

WASHINGTON COUNTY, ILLINOIS

ZONING BOARD OF APPEALS

03/26/2026

6:00 p.m.

ITEMS FOR DISCUSSION AND POSSIBLE ACTION:

WILD CAT SOLAR

(WILD CAT SOLAR 30 LLC and WILD CAT SOLAR 32 LLC)

ZONING BOARD OF APPEALS MEMBERS PRESENT:

Dwayne Mulholland, Chairman
Patricia Rensing
Mike Chwaszczinski
Clarence "Butch" Gogolek
Bruce Schneider
Devin Clary

HEARING FACILITATOR:

Scott Kains

ZONING ADMINISTRATOR:

Krystal Althoff

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I N D E X

Roll Call..... 3

Opening Statement by Mr. Jack Franks..... 9

WITNESS:

PAGE:

1. JESSE DIMOND..... 13

Direct Examination by Mr. Kains..... 13

Cont'd Examination by Mr. Kains..... 30

Questions posed by ZBA Members..... 34

Questions posed by Mary Ann Kujawa..... 42

Questions posed by Dale Blumhorst..... 45

Questions posed by Dennis Jacob Koch.... 52

Examination by Mr. Andrew Keyt..... 61

Questions posed by Linda Tragesser..... 64

Further Questions posed by ZBA Members.. 65

2. DALE BLUMHORST

Comments by Dale Blumhorst..... 76

Questions posed by ZBA Members..... 80

3. MARY ANN KUJAWA

Comments by Mary Ann Kujawa..... 84

Questions posed by ZBA Members..... 86

Closing Statement by Mr. Jack Franks..... 87

VOTE:

As to Wild Cat 30 (Findings of Fact)..... 90/91

As to Wild Cat 30 (Approve with Conditions)..... 98

As to Wild Cat 32 (Findings of Fact)..... 100/101

As to Wild Cat 32 (Recommend Denial)..... 101/102

1 **ZBA CHAIRMAN DWANYE MULHOLLAND:** We've got a lot of
2 things to cover here tonight, and a representative has
3 shown up. So we're going to go ahead and get started.
4 Roll call, please?

5 **ZBA MEMBER PAT RENSING:** Luke Borrenpohl?

6 (No Response.)

7 **ZBA MEMBER PAT RENSING:** Devin Clary?

8 **ZBA MEMBER DEVIN CLARY:** Here.

9 **ZBA MEMBER PAT RENSING:** Michael Chwaszczinski?

10 **ZBA MEMBER MICHAEL CHWASZCZINSKI:** Here.

11 **ZBA MEMBER PAT RENSING:** Butch Gogolek?

12 **ZBA MEMBER CLARENCE "BUTCH" GOGOLEK:** Here.

13 **ZBA MEMBER PAT RENSING:** Dwayne Mulholland?

14 **ZBA CHAIRMAN DWAYNE MULHOLLAND:** Here.

15 **ZBA MEMBER PAT RENSING:** Patricia Rensing? Here.

16 Bruce Schneider?

17 **ZBA MEMBER BRUCE SCHNEIDER:** Here.

18 **ZBA CHAIRMAN DWAYNE MULHOLLAND:** Okay. Do we have a
19 motion to approve the minutes?

20 **ZBA MEMBER CLARENCE (BUTCH) GOGOLEK:** I'll make that
21 motion.

22 **ZBA CHAIRMAN DWAYNE MULHOLLAND:** Is there a second?

23 **ZBA MEMBER BRUCE SCHNEIDER:** Second.

24 **ZBA CHAIRMAN DWAYNE MULHOLLAND:** All those in favor say

1 Aye?

2 (ZBA Members answer "Aye" in unison.)

3 **ZBA CHAIRMAN DWAYNE MULHOLLAND:** Scott, I'm going to
4 go ahead and turn this meeting over to you.

5 **HEARING FACILITATOR SCOTT KAINS:** Thank you,
6 Mr. Chairman. Good evening, folks. I won't stand the whole
7 time. I'm still getting ready. For those of you who have
8 not experienced a public hearing that I've conducted, my
9 name is Scott Kains. I'm an attorney from Springfield.
10 Please don't hold that against me. Most of the politicians
11 who come down to Springfield aren't from there. So, don't
12 blame me for all of the ruckus in Springfield. But I've
13 been an attorney for, let's see, almost thirty-five years
14 now, and I go around the State of Illinois, downstate
15 counties primarily, conducting public hearings for zoning
16 boards such as this, and I've had the privilege of serving
17 Washington County on several prior occasions, and just
18 between us, I really enjoy Nashville. I had my high school
19 -- or my college graduation dinner after I graduated from
20 SIU at the Nashville Dairy Queen. So, anyway, I'm quite
21 familiar with Nashville having been raised in Springfield,
22 and going to school at SIU for seven years. It took me
23 that long to get through.

24 As you folks may or may not know, in the

1 audience, the six Ladies and Gentlemen over here are
2 Members of the Washington County Zoning Board of Appeals,
3 and they will serve as basically like a jury for this
4 public hearing.

5 The gentleman in the suit over here, Mr. Keyt, is
6 legal counsel. He is a Special Assistant State's Attorney
7 for Washington County, and is representing the Washington
8 County Zoning Board of Appeals, and County Board.

9 Brian Tuck is his paralegal next to him.

10 Then we have Linda and Thomas and Krystal. They
11 are all part of the Staff of Washington County, and
12 Krystal, you are the new Zoning Administrator; is that
13 right?

14 **ZONING ADMINISTRATOR KRYSTAL ALTHOFF:** I am.

15 **HEARING FACILITATOR SCOTT KAINS:** Welcome, Krystal
16 Althoff. I should remember that because there is a high
17 school named after you. All right. How this hearing works
18 is, we're going to hear from the Project's Developer, all
19 right? It is the gentleman seated here at the table. His
20 Counsel is the gentleman with the glasses on, Mr. Jack
21 Franks. He is an Attorney from Northern Illinois. They
22 will go first, and after the witness testifies, then there
23 will be an opportunity for folks to ask questions. Every
24 one will have an opportunity to ask questions. I like to

1 go in a certain order. I like to have Members of the
2 Zoning Board of Appeals ask the first questions and the
3 last questions of witnesses. In between, there will be
4 members of units of local government including County
5 Board Members. Any School Board Members who are here in
6 the room, have the opportunity to ask questions next. So
7 it's Zoning Board, governmental officials, then the
8 general public will have the opportunity to ask questions.
9 What I'm going to do though, is because when there is a
10 witness who's on one side of the issue, and in this case
11 the first witness Jesse, will be -- obviously he's working
12 with the company, so he's for the issue, folks will have
13 an opportunity to ask questions. In the legal world we
14 call it cross-examination, okay? You'll have an
15 opportunity, if you are opposed to the Project or neutral
16 on the issue, you'll have an opportunity to ask the
17 gentleman from the Developer questions. I don't generally
18 allow folks who are in favor of the Project to ask
19 questions of a witness who is in favor of the Project. The
20 same will hold true when we get to people who are opposed
21 to the Project. You'll have an opportunity to testify and
22 tell the Zoning Board of Appeals what you want to tell
23 them about your feelings on the Project, and at that
24 point, people who are also objectors will not -- they'll

1 have to sit out asking you questions, and the questions
2 will come from the people who are either in favor of or
3 neutral on the issue. You'll see how it works as we go
4 through it. I want to assure each and every one of you
5 that in this public hearing, every one has the chance to
6 be heard. This is not going to be one of those hearings
7 that sometimes governmental bodies run, where all of a
8 sudden boom, boom, I didn't get a chance to say anything,
9 and they've already voted. So folks who have things to
10 say, you'll be able to ask questions of witnesses, and
11 you'll be able to be sworn in and say your piece. Okay?
12 There's also an opportunity for public comment at the end
13 of the hearing as well.

14 All right. What I'll do is, each witness will be
15 sworn, and there will be no outbursts. This isn't like the
16 Jerry Springer show or what's her name, Judge Judy. It's
17 not like that. This young lady right here, Miss Jamie, is
18 a Court Reporter. She's a Certified Court Reporter. She
19 comes from the beautiful central Illinois community of
20 Monticello, which is just west of Champaign. She takes
21 down every single word that is said in this hearing. So if
22 two persons are talking at the same time, she can't take
23 it down. So I will -- if folks get to going at the same
24 time, I'll just call a big time-out, and we'll go one at a

1 time.

2 So with that said, Mr. Franks, would you be interested
3 in giving a brief opening statement, an overview of the
4 Project, or do you just want to defer to your witness
5 about the Project?

6 **MR. JACK FRANKS:** I'll make a very brief statement.

7 **HEARING FACILITATOR SCOTT KAINS:** Yes, sir. You may
8 have the floor, Mr. Franks.

9 **MR. JACK FRANKS:** Thank you, Scott. Thank you, Members
10 of the Board. Good evening. My name is Jack Franks. I'm
11 helping with my friends with New Energy Equity which comes
12 before you tonight seeking a Conditional Use Permit for a
13 5.0 megawatt solar facility known as the Wulf property.
14 Then we're also going to be talking about a two-and-a-half
15 megawatt commercial energy, just to let you know, and it's
16 the Moeller property, and both of these facilities would
17 fall under the category of community solar facilities.

18 First of all I want to thank you, and appreciate
19 your service in working on behalf of your constituents. I
20 know a little bit about that. Scott spent a lot time in
21 Springfield. I did too. I was there for eighteen years.
22 I was Chairman of State Government in the House of
23 Representatives, and got in lots of really wonderful
24 debates with Charlie Meier. Unfortunately, he's in

1 Springfield tonight; otherwise, we were going to have
2 dinner, and then I became Chairman of the McHenry County
3 Board. So I know what you're going through and I know the
4 stuff you get from in Springfield often isn't what you
5 like here, because a lot of these decisions are made, and
6 there's not a heck of a lot you can do.

7 I'm going to turn it over to Jesse Dimond here in
8 a little bit. He's the Project Developer, and he's going
9 to take us through a very brief presentation because I
10 know you're going to have some questions. We prepared this
11 in such a way to make sure that you see that we did
12 fulfill the St. Clair issues. I'm sure that you will
13 agree, after hearing from Jesse, that these Projects will
14 not be detrimental or endanger the public health. They
15 will not be injurious to the use or the enjoyment of other
16 property in the immediate vicinity or substantially
17 diminish and impair property values. It will not impede
18 the normal and ordinary development and improvement of the
19 surrounding properties. There are adequate public
20 utilities, access roads, drainage, et cetera. There have
21 been -- adequate measures have been taken to provide for
22 ingress and egress as to minimize traffic congestion, and
23 there's also adequate screening and a vegetative plan.

24 Jesse's going to discuss all of those, and I know

1 that you want to see the screening and vegetation, so we
2 can spend as much time, ask as many questions as you want.
3 Ingress and egress for the property. We also have a noise
4 memo dated last month that was done by Kimley Horn, and
5 also a decommissioning plan that is very thorough as well.
6 So without further ado, I'll turn it over to Jesse.

7 **HEARING FACILITATOR SCOTT KAINS:** Mr. Franks, before
8 we turn it over to Jesse, I wish to inquire of Mr. Keyt on
9 behalf of the Washington County Zoning Board of Appeals,
10 would you please, Mr. Keyt, identify the Application and
11 confirm whether the necessary fees have been paid?

12 **MR. ANDREW KEYT:** The necessary fees have been paid,
13 and necessary publication of notice was sent to the
14 adjacent Landowner. I believe our first Project up is the
15 5 megawatt, Wild Cat Solar 30 LLC Project. It's a 5
16 megawatt facility. The Project address, the posted address
17 is 10102 State Route 127, Nashville, Illinois. The total
18 area for permitting would be 44.48 acres out of a total of
19 45.8 total parcel acres. That includes approximately 31.35
20 acres of fenced project area.

21 **HEARING FACILITATOR SCOTT KAINS:** Mr. Keyt and Mr.
22 Franks, do you have any objection to consolidating the
23 case numbers S26-002 and S26-003, the Wild Cat Solar 30
24 and the Wild Cat Solar 32 Projects? Any objection to

1 consolidating?

2 **MR. JACK FRANKS:** If Andy doesn't, I don't.

3 **MR. ANDREW KEYT:** No, I don't have any objection.
4 We'll have to take separate votes on it though.

5 **MR. JACK FRANKS:** This is all new for us.

6 **HEARING FACILITATOR SCOTT KAINS:** Testimony and
7 evidence we can get through on both Projects, because I'm
8 assuming they're in close proximity?

9 **MR. JACK FRANKS:** Yeah. I think that would save some
10 time. That would be great.

11 **HEARING FACILITATOR SCOTT KAINS:** Okay. Mr. Keyt, the
12 description of Wild Cat Solar 32, if you could, please?

13 **MR. ANDREW KEYT:** The second Application is for Wild
14 Cat Solar 32 LLC which is a 2.4 megawatt AC Project. The
15 Project address, approximately, is West Maple Street, in
16 Nashville, Illinois. It will be constructed in the
17 existing field west of N. Western Street, with the
18 existing trees to remain to the south and west to be used
19 as screening. The total area for permitting is 21.5 acres
20 and includes approximately 14.39 acres of fenced Project
21 area, and is a total, I believe I said, 14.4 megawatt
22 issue.

23 **HEARING FACILITATOR SCOTT KAINS:** Very good. Thank
24 you, Mr. Keyt. Also on that one, necessary fees have been

1 paid, required notices have been published?

2 **MR. ANDREW KEYT:** That is correct.

3 **HEARING FACILITATOR SCOTT KAINS:** Okay. Very good.
4 All right. Then Mr. Dimond, if you could please raise
5 your right hand and be sworn.

6
7 (Witness sworn.)

8 **JESSE DIMOND:** I do.

9
10 **J E S S E D I M O N D,**
11 called as a witness on behalf of the Project Applicant,
12 having been first duly sworn, was examined and testified s
13 follows:

14 **DIRECT EXAMINATION BY**

15 **MR. KAINS:**

16
17 **Q.** Mr. Dimond, if you could please, state your first
18 and last name, spelling them for the record?

19 **A.** Absolutely. Jesse Dimond, J-E-S-S-E, Dimond,
20 D-I-M-O-N-D of Stillwater, Minnesota.

21 **Q.** Where are you employed?

22 **A.** New Energy Equity out of Duluth, Minnesota.

23 **Q.** So you live in Minnesota now?

24 **A.** I do.

1 Q. Okay. Very good. Then I'm sure you're
2 appreciating our 85-degree weather today in downstate
3 Illinois?

4 A. It was a warm drive over for sure.

5 Q. Now Mr. Dimond, do you have a power point
6 presentation you wish to show?

7 A. I do, please.

8 Q. Okay, and would it be more convenient for you to
9 sit there and discuss, or -- because I want the audience
10 to hear you. So we have had witnesses up here, but then
11 you'd have to -- what would be best for you and the
12 audience?

13 A. Whatever you have found works best for this room.
14 I'm good at projecting my voice. I have small children, so
15 I need them to hear me. But, yes, wherever is most
16 convenient.

17 Q. Okay. Then would you mind standing during your
18 power point?

19 A. Absolutely.

20 Q. Okay. Maybe if you came to the corner here
21 (indicating) because I want these people back here
22 (indicating) to hear you.

23 A. Okay.

24 Q. And also the Lady and Gentleman of the Board.

1 A. Okay.

2 Q. So if you were to stand here (indicating), and
3 that way you can go through your presentation?

4 A. Yes.

5 Q. Okay. All right. Go right ahead.

6 A. I just need -- let me just hook it up.

7 Q. Yes, absolutely. Let's go off-the-record for
8 just a second.

9

10 (Discussion held out of the hearing of the Court
11 Reporter.)

12

13 **HEARING FACILITATOR SCOTT KAINS:** Mr. Dimond, we're
14 back on the record. Mr. Dimond, you may go ahead with your
15 presentation, please.

16

17 **JESSE DIMOND:** First I'd first like to start out by
18 saying I apologize for being a few minutes late. They
19 cancelled my flight this morning, and instead of flying
20 into St. Louis, I had to fly into Chicago Midway and drive
21 all the way over. So it was a bit of an odd morning, but
22 we got here. So thank you for being kind and letting me be
23 a couple of minutes late and understanding.

24 As discussed earlier, the first Project is the

1 Wulf Property. It is a 5 megawatt Project.

2 A little bit about New Energy Equity. We are a
3 developer, a land acquisition company. We do project
4 managing, we do consulting and financing operations. We
5 are capable of starting a project from conception all the
6 way into developing it, building it, owning and
7 maintaining it through the life cycle of it.

8 The other Project that we've started developing
9 is in Okawville. In that Project, we are in the final
10 phases of transitioning over to our Project Managers, and
11 we will be owning and operating that for hopefully the
12 next thirty-five years. This is just a little bit about
13 us. We've been doing this for many many years. We have a
14 lot of experience how to do it safely and correctly.

15 Again, a 5 megawatt Community Solar Program. They
16 sit on a single axis so they track with the sun. We did
17 put together a decommissioning plan from Castillo
18 Engineering and at the end of the Project the land reverts
19 back to agricultural. C-A-S-T-I-L-L-O.

20 The additional County revenue is something that
21 is a benefit to the community. It doesn't bring any extra
22 demand to water, sewer, roads or schools. Although we do
23 bring in some extra trucks during construction, we go
24 through a decommissioning -- sorry, a Road Use Agreement

1 with the County as part of the Conditions of the Permit if
2 it were to be approved, and that would be negotiated after
3 the fact. So any repairs that would need to be done based
4 off of our Project would be done as part of that Road Use
5 Agreement.

6 This is a very nice flat field. So outside of
7 some run-off control so that all the water produced on the
8 field will stay within the fields, so it's not running off
9 into the other properties, there isn't much draining
10 needed for this Project.

11 The noise for this Project outside of the parcel
12 boundaries should be no more than a normal conversation at
13 peak times during the day, and no noise at night because
14 the Project is not producing power and not running at high
15 volumes.

16 Then anybody that subscribes to these facilities,
17 I am a subscriber to one that I helped develop even in my
18 home town of Afton, Minnesota. I save ten percent on my
19 electric bill every month. So I am someone that not only
20 develops, but I also participate in Community Solar.

21 A little bit about Community Solar. It was
22 established in 2021 and 2016, and continues to evolve
23 through the State of Illinois, and so we're seeing this
24 State evolve the program. Similar to Minnesota, Illinois

1 was a first adopter ahead of many other states, and the
2 program has a lot of maturity, and so not only the utility
3 companies but the developers in our local communities.
4 This isn't the first time you've heard of this.

5 How do we select sites? You know, we're looking
6 for innerconnection, and what that means is that if I'm
7 miles away from a substation, my costs would be too high
8 because these are considered smaller commercial projects.
9 I need to be within a certain vicinity of a substation
10 that has to have capacity, because we're generally not
11 expanding substations, we're generally filling gaps that
12 are available on these substations, and then, you know, we
13 need to make sure that it fits for the -- it fits for you
14 folks. I don't put these in the middle of cities. I
15 put these on the outskirts of town, sometimes in very
16 rural areas, and sometimes those do abut houses. However,
17 we are looking always at how can we minimize our impact to
18 those neighbors. I spent ten years before coming to solar
19 in telecommunication towers, and it's a similar concern.
20 We all need them, we need the power from all the sources
21 that we can get, but nobody necessarily wants to be the
22 nextdoor neighbor, so I'm here to listen to those concerns
23 and do my best to mitigate the impact to any of the
24 neighbors and any of the communities. I really am here to

1 listen.

2 We obviously have to have a path through zoning,
3 through both the State and through the local jurisdiction
4 in this case, the County for both of these Projects.

5 You know, obviously again, you know, the
6 visibility to the neighbors, environmental constraints.
7 Although we can build them, and you'll see that we can
8 build them on water, that's a lot of work, and so we tend
9 to stay away from putting them in the wetland areas and
10 what not.

11 The Wulf Project should have little to know impact on
12 any of the waterways. There is a small pond and a small
13 waterway to the south of it, when that fills up, it should
14 not impact that.

15 Then obviously avoiding, you know, any existing
16 infrastructure. We're going south with the Wulf Project,
17 we're going south of a commercial building, to the north
18 in a farm field, and so we're avoiding any other areas
19 that we won't want to impact.

20 Again, talked about the economic development and
21 revenue for the local government. That's a benefit to the
22 community.

23 Energy Reliance. Energy use has gone up in a
24 curve that my fourth graders learning about curves and

1 graphs, and it's not a linear line. We need an
2 unbelievable amount of energy to keep up with what we're
3 doing with AI and what not, and so it's my honest opinion
4 that solar and wind being renewable is needed in addition
5 to natural gas and coal and nuclear energy. Until we can
6 find an energy solution or figure out a way to reduce our
7 energy use, and that just isn't happening today. So these
8 facilities are very important, I think, to our overall
9 goal of trying to be energy independent as much as
10 possible.

