

APEX Wind Application Issues
Issues with APEX Application, Coles County Wind Ordinance, and Testimony (thus far)
June 4, 2025

1. In the APEX Application page 1 INTRODUCTION Paragraph 2 - This paragraph states “21,500 acres of family farms in the County have signed up”. Of the 119 total agreements listed within the application, there are multiple agreements held by the same person. In fact, of the 119 agreements there are 74 people that actually have an agreement. Using the census of 2023, there are 46,060 residents in Coles County. This represents 0.16% (74/46,060) of the entire county. Even worse, of the 74 people, only 37 people actually LIVE in Coles County which is 0.08% of the county (37/46,060). These are the only people gaining a benefit from this project – less than 0.2%!!!!
2. In that same section, the **property tax portion** of this paragraph is not needed, nor asked for in the wind ordinance nor in the Illinois State Statute. THIS IS IMMATERIAL AND SHOULD NOT BE FOR CONSIDERATION. In addition, this is an assumption – and very much up for debate on how this would financially impact the taxing bodies of Coles County. In addition, in a presentation made by APEX to the Mattoon Community Unit School District School Board in January of 2021, APEX stated that this would bring over \$7 million to the Mattoon school district, now that number is ZERO. What other misleading and false statements have been made over the last 4 years?
3. There are numerous errors in Appendix E.2 Economic Impact Analysis. Especially on page 20 of this Appendix where there is discussion about the impact on property tax monies and the correlation to state aid for schools. Furthermore, the middle section of that same page states “(2) the school district can raise the tax rate and increase its revenues as needed;”. This is an absolute FALSE statement. In the Illinois Department of Revenue document “The Illinois Property Tax System”, on page 6 Item numbers 4 and 5, outline what each taxing body can do, it clearly states . . . “4. Levy - Taxing districts determine the amount of revenues that they need . . . and certify levies to the county clerk. 5. Extension – The county clerk applies the state equalization factor, calculates the tax rate needed to produce the amount of revenues each taxing district may levy legally . . . “ Page 8 under County Clerk duties Item 1 “Calculates the tax rates for each combination of taxing districts.” . . . Page 20 . . . same thing . . . the county clerk calculates the tax rate. . . . School districts, and other governmental taxing bodies, have nothing to do with setting tax rates – that is done within the workings of the county. Taxing bodies can only LEVY, or ask, for the property tax revenue, in the form of a property tax extension to be given to them. Again, nowhere in the wind ordinance does it ask about the economic impact!
4. It is extremely important in regards to Doctor Loomis's testimony about the property tax issue first and foremost, it should not even be in the application since state statute nor the wind ordinance calls for anything about money, property taxes or any of that. But if this is included then there has got to be some extreme due diligence paid to looking at this from all the different taxing bodies. I'd like to point out that there has not been any taxing body person here at any of the testimonies that is asking questions or has done anything in regards to this

issue. This only takes place and can only . . . only . . . be placed on the tax rolls during the first year when it's considered "new construction". After that point, if a taxing body says oops, I forgot to do it, They're out of luck. And the taxing body, whether it's a school district. A library district, a township road district, the county board . . . This can only be levied, or asked for, during that first year . . . after that it is NOT new construction, it's existing construction and subject to the PTELL limits. After the initial year of being counted as new construction, anything after that year is only subject to the previous year . . . so if they, the taxing body missed it during the first and only year that it is counted as new construction, they're out of luck and will never be able to get this, so-called revenue that Dr. Loomis spoke of coming to them.

