

COLES COUNTY PLANNING & DEVELOPMENT COMMITTEE
HEARING ON COLES WIND, LLC'S, APPLICATION TO CONSTRUCT
AND OPERATE A COMMERCIAL WIND ENERGY FACILITY (WIND
FARM) UPON CERTAIN PROPERTIES IN COLES COUNTY

April 24, 2025
6:00 P.M. - 9:00 P.M.

Hearing Officer:
Scott Kains

Attorneys for Coles County:
Andrew J. Keyt, Esq.
Frank Ierulli, Esq.

Counsel for the Applicant:
Amy Antonioli, Esq.
Jerald "J" Hess, Esq.
Sarah Lode, Esq.
Athena Shapiro, Esq.

County Board Members:
Michael Watts, Chairman
Darrell Cox
Tom Royal
Rick Shook
Jeremy Doughty
David Johnson

Regional Director:
Kelly Lockhart

Courtney Orman, CSR
Official Court Reporter
IL License No. 084-004628

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E X H I B I T S

NO EXHIBITS ADMITTED THIS DATE

1 MR. WATTS: If I could have your attention, I'll
2 reconvene this meeting of the Coles County Planning and
3 Development Committee to take up the WECS project of
4 Coles -- I forgot. Apex Coles Clean Energy or whatever.
5 Was I close? Apex Wind.

6 MR. HESS: Yes, sir.

7 MR. WATTS: Apex --

8 MR. HESS: Clean Energy.

9 MR. WATTS: -- Clean Energy.

10 MR. HESS: Coles Wind.

11 MR. WATTS: Sorry. If everybody will stand and
12 join me for the Pledge of Allegiance.

13 (Pledge of Allegiance.)

14 MR. WATTS: I'll take roll call.

15 Mike Clayton.

16 Darrell Cox.

17 MR. COX: Here.

18 MR. WATTS: Jeremy Doughty.

19 Tad Freezeland, and I am Michael Watts, Chairman
20 presiding, and I turn the meeting over to the hearing
21 facilitator, Scott Kains.

22 MR. KAINS: Thank you, Mr. Chairman, and good
23 evening, folks. This is the 10th night of this hearing,
24 and the subject-matter witnesses called by the Applicant
25 are all done, and it's my understanding that the

1 Applicant has a few property owners who wish to testify;
2 is that correct, Mr. Hess?

3 MR. HESS: We have several. Yes, sir. We have
4 several supporters of the project who would like to
5 testify. Yes, sir.

6 MR. KAINS: All right. Very good. Before we
7 call them, any preliminary matters from you all?

8 MR. HESS: No, sir.

9 MR. KAINS: Okay.

10 Mr. Keyt?

11 MR. KEYT: No, sir.

12 MR. KAINS: Okay. Very good. Call your next
13 witness, Mr. Hess.

14 MR. HESS: Thank you, Mr. Kains. We call
15 Mr. Bruce Thompson.

16 MR. KAINS: Good evening, sir.

17 (Witness sworn.)

18 MR. KAINS: Very good. Thank you, sir.

19 Mr. Hess.

20 MR. HESS: Thank you, Mr. Kains.

21 EXAMINATION

22 BY MR. HESS:

23 Q. Good evening, Mr. Thompson, could you please
24 state your first and last name and spell it for the
25 record, please?

1 A. Yes. Good evening. Bruce Thompson,
2 T-H-O-M-P-S-O-N.

3 Q. Thank you, Mr. Thompson. Could you please
4 briefly introduce yourself for the record, sort of who
5 you are, your role in Coles County, and then your
6 relationship to Coles Wind and this project.

7 A. Okay. Bruce Thompson. I'm from Arcola,
8 Illinois, born and raised on a farm in Southern Hickory
9 and Humboldt townships in Douglas County. I've been
10 there all my life, continue to be there all my life. I
11 am a drainage commissioner for Union #2 in Southern
12 Hickory and Humboldt townships, and I am a participant
13 in the Coles Wind project.

14 Q. Thank you. Mr. Thompson, what would you like to
15 say here tonight?

16 A. Okay. Thank you. As I said, I am a farmer.
17 I've been here my whole life, except for four years of
18 college, which you never leave the farm, you are always
19 a part of the farm. As I said, I am a farmer. Many of
20 you are familiar with Paul Harvey, and he has a thing
21 that goes, "God made a farmer," and while that is true I
22 do associate with that, I look at myself as more of a
23 steward of the land. I think God's intent for me was to
24 care and take care of my farm in my everyday operations
25 and in all that I do, and that is who I am. That is who

1 my family has been. I am a third-generation farmer in
2 Coles County. The fourth generation is actively farming
3 with me. So what I would like to share is I have been
4 on this process -- this journey for the past five and a
5 half years. About five and a half years ago, I received
6 a packet in the mail that was from Apex that stated
7 there was a proposal for a wind farm in our area. I
8 will say that my first response and my knee-jerk
9 reaction to that was: No, not on my farm. And so along
10 with that -- and why was that the case? I held a lot of
11 preconceived ideas, assumptions that I had seen through
12 the years. We had no wind farms around us. My wife is
13 from the western part of the state, so we would travel
14 the past 20, 30 years through McLean County, others. I
15 have seen construction, not up close, but I've watched
16 it going on, and so I have tried to be at most of these
17 hearings. I missed the majority of last week because I
18 was in the field. I probably should be in the field
19 tonight, but I am here, and so I've heard a lot of the
20 questions that have been presented to the witnesses and
21 all, and I hear them. I know exactly what you're
22 asking, because that was me five and a half years ago.
23 For me, it was a lot of meetings, a lot of questions, a
24 lot of e-mails, texts, trying to understand for myself,
25 trying to discern truth from fiction, and you can go on

1 the internet, and you can find anything you want. You
2 can find the worse story; you can find the best story,
3 but I have to -- for my family farm, I have to discern
4 what is the truth, and so I have gone -- I have gone to
5 the Neumann wind farm many times during construction,
6 after construction. I have stopped people. I have
7 talked to them. I've talked to the ones that are for
8 it, the ones that are against it, trying to get an
9 opinion. As I said, I've gone through wind farms for
10 years. I know a little bit of the background, but this
11 was all new to me, and it took a lot of my time to
12 understand, and that's part of who I am. I am a curious
13 person. I love to find out how things work, understand
14 how they work, and so for me to dive into this, that was
15 kind of part of who I am. I will say that along with
16 that, part of my process was to go up to Farmer City or
17 the Prosperity Wind project that we've heard about, and
18 I've been up there many times. Part of it was to see
19 how Apex does it, because some of these other wind farms
20 that I've seen, Apex hasn't been a part of those, and
21 that was important to me to understand how it would
22 affect my farm.

23 So as I said that there were three concerns that
24 I will share with you that I faced for my family farm,
25 and they are in no particular order, but one of my first

1 concerns was the farm-ability for my family farm. What
2 I mean by that is how would a wind farm or how would a
3 wind turbine on my farm affect my operation, and as I
4 said, part of it was going to Neumann, part of it was
5 going up to Farmer City and other places, but would it
6 adversely affect the way I currently farm, and after
7 studying that and seeing how it was done, I have no
8 qualms with a turbine. They are -- the footprint is
9 very negligible, in my opinion, for my farm. I have
10 some building sites notched out of farms that I would
11 spend more time trying to farm around than I would a
12 wind turbine, so that was one that I crossed off.

13 The second one was drainage, and it has been
14 referred to here before, and I think you will find that
15 as farmers, one of our number one concerns, especially
16 in northern Coles County, is drainage tile and how that
17 we drain our farms, and as I mentioned, I am a drainage
18 commissioner for one of the ditches that goes through
19 this wind farm, and so besides that, on my own farm, we
20 are almost a hundred percent system tiled, which means
21 approximately every 80 to 100 feet you have a tile line
22 that runs the length of the field that ties into a main
23 that goes to a drainage ditch that I know Adam Carlson
24 referred to, and so for me, construction, how does that
25 affect my farm, and I know that in some of our early

1 meetings as Apex came and we discussed this, the
2 original plan was a 30 -- or a three-foot depth on
3 collection lines, and that does not work for our farms.
4 And, of course, this was five years ago, and through
5 these discussions with Apex, they went back, they talked
6 with engineers, and they came back, and that's why it
7 was moved to five feet. That places it under our plane
8 of tile, which usually runs in a three foot -- 30 inches
9 to 36 inches plane. That was a big part for me.
10 Another aspect that probably wasn't shared here is the
11 fact that Apex hired a third party out of Moweaqua,
12 Illinois, to take tile maps that -- I usually -- I have
13 a tile map for every one of my fields. It shows the
14 location, sometimes its GPS coordinates, where every
15 line is at, and they hired a third-party company to
16 digitize all field maps so that they could have that for
17 their engineering, also for during construction, and for
18 my understanding, they can at any time know and identify
19 where those are at. Even if I was not participating in
20 Coles Wind, I would still be a part of that, because
21 that is how important it is to me. I sat down for over
22 three hours with the company in Moweaqua identifying all
23 my tile that I knew of, and I also took the time to
24 identify any of my neighbors' mains that went under
25 roads, where I knew that they were -- and I will say

1 this was for my area. I did not do it for the whole
2 farm, because I do not know 15 miles away from me or 10
3 miles away where those are at, but for my area, it's
4 important to me, because I have a connection with
5 neighbors, and we are concerned about drainage.

6 My third area of concern was about my community,
7 about my neighbors, and one thing was how would it
8 affect them. And as we started out this process, I took
9 the time in my own mind after it was shared, the
10 setbacks, to look at my farms and determine and take
11 somewhat measurements to determine where a turbine might
12 potentially be located and to look at my neighbors and
13 to discern: Is that something that would be okay? Now
14 it is my farm, but I had to take that into
15 consideration. I will say the community, we've talked
16 and heard about the roads and the construction of the
17 roads. I would just like to share that over the years
18 Southern Hickory and Morgan townships, I would say -- I
19 would consider to be, for lack of a better word, poorer
20 townships in our county, and the reason I say that is we
21 are sparsely populated. We have no industry in these
22 townships, we really have no towns, and so our
23 commissioners or road commissioners have struggled
24 through the years for their funding to try and maintain
25 quality roads, and I respect the jobs that they do.

1 They have done a magnificent job with the funding that
2 they have. So for me the idea of improved roads for
3 northern Coles County is a big thing. It's a big thing
4 to me and my farm and how that I get my crops out to
5 have quality roads and not half of them just be rock
6 roads. So, as I said, my neighbors, it was a hard --
7 hard thing to consider. It took me three years from the
8 time that the leasing began to where I decided that this
9 was something for my family farm, and it was probably
10 towards the fall of 2023 that I actually signed. I was
11 probably in one of the last groups to sign up, and it
12 was something that my family, we sat down, the next
13 generation sat down, we discussed this. Is this
14 something that our family farm wants, that we need, and
15 we made it as a family decision.

16 In conclusion, I would like to just give maybe a
17 little history of my family and just an insight as to
18 our operation. My grandfather left farming in Minnesota
19 during the Great Depression because he couldn't make it.
20 He relocated to DeKalb County, Illinois, to a very small
21 farm. They raised chickens, had some dairy cows. They
22 supplied eggs and milk to families in DeKalb, and in
23 1936, he had the opportunity, given to him by his uncle,
24 to move to Humboldt Township, and they relocated there
25 to farm, and thus we began the family farm in Coles

1 County.

2 In the late 1950s, my dad, as he started on his
3 family and tried to get ground, rent ground that he
4 could, he had an opportunity to start selling grain
5 bins. He was one of the pioneers in the early grain
6 bins, because the agricultural community was switching
7 over from ear corn to shelled corn. That allowed him to
8 not be only a tenant but to be a landowner, and that
9 helped our family farm to grow.

10 Here I am before you tonight, some 89 years
11 later, still farming in Humboldt and Southern Hickory
12 townships, and I have an opportunity. An opportunity
13 has been presented to me by Coles Wind to potentially
14 help my family farm. I am there. I live there, and it
15 has been a hard decision, and I respect the people that
16 have asked questions in this hearing. I have tried to
17 do due diligence. Most of my relations and
18 correspondence with Apex, they have been diligent in
19 getting back to me, in fixing things, in our
20 conversations, and for the committee, I will say that as
21 I went through all 698 pages of the permit, it took me a
22 few nights, I did not read every word. I might have
23 skimmed a few pages, but it was -- it was highly
24 important for me to go through and see the studies. Did
25 Apex do what they told me that they were going to do on

1 setbacks? Did they follow through and follow the County
2 ordinances? Did they follow the AIMA that was shared
3 with us for years of what we -- what they needed to
4 abide by, and I think they have met that standard that
5 the County has asked for.

6 So as I mentioned, the opportunity that I look at
7 is how does my farm -- how does my family farm remain
8 viable? How does it remain for the coming -- for the
9 coming generation and actually the future generations,
10 and that is a hard thing, especially in the changing
11 world that we have. If I was to go back and show my
12 grandfather where and what we do today, I spend more on
13 inputs in one year than he spent on purchasing his whole
14 first farm. I work in a global economy, and every year
15 I am faced with volatile markets, and it is a challenge
16 to keep a family farm together, and so that's why I am
17 here in support of Coles Wind.

18 MR. KAINS: Thank, you, Mr. Thompson.

19 Mr. Hess, any additional questions of your
20 witness?

21 MR. HESS: No, sir. Thank you very much,
22 Mr. Thompson.

23 A. You're welcome.

24 MR. KAINS: Thank you. Questions for this
25 witness from members of the Coles County Planning and

1 Development Committee?

2 MR. WATTS: I don't think so.

3 MR. KAINS: Questions from any other county board
4 members.

5 Mr. Shook.

6 MR. SHOOK: Thank you, sir.

7 EXAMINATION

8 BY MR. RICK SHOOK:

9 Q. You're getting a turbine situation on your -- how
10 many are you getting in -- on your property?

11 A. Again, it is potential, we don't know the exact
12 number. I have potentially five.

13 Q. Five. And they're paying you for -- to put them
14 up, right?

15 A. Well, not to put them up, but to have them on my
16 property.

17 Q. Right.

18 A. Yes.

19 Q. And you get paid? He gets paid so much a year or
20 month or --

21 MR. HESS: Yes, sir.

22 Q. Is it so much a year or a month?

23 MR. HESS: I believe it's annual payments, yes,
24 sir.

25 MR. SHOOK: Okay. That's all I got. Thank you.

1 MR. KAINS: Thank you, Mr. Shook.

2 Any other questions from county board members,
3 members of units of local government, including school
4 districts?

5 All right. Questions from members of the public
6 with respect to his testimony. First members of the
7 public from Coles or Douglas counties.

8 Okay. I see Ms. Clark and Mr. Sherman with hands
9 up and Mr. Shaw.

10 So Ms. Clark, if you want to lead us off. No?
11 Okay. If you want to defer to Mr. Shaw, you can.

12 MS. CLARK: No, I'm just kidding. I don't care.

13 MR. KAINS: Good evening, Ms. Clark. Go right
14 ahead with your questions for Mr. Thompson relating to
15 his testimony.