11 Farms are hurting these days, and a consistent
12 revenue for farmers is found in the solar energies. We
13 give them very good returns for generally a single field,
14 and it's consistent. So farmers have been very positive
15 towards -- again, farmers that are interested, have been
16 very positive towards the consistent revenue for these. So
17 it supports our farmers.

18 It creates energy equality. Not everybody can put
19 solar up on their own house, and a lot of people do want
20 to adopt clean energy, and this gives them an opportunity
21 to participate in clean energy and this renewable source
22 by subscribing, and they save money through that, and so
23 it creates an opportunity to a lot of households that
24 don't have that opportunity. It generally has a pretty

1 positive influence on low to moderate income. You can
2 easily save twenty bucks a month, and that twenty bucks
3 adds up for those families.

4 Access For All. You know, this is meant for the
5 community. That's why it's in its name in what we're
6 doing. This really truly is meant for the community.

7 We will touch in more thoroughness, as far as
8 later on, about how we met all of the rules and
9 regulations of not only the State, but also the local in
10 Section 7-14 for the Wulf Project, you know, for example,
11 the height is required to be twenty feet or less. We
12 average between eight to twelve feet which fluctuates
13 because the ground underneath is not just a completely
14 flat ground that fluctuates, but our actual array goes on
15 a straight line, and so the ground underneath it is what
16 is changing that eight to twelve feet. And then in both of
17 the cases for both of these Projects, Wulf in particular
18 here, it is over sixty feet from the right-of-way from
19 Richview Road.

20 The Noise Study. Here's a good picture for
21 everybody to understand where that noise is going to be
22 centered. So any area in green is basically light
23 conversation or less. On the edges of the array, on this
24 southwest side is where the inverters are that will cause

1 some additional noise at peak times. As you can see, those
2 noises at the edge there, is fifty to fifty-five decibels,
3 which is still quite low, but it does not dissipate
4 outside of the parcel and so nobody will be affected in a
5 negative way from noise, and this study was Exhibit 7 from
6 Kimley Horn if anybody wants to look at that further.

7 The Decommissioning Study by Castillo Engineering.
8 We estimate after adding a safety factor for this Project,
9 the net value of a little over six hundred thousand
10 dollars, which would then be re-evaluated every five
11 years, and so if it were to be approved this year and
12 built next year, in five years after that, so that would
13 be in 2032, we would then re-evaluate and see if those
14 numbers are accurate. And so these numbers do not include
15 any recycling value, and so this is the estimated cost,
16 and so any revenue that would be obtained by recycling the
17 metal, possibly the panels in the future, that is not
18 factored into this. That would just be less costs to the
19 Developer at the end of the Project. This also is in
20 compliance with the AIMA, which is a State and County
21 requirement.

22 A little bit more about the decommissioning bond.
23 The estimates of the decommissioning bond are guaranteed
24 through performance bond or other security by the County

1 equal to the estimated cost, and so that cost now would be
2 approximately six hundred thousand. In five years if that
3 went up or down, it would then be adjusted for that. The
4 funds are available and not dependent on the Developer,
5 and realistically, probably more importantly, the
6 Owner/Operator at that point. So, whoever is the parent
7 company of Wild Cat Solar 30 LLC is the one that you want
8 to be financially solvent, but this is separate from them.
9 So, if for some reason there was a catastrophic issue
10 where they weren't financially viable any more, this bond
11 stays in place and still protects the Landowner, the
12 Community and the local jurisdiction.

13 The security is prohibited for the release of
14 funds without written consent. So, you know, this is in
15 conjunction with everybody, and then again at the bottom I
16 think it's important just to review, it is re-evaluated,
17 because we all know that some years our inflation is very
18 low and some years we have a ten percent inflation, and we
19 need to factor what the realistic costs are.

20 Screening for this Project is on two and a half
21 sites, I'll say, so it goes along the northern side in
22 between the commercial industrial facility to the north.
23 It goes along the fields on the east side, and it goes
24 along the view of the road and the other field, kind of in

1 the kitty corner to the east, and then you have trees that
2 are existing on all other sides. So all sides will be
3 surrounded by these trees. We have proposed two rows of
4 trees offset so that as they grow they will look like the
5 photo in the bottom right corner. That generally is about
6 five years into it. So they will grow. And so what it
7 looks like on day one of being operational, and then five
8 years later, they are growing trees, and so that
9 visibility will continue to dissipate. You will not see
10 it as much.

11 Access on this one. We talked to the Road
12 Commissioner, and brought this to an Oakside Engineer to
13 discuss the safest way to come off of Richview Road, and
14 this is what we came up with. And so, this is still in
15 discussion, and will be finalized before the final
16 building permit will be obtained, but we have both turn
17 radius coming off of the south, and keeping consistent
18 with the existing road kind of east/west. We do -- this is
19 --

20 (Background noise interrupts proceedings.)

21
22 **A.** This keeps both of the existing access for both
23 the Wulf family and the Moeller family who, Gary Moeller
24 actually owns the parcel to the south where the pond is.

1 So both of them and anybody else that would need access
2 can come from either way for this. It has been discussed
3 that possibly filling in, in between those two, kind of
4 the "Y" area, and we are certainly open to that. I'll
5 continue to work with the Road Commissioner to finalize a
6 plan, and then we'll submit that to the County for final
7 approval, obviously with the support of the Road
8 Commissioner.

9 Ingress and Egress, same photo, but again this
10 just gives you an idea of how we're getting in and out.
11 This was a little bit of an interesting finding the rabbit
12 in the hat and trying to understand how and where the road
13 right-of-way started and stopped, and so Richview Road,
14 although it is a ninety degree corner there, the actual
15 road right-of-way goes all the way to the edge of the --
16 to the parcel line of that southeast parcel. So we're
17 able to cross over at that point with the existing road
18 right-of-way without an easement from the other land
19 owners because of the way that Richview Road was
20 originally platted. I can go over that a little bit more
21 if anybody has any questions, but we dove very deep into
22 understanding how we can get there easily.

23 The utilities are up by the commercial building.
24 This is right along where the old railroad tracks used to

1 be in the easement that the railroad sold. So the lines
2 run along that, and so although our access is in the
3 southeast corner, we have to get all of the way to the
4 northwest corner to get to our innerconnection pole or any
5 other poles. So in this point from the road nobody will
6 see our poles, and so this actually is kind of a win-win
7 scenario, in that poles are generally one of the things
8 that people prefer the least to see, and so this is kind
9 of a nice scenario where they really shouldn't be visible
10 for anybody.

11 A little bit about solar panel composition. The
12 types of panels that we use are environmentally safe. I
13 just want to make sure that people understand that because
14 there is information out there about panels, and the
15 panels that we use do not contain any hazardous metals. So
16 the breakdown of them is there, but ultimately these are
17 considered to be safe.

18 As I said, I get to show you that you can actually
19 put these things on water. These are two facilities that
20 are actually small community solar projects that are built
21 on water reservoirs, and so this is tested regularly and
22 shows no contamination from these panels, and so if they
23 can go over somebody's water reservoir, my hope is that
24 they are also safe for our fields and our communities. I

1 think this just shows that this water is being tested on a
2 regular basis and there has been zero negative impact from
3 these panels that have been there since 2018, and then the
4 new one in 2023.

5 Property Values. There are three studies here that
6 are referenced that showed no negative impact to
7 properties nearby, and I think that has also shown true
8 for the valuation studies that I've done for other
9 projects. So these are three independent surveys that we
10 did not run, and these showed no negative impact to any of
11 the property values.

12 These are a couple of the Projects that we built
13 ourselves, just to give you an idea of kind of what they
14 look like after there's been a growing season for
15 obviously the mud to turn into grass again, because any
16 you know, any time you're building -- I'm building a house
17 right now with my family, and the dogs love the mud. So
18 obviously as you're building it, you know, you will have
19 to mitigate dust, you will have to, you know, deal with
20 ground saturation from wet events and what not, but after
21 they're built, I particularly think they're kind of neat
22 looking.

23 Then we have a couple of final comments. Jack, do
24 you want to speak to those or do you want me to do that?

1 **MR. JACK FRANKS:** I'll let you run through them
2 quickly.

3 **JESSE DIMOND:** Just a couple of final comments. It's
4 just showing that we have gone through all the State and
5 local County regulations and we've met all of them.

6 So first of all, I'll say I get to know these
7 Landowners very very well. I have literally crashed at a
8 Landowner's and had dinner with them and all my co-workers
9 thought I was weird, but I really get to know my
10 Landowners and I really fight for what is not only allowed
11 in the community through the rules and regulations, but
12 also fighting for what they have the right to do and
13 develop their land and if you're following those rules and
14 regulations.

15 So related to the State's rules, we have, you know
16 this Project will not be detrimental or endanger public
17 health, safety, morals, comfort or general welfare. The
18 Project will not diminish or impair property values of the
19 surrounding properties. The Project will not impede the
20 normal and orderly development and improvements of the
21 surrounding properties. This Project has adequate
22 utilities, access roads, drainage, and necessary
23 facilities, and even at the stage that we're at in a
24 thirty percent design, we still have -- we're still

1 bringing in environmental crews, we're bringing in geo
2 technical, we're bringing in a civil engineer, and we're
3 double checking all of the work that we're doing here in
4 specific detail to making sure that all of these points
5 here before we apply for the Building Permit are buttoned
6 down. And so that is -- it's an ongoing process that
7 until we have applied for the Building Permit we are still
8 making sure and double checking all of our work.

9 Then finally the Project has adequate measures to
10 provide ingress and egress so that we can minimize the
11 congestion on public streets. This is a little bit more
12 important on the Moeller Project, and you'll see why. This
13 is a side road, but we still don't want to impede
14 anybody's ability to use it, and so having the access and
15 being able to get in out of there safely was something we
16 spent many months designing.

17 Then the County requirements. We have met the
18 height requirements at certain locations and components,
19 aesthetics and lighting. To save time, I won't go through
20 all of them, but these are all requirements that the
21 County requires us to meet as part of their Ordinance and
22 we have met all of these, and any that are ongoing are
23 required, as part of Conditions and the Ordinance to have
24 to be met again in the case of having a final design. They

1 will be met before the building permit. We have met
2 everything for this stage at this point.

3 And I'm done.

4 **CONTINUED EXAMINATION BY**

5 **MR. KAINS:**

6
7 **Q.** Thank you, Mr. Dimond. One question for you
8 before we get to questions from everybody else.

9 **A.** Yes.

10 **Q.** The testimony you just gave, is that with respect
11 to both the Wulf and Moeller properties?

12 **A.** Yeah.

13 **Q.** The whole Project?

14 **A.** Yes.

15 **Q.** You don't have anything else?

16 **A.** I would -- I think it might make sense just to
17 show one aspect about Moeller, if I could --

18 **Q.** Yes.

19 **A.** -- in the other presentation, because I think it
20 is very important for the community to understand.

21 **Q.** I think that would be excellent.

22 **A.** Can I do that now?

23 **Q.** Yeah. I want you to say everything you want to
24 say before we have questions.

1 A. Okay. I'm going to skip ahead on this one. A lot
2 of these slides are very similar, just going over --

3 MR. JACK FRANKS: Can I stop you for just a second? I
4 want to go back to that second one so people will see what
5 it is. This is a different size, and it's a smaller
6 facility. If you could just spend a minute on that slide.

7 A. Absolutely, yeah. So the other Project is a 5
8 megawatt Project. This is a little bit less than half the
9 size. It's a 2.4 megawatt AC Project, and so this one is
10 significantly smaller than the other one.

11 And this case here again shows that where the white
12 outline is, is the Project site boundaries, but that
13 doesn't actually go outside of the actual parcel
14 boundaries which are the entire field, and so again the
15 noise will not be affecting any of the homes in the local
16 area even at peak daytime hours, and so I want people to
17 understand that this will not be creating large noises
18 that will disrupt your enjoyment of your yard.

19 The decommissioning on this one, again, because it's
20 about half the size, is approximately half the amount, and
21 this is in compliance with AIMA, and would be re-evaluated
22 every five years.

23 We are planning to put one row of trees on the south
24 side just to add to the tree cover, and then two on the

1 east side. The west side has trees and is just kind of a
2 back area, and then on the north side is railroad tracks,
3 and then other fields up there. No homes just north of it.

4 What I wanted to touch on is the access for this one.
5 I brought up to my team that I was concerned about the
6 east access, which comes through the neighborhood. And so
7 what we determined and worked with Gary Moeller, the
8 Landowner for this one, and the owner of the gravel pit,
9 was to have an easement for this Project that goes through
10 into the west side of the facility, so that we can bring
11 large vehicles in outside of the neighborhood. And so
12 emergency vehicles, semi trucks during construction, those
13 larger vehicles, box trucks for panels and what not, they
14 could use this western access, come straight off of W.
15 St. Louis Street, and up through the gravel mine, and then
16 we plan to use the gravel company for them, for the gravel
17 for both Projects. And so I think it's a great opportunity
18 to utilize local businesses for what they can bring to our
19 Projects.

20 The eastern side is where you're gonna get normal
21 vehicle traffic. During the operation of these Projects,
22 we're talking about one to two trucks every couple of
23 months for maintenance, and then possibly a check on the
24 Project if there's any alarms that go off, but these are

1 self-running, and so outside of keeping up with the
2 maintenance of it and cutting grass and maintaining it,
3 there really isn't any need during operation. Obviously
4 during construction, there may be a few large vehicles in
5 the sense that, you know, we will need to build a road and
6 what not, but everything else should be able to come from
7 the west, and so we expect only a handful of large
8 vehicles, if any, and we basically re-drew this entire
9 Project to make sure that the neighborhood just to the
10 south and the east is impacted as little as possible.

11 Then the actual utilities. When the utility company
12 does need to come in for this, they will most likely be
13 coming in from the east where their easement will be, but
14 again, they're just bringing in a vehicle or two, and
15 nothing large for what they're doing.

16 Then I think everything else would be a repeat. All
17 right.

18 **HEARING FACILITATOR SCOTT KAINS:** Very good. Thank
19 you, Mr. Dimond.

20 **MR. JACK FRANKS:** Thank you, Scott.

21 **HEARING FACILITATOR SCOTT KAINS:** Mr. Franks, do you
22 have any additional questions for your witness?

23 **MR. JACK FRANKS:** No, I think I'm going to defer to our
24 expert panel.

1 **HEARING FACILITATOR SCOTT KAINS:** Okay. Very good.
2 The first questions for Mr. Dimond come from Members of
3 the Washington County Zoning Board of Appeals. Mr.
4 Schneider? No? Okay. Yeah, Mr. Chwaszczinski?

5

6 **QUESTIONS POSED BY ZONING BOARD OF APPEALS:**

7

8 **ZBA MEMBER MIKE CHWASCZINSKI:** Yeah. Will you
9 maintain ownership of this for the twenty-five years, or
10 traditionally do you sell it off after you get it done?

11 **A.** That's never determined until the end of the
12 Project. So, I don't want to be on record and say anything
13 inaccurate. So I have to say we don't know. Again, the
14 Project in Okawville we are going to be owning. There's
15 another Project in Carbondale that we will be owning. But
16 I just drove through Kankakee, and we're developing a
17 Project that we are selling to another company. So we do
18 have, you know, we do use both platforms. And so until
19 we're at the end of the Project I'm not sure for either
20 Project if we would own it or not.

21 **HEARING FACILITATOR SCOTT KAINS:** Yeah, Mr. Clary?

22 **ZBA MEMBER DEVIN CLARY:** Have you spoken with both area
23 -- or the power companies on working with your Project as
24 far as discounted rate in the community already? That's

1 been stated that will happen?

2 **A.** Right, so depending on which program we go into
3 will determine the end percentage discount. So they can be
4 up to fifty percent. Sometimes some of the programs allow
5 for low to moderate income to have additional savings. So
6 if you can show that you're under a certain threshold you
7 can get additional savings. Depending on the program that
8 we go into, that will be determined. So, we don't know
9 that yet.

10 **ZBA MEMBER DEVIN CLARY:** What determines the size and
11 scope of who gets to use it?

12 **A.** So, in Illinois, it is not only the County that
13 you're in, but also any adjacent county is allowed, but
14 obviously we have people that are out getting people to
15 subscribe, and we always start with the local communities.

16 **HEARING FACILITATOR SCOTT KAINS:** Any other questions?
17 Yeah, Mr. Schneider?

18 **ZBA MEMBER BRUCE SCHNEIDER:** Approximately how many
19 dollars of electricity does an acre of solar panels
20 produce in a year?

21 **A.** Repeat that question again.

22 **ZBA MEMBER BRUCE SCHNEIDER:** How many dollars of
23 electricity does an acre of solar panels produce in one
24 year?

1 **A.** Give me just a second. For every megawatt, in the
2 first twenty-five years, about a million dollars in
3 savings on average. Every megawatt's about seven acres.
4 So if somebody wants to do that quick calculation of what
5 a million dollars by twenty-five years, divided by
6 twenty-five, divided by seven is, would be the per-acre
7 dollar amount approximately.

8 **MR. JACK FRANKS:** I'm just thinking in my head.

9 **ZONING ADMINISTRATOR KRYSTAL ALTHOFF:** Twenty-five
10 thousand seven hundred fourteen dollars and twenty-eight
11 cents.

12 **ZBA MEMBER BRUCE SCHNEIDER:** Per acre, per year?

13 **A.** Approximately, yes.

14 **ZBA MEMBER BRUCE SCHNEIDER:** Okay. That's a lot lower
15 than if you would Google it, or even we were told by the
16 Professor at Northwestern that was sponsored by what
17 organization, Dave, do you remember? Was that Rend Lake,
18 when we went to that meeting? The guy from Northwestern
19 represents solar panels told us that an acre of solar
20 produces eighty to ninety thousand dollars of electricity
21 a year.

22 **A.** I was doing savings.

23 **MR. JACK FRANKS:** He was doing savings.

24 **A.** My apologies. I know the number -- an approximate

1 number for savings. As far as how much it's actually
2 producing, I'd have to look that up.

3 **ZBA MEMBER BRUCE SCHNEIDER:** The reason I asked that
4 question is, earlier you presented that you're getting a
5 fair rate, but if it produces eighty or ninety thousand
6 dollars an acre per year, you know, eight hundred or nine
7 hundred or a thousand dollars an acre is only like one,
8 one and a half percent. That's not a very good return on
9 your investment. Most people won't rent anything out for
10 that low of a rate.

11 **A.** Okay.

12 **HEARING FACILITATOR SCOTT KAINS:** Chairman Mulholland,
13 do you have a question?

14 **ZBA CHAIRMAN DWAYNE MULHOLLAND:** Yeah. My question is
15 the construction of the panels. I've seen some that's had
16 metal pylons put in, and some of them are -- some east of
17 Coulterville, looks like they've got some type of an
18 A-frame that they're putting in, and these look like
19 they've got some type of a round post. Exactly how are
20 they constructed?

21 **A.** Yeah. So, in the arrays that I visited recently,
22 they've been a square post that is a non-shiny metallic
23 that is pounded into the ground and then mounted -- the
24 racking is then mounted to that.

1 **ZBA CHAIRMAN DWAYNE MULHOLLAND:** You're using pylons,
2 more or less?

3 **A.** Yeah, so we're pounding those in. We're not
4 putting them on platforms or anything else. They are being
5 driven into the ground.

6 **ZBA CHAIRMAN DWAYNE MULHOLLAND:** How hard are those to
7 get back out whenever you go to decommissioning?

8 **A.** I've never pulled one out. I just pulled a
9 mailbox out, that's pretty easy, but I have to imagine
10 this is a little tougher.

11 **ZBA CHAIRMAN DWAYNE MULHOLLAND:** I heard the solar farm
12 down south of Tilden, they had some that they put the
13 pylons in the wrong place and they couldn't get 'em out.
14 They ended up going down and cuttin' 'em off and leavin'
15 'em there.

16 **A.** Yeah, I hope that doesn't happen to our Projects.
17 In the many, coming up on five years, in all of the
18 Projects that I've helped develop, that's never happened
19 on one of mine, but every day's a new adventure. I've
20 never had to drive four and a half hours and go to a
21 different airport for a meeting. (Laughter in the room.)
22 So, every day's a new adventure. But, I would hope that
23 -- obviously -- so what happens is a civil engineer at the
24 end of the Project finalizes the design so we have the

1 footprints that we present at this stage that basically
2 sets the rules and regulations from a permitting
3 standpoint, and then the rules from a standpoint of like
4 where we start and stop, as far as how big the Project can
5 be. We can't go outside of that without asking for
6 permission in some way, whether it be a variance or
7 re-applying or whatever it may be. We have to re-present
8 if we have to go outside of the confines of what we have
9 presented here. And so they take that, and within those
10 confines then they're determining in a very specific, you
11 know, it's GPS and where every pylon is going, and so the
12 error on that other one could have been a GPS error, it
13 could have been a design error, it could have been
14 installation error. I haven't come across that, but it is
15 possible. And gettin' 'em out? My understanding is they
16 have equipment that can put 'em in and take 'em out. So if
17 you're saying it's more difficult than that, that has not
18 been my experience.

