

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

June 11, 2025
6:00 p.m. - 12:00 a.m.

Hearing Facilitator:
Scott Kains

Counsel for Coles County:
Frank Ierulli
Andrew Keyt

Counsel for the Applicant:
Amy Antonioli
Jerald Hess

Also Appearing for the Applicant:
Alan Moore

County Board Members:
Viki Beabout, Administrative Assistant
Bob Bennett
Mike Clayton
Darrell Cox
John Doty
Tad Freezeland
David Johnson
Tom Royal
Rick Shook
Michael Watts, Chairman
Bristole Zimmerman

Coles County State's Attorney's Office:
Ronda Parker, Paralegal

Coles County Regional Planning:
Kelly Lockhart, Executive Director

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I N D E X

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(None.)	

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1 MR. WATTS: Good evening, and we're glad
2 you're back.

3 (Audience members laughing.)

4 SOUND TECHNICIAN: (Gives a thumbs up.)

5 MR. WATTS: I'm gonna call -- take out of
6 recess the meeting for the Special Use Permit
7 application -- I'll get it right this time -- for a Wind
8 Energy Conversation System submitted by Apex Clean
9 Energy for Coles County, entitled Coles Wind, in the
10 northern part of the county.

11 And with that said, if you'll all rise and
12 join me with the Pledge.

13 (Pledge of Allegiance.)

14 MR. WATTS: For the roll call:
15 Mike Clayton?

16 MR. CLAYTON: Here.

17 MR. WATTS: Darrell Cox?

18 MR. COX: Here.

19 MR. WATTS: Jeremy Doughty?

20 Tad Freezeland?

21 MR. FREEZELAND: Here.

22 MR. WATTS: And I'm Michael Watts, Chairman
23 presiding, and I now turn the proceedings over to our
24 facilitator, Scott Kains.

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

2 And good evening, folks. I will echo Chairman
3 Watts' comments: Kenny Smith, we're glad you're back
4 running audio. We appreciate you.

5 All right, folks, when last we met on Monday
6 night, we had public comment, and then we continued the
7 session of the hearing to take up the admission of
8 exhibits. And the exhibits from the Applicant, numbered
9 1 through 23, all have been admitted in evidence. And
10 likewise, a number of other exhibits presented by
11 opposition persons also are in evidence.

12 The only thing not in evidence that was
13 presented and offered as evidence were the letter from
14 and a drawing from Mr. Hartke that we took up on the
15 record last on -- when last we met on Monday night. And
16 I stated the reasons, but we'll reiterate.

17 The reasons for the denial of the admission of
18 those exhibits were, one, they were speculative with
19 respect to his drawing. It had nothing to do -- and not
20 relevant. It had nothing to do with this particular
21 project, and it had everything to do with what he termed
22 "unconstitutional setbacks." And I think we've all gone
23 through the issue of the setbacks are the setbacks, and
24 they are the setbacks because the Illinois legislature

1 said they are. So, we aren't getting into any
2 discussion of whether setbacks are right, wrong, or
3 otherwise. And I indicated to him that the way to
4 challenge it is not in this public hearing, but it's in
5 a court of law. And in order to get to a court of law,
6 you would have to sue the County Board and sue Coles
7 County.

8 And I reflected on that comment I made the
9 other night, that it perhaps was flippant, but it
10 wasn't. I didn't -- it wasn't intended to be, but if
11 you want to challenge the constitutionality of
12 something, you have to sue somebody. And in this case,
13 we're in Coles County and that's what you do, or he
14 could sue the State of Illinois for its legislative
15 action.

16 So, with that said, that drawing that
17 Mr. Hartke proposed was denied. And then his letter had
18 a lot of it -- it contained many legal conclusions that
19 he's not qualified to make, and so that was the reason
20 for me denying the admission of that exhibit.

21 But other exhibits that were presented have
22 been admitted in evidence. There is one other exhibit,
23 a letter that Mr. James Di Naso testified to on Monday
24 night with respect to a Michael McCann, who is a

1 licensed real estate appraiser in the State of Illinois,
2 and I said I would take up that issue this evening. So,
3 the letter from McCann was drafted and presented to the
4 Adams County Board in Quincy. Mr. Di Naso said
5 Quincy [sic] and Adams County are similar with respect
6 to population and the area surrounding. There's one
7 major town in Adams County, that's Quincy. And in Coles
8 County, there's one major town called Charleston-Mattoon.
9 Okay, there's two major towns, I get it, but they're
10 growing together. I see Sarah Bush Lincoln, and I
11 realize that the communities are growing together. So,
12 Mr. Di Naso is correct, the counties are similarly
13 situated.

14 And the McCann letter, while not a study or a
15 report, it was a letter to Adams County. I'm not
16 concerned about the date of it. We can talk about that,
17 you know, there's been studies presented in this hearing
18 from 2010, '11, '12, and otherwise, and those are all
19 admissible and they're to be considered for what they
20 are worth. Now, let's take up the issue of admissibility.

21 Mr. Hess, I understand you're objecting to the
22 admissibility of the McCann letter?

23 MR. HESS: I mean, Mr. Kains, I believe Monday
24 night, we -- we stated our basis for our objections, but

1 if you would prefer to allow us to just argue the weight
2 of it and admit it, I understand your ruling and we will
3 follow it.

4 MR. KAINS: Okay, thank you, Mr. Hess.

5 Mr. Keyt, Mr. Ierulli, do you have any
6 objection to that letter?

7 MR. KEYT: I don't have an objection, per se,
8 to the letter, but there is some limited probative value
9 to the actual document. But, I mean, I think it could
10 come in, subject to how it's viewed by the committee.

11 MR. KAINS: If this were a court of law, it
12 would not be admitted because there's no chance for
13 counsel to cross-examine the letter from Mr. McCann.
14 This is not, however, a court of law. This is a public
15 hearing. The Applicant has presented evidence from
16 their real estate appraiser, an Andrew Lines, who
17 testified back in -- I believe it was in February
18 Mr. Lines was here, and -- and he was cross-examined for
19 quite some time.

20 Mr. McCann is not here. He hasn't testified.
21 Whether we allow the letter in or not, I think it has
22 some value and the committee and the full County Board,
23 when it's their turn, can consider it, and like Mr. Keyt
24 said, give it the probative value that is accorded, that

1 means what does it say, what does it prove, and how does
2 it relate to what Mr. Lines said under oath and under
3 cross-examination? So, the board can consider that, the
4 McCann letter, for what it's worth. I will allow
5 Mr. Di Naso's letter from Mr. McCann to Adams County
6 back in, I believe it was 2010 -- I will allow that to
7 come in as evidence in this hearing. And so it can be
8 considered for what he has -- says as it relates to
9 Adams County.

10 All right, that takes up all of the evidence.
11 We're done with that.

12 Then, on our checklist, evidence from Coles
13 County Staff and Consultants. Mr. Keyt, you indicated
14 you had a report to present.

15 MR. KEYT: Yeah, Mr. Kains, we -- the county
16 retained an outside engineer from Hampton, Lenzini, and
17 Renwick, his name was Luke Hahn, and he prepared a
18 report on his review of the application. And we have a
19 copy of the report, we provided it to the Applicant.
20 There are extra copies. And unless there's an objection
21 to it, we would request permission to publish it to
22 the committee.

23 MR. KAINS: Mr. Hess?

24 MR. HESS: No objection.

1 MR. KAINS: All right, that report -- what are
2 you gonna mark it, Mr. Keyt?

3 MR. KEYT: It will be the County Exhibit A.

4 MR. KAINS: County Exhibit A will be in
5 evidence to be considered by the committee and by the
6 full Coles County Board, when it's the board's turn to
7 consider this.

8 How long is the report, Mr. Keyt?

9 MR. KEYT: It is a page-and-a-half. And I
10 think for everyone, I'm happy to read it into the
11 record, if that's -- if you deem that appropriate.

12 MR. KAINS: If you'd like to read it into the
13 record or read the conclusion, whichever you --
14 whichever you'd like, Mr. Keyt.

15 (Document(s) tendered to the committee.)

16 MR. KAINS: And this is an independent
17 engineer hired by the county?

18 MR. KEYT: Coles County, correct.

19 MR. KAINS: Hired by the county.

20 MR. KEYT: Yep.

21 MR. KAINS: All right.

22 MR. KEYT: What I -- what I would suggest then
23 is -- why don't I just read it into the record so
24 it's -- it's -- everyone can hear it.

1 And I will... It's about a page-and-a-half.

2 It is "Report on Application of Coles Wind, LLC."

3 "I am an Illinois Licensed Professional
4 Engineer with the engineering firm of Hampton, Lenzini,
5 and Renwick, Inc. Our office has been retained by Coles
6 County, Illinois, to evaluate the application of Coles
7 Wind, LLC, to construct and operate a Commercial Wind
8 Energy Facility. We specifically reviewed whether the
9 application applies to the setbacks, sound, and shadow
10 flicker requirements of the Coles County Commercial Wind
11 Energy Facility Ordinance.

12 I have thoroughly reviewed the ordinance, the
13 application of Coles Wind, LLC, and data provided by
14 Coles Wind, LLC, which include the following data:
15 Coles Wind SUP application, GE-158 turbine sound
16 emissions, Vestas 162 turbine sound emissions, GIS
17 setback data, and a decommissioning plan for the Coles
18 Wind Project.

19 We used professional engineering standards to
20 evaluate the proposed commercial wind energy facility.
21 Based on my review of the materials in the application
22 and data provided, I have made the following findings:

23 The setbacks proposed in the application are
24 compliant with the county's ordinance. We reviewed the

1 proposal and models of the potential shadow flicker and
2 found the shadow flicker compliant with the requirement
3 of the county's ordinance. We reviewed the proposal and
4 models of the -- of the sound for compliance with the
5 Illinois Pollution Control Board standards, and found
6 the proposal compliant with the county's ordinance.

7 The Applicant has requested permission to
8 micro-site turbines, meaning an allowance -- allowable
9 tolerance of up to 100 feet of movement in any direction
10 from the layout provided in the application, so long as
11 the movement is compliant with the county's setback,
12 sound, and shadow flicker requirements. The ordinance
13 states the Applicant, quote, 'shall construct and
14 operate the WECS Project in substantial conformance with
15 the construction plans contained in a Special Use Permit
16 application and all applicable state and federal local
17 laws and regulations.' *See Ordinance, Design and*
18 *Installation provisions, Section R.*

19 We recommend a condition limiting any movement
20 of turbines to 100 feet to maintain, quote, 'substantial
21 conformance,' closed quote, with the ordinance
22 requirement. However, in the event a turbine is moved
23 from its final site plan submitted in the application,
24 we would also recommend the Applicant ensures

1 substantial compliance with renewed setback maps, sound
2 modeling, and shadow flicker modeling for each turbine
3 that has moved.

4 The Applicant has also suggested that warning
5 signs pursuant to the ordinance at the base of each
6 turbine, if the GE 6.1-158 turbine is selected, but not
7 if the Vestas V162-6.0 turbine is selected. The
8 rationale provided to this office for the discrepancy is
9 that the Vestas V162-6.0 turbine locates the -- locates
10 the turbine in the nacelle as opposed to on a pad." I
11 think that's the transformer.

12 "The ordinance states, quote, 'a reasonably
13 visible warning sign concerning voltage shall be placed
14 at the base of all pad-mounted transformers and
15 substations and at all entrances to the wind towers.'
16 *See Ordinance, Operations provisions, Section E.* The
17 Applicant has not sought variance to the requirement and
18 accordingly, should post the warning sign at the base of
19 the turbine regardless of the manufacturer.

20 This report is issued on behalf of Coles
21 County and does not reflect any personal interest or
22 bias."

23 MR. KAINS: All right, very good. Thank you.
24 All right, that report from the engineer is in evidence.

1 All right, Mr. Keyt, do you have any further
2 evidence on behalf of Coles County?

3 MR. KEYT: No, sir.

4 MR. KAINS: All right. Then, remaining on our
5 list of things to do, we will finish public comment,
6 read written comments, closing statements will be
7 presented, and then members of the Planning and
8 Development Committee will deliberate and vote.

9 Now, when we met on Monday, the 9th of June,
10 we had eight persons deliver public comment. It was
11 indicated to me at that time that there may be a couple
12 of folks who were not in attendance thinking that the
13 public comment time would be tonight. So, I am going to
14 allow for any persons who wish to give public comment.
15 But, again, it's a five-minute public comment, not
16 subject to cross-examination, and not considered as
17 evidence by the committee.

18 Show of hands, anybody wishing to make a
19 five-minute public comment?

20 (Hands raised.)

21 MR. KAINS: Okay, this gentleman, Mr. Foor,
22 okay, and then these two gentlemen on this side.

23 Sir, will you please come up to the podium
24 here?

1 MR. MILLER: I have trouble walking.

2 MR. KAINS: Oh, no, sir. The podium on that
3 side of the rail.

4 MR. MILLER: Right here?

5 MR. KAINS: In the middle.

6 MR. MILLER: Oh, okay.

7 MR. KAINS: All right, sir, could you please
8 state your name for the court reporter?

9 MR. MILLER: Certainly, my name is Leonidas H.
10 Miller.

11 MR. KAINS: Okay, could you --

12 MR. MILLER: Short for -- long -- the short
13 name for that is Lon.

14 MR. KAINS: Okay, could you --

15 MR. MILLER: I'm a resident of Coles County.

16 MR. KAINS: Okay, Mr. -- is it Mr. Miller?

17 MR. MILLER: Yes.

18 MR. KAINS: Could you -- could you spell your
19 first name?

20 MR. MILLER: It's three syllables.

21 MR. KAINS: Okay.

22 MR. MILLER: L-e-o-n.

23 MR. KAINS: L-e-o-n.

24 MR. MILLER: -i.

1 MR. KAINS: -i.

2 MR. MILLER: -d-a-s.

3 MR. KAINS: -d-a-s.

4 MR. MILLER: Yeah.

5 MR. KAINS: And your last name is Miller. Is
6 it common --

7 MR. MILLER: Common.

8 MR. KAINS: -- American spelling or is it --

9 MR. MILLER: The common spelling.

10 MR. KAINS: -- not M-u-e-l-l-e-r or anything?

11 MR. MILLER: Huh-uh, no.

12 MR. KAINS: Okay.

13 MR. MILLER: M-i-l-l-e-r.

14 MR. KAINS: Okay, all right, very good,
15 Mr. Miller. Let me get my phone out. It has my timer
16 thing on it because we -- we give five minutes public
17 comment. All right, Mr. Miller, if you're prepared, you
18 may go right ahead with your public comment for five
19 minutes, please.

20 MR. MILLER: Okay.

21 MR. KAINS: Okay.

22 MR. MILLER: If possible, if I could place an
23 exhibit, an article I wrote concerning -- it's entitled,
24 "Windmills and Water."

1 MR. KAINS: Okay, are you gonna plan on
2 reading that?

3 MR. MILLER: No.

4 MR. KAINS: Oh, okay. All right. Well,
5 it's -- it's a little late to be presenting evidence, so
6 I don't think we're going to allow that. We're into
7 public comment. We're done with the testimony, okay?

8 MR. MILLER: Okay.

9 MR. KAINS: But you may go right ahead with
10 your comment, and if you -- if you have time, you can
11 read that "Windmills and Water."

12 MR. MILLER: Okay.

13 MR. KAINS: Okay, go right ahead, sir.

14 MR. MILLER: Five minutes, huh?

15 Okay, my grandfather owned and farmed a farm
16 in Seven Hickory Township, and I -- I assume that this
17 farm will go under to windmills. We need to wonder,
18 "Well, what will be the trade-off from farming ground to
19 an industrial project?" Well, right now, I believe
20 there's corn growing there. What is the trade-off?
21 Well, if we follow the science -- we say we're supposed
22 to follow the basic science, but what's involved here is
23 implied science. The implied science of growing corn
24 and planting corn, the corn plant absorbs the light and

1 pulls in carbon dioxide, which is the big basis of why
2 we got to go from oil and gas to windmills. So, what is
3 the trade-off?

4 Cropland of farm -- of corn and -- which
5 absorbs CO₂, giving off free oxygen for people to
6 breathe, which we need. And in case you're wondering
7 why there is this intrusion against the carbon --
8 natural carbon cycle, the environmentalist Patrick
9 Moore, founder of Greenpeace, has told us that we need
10 more carbon dioxide in the air because plants are dying
11 for its lack.

12 As footnotes of my authority on this science
13 is a website entitled, "Conversations that Matter," in
14 which he's interviewed. In other websites, he gives
15 long lectures, which I have lots.

16 *Commentary Magazine*, has a technical writer
17 which informs us, for one thing, that even certain
18 chapters in New England area, certain chapters of the
19 organization Sierra Club are against windmills that they
20 have -- they want built there. They're killing the
21 birds and all kinds of things.

22 So, the -- so, the carbon cycle of
23 windmills and -- you might say it's neutral. They're
24 neutral in -- solar panels would be neutral also.

1 However, we should like to look at some other
2 scientifically-based side effects.

3 Solar panels, which are all over the place,
4 they rely on light from the sun. Something else comes
5 from the sun. It's called heat. And the solar panels
6 really take it in and get it all. There's a --
7 something we call a heat island. So, here we are,
8 turning off a corn plant, which cools its immediate
9 environment by evaporation, for solar panels and
10 windmills, which become heat islands, what was once
11 farmland.

12 What is the yield of all of this? What kind
13 of electricity are we gonna get? Not enough to meet the
14 growing -- not enough to meet the growing demand with AI
15 and other data centers.

16 MR. KAINS: Mr. Miller, you have 30 seconds
17 remaining on your time.

18 MR. MILLER: Well, I've covered the carbon
19 cycle and how important it is, how it's being intruded
20 upon, and what are the results of that intrusion, and --
21 which are heat islands, no production of free oxygen
22 from the windmills...

23 So, what we have is a net loss. So, really
24 what we need are more power plants, oil -- powered by

1 oil and natural gas. And that should all cover it.

2 MR. KAINS: All right, thank you, Mr. Miller.
3 Your time is up, and we appreciate your comments.

4 Mr. --

5 MR. MILLER: Thank you.

6 MR. KAINS: -- Foor?

7 MR. MILLER: Thank you very much.

8 MR. KAINS: Yes, thank you, sir.

9 Mr. Foor?

10 (Pause.)

11 MR. KAINS: Could you please state your name,
12 spelling your first and last for the court reporter?

13 MR. FOOR: Keatin Foor. That is K-e-a-t-i-n,
14 Foor is F-o-o-r.

15 MR. KAINS: All right, Mr. Foor, your
16 five-minute public comment begins right now.

17 MR. FOOR: All right, I just want to say good
18 evening to everybody. I want to thank the Coles County
19 Board members for being here tonight. And I want to
20 thank the Coles County Planning and Development
21 Committee for the opportunity to speak here tonight.

22 And I also want to thank, both, the supporters
23 and the opponents of the Coles Wind project for showing
24 up tonight. Regardless of where you stand on this

1 issue, participating in public discourse like this is a
2 powerful exercise of our constitutional rights, and it's
3 something that we should all be proud of.

4 As previously mentioned, my name is Keatin
5 Foor. I serve as the Illinois Programs Director for the
6 Land and Liberty Coalition. A little bit about us, we
7 are a group of farmers, landowners, community leaders,
8 and energy advocates across many different states who
9 believe in two things: The fundamental importance of
10 private property rights and the need for an all-the-above
11 energy strategy that works for the people of the United
12 States.

13 We're here tonight to discuss Coles Wind, a
14 utility-scale wind project proposed by Apex Clean
15 Energy. At the heart of this conversation is a question
16 that's bigger than wind turbines themselves -- it's
17 about whether or not in the United States of America a
18 landowner still has the right to decide what they can
19 and can't do with their own land, so long as it meets
20 the law.

21 Now, we've heard a lot of arguments in
22 opposition over the last 14 hearings. We've also --
23 we've also heard some arguments in favor of this
24 utility-scale project. And folks are deeply concerned

1 about a lot of things.

2 Some things that we've heard about, we've
3 heard about bird populations. Yeah, it's true, wind
4 turbines, they kill birds every year. It happens. But
5 according to the American Bird Conservancy in an article
6 they did back in July of 2021, the biggest killer of
7 birds in the United States each year is cats at
8 2.4 billion -- with a "B" -- birds per year. Where's
9 the outcry? Are we gonna start requiring permits to get
10 a cat? Are we going to have to get a permit to take
11 Mittens home from the shelter? I don't certainly hope
12 not.

13 And we also hear a lot about public health,
14 which is great. I love talking about public health. It
15 should be the forefront of every discussion. According
16 to the CDC -- a study conducted by the CDC in 2024, the
17 top three causes of death in this country are heart
18 disease, cancer, and stroke -- with the obesity epidemic
19 alone being at the forefront of leading causes in all
20 three. However, I'm yet to see anyone protesting when a
21 new fast-food joint opens up down the street.

22 It's great, we allow people to make personal
23 choices every day, whether it's to buy a pack of
24 cigarettes, drink a six-pack of Natty Light, or go

1 through the drive-thru and get a double bacon
2 cheeseburger. Why? Because this is America. Personal
3 liberty is something we still value and is enshrined by
4 law.

5 So, let's be clear, if we're gonna start
6 regulating one sector, like energy, based on theorists,
7 then logically we'd have to do the same across the
8 board. And I don't think anyone in this room is ready
9 to give up their drive-thru and tell the next farmer
10 that he can't lease his land to a project that meets
11 all county requirements.

12 Let's talk about fairness. Working in this
13 field, I often hear folks say they're against eminent
14 domain. I have some good news for folks who are against
15 eminent domain -- so am I. But at the same time, they
16 want the government to step in and restrict what others
17 can and can't do with their private property. That is
18 not opposition to eminent domain, that's selective
19 regulation.

20 There are folks who do want this on their
21 land. They pay taxes just like you and I. And their
22 rights don't end where someone's else's feelings begin.
23 It's a fact. Wind energy is not for everybody and
24 that's okay. Nobody's forcing anyone to sign a lease,

1 but there are families here in Coles County who do want
2 this. They see an opportunity to diversify their
3 incomes, strengthen their farms, and contribute to
4 energy security without asking anything from their
5 neighbors but respect in legal fairness.

6 At the end of the day, the question isn't
7 whether or not you like wind turbines, the question is,
8 do they meet the ordinance guidelines?

9 MR. KAINS: Sir, you have one minute remaining.

10 MR. FOOR: Thank you for your time, your
11 service, and your commitment to protecting the values of
12 freedom, fairness, and the American right to be a
13 steward of your own land. Thank you.

14 MR. KAINS: Thank you, Mr. Foor, for your
15 public comment.

16 All right, then the gentleman in the back
17 corner. Not all the way in the back corner.

18 (Pause.)

19 MR. KAINS: Good evening, sir, could you
20 please state your name for the record?

21 MR. RILEY: Yeah, my name is Joe Riley.

22 MR. KAINS: How do you spell your last
23 name, sir?

24 MR. RILEY: R-i-l-e-y.

1 MR. KAINS: All right, very good. All right,
2 Mr. Riley, your five-minute public comment begins now.

3 MR. RILEY: I'll be brief. So, my name is Joe
4 Riley. I'm the President of Laborers' Local 159. I
5 spoke the other night.

6 So Local 159 covers eight counties and Coles
7 County is right in the middle of our Local. A project
8 like -- like Coles Wind will put our members to work.
9 You're talking, you know, a couple hundred construction
10 jobs, men and women that live in Coles County will go to
11 work on this project, which means they're putting money
12 into their health and welfare funds so they can have
13 insurance, they're putting money into the pension funds,
14 annuity funds, so they can retire with dignity.

15 They're also growing our apprenticeship
16 program, so we'll be able to take more men and women
17 into our program, men and women that live in Coles
18 County.

19 And I just want to add, too, these -- jobs
20 like this aren't -- aren't temporary. Construction jobs
21 aren't temporary. The same men and women that will work
22 on this project may be working a construction project at
23 EIU next year or working at Sarah Bush a year after or
24 working for Howell Paving or Ne-Co Asphalt. So, I urge

1 the -- the board to -- to -- to approve this project.
2 It's good for the -- it's good the members of Laborers'
3 Local 159 in Coles County. And thank you.

4 MR. KAINS: All right, thank you, Mr. Riley.

5 All right, and the gentleman in the blue
6 shirt, right here on the end. Yes, sir.

7 (Pause.)

8 MR. KAINS: Good evening, sir. Could you
9 please state your name?

10 MR. ZuHONE: Michael ZuHone, Z-u-H-o-n-e.

11 MR. KAINS: All right, and where are you from,
12 Mr. ZuHone?

13 MR. ZuHONE: I live here in Coles County.

14 MR. KAINS: All right, very -- very good. All
15 right, your five-minute public comment time begins now.

16 MR. ZuHONE: I address the committee and all
17 the board members. As most of you know, I served on the
18 County Board for nine years, represented District 1,
19 which is the scope of the Apex Wind Project.

20 I urge you to seriously consider being in
21 favor of this. I'm a life-long farmer, recently
22 retired, so I know what being a good land steward is,
23 taking care of things, leaving it better than when you
24 acquired it. But I am -- while I am not receiving a

1 wind turbine on my property, due to the FAA ordinance, I
2 am strongly in favor of this project.

3 Because when I was appointed to the County
4 Board, I created a little business card. And in the
5 upper right hand corner of that card, I put the phrase
6 "moving forward," because that's what we need to do, is
7 move forward with productivity, ways that we can
8 continue to sustain and grow this county.

9 So, I thank you. I've sat in those seats and
10 listened to a bunch of stuff over and over and over
11 again. You guys have -- all of you board members have
12 the brains, the common sense, everything you need to
13 make a proper decision. So, I thank you for attending
14 and putting such amount of time into this. Thank you.

15 MR. KAINS: Thank you, Mr. ZuHone, for your
16 public comment.

17 Any other persons with public comment? All
18 right, very good. Thank you.

19 Now it is time for the reading of written
20 public comment, things that have been submitted to
21 Mr. Lockhart in the Planning Commission Office. And
22 away we go.

23 By the way, Lydia, I will give these to you
24 when I'm done reading.

1 And then, Mr. Lockhart, you can get them from
2 our court reporter once she -- if I go too fast -- yeah.

3 So, all right, here we go. I have a number of
4 letters and a number of Facebook messages. We'll start
5 with the letters.

6 Letter date May 20th, 2025, to "Kelly Lockhart
7 and Coles County Board Members" regarding "Letter of
8 Support for the Apex Energy Coles Wind Project":

9 "Dear Kelly and the Coles County Board
10 Members, I support the Apex Clean Energy and Coles Wind
11 wind turbine project, which will be a significant
12 benefit to Coles County. Wind energy is a renewable and
13 inexhaustible resource, unlike fossil fuels, meaning it
14 doesn't deplete the planet's resources. It also
15 produces zero emissions during operation, contributing
16 to cleaner air and reduced greenhouse gas emissions.

17 The wind energy stimulates economic growth by
18 creating jobs in manufacturing, installation, and
19 maintenance of the turbines. They also contribute to
20 Coles County to support local school districts and
21 cities through additional tax revenue for 30 years.

22 It is for all these reasons that I support
23 Apex Clean Energy and the Coles Wind project. The
24 Chamber appreciates and values your attentiveness to the

1 project in our Coles County community. Thank you for
2 your consideration.

3 Sincerely, Edward Dowd, D-o-w-d, Executive
4 Director, Mattoon Chamber of Commerce."

5 From the Eastern Illinois Food Bank, dated
6 February 3, 2025, a letter directed to the "Coles County
7 Board":

8 "To whom it may concern, I am writing today in
9 support of Apex Clean Energy. Eastern Illinois Food
10 Bank exists to alleviate hunger in 18 counties
11 throughout eastern Illinois, including Coles County. We
12 rely on a network of more than 160 partner agencies,
13 such as food pantries and soup kitchens, as well as
14 feeding programs, to provide food and grocery product to
15 the more than one million people facing food insecurity
16 each year.

17 In 2020, Apex Clean Energy made a financial
18 commitment to support EIF," the food bank, "in support
19 of a new distribution vehicle that allows us to more
20 efficiently bring food to rural and underserved
21 communities. In the years since, our continued
22 partnership has empowered EIF to meet a historic need in
23 eastern Illinois, including the county in our service
24 area, with the highest rate of food security -- Coles.

1 IEF served more than 28,000 meals to our neighbors in
2 Coles County in 2024 on our Foodmobile, thanks in part
3 to Apex's support. Because of their commitment to the
4 community, EIF recognized Apex Clean Energy as our
5 business partner of the year in 2021. Their partnership
6 has been critical to helping EIF alleviate hunger in
7 Coles County.

8 Best regards, Sophie Ellis, from the Eastern
9 Illinois Food Bank."

10 This is a letter from an organization called
11 "Coles Together":

12 "Good evening, my name is Dr. Ronda,
13 R-o-n-d-a, Sauget, S-a-u-g-e-t, and I am the Coles
14 Together EDO President and CEO. I have deep respect for
15 American farmers, like my husband who farmed for
16 50 years. I managed the farm books for 38 years of
17 those years. I've learned the importance of having
18 multiple revenue streams to offset the ever-increasing
19 farm expenses.

20 In my economic development career, I've worked
21 on hundreds of development projects and every one of
22 them had pros and cons. I am here to speak about
23 multiple pros related to this project.

24 First, property tax increases in this county

1 and every county have been a challenge for all county
2 board members due to rising costs. Wages, benefits,
3 expenses, health insurance, etc. So, to help stabilize
4 property taxes, county boards and school district tax
5 levies need multiple revenue streams. Wind projects,
6 like the Apex Wind Energy project, brings years of
7 additional tax revenue to help with offsetting the
8 rising expenses and budgeting and/or determining future
9 property tax levies for residents, and nobody wants
10 their property taxes to increase.

11 Secondly, Coles County economic development
12 has struggled with an overall lack of electrical
13 capacity for well over 20 years at the 1000 North and
14 other developed areas. Being awarded the 2.3 million
15 dollar DCEO Site Readiness Infrastructure Grant will
16 enable a new transformer at the Doram south substation
17 to help with new business development. But this is not
18 enough power for existing business expansion and further
19 development activity, like Northern American Lighting,
20 Justrite, John Deere 3PL, and others will need
21 additional electrical capacity.

22 In the future, the county with electrical
23 capacity generation and green energy tax credits will
24 enable and attract existing and new sustainable

1 manufacturing and other businesses to thrive and grow.
2 And this is very important for the long-term future of
3 this county.

4 Thirdly, economic development impact -- or
5 economic development projects like the Apex Wind Energy
6 project brings construction jobs and sustainable
7 maintenance jobs to the county, which are important, too.

8 So, it's for all of these reasons that the
9 pros of this project should be an important
10 consideration for moving this project forward. Thank
11 you for this opportunity to mention the pros of this
12 type of project.

13 Sincerely, Dr. Ronda Sauget."

14 (Pause.)

15 MR. KAINS: I have several letters from
16 Mrs. Sherman.

17 (Pause.)

18 MR. KAINS: All right, this is dated April
19 17th, 2025, to "Members of the Coles County Board" from
20 Judy Sherman, regarding "Apex Application to Install
21 Wind Turbines in Coles County":

22 "I am a lifelong resident of Coles County and
23 am concerned about so much good farm ground being
24 incorporated into a wind turbine business, and I really

1 object when they refer to it as a wind 'farm.' In the
2 past, I have owned farm ground and appreciate its
3 contribution to our community and economy. I am very
4 strongly opposed to wind turbines being constructed in
5 our county.

6 I have been attending County Board -- Coles
7 County Board meetings and some committee meetings since
8 the county was approached by Apex several years ago. I
9 attended the board's planning committee hearings
10 regarding the Apex proposal on March 19, April 10, 14th,
11 15th, and 16th. I plan to attend the hearings scheduled
12 for this evening, the 17th. There are additional
13 hearings scheduled for April 22, 23, and 24. I plan to
14 attend those as well. I urge the members of the Coles
15 County Board to attend the hearings. This is a very
16 important issue to our county. If you are not able to
17 attend the hearings, I strongly urge you to read the
18 transcripts that are being done at each hearing. The
19 transcripts appear on the Coles County Board website.

20 Attending the hearings, I have learned that
21 none of the landowners who have signed agreements with
22 Apex actually reside on their land. A small number of
23 them reside somewhere else in Coles County, with the
24 majority living in other parts of Illinois or in other

1 states. The people actually living in the footprint of
2 the proposed wind turbines will be forced to live with
3 conditions over which they have no control and receive
4 no compensation. I found it interesting that when
5 someone asked some of the Apex expert witnesses if they
6 had ever actually lived in a wind turbine footprint,
7 only one indicated that he had. Upon further
8 questioning, it came out that at the time he lived there
9 for eight months, he was an Apex employee, so he was
10 being compensated.

11 This proposed wind turbine installation, if
12 approved, will impact our county and neighboring
13 counties for years to come. Their flashing lights at
14 night will be seen for many miles. In Charleston, we
15 can see the lights on the wind turbines at Redman,
16 Illinois, and they are not nearly as tall as the ones
17 proposed by Apex. The ones proposed for Coles County
18 are each taller than the St. Louis Arch. I strongly
19 urge the members of the County Board to vote 'no' on the
20 Apex proposed wind turbine issue. Please attend the
21 upcoming planning committee hearings. If you cannot
22 attend, please read carefully, the transcripts from the
23 hearings. This is an important issue to our county now
24 and for the future.

1 Sincerely, Judy Sherman."

2 Mrs. Sherman also wrote in on April 29th. If
3 there's any duplication, I'm gonna kind of skip through
4 it, but I don't want to slight Mrs. Sherman at all.