16 EXAMINATION

17 BY MS. KELLY CLARK:

18 Q. Okay. I get where you're coming from, what
19 you're saying. My question to you is though when you
20 said you were -- that you talked to your neighbors and
21 you talked to your family about it, what do you mean by
22 "neighbors"? Did you actually go around to the people
23 that were going to be living by the turbines?

24 A. No. I think the ones that I refer to, I was up
25 in the Neumann wind farm, and I literally just stopped

1 people along the way and asked them questions.

2 Q. Okay.

3 A. I have had conversation with my immediate
4 neighbors, the ones that are around me.

5 Q. Right.

6 A. But, you know, I will say my farming operation is
7 in a tight circle, and if I get south of Fairgrange, I
8 know some people, I really don't know people. You know,
9 you get out of your circle, and you start to lose
10 context of whose people's name and where they live are.

11 Q. Yeah, I get that. You've been farming for a long
12 time, your whole family has been farming for a long
13 time, so does it not worry your kids that, say, Apex
14 goes under or they sell to somebody else or whatever,
15 they have to take the turbines down, it will take years
16 for you to get your land back, right? To get that two
17 acres or whatever back to farming that it was, and it
18 will never be -- I mean, I'm asking if I'm right or
19 wrong, but your crop would never be the same, right? Is
20 that the way you understand? You would probably never
21 get the same as what you got right now?

22 A. So potentially a turbine will take out an acre of
23 land, and that even has some variation for a lane that
24 might go back to it. I have spots on my farms now, you
25 know, if you go back years ago, most 80 acres or 120

1 acres had a farmstead on it. If you look in my area,
2 there are sections that have no buildings on it. It
3 does not mean that the buildings are not still there.
4 They were buried years ago, and I have more of a problem
5 today with them with pieces of concrete coming up and
6 other things, because they did not know how to deal with
7 them 30, 40 years ago. As I have looked at the
8 permitting process, at the decommissioning project, and
9 my understanding of what would be done and what I've
10 seen Apex do at Prosperity, even in the construction
11 part, we are at a different time period than we were 30,
12 40 years ago, and I do believe if it ever did get
13 constructed, if it was taken to five feet below, the
14 rock was removed and restored, I would still have farm
15 ground. You are possibly correct, that it might not
16 produce 200 bushel, 250 bushel corn, but it would still
17 produce, and we are in a quality farm ground area, and
18 so I am not fearful of that.

19 Q. Okay. No, I was just asking a question-wise, and
20 the -- what you said kind of leads to my last thing. I
21 asked the other day about this, and you kind of -- just
22 when you were talking about the buildings. They're only
23 going to take away five foot, and you have all -- I
24 mean, there's 956, I think it was, yards of concrete
25 under each turbine. Does that not worry you that

1 they're going to still leave all that concrete
2 underneath there, that when you guys are farming
3 eventually 5 years, 10 years down the road you hit it?

4 A. No, it does not -- because, as I said, I have
5 whole barns and houses that are buried two to three feet
6 under the ground, and I have to farm through them now.
7 As I said, that is not a concern of mine. My -- my
8 belief is that if a decommissioning -- it would probably
9 be more of a re-power in the future years than a
10 complete take down, so --

11 Q. Okay. That's it. Thank you.

12 A. Thank you.

13 MR. KAINS: Thank you, Ms. Clark.

14 Mr. Shaw.

15 EXAMINATION

16 BY MR. CLINT SHAW:

17 Q. Bruce, you said your family has been on the farm
18 for how long here in Coles County?

19 A. We've been in Coles County for 89 years.

20 Q. Okay. How much of that land was left by your
21 family to you?

22 A. Well, my grandfather, I have a portion from him,
23 and I have a portion from my father, and I have some
24 that is my own that I have purchased over time.

25 Q. Gotcha. So then you -- it's fair to say that

1 your farm was a valuable farm throughout the process
2 then of over the years of acquiring more land?

3 A. I will say we started from nothing. My
4 grandfather struggled, and even as he came to Coles
5 County, it was a struggle. My father was a very -- a
6 very strong businessman, had a good business sense, and
7 through him, it allowed the farm to grow. My
8 grandfather got us here, I will say. My father helped
9 us grow, and I am trying to maintain that, and it is a
10 struggle.

11 Q. Gotcha.

12 MR. KAINS: Mr. Shaw, if you could move the
13 microphone up just a little bit, just tilt. Tilt that
14 up. There you go.

15 Q. Is that better?

16 MR. KAINS: Yes, sir. Thank you.

17 Q. Good deal. Approximately how many acres do you
18 own now? Just off the top of your head, it doesn't have
19 to be an exact number.

20 A. 1500 approximate.

21 Q. So within that 1500 acres, let's say Apex comes
22 to you, all they want to do is sign a Good Neighbor
23 Agreement, are you on a different side of this then
24 instead of wanting to put a turbine on your property?

25 A. No, because -- and this is just me, not everybody

1 is me, but I am more of a person that is willing to help
2 a neighbor or somebody else that's doing a project than
3 to sit back and say nothing or help, because the way I
4 picture it is by me helping, by me identifying tile, by
5 -- we have a possible concern over here, I would rather
6 them know about it ahead of time, than to say: I'll
7 just let them find it and deal with it. That does not
8 help me. It does not help my neighbors. That's just
9 who I am. I would rather go out of my way to do what
10 that I can to make something successful.

11 Q. Yes. So this started five and a half years ago.
12 I live exactly two miles south of you, I think?

13 A. I know where you live.

14 Q. Yeah, and I mean, I don't know about a lot of
15 people in this room, but I really didn't start hearing
16 about this for quite a long time, and I didn't actually
17 personally get a letter or anything in the mail until it
18 was disbursed everywhere, so that's why I'm -- I'm
19 wondering about the neighbors. I've asked questions to
20 other people. I haven't asked you. I didn't know you
21 until tonight.

22 A. Sure.

23 Q. I pretty much try to stay in my lane for the most
24 part, do my thing, and just like you, if there's
25 somebody around that needs help, I'm the first person to

1 pull my truck over and help them, I guarantee. I can't
2 tell you how many tires I've changed on 130.

3 Now, you said you're the drainage commissioner,
4 and you talked about the rock roads being paved. It's
5 my understanding -- and maybe I'm completely wrong
6 here -- but Apex is willing to put the roads back to
7 what they were or a little bit better, but I'm pretty
8 sure the rock roads that are there are going to still be
9 rock roads instead of paved roads more than likely.
10 Have you had a conversation that they're going to be
11 paved?

12 A. In my knowledge from what that I have seen and
13 from what that I have talked about, it is my
14 understanding that within the wind farm roads that have
15 been utilized for transportation construction will be
16 paved roads. Oiled and chipped I guess is the way we've
17 referred to them.

18 Q. Okay.

19 A. As I've said, I've been to Prosperity, and when I
20 came back the first time and saw their roads, the way
21 that they were handled -- I don't know if I would use
22 the word "impressed", but I was surprised at what that I
23 saw. From being up at Neumann, which was a completely
24 different job, I was not impressed up there at all.
25 Still was not impressed up there, but by looking at

1 Prosperity, if that is what we have here when they are
2 done, I think it is a win for our county.

3 Q. Approximately how far is the nearest turbine to
4 your house?

5 A. So an approximation would be somewhere under
6 three quarters of a mile.

7 Q. Okay. And you said that you were scheduled to
8 maybe get five, but you don't know?

9 A. Right.

10 Q. Is that what you think?

11 A. Again, it's 62 with a possibility of 51. They
12 haven't identified where those will be.

13 Q. Well, I think that's about all the questions I
14 have for now. It's nice to meet you.

15 A. Thank you.

16 MR. KAINS: Very good. Thank you, Mr. Shaw.

17 Mr. Sherman.

18 EXAMINATION

19 BY MR. TOM SHERMAN:

20 Q. Tom Sherman, live in northern Coles County.

21 Mr. Thompson, first, I want to thank you for taking the
22 hot seat. I know it's not possibly something you do
23 every night.

24 A. It's an experience.

25 Q. Yeah. You said you have a signed lease agreement

1 with Apex; is that right?

2 A. I do.

3 Q. How many lease agreements do you have?

4 A. I have three.

5 Q. Are they for -- all three of them for three
6 turbines, or can you explain what the three agreements
7 are?

8 A. So I operate under two different entities, and
9 one of them is a combined farm with two entities on it.

10 Q. And where exactly do you live?

11 A. I am on the county line road.

12 Q. The Douglas-Coles county line road?

13 A. Yes, 1900.

14 Q. Sorry. So you are in the footprint then of the
15 wind turbine project?

16 A. Yes, I am.

17 Q. And you said that you have all 1500 acres signed
18 up with this project?

19 A. No, I do not.

20 Q. How many acres do you have signed up?

21 A. Somewhere around 11.

22 Q. 1100?

23 A. 1100.

24 Q. And you said you first signed up with Apex three
25 years ago, so 2022?

1 A. Approximate -- it was going into the fall of '23.

2 Q. Fall of '23. And they contacted you or you
3 contacted them to initiate?

4 A. When are you talking, initially?

5 Q. Initially.

6 A. Initially, I received a packet in the mail.

7 Q. Okay. And you said you were going to be getting
8 possibly five turbines on the 1100 acres; is that
9 correct?

10 A. Yes.

11 Q. Is there any other cabling or --

12 A. Yes.

13 Q. -- road usage, anything?

14 A. Yes.

15 Q. So it's not just the turbines, is that safe to
16 say?

17 A. Correct.

18 Q. What negatives do you see of having a wind
19 turbine project in northern Coles County? You said you
20 weighed this heavily and thought about it and questioned
21 it. What do you think the negatives would be?

22 A. You know, a negative is -- and somebody referred
23 to it the other night -- is we live in an area that is
24 sparsely populated, and, you know, sometimes you see two
25 cars go down your road a day. That will change for a

1 period. I understand that. And I had to discern that
2 for even my farm operation, is that something that I'm
3 willing to work with, and, you know, we like to be on
4 our own. I don't like to be bothered. You know, that's
5 just who -- I am a farmer to heart. Let me do my job,
6 and I'll be fine. So that is what I consider a
7 possibility.

8 Q. Very good. Are you concerned with any health
9 issue. You said you've been at some of the hearings
10 lately. Are you concerned with any health issues or
11 health situations that those that live in the footprint
12 of project might encounter?

13 A. I am not.

14 Q. Does your farm -- when you haul grain, living
15 where you do and farming all that, does your farm or
16 will your farm haul grain to the Fairgrange elevator?

17 A. I have in the past.

18 Q. And will you continue to do that?

19 A. It's a possibility depending on where I need to
20 market my grain. Sometimes it's Fairgrange, sometimes
21 it's Arcola, sometimes it's Humboldt, sometimes it's
22 Tuscola.

23 Q. I understand. Thank you. My last question --
24 and I appreciate you starting out with this, because I
25 think that's -- that's a huge thing, and it's a very

1 important thing. I understand family. I understand
2 fathers and fathers-in-laws. I understand grandparents.
3 Do you think your grandpa would have signed this
4 agreement, and I go back to your "steward of the land",
5 and, sir, I appreciate that more than maybe you know.

6 A. Right.

7 Q. Would your grandpa have signed?

8 A. Well, I mean grandpa has been gone for many
9 years, and so for him to understand the concept of a
10 wind turbine is a whole other issue. But along with
11 that and when I think of stewardship, I think that we as
12 farmers are challenged to use the ground to its fullest
13 potential, and in doing that, it requires a lot of
14 knowledge and discernment there again to do it properly,
15 and that may be changing the way that we've done it from
16 the past, because if I would look at my grandfather, the
17 way he farmed, and the way I farm today, two completely
18 different things. He would not understand guidance and
19 automatic steering. Sometimes I would love to bring him
20 back and show him what we do or for some say: Well, you
21 don't do anything, you just sit there. Well, we are so
22 much more technologically advanced, and that's why I
23 say, he would have no concept of a wind turbine. So for
24 me to make a statement on his behalf, I just can't.

25 Q. Fair enough. Again, I wanted to point out -- I

1 appreciate -- I appreciate you starting out with that.
2 Thank you.

3 A. Thank you.

4 MR. KAINS: Thank you, Mr. Sherman.

5 Any other questions from members of the public
6 from Coles or Douglas counties?

7 From counties outside of Coles and Douglas?

8 Mr. Cronkhite.

9 EXAMINATION

10 BY MR. ARTHUR CRONKHITE:

11 Q. So you have yet to have your first turbine
12 assigned to you, right?

13 A. I know locations -- I know the possible locations
14 of where they may be.

15 Q. Okay. Kelly McKeough says she destroys concrete
16 stands and tensions where they take them down. They
17 destroy them.

18 A. Can you -- I did not hear or understand that
19 first part.

20 Q. Kelly McKeough, she was one of our --

21 A. Okay.

22 Q. -- speakers. She says that they destroy concrete
23 stands and tension areas. They destroy them. Do you
24 know about that?

25 MR. HESS: I would respectfully -- Mr. Kains, I

1 would respectfully object. First of all, he's not here
2 to talk about decommissioning, so it's beyond the scope.
3 I don't know if he was even here when Ms. McKeough
4 testified. I don't believe she used the word "destroy".
5 I think the question she was asked is do they use a
6 jackhammer as the method of removal, and she talked
7 about how they removed down to the five-foot base of the
8 concrete foundation. So I think the question is
9 misleading in the way it was asked, but also, I don't
10 know if he even knows, but I think it's beyond the scope
11 of his knowledge and his testimony here today.

12 MR. KAINS: Well, it is beyond -- it is beyond
13 the scope of his testimony and likely beyond the scope
14 of his knowledge. He is not a decommissioning person,
15 he's a guy who owns a farm and has in this county, his
16 family, for 89 years. I'm going to sustain the
17 objection.

18 Mr. Cronkhite, ask another question, please.

19 Q. Okay. No, I think that's it.

20 MR. KAINS: Very good. Thank you, Mr. Cronkhite.

21 Any other questions from anybody in the public
22 for this witness?

23 MR. KAINS: All right. Thank you.

24 Questions from Coles County Staff and
25 Consultants, Mr. Lockhart?

1 Mr. Keyt?

2 MR. KEYT: No questions.

3 MR. KAINS: Okay. Very good. Redirect
4 examination, Mr. Hess.

5 MR. HESS: No, sir. Thank you very much.

6 MR. KAINS: All right. Final questions for this
7 witness come from members of the committee.

8 MR. WATTS: No, thank you.

9 MR. KAINS: All right. Very good.

10 Mr. Thompson, thank you for your testimony. You
11 may step down.

12 (Witness excused.)

13 MR. KAINS: Call your next.

14 MR. HESS: I think he is here. Our next witness
15 would be Mr. Joe Riley. There is he. He was hiding in
16 the back. I didn't see him. I should have turned the
17 other way.

18 MR. KAINS: Good evening, sir.

19 (Witness sworn.)

20 MR. KAINS: Very good. Have a seat, sir. Thank
21 you.

22 A. Thanks.

23 MR. KAINS: Go ahead, Mr. Hess.

24 MR. HESS: Thank you, Mr. Kains.

25

EXAMINATION

BY MR. HESS:

Q. Good evening, Mr. Riley. Could you please state your first and last name and spell it for the record?

A. My name is Joe Riley. What else was it?

Q. Spell your last name.

A. R-I-L-E-Y.

Q. Thank you, Mr. Riley. Mr. Riley, could you please briefly introduce yourself, who you are, what's your role here, and what's your role with Coles Wind?