19 **ZBA CHAIRMAN DWAYNE MULHOLLAND:** Well that's just what
20 I'm told.

21 **A.** Right.

22 **ZBA CHAIRMAN DWAYNE MULHOLLAND:** That come from one of
23 the people workin' down there.

24 **HEARING FACILITATOR SCOTT KAINS:** Thank you,

1 Mr. Chairman. Any other questions? Yes, Mr. Gogolek.

2 **ZBA MEMBER CLARENCE "BUTCH" GOGOLEK:** What depth are
3 they put in to?

4 **A.** That is determined by the geo-technical report.
5 So depending on your soil types, bedrock conditions and
6 what not, that would determine how deep they go. I don't
7 have a range off the top of my head, but the geo-technical
8 report that determines the composition of the soil, both
9 determines the density and type of metal that you're using
10 in your racking and your posts, but also the depth that
11 then you would need to put them in to meet certain wind
12 loading criteria and what not.

13 **HEARING FACILITATOR SCOTT KAINS:** Any other questions
14 for Mr. Dimond? Yeah, Mr. Chwaszczinski.

15 **ZBA MEMBER MIKE CHWASZCZINSKI:** Just a general question
16 now. Do all these solar fields, is it optional or is it
17 mandatory that the surface of the glass will bend or move
18 with the sun? Because I've seen some, I think at least,
19 that don't look like they're moving near as much as other
20 fields that I've seen.

21 **A.** Yeah, so the easiest way to tell is when you're
22 looking at an array, if the panels are long up and down,
23 north and south, those rotate with the sun. If they're
24 fixed tilt meaning they don't turn, they generally face

1 south, and so the long way would go east and west. So
2 that's the easiest way to tell whether or not they rotate
3 or not, is non-rotating ones face south. The other ones
4 rotate with the sun and start from east to the west. Did I
5 answer your question?

6 **ZBA MEMBER MIKE CHWASCZINSKI:** I think now that you
7 mention it that way, I think that's the way it was,
8 because the ones that were pointing south, they were not
9 moving.

10 **A.** Yeah, the one in -- again, I know perhaps up in
11 Minnesota, the ones there, it didn't make sense under the
12 Rules and Regulations, the topography of the site,
13 vicinity to a little grove of grown oaks to disturb the
14 ground enough to get it flat enough to then go with a
15 rotating one. So they are facing south, and that really --
16 it is best from like -- we can make a little bit more
17 money from ones that rotate as the overall production of a
18 facility. So it is always our preference to have ones that
19 go north/south and rotate with the sun, but it is -- not
20 all sites are equal. So both of these Projects do have
21 flat enough ground that we can do that. But you can get a
22 lot more -- you can work with the land a lot easier if you
23 don't have topography changes that are drastic with a
24 fixed one, because you can offset them, whereas the pole

1 can only have a little bit of a bend to it.

2 **HEARING FACILITATOR SCOTT KAINS:** Any additional
3 questions for Mr. Dimond from Members of the Zoning Board?
4 Thank you, folks. Questions from Members of units of
5 local government, County Boards, Townships, School
6 Districts? Any elected or appointed officials? Very
7 good. All right.

8 Now questions from members of the public, folks
9 who are either opposed to the Project or neutral on the
10 Project. This is your time to ask questions of Mr. Dimond
11 about the Project. It's not your time to testify. That
12 will come in just a little while. So if you have any
13 direct questions of Mr. Dimond, this witness, now is the
14 time. Any questions for him from members of the public?
15 Yes, ma'am. Could you please come forward to the podium
16 please.

17 **QUESTIONS POSED BY**

18 **MARY ANN KUJAWA:**

19
20 **MARY ANN KUJAWA:** My name is Mary Ann Kujawa. I am a
21 Landowner in Washington County.

22 **HEARING FACILITATOR SCOTT KAINS:** How do you spell your
23 last --

24 **MARY ANN KUJAWA:** K-U-J-A-W-A.

1 **HEARING FACILITATOR SCOTT KAINS:** Okay.

2 **MARY ANN KUJAWA:** K-U-J-A-W-A.

3 **HEARING FACILITATOR SCOTT KAINS:** And your first name
4 is Mary and your middle name is Ann?

5 **MARY ANN KUJAWA:** Mary Ann, two words. Mary, M-A-R-Y,
6 Ann, A-N-N.

7 **HEARING FACILITATOR SCOTT KAINS:** Okay. Very good.
8 Thank you, ma'am.

9 **Q.** One question is, who is your mother company? You
10 didn't give the name of the mother company.

11 **A.** Okay. So...

12 **Q.** I would think that would be important to you.

13 **HEARING FACILITATOR SCOTT KAINS:** Okay. Let him
14 answer the question.

15 **MS. KUJAWA:** Okay.

16 **A.** So our parent company is Allete, A-L-L-E-T-E out
17 of Duluth, Minnesota.

18 **Q.** A-l-l?

19 **A.** A-L-L-E-T-E.

20 **Q.** And they're in Minnesota?

21 **A.** Yes, Duluth.

22 **Q.** Where are the solar panels built?

23 **A.** Most of our solar panels that we're getting right
24 now are split between US-built and Korean-built.

1 Q. So not all US-built?

2 A. Correct.

3 Q. And the substation on both of these, where is the
4 substation that's going to be used?

5 A. I believe on both of them the substation is as
6 you come into town.

7 Q. As you come into town on 127?

8 A. I believe so.

9 Q. Okay. And you said at the end of it completed,
10 you would determine if the company owned it or the
11 Landowner owned it. Could you explain that?

12 A. Yeah, absolutely. So, not the Landowner, but we
13 may sell it to another company that might own it. And so,
14 Allete may be the parent company -- is the parent company
15 of Wild Cat Solar 30 LLC, and 32 LLC currently. There is a
16 chance that we may sell the right for that LLC and the
17 ownership of and operation of the Project at a later date.
18 And again, the one in Okawville, we developed it, are
19 building it and owning it, but the one in Kankakee, that
20 one we developed it and then somebody else is building it
21 and owning it.

22 Q. So what is the percentage of agricultural land
23 that has been affected by this in Illinois?

24 A. I do not know that.

1 **Q.** I suggest you find that out.

2 **A.** Okay.

3 **MARY ANN KUJAWA:** That's all I have. Thank you.

4 **HEARING FACILITATOR SCOTT KAINS:** Thank you, ma'am. Any
5 other questions from the public for Mr. Dimond? Yes, sir.
6 Step forward, please. Could you state your name for the
7 record, spelling your --

8 **DALE BLUMHORST:** My name's Dale Blumhorst.

9 **HEARING FACILITATOR SCOTT KAINS:** Dale?

10 **DALE BLUMHORST:** I live in a cul-de-sac on Maple
11 Street.

12 **HEARING FACILITATOR SCOTT KAINS:** Okay. And how do
13 you spell your last name, please?

14 **DALE BLUMHORST:** B-L-U-M-H-O-R-S-T.

15 **HEARING FACILITATOR SCOTT KAINS:** And where do you
16 live?

17 **DALE BLUMHORST:** On Maple Street.

18 **HEARING FACILITATOR SCOTT KAINS:** Okay.

19 **DALE BLUMHORST:** I live in the cul-de-sac which is
20 right south of where Gary is wanting to do this stuff.

21 **HEARING FACILITATOR SCOTT KAINS:** All right. Go ahead,
22 and it's your time to ask questions of Mr. Dimond. You'll
23 have a chance to testify later as will the first
24 questioner.

1 **DALE BLUMHORST:** Okay. You painted a real pretty
2 picture a while ago. But, you showed us five-year-old
3 trees. What about from day one to that five years? It's
4 an eyesore. I don't wanna sit in my back yard and look at
5 these stupid panels. So I mean, why do they have to go
6 there? And you're saying there's no danger to the public
7 health. That's the same song and dance we heard --

8 **HEARING FACILITATOR SCOTT KAINS:** Mr. Blumhorst, let's
9 let him answer the first question. Why do panels have to
10 go there or why do trees have to go there?

11 **DALE BLUMHORST:** No. I'm sayin' he's putting the
12 trees in now, but the trees ain't gonna be big enough to
13 cover them until five years, which he said you come in
14 after five years --

15 **HEARING FACILITATOR SCOTT KAINS:** What's your
16 question? What's your question, Mr. Blumhorst?

17 **DALE BLUMHORST:** I'm wonderin' how come you used that
18 as a selling point, the cedar trees? What about the five
19 years before they get big enough to hide it?

20 **HEARING FACILITATOR SCOTT KAINS:** Okay, that's the
21 first question. What about the five years until the trees
22 are tall enough to cover it?

23 **A.** Just so I can reference, are you south of the
24 field?

1 DALE BLUMHORST: (Nodding in the affirmative.)

2 A. Are there trees existing?

3 DALE BLUMHORST: There's a halfway tree line in
4 between there, yes. Nothing that's gonna totally block it.

5 A. Of course. Yeah. And, you know, it's difficult
6 for me to -- I empathize with your question, and to give a
7 better explanation of what happens in the first five
8 years, we grow trees -- we plant trees that are smaller
9 and will not be tall enough and thick enough to block the
10 view. They are fast growing trees. We get trees that are
11 native to this area. We replace trees that are dead and
12 dying. But there will be an impact visually in the first
13 five years if the trees that are existing do not block it.
14 There will be --

15 DALE BLUMHORST: So in other words, whoever lives out
16 in that residential area, is gonna look at your panels for
17 four or five years?

18 A. Or when a tree dies and needs to be replaced. I
19 mean, yes.

20 DALE BLUMHORST: No, I'm talkin' all of your trees.
21 You're talkin' -- if your plantin' three-foot trees, we're
22 gonna have to sit and look at 'em for the first how many
23 years when they're not hid?

24 A. Right. So one of the things that I am willing to

1 do and I'm doing right now with the Project in southern
2 Minnesota is working directly with the neighbor and an
3 arborist to plant trees on the edge of their property to
4 block their view. So, if you and your community would
5 prefer additional trees that are larger in size to block
6 the view, I would be happy to work with you and a local
7 arborist to get you guys the trees and pay for them.

8 **DALE BLUMHORST:** Well, okay. That's my first couple of
9 questions. The other question, I've read the University of
10 Virginia done a study, and as soon as one of these fields
11 are started, there's a six to eight percent drop in
12 property value. You said it doesn't affect it at all. I
13 don't believe that.

14 **MR. JACK FRANKS:** We've cited three studies that show
15 that it doesn't.

16 **DALE BLUMHORST:** Well I can cite ten studies if I keep
17 readin' and lookin' around enough --

18 **HEARING FACILITATOR SCOTT KAINS:** Rather than argue
19 about the number of studies, let's ask another question.

20 **DALE BLUMHORST:** Okay. How much glare is gonna come
21 off this to make -- I've read when you got a field like
22 this, you have what they call a heat thermal island, which
23 is understandable because you're drawin' all the sun rays
24 into these panels. So anybody close, it's gonna be a lot

1 hotter here (indicating) than it is half a mile down the
2 road.

3 **HEARING FACILITATOR SCOTT KAINS:** The question is how
4 much glare is going to come off of this field or these
5 fields.

6 **A.** Yeah, so we did run a glare study, and we did not
7 show that there was any negative impact to any of the
8 neighbors, and that was one of the exhibits. And then I
9 believe the other question, if I may answer?

10 **HEARING FACILITATOR SCOTT KAINS:** Yes, sir.

11 **A.** About the heat island effect? So the heat island
12 effect is the idea that dark and solid surfaces create
13 additional heat in a certain area. A Walmart parking
14 lot's a great example. You walk out into a Walmart parking
15 lot, it's just warmer than it is if you go to a point half
16 a mile down the road. It's a big black concrete slab. It
17 absorbs. Absolutely. So solar panels don't work like
18 blacktop or cement. There is a non-reflective covering. So
19 the glare is affected minimally to airports, planes,
20 neighbors, roads, stuff like that. But that also reduces
21 the amount of energy that is absorbed and not utilized,
22 and then would be dissipated in heat. And so in multiple
23 bouts of research into this, the heat island effect from a
24 single parcel, whether it be in seven acres in a single

1 megawatt or forty acres in a five megawatt project, they
2 did not create a heat island effect that was noticeable
3 outside of like a hundred feet. So my understanding is
4 that it will not create a heat island effect that will
5 affect you as a neighbor.

6 **DALE BLUMHORST:** Well, you've got all kinds of
7 studies, but I'll disagree with you on it, cause if I'm
8 standin' on a Walmart parking lot and I walk a hundred or
9 two hundred feet out there in the grass, it's gonna be a
10 whole lot cooler over there than it is right here on that
11 parking lot. And that's exactly what you're doing with
12 these solar panels, is drawin' all these sun rays right
13 into the panel. So you can't tell me, common sense tells
14 you, it's gonna be hotter here than it is over there.

15 **A.** May I answer that?

16 **HEARING FACILITATOR SCOTT KAINS:** If you want to. It's
17 not a question, but if you want to respond, you may, Mr.
18 Dimond.

19 **DALE BLUMHORST:** Do you want me to save that for
20 later? I can ask it later too.

21 **HEARING FACILITATOR SCOTT KAINS:** No. He's gonna try
22 to address this.

23 **A.** Yeah. So I think we need to treat each of the
24 materials that are absorbing the sun's energy differently.

1 My point that I was trying to make earlier was that we
2 can't treat a blacktop road the same as a solar panel, the
3 same as a grassy field, the same as your dark roof or your
4 driveway. We can't treat all of those surfaces the same.
5 And so, even though we can find examples of heat island
6 effect, smaller arrays of a community solar size have not
7 created a heat island effect, because of the material that
8 is there and -- I'll just leave it at that.

9 **DALE BLUMHORST:** The theory is the same, just like
10 having a black car or a white one. That black one's gonna
11 be a whole lot hotter than that white one will be. So when
12 you've got all of these black, or whatever color your
13 panels are, I don't believe it's gonna only go to that
14 panel, no heat's gonna escape.

15 The rest of mine were comments, not questions. So
16 I'll get to them next time.

17 **HEARING FACILITATOR SCOTT KAINS:** Okay. Very good.
18 Thank you very much, Mr. Blumhorst. Any questions from
19 other members of the audience for Mr. Dimond? Sir? Could
20 you please state your name?

21 **DENNIS J. KOCH:** Dennis Jacob Koch, That's K-O-C-H.

22 **HEARING FACILITATOR SCOTT KAINS:** What was your first
23 name?

24 **DENNIS J. KOCH:** Dennis.

1 **HEARING FACILITATOR SCOTT KAINS:** Where do you live?

2 **DENNIS J. KOCH:** I've lived in Washington County for
3 84 years, 29 days, and 29 days and a couple more days I'll
4 be 85.

5 **HEARING FACILITATOR SCOTT KAINS:** A couple more hours
6 you're 85?

7 **DENNIS J. KOCH:** I am.

8 **HEARING FACILITATOR SCOTT KAINS:** Is tomorrow your
9 birthday?

10 **DENNIS J. KOCH:** I'm sorry. In three days.

11 **HEARING FACILITATOR SCOTT KAINS:** In three days?

12 **DENNIS J. KOCH:** Yeah.

13 **HEARING FACILITATOR SCOTT KAINS:** Well happy birthday
14 early, Mr. Koch. Your questions for this gentleman here?
15

16 **QUESTIONS POSED BY DENNIS JACOB KOCH:**
17

18 **Q.** My first statement is your question -- or your
19 comments don't give me enough time, but I'll start out. I
20 was born and raised on the west side of the County in a
21 little town of Venedy. It's got 150 population if you
22 count the dogs and cats. (Laughter in the room.) We moved
23 to Okawville, and I am now a resident of Nashville,
24 Illinois. The only time I left this County was when I

1 went to school, and after I graduated from school I came
2 back. But my first question is, are there any chemical
3 ingredients in your solar panels that would cause someone
4 to get sick if they were in contact with them? I'm sorry.
5 I can't read as fast as you put that up there.

6 A. Not a problem.

7 **HEARING FACILITATOR SCOTT KAINS:** What does it say, Mr.
8 Dimond, about any chemicals.

9 A. Yes, so the composition is, the frame is aluminum
10 and silicone. The panels are also made -- the laminate
11 part is glass which is silica, plastic silicone, metals
12 like aluminum, copper and tin. There's less than a point
13 zero one percent of lead and silver. And so, lead is the
14 only one that could even come into question out of those,
15 and all of us that carry a cell phone have the exact same
16 composition, because essentially the only part of it that
17 is possibly a small amount is the circuitry that all of
18 these panels have, and that is a very small amount.

19 Q. I was told that if these, the glass or the
20 chemicals got into a storm, got into this ground, that it
21 could be stagnant for fifteen to twenty-five years.

22 A. So, these are laminated panels, and so similar to
23 if your kid hits a baseball into your window, that was
24 single-pane glass, back in the day it would shatter and

1 you would have fragments. With a laminated piece of glass
2 it's intended not to shatter, and so the pieces should
3 hold together much better, and you're just not gonna have
4 the contamination. Another thing about the circuitry and
5 the different components is that there's no evidence to
6 suggest that even if they were damaged through a hail
7 storm or a tornado that any of the chemicals would leach
8 out and go into the ground water in the ground. So the
9 panel composition and design is intended to not cause any
10 hazard to the ground.

11 **Q.** So the design, does it have a so-called strip
12 around it that is like a rubber or plastic that would seal
13 it if it gets broken? If it gets broken, will we have a
14 problem?

15 **A.** Yeah, every panel is built a little bit
16 differently, and I am not an expert, but I'll speak out of
17 some educated knowledge of it. Silica glass that's
18 laminated on the outside with your circuitry, wiring,
19 coatings, rubber gaskets and what not, is sealing the
20 inside from the outside exposure, because obviously if you
21 get anything in there, if you get water penetration or
22 anything that's going to disrupt the circuitry and then
23 the panel will stop working and it would need to be
24 replaced. So, it is intended to be sealed and safe and

1 not have water penetration.

2 Q. I could see that. But what brings me to that
3 question about the damage, I watched that tornado go
4 through central Illinois about ten days ago, and it really
5 did a number on Kankakee. When it got to the eastern
6 border, there was a seventeen hundred-unit panel solar
7 farm, and it destroyed a third of it, and it carried it
8 about ten miles across the river into Indiana. What got my
9 attention when I heard this, while I was watching it on
10 TV, the lady that was talking to the reporter, said she
11 had a beef cattle herd, and she was concerned who was
12 gonna come in and clean up all the glass that was littered
13 across her grazing land. She says nobody could give me an
14 answer, but will that glass hurt my cattle? So I asked a
15 veterinarian who said if the cattle get on it and it's
16 small granular or whatever, if it's good grass, the cattle
17 could absorb that. Now he said I don't know how much
18 they'd have to eat before it would hurt them, but you
19 know, who's gonna clean it up? So if we have that
20 situation here in Nashville, Illinois, or Washington
21 County, which I'd like to know if you did a survey on our
22 storm routes that come through here? We were back in the
23 storm cellar this week because we had a tornado watch, and
24 it hit on the west side of the County. It destroyed a

1 house, a farm, buildings and that, and also, I don't know
2 that -- I've not heard, but it hit real close to where
3 there's thousands of acres taken up with solar panels.

4 **HEARING FACILITATOR SCOTT KAINS:** Mr. Koch, what is
5 your question about storms?

6 **DENNIS JACOB KOCH:** I wanted to know if they did any
7 research as to the storms that come through this area.

8 **HEARING FACILITATOR SCOTT KAINS:** Okay, very good.
9 Thank you. Mr. Dimond, has there been any survey done by
10 either your company or one of your consulting entities?