5. I would like to also clarify that these wind turbines, even using APEX 's own data, depreciate in value, they LOSE value . . . whereas farmland, 99.9% of the time, appreciates in value. So over the course of time, these will lose money and the supposed benefit to the county, to the taxing bodies, goes down each and every year and there is no benefit to our community at all.
6. Along that same line, once the turbines have used up their life . . . whether that is 5 years, 10 years, 20 years, whatever . . . when that value goes to zero or close to zero, any revenue that the taxing bodies would have received will be practically nothing . . . and on the inverse, each and every year, the tax rate would gradually increase – even at best, with all things being constant, the tax rate will increase.
7. There was a lot of false information and misleading information in Doctor Loomis's property tax testimony, especially in regards to the tax rates, and the impact that will have on taxing bodies. Once those wind turbines are decommissioned or go out of existence, whether that's 10 years, 15 years, 20 years, whatever that is, the following year will have a devastating impact on the taxing bodies as far as revenue coming into the taxing body. This will also have a negative impact on the taxpayers since the property tax rate will dramatically increase in.
8. In the Wind Ordinance on p. 3, SPECIAL USE PERMIT APPLICATION Section B states that "The Special Use Permit application shall contain . . . " . APEX Application page 1 ORGANIZATION OF THIS APPLICATION Paragraph 3 " . . . Not all details of the Project are final at the time of Application submittal." In general, the Application fails to address key components in the Coles County Wind Ordinance and is incomplete in a number of areas.
9. Wind Ordinance page 3 SPECIAL USE PERMIT APPLICATION B.1, (ii) "(ii the potential equipment manufacturer(s))" shall be contained within the application. APEX specifies that it will use one of two types of turbines – a VESTA or a GE turbine – this is not specific enough. Are we getting a Ford Fiesta or a Ford F250 pickup? One would think that a multi-million dollar application would know which turbine it was going to use.
10. I realize that this was cleared up with the property value expert, but I bring it up again as evidence that the application is full of mistakes, errors, and misleading information.

Wind Ordinance page 4 SPECIAL USE PERMIT APPLICATION B.1 (VII) General Location of the project shall be listed in the application. The first paragraph of p. 12 of the APEX application refers the eastern boundary of the project as “State Highway 2” . . . there is no such thing in Coles County. Also in Appendix E3 Real Estate Adjacent Property Value Impact Report it shows “IDENTIFICATION AND DESCRIPTION OF THE PROPOSED PROJECT The Coles Wind Project (“the Project”) is to be located on land bounded by County Road 1900 North to the west and Interstate 55 to the east, in between County Road 1900 North to the north and East County Road 1200 North to the south, in northern Coles County, Illinois.” County Road 1900 North is an East/West road – it couldn’t be a west boundary. Also Interstate 55 is nowhere near Coles County. The summary location required in the application is TOTALLY WRONG. THIS WAS FINALLY CORRECTED IN SUBSEQUENT NIGHT’S TESTIMONY – AFTER THE APPLICATION HAD BEEN SUBMITTED.

11. APEX application Page 12 – bottom paragraph “. . . interested landowners and broad community support . . .”. This is very misleading and not true. Of the 119 total agreements listed within the application, there are multiple agreements held by the same person. In fact, of the 119 agreements there are 74 people that actually have an agreement. Using the census of 2023, there are 46,060 residents in Coles County. This represents 0.16% (74/46,060) of the entire county. Even worse, of the 74 people, only 37 people actually LIVE in Coles County which is 0.08% of the county (37/46,060). These are the only people gaining a benefit from this project – less than 0.2%!!!! This is certainly NOT “broad community support.”
12. This gets into several arguments that APEX has presented in their witness testimony that some things apply to the application and some things do not. The following is one of many examples that are detailed within the Coles County Wind Ordinance – Each is lettered and enumerated and contain the wording that the “Special Use Permit application SHALL contain or be accompanied by the following information” . . . Wind Ordinance page 4 Section 3. “A site plan for the WECS Project showing . . .” On page 20 of the APEX application under 3.3 of their application they refer to the PRELIMINARY SITE PLAN – They admit that this is not a finalized plan, several times within this section. In fact, in this item alone, they refer to it as ‘Preliminary’ 13 times!!! At no point does the Wind Ordinance allow for a “preliminary plan”. This is an incomplete application, not finalized.
13. Wind Ordinance page 4 Section 9 “Waivers from the setback requirements executed by the occupied community building owners and/or the non-participating property owners bearing a file stamp from the County Recorder of Deeds Office confirming that the waiver was recorded against title to the affected real property. APEX application p.25 section 3.9 states “Template participation agreements with the relevant setback waiver language are included in Appendix B” In NO Section – Appendix B or B.4 or anywhere are there SIGNED and STAMPED agreements. In direct violation of the wind ordinance.
14. Wind Ordinance page 5 Section 10 “Waivers from the shadow flicker mitigation requirements executed by the occupied community building owners and/or the non-

participating property owners bearing a file stamp from the County Recorder of Deeds Office confirming that the waiver was recorded against title to the affected real property. APEX application p. 25 section 3.10 states “there are no occupied community buildings or non-participating residences modeled . . . “ Who has checked and verified this? Furthermore, in the next paragraph it refers to 2 participating residences but then fails to show the SIGNED and STAMPED agreements.