A. Yeah, so my name is Joe Riley. I'm a 26-year member of the Laborer's International Union North America Local 159. I'm also president of our local, and I'm here tonight on behalf of our members to speak in support of the Coles Wind project.

Q. Thank you, Mr. Riley. Please go ahead with what you would like to say.

A. I just want to speak in support of it. It's -- these projects are great projects for the men and women of our local -- local union and not just the laborers but the other trades, electricians, the operators, ironworkers, teamsters. Projects like this are usually what we call big-money jobs. You know, there's some overtime involved and things of that nature, so it's a good opportunity for those men and women to boost up

1 their insurance hours, put more money into their pension
2 fund, their annuity fund, vacation fund. It's also a
3 good opportunity for us to grow our union and take in
4 more premises, which we are actively doing. One thing
5 that's kind of unique about our local is Coles County --
6 we cover eight counties. Coles is right in the middle
7 of our local. So that means that we can put men and
8 women that live in the county to work. We have actually
9 quite a few members in this county, so it's -- this job,
10 you know, we have no doubt it will be able to man this
11 job with people from the area and the surrounding areas.
12 Yeah, it's -- again, just hear to speak in support of
13 it. Again, these are high-paying union jobs. We've
14 built these jobs all over -- the clean energy jobs and
15 every kind of energy job all over the state of Illinois.
16 Our members know what they're doing on these projects.
17 You know, we work safe, we work on time and under
18 budget. So that's why we're here to speak in support
19 of.

20 MR. HESS: Thank you, Mr. Riley. I have no
21 further questions,

22 MR. KAINS: All right. Very good. Thank you.
23 All right.

24 Questions for Mr. Riley from members of Coles
25 County Planning and Development Committee.

1 Questions from members of units of local
2 government, including school districts and county board
3 members.

4 Mr. Shook.

5 MR. SHOOK: Thank you, sir.

6 EXAMINATION

7 BY MR. RICK SHOOK:

8 Q. Where your guys's local at? I'm a union man
9 myself for several, several years.

10 A. Our local is in Decatur, Illinois.

11 Q. Decatur, Illinois. How many members do you have
12 in your local?

13 A. We're right over 700 members.

14 Q. Okay. And are they different unions like, for
15 example, UAW, teamsters, or you guys are all just one?

16 A. We're the laborers. We're just the laborers. So
17 on a project like this, you would have the laborers, the
18 electricians, the operators, the ironworkers.

19 Q. Several unions involved?

20 A. Yeah.

21 Q. Okay. That's all I got.

22 MR. KAINS: All right. Very good. Thank you,
23 Mr. Shook.

24 Any other questions from county board members?
25 Members of units of local government?

1 Very good. All right. Questions for Mr. Riley
2 from members of the public, first from Coles and Douglas
3 counties. Mr. Sherman.

4 EXAMINATION

5 BY MR. TOM SHERMAN:

6 Q. Just a couple really quick ones. Safety, I am
7 assuming, is a big issue. Do you know if you do -- does
8 your union -- does your local do any FBI or state police
9 background checks on the members?

10 A. The local does not. Certain -- certain jobs or
11 projects may require that, so the contractor or the
12 owner of the project would do that if that was the case.

13 Q. Would it be safe to say that the members of your
14 union or members of your local would be working under
15 White Construction?

16 A. Among other contractors, yeah.

17 Q. Or working for subs that might be under White
18 Construction?

19 A. Yes.

20 Q. Do you know if your local does any drug or health
21 random drug tests, that kind of thing?

22 A. So the local, the apprenticeship program does,
23 but that would fall under the responsibility of the
24 contractor, and most contractors do.

25 Q. Has your -- has your local worked with White

1 Construction in the past?

2 A. Yes.

3 Q. And can you tell us what projects, just two or
4 three?

5 A. Sure.

6 Q. Around this area.

7 A. So our local worked with White on it was
8 Radford's Run wind project in northern Macon County.
9 Not our local, but the Champaign's local worked with
10 White a lot of times on wind projects, currently
11 Prosperity Wind. We've also worked with White -- White
12 does more than wind farms, they do bridge work and
13 things like that. So we worked with White Construction
14 here in Coles County on a bridge project before, so
15 we've worked with White for a long time.

16 Q. Okay. Is it your experience -- back to the
17 random drug testing, does White require that? Do they
18 do that? Have they done that with your local people?

19 A. To be honest, I'm not sure about that. I would
20 assume they either get a random or pre-hire.

21 Q. Okay, and you said you have several people that
22 live within Coles County that are members?

23 A. Yes.

24 Q. That's it. Thank you.

25 A. You're welcome.

1 MR. KAINS: Very good. Thank you, Mr. Sherman.
2 Mr. Shaw.

3 EXAMINATION

4 BY MR. CLINT SHAW:

5 Q. All right. So you -- you said you have about 700
6 members around here, right?

7 A. Yes.

8 Q. Do you know approximately how many of those
9 people live in Coles County?

10 A. I believe I'd say approximately about 170, 170.

11 Q. So that leaves about 530 other members from other
12 -- or the other seven counties, right?

13 A. Yes.

14 Q. How far out does that range as far as counties
15 then? How many miles, approximately?

16 A. I could tell you the counties, if that's easier.

17 Q. That will work.

18 A. Sure. So it's Clark, Coles, Cumberland, Douglas,
19 Edgar, Macon, Moultrie, Shelby. Am I missing any? Is
20 that eight? Clark, Coles, Cumberland, Douglas, Edgar,
21 Macon, Moultrie, Shelby.

22 Q. That's eight. Yep, you've got them all. With
23 having 700, let's say -- I've been around unions, you're
24 not going to have 700 people on site any given day,
25 somebody is sick, somebody is taking a kid somewhere,

1 something, right? With the work hours that are going to
2 be here, the overtime, the -- let's say the time when
3 the wind is perfect for them to work at night type of
4 stuff, what's your plan on putting people up around
5 here, as far as accommodations to stay and whatnot?

6 A. For us, I mean if someone is going to -- that
7 wouldn't be our responsibility, I guess. I think our
8 local with Coles being in the center of our local, I
9 can't imagine our specific members if they were to come
10 from a neighboring county, they would go home every
11 night.

12 Q. Gotcha. Okay. Exactly where do you live?

13 A. I live in Decatur.

14 Q. You live in Decatur?

15 A. Yeah.

16 Q. Okay. And are you going to be over here on site
17 with them or no, or is that where your office is
18 stationed?

19 A. Our local office is in Decatur, yes. We would
20 have representatives that would come out to the jobsite.
21 Like, we go visit all of our jobsites periodically.

22 Q. Okay. That's about all I have. Thank you.

23 MR. KAINS: Very good. Thank you, Mr. Shaw.

24 Any other questions for Mr. Riley from members of
25 the public from Coles or Douglas counties?

1 Ms. Clark and then the gentleman in the blue
2 shirt or maybe it's black.

3 MR. ALLEN: I don't know.

4 MR. KAINS: I don't either. I've never been good
5 with colors.

6 Ms. Clark. Go right ahead, Ms. Clark.

7 EXAMINATION

8 BY MS. KELLY CLARK:

9 Q. Okay. Quickly just because this isn't my thing
10 and I don't understand it all, but when you refer to
11 locally, you keep saying there's going to be "locals"
12 that work there. For one thing, there's not even 700
13 and some people in Charleston, Illinois, that's going to
14 be there, but -- so really it's not that many are going
15 to be local. I mean, there might be some. When I think
16 of "local", I think of the people here in Charleston.
17 That's what I think of. So how many do you think really
18 are going to be right -- that you're going to have jobs
19 that's going to be right here, I mean?

20 A. I couldn't answer that specifically. I guess I
21 think about it a little different. You know, our local
22 is eight counties. We have a lot of work going on
23 though. If someone is living over in Decatur, they're
24 probably not going to want to drive over here. You
25 know, but there's -- I would say we have Coles County

1 members that come over to Macon County, and we've got
2 Coles County members that are working currently on solar
3 projects in Clark County. I kind of view it all as a
4 neighboring -- a neighboring thing. I couldn't go on
5 record to say how many people from Coles would be there,
6 but it is my opinion you'll have -- you'll have quite a
7 few.

8 Q. Okay, but it's probably -- would you say it's
9 fair to say really most of the work is going to be done
10 by out of town? It's going to be coming from different
11 counties, coming from different towns, coming from
12 different -- I mean, Apex stated that they were going to
13 be supplying all these jobs, and really it's not, it's
14 going to be coming from these different places.

15 MR. KAINS: Okay, the question is --

16 MS. CLARK: Yeah.

17 MR. KAINS: -- are the jobs going to be taken by
18 folks from Coles County or from outside of Coles County?
19 Can you even answer that?

20 Q. Would you say the majority of the people?

21 A. I couldn't say the majority will be from out of
22 town. There obviously will be workers from, you know,
23 surrounding communities.

24 Q. Okay. All right. Thank you.

25 MR. KAINS: Thank you, Ms. Clark.

1 Okay, the gentleman in the dark-colored shirt.

2 MR. ALLEN: Thank you.

3 MR. KAINS: Sir, what is your name.

4 MR. ALLEN: Jim Allen.

5 EXAMINATION

6 BY MR. JIM ALLEN:

7 Q. I know you can't speculate how many jobs will be
8 created or coming from Coles County on this one. In the
9 Neumann project, how many local people on your laborers
10 were on that job, and what was the amount of time they
11 were on the job, roughly speaking?

12 A. So for Neumann, for the laborers -- and mind you,
13 we're just the laborers, because obviously --

14 Q. Right. I understand that completely.

15 A. -- we have electricians, and I wouldn't know
16 their numbers. I would say we probably had 40 to 50
17 laborers on that project. Some were there from start to
18 finish. Some, you know, come in on the concrete crew
19 when they're pouring bases, and when that's done, they
20 may move on. You have some that are just cleaning
21 towers and things like that, or, you know -- but I think
22 most of these contractors try to do a good job if a task
23 is done and there's another area getting ready to start,
24 they move those people, those men and women on to the
25 next.

1 Q. You do that because they have experience on that
2 jobsite. I know that.

3 A. Sure.

4 Q. But out of the 40, how many would have been from
5 Douglas and Coles? Estimate, I understand, but estimate
6 I mean. You have a lot of figures in your head for a
7 lot of things.

8 A. Sure. I'm trying to think back. This would be a
9 guess. I'd guess maybe 20.

10 Q. 20?

11 A. Yeah.

12 Q. Okay, and they wouldn't necessarily have been
13 there through -- the majority wouldn't have been there
14 throughout the progress, right?

15 A. Out -- with 40 laborers, no.

16 Q. I'm talking the 20.

17 A. Oh, the 20. To be honest, I don't --

18 Q. But they wouldn't have been from start to finish
19 the 20?

20 A. No, not all 20, you know.

21 Q. Thank you.

22 MR. KAINS: Thank you, Mr. Allen.

23 Any other questions from -- yeah, Mr. Yoder.

24 EXAMINATION

25 BY MR. DAVON YODER:

1 Q. My questions --

2 MR. KAINS: Okay, Mr. Yoder, could you spell your
3 first and last names for the court reporter?

4 Q. It's Davon Yoder, D-A-V-O-N E; Yoder is
5 Y-O-D-E-R.

6 MR. KAINS: Okay. Go right ahead.

7 Q. First question, without this project coming to
8 the area here, does your union workers have enough work,
9 or is this something that they are dependent on? Does
10 this make a difference in their survivability or living
11 conditions I guess you might say?

12 A. That's a little hard to answer. I mean, when
13 this project -- if this project goes and when it starts,
14 I don't know where we'll be then. We are busy now.

15 Q. Okay. That's fair. Another question -- maybe a
16 little off of what you specifically are talking about --
17 but you talk about building these projects and
18 everything, but would you personally choose to live
19 within a wind farm project such as one you built?

20 MR. HESS: I would respectfully object. It's
21 beyond the scope of his testimony, and I also don't
22 think it's relevant. He testified to employment and
23 union, not anything else.

24 MR. KAINS: It is beyond the scope of his
25 testimony. I'll sustain the objection.

1 So go ahead. Ask another question.

2 Q. That's all I got. Thank you.

3 MR. KAINS: Very good. Thank you, Mr. Yoder.

4 Any other questions for this witness from members
5 of the public?

6 All right. Very good. Thank you.

7 All right. Questions from Coles County Staff and
8 Consultants, Mr. Lockhart.

9 MR. LOCKHART: No.

10 MR. KAINS: Mr. Keyt.

11 MR. KEYT: No questions.

12 MR. KAINS: No questions. Thank you.

13 Redirect, Mr. Hess?

14 MR. HESS: No, sir. Thank you, Mr. Riley.

15 MR. KAINS: All right. And committee members,
16 any last questions from you all?

17 Mr. Riley, thank you. You may step down.

18 A. Thank you.

19 (Witness excused.)

20 MR. KAINS: Mr. Hess, call your next witness,
21 please.

22 MR. HESS: Thank you, Mr. Kains. We next call
23 Mr. Mike Litteken.

24 MR. KAINS: Good evening, sir.

25 (Witness sworn.)

1 MR. KAINS: Very good. Thank you. Please have a
2 seat.

3 MR. LITTEKEN: I want you to have patience with
4 me. I've never been in a situation like this before.

5 MR. KAINS: Well, I've never been a patient
6 person until about 10 years ago, and then I started
7 learning a little bit about it. You can ask my four
8 children whether I'm patient, they'll tell you stories,
9 but --

10 MR. LITTEKEN: Thank you, sir.

11 MR. KAINS: We'll be patient with you. I hope
12 everybody else will be.

13 EXAMINATION

14 BY MR. HESS:

15 Q. Good evening, Mr. Litteken, we'll start nice a
16 slow. Could you please state and spell your name for
17 the record?

18 A. Okay. It's Michael G. Litteken. It's
19 L-I-T-T-E-K-E-N.

20 Q. Thank you, sir. Could you please briefly
21 introduce yourself, what's been your role in Coles
22 County, and what's your relationship to this project?

23 A. Okay. Unlike Bruce, I wasn't raised on a farm,
24 but I was born in southern Illinois, and my parents
25 moved to Charleston when I was in fourth grade, and

1 we've lived here ever since, and when I was 17 years
2 old, I made the biggest decision and my best decision I
3 ever made in life when I married Brenda Babbs, and she
4 lives -- she grew up in Seven Hickory and went to school
5 in Morgan Township. And between the two of us, we had
6 four daughters, and then they had -- give us seven
7 grandchildren, and fortunately, they all look like her.
8 And so we were married pretty young, and then worked in
9 town, both of us, and we was able to move from a mobile
10 home to -- and we bought a house, and we was -- I always
11 wanted to work for myself or own a business, and we end
12 up trading our house in Charleston for a house and 40
13 acres in the country. Well, we was so fortunate that my
14 next door neighbor raised hogs, and he taught me how to
15 raise hogs, along with my dad, Brenda's dad, Brenda's
16 uncle, my uncle, and another great neighbor, they taught
17 me how to farm. And from then on, Brenda and I -- the
18 girls and Brenda, they helped us with the hogs, and they
19 cut firewood, and they drove the tractor to where we
20 custom baled hay, and we baled a lot of hail, and the
21 hogs kind of let us get started in buying some land, and
22 that's where we are today.

