.
 21 What I really want to testify about is that,
 22 based on my experience in the wind farm business --
 23 and I want to say that I have testified and attended
 24 zoning hearings in 7 different counties for 12

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1 different wind farms that have been built and
 2 consulted in some other counties. I don't have a
 3 client pending. I don't have a matter pending now,
 4 but I've been through lots of these kinds of things.
 5 The ordinance we have in McLean County is as
 6 good as anybody's. The practice we have here of this
 7 Zoning Board recommending a uniform set of
 8 stipulations to add to the application for approval
 9 works really well. It gives you the flexibility to
 10 add another stip if you need to or modify a prior
 11 stipulation if circumstances warrant it.
 12 My conservative friends like to remind me of
 13 a conservative standard, which is: If it ain't broke,
 14 don't fix it. Our ordinance ain't broke. I would
 15 encourage you not to "fix it" unnecessarily.
 16 But if you do need to do something along
 17 that line, then I do think those staff corrective
 18 suggestions from June 7 should be considered.
 19 It's an unusual -- I'm kind of testifying
 20 for and against something here. But we have a good
 21 ordinance and a good practice, and this Zoning Board
 22 has always recommended appropriate stipulations.
 23 The stipulations are almost engraved in
 24 stone. The suggestion is that the new ordinance just

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1 codifies the existing stips. That's not entirely
 2 correct. If that's all it does, why change? We don't
 3 need another ordinance to continue doing what we're
 4 already doing. We have a good practice here, and we
 5 ought to just continue it. That's my suggestion.
 6 **CHAIRMAN ZIMMERMAN:** Thank you. A question
 7 for Mr. Dick. The staff report that was submitted
 8 with our June 7 recommendation, does that become part
 9 of the record as part of the overall item that we sent
 10 to the Board?
 11 **MR. DICK:** That staff report did not go to
 12 the Board. It went to this Zoning Board.
 13 **CHAIRMAN ZIMMERMAN:** Is there anything in
 14 there that is referenced? Just like, when you pass a
 15 law, there are often regulations; and then they have
 16 the congressional record around it.
 17 Is there anything like that here on the
 18 county level?
 19 **MR. DICK:** Well, with respect to that staff
 20 report, most of the things that were approved or
 21 recommended by the Zoning Board were incorporated in
 22 that ordinance that went to the County Board.
 23 **CHAIRMAN ZIMMERMAN:** Thank you. Would
 24 anyone have questions for Mr. Lenz here?

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1 **MR. DICK:** Mr. Lenz, are you actually
 2 suggesting that maybe we didn't need to adopt an
 3 amended ordinance? We should just go back to the old
 4 ordinance?
 5 **MR. LENZ:** I wouldn't say go back to it. I
 6 would just say keep it. We have a good ordinance and
 7 a good practice. Why change it?
 8 My preference as a citizen and a taxpayer in
 9 McLean County with some knowledge about wind farms and
 10 practice before this Board and watching the County
 11 function -- what we have is a system that works very
 12 well. Why are we changing it?
 13 **MR. DICK:** Are you suggesting that, if the
 14 Text Amendment were withdrawn, that you would like it
 15 to be just like it was?
 16 **MR. LENZ:** Yes.
 17 **MR. DICK:** Thank you.
 18 **CHAIRMAN ZIMMERMAN:** Any questions from
 19 members of the Board?
 20 (No response.)
 21 **CHAIRMAN ZIMMERMAN:** Any questions from the
 22 audience?
 23 (No response.)
 24 **CHAIRMAN ZIMMERMAN:** We'll let you off easy,

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1 Mr. Lenz, tonight. Thank you very much for your
 2 service and all the extra work.
 3 Katie Chapman? Would Katie like to come
 4 forward?
 5 (Witness sworn.)
 6 **CHAIRMAN ZIMMERMAN:** Would you please state
 7 your name and spell it for the record and your
 8 address, please?
 9 **MS. CHAPMAN:** Katie Chapman, K-a-t-i-e
 10 C-h-a-p-m-a-n. Our offices are at 2000 1/2 Gill
 11 Street in Bloomington.
 12 I work for EDP Renewables. We are also
 13 proposing a wind project in McLean County. We also
 14 developed, constructed, and operate the Twin Groves 1
 15 and 2 wind facilities east of town.
 16 We support the ordinance as currently
 17 proposed. It provides assurance to both landowners
 18 and wind companies and provides regulatory certainty
 19 going forward. So we believe that the current
 20 ordinance is a good one. The amendment improves upon
 21 that standard and clarifies a number of items that are
 22 important, particularly for our design and our
 23 development.
 24 We believe that the setbacks as proposed are

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1 significant and would like to clarify that further
 2 increases to setbacks may impede or even preclude wind
 3 power development in McLean County. So if that is the
 4 goal, then you may be better served to take a
 5 different vehicle such as -- not an ordinance because
 6 that's not really what that is. That's a moratorium.
 7 I am also around and available for any
 8 questions. Thank you.
 9 **CHAIRMAN ZIMMERMAN:** Thank you. Any
 10 questions from staff?
 11 (No response.)
 12 **CHAIRMAN ZIMMERMAN:** Any questions from the
 13 Board?
 14 (No response.)
 15 **CHAIRMAN ZIMMERMAN:** Any questions for
 16 Ms. Chapman from the audience?
 17 (No response.)
 18 **CHAIRMAN ZIMMERMAN:** We'll ask you back if
 19 you have any final statements. Thank you very much.
 20 At this point, I'd like to ask if there's
 21 anyone else who would like to speak as a supporter.
 22 We have a signup sheet, but is there someone else who
 23 happened to have come in or feels a need to speak up?
 24 (No response.)

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1 **CHAIRMAN ZIMMERMAN:** I don't see any right
 2 now; so we shall move at this point to the Objectors.
 3 We have seven Objectors. We'd like to start with
 4 Dr. Angelo Capparella.
 5 Angelo, would you like to be sworn in?
 6 Mr. Capparella: Affirm.
 7 (Witness affirmed.)
 8 **CHAIRMAN ZIMMERMAN:** Would you please state
 9 your name and address for the record.
 10 **MR. CAPPARELLA:** Angelo, A-n-g-e-l-o,
 11 Capparella, C-a-p-p-a-r-e-l-l-a. I live at 907 South
 12 Fell Avenue in Normal.
 13 **CHAIRMAN ZIMMERMAN:** Can everybody hear?
 14 (General agreement.)
 15 **MR. CAPPARELLA:** I wanted to first submit
 16 two documents into evidence or whatever you call it,
 17 if I may. I made the eight copies requested.
 18 **CHAIRMAN ZIMMERMAN:** Thank you. Would you
 19 describe what they are?
 20 **MR. CAPPARELLA:** The first one is a copy of
 21 the Champaign County Wind Ordinance. The second one
 22 is a summary of my testimony, bulleted, one page,
 23 quick to read.
 24 So I'm here today --