5 But she starts by discussing her opposition,
6 but then she goes on to state -- I just skipped one
7 paragraph, but it's repetitive -- "While 119 lease
8 agreements have been issued for proposed turbine sites,
9 this represents only 74 different entities since some
10 have multiple lease agreements. Of those 74 entities,
11 only 37 reside in Coles County. Of the 37 who live in
12 the county, none of them live on their land.

13 None of the energy the turbines may produce
14 will remain in this area. It will be sent through
15 underground lines from the turbines to large overhead
16 lines to regions not in our county and mostly likely to
17 other states. Illinois may not capture any of the
18 energy.

19 Each of the proposed 51 turbines will have a
20 huge footprint on each of their sites. This will result
21 in fewer farmable acres. Will the people who have
22 signed lease agreements with Apex and receiving
23 substantial dollars be sharing their windfall -- "cute,
24 she bolded, "wind" in the word "windfall" -- "will they

1 be sharing their windfall with their tenants to make up
2 for their loss of income? There will be considerable
3 damage to roads getting equipment and materials to each
4 of these sites. The residents that live in the proposed
5 wind turbine footprint and the surrounding area will
6 have to deal with lots of traffic, noise, etc.

7 The people actually residing there are
8 receiving no compensation from Apex for their distress.
9 While Apex has promised that roads and drainage tile
10 that has been damaged during the construction will be
11 repaired and replaced, it is possible that others not in
12 the footprint may experience damage. Neighboring
13 properties may experience drainage issues, also.

14 During the hearing, many questions have been
15 raised about health issues. When questioned, the expert
16 witnesses paid by Apex, appeared to be unaware of any
17 health issues to the public caused by wind turbines.
18 They often answered this was out of their area of
19 expertise.

20 During the last few years since the Apex
21 interest in our county, I have read numerous articles
22 and watched a great deal of video reporting major health
23 issues caused by wind turbines. Perhaps Apex does not
24 recognize this problem, but from reading and watching

1 videos, it is very evident that health issues are most
2 definitely a problem in this industry.

3 The shadow flicker, blinking lights, and noise
4 are some of the issues that relate to health issues. I
5 am sure there are others. Reports of individuals who
6 had not previously had migraines were experiencing them
7 or their migraines became more intense, people
8 experience sleep issues, people with PTSD can be
9 affected, children with autism -- autism may be
10 affected, pacemaker operation is affected, noise from
11 the spinning turbines will affect hearing. I feel sure
12 there are other issues that can arise. There are
13 indications that some of these same issues can affect
14 animals.

15 It came to light during the hearings that a
16 serious health problem has been discovered in the
17 proposed wind turbine footprint. A landowner, who does
18 not reside on their land, had chicken manure shipped in
19 from outside the county and spread it across their farm
20 ground. It was supposed to help increase crop
21 production. A side effect of the chicken manure is that
22 when it is disturbed in the ground, it releases a fungus
23 into the air, which is very dangerous to people and
24 animals. And a young man in that area has been

1 seriously ill from his exposure to the chicken manure
2 fungus. From my understanding, the family has filed
3 against the landowner and a court case is in the works.

4 If the Apex Wind turbine proposal is approved,
5 this chicken manure fungus will certainly be disturbed
6 and released into the air once the hauling of equipment
7 and materials begins and even more so when the digging
8 of turbine foundations begins. This fungus will be
9 released into the community with serious health
10 implications. Please think about this when considering
11 the application proposal.

12 If the wind turbine project is approved and
13 installed, there was much discussion about danger to
14 birds, bats, migratory birds, and particularly to --
15 particularly to bald eagles, an endangered species. The
16 expert witness for Apex indicated this danger is
17 minimal. When asked how information was gathered
18 regarding this issue, we were told flyovers by
19 helicopters were done. They mentioned they looked for
20 bald eagle nests and only saw one and it was not in the
21 wind turbine area footprint, only close. When audience
22 members living within the wind turbine footprint
23 indicated they have recent pictures of bald eagles in
24 their fields, they were again told the nest was not in

1 the wind turbine footprint. I don't know if anyone is
2 going to tell the bald eagles they cannot leave their
3 nest area.

4 As a further general note, during one of the
5 hearing breaks, someone who lives in a wind turbine
6 footprint indicated they have no wildlife in their area
7 now.

8 Local meteorologists have indicated the
9 presence of wind turbines interfering with predicting
10 potential serious storms coming into the air. Recently,
11 we had a series of threats of high winds, rain, hail,
12 and potential tornadoes in this area, and each time, the
13 television meteorologists have indicated to areas where
14 wind turbines have been built that they cannot be as
15 accurate as they would like in their predictions due to
16 the turbines.

17 In articles and video I have read or seen, the
18 vibrations from the wind turbine cause issues. The
19 vibrations can cause damage to wells, cisterns, and
20 septic systems. In videos I have seen, wind turbine
21 motors on fire, some leaking oil but not yet on fire,
22 turbines have toppled over, propellers from the turbine
23 sheered off and can travel long distances before coming
24 to ground and then still be moving on the ground for a

1 distance before they stop. The fiberglass in the
2 materials in the blades can break up into the ground.
3 Once that happens, they are very difficult to remove and
4 the ground cannot be farmed and animals cannot be raised
5 there.

6 In Apex's short history, they have put up wind
7 turbine installations and after a time, have sold off
8 their interest to some other company. A lot of promises
9 are being made now that may not be kept in the future.
10 Since the wind turbine industry is relatively new, Apex
11 has never decommissioned a complete wind turbine
12 installation. They may have -- they may have taken down
13 one turbine at a time, but never 51 like is proposed in
14 Coles County. If this application is approved, and 51
15 turbines go up, decommissions will not take place until
16 25 to 30 years from now, unless something occurs and
17 they have to come down. Most likely, our grandchildren
18 and maybe some of our children and great-grandchildren
19 are going to have to deal with it. No one can predict
20 the future, but I feel we are really putting a burden on
21 our future generations.

22 In the Apex application, they promise bringing
23 employment to Coles County if their proposal is
24 approved. After testimony from their experts, the final

1 number of jobs created and remaining after the initial
2 construction is completed is ten. While ten jobs is
3 better than none, as one of the witnesses stated, it
4 bothers me that a wind turbine project costing over
5 650 million dollars to erect and covering approximately
6 21,000 acres is not likely to make a substantial
7 difference to the economy of Coles County.

8 I would not like to live in a wind turbine
9 footprint or even close to one. They can be seen for
10 miles well beyond their installation area. When some of
11 the Apex witnesses were asked if they had lived or would
12 live in a wind turbine footprint, one indicated he had
13 lived in one several years ago and they were much
14 smaller, and one lived and worked on an Apex project
15 during construction, so he was on the payroll, one
16 indicated he would not live in a wind turbine footprint.
17 It stands to reason to me that the property values are
18 going to be impacted. People living inside the turbine
19 footprint will be struggling to sell their property, if
20 they wish, and will most likely suffer a loss. Very,
21 very few people will want to buy into that area.

22 I strongly encourage all members of the Coles
23 County Board to attend future hearings. Please vote
24 'no.'" There's some other verbiage, but it's the same

1 type of thing in her previous letter.

2 "Please vote 'no' on the Apex proposal to
3 erect wind turbines in Coles County, Judy Sherman."

4 (Pause.)

5 MR. KAINS: All right, and then Mrs. Sherman
6 also wrote to "Members of the Coles County Board" on
7 June 10th, 2025.

8 Her first paragraph kind of repeats some of
9 the things in the previous letters. All right, we go to
10 the fourth paragraph:

11 "Construction and maintenance of the wind
12 turbines will not benefit the people in the community.
13 It will be done by workers brought in from other areas.
14 My case in point: When the surveys were done in Coles
15 County, a local surveying crew was not hired. I saw the
16 survey crew truck with Virginia license plates.

17 Once the turbines are up and running, the
18 power they may produce will not stay in this area. It
19 will be sent to other states through overhead lines,
20 which produces its own set of problems."

21 And then the next paragraph discusses field
22 tiles, which was already discussed in a previous letter.
23 And then the next paragraph discusses the number of
24 persons who have leases and who resides in the county

1 and that none of the landowners actually reside on their
2 acreage.

3 Then, she continues with a discussion on
4 health issues that she's concerned about that she
5 addressed in a previous letter. Also, a discussion of
6 Mr. Smith's illness and the -- with respect to the
7 chicken manure fungus. And then the continuation of her
8 discussion of birds and bats and bald eagles, the
9 weather radar...

10 Mrs. Sherman, I -- I don't mean to slight you
11 in any way, but this is -- this is repetitive of your
12 previous letters.

13 And, folks, she can write as many letters as
14 she wants. As long as it's new information, I'm happy
15 to address it.

16 Wind turbines leaking oil and blade issues was
17 already discussed. The issue of ten jobs has already
18 been discussed.

19 And she concludes by addressing the board:
20 "The future of Coles County is in your hands. Please
21 vote 'no' and vote against the installation of wind
22 turbines in Coles County proposed by Apex or any other
23 wind turbine company." And that's the June 10th letter
24 from Mrs. Judy Sherman.

1 All right, a letter from a Richard Hollonbeck
2 from Mattoon, Illinois:

3 "Dear, sir, I am not in favor of the wind
4 farm -- the windmill farm planned for this area for the
5 following reasons:

6 One: Living close to turbines can cause
7 illness -- (a) memory loss, (b) disruption of
8 coordination of movement, (c) excessive fatigue, (d)
9 insomnia, (e) irritability, (f) all caused by the
10 vibrations.

11 Two: Potential harm to wildlife -- (a) noise
12 pollution, (b) visual impact on the landscape, (c)
13 challenges of recycling or disposing of the large
14 turbine blades.

15 Three: Adverse health effects, 'wind turbine
16 syndrome' -- (a) ringing in the ears, (b) headaches, (c)
17 lack of concentration, (d) vertigo, (e) sleep disruption.

18 Four: External wind turbine failures (damage
19 to blades) -- (a) bird strikes, (b) lightning strikes,
20 (c) rainfall, (d) --" I'll read what I think it says,
21 but I don't think it's a word -- "delamination." It
22 looks like d-e-l-a...

23 MR. SHAW: Delamination.

24 MR. KAINS: Delamination? That's Mr. Clint Shaw.

1 Thank you, Mr. Shaw.

2 MR. SHAW: Yep.

3 MR. KAINS: During the break, you can tell me
4 what delamination is.

5 MR. SHAW: You got it.

6 MR. KAINS: All right, "(e) leading edge
7 corrosion, (f) blade cracks.

8 Five: According to Kansas Department of
9 Transportation -- (a) wind turbines can generate low
10 altitude turbulence up to several miles downwind of the
11 turbines, making it not safe for airports.

12 Six: Hazardous work conditions -- (a) high
13 altitude work, (b) exposure to harsh weather conditions,
14 (c) increased risk of falls.

15 Number seven: Exposure to turbines and
16 blades -- cardiovascular effects --" that's
17 "(a) cardiovascular effects, (b) coronary vascular
18 artery disease, (c) increased risk of epilepsy.

19 Eight: Oil usage in windmill components --
20 (a) 1,200 gallons of oil transformer, (b) 800 gallons of
21 gear oil, (c) oil to be changed regularly or chance of
22 leakage and spillage.

23 Summary: If I have it right, they are
24 proposing 630-foot-tall turbines and there aren't many

1 studies conducted yet for those tall structures as to
2 noise pollution and health hazards. Structures built as
3 tall as the Arch in St. Louis has to have deep
4 foundations, sometimes anchored to bedrock below the
5 surface.

6 When a windmill is decommissioned, the site is
7 not dug up, so the ground is unfarmable.

8 Our farmland is supposed to be able to feed
9 the world, and if it is covered with windmill farms and
10 solar farms, it will be impossible. Farmers are to be
11 good stewards of their ground and, to me, windmills
12 aren't part of it. It's just the money paid.

13 Windmills that big are bound to cause problems
14 that we don't know of yet.

15 Sincerely, Richard Hollonbeck, Mattoon,
16 Illinois."

17 (Pause.)

18 MR. KAINS: Found another letter in here from
19 Mrs. Sherman.

20 (Audience members laughing.)

21 MR. KAINS: This one is dated April 21st,
22 2025, directed to "Members of the Coles County Board."
23 I'm just going to read through it before I read it.

24 (Pause.)

1 MR. KAINS: Here is some new information that
2 I will read: "During the first public hearing before
3 the Coles County Planning and Development Committee, an
4 Apex expert testified that their application had been
5 carefully prepared and reviewed before presentation. In
6 the questioning of that expert witness, it came to light
7 that three of the four boundaries of the project were
8 incorrectly identified. The most easily recognized
9 error was that Interstate 55 was referenced --
10 referenced as the west boundary. At a later hearing in
11 April, Apex did enter into the record that the
12 interstate should've been identified as Interstate 57
13 and also corrected the other two boundaries.

14 It is worrisome that an error of this kind in
15 identifying boundaries for a project of this magnitude
16 was discovered by Apex individuals before it was
17 distributed to the County Board. It makes one wonder
18 what other mistakes are in their 600-plus page
19 application.

20 Apex presented expert witnesses to address
21 shadow flicker, sound, and safety. In the testimony of
22 the Apex witness concerning safety, it was disclosed
23 that he could only speak to occupational health and
24 safety within the wind turbine project confines itself.

1 The shadow flicker and sound expert witness indicated he
2 could not speak to questions regarding health issues of
3 people living in the footprint of wind turbine
4 installations. He indicated the information they
5 collected regarding shadow flicker and the sound asked
6 people if they were annoyed. He did say that people who
7 received monetary compensation for living near a wind
8 turbine were much less than annoyed. Since none of the
9 Coles County landowners receiving compensation from Apex
10 live on their land, they certainly won't have an issue."

11 All right, there's some information about
12 health and safety that appears to be new, at least in
13 the reading of Mrs. Sherman's letters: "Questions were
14 asked if studies have been done to determine if
15 children's hearing would be more subject to sound than
16 adults. The recurring answer from the witnesses was --
17 was that they could not answer health and safety issues
18 to individuals in a wind turbine footprint because it
19 was not in their field of expertise. It seems Apex does
20 not want to address health and safety issues of people
21 living within their wind turbine footprints.

22 During the last few years, I have read a lot
23 of articles and watched a lot of video in which people
24 who have lived in wind turbine footprints have

1 experienced many varied kinds of serious health issues
2 caused by the shadow flicker and sound. Some have had
3 to sell their homes at a loss to be able to live a
4 healthy life."

5 And that's Mrs. Sherman's letter of April 21st.

6 Now, a letter from Mr. ZuHone, who just spoke:
7 "Good evening, my name is Michael ZuHone. I'm a
8 lifelong resident of Coles County. I'm recently retired
9 after a 46-plus year career of farming.

10 As a landowner, I signed a Wind Energy Lease
11 with Coles Wind, LLC. The other members of my family
12 also signed leases with Coles Wind.

13 Even though I will not have a turbine placed
14 on my properties, I strongly support the project
15 proposed by Coles Wind, LLC, and encourage you to vote
16 in favor of moving the application forward.

17 I see an opportunity for Coles County to
18 continue to be viewed as strongly rooted in our heritage
19 as an agricultural based community, committed to the
20 loyal stewardship of our land and resources, while being
21 open-minded to the innovations and ever-changing
22 technology of today's world.

23 I speak to you from a somewhat unique position
24 as a former County Board member. I gladly represented

1 the residents of District 1 for over nine years.
2 Throughout my terms, I served on many different
3 committees, as you all do now. My final two years, I
4 served as the board chair, and the last four years, I
5 served on the finance committee. That committee, I
6 felt, had the toughest duties of all my
7 responsibilities. Charged with the development and
8 presentation of a balanced budget every year was no
9 small task. When there was little or no extra funds,
10 trimming budgets sometimes resulted in slashing
11 department budget requests.

12 The new revenues brought in to the general
13 fund from Coles Wind will allow for some possibly less
14 stressful finance committee meetings and greater service
15 to the county's residents.

16 Thank you for your time and commitment of
17 serving on our County Board.

18 Respectfully, Michael ZuHone."

19 A letter to "Kelly Lockhart and the Coles
20 County Regional Planning Commission," dated April 14th,
21 2025, from Andrew McNitt, M-small c-capital N-i-t-t,
22 from Charleston:

23 "I am strongly in favor of granting permission
24 for the development of a wind farm in Coles County. The

1 sad truth is that Coles County has lost over 7,000
2 residents since 2010. This is a 14 percent decline in
3 population. This loss costs us money in a number of
4 ways. State and federal aid formulas frequently use
5 population as a component in determining compensation,
6 and business location firms also look at population
7 trends before deciding to locate in a community.

8 Something must be done to reverse our decline.
9 The wind turbine project offers us a number of benefits.
10 The three million dollars a year in additional property
11 tax revenue will pay for services, which will benefit
12 everyone in eastern Coles County. 100 family units will
13 receive a reliable annual income from the turbines.
14 There will be an additional eight-to-ten well-paying
15 permanent jobs.

16 The risks are minimal. Almost all of the land
17 upon which the turbines will be located will still be
18 available for farming. The company is required to
19 restore the land to agricultural use if they remove the
20 turbines, and they're required to post a bond to pay for
21 restoring the land in the unlikely event they go
22 bankrupt. No other commercial enterprise that is
23 located in this county is required to provide those
24 guarantees.

1 Rural areas of this county are not pristine.
2 They have cell towers, grain bins, fertilizer terminals,
3 and high-powered electric lines, many of which are
4 lighted at night. When we lived in the country, my
5 neighbor combined beans and corn a few yards from my
6 house every year and after buying heavy equipment,
7 proceeded to cut down a woodlot and most of the
8 hedgerows on his property. No one required him to go
9 through an extensive permitting process to do this.

10 Wind turbines are not polluting. They do not
11 require fuel deliveries and do not generate smoke. On
12 two occasions, I have taken the time to drive close to
13 them to hear for myself how much noise they would make.
14 A number of years ago, when I stood directly under a
15 wind turbine in Indiana, it made a whirring noise that
16 was completely drowned out by the sound of the wind when
17 I walked a few hundred yards away from it. A few weeks
18 ago, my wife and I drove up to several wind turbines in
19 Douglas County. When we were about 50 yards away from
20 the turbines, the only thing my wife heard was the wind
21 and the only thing I heard was a faint sound -- a faint
22 turning sound when the wind wasn't blowing.

23 The residents of Charleston and Mattoon on a
24 daily basis deal with more light, more noise, and more

1 trash than anyone living next to a wind turbine.
2 Farmland is a source of income for its owner. Please
3 allow them and the rest of us to profit from this
4 excellent project."

5 That's Mr. Andrew McNitt out of Charleston.

6 "Support for Coles Wind Project" from Cindy
7 Shepherd, Faith in Place:

8 "Dear Coles County Board, attached please find
9 a petition in support of the Coles Wind project that you
10 are considering. The vast majority of those who signed
11 are residents of Coles County and many have attended
12 informational events to hear about the project's impacts
13 and benefits. These events were presented by non-profit
14 groups and held at an area church and on the Eastern
15 Illinois University campus. Civil discussion and
16 data-based resources guided the conversation. It was a
17 pleasure to participate in these conversations with your
18 constituents.

19 Thank you for the time and consideration you
20 are giving to this process and to the future of Coles
21 County.

22 Sincerely, Cindy Shepherd," that's
23 S-h-e-p-h-e-r-d, "Faith in Place."

24 And she has attached a petition. At the top

1 says, "Wind Works for Coles County," and there are a
2 couple of persons who have written their name and then
3 there's a -- an attached list of about 30 persons who
4 apparently signed the petition online.

5 A few more letters and then we've got Facebook
6 messages, so hang tight with me.

7 A letter dated May 6th, from the Charleston
8 Area Chamber of Commerce, President and CEO, Colleen
9 Peterlich, P-e-t-e-r-l-i-c-h.

10 AUDIENCE MEMBER: Peterlich.

11 MR. KAINS: "Letter of Support for Coles
12 Wind-Apex Clean Energy:

13 To whom it may concern, I am writing on behalf
14 of my support for Coles Wind-Apex Clean Energy,
15 emphasizing their ability to strongly add to our
16 community and the environment through renewable
17 resources -- through renewable sources.

18 This will provide a more sustainable tomorrow,
19 the full-scale conversion of our worldwide energy
20 systems into renewable energy sources.

21 The primary antagonist is carbon emissions, a
22 byproduct of burning fossil fuels for electricity,
23 heating, and transportation. By moving in the direction
24 of renewable energy, specifically wind, we can

1 drastically reduce emissions.

2 Moving away from fossil fuels will also curb
3 air pollution which is associated with health, including
4 respiratory problems and premature deaths. Cleaner
5 energy equates to cleaner air and healthier lives.

6 Bringing Apex to the Charleston/Mattoon area
7 will drastically increase school district revenue over
8 the life of the project, while also offering millions in
9 total county property taxes. It will also bring more
10 earning wages during construction, along with almost
11 300 new jobs for the county.

12 The Charleston Area Chamber of Commerce looks
13 to businesses to partner and pursue growth and
14 development for the Charleston area. We look forward to
15 working with Apex Clean Energy for years to come.

16 Thank you for your consideration, Colleen
17 Peterlich, President and CEO of the Charleston Area
18 Chamber of Commerce."

19 A letter dated April 17th, 2025, to the "Coles
20 County Board Members" from Mr. Keatin Foor, who we heard
21 from earlier, from the Illinois L&LC Director of
22 Programs and Operations. L&LC is Land and Liberty
23 Coalition:

24 "Dear honorable Coles County Board Members:

1 In an ever-fluctuating commodity market, solar and wind
2 energy have emerged as critical income sources for
3 Illinois farmers and landowners.

4 It is essential to preserve landowner rights
5 in Coles County so farmers can decide how best to manage
6 their land, whether continuing traditional agriculture
7 or incorporating renewable energy alongside it. By
8 setting aside just a portion of their acreage for wind
9 or solar, many are enhancing their operations while
10 still planting crops or raising livestock. This kind of
11 diversification helps create more resilient farms and
12 long-term stability for rural families.

13 Our state's agricultural success is built on
14 the principle that farmers know how to manage their own
15 land. Whether it's cultivating corn for ethanol,
16 growing soybeans under the sun, or using the wind to
17 generate power, these choices reflect a deep commitment
18 to stewardship and sustainability.

19 The stable, long-term revenue from wind
20 development doesn't just help sustain the family farm,
21 it can bring people back to it. As renewable energy
22 brings new jobs and amenities to rural Illinois, young
23 people would have new opportunities and reasons to stay
24 and build up their communities.

1 I urge Coles County leaders to recognize that
2 efforts to block renewable energy development ultimately
3 infringe on landowners' rights, the very rights
4 closest -- closest to home.

5 Let's ensure land-use decisions stay in the
6 hands of those who know the land the best: The
7 landowners. Together, we can keep Coles County open to
8 economic opportunity and take meaningful steps toward
9 energy independence for Illinois and the nation.

10 We appreciate the board's thoughtful
11 consideration and would be glad to provide more
12 information or answer any questions. Thank you for your
13 continued commitment to the growth and prosperity of
14 your community.

15 Sincerely, Keatin Foor, Illinois Land and
16 Liberty Coalition, Director of Programs and Operations."

17 And undated letter to "Members of the Coles
18 County Board," regarding "The Coles Wind Project
19 Application":

20 "As students from and for Coles County, we
21 want to express our strong support for a rapid and
22 steady shift from fossil fuels to clean, renewable
23 energy, starting right here in our home communities.

24 We are concerned that continued reliance on

1 polluting energy sources will result in risks to our
2 future health, increased chance of property loss from
3 extreme weather events, higher energy costs, and a loss
4 of economic opportunities. Hotter summers, colder
5 winters, loss of topsoil, and contaminated water sources
6 are all consequences of 'business as usual' in meeting
7 our energy needs.

8 On the other hand, wind and solar projects
9 hosted by our county can provide clean, low cost energy
10 to the grid. The project under consideration will
11 produce 300 megawatts of electricity, enough to power
12 103,000 homes, which will make our power grid more
13 resilient and more reliable. And the actual farmland
14 taken 'out of production' during the life of the project
15 is less than seven acres. Coles County farmers can
16 continue to farm, while also producing a new crop:
17 Electrons to power homes and business.

18 Please vote to approve the application for
19 Coles Wind." And it is signed by five students, four of
20 whom are from Charleston High School, one of whom is
21 from EIU.

22 Next, we have a couple of newspaper articles.
23 They were letters to the editor, who found their way to
24 Mr. Lockhart, and I will read them.

1 "In Support of Coles Wind," doesn't say who
2 it's from. I don't know if it's an op-ed piece from the
3 paper or if it's submitted by someone. I'll read it for
4 what it's worth:

5 "In Support of Coles Wind: Independence and
6 resilience have long been central to our American
7 identity, and here in Coles County, we have an
8 opportunity to more fully embrace those values. That's
9 why I support Coles Wind, which will make our community
10 more resilient while keeping our energy dollars close to
11 home.

12 Wind is an important component of an
13 'all-of-the-above' energy approach, working in tandem
14 with other energy sources to provide a diverse and
15 stable power grid that will help keep the lights on.
16 Investing in wind power means investing in long-term
17 stability for Coles County's economy and our energy
18 infrastructure.

19 Wind power is a homegrown solution that
20 reduces our dependence on volatile foreign energy
21 markets that don't have our best interests at heart.
22 And projects like Coles Wind protect us from rising fuel
23 costs and supply disruptions. By harnessing the wind
24 right here in Coles County, we can produce reliable,

1 American-made electricity that strengthen -- strengthens
2 both our local economy and our national security."

3 A letter from Jack Pierce of Mattoon: "Ten
4 Reasons Not to Have Wind Farm [sic]:

5 They are not economically feasible and cost
6 prohibitive.

7 They've been highly subsidized by the last
8 administration. It might be well to look into who has
9 received these massive subsidies.

10 Technology moves swiftly, and new means of
11 generating electricity may be on the immediate horizon,
12 rendering these windmills obsolete.

13 They require a higher degree of maintenance
14 than other forms of power.

15 They produce objectionable noise for those
16 living nearby.

17 The underground electric cables from the wind
18 turbines prohibit additional agricultural tile feeder
19 lines from being installed.

20 Outlets of field tile lines miles away may
21 become damaged by the construction turbines some
22 distance away from the farms.

23 Massive oil leaks from these turbines can
24 damage crops many yards away from their sort -- source.

1 These giant behemoths are not pleasing to the
2 eye of those who must live among them for years to come.
3 A decrease in value of property.

4 There is no absolute assurance, to me, that
5 Apex will not declare bankruptcy and abandon this
6 project like Trailmobile has done." From Jack Pierce of
7 Mattoon.

8 (Pause.)

9 MR. KAINS: A letter from Mr. Bryan Callaway,
10 C-a-l-l-a-w-a-y, of Charleston:

11 "Dear County Board Members: I am writing to
12 express my strong support for the proposed wind farm
13 project in northern Coles County. As a -- as a
14 community member who values sustainable development and
15 environmental stewardship, I believe this initiative
16 represents a vital step towards a cleaner, more
17 energy-secure future for our region.

18 The environmental benefits of wind energy are
19 well-documented. By harnessing the power of wind, this
20 project will provide a renewable, clean energy source
21 that reduces greenhouse gas emissions and lessens our
22 dependence on fossil fuels. This aligns with the urgent
23 need to address climate change and to transition towards
24 sustainable energy solutions for the sake of future

1 generations.

2 In addition to its environmental impact, this
3 wind farm offers numerous economic advantages. It has
4 the potential to create local jobs, both during
5 construction and ongoing operations, while also
6 generating revenue for the community through taxes and
7 land lease payments. These benefits contribute to a
8 stronger, more resilient local economy.

9 Moreover, wind energy is a safe and efficient
10 power source. The proposed project has been designed to
11 minimize any potential impacts on local wildlife and
12 residents, ensuring that it integrates seamlessly into
13 our community.

14 By embracing wind energy, we demonstrate our
15 commitment to innovation, sustainability, and progress.
16 I wholeheartedly support this project and urge the
17 relevant decision-makers to approve and move forward
18 with its implementation.

19 Thank you for considering the views of the
20 community members on this important matter. If there is
21 anything further I can do to assist or advocate for this
22 initiative, please do not hesitate to reach out to me.

23 Sincerely, Bryan Callaway." Bryan, by the
24 way, is B-r-y-a-n.

1 Okay, this undated letter -- "Hello, this is
2 Connie Winslow. I live in Coles County, three miles
3 south of Hindsboro. I continue to read and gain more
4 knowledge on wind and solar energy. Below, I have
5 shared two web page videos I came across yesterday.
6 They are from Changing Wind Fairhaven Facebook page.
7 The location of the wind farm area is around Fairhaven,
8 Massachusetts. You should be able to copy and paste
9 them in your internet browser and open them up.

10 In this first video, under 30 minutes, is a
11 gentleman, Curt Devlin --" Curt with a "C" -- "Devlin.
12 He is speaking at a recent board meeting. With his
13 knowledge, background, and experience, he has done a
14 good job in explaining how and why the wind turbines
15 make a low frequency sound that can and has affected
16 many residents who live around turbines. He is the
17 first person I have listened to that has made it more
18 understandable for me on why this happens, and basically
19 says you cannot keep the noise from happening or from
20 affecting most people. The only way is to not have the
21 wind turbines moving.

22 They have been dealing with them for over 12
23 years, and their turbines are 200 feet shorter than the
24 ones proposed for the Coles Wind project. He suggests

1 they shut the area wind turbines down. If they want to
2 replace them in order to still receive some monetary
3 income, they should request that they take them down and
4 replace them with solar panels. I guess this energy
5 company has both.

6 In the second video I have attached, it is a
7 longer video. This video was taped a couple of months
8 previously before the first video I have attached. This
9 earlier meeting was held with the health department. It
10 has a couple of people in the beginning of the video who
11 give testimony to the issues they have from living with
12 the turbines.

13 As the turbines age and get worn, they are
14 getting louder. It sounds like they have to turn the
15 turbines off for repairs and people noticed their
16 symptoms and health improved. Once they were working
17 again, their symptoms and issues started returning.

18 Then, after those few people speak, Curt
19 Devlin gets up and in even more detail, gives an
20 explanation of how and why wind turbines create
21 low-frequency noise and the health effects it's having
22 on people. I heard some of the residents in the video
23 say they have had people have to move out of the area
24 because they and their families cannot sleep well and

1 have different health problems from the effects of
2 turbines.

3 I found the videos very interesting to hear
4 Mr. Devlin's detailed explanations and the personal
5 experience from local residents. I thought you might
6 appreciate it as well and wanted to share it with you.

7 The last information I debated about sharing
8 this, but decided maybe I should go ahead. I wanted to
9 make you aware of the bragging and intimidation the Apex
10 employees are continuing to do in our area the past
11 couple of months. I know a few of their names. One was
12 an Apex expert witness, Jason Conley, health and safety,
13 and one is Ray Hoover, Senior Public Engagement Manager.
14 The others we see around here, we don't know their
15 names. We see them in the courtroom at the hearings.
16 These guys come out here in their -- in the country in
17 their pickup trucks either just creeping along, staring,
18 or burning rubber driving too fast. We see them
19 sometimes up at the Hindsboro little store. They get
20 all proud and cocky and tell us it's a done deal, it's
21 over. They like to smirk and laugh.

22 Some of the neighbors believe the Apex mens'
23 intimidating words and observe them all around the
24 countryside and in the fields. These neighbors tell us

1 they don't want the wind turbines either. We invite
2 them to come to the meetings. They tell us we are just
3 wasting our time. We don't need to bother going to the
4 meetings, asking questions, doing our research, and
5 sharing our thoughts and testimony with the board. They
6 tell us the board doesn't care what we think or care
7 about what we want way out here. These neighbors
8 surprised us by saying some of the board members have
9 probably been offered money or threatened.

10 We tell them we don't believe that. Our board
11 does care about us. They respect us. They are
12 learning, researching, and want to hear from us. They
13 want to understand our side and the reason why we have
14 chosen it. They care about our families' lives and
15 health. They represent us.

16 We appreciate the committee and the board
17 members' time they are giving for each meeting and the
18 opportunity they are giving us. We have told these
19 other residents, who have a defeated attitude, that they
20 would not have this public hearing if it was a done
21 deal. The committee and board wants to hear both sides.
22 They want to learn from us what we have learned. There
23 are steps and a process the county has to go through.
24 They tell us we hope we are right and these Apex bullies

1 are just blowing hot air.

2 Thank you very much for reading my message,
3 for listening to these videos, and for all the long
4 hours you have given to just this one project over the
5 last few years.

6 I hope you have an enjoyable weekend.

7 My 86-year-old aunt likes to keep her driving
8 skills up. She just called. She's been to some yard
9 sales. She said she is coming down here to see me. She
10 likes to drive down a couple times a year on Route 130
11 because it has less traffic. Her husband was my dad's
12 brother. They were both born here on the farm where I
13 live. They could never have children, just spoiled many
14 puppy dogs. She has a cute, fuzzy lapdog now. I go up
15 to Champaign and take her out several times a month to
16 eat, and we go to Menards and other stores to get her
17 things. Today she wants to try Yoder's at Arthur and go
18 to some stores. So, my weed-eating and now all my trees
19 will wait till another day.

20 Thank you again, Connie." And she lists two
21 links to videos.

22 All right, now we have Facebook messages that
23 have been sent in to either Mr. Lockhart or Chairman
24 Watts. I am gonna read them, but I think we're gonna

1 take a break. It's 7:21, let's recess until 7:30, give
2 us just a little bit of time to stretch. We're in
3 recess until 7:30. Thank you.