23 We took baby steps, and we've -- that's how we
24 accumulated today, and the girls -- our children and our
25 grandchildren will -- these farms will be in their

1 possession and many generations after that, and they
2 will not be sold, so they will -- our family will stay
3 in Coles County.

4 Q. Thank you, Mr. Litteken, and could you maybe
5 explain, have you elected to participate within this
6 wind project?

7 A. I would.

8 Q. Okay. And are you currently slated to
9 potentially host turbines --

10 A. I am.

11 Q. -- for this wind project?

12 A. I am. We are.

13 Q. Mr. Litteken, what would you like to say here
14 tonight?

15 A. Well, first of all, I went through the process
16 similar to what Bruce did and -- which we heard before,
17 and we're very similar, but he is more detailed than I
18 am. But I was thinking more of the county, and when
19 they come to me, I mean, it benefits us, we can't
20 question that. It's wonderful, and my big concern is my
21 neighbors. I want to be neighbors to all of you, all of
22 you. I want -- and I mean that. We all do, and we want
23 to be your neighbor, and we want to be a good neighbor.
24 If we have tenants that don't pull over or something and
25 crowd you or something when they're in the big

1 machinery, we want to hear about it. We want to be good
2 neighbors.

3 The convincing part for us was -- it wasn't about
4 -- it was -- the funding is a part of it, but the part
5 that attracted me is if we got this funding for the wind
6 turbines, what was it going to do for the community, and
7 when they talked about a \$650,000 investment coming into
8 our community, and we got all these workers and all
9 that, I just thought, you know, it's going to be
10 bringing more jobs, more people moving in here. I was
11 just -- I go down Lincoln Street, and I look at it, and
12 I think: Wow, they're going to be crowded. These
13 people -- there's not going to be big businesses
14 closing, there's going to be more businesses. But, you
15 know, \$650 million coming into our Coles County, that's
16 two-thirds of a billion dollars. My mom, when I was
17 first to third grade, she'd teach me multiplication
18 tables, and she always wanted me to wear this badge that
19 Catholic school you went to. You wanted to be the table
20 champ, but we always worked with two figures, we didn't
21 work with ten. Nine zeros, and that's two-thirds of
22 that, and then, I mean, our libraries, our parks and all
23 that, it's -- and more people coming in here. I think
24 it weighs pretty heavy, and then the biggest part was
25 the schools. They -- you know, \$1.6 million a year

1 coming to our schools. And I've talked to the
2 superintendent, and I've done this here, and, you know,
3 they -- they're not wanting to commit right now to see
4 if this here goes through and that, but they're excited.
5 I mean, if -- I mean, they're going to have better
6 buildings, and they tell me that we could possibly have
7 lower taxes. You know, property taxes, they're going to
8 keep them down for us, and they -- I just think it's a
9 golden opportunity for our community.

10 And then not only that is our roads. Brenda and
11 I went to Prosperity and looked at that, and when I seen
12 the roads and I seen the quality of the way they done
13 it, my -- I was excited. You know, the roads are nice.
14 And one thing we have got going for us if this goes
15 through is Rick Madelyn is our road commissioner for
16 Seven Hickory, and he's probably got 90 percent or more
17 of the roads, and Rick is not only a hard worker, but he
18 understands the funding and how they just get -- make
19 sure we get it and all that, and so I mean -- and I'm
20 sure he's going to work with Mr. Hendrix and
21 Mr. Hungler, the other two commissioners, but Rick's got
22 the majority of the roads, and we got the right guy for
23 the job, and I'm sure he's going to be talking to the
24 county supervisor to make sure we get the right fundings
25 to it.

1 The -- and I'd like to give you a little example,
2 something that happened to me personally is we got a
3 couple tenants, and they're like all tenants in Coles
4 County. They are around the surrounding area. I'd like
5 to say they -- they're all -- we got good farmers.
6 We've got some of the best land in the world right here,
7 and -- but these two tenants that we have, they do the
8 little things. They've got extra equipment. They've
9 got earth-moving equipment. They've got tiling machines
10 that we do our own tiling, and they -- one of the
11 tenants come to me and said: Mike, we got these bin
12 sites, and he wanted to put up some solar panels at two
13 of our bin sites, and I told him, I said, you know, I'm
14 not a fan of these solar panels, but they do the little
15 things for us, and our agreement to them is we make our
16 ground as productive and most profitable as we can for
17 them. In return, they do the little things for us, by
18 fixing things and -- like all tenants do, but they do
19 the little things. I told him, I said, I don't really
20 want them solar panels. Well, he come -- I let it sit
21 down, and I said: Let me think about it. I let it sit
22 down and come back like a week or so later, and he goes:
23 Mike, with the tax credits and the savings in the
24 electricity, I think they will pay for themselves in
25 three years, and I go -- and he said not only that,

1 Mike, my last bill on that bin site was over \$20,000 for
2 one bin site.

3 MR. KAINS: Mr. Litteken, I'm going to interrupt
4 you -- and I'm being very patient, by the way. Let's
5 get to a discussion about wind.

6 A. Okay. This is -- I'm about there.

7 MR. KAINS: Okay. Okay. That's what we're here
8 on. Okay. Go right ahead.

9 A. What he said -- and so he put up the panels.
10 Long story short is the panels look like it's part of
11 the operation. When I drive by it, I am excited about
12 them, and I'm not saying I really want a field full of
13 panels, no, but this here my eyes seen something
14 different, and so, Mr. Kains, I want to thank you for
15 your -- the way you've ran this thing, and, Mr. Keyt,
16 you and your team. You've been wonderful for the
17 residents.

18 I want to be your neighbor. We want to be your
19 neighbor, and I think because of you, you made Coles
20 Wind more thorough, better, and stronger, and we're
21 going to have a better operation here, and these guys
22 here, I can't thank you enough for giving us your time
23 that you do for the -- your -- that you've sat through
24 all these, and I want to thank you for your service.
25 That's it.

1 MR. KAINS: Thank you, Mr. Litteken.

2 Mr. Hess, do you have any other questions for
3 your witness?

4 MR. HESS: No further questions.

5 MR. KAINS: Okay. Very good. Questions from the
6 committee.

7 MR. WATTS: No.

8 MR. KAINS: No. All right. Questions from the
9 county board.

10 Mr. Shook.

11 MR. SHOOK: Thank you.

12 EXAMINATION

13 BY MR. RICK SHOOK:

14 Q. How many turbines will you, sir -- will you have
15 on your property?

16 A. I think if we get them there could be seven to
17 eight.

18 Q. Seven to eight. Okay. I might've asked this
19 before, but I don't remember if I did or not. No
20 disrespect. Do they get paid so much per wind turbine?

21 MR. HESS: Yes, sir.

22 MR. SHOOK: Okay. Thank you.

23 MR. KAINS: Thank you, Mr. Shook.

24 Any other questions from members of units of
25 local government, county board, school districts?

1 All right. Very good.

2 Questions from members of the public? First
3 folks from Coles and Douglas counties.

4 Ms. Clark and then Mr. Sherman and then Mr. Shaw.

5 MR. KAINS: Can we go off the record?

6 (Comment off the record.)

7 MR. KAINS: We can go back on.

8 MS. CLARK: Hello.

9 MR. KAINS: Go ahead, Ms. Clark.

10 EXAMINATION

11 BY MS. KELLY CLARK:

12 Q. I've got to think of how to do this, because I am
13 going to keep this not personal.

14 A. Thank you.

15 Q. I'm going to keep this not personal, because the
16 turbine that's going by me is from your land that's like
17 a half mile away. When you got this agreement and they
18 were talking to you about it, did they bring up any
19 chance of health issues? Did they discuss anything
20 about it, or it was all good stuff that they promoted to
21 you?

22 A. Ms. Clark, I am not aware of any health issues
23 that we talked about that it could present or will
24 present. You know, I wasn't aware.

25 Q. I mean, they're just possibilities. You've been

1 here, what, the last, what, four or five nights and
2 listened, and you've heard some of the things that can
3 happen. Not saying they will, not saying they won't,
4 but I wondered if that was anything you looked into
5 before you signed the agreement with them, the stuff
6 that -- the negative stuff that could happen, not all
7 the positive that they fed you.

8 A. Yes. I don't recall us discussing any health
9 issues.

10 Q. Okay. Would you have signed the agreement if
11 they were actually putting them right around your house?

12 A. I'm sorry?

13 Q. Would you have actually signed the agreement if
14 they were putting them right around your house, because
15 they're not around your house, right, they're just on
16 the properties that you have farmland?

17 A. Right now they are none around our house, and to
18 answer your question, and it's not -- I'm fascinated
19 with them. I'd put them right beside my house.

20 Q. You don't think with your -- because you're a
21 farmer. I mean, you're out in the country like us, and
22 I'm sure when you're air ain't going and you've got your
23 windows open, you don't think they would have bothered
24 you --

25 A. No.

1 Q. -- trying to sleep and --

2 A. No. Well, you can ask Brenda, she -- I can sleep
3 on a rock.

4 Q. Okay. Thank you for your time.

5 A. Thank you.

6 MR. KAINS: Thank you, Ms. Clark.

7 And Mr. Sherman.

8 EXAMINATION

9 BY MR. TOM SHERMAN:

10 Q. Tom Sherman, northern Coles County. Again, just
11 like I told Mr. Thompson, I appreciate you taking the
12 stand and taking the hot seat and sweating it out and
13 all that, so thank you for that. Do you have -- I am
14 assuming you have a signed lease agreement with Apex?

15 A. I do.

16 Q. How many lease agreements do you have?

17 A. I'm under oath, but I think four, but -- I think
18 four.

19 Q. Just like I asked Mr. Thompson, you said seven to
20 eight wind turbines, do you have other agreements, lease
21 documents for other parts of the project?

22 A. I'm not for sure what -- what --

23 Q. Like do you have a lease agreement for laying
24 cable?

25 A. Yes.

1 Q. Do you have a lease agreement for like a road, an
2 access road?

3 A. Yes.

4 Q. Do you have a lease agreement for the laydown
5 yard?

6 A. No.

7 Q. No. Wasn't sure about that one. Where exactly
8 do you live?

9 A. I live at 3149 Hutton Road.

10 Q. And that's not in the footprint of the project,
11 is it?

12 A. No, it is not.

13 Q. How many acres do you have signed up with this
14 project?

15 A. You know, I don't want to dodge this question,
16 but if you don't mind, Brenda and I started really
17 young, and we've took baby steps and accumulated acres,
18 but we don't share those things.

19 Q. I understand.

20 A. Sorry.

21 Q. No, that's okay. I understand. When did you
22 first sign up with Apex?

23 A. You know, don't quote me, I think it's been three
24 or more years ago.

25 Q. Okay, and you said you would have -- if the

1 project goes through, you would have seven to eight wind
2 turbines?

3 A. If I don't get some -- well, I'm not for sure.
4 That's what they got them -- possibility.

5 Q. Do you see any negatives of having a wind turbine
6 project in Coles County?

7 A. Yeah. Yes, I do.

8 Q. Could you share what those negatives would be in
9 your mind?

10 A. The biggest one is, you know, I want the
11 neighbors to learn to like them, if they can, so they
12 stay here. We need them. We need -- they're good
13 people. We need them to stay, and that would be my
14 biggest concern. The other concern is we pattern tiled
15 all our ground, and it's got a tile every 60 feet, and
16 it's going into, you know, different mains and things
17 like that. That's going to be disrupted, and the other
18 thing is we got the -- we're sitting on ground that's
19 some of the best in the world, and when it -- you know,
20 when -- it's got the organic matter and it's got oxygen
21 in it, and when you press that together, equipment
22 doesn't take that away, it takes time to get rid of that
23 compaction, and that's a, you know, concern.

24 Q. I appreciate you with the honest answer. Thank
25 you, sir, for that.

1 You talked about -- with Ms. Clark about the
2 health concerns. Again, have you talked to anybody
3 around your property -- or not around -- the farmland up
4 there about health concerns, health issues?

5 A. You know, Tom, I don't -- I don't -- I wish I
6 did. I don't see where it's going to be unhealthy.

7 Q. Okay. Fair enough. Thank you. Do you haul your
8 grain into Fairgrange elevator?

9 A. No, I do not. The tenants don't either. We have
10 grain bin storage, so we --

11 Q. Okay, you store your own?

12 A. They raise specialty crops.

13 Q. And you said -- have you talked to school people?
14 You said something about the school superintendent. Who
15 did you talk to?

16 A. Could I leave his name out of it and --

17 Q. Which school district?

18 A. The Charleston school district.

19 Q. Okay. Thank you, sir.

20 A. Thank you.

21 MR. KAINS: Thank you, Mr. Sherman.

22 Mr. Shaw.

23 EXAMINATION

24 BY MR. CLINT SHAW:

25 Q. What's happening, Mike? I think we've known each

1 other for a pretty long time, and our families have been
2 connected for a pretty good long time also. Just a bit
3 of background for everybody in here, Mike and I have
4 been neighbors for -- when I say "neighbors", he owns
5 the barn and the field next to my house for probably --
6 what do you say, Mike, 10 years, something like that?

7 A. I thought maybe more.

8 Q. 15?

9 A. Yeah.

10 Q. Something like that. When you were contacted,
11 signed up three years ago, why wasn't I considered,
12 Mike?

13 A. I'm sorry?

14 Q. Why wasn't I considered? As being a good
15 neighbor, I've done all kinds of things to help.

16 MR. KAINS: Do you know, Mr. Litteken, anything
17 about why he was or wasn't considered for a turbine?

18 Q. No, I don't want -- I didn't want the turbine,
19 but I'm just saying why wasn't I considered as a good
20 neighbor and spoke to at that time?

21 MR. KAINS: Oh, for him to talk with you about
22 what he was thinking?

23 Q. Correct.

24 MR. KAINS: I gotcha.

25 A. You mean, you thought the -- Clint, I didn't know

1 how that worked, the good neighbor thing.

2 Q. I mean --

3 A. You know, with your house there, you wasn't -- I
4 mean, they wasn't going to put a turbine on an acre of
5 ground or two acres.

6 Q. No, I don't have enough ground to put a turbine
7 on. What I'm talking about -- I'm not talking about
8 their good neighbor agreement, I don't care about that.
9 I'm talking about you and I here. Why wasn't I
10 considered your neighbor at that time and at least said
11 something to me?

12 A. Clint, if that was my bad. You say -- I thought
13 we talked about this here a few years ago.

14 Q. I haven't heard a word.

15 A. About the turbines coming and that then?

16 Q. I mean not from you.

17 A. Well, Clint's been -- we share properties
18 together, and he's got a house, and I got a bin site,
19 and he's money. He's the real deal, and, boy, Clint, I
20 don't know how that -- maybe beings I'm retired, I don't
21 see you much anymore.