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1 **CHAIRMAN ZIMMERMAN:** We'll call these
 2 Evidence Number 1 and then Number 2? Would that be
 3 appropriate?
 4 **MR. DICK:** We will call this Objectors
 5 Exhibit Number 1.
 6 **MR. CAPPARELLA:** My paying job is as
 7 Associate Professor of Vertebrate Zoology at Illinois
 8 State University. My volunteer job is as Conservation
 9 Chair for the John Wesley Powell Audubon Society, a
 10 local chapter based here in McLean County of the
 11 National Audubon Society.
 12 I'm here to object solely to one provision
 13 on page 5, Part O, Wildlife: "A qualified professional
 14 shall conduct an environmental study of the project
 15 area to determine the environmental impact." I'm here
 16 to argue that that is completely inadequate.
 17 If you, for example, contrast this one
 18 sentence with three pages in Champaign County, you'll
 19 see that there's quite a contrast into which county
 20 cares more about its wildlife.
 21 What I wanted to do first is give you a very
 22 brief regulatory overview because I find a lot of
 23 people are surprised to learn this. There are no
 24 state or federal regulations, with one minor

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1 exception, governing or doing any studies or anything
 2 else for wildlife and wind farms. Everything that
 3 exists, with one minor exception, is either a
 4 recommendation or a guideline.
 5 That's true for the IDNR. It's true for the
 6 Fish and Wildlife Service, etc. Only the County --
 7 this always surprised me -- only the County can
 8 require that those studies be submitted for
 9 consultation to the IDNR and US Fish and Wildlife
 10 Service, can require that recommendations that seem
 11 reasonable are adopted. So the ball is in your court.
 12 If you say just one sentence about wildlife,
 13 which is essentially a perfunctory statement, then
 14 you're basically saying that you're not going to apply
 15 your authority to require some minimal standards.
 16 What are the minimal standards that should
 17 be in an ordinance? I'm not suggesting that you
 18 necessarily take the three pages of Champaign County,
 19 but I would say that there are four minimum standards.
 20 Most of the wind industry will voluntarily follow
 21 these. To their credit, they will most likely do this
 22 anyway; but in an era of corporate takeovers and
 23 multinational ownership, I'm just not comfortable in
 24 assuming -- putting all the eggs into one basket in

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1 terms of assuming they will do the right thing. We've
 2 been fortunate so far, but we're talking about an
 3 ordinance here.

4 Four minimum standards. First, a presiting
 5 study would be required addressing all relevant
 6 species and submitted to the Illinois Department of
 7 Natural Resources and the US Fish and Wildlife Service
 8 as part of the consultation process.

9 Number two would be required implementation
 10 of the IDNR or US Fish and Wildlife Service
 11 recommendations based on the presiting study results
 12 unless credible evidence presented against the
 13 recommendation.

14 Number three would be to require a
 15 postsiting study addressing all relevant species also
 16 submitted to the IDNR and US Fish and Wildlife
 17 Service. The post sighting study, if you aren't
 18 familiar with those, is basically just to ensure that
 19 the presiting study predictors of whatever mitigation
 20 and other efforts are taken have been successful.

21 So it's kind of like -- to a scientist, it's
 22 like actually testing your hypothesis. So if you want
 23 scientifically based requirements, that would be part
 24 of it.

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1 And then number four would be required
 2 implementation of IDNR and US Fish and Wildlife
 3 Service recommendations based on postsiting study
 4 results, again unless credible evidence presented
 5 against the recommendation.

6 I fear that if you leave it as is, as one
 7 sentence, which is so perfunctory -- it's actually way
 8 below the voluntary standards that most wind farm
 9 companies do already, to their credit -- that you're
 10 sending one of two messages to the general public and
 11 people who already know about this stuff. You would
 12 be sending a message that either McLean County could
 13 care less about wildlife; and therefore, you have a
 14 very meaningless requirement. And/or you send a
 15 message that we're very ignorant here, despite already
 16 having two wind farms here, of the issues surrounding
 17 wind farms and wildlife.

18 I don't think either of those, the lack of
 19 caring about wildlife or ignorance of what's involved
 20 in doing the basic industry voluntary standard of
 21 protecting wildlife -- I don't think we want to send
 22 those messages.

23 So I'm hoping that you will entertain the
 24 idea of rewriting that section, and I'm giving you

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1 some suggested language. Again, I don't expect you to
 2 adopt the entire Champaign County Ordinance, but I
 3 think that the four minimum standards would not be a
 4 disincentive to any reputable wind farm company based
 5 on having seen what they've done before.

6 They have done good jobs before. But again,
 7 this is an ordinance not for the current players, but
 8 for future players. That's really what I'm
 9 addressing. That's it. Thanks.

10 **CHAIRMAN ZIMMERMAN:** Thank you. Staff, do
 11 you have questions?

12 **MR. DICK:** Mr. Capparella, do you have these
 13 four in writing somewhere?

14 **MR. CAPPARELLA:** Yes. It's in document 2
 15 that I handed out. I basically just read off that
 16 document, the one that is called: "Comments on
 17 Wildlife Portion of Proposed Wind Ordinance."
 18 Did I not give you those?

19 **MR. DICK:** No.

20 **MR. CAPPARELLA:** All right. I'm sorry. My
 21 mistake.

22 **CHAIRMAN ZIMMERMAN:** That's the Objectors
 23 Exhibit 2. We have been looking through Exhibit 1.
 24 **MR. CAPPARELLA:** I'm sorry. I'm sorry.

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1 Yeah, Exhibit 2 basically gives you the brief
 2 regulatory overview, again, because people are often
 3 surprised to learn that it's really at the county
 4 level that everything operates as requirements and not
 5 at the state or federal.

6 Also part 2 of the comments gives you the
 7 four recommendations that, at least based on my past
 8 associations -- never paid -- but associations with
 9 wind farm companies, that this is what the good ones
 10 do.

11 **CHAIRMAN ZIMMERMAN:** Okay. Just a matter of
 12 procedure: I realize we're above the ten minutes.
 13 It's within our discretion to go further, and you've
 14 been right on target in getting us information 1, 2,
 15 3, 4. So keep going.

16 You're through with your testimony,
 17 essentially?

18 **MR. CAPPARELLA:** Yes.

19 **CHAIRMAN ZIMMERMAN:** We're to the point of
 20 questions. Any questions?
 21 (No response.)

22 **CHAIRMAN ZIMMERMAN:** We talked about
 23 reference materials in addition to the ordinance. Is
 24 there anything such as this that could be included by

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1 reference to the ordinance?
 2 Part of the reason I'm asking is because,
 3 before, having led the overall hearings, we've done
 4 what I believe many would say is a good job.
 5 Dr. Capparella, I should ask for your
 6 testimony on whether the Board has done a good job in
 7 respecting the animals and the environment in terms of
 8 our stipulations. We've had page upon page of
 9 stipulations in approving this.
 10 So we've incorporated that within our
 11 process, but we have not formalized it. I'm trying to
 12 figure out if there is a way to formalize at least
 13 some review and encouragement of future wind farms to
 14 go over the environmental impacts.
 15 **MR. DICK:** I think the four items that
 16 Dr. Capparella asked to be incorporated into the
 17 ordinance are reasonable and wouldn't be too difficult
 18 to do.
 19 I don't know if we would want to adopt the
 20 Champaign ordinance by reference or not or refer to
 21 it. I wouldn't necessarily recommend that, but I
 22 think he brings up a good issue here.
 23 **CHAIRMAN ZIMMERMAN:** Procedurally, were that
 24 to be the interests of the Board to recommend that,