15. Wind Ordinance page 5 Section 12 “Results of the US Fish and Wildlife Service’s Information for Planning and Consulting environmental review . . . “ In APEX’s application on page 26, Section 3.12 it refers to Appendix D.3 to respond to this. On every page of Appendix D.3 it is marked “NOT FOR CONSULTATION” and furthermore on the very first page at the top it says “This resource list is for informational purposes only and does not constitute an analysis of project level impacts.” It then states on the very next page that **“The following species are potentially affected by activities in this location: Indiana Bat (endangered), Northern Long-eared Bat (endangered), Tricolored Bat (endangered), Whooping Crane (EXPN), Snuffbox Mussel (endangered), and Monarch Butterfly (Proposed Threatened). On the page right after that, the very first sentence “There are likely bald eagles present in your project area.” It goes on to discuss the presence and migration of bald eagles in this area.** A few pages later in bold print it states “The birds listed below are birds of particular concern either because they occur on the USFWS Birds of Conservation Concern (BCC) list or warrant special attention in your project location.” The list of 20 birds: American Golden-plover, Bald Eagle, Black-Billed Cuckoo, Bobolink, Cerulean Warbler, Chimney Swift, Golden Eagle, Grasshopper Sparrow, Henslow’s Sparrow, Kentucky Warbler, Lesser Yellowlegs, Pectoral Sandpiper, Prairie Loggerhead Shrike, Prothonotary Warbler, Red-Headed Woodpecker, Rusty Blackbird, Semipalmated Sandpiper, Short-Billed Dowitcher, Upland Sandpiper, and Wood Thrush. In short, APEX’s own research says there are issues with wildlife. While they address this in section 4.14 of their application, it just further shows that they are aware of wildlife concerns and are trying to use these methods to justify or get around the requirements set forth in the wind ordinance.
16. Wind Ordinance page 5 Section C – No Changes. “Material changes to the application are not permitted once the notice of the public hearing has been published . . . “ On the APEX application p.26 Section 3.15 “ . . . Coles Wind will submit changes made to the Project or Application after submittal of the Special Use Permit application . . . “. This is in direct violation of the county wind ordinance. Again, this is a lettered item that is Letter C directly under the heading of “SPECIAL USE PERMIT APPLICATION”.
17. Wind Ordinance page 5 DESIGN AND INSTALLATION A. Design Safety Certification Item 1 - The wind ordinance says “Applicants shall submit certificates of design compliance “. APEX application on p. 28 4.1 first paragraph “With its Building Permit submittal, Coles Wind will provide . . . for the turbine model that is selected.” First, the ordinance calls in Section 1 for this to be within the application, not the Building Permit. Secondly, APEX has NOT determined which wind turbine that they will be using. This is incomplete, not specific.

18. Wind Ordinance page 6 E. Warnings Item 1 – “A reasonably visible warning sign concerning voltage must be placed at the base of all pad-mounted transformers and Substations, and at all entrances to the Wind Towers.” APEX application p. 29 Section 4.5 again lists 2 possible types of wind turbines – not one is specified. But it also states that “This voltage warning signage would not be needed at the base of the V162-6.0 turbine because the transformer is located in the nacelle, it is not pad mounted.” This is in direct violation of the wind ordinance as it clearly states “and at all entrances to the Wind Towers”.
19. More incomplete work Wind Ordinance page 8 Use of Public Roads 2.c. “Enter into a Road Use Agreement (RUA) with the County and each affected Road District . . . “ In APEX application, page 38, section 4.9.1 the last paragraph it states “Coles Wind is currently working with each of these road authorities to execute a RUA Coles Wind anticipates three Road Use Agreements . . . “ As of this Application being made public, these RUAs were NOT in place – therefore in violation of the wind ordinance. Furthermore a baseline survey has not been completed, even according to APEX p. 38, Section 4.9.2 “ . . . Coles Wind will conduct pre-construction baseline road surveys . . . “ This has not been done within the application.
20. Wind Ordinance page 10 L. Noise Levels “ . . . I realize this was discussed by the 2nd witness, but if APEX truly was concerned with the public, this would be placed within the application. Frankly, the county should not be concerned about some “trade secret”. The Applicant shall submit manufacturer’s wind turbine sound power level characteristics and other relevant data regarding wind turbine noise characteristics necessary for a competent noise analysis.” APEX application page 42 section 4.12.2 last paragraph “ . . . Coles Wind will provide the turbine manufacturer’s wind turbine sound power level characteristics under separate cover. . . . Sound power curves, will be submitted only to the county engineer or its designee . . . “ The ordinance specifically requires this and they are refusing. They did NOT provide this within the application.
21. Wind Ordinance p. 11 Q. Engineer’s Certificate – The very last sentence states “The WECS Project engineer’s certificate shall be a public record and shall be submitted as part of the Special Use Permit application.” APEX application p. 45 section 4.16 states “. . . Coles Wind will submit an engineering assessment and certification in the Building Permit submittal . . . “ This is in direct violation of the ordinance.
22. Wind Ordinance p. 11 R. Conformance with Approved Application and Plans – This states “. . . in substantial conformance with the construction plans contained in a county approved submitted Special Use Permit application . . . “ APEX application p. 45, section 4.17 states “Coles Wind agrees to construct . . . conformance with the construction plans contained in the Special Use Permit and the Building Permit submittal.” According to the ordinance, it must all conform to the application – not be allowed to spill over to the building permit submittal – it must all be done within the application.