22 Q. You've been retired for, what, now four years?

23 A. Uh-huh (affirmative), yes.

24 Q. I remember us having a conversation, probably
25 about the time that you were retiring, and we were

1 talking about the people that you were bringing to do
2 your farming up there. You were doing all that stuff,
3 and I helped out. Mike will attest. Brenda
4 will attest. If there was something wrong or something
5 needed, or they were struggling with something, I'm out
6 there giving a hand, right? I am the good neighbor.

7 MR. KAINS: Can you ask a question of the
8 witness, please?

9 Q. Yeah.

10 MR. KAINS: I think everybody knows -- everybody
11 here who knows you would say you are a good neighbor.
12 I've had conversations with you, and I believe that.

13 Q. Yeah.

14 MR. KAINS: So go ahead and ask this witness a
15 question, please.

16 Q. Why if we have some of the best land in the
17 country would you want to destroy it?

18 A. Is that -- you're asking me that?

19 Q. Yeah.

20 A. I don't -- I don't think it's destroying it. You
21 know, we're taking an acre of ground. It's taking some
22 -- something to get that turbine, you know, but I don't
23 look at it as destroying it at all.

24 Q. I guess I don't have any further questions.

25 A. I would like to comment. There was one time

1 Brenda and I was in Mexico, and Clint Shaw calls me up
2 and said: Hey, Mike, you got a tractor running out
3 here. Two or three o'clock in the morning, and he -- I
4 said: What? He goes: Yeah, you got a tractor running.
5 And I go: Well, the guys was tiling, they forgot to
6 shut a tractor off. He said: How do I shut it off? I
7 don't know how to shut it off? He couldn't hardly
8 figure out how to shut it off, but that's the kind of
9 guy Clint Shaw is. He's a good man.

10 Q. I appreciate it, Mike, and hopefully we'll have
11 more conversations about this.

12 MR. KAINS: Yes. Thank you for your questions,
13 Mr. Shaw.

14 And I would suggest to everyone, don't turn your
15 backs on a neighbor. No matter how this turns out,
16 because I've seen first cousins in Mason County at a
17 hearing, one questioned his first cousin, and these
18 issues drive a deep rift between people, family, and
19 friends, and we just don't want to see that.

20 Mr. Allen, you have a question.

21 EXAMINATION

22 BY MR. JIM ALLEN:

23 Q. The question I have was asked before I think
24 specifically at the beginning with Mr. Thompson, been
25 brought up a couple of times. The one thing that was

1 asked and the answer wasn't given, kind of went around
2 this way. I'm asking the question flat out. What are
3 you paid per turbine per year? Very simple question.

4 MR. HESS: I respectfully object to that
5 question. First of all, it's not relevant. This is not
6 one of the factors for this board to consider. I would
7 also just point out that this is the one thing that's
8 the subject of a confidentiality provision. I do think
9 it's worth stating that on the record and state he does
10 not have to answer that question. So I would object on
11 relevance grounds but also state that for the record.

12 MR. KAINS: The objection is sustained. It is
13 not relevant to the factors that this committee has to
14 decide, and those are contained in the ordinance.

15 MR. ALLEN: So that's why everybody danced around
16 it. Thank you.

17 MR. KAINS: Well, it's not particularly relevant
18 to the factors that this committee has to choose.

19 MR. ALLEN: I understand.

20 MR. KAINS: Yes, ma'am, in the back.

21 Good evening. I know you asked questions the
22 first or second night, but I have forgotten your name.
23 If you could tell it and spell your name for the court
24 reporter.

25 MS. ROGERS: My name is Rita Rogers, R-I-T-A

1 R-O-G-E-R-S.

2 MR. KAINS: All right. Go ahead, Ms. Rogers.
3 Thank you.

4 EXAMINATION

5 BY MS. RITA ROGERS:

6 Q. So you said that, "It benefits us greatly; we
7 can't question." That "it's wonderful," and then led
8 into kind of a money scenario. So it is financial gain
9 for the community and your farm basically the benefit
10 you see coming from wind?

11 A. Let's see, I'm not sure if I understood the
12 question.

13 Q. You said, "It benefits us greatly; we can't
14 question that." Meaning, the turbines coming and that,
15 "It's going to be wonderful," and then proceeded to talk
16 about the schools and money they will get and your farm.
17 Is financial gain the primary and only benefit -- it's
18 the only one referenced. Is that the only benefit you
19 see for the community is money?

20 A. You mean, for the community and --

21 Q. Community or yourself. Money was the only
22 benefit talked about, so I'm just clarifying that is the
23 only benefit you see.

24 A. No, we talked about lots of things, roads.

25 Q. What -- how is the road benefited, by money

1 coming in, correct?

2 A. Yes.

3 Q. Okay. So money is a primary and sole benefit we
4 see coming from the turbines for the community?

5 A. It would be the primary, yes.

6 Q. You talked about the schools specifically getting
7 \$1.6 million a year and that being a huge benefit?

8 A. Yes.

9 Q. Are you aware of how much the school spends
10 currently in Charleston school district per student?

11 A. I am not aware of that.

12 Q. \$16,405 per student each year is spent.

13 A. But that's from the funding of the State, that's
14 not from our local taxes takes then.

15 Q. Right. My point is though, that adds up to about
16 \$40 million a year, so 1.6 million in addition is a drop
17 in the bucket.

18 MR. KAINS: Can you ask a question, please,
19 Ms. Rogers?

20 Q. Well, my question was, if we're talking about a
21 benefit of the school, which is what he brought up and
22 brought forward, we need to understand if it really will
23 benefit the school.

24 MR. KAINS: And I believe he said that he thinks
25 it will, but you may testify to that when it's your

1 turn.

2 MS. ROGERS: Okay. I realize our turn is at the
3 end. Thank you.

4 MR. KAINS: Well, it is. It's nice to have the
5 last say sometimes.

6 MS. Rogers: Sure is.

7 MR. KAINS: Mr. Borgman.

8 EXAMINATION

9 BY MR. BORGMAN:

10 Q. Hi, Mike. I just want to ask you one question.
11 Through all these hearings, have you heard anything or
12 saw anything in these hearings that have possibly
13 changed your mind or made you waiver from your stance on
14 this at all? I know you already have contracts in
15 place, but have you seen anything that makes you
16 question, because I've seen you are at every hearing,
17 and I appreciate that. It means you are looking for
18 both sides here, but my question is have you seen
19 anything that makes you question your decision?

20 A. Oh, absolutely. You know, I learned a lot
21 through these hearings, and we did -- yeah, there was
22 some things that caught our eye or our ears too.

23 Q. Okay. I thank you for that.

24 MR. KAINS: Thank you, Mr. Borgman.

25 Any other questions from any Coles and Douglas

1 County residents?

2 Outside the county?

3 Ms. Miller.

4 EXAMINATION

5 BY MS. BECKY MILLER:

6 Q. Becky Miller, Vermillion County. I have a couple
7 of questions. One -- and your neighbor kind of brought
8 this up. I'm trying to understand this as a whole. Why
9 -- and I know you can only speak for yourself. Why do
10 you think most landowners that sign up for turbines
11 don't go and talk to the people who live around where
12 those turbines would be?

13 MR. KEYT: I'm going to object. It's entirely
14 speculative for him to make that kind of statement, and
15 we're way off of the basis of what the ordinance and the
16 State statutes require, so it's also not relevant.

17 MR. KAINS: I'm going to sustain the objection,
18 but I think the pertinent question is -- well, did you
19 talk to other neighbors? I know you didn't talk to
20 Mr. Shaw. Did you talk to other neighbors in the
21 vicinity of your farm ground?

22 A. Yeah, they was aware of it -- of that, you know.

23 MR. KAINS: All right. So I don't think he can
24 speak to other persons --

25 Q. I understand that.

1 MR. KAINS: -- but he did talk to some neighbors.

2 A. It was -- yeah. Yeah.

3 Q. Okay. My other question is you made the comment
4 -- well, two questions actually. This would bring a lot
5 of people into the Charleston area, but do you know once
6 this project is built how many permanent employees will
7 be still here in Coles County. Do you know?

8 A. What I learned through the meetings it was eight
9 to ten, wasn't it, full-time?

10 Q. Okay. And my other question is you also stated
11 you thought it would be great if the empty storefronts
12 were filled with businesses; it would bring all these
13 people to Charleston. So is your perfect community
14 hustle and bustle with a lot of people?

15 A. No. I was hoping it would get that way though.

16 Q. Okay. That's my -- in your mind, that's your
17 perfect community though?

18 A. It's a great place to live.

19 Q. No, I mean with bringing lots of people to move
20 to Charleston; is that what you are --

21 A. I would like for our -- for people to come into
22 Charleston and Coles County, but our schools, you
23 know -- and we talked earlier about the \$1.6 million. I
24 mean, that's not chump change. You know, that's a big
25 investment, and they -- when you -- for Charleston,

1 we're going to -- going forward, we're going to
2 hopefully prosper, you know, with, you know, \$650
3 million coming in our community some way. You know, not
4 all of it's going there. Some of it is for the material
5 and stuff, a lot of it.

6 Q. Okay. In light of your answer, I do have one
7 more question. Would you happen to have gone up to like
8 De Land, Weldon, or any of these other communities that
9 now have wind projects and looked at any of them?

10 A. Yes. I drove by the one at Murdock all the time
11 when we delivered Frito-Lay, and they -- I was kind of
12 fascinated by them, the way they turn towards the wind
13 and stuff like that, you know, and we went to
14 Prosperity, and then the wind project north of
15 Prosperity, we went and looked at it.

16 Q. Did you look at any of the communities that were
17 near them or just mainly the project itself?

18 A. No, I did not.

19 Q. Okay. Thank you. I have no other questions.

20 MR. KAINS: Thank you, Ms. Miller.

21 Any other questions for this witness?

22 All right. Very good. Thank you.

23 All right. Questions from Coles County Staff and
24 Consultants, Mr. Lockhart.

25 MR. LOCKHART: No.

1 MR. KAINS: Mr. Keyt.

2 MR. KEYT: No, sir.

3 MR. KAINS: All right. Very good.

4 Redirect examination, Mr. Hess.

5 MR. HESS: No, sir. Thank you for your
6 testimony.

7 MR. KAINS: All right. Final questions from this
8 witness come from the members of the Planning and
9 Development Committee.

10 All right. Very good. Thank you, sir. You may
11 step down.

12 (Witness excused.)

13 MR. KAINS: It is seven-forty. The Planning and
14 Development Committee will be in recess. We'll come
15 back in 15 minutes. In recess until 7:55 p.m. Thank
16 you.

17 (Recess was taken.)

18 MR. KAINS: Folks, if you could please take your
19 seats. All right. Very good.

20 Mr. Hess, you may call your next witness.

21 MR. HESS: Mr. Kains, we would call Mr. Paul
22 Komada.

23 MR. KAINS: Good evening, sir.

24 THE WITNESS: Good evening.

25 (Witness sworn.)

1 MR. KAINS: Very good. Thank you, sir. Please
2 have a seat.

3 | EXAMINATION

4 BY MR. HESS:

5 Q. Good evening, sir. Could you please start by
6 stating your name and spelling it for the record?

7 | A. Paul Komada, K-O-M-A-D-A.

8 Q. Thank you, Mr. Komada, and could you briefly
9 introduce yourself, what's been your role in Coles
10 County in this community, and then your relationship to
11 this project.

12 A. Very good. I am a retired circuit judge. We're
13 sitting in a courtroom where I was honorable court for
14 21 years from 1980 until 2001. Prior to being elected
15 judge, I was elected to two terms as State's Attorney of
16 Coles County. Prior to that, I was an assistant State's
17 Attorney and engaged in private practice of law. After
18 I retired from the bench, I returned to the private
19 practice of law and also did some teaching. After 50
20 years of practice of law, I decided it was time to turn
21 things over to another generation of lawyers, and I took
22 retirement from the bar at that point. I'm involved in
23 the project because my son owns farmland located
24 primarily in Morgan Township, some of it in Seven
25 Hickory, and I manage those farms for him.

1 Q. And in managing those farms, has your family
2 elected to participate in the project and potentially
3 host turbines?

4 A. Yes. I am told at this point that one primary
5 turbine site and one secondary site are located on my
6 son's land.

7 Q. Thank you, Mr. Komada, and what else would you
8 like to say here tonight?

9 A. I first learned of the Coles Wind project
10 approximately five years ago. I didn't know very much
11 about wind turbines at that point other than having
12 driven by some turbine farms over the years. My initial
13 reaction was not unlike that of Mr. Thompson. I was
14 pretty negative initially. I found that the turbines
15 were inconsistent with the rural layout. It was
16 something foreign to farmland and what have you, and I
17 really did not like the idea initially, but I decided
18 that what I would do was to do some research, do my due
19 diligence and figure out what the benefits and
20 detriments of the project would be, and I turned to the
21 tool that most people use these days, and that's the
22 internet, and read articles on wind farms, and as you
23 know, you can find plenty of information on the internet
24 about wind farms. After studying that information, I
25 found there appear to be three major complaints that

1 were being voiced by people about wind farms, and those
2 complaints were the noise created by turbines, shadow
3 flutter caused by turbines, and finally bird kill caused
4 by turbines. Interesting, I've been through most of the
5 hearings that you've had going on here, and I haven't
6 heard a word about bird kill, but, anyway, to follow up
7 on these things, I selected three different wind farms,
8 the first was Harvest Ridge up in Douglas County, which
9 has been referred to as the Neumann project. The wind
10 farm in Vermillion County, which I think is called the
11 Hoopeston Wind Farm, and one in Logan County, which I
12 believe is Lincoln Land. I chose those three for these
13 reasons. Douglas had just gone on line at that point,
14 had just been completed. Vermillion had been operating
15 for roughly eight years at that point, and Logan was
16 under construction. The Douglas wind farm was being
17 operated by a different operator than Coles Wind or
18 Apex. Vermillion and Logan were Apex farms.

19 The first one I visited was in Douglas County,
20 Harvest Ridge, and I drove around the area. I talked to
21 people that I saw out. If farmers were out and willing
22 to talk, I talked to them. I talked to people who
23 resided in that area and kind of got a feel for what
24 they thought about what was going on. In Vermillion, I
25 did the same thing. I talked to people who were willing

1 to talk to me. I didn't knock on doors, but anybody who
2 was outside and willing to talk, I would talk to them,
3 and finally, I did the same thing in Lincoln Land Logan
4 project.

5 Interestingly, the comments that I heard from
6 people, the two primary complaints were the flashing red
7 lights at night, and people found that to be very
8 annoying, more annoying than looking at the wind
9 turbines during the day. The other complaint I heard
10 was that people who own smaller parcels of ground, one
11 or two acres, had to look at the wind turbines but
12 received no benefit from the wind turbines.

13 Interestingly, I came back and told people from Coles
14 Wind about those two things, and I don't know whether it
15 was my prompting or whether it was already in the works,
16 but they came up with this good neighbor policy, which
17 appears to address that complaint of non-participants
18 getting no benefit of the wind farm, and the ADLS radar
19 system that controls the lighting of the turbines at
20 night appears to address the question of flashing red
21 lights all night that seem to cause a lot of disturbance
22 for people.