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1 how would we go about something like that on this or
 2 other recommendations? Would we incorporate a summary
 3 sheet like this by reference or rewrite the ordinance?
 4 **MR. DICK:** I think what he's talking about
 5 are these four things under "Minimum Standards" here
 6 that we would review and perhaps adopt verbatim.
 7 **CHAIRMAN ZIMMERMAN:** Okay. And that's
 8 something we would discuss as a Board as part of the
 9 recommendation. Okay.
 10 Have the members of the Board had a chance
 11 to review those? Any questions?
 12 (No response.)
 13 **CHAIRMAN ZIMMERMAN:** Does anybody from the
 14 audience have any questions of Dr. Capparella?
 15 (No response.)
 16 **CHAIRMAN ZIMMERMAN:** I don't see any. Thank
 17 you very much for your testimony. We appreciate your
 18 work and diligence of pointing these things out, and
 19 we may ask you back for comments.
 20 **MR. CAPPARELLA:** Thank you very much.
 21 **CHAIRMAN ZIMMERMAN:** The next person we have
 22 on the Objectors list is Mike Glennon. Would Mike be
 23 available?
 24 Actually since you have a larger

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1 presentation, may we put you on a little later with
 2 the idea that we'll see how much time we have?
 3 **MR. GLENNON:** Yes.
 4 **CHAIRMAN ZIMMERMAN:** Mr. Glennon has a
 5 PowerPoint he would like to show us, and perhaps we
 6 can cover many of the points in other testimony along
 7 the way, which might enable us to have a shorter
 8 presentation there.
 9 Amy Winterland? Amy, are you still here?
 10 At this point, may we swear you in?
 11 (Witness sworn.)
 12 **CHAIRMAN ZIMMERMAN:** Would you please state
 13 your name and address for the record?
 14 **MS. WINTERLAND:** Amy Winterland, 22825 North
 15 3075 East Road, Colfax, Illinois, 61728.
 16 I'll just start off by saying that I live in
 17 Colfax, Illinois. I will be impacted by the wind
 18 towers. My husband and his brothers are big farmers
 19 in that area. We farm nearly 5,000 acres. I don't
 20 think it's quite 5,000 acres. We raise cattle; so we
 21 have livestock, and I am a bee keeper. So my primary
 22 concern is with the environment and the environmental
 23 impacts of the wind towers.
 24 I first want to say that I am in support of

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1 the Text Amendment. I think that it is a positive
 2 step to codify these things, to put them in black and
 3 white. I think it protects McLean County residents as
 4 well as the Board as well as the wind energy companies
 5 that are coming in that everyone knows what the rules
 6 are and there is no: "Well, what did we do last time?
 7 Should we do the same thing?" It's in black and
 8 white. If we adopt the Text Amendment into
 9 regulation, it's clear for all parties involved.
 10 I do have a couple of areas of concern, one
 11 of which -- I guess I'll just jump into it. As with
 12 Dr. Capparella, as I read through the Text Amendment
 13 too, I was very concerned with Section O, which is the
 14 wildlife section, being a one liner.
 15 I too read the Champaign County ordinance,
 16 which is very robust. I think, if I had my wish, it
 17 would be that we looked at some of these other wind
 18 ordinances to take some of their best practices or
 19 their best language and learn from them as we change
 20 McLean County's Text Amendment.
 21 I know that someone has already testified
 22 that we don't need a text amendment at all, that we've
 23 been doing this just fine the way it is. I can't
 24 agree or disagree with that, but I think having it in

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1 black and white, again, protects a lot of parties.
 2 I have listened to Dr. Capparella. I guess
 3 I agree with what he says. As long as we have a
 4 prestudy, we implement recommendations, we have a post
 5 study, and we implement recommendations -- I'll just
 6 go so far as to say that, in Champaign, they say that:
 7 "If mortality concerns cannot be resolved in any other
 8 way, the Environment and Land Use Committee may
 9 require particular wind farm towers to be shut down to
 10 lower mortality of birds or bats to an acceptable
 11 level."
 12 So there's some strong teeth in this
 13 ordinance. I'm in favor of that, but you guys can
 14 decide.
 15 I know one of my concerns also is with
 16 vibrations from the wind towers and the acoustics and
 17 the impact that that has on cattle, bees, swine, and
 18 other livestock. I've read disturbing articles -- of
 19 course, you can read both sides of articles -- that,
 20 you know, it impacts wildlife in unexpected ways as
 21 far as miscarriages and, you know, strange behaviors
 22 in livestock.
 23 I would like to perhaps have an opportunity
 24 to question the acoustical expert perhaps on some of

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1 those kinds of questions.
 2 Then the last thing that I really have a
 3 comment about is the decommissioning plan. The
 4 current Text Amendment, as I understand it, doesn't
 5 require any money to be escrowed until the 13th --
 6 12th year, beginning on the 12th year.
 7 I have read other wind ordinances that are
 8 out there. There are some that require 10 percent on
 9 year 1, 50 percent by year 10, some that require --
 10 Lee County requires like 210 percent up front and a
 11 letter of credit that then gets written down over
 12 time.
 13 Again, do we have the best language that we
 14 can get in our decommissioning section? Should we
 15 look at alternative language that perhaps protects
 16 McLean County farmers, where these wind turbines are
 17 going to be sitting, as well as all impacted parties
 18 should decommissioning occur?
 19 And I guess I shouldn't say "should"
 20 because, at some point, those towers will reach the
 21 end of their useful life; so I'm assuming that
 22 decommissioning is at some point an inevitability.
 23 So that's my two cents worth. Section O and
 24 Section -- I think it's P, which is "Decommissioning,"

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1 should be more robust.
 2 **CHAIRMAN ZIMMERMAN:** Thank you. Would you
 3 stay for questions from staff first, please?
 4 Anything? Anything from the Board?
 5 (No response.)
 6 **CHAIRMAN ZIMMERMAN:** For the record, I'm
 7 also a bee keeper. Have been for 19 years.
 8 Any questions for anyone in the audience?
 9 (No response.)
 10 **CHAIRMAN ZIMMERMAN:** There being none, we'll
 11 have you back perhaps for a statement.
 12 The next person is Gary Stephens.
 13 Mr. Stephens, would you be available?
 14 (Witness sworn.)
 15 **CHAIRMAN ZIMMERMAN:** Would you please state
 16 your name and address for the record.
 17 **MR. STEPHENS:** My name is Gary Stephens. I
 18 live at 1612 Iowa Street in Bloomington.
 19 There's a number of things that I'm
 20 concerned about. I think the doctor here brought up a
 21 number of good points about watching the wildlife. I
 22 have a good friend that's in the Audubon Society, I
 23 believe in Normal. He's brought up to me that the
 24 wind farms have a lot of casualties with bats and

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1 birds.
 2 I know the language in the Champaign
 3 statement is very strong. Perhaps a part of the
 4 regulations may be to have a neutral observer go about
 5 the property of the wind farm after it's built; and if
 6 they find a fowl that's been killed, then perhaps
 7 McLean County should have some type of financial
 8 penalty for each bird or bat that's found that's dead.
 9 I know that the federal government does have
 10 some laws against hurting species that are endangered
 11 or rare. I know that some judges have stopped
 12 projects from proceeding when certain species have
 13 been endangered. So I know there are some federal
 14 laws that are involved with protecting some birds.
 15 I'm certainly not in favor of keeping a bird
 16 alive if it means the death of a person.
 17 I think the higher the cost of energy means
 18 it's harder and harder for people to support
 19 themselves.
 20 As a person who has been involved and
 21 interested in saving energy my whole life, I think
 22 having your own personal wind vane would be nice to be
 23 able to generate your own electricity.
 24 But when it comes to the amount of money we