11 **A.** I have not done any specific research into storm
12 tracking and what not. I grow -- I grew up in and live in
13 an area that is considered a tornado alley and am very
14 well aware. I've watched a tornado, I saw it. I could
15 see it from many miles away, but I saw one that hit the
16 town that I went to school, Stillwater, Minnesota, and I
17 know the destructive power of Mother Nature. We have
18 panels on the east coast and so we have to deal with
19 hurricanes and what not there. What I can say, and I
20 don't know if this is helpful to alleviate any of your
21 concerns, but any time that Mother Nature has wreaked its
22 havoc, whether it be large hail stones or tornados or
23 hurricanes, or winds, blizzards, any of that, the damage
24 that is caused to the community, absolutely I empathize

1 for that. I think where the challenge lies is that whether
2 you have a solar panel field that gets hit, along with
3 trees and homes and cars, it's hard to differentiate over
4 a ten-mile stretch, who's responsible for what. Other than
5 Mother Nature came at ya', and we have federal and State
6 and local help for that, and I think it might bring up a
7 good point that if that is a concern of this community,
8 that we could help invest into emergency response or
9 something like that. I think that my company would be
10 interested in that. But as far as how do I compensate over
11 a ten-mile stretch and what are we responsible for? I
12 just don't think that's quantifiable, but I think your
13 question is interesting and brings up a good point that my
14 company has in the past, and would certainly be interested
15 in giving a donation that could be put into a fund to help
16 the community pay for some of this. Whether it would have
17 any affect from us or not, the community can just use it.

18 Q. Can I have another question or two?

19 HEARING FACILITATOR SCOTT KAINS: Oh, sure. Of
20 course.

21 Q. June 30th, this year, will be the third
22 anniversary, we had a micro burst hit us. It's worse than
23 a tornado. If you were to drive around here, if you would
24 have been doing an inspection, we've lost half of our

1 trees, and I'm talking trees that have been here a hundred
2 years. They fell on a house, two houses that I know. They
3 eliminated six pick-up trucks in the area, just because
4 they fell across them. The street over here, which is
5 Maple Street, which the gentleman here lives on, it
6 started in his cul-de-sac and it went down Maple Street,
7 jumped over three houses in my block, didn't touch me, but
8 it -- you could not see the highway or the Legion Hall
9 which is six or seven blocks away. You couldn't get there
10 for days because of the trees.

11 Now are you gonna put a couple million dollars in the
12 pot so we can get our trees back?

13 A. No. I mean we're a small community solar
14 project. That sounds like more than what we would be able
15 to do. And I don't know how my solar project has specific
16 responsibility to that. I think that like any building,
17 business, vehicle, road, power pole, anything, is part of
18 the community. So if we were to be approved, we would be
19 on the outskirts of town, but part of the community on a
20 single parcel of land. So -- or a single field is a better
21 way to describe it. I empathize with weather. I've seen
22 it. I've experienced it. We took the kids up skiing, and
23 we went a day early because we got fourteen inches of
24 snow, so we left the day before because we knew they would

1 shut down the highway. So I'm used to significant weather.
2 But again, the responsibility of a solar project specific
3 to Mother Nature is hard -- I don't know.

4 **HEARING FACILITATOR SCOTT KAINS:** Well, Mr. Dimond,
5 would it be fair to say that your company would pay for
6 damage caused by your company?

7 **A.** Yes, absolutely.

8 **HEARING FACILITATOR SCOTT KAINS:** And then would it be
9 fair to say that if it was Mother Nature, things that are
10 beyond the control of your company, because if I owned a
11 building and my building got blown up by a derecho like
12 you had three years ago, we had it in Springfield,
13 Sangamon County also, if I owned a building that got blown
14 up and it blew over and broke some trees and things like
15 that, I don't know that my company would be responsible
16 for something that Mother Nature would do. But is it your
17 testimony that your company would pay for things that your
18 company does wrong that you're liable for?

19 **A.** Absolutely, yes.

20 **HEARING FACILITATOR SCOTT KAINS:** I think that's
21 important to note. So anyway, I'll turn the floor back
22 over to you, Mr. Koch. Go ahead.

23 **Q.** In regards to the damage, I'm also concerned in
24 my back yard catty corner from where I live, is also a

1 parochial school, and they have a hundred thirty-five
2 students. If this storm came through and damaged with
3 glass all over the playground in the playing area where
4 they've got cushioned material, who's going to clean it
5 up? I know the insurance -- the church's insurance will
6 not take care of the clean up. They will take care of
7 some of the damages there, and that's the part that
8 bothers me. You can't control where these storms come
9 through here, and they come from the southern end of the
10 County all the way to Okawville on the north side, and
11 when they come through, they generally stop by and let us
12 know they've been there. So...

13 **HEARING FACILITATOR SCOTT KAINS:** Absolutely. Do you
14 have any other questions?

15 **DENNIS JACOB KOCH:** Yes. I have one other statement
16 though.

17 **HEARING FACILITATOR SCOTT KAINS:** How about when it's
18 your turn.

19 **DENNIS JACOB KOCH:** It has to do with the costs of
20 what they're puttin' out. My nephew is the manager of
21 Illinois Power and Ameren. He is in charge of all of their
22 electrical transmissions. He said you will be surprised
23 the new stuff we've got coming. It's going to be so
24 efficient, it will do the work of what one of ours does

1 now, it will take three of them out of commission. When
2 it happens, he said we can buy up all the solar panels you
3 want. Amen.

4 **HEARING FACILITATOR SCOTT KAINS:** All right. Thank
5 you, Mr. Koch. All right. Folks, is there anyone else
6 from the public who wishes to question Mr. Dimond? Ask
7 questions for Mr. Dimond from members of the public? Very
8 good. Thank you.

9 Then questions for Mr. Dimond from Livingston --
10 Washington County? Washington County staff and
11 consultants, any questions from you all? Mr. Keyt?

12 **MR. ANDREW KEYT:** I will be quick.

13
14 **EXAMINATION BY**

15 **MR. ANDREW KEYT:**

16
17 **Q.** Mr. Dimond, the Project previously you had with
18 the County, you were willing to post a hundred percent of
19 the decommissioning costs. I assume your agreeable on
20 these two Projects to do the same?

21 **A.** The decommissioning, the six hundred and two
22 hundred eighty-four?

23 **Q.** Yes.

24 **A.** Yes, we would be fine with foregoing the rules

1 that ramp it up. We could do a hundred percent.

2 **Q.** The Vegetation Management Plan, you would be
3 willing to submit that to the County to be approved before
4 the building permit is issued; is that fair?

5 **A.** Yes.

6 **Q.** Then you would be willing to obviously maintain
7 that throughout the life of the Project, is that fair?

8 **A.** Correct.

9 **Q.** Also it sounds like you're willing to work with
10 adjacent owners, if there is an issue that could be
11 addressed by landscaping on their particular property, you
12 would be willing to do that if you can. Is that fair?

13 **A.** Yes, any neighbor that would like to discuss
14 after this meeting ways that I can mitigate the impact to
15 them, I would happily talk to them and help out.

16 **Q.** This particular Project doesn't have any battery
17 storage associated with it, and so my assumption is that
18 you would not be placing battery storage on these
19 Projects?

20 **A.** Correct. It's my understanding that if these
21 were approved that batteries would not be allowed and we
22 do not intend to put batteries on them.

23 **Q.** Is the period of the Special Use that you're
24 looking for is it thirty years or thirty-five?

1 **A.** Thirty-five is our preference. That would align
2 with our lease terms.

3 **Q.** In terms of emergency response at the site, if
4 there is an emergency response that has to occur, you
5 would be willing to reimburse those emergency response
6 agencies for the costs of that emergency response?

7 **A.** Yes.

8 **Q.** Currently, from what I can tell from the lease
9 documents, it looks like an entity IPS Illinois, LLC, has
10 the lease for those particular properties, am I correct
11 with that?

12 **A.** Yeah. So IPS, Impact Power Solutions and New
13 Energy Equity were merged together a couple of years ago
14 prior to the other Project also, and so anything that was
15 IPS is now owned by Allete who merged our companies into
16 one under their umbrella.

17 **Q.** And then the lease for those particular
18 properties then would be assigned to the Project at some
19 point?

20 **A.** Yes. If they haven't already, yes.

21 **Q.** And then finally, it looks like the one Project
22 at least is fairly close to some residences being both of
23 them are. In terms of driving of the piles, which is
24 typically the noisiest part of that construction period,

1 would you be agreeable to limiting that driving the piles
2 to 8:00 a.m. to 5:00 p.m. during the weekday and not on
3 holidays and weekends?

4 A. Yes.

5 MR. ANDREW KEYT: That's all the questions I have for
6 you.

7 HEARING FACILITATOR SCOTT KAINS: Thank you, Mr. Keyt.
8 Mr. Tragesser has told me she has a question. So go ahead,
9 Linda.

10
11 QUESTIONS POSED BY
12 LINDA TRAGESSER:
13

14 LINDA TRAGESSER: This has to do with the tornadoes
15 and the storm history in Washington County. Within the
16 last year, I think it's been about the last year, we
17 facilitated the County doing their multi-hazard mitigation
18 plan for FEMA, and we worked with Southern Illinois
19 University, and they did modeling of all of the hazards
20 that were identified, and of course, you know, tornadoes
21 and severe storms are a concern in this part of the
22 country. There is modeling in that multi-hazard mitigation
23 plan, and there is a storm history in that. And I was just
24 wondering if you had seen that, or if that, you know, we

1 could certainly make that available to you.

2 A. That's what I was just gonna ask. I haven't read
3 through that, but I would love to learn more about it. I
4 love knowledge, and so I would love to eat that up. Yeah.
5 Please send it over.

6 LINDA TRAGESSER: Okay. We'll get a copy of that to
7 you.

8 A. Thank you.

9 HEARING FACILITATOR SCOTT KAINS: Thank you. All
10 right. Re-direct Examination. Mr. Franks, any questions
11 for your witness?

12 MR. JACK FRANKS: I don't.

13 HEARING FACILITATOR SCOTT KAINS: Final questions from,
14 come from the Members of the Zoning Board. I think we've
15 covered just about everything. I appreciate -- oh, yeah.
16 Mr. Gogolek?

17
18 FURTHER QUESTIONS POSED BY

19 ZONING BOARD OF APPEALS:
20

21 ZBA MEMBER CLARENCE (BUTCH) GOGOLEK: The topic of tree
22 size and how long it would take. What is the size of the
23 tree that you're planting initially? Is it six inches
24 tall? Is it two foot tall? Is it -- what is it? I mean

1 that will determine the length of time that it will take
2 to get the eight-foot requirement that it was supposed to
3 be for -- or twenty foot. I mean, if you plant a one-foot
4 tree, it's gonna take a longer time.

5 A. So, that's how I was going to answer it. It's
6 dependent on what the rules are that we have to follow.
7 So, there are certain installations that don't have height
8 requirements for certain periods of time. So, I know that
9 there have been sites that have had just saplings put in,
10 and then there are other Projects that require fully grown
11 trees at the time of installations. And so I've seen
12 large trees be put in also. Obviously, they come at
13 different costs. They have different time frames for
14 growth, and even just regionally, depending on the types
15 of trees that we utilize. You have a larger growing
16 season than we do in northern Minnesota or even just in
17 Minnesota in general. So we would have to meet the rules
18 and regulations and factor in how many growing seasons we
19 have to meet what criteria, and then we would determine,
20 what size trees to plant initially.

21 ZBA MEMBER CLARENCE (BUTCH) GOGOLEK: If there is
22 residences adjacent to this property, would it be
23 conducive to plant taller trees right away in front of
24 that area where the people are actually living so they

1 don't have to put up with, like Mr. Blumhorst said,
2 looking at that?

3 **A.** Yes, I think to answer that question, I am -- I'm
4 open to suggestions and ideas and designing intelligently
5 and bringing that back to my team. So if you're talking
6 about direct line of sight, if you have a large object
7 twenty feet away or directly in front of you, that line of
8 sight blocks your view better directly in front of you.
9 So if the concern is blocking the view of the neighbors,
10 it would be more conducive to put the trees along their
11 property line. However, from a design aspect, not all
12 property owners want us anywhere near them. So it's from a
13 design aspect, and just making it kind of universal. It's
14 easier just to plant the trees along the edge of the
15 array.

16 **ZBA MEMBER CLARENCE (BUTCH) GOGOLEK:** Well, I didn't
17 mean on the adjacent property. I said in front of.

18 **A.** Yeah.

19 **ZBA MEMBER CLARENCE (BUTCH) GOGOLEK:** Like if you, you
20 know, cross the street you would have them and you would
21 have taller trees planted, not short ones.

22 **A.** Right.

23 **ZBA MEMBER CLARENCE (BUTCH) GOGOLEK:** So the person
24 that's lookin' at 'em every day out his front door isn't

1 gonna see them.

2 A. Yeah. I think that there's a way to -- I think
3 there's a way to do this intelligently, and the west way
4 that I found is to give my information to the neighbors to
5 pass around, get people that want to be involved in the
6 conversation, get their feedback and then plant trees
7 where it makes sense. Again, I'll refer to the one in
8 Minnesota, where along -- he lives east of where the power
9 poles are gonna be, and he doesn't want to stare at the
10 power poles, and even though the County doesn't require me
11 to do anything, I just -- we struck up a conversation
12 after the meeting, and we exchanged information, and then
13 I gathered his thoughts since he knows his property and
14 the neighboring property better than I do, on where he
15 thought it would be best and how many he was thinking, and
16 in that case it's very convenient that the Landowner
17 happens to be a tree arborist. So I said I'll pay for the
18 trees, you and your neighbor can figure out exactly where
19 to go, and we're working through that. But as a Developer,
20 I would love to do that. I would love to work with the
21 neighbors on what can I do to make this less bothersome to
22 them. I will also say this, at the end of the day, and
23 this is where my empathy comes in, I understand that being
24 the property or being the neighborhood where solar or a

1 cell phone tower or new industrial building sometimes can
2 be, I'll say a bummer, or not ideal, but I can't change
3 that it's solar, but I really am willing to work with any
4 and everybody to build it smart and do my best. I make
5 that commitment for every single one of my Projects.

6 **ZBA MEMBER CLARENCE (BUTCH) GOGOLEK:** One statement
7 that you made, there's no proof of the property value
8 going down. Well, taxing value, no. Selling value, I
9 would have to disagree with you. Taxing value is not gonna
10 go down because the Assessor isn't gonna drop your taxes
11 because you're next to it, but if you go to selling your
12 property and right next door you've got a solar farm, I
13 guarantee you, you're not gonna sell it for what you want
14 or what you're supposed to have. I know that I wouldn't
15 buy it.

16 **A.** I live next to a neighbor that put up his own
17 racking. I had the ability to go to the public meeting,
18 got a notice --

19 **ZBA MEMBER CLARENCE (BUTCH) GOGOLEK:** I think that
20 statement in your presentation, that property values show
21 no decline, it could be they're just looking at the taxing
22 value, and they wouldn't be lying. They're just not
23 telling the whole truth.

24 **MR. JACK FRANKS:** We get your point, but these were

1 independent studies.

2 **ZBA MEMBER CLARENCE (BUTCH) GOGOLEK:** Right.

3 **MR. JACK FRANKS:** That's what we're relying on. I
4 understand your point.

5 **ZBA MEMBER CLARENCE (BUTCH) GOGOLEK:** That's all I
6 have.

7 **HEARING FACILITATOR SCOTT KAINS:** Mr. Schneider?

8 **ZBA MEMBER BRUCE SCHNEIDER:** You're the same company
9 that are doing the two Projects by Okawville?

10 **A.** No. So the Aholts, Larry and Mary are doing one
11 project with us and then another project with another
12 company.

13 **ZBA MEMBER BRUCE SCHNEIDER:** So were you doing the
14 first property with Aholts?

15 **A.** Yes.

16 **ZBA MEMBER BRUCE SCHNEIDER:** That's been a while ago,
17 and no construction has started, not a thing has happened.

18 **A.** Yeah. So we are hoping to start construction.
19 We've had -- it's taken some time. Correct me if I'm
20 wrong but, we -- the cadence that we had before the
21 previous Zoning Administrator let go, kind of slowed down
22 with not having a Zoning Administrator. So we kind of
23 slowed down our cadence, and understanding, you know, that
24 we didn't want to come in strong and be inconsiderate to

1 the staffing. And so --

2 MR. ANDREW KEYT: I can shorten this a lot. They're
3 in the process of getting a building permit. So they are
4 working through it. It takes them a little bit of time.
5 On the Developer's side, they have to go through the
6 financing process. So some projects don't ever get built,
7 but they are in the process of going through all of what
8 they have to do to get there. There's a number of things
9 that have to happen. For example, you know,
10 decommissioning, to get approved by the County. They have
11 to get another item, road use agreement in place. So those
12 things take a little bit of time. In between the special
13 use agreement and the building permit, they typically have
14 to go through financing with their relative entities and
15 determine what they're going to do. So there is always a
16 little bit of a lag time.

17 ZBA MEMBER BRUCE SCHNEIDER: My next question would be
18 has the going private of your company and being bought by
19 two large companies or being combined with two large
20 companies affected the progress of this, because didn't
21 that happen in December?

22 A. Yeah, it hasn't. They've left us alone. We are
23 pretty independent from the oversight of the big boss. The
24 biggest influence has been an overall slow and

1 understanding how the triple (inaudible due to background
2 noise from projector) bill affected our entire industry
3 along with the other industries. And so there was a lay
4 period between when you were seeing projects finish,
5 special use, land use permitting, and then getting to
6 build. That extended while we were trying to learn and the
7 rules (inaudible due to background noise of projector).
8 So the entire industry saw a slow down, but we are
9 starting to see that pick back up, and projects are being
10 started back up, actually very quickly. I have never been
11 busier on the close-out trying to get projects off of my
12 development plate and into project managers' hands to
13 actually build.

14 **ZBA MEMBER BRUCE SCHNEIDER:** Does that have anything to
15 do with the fact that funding ends at the end of this
16 year? If you don't have a shell on the ground by the end
17 of this year, it's over?

18 **A.** I think that did put some priority and some
19 urgency for these companies. Every project's different,
20 and so, does it affect the initial profitability of a
21 project? Yeah, because you can get anywhere from ten to
22 forty percent back of your building costs. But you're
23 still going to see community solar projects be viable. It
24 just won't have that initial incentive up front. But they

1 still will find ways to be able to build them.

2 **HEARING FACILITATOR SCOTT KAINS:** Any final questions
3 from Members of the Zoning Board? Yeah, Mr. Chwaszczinski?

4 **ZBA MEMBER MIKE CHWASCZINSKI:** I don't know if this is
5 the right time, but did the City of Nashville give us any
6 correspondence or any -- is there anybody here
7 representing the City of Nashville on what we're talking
8 about?

9 **UNIDENTIFIED SPEAKER:** They left.

10 **ZONING ADMINISTRATOR KRYSTAL ALTHOFF:** They were here.
11 They left.

12 **LINDA TRAGESSER:** I spoke with Zoning Administrator
13 and the Department of Public Works, Blaine Middleton, and
14 their primary concern is -- was the road access, and I did
15 put them in touch with, you know, people involved in the
16 Project, so that they could get their questions answered.
17 And I think that the road plan that is proposed is going
18 to resolve the issues that the City had, because it had to
19 do with, you know, wear and tear on the road, and also the
20 utilities that are underneath the road, and that's going
21 to be addressed in the Road Use Plan.

22 **HEARING FACILITATOR SCOTT KAINS:** Any other questions
23 for Mr. Dimond from Members of the Zoning Board? Seeing
24 no other questions, Mr. Dimond, you may step down from the

1 witness stand. Jamie, we're going to go off the record
2 for just a second.

3 (Off-the-record discussion had out of the hearing of
4 the Court Reporter.)
5

6 **HEARING FACILITATOR SCOTT KAINS:** Back on the record
7 now. It is 7:52. We've been at it for not quite two hours.
8 Jamie's fingers I bet are wearing out, and Mr. Dimond is
9 probably just plain worn out. So, we're going to take a
10 ten-minute recess. It's 7:53 now. Let's come back at about
11 8:03, and let's wrap this thing up and hear from folks who
12 want to say something, and then we'll hear from the Board.
13 So the Washington County Zoning Board of Appeals is in
14 recess for ten minutes until 8:03. Thank you.

15 (Recess taken).

16 **HEARING FACILITATOR SCOTT KAINS:** Okay, folks. If you
17 could find your seats, we will re-convene. Let's go back
18 on the record. Folks, we are back in session.

19 It is now time to hear from members of the public. Is
20 there anyone in favor of the Project who wishes to
21 testify? Is there anyone who's opposed to the Project who
22 wishes to testify? Mr. Blumhorst, you may come forward.
23 I do hearings in a number of counties. In some counties,
24 they put a time limit on folks who are testifying.

1 Fortunately, Washington County does not have any such
2 rule. So, Mr. Blumhorst, if you want to talk for an hour
3 or so, you may, but Mr. Blumhorst --

4 **DALE BLUMHORST:** I won't talk that long.