4 (Recess.)

5 MR. KAINS: All right, we're back on the
6 record. During the recess, Mr. Miller brought forward a
7 piece of paper. While I would not allow it as evidence
8 because evidence and testimony are done, it is a written
9 public comment. And it's fairly brief. It was written
10 by Mr. -- I hope I pronounce it right -- Leonidas?

11 MR. MILLER: (Raises hand.)

12 MR. KAINS: L-e-o-n-i-d-a-s H. Miller, dated
13 April 28th, 2025, a letter to the editor that did not
14 get published, but a letter nonetheless, and it will be
15 read into the record as written comment: "Windmills and
16 Water:

17 Editor: Jack Pierce, P-i-e-r-c-e, wrote well
18 with his objections to windmills as they take over more
19 prime farmland. From his lifetime of farming, he knows
20 how damaging windmills can be. Others object to their
21 noise pollution. A century ago, local farms found
22 windmills useful for pumping water. Their purpose was
23 defined and limited and made no pretensions of larger
24 things.

1 Pierce hints at better energy sources 'on the
2 immediate horizon.' Nuclear energy? It is carbon-free
3 if some environmentalists have carbon dioxide, CO₂, in
4 mind, but we keep hearing they do not have nuclear power
5 in mind. A resistance to its use is done while ignoring
6 the U.S. Navy's huge successes with nuclear power since
7 the year 1954.

8 Some believe that oil and natural gas pollute.
9 The joker is that at least one environmentalist does not
10 see CO₂ that way. The founder of Greenpeace, Patrick
11 Moore, says that we have a shortage of CO₂ in the air
12 and that plants are dying because of the shortage.

13 So, what is this big push for solar and
14 windmills? They sacrifice huge acres of prime farmland.
15 They ignore Patrick Moore's finding of a shortage of
16 CO₂, which results in a threat to plant life. They
17 reject carbon-free nuclear power. What is happening
18 here? An unusual level of dirty politics? People need
19 an ample and steady source of electrical energy. Wind
20 and solar fail and do it at a huge expense to money and
21 farmland."

22 April 28th, 2025, from Leonidas H. Miller.

23 All right, also during the recess --

24 MR. MILLER: Thank you very much, sir.

1 MR. KAINS: I'm sorry?

2 MR. MILLER: Thank you very much, sir, for
3 your...

4 MR. KAINS: Oh, yes, sir.

5 And during the recess, Mr. Lockhart told me
6 that most of the following are emails that were either
7 sent to him or to members of the Coles County Board.

8 From Ellen and Keith Wolcott, W-o-l-c-o-t-t:
9 "Dear Mike Watts, we can't attend the board meeting next
10 Monday, but we would like to express our support for the
11 Coles Wind project. Our society needs to increase our
12 sources of renewable energy in order to wean us off
13 fossil fuels and lower our carbon dioxide emissions. We
14 would be so proud to see Coles County doing its part to
15 mitigate the climate crisis.

16 Sincerely, Ellen and Keith Wolcott."

17 Okay, the next one is an email to Mr. Watts
18 from "Luke and Meg Taylor, Coles County resident and
19 farmer":

20 "Coles County Board Member, Michael Watts:
21 We're starting to see hints of spring here in central
22 Illinois, which means time outside with beautiful blue
23 skies that stretch on and on. Living in rural Illinois,
24 that's the perk. Yes, we make long drives for groceries,

1 kids activities, sports, and doctor appointments, but
2 living in the middle of God's creation makes it worth
3 it. The beauty of our landscape cannot be replaced, but
4 it can be taken away, and with the prospects of adding
5 wind turbines, so can our health and general well-being.

6 As we look at the idea of adding wind turbines
7 to the current beautifully wide open landscape, we need
8 to be asking questions, a lot of them, and not just
9 questions that leave those with pockets eager to be
10 filled, salivating at the thought of quick money.

11 That's the thing. Whether it's a conversation
12 on wind or solar, money, and lots of it, always is the
13 forefront leading the conversation.

14 You have to ask yourself, why do these
15 companies promise such large amounts of money? If you
16 take the time to reflect, honestly the answers are
17 pretty easy ones. Because, despite what the wind
18 companies try to tell you and sell you, wind turbines
19 are bad for property values, disruptive to humans and
20 wildlife, initiate adverse health effects, and disrupt
21 the land. So, they flash the cash around, hoping
22 everyone will look the other way, while they push
23 through a project that will forever change the lives of
24 those living near them.

1 It is your responsibility as a board member to
2 look past the money, past the polished presentations,
3 and at the whole picture. It is your responsibility to
4 dig deeper, research independently, look at communities
5 that have in the past said 'yes,' communities that have
6 said 'no,' and the reality of the situation, not just in
7 the short-term, but long-term as well, and to ask good
8 questions as you do so.

9 When someone comes into a community with this
10 big project, promising big money and painting a picture
11 that is nothing but pretty, there are usually hidden
12 ugly parts, and it's up to you to dig for them, pulling
13 them out into the light of day and decide if they are
14 worth accepting or not. I hope you have been digging
15 and taking this job very seriously. The responsibility
16 of discernment is a big one."

17 And this is all in bold print: "I realize
18 that Governor Pritzker pushed through -- pushed
19 legislation through the Illinois legislature in 2023
20 that would seem to override your role as a county board
21 member. But has anyone actually pushed back on that?
22 Has anyone asked about the constitutionality of this
23 legislation? Pritzker has gotten a lot done in this
24 state on the backs of conservatives that are afraid of

1 being sued by the State. There's a famous quote that
2 has no known author, quote, 'Don't let a wishbone grow
3 where your backbone should be,' end quote. It's a good
4 one to remember when things get tough. Someone has to
5 keep their backbone. This is one of those times.

6 Let's talk about money.

7 What does Coles County truly need? What does
8 Coles County have to offer? What is the current
9 financial outlook within the communities and schools of
10 Coles County? If we are struggling financially, it
11 would be wise to first look at spending before looking
12 at another source of revenue.

13 How do you deal with a financial situation in
14 your home? What do we want to impart on our children?
15 Go get a second or third job whenever you -- whenever
16 you have a financial issue or do we want to teach them
17 to steward what they have well? One of the greatest
18 assets central Illinois has to offer is rich farmland.
19 Would adding wind turbines be a move toward excellent
20 stewardship of the land or degradation?

21 We need to consider this. First, because our
22 children are learning from our actions. There is a
23 giant lesson that will be literally looming over them
24 for decades to come if we allow this. Second, while

1 these companies claim the wind turbines provide
2 'renewable' energy, that money isn't, it will run out.
3 It's not 'renewable.' When you learn to lean on
4 something that goes away in a few short decades, better
5 stewardship looks to be a better option.

6 This, to me, looks like a quick fix to
7 finances that bring many new issues into the community
8 along with it and gains our dependence on a temporary
9 geyser of cash.

10 But what about the temporary influx of jobs?

11 There is a strong emphasis on the word
12 'temporary.' The population that would likely benefit
13 from new jobs coming into the county isn't who these
14 jobs will go to. Often in government, the 'job
15 creation' phrase gets thrown around to add some sparkle
16 to things that 'they' are trying to push through. No
17 one ever talks about who actually needs work and who is
18 benefiting from these jobs. In this case, it won't be
19 jobless -- it won't be the jobless of Coles County.

20 Is green energy green like nature or green
21 like money?

22 Since sustainable is such a buzzword, let's
23 clarify its use. 'Sustainable,' in the case of wind and
24 solar companies, is often used in place of the word

1 'profitable.' As fossil fuels become socially
2 unacceptable to push for, fossil fuel companies usually
3 need a different niche in order to maintain profitability.

4 Many changed over -- many changed over as a
5 business decision, a financial decision, period and new
6 companies popped up to cash in as well. There is big
7 money in wind and solar both. One prominent wind
8 company has explained, and I'm paraphrasing, 'It's not
9 just governments that drive change, it's governments
10 partnered with business.' Government subsidies and
11 government funding. Wind and solar companies don't
12 stand on some moral high ground going -- 'going green,'
13 as in sustainable. They are after green, the color of
14 money, and sustainable as in the sustainable business
15 model, as long as the government keeps shelling out cash.

16 So, how sustainable are wind farms?

17 I've argued for years that common sense would
18 tell the common person it doesn't make sense. Just
19 watching roads be widened, load after load of rock that
20 has to be mined and hauled in, massive amounts of
21 concrete, semis for each blade (some of which are barged
22 over from across the world), a 'wide load' vehicle for
23 each. The Newman, Illinois, wind turbines were too tall
24 for the available crane to reach, so a new one had to be

1 brought over from Europe just for that project. Giant
2 batteries to house the energy that are manufactured
3 after the mining of minerals throughout the world, and
4 the list goes on and on. Do you know what is used to
5 lubricate the constantly moving parts? Oil. All this,
6 and you still have situations like the Texas freeze in
7 2021. The images of helicopters flying over to spray a
8 fossil-fuel-based deicer on the turbines was a visual
9 oxymoron.

10 After their lifespan is up, the turbines are
11 abandoned or torn down. The blades in most cases, due
12 to their fiberglass makeup, can't be recycled at all.
13 Some parts can, but currently, according to what I've
14 read, only a small percentage can be handled, so they
15 are buried. Look into the Wyoming turbine grave sites.
16 It doesn't look very green like nature.

17 Our friends live near one of the first wind
18 farms in Indiana. It's sad how it's changed the
19 landscape. That's one thing people think about, the
20 landscape. People don't think about the poor cell phone
21 service around wind farms, the shadow flicker (which
22 I'll explain further), the infra-noise, potential
23 interference with weather service and alert systems.

24 Shadow flicker is the constant dark light,

1 dark light, dark light as the turbine turns. Imagine
2 sitting in your living room on a sunny day and there's a
3 shadow coming and going constantly, almost as if you are
4 turning a light on and then off again. This is not
5 healthy. Yes, there are terms the company is supposed
6 to comply with, but people aren't always just sitting in
7 their home.

8 Many of these companies say things like,
9 'There are no peer-reviewed studies indicating wind
10 turbines have ill effects on any mammals.' This is
11 tricky wording. No study just means no study. It
12 absolutely doesn't mean that they have proven -- been
13 proven safe. It simply means they haven't tried.

14 There is evidence showing negative impacts on
15 health of humans, both through published studies and
16 anecdotal evidence. Infrasound is real and does have
17 impacts on sleep and general well-being. When a project
18 was pushed and ultimately shut down in Edgar County, an
19 out-of-county family came to speak, who originally was
20 for the wind turbines, but after they were up and
21 running, started to lose sleep and feel like they were
22 going insane. They moved out of their home on Christmas
23 Day, it was that bad. There is a well-done study
24 showing how exposure to infrasound from wind turbines

1 causes chronic inflammatory conditions and possibly
2 cancer (*it is linked at the end of this letter*).

3 Additionally, the turbines themselves generate
4 a large electromagnetic field. When they fired up the
5 turbines at Newman, a resident who has an implanted
6 pacemaker/defibrillator was suddenly experiencing
7 recurring shocks." This is a summary of testimony of a
8 witness who previously testified.

9 "Another one, 'wind has no effect on property
10 values.' Well, I would never look at a home next to a
11 wind farm. I know many others like me. I'd say that
12 limits our already limited market, ultimately impacting
13 property values. Less people willing to buy homes next
14 to turbines is going to change property value.

15 Farmland values will -- will absolutely be
16 impacted. Ask any farmer who has farmed around turbine
17 sites, the compaction is significant and the soil will
18 never be the same. One local farmer has shared about a
19 duck pond he now farms around on a once well-drained
20 piece of land.

21 Do we share the same goals?

22 Many of these companies, whether they truly
23 believe it or are just giving lip service to keep a
24 paycheck, speak the current 'climate change' lingo.

1 They talk of decarbonization, limiting 'intense animal
2 farming,' and abating sectors like farming."

3 And she defines the word "abate."

4 "When wind and solar companies come in, do we
5 focus so lightly -- so tightly," rather, "on the promise
6 of short-term financial gain that we are simultaneously
7 blinded to the fact that we are likely partnering with a
8 company whose principles differ in such a way that we
9 are unintentionally promoting the demise of the
10 long-term financial stability of our county?

11 When you look the vision of widespread wind
12 and solar, does that align with our community vision?
13 Does what keeps them going also keep us going or are
14 they in direct conflict? Are we promoting the end of
15 farming as we know it, which, to be honest, is already
16 under attack?

17 We must always zoom in to look at the fine
18 details, then zoom out to see the big picture and how
19 those details impact the existing world around us.

20 Our current -- our culture currently has an
21 obsession with causes and a tendency to elevate them
22 above everything but money. When a cause coincides with
23 profitability, you have a gold mine. This is what we
24 have here. The big question is, is it truly good? I

1 and many others don't think so. But what sounds good is
2 all that matters to most. Once it meets the social
3 standard of a good cause in a cause-oriented society,
4 people easily set aside critical thinking and get on
5 board.

6 The biggest tactic wind and solar companies
7 use is attending every meeting that discusses energy and
8 political issues. They try to form a grassroots effort
9 and form relationships with the community members. It's
10 their job. Their time is 100 percent allocated to doing
11 whatever it takes to sell you on their project.
12 Meanwhile, local residents are busy with their
13 respective jobs and have but a few minutes here to
14 dedicate to research and rebuttal.

15 I don't have any tactics, but I have
16 principles, common sense, and a backbone. I hope you'll
17 take the time to look beneath the tactics of this
18 company and listen to the rural residents of Coles
19 County who will be impacted by your decisions every day
20 to come.

21 Thank you, Luke and Meg Taylor, Coles County
22 resident and farmer."

23 And there are a number of links, and then she
24 writes, "Statement from a friend: Years ago, there was

1 a proposal for a wind project proposed back in my
2 hometown in Indiana. I asked one of the local farmers
3 who was very much in favor of it, 'How many times does
4 someone come to town with their business offering money
5 to the whole community? What kind of businesses do you
6 think needs to pay a whole town off in order to be
7 welcome there?' The answer was, 'One no one else wants.
8 One that is not actually good for the community or the
9 land.' That was well over a decade ago. The community
10 came together against it and no one regrets it."

11 Here is a -- an email to Chairman Watts from
12 Susan Custer: "Dear Michael, we are one of the families
13 that will be affected by these wind turbines. When we
14 first heard that this was a possibility, it was to be
15 the way -- it was to be way to the west of us, but now I
16 find they are right on top of us. They never came by to
17 see how we would feel about anything that we love being
18 taken away. We moved out here for no other reason but
19 the wide open space. Nothing obscuring your view of the
20 sky, but now I find it may all be taken away so someone
21 else can put money in their pockets.

22 Why must we lose what God gave us? This
23 beautiful open prairie. When they put the wind turbines
24 in Douglas County, well, there went that view. We can

1 see all the red lights to the north, looks like a giant
2 landing strip, now I am having to look at them in front
3 of my house. I have cried so many tears over how this
4 is going to affect us. I don't think people really
5 understand what has to be given up and who has to give
6 it up.

7 We talked to a friend that, in his words, was
8 paid hush money not to talk bad against Apex. Apex
9 calls this 'good neighbor money,' but that's not what
10 our friend calls it. He did keep it hush from us,
11 now -- so now we don't consider him a good friend
12 anymore. I hope the \$3,000 a year for the next five
13 years was worth it.

14 That's how this company works. Do they really
15 care? Please vote 'no.' Open sky is worth more than
16 they are offering.

17 Sincerely, Susan Custer."

18 An email from Kerry and Carol Chaney,
19 C-h-a-n-e-y, Tuttle, T-u-t-t-l-e, it's Kerry, K-e-r-r-y,
20 from Peoria, Illinois: "I would like to offer support
21 for the alternative energy project proposed by Coles
22 Wind. Although wind towers may or may not be the answer
23 to our future energy needs, it is at worst a step
24 forward in addressing the problem. Apex seems, by all

1 accounts, to be a responsible manager in construction
2 and management. Having been born and raised in the
3 Arcola area and being a landowner in Coles and
4 Douglas Counties, my wife and I fully support the Coles
5 Wind project. Kerry and Carol Chaney Tuttle, Peoria."

6 This is from Tom Fehrenbacher,
7 F-e-h-r-e-n-b-a-c-h-e-r, manager of Fehrenbacher, LLC,
8 Olney, Illinois: "I'm a Coles County landowner and have
9 leased my land to Coles Wind for the purpose of building
10 and providing a new energy source because I believe in
11 what wind energy can do. Apex Clean Energy has
12 submitted a Special Use Permit application for Coles
13 Wind. Soon, you will be asked to approve this
14 application.

15 As a 12-year former mayor of the City of
16 Olney, Illinois, I have seen the benefits of an -- of an
17 industry which has 800 employees and 125 truck drivers
18 locate in our city. Our community prospered with the
19 benefits of this tax base. It improved our
20 infrastructure and provided the funding, with some
21 careful planning, so we did not need to increase the
22 real estate tax rate. The Coles Wind project would
23 bring much -- underlined and bolded -- "would bring
24 much more revenue without the need to make concessions

1 for them to locate in your county.

2 I am contacting you to ask you to approve this
3 Special Use Permit. The benefits of this project will
4 be almost immeasurable. It will create tax revenue for
5 Coles County, new jobs while under construction and
6 long-term, and a clean and healthy source of energy
7 which is safe for wildlife and the environment.

8 Coles Wind is a well-designed project that
9 meets all local, state, and federal requirements.
10 Please help secure the future of your community by
11 voting 'yes' and approving the Coles Wind special
12 unit -- Special Use Permit. With all of the benefits
13 and none of the concessions on this multi-million-dollar
14 opportunity, I can -- cannot see why this would not be a
15 win-win for your county.

16 Tom Fehrenbacher, Olney, Illinois."

17 This from Lisa Hugg of Charleston: "Hello, I
18 am emailing in support of wind energy coming to Coles
19 County for our environment, for the jobs it will
20 provide, for our future. Lisa Hugg," H-u-g-g, of
21 Charleston.

22 This next email is from Mr. Tom Sherman: "I
23 realize we have in place a wind turbine ordinance, and
24 there are draft ordinances for solar panel and Battery

1 Energy Storage System projects as well. I would
2 encourage the full board to get these in place, as
3 stringent as possible, as soon as possible. In
4 addition, an ordinance to prevent or at least severely
5 restrict data centers from being constructed needs to be
6 implemented for our county as well.

7 We, as residents and taxpayers, have
8 absolutely no protections from wind turbines, solar
9 panels, BESS --" that's the battery storage issue --
10 "and data centers. Only you 12 County Board members can
11 limit, restrict, and deny these projects.

12 Specifically, with the wind turbine
13 application from Apex, there are 62 proposed sites, with
14 51 possible wind turbines. Less than a half of those --
15 half of these are owned by citizens/voters in Coles
16 County. A huge majority don't live here, don't vote
17 here, don't work here, and don't spend money here in our
18 county. This equates to less than half a percent of the
19 population of Coles County. We ask you to protect our
20 county. Protect our citizens and voters that live,
21 work, and do business here in Coles County. You can and
22 should deny this application from Apex. Please consider
23 your obligation and duty to serve those here in our
24 county.

1 Thank you, Tom Sherman."

2 By a Facebook Messenger: "Hello, my name is
3 Judith Young. I am a farmland owner in Seven Hickory
4 Township. My sister Nancy Tippitt," T-i-p-p-i-t-t, "and
5 I recently received a letter from you informing us of a
6 meeting on March 17. This letter was in regards to the
7 Coles Wind project.

8 As I am currently in Texas and I'm not sure I
9 will be able to attend, I would like to know if
10 President Trump's recent executive order regarding the
11 U.S. wind power industry will put a stop to the Coles
12 Wind project. My sister and I have not agreed to the
13 install of a wind turbine on our land and we are
14 vehemently against it. Any information you can share
15 with me will be greatly appreciated."

16 And for the record, by way of clarification,
17 the President's executive order didn't -- does not apply
18 to this project because it is not on federal land, nor
19 being funded by the federal government.

20 An email from Brad Walk to Kelly Lockhart:
21 "Hi, Kelly. Thank you for reading my message. My name
22 is Brad Walk. I live in --" hope I get this right --
23 "Sigel," S-i-g-e-l, "Sigel, Illinois, and own land that
24 Coles Wind will potentially build turbines on.

1 It's always important to listen to everyone's
2 concerns about wind or solar being built in the
3 community. The same situation recently occurred in
4 Cumberland County with solar. Bottom line: Landowners
5 should have the right to decide what to do with their
6 land. As a livestock producer, in a lot of ways this is
7 similar to getting approval to construct a building to
8 produce livestock. No one ever wants these things near
9 them, but they want to enjoy the benefits they provide.

10 Thank you, Brad Walk."

11 A phone message from a Kathy Thomas, basically
12 saying that Kathy and her husband are in favor of the
13 project.

14 All right, a -- an email from Sandy Deters,
15 D-e-t-e-r-s, from the Embarras River Basin Agency in
16 Greenup:

17 "Dear members of the Coles County Board and
18 Planning and Development Committee, please read this
19 email in support of Coles Wind. I attended the meeting
20 on Monday night, March 17th, and was instructed to email
21 my comments.

22 On behalf of the Embarras River Basin Agency,
23 Inc., ERBA, Housing Counseling Department, I am writing
24 to express our deepest gratitude and support for Coles

1 Wind. Their generous donation to our Housing Counseling
2 Department has been a wonderful contribution to our
3 mission of empowering low-income and at-risk families in
4 rural south-central Illinois.

5 ERBA is dedicated to fostering stability,
6 self-sufficiency, and a better quality of life for
7 families and individuals facing economic challenges.
8 Through our Housing Counseling Department and programs,
9 such as the Financial Literacy Initiative, we are
10 addressing critical barriers faced by rural communities,
11 including limited access to housing resources, financial
12 educational, and technology.

13 Coles Wind's investment in our work has
14 enabled us to expand the reach and impact of our Housing
15 Counseling Department. Their support has provided the
16 funding necessary to assist families in overcoming the
17 challenges of online housing applications, especially in
18 areas with limited technology access. Also, providing
19 one-on-one financial counseling, workshops, and
20 personalized support.

21 These contributions directly address the needs
22 outlined in our recent community needs assessment, which
23 found that over 50 percent of families are eager to
24 improve budgeting and money management skills, while

1 more than 25 percent seek support in improving their
2 credit. Thanks to Coles Wind, we are now better
3 equipped to provide the guidance and resources necessary
4 to help families achieve housing stability, financial
5 literacy, and long-term security.

6 Beyond the tangible benefits, Coles Wind's
7 partnership demonstrates a commitment to fostering
8 trust, collaboration, and meaningful community
9 development. Their contribution exemplifies the kind of
10 private-sector support that strengthens the social
11 fabric of our community and creates lasting impact for
12 generations to come.

13 We encourage the Coles County Board and
14 Planning and Development Committee to recognize the
15 importance of Coles Wind's contributions to our region.
16 Their support of ERBA has not only empowered families to
17 overcome barriers to self-sufficiency, but has also
18 advanced our shared vision of a thriving, stable, and
19 resilient community.

20 Thank you for your time and consideration. If
21 you would like additional information about the impact
22 of Coles Wind's donation on our programs, I would be
23 happy to provide further details.

24 Have a blessed day. Sandy Deters,"

1 D-e-t-e-r-s, "ERBA Housing Counseling Coordinator, the
2 Embarras River Basin Agency, Incorporated, in Greenup."

3 An email to Kelly Lockhart from Annalisa --
4 it's one word A-n-n-a-l-i-s-a -- Switzer -- perhaps
5 Switzer, S-w-i-t-z-e-r: "Hi, Kelly. I live in Coles
6 County on 2080 East just south of Route 16, and I wanted
7 to voice my strong support for the proposed wind farm.

8 You may remember me from a few of the county
9 solid waste meetings I attended in 2019 (you'll see my
10 name on the attendance list for the January 11th, 2019,
11 meeting and a couple others).

12 It is my opinion that all the opposition to
13 the proposed wind farm is political. Not that all the
14 arguments against it are invalid, but they are certainly
15 much less valid than the arguments against the FutureGen
16 project that had such universal strong support. It
17 seems like the arguments against the wind farm all boil
18 down to 'not in my backyard,' which I can understand,
19 but disagree with. I'd love for Coles County to boast
20 of a wind farm.

21 I'm sure a lot of people will bring up bird
22 deaths as a reason not to build wind farms, and I'd like
23 to give some prospective to that objection.

24 Yes, wind turbines do cause bird deaths, but

1 the number is miniscule compared to the fossil fuel
2 industry (let alone windows and free-range cats).

3 Studies have shown that wind turbines cause
4 0.269 bird deaths per gigawatt-hour of electricity
5 produced, while the fossil fuel industry causes 5.18.
6 So, ten times as many birds are killed by fossil fuel
7 generation of electricity as by wind turbine electricity
8 generation. Windows and cats cause 2,000 and
9 10,000 times as many bird deaths, respectively, as wind
10 turbines.

11 So, replacing some fossil-fuel-generated
12 electricity with wind-generated electricity will
13 actually save bird lives in a very significant way."
14 And there is a link to some website about not killing
15 birds.

16 "If you have any question for -- questions for
17 me or think that I can help move this project forward,
18 please don't hesitate to contact me.

19 Thanks, Annalisa Switzer, Charleston."

20 From Dorothy Macy, M-a-c-y, of Charleston:

21 "Hi, I am Dorothy Macy, and I have lived in Coles County
22 for over 29 years. My three children, Nathan, Aaron,
23 and Stacia --" S-t-a-c-i-a -- "received most of their
24 K-12 education in the Charleston public schools. Our

1 Charleston public schools provided a great springboard
2 into their adult lives.

3 I want the Apex Wind special permit approved
4 because it is a source of clean energy that is expected
5 to provide 43 million dollars of new tax revenue for our
6 Coles County public schools. Our schools will continue
7 to need money to educate our youth, and this new revenue
8 source will provide money to Coles County public schools
9 and it will keep my Coles County taxes down.

10 I also understand the landowners have already
11 voluntarily signed all the leases Apex needs to complete
12 the Apex Wind project. It pleases me to know these
13 landowners will see significant revenue for leasing
14 their land for the Apex Wind project. This revenue will
15 increase their profit and, in some cases, enable them to
16 keep farming.

17 Thank you for considering my thoughts.
18 Sincerely, Dorothy Macy of Charleston."

19 An email to Kelly Lockhart from Robin Murray:
20 "This is Robin Murray, Emeritus Professor from EIU and
21 Charleston, Illinois, resident writing in support of the
22 Coles Wind project.

23 The benefits of wind power are quite clear and
24 include clean renewable energy, lower costs than other

1 energy sources, employment opportunities --
2 opportunities, and minimal environmental impacts.

3 Wind is everywhere, as we know, and wind
4 turbines take little land to generate good, clean
5 energy. Their impact on wildlife is lower than any
6 fossil fuel energy source, and even any impact on birds
7 can be mitigated by turbine changes. As multiple
8 sources note, including governmental sites and clean
9 energy experts, 'Wind power is, in fact, the green
10 source with the lowest overall impact because any
11 emissions and consumption of resources is limited solely
12 to the production, transport, and installation of the
13 plant. Moreover, in many countries, there are
14 certifications that must be obtained prior to beginning
15 work on a wind power project in order to ensure that any
16 collateral effects on flora and fauna are kept to a
17 minimum. While in the majority of cases, wind turbines
18 are installed on mountains, on hills, or at sea, when
19 they are located in fields or on gentle inclines, the
20 land still can be used for cultivating crops or as
21 pasture for animals without creating any disturbance to
22 either activity.'

23 Even the noise from the rotating blades is
24 low-level and the aesthetics is being mitigated (although

1 the beauty of the rotating turbines depends on taste).

2 Why wouldn't we want air we can breathe
3 without pollutants that cause multiple illnesses? Give
4 wind power a try and support Coles Wind.

5 Thank you, Robin Murray."

6 From Dean Nelson to Kelly Lockhart: "Hi,
7 Kelly. I am a Coles County landowner and I want to
8 express my support for the Coles Wind project. Please
9 vote 'yes' and approve the Special Use Permit
10 application for Coles Wind.

11 Best regards, Dean Nelson."

12 An email from Darrell, D-a-r-r-e-l-l, Honn,
13 H-o-n-n: "With the meetings still going on about the
14 Coles Wind project, I wanted to contact you and express
15 my support for the wind farm. Our family has a long
16 history of landownership in Seven Hickory Township for
17 150-plus years.

18 Over the last several years, I have lived and
19 worked around three different wind projects from the
20 construction phase to full operation. Each of these
21 projects created minimal impact on the normal activities
22 of the people living in the project areas. Improvements
23 to the local roads and schools were very noticeable and
24 welcomed in the communities.

1 The Coles Wind project is an opportunity for
2 us as landowners for certain. But it can also be very
3 positive for the township, the school districts, and the
4 county by providing significant funding for all. This
5 project can be a 'win' for everyone.

6 I strongly ask the committee to approve the
7 Coles Wind project and make a favorable recommendation
8 to the full County Board to go forward with the project.

9 Darrell Honn."

10 Here's Mr. Richard Hollonbeck again: "I
11 talked at the last meeting and my question was, 'Will
12 they have someone talking about health?' The complaints
13 about vibration, headaches, sleeplessness, vertigo, lack
14 of concentration, restlessness, coronary artery disease,
15 fatigue, anxiety due to the stress of listening to the
16 turbines making noise. Apex should have had someone, a
17 'specialist' to address these complaints that we have
18 all over the world and we will have in Coles County. It
19 will affect people who live near these areas of wind
20 turbines.

21 The people who don't live in these areas but
22 farm this land don't really care about these effects.
23 They only care about the money they will be receiving
24 per acre, not to mention the destruction of the land,

1 leaving a massive amount of concrete and tons of rebar
2 in the ground forever. When Apex decommissions a
3 turbine, do they dig the concrete up?

4 Wind turbines can generate low altitude
5 turbulence up to several miles downwind of the turbines.
6 Is this going to affect the airport? These questions
7 should be answered by an expert witness not hired by
8 Apex. Maybe the county should hire an independent
9 expert on how turbine and blades affect the people --
10 the health of people living close to these turbines.

11 Thanks, Richard Hollonbeck, Mattoon, Illinois."

12 And an email to Kelly Lockhart from Joel
13 Waskow, W-a-s-k-o-w: "My name is Joel Waskow, and I'm
14 writing on behalf of a client of mine that has signed a
15 lease with Coles Wind.

16 I have worked with several wind projects
17 throughout Illinois and Iowa and it is very clear that
18 the benefits extend well beyond the landowner and wind
19 company. Those projects create jobs for local residents
20 during the construction phase and more permanent jobs
21 once the project is operational.

22 There is also increased tax revenue from the
23 projects that can be used to benefit the schools and the
24 local communities.

1 Once again, we are in favor of the project and
2 look forward to the benefits it will bring to Coles
3 County for years to come.

4 Best regards, Joel Waskow." He is a Licensed
5 Real Estate Broker in Summit Ag Management, Farm
6 Manager, from Alden, A-l-d-e-n, Iowa.

7 Here is an email from a Katherine Shaw: "Dear
8 Mr. Watts, I'm writing to express my strong opposition
9 to the proposed installation of windmills near my home
10 in Coles County. As a citizen of Coles County for the
11 last 24 years and a local homeowner and property owner,
12 I am deeply worried about the potential negative impacts
13 these windmills could have on my quality of life,
14 property values, and the overall character of our
15 community.

16 Some of my primary concerns include:

17 Noise pollution: Windmills generate
18 significant noise, which can be disruptive to peaceful
19 enjoyment of my home and property. The constant humming
20 and whirring can lead to sleep disturbances, stress, and
21 decreased overall well-being.

22 Visual impact: The towering presence of
23 windmills can significantly alter the natural landscape
24 and scenic views that I cherish living in the country.

1 The visual pollution can also decrease property values,
2 making it harder to sell or refinance my home.

3 Health risks: There is ongoing debate and
4 research about the potential health effects of living
5 near windmills, including increased risk of headaches,
6 dizziness, and other health problems. I am not willing
7 to take this risk for myself or my family.

8 Decreased property values: The presence of
9 windmills can significantly decrease property values,
10 not just for my home, but the entire community. This
11 can lead to reduced tax revenues, decreased economic
12 growth, and a lower quality of life.

13 I've noticed discrepancies between the data
14 presented by Apex Wind and the board and the community
15 and the information I had mentioned earlier. It's
16 essential to remember that Apex Wind's data is based on
17 their opinions -- on the opinions of their paid experts.
18 One of my research methods professors at Florida State
19 University once reminded our class that 'figures lies
20 and liars figure.' As a research professor myself, I
21 now remind my students that it's often possible to find
22 data that supports any particular viewpoint, but is that
23 data quality and unbiased? I'm sure that you are aware
24 the Apex's data collection was completely biased and,

1 therefore, cannot be considered reliable data.

2 I understand the importance of renewable
3 energy and the need to reduce our reliance on fossil
4 fuels. I am a professor at Eastern Illinois University
5 and a member of the MS in Sustainability graduate
6 program faculty. However, I firmly believe that there
7 are alternative -- alternative solutions that can meet
8 our energy needs without sacrificing the well-being and
9 quality of life of Coles County residents. I ask that
10 you consider how you would feel having your family live
11 directly in the middle of this wind farm.

12 I urge you to consider the concerns of
13 citizens like me and to explore alternative energy
14 solutions that do not involve the installation of
15 windmills near residential areas. I would appreciate
16 the opportunity to -- to discuss this matter further and
17 the need to protect our community's quality of life.