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1 spend on wind farms as far as generating them -- it
 2 seems that wind farms have not been around that long.
 3 I know we used to have wind vanes to bring up water
 4 for farms, and that ran on a low speed. But on the
 5 electric generation, they need a certain speed in
 6 order to produce electricity.
 7 This newer version of wind farms have only
 8 come along since there's been federal tax credits. My
 9 understanding from my readings in books have been that
 10 there's an awful lot of federal tax credits that goes
 11 into a very little of production of electricity
 12 through wind farms; whereas, other forms of energy
 13 like coal or natural gas get very little subsidies,
 14 and yet they produce a great amount of our electricity
 15 that we need and also in a very reliable way.
 16 Wind farms are nice, but they are just
 17 supplementary. They never get rid of standard ways of
 18 producing electricity or reduce the carbon that goes
 19 into the atmosphere by them because you always have to
 20 have a backup for when the wind stops blowing.
 21 Some people brought up that wind energy is a
 22 clean way of producing energy. In the very production
 23 of it, perhaps it is clean. But in the making of the
 24 turbines and the essential ingredients of the

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1 machinery for the wind-generating ability, it comes
 2 from many rare types of metals. Some of those rare
 3 metals are found only in China. In China, you have
 4 places where these metals are mined and refined; and
 5 there's lots of pollution from that process. So even
 6 though we don't see the pollution here, it is in
 7 places where these metals are mined and processed and
 8 turned into turbine parts.
 9 Some people say that the wind at this height
 10 would be able to be producing at 30 or 40 percent
 11 capacity. That would be nice, but how many of us want
 12 to have electricity only 40 percent of the time.
 13 Other types of fuel like coal, oil, natural
 14 gas, and nuclear, they can run, and we've had them
 15 around for a while.
 16 The Clinton nuclear power plant is in
 17 jeopardy now because other things are coming along to
 18 take federal money away or take production away; so we
 19 think we can do without it. But the Clinton nuclear
 20 power plant, if that goes down, it's going to be
 21 taking tax money away from that county it's in.
 22 Those are some more points that I just
 23 wanted to share with you, and I appreciate your
 24 consideration and all the work that you guys are doing

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1 here. And I appreciate you just taking these ideas.
 2 One of the main books that I've read that
 3 has helped me understand this issue is called "The
 4 Moral Case for the Use of Fossil Fuels."
 5 You know, in Illinois, we sit on lots of
 6 coal, and there could be lots of gas down there. It
 7 could be kept down there if we have too many
 8 regulations. I don't want to have too many
 9 regulations to stop production of any energy.
 10 I think we need to be careful and do the
 11 best we can to protect the world around us and also
 12 the people that live in it.
 13 **CHAIRMAN ZIMMERMAN:** Thank you, Mr.
 14 Stephens. Thank you for your questions earlier and
 15 for your points right now. Would there be any further
 16 questions from staff?
 17 (No response.)
 18 **CHAIRMAN ZIMMERMAN:** Any from the Board?
 19 (No response.)
 20 **CHAIRMAN ZIMMERMAN:** And from the audience?
 21 We have Dr. Rau.
 22 **CHAIRMAN ZIMMERMAN:** This is questions only
 23 at this point.
 24 **MR. RAU:** Mr. Stephens, are you aware that

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1 buildings and cats are the number one and two killers
 2 of birds? By your logic, would that not mean that
 3 homeowners should be fined every time a bird slams
 4 into a window and dies and that a cat owner should be
 5 fined every time one of his cats kills a bird?
 6 **MR. STEPHENS:** I think I see your logic.
 7 Maybe I'm a little extreme about that. I know my
 8 neighbors complain even if my cat kills a bird and
 9 brings it to them and shows them how proud they are
 10 about it.
 11 But at least we need to keep in mind
 12 that -- if something is going to kill a lot of birds,
 13 then I think we need to put something about that. But
 14 you're right. If cats are doing an awful lot of
 15 damage, then maybe we need to regulate how many cats
 16 we have.
 17 **MR. RAU:** Second question. Are you aware
 18 that midcontinent wind is the cheapest energy in the
 19 United States today? It runs about 2 cents a kilowatt
 20 hour, the sun power purchase agreements.
 21 **MR. STEPHENS:** No, I wasn't aware of that.
 22 I understand that, because it's so
 23 intermittent, it's very hard to have very much of it.
 24 **MR. RAU:** Are you aware that there are

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1 countries in Europe that are generating 50 percent of
 2 their power with wind?
 3 **MR. STEPHENS:** Yes. I know that Denmark and
 4 Germany are producing a lot. But I also know Germany
 5 has had to go back to having a lot more fossil fuels
 6 in order to take care of the wind when it stops.
 7 **MR. RAU:** I would suggest you recheck your
 8 facts. Thank you, sir.
 9 **MR. STEPHENS:** Okay. Thank you.
 10 **CHAIRMAN ZIMMERMAN:** Would there be any
 11 other people wanting to pose questions?
 12 (No response.)
 13 **CHAIRMAN ZIMMERMAN:** May I have you back for
 14 a final statement? Thank you very much.
 15 Tim Jolly? Is Tim available?
 16 (Witness sworn.)
 17 **CHAIRMAN ZIMMERMAN:** Would you please state
 18 your name and spell it.
 19 **MR. JOLLY:** My name is Tim Jolly, J-o-l-l-y.
 20 Address is 26759 East 2700 North Road, Chenoa.
 21 I have several notes here that were made in
 22 the combine and in line at the elevator.
 23 We reside in rural Chenoa. I'm a rural
 24 carrier. My wife and I farm near Chenoa, and we have

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1 farmed north of Chenoa in Livingston County. We also
 2 have a farm that is in the middle of the wind project
 3 that's being promoted.
 4 We are currently improving the house I grew
 5 up in that my great grandfather built on the family
 6 farm. It is now a Heritage Farm, a 150-year-old farm
 7 in the same family. It became a Heritage Farm in
 8 2014.
 9 I have many concerns about the Proposed Text
 10 Amendment that has been taken up here tonight. One of
 11 the main things would be with the deconstruction.
 12 It's kind of hard to find much information about
 13 deconstruction because there really hasn't been a lot
 14 of deconstruction done to this point. As somebody
 15 stated earlier, it's a fairly new technology.
 16 Some of the companies that are signing up
 17 people for the technology to be put out there are
 18 signing up contracts for 50 years, 30 years for the
 19 first with two 10-year options afterward. So this is
 20 going to have a long-term impact on the farm ground
 21 and the surroundings in the county.
 22 This not only affects what people you see
 23 here in this room, but there's 175,000 residents of
 24 the county that it will impact as well. 16 percent of

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1 those are rural. 84 percent are urban. So really the
 2 minority is what's really going to be impacted the
 3 most.
 4 I want to try to keep this limited to your
 5 Text Amendment. The Text Amendment shows that, in the
 6 deconstruction, when removal is completed, they would
 7 take the base down to 40 inches below the soil
 8 surface.
 9 I believe there's been things in previous
 10 meetings about the Illinois Department of Agricultural
 11 Impact Mitigation Agreement. In there, it states that
 12 these guidelines were to be used as a minimum
 13 recommendation as to where these items that you're
 14 taking up would be. In there, it states that the base
 15 should be at least 5 feet underneath the proposed soil
 16 surface.
 17 That's a great concern. If it was me, I
 18 think the whole thing should be removed. If they are
 19 going to return the soil back to the product that it
 20 once was, it should have subsoil well in excess of 5
 21 foot. I mean, alfalfa roots grow 15 to 16 feet, if
 22 not further. So that could really impact what is left
 23 there.
 24 I'm also a rural carrier in that same area.