5 **HEARING FACILITATOR SCOTT KAINS:** I just want to tell
6 you, I appreciate having done these hearings in about
7 eighteen counties in downstate Illinois. I appreciate
8 your questions earlier, and I appreciate the responses
9 from Mr. Dimond. I think that it's become clear that this
10 man and his company are hoping to work with you. Now
11 whether that ends up being the case, we don't know,
12 because, you know, the proof sir, as we always say, is in
13 the puddin'.

14 **DALE BLUMHORST:** That's right.

15 **HEARING FACILITATOR SCOTT KAINS:** Mr. Blumhorst, if you
16 could raise your hand and be sworn.

17 (Witness sworn).

18 **DALE BLUMHORST:** I do.
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D A L E B L U M H O R S T

called as a witness in the above-entitled cause, having
been first duly sworn, was examined/testified as follows:

HEARING FACILITATOR SCOTT KAINS: Very good. This is
Dale Blumhorst, and you can just tell us what you want to
tell us, and the Board over here is the one that makes the
decision. I just kind of follow the rules.

DALE BLUMHORST: Like I said, we moved out to the
cul-de-sac at the end of Maple Street. We've been out
there I think twenty years now, and one house has been
built in that subdivision and when we moved out there, and
it's still that way, it's still quiet, the whole
neighborhood is quiet. We've got fields to the north of us
that are hay. We've got a halfway tree line behind us. So
we're goin' from looking at a shrubby tree line and
fields, and then this field come up. I don't understand
it, but there was a study done by the University of
Virginia, that said when these things are started, there's
a six to eight percent drop in the value of your land.
He's saying they got three studies saying there's no drop.
We could play studies all day long, and I could have five,

1 he could have six, he could have five. It's just whoever
2 you want to believe. But I've also heard or read that the
3 electromagnetic field stops at the property line. He's
4 never once mentioned anything about that. To me, I don't
5 know how they could say okay here's the line, that's where
6 it stops. I don't believe that. I think it's gonna go
7 further out, but I can't prove it. And the glare and
8 reflection, the noise, I think partially it could be
9 lesser or greater, depending on what kind of panels you
10 use. And what Bob Koch was staying about the storms, you
11 have no control over the weather. But I think what he was
12 trying to say is, if they hit that solar field and there's
13 any kind of hazardous material in those panels, it's goin'
14 where that storm's gonna take it. That's what he's worried
15 about, not picking up the pieces of glass. It's all the
16 hazardous waste that's in those panels that's scattered
17 all over town or wherever. That's just my opinion, and I
18 talked to him a little bit a while ago.

19 The health hazards , when they started putting
20 all these towers up, oh, they ain't gonna hurt anybody.
21 There's no health hazards. Look at the cancer rate around
22 people that live near these towers now. It's went up
23 tremendously from what it was. So that's, you know,
24 they're good at saying song and dance when it starts, but

1 the truth is a whole other story. And why do they have to
2 build where there's a residential district? Let 'em go
3 out north of town. There's no homes out there. And a lot
4 of that ground, I think, is solar commercial. I wouldn't
5 swear to it, but there's a whole lot of ground sittin' out
6 there that could be put into something like this. No
7 houses around. So you wouldn't have to worry about any
8 residents, you know, having problems, having to look at
9 it, whatever. But as you can see, I'm the only one here
10 from my neighborhood talkin', so apparently nobody else
11 cares, but I am very greatly against this thing. And he
12 was saying well we'll work on it together with the trees.
13 That's a good song and dance, but come time to pay for
14 them trees, is that tree company gonna pay for a foot-tall
15 tree or an eight-foot tall tree? So I can sit in my back
16 yard and I can see all those panels out here, and these
17 little foot-tall cedar trees. I don't wanna look at 'em.
18 That's not what you should have to look at when you're
19 sittin' on your back porch trying to enjoy yourself.

20 I don't know what's happened in the last few
21 years, but used to you had to give up your first born
22 before the County would re-zone farm land. It had to stay
23 farm land. Now lately, it's -- I mean it's like nothing
24 any more. I don't know -- we're gonna run out of farm

1 land. And we don't know what the dangers of these solar
2 panels do. He said earlier there is no heat thermal island
3 to this stuff. You take a torch and put it down on this
4 table (indicating), it's comin' out here, and it ain't
5 gonna stop just right here (indicating). So I don't know
6 how you can say there's no heat island there. And then I'm
7 gonna have to live with that heat, plus lookin' at it. So
8 I'm -- I'm very greatly opposed to puttin' this thing out
9 here. There's other places you can put it. As I said,
10 north of town there's no houses, you don't have to worry
11 about any residents, but I ain't the one makin' the call.
12 But like I said, seems like they're just gettin' rid of --
13 and it's not just here, it's every where. They're turning
14 a lot of farm ground into these stupid solar farms. We're
15 losing a bunch boys, and there ain't so much land, and
16 I've heard, but I haven't read it as a fact, but they say
17 after so many years that ground becomes like it's sterile
18 anywhere these panels are put. So your ground is shot, and
19 for what? So one or two people make some money? More to
20 life than money, boys. Thank you.

21 **HEARING FACILITATOR SCOTT KAINS:** Thank you
22 Mr. Blumhorst, could you please come back to the podium,
23 because there will be a chance for folks to ask you
24 questions.

1 A. Okay, yeah.

2 **HEARING FACILITATOR SCOTT KAINS:** Any questions for
3 the -- first questions for the witness coming from the
4 Zoning Board of Appeals. Any questions?

5
6 **QUESTIONS POSED BY**
7 **ZONING BOARD MEMBERS:**

8
9 **ZBA MEMBER DEVIN CLARY:** Are you willing to work with
10 the Developer with a plan if he has other ideas?

11 A. It depends on what they are. I would say I will
12 talk to him, but it's -- I'll use this as an example, this
13 Clearway deal that just came through town, first time I
14 talked to them, he told me my internet would be
15 thirty-five dollars a month. I said okay that's cheaper
16 than what I'm getting now, I'll go ahead and sign up for
17 it. Well then it come time to sign up for it, it was
18 thirty-five dollars a month, it was ten or fifteen dollars
19 for every machine I rented, so much a month for
20 distribution. Hell, it ended up being sixty or seventy
21 dollars. He started out singing a real pretty song, but it
22 changed awful quick. And that's what a lot of these big
23 companies do. It's just like that one over at Freeburg,
24 Fayetteville, they said the first company went in there,

1 leased it for two thousand dollars an acre. After a year
2 they were bankrupt. The next company come in, gave 'em a
3 hundred dollars an acre. These boys are real good at
4 playin' games, and the government's right in there with
5 'em. So is there any other questions?

6 **HEARING FACILITATOR SCOTT KAINS:** Any other questions
7 from Members of the Board? All right. Questions from
8 members of the units of local government, school
9 districts, County Board, townships? Anyone else from the
10 government? All right. Do you have any cross-examination,
11 Mr. Franks?

12 **MR. JACK FRANKS:** No, thank you.

13 **HEARING FACILITATOR SCOTT KAINS:** Okay, very good. Then
14 members of the public? Since this gentleman,
15 Mr. Blumhorst is opposed, we will entertain questions from
16 folks in favor of or neutral on the issue. Any folks who
17 are in favor of or neutral on the issue who have questions
18 for Mr. Blumhorst? All right. Very good. Questions from
19 Washington County staff and consultants, anything?
20 Mr. Keyt, do you have any questions?

21 **MR. ANDREW KEYT:** I don't have any questions, but just
22 a general comment, not for Mr. Blumhorst, I'm sorry. There
23 is a legal mandate from the State of Illinois regarding
24 how the counties assess particular solar projects , wind

1 projects, etc. They've implemented a statutory scheme that
2 requires the counties to adopt certain requirements within
3 their ordinances. If those requirements are met, then the
4 County discretion is limited, very limited. In fact, the
5 State Statute says you have to approve projects pursuant
6 to the ordinances. That is not something that the County
7 did. It's not something that the ZBA did. It comes from
8 the State. I just want to make sure everybody understands
9 that those requirements are from State of Illinois, not
10 necessarily from the County, but the County has to adopt
11 and comply with whatever those requirements are.

12 **DALE BLUMHORST:** Okay, then let me ask you, why -- did
13 you guys pick this area?

14 **MR. ANDREW KEYT:** I represent the County. I don't
15 represent --

16 **DALE BLUMHORST:** Who picked this area to put this
17 solar farm. Your company?

18 **JESSE DIMOND:** We are the Developer, so we did reach
19 out to the Landowners in the area.

20 **DALE BLUMHORST:** See? That's what I'm saying. You
21 can go out north of town where there's no residents out,
22 it's fields out there. I think some of it's already zoned
23 commercial. If the State's sayin' you've gotta put it in,
24 unless they're sayin' it has to go right here

1 (indicating), you guys can put it out of town, don't have
2 to worry about any residents, nothin'. And I'll tell you,
3 and you can pass it along, it's bullshit that the State is
4 comin' down and tellin' us how to run our County more than
5 what they already are.

6 **MR. ANDREW KEYT:** I don't represent the State. I
7 represent the County.

8 **DALE BLUMHORST:** Yeah, but you talk to the State
9 leaders more than I do.

10 (Laughter in the room.)

11 **MR. ANDREW KEYT:** I'll pass the message along.

12 **DALE BLUMHORST:** Yeah, that's all I want you to do is
13 pass it on. Cause there ain't no way. What are you guys
14 even sittin' there for --

15 **ZBA MEMBER DEVIN CLARY:** That's a great question.

16 **DALE BLUMHORST:** -- if the State's tellin' you, you've
17 gotta obey this? So why -- why is everybody locally
18 supposed to waste their time when the State's sayin', hey,
19 you've gotta do this?

20 **MR. ANDREW KEYT:** You're asking questions that none of
21 us can answer.

22 **DALE BLUMHORST:** No, I'm just makin' statements.

23 **MR. ANDREW KEYT:** I understand.

24 **HEARING FACILITATOR SCOTT KAINS:** Folks on the Zoning

1 Board, do you have any final questions of Mr. Blumhorst?
2 Very good, sir. Thank you for your testimony. We
3 appreciate it. I guess there's one thing and probably only
4 one thing that can be done is to contact your State
5 Representative or State Senator and let them know how you
6 feel about that particular section of the Illinois
7 Statute, because Mr. Keyt can't do anything about it. He's
8 the Attorney for the County Board. I can't do anything
9 about it. Linda might be able to, but --

10 (Laughter in the room.)

11 **MR. JACK FRANKS:** She can do anything.

12 **DALE BLUMHORST:** I understand that.

13 **HEARING FACILITATOR SCOTT KAINS:** I think that every
14 one in this room appreciates your concern. Okay. Was there
15 anybody else who wished to testify in opposition to the
16 Project? Anyone who wishes -- who's neutral who wishes to
17 testify? Yes, Miss Kujawa?

18 **MARY ANN KUJAWA:** I'm neutral. I don't live here any
19 more, but I did own a home in Nashville for fifty years.
20 My husband passed so I had to move close to my children.
21 But I did want to just let you know, you said it doesn't
22 affect the environment. It affects his (indicating)
23 environment. And Wulfs? Their home is up for sale. The
24 big sign at the end of their driveway. So why are they

1 selling their house by the solar panels?

2 I attended several meetings about energy. My
3 problem is, you don't know what companies you're really
4 dealing with. Every company says this, and then by the end
5 of construction or whatever, you've got another company
6 doing it, and what are they going to say? Are there
7 guarantees from each company? I don't know.

8 And my concern, because I did nursing for
9 forty-two years, is the health problems that we have from
10 the electrical, and anything else that contaminates our
11 environment. But most concerning is our County is an
12 agricultural county, and we're losing a lot of land due to
13 solar panels. Thank you for listening to me.

14 **HEARING FACILITATOR SCOTT KAINS:** Thank you, Miss
15 Kujawa. Hold on a second, if you could come back to the
16 podium. We get to ask questions.

17 Members of the Zoning Board of Appeals, any
18 questions for Ms. Kujawa? Thank you. Members of units of
19 local government? Cross-examination, Mr. Franks?

20 **MR. JACK FRANKS:** No, thank you.

21 **HEARING FACILITATOR SCOTT KAINS:** Any questions from
22 members of the public? She's neutral, so anybody opposed?
23 In favor of, or neutral with questions for Ms. Kujawa
24 about her testimony? All right. Very good. Washington

1 County staff and consultants, any questions? Mr. Keyt,
2 any questions?

3 **MR. ANDREW KEYT:** No questions.

4 **HEARING FACILITATOR SCOTT KAINS:** Final questions come
5 from Members of the Zoning Board. Yes, Miss Rensing?

6
7 **QUESTIONS POSED BY**
8 **ZONING BOARD OF APPEALS:**
9

10 **ZBA MEMBER PAT RENSING:** I'd like to know, because
11 everyone wants to sit here and ask what we're doing here,
12 well we also represent the folks that entered into these
13 leases. Are there any statements to support from either
14 the Wulfs or the Moellers that they entered, because they
15 entered into this lease or this agreement. Have they made
16 any statements?

17 **MR. JACK FRANKS:** Not that I'm aware of. They entered
18 into a lease. That would be evidence that they're for it.

19 **HEARING FACILITATOR SCOTT KAINS:** Mr. Keyt, did you
20 receive any correspondence from either the Wulfs or the
21 Moellers?

22 **MR. ANDREW KEYT:** I did not.

23 **HEARING FACILITATOR SCOTT KAINS:** Linda?

24 **ZONING ADMINISTRATOR KRYSTAL ALTHOFF:** Gary's sitting

1 right back there (indicating).

2 **HEARING FACILITATOR SCOTT KAINS:** Okay. Are there any
3 other questions right now for Miss Kujawa? Thank you,
4 ma'am. You may step down. Thank you.

5 Anyone else who wants to testify? Mr. Moeller doesn't
6 have to say a word if he doesn't want to. Time for
7 presentation of County staff reports. Evidence from the
8 County. Mr. Keyt?

9 **MR. ANDREW KEYT:** No evidence from the County.

10 **HEARING FACILITATOR SCOTT KAINS:** All right. Closing
11 statements. Do you have any closing statement you wish to
12 make, Mr. Franks?

13 **MR. JACK FRANKS:** I just appreciate the time everyone
14 has spent. I've learned a lot, and I appreciate the back
15 and forth. Mr. Blumhorst, I promise you, we will reach
16 out to you. We will work with you.

17 **DALE BLUMHORST:** I've heard those promises before.

18 **MR. JACK FRANKS:** I hear you. Hold us to it.

19 **JESSE DIMOND:** We're on the record.

20 **MR. JACK FRANKS:** I just want to thank you all for your
21 opportunity to present, and I'm proud to represent these
22 guys. They are good neighbors. I've worked with them on a
23 number of projects and I can tell you from my personal
24 experience, every time they've said they're going to do

1 something, they've done it. And I'll rest with that.

2 **HEARING FACILITATOR SCOTT KAINS:** All right. Very
3 good. Thank you, Mr. Franks.

4 The evidence is now closed in this hearing. So that is
5 all of the evidence that the Zoning Board of Appeals and
6 ultimately the County Board will consider.

7 Now, before we go to voting on this, I have to by law,
8 the Open Meetings Act Requirements, open it up for public
9 comment on any subject. Anybody want to say anything about
10 anything as it relates to Washington County? Not as it
11 relates to the world, but as it relates to this County.
12 All right. Very good. Thank you.

13 **DALE BLUMHORST:** I'd like to make one comment. This is
14 a pretty damn good County to live in, but with all these
15 solar farms and all the bullshit comin' in, it's gettin'
16 worse every day, cause we're losin' that hometown
17 atmosphere or whatever you wanna call it, just because
18 these big companies come in and wanna make these big
19 dollars off of us ain't right.

20 **HEARING FACILITATOR SCOTT KAINS:** Thank you. I
21 appreciate your comment. All right. It is time now for the
22 Zoning Board of Appeals to deliberate on a couple of
23 different issues, and then ultimately vote on this
24 Project. And I will turn the floor over to Andy Keyt, the

1 Attorney for the County.

2 **MR. ANDREW KEYT:** Okay. We've distributed out to you a
3 set of Findings of Fact and a set of Draft Conditions for
4 each of the Projects. I think as everybody knows, we make
5 a recommendation to the County Board on whether to
6 approve, deny, or approve subject to conditions projects,
7 and as part of that we make certain written Findings of
8 Fact, and within those Findings of Fact any
9 recommendations that have been passed onto the County
10 Board.

11 The set of Findings of Fact that you have in front of
12 you, I'm happy to read through it. It's about nine pages
13 long. It takes every element of the Ordinance and it
14 points out where the Applicant has satisfied the
15 requirement or has not satisfied the requirement. They are
16 both very similar to almost every set of Findings of Facts
17 that we've had in these Projects. The name is different,
18 size is different, location is different.

19 What I'm going to do is start with Wild Cat Solar 30
20 LLC, which I believe is the Wulf Project, and then we'll
21 do the Findings of Fact and run through the Conditions
22 real quick, and the recommendations to the County Board.
23 Does anybody have any questions, changes, revisions that
24 anybody would want to make to the Findings of Fact?

1 Again, I'm happy to read through it. The structure is
2 exactly the same as we've had in the past. They look very
3 identical except the names are different. So if anybody
4 wants to add, subtract, now would be the time to do so.
5 Otherwise, we would need a motion to approve the Findings
6 of Fact. What would be additional to it is that Brian
7 will insert the additional information from tonight before
8 they're executed, but Brian will insert additional
9 information as provided tonight. But without further ado
10 if anyone has motion to approve subject to the updated
11 information as provided, you can do so now.

12 **ZBA MEMBER DEVIN CLARY:** I make a motion to provide
13 the noted changes from tonight and the Findings of Facts.

14 **MR. ANDREW KEYT:** Is there a second?

15 **ZBA MEMBER MIKE CHWASCZINSKI:** I'll second.

16 **MR. ANDREW KEYT:** Okay. Any further discussion? Any
17 other question?

18 **ZBA MEMBER BRUCE SCHNEIDER:** I have a question. We are
19 voting on a --

20 **ZBA MEMBER DEVIN CLARY:** No voting. We're just --

21 **MR. ANDREW KEYT:** -- the Findings of Fact. We're not
22 voting on the actual Project yet. We just have to --
23 (Multiple people speaking at the same time.)

24 **ZBA MEMBER BRUCE SCHNEIDER:** You answered my question.

1 **MR. ANDREW KEYT:** So just on the written set of
2 Findings with updates to be provided by Brian. Any other
3 discussion, questions, comments? Okay. Do a roll call
4 vote. Mulholland?

5 **ZBA CHAIRMAN DWAYNE MULHOLLAND:** Yes.

6 **MR. ANDREW KEYT:** Rensing?

7 **ZBA MEMBER PATRICIA RENSING:** Yes.

8 **MR. ANDREW KEYT:** Chwaszczinski?

9 **ZBA MEMBER MIKE CHWASCZINSKI:** Yes.

10 **MR. ANDREW KEYT:** Gogolek?

11 **ZBA MEMBER CLARENCE "BUTCH" GOGOLEK:** Yes.

12 **MR. ANDREW KEYT:** Schneider?

13 **ZBA MEMBER BRUCE SCHNEIDER:** Yes.

14 **MR. ANDREW KEYT:** Clary?

15 **ZBA MEMBER DEVIN CLARY:** Yes.

16 **MR. ANDREW KEYT:** On the Conditions, the Conditions
17 look very similar to the ones we've had in the past on all
18 the projects including the ones for tonight. I'm not sure
19 they're identical from the last project, but they're very
20 similar. I'm going to suggest a couple of revisions just
21 based on the revisions from tonight; number one, the
22 entity with a lease I think before they get a building
23 permit they need to assign that to the particular project,
24 so Wild Cat Solar 30, or 32, for example, they need to be

1 the holder of the lease for the Developer on that; second,
2 probably the most important, for the living buffer,
3 vegetative buffer, they have to come back to the County
4 Board to get approval as to what the vegetative buffer is
5 going to be exactly. We want them to maintain that buffer
6 throughout the life of the Project, but we also want to
7 add what I would suggest as a condition based on the
8 neighbor's information for both Projects is that they work
9 with any adjacent non-participating residences to come up
10 with a plan, minimize the visual impacts, and a planting
11 for those to minimize those visual impacts, whether that's
12 going to be their property or the actual Developer's
13 property. We'll have them work that out so that we have
14 that information before they get a building permit and
15 then the Developer has to pay for that, whatever that
16 increased vegetative buffer is going to be. It could be
17 the vegetative buffer that they have planned will suffice,
18 perhaps, but we just will want proof of that that they
19 they've worked through that. We will add that as a
20 Condition.