18 Thank you for your time and consideration.
19 And thank you for the time you give serving our
20 community as a Coles County Board member. My family and
21 I are counting on you to make the best decision --
22 decision for us and our community.

23 Sincerely, Katherine, 'Katie,' Shaw."

24 From Candace, C-a-n-d-a-c-e, Miller, of Lerna,

1 to Kelly Lockhart: "This is written in direct
2 opposition of any wind turbine company to build or
3 operate on our Coles County, Illinois, land. Wind
4 turbines are unsightly, can disrupt and negatively
5 affect our precious wildlife.

6 I recently drove to Colorado and Idaho to
7 visit my brothers. Instead of seeing the natural
8 features of the Rocky, Teton, and San Juan, I saw
9 unsightly wind turbines atop the mountains. I do not
10 want wind turbines to obstruct my -- obstruct my view of
11 our beautiful Coles County farms, ponds, lake, and
12 woodlands.

13 As Coles County is being graced with an
14 increasing bald eagle population, I fear wind turbine
15 farms will disrupt and negatively affect the eagles and
16 other precious wildlife.

17 Mr. Lockhart, please convey my wind turbine
18 farm opposition to the Coles County Board. Protect and
19 serve what Coles County residents desire, defend, and
20 demand.

21 Thank you, Candace Miller, resident of
22 Pleasant Grove Township, Lerna."

23 From Karen Clausing, C-l-a-u-s-i-n-g, of
24 Charleston: "Dear sirs, I am writing to express my

1 support for the Coles Wind project. I support
2 renewables as a way to maximize and diversify where our
3 energy comes from.

4 My husband and I installed solar panels at our
5 home in September, 2019, and have been very satisfied
6 with the savings on our Coles-Moultrie bill. I also see
7 panels as a way to make Coles-Moultrie less dependent on
8 outside energy sources. The farmer who rents our land
9 saw our solar panels and used the same company to
10 install panels on both his home and farm accounts.

11 Farming, at this moment, is fraught with
12 uncertainty, so a steady rental income from Coles Wind
13 would be very welcoming, as would the tax receipts to
14 Coles County. I grew up on a farm, so I understand the
15 importance of proper legal guarantees when panels and
16 turbines are decommissioned. A wind farm is not more
17 'unsightly' than an oil pumpers in our area and much
18 healthier than breathing the hydrocarbons the pumpers
19 generate.

20 I attended some of the hearings and urge you
21 to support the Coles Wind project.

22 Thank you, Karen Clausing, of Charleston."

23 Got a handful more, folks.

24 "Mr. Lockhart, my name is Jim McNutt, Jr."

1 McNutt is M-small c-capital N-u-t-t. "My family has
2 lived in Coles County for generations, and my sister and
3 her daughter still live in Charleston. I live in
4 Kannapolis," K-a-n-n-a-p-o-l-i-s, "Kannapolis, North
5 Carolina, now, but still own part of the McNutt family
6 farm in Seven Hickory Township.

7 I fully support the Coles Wind project and
8 have signed a lease for an easement on my property. I
9 support the project for the significant impact it will
10 have on my family's financial future.

11 I also support the project for the positive
12 impact on the economy of Coles County for decades to
13 come.

14 Finally, I believe the impact to our
15 environment and the clean energy generated will benefit
16 not only the local area, but perhaps all humanity.

17 I hope you will be supporting this important
18 project in Coles County.

19 Thank you for your time, Jim McNutt."

20 This is an email -- it says "Lee and Sharon
21 Kade," K-a-d-e, but then in the introduction, it says
22 "Lee Kasey," K-a-s-e-y. I'll read it just as it is:

23 "This is Lee Kasey," K-a-s-e-y, "My wife and I
24 own about 240 acres north of Charleston. We have signed

1 a lease with Apex. If we were to get a wind turbine, it
2 would be a nice amount to our retirement.

3 It would bring in some new money into the
4 area. I have not seen much new money come to Coles
5 County. From my understanding, it will bring in money
6 for area schools, townships, and the county. It is my
7 understanding they have contributed to several
8 charities.

9 I believe it will cut down on coal, oil, and
10 nuclear power plants that are harmful to the planet. I
11 don't like to see solar panels put in place. They take
12 too much farmland out of production. With more people
13 to feed, I don't think this is the way to go.

14 I appreciate your work for the county and
15 thank you very much for your time and effort on the
16 project of Coles Wind in helping to improve Coles
17 County.

18 Lee and Sharon Kade," K-a-d-e.

19 This is from Paula Enstrom, E-n-s-t-r-o-m, of
20 Charleston: "There are many reasons I am in support of
21 the Coles Wind project, but I know your time is
22 valuable, so I will just touch on two that are important
23 to me.

24 One, as an avid -- avid birder, I am --"

1 birder, b-i-r-d-e-r -- "I'm in support of the Coles Wind
2 project. The National Audubon Society reports that
3 two-thirds of North American bird species are at
4 heightened risk of extinction due to climate change.
5 Extreme heat waves will render typical bird habitats
6 uninhabitable. I know people are concerned about birds
7 being killed by wind turbines, but wind power causes far
8 fewer bird deaths than fossil fuels per unit of energy
9 output -- output.

10 And two, clean energy has economic benefits to
11 our community. What is especially important to me is
12 that it will increase -- it will increase tax revenues
13 for our schools. Over the last few years, I have
14 donated to local teachers on Donors Choose to help them
15 get the supplies they need to give our students a better
16 education.

17 With enrollment at EIU dropping, our tax base
18 takes a hit. It is very important for the future of our
19 community to find ways to increase our tax base so that
20 we can provide our students the best opportunities in
21 our schools. The Coles Wind project can do this while
22 creating jobs and helping to reduce the use of fossil
23 fuels.

24 Paula Enstrom of Charleston."

1 Again, Mr. Richard Hollonbeck. Okay, this is
2 new: "Apex should be made to include funds for not only
3 taking down the turbines, but for removing of all the
4 concrete and rebar from the ground. It's not right to
5 leave all this base underground for generations.

6 Apex said it would cost anywhere from 300,000
7 to a million dollars to remove the base. So, take the
8 million dollars, and they should keep up with the rising
9 costs over the years. 70 wind turbines times a million
10 dollars, equals 70 million dollars. That's the amount
11 that should be added and allocated for removal.

12 Richard Hollonbeck."

13 From Kimberly Stacey, S-t-a-c-e-y: "Hello, I
14 am writing to express my strong opposition to the
15 proposed wind turbines in Coles County. I have concerns
16 about their impact on the health of the residents,
17 weather, wildlife, and property values. I strongly urge
18 the board to carefully evaluate since this project does
19 not align with the values and needs of our community.

20 Kimberly Stacey."

21 From A. -- the initial "A." -- Dean Willaredt,
22 W-i-l-l-a-r-e-d-t, Partner in Willaredt Self-Storage,
23 Mattoon: "I ask the County Board to vote 'no' on wind
24 turbines in Coles County. I am -- I am opposed for many

1 reasons and find the negatives greatly outweigh any
2 positives to the citizens of Coles County.

3 One: Power generated here will not benefit
4 Coles County residents.

5 Two: Power generation will not be reliable,
6 as it depends on the wind and weather, generating only
7 about 30 percent of the time.

8 Three: Power generation doesn't match demand
9 loading, as the wind is too unpredictable and not
10 necessary at times power is needed.

11 Four: Construction of these wind turbines is
12 very environmentally-damaging -- (a) massive concrete
13 and steel bases, (b) production of the systems and
14 installation are damaging to the environment, (c) blades
15 that are nearly impossible to recycle, filling landfills
16 and not degrading, (d) oil leaks from the turbines is an
17 ongoing problem.

18 Five: Killing of birds and bats is a real and
19 significant problem. Millions of migratory birds and
20 bats are killed by wind turbines annually.

21 Six --" all in capitals -- "These destroy the
22 visual landscape. They are horrible." A couple of
23 exclamations.

24 "Noise, known as infrasound, while not high

1 volume, is a frequency that is disturbing the nearby
2 residents with real effects on people.

3 Eight: Medical effects on people living
4 nearby is still being studied, but has shown damaging
5 effects are real.

6 Nine: Light interruption is also very
7 disruptive to nearby residents.

8 And ten: For every megawatt of power
9 capacity, a natural gas power plant requires about one
10 ton of critical minerals, while onshore wind plants
11 require 11 tons.

12 Any positives do not outweigh the negatives
13 for the citizens of Coles County. This project does not
14 benefit residents of the county, so the board must vote
15 'no' for this -- for this proposal.

16 Thank you for listening, A. Dean Willaredt,
17 Coles County Resident for Life; Partner, Willaredt
18 Self-Storage in Mattoon."

19 Here is Lisa Hugg, again: "Good afternoon, my
20 name is Lisa Hugg of Charleston, and I am contacting you
21 in support of wind energy in Coles County. Thank you."

22 (Pause.)

23 MR. KAINS: Okay, the -- included in this
24 packet that Mr. Lockhart had given me is the same exact

1 email from Katie Shaw. All right.

2 (Pause.)

3 MR. KAINS: All right, Mr. Tom Sherman writes
4 to the board: "The Coles County Board will have an
5 important decision to make concerning wind turbines in
6 Coles County. Here are a few of the many reasons to
7 deny the application:

8 None of the electricity -- electricity
9 supposedly generated by these turbines will be used
10 locally.

11 Dr. Shaw totally discredited the research done
12 by the Apex expert sound witness. The expert testimony
13 was flawed.

14 At best, they only will be turning 50 percent
15 of the time (this is directly from the Apex construction
16 witness testimony).

17 Only 119 lease agreements are completed. Of
18 that number, 74 are actually different people, as there
19 are multiple leaseholders. Of that 74, only 37 --
20 that's right -- 37 people actually reside in Coles
21 County, out of a population of approximately 46,000.

22 On Pages 36 and 37 (and the preceding and
23 following pages) of the May 20th, 2025, transcript, I
24 discredited -- discredited the testimony of the Apex

1 finance expert earlier testimony about property taxes.

2 If the County Board denies the application and
3 Apex tries to sue the county, Apex must pay for the
4 litigation (Pages 39 through 41 of the March 19th
5 transcript). Mr. Kains pointed out even further at the
6 May 20th meeting that individual county board members
7 cannot be sued.

8 The Apex sound witnesses testified that there
9 are zero health issues related to this, that it is
10 merely an annoyance, yet there are hundreds of posts,
11 internet sites, etc., that show otherwise.

12 There will be 51 wind turbines in northern --
13 northern Coles County, each one 644 feet tall, taller
14 than the St. Louis Arch.

15 Please deny this application.

16 Sincerely, Tom Sherman."

17 Okay. And then a repeat of the Connie Winslow
18 email that I read earlier. Okay.

19 MR. LOCKHART: I have this.

20 MR. KAINS: And wait, there's more.

21 MR. LOCKHART: Yeah.

22 MR. KAINS: I almost feel like I --

23 MR. LOCKHART: May I approach with this?

24 MR. KAINS: Yes, of course.

1 MR. LOCKHART: I left a note on them for you.

2 It was supposed to be testimony, so.

3 MR. KAINS: Okay.

4 MR. LOCKHART: So, I just saw a couple.

5 MR. KAINS: Thank you. Thank you,

6 Mr. Lockhart.

7 I have one other one in the packet that
8 Mr. Lockhart had previously given me, and then I've got
9 to look at this other one that just came in. It's like,
10 order before midnight tonight.

11 All right, this is from Chad and Rhonda,
12 R-h-o-n-d-a, Pedigo, P-e-d-i-g-o, to Kelly Lockhart:

13 "Wind Farm Public Comment:

14 Dear Mr. Lockhart, I was unable to be at
15 public comment night. Here is what I had planned to
16 read. Please share on my behalf. I wish to share with
17 you my concerns about living in a home that will have
18 multiple windmills within a mile of my home.

19 Hi, my name is Rhonda Pedigo. I am a
20 life-long rural -- rural Coles County resident. My
21 husband and I bought our home 30 years ago in Seven
22 Hickory Township to raise our family in the peaceful
23 country, among the corn and beanfields. The peace and
24 beauty of our country living is being threatened by the

1 wind turbines.

2 Each evening, as I listen to the hoot owl in
3 the tree, I worry that peaceful noise is being
4 threatened to be replaced by the swoosh of the spinning
5 blades and humming of the motor. The turbines have a
6 potential to silence the owls and birds."

7 (Pause.)

8 MR. KAINS: "The environmental expert who
9 testified during this hearing gave information on the
10 birds they are required to protect, not all birds in our
11 area. Our area has many cool and rare birds. The South
12 Central Illinois Birders group has a video feed of
13 something they call the 'magic stump,' located within a
14 mile of this proposed wind farm. The 'magic stump'
15 video feed tells the story of an Illinois tree stump
16 that has attracted a phenomenal variety of wintering
17 raptors.

18 The expert witness said things like 'buildings
19 and cats kill more birds statistically.' That may be
20 true, but here in rural Coles County where we have few
21 buildings, that is not the case. I've not seen any
22 feral cats out killing raptors. Having 51 turbines, we
23 will see an increase of bird deaths in our backyards.

24 Our peaceful country living will turn into

1 unwanted traffic, wear and tear on our roads, and field
2 drainage damage. This field tile damage can cause
3 basement flooding. I have a basement. Flooding
4 basements concern me.

5 I am also concerned about the interference the
6 turbines will cause with our internet, cell phone, and
7 television reception, as well as the flashing red
8 lights. We have been told by experts that no direct
9 medical helicopter flight through the proposed -- that
10 there is no direct medical helicopter flight through the
11 proposed wind farm area. However, as someone living
12 here and seeing medical helicopters flying over my home
13 from Sarah Bush to Carle, I can see you -- I can tell
14 you, we do see air traffic frequently in our area. We
15 are told the red flashing lights will be minimal, but
16 minimal is still affecting the lives of those living
17 with turbines within a quarter-mile of our homes.

18 Moving on with my concerns. There are
19 guidelines in place for setbacks due to noise pollution.
20 41 dB is still noise comparable to whispering or soft
21 speech. I am certain that if I spoke in a whispered
22 tone all night to my husband, his sleep would not be --
23 his sleep would be disturbed.

24 No health experts were brought before us, and

1 the sound expert could not answer if children would be
2 affected by the sound. Also, of concern is the
3 low-frequency noise and infrasound, in particular.
4 These have been cited as potential health concerns.

5 I am concerned about these health effects from
6 the turbines, which have reports of dizziness,
7 tinnitus," t-i-n-n-i-t-u-s, "headaches, sleep
8 disturbance, and cardiac issues. There are also health
9 concerns with collection cables, switching stations, and
10 substations (all will be about a half-mile from my home)
11 which put off electromagnetic fields (EMF).

12 EMFs are possibly carcinogenic to humans.
13 Some research suggests the potential link between
14 exposure to electromagnetic fields, particularly power
15 lines, and breast cancer. EMFs are known to influence
16 cell growth and proliferation. It is plausible that EMF
17 exposure could also play a role in the development or
18 progression of Triple-Negative Breast Cancer. Again,
19 this is of concern to me, being a two-year Triple-Negative
20 Breast Cancer survivor.

21 I worry for the Smith family, who already has
22 been affected by the serious illness histoplasmosis
23 caused by chicken poo in topsoil. What happens when
24 that topsoil is stirred up? How many more might be

1 affected? These wind turbines can have negative effects
2 on our -- on our environment, wildlife, and health.

3 Coles Wind claims to be a good neighbor.
4 Their representatives have reached out, wanting to be a
5 good neighbor, offering us a Good Neighborhood
6 Agreement. However, they were not honest in the
7 conversations they had with us. We did not find them to
8 be good neighbors. My coworkers and country neighbors
9 have not found them to be good neighbors, either.

10 One of my coworkers was never contacted by
11 Coles Wind and had no knowledge of the proposed wind
12 farm prior to receiving a letter from Coles Planning
13 about these hearings. This person has since learned
14 after -- after coming to these hearings that the home
15 they purchased two years ago was signed with Coles Wind
16 by the prior owner. None of that was disclosed to them
17 when they purchased the country home of their dreams.
18 Another country neighbor bought their home in the past
19 three years and had no knowledge of a potential wind
20 farm.

21 Very few who have signed agreements to have
22 turbines on their farm -- on their farm ground live in
23 Seven Hickory Township. It's not their homes or daily
24 lives that will be disrupted. None of you who sit on

1 this decision board will be living with several turbines
2 within a mile of your home. Our everyday life will be
3 negatively affected. I urge you to vote against
4 approving wind turbines.

5 Thank you for your consideration." And that
6 is from Chad and Rhonda Pedigo.

7 (Pause.)

8 MR. KAINS: I have a ten-page statement from
9 Mr. Tom Sherman.

10 Mr. Sherman, I'm just gonna ask you, how much
11 of this is already -- have you already addressed in
12 your, either, testimony or public comment?

13 MR. SHERMAN: Probably the majority of it, but
14 then some of it was objected to by Apex's counsel, so.
15 (Shrugs.) Actually, a lot of it was objected to by
16 Apex's counsel.

17 (Audience members laughing.)

18 MR. KAINS: I understand. It should be --
19 according to the same deference and concern as given to
20 the other statements.

21 (Pause.)

22 MR. KAINS: I'm gonna read it, but I'm gonna
23 have to take a break because I need to. Prior to going
24 into another recess, I need to just -- the next thing on

1 our agenda after the reading of written comments, are
2 closing statements.

3 Mr. Hess, how long will your closing statement
4 be?

5 MR. HESS: When I practiced with the team, I
6 think Alan clocked me at 25 minutes.

7 MR. KAINS: 25 minutes? And who is going to
8 be offering a closing statement from the opposition
9 group?

10 MS. ROGERS: (Raises hand.)

11 MR. KAINS: Ms. Rogers? Okay. Now,
12 Ms. Rogers doesn't have exclusive rights to make the
13 statement, although, I have indicated that closing
14 statements are something that, you know, not everybody
15 needs to get up and reiterate things. So, I think it's
16 a wise choice to have Ms. -- Ms. Rogers -- did I say
17 Roberts, I mean Rogers -- to have Ms. Rogers do that.

18 And, ma'am, do you know how long your
19 statement might be?

20 MS. ROGERS: Oh, I'm guessing about 15 minutes.
21 I haven't really timed myself.

22 MR. KAINS: Okay, all right. That's -- that's
23 very good. Okay, and would there be anybody else
24 wishing to address the committee and County Board with a

1 closing statement? Okay, that's helpful.

2 So, Mr. Hess, you'll have around 25 minutes,
3 the same for Ms. Rogers. You will also have a rebuttal
4 statement, but I can't imagine a rebuttal taking much
5 more than ten minutes.

6 I just -- I know when I was a young
7 prosecutor, and I gave a 20-minute closing argument in a
8 jury trial, the jury was very happy at the end of a long
9 trial to have a lawyer sit down and shut up after
10 20 minutes.

11 (Audience members laughing.)

12 MR. KAINS: So, I think -- I think having a
13 little bit of brevity in your closing statements is wise
14 because it -- it is a summary of the case. So, I -- I
15 think that's wonderful.

16 Okay, let's take -- let's take another
17 ten-minute break, give my voice and Lydia's fingers a
18 rest. Let's come back at 8:42. The committee is in
19 recess. Thank you.

20 (Recess.)

21 MR. KAINS: What's the board's pleasure?

22 MR. COX: Well, I -- I think -- I think
23 Mr. Sherman's had numerous bites of the apple. In fact,
24 I could say he's probably ate the whole apple. And I --

1 I would like to make a motion that you -- that you enter
2 this into the record, but you not read it. I think
3 we've heard everything he's had to say. I don't believe
4 there's anything new. And by his own admission, there's
5 nothing new in this ten-page document. So, I'm gonna
6 make a motion that you enter it into the record, but not
7 read it.

8 MR. FREEZELAND: And I'll second that motion.

9 MR. KAINS: All right. Now, hang on.
10 Mr. Sherman is shaking his head "no" because he
11 indicated that while some of this stuff has been
12 discussed, he wasn't able to discuss a lot of it during
13 his testimony because of objections by counsel and
14 rulings from myself. But I -- I appreciate your motion
15 and I -- I think there should be discussion, gentlemen,
16 ladies -- well, actually, it's just the committee.

17 MR. WATTS: It's the four of us -- or the
18 three of us -- four, yeah.

19 MR. KAINS: Okay, Mr. Cox, Mr. Watts,
20 Mr. Freezeland, and Mr. Clayton -- do you have any
21 discussion on the motion? It's been seconded.

22 MR. CLAYTON: I -- I agree that we should just
23 enter it into the record. I believe that Tom has -- has
24 given us all the information, whether it was through

1 meetings that he has attended and we've had public
2 comment at, because we -- we heard what he was speaking
3 about before it was objected to. Well, I believe we've
4 heard all of this, so I see no reason for it to be read
5 aloud.

6 MR. KAINS: Any other comments?

7 MR. FREEZELAND: (Shakes head.)

8 MR. KAINS: Any other discussion, I guess I
9 should say, about the comment?

10 MR. IERULLI: Mr. Facilitator?

11 MR. KAINS: Yes, sir, Mr. Ierulli?

12 MR. IERULLI: On behalf of the county, with
13 regard to public comment, public comment is something
14 that is certainly allowed in all public hearings, but
15 it's not without limit. And giving the opportunity for
16 public comment has been given to him. And typically,
17 public comment is limited by time, as you did initially
18 before oral public comment. So, it isn't unlimited, and
19 it's our recommendation that you put some parameters on
20 this.

21 MR. KAINS: Thank you, Mr. Ierulli. I just
22 wanted to note for the record, that in Livingston
23 County -- I keep referencing this hearing I'm doing --
24 public comment is limited to a half-hour total. So,

1 when we do public comment in that hearing, there will be
2 five people in favor of talk for three minutes each.
3 That's 15 minutes of public comment. And then five
4 people opposed for 3 minutes a piece, so there will be
5 that -- literally a half-hour of public comment.

6 Their rules do not allow for -- or provide for
7 the reading of written comments. It is not a legal
8 requirement, whether it be constitutional, statutory, or
9 by way of any ordinance, that you have to read comments.
10 I've read a lot of comments. I think Mr. Sherman's
11 comments are of great important and legitimate concern.

12 Mr. -- or Mr. Sherman -- I almost called you
13 Shaffer again, I don't know why I do that -- but,
14 Mr. Sherman, do you have anything that you would like to
15 say with respect to this?

16 MR. SHERMAN: Yeah, I sent an email to Michael
17 Watts and to Kelly Lockhart, and the response I got was
18 "Thank you for your letter. By copy of this to Kelly
19 Lockhart, I asked that he add this letter to the public
20 record regarding the Apex WECS licensing application.
21 Someone told me that you have cataloged all the errors
22 in the Apex license application. If this is correct,
23 I'd appreciate if you would send to me the list that you
24 complied -- or compiled." I said, "Yes, I have all of

1 those. I will make sure to send them to you." Then,
2 Mr. Watts said, in response, that "Thanks, Tom, I'll
3 consider this a letter, and by copy to Kelly, ask that
4 he add this to the public record." So, by adding it to
5 the public record, don't you need to read that, then?
6 And I'm not sure that all of the -- the board members
7 that are present now have been in -- in presence to any
8 of the questioning, the comments, not only for me but
9 for anybody here. So, I would just ask that you afford
10 all the letters that -- I mean, you read everybody
11 else's, why not mine?

12 MR. KAINS: I've already read one of yours.
13 Thank you, Mr. Sherman, I appreciate that. You know, I
14 have already read one of your letters. I've read four
15 of your mother's. I've read multiple letters from other
16 people. You know, I...

17 MR. WATTS: As a -- as a means of compromise,
18 is it possible for you to read only parts that we
19 haven't heard through testimony? And how much of that
20 is part of your list?

21 (Pause.)

22 MR. SHERMAN: I could try.

23 MR. COX: Well, my motion is not to eliminate
24 or not to take into consideration his letter. It's just

1 that we put it in the record, as opposed to orally
2 reading it here tonight.

3 MR. WATTS: Well, it's already posted, I
4 believe, on the website.

5 MR. KAINS: Well, gentlemen of the committee,
6 there is no requirement that written comment be read.
7 We've already done it, but there's nothing that says we
8 have to read every letter. And this committee, prior to
9 the start of the hearing, passed rules, and those rules
10 can be amended at any time. And there is a motion, it's
11 seconded. We've had discussion. We've allowed
12 Mr. Sherman to discuss his feelings on it. Counsel
13 Mr. Ierulli on behalf of the county has stated that he
14 does not think this is required that we read it.

15 You know, it's up to you all.

16 MR. WATTS: Well, then, I'm just going to call
17 for a vote, if you'd indicate --

18 MR. CLAYTON: Yes.

19 MR. FREEZELAND: Yes.

20 MR. COX: Yes.

21 MR. WATTS: Okay. Yes, the motion carries.

22 MR. KAINS: Okay, here's what we're gonna do:
23 We're not going to read it, but Mr. Sherman's letter of
24 June 4th, 2025, entitled, "Apex Wind Application

1 Issues," the subtitle is, "The Issues with Apex
2 Application, Coles Wind Ordinance, and Testimony Thus
3 Far," this is -- will be included in the record as
4 public comment, written public comment. The only
5 distinction between this and the other letters is it
6 just won't be read because of the decision of the
7 committee. And the committee can and has debated rules
8 and can amend rules.

9 And I -- as the hearing facilitator, I am
10 following the rules that are imposed. And I can -- if
11 necessary, I can change procedure or change the order of
12 procedure. I can allow witnesses to testify out of
13 order. I've bent over backwards in this hearing to
14 allow people -- you know, Ms. Clark couldn't make it one
15 night to testify, so I allowed her to testify at a later
16 time. I have given ample opportunity to the Applicant
17 and to members opposed -- members of the public who are
18 opposed to try to make this as absolutely fair and
19 completely vetting of the issues as possible. That's my
20 job. And I think folks who have gotten to know me a
21 little bit or just watched know that I take it very
22 seriously.

23 So, Mr. Sherman's June 4th letter, his
24 discussion of the issues with the application, the wind

1 ordinance, and the testimony, that is going to be
2 considered in the written comments. I just won't read it.

3 All right, that's the conclusion of written
4 comment.

5 MR. MILLER: I have a question -- possible
6 question.

7 MR. KAINS: Yes, Mr. Miller.

8 MR. MILLER: Can't you just sort of... Kind
9 of briefly tell us that the -- the context of his
10 discussion, what he discusses. It is a legal question?
11 Is it --

12 MR. KAINS: Okay, Mr. Miller is asking if it
13 can be briefly summarized.

14 MR. MILLER: Is it an environmental question?

15 MR. KAINS: It is a -- a -- a detailed
16 discussion, 52 points, in ten pages of various issues
17 with respect to errors, omissions in the application
18 that was submitted -- the 600-plus application that was
19 submitted. Mr. Sherman has had the opportunity to
20 discuss that and has discussed that in his testimony.
21 He went through the application and while some of the
22 issues were objected to, and the objections were
23 sustained, he was not able to testify, and I -- I told
24 him "you have to move on," these are in the document.

1 Is that -- where's Mr. Lockhart? Okay. Is
2 this online now or can it be online?

3 MR. LOCKHART: It can be, yes.

4 MR. KAINS: Okay, all right. That concludes
5 written comments. All right, next item on the agenda:
6 Closing statements.

7 All right, it is a little bit before 9:00.
8 We're gonna plow through this. We will have a closing
9 statement on behalf of the Applicant from Mr. J. Hess.
10 Then, we will have a closing statement on behalf of the
11 group of objectors, Ms. Rita Rogers will have that. And
12 then, Mr. Hess or Ms. Antonioli, you may then have a
13 brief rebuttal statement.

14 And then, we will go into the process of --
15 Mr. Keyt and Mr. Ierulli will go over findings of fact
16 with the members of the committee. As their counsel,
17 they will be explaining the findings of fact that have
18 to be made on all factual determinations of this
19 hearing. And then, they will discuss proposed
20 conditions, if the project is approved. If the
21 project's not approved, there won't be any conditions
22 because it's not approved. But if it is approved, it is
23 definitely going to be approved -- I don't think -- I
24 shouldn't say "definitely" -- but it's likely that it

1 will be approved with certain conditions that Mr. Keyt
2 and Mr. Ierulli will go over. So, we have that
3 discussion to be had before there's a vote on a
4 recommendation. So, let's --

5 MR. KEYT: One clarification, Mr. Kains.

6 MR. KAINS: Yes.

7 MR. KEYT: We always do the recommended
8 conditions because, ultimately, it goes to the County
9 Board for decision, so we don't know if they will
10 approve it or not. So, the committee in not knowing
11 that, makes the recommended conditions anyway. I just
12 want to make sure that we understand that.

13 MR. KAINS: Okay, very good. Thank you. So,
14 there will be a discussion led by Mr. Keyt and
15 Mr. Ierulli with respect to factual findings and
16 conditions, should the project be approved by the
17 county. So, that -- that'll be -- and not may be a
18 discussion, but a discussion nevertheless.

19 So, it's about five till 9:00.

20 Mr. Hess, I will give you the floor for your
21 closing statement for the committee, please.

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

23 Mr. Kains, it feels disrespectful for me to do
24 it with my back to the audience. With your permission,

1 can I go to that podium? This mic will reach.

2 MR. KAINS: Absolutely.

3 MR. HESS: Thank you, sir.

4 (Pause.)

5 MR. KAINS: You can be anywhere you want,
6 Mr. Hess, except in my comfy chair.

7 (Audience members laughing.)

8 MR. HESS: All right, thank you, Mr. Kains.
9 Mr. Kains, let me begin, first, by saying thank you to
10 you, for your leadership in facilitating this hearing.

11 Thank you to Mr. Keyt and his team, for their
12 leadership and steadfast work here.

13 Thank you to Mr. Lockhart -- I don't know
14 where he went -- but for making all of this possible,
15 for getting everything on the website, for facilitating
16 this, being such a great host.

17 Thank you to the courthouse staff for allowing
18 us to use this beautiful courtroom in this beautiful
19 courthouse.

20 Members of the board, members of the
21 committee, thank you. 14 nights. Thank you for your
22 time, your attention, your diligence, your questions.

23 Lastly, thank you to everybody in the public.
24 This community should be proud of how this hearing has

1 been done because we've been respectful, we've been
2 courteous, and everyone's been heard. So, thank you for
3 how this has been going.

4 Ladies and gentlemen, I will try to be very
5 brief. I want to touch on three topics for you tonight:

6 First, a narrow view of the question that's
7 before the Planning and Development Committee for a
8 recommendation, and then, ultimately, to the -- for the
9 Coles County Board. That narrow view is, does our
10 permit application meet the requirements? And the
11 evidence overwhelmingly demonstrates that it does.
12 Second, a broader view. If you want to take a broader
13 view, this is a tremendous opportunity for this
14 community. Third, I want to briefly address the five
15 concerns that opposition has raised throughout this
16 hearing and what the evidence actually shows on those
17 concerns. So, those are the three topics.

18 As I said before, Alan clocked me at
19 25 minutes. I will try to be brief and respectful of
20 your time.

21 So, first, the narrow view. Under Illinois
22 law, if a wind project permit application meets the
23 requirements of State law and of your wind ordinance,
24 it, quote, "shall be approved." Which means that

1 there's actually a pretty narrow question that's before
2 you now: Does this big binder meet all of your
3 ordinance requirements?

4 I think it's useful to start by remembering
5 how your wind ordinance works, how this whole process
6 works. And Mr. Keyt actually said it better than I did
7 way back on March 19th. He summarized it for you, so
8 I'm gonna quote Mr. Keyt. For the record, this is
9 Page 76 and 77 of the March 19th transcript. Mr. Keyt
10 said, "There's really three stages that come into play.
11 There's the stage of having a siting hearing like this.
12 There is then, if it is approved, and that is only if
13 the project is approved, then they have to come back and
14 obtain a building permit before they can start
15 constructing the project. To do that, they have to meet
16 those requirements to obtain the building permit. Then
17 once it gets built, there's another set of requirements
18 that also kick in, for example, an annual report."

19 So, your wind ordinance walks us through a
20 three-stage process. We're in the first stage. I start
21 there because much of the opposition's arguments for why
22 our application is lacking blurs that distinction. For
23 example, they claimed we don't have our Road Use
24 Agreement yet. That comes in the building permit stage,

1 it doesn't come in this stage.

2 In this stage, your wind ordinance says that
3 requirements, what has to be in that application, and
4 design standards. What the evidence shows is we
5 overwhelmingly meet those requirements.

6 How do you know that? Well, first you've got
7 that big binder, right? And you can look through it and
8 judge for yourself. Second, you've got Brie Anderson's
9 testimony from way back in March. Brie put this all
10 together for you. And as she explained on March 17th in
11 that chair, the way she did it is she tracked to your
12 ordinance. First thing your ordinance requires is a
13 project summary. First thing you'll see in that binder
14 is a project summary, and on, and on, and on. So, the
15 second piece of evidence you have is Brie's testimony.

16 Now some of your requirements are quite
17 technical. So, after Brie's testimony, we brought you
18 the experts we hired, the nation's leading experts we
19 could find, who did their own studies and their own
20 analysis and wrote their own reports that are in that
21 binder for how we satisfy each and every one of your
22 requirements. So, that's the third sort of category of
23 evidence you have, is all of those expert reports.

24 Now, those opposed to the project have said

1 repeatedly, "Well, those people were hired by Apex.
2 Can't believe them. They were paid by Apex. They were
3 hired by Apex." Well, respectfully, I have two responses
4 to that:

5 First, that's true. We hired them. We went
6 out and hired the nation's leading experts. Who has
7 done more studies about sound and health effects from
8 wind turbines? Ken Kaliski. As he told you, he's been
9 involved in 17 different studies. Who's the leading
10 economist, looking at the economic benefits of projects
11 like this one? Illinois' own Dr. David Loomis. And
12 he's been doing it over 25 years. He told you he's
13 testified over 90 times in these hearings.