23 I got out in the wind farms that were already
24 operating, and if there were no no-trespassing signs or
25 anything that would indicate people didn't want you to

1 walk on their access road, I would get on the access
2 road and go up to the turbine and stand under it and
3 listen to the noise that I heard from the turbine, and
4 quite frankly, the noise was at such a low level, a
5 friend of mine accompanied me on these trips, we were
6 able to stand under the combine -- or turbine and carry
7 on a normal conversation with no difficulty at all. The
8 sound of the turbines was something akin to what you'd
9 hear from a large ceiling fan in a house or something of
10 that type, a whoosh, whoosh, whoosh. I timed the
11 turbines, and I found that on average they were turning
12 at about 13 revolutions were minute, a pretty low speed,
13 and I think that in part was the reason there was not a
14 lot of noise created by the turbine blades.

15 I was concerned about this bird kill that I read
16 about on the internet, and when I did these surveys of
17 the wind farms, I was there in the fall when you would
18 expect birds to be moving around with migration and what
19 have you, and at that point, the crops had been
20 harvested for the most part, and I got out and walked in
21 a circle around the turbines 360 degrees looking for
22 evidence of bird kill, bird feathers, anything of that
23 nature, and I saw none whatsoever. And the conclusion I
24 drew was that if there was bird kill, it was very
25 minimal, and there was no evidence of it at that point.

1 The final complaint that I heard was from
2 farmers, their concern about drainage and damage that
3 might be caused to their drainage systems in the
4 construction process and in the cabling process among
5 the turbines. To simplify it as much as possible, after
6 I discussed this with the people from Coles Wind, I
7 became convinced that they were doing everything they
8 could to minimize and correct any drainage damage that
9 would be caused by the construction of the turbines.
10 I'm sure there's no perfect solution, but their
11 agreement is that they would service problems with the
12 drainage fields throughout the period of the lease. So
13 I think that somewhat alleviated my concern about damage
14 to the drainage.

15 One interesting thing I observed when I was over
16 in Logan County, they had a road, a paved road that was
17 not unlike the road between Fairgrange, Bushton, and
18 Rardin here in Coles County, a blacktop road but not a
19 state highway, and what I saw that was quite unusual was
20 there were two sections of the road that had appeared to
21 have a deep groove cut in them, and it had been filled
22 with road-pack so that cars could travel across the
23 road, but obviously something had removed or compressed
24 or done something to the roadway in that area. I came
25 across the road commissioner for that township to talk

1 to him, and he said this was the pathway that the crane
2 had crossed to access from one field to another field.
3 Those cranes that they use, obviously, they've got to
4 have a big crane because the turbines are in the area of
5 600 feet tall, and you're talking about lifting
6 components, including the nacelle and blades, to this
7 600-foot height. The crane is a very large device, and
8 I saw the crane over in Logan County. It's so big that
9 in order to transport it from one wind farm to another,
10 as I understand it, they have to disassemble it and it
11 takes five to six semis to load all the components and
12 move them from one place to another. So that crane is a
13 very heavy device by its very nature, and I discussed
14 that with the people from Coles Wind, and they indicated
15 that planking, heavy planking would be used ahead of
16 each of these turbines -- or, I'm sorry, ahead of the
17 crane as it was moved from turbine to turbine to
18 minimize the compaction of the ground and damage to
19 tile, which as I understand it is about the only thing
20 they can do to minimize that damage. As I understand
21 it, they assemble the turbines progressively and that
22 crane is so big that it's moved across fields, one to
23 another, to work on the various turbines, and there's no
24 way to get around the fact that it's going to do some
25 compaction and do some damage, but I believe they've got

1 a system in place that is going to address the damage
2 that results from that.

3 I looked at those detriments -- and one other
4 thing I might mention is that over the years, I have
5 visited people who live near a railroad or near a
6 highway that carries a lot of traffic, including semi
7 traffic, and I've noticed that if there are homes, you
8 can hear the trains, you can hear the truck traffic, and
9 what have you, and I would ask them: Doesn't that annoy
10 you? Does that noise bother you? And what people said
11 was that after a few years of listening to that kind of
12 noise, they tuned it out, and they really didn't pay any
13 attention to it. It no longer was an annoyance to them.
14 I suspect that the noise that's created by the turbines
15 is going to be received in the same way. Initially,
16 people may be troubled by it, but as time passes, they
17 will become accustomed to that, and it's going to become
18 part of their daily routine and not really be an
19 annoyance.

20 Once I had assembled all those complaints, I
21 tried to balance that with the benefits that would come
22 from the turbines, kind of looking at the preponderance
23 of the evidence which way it lay. We've heard testimony
24 about what has been happening to the Coles County
25 population that over the period of -- recent period of

1 years, perhaps 10 or 20 years, we've had a 10-percent
2 decline in the population of the county. During that
3 same period of time, we've had a decline in the
4 attendance of students at Eastern Illinois University.
5 That's gone down by about 30 percent. I believe from
6 everything I've heard, the reason the county has had a
7 population decline is because we've lost a lot of
8 industry here. We used to have Trailmobile, RR
9 Donnelley, General Electric, Blah-Knox, various other
10 industries in town that employed young people graduating
11 from high school. Almost all of that industry has left
12 our county, and people go where the jobs are. My own
13 son, after he graduated from Eastern, looked for
14 employment in the Coles County area, and after
15 struggling for about a year was forced to go to
16 Champaign County to find a reasonably well-paying job
17 that could support him. I think many other young people
18 are leaving the county for the very same reason.

19 As has been testified here, the wind farm in
20 addition to adding a bunch of jobs during the
21 construction process will create somewhere in the area
22 of eight to twelve permanent jobs, and as I understand
23 it, they are going to be well-paying jobs with benefits
24 and what have you that will pay well in excess of a
25 hundred thousand dollars a year each. Those are the

1 kind of jobs that I suspect will keep young people in
2 the area. We may only add eight or ten jobs, but that's
3 a good step in the right direction.

4 The tax benefits that will come from the wind
5 farm, we've heard various figures, but I believe the
6 sound one is 165 million in investment that is going to
7 be involved in the wind farm is going to create
8 substantial tax revenue that will help the county, the
9 school districts, and the various other bodies of
10 government that rely upon the assets in the county for
11 their taxes. We're to the point that the only big
12 employers that are left in this county are Sarah Bush
13 Lincoln Health Center and Eastern Illinois University,
14 and those two cannot provide the jobs that are necessary
15 to keep all the young people here in the county. We
16 need other jobs, and without those, the county is going
17 to continue to decline in population.

18 The bottom line when I balanced those two things
19 out is the only significant benefit that I see is the
20 improvement economically to taxation and jobs. The
21 detriment is possibly some noise that people may hear
22 but will be minimal in nature. Looking at the
23 preponderance of the evidence, I think it's in favor of
24 the wind farm, and I would recommend that the county
25 board approve the wind farm for all those reasons.

1 MR. KAINS: Thank you, Mr. Komada.

2 Additional direct examination?

3 MR. HESS: No, sir. Thank you.

4 MR. KAINS: All right. Very good. Questions for
5 this witness first from members of the Planning and
6 Development Committee.

7 All right. Very good. Questions from the county
8 board. Mr. Shook.

9 EXAMINATION

10 MR. RICK SHOOK:

11 Q. Yes, sir. You said, sir, your son owns the
12 farmland?

13 A. Correct.

14 Q. And you said between one or two turbines is going
15 to be on your son's property?

16 A. Correct.

17 Q. And you guys -- he's getting paid for it, right?

18 A. If the farm goes in.

19 Q. Okay. That's all I got.

20 MR. KAINS: Thank you, Mr. Shook.

21 Any other questions for members of the county
22 board or members of units of local government, including
23 school districts.

24 All right. Very good.

25 Questions from the public. Coles and Douglas

1 County residents go first.

2 Yes, Mr. Jim Allen.

3 EXAMINATION

4 BY MR. JIM ALLEN:

5 Q. Hi. Thank you. Your reference you did not see
6 birds around the turbines when you went, not really any?

7 A. Not dead birds.

8 Q. No dead birds. Okay. No dead birds. Do you
9 know whether or not the company itself goes around to
10 pick up dead birds?

11 A. Not to my knowledge.

12 Q. Okay. The reason I ask that is because a member
13 of the Department of Natural Resources -- Illinois
14 Department of Natural Resources referenced that he was
15 sent out to pick them up and there were a great deal of
16 birds killed. Now this is from the Illinois Department
17 of Natural Resources.

18 MR. KAINS: Which project?

19 Q. This was a project in Indiana.

20 MR. KAINS: Okay.

21 Q. But birds are pretty much everywhere. You said
22 noise, you didn't hear a noise underneath the turbine
23 when you were there?

24 A. No significant noise. It was just a whoosh,
25 whoosh, whoosh.

1 Q. Okay. Is it possible you don't hear noise under
2 the turbine but actually hear it out from the turbine?

3 A. I also listened from the road, and I couldn't
4 hear any sound from the road.

5 Q. All right.

6 A. And I would say that most of these turbines that
7 I looked at were in the area of a quarter to a half mile
8 from the nearest road.

9 Q. Okay. Thank you. You mentioned the crane
10 crossed the road and that compress the blacktop and
11 crushed down through that; is that correct?

12 A. Yes.

13 Q. Okay. How much compaction would that affect in a
14 field as it moves across the field then if that was able
15 to do that to a prepared road?

16 A. Well, without the planking that Coles Wind says
17 they're going to put down ahead of these cranes, it
18 would be a tremendous amount of compaction. I don't
19 know.

20 Q. So the planking would keep it from compressing
21 the soil?

22 A. It spreads the load out in such a way that the
23 compression is not as great.

24 Q. I wonder how great it is. I do have another
25 question here. You said that the noise from the wind

1 turbines would be minimal and will become routine, not
2 annoying. And you base that on what information, sir?

3 A. That's based upon my conversations and visits
4 with people who live --

5 Q. So there's nothing science behind it. No science
6 behind it, it's just conversation --

7 A. No.

8 Q. -- with people?

9 MR. KAINS: Mr. Allen, please let him finish his
10 answer.

11 Q. I'm sorry. I apologize. I apologize.

12 MR. KAINS: Did you finish your answer, sir?

13 A. No. I was going to refer again to the railroads
14 and the highways that people become accustomed to. This
15 noise would be much less than either of those, so my
16 suspicion would be that people would become accustomed
17 to the sound of the wind turbines and they wouldn't
18 think anything of it after a while.

19 Q. Okay. So that is your suspicion?

20 A. That's my opinion.

21 Q. Your opinion. Okay. People usually know where
22 the railroad is and know where the highways are when
23 they move. I do have here you mentioned there's a
24 10-percent decline in the population in Coles County
25 over the last few years?

1 A. I believe the testimony was that the population
2 has dropped from approximately 50,000 to 45,000.

3 Q. Okay.

4 A. I call that 10 percent.

5 Q. That's due to industry --

6 A. I'm sorry?

7 Q. Due to industry leaving, that type of thing?

8 A. I believe so, because my concern has been that
9 I've known a lot of young people who have left the
10 county after leaving school because they couldn't find
11 jobs here.

12 Q. Okay. That would be about 10,000 people, but
13 leaving school, that's people who work in Coles County
14 that then moved out and not students coming from other
15 places?

16 A. I guess you could say that.

17 Q. Okay. You mentioned the decline in EIU
18 population. Can you explain how that is due to lack of
19 manufacturing?

20 A. I'm not sure that that's related to
21 manufacturing. I think nationwide the number of people
22 attending college is declining as time goes by because
23 people have found that they get more benefit out of
24 going to a junior college and taking a technical course
25 as a plumber, electrician, auto mechanic, and end up

1 making more money than college graduates make.

2 Q. I see.

3 A. But what's important here is the University
4 provides employment for a lot of people, and with the
5 one-third decline in student population at the
6 University, I'm sure over time through attrition a lot
7 of jobs are being lost at the University also because of
8 this decline in the student body.

9 Q. I see. But could you explain how the wind farm
10 would increase the population of EIU when it's been
11 dropping so long? How -- you made a correlation there.
12 I'm sorry if I'm mistaken there, but I thought that you
13 were making a correlation that would help EIU
14 population, student population.

15 A. I'm not sure that it would.

16 Q. Okay. All right.

17 A. I'm just pointing out that's another source of
18 lost jobs.

19 Q. But it would have nothing to do with the wind
20 farm then?

21 A. Probably not.

22 Q. Okay. Thank you. And eight to ten jobs is
23 always helpful.

24 MR. KAINS: Thank you, Mr. Allen.

25 Additional questions from members of Coles -- of

1 residents of Coles and Douglas counties.

2 Yes, Mr. Sherman, and then Mr. Shaw.

3 EXAMINATION

4 BY MR. TOM SHERMAN:

5 Q. Tom Sherman from northern Coles County. Do you
6 yourself have a signed lease agreement with Apex?

7 A. No, my son does.

8 Q. Your son. Does your son have more than one lease
9 agreement?

10 A. I believe he has two, because after signing the
11 first agreement, he acquired another farm, and there was
12 a separate agreement with the subsequently-acquired
13 farm.

14 Q. Okay. Do you know, are each of those agreements
15 with a turbine and a turbine, or is it a turbine and
16 some other cabling or road or --

17 A. The second lease is outside the wind farm, but
18 Coles Wind went ahead and leased that ground to be able
19 to control the structures that go on that ground, as it
20 might affect wind coming through that area and also to
21 accommodate any growth that might occur in the wind
22 farm.

23 Q. Could you tell us where that is?

24 A. It would be at the east end of the wind farm in
25 Hutton Township.

1 Q. In Hutton Township?

2 A. I'm sorry, Morgan Township.

3 Q. I was going to say, I didn't realize it went up
4 that way. Where exactly does your son live?

5 A. He lives in Monticello.

6 Q. Where do you live?

7 A. Charleston.

8 Q. Do either one of you live within the footprint of
9 the project?

10 A. No.

11 Q. How many acres is your son signed up for with
12 Apex?

13 A. Approximately 650.

14 Q. When did you or your son first sign up with Apex?

15 A. I don't have the lease in front of me, but my
16 best recollection is roughly three years ago.

17 Q. Okay. Thank you. You said you did some kind of
18 pros and cons. The negatives you see are what again?

19 A. The shadow flicker if it affects people, and the
20 sound of the wind turbine if that affects people.

21 Q. All right. Are you aware of any health
22 situations that might occur? When you said you went out
23 and talked to people and you discussed things with
24 people, has there been any issues with health situations
25 that have been brought up?

1 A. No.

2 Q. Does your -- does your son's farm or the one that
3 you manage, do they haul into Fairgrange?

4 A. Yes.

5 Q. Are you concerned with where the laydown yard is
6 in relation to the Fairgrange elevator?

7 A. No. It makes sense that that would be a good
8 location.

9 Q. All right. Thank you. That's all I had. Thank
10 you.

11 MR. KAINS: Thank you, Mr. Sherman.

12 Mr. Shaw.

13 EXAMINATION

14 BY MR. CLINT SHAW:

15 Q. I'll move that up so everybody can hear me again.
16 You said you did some research on this. You did some
17 preliminary research before you signed it, you or your
18 son signed anything?