21 With those two additions to those Conditions, any
22 other Conditions you would want to add or revise to either
23 set of the Conditions. Right now I'm just talking about
24 Wild Cat Solar 30. I can run through them briefly, if you

1 want, but the primary highlights are the decommissioning
2 will be provided at a hundred percent at the building
3 permit stage. No piles will be driven during Monday
4 through Friday or on the holidays or the weekends so that
5 we're not disturbing any residential neighbors while
6 they're not working or at home, or minimizing it any way.

7 Emergency Management. They're going to have to pay
8 for any emergency management response to the site.

9 Road Use Agreements. They have to work out Road Use
10 Agreements before they can get a building permit.

11 Those are sort of your standards ones. I'm not going
12 to read through them all, because there's thirty of them,
13 unless you want me to read through them. They're standards
14 as we've had in the past, just a different Developer.

15 Any additions that anybody wants to make to those
16 Conditions or recommended conditions? Again, it's up to
17 the County Board at the end of the day.

18 **ZBA MEMBER MIKE CHWASCZINSKI:** The only thing I would
19 comment on, I did not gather a vegetative buffer problem
20 on the Wulf property, but on the Moeller property, that
21 definitely has to be put in there in very stringent words,
22 you know. That has to be taken care of.

23 **MR. ANDREW KEYT:** We'll add language to that so that
24 it goes to the County Board in that fashion. Largely, it

1 would be they have to work with the adjacent
2 non-participating residential owners, come up with what a
3 vegetative buffer, or a reasonable one, you know. If
4 somebody wants Sequoias planted that may not be
5 reasonable, but a reasonable vegetative buffer, and they
6 can come up with that between themselves, provide proof of
7 that to the office before they get a Building Permit, and
8 they have to maintain that throughout the life of the
9 Project. I think that's a reasonable request.

10 **ZBA MEMBER MIKE CHWASCZINSKI:** Okay.

11 **MR. ANDREW KEYT:** Any changes anybody wants to make to
12 the conditions? Going once, going twice. Okay. Now it's
13 just time to make a recommendation to the County Board.
14 Your options are recommend approval, recommend denial or
15 approval subject to the Conditions.

16 **HEARING FACILITATOR SCOTT KAINS:** Mr. Keyt, do they
17 vote on the imposition of Conditions?

18 **MR. ANDREW KEYT:** We'll incorporate that into the
19 motion.

20 **HEARING FACILITATOR SCOTT KAINS:** Okay.

21 **DALE BLUMHORST:** Mr. Keyt, may I ask one question?

22 **MR. ANDREW KEYT:** Sure.

23 **DALE BLUMHORST:** When you indicated they were working
24 no weekends, things like that, what about night shift?

1 **MR. ANDREW KEYT:** Well, there's already -- yeah, there
2 was for the pilings. What I was referencing is the pile
3 driving for the Project. The pilings for the Project is a
4 very loud process. We try to limit when that can occur.
5 So that's what I was referencing. They can't do that
6 between -- outside times of eight to five, Monday through
7 Friday, is how I ended up scratching it out on a note pad.

8 **DALE BLUMHORST:** I didn't understand that. That's why
9 I asked. I don't want to listen to them pounding out
10 there at four o'clock in the morning.

11 **MR. ANDREW KEYT:** I kind of glossed over the time part
12 of it, but I appreciate that.

13 **HEARING FACILITATOR SCOTT KAINS:** Just for folks'
14 information who aren't familiar with these Conditions.
15 These are Conditions that, I believe Mr. Keyt expressed
16 that there were thirty Conditions, thirty some odd
17 Conditions. These are Conditions that must be met by the
18 Developer for the protection not only of the Washington
19 County Government, but also for the protection of folks in
20 and around the area. So they are Conditions that must be
21 met by the Developer of the Project. Mr. Keyt?

22 **ZBA MEMBER MIKE CHWASCZINSKI:** Mr. Keyt?

23 **MR. ANDREW KEYT:** Yes.

24 **ZBA MEMBER MIKE CHWASCZINSKI:** On that vegetative

1 filter that we're talking about, Mr. Dimond comes to the
2 office and makes the Application, pays for, and asks for a
3 Permit. What evidence do we have that he has worked out
4 an agreement with the neighbors in that area?

5 **MR. ANDREW KEYT:** Well, we'll leave that to the Zoning
6 Office's discretion as to what would be sufficient. We can
7 work out something more definite if everybody wants to,
8 but generally speaking the Zoning Administrator has the
9 power to say hey, you've done what you're supposed to do
10 in working with the neighbor to come up with something.
11 If they come and they don't have any proof that they have
12 worked with the neighbor, it's easy for the Zoning Office
13 to call the neighbor and say hey, have you talked to them
14 and come up with whatever that plan's going to be. So you
15 have to come up with something and provide it. It's not
16 that we're going to have to get receipts and have the
17 office dig through the history of it. We just need
18 something that shows that there's been efforts and some
19 discussion made to figure out how to make it work.

20 **DALE BLUMHORST:** Can we get a copy of those
21 Conditions?

22 **MR. ANDREW KEYT:** Oh, yeah. You'll get them. What
23 will happen, just so everybody's aware, the ZBA here they
24 hold a public hearing and they make a recommendation to

1 the County Board. The Conditions aren't actually final
2 until the County Board votes on them. The County Board can
3 adjust them if they want to. Then it goes to the County
4 Board. The Project's approved and they attach Conditions
5 to it, then those are then part of the record. Anybody can
6 have them. Yeah. Okay.

7 With that, the options -- back to what our options
8 are. You're making a recommendation to the County Board.
9 You can recommend approval, you can recommend denial, you
10 can recommend approval subject to conditions. If you're
11 making a recommendation, my suggestion, if you're making a
12 recommendation to approve, again I don't tell you how to
13 vote, but if you're making a recommendation to approve, I
14 would make that recommendation that you make it subject to
15 conditions. And once we just went through with the
16 additions would be the recommendation that I would make to
17 you from a legal standpoint if you're making a motion to
18 approve it. So with that, is there a motion to approve
19 subject to Conditions being read through?

20 **ZBA MEMBER MIKE CHWASCZINSKI:** I make that motion.

21 **MR. ANDREW KEYT:** All right. Is there a second?

22 **ZBA MEMBER CLARENCE (BUTCH) GOGOLEK:** What's that for?

23 **ZBA MEMBER BRUCE SCHNEIDER:** Is this for approval or
24 not with --

1 **MR. ANDREW KEYT:** The current request is to approve
2 subject to Conditions. There has been a motion made. There
3 would need to be a second.

4 **ZBA MEMBER BRUCE SCHNEIDER:** I'm not seconding it.

5 **ZBA CHAIRMAN DWAYNE MULHOLLAND:** I'll second it.

6 **MR. ANDREW KEYT:** Okay, Mr. Mulholland seconds it. Any
7 further discussion? Hearing none. Roll call? Clary?

8 **ZBA MEMBER DEVIN CLARY:** No.

9 **MR. ANDREW KEYT:** Schneider?

10 **ZBA MEMBER BRUCE SCHNEIDER:** No.

11 **MR. ANDREW KEYT:** Gogolek?

12 **ZBA MEMBER CLARENCE (BUTCH) GOGOLEK:** No.

13 **MR. ANDREW KEYT:** Chwaszczinski?

14 **ZBA MEMBER MIKE CHWASCZINSKI:** Yes.

15 **MR. ANDREW KEYT:** Rensing?

16 **ZBA MEMBER PAT RENSING:** Yes.

17 **MR. ANDREW KEYT:** Mulholland?

18 **ZBA CHAIRMAN DWAYNE MULHOLLAND:** No.

19 **MR. ANDREW KEYT:** Okay. It will go to the County
20 Board. It's up to the County Board on this particular
21 issue.

22 That was Wild Cat 30.
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We're going to take up Wild Cat 32. Same process that we just went through with Wild Cat 30. This is the Moeller Project. The Findings of Fact, Brian will update those with the information that came through this evening.

Is there a motion to approve the Findings of Fact with the additions from the evidence from tonight?

1 **ZBA MEMBER DEVIN CLARY:** I make a motion to approve the
2 Findings of Facts, with the addition of tonight's facts.

3 **MR. ANDREW KEYT:** All right. Is there a second? All
4 right, Mr. Gogolek?

5 **ZBA MEMBER CLARENCE (BUTCH) GOGOLEK:** Yes.

6 **THE COURT:** All right. Is there any discussion as to
7 the Findings of Fact? Going once, going twice. Hearing
8 none. Roll call. Mulholland?

9 **ZBA CHAIRMAN DWAYNE MULHOLLAND:** Yes.

10 **MR. ANDREW KEYT:** Rensing?

11 **ZBA MEMBER PATRICIA RENSING:** Yes.

12 **MR. ANDREW KEYT:** Chwaszczinski?

13 **ZBA MEMBER MIKE CHWASCZINSKI:** Yes.

14 **MR. ANDREW KEYT:** Gogolek?

15 **ZBA MEMBER CLARENCE (BUTCH) GOGOLEK:** Yes.

16 **MR. ANDREW KEYT:** Schneider?

17 **ZBA MEMBER BRUCE SCHNEIDER:** Yes.

18 **MR. ANDREW KEYT:** Clary?

19 **ZBA MEMBER DEVIN CLARY:** Yes.

20 **MR. ANDREW KEYT:** Okay. As to the conditions, I would
21 suggest the same additions to the Conditions that we just
22 discussed for Wild Cat 30 be added to the Wild Cat 32.
23 With that, does anybody have any changes they would want
24 to make to those Conditions other than what we've already

1 discussed with Wild Cat 30? All right. Hearing no
2 changes, we'll make the same changes to the Draft
3 Conditions that we just did to those with Wild Cat 30.
4 We'll make those same ones with Wild Cat 32. With that,
5 is there a motion on a recommendation to the County Board?

6 **ZBA MEMBER MIKE CHWASCZINSKI:** I vote we disapprove it.

7 **MR. ANDREW KEYT:** Let me make sure I understand your
8 recommendation on the Wild Cat 32, okay?

9 **ZBA MEMBER MIKE CHWASCZINSKI:** Okay.

10 **MR. ANDREW KEYT:** Your motion is a recommendation to
11 deny the Project to the County Board?

12 **ZBA MEMBER MIKE CHWASCZINSKI:** Yeah.

13 **MR. ANDREW KEYT:** Okay.

14 **ZBA MEMBER BRUCE SCHNEIDER:** I'll second that.

15 **MR. ANDREW KEYT:** Okay. Any further discussion on the
16 motion for recommendation to the County Board? Going
17 once, going twice. Okay. Roll call. Mulholland?

18 **ZBA CHAIRMAN DWAYNE MULHOLLAND:** Yes.

19 **MR. ANDREW KEYT:** Rensing?

20 **ZBA MEMBER PAT RENSING:** No.

21 **MR. ANDREW KEYT:** Chwaszczinski?

22 **ZBA MEMBER MIKE CHWASCZINSKI:** Yes.

23 **MR. ANDREW KEYT:** Gogolek?

24 **ZBA MEMBER CLARENCE (BUTCH) GOGOLEK:** No.

1 MR. ANDREW KEYT: Schneider?

2 ZBA MEMBER BRUCE SCHNEIDER: Yes.

3 ZBA MEMBER CLARENCE (BUTCH) GOGOLEK: For what?

4 ZBA MEMBER BRUCE SCHNEIDER: To deny.

5 ZBA MEMBER CLARENCE (BUTCH) GOGOLEK: Oh, yes. Yes. I
6 misunderstood.

7 MR. ANDREW KEYT: The current motion on the table --
8 (Background music interrupts the proceedings.)

9 MR. ANDREW KEYT: The current motion on the table is a
10 motion to recommend denial to the County Board.

11 ZBA MEMBER CLARENCE (BUTCH) GOGOLEK: Yes.

12 MR. ANDREW KEYT: Okay. Mr. Gogolek, your vote is
13 yes; is that correct?

14 ZBA MEMBER CLARENCE (BUTCH) GOGOLEK: Yes.

15 MR. ANDREW KEYT: Schneider?

16 ZBA MEMBER BRUCE SCHNEIDER: Yes.

17 MR. ANDREW KEYT: Clary?

18 ZBA MEMBER DEVIN CLARY: No.

19 MR. ANDREW KEYT: So that motion passes four to two.

20 HEARING FACILITATOR SCOTT KAINS: Four deny?

21 MR. ANDREW KEYT: Four deny, correct.

22 HEARING FACILITATOR SCOTT KAINS: Do you have anything
23 further, Mr. Keyt?

24 MR. ANDREW KEYT: No, I do not.

1 **HEARING FACILITATOR SCOTT KAINS:** Very good. Both of
2 these issues will be taken to the full Washington County
3 Board for its consideration. When would the next County
4 Board meeting be?

5 **ZONING ADMINISTRATOR KRYSTAL ALTHOFF:** Oh, I knew you
6 were going to ask me that. The 14th at 7:00.

7 **HEARING FACILITATOR SCOTT KAINS:** April 14th at 7:00
8 p.m. in this very room. in the Washington County
9 Courthouse. All right. That concludes item number five on
10 the Agenda. Mr. Chairman, I can turn it over to you for
11 items six through nine, or if you want to concede that
12 duty to me I can run through them or you --

13 **ZBA CHAIRMAN DWAYNE MULHOLLAND:** Go ahead.

14 **HEARING FACILITATOR SCOTT KAINS:** You want me to do it?

15 **ZBA CHAIRMAN DWAYNE MULHOLLAND:** Yeah, go ahead.

16 **HEARING FACILITATOR SCOTT KAINS:** I get to be Chairman
17 of the Committee. I've never done that before.

18 Other business. Is there any other business to come
19 before the Zoning Board? Public comments? Any additional
20 public comments? Staff report? Anything?

21 **ZONING ADMINISTRATOR KRYSTAL ALTHOFF:** I'm running the
22 ship.

23 (Laughter in the room.)

24 **HEARING FACILITATOR SCOTT KAINS:** Way to go, Miss

1 Althoff. Before I ask for a motion, go ahead.

2 **ZONING ADMINISTRATOR KRYSTAL ALTHOFF:** I'm sorry, yeah.
3 I would like to take this opportunity, I have two
4 residents that at the next ZBA --

5 **HEARING FACILITATOR SCOTT KAINS:** Jamie, we're off the
6 record.

7 (Discussion had out of the hearing of the Court
8 Reporter.)

9 **HEARING FACILITATOR SCOTT KAINS:** We are back on the
10 record. Okay. Final item on the Agenda is a Motion for a
11 Adjournment.

12 **ZBA MEMBER CLARENCE (BUTCH) GOGOLEK:** So moved.

13 **HEARING FACILITATOR SCOTT KAINS:** Who seconds?

14 **ZBA MEMBER PAT RENSING:** So moved.

15 **HEARING FACILITATOR SCOTT KAINS:** Those in favor?

16 (ZBA Members answer in unison.) Aye.

17 **HEARING FACILITATOR SCOTT KAINS:** These opposed, same
18 sign.

19 (No response.)

20 **HEARING FACILITATOR SCOTT KAINS:** We're in
21 adjournment, thank you, until April 23rd.

22 (Proceedings this date concluded.)
23
24

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT 105
PIATT COUNTY, ILLINOIS

I, Jamie J. Mumm, an Official Court Reporter and Certified Shorthand Reporter in and for the Sixth 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.

James L. Murnon

Jamie J. Mumm, CSR
Official Court Reporter
IL CSR License No. #084-002330

Date: April 1, 2026

	99:19, 100:22, 101:4, 101:8	43:19	adds [1] - 21:3	AI [1] - 20:3
'em [12] - 38:13, 38:14, 38:15, 39:15, 39:16, 47:22, 67:24, 78:2, 78:17, 81:2, 81:5	34 [1] - 3:7	A-N-N [1] - 43:6	adequate [5] - 10:19, 10:21, 10:23, 28:21, 29:9	AIMA [2] - 22:20, 31:21
	4	a.m [1] - 64:2	adjacent [7] - 11:14, 35:13, 62:10, 66:22, 67:17, 92:9, 94:1	ain't [7] - 46:12, 77:20, 79:4, 79:11, 79:15, 83:13, 88:19
0	42 [1] - 3:7	able [8] - 8:10, 8:11, 25:17, 29:15, 33:6, 58:14, 73:1, 84:9	Adjournment [1] - 104:11	airport [1] - 38:21
03/26/2026 [1] - 1:3	44.48 [1] - 11:18	above-entitled [1] - 76:3	adjournment [1] - 104:21	airports [1] - 49:19
1	45 [1] - 3:8	absolutely [10] - 13:19, 14:19, 15:7, 31:7, 44:12, 49:17, 56:24, 59:7, 59:19, 60:13	adjust [1] - 97:3	akeyt@heylroyster. com [1] - 1:23
1 [1] - 3:5	45.8 [1] - 11:19	absorb [1] - 55:17	adjusted [1] - 23:3	alarms [1] - 32:24
100/101 [1] - 3:19	5 [6] - 2:2, 11:15, 16:1, 16:15, 31:7	absorbed [1] - 49:21	Administrator [5] - 6:12, 70:21, 70:22, 73:12, 96:8	align [1] - 63:1
101 [1] - 2:21	5.0 [1] - 9:13	absorbing [1] - 50:24	ADMINISTRATOR [8] - 1:17, 6:14, 36:9, 73:10, 86:24, 103:5, 103:21, 104:2	ALL [1] - 43:18
101/102 [1] - 3:19	52 [1] - 3:8	absorbs [1] - 49:17	ado [2] - 11:6, 90:9	Allen [1] - 1:21
10102 [1] - 11:17	5:00 [1] - 64:2	abut [1] - 18:16	adopt [3] - 20:20, 82:2, 82:10	Allete [3] - 43:16, 44:14, 63:15
127 [2] - 11:17, 44:7	6	AC [2] - 12:14, 31:9	adopter [1] - 18:1	ALLETE [1] - 43:16
13 [2] - 3:5, 3:6	60152-0005 [1] - 2:3	access [13] - 10:20, 16:16, 21:4, 24:11, 24:22, 25:1, 26:2, 28:22, 29:14, 32:4, 32:6, 32:14, 73:14	adventure [2] - 38:19, 38:22	alleviate [1] - 56:20
14.39 [1] - 12:20	61 [1] - 3:9	accurate [1] - 22:14	aesthetics [1] - 29:19	alley [1] - 56:13
14.4 [1] - 12:21	61601 [1] - 1:22	acquisition [1] - 16:3	affect [5] - 48:12, 50:5, 57:17, 72:20, 84:22	allow [2] - 7:18, 35:4
14th [2] - 103:6, 103:7	61856 [1] - 2:22	acre [9] - 35:19, 35:23, 36:6, 36:12, 36:19, 37:6, 37:7, 81:1, 81:3	affected [5] - 22:4, 44:23, 49:19, 71:20, 72:2	allowed [3] - 28:10, 35:13, 62:21
150 [1] - 52:21	64 [1] - 3:9	acres [9] - 11:18, 11:19, 11:20, 12:19, 12:20, 36:3, 49:24, 50:1, 56:3	agencies [1] - 63:6	almost [2] - 5:13, 89:16
19333 [1] - 2:2	65 [1] - 3:10	Act [1] - 88:8	Agenda [2] - 103:10, 104:10	alone [1] - 71:22
2	6:00 [1] - 1:4	ACTION [1] - 1:5	ago [6] - 46:2, 55:4, 59:12, 63:13, 70:16, 77:18	Althoff [3] - 1:18, 6:16, 104:1
2 [1] - 3:11	7	actual [6] - 21:14, 25:14, 31:13, 33:11, 90:22, 92:12	agree [1] - 10:13	ALTHOFF [7] - 6:14, 36:9, 73:10, 86:24, 103:5, 103:21, 104:2
2.4 [2] - 12:14, 31:9	7 [1] - 22:5	add [6] - 31:24, 90:4, 92:7, 92:19, 92:22, 93:23	agreeable [2] - 61:19, 64:1	aluminum [2] - 53:9, 53:12
2016 [1] - 17:22	7-14 [1] - 21:10	added [1] - 100:22	Agreement [2] - 16:24, 17:5	Amen [1] - 61:3
2018 [1] - 27:3	76 [1] - 3:11	adding [1] - 22:8	agreement [4] - 71:11, 71:13, 86:15, 96:4	Ameren [1] - 60:21
2021 [1] - 17:22	7:00 [2] - 103:6, 103:7	addition [2] - 20:4, 100:2	Agreements [2] - 93:9, 93:10	amount [6] - 20:2, 31:20, 36:7, 49:21, 53:17, 53:18
2023 [1] - 27:4	7:52 [1] - 74:7	additional [12] - 16:20, 22:1, 33:22, 35:5, 35:7, 42:2, 48:5, 49:13, 90:6, 90:7, 90:8, 103:19	agricultural [3] - 16:19, 44:22, 85:12	AND [1] - 1:5
2032 [1] - 22:13	7:53 [1] - 74:10	additions [5] - 92:21, 93:15, 97:16, 99:24, 100:21	ahead [13] - 4:3, 5:4, 15:5, 15:14, 18:1, 31:1, 45:21, 59:22, 64:8, 80:16, 103:13, 103:15, 104:1	ANDREW [69] - 11:12, 12:3, 12:13, 13:2, 61:12, 61:15, 64:5, 71:2, 81:21, 82:14, 83:6, 83:11, 83:20, 83:23, 86:3, 86:22, 87:9, 89:2, 90:14, 90:16, 90:21, 91:1, 91:6, 91:8, 91:10, 91:12, 91:14, 91:16, 93:23, 94:11, 94:18, 94:22, 95:1, 95:11, 95:23, 96:5, 96:22, 97:21, 98:1, 98:6, 98:9, 98:11, 98:13, 98:15, 98:17, 98:19, 100:3, 100:10, 100:12, 100:14, 100:16, 100:18, 100:20, 101:7, 101:10, 101:13, 101:15, 101:19,
21.5 [1] - 12:19	8	address [4] - 11:16, 12:15, 50:22	Aholts [2] - 70:10, 70:14	
217/722-0993 [1] - 2:23	80 [1] - 3:12	addressed [2] - 62:11, 73:21		
217/762-5861 [1] - 2:22	815/923-2107 [1] - 2:3			
23rd [1] - 104:21	84 [2] - 3:13, 52:3			
29 [2] - 52:3	85 [2] - 52:4, 52:6			
3	85-degree [1] - 14:2			
3 [2] - 3:2, 3:13	86 [1] - 3:14			
30 [16] - 1:7, 3:6, 3:17, 3:18, 11:15, 11:23, 23:7, 44:15, 89:19, 91:24, 92:24, 98:22, 99:20, 100:22, 101:1, 101:3	87 [1] - 3:15			
300 [1] - 1:22	8:00 [1] - 64:2			
309/420-0402 [1] - 1:23	8:03 [2] - 74:11, 74:14			
30th [1] - 57:21	9			
31.35 [1] - 11:19	9 [1] - 3:3			
32 [12] - 1:7, 3:19, 3:19, 11:24, 12:12, 12:14, 44:15, 91:24,	90/91 [1] - 3:17			
	98 [1] - 3:18			
	A			
	A-frame [1] - 37:18			
	A-L-L-E-T-E [1] -			