14 These people don't work for free. We hired
15 them, that's true. What we think is, we'll be
16 transparent about that. We told you who they were and
17 we put them on that stand for you to meet them and for
18 you to judge their credibility.

19 But there's a second response, too, to this
20 argument, "Well, they're hired by Apex, so you can't
21 trust them." (Holding up a document.) County
22 Exhibit A, your consultant's report. You hired HLR, we
23 didn't. Your consultant, not hired by us, has confirmed
24 for you that we meet each and every requirement of the

1 permit of the ordinance. That's the evidence that's
2 been presented before you. The evidence overwhelmingly
3 demonstrates that we meet each and every requirement.
4 It's under State law that the application should be
5 approved.

6 That's a narrow view. If that doesn't sit
7 well with you, then the second topic I would briefly
8 touch on -- all three in the broader view. Under a
9 broader view, this is a tremendous opportunity. This is
10 a tremendous opportunity for these landowners. You
11 heard from them, they want it. Some of them need it.
12 It is their land, and it is their right to do this. We
13 meet the requirements. They should be allowed to do
14 what they want with their land and take advantage of
15 this opportunity.

16 But it's also an opportunity for Coles County
17 and this community. Dr. Loomis testified on April 10th
18 that, based on his analysis, this project will generate
19 over 81.2 million dollars in property taxes over the
20 length of the project. Property taxes for this
21 community -- 81.2 million dollars. He told you he's
22 been doing this for over 25 years. He's testified
23 90 times. He was asked, "Whether -- have you ever
24 had -- ever had the chance to go back in afterwards and

1 see if your analysis was right? And he said, "Yeah, I
2 actually have," and told you about Macon County, how he
3 was hired to go to Macon County after the project was
4 built and see if his predictions were correct, and he
5 told you they were. That's the economic opportunity for
6 this community.

7 But we're also talking about better roads,
8 money for the schools, improved drainage, jobs, and all
9 of the indirect economic benefits that come with this
10 project. That's an opportunity. That's what brought us
11 here. As Alan testified way back on the first night,
12 when we look for a community to partner with, to
13 collaborate with, we look for a community that has three
14 things:

15 The first is wind. I mean, the only thing
16 that everyone in this room agrees on is there's a lot of
17 wind in Coles County. It's windy here. The second is
18 interconnection, which is just a fancy way of saying,
19 "Do we have the ability to connect to the electrical
20 grid and move this electricity?" Believe it or not, a
21 lot of counties don't have interconnection. They might
22 have wind, but there's nothing to do with it. You've
23 got to have interconnection. And so the third thing is
24 landowners that want this project. You've got all three

1 things.

2 My family's from West Virginia. Growing up,
3 my grandfather was a coal miner and his dad was a coal
4 miner. They mined the coal in the 20th century and
5 provided affordable electricity for this country. Now,
6 coal mining in West Virginia is exempt from taxes --
7 from local taxes, so no local tax revenue. And I can
8 tell you that coal companies back then, companies
9 (indiscernible), everybody paid the company's script, so
10 no minimum wages, right? It's not a lot of economic
11 benefit.

12 I still have family there. I go visit there
13 quite a bit. You can find streams and creeks of it to
14 this day, so polluted you can't drink the water, you
15 can't catch -- you can't eat what you catch. You can
16 still see seam shelves that were just abandoned when the
17 coal's use remised. No decommissioning agreement. No
18 decommissioning bond.

19 My grandfather, after a couple years in the
20 mine, didn't want to do it anymore, so he and my
21 grandmother in 1940 moved to southern Ohio. He got a
22 job at a power plant. He worked there 35 years, the
23 nightshift. All my uncles, all my cousins worked at
24 that power plant, till it shut down seven or eight years

1 ago. Part of why it shut down was natural gas.
2 Southern Ohio sits on that shale of natural gas, that
3 boom you might remember. All my cousins were eager to
4 sign leases, put wells on their land. Well, those wells
5 are temporary structures. Not a lot of tax revenue went
6 off those wells. Some of those wells weren't installed
7 properly and leaked into steams and creeks, so you can't
8 drink the water, you can't eat what you catch. Some of
9 those wells that didn't find any natural gas were just
10 abandoned. No decommissioning agreement. No
11 decommissioning bond.

12 I'm the first person in my family to go to law
13 school. Nobody in my family was surprised when I wanted
14 to be an energy lawyer, but as I started my career, I
15 thought about what I saw in West Virginia, what I saw in
16 southern Ohio, and I felt there's got to be a better way
17 to do this. There's got to be a way to produce
18 affordable electricity for this country, but in a way
19 where the local community shares in the benefits. It's
20 got to be possible. That's what led me to Apex.

21 Couple of our witnesses testified about the
22 change in the Apex business model that happened several
23 years ago. And I want to make sure you've caught up on
24 that because it was a small point, but, to me, it makes

1 all the difference in the world. When Apex started out,
2 it was too small of a company to own and operate these
3 big projects. We didn't have a ROCC -- we didn't have a
4 Remote Operations Control Center in the beginning, those
5 are very expensive. But over time, we grew. And four
6 years ago, we officially shifted our business model so
7 that we own and operate these projects, just like we own
8 and operate the Prosperity Wind project that's in Piatt
9 County, and just like we own and operate the Lotus Wind
10 project under construction in Macoupin County.

11 We do that so that we can collaborate, so that
12 we can partner with the communities, so that we can
13 produce affordable electricity the right way, so that we
14 can be transparent partners with you. How do we do
15 that? A big part of how do we do that is how we conduct
16 this hearing. It has been important to the entire team
17 that we get you answers to your questions, that we get
18 you the information you're requesting. If we don't know
19 the answer on the spot, we go get it and we start the
20 next hearing telling you about it. We made the joke
21 about Mr. Kains giving us homework, but we take that
22 seriously because that's being a good partner.

23 How else do we do it? By letting you meet us.
24 We want you to know us by name. Who's been working with

1 your landowners and working in your communities? Alan
2 Moore. He's been sitting here every single night. Who
3 put together this big application for you? Brie
4 Anderson. The only reason why Brie isn't here is
5 because her mom's in the hospital. She is with her mom.
6 Who's gonna build this project for you? Adam Carlson.

7 Let's talk about Adam. Adam is from Paxton,
8 Illinois. Grew up on a family farm, still works as a
9 farm manager part-time. His family farm is next to a
10 wind project. Adam Carlson, he went to the naval
11 academy, became a naval officer on a nuclear submarine,
12 became a nuclear engineer. I like to joke within the
13 company that if you could take the Andy Griffith show
14 and put it into a person, that person would be named
15 Adam Carlson. I'm proud to work with Adam Carlson. I'm
16 proud to have Adam build our projects. Adam is
17 finishing up in Piatt County and is ready for his next
18 project. And we desperately want it to be right here
19 with you all.

20 Okay, so very briefly, let me touch on the
21 five major concerns that I've heard from those opposed
22 to the project and what the evidence actually shows.

23 First, gag orders. A lot of allegations that
24 people have signed away their First Amendment rights,

1 people aren't allowed to talk, there's gag clauses, gag
2 orders... You have our agreements in the binder. The
3 Participating Neighbor Agreements are Appendixes B.4 and
4 B.5. You can read them for yourself. There is no gag
5 order. There is no gag provision. If you don't like to
6 read legal documents, I don't blame you, neither do I,
7 consider Phillip Borgman. Mr. Borgman signed one of
8 those agreements on April 21st, in the middle of this
9 hearing. That agreement, in no way, restricted his
10 ability to take the stand and say whatever he wants.
11 There are no gag orders.

12 The second concern: Histoplasmosis.
13 Admittedly, it's a word I had never heard of before this
14 hearing. Mr. Terry Smith testified and Ms. Katina Smith
15 testified. And as a parent, my heart goes out to them.
16 I don't think I could've done that. It took grit and
17 composure to take that stand and talk about their son's
18 health issues, and our heart goes out to them.

19 Mr. Smith was a quite candid in his testimony
20 when he openly acknowledged that his son's health issues
21 have absolutely nothing to do with wind turbines, they
22 have nothing to do with this project, they have nothing
23 to do with us. He raised two concerns, two ways that
24 this project might influence his son's health issues.

1 At first, as he was concerned that our wind turbines
2 could blow the fungus towards his son's house, and with
3 all due respect to Mr. Smith, let's just make sure we're
4 clear on how our wind turbines work. They don't blow
5 anything. They aren't fans. Our turbines are built to
6 point into the wind. The wind is already blowing. The
7 wind blows on to them, making them spin, which produces
8 electricity. So, our turbines don't blow anything.

9 The second concern he raised is, "Well, what
10 about construction activity? You're gonna disturb the
11 soil." And as was pointed out by some members of the
12 community, "Well, the soil is being cultivated every
13 year. It's been disturbed for a couple years now."
14 Well, that's true. I would also point out that we're
15 satisfying, in fact, we're exceeding all of your setback
16 requirements. But maybe most importantly, I would take
17 you back to Adam -- Adam Carlson's testimony when
18 Mr. Smith asked Adam, "What are you gonna do about
19 this?" And Adam said, "I had never heard of this
20 before, but this is what I think." And then he
21 testified that we take dust control seriously, we have
22 dust control measures in place. Often, we use water
23 trucks to spray down the soil sod piles. If that's not
24 sufficient, we can go to calcium chloride, we can go to

1 chemicals that are bonding agents. We have steps we
2 take to make sure that there is nothing blowing off of
3 our construction site. That's the evidence that's
4 before you.

5 The third concern: Health. A lot of concerns
6 have been raised about whether wind turbines have health
7 problems for people that live around them. Through Ken
8 Kaliski, our expert, we introduced for you seven
9 studies. All of them say there is no evidence of health
10 effects from living close to wind turbines. All seven
11 of those studies were peer-reviewed. All seven of those
12 studies are published in reputable journals. Don't
13 worry, I'm not going to go through all seven of them,
14 but let me tell you the bookends. Let's just talk about
15 the bookends.

16 The first study that we gave you was one of
17 Ken's own studies, the 2014 MIT study, coauthored with
18 two medical doctors. Now, Dr. Shaw, when she testified,
19 she said, "Well, that -- that was sort of an unusual
20 article because it's not actually a study itself,
21 instead it's a summary of all of the articles, all of
22 the studies that have ever been done to date." I can
23 one hundred percent agree with her, that's why we gave
24 it you -- to you as a starting point. It summarizes for

1 you, as of 2014, every single study that had ever been
2 done and reaches the conclusion that every single
3 reputable study that has been done finds no health
4 effects. Nothing from infrasound. Nothing from
5 vibrations. Nothing from sound. Nothing from shadow
6 flicker.

7 And Ms. Rogers testified, "Well, that was
8 2014, that was a long time ago." Okay, so let's go to
9 the other bookend. The other bookend is the March 26th,
10 2025, Netherlands Health Study. March 26th of this
11 year. We were in this hearing. This hearing started on
12 March 17th. In the middle of this hearing, the latest
13 study came out, so we gave it to you. That Netherlands
14 Health Study looked at millions of health records,
15 including health records of children over a ten-year
16 time span and found no increase in symptoms, no increase
17 in diagnosis, no increase in medications for people
18 living close to wind turbines. It reached the same
19 conclusion that Ken and his colleagues reached in 2014,
20 looking at millions of medical records.

21 In between those two bookends, we gave you
22 five more studies that have been drilled down on
23 specific issues. So, you have an infrasound study, you
24 have a sound study, you have a study about turbines

1 getting bigger, specific issues. They all reach the
2 same conclusion. Time and again, there's no evidence of
3 health effects living close to wind turbines.

4 Now Ms. Rogers, when she testified, she
5 brought her own study. Her study, "The Impairment of
6 the Endolithium [phonetic] and Disorder of
7 Microcirculation in Humans and Animals Exposed to
8 Infrasound Due to Irregular Mechano-Transduction." I'll
9 be honest with you, I don't know what most of those
10 words mean. I've read this many times. This is a
11 molecular biology article that has nothing to do with
12 wind turbines. This is a molecular biology article in
13 the *Journal of Bioscience and Medicine*.

14 This article proposes a new theory for how
15 human cells and the body's, quote, "microcirculatory
16 system reacts to sound pressure waves." The theory is
17 that, quote, "the mechano-transduction signaling network
18 may be disrupted by the pulse of a sound wave at
19 infrasound frequencies." I have no idea if that's true
20 or not. That's for the molecular biologists to -- to
21 debate.

22 This is not about wind turbines. It has
23 nothing to do with wind turbines. Wind turbines only
24 come up in this article twice. First, at the very

1 beginning, the authors of this article are trying to
2 justify their new theory. Why is this relevant? Why
3 should anybody care? They say this theory is relevant,
4 quote, "for noise-exposed citizens who live near
5 structures, such as biogas, heat pumps, block-type
6 thermal power stations, and bigger industrial wind
7 turbines." Okay, so this article is just as much about
8 heat pumps as it is wind turbines. It's the
9 justification for why their theory is relevant.

10 Then it goes into all kinds of molecular
11 biology. The only other time wind turbines are ever
12 mentioned is about halfway through the article,
13 Figure 6 -- and this is what Ms. Rogers referred to in
14 her testimony. Figure 6 is actually a copy-and-then-paste
15 from a much older article that purports to show this
16 pulse that's important to their theory, this pulse from
17 an infrasound wave. And it claims that it's from a wind
18 turbine. It doesn't tell us what kind of a wind
19 turbine, it doesn't tell us the distance.

20 We don't really know much here, except that it
21 says, at the very top of this chart, "Total Sound Power
22 Level 89.4 Decibels." 89.4 decibels of infrasound is
23 their pulse. Ken Kaliski testified for you that we are,
24 quote, "several orders of magnitude below these levels."

1 We are nowhere near what this chart purports to show.

2 This is the evidence that's been presented to you.

3 The fourth topic that we've heard concerns
4 about: Weather radar. Nobody wants to impact the
5 Lincoln Doppler weather radar. So, Brie made sure our
6 project is not going to impact the Lincoln Doppler
7 radar. How did she do that? By submitting our turbine
8 locations to the federal agencies for review, including
9 the National Weather Service. The last page in Appendix
10 D.4 is a letter back from 2023 saying none of those
11 agencies have any objections. It specifically called
12 out, by name, the Lincoln weather radar, said we will
13 not have impact. Why? Because we're over 60 miles
14 away -- the letter used kilometers, I'm converting it to
15 miles -- 60 miles away.

16 Now, somebody might say, "Oh, that was 2023."
17 Brie's very good at her job. So, at the end of last
18 year she -- she did it again. She asked for a new
19 letter -- "do the analysis again." February 2025, a
20 letter that was submitted for you as an exhibit reaches
21 the exact same result. We are over 60 miles away from
22 that weather radar station and the National Weather
23 Service has confirmed no impacts.

24 The fifth and final topic that's been brought

1 up as a concern: Decommissioning. Brie, way back on
2 the first night, identified for you at least five
3 different documents, legal documents, that say as a
4 legal matter, we have to decommission the project.
5 We're on the hook, legally. Your wind ordinance, the
6 Agricultural Impact Mitigation Agreements, all of our
7 leases with our landowners, we haven't gotten to the
8 decommissioning agreement yet, but I would assume that
9 Mr. Keyt, right, that he's gonna make sure it says that
10 it's on us, right? So, as a legal matter, there can be
11 no question that we have to decommission.

12 But I get the concern, "Well, what if Apex
13 goes bankrupt? What if J. is fired, Alan's fired,
14 Brie's gone? And then what happens?" Which is why
15 Brie's the money deal. We proposed to you, we included
16 in that application a surety bond. What is a surety
17 bond? It is a financial instrument that you hold, that
18 you control, to make sure that you have the financial
19 resources, so that if we don't do what we're legally
20 required to do, you have access to resources to make
21 sure it gets done.

22 And then the next logical question is, "Well,
23 how do you figure out how much a decommissioning surety
24 bond needs to be?" That's why we hired Kelly McKeough,

1 who has written more decommissioning plans than anyone
2 else we know of. She took that stand and she walked you
3 through, in detail, all of those costs calculations, and
4 how she figured out how much it'll cost to haul out the
5 gravel, and do this, and do that, so that you can rest
6 assured that the surety bond will be in an amount
7 sufficient so that if we don't have what we legally have
8 to do, you have financial resources to make sure it gets
9 done.

10 Those are the five concerns that were raised
11 and the evidence before you about those concerns.

12 I noticed outside this beautiful courthouse
13 there's a plaque that says that Abraham Lincoln actually
14 argued a case here and in this great circuit here. So,
15 over the last few weeks, I've gone back to Lincoln's
16 words. This is what he said in his last Lyceum Address,
17 and this is what I would like to close with for you --
18 this is 1838, long before he was in national politics --
19 and so Lincoln said, quote, "Let reverence for the laws
20 be breathed by every American mother to the lisping babe
21 that prattles on her lap. Let reverence for the laws be
22 taught in schools, in seminaries, and in colleges. Let
23 it be written in primers, spelling books, and in
24 almanacs. Let it be preached from the pulpit,

1 proclaimed in the legislative halls, and enforced in
2 courts of justice."

3 Reverence for the laws. There are two laws
4 that should be revered here today. First is property
5 rights. These landowners want to do this with their
6 land. And the second, the State law says if we meet the
7 requirements, our application should be approved.

8 We can uphold these laws. We can recognize
9 these ordinances, but we can do it the right way. We
10 can produce affordable electricity the right way and the
11 ways that this community shares in those benefits.

12 So, on behalf of Alan, Brie, Goni, Jason, and
13 our entire team, I want to thank you for your time and
14 respectfully ask that the Planning and Development
15 Commission -- Committee recommend approval for our
16 permit application, and when the time comes, the Coles
17 County Board approve of our application. Thank you.

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

19 In opposition to the application closing
20 statement, Ms. Rita Rogers. And, Ms. Rogers, you may
21 use the same microphone and table if you'd like, or you
22 can address from the podium. Whichever makes you most
23 comfortable.

24 MS. ROGERS: I'll address from the podium so I

1 can see these people.

2 MR. KAINS: Okay.

3 MS. ROGERS: Or up here, I guess.

4 (Microphone noise.)

5 MS. ROGERS: Whoops, I'm sorry.

6 MR. KAINS: First of all, I'd like to say,
7 thank you for taking the lead on behalf of the folks who
8 are opposed to this. Not an easy thing to do, but it's
9 been my impression of you, in your testimony and your
10 cross-examination, that you might just very well be the
11 right person for the job.

12 So, anyway. Ms. Rogers, you may -- you have
13 the floor, and you may have as long as you want.

14 MS. ROGERS: All right. Well, first, I'll say
15 I'm not a lawyer. So, if I don't speak in such an
16 appealing manner as Mr. Hess did, I apologize.
17 Sometimes I get fast and loud and that's because I'm
18 passionate, not because I'm angry. It's just my nature.

19 So, first, I would say, you know, he ended
20 with a quote from Abraham Lincoln about reverence for
21 the law. I think that's wonderful. We should have
22 reverence for the law, but the law is sort of overtaken
23 in such a way that it's starting to trample the common
24 man in favor of corporation and government.

1 So, first, I want to -- they -- they kind of
2 go over things as if it's a checked box, and as long as
3 they check all the boxes for your ordinance, they want
4 you to believe that you have no option to vote against
5 it. But, actually, in your ordinance, some of the
6 things I will be talking about are covered.

7 There is a section which clarifies that "the
8 establish, maintenance, or operation of the project
9 should not be detrimental or endanger the public health,
10 safety, morals, comfort, or general welfare. It will
11 not be injurious to the uses and enjoyment of other
12 property in the immediate vicinity for the purposes
13 already permitted, nor substantially diminish or impair
14 property values of surrounding properties." So, I think
15 that's the most important thing that y'all remember,
16 considering the testimony given by all the opposition.
17 That's primarily what's been talked about: Health,
18 property value, and safety -- morals even is included.

19 Today, I sent to you all -- everybody that had
20 an email address -- I think there was one board member,
21 maybe Mr. Royal, I believe -- I'm not sure if that was
22 your last name -- that didn't have email address -- but
23 I had sent to you my favorite essay. It is called "Live
24 Not by Lies," by Aleksandr Solzhenitsyn. And if you're

1 not familiar with him, he was a Russian who was born to
2 a Christian family. He basically gave up his faith,
3 became in favor of communism. He fought for the Red
4 Army, and eventually was sent to the gulags, where we
5 realized he was actually not in favor of communism and
6 became outspoken against it.

7 But his essays are wonderful. He's written a
8 lot of famous books. And I'm gonna read you just a
9 portion of it, in case you guys didn't have a chance to
10 read that essay today. It says, "We have hopelessly
11 ceded our humanity that for the modest handouts of
12 today, we are ready to surrender up all principles, our
13 soul, all the labors of our ancestors, all the prospects
14 of our descendants -- anything to avoid disrupting our
15 meager existence. We have lost our strength, our pride,
16 our passion.

17 But neglected by us, the simplest, the most
18 accessible key to our liberation: A personal
19 non-participation in lies. Even if all is covered by
20 lies, even if all is under their rule, let us resist in
21 the smallest way: Let their rule not -- let their rule
22 hold not through me.

23 For when people renounce lies, lies simply
24 cease to exist. Like parasites, they can only survive

1 when attached to a person."

2 So, we live in a time where people say, "Well,
3 I'd like to do the right thing." I know some board
4 members have said, early on, that, "I'd like to vote
5 against this, but," and the caveat they often cite is
6 the law. That's what they cite -- "Well, the law
7 prevents me from doing so."

8 And the law was, at one time, like I said
9 earlier, meant to uphold the commonly held virtues and
10 morals of all the people. But as morals and virtues
11 have declined and separated, now it mostly upholds
12 what's best for governments, corporations, and the
13 well-organized, and it forsakes the common man, if we
14 just don't have any a method. You -- you heard on the
15 stand the other night, Mr. Hartke got up there and he
16 wanted to talk about his constitutional -- you know, the
17 constitutional rights and things that he felt were being
18 infringed upon. And he was told he couldn't talk about
19 the law because he wasn't a lawyer. What law do you
20 want to talk about? The Constitution of the United
21 States is cover to all of us. And I think that's
22 pretty -- pretty appalling and should be noted.

23 I don't know about you guys, but I am
24 exhausted of living in the day and age where people know

1 what the right thing is to do, but they're scared to do
2 it. They live their lives scared to do the right thing.
3 You might feel like you're handcuffed and have no
4 decision, but you're not. We are here, meeting. We've
5 been to, I think, 14 meetings now -- 14 because you do
6 have the opportunity to take a vote. You do have the
7 opportunity to represent the people who elected you.
8 And maybe you feel handcuffed by the State, but someone
9 eventually has to stand up or we'll keep being run over.

10 Through these hearings, we have heard from all
11 the experts Apex handpicked and paid to be here. And,
12 yes, they paid the best experts and everything, but when
13 money is involved, it can change opinions. I want you
14 to look out at the people who have been here every
15 night. I talked to my friend Meg tonight before I came.
16 She missed her son's championship baseball game tonight
17 to be here. You have people missing important life --
18 life events for their family, who haven't been paid a
19 dime. And that should speak volumes. You should take
20 that into consideration. She said that she had a friend
21 tell her, her son won't remember missing the baseball
22 game, but he will remember long down the road that she
23 fought for him and his future.

24 We heard from a handful of people who are for

1 the turbines -- most of them, again, were paid, and some
2 of them were for -- from organizations who do stand to
3 benefit financially as well. We also heard from those
4 who oppose the turbines, but, again, have no financial
5 benefit.

6 Some of the people that were for the turbines
7 that we heard from -- Mr. Thompson was one of the
8 landowners who stands to benefit, who had signed a
9 contract for the turbines. He got up and said that
10 he -- he talked to his neighbors because he really cares
11 about his neighbors. And then -- then, we heard from
12 Mr. Shaw, who is his real-life neighbor who said, "You
13 never talked to me." And we learned that under oath,
14 what he really meant was that he went to Newman, drove
15 to Newman and looked at the turbines and talked to some
16 people that lived around there -- the neighbors of the
17 Newman wind farm.

18 We heard Mrs. Callaway get up on May 20th and
19 say -- and this is a direct quote -- "I have learned
20 more about wind turbines in this hearing than I've ever
21 known before." So, she signed the contract, just like
22 everybody, then came to the meetings to learn about
23 wind -- wind power. We heard from a former judge -- I'm
24 sorry, don't know your name, sir -- who got up and spoke

1 on behalf of his son, who -- and he cited in his
2 testimony, his vast research on turbines and the
3 detriment of turbines, but then he hadn't even heard of
4 infrasound, even though it had been discussed thoroughly
5 in these meetings and it's one of the first things you
6 find when you do an internet search.

7 We also heard from Mr. Thompson, again, talk
8 about the drainage and how drainage won't be impacted.
9 He's on a drainage district. He understands. He drove
10 around Newman and looked at the Newman farms and
11 everything's fine. Well, my husband farms in Newman.
12 He farms one right in the middle of a wind turbine site.
13 And it's the only one -- only field in that area without
14 a turbine on it because the family said "no," and he's
15 in the field a week-plus earlier than all the farmers
16 around there because everything around is a, quote,
17 "swamp." And my husband's also on a drainage district.

18 What do all these things from the proponents
19 have in common? It's an interesting opportunity to
20 observe the willingness to turn a blind eye to the truth
21 or believe outright lies when big money is involved.
22 And the thing is, we talked about money a lot. None of
23 us, I think, are opposed to making money. I mean, none
24 of us. Like, we -- we want money rolling into the

1 community, into our community, absolutely, but it has to
2 be done in an honest and honorable fashion that doesn't
3 put other people's health at risk and their property
4 values at risk.

5 We heard from several residents, who depending
6 on your decision, could be impacted by this in a
7 negative fashion. Mr. Smith spoke about -- spoke about
8 his concerns about the spore that causes a serious
9 fungal infection: Histoplasmosis. I think primarily
10 during the building, that was actually his main concern,
11 not necessarily that he didn't understand how turbines
12 work, as Mr. Hess insinuated.

13 Davon Yoder and his wife, showed their
14 beautiful property -- if you weren't here that night, I
15 would encourage you to look at the pictures, if those
16 are available online. They did a great job of placing
17 the turbines around their house where they would be, so
18 you could see the impact of this and the interruption of
19 the peaceful nature of their property. These are things
20 outlined in that first part I read, that your -- your
21 own ordinance says cannot be impacted -- peaceful
22 nature.

23 Mr. Sherman provided a well-put-together
24 outline calling into the question the reality of the

1 promised tax revenues and the depreciation of the
2 turbines over time.

3 Dr. Shaw who got up and spoke about being
4 dismissed by the Apex employer, Ray Hoover. They
5 ultimately dismissed them and their Good Neighbor
6 Agreement. But she drew into question the reliability,
7 creditability, and ethics of the studies and the
8 witnesses provided by Apex.

9 And if we want to talk about money and
10 funding, I'll give you a little bit -- furthermore, the
11 MIT Study that has been mainly referenced as a sound
12 study, Vestas and GE are the number one -- respectfully,
13 GE number one and Vestas number two -- onshore turbine
14 companies. And these are the two companies that
15 they're -- that Apex is looking at to put up for this
16 wind project. They actually fund MIT. They have an
17 Energy Initiative Research Program -- MIT does. And
18 Vestas and GE fund the Energy Initiative Research
19 Program. And GE is actually looking to move their
20 headquarters closer to MIT for this.

21 So, hands in the pot right there when you're
22 talking about the studies. Additionally, the Department
23 of Energy helps fund that as well. They're the only
24 larger funders, so the tax dollars are involved. This

1 is all very cyclical when it comes to the money.

2 Mr. Hartke also spoke in opposition. His
3 family was so incredibly disrupted by living within the
4 footprint of a wind project that they had to move.
5 These turbines that he was referencing were about 200
6 feet shorter than the ones here. They were 400-some
7 feet. And the one closest to his home that caused the
8 most disruption was about 1,600 feet away. So, that's
9 further away than the turbines -- the turbine setbacks
10 for your county.

11 So, I find it hard to believe that something
12 so disruptive to him, you know, and say, "Oh, bigger
13 turbines closer to me won't be disruptive just because
14 Apex is putting them in." Because we constantly hear
15 the Apex representatives say, "Well, that wasn't our
16 project. Well, that wasn't our project." Okay, you
17 know, maybe you're a little more friendly when you come
18 to town or maybe you have different contracts with the
19 neighbors and things, but a wind turbine is a wind
20 turbine and they operate the same way. So, even though
21 they would like you -- to lead you to believe that these
22 projects are incomparable, they are very comparable when
23 it comes to the fact that they are wind turbines and we
24 should be looking at other projects to see how it has

1 affected people.

2 We also heard from Apex a lot. They spoke
3 early on about financial benefits. Mr. Hess spent a lot
4 of time objecting to those who spoke. And if you paid
5 attention to what he objected to and what he spent time
6 on, you learned a lot. Because those are the things
7 they didn't want you to hear. If you heard a few
8 minutes ago, he spent some time picking apart the study
9 that I provided, and I will get into that a little bit
10 later. But he picked it apart because that scares them.
11 That study is worth -- worth reading.

12 They often objected when they felt testimony
13 was misrepresented, but they misrepresent their own
14 experts.

15 Mr. Hess -- one of the interesting things that
16 he said one night was -- somebody asked about the
17 contracts and which company they were going to go with.
18 And he said, "Vestas and GE are the ones we're going
19 with, but we're not really sure. We don't want to sign
20 a contract right now because we need -- there is so much
21 time between when the project is actually going to be
22 built that we need some more time. We don't want to
23 have something set in stone." It's very interesting to
24 hear that they don't contract-sign early on when there's

1 so much time, but they go around something like three to
2 five years ago, contracts are being signed for this
3 project. He's probably going to rebuttal because I
4 didn't get my dates exactly right, maybe it was just a
5 year, maybe some of them were a year. But these
6 contracts were signed well in advance of these meetings.
7 They have the contracts signed, then you come to learn
8 about it. They all signed contracts for their company
9 until things are closer to the date that they want the
10 local people to do it. This is about a big corporation
11 making big promises and the common man just being kind
12 of suffered into something.

13 Rules for thee, but not for me, essentially,
14 is the quicker version.

15 Okay, so, last thing I'm going to get into --
16 health and well-being -- these are the words that are in
17 there -- "health and well-being, lives, property, and
18 payoffs." So, health, we've heard from many people who
19 have been recognized as experts, but not one health
20 expert has been here. The definition of "expert," in
21 this case, was anyone hired by Apex to present
22 information favorable to their cause. That's the off
23 the record definition.

24 The public in opposition had no path of

1 bringing forth -- bringing forth experts. We were just
2 told, "Well, you're not an expert. You're not an
3 expert." I went there as a 15-year cardiovascular ICU
4 nurse. As a nurse for 19 years, with 15 of them in a
5 cardiovascular ICU, dealt with heart arrhythmia --
6 arrhythmia my entire career, and I'm not allowed to speak
7 on heart arrhythmia because I'm not an expert. Very
8 interesting.

9 But they were able to bring forth Ken Kaliski,
10 whose specialty is noise control engineering, however
11 Mr. Hess just recognized that he was their, said, health
12 expert. And then when Mr. Sherman called his expert to
13 give him a question during his testimony, he was said,
14 "Well --" Mr. Hess said, "Well, if you're saying he's
15 not actually a medical doctor," like insinuating he's
16 every bit of a health expert, outside of being a medical
17 doctor. Mr. -- Mr. Kaliski is not a medical expert or
18 by any stretch of the imagination. He reads sound
19 studies. He does sound studies for wind companies. He
20 brags on his LinkedIn profile about the projects he's
21 worked with Apex on. So, you're hearing from somebody
22 paid by Apex to tell you about sound, but he's not
23 getting to the root of the issue.

24 Okay, so we talked about infrasound and the

1 health impacts a lot during these testimonies. This is
2 one of the biggest points that need to be hammered home.
3 Mr. Hess would like -- and his team -- would like you to
4 hear that there's no evidence of impact on health, that
5 the studies that he's referred to are studies paid for
6 by the Apex team or by government -- he's referenced the
7 Netherlands study -- by governments who are trying to
8 bring more wind and more solar into their community to
9 comply with United Nations agenda. So, these
10 governments are more in the same with the corporations
11 at this point. They work hand-in-hand. This is called
12 public-private partnerships, okay? The Netherlands
13 study, just because it was done by a government, is no
14 more reliable than a study done by a corporation that
15 does wind.

16 Meg Taylor brought up the definition of
17 "health" from the World Health Organization. The WHO
18 actually asked the question in a 2016 article:
19 "Infrasound, is it time to listen?" Going on to say
20 that well-documented evidence supports an association
21 between higher levels of environmental noise and various
22 adverse health effects --

23 MR. KAINS: Ms. Rogers, could you just slow
24 down just a little bit? She's trying to --

1 MS. ROGERS: I'm sorry. Thank you for
2 warning and telling me because sometimes I just get a
3 little passionate.

4 MR. KAINS: It's okay.

5 MS. ROGERS: Okay.

6 MR. KAINS: You're doing very, very well.
7 Just slow down a little bit so --

8 MS. ROGERS: Okay.

9 MR. KAINS: -- Lydia can keep up with you.

10 MS. ROGERS: I think I do that also in respect
11 of people's time, being a busy mom, I just try to get
12 things done fast.