19 A. Yes.

20 Q. In doing that research, you used the internet you
21 said?

22 A. Yes.

23 Q. Where did you happen to find your research
24 articles or anything like that -- and this is not to be
25 any sort of rude to you. I know you are a very

1 intelligent man. You've been doing a lot of research
2 for a lot of years, so --

3 A. I started out by simply Googling "wind farm", and
4 I went from there wherever the thread led me from there.

5 Q. Okay. In all your years of doing what you've
6 done in your past, would you say that research can be
7 directed into the path that you would like to see it go?

8 A. I guess you could make that argument.

9 Q. Okay. So this is going to date me here. I was
10 born in 1981. The population in Charleston was 53,211
11 per the records. Let's jump to 2011 at 53,632. That's
12 a pretty good jump. Your industry changed in between
13 there and 2021, and we dropped down to 46,000. Now that
14 was also during the time when we saw Eastern decline,
15 right?

16 A. I believe that's correct. Are you talking about
17 the population of Charleston or Coles County?

18 Q. Population of Charleston and Eastern. One goes
19 hand in hand with the other in my opinion.

20 A. You said Charleston. 50,000, that would be the
21 population of the county.

22 Q. Yeah. In Coles County, the population was
23 53,632 --

24 A. Okay.

25 Q. -- in 2011, and in 2021, it dropped down to

1 46,765 per the records.

2 A. Well, that's a bigger drop than I thought, but --

3 Q. Yeah.

4 A. I won't argue with your numbers.

5 Q. When I was in school it was around 12,000 or so
6 people. Just a couple years ago it was around eight.

7 A. That is my recollection.

8 Q. Yeah. In a population of that size, what is ten
9 jobs going to add?

10 A. Well, it's a small amount, but, you know, they
11 say that if you want a -- if you want to be rich some
12 day, you save 10 cents at a time and after a while
13 you'll have hundreds and then thousands. You've got to
14 start somewhere, and this is a good start. I know in
15 the past industries have come in to either the county or
16 Charleston. They needed permission from the authorities
17 to start that business, and there were complaints that
18 the business was too noisy, too dirty, or too something,
19 and they went elsewhere. We didn't get those jobs.
20 This industry, the wind farm has minimal noise, minimal
21 problems of any kind that I've seen other than those
22 that I've addressed, so it's a good start, and maybe if
23 we have this, something will follow.

24 Q. All right. I see your point. In doing the math
25 for this, the ten jobs are going to amount to about

1 .0002 percent of the jobs in this county, and now that's
2 an extremely low number. You know, if it was, let's
3 say, you're making bumpers and you need to put a hundred
4 people on the ground, you know, that's starting with
5 something, but I'm just having a problem of seeing how
6 10 people in a county of this size you're going to make
7 any sort of huge difference.

8 MR. KAINS: Mr. Shaw, do you have a question with
9 respect to this? I believe he's answered that it's a
10 good start.

11 Q. Yeah. Where would you go from here?

12 A. Where would I go? I plan to go home after this.

13 Q. That's a damn good answer. That's a damn good
14 answer. I appreciate what you've done, and thank you
15 for answering my questions.

16 MR. KAINS: Thank you, Mr. Shaw.

17 Any other questions from Coles and Douglas?

18 Yes, Mr. Borgman.

19 EXAMINATION

20 BY MR. PHILLIP BORGMAN:

21 Q. Have you seen anything in this courtroom during
22 these hearings that made you maybe doubt the integrity
23 of this company? You heard Mr. Conley testify to the
24 fact of what his description of integrity is. The way
25 that they've handled certain questions and dodged them,

1 do you think that they have been 100 percent honest
2 here?

3 A. No. Nothing in this hearing led me to believe
4 that.

5 Q. Okay. Thank you.

6 MR. KAINS: Thank you, Mr. Borgman.

7 Any other questions from residents of Coles and
8 Douglas counties?

9 All right. Outside of Coles and Douglas, any
10 questions?

11 MR. KAINS: Yes, ma'am. Ms. Rogers.

12 MS. ROGERS: Do I need to state my name again?

13 MR. KAINS: No, we've got it down. Go right
14 ahead.

15 EXAMINATION

16 BY RITA ROGERS:

17 Q. All right. One question that occurred to me that
18 I probably could have asked any of the witnesses that
19 came up, outside of the gentleman who spoke about jobs,
20 if you did hear anything that was concerning to you
21 throughout these nights of testimony, what would the
22 implications be if you wanted to dissolve your contract?
23 Is that possible for you or your son in this case?

24 A. Well, I didn't hear anything that would want me
25 to encourage him to do anything with the lease. I don't

1 know that anything has been testified to that would be a
2 basis to do anything with the lease. It's --

3 Q. My question though is if somebody did. If
4 anybody who has signed up heard something that was
5 negative that they decided to change their mind, what
6 would the implications be on your son if he chose to opt
7 out of the contract? How tightly are you bound is what
8 I'm getting at.

9 A. Well, it's a legal contract. I don't know of
10 anything that would give him a basis to opt out of the
11 lease.

12 Q. I'm not asking if there's any basis for your son
13 to opt out. I'm asking if he chose or any who chose to
14 opt out, what would the implications be?

15 A. What would the implication?

16 Q. Yes, like would you have to pay a fee or --

17 A. I see.

18 Q. -- or what would the ramifications for your son
19 be if he chose to opt out?

20 A. Well, I imagine Coles Wind could sue him.

21 Q. Okay. Just like all these contracts were signed
22 before there was any meeting or anything known to the
23 public, so that's -- that was just kind of -- it's very
24 interesting that you get to hear all of the testimony
25 after the contracts are signed which are legally

1 binding.

2 MR. KAINS: Ms. Rogers, ask a question, please.

3 Q. I'm just -- I'm just trying to think through this
4 here. The other thing you brought up was the noise.
5 You spoke about noise a lot. There are two parts to
6 this question. The first one, I'm not really sure how
7 to say this without sounding rude -- and I'm not trying
8 to sound rude, because I'm 42 years old with little
9 girls at home that tell me that my hearing is not so
10 good, not as good as theirs. So at your age, do you
11 think it's possible that maybe you aren't hearing some
12 of the noise that others might be?

13 A. Well, when I did the tour of the wind farms, I
14 had a friend of mine with me, and he came to the same
15 conclusion that I did that the sound was minimal.

16 Q. Okay. Are you familiar with infrasound?

17 A. What?

18 Q. Infrasound?

19 A. I don't believe so.

20 Q. Okay. That's the most concerning part of sound
21 with windmills is the sound you can't hear.

22 A. Not familiar with that.

23 Q. Okay. All right. I think that's all. Thank
24 you.

25 MR. KAINS: Thank you, Ms. Rogers.

1 Any other questions from the public for this
2 witness?

3 All right. Very good. Thank you.

4 Questions from Coles County Staff and
5 Consultants, Regional Executive Planning Director,
6 Mr. Lockhart.

7 MR. LOCKHART: No, sir.

8 MR. KAINS: Mr. Keyt.

9 MR. KEYT: No, sir.

10 MR. KAINS: All right. Very good.

11 Redirect examination, Mr. Hess?

12 MR. HESS: No, sir. Thank you for your
13 testimony.

14 MR. KAINS: Very good.

15 Final questions for Mr. Komada come from members
16 of the committee.

17 MR. WATTS: No, sir.

18 MR. KAINS: All right. Very good. Thank you for
19 your testimony. You may step down.

20 (Witness excused.)

21 MR. KAINS: Is this the first time you've ever
22 testified.

23 MR. KOMADA: No, sir, and probably won't be the
24 last.

25 MR. KAINS: Very good.

1 Mr. Hess, do you have any further witnesses?

2 MR. HESS: Mr. Kains, in the interest of time,
3 everyone else that I am aware of has opted to just use
4 public comment rather than testify. It's possible I
5 might have missed someone, if you want to ask.

6 MR. KAINS: But you don't have anybody you're
7 going to call?

8 MR. HESS: No, sir.

9 MR. KAINS: Okay. Very good. Is there anyone
10 who wishes to testify who is in support of this project?
11 In support of this application, anybody who wishes to
12 testify? All right. Very good.

13 Then folks who are opposed get to go next. I had
14 a request last night from Mr. Nathaniel Phipps. He's
15 been here most every night. He told me that because of
16 his work commitments he's not going to be able to be
17 here at a time that we will reconvene sometime in May.
18 That has to be determined yet tonight, but, Mr. Phipps,
19 are you prepared to testify tonight?

20 MR. PHIPPS: As close as I'm going to get.

21 MR. KAINS: As close as you're going to get.
22 Well, come on up, sir.

23 (Witness sworn.)

24 MR. KAINS: Very good. Have a seat, sir. All
25 right, sir, if you could start by stating your name and

1 spelling your last name for the record.

2 TESTIMONY

3 MR. PHIPPS: Nathaniel Phipps, P-H-I-P-P-S.

4 MR. KAINS: Okay. Go right ahead with your
5 testimony, sir.

6 MR. PHIPPS: Okay. I apologize, I've never done
7 this before, so --

8 MR. KAINS: It's all right.

9 MR. PHIPPS: -- bear with me.

10 MR. KAINS: It's kind of nerve-racking.

11 MR. PHIPPS: Sure. Sure.

12 MR. KAINS: But we're going to give you as much
13 grace as we can here. Go right ahead sure.

14 MR. PHIPPS: I appreciate that. In general, I'd
15 like to thank all the lawyers, committee, everybody,
16 county board. A lot of you do this on a day-in/day-out
17 basis, but this is brand new to the vast majority of us
18 in this room. So thank you for being patient with us,
19 and any outbursts or comments or anything from us
20 bearing with us through that process, so -- first, a
21 little just background. I grew up in Douglas County,
22 Tuscola, Illinois. Swore after I graduated I would
23 never come back, and ended up staying true to my word.
24 I work in Douglas County and live in Coles County. Me
25 and my wife fell in love with a place. Always wanted to

1 live in the country, grew up in town, bought a place out
2 in Seven Hickory, the northern portion of the project
3 there, and bought it, I believe, eight years ago --
4 seven, eight years ago, and have been living there. I
5 didn't really know much about the project, came home
6 from working a project on the road, and wondered why
7 there was spray paint in the yard and -- not yard,
8 sorry, on the road, and a couple weeks later got the
9 notice of these hearings and began my education into
10 this.

11 So my -- it basically boils down to I have three
12 main concerns or considerations that I'd ask the county
13 board to take into consideration. Number one being
14 safety and health. I think that's one that everybody is
15 concerned with. Not knowing the industry, other than
16 the short time we've had to research it as residents of
17 Coles County, the discussion of infrasound and the lack
18 of science behind it and the long-term health
19 implications is very concerning. I have two young
20 children that will live within a half mile of three of
21 these and within a mile of, I believe, seven, so just
22 not knowing what these actually do and there being no
23 real sound evidence because this is kind of an
24 inconceived-based industry, that's a concern to me as a
25 parent.

1 The other, of course, somewhat linked to health
2 is circling back to I believe it was Ms. Taylor
3 referenced the World Health Organization's definition of
4 health, and that is: The state of complete physical,
5 mental, and social well-being and not merely the absence
6 of disease or infirmity. At this point, you guys have
7 already impacted my health, so that's a couple of those,
8 and what -- the annoyance level. This is an unknown
9 that none of us really know how annoying it's going to
10 be, and the idea that perhaps we do get used to it and
11 it goes away, but there's still an inconvenience factor
12 that is implied on all the participating and
13 non-participating residents while in the footprint.

14 My second main concern is of property value.
15 Unfortunately, I was not able to be here the night that
16 the subject-matter expert testified to this, but my
17 understanding from researching on my own and just in
18 general, saying a property value is unaffected is one
19 thing, but the ability to liquidate a property is
20 completely another. Basically, if I want to say my
21 house is worth a million dollars but somebody will only
22 give me 10 bucks for it, my house is actually worth 10
23 bucks. So in the event that any participating resident
24 -- sorry, any resident within the footprint, I would ask
25 the county board to consider implying conditions in the

1 event this is approved to protect the homeowners and
2 property owners participating or non-participating, say
3 something along the lines -- and I apologize, I probably
4 don't have the legal terms for this correct, but if I'm
5 listing -- let me just back up a little bit. Apex has
6 testified the property values are not going to be
7 impacted. So let's say for one reason or another,
8 whether it has anything to do with the wind farm, I
9 decide to sell my property, and I've listed it at fair
10 market value, which Apex agrees is what it's valued at,
11 but the house won't sell, whether that's due to the wind
12 farm or not, if the house is unsellable in fair
13 condition and at fair market value, I think there needs
14 to be some protection for the property value -- property
15 owners written into the conditions, basically saying if
16 the house is listed at, let's say, fair market value for
17 a stipulated time frame, that there's some mechanism
18 that the people in this wind farm have some sort of
19 protection. If it's not selling because of the wind
20 farm, I don't think that's our burden to bear. We
21 bought the house before the wind farm was there.

22 The other is concerning general compensation.
23 There is the good neighbor agreement; however, in my
24 personal opinion, I would feel like I'm coming to you
25 with my hands out coming to get money from you, and

1 that's not the person I am, however, if this wind farm
2 does go forward, that is going to forever change the
3 views, the enjoyment, and the house that I bought. Me
4 and my wife fell in love with the place we live, and we
5 want to continue live there, but in the event that we
6 are currently being changed -- and I believe there are
7 multiple residents that feel the same -- their needs to
8 be some sort of mechanism other than us coming and
9 begging you for money. I think there should be some
10 form of compensation because we are impacted. So that
11 would be another condition that I would urge the County
12 -- I'm not telling you what to do with it, but some sort
13 of stipulation that -- like I said, the good neighbor
14 thing, I applaud you, a lot of companies wouldn't do
15 that, but I don't want to ask you for money. To me, a
16 good neighbor is if I'm going to offend you, I need to
17 come to you. Call it pride or whatever you want, that's
18 just how I am.

19 Other than that, I probably just made a mess of
20 this, and I think that's about all I have to say.

21 MR. KAINS: Very good, Mr. Phipps, and you did
22 just fine. Thank you for your testimony.

23 Questions for Mr. Phipps first from members of
24 the Planning and Development Committee, Mr. Chairman.

25

EXAMINATION

BY MR. WATTS:

Q. I only have one, and I read about -- if you pronounced it infrasound?

A. Infrasound.

Q. And what I found, it's curious, you say that there hasn't been a lot of definitive research done, is that what you found?

A. Yes. There is -- there are links, in my research, that do have implications that it could cause health problems. I believe the sound expert even said at certain levels and for certain durations. There's just not any direct links that have been there, so basically so much of a stress mechanism.

Q. Did you find any reason why of all the things that have been researched considering WECS that this is one area that there hasn't been the kind of definitive studies like they have on all these other things we've been talking about, or did you see anything that would lead you -- because I couldn't find anything like that. Did you find anything to that?

A. My main concern and my research -- I'm not a subject-matter expert.

Q. No.

A. But the ability of the sound to penetrate due to

1 the wavelengths, it's basically unstoppable. There's no
2 way to mitigate it. There's no way to dampen it. It
3 justly basically plows on through, and in multiple
4 studies, some of which are currently ongoing in Canada,
5 Europe, and in the United States, there are indirect
6 links to that causing problems in long-term exposure.