23. Wind Ordinance p. 11 S Additional Terms and Conditions. In the APEX responses on page 46 of their applications to Items 1, 3 and 5 each time it refers to the response being within the “Building Permit”. These do not address being placed within the application as the ordinance requires. These are three separate violations to the wind ordinance requirement. Being in the Building Permit is NOT the same as being within the application.
24. Wind Ordinance p. 13 Operation B. Coordination with Emergency Responders Item 1 and Item 3. In the APEX response to this on page 49, section 5.2.1 it once again says “. . .in the Building Permit submittal. . . “ This is missing within the application itself.
25. Wind Ordinance p.14 F Drainage Systems “The Applicant, at its expense, will repair, in a prompt and timely manner damaged during construction, maintenance and operation phases of the WECS project . . . “ In the APEX response on p. 52 section 5.6 they fail to note the “maintenance and operation” phases of the project. This violation shows that they are only willing to worry about construction and not the maintenance and operation.
26. Wind Ordinance p. 15 LIABILITY INSURANCE AND INDEMNIFICATION There is a substantial difference in the wind ordinance and the application. In the APEX response on p. 53 section 6 about halfway through the paragraph it is MISSING the phrase “during the life of the WECS Project” that is listed in the first paragraph of the wind ordinance. In addition, the APEX response is MISSING any type of response to the entire second paragraph of the wind ordinance. This is an extremely important piece that APEX has failed to place within its application. **Wind Ordinance p. 15 REMEDIES A.** “The Applicant’s failure to materially comply with any of the provisions under the Special Use Permit, any conditions imposed on the project, and/or failure to comply with any law or regulation shall be a default and shall be grounds for revocation of the Special Use Permit by the County Board.” It has been shown in more than 30 items that APEX has failed to comply with the Wind Ordinance requirements as set forth by the county. In this failure, Coles County has every right and reason to reject this application.
27. **Wind Ordinance p. 17 HEARING FACTORS a.** “The establishment, maintenance or operation of the WECS Project will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare . . . “ Of the 119 total agreements listed within the application, there are multiple agreements held by the same person. In fact, of the 119 agreements there are 74 people that actually have an agreement. Using the census of 2023, there are 46,060 residents in Coles County. This represents 0.16% (74/46,060) of the entire county. Even worse, of the 74 people, only 37 people actually LIVE in Coles County which is 0.08% of the county (37/46,060). These are the only people gaining a benefit from this project – less than 0.2%!!!! For the overwhelming majority of the residents of Coles County this project is “detrimental to or endangers the public health, safety, morals, comfort or general welfare.” Everything about this project is detrimental to the public: shadow flicker, noise, damage to roads, aesthetic view, soil compaction, field drainage, oil/fluid leaking, blinking lights, etc. WHAT ARE WE GOING TO CONSIDER AS “GENERAL WELFARE”?