13 MR. KAINS: It's okay. You're -- you're doing
14 fine. Just --

15 MS. ROGERS: So --

16 MR. KAINS: -- go back --

17 MS. ROGERS: Okay.

18 MR. KAINS: -- to the start of that thought,
19 please.

20 MS. ROGERS: All right.

21 MR. KAINS: Thank you.

22 MS. ROGERS: So, the WHO actually asked -- the
23 World Health Organization actually asked a question in a
24 2016 article, "Infrasound, is it time to listen?" Going

1 on to say that well-documented evidence supports an
2 association between higher levels of environmental noise
3 and various adverse health effects, such as
4 cardiovascular diseases, sleep quality, cognitive
5 ability, and hyperactivity in vulnerable groups such as
6 children. And they say that there is a gap in
7 literature in studies of the effects.

8 The thing you also need to remember is, who's
9 going to take the time to study and pay for studies?
10 Governments and corporations. The people affected by
11 these things -- I think Mr. Hartke was asked the other
12 night by someone, "Did you think about suing the wind
13 company?" He's like, "I don't have the money for that.
14 I don't have the money to go up against a big
15 corporation, but I do have the gas to drive here and
16 tell you about it." So, I think that needs to be taken
17 in consideration, too, when you look at these studies
18 that are for -- you know, so many of them for wind,
19 there's a reason. It takes money to do a study.

20 So, Mr. Hess kind of downplayed the study that
21 I provided. And I would say the MIT study that they
22 have mainly referenced in regards to sound, there were
23 26 people involved. It talked about, quote, "annoyance
24 with the sound," and it said that there was

1 physiological changes from the sound. But what we were
2 talking about mostly was annoyance and physiological, so
3 like your heart rate, something that would be measurable
4 at the time. Like, they would have to be able to take
5 your blood pressure or your heart rate or something to
6 be able to understand if there's an immediate
7 physiological change.

8 The thing is, the infrasound -- and he said in
9 the study that I referenced, "They only talked about
10 windmills twice." It doesn't matter if it's a windmill
11 or something else. Infrasound is infrasound. It
12 doesn't matter what it's coming from. They were talking
13 broadly about infrasound being impactful to the human
14 being. And a lot of these changes happen at the
15 cellular level. That is not immediately measurable.
16 That is something that would be long-term.

17 Think about someone, who, every day, eats like
18 a super healthy diet of whole foods. Are you going to
19 experience immediate physiological changes? No. Your
20 blood pressure's not going to go up or down the moment
21 you eat broccoli. And every day, things are just gonna
22 kind of stay consistent. But over a few years, if you
23 take somebody who's eaten a processed diet every day of
24 their life and somebody's who's eaten whole foods every

1 day of their life, 50 years later, there are going to be
2 measurable differences, right? These things are really
3 hard to study, and that works in their favor, by the
4 way.

5 But, like I said in my testimony, you can have
6 studies and you can have, quote, "hearsay" as they would
7 call it, but hearsay is the experience of the every day
8 person living within the footprint. And I think that's
9 pretty important to take into consideration.

10 Lies -- this is the second one I want you to
11 remember. Wind is renewable, they talk about wind
12 energy being renewable. Wind is renewable, the wind
13 that blows. Turbines are not. Battery storage is not.
14 None of that is renewable. I don't know, like, I -- it
15 blows my mind and I think most of the people out here,
16 how wind is talked about "this renewable energy source,"
17 when you see how it is constructed and how short the
18 lifespan is. Wind is renewable -- the turbines, the
19 construction, all of that, not. So, it is a lie.

20 There was a statement earlier that these --
21 this project is not funded by the federal government.
22 Well, that's also kind of an untruth. The Institute for
23 Energy Research states that "wind and solar only exist
24 because of government subsidies and mandates." Between

1 the years 2025 and 2034, there will be approximately
2 421 billion expected to go into wind and solar.
3 Taxpayer dollars. Why did I put this into the lie
4 category? Because they tell you, "You're gonna get all
5 this money. There's all this money coming in." And
6 they tell you that "these subsidies don't really amount
7 to much, no big deal." Yes, yes, they do. Wind
8 produces about ten percent of our domestic energy right
9 now. In the coming years, 50 percent of the subsidies
10 that come -- that go to our domestically-produced energy
11 source will go to wind and solar. That's quite a
12 disparity. Quite a disparity.

13 So, these incentives, tax incentives do matter
14 to them. And it's cyclical. You're getting all this
15 money, but it's tax dollars. It is money coming out of
16 your pocket, going to the federal government, going to
17 the State government, and coming back to you. Maybe
18 you're getting a little bit more because you're getting
19 somebody's else tax dollars. This is all a big fat lie.

20 The tax breaks that come federally, which are
21 the subsidies, are the investment tax credit and the
22 production tax credit. They made a special
23 (indiscernible) for the company, but this might be going
24 away. Mary Miller, our United States Representative,

1 she messaged us the other day that she was talking to
2 Donald Trump, specifically about the green energy tax
3 credits -- said these are going away. He looked at
4 (indiscernible) Johnson and told him to get them out
5 now.

6 So, I mean, maybe they won't go away. They've
7 got lobbyists and everything, I don't. But there's
8 potential for this to happen. I know some of the
9 members have been waiting on these changes to come so
10 that they don't have to go to a vote on it. These
11 changes aren't going to come soon enough for you, but
12 they might come soon enough to make these projects a big
13 headache to decommission.

14 All right, property -- that's the third thing.
15 Oh, wait, one more thing on lies -- decommissioning. My
16 friend Meg had called the two decommissioning companies
17 that Mr. Hess mentioned, and neither one of them had
18 said they've heard from Apex. And one of them even said
19 that they would be surprised if Apex contacted them
20 because there's no way that they can handle any of that
21 amount of decommissioning material. So, they -- they
22 were surprised that they would've been named -- that
23 they were a company.

24 MR. HESS: And with all due respect, I'm gonna

1 object. This is three times now she's introduced new
2 evidence. The rules specifically say -- and I -- you're
3 doing great, I understand you're not an attorney, but
4 the rules say, closing statements -- introduction of new
5 evidence is precluded. You know, if Ms. Taylor wanted
6 to say that, I would have a right to cross-examine her.

7 MS. ROGERS: She actually did say that in her
8 testimony, I believe.

9 MR. KAINS: Okay. Hang on, Ms. Rogers.

10 MS. ROGERS: Okay.

11 MR. HESS: I believe what was stated was --
12 Westwood, our expert, was asked, "Did you contact the
13 two waste-management facilities identified in your
14 report?" Which is a little different than saying, "Did
15 Apex call you?" So, I would just object that new
16 evidence is not allowable.

17 MR. KAINS: I'm gonna overrule the objection.
18 But, yes, that is correct. New evidence is not allowed,
19 but I think that this is argument. It's paraphrasing
20 what Ms. Taylor found out. I'm going to allow it.

21 And, again, closing statements are not
22 evidence. You recall the evidence, if you need to.
23 County Board members, when it's time for the County
24 Board vote, you can look at the transcript and see what

1 it said, if this is a -- a particular issue that's gonna
2 hang you up one way or the other.

3 So, Ms. Rogers, thank you. You may go right
4 ahead.

5 MS. ROGERS: Yep. The third thing: Property
6 values or property in general -- property values,
7 property rights. You have -- they have said so many
8 times, "Property values won't be impacted. Property
9 values won't be impacted." And it's almost hilarious to
10 me that the company and the studies show property values
11 won't be impacted, but people don't want to live by
12 them. So, how is that possible? How is there such a
13 disparity that people don't want to live by wind
14 turbines, you have people moving, you have people that
15 can't sell their houses, you have people that move to
16 the country that say "I don't want this here," but the
17 property values aren't impacted? I find that really
18 hard to believe.

19 Well, it's interesting when you look at some
20 of the studies, you find out pretty easily how this
21 happens. Some of the studies, they -- one of the most
22 recent ones, they studied 500,000 homes. Okay, look how
23 bare these wind turbines sites are. It is desolate. It
24 would take a long time, a lot of turbine sites to find

1 500,000 homes. How did they do it? They went to
2 turbines sites and included the urban surrounding home
3 sales. That's called lying with statistics, okay?
4 That's called inflating your numbers, padding your
5 numbers, so that you can make things look a certain way
6 on paper, right? 500,000 homes. Minuscule amounts of
7 property value evaluation. Okay, I believe that
8 500,000 homes -- lying with statistics. Padding their
9 numbers.

10 Does the landowner have a right to what they
11 want -- does the landowner have a right to do what they
12 want with their own property? That is the main
13 question. And I think most of us would agree: Yes,
14 they absolutely should. But the real question is, do
15 they have to do something to their property that
16 ultimately impacts everyone's property around them and
17 their health and their peace and their use of their
18 property? And the answer's already been given to us.
19 It's not even a question. It's, no, they do not have
20 the automatic right to do that. If they did, we would
21 not be at 14 meetings into this. We wouldn't be taking
22 a vote. They would just sign contracts with Apex and
23 move on, and then the towers would be built. But we're
24 here because it's not an automatic right. This is not a

1 simple property rights issue.

2 Keatin Foor from Land of Liberty Coalition, he
3 wants you to believe, again, that it is just simply
4 check the boxes and property rights. It's not.

5 Number four: Payoffs. This is the last thing
6 I want you to remember and it's the shortest. If a
7 company comes to town and offers big money and has to
8 give you money to allow them to come here, it's called a
9 payoff. And it's because other people don't want it.
10 They're not doing this out of the goodness and charity
11 of their heart. They're not just giving people money.
12 A lot of companies come to town and they offer jobs. If
13 companies come to town and they're going to create
14 commerce and jobs and be great for the community, what
15 happens? A lot of times, states give them tax breaks.
16 Communities give them tax benefits. Say, "Hey, come
17 here. Come to our community. We want you. We want the
18 jobs." That's not the case with wind. They pay you to
19 take them. That should be a huge red flag. That
20 shouldn't be like, "Oh my gosh, we get this money," that
21 should be a red flag, like, waving in the air to you.

22 The Shaws wouldn't have been here speaking the
23 last several nights if they had signed over to give --
24 to be a good neighbor and to get \$7,000 a year. And

1 \$7,000 a year to some people isn't a lot of money.
2 \$7,000 a year to some would change the way they live.
3 So, they -- they give neighbors money. And maybe
4 they're not hush agreements, maybe they can say whatever
5 they want. I don't know, but I certainly didn't hear
6 from anyone other than Mr. Borgman who signed and, it
7 sounds like, regrets it, the Good Neighbor Agreement.

8 We're here because Apex has been working
9 quietly to develop a relationship with the landowners,
10 get contracts signed to place the turbines on their
11 properties, and work on the Good Neighbor Agreements.
12 And we're here after those contracts are signed. This
13 is the only way out of it. The contracts are binding,
14 unless somebody wants to be sued to get out of it. Your
15 vote is the only way out.

16 These meetings -- the first ones were packed.
17 The first meetings, there was standing room only. And
18 Apex was heard. And now, we're down to just a dwindling
19 crowd, mostly of people who care enough about their
20 community and our opposition to this.

21 I think you need to think about the people who
22 have showed up every night. Most of the people who are
23 in support of this have been here intermittently, maybe
24 once, or just written a letter. The opposition is

1 continuously here.

2 At the May 20th meeting, it was said that the
3 burden of proof falls upon Apex when it comes to proving
4 that their turbines are what they claim to be, when it
5 comes to fulfilling the contracts. It's easy to prove
6 it, when they're afforded the opportunity to object and
7 to ask questions of everyone and to have their own
8 experts. We're not afforded that opportunity. So, when
9 you consider your choice, consider the fact that we have
10 a different opportunity coming to this table than the
11 Apex crew does.

12 Then, after this, there's going to be a
13 rebuttal, he's going to rebut everything I said and try
14 to erase everything I said. Remember that also, he gets
15 the last word. Remember also, there's going to be a
16 finding of fact, so they're going to try to say, "Well,
17 that stuff -- that stuff Rita said isn't factual. That
18 stuff Meg or Mr. Shaw or Mr. Sherman said, that's not
19 fact. That's not true." We can't prove it. It's
20 really hard to prove a lot of these things unless you
21 have the money to do it. It's really hard to prove
22 things like I talked about with the health that happen
23 on a cellular level over time.

24 They'll call it hearsay. They'll say it's not

1 true. But it's personal experience. It's lived
2 experience. Once the turbines are here, they're here.
3 They won't go away.

4 If you really want to listen to what the Apex
5 representatives say, watch what they do and it will tell
6 you about the heart of the company. Mr. Hess stood up
7 here and he talked very kindly to you. Like, almost, I
8 would say in a theatrical manner. How he talked to us
9 on the stand was completely different. Two different
10 things.

11 He said it best the night we were trying to
12 schedule a meeting for tonight, actually, or the last
13 two meetings, May 20th -- we were trying to schedule the
14 last two meetings. He stood up and said, "Are we really
15 trying to schedule around a citizen?"

16 (Pause.)

17 MS. ROGERS: Yeah. But Apex cares about you.

18 Apex is not presenting information to inform
19 you. They're not presenting this information so that
20 you are informed, so you know what you're getting.
21 They're presenting hand-selected information by
22 hand-selected experts to sell you on their project.
23 They're a sales team, okay? That's what they're here to
24 do. They're to sell you -- here to sell you their

1 project and there is a difference. There is a
2 difference between being here to inform you and being
3 here to sell you.

4 Now, the ball's in your court. You do have a
5 decision to make. I hope you realize that your hands
6 are not tied. You have a very important decision to
7 make. Once the turbines are here, they are here. And
8 after all this testimony, you won't have the opportunity
9 to say, "Well, I didn't know. I didn't know." We're --
10 again, I think 14 meetings in. I could be off one. But
11 you can't say, "I didn't know." You can say you didn't
12 listen, or you can say, like I said at the beginning,
13 "I'd like to do the right thing, but I didn't have the
14 guts." But you can't say you didn't know.

15 So, I hope you all have the guts.

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

17 Rebuttal, Mr. Hess?

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

19 (Pause.)

20 MR. HESS: Ladies and gentlemen, it's late, so
21 I will be very brief. Four brief points in response to
22 Ms. Rogers.

23 First, she stated several times that we signed
24 contracts with our landowners several years ago prior to

1 this hearing, as if that's somewhat sinister or suggests
2 that we're up to something. Your ordinance requires --
3 it's the second thing in that binder -- that we show you
4 that we've signed leases with landowners. We can't get
5 to you -- we can't get to this hearing until we have the
6 landowners on board first.

7 Every ordinance -- it's in every ordinance
8 that I've ever seen, that makes sense. You start with
9 the landowners. And only if the landowners want this,
10 do we then take up your time with a permit application.
11 That's the order in your ordinance. We didn't do that.
12 There's nothing sinister about that. That makes sense.

13 Second, she testified that we didn't bring you
14 "not one health expert." I, respectfully, disagree with
15 that. What are the health concerns for those opposed to
16 the project? They've raised sound, infrasound, and
17 shadow flicker. So, we brought you the nation's best
18 sound expert and the nation's leading shadow flicker
19 expert. We brought you experts in the particular fields
20 that people say cause health problems, to demonstrate to
21 you that we meet all the requirements, and that by
22 meeting those requirements, every single study says
23 there will be no ill effects.

24 Third, she said infrasound problems wouldn't

1 be immediately noticeable. She analogized it to like a
2 healthy diet. You know, you wouldn't really notice the
3 benefits right away. Well, we gave you a specific
4 infrasound study that didn't find any health effects.
5 The Netherlands study looked at health records of
6 millions of people over ten years and didn't find my
7 health effects. There's no evidence of somehow lurking
8 health effects that only come out later.

9 Finally, property values. Appendix E.3 in
10 your binder is the study from Drew Lines, who sat on
11 that chair right there. Contrary to what Ms. Rogers
12 says, if you go to Page 3, the findings, he summarized
13 this for you, that he and his team looked at nine wind
14 projects that have been built, eight in Illinois and one
15 in Indiana. And they analyzed whether there's any
16 change in the sale values before construction and after
17 construction. His finding is, quote, "Proximity to the
18 wind farms has not deterred sales in residential
19 single-family homes, nor has it deterred the development
20 of new single-family homes on adjacent lands. Our
21 conclusions also considered interviews with county and
22 township assessors, who have at least one farm in their
23 jurisdiction and that may have determined that wind
24 farms have not negatively affected adjacent -- adjacent

1 property values."

2 I completely agree with the opposition. There
3 are some people that don't like wind turbines. And
4 there are some people that, therefore, won't live next
5 to wind turbines. But as Drew Lines actually explained
6 to you, that's not actually the question. The question
7 is, will somebody still pay market price for that house,
8 right? Some people don't want to do it, but are there
9 others that still will and will they pay the market
10 price? In study after study, nine wind farms in this
11 area, no change in house sales.

12 And I just want to end there and end on this
13 point of studies because, through this lengthy hearing,
14 they have had every opportunity to present you with
15 studies. We were presented with a McCann letter that
16 warned Adams County that if they let a wind project get
17 built, they would see a six million dollar drop in
18 property values. Project got built. Where's the
19 evidence of any drop in property values?

20 All of these people that are opposed to the
21 wind project, they didn't present you with any studies.
22 All of these health claims, the only study that they
23 have for you is a molecular biology one.

24 Everybody has the right to raise concerns, and

1 everybody has the right to be heard. But you now need
2 to consider the evidence that's actually before you.
3 And whether you take the narrow view that we meet the
4 permit requirements -- we do -- or you take the broader
5 view, this is a tremendous opportunity for all of us. I
6 would respectfully submit, you will end up at the same
7 result: Our application should be approved. Thank you.

8 MR. KAINS: All right, thank you, Mr. Hess.

9 MR. MILLER: We voted... Never mind.

10 MR. KAINS: Excuse me?

11 MR. MILLER: I apologize. I -- I know I'm a
12 little bit out of order.

13 MR. KAINS: Okay, that was Mr. Miller. I
14 don't know what he said, but all right.

15 The evidence is closed. There is no other
16 evidence to be considered by the committee. And just a
17 reminder to the committee, the closing statements of
18 Mr. Hess and Ms. Rogers are not to be considered as
19 evidence, they are just a summary of the evidence,
20 touching on the points that they think are most
21 important.

22 And I wish to commend both, Ms. Rogers and
23 Mr. Hess, on excellent closing statements. Very much
24 appreciated.

1 All right, Mr. Keyt, you're up next with
2 findings of fact. Do you need to set up anything on a
3 computer, an overhead, anything like that?

4 MR. KEYT: If I -- if I were to suggest, we --
5 we could do five minutes or so -- so we can --

6 MR. KAINS: Yeah, Lydia needs a break.

7 MR. KEYT: Okay, ten minutes.

8 MR. KAINS: Let's -- let's take a ten-minute
9 recess, come back at 10:17 p.m. for Mr. Keyt and
10 Mr. Ierulli's work with the board. We're in recess till
11 10:17 p.m., thank you.

12 (Recess.)

13 MR. KAINS: All right, the 19th and next to
14 last thing on the agenda is deliberations and vote. And
15 under deliberations and vote, there are three
16 subheadings: Findings of fact, conditions, and
17 recommendation to the full County Board.

18 And to discuss findings of fact, are you going
19 to go finding some facts first, Mr. Keyt?

20 MR. KEYT: Yeah, we'll go through the findings
21 of fact first, then the recommended conditions, and then
22 we'll do -- the final vote would be a recommendation to
23 the County Board -- full County Board.

24 MR. KAINS: All right.

1 MR. KEYT: I'll cover this as we get into it,
2 though.

3 MR. KAINS: I'll turn the floor over to you
4 then, Mr. Keyt. Thank you.

5 MR. KEYT: All right, I can't quite pull up
6 the screen yet, but that's okay because I'm going to go
7 through a couple prefatory comments with you. I don't
8 have the smoothing voice of Mr. Kains, so you're just
9 gonna have to --

10 MR. KAINS: I think you do.

11 MR. KEYT: Thank you.

12 MR. KAINS: You're all right, Mr. Keyt.

13 MR. KEYT: All right. All right, so -- just
14 so everybody's clear, our office -- I'm Andy Keyt -- our
15 office Heyl Royster is appointed by the -- the state's
16 attorney to represent the county. That representation,
17 just so everybody understands, is of the county,
18 dividing the politics under the county. We don't
19 represent the Applicant. We don't represent the State.
20 We don't represent individual citizens. We only
21 represent the county, through the appointment by the
22 state's attorney.

23 So, I understand this process is long. It can
24 be somewhat arduous. It is required by statute, so we

1 have to go through it.

2 The process that we'll have here tonight, just
3 so everybody understands, is we will go through the
4 draft findings of fact. It is entirely up to the
5 committee how those findings of fact read. I can go as
6 slow or fast as you want. It's about 10:20, so it's up
7 to you.

8 I will also -- once we get through the
9 findings of fact, there will be a motion -- somebody
10 will have to make a motion to set the findings of fact
11 for the committee, then there'll be a vote on the
12 setting of those findings of fact.

13 Then, we're going to move to the conditions.
14 Once we get into the conditions, those are only, again,
15 recommended conditions. The final set of conditions, if
16 any, would be coming from the County Board itself. So,
17 those recommended conditions, again, read -- are merely
18 a draft. It is up to the committee to make that
19 recommendation. It can be worded however you want it to
20 be.

21 Conditions, though, can still be amended or
22 changed, subject to the -- the purview of the full
23 County Board. So, those conditions, ultimately, are
24 voted on by the County Board, if they approve the

1 project. If they don't approve the project, there's no
2 conditions that go in place because it doesn't impact
3 the project if it doesn't get approved.

4 And then, the final vote that we will take is
5 on whether the committee will recommend to the full
6 County Board an approval of the project, a denial of the
7 project, or an approval subject to conditions. I'll
8 explain in a little bit more detail what that means and
9 what the legal parameters are as we go through it. But
10 that'll be the final vote we take.

11 And then at that juncture, the committee would
12 adjourn, and the entire package then goes to the County
13 Board.

14 One thing for everybody to keep in mind when
15 it goes to the County Board, it does not go through this
16 process again. It is not a rehearing. They do not
17 accept evidence. There would be public comment that
18 people can make, people can say anything they want
19 during public comment. But just for clarity, it is not
20 time for new evidence to be heard.

21 The only evidence that's relevant for the
22 committee or the County Board to consider is evidence
23 that came in through the process of this hearing.
24 Things that did not come in through the process of this

1 hearing is not to be considered by either the committee
2 or the County Board.

3 With that as background, are there any
4 questions before I start going through the findings of
5 fact with the committee? Which will then require me to
6 get this computer to work. So, give me one minute here.

7 (Pause.)

8 MR. KEYT: I don't think it's your thing, I
9 think it's my computer.

10 (Pause.)

11 MS. ANTONIOLLI: There.

12 MR. KEYT: Thank you. If the computer doesn't
13 work -- if computer doesn't work -- it was working -- if
14 the computer doesn't work, I'll hand out hard copies to
15 you, then we'll go through it that way. But hopefully
16 this works so everybody can see it on here.

17 MR. MOORE: Okay, it's still on.

18 (Pause.)

19 MR. KEYT: Okay. I think that -- okay. We're
20 gonna start with the findings of fact. I'm gonna walk
21 through this. The document is 18 pages long. I'm not
22 gonna read every word.

23 The committee, you have had an -- a draft set
24 up, but it is merely a draft. It is not in my control

1 to decide what goes into the findings of fact. That is
2 up to you to decide. I -- I give you things to get you
3 started, but it's entirely up to you how these things
4 could be worded.

5 I'm gonna walk through the structure of it
6 first, just so you see it. So, the first four pages
7 outline what we -- the process has taken place -- the
8 application that came in, the hearing process, it has
9 the dates of the hearings that took place, it goes
10 through the applicable standards that we have to review,
11 it goes through every witness that has provided
12 testimony in the case, it's listed, and then it lists
13 all of the evidence that has come in, either through the
14 Applicant, opposition, the County Exhibit, and then also
15 any public comment.

16 It then gets into the actual findings of fact.
17 The way the findings of fact are structured is it takes
18 your ordinance -- which is -- was developed and passed
19 back, I think, in 2023 -- it takes that ordinance and
20 every requirement that is within your ordinance, then is
21 listed out and then what evidence came in, in relation
22 to that specific requirement.

23 It goes through -- I believe, Pages 4 through
24 about 14 cover all of what I would call the technical

1 requirements of your ordinance. An example of that
2 would be, do they have an Agricultural Impact Mitigation
3 Agreement that's been signed? That's a requirement of
4 the ordinance. That specific requirement is listed, and
5 whether or not that is -- has been found within the
6 application or in the hearing testimony.

7 Then we get to the hearing factors. You have
8 a number of hearing factors. We call these in the -- in
9 our land use and zoning world, we call those
10 lassows [phonetic] of clear factors. Those factors are
11 then listed, and each one of them is listed, along with
12 any evidence that was submitted in relation to that
13 particular factor. And then, at the end of that
14 document is the last vote you would take, which is the
15 recommendation.

16 Are there any questions before I start walking
17 through the document itself? And as we go through each
18 section, I'm just gonna ask you if you have any changes
19 or amendments to what's been drafted. Again, it is
20 entirely within your purview how those read. So, if
21 there's anything that wants to be changed -- anybody
22 wants to change anything, feel free to do so.

23 Again, as we go along, if there's any
24 questions that the committee might have, I'm happy to

1 try and answer them as we go along, okay?

2 Okay, the first four pages of the document, of
3 the draft findings of fact, deal with the hearing
4 process. It describes who the Applicant is. It
5 describes the project summary, which is very -- very
6 much a ten-thousand-foot overview. It then gets into
7 when the application was received, and then the hearing
8 process itself. That's Page 1.

9 That hearing process is described, and it
10 includes even all -- all nights of the hearing,
11 including even tonight's hearing. Then it gets into the
12 applicable standards and the testimony and documentary
13 evidence, which is the list of witnesses that have
14 been -- that have testified, and then it also lists all
15 of the application -- or application exhibits and the
16 exhibits that have come in through the process of the
17 hearing -- opposition exhibits, county exhibits, public
18 comment.

19 Is there any changes that anyone on the
20 committee wants to make to those first four pages of
21 that document?

22 MS. ANTONIOLLI: Do you have a hard copy with
23 you?

24 MR. KEYT: I do.

1 MS. ANTONIOLLI: Oh, do you mind if I see it?

2 MR. KEYT: Yes.

3 MS. ANTONIOLLI: Okay.

4 MR. KEYT: Sorry.

5 MR. CLAYTON: So, on the -- the testimony
6 given, we're sure that we have everybody that gave sworn
7 testimony on this list? And I noticed at the very
8 bottom, it said "neutral to the project" and there's two
9 stars. Well, I think you've changed that up there. I
10 think it's --

11 MR. KEYT: Yeah.

12 MR. CLAYTON: -- Jim [sic] Di Naso's there,
13 okay.

14 MR. KEYT: So, the draft -- we gave you a
15 draft version a couple --

16 MR. CLAYTON: Right.

17 MR. KEYT: -- days ago before the testimony
18 from last. The testimony from -- not last night --
19 Monday night. The testimony from Monday's been included
20 in here.

21 MR. CLAYTON: Okay, I see you have that up
22 there.

23 MR. KEYT: Yeah. Okay, any -- any changes
24 anybody has to those first four pages that just cover

1 the history of how -- how we've gotten to here today?

2 Okay, seeing none, I'm gonna keep moving.

3 The first requirements under the findings of
4 fact -- and I'm just -- these first -- or four pages
5 through -- or I'm sorry -- Page 4 through, I think, 14
6 are your technical requirements.

7 So, the first one is they have to file a
8 special use application. One was filed, they
9 supplemented that application before it was called for
10 hearing, and then the application was set for hearing.

11 Any changes to that particular requirement?

12 Okay, seeing none, I'm going to move to Part B.

13 Part B, it is required that they -- that they
14 provide a summary of the project in that application.

15 The summary of the project was provided in the
16 application. That summary of what was provided in the
17 application is listed here. It includes the number of
18 turbine sites they're requesting. As a reminder,
19 they're requesting approval of 62 turbine sites, of
20 which they would only be building 51 turbines. Also,
21 they have enlisted the manufacturer and the model that
22 they propose, which is the Vestas V162 and the GE 6.1
23 turbine. And then it has the list of requirements that
24 is listed in their project summary.

1 Any changes to that subparagraph -- I believe
2 it is Subparagraph B.1, which is where most of your --
3 most of your technical requirements are contained within
4 Subparagraph B.1. Any changes to that particular
5 section? Okay, seeing none.

6 I'm gonna move to Paragraph 2, "The name,
7 address, telephone numbers of the Applicant's, Owner and
8 Operator, and all property owners, if known, and
9 documentation to demonstrating land ownership or legal
10 control." They have listed the names and addresses of
11 who the Applicant is from Apex Clean Energy. They did
12 provide the names and property owners and the lease
13 agreements in a length in their application. That was
14 provided in the application and was confirmed by us in
15 the office.

16 Any changes to that Subparagraph 2 that
17 anybody wants to make?

18 Okay, seeing none, I'm going to move to
19 Subparagraph 3. Subparagraph 3 deals with the site plan
20 for the WECS project, which would include legal
21 descriptions for each site. It also -- there's a number
22 of requirements, which essentially deal with mapping.
23 The application did have what -- what was called a
24 "Preliminary Site Plan," showing the locations of the

1 facilities, including the turbine sites, sub --
2 substation O&M, and ADLS radar tower, and
3 staging/laydown areas.

4 In Subsection 3, is there any suggested
5 changes or modifications to Subsection 3?

6 Okay, seeing none I'm going to keep moving to
7 Paragraph 4, "The Applicant shall comply with all FAA
8 requirements." The project has been reviewed by the FAA
9 and has received some Determinations of No Hazard to
10 some of those preliminary sites that they listed.

11 Keeping in mind, if any site or if the project is -- is
12 approved by the county, before they could get a building
13 permit, they would have to come back with final
14 Determinations of No Hazard for those -- for all of the
15 turbine sites.

16 Is there any changes to Subparagraph 4? Okay,
17 seeing none.

18 Subparagraph 5 the requirement is "a proposed
19 decommissioning plan for the WECS project, including
20 cost estimations." They did provide a decommission plan
21 and a site reclamation plan. There was a -- there was a
22 significant amount of testimony about that, but one was
23 provided.

24 Any changes to that requirement -- or I'm

1 sorry -- to that evidence being listed in Subparagraph
2 Number 5?

3 Okay, seeing none I'm going to go to
4 Subparagraph 4 [sic], "All required reports, studies,
5 certifications, and approvals demonstrate a compliance
6 with provisions of the ordinance." There was a number
7 of exhibits that are provided as part of the
8 application. Those exhibits are listed there, they're
9 Appendices A.1 through F.4. And it lists out all of the
10 studies that were listed as part of the appendices.
11 Some of these documents are referenced later on in the
12 findings of fact.

13 Any changes to Subparagraph 6?

14 Okay, Subparagraph 7 requires a fully-executed
15 AIMA between the Applicant and the Illinois Department
16 of Agriculture. The Applicant did provide a
17 full-executed AIMA between them and the ID -- IDOA.

18 Any changes to Subparagraph 7? Okay, seeing
19 none.

20 Subparagraph 8, "Topographic maps include --
21 shall include the WECS project site and the surrounding
22 area." They did a topographical map of the project
23 facilities and surrounding areas in Appendix A.5.

24 Is there any changes to that requirement or

1 the evidence listed? Okay, seeing none.

2 Subparagraph 9 deals with "waivers for
3 setback -- setback requirements executed by occupied
4 community building owners and/or non-participating
5 property owners bearing a file stamp from the Recorder
6 of Deeds." The -- the non-participating residences and
7 occupied community buildings are -- were compliant with
8 the setback requirements and no waivers were required.
9 There was some testimony as to the setback compliance,
10 and they did provide setback siting maps to show
11 available locations for construction of turbines. The
12 county did have an independent engineer review the
13 application. And they found that the setback --
14 setbacks were compliant with the ordinance.

15 MS. ANTONIOLLI: You can say that Brie Anderson
16 provided testimony.

17 MR. KEYT: Oh, I'm sorry. Any -- any problem
18 changing that to Brie Anderson, which would be correct?

19 MR. WATTS: Oh, yeah. (Laughs.)

20 MR. KEYT: All right. Okay, moving on. Any
21 changes to Subparagraph 9, other than the name?

22 MR. WATTS: Nope.

23 MR. KEYT: Okay. Moving on to
24 Subparagraph 10, "Waivers from shadow flicker mitigation

1 requirements executed by occupied building owners and/or
2 non-participating property owners bearing a file stamp."

3 There were two participating residences that were
4 modeled to receive more than 30 hours per year.

5 Those -- those locations are not -- you don't have to
6 have a waiver from that ordinance requirement because
7 they're -- they are participating residences, not
8 non-participating residences. But they did have
9 agreements recorded with a file stamp in the Recorder of
10 Deeds.

11 Any changes to Subparagraph 10? Okay, seeing
12 none.

13 Moving on to Paragraph 11, "Results and
14 recommendations from the IDNR obtained through the
15 Ecological Compliance Assessment Tool or a comparable
16 successor tool." That's the ECOcat. There was a -- an
17 ECOcat provided, dated February 24th, 2024.