101:21, 101:23,
102:1, 102:7, 102:9,
102:12, 102:15,
102:17, 102:19,
102:21, 102:24
Andrew [2] - 1:20, 3:9
Andy [2] - 12:2, 88:24
ANN [8] - 3:13, 42:18,
42:20, 42:24, 43:2,
43:5, 45:3, 84:18
Ann [6] - 3:7, 3:13,
42:20, 43:4, 43:5,
43:6
anniversary [1] -
57:22
answer [11] - 5:2,
41:5, 43:14, 46:9,
49:9, 50:15, 55:14,
66:5, 67:3, 83:21,
104:16
answered [2] - 73:16,
90:24
anyway [2] - 5:20,
59:21
apologies [1] - 36:24
apologize [1] - 15:18
Appeals [11] - 6:2, 6:8,
7:2, 7:22, 11:9, 34:3,
74:13, 80:4, 85:17,
88:5, 88:22
APPEALS [6] - 1:2,
1:11, 1:19, 34:6,
65:19, 86:8
Applicant [2] - 13:11,
89:14
APPLICANT [1] - 2:1
Application [3] -
11:10, 12:13, 96:2
applied [1] - 29:7
apply [1] - 29:5
applying [1] - 39:7
appointed [1] - 42:6
appreciate [10] - 9:18,
65:15, 75:6, 75:7,
75:8, 84:3, 87:13,
87:14, 88:21, 95:12
appreciates [1] -
84:14
appreciating [1] - 14:2
approval [7] - 25:7,
92:4, 94:14, 94:15,
97:9, 97:10, 97:23
approve [13] - 4:19,
82:5, 89:6, 90:5,
90:10, 97:12, 97:13,
97:18, 98:1, 99:23,
100:1
Approve [1] - 3:18
approved [7] - 17:2,
22:11, 58:18, 62:3,

62:21, 71:10, 97:4
approximate [1] -
36:24
April [2] - 103:7,
104:21
arborist [3] - 48:3,
48:7, 68:17
area [22] - 11:18,
11:20, 12:19, 12:21,
21:22, 25:4, 31:16,
32:2, 34:22, 47:11,
47:16, 49:13, 56:7,
56:13, 58:3, 60:3,
66:24, 82:13, 82:16,
82:19, 95:20, 96:4
areas [3] - 18:16, 19:9,
19:18
argue [1] - 48:18
array [4] - 21:14,
21:23, 40:22, 67:15
arrays [2] - 37:21,
51:6
aspect [3] - 30:17,
67:11, 67:13
assess [1] - 81:24
Assessor [1] - 69:10
assign [1] - 91:23
assigned [1] - 63:18
Assistant [1] - 6:6
associated [1] - 62:17
assume [1] - 61:19
assuming [1] - 12:8
assumption [1] -
62:17
assure [1] - 8:4
atmosphere [1] -
88:17
attach [1] - 97:4
attended [1] - 85:2
attention [1] - 55:9
attorney [2] - 5:9, 5:13
Attorney [5] - 2:2, 6:6,
6:21, 84:8, 89:1
audience [4] - 6:1,
14:9, 14:12, 51:19
available [3] - 18:12,
23:4, 65:1
average [2] - 21:12,
36:3
avoiding [2] - 19:15,
19:18
aware [3] - 56:14,
86:17, 96:23
awful [1] - 80:22
aye [1] - 104:16
Aye [2] - 5:1, 5:2

B

B-L-U-M-H-O-R-S-T

[1] - 45:14
background [4] -
24:20, 72:1, 72:7,
102:8
bankrupt [1] - 81:2
baseball [1] - 53:23
based [3] - 17:3,
91:21, 92:7
basis [1] - 27:2
batteries [2] - 62:21,
62:22
battery [2] - 62:16,
62:18
beautiful [1] - 8:19
became [1] - 10:2
become [1] - 75:9
becomes [1] - 79:17
bedrock [1] - 40:5
beef [1] - 55:11
behalf [3] - 9:19, 11:9,
13:11
behind [1] - 76:17
bend [2] - 40:17, 42:1
benefit [2] - 16:21,
19:21
best [6] - 14:11, 14:13,
18:23, 41:16, 68:15,
69:4
bet [1] - 74:8
better [5] - 47:7, 54:3,
58:20, 67:8, 68:14
between [11] - 5:18,
7:3, 21:12, 23:22,
25:3, 43:24, 47:4,
71:12, 72:4, 94:6,
95:6
beyond [1] - 59:10
big [10] - 8:24, 39:4,
46:12, 46:19, 49:16,
71:23, 80:22, 84:24,
88:18
biggest [1] - 71:24
bill [2] - 17:19, 72:2
birthday [2] - 52:9,
52:13
bit [19] - 9:20, 10:8,
15:21, 16:2, 16:12,
17:21, 22:22, 25:11,
25:20, 26:11, 29:11,
31:8, 41:16, 42:1,
54:15, 71:4, 71:12,
71:16, 77:18
black [4] - 49:16,
51:10, 51:12
blacktop [2] - 49:18,
51:2
Blaine [1] - 73:13
blame [1] - 5:12
blew [1] - 59:14
blizzards [1] - 56:23

block [6] - 47:4, 47:9,
47:13, 48:4, 48:5,
58:7
blocking [1] - 67:9
blocks [2] - 58:9, 67:8
blown [2] - 59:11,
59:13
BLUMHORST [37] -
3:11, 45:8, 45:10,
45:14, 45:17, 45:19,
46:1, 46:11, 46:17,
47:1, 47:3, 47:15,
47:20, 48:8, 48:16,
48:20, 50:6, 50:19,
51:9, 75:4, 75:14,
75:18, 76:11, 82:12,
82:16, 82:20, 83:8,
83:12, 83:16, 83:22,
84:12, 87:17, 88:13,
94:21, 94:23, 95:8,
96:20
Blumhorst [16] - 45:8,
46:8, 46:16, 51:18,
67:1, 74:22, 75:2,
75:3, 75:15, 76:7,
79:22, 81:15, 81:18,
81:22, 84:1, 87:15
Blumhorst..... [1] -
3:8
Blumhorst..... [1] -
3:11
Bld [1] - 1:22
Board [51] - 6:2, 6:8,
7:2, 7:5, 7:7, 7:22,
9:10, 10:3, 11:9,
14:24, 34:3, 42:3,
65:14, 73:3, 73:23,
74:12, 74:13, 76:8,
80:4, 81:7, 81:9,
84:1, 84:8, 85:17,
86:5, 88:5, 88:6,
88:22, 89:5, 89:10,
89:22, 92:4, 93:17,
93:24, 94:13, 97:1,
97:2, 97:4, 97:8,
98:20, 101:5,
101:11, 101:16,
102:10, 103:3,
103:4, 103:19
BOARD [7] - 1:2, 1:11,
1:19, 34:6, 65:19,
80:7, 86:8
boards [1] - 5:16
Boards [1] - 42:5
Bob [1] - 77:10
bodies [1] - 8:7
bond [4] - 22:22,
22:23, 22:24, 23:10
boom [2] - 8:8
border [1] - 55:6

born [2] - 52:20, 78:21
Borrenpohl [1] - 4:5
boss [1] - 71:23
bothers [1] - 60:8
bothersome [1] -
68:21
bottom [2] - 23:15,
24:5
bought [1] - 71:18
boundaries [3] -
17:12, 31:12, 31:14
bouts [1] - 49:23
box [1] - 32:13
Box [1] - 2:2
boys [3] - 79:15,
79:20, 81:3
breakdown [1] - 26:16
Brian [6] - 1:21, 6:9,
90:6, 90:8, 91:2,
99:21
brief [3] - 9:3, 9:6,
10:9
briefly [1] - 92:24
bring [5] - 16:21,
16:23, 32:10, 32:18,
57:6
bringing [5] - 29:1,
29:2, 33:14, 67:5
brings [2] - 55:2,
57:13
broke [1] - 59:14
broken [2] - 54:13
brought [2] - 24:12,
32:5
Bruce [1] - 4:16
Bruce [1] - 1:14
BRUCE [23] - 4:17,
4:23, 35:18, 35:22,
36:12, 36:14, 37:3,
70:8, 70:13, 70:16,
71:17, 72:14, 90:18,
90:24, 91:13, 97:23,
98:4, 98:10, 100:17,
101:14, 102:2,
102:4, 102:16
bucks [2] - 21:2
buffer [9] - 92:2, 92:3,
92:4, 92:5, 92:16,
92:17, 93:19, 94:3,
94:5
build [8] - 19:7, 19:8,
33:5, 69:4, 72:6,
72:13, 73:1, 78:2
building [23] - 16:6,
19:17, 24:16, 25:23,
27:16, 27:18, 30:1,
44:19, 44:20, 58:16,
59:11, 59:13, 62:4,
69:1, 71:3, 71:13,
72:22, 91:22, 92:14,

93:2, 93:10 Building [3] - 29:5, 29:7, 94:7 buildings [1] - 56:1 built [11] - 22:12, 26:20, 27:12, 27:21, 43:22, 43:24, 44:1, 54:15, 71:6, 76:14 bullshit [2] - 83:3, 88:15 bummer [1] - 69:2 bunch [1] - 79:15 burst [1] - 57:22 busier [1] - 72:11 business [3] - 58:17, 103:18 businesses [1] - 32:18 BUTCH [22] - 4:12, 4:20, 40:2, 65:21, 66:21, 67:16, 67:19, 67:23, 69:6, 69:19, 70:2, 70:5, 91:11, 97:22, 98:12, 100:5, 100:15, 101:24, 102:5, 102:11, 102:14, 104:12 Butch [2] - 1:13, 4:11 BUTCH)GOGOLEK [1] - 102:3 buttoned [1] - 29:5 buy [2] - 61:2, 69:15 BY [10] - 13:14, 30:4, 34:6, 42:17, 52:16, 61:14, 64:11, 65:18, 80:6, 86:7	68:16, 75:11 cases [1] - 21:17 Castillo [2] - 16:17, 22:7 Cat [23] - 3:17, 3:18, 3:19, 3:19, 11:15, 11:23, 11:24, 12:12, 12:14, 23:7, 44:15, 89:19, 91:24, 92:24, 98:22, 99:19, 99:20, 100:22, 101:1, 101:3, 101:4, 101:8 CAT [3] - 1:6, 1:7 catastrophic [1] - 23:9 category [1] - 9:17 cats [1] - 52:22 cattle [4] - 55:11, 55:14, 55:15, 55:16 catty [1] - 59:24 caused [2] - 56:24, 59:6 cedar [2] - 46:18, 78:17 cell [2] - 53:15, 69:1 Cell [1] - 2:23 cellar [1] - 55:23 cement [1] - 49:18 centered [1] - 21:22 central [2] - 8:19, 55:4 cents [1] - 36:11 certain [10] - 7:1, 18:9, 29:18, 35:6, 40:11, 49:13, 66:7, 66:8, 82:2, 89:7 certainly [3] - 25:4, 57:14, 65:1 Certified [1] - 8:18 cetera [1] - 10:20 chairman [4] - 5:6, 37:12, 40:1, 103:10 Chairman [4] - 1:12, 9:22, 10:2, 103:16 CHAIRMAN [19] - 4:1, 4:14, 4:18, 4:22, 4:24, 5:3, 37:14, 38:1, 38:6, 38:11, 39:19, 39:22, 91:5, 98:5, 98:18, 100:9, 101:18, 103:13, 103:15 challenge [1] - 57:1 Champaign [1] - 8:20 chance [5] - 8:5, 8:8, 44:16, 45:23, 79:23 change [1] - 69:2 changed [1] - 80:22 changes [7] - 41:23, 89:23, 90:13, 94:11, 100:23, 101:2 changing [1] - 21:16	charge [1] - 60:21 Charlie [1] - 9:24 cheaper [1] - 80:15 check [1] - 32:23 checking [2] - 29:3, 29:8 chemical [1] - 53:2 chemicals [3] - 53:8, 53:20, 54:7 Chicago [1] - 15:20 children [2] - 14:14, 84:20 church's [1] - 60:5 CHWASCZINSKI [18] - 4:10, 34:8, 40:15, 41:6, 73:4, 90:15, 91:9, 93:18, 94:10, 95:22, 95:24, 97:20, 98:14, 100:13, 101:6, 101:9, 101:12, 101:22 Chwasczinski [9] - 1:13, 4:9, 34:4, 40:14, 73:3, 91:8, 98:13, 100:12, 101:21 circuitry [4] - 53:17, 54:4, 54:18, 54:22 cite [1] - 48:16 cited [1] - 48:14 cities [1] - 18:14 City [3] - 73:5, 73:7, 73:18 civil [2] - 29:2, 38:23 Civil [1] - 10:12 Clarence [1] - 1:13 CLARENCE [23] - 4:12, 4:20, 40:2, 65:21, 66:21, 67:16, 67:19, 67:23, 69:6, 69:19, 70:2, 70:5, 91:11, 97:22, 98:12, 100:5, 100:15, 101:24, 102:3, 102:5, 102:11, 102:14, 104:12 Clary [7] - 1:14, 4:7, 34:21, 91:14, 98:7, 100:18, 102:17 CLARY [12] - 4:8, 34:22, 35:10, 80:9, 83:15, 90:12, 90:20, 91:15, 98:8, 100:1, 100:19, 102:18 clean [6] - 20:20, 20:21, 55:12, 55:19, 60:4, 60:6 clear [1] - 75:9 Clearway [1] - 80:13 close [6] - 12:8, 48:24,	56:2, 63:22, 72:11, 84:20 close-out [1] - 72:11 closed [1] - 88:4 Closing [1] - 3:15 closing [2] - 87:10, 87:11 co [1] - 28:8 co-workers [1] - 28:8 coal [1] - 20:5 coast [1] - 56:18 coatings [1] - 54:19 college [1] - 5:19 color [1] - 51:12 combined [1] - 71:19 comfort [1] - 28:17 comin' [3] - 79:4, 83:4, 88:15 coming [6] - 18:18, 24:17, 33:13, 38:17, 60:23, 80:3 comment [6] - 8:12, 81:22, 88:9, 88:13, 88:21, 93:19 comments [7] - 27:23, 28:3, 51:15, 52:19, 91:3, 103:19, 103:20 Comments [2] - 3:11, 3:13 commercial [7] - 9:15, 18:8, 19:17, 23:22, 25:23, 78:4, 82:23 commission [1] - 61:1 Commissioner [3] - 24:12, 25:5, 25:8 commitment [1] - 69:5 Committee [1] - 103:17 common [1] - 50:13 communities [4] - 18:3, 18:24, 26:24, 35:15 community [20] - 8:19, 9:17, 16:21, 19:22, 21:5, 21:6, 26:20, 28:11, 30:20, 34:24, 48:4, 51:6, 56:24, 57:7, 57:16, 57:17, 58:13, 58:18, 58:19, 72:23 Community [4] - 16:15, 17:20, 17:21, 23:12 companies [9] - 18:3, 34:23, 63:15, 71:19, 71:20, 72:19, 80:23, 85:3, 88:18 company [33] - 7:12, 16:3, 23:7, 32:16, 33:11, 34:17, 43:9,	43:10, 43:16, 44:10, 44:13, 44:14, 56:10, 57:9, 57:14, 59:5, 59:6, 59:10, 59:15, 59:17, 59:18, 70:8, 70:12, 71:18, 75:10, 78:14, 80:24, 81:2, 82:17, 85:4, 85:5, 85:7 compensate [1] - 57:10 completed [1] - 44:9 completely [1] - 21:13 compliance [2] - 22:20, 31:21 comply [1] - 82:11 components [2] - 29:18, 54:5 composition [5] - 26:11, 40:8, 53:9, 53:16, 54:9 concede [1] - 103:11 conception [1] - 16:5 concern [7] - 18:19, 57:7, 64:21, 67:9, 73:14, 84:14, 85:8 concerned [3] - 32:5, 55:11, 59:23 concerning [1] - 85:11 concerns [2] - 18:22, 56:21 concluded [1] - 104:22 concludes [1] - 103:9 concrete [1] - 49:16 condition [1] - 92:7 Condition [1] - 92:20 Conditional [1] - 9:12 Conditions [26] - 17:1, 29:23, 89:3, 89:21, 91:16, 92:21, 92:22, 92:23, 93:16, 94:15, 94:17, 95:14, 95:15, 95:16, 95:17, 95:20, 96:21, 97:1, 97:4, 97:19, 98:2, 100:21, 100:24, 101:3 conditions [7] - 40:5, 89:6, 93:16, 94:12, 97:10, 97:15, 100:20 Conditions)..... [1] - 3:18 conductive [2] - 66:23, 67:10 conducted [1] - 5:8 conducting [1] - 5:15 confines [2] - 39:8, 39:10 confirm [1] - 11:11 congestion [2] -
C				
C-A-S-T-I-L-L-O [1] - 16:19 cadence [2] - 70:20, 70:23 calculation [1] - 36:4 Call..... [1] - 3:2 cancelled [1] - 15:19 cancer [1] - 77:21 capable [1] - 16:5 capacity [1] - 18:10 car [1] - 51:10 Carbondale [1] - 34:15 care [3] - 60:6, 93:22 cares [1] - 78:11 carried [1] - 55:7 carry [1] - 53:15 cars [1] - 57:3 case [7] - 7:10, 11:23, 19:4, 29:24, 31:11,				

10:22, 29:11
conjunction [1] - 23:15
consent [1] - 23:14
consider [1] - 88:6
consideration [1] - 103:3
considered [3] - 18:8, 26:17, 56:13
consistent [4] - 20:11, 20:14, 20:16, 24:17
consolidating [2] - 11:22, 12:1
constituents [1] - 9:19
constraints [1] - 19:6
constructed [2] - 12:16, 37:20
construction [8] - 16:23, 32:12, 33:4, 37:15, 63:24, 70:17, 70:18, 85:5
consultants [3] - 61:11, 81:19, 86:1
consulting [2] - 16:4, 56:10
Cont'd [1] - 3:6
contact [2] - 53:4, 84:4
contain [1] - 26:15
contaminates [1] - 85:10
contamination [2] - 26:22, 54:4
continue [2] - 24:9, 25:5
CONTINUED [1] - 30:4
continues [1] - 17:22
control [4] - 17:7, 59:10, 60:8, 77:11
convene [1] - 74:17
convenient [3] - 14:8, 14:16, 68:16
conversation [4] - 17:12, 21:23, 68:6, 68:11
cooler [1] - 50:10
copper [1] - 53:12
copy [2] - 65:6, 96:20
corner [7] - 14:20, 24:1, 24:5, 25:14, 26:3, 26:4, 59:24
correct [8] - 13:2, 44:2, 62:8, 62:20, 63:10, 70:19, 102:13, 102:21
correctly [1] - 16:14
correspondence [2] - 73:6, 86:20
cost [3] - 22:15, 23:1
costs [8] - 18:7, 22:18,