7 Q. But that's the extent that you've been able to
8 find?

9 A. Yes.

10 Q. Okay. Thank you very much.

11 MR. KAINS: Thank you, Mr. Chairman. Any other
12 questions from members of the committee?

13 All right. Very good.

14 Questions from county board members, members of
15 units of local government, including school districts.

16 Mr. Shook.

17 EXAMINATION

18 MR. RICK SHOOK:

19 Q. We have a contract with you folks we're working
20 on it, and this is our attorney over here. You're
21 saying to us, to the county board, if you have trouble
22 selling your house, we should put something in our
23 contract to give you money for your not having trouble
24 -- you're having trouble selling your house --

25 A. No.

1 Q. -- because of the wind farm?

2 A. Yes. Not asking the county board. I'm saying
3 that the project developer to bear some of the burden
4 that homes within the footprint of the project are
5 unable to be liquidated. Frankly, I wouldn't have
6 bought my house if it was in the footprint of a wind
7 farm, and I know multiply people that feel the same. So
8 having a house --

9 Q. Where's these people saying -- you're saying
10 multiples, so where's these people saying -- -

11 MR. KAINS: Mr. Shook, I imagine there's going to
12 be a lot of testimony.

13 Q. Okay. I want to know. Okay. Great. Okay.
14 That's all I need to know. Thank you.

15 MR. KAINS: Thank you, Mr. Shook.

16 MR. KEYT: Mr. Kains, I need to comment.

17 MR. KAINS: Yes. Mr. Keyt has the floor.

18 MR. KEYT: I think what Mr. Shook said in
19 relation to a contract, it really is just a zoning
20 hearing itself, and if there is a condition that would
21 attach to it, I think that is what he was maybe
22 referencing. It's not a -- this process is not a
23 contract.

24 Now, the second issue that dovetails into this is
25 that there is a State-signed statute that passed January

1 27th, 2023. It essentially vets out to the counties
2 what they can or cannot do in some terms. Some of those
3 terms within that statute include a prohibition that the
4 county cannot require a property-value guarantee. That
5 is in the State statute. It's not something that we
6 have that type of control over. So I just wanted to
7 make sure that the record has that reflection to it.

8 MR. KAINS: Thank you for that clarification.
9 That's important information.

10 Additional questions for Mr. Phipps from members
11 of units of local government, including school
12 districts?

13 All right. Questions from the public. Because
14 Mr. Phipps to opposed to the project, we will hear
15 questions from folks who are in support of the project
16 or neutral on the project. Any questions from folks who
17 are in support of the project for this witness?

18 Any questions from folks who are neutral on this
19 project?

20 All right. Very good. Thank you.

21 Coles County Staff and Consultants, Mr. Lockhart.

22 MR. LOCKHART: No, sir.

23 MR. KAINS: Mr. Keyt, do you have anything?

24 MR. KEYT: No, sir.

25 MR. KAINS: Okay. Very good. And final

1 questions come from members of the committee.

2 MR. KEYT: Mr. Kains, I think the developer has
3 something.

4 MR. KAINS: I guess we should probably -- thank
5 you, Mr. Keyt. We should probably allow some
6 cross-examination from counsel for the developer or the
7 applicant.

8 Ms. Antonioli, Mr. Hess, counsel?

9 MR. HESS: No, sir. Not at this time. Thank
10 you.

11 MR. KAINS: No cross. Very good. Thank you.

12 Mr. Phipps, it wasn't so bad, was it?

13 MR. PHIPPS: Wasn't that bad. First unpaid
14 testimony.

15 MR. KAINS: Good job. Thank you. We appreciate
16 that. All right.

17 Because I had told Mr. Phipps last night that I
18 would try my level best, as best we can control the
19 length of the hearing, that we would try to have him
20 testify tonight, I also had two gentlemen last night say
21 they could not be here this evening. They are in
22 support of the project, a Richard Wandling and Andrew
23 McNitt. They indicated that their testimony would not
24 take very long, but they do want to testify in support
25 of the project, so I told them that when -- when we

1 reconvene in May that they would be able to have an
2 opportunity to testify. I think it's only fair that if
3 folks sit through this hearing and then all of a sudden
4 can't be here, that we give them an opportunity, just
5 like we gave Mr. Phipps the opportunity tonight because
6 he's not going to be here in May. All right.

7 We need to discuss additional nights.

8 MR. HESS: That's right, Mr. Kains, and I was
9 also going to suggest if you wanted to take up exhibits,
10 I think we're ready to do so.

11 MR. KAINS: Let's talk about additional nights
12 first, and then we can talk about the admission of
13 exhibits.

14 All right. Yes, Mr. Allen.

15 MR. JIM ALLEN: I came tonight. I do have
16 testimony. It would be very short. I'm not going to go
17 into anything. I'll just read it. I think it's
18 important.

19 MR. KAINS: Okay. All right. Yes. If you're
20 not going to be here in May.

21 MR. JIM ALLEN: I'm not sure I would be able to.

22 MR. KAINS: All right. Come forward. I don't
23 have a problem accommodating folks.

24 MR. JIM ALLEN: Okay. I will say the procedure
25 has been very good. Very good. And I apologize, as my

1 wife says, I have what she calls a "Kmart face"
2 naturally. I've had people say: Why are you mad all
3 the time? I'm not. It's just I can't help this thing,
4 it's there.

5 MR. KAINS: No, you're fine, Mr. Allen.

6 (Witness affirmed.)

7 MR. KAINS: Very good, and are you opposed to
8 this project?

9 MR. JIM ALLEN: I'm not opposed to the project or
10 for the project, I just have some information that I
11 think is important.

12 MR. KAINS: Okay. So you are neutral?

13 MR. JIM ALLEN: Neutral. Yeah, on this project.

14 MR. KAINS: All right. Very good.

15 MR. JIM ALLEN: Now the one in Neumann I wasn't,
16 but that has nothing to do with this one.

17 MR. KAINS: All right. Go right ahead.

18 TESTIMONY

19 MR. JIM ALLEN: I'm not going to go into any
20 background, that type of thing. There's no need for it.

21 MR. KAINS: You're Jim Allen, and where are you
22 from?

23 MR. JIM ALLEN: Neumann, Illinois.

24 MR. KAINS: Neumann. Douglas County, right?

25 MR. JIM ALLEN: Yeah. I was mayor of Neumann

1 during the project, wind project that came through
2 Neumann. Before EDPR built the industrial wind turbine
3 complex around Neumann, I went to the California Ridge
4 complex to see what the noise would be.

5 COURT REPORTER: Can you slow down just a little
6 bit, please?

7 MR. JIM ALLEN: Oh, I'm sorry. I went to the
8 California Ridge complex to see what the noise would be.
9 It was a cloudy day, and as we parked on the road, I
10 continued to look at the sky, wondering where the jet
11 was, as the noise seemed to stay in one place all the
12 time. My friend pointed out the obvious by saying:
13 Stupid, you're listening to the wind turbines. Now, we
14 were on the road, and, of course, not on the property of
15 anybody else, so that's what I heard all that time. I'm
16 also now not mayor of Neumann, I'm the zoning
17 administrator of Neumann. I have a friend that lives
18 north of Neumann, and he is surrounded by wind turbines.
19 I am zoning administrator, and I was delivering a
20 building permit to him. We were outside and had to
21 raise our voices to be understood. I asked if it was
22 always this bad. He said: No, not always, but
23 sometimes it's worse.

24 Last December, I was trying to get in touch with
25 another person north of Newmann who needed a building

1 permit. I called, left voicemails, texts, and e-mails.
2 He never responded to them. He finally did respond one
3 time when he happened to be in Missouri on a trip. I
4 finally went to the site to deliver the application in
5 person, and the property owner apologized and stated
6 they often do not have access to internet or cell
7 phones. There was not a problem before the wind
8 turbines. This same man told me that his brother had a
9 turbine on his farm, there's no residence there, and had
10 drainage issues after the installation of the turbines.
11 He was told to get an estimate and the company would
12 take care of the problem. After a few months with no
13 reply, he contacted them again, and the company told him
14 that the person he contacted had no authority in the
15 matter and that he was not with them anymore. The
16 company assured him that they would take care of the
17 drainage repair and asked him to send a new proposal.
18 Of course, the cost had gone up, and he resubmitted.
19 After another few months, he contacted the company
20 again, and they responded that the window for claims is
21 over and he would not be compensated.

22 Another friend who had a wind turbine on his
23 property, he -- it was actually his brother's property,
24 finally had to pay \$40,000 for tile work to be done, and
25 again, this is EDPR. I understand that completely.

1 This is not just EDPR, I don't think.

2 The night that the Broadlands wind farm went into
3 operation, I went to bed and slept as normal until about
4 4:00 a.m. At that time, I was awakened by my heart
5 beating violently. The strength at which it was beating
6 caused my entire left side of body from my chest to
7 abdomen to pulse everything. I went to my couch. I
8 tried to figure out what was going on. By the way, I do
9 have a IC -- BiV ICD pacemaker-defibrillator. Went to
10 my couch and tried to figure out what was going on, but,
11 of course, I had no idea what was causing it. My wife
12 came in, called the emergency room, and said: Come up,
13 we need to look at this. To say I was experiencing
14 something abnormal is an understatement. I do say it
15 was abnormal; however, the emergency room staff had no
16 idea what was causing the convulsing muscles and
17 immediately began trying to find an answer. For the
18 next seven hours, I experienced muscle contractions with
19 every beat of my heart, and answers were not forthcoming
20 for a while. I was getting fairly tired, by the way. I
21 do have a Biotronic, so the staff was trying to contact
22 Biotronic to advise what procedures to take place. The
23 first call was made to a location in Michigan, where the
24 instructions were given to call Biotronic in the state
25 of Oregon. As my pacemaker tech listened to the experts

1 in Oregon and Michigan on a conference call, he was able
2 to reset my pacemaker, and for the first time in seven
3 hours, I could relax. While she was on the phone, I
4 asked: What happened, and what could have caused it?
5 She said the pacemaker had been disrupted and went into
6 what's called "safe mode", during which, in this case,
7 caused the pacemaker to increase electrical charge to
8 deliver to each beat, thus causing the muscle
9 constructions, which was much more electricity than it
10 normally did. I then asked: What could have happened?
11 What could have caused this? And she stated: The only
12 thing that could cause this is a massive EMI or
13 electromagnetic impulse. I asked again, and she said:
14 Nothing else could cause this to happen. I did inquire
15 as to what if a large wind farm beginning operations
16 could cause this to happen. She said: I won't say no.
17 Our house is a mile and a half from the nearest wind
18 turbine. I certainly would not live within setbacks
19 that are usually proposed. I would move from my home of
20 45 years because I think it would definitely affect my
21 health. Sleep disturbance is experienced by both my
22 wife and me since the industrial wind turbine complex
23 has been in operation. Tinnitus is also a problem.

24 MR. KAINS: Thank you, Mr. Allen.

25 Questions for Mr. Allen from members of the

1 committee.

2 MR. WATTS: No, sir.

3 MR. KAINS: All right. Very good.

4 Questions from members of units of the local
5 government, county board, school districts?

6 All right. Very good.

7 Interested parties represented by licensed
8 attorneys? Counsel.

9 MR. HESS: Just a few questions.

10 EXAMINATION

11 BY MR. HESS:

12 Q. Mr. Allen, thank you very much for being here and
13 your testimony. I just want to make sure that the
14 testimony is clear. You spoke of a Neumann wind
15 project?

16 A. That's correct.

17 Q. And that has nothing to do with Apex --

18 A. Correct.

19 Q. -- Clean Energy. You spoke of the California
20 Ridge complex?

21 A. Correct.

22 Q. That has nothing to do with Apex?

23 A. Correct.

24 Q. Were you present when Mr. Jason Conley testified?

25 A. Pardon?

1 Q. Were you present the night that Mr. Jason Conley
2 testified?

3 A. This is my first night here; it's the only night
4 I could make it.

5 Q. So you didn't know he testified that at all of
6 our wind projects we've never had complaints of sleep
7 disturbance or pacemaker issues, you didn't know that?

8 A. I didn't know that. I was told that somebody
9 with a pacemaker usually is not asked to work on the
10 wind turbines up in the tower; is that correct?

11 Q. I don't know the answer to that question. Sorry.

12 A. Okay.

13 Q. Thank you, Mr. Allen. I appreciate your
14 testimony.

15 MR. KAINS: Thank you, counsel.

16 All right. Questions from members of the public,
17 those in support of the project or neutral on the
18 project.

19 All right. Very good.

20 Coles County Staff and Consultants, Mr. Lockhart.

21 MR. LOCKHART: No, sir.

22 MR. KAINS: Mr. Keyt.

23 MR. KEYT: No, sir.

24 MR. KAINS: Final questions come from members of
25 the committee.

1 Very good.

2 Thank you, Mr. Allen, for your testimony. You
3 may step down.

4 (Witness excused.)

5 MR. KAINS: All right. Ladies and gentlemen, we
6 need to come up with a couple of additional dates. I
7 guess my first question is, members of the public, who
8 wants to testify?

9 UNIDENTIFIED SPEAKER: You mean tonight?

10 MR. KAINS: No, not tonight. In May. We're
11 going to have probably -- no, both hands aren't
12 necessary. Okay. So we've got about 10 or 11, 12
13 folks. Okay. You can put your hands down. That will
14 likely take the better portion of an evening, and then
15 there will also be an opportunity for public comment as
16 well, and then there be closing statements. I think
17 that we should set aside one night for all of the
18 testimony remaining, and then another night for public
19 comment, closing statement, and then a third night for
20 the decision and the vote on a recommendation. I'd love
21 to get it done in two nights, but I really think that
22 three nights would certainly get it done, and I'm
23 getting calls, e-mails from other counties saying: When
24 are you available? And I said I want to finish Coles
25 and Livingston before I even start somewhere else.

1 So Mr. Keyt, do you think we could get this done
2 in three more nights?

3 MR. KEYT: I think it's probably two or three
4 nights would be my guess.

5 MR. KAINS: Counsel for Apex, do you think two or
6 three nights would do it?

7 MR. HESS: Yes, sir.

8 MR. KAINS: All right. Everybody on the county
9 board and Mr. Lockhart, get out your calendars.

10 Is there any reason we need to put this on the
11 record?

12 MR. KEYT: No, I was going to suggest we maybe
13 not. We don't need to go through all the details. Once
14 we get the night, we will --

15 MR. KAINS: We can go off the record, and I think
16 we can take up exhibits at the start of the next
17 section.

18 MR. HESS: Yes, sir.

19

20 (END OF PROCEEDINGS.)

21

22 (Further hearing dates selected:

23 May 19, 2025, 6:00 p.m.;

24 May 20, 2025, 6:00 p.m.;

25 June 11, 2025, 6:00 p.m.)

CERTIFICATE OF REPORTER

I, Courtney Orman, CSR #084-004628, reported in machine shorthand the proceedings had in the above-entitled cause and transcribed the same by computer-aided transcription, which I hereby certify to be a true and accurate transcript of the proceedings had.

Courtney Orman

Official Court Reporter

License No. #084-004628

Dated this 29th
of April, 2025.

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