18 Any changes or modifications to the evidence
19 listed within Subparagraph 11? All right, moving on.

20 Subparagraph 12, "Results of the U.S. Fish and
21 Wildlife Service's Information for Planning and
22 Consulting environmental review or a comparable
23 successor tool that is consistent with the United States
24 Fish and Wildlife Service's Land-Based Wind Energy

1 Guidelines." They did provide that information within
2 their application, it's in Appendix D.3.

3 Is there any changes or modifications to the
4 Subparagraph 12? All right, seeing none.

5 I'm going to move to Paragraph 13, "Information
6 demonstrating that the WECS project will avoid protected
7 lands." They did provide a map demonstrating there are
8 no protected lands in the project area and, therefore,
9 the project will avoid those protected lands. That's
10 Appendix A.6.

11 Any changes to Subparagraph 13? Okay, seeing
12 none.

13 I'm going to move to Paragraph 14, "Any other
14 information requested by the county or county
15 consultants necessary to evaluate the siting application
16 and operation of the WECS project and to demonstrate
17 that the WECS project meets the regulations of this
18 ordinance, including Special Use Permit standards set
19 forth below." They did provide all the studies,
20 reports, certification, and approvals. There was
21 supplementation that was requested by the county when
22 they filed their application in regarding to mapping.
23 That was -- individual mapping was -- was supplemented
24 by it.

1 There was a sound overage on one of the
2 modeled sites in relation to the GE turbine. We'll get
3 into that a little bit later.

4 But any changes to Subparagraph 14? Okay,
5 seeing none.

6 We're going to go to similar requirements
7 that -- that are required throughout your ordinance in
8 various sections. So, your "Design and Installation"
9 section of your ordinance has some areas that they have
10 to comply with at the special use stage. So, they might
11 have to provide modeling or some sort of study, for
12 example. Not all of the "Design and Installation"
13 provisions apply to the special use stage. So, those
14 are not applicable to the special use permitting
15 process.

16 The first one, though, is an important one, it
17 is that they have to show compliance with setback
18 requirements. And the setback requirements listed there
19 are the same ones that are permitted for the county to
20 apply by the State. So, the State is -- has set out --
21 as I think everybody knows, the State did institute a
22 statute back in 2023 that set out a number of guardrails
23 that the county had to follow. One of those is in
24 relation to setbacks. The setbacks listed there are the

1 setbacks to the ordinance, the ones required by the
2 State.

3 So, if you look in the evidence that has been
4 provided, they do demonstrate compliance with the
5 setback. Your engineer did look at that requirement and
6 found that the setbacks were compliant with the
7 statutory requirement and the ordinance.

8 Any changes anybody wants to make to that
9 subparagraph in relation to setbacks? Okay, moving on.

10 Use of public roads. The requirement at this
11 juncture is that if they have any proposed public roads
12 that will be used for construction purposes, those need
13 to be identified or approved in writing by the
14 respective road district commissioner and the county
15 engineer. They provided Appendices F.2, 3, and 4, which
16 demonstrate compliance with that requirement.

17 Any changes to that subparagraph in relation
18 to public roads? Okay, moving on -- seeing none.

19 The Applicant -- the next requirement is the
20 Applicant has to provide a draft form of financial
21 assurance with the application for the Special Use
22 Permit. They did provide a Draft Financial Assurance
23 Form for the road use as part of the application, that
24 was Appendices [sic] F.5. One thing to note is a draft

1 financial assurances -- or financial assurance document
2 is only a draft. The county has the final approval on
3 whether or not to accept the draft or make modifications
4 to that draft document. It does not mean that that is
5 the financial assurance that is going to be utilized in
6 a Road Use Agreement.

7 But any changes to that subparagraph? All
8 right, seeing none.

9 Moving on to communication analysis. At this
10 stage of the process, they have to provide submission of
11 documentation of communication studies in relation to a
12 number of types of different communication systems. An
13 example is 9-1-1 communications. Another example would
14 be TV, AM/FM radio towers, etc. They did submit an
15 Appendix D.4, it was very lengthy in relation to
16 telecommunication studies that were required by the
17 ordinance. Those analyses demonstrated that there is
18 not a likely -- it is unlikely for it to interfere with
19 telecommunications.

20 One thing I would mention is that if in -- if
21 in during the operation of a project there does become
22 interference, the Applicant has to take steps to try and
23 resolve what that interference might be. That isn't
24 necessarily what would be listed here in your compliance

1 page or your findings of fact page.

2 But is there any changes to that subparagraph
3 in relation to communications?

4 MR. WATTS: So -- so, any problems -- which is
5 the bottom of that paragraph -- references what that
6 specifically means in terms of reaching compliance is
7 gonna be spelled out at another time?

8 MR. KEYT: Yeah, so your ordinance requires --
9 your ordinance already requires that if there's
10 interference --

11 MR. WATTS: Right.

12 MR. KEYT: -- from a wind turbine in this --
13 this -- I'm not saying this project, that will happen.

14 MR. WATTS: Yeah.

15 MR. KEYT: Occasionally, that does happen.
16 When that does happen, the county can take steps, then,
17 to force the -- the company to mitigate whatever that
18 interference is. Occasionally, that happens. I'm not
19 saying it's gonna happen here. It could happen here.
20 Don't know.

21 MR. WATTS: Okay.

22 MR. KEYT: But if that does happen, the county
23 through its ordinance can take steps to require them to
24 take mitigation steps to fix that interference, whatever

1 it is.

2 MR. WATTS: Okay.

3 MR. CLAYTON: Would that be included in the
4 conditions?

5 MR. KEYT: Well, that's -- you could
6 conclude -- you could include it in your conditions.
7 The thing I'll note, it's already in your ordinance.

8 MR. CLAYTON: Okay, so we don't need it in the
9 conditions?

10 MR. WATTS: (Indiscernible.)

11 MR. KEYT: Yes, you don't necessarily have to
12 have it in your conditions.

13 Okay, noise levels is one of the issues that
14 were -- we heard quite a bit about. What the Applicant
15 has to do is show -- demonstrate compliance or expected
16 compliance with the Illinois Pollution Control Board
17 standards. That requires them to have a qualified
18 professional, "shall appropriately demonstrate
19 compliance with the applicable noise requirements in its
20 Special Use Permit application." And then they also had
21 provided some testimony on this topic.

22 There was testimony -- just so the record's
23 clear -- your -- your engineer reviewed their modeling,
24 found modeling to be compliant with Illinois Pollution

1 Control Board standards. There was testimony from their
2 witnesses indicating that there was one property just
3 north of a -- just north of a receptor, I believe it was
4 Receptor Site 31, that had an overage on it. That was
5 the church that we've spent some time talking about.
6 They had a mapping that demonstrated that overage. So,
7 there was one that had sound modeling that was over the
8 allowable limit under the Illinois Pollution Control
9 Board standard. It was modeled to be over. Their
10 witness Kaliski talked about that. That was only in
11 relation to the General Electric turbine.

12 Is there any changes in relation to that
13 subparagraph in relation to noise?

14 MS. ANTONIOLLI: There's one more "Larson" to
15 go to "Anderson" at the end of that paragraph.

16 MR. KEYT: Yes, and I -- I am correcting "Brie
17 Larson" to "Brie Anderson." I don't know who Brie
18 Larson is, but...

19 MR. CLAYTON: She is an actress.

20 MS. ANTONIOLLI: And then the ICP -- "IBCP"
21 should be "IPCB."

22 MR. KEYT: Oh, okay. Any other changes to
23 that particular section?

24 Okay, seeing none, I'm going to move on to the

1 AIMA. There's another provision in your ordinance that
2 requires the AIMA to be executed. That's -- we've
3 already covered that, but it's in there again.

4 The Avian and Wildlife Impact Study -- so,
5 they have to provide an Avian and Wildlife Impact Study
6 at the stage of the special use. They did provide that
7 under the Western EcoSystems Technology. There was some
8 testimony that we heard, including on Monday night,
9 saying that individuals had observed bald eagles and
10 bats in the project area. There wasn't any evidence
11 that has been offered, at least I could tell, that will
12 have a negative impact on the population of wildlife,
13 which is the important aspect of that.

14 Is there any changes to that particular
15 section dealing with avian wildlife?

16 (Pause.)

17 MR. KEYT: Okay, seeing none, I'm going to
18 move on to the engineer's certificate. You have, I
19 think, two provisions in there that with deal with the
20 engineer's certificate. They've provided a model and a
21 stamped version of the engineer's certificate currently.
22 When they come back for a building permit, they wouldn't
23 be able to obtain a building permit until such time as
24 an engineer's certificate for a structural engineer

1 would be provided for every turbine site.

2 Any changes to that particular provision?

3 Okay, seeing -- seeing none.

4 Moving on to "Additional Terms and
5 Conditions." The primary aspect here is any technical
6 submissions that would be provided, it would have to be
7 stamped by a professional engineer. There were a few
8 studies provided that required stamping -- noise, for
9 example, decommissioning required stamping, and those
10 did have the required engineer's stamp affixed.

11 Any changes to that particular paragraph
12 before we move on to operations? Okay, seeing none.

13 Moving on to the operation. The operation
14 stage, the primary requirement within the "Operation"
15 section is they have to provide shadow flicker modeling
16 at the special use stage. They did provide "a shadow
17 flicker study from Environmental Design & Research,
18 which modeled the shadow flicker utilizing WindPRO
19 analysis system." That shadow flicker did show that
20 there were two receptor sites that would be over --
21 those are Receptors 13 and 121. Both of those are --
22 were modeled to be over, but those are participating
23 properties, so they waived that requirement already
24 within their agreement.

1 Your county engineer, Mr. Hahn, from Hampton,
2 Lenzini, and Renwick, had evaluated that issue and found
3 that it was compliant with the ordinance and the
4 statutory requirement.

5 Any changes in relation to that particular
6 provision as it relates to shadow flicker? Okay, seeing
7 none.

8 Okay, now we get into the hearing factors.
9 And we're just gonna go one-by-one through these.

10 First one deals with establishment,
11 maintenance, or operation of a Commercial Wind Energy
12 Facility will not be detrimental to -- to or -- be
13 detrimental to or endanger the public health, safety,
14 morals, comfort, or general welfare.

15 The first one it begins with is health. There
16 was some testimony provided in relation to that. They
17 did provide some studies. Mr. Kaliski did provide some
18 testimony, however, that there was the potential for
19 annoyance that could lead to stress, which could lead to
20 a medical condition if the stress is high enough, that
21 was the testimony of Mr. Kaliski.

22 There was also some testimony from objectors
23 that indicated they felt poorly in the presence of other
24 wind farms, but there really wasn't much evidence to

1 link that up to a -- a medical link to the turbines to
2 the -- to the well-being. There was some testimony from
3 Dr. Shaw in relation to the studies you had read. That
4 is listed in there. Ms. Rogers had provided a report, a
5 study that was conducted in relation to mechano --
6 mechano-transduction devices or mechanical devices. The
7 paper did indicate and did -- it does talk about wind
8 turbines. Although briefly, it does talk about them.
9 And it does indicate that the information may be helpful
10 in forming the determination of safe distances from such
11 devices. It -- the paper does not reflect a specific
12 distance that would be safe or unsafe. And one thing I
13 just have to note in relation to that is, we're not here
14 on a text amendment to change what the ordinance
15 setbacks are. And also, it's important to note that the
16 State did set the setback standards already. So,
17 they've already dictated to the county what those have
18 to be.

19 Any changes to that particular subsection
20 under Subsection (a), dealing just with health? Okay
21 seeing none, I'm going to keep moving.

22 Under the safety prong of that section, there
23 were some concerns raised about potential safety issues
24 at the project, particularly during construction. There

1 was some issues raised in -- in regards to the
2 "potential presence of histoplasmosis on participating
3 parcels. Though it was not caused by the Applicant, the
4 safety concern is noted by the committee as a possible
5 health concern. It is unknown to the committee the
6 potential health risk. If the project were to be
7 approved, the committee recommends a condition or
8 approval to include further evaluation of the potential
9 issue."

10 Any changes to that specific paragraph before
11 we keep moving forward? Okay, seeing none.

12 "Other concerns were expressed related to the
13 increased traffic in the area" and potential crime
14 increases in a particular area. There were some
15 impacts -- or were some concerns raised about weather
16 radar. The Applicant did provide the Department of
17 Commerce's NTIA letter. That NTI -- NTIA is essentially
18 a clearinghouse. Whenever -- whenever a project is
19 going to be proposed, they have to provide the -- the --
20 the project information to the Department of Commerce.
21 They -- they sent that document out to a number of
22 federal agencies. One of them is the National Weather
23 Service. From that letter, quote, is "Commerce has
24 completed our review of the subject wind farm, Coles

1 Wind Energy project, and found it -- it is 110.5
2 kilometers southeast the Lincoln, IL, NEXRAD. Based
3 upon distance and terrain, this project appears to be
4 radar neutral. No further contact with the developer is
5 requested at this time." That's quoted from the letter.

6 Are there any changes -- or excuse me, let me
7 keep going.

8 Mr. Borgman did provide some testimony that he
9 spoke to a weather person at a Champaign news station,
10 indicating that that weather person told him that the
11 wind turbines mask the rotation of storms on weather
12 radar. It is important to note here, though, that
13 Mr. Borgman, then, did not provide any testimony that
14 this particular project will impact the weather radar.

15 Ms. Clark did also provide some testimony in
16 relation to bald eagles.

17 Is there any change in the relation to that
18 section in dealing with safety? Okay, seeing none.

19 I'm going to move to "Morals, Comfort, and
20 Welfare -- Morals, Comfort, General Welfare." There was
21 some testimony from Mr. Sherman that there's a small
22 percentage of overall Coles County residents. However,
23 that -- that information about the percentage of
24 residents that are involved or that there is not a

1 majority of residents involved isn't particularly
2 relevant. This is not a popularity contest. This isn't
3 a referendum on whether to -- whether a majority approve
4 of it or not. The State doesn't allow us to consider
5 that information.

6 They get into the tax revenue issues provided
7 by Mr. Loomis and also the job creation. Mr. Hartke did
8 provide some testimony on Monday night in relation to
9 how his family were impacted by wind turbines in
10 Vermilion County.

11 In relation to that specific section on
12 morals, comfort, general welfare -- is there any other
13 changes or additions anybody wants to make?

14 MR. WATTS: So -- okay. So, are you talking
15 about through where it says "*See Loomis testimony*"? And
16 you went to (b)?

17 MR. KEYT: Are you -- are you in the second
18 paragraph after "Morals, Comfort, and General Welfare"?

19 MR. WATTS: No, all it talks about is the --
20 the potential tax benefits.

21 MR. KEYT: Yes, sir.

22 MR. WATTS: Right, okay. No, okay.

23 MR. KEYT: Did you want to add to this last
24 sentence that there was testimony from members of the

1 public that tax benefits may not be in accordance with
2 what Mr. Loomis' testimony was?

3 MR. WATTS: Well, yeah, it seems like we
4 should have some reference to that.

5 MR. KEYT: Yeah, we could -- we can add that.
6 I think that was one area you wanted to include.

7 MR. WATTS: Right.

8 MR. KEYT: And so, we could add there was
9 testimony from members of the public that the tax benefits
10 may not comport with what Mr. Loomis' testimony was.

11 MR. WATTS: Okay.

12 (Pause.)

13 MR. KEYT: Okay, any other changes to that
14 particular section?

15 (Pause.)

16 MR. KEYT: Okay. I'm gonna -- seeing none,
17 I'm gonna move on to the next section.

18 Subparagraph (b) deals with "Commercial Wind
19 Energy Facility will not be injurious to the uses and
20 enjoyment of other property in the immediate vicinity
21 for the purposes already permitted, nor substantially
22 diminish and impair property values of surrounding
23 properties." There's essentially, two prongs to that.

24 The first one is whether it would be injurious

1 to the uses and enjoyment of other property in the
2 immediate vicinity. There was some testimony provided
3 that -- and that we already covered in Subparagraph (a)
4 that would also be relevant here. So, that is subsumed
5 within here. Also, there was -- wasn't testimony that
6 there would be impediment, due to the presence of the --
7 the wind project, although there was one project that's
8 been mentioned previously that was over the modeled
9 sound limit that the State would allow and the ordinance
10 would allow.

11 The application does comply or comports with
12 the Illinois Pollution Control Board sound standards.
13 Aside from that one particular property, as the property
14 values, there was some from Andrew Lines, a farmer
15 resident, that the vast majority of the site with
16 large-scale data sets concluded existing wind facilities
17 have no negative impact on adjacent property values.

18 There was a letter provided by Mr. Di Naso,
19 which was a report, I suppose, from Michael McCann in
20 Adams County. That report does -- does indicate that
21 there may be a drop in/or decrease in property values in
22 relation to a wind farm. The challenge there,
23 Mr. McCann did not testify. He was not here, so it's
24 difficult for the committee to evaluate that claim.

1 One of the things in Mr. McCann's report that
2 we can't consider is that there are a number of items
3 within the report suggesting that there needs to be a
4 two-mile setback from wind turbines. We simply
5 cannot -- that's just not relevant. The State has
6 already decided what the setbacks are. There's nothing
7 we can do about that, so that particular evidence
8 wouldn't be relevant to the issue.

9 Any changes to the Subparagraph (b), in
10 relation to -- any changes to Subparagraph (b)'s
11 information?

12 MR. WATTS: Can -- can we just pause for a
13 second?

14 MR. KEYT: Yeah.

15 MR. WATTS: Because you and I talked about
16 what -- what the clause "enjoyment of other property in
17 the immediate vicinity and for the purposes already
18 permitted" -- and sort of explain.

19 MR. KAINS: Mr. Chairman --

20 MR. WATTS: Yeah?

21 MR. KAINS: -- folks in the back can't hear you.

22 MR. WATTS: Oh, sorry.

23 MR. KAINS: Could you take the microphone and
24 just --

1 MR. WATTS: Well, there's -- there's been
2 discussion about "enjoyment of property" and that's a
3 pretty broad statement. And so, I'd ask Mr. Keyt, if he
4 could provide some -- a little more context of what that
5 clause actually means as a legal standard. And then,
6 also, that -- "for purposes already permitted, not
7 substantially diminish or impair," and I think there
8 might be a misconception about how broad that term is
9 not.

10 MR. KEYT: Yeah, the -- the question really
11 comes down to whether or not an individual property
12 would be impacted, such that they wouldn't be able to
13 enjoy the use of their particular property. It doesn't
14 necessarily mean that you have a right to dictate what
15 might happen on another property. An example that I
16 would give is somebody would say, "Well, I don't want to
17 look at the turbines." You don't necessarily have a
18 right to determine what improvements might be on a
19 neighbor's property, per se, unless it's impacting your
20 ability to use your own property in some way.

21 And so, in terms of things like Avista, for
22 example, if some -- a neighbor has a tree on their
23 property that you like to look at. You don't
24 necessarily have a right to tell that neighbor he can't

1 take the tree down, okay? So, whether it -- what the
2 impact would be is it would have to be some impact to
3 your actual use of your property for something that's
4 already a legal and approved use. So, if you are using
5 your property in some way, whatever that way is, and a
6 project would negatively impact the ability to use that
7 property for that purpose, that's what that prong is to.

8 So, as -- as vague as that might be, that's
9 what the Illinois Supreme Court's standards thinks.

10 MR. WATTS: Okay, thank you.

11 MR. KEYT: Okay, any changes that anybody --
12 or additions or revisions anybody wants to make to
13 Subparagraph (b)? Okay, moving on.

14 Subparagraphs (c) deals with whether or not
15 the project would impede the normal and orderly
16 development and improvement of surrounding properties.
17 There really wasn't much testimony one way or the other
18 on this issue. There was -- there was not really any
19 evidence from the -- from the Applicant that it would --
20 that it would not impede or that it would not -- or
21 would impede the normal and orderly development of an
22 improvement in surrounding properties.

23 You know, arguably, there were some -- there
24 are road upgrades that could improve such issues, but

1 there was not really sufficient evidence on that
2 particular factor. You -- when it deals with a wind
3 project in an agricultural area that you can still
4 utilize those parcels, which are all agricultural
5 parcels for their intended use.

6 Any changes or additions anybody wants to make
7 to Subparagraph (c)? Okay, seeing none.

8 I'm going to move to Subparagraph (d),
9 "Adequate public utilities, access roads, drainage
10 and/or necessary facilities have been or will be
11 provided." There -- there are proposed access roads.
12 There are facilities needed for construction; for
13 example, substation, laydown yard, those things -- all
14 of those things are things they would have to construct.

15 Is there anything anybody wants to make
16 changes to Subparagraph (d)? Okay, seeing none.

17 Moving on to Subparagraph (e), "Adequate
18 measures have been or will be taken to provide ingress
19 and egress so designed as to minimize traffic
20 congestion." Keep in mind, they would have a Road Use
21 Agreement before they got a building permit, but subject
22 to that, there are public roads going to the areas that
23 would have access to where the turbines would be
24 located. Those Road Use Agreements that would be part

1 of any building permit requirement do -- would account
2 for any construction or operation of a project. Any of
3 the upgrades to those local roads that would be
4 necessary would have to be done at the Applicant's
5 expense.

6 Any changes, additions in relation to
7 Subparagraph (e)? Okay, seeing none.

8 Final -- I'm not at the final. Subparagraph (f),
9 "The proposed Commercial Wind Energy Facility is not
10 contrary to the objectives of the current comprehensive
11 plan of the county, if any." The county does have a
12 comprehensive plan. Some counties do not. You do have
13 a comprehensive plan. It's from 2006, it was updated in
14 2012. There is not a lot of information in the
15 comprehensive plan about, specifically, commercial wind
16 facilities.

17 There is, however, a reference to the
18 potential for private sector investments in Coles
19 County, including wind energy systems as a reasons for
20 needing a plan, but that's really the only specific
21 reference. The plan does not make, specifically, a
22 reference to a position in favor of or against such
23 development.

24 And then there's a reference to the amount of

1 acreage that would be taken up by the project.

2 Any changes anyone wishes to make to
3 Subparagraph (f)? Okay, moving on.

4 Subparagraph (g) -- Subparagraph (g) states
5 that "the Commercial Wind Energy Facility shall, in
6 other respects, conform to the applicable regulations of
7 this ordinance and the zoning district in which it is
8 located, except as such regulations may, in each
9 instance, be modified pursuant to the recommendations of
10 and improved by the County Board." The -- the Supreme
11 Court's factor on this issue generally relates to -- to
12 zone counties. So, Coles County is not a zone county
13 under the Counties Code, which is Division 12 under the
14 Illinois Counties Code. And because there's a reference
15 there to a zoning district, you don't have zoning
16 districts. Regardless, though, the general character of
17 the community within the project area is agricultural.
18 It's up to you to decide whether or not that comports
19 with that particular area.

20 Any changes to Subparagraph (g) of the
21 recommended -- or draft findings? Excuse me. Okay,
22 seeing none.

23 We made some adjustments and changes as we
24 went along here. So, is there any -- is there a

1 motion -- at this time, it would be appropriate if there
2 was a motion to approve the findings of fact with the
3 changes we made as we walked through the document here.

4 MR. COX: I'll make that motion.

5 MR. WATTS: Darrell Cox moves.

6 MR. FREEZELAND: Second.

7 MR. WATTS: Second by Tad Freezeland. All in --

8 MR. KEYT: Okay, is there any discussion --
9 before you take a vote, is there any discussion?

10 MR. WATTS: All right. Then, all of us in
11 favor --

12 MR. CLAYTON: Aye.

13 MR. COX: Aye.

14 MR. FREEZELAND: Aye.

15 MR. WATTS: -- say "aye" to the proposed --
16 yeah. The motion carries.

17 MR. KEYT: Okay, that is not the end of our --
18 our night. We --

19 (Audience members laughing.)

20 MR. KAINS: Far from it, right, Mr. Keyt?

21 MR. KEYT: Well, we will move along.

22 Okay, now we're going to -- we're going to
23 talk about conditions.

24 (Pause.)

1 MR. KEYT: Okay, that -- and all that that
2 does is set your findings of fact. It does not make
3 your determination on what your recommendation to the
4 full County Board is. So, just so everyone's clear.

5 Now, we're going to talk about conditions.
6 Again, we only talk on the conditions and make those
7 recommendations to the County Board. These conditions
8 are up to the County Board -- ultimately, the full
9 County Board how they read and they are or whether even
10 to attach them or not. But we're going to walk through
11 conditions -- recommended conditions. This, again, is a
12 draft document. It's entirely up to the -- to the
13 committee how this reads, and ultimately the County
14 Board.

15 I'll walk through just the general structure
16 of it, but there is a group of definitions. There's
17 some areas within your ordinance that there is not --
18 there is a definition lacking, which isn't a knock on
19 your ordinance, it's just -- there's a number of things
20 you can't really account for when you're going through
21 the ordinance that might come up in a particular
22 project. So, there is a section of -- of definitions.

23 It then gets into the specific conditions that
24 are listed here, and they are just simply listed 1 through

1 37. Conditions are additional requirements over and
2 above what your ordinance might have within it. So, it
3 can cover specific issues related to the project. There
4 may be issues that just -- in relation to wind
5 construction in general or operation that you may want
6 to add an additional requirements to.

7 We are somewhat restricted in what we can do,
8 in that what we can't be more restrictive than what the
9 State Statutory Scheme would allow us to be, unless by
10 agreement. But I will walk through these conditions.

11 Before I start walking through the recommended
12 conditions, is there any -- any questions anybody from
13 the committee might have in relation to the conditions
14 before I start walking through them?

15 MR. CLAYTON: So, these conditions only apply
16 to Apex Coles Wind or --

17 MR. KEYT: Correct.

18 MR. CLAYTON: -- do they apply -- okay, so
19 they're only for this specific project.

20 MR. WATTS: Project specific, yeah.

21 MR. KEYT: Yes, this specific project.

22 MR. CLAYTON: Okay.

23 MR. KEYT: It doesn't apply to just wind
24 projects in general because we -- we wouldn't be able to

1 make that amendment, anyway, right now because we're not
2 in a text amendment here.

3 MR. CLAYTON: Okay.

4 MR. KEYT: All right. So, I'm going to walk
5 through -- the first thing is definitions. It is
6 Paragraph 1. I'm gonna -- going to walk through these
7 in groups because some of these are -- are -- I'm going
8 to boilerplate -- but some of these, it -- I don't think
9 you probably need a lot of discussion on whether to make
10 or change a definition, but if you do want to, let me
11 know.

12 Paragraph 1 deals with definitions.
13 Paragraph 2 deals with commencement of the special use.
14 So, when the time -- if the County Board were to approve
15 the project, from the time of the approval until the
16 time they have to start construction would be 36 months.
17 That's actually within your ordinance, but we repeat it
18 in here and then to also add a requirement that they
19 would have to complete that construction, then, within
20 24 months after they pull the building permit. So, when
21 they come, if the project were to be approved, from the
22 time they pull or commence that construction of the
23 project, they have 24 months to complete it.

24 MR. CLAYTON: Has this been presented to Apex,

1 and they have agreed to this?

2 MR. KEYT: Well, it -- I would say that's
3 relatively irrelevant whether they agree to it, but that
4 aspect, I believe, they would be in agreement to.

5 MR. CLAYTON: Okay.

6 MR. KEYT: Okay, the term of the project would
7 be valid -- the special use would be valid for 30 years.
8 After 30 years, they would have to apply to either
9 extend that term of the special use and go through a
10 hearing just like we have going on now, or they could
11 decommission the project and remove it from operation.
12 There are a few projects -- just for everybody's
13 beneficiation, there are a few projects in Illinois that
14 have gone through repowers, which is essentially what
15 that industry term is, and there are some that are about
16 to go through repowers at the end of their life. But
17 the term would be a 30-year period.

18 The compliance provision is relatively
19 boilerplate, but one thing to -- that we've added to
20 make it clear is that they're limited to the
21 construction of 51 turbines. So, they've applied,
22 again, for 62 -- approval of 62 turbine sites, but they
23 could only construct 51 turbines.

24 "Construction Hours" lists the construction

1 hours from sunrise to sunset, with the exception of
2 emergency situations or time-sensitive work. There's a
3 few instances in that sort of construction industry --
4 it just came up in Piatt County, for example -- where
5 they have to finish pouring concrete foundations and
6 they might have to finish putting blades on the cells of
7 towers, and it becomes a time-sensitive issue that they
8 want to be able to finish that before -- during that
9 particular day. One issue that comes up, which I
10 believe there was testimony about it, is like curing the
11 concrete during a particular period.

12 Any changes over any of those conditions I've
13 covered through so far, which is Conditions 1 through 5?
14 Okay, seeing none.

15 I'm going to move to "Road Agreements."
16 Subparagraph 6 deals with road agreements. This
17 requires, which reiterates in some ways what's in your
18 ordinance already, but it adds some more to it. So,
19 this would require the Applicant to have their Road Use
20 Agreement in hand from any township or the county -- and
21 the county before they could obtain a building permit.
22 If they show up and ask for a building permit and they
23 don't have the -- all of the Road Use Agreements -- all
24 of the Road Use Agreements, not just one -- if they

1 don't have all of them in place, they can't get a
2 building permit.

3 Also, the -- the -- this would incorporate the
4 Road Use Agreement terms into requirements that they
5 have to follow. So, rather than it just be enforced
6 through a Road Use Agreement, which you could also do,
7 you know, there may be fines or penalty provisions in
8 relation to that Road Use Agreement, if they don't cure
9 a material breach in those Road Use Agreements, you then
10 can take any remedies that is listed already in your
11 ordinance. So, if there's a -- if there's -- if there's
12 a significant enough violation, you may then start
13 taking penalties on the developer, either through your
14 Road Use Agreement and through these conditions.

15 Okay, "School Buses and Vehicular Traffic" is
16 Subparagraph 7. During the construction of these types
17 of things, it -- there tends to be, obviously, quite a
18 bit of traffic. The concern comes in that we want to
19 make sure that the public is being made aware of what
20 all of the construction is going on, where the traffic
21 is going to be, what the plan of the day is for the
22 construction traffic. And so, this would require that
23 they maintain a website throughout the construction
24 period, which would provide updates to the public

1 regarding planned traffic patterns at least 72 hours in
2 advance of the activity. So, that way, the public knows
3 what roads are going to be closed, if there's a turbine
4 blade movement, for example, that can -- that can clog
5 up traffic. If there's going to be something like, then
6 that is making sure that the public is aware of that and
7 there's a source for them to go get it.

8 Any changes, either, to Subparagraph 6 or 7?
9 Both of those relate to the utilization of roads, so if
10 there's any changes to those...

11 MR. WATTS: My concern about Number 7 is
12 whether or not people using the roads would be able to
13 be notified of the website or how to locate the website.
14 Is there any need to do any specification in that
15 regard?

16 MR. KEYT: The -- so, some counties will post
17 that information on the county's website.

18 MR. WATTS: Right.

19 MR. KEYT: Or provide a link to whatever
20 website they're gonna post the information on. So, we
21 can -- we could do that, we could also add that as part
22 of that provision that the county would do it --

23 MR. WATTS: Well --

24 MR. KEYT: -- but that would be --

1 (Simultaneous speaking.)

2 MR. WATTS: -- the county website, if people
3 don't know about it and can't find it.

4 MR. KEYT: Yeah, I agree. I mean, we could --
5 we could add something there that would be the county
6 requirement to say, "Hey, this is where it's at," but
7 conditions aren't for the county requirement.

8 MR. WATTS: Okay.

9 MR. KEYT: It's just a condition we want them
10 to comply with. The county can always take that
11 initiative to post it, if they want to.

12 MR. WATTS: Okay.

13 MR. KEYT: Okay, any changes, either, to 6 or 7?
14 okay, seeing none.

15 I'm going to move to "Turbine." This
16 really -- this provision is designed to make sure that
17 they are only able to use the two turbine models they
18 proposed. So your -- your ordinances requires that they
19 identify who the manufacturers are of the equipment,
20 they've done that: The Vestas V162 6.0 megawatt turbine
21 and the GE 6.1-158 megawatt platform -- or 6.1-158
22 megawatt. There are different series, each within those
23 models, but this restricts them to only utilizing those
24 turbines.

1 If they select a different turbine, they would
2 have to come back and provide the information to the
3 county, showing they're compliant with sound, shadow,
4 and setback, but they'd also have to present that within
5 a public hearing because that would be a material change
6 to what they had.

7 If there is any evidence that the turbines
8 have exceeded the permissible limits for sound or shadow
9 flicker, then they would have to take those steps to
10 remediate what that is. They also, as to bird and bat
11 protection systems, they have to confer with IDNR, and
12 if recommended by IDNR, they'd have to install said
13 commercially reasonable systems on the turbines.

14 There was some sound overage on one particular
15 property, that was the church property that was just
16 north of Receptor 31 in the sound modeling. That was on
17 a specific model type, that was the GE turbine. So, if
18 they propose to build the GE model turbines, they
19 either, (a) -- I believe it was Turbine 13 -- but
20 Turbine 13 would either not have to be built, or when
21 they come, they would have to show, when they ask for
22 the building permit, that they've done such mitigation
23 that the sound would be compliant when they -- with that
24 particular property.

1 They've already provided sound modeling, but
2 they'd have to do it again if they're doing that when
3 they come back for the building permit, but they would
4 have to show that that particular property is going to
5 be compliant through some sort of mitigation technique
6 to make it work. There can be all sorts of methods to
7 do that.

8 But any changes, so far, on Subparagraph 8?

9 Okay. Sub -- the last paragraph deals with
10 post-construction sound studies. The requirement here
11 would be after it's built, they would have to provide
12 sound studies within 180 days of commencing the
13 operation on the five occupied residential receptor
14 sites with the highest model of noise levels closest to
15 the IPCB limits. So, for those sites that were closest
16 to the sound limit under modeling, to make sure that
17 they're being compliant with what was modeled and that
18 they're compliant with the IPCB limit, there would be a
19 condition in place that they have to provide actual
20 studies, sound studies, of those five sites that were
21 modeled to be highest. That way, we know or the county
22 knows that once it's built, that they are compliant with
23 those sound requirements.