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1 I drive 105 miles a day. The roads that would be
 2 affected there are of good concern not only to myself,
 3 but I'm sure to people that get the mail that are
 4 always asking me, "Why isn't it here yet?"
 5 Not only that, but I think safety as well,
 6 with the reconstruction of the roads, to make sure
 7 that they are put back.
 8 There would be concern as to road closures,
 9 things of that sort, whether people may not even get
 10 mail on certain days. It's not necessarily that
 11 important to me; but to some people, that's really
 12 important.
 13 The setbacks as described show that it goes
 14 from the center of the wind turbine to the foundation
 15 of a house. That's a change from other ordinances
 16 that I've seen where they go to the property line.
 17 I've had conversations with people on both
 18 sides, and not once have I had anybody say they prefer
 19 it up to the foundation of the house.
 20 The idea of being with the property line, at
 21 least you still have control of that property and what
 22 you can do within your own property no matter where
 23 the windmill may be. I think that's very important
 24 for future development of anything on your own

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1 property.
 2 I guess my question also is why the setbacks
 3 -- they are at least a mile and a half from towns, but
 4 yet the setbacks can be closer to people's residences.
 5 So that's something I think would be in question.
 6 I would just ask that you look at all of
 7 this information. There's going to be a lot of
 8 information tonight. I hope that the decision isn't
 9 rendered tonight. There needs to be meetings. The
 10 Farm Bureau has had informational meetings on certain
 11 company contracts, but there really hasn't been any
 12 meetings as to public input and the things that need
 13 to be done for getting to the people it's going to
 14 affect the most.
 15 Like I say, the contracts have the
 16 opportunity to last 50 years. That's a tremendous
 17 long-term effect.
 18 A lot of technology is going to change. It
 19 already has, from telephones coming in to people
 20 yanking them out of their house. They are no longer
 21 in existence in a lot of places.
 22 They are constantly making more efficient
 23 things to deal with electricity; so I look for that to
 24 change, but I don't know how much.

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1 I have an address of a YouTube video. It's
 2 Dr. Dirt Soil Videos. It's Clay Robinson. He's a
 3 professor here at ISU. He has a PhD in soil science,
 4 Master's in plant science, and a BS in agriculture.
 5 It's called "The Apple as Planet Earth." I will leave
 6 this here so you would look at it. It tells you how
 7 valuable the surface of the earth really is, the value
 8 of the soil, how many people it feeds, and just how
 9 much of that soil that we use to do so.
 10 I would just ask that you would open your
 11 minds to that and look at that. I would appreciate
 12 it. I do appreciate everybody's time in getting
 13 something in black and white so that people can have
 14 something that you have good stiff guidelines to go
 15 by. I know that you're putting a lot of time into
 16 this, and there's going to be a lot more time put into
 17 it. I just want to tell you I appreciate it.
 18 **CHAIRMAN ZIMMERMAN:** Thank you very much.
 19 Mr. Jolly. Any questions from staff?
 20 (No response.)
 21 **CHAIRMAN ZIMMERMAN:** Any questions from the
 22 Board?
 23 (No response.)
 24 **CHAIRMAN ZIMMERMAN:** Any questions from the

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1 members of the audience?
 2 (No response.)
 3 **CHAIRMAN ZIMMERMAN:** Thank you very much.
 4 We'll have you back for a final statement if you'd
 5 like.
 6 The next person is Diane Benjamin. Would
 7 you like to make a statement?
 8 (Witness sworn.)
 9 **CHAIRMAN ZIMMERMAN:** Please state your name
 10 and address for the record.
 11 **MS. BENJAMIN:** Diane Benjamin. I'm not
 12 required to state my address.
 13 **CHAIRMAN ZIMMERMAN:** All right.
 14 **MS. BENJAMIN:** It's really close to my
 15 bedtime; so I'm going to try to be coherent here.
 16 Europe was doing wind energy a long time
 17 before the United States. I Googled "Europe Abandons
 18 Wind Energy" today. It came up that Germany, Holland,
 19 and Denmark are abandoning wind energy because it's
 20 too expensive, contrary to what the last guy said.
 21 There is also a story from Ontario, Canada,
 22 where they are not expanding a field because the
 23 electricity produced is too expensive. There's a lot
 24 of reasons why it's too expensive, but we don't need

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1 to go into that.
 2 I don't know if you're aware that there's
 3 been two turbines that caught fire in Livingston
 4 County. When these things catch fire, they don't just
 5 burn up their own pole. They throw things long
 6 distances. That's why I'm concerned about what you
 7 have in for setbacks.
 8 "Setbacks" is not the right word. It's
 9 "evacuation zones." The manufacturers of these
 10 turbines will tell you what the evacuation zone is.
 11 So if this thing decides to explode, you want to make
 12 sure that it doesn't touch anybody and it doesn't hit
 13 your house.
 14 That's why you can't measure from a house.
 15 You have to measure from the property line because you
 16 can't put people's property in danger because this
 17 turbine is sitting there and you measure from the
 18 house instead of the property line.
 19 Okay. I don't know if you're aware of
 20 something else. In Eastern Illinois, there's a wind
 21 farm company that went bankrupt. Farmers there are
 22 getting loans put on their properties -- liens, not
 23 loans. It's late. They cannot sell their farmland
 24 because they have liens on their farmland.

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1 I don't know what you can do to protect
 2 farmers, but they need to be educated to know that
 3 just because somebody makes a contract with you and
 4 promises you things doesn't mean that they are going
 5 to keep it. It doesn't mean they are not going to go
 6 bankrupt, whatever.
 7 But that's something these farmers over in
 8 Eastern Illinois never suspected. I can't remember
 9 the name of the field. I could probably Google it.
 10 Anyway, you can Google it too.
 11 The size of these turbines that they are
 12 talking about now are huge. I live over by the ones
 13 east of town. I can hear them. These ones are going
 14 to be 50 feet less than twice as big as the ones that
 15 are by me. I can hear the ones by me, and I'm not
 16 getting paid for them. I didn't even know the field
 17 was going in catty-corner across the street from me
 18 until they started building it because I wasn't
 19 notified.
 20 I hear that the blades on these wind
 21 turbines are so big that, when they're going around in
 22 a circle, they flex. So they are making noise going
 23 around in a circle that mine don't make. Mine, I just
 24 hear a hum.