28. Wind Ordinance p.17 HEARING FACTORS b. “The WECS Project will not be injurious to the uses and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values of surrounding properties.” These 51 wind turbines, all 644 feet tall, will substantially diminish the property values and be injurious to the enjoyment of those properties in the vicinity. In fact, Appendix E.3 p 17 and 18 of APEX application says “Of the most cited 19 wind studies in North America, all but four concluded that the proximity of a wind farm to a residential home has no negative impact on property value.” Four out of 19 is 21% . . . 21% of these have a NEGATIVE IMPACT on property values!!! That is substantial!
29. In another ‘technique’ listed in the APEX application starting on p. 21 of Appendix E.3 starts listing values of properties in close proximity to wind turbine projects. Of the nine listed, 4 have no heights given for the wind turbines. The other 5 sites have wind turbine heights of 328 feet, 426 feet, 453 feet, 328 feet and 488 feet tall. Keep in mind that APEX is wanting to construct turbines all 644 feet tall. Using the tallest turbine in the ‘technique’ listed (488 feet) – this is only 76% (488/644) of the height of the APEX proposal! This is an apples to oranges comparison of saying that the APEX turbines won’t have a detrimental impact on property values – it isn’t the same type of comparison at all!!
30. There is nothing in the APEX application that refers to the numerous Drainage Districts that are in place in Coles County. In fact, APEX was not aware of any Drainage Districts within the footprint until I presented a map to the Mr. Hess.
31. The following items listed in the Wind Ordinance p. 17 – 18. 2. Revocation, Transferability, Modification, Interpretation, Severability . . . All are missing entirely from the APEX application. All three components (a., b., and c.) are missing from the application.
32. None of the electricity generated will be used here.
33. There has been no information on the impact of the Marathon pipeline that runs through the project. None of this has been made available to Coles county.
34. Even though statute nor the ordinance requested the information about jobs, Apex created and presented this information about jobs. But it is very misleading in the number of jobs to be created is not an accurate description of the situation. Even using the testimony of those in support of the project only 8 to 10 jobs will be created. We’d be better off with another pizza place or Mexican restaurant opening up in the county.
35. The expert witnesses don’t even agree. The one night we have Doctor Loomis talking about that jobs will decline for this area. But then the very next hearing night, the property valuation witness says that we should have no problem getting people here to this area to work and buy houses. Which one is it?

36. Apex wants to paint this rosy picture of being a good neighbor and helping out the community. But when it truly comes down to the health and well-being of our community, there is no answer. No answer for shadow flicker health care issues. No answer for noise issues as it pertains to Health of our citizens. No answers for the things that really matter. And now after several days of the hearing, we hear about an extremely important issue regarding the chicken manure lawsuit. As Mr. Smith pointed out, NO MEDICAL EXPERT testified at all from APEX. If they are truly concerned about health, this should have been done. There should have been a medical expert to testify to shadow flicker, noise, and other health issues – using real data, not modeled forecasted scenarios.
37. According to the sound witness, apparently, the only time that shadow flicker is an issue at all is if you're inside your house with the window shades open. Never mind if you want to be outside in the evenings or in the mornings or what the health situation is in regards to shadow flicker, it only matters if you're inside.
38. According to the Construction expert witness, no water supply has been established for the construction portion of this project. This is a very serious matter. He stated that he was hoping to maybe get a contractor to haul water . . . which contractor?, from where? . . . will this be an issue with the City of Charleston or Mattoon to provide water – at a possible serious detriment to those citizens concerning their water supply? I've heard of possible drought forecasts for this area for the upcoming summer. Water – for everyone – will be at a premium.
39. The testimonies that have been provided by the APEX witnesses have been done by people that are either being paid directly by APEX, or the companies that they work for are being paid directly by APEX. This does not provide an unbiased testimony.
40. There are no benefits to the general welfare or the benefit of this county as a whole. Only 37 people, . . . 37 . . . out of our entire county will benefit from this economically. There are no electricity benefits. It will all be hooked to the MISO grid and on the transmission lines that will head to other states, they do not benefit Coles county. The property tax information, the economic benefits all of that was not needed in the application was not required by the ordinance was not required by state statute yet, APEX presents that to try to sway your opinion. Even with that being as it is, it is extremely small, not even half of a percent of our population of Coles county, that will economically benefit from this. The dollar amounts associated with the property tax piece that we're presented are sketchy at best. And there is no reality that these numbers will come true. As it has been stated numerous times, it truly is all about the money.
41. It is interesting, frustrating and even more alarming that most of the things that APEX objects to, have to deal with welfare and safety of our citizens. APEX wants to focus on the word "welfare" as it pertains to money.... money to just 37 people that live in Coles County. APEX wants to focus on the word "welfare" as it relates to a very unstable property tax revenue flow. APEX refuses to address the medical concerns

of shadow flicker, sound, the radar, the disturbance of the ground....all of things that are concerning to our county residents.