24 If they're not, then there is a methodology to

1 get them compliant, if it's not. So, if they show that
2 it's over, they have to perform any necessary repairs or
3 operational changes to address the exceedance within two
4 weeks. If the exceedance exists for more than 14 days,
5 the project shall cease the operation of the turbines
6 causing the overage -- I'm sorry -- causing the excess,
7 and within seven days, submit a remediation plan to the
8 executive director. Once the executive director has
9 found the remediation plan sufficient, then the turbines
10 may be restarted. That whole process, then -- that, for
11 example, is not within your ordinance, but that would
12 require to make sure that the county knows that they're
13 compliant with the sound.

14 Is there any changes to that last paragraph of
15 Number 8?

16 MR. WATTS: So, the executive director would
17 be Kelly Lockhart?

18 MR. KEYT: That would be Mr. Lockhart.

19 MR. WATTS: Okay, just making sure.

20 MR. KEYT: Okay, and if they can't get it --
21 if it -- and also keep in mind, if they can't get it
22 compliant, then they -- then they would have to
23 decommission it. If they don't decommission it, then we
24 can decommission -- the county can.

1 All right, Number 9 deals with turbine
2 location. So, turbine locations on wind projects,
3 occasionally what they run into is that a turbine -- it
4 might be the safety issue, it might have a problem with
5 a specific location that was in the site plan they
6 provided -- they cannot move the turbine off the parcel
7 that was -- it was originally located on. So, they
8 can't take a turbine and go, "We're gonna move it from
9 this parcel and move it to a parcel that was not part of
10 the special use hearing," okay?

11 The only allowable movement would be within a
12 hundred feet of where it's proposed currently. Also,
13 keep in mind, they can't move the turbine a hundred feet
14 and then be out of compliance with the setback. So,
15 when they come back for a building permit, your engineer
16 will look at where all the final locations are listed
17 and make sure that the sound, shadow flicker, and the
18 setbacks are still compliant with the final locations
19 listed.

20 So, if they move that turbine within that
21 hundred-foot micro-siting area, they still have to be
22 compliant with all of your requirements. They can't
23 move it off onto another parcel, they can't move it
24 within a setback area.

1 Any changes to Number 9?

2 Okay, moving on to Number 10, it deals with
3 non-operational or obsolete turbines. This just refers
4 back to the AIMA, that if we have determined that they
5 should be decommissioned, we can remove them.

6 Number 11 deals with liability insurance.
7 They have to maintain that insurance, as required by the
8 ordinance. The -- if the ordinance is changed at some
9 point in the future and requires the insurance -- the
10 insurance amounts to increase, they have 60 days to
11 increase it.

12 Number 12 deals with assignment. This
13 paragraph is relatively lengthy, there's an (a) and (b)
14 part. I'm going to cover Part (b) first because it's
15 easier.

16 Part (b) deals with them assigning the right
17 to the project. Now, we've heard from the Applicant
18 that they're going to -- Apex is gonna own the project
19 and operate it. That's what they said. However, we
20 don't want them assigning the interest to someone else
21 without the county's approval. That's Subparagraph (a).

22 Subparagraph (b) deals with what we would
23 allow them to assign without getting the county's
24 approval. The county -- this would allow them to assign

1 their interests to lenders, assign their interest to
2 investors, and they could also assign or transfer a
3 hundred percent of the interest to another company that
4 is owned wholly by Apex.

5 Any questions to Subparagraph (b)? If they do
6 that, they still have to provide us notice.

7 Subparagraph (a) deals with if they're making the
8 assignment to someone other than an Apex MP or other
9 than a financing or lender. This would be a situation
10 where if they sold it to, essentially, another company,
11 if they took the project company and sold it to somebody
12 else, they would have to come to the County Board and
13 get their approval. Before they would even come to the
14 County Board to get the approval, they have to provide a
15 number of documents in relation to that assignment.

16 Example: Who's gonna -- who's gonna be acquiring the
17 project, their financial statements, financial
18 assurances, as defined in our ordinance, a new
19 certificate of insurance, written acknowledgement that
20 it understands and recognizes and agrees to assume all
21 responsibility for any agreements, standards, or road
22 agreements, or decommissioning agreements that are in
23 effect. And then, contact information, designation of
24 who the representative is gonna be, and then any other

1 information the county might request in relation to
2 assignment.

3 Then, they would have the ability to come and
4 request the County Board's approval to make that
5 assignment.

6 Any changes or additions to Subparagraph 12?

7 MR. CLAYTON: I have a question. I don't see
8 anything that says that this new person knows how to run
9 a wind farm.

10 MR. KEYT: Well, that would be -- one of the
11 things is you would have to be an experienced entity.
12 So, if they came to -- if you came to you and said, "We
13 want to assign this project to somebody else and sell
14 it," one of the things that you could require under
15 Subparagraph (ix) is any "other such information the
16 County Board reasonably requests." We could add a
17 paragraph now or a sentence now that essentially states
18 that the -- the acquiring entity has some experience.
19 I'll note to you in -- up in the introductory paragraph,
20 Number 12, is that the acquirer would have to
21 demonstrate to the County Board adequate financial
22 resources, experience in and capability of operating a
23 wind energy project. That is --

24 MR. CLAYTON: Okay.

1 MR. WATTS: -- up in the introductory part of
2 that paragraph.

3 MR. CLAYTON: Okay, so that's part of that,
4 yeah.

5 MR. KEYT: That's part of that, yeah.

6 MR. CLAYTON: That covered it, okay.

7 MR. KEYT: Okay, any changes of additions to
8 Subparagraph 12?

9 Moving on to Subparagraph 13, "Operating
10 Requirements."

11 MR. WATTS: Mr. Keyt?

12 MR. KEYT: Yes, sir?

13 MR. WATTS: I have -- I have one question.

14 MR. KAINS: Mr. Chairman, could you address it
15 through the microphone.

16 MR. WATTS: Sure, under Section (b) --

17 MR. KEYT: Yes, sir.

18 MR. WATTS: -- where the company has a right
19 to assign without approval of the county, if -- if it
20 goes to, say, a lender a hundred percent, then what
21 happens?

22 MR. KEYT: Well, I -- generally, that -- when
23 they are going to -- and I don't -- I don't want to
24 speak for the company, but generally that provision is

1 designed because if they're -- if -- if they're
2 assigning some interest when a lender is -- is providing
3 lending to the project --

4 MR. WATTS: Right.

5 MR. KEYT: -- the lender wants to secure their
6 loan.

7 MR. WATTS: Right.

8 MR. KEYT: So, they have to provide some
9 interest to the lender in the project, and that may be a
10 hundred percent interest in the -- in the project, in
11 the event that the developer stops paying the lender or
12 it's investor.

13 So, I believe that assignment already occurs
14 at the financing stage when they go through that
15 process. So, that can occur without the County Board
16 having to approve it.

17 MR. WATTS: Okay.

18 MR. KEYT: Now, there -- there may be all
19 sorts of provisions that kick in that I'm not privy to,
20 necessarily, where if the developer somehow walks off,
21 you know, the lender may, in its interest to protect its
22 investment, they may take control of the company. That
23 would be a different scenario.

24 But typically what we're talking about and

1 what we're addressing there and the reason it says they
2 can assign a hundred percent of -- of the interest
3 without the County Board's approval is because that's a
4 contract between them and their lender that the county
5 doesn't necessarily want to interfere with or get
6 involved with because that's -- that's neither here nor
7 there. Because when they're going out to get financing,
8 they're going to have to assign some interest in the
9 project to their financing entities in order to get it
10 financed, just like if I go buy a car on a loan, they're
11 going to have an interest in my car still, right?

12 MR. WATTS: Yeah, except that who's gonna
13 drive the car? I mean, that's my -- (laughs) -- that's
14 my concern.

15 MR. KEYT: Well, if that -- if that
16 happened -- and let's say, for example, the -- the
17 project became -- let's say the company walked off, the
18 investor has no interest in the project because it's
19 been assigned to financing, but for whatever reason, the
20 project stops operation, I think that's what
21 your concern is, is that what you're saying?

22 MR. WATTS: Right.

23 MR. KEYT: Okay, at that juncture, then the
24 whole decommissioning aspects would kick in. So, if

1 decommissioning --

2 MR. WATTS: Okay.

3 MR. KEYT: -- then kicks in and then if
4 lender -- or the lender doesn't step in and remove the
5 project or some other entity doesn't come in to buy it,
6 the county has a right to call on the decommissioning
7 funds to go cash in those funds and then remove the
8 project out of commission. And there is a provision
9 about decommissioning, I'll get to that in a minute.

10 But that all is subject to a decommissioning
11 agreement. It's a subject to the decommissions plan and
12 process that's been set to be reviewed by your engineer.
13 But that -- that scenario would kick in, then it turns
14 into a decommissioning issue. It doesn't turn into an
15 assignment issue, it turns into a decommissioning issue.

16 MR. WATTS: Okay, thank you.

17 MR. KEYT: Okay. Any changes, then, to
18 Paragraph 12? Okay.

19 Paragraph 13 are operating requirements.
20 These are relatively standard requirements, but there is
21 a provision in here making it clear that the -- "the
22 company shall operate the project such that no occupied
23 community building or non-participating residence will
24 experience more than 30 hours of shadow flicker."

1 Any changes to Paragraph 13?

2 Okay, Paragraph --

3 MR. WATTS: I -- I --

4 MR. KEYT: I'm sorry.

5 MR. WATTS: -- I do want to ask one thing
6 because Mr. Clayton and I were talking about this. We
7 both -- there's been testimony that either making tips a
8 different color or one of the blades a different color
9 helps for decreasing the amount of bird impact. If
10 there were studies that would show that that would be
11 advantageous -- because this is uniform...

12 MR. KEYT: I mean, you could leave it open,
13 but the one thing I would -- I would probably -- one
14 thing that would be the concern to that issue --

15 MR. WATTS: Right.

16 MR. KEYT: -- is whether the FAA would approve
17 that because the FAA has control over towers that exceed
18 200 feet.

19 MR. WATTS: Oh, yeah, yeah, you're right.

20 MR. KEYT: And how they're marked.

21 MR. WATTS: I forgot about that, okay.

22 MR. KEYT: So, the -- the FAA may have a say
23 in that that we wouldn't be able to control. Now, you
24 could leave it open and just say -- we'll just -- you

1 could take out Paragraph (a), for example -- well, the
2 first sentence of Paragraph (a), if that's what the
3 concern is. But the -- but the FAA has -- has control,
4 essentially, on how turbine's towers are marked when
5 they're over 200 feet.

6 MS. ANTONIOLLI: Your ordinance currently
7 requires them to be white.

8 MR. KEYT: Yeah, I mean, your ordinance
9 requires them to be white, but you could modify that by
10 exception, potentially, but I would -- I would recommend
11 requiring that you paint like one blade and just paint
12 them -- I think is, we -- this may be an issue that the
13 FAA says that we can't do that.

14 MR. WATTS: Right, okay. Right.

15 MR. KEYT: Okay.

16 MR. WATTS: Thank you.

17 MR. CLAYTON: Instead of a question, could I
18 make a statement?

19 MR. KEYT: Sure.

20 MR. CLAYTON: I think that I, myself, if the
21 studies show that something like that would mitigate
22 bird and bat encounters, I would like to see that the
23 company would consider it. That's all.

24 MR. KEYT: Gotcha.

1 MR. WATTS: So, long as it's within the FAA...

2 MR. CLAYTON: Yeah, I mean, we wouldn't be
3 able to get it passed if it --

4 (Simultaneous speaking.)

5 MS. ANTONIOLLI: And the IDNR I would add, too.

6 MR. KEYT: Yeah, so we could -- we could
7 address that between now and the County Board meeting, I
8 think --

9 MR. WATTS: Okay.

10 MR. CLAYTON: Okay.

11 MR. KEYT: -- as a set. Okay, this next
12 paragraph is a little bit lengthy and dense, but I'll
13 try to distill this down. The Applicant has proposed an
14 ADLS system, that's the Aircraft Detection Lighting
15 System. That is essentially when an airplane gets
16 within three-ish miles of the project area, the lights
17 would then activate when it's nighttime, that way you
18 don't have continuously flashing lights at night.

19 Some of the issues we've run into from time to
20 time is there are some projects that get built, they get
21 the ADLS system installed, it begins testing, it then
22 gets -- it becomes operational, the ADLS system becomes
23 operational, and then, lo and behold, a year later, it
24 has some sort of malfunction, it's not working. And

1 then there is concern from a number of counties from
2 time to time where it appears that a project may drag
3 its feet to get the ADLS system fixed.

4 So, this paragraph would essentially do two
5 things. One, it requires them to ask the FAA and the
6 FCC for approval of the -- of the ADLS system. We --
7 again, we can't control what the FAA or the FCC allows,
8 but we can control and make them ask for it and apply
9 for it. If they apply for it, and the FAA and the FCC
10 approves it, then it would be required that they install
11 it.

12 There is another portion of this that then
13 would require them to make sure that it's operating
14 during the operations period of the project. And if the
15 ADLS system is nonfunctional for greater than 30 days in
16 any rolling one-year period, then there would be a
17 \$1,000 penalty per turbine that would kick in.

18 With that provision, it has essentially what
19 the remedies provision would be that would provide in
20 relation to how that all -- how long we would give them
21 to fix it. If they contend that's it's not their --
22 it's outside of their control, for example -- a wild
23 example, let's say it's sabotaged, that for some reason
24 the ADLS system isn't working -- what happens is it just

1 defaults back to this continuously flashing lights at
2 night.

3 If it's not their fault, you're not gonna hold
4 them -- you're not going to penalize them for that. But
5 they would have to come to you and prove to you that's
6 it's not their fault. That's the other -- the second
7 paragraph of that.

8 Any changes to Subparagraph 14? Okay, seeing
9 none.

10 I'm going to move to 15. That is a standard
11 provision in relation to Determinations of No Hazard.
12 Whenever they come for a building permit, they would
13 have to give the county the Determinations of No Hazard
14 for every turbine. If they don't have those DNHs, they
15 don't get a building permit.

16 Number 16 deals with the complaint resolution,
17 which, essentially, deals with the complaint resolution
18 process that they have to work through with the county.
19 So, when they -- when they come for the building permit,
20 that complaint resolutions process, they will already
21 have to have it approved by the county.

22 "Transmission and Communication Lines," this
23 just simply requires that they be buried.

24 Any question -- or questions or changes in

1 relation to Paragraphs 15, 16, or 17? Kind of lumped
2 them together. Okay, seeing none.

3 I'm going to move to "Water Use." So, we had
4 some testimony about wells and water usage. There were
5 some concerns about that. So, in order to protect the
6 water supply of anybody that might be in that area,
7 the -- if there is a damage to the people's water
8 supply, reduction of their supply, they would have to
9 correct it at their at expense -- the company's expense,
10 I mean. They have to "promptly correct any degradation
11 to the water supply or any well negatively impacted,
12 including but not limited to providing alternate --
13 alternate -- alternative suitable water to those
14 affected and the drilling and connection of a suitable
15 replacement well."

16 Any changes to Subparagraph 18, dealing with
17 water use?

18 Okay, I'm going to move to Paragraph 19, which
19 is the fire protection and emergency response. If there
20 is -- one of the things they have to do is provide
21 training and maybe new equipment to prepare the
22 districts to respond to fires and other emergencies
23 concerning the project. They also have to assist the
24 fire districts in doing an emergency response plan.

1 That's all the emergency management agencies, whether
2 it's a fire district or the county emergency.

3 They also have to enter into agreements with
4 local or other emergency response agencies to comply
5 with that requirement. But, importantly, though, I want
6 to point out that they have to do a biannual review of
7 policies, procedures, drills, training, and equipment
8 needs between the company and representatives of the
9 local emergency response agencies and provide that
10 documentation to the county.

11 Also, the company has to pay for any emergency
12 response services, such as fire, police, or ambulance
13 services for the actual costs of emergency response
14 services attributable to the construction, operation, or
15 decommissioning of the project. That made -- your
16 taxing district, like the fire district, if they have to
17 respond to an emergency, it's going to be an out-of-pocket
18 expense to them and then gets passed on to the taxpayer.
19 The company has to pay for that expense.

20 Any changes to Paragraph 19? Okay, seeing none.

21 Paragraphs 20, 21, 22, and 23, I'm just going
22 to talk about them together.

23 Paragraph 20 deals with underground existing
24 utility lines, so they have appropriate action to work

1 with all appropriate pipelines and underground utility
2 companies to ensure the integrity of the pipelines and
3 that they are maintained during construction and
4 operation of the project. They have to reimburse the
5 county for any expenses related to the project.

6 Number 22 deals with validity of conditions.
7 So, if they come back for the building permit, we --
8 they have deemed to waive any claims concerning the
9 lawfulness of the condition.

10 Number 23 deals with the defense against
11 claims and indemnity. So, if for some reason the county
12 gets sued in relation to the project by -- for whatever
13 reason, they have to defend and indemnify the account.

14 Any changes to Paragraphs 20, 21, 22, or 23?

15 MR. CLAYTON: So, there are water protection
16 districts in the area that they're going to do this
17 windmill farm on. Those aren't utility pipelines, but
18 they have water, you know, drainage lines. And when
19 they're putting a specific windmill in, if they damage
20 those lines digging for their pads, I mean, am I making
21 the assumption that those are gonna be fixed? But what
22 if they do something that is not specifically there and
23 I -- I don't know, like fill in part of a -- one of
24 our -- what do you call those things? Darrell, those...

1 MR. FREEZELAND: (Indiscernible.)

2 MR. CLAYTON: Yeah, but the big one that they
3 all drain into.

4 MR. COX: A drainage ditch, a dredge ditch.

5 MR. CLAYTON: The drainage ditches that we
6 have and stuff, are those covered under this agreement
7 somewhere?

8 MR. KEYT: There are two things. So, number
9 one, just for clarity, I added waterlines into that
10 Paragraph 20.

11 MR. CLAYTON: Okay.

12 MR. KEYT: Just so -- to make it abundantly
13 clear. I think it would still be covered regardless,
14 but I just added it.

15 In terms of drainage structures, that all
16 is -- there's already a drainage code that's in place.
17 So, if there's any damage that somebody makes to a
18 drainage district pipeline or even somebody's private
19 drainage system, they didn't -- we would have to repair
20 that already under the statutory scheme.

21 MR. CLAYTON: Okay.

22 MR. KEYT: So, we could repeat it, but they're
23 just gonna have to -- I believe there is a provision in
24 your --

1 MR. CLAYTON: Well, if it's already in there,
2 it didn't need to be repeated, I just wanted to make
3 sure it is covered.

4 MR. KEYT: Yeah, it is covered.

5 Okay, so moving on. Any changes, then, to
6 Paragraph -- I forget what I just said -- nine -- or I'm
7 sorry -- 20, 21, 22, or 23?

8 Okay, on Paragraph 24, it covers
9 decommissioning and financial assurance. If you'll
10 recall, one of the primary issues that the counties
11 have, which is one of my primary concerns, is what
12 happens if the developer walks off the project? If you
13 take it strictly from the AIMA, from the Ag Impact
14 Mitigation Agreement, which is the only -- what's
15 required under the statute. They would have to post ten
16 percent on the first anniversary of the commercial
17 operation date. So, from the construction period up to
18 year ten of the operation, you would not be receiving a
19 hundred percent of the decommissioning costs under the
20 terms of the -- strictly the AIMA.

21 But they had agreed during the testimony, when
22 we were asking them questions, they agreed under the
23 testimony that they would post a hundred percent at the
24 time they asked for a building permit. So, that first

1 year -- ten-year -- ten-year period where your risk
2 is -- is -- may not be particularly high for a
3 decommissioning event to occur, but if that risk were to
4 occur, under the AIMA, you would have a very significant
5 economic problem, in order to be able to decommission
6 the turbines. But they agreed during the testimony to
7 provide a hundred percent at the building permit stage.

8 So, that is that condition, that is what that
9 is addressing, it's making sure that that -- that, at
10 minimum, is included the decommissions agreement.

11 The decommissioning agreement itself is
12 something they would have to have in place before they
13 got a building permit. That decommissioning agreement
14 typically takes a number of months between us, the
15 engineer, and their team in negotiating that, and then
16 bringing it to the County Board for approval.
17 Regardless of whatever -- whatever agreement we can get
18 from the developer on a number of items, we still have
19 to bring that to you to approve.

20 I can't unilaterally do anything. I have no
21 authority to do anything. So, then, we'd bring it to
22 the County Board, that decommissioning agreement, for
23 the County Board 's approval. But, at a minimum, they
24 would have to post a hundred percent of that cost

1 estimate at the time of applying for the building
2 permit.

3 Any questions in relation to Paragraph 24 or
4 any -- or any changes? Okay, hearing none.

5 "Project Maintenance," this just requires them
6 to have something manned 24 hours a day, seven days a
7 week if there's an emergency.

8 And an important part is Number 27, that
9 essentially requires certain annual reports from the --
10 from the -- an annual report from the developer with
11 certain information to the county.

12 27 is just becoming a member of a JULIE system.

13 28 deals with avian, bat, and wildlife, "The
14 company shall comply with all requirements and
15 recommendations of IDNR," contained in their letter of
16 November 15th, 2024. If further monitoring is
17 requesting by IDNR, it "shall be determined through the
18 coordination with IDNR."

19 Any -- and then 29 deals with additional site
20 surveys.

21 And 30 is as-built drawings.

22 31 is the cure period.

23 I covered a number of them there, and I
24 apologize. But in relation to Conditions 25 through 31,

1 any changes to those? Those are relativity boilerplate.

2 But go ahead, Mr. Watts.

3 MR. WATTS: Yeah, the -- Number 26, the annual
4 reports, which includes complaints pertaining to
5 setbacks and noise, etc. That's just an annual report
6 but -- but the complaint resolution would handle things
7 that would be a more day-to-day, more immediate?

8 MR. KEYT: Yeah.

9 MR. WATTS: Okay, thank you.

10 MR. KEYT: Yes, yeah. And they may get
11 complaint -- they may get complaints that we don't hear
12 about. So, they may get a complaint, but we want to
13 make sure that they tell us about that in the annual
14 report.

15 MR. WATTS: Well, I'd just assume that we'd
16 hear about every complaint. (Laughs.)

17 MR. KEYT: (Laughs.)

18 MR. WATTS: No, seriously.

19 MR. KEYT: You could -- we could address that
20 in some, you know, the complaint -- if they receive
21 complaints about particular issues, you could say, "We'd
22 want to hear about that within a certain timeframe."

23 MR. WATTS: Okay.

24 MR. KEYT: But you would have -- in this

1 situation, you would hear about all those complaints.
2 If somebody complains to the county -- I mean, this is
3 just complaints that they get -- somebody complains to
4 the county and says, "Hey, I think they're over on
5 noise," and the county looks into it and they think,
6 "Okay, this might be an issue," the county can always
7 require them to put out or study that noise at that
8 particular location.

9 MS. ANTONIOLLI: The --

10 MR. KEYT: Keep in mind, that there already is
11 a complaint resolution procedure --

12 MS. ANTONIOLLI: No, that's --

13 MR. KEYT: -- within that does require them to
14 tell us of certain things that might happen.

15 Okay, any other changes or any other suggestions
16 to those, too, 26 through 31?

17 Okay, Number 32 deals with environmental
18 conditions. So, we've had quite a bit of testimony
19 related to the chicken manure situation. It's hard to
20 evaluate that in this context. And I'm not an expert on
21 chicken manure. I don't think anybody on the County
22 Board is probably an expert on chicken manure or
23 histoplasmosis, so what this provision gets to is if
24 there is an issue, the county has the right to conduct

1 or have conducted studies and tests by a third-party of
2 the county's choosing at the company's sole expense.

3 "The purpose of the studies or tests shall be to
4 determine whether environmental conditions exist on a
5 participating parcels that pose a risk of harm to human
6 health due to or as a consequence of construction or
7 operation of the project. If such studies or tests show
8 an increased risk of harm to human health from
9 construction or operation of the project, the company
10 has to implement any and all recommendations from the
11 county's third-party expert regarding the means and
12 methods of construction or operation of the project."

13 So, that would allow the county to go get a third-party
14 expert, at their expense, but our county, at the
15 county's choosing, would evaluate what would need to be
16 done on a particular parcel, and then let them make that
17 recommendation if there is something that needs to be
18 done.

19 Any questions as in relation to Paragraph
20 Number 32? Okay, moving on, seeing none.

21 Moving on to Number 33, it deals with site
22 security. We had a number of questions in relation to
23 if there is increased thefts or problems at the project
24 site. "If the county, in its sole discretion,

1 determines there is a need for increased law enforcement
2 protection or private security within the project area
3 during project construction, the company agrees to
4 provide or reimburse the county for costs associated
5 with -- therewith." So, if we -- if the county says,
6 "Hey, we -- we need to have more law enforcement out
7 there," the county can then have patrols or sheriff's
8 deputies going at certain times and the county doesn't
9 have to incur that expense. It would have to be -- the
10 company would have to reimburse the county for that.

11 Number 34 deals with aerial application, if
12 there's any increased cost as to aerial application the
13 landowner and farm has, they would have to reimburse
14 that landowner or farmer for that increased cost.

15 Number 35 deals with the National Weather
16 Service. If the National Weather Service tells them
17 they have "to curtail or cease operations in the event
18 of adverse weather conditions," they would have to do
19 so.

20 Number 36 deals with -- whoops -- deals
21 with -- Number 36 deals with proof of compliance. If
22 the county has an issue and seeks to request proof of
23 compliance with anything related to the ordinance or
24 conditions, they would have to provide that proof.

1 Are there any changes as to Paragraphs 36, 35,
2 34, 33, or 32? Changes, additions, subtractions? Okay.

3 Number 37 has a -- I'll call it a general fine
4 requirement. So, if there's a -- an issue of
5 noncompliance that does not already have a fine
6 procedure attached to it, this fine would kick in.
7 Essentially, that is \$1,000 per violation for each day
8 of violation of the Coles Wind Ordinance and/or if the
9 condition persists.

10 If there's already a fine provision in
11 place -- let's say the ADLS system, there's already a
12 fine provision in place if it's not operating. So, that
13 wouldn't cover that situation. But this picks up all of
14 the other situations where that -- whether it might be a
15 violation of conditions or the ordinance.

16 Right now, your ordinance doesn't have a fine
17 provision in it. So, there is a fine provisions listed
18 there.

19 Okay, that exhausts through all of the
20 recommended conditions. There's been some changes to
21 those. Now it would be appropriate if somebody wanted
22 to make a motion to approve the conditions with changes
23 that have been discussed here -- again, just as a
24 reminder, this goes to the full County Board, these

1 conditions, but they only kick in if it is approved, and
2 the full County Board has the final say on how the
3 conditions are reviewed and what they would be.

4 MR. CLAYTON: I'll make said motion.

5 MR. WATTS: Okay, Clayton makes a motion to
6 accept as revised. Do I have a second?

7 MR. FREEZELAND: Second.

8 MR. WATTS: Second from Freezeland.

9 Any discussion?

10 All in favor say, "aye."

11 MR. CLAYTON: Aye.

12 MR. COX: Aye.

13 MR. FREEZELAND: Aye.

14 MR. WATTS: Opposed?

15 The motion carries.

16 MR. KEYT: Okay, the final issues to take
17 up -- which doesn't require us to review any
18 documents -- deals with what the recommendation to the
19 full County Board would be. But if you look at the
20 findings of fact, there's essentially three choices that
21 the committee would have in making a recommendation to
22 the County Board. Those would be an approval -- you
23 could recommend an approval, you could recommend a
24 denial, you could recommend an approval subject to

1 conditions.

2 I don't tell you how to vote. I don't tell
3 you what to do. The only advice I would give in
4 relation to that is if you're going to make a motion to
5 approve a project like this, you would make it -- if
6 you're going to make a motion to approve -- a motion to
7 approve subject to conditions. The conditions very much
8 would be necessary in a project like this to make sure
9 that the teeth of -- of what would be approved and your
10 ordinance would be followed. But subject to that, I
11 don't make any specific recommendation.

12 Keep in mind, the County Board has the final
13 say on this issue. So, whatever your recommendation is,
14 it goes to the County Board, regardless of what your
15 recommendation is, the County Board -- the full County
16 Board is free to -- to make their decision accordingly.
17 Your decision has to be based and the County Board's
18 decision has to be based on the evidence that's in the
19 record, it has to be evidence that's relevant to the
20 ordinance, it has to be competent evidence.

21 Other than that, your -- your legal purview
22 really comes down to two things: Your ordinance and the
23 State statute. You do have an ordinance in effect. The
24 State statute, which I think everybody is aware of, was

1 passed January 27th of 2023. It mandates certain
2 requirements. It has certain requirements within the
3 statute. I'm going to read you the Subsection (g) of
4 that statute just so it's out there:

5 "A request for siting --" I'm quoting the
6 statute -- Subparagraph (g) states, "A request for
7 siting approval for a Special Use Permit for a
8 Commercial Wind Energy Facility or a Commercial Solar
9 Energy Facility, or modification of an approved siting
10 or Special Use Permit, shall be approved if the request
11 is in compliance with the standards and conditions
12 imposed in this act, the zoning ordinance adopted
13 consistent with this code, and the conditions imposed
14 under State and federal statutes and regulations," close
15 quote. That is the mandate from the State.

16 I didn't write it. I can't say I like it. I
17 can't say I -- anything else about it. But as your
18 attorney, I can just -- the only thing I can do is
19 advise you of what the law says.

20 As to whether or not it's constitutional or
21 not, there not been any case law on this issue. The
22 statute's too new to have the appellate case law that
23 addresses this issue, so the law stands as well.

24 Subject to that, at this point, it would be

1 appropriate if somebody has a recommendation, to make a
2 motion for a recommendation to the full County Board.

3 MR. WATTS: Are there any motions to approve
4 the (indiscernible) subject to recommended conditions?

5 MR. FREEZELAND: I'll make a motion to
6 approve, subject to recommended conditions to the
7 county -- full County Board.

8 MR. WATTS: Okay. Yeah, a motion by
9 Freezeland.

10 Do I have a second?

11 MR. CLAYTON: I'll second.

12 MR. WATTS: Second by Mike Clayton.

13 Any discussion?

14 All in favor say, "aye."

15 MR. CLAYTON: Aye.

16 MR. COX: Aye.

17 MR. FREEZELAND: Aye.

18 MR. WATTS: Opposed?

19 The motion carries.

20 MR. KEYT: With that, I will turn it back over
21 to Mr. Kains. You completed the -- the votes necessary
22 to move this to the full County Board. I'll turn it
23 back over to Mr. Kains.

24 I think you're at the stage of adjournment of

1 this hearing.

2 MR. KAINS: Final item on the agenda is
3 adjournment.

4 Mr. Chairman, we need a motion.

5 MR. COX: I will make that motion.

6 (Audience members laughing.)

7 MR. WATTS: Motion by Darrell Cox.

8 Do I have a second?

9 MR. CLAYTON: (Laughing.) I'll second that,
10 too.

11 MR. WATTS: Second by Clayton.

12 Discussion?

13 All in favor say "aye."

14 MR. CLAYTON: Aye.

15 MR. COX: Aye.

16 MR. FREEZELAND: Aye.

17 MR. WATTS: Opposed?

18 Motion carries.

19 MR. KAINS: This hearing is adjourned. I want
20 to thank everyone for their participation and the very
21 civil and professional nature of everyone's participation.

22 Coles County really is a nice place for me to
23 come to. I -- I can't tell you how much I appreciate
24 everyone and just how well they handled this entire

1 public hearing. I've indicated I've been to other
2 counties, things haven't gone nearly as well. So,
3 that's a tribute to each and every one of you.

4 Counsel, thank you for your participation.

5 Also, thank you to members of the County
6 Board.

7 And to Lydia, because she's done a lion's
8 share of the work on this toward the end.

9 All right, Ms. Winslow, do you have something
10 to say?

11 MS. WINSLOW: What is the next step of the
12 board?

13 MR. KAINS: County Board meeting. When is the
14 County Board meeting to discuss this?

15 MR. COX: As soon as the transcripts are
16 completed, so the rest of the board members that weren't
17 here have an opportunity to -- to review those. I
18 expect to set a board meeting within the -- a couple
19 weeks. And I'm assuming that we'll get the transcripts
20 relatively in a few days.

21 MR. KEYT: Yeah, and just -- just for the
22 clarity of the record -- just for clarity of the record,
23 that under the statutory requirement, the County Board
24 has to take action on it within 30 days, which is --

1 which is what the plan is. But they'll have to post
2 that meeting just like a normal meeting, and put out
3 a -- an agenda item in relation to this within
4 48 hours -- at least 48 hours prior to the -- the
5 meeting.

6 MR. KAINS: All right. Thank you, Mr. Keyt.

7 Thank you to members of the board.

8 Everyone, thank you.

9 MR. WATTS: Kelly, how do you --

10 MR. KAINS: This -- this hearing is concluded.

11 (End of hearing.)

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CERTIFICATE OF REPORTER

I, LYDIA G. MADLEM, an Official Court Reporter
for the Fifth Judicial Circuit of Illinois, do hereby
certify that the foregoing Report of Proceedings was
reported in machine shorthand by me and is a true,
correct, and complete transcript of my machine shorthand
notes so taken at the time and place hereinabove set
forth to the best of my ability.

A handwritten signature in cursive script that reads "Lydia Madlem". The signature is written in dark ink and is positioned above a horizontal line.

LYDIA MADLEM
Official Court Reporter
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Dated this 22nd day of June, 2025.

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