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1 I'm not sure that you realize the noise
 2 potential. And it's another reason why the evacuation
 3 zone has to be a lot bigger. In other words, the
 4 setbacks have to be a lot bigger to protect people
 5 from the noise that these things are going to make.
 6 I'm going to take a second and see if
 7 there's any notes that I missed.
 8 I don't think so. I think that covers it.
 9 **CHAIRMAN ZIMMERMAN:** Thank you very much.
 10 Would there be any questions from the Board?
 11 (No response.)
 12 **CHAIRMAN ZIMMERMAN:** Any questions from the
 13 audience for Ms. Benjamin?
 14 (No response.)
 15 **CHAIRMAN ZIMMERMAN:** There being none, thank
 16 you very much for coming up and testifying.
 17 I'd like to call Julie Cotter now?
 18 (Witness affirmed.)
 19 **CHAIRMAN ZIMMERMAN:** Would you please state
 20 your name and address for the record.
 21 **MS. COTTER:** Julie Cotter, and the address
 22 is 23571 North 2900 East Road in Lexington.
 23 I apologize. I was not prepared to speak
 24 tonight; but since I've come here, I would like to

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1 express a few concerns. I appreciate you allowing me
 2 to do that.
 3 We live in rural Lexington. We own six
 4 acres. We do not own the property that the wind
 5 turbines would be on; but they would be probably
 6 surrounding us, and we would be affected by them and
 7 wouldn't be making the big money that the farmers
 8 would be getting on that.
 9 Recently our home burned down. I did not
 10 know that they had burned up and have potential danger
 11 that way. I definitely wouldn't want our new house to
 12 burn down.
 13 We built a new home, and I am very concerned
 14 about the property values. I know there are differing
 15 opinions anywhere from that it does not affect it to
 16 that it depreciates it by up to 55 percent. I don't
 17 think my banker would probably appreciate that.
 18 I had an opportunity to speak with
 19 Mr. Downey previously because I had some property
 20 south of Fairbury. If I remember right, he was
 21 project manager, not a consultant at that time. He
 22 was one of the proponents that it does not affect your
 23 property value.
 24 I can't imagine that it wouldn't. Who wants

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1 to buy a piece of property with a wind turbine to have
 2 to look at if you want to move to the country.
 3 We moved to the country to enjoy nature the
 4 way we feel like it was intended to be. I like to
 5 have my windows open. I don't want to have to be
 6 listening to blades turning when my windows are open.
 7 I don't want to have to put heavy drapes on the
 8 windows to keep from having to watch a red light
 9 flashing at night.
 10 I can appreciate what Mr. Penn, Mr. Paul,
 11 Mr. Russo, and Mr. Rau all expressed, that it is good
 12 income to people in the community. Previous wind
 13 towers -- we have a trucking company. We made some
 14 good profits off of that. It's temporary though. The
 15 turbines will be there long after any money that you
 16 made has been made.
 17 These gentleman also live in town in
 18 Bloomington. They're not going to be looking at the
 19 turbines.
 20 I also have concerns about the
 21 decommissioning, as was mentioned before. What is
 22 financial assurance that they would be taken down?
 23 I'm also concerned about the wildlife
 24 situation.

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1 I guess that's pretty much my concerns. So
 2 I appreciate the opportunity to express that, and I
 3 hope that some of the urban residents can think about
 4 and appreciate those of us in the country that are
 5 totally affected by this. Thank you.
 6 **CHAIRMAN ZIMMERMAN:** Would you stay for a
 7 second? If there are any questions from staff?
 8 (No response.)
 9 **CHAIRMAN ZIMMERMAN:** Any from the Board?
 10 (No response.)
 11 **CHAIRMAN ZIMMERMAN:** Anyone else have
 12 questions for Ms. Cotter?
 13 (No response.)
 14 **CHAIRMAN ZIMMERMAN:** At this stage, we have
 15 one more objector who would like to make a
 16 presentation. He has a PowerPoint presentation, which
 17 we hadn't anticipated here. You also have a summary
 18 that you might be able to go over.
 19 **THE WITNESS:** I've got copies. As we
 20 discussed, I'll probably move through fairly quickly
 21 here.
 22 **CHAIRMAN ZIMMERMAN:** What are the next
 23 stages, Sam? What else do we do after this?
 24 **MS. WALLEY:** Once the evidentiary portion is

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1 closed, you may have discussion if you wish. It was
 2 particularly sent back by the County Board for the
 3 taking of additional evidence. At the close of the
 4 evidentiary session, if you wish to discuss, you may.
 5 **CHAIRMAN ZIMMERMAN:** So at this point, our
 6 major charge is to take additional evidence.
 7 Mr. Glennon, you do have both handouts and
 8 the PowerPoint.
 9 **THE WITNESS:** I brought ten copies.
 10 **CHAIRMAN ZIMMERMAN:** We would appreciate
 11 that. Thank you. This would be labeled as Objectors
 12 evidence --
 13 **MR. DICK:** Exhibit 3.
 14 **CHAIRMAN ZIMMERMAN:** -- Exhibit 3.
 15 While he's passing that out, would you like
 16 to be sworn in or affirmed?
 17 **MR. GLENNON:** Yes.
 18 (Witness sworn.)
 19 **CHAIRMAN ZIMMERMAN:** Would you please state
 20 your name and address for the record.
 21 **MR. GLENNON:** Michael Glennon. I live at
 22 31210 East 2450 North Road in Lexington, Illinois.
 23 **CHAIRMAN ZIMMERMAN:** Would you like to
 24 proceed? And we appreciate your having summaries for

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1 us.
 2 **MR. GLENNON:** Let me begin by saying that
 3 we've heard a lot of testimony tonight, I think,
 4 touting the virtues of wind energy. I'm one to agree.
 5 I am not an objector of wind energy. I think it is a
 6 viable solution. As we've heard, our European
 7 counterparts have been successful in finding a correct
 8 balance between that technology, I think, and also,
 9 we'll say, siting or balance with communities where
 10 they are placed. That's really what I'm here to speak
 11 tonight about.
 12 I'm objecting to the Text Amendment only. I
 13 think it was a good exercise. While I think the Farm
 14 Bureau did have good intentions initially, I think
 15 they fell short by not more thoroughly reviewing some
 16 of the sections.
 17 We do have a very good ordinance here, I
 18 think, as some have mentioned, now codified into the
 19 Staff Exhibit A. So I'm going to restrict my
 20 testimony tonight just to the section on definitions
 21 and then the section on setbacks. Otherwise, I think
 22 it's a good draft.
 23 Just a little bit about who I am, real
 24 quick. I'm a resident of rural Lexington. I live out

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1 there with my wife and daughter. We moved out to a
 2 1900-style farmhouse some years ago.
 3 We are avid bee keepers as well. We have,
 4 actually, ten registered hives in McLean County with
 5 the Illinois Department of Agriculture. We often give
 6 presentations throughout the county and the city of
 7 Bloomington on bee keeping.
 8 One of the reasons we moved out -- we enjoy
 9 the outdoors. We spend most of our time outdoors. In
 10 fact, we still have a 22-inch television.
 11 I'm a senior design engineer, actually, for
 12 an agricultural equipment manufacturer in the area. I
 13 have a background in welding engineering. I'm not a
 14 noise expert. I'm not a zoning expert. I'm just here
 15 to really make suggestions based on what we have as a
 16 draft Text Amendment.
 17 With that, I'll move on. I'll move on
 18 pretty quickly here. This is my first testimony
 19 actually given in front of a hearing. I was unaware
 20 of the ten-minute limit. I'll try to stick to that.
 21 A real quick question: Can I control the
 22 pages?
 23 (Inaudible response.)
 24 **MR. GLENNON:** We'll go ahead and skip then