42. Other than the construction testimony, every single aspect that Apex presented is based on models and theory - NO actual post-construction or any real-time data, whether it's sound or shadow flicker, or decommissioning, or radar, all of their information is based on models, instead of fact.
43. Mr. Carlson, the Construction Expert, testified that the wind turbines will only generate electricity 50% of the time. Such a very small wind power generation at such an expense and negative impact on our community.
44. In Mr. Carlson's construction testimony on April 23rd, he stated that especially the wind turbine blades, and any of the long trucks would come off by I - 57 head East on 1000 North and then to Illinois Route 130 then north on Route 130 and come North to the project area. Yet Interstate 57 and Route 130 (county road 1600 E) are not listed as roads impacted, they are not even on the list in the application. So I have concern about the ramps on I-57, I have concern about 1000 North (the new road), and I certainly have concerns about Route 130 (which isn't even listed) from 1000 North traveling north to the lay down yard by Fairgrange. Those roads will be impacted by this heavy equipment.
45. During Mr. Carlson's April 23rd testimony, he said that at any given time during construction that there could be as many as 300 construction workers traveling within this footprint. I realize the vandalism is an issue. And I'm not even going to elaborate on that. But more importantly, traffic will be a major issue within this footprint. I would hope that the county would place more Sheriff patrols in this area; and I realize that comes at a cost which I believe Apex said they would pay for. But then once those sheriff's deputies were employed for this extra work, what happens when the construction is done? Will we still have extra sheriff deputies employed with the county? And who pays for the continuance of their employment?
46. The main lay down yard which is set to be just west of the Fairgrange grain elevator, is in a terrible location. Lots of traffic with local citizens as well as farm machinery will be in and out of that intersection. Once again, it doesn't seem like APEX did their homework at all in regards to how much traffic will/is at that intersection – especially during harvest season – especially since Charleston no longer has a grain elevator.
47. If this was a job application or a grant application or even a high school English term paper, it would be rejected due to the incompleteness, incorrect, and not following the Coles County Wind Ordinance.
48. As it pertains to safety – the Safety expert has no idea if APEX's own employees undergo criminal background checks. Furthermore, he has no idea if APEX's own employees are subject to random drug testing while on the project. In addition, he had no clue if either of these things – criminal background checks

and/or drug checks were done by any contractors or subcontractors. That isn't being very safety conscious.

49. Another problem with this process is the lack of open and honest communication coming from APEX. Case in point, Bill Strode, the Fire Chief of Seven Hickory – Morgan Fire Department was not contacted AT ALL until after the fact by APEX's Safety Witness – as was pointed out by Mr. Johnson on the county board. Even though the Safety expert said he had included everyone in the meeting – same goes true for the Bowdre Township road director . . . never contacted.
50. The Coles County State's Attorney's office would never support or approve of an ordinance in violation of state statute. Similarly, the Coles County Planning and Development Committee would never write, support or recommend an ordinance to the full county board in violation of state statute. And furthermore, the full Coles County Board would never and has NOT ever passed an ordinance in violation or opposition to state statute. This ordinance is in full compliance with the state statute. It is not over-reaching, it is not more restrictive than the state statute. The application presented by APEX is lacking, in various areas, of meeting the requirements as set forth in the Coles County Wind Ordinance. The APEX application should be denied.
51. I have heard people say, even Coles County Board members say, that “we have to approve this or we will get sued”. During the second night of testimony, the witness was questioned three times, some by me and even by Mr. Kanen, to quote “If the county board were to deny the APEX application, and then APEX were to sue Coles County, would APEX pay for the litigation”? and the answer that was given each and every time was yes . . . Yes, APEX would pay for any litigation. This is within the transcripts of March 19, 2025 pages 39 – 41.
52. It is important to note that no one, no person nor taxing body west of Loxa road, or south of the “new road” otherwise known as 1000 North will get any benefit at all. Zero . . . None . . . The city of Charleston will not benefit, the City of Mattoon will not benefit, Mattoon School district will not benefit . . . Actually NO ONE will benefit other than the 37 people living within Coles County that have a signed lease with APEX.