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1 to page 5, if you would, please. So definitions --
 2 actually, back up one page, if you would.
 3 A couple of definitions that I thought would
 4 be appropriate, actually, to add to Section 350-26
 5 would be "Operator WECS, nonparticipating property,
 6 participating landowner, and participating property."
 7 If we go to page 5, you can see the code actually
 8 describes an operator as somebody in reference to a
 9 bed and breakfast.
 10 On page 6 -- I apologize if I move a little
 11 bit too rapidly. Just send up a flag if need be.
 12 This was out of a FOIA request. The Farm Bureau, in
 13 their draft proposal, had actually included "operator"
 14 but then later removed it.
 15 On page 7, I just wanted to make the point
 16 here that we use this language, I think, pretty
 17 commonly already as far as "nonparticipating." Phil
 18 Dick, the Zoning Director, has used it in
 19 correspondence, for instance, when trying to clarify
 20 certain portions of, like, findings of fact or zoning
 21 code in what we have on file currently.
 22 Also, on page 8, I would point out even used
 23 that language during the last County Board meeting
 24 that was held on July 19.

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1 So I think it's appropriate to add.
 2 Definitions, I think, can sometimes be dangerous
 3 because they can be kind of restrictive; but I think
 4 in this case it would be appropriate.
 5 This was actually just kind of copied and
 6 pasted right out of Boone County's Ordinance. I'm not
 7 suggesting this is the language that's adopted, but I
 8 think it's a good template as a reference. This is on
 9 page 9. Forgive me.
 10 So moving on, the current code, 350-43 --
 11 and that's what I really am going to probably
 12 concentrate on here. We talked about height. I
 13 really don't have any objection to the height. I just
 14 wanted to kind of give a history of why that
 15 increased.
 16 The Farm Bureau's Text Amendment was
 17 originally 499. That increased. If you want to jump
 18 to page 14, that increased, actually, through the
 19 influence of one of the energy companies. It was
 20 their recommendation that it be higher, again, based
 21 on the technology. I think it was mentioned that
 22 cut-in speed, I think, is what can increase efficiency
 23 with the larger turbines.
 24 Just as a matter of appreciation for that

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1 scale, however, on page 15, this is actually a picture
 2 I took on -- I think it was on Saturday -- the White
 3 Oak turbine in McLean County. It's a GE 1.5sle. It
 4 is 389 foot and has a rotor diameter of 253 feet.
 5 We're all familiar with the State Farm
 6 building, I would gather, maybe not our guests
 7 tonight; but you can see, again, the scale and then
 8 the proposed max.
 9 Here is one particular turbine that would
 10 fit that profile. It's a Vestas. It's a 2 megawatt
 11 at 540 foot, so short of the maximum.
 12 On page 16, I just really want to point out
 13 that what we know and understand really begins with
 14 our experience. We have had some, I would say, good
 15 experiences here thus far in McLean County with wind
 16 turbines.
 17 However, this is a new class of turbine; so
 18 it demands some caution. I think that was one of the
 19 main reasons why myself -- my wife and I objected to
 20 the Text Amendment as proposed originally, because it
 21 didn't take into consideration, I think, some of the
 22 advancements.
 23 Page 17. Mr. Hankart, a representative of
 24 Invenergy, may want to comment on this. This is just

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1 one of many scientific papers just trying to make a
 2 distinction between the lower megawatt turbines and
 3 the larger ones. There is a low frequency sound
 4 component. Like I said, I'm not a wind expert, but
 5 the scientific community seems to agree that there is
 6 that effect.
 7 I'm trying to move quickly here. I
 8 apologize.
 9 We'll start with page 20, "Easements." This
 10 will kind of carry us into 350-43, which is on
 11 setbacks. "Affirmative easement" is really a legal
 12 term. It consists of entitling a person to do
 13 something affecting the land of another that would
 14 constitute trespass or nuisance if not for the
 15 easement.
 16 So if we go to page 21, this is actually an
 17 excerpt from a lease agreement for EDP Renewables.
 18 One thing I might add: It was mentioned that the Farm
 19 Bureau did give a very beneficial workshop on these
 20 contracts with their landowners here some time ago.
 21 This contract we actually provided to them for that.
 22 You can see these are the effects: noise,
 23 visual, hue. These are the things that would demand
 24 an easement in, you know, most cases.

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1 So If we go to page 22, again, here is one
 2 from Invenergy very similar: audio, flicker, visual,
 3 hue, light, noise, vibration, and so on and so forth.
 4 Page 23. So our standard today recognizes a
 5 minimum setback distance of 1,500 feet. That would be
 6 to a nonparticipant. It also recognizes that an owner
 7 can waive that setback to no less than 1.1 times the
 8 tower height.
 9 In the case of the landowner, the lease
 10 agreement compensates him in the form of some sort of
 11 monetary value, either for a lease or for easement of
 12 some of those effects. So if we continue --
 13 **CHAIRMAN ZIMMERMAN:** Would it be possible to
 14 get to wrapping up? We're trying to --
 15 **MR. GLENNON:** Yes. Sorry. I'll move ahead
 16 here.
 17 The point I really wanted to make here --
 18 and there's a study on page 27, if we can jump to it
 19 real quickly. Again, with those contracts, with those
 20 lease agreements, easements, there's also mitigation
 21 methods that are also entitled to the landowner as
 22 well. That may be extra insulation, those sort of
 23 things, to mitigate the sound.
 24 This article talks not only about this one

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1 specific thing -- I've underlined it here.
 2 "Furthermore, annoyance was lower among residents who
 3 received economical benefit from wind turbines." Big
 4 surprise, right?
 5 If we jump to 28, this would be one proposal
 6 I would make. Boone County has done this. They have
 7 what they would consider nonparticipants.
 8 Nonparticipants would have the same setback, 1,500
 9 foot, but that would be with a waiver or some sort of
 10 easement to give them equal compensation for what
 11 landowners already receive.
 12 If you look at page 29 -- I guess it's not
 13 in here. Sorry. But it's in your PowerPoint. These
 14 were actually pulled off the McLean County Recorder of
 15 Deeds. These are just the number of easements we have
 16 on file right now. It's a mix of not only lease
 17 agreements with landowners, but also easements, good
 18 neighbor agreements, and so forth. So we have some
 19 experience, I think, with that.
 20 **CHAIRMAN ZIMMERMAN:** Are there a few points
 21 you would like to summarize? Because we have the
 22 PowerPoint here. Would you like to point us to a
 23 couple three items?
 24 **MR. GLENNON:** Yes. Let's jump to page 36.

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1 There have been many claims, I think, by both sides
 2 about health effects. I think a lot of that
 3 information, that science, is unfounded at the moment
 4 until, you know, it's well defined.
 5 I like the adoption of, actually, what the
 6 World Health Organization defines as health, which is
 7 "As a state of complete physical, mental, and social
 8 well-being and not merely the absence of disease or
 9 infirmity."
 10 So I think typically we define health in
 11 terms of some sort of ailment. In this case,
 12 well-being is just as important. That comes down to
 13 annoyance, well-being on your property as you exist.
 14 So we'll jump here now really quickly to --
 15 **CHAIRMAN ZIMMERMAN:** Thank you. If you
 16 would wrap up, we would really appreciate that.
 17 **MR. GLENNON:** Okay. Again, not being a wind
 18 expert, I reached out to Dr. Paul Schomer. He is a
 19 well-known expert on noise, known internationally and
 20 in North America. I asked him to consider this Text
 21 Amendment and the setback.
 22 He did calculations based on annoyance. He
 23 references four studies. I want to keep in mind that
 24 Paul Schomer is an independent, unbiased source. He

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1 has done work for both energy companies and --
 2 **CHAIRMAN ZIMMERMAN:** And you have provided
 3 us with an affidavit from him.
 4 **MR. GLENNON:** Yes. I have an affidavit.
 5 It's his conclusion, if you turn to page 50 -- and
 6 again we can talk about Europe. They have some of the
 7 largest setbacks. It is his opinion that the Illinois
 8 Pollution Control Board regulations, which he actually
 9 helped to found and enforce, are not applicable in
 10 today's day and age.
 11 I'll read the last line here, and you can
 12 read the affidavit. "They are anything but a
 13 protector of the citizenry; so use of them in
 14 conjunction with wind farm noise must be deprecated."
 15 The final conclusion is on page 51. The
 16 authors recommend a noise level limit of 37 to 38 dBA.
 17 As with many other sources, the authors note: "The
 18 noise level limit is preferable to a distance setback
 19 when determining criteria for wind farm development."
 20 That said, based on the analysis described
 21 herein, the authors believe that 3000 feet is an
 22 adequate distance setback.
 23 **CHAIRMAN ZIMMERMAN:** Would you make a
 24 summary statement, please? You have gone way over

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1 what everybody else has done.
 2 **MR. GLENNON:** Yeah. I apologize for that.
 3 Page 54 would be the actual text and proposal. We
 4 keep the setback measured from the foundation, not the
 5 property line. But it would read as such: "WECS
 6 towers and substations shall not be located within
 7 3,000 feet of a boundary line of an R1 and R2
 8 District. All WECS towers shall be set back six times
 9 the height of the tower or 3,000 feet, whichever is
 10 greater, from any occupied residence of a
 11 nonparticipating property owner.
 12 "The distance for the above setback shall be
 13 measured from the point of the occupied residence's
 14 foundation closest to the WECS tower to the center of
 15 the WECS tower foundation.
 16 "The owner of a residence on a
 17 nonparticipating property may waive this setback
 18 requirement, but in no case shall a WECS tower be
 19 located closer to a primary structure than three times
 20 the WECS tower height."
 21 And then it goes on for a landowner, which
 22 is very similar -- actually identical -- to what we
 23 have right now.
 24 **CHAIRMAN ZIMMERMAN:** Thank you. Thank you

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1 very much.
 2 Would anyone have questions for Mr. Glennon?
 3 (No response.)
 4 **CHAIRMAN ZIMMERMAN:** Anyone from the
 5 audience have questions?
 6 **MR. DICK:** Mr. Glennon, could you tell me
 7 your address again, please?
 8 **MR. GLENNON:** Yes. I apologize. It's 31210
 9 East 2450 North. That's Lexington.
 10 **CHAIRMAN ZIMMERMAN:** Thank you very much.
 11 So at this point, we generally -- oh, we have
 12 questions?
 13 **MR. BLAZER:** Chairman, I would like to
 14 address a few --
 15 **CHAIRMAN ZIMMERMAN:** Would you please come
 16 forward so we can hear you?
 17 **MR. BLAZER:** With the Board's permission, I
 18 would like to address a few of the things that were
 19 raised this evening, if I may, before the evidence
 20 closes. I think it's important because I think you
 21 have been provided with some, shall we say, incorrect
 22 information; and I think it's important that the
 23 record reflect that.
 24 **CHAIRMAN ZIMMERMAN:** We would very much like

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1 to hear those; but because we're at time right now, we
 2 would have to hear those on a future date, at the next
 3 hearing date. We're going to have to set this off to
 4 the future.
 5 **MS. WALLEY:** At this point in the hearing,
 6 anyone that would like to testify would have an
 7 opportunity for rebuttal evidence, including
 8 Mr. Blazer here; but as it is the 10:00 hour --
 9 actually, it's 9:59 -- we would like everyone that
 10 would still like to offer evidence to appear at the
 11 next November date.
 12 **CHAIRMAN ZIMMERMAN:** That would be at the
 13 November date. We would have anyone who wants to
 14 provide rebuttal testimony, as Mr. Blazer has
 15 indicated, and we're hearing some more . . .
 16 So we have our normal meeting the first
 17 Tuesday of the month. So the November meeting would
 18 be November 1, I believe. I do have a calendar. In
 19 fact, we're voting on November 8, if we haven't voted
 20 before that.
 21 I believe it is the 1st. So if we may
 22 continue this hearing to hear any rebuttal testimony
 23 at that point from anyone, and then the Board will
 24 discuss this, if that would be all right with the

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1 Board? I'm seeing nodding heads.
 2 That gives us an opportunity to review the
 3 information that we've been given and get back through
 4 there.
 5 I'm seeing consulting on this side.
 6 **MR. DICK:** Mr. Kuritz, are you going to be
 7 able to be there?
 8 **CHAIRMAN ZIMMERMAN:** Will you be able to be
 9 here, Mr. Kuritz?
 10 **MR. DICK:** November 1st?
 11 **MR. KURITZ:** Yes.
 12 **CHAIRMAN ZIMMERMAN:** And how about other
 13 folks? Right now, the plan is that we will all be
 14 back should any of you wish to join us on the 1st of
 15 November.
 16 We're going to have other cases there. As
 17 you saw today, 7:30 would probably be the appropriate
 18 time to come in. As you saw, we'll take care of the
 19 other cases and then do the summary testimony.
 20 We'll discuss the case at that point and
 21 make our decision and recommendation to the Board
 22 should we wish to do so.
 23 Thank you very much. Thank you, everyone,
 24 for coming. Thank you for all of your hard work and

1 your endurance here. We have probably avoided having
2 you watch the debates live. I hope this was far more
3 exciting for you. And thank you very much.

4 This meeting is to an end.

6 (Proceedings concluded at 10:02 p.m.)

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1 STATE OF ILLINOIS)
2 COUNTY OF DeWITT) ss

4 I, BRENDA ZEITLER, CRR, RPR, and CSR,
5 License No. 084-004062, in and for the state of
6 Illinois, do hereby certify that the foregoing meeting
7 before the McLean County Zoning Board of Appeals was
8 taken on the 4th day of October, 2016, and that said
9 hearing was taken down in stenograph notes, afterwards
10 reduced to typewriting by me, and is a true and
11 accurate transcription of the testimony.

12 I do hereby certify that I am a
13 disinterested person in this cause of action, that I
14 am not a relative of any party or any attorney of
15 record in this cause or an attorney for any party
16 herein or otherwise interested in the event of this
17 action, and that I am not in the employ of the
18 attorneys for either party.

19 IN WITNESS WHEREOF, I have hereunto set my hand
20 this 19th day of October, 2016.

21 _____
22 Brenda Zeitler, RPR, CRR, CSR

23
24

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