23:19, 60:19, 61:19, 63:6, 66:13, 72:22
Coulterville [1] - 37:17
counsel [1] - 6:6
COUNSEL [2] - 1:19, 2:1
Counsel [1] - 6:20
count [1] - 52:22
counties [6] - 5:15, 74:23, 75:7, 81:24, 82:2
country [1] - 64:22
county [2] - 35:13, 85:12
County [83] - 2:21, 5:17, 6:2, 6:7, 6:8, 6:11, 7:4, 10:2, 11:9, 16:20, 17:1, 19:4, 22:20, 22:24, 25:6, 28:5, 29:17, 29:21, 34:3, 35:12, 42:5, 42:21, 52:2, 52:20, 52:24, 55:21, 55:24, 59:13, 60:10, 61:10, 61:18, 62:3, 64:15, 64:17, 68:10, 71:10, 74:13, 75:1, 78:22, 81:9, 81:19, 82:4, 82:6, 82:10, 82:14, 83:4, 83:7, 84:8, 85:11, 86:1, 87:7, 87:8, 87:9, 88:6, 88:10, 88:11, 88:14, 89:1, 89:5, 89:9, 89:22, 92:3, 93:17, 93:24, 94:13, 95:19, 97:1, 97:2, 97:3, 97:8, 98:19, 98:20, 101:5, 101:11, 101:16, 102:10, 103:2, 103:3, 103:8
COUNTY [1] - 1:1
couple [12] - 15:23, 27:12, 27:23, 28:3, 32:22, 48:8, 52:3, 52:5, 58:11, 63:13, 88:22, 91:20
course [3] - 47:5, 57:20, 64:20
COURT [1] - 100:6
Court [6] - 2:20, 8:18, 15:10, 74:4, 104:7
Courthouse [2] - 2:21, 103:9
cover [4] - 4:2, 31:24, 46:13, 46:22
covered [1] - 65:15
covering [1] - 49:18
crashed [1] - 28:7

create [3] - 49:12, 50:2, 50:4
created [1] - 51:7
creates [2] - 20:18, 20:23
creating [1] - 31:17
crews [1] - 29:1
criteria [2] - 40:12, 66:19
cross [5] - 7:14, 25:17, 67:20, 81:10, 85:19
cross-examination [3] - 7:14, 81:10, 85:19
CSR [1] - 2:20
cul [4] - 45:10, 45:19, 58:6, 76:12
cul-de-sac [4] - 45:10, 45:19, 58:6, 76:12
current [3] - 98:1, 102:7, 102:9
curve [1] - 19:24
curves [1] - 19:24
cushioned [1] - 60:4
cuttin' [1] - 38:14
cutting [1] - 33:2
cycle [1] - 16:7

D

Dairy [1] - 5:20
DALE [37] - 3:11, 45:8, 45:10, 45:14, 45:17, 45:19, 46:1, 46:11, 46:17, 47:1, 47:3, 47:15, 47:20, 48:8, 48:16, 48:20, 50:6, 50:19, 51:9, 75:4, 75:14, 75:18, 76:11, 82:12, 82:16, 82:20, 83:8, 83:12, 83:16, 83:22, 84:12, 87:17, 88:13, 94:21, 94:23, 95:8, 96:20
Dale [5] - 3:8, 3:11, 45:8, 45:9, 76:7
damage [4] - 55:3, 56:23, 59:6, 59:23
damaged [2] - 54:6, 60:2
damages [1] - 60:7
damn [1] - 88:14
dance [3] - 46:7, 77:24, 78:13
danger [1] - 46:6
dangers [1] - 79:1
dark [2] - 49:12, 51:3
date [2] - 44:17, 104:22
dated [1] - 11:4
Dave [1] - 36:17
day's [2] - 38:19, 38:22
days [8] - 20:11, 52:3, 52:10, 52:11, 55:4, 58:10
daytime [1] - 31:16
de [4] - 45:10, 45:19, 58:6, 76:12
dead [1] - 47:11
deal [3] - 27:19, 56:18, 80:13
dealing [1] - 85:4
debates [1] - 9:24
December [1] - 71:21
decibels [1] - 22:2
decision [1] - 76:9
decisions [1] - 10:5
decline [1] - 69:21
decommissioning [11] - 11:5, 16:17, 16:24, 22:22, 22:23, 31:19, 38:7, 61:19, 61:21, 71:10, 93:1
Decommissioning [1] - 22:7
deep [2] - 25:21, 40:6
defer [2] - 9:4, 33:23
definite [1] - 96:7
definitely [1] - 93:21
degree [1] - 25:14
deliberate [1] - 88:22
demand [1] - 16:22
denial [3] - 94:14, 97:9, 102:10
Denial)..... [1] - 3:19
DENNIS [10] - 51:21, 51:24, 52:2, 52:7, 52:10, 52:12, 52:16, 56:6, 60:15, 60:19
Dennis [2] - 3:8, 51:24
dennis [1] - 51:21
density [1] - 40:9
deny [5] - 89:6, 101:11, 102:4, 102:20, 102:21
Department [1] - 73:13
dependent [2] - 23:4, 66:6
depth [2] - 40:2, 40:10
derecho [1] - 59:11
describe [1] - 58:21
description [1] - 12:12
design [8] - 28:24, 29:24, 38:24, 39:13, 54:9, 54:11, 67:11, 67:13
designing [2] - 29:16,

67:4
destroyed [2] - 55:7, 55:24
destructive [1] - 56:17
detail [1] - 29:4
determine [6] - 35:3, 40:6, 44:10, 66:1, 66:19, 71:15
determined [4] - 32:7, 34:11, 35:8, 40:4
determines [3] - 35:10, 40:8, 40:9
determining [1] - 39:10
detrimental [2] - 10:14, 28:16
develop [3] - 17:17, 28:13, 38:18
developed [2] - 44:18, 44:20
Developer [13] - 6:18, 7:17, 10:8, 22:19, 23:4, 68:19, 80:10, 82:18, 92:1, 92:15, 93:14, 95:18, 95:21
developer [1] - 16:3
Developer's [2] - 71:5, 92:12
developers [1] - 18:3
developing [3] - 16:6, 16:8, 34:16
development [4] - 10:18, 19:20, 28:20, 72:12
develops [1] - 17:20
DEVIN [12] - 4:8, 34:22, 35:10, 80:9, 83:15, 90:12, 90:20, 91:15, 98:8, 100:1, 100:19, 102:18
Devin [2] - 1:14, 4:7
dies [1] - 47:18
different [12] - 31:5, 38:21, 54:5, 66:13, 72:19, 88:23, 89:17, 89:18, 90:3, 93:14
differentiate [1] - 57:3
differently [2] - 50:24, 54:16
difficult [2] - 39:17, 47:5
dig [1] - 96:17
diminish [2] - 10:17, 28:18
Dimond [30] - 10:7, 13:17, 13:19, 14:5, 15:13, 15:14, 30:7, 33:19, 34:2, 40:14, 42:3, 42:10, 42:13, 45:5, 45:22, 50:18,

51:19, 53:8, 56:9,
59:4, 61:6, 61:7,
61:9, 61:17, 73:23,
73:24, 74:8, 75:9,
96:1
dimond [1] - 13:4
DIMOND [6] - 13:8,
13:20, 15:17, 28:3,
82:18, 87:19
DIMOND.....
..... [1] - 3:5
dinner [3] - 5:19, 10:2,
28:8
direct [3] - 42:13,
65:10, 67:6
DIRECT [1] - 13:14
Direct [1] - 3:6
directly [3] - 48:2,
67:7, 67:8
disagree [2] - 50:7,
69:9
disapprove [1] - 101:6
discount [1] - 35:3
discounted [1] - 34:24
discretion [2] - 82:4,
96:6
discuss [4] - 10:24,
14:9, 24:13, 62:13
discussed [4] - 15:24,
25:2, 100:22, 101:1
discussion [8] -
24:15, 74:3, 90:16,
91:3, 96:19, 98:7,
100:6, 101:15
DISCUSSION [1] - 1:5
Discussion [2] -
15:10, 104:7
disrupt [2] - 31:18,
54:22
dissipate [2] - 22:3,
24:9
dissipated [1] - 49:22
distributed [1] - 89:2
distribution [1] -
80:20
district [1] - 78:2
Districts [1] - 42:6
districts [1] - 81:9
disturb [1] - 41:13
disturbing [1] - 93:5
divided [2] - 36:5,
36:6
documents [1] - 63:9
dogs [2] - 27:17,
52:22
dollar [1] - 36:7
dollars [17] - 22:10,
35:19, 35:22, 36:2,
36:5, 36:10, 36:20,
37:6, 37:7, 58:11,

80:15, 80:18, 80:21,
81:1, 81:3, 88:19
donation [1] - 57:15
done [15] - 11:4, 17:3,
17:4, 27:8, 30:3,
34:10, 48:10, 56:9,
56:11, 75:6, 76:20,
84:4, 88:1, 96:9,
103:17
door [2] - 67:24, 69:12
double [2] - 29:3, 29:8
dove [1] - 25:21
down [22] - 5:11, 8:21,
8:23, 23:3, 29:6,
38:12, 38:14, 39:23,
40:22, 49:1, 49:16,
58:6, 59:1, 69:8,
69:10, 70:21, 70:23,
72:8, 73:24, 79:3,
83:4, 87:4
downstate [3] - 5:14,
14:2, 75:7
Draft [2] - 89:3, 101:2
drainage [2] - 10:20,
28:22
draining [1] - 17:9
drastic [1] - 41:23
drawin' [2] - 48:23,
50:12
drew [1] - 33:8
drive [4] - 14:4, 15:20,
38:20, 57:23
driven [2] - 38:5, 93:3
driveway [2] - 51:4,
84:24
driving [3] - 63:23,
64:1, 95:3
drop [4] - 48:11,
69:10, 76:22, 76:23
drove [1] - 34:16
due [3] - 72:1, 72:7,
85:12
Duluth [3] - 13:22,
43:17, 43:21
duly [2] - 13:12, 76:4
during [9] - 14:17,
16:23, 17:13, 32:12,
32:21, 33:3, 33:4,
64:2, 93:3
dust [1] - 27:19
duty [1] - 103:12
DWANYE [1] - 4:1
dwayne [1] - 4:13
Dwayne [1] - 1:12
DWAYNE [18] - 4:14,
4:18, 4:22, 4:24, 5:3,
37:14, 38:1, 38:6,
38:11, 39:19, 39:22,
91:5, 98:5, 98:18,
100:9, 101:18,

103:13, 103:15
dying [1] - 47:12

E

early [2] - 52:14, 58:23
easement [4] - 25:18,
26:1, 32:9, 33:13
easier [2] - 41:22,
67:14
easiest [2] - 40:21,
41:2
easily [2] - 21:2, 25:22
East [1] - 2:2
east [11] - 23:23, 24:1,
32:1, 32:6, 33:10,
33:13, 37:16, 41:1,
41:4, 56:18, 68:8
east/west [1] - 24:18
eastern [2] - 32:20,
55:5
easy [2] - 38:9, 96:12
eat [2] - 55:18, 65:4
economic [1] - 19:20
edge [4] - 22:2, 25:15,
48:3, 67:14
edges [1] - 21:23
educated [1] - 54:17
effect [7] - 49:11,
49:12, 49:23, 50:2,
50:4, 51:6, 51:7
efficient [1] - 60:24
efforts [1] - 96:18
egress [3] - 10:22,
11:3, 29:10
Egress [1] - 25:9
eight [9] - 21:12,
21:16, 36:10, 37:6,
48:11, 66:2, 76:22,
78:15, 95:6
eight-foot [2] - 66:2,
78:15
eighteen [2] - 9:21,
75:7
eighty [3] - 36:20,
37:5, 61:22
eighty-four [1] - 61:22
either [8] - 8:2, 25:2,
34:19, 42:9, 56:10,
86:13, 86:20, 92:22
elected [1] - 42:6
electric [1] - 17:19
electrical [2] - 60:22,
85:10
electricity [3] - 35:19,
35:23, 36:20
electromagnetic [1] -
77:3
element [1] - 89:13
eliminated [1] - 58:3

Emergency [1] - 93:7
emergency [7] -
32:12, 57:8, 63:3,
63:4, 63:5, 63:6,
93:8
empathize [3] - 47:6,
56:24, 58:21
empathy [1] - 68:23
employed [1] - 13:21
end [16] - 8:12, 16:18,
22:19, 34:11, 34:19,
35:3, 38:24, 44:9,
60:9, 68:22, 72:15,
72:16, 76:12, 84:24,
85:4, 93:17
endanger [2] - 10:14,
28:16
ended [3] - 38:14,
80:20, 95:7
ends [2] - 72:15, 75:11
energies [1] - 20:12
Energy [4] - 9:11,
13:22, 16:2, 63:13
ENERGY [1] - 2:1
energy [14] - 9:15,
19:23, 20:2, 20:5,
20:6, 20:7, 20:9,
20:18, 20:20, 20:21,
49:21, 50:24, 85:2
engineer [2] - 29:2,
38:23
Engineer [1] - 24:12
Engineering [2] -
16:18, 22:7
enjoy [2] - 5:18, 78:19
enjoyment [2] - 10:15,
31:18
entered [4] - 86:12,
86:14, 86:15, 86:17
entertain [1] - 81:15
entire [4] - 31:14,
33:8, 72:2, 72:8
entities [2] - 56:10,
71:14
entitled [1] - 76:3
entity [2] - 63:9, 91:22
environment [3] -
84:22, 84:23, 85:11
environmental [2] -
19:6, 29:1
environmentally [1] -
26:12
equal [2] - 23:1, 41:20
equality [1] - 20:18
equipment [1] - 39:16
Equity [4] - 9:11,
13:22, 16:2, 63:13
error [4] - 39:12,
39:13, 39:14
escape [1] - 51:14

essentially [1] - 53:16
established [1] -
17:22
estimate [1] - 22:8
estimated [2] - 22:15,
23:1
estimates [1] - 22:23
et [1] - 10:20
etc [1] - 82:1
evaluate [1] - 22:13
evaluated [3] - 22:10,
23:16, 31:21
evening [3] - 5:6,
9:10, 99:22
events [1] - 27:20
evidence [9] - 12:7,
54:5, 86:18, 87:7,
87:9, 88:4, 88:5,
96:3, 99:24
evolve [2] - 17:22,
17:24
exact [1] - 53:15
exactly [5] - 37:19,
50:11, 68:18, 90:2,
92:5
examination [3] -
7:14, 81:10, 85:19
EXAMINATION [3] -
13:14, 30:4, 61:14
Examination [4] - 3:6,
3:6, 3:9, 65:10
examined [1] - 13:12
examined/testified [1]
- 76:4
example [5] - 21:10,
49:14, 71:9, 80:12,
91:24
examples [1] - 51:5
excellent [1] - 30:21
except [1] - 90:3
exchanged [1] - 68:12
executed [1] - 90:8
Exhibit [1] - 22:5
exhibits [1] - 49:8
existing [9] - 12:17,
12:18, 19:15, 24:2,
24:18, 24:22, 25:17,
47:2, 47:13
expanding [1] - 18:11
expect [1] - 33:7
experience [3] -
16:14, 39:18, 87:24
experienced [2] - 5:8,
58:22
expert [2] - 33:24,
54:16
explain [1] - 44:11
explanation [1] - 47:7
exposure [1] - 54:20
expressed [1] - 95:15

4:20, 40:2, 65:21, 66:21, 67:16, 67:19, 67:23, 69:6, 69:19, 70:2, 70:5, 91:11, 97:22, 98:12, 100:5, 100:15, 101:24, 102:5, 102:11, 102:14, 104:12 gogolek [1] - 98:11 goin' [2] - 76:18, 77:13 gonna [31] - 32:20, 46:12, 47:4, 47:16, 47:22, 48:20, 48:24, 50:9, 50:14, 50:21, 51:10, 51:13, 51:14, 54:3, 55:12, 55:19, 58:11, 65:2, 66:4, 68:1, 68:9, 69:9, 69:10, 69:13, 77:6, 77:14, 77:20, 78:14, 78:24, 79:5, 79:7 Google [1] - 36:15 gotta [3] - 82:23, 83:17, 83:19 government [6] - 7:4, 19:21, 42:5, 81:8, 81:10, 85:19 Government [2] - 9:22, 95:19 government's [1] - 81:4 governmental [2] - 7:7, 8:7 GPS [2] - 39:11, 39:12 graders [1] - 19:24 graduated [2] - 5:19, 53:1 graduation [1] - 5:19 Grant [1] - 2:2 granular [1] - 55:16 graphs [1] - 20:1 grass [4] - 27:15, 33:2, 50:9, 55:16 grassy [1] - 51:3 gravel [4] - 32:8, 32:15, 32:16 grazing [1] - 55:13 great [4] - 12:10, 32:17, 49:14, 83:15 greater [1] - 77:9 greatly [2] - 78:11, 79:8 green [1] - 21:22 grew [1] - 56:12 ground [18] - 21:13, 21:14, 21:15, 27:20, 37:23, 38:5, 41:14, 41:21, 53:20, 54:8, 54:10, 72:16, 78:4, 78:5, 79:14, 79:17,	79:18 grove [1] - 41:13 grow [4] - 24:4, 24:6, 47:8, 56:12 growing [5] - 24:8, 27:14, 47:10, 66:15, 66:18 grown [2] - 41:13, 66:10 growth [1] - 66:14 guarantee [1] - 69:13 guaranteed [1] - 22:23 guarantees [1] - 85:7 guess [1] - 84:3 guy [1] - 36:18 guys [5] - 48:7, 82:13, 83:1, 83:13, 87:22	12:23, 13:3, 15:13, 33:18, 33:21, 34:1, 34:21, 35:16, 37:12, 39:24, 40:13, 42:2, 42:22, 43:1, 43:3, 43:7, 43:13, 45:4, 45:9, 45:12, 45:15, 45:18, 45:21, 46:8, 46:15, 46:20, 48:18, 49:3, 49:10, 50:16, 50:21, 51:17, 51:22, 52:1, 52:5, 52:8, 52:11, 52:13, 53:7, 56:4, 56:8, 57:19, 59:4, 59:8, 59:20, 60:13, 60:17, 61:4, 64:7, 65:9, 65:13, 70:7, 73:2, 73:22, 74:6, 74:16, 75:5, 75:15, 76:6, 79:21, 80:2, 81:6, 81:13, 83:24, 84:13, 85:14, 85:21, 86:4, 86:19, 86:23, 87:2, 87:10, 88:2, 88:20, 94:16, 94:20, 95:13, 102:20, 102:22, 103:1, 103:7, 103:14, 103:16, 103:24, 104:5, 104:9, 104:13, 104:15, 104:17, 104:20 hearing [15] - 5:8, 6:4, 6:17, 8:5, 8:13, 8:21, 10:13, 15:10, 74:3, 88:4, 96:24, 98:7, 100:7, 101:1, 104:7 hearings [4] - 5:15, 8:6, 74:23, 75:6 heat [13] - 48:22, 49:11, 49:13, 49:22, 49:23, 50:2, 50:4, 51:5, 51:7, 79:2, 79:6, 79:7 heat's [1] - 51:14 heck [1] - 10:6 height [3] - 21:11, 29:18, 66:7 held [1] - 15:10 hell [1] - 80:20 help [4] - 57:6, 57:8, 57:15, 62:15 helped [2] - 17:17, 38:18 helpful [1] - 56:20 helping [1] - 9:11 herd [1] - 55:11 Heyl [1] - 1:21 hid [1] - 47:23	hide [1] - 46:19 high [4] - 5:18, 6:16, 17:14, 18:7 highlights [1] - 93:1 highway [2] - 58:8, 59:1 Highway [1] - 2:2 history [3] - 64:15, 64:23, 96:17 hit [6] - 55:24, 56:2, 56:15, 57:2, 57:22, 77:12 hits [1] - 53:23 hold [6] - 5:10, 7:20, 54:3, 85:15, 87:18, 96:24 holder [1] - 92:1 holidays [2] - 64:3, 93:4 home [4] - 17:18, 84:19, 84:23, 93:6 homes [4] - 31:15, 32:3, 57:3, 78:3 hometown [1] - 88:16 honest [1] - 20:3 hook [1] - 15:6 hope [3] - 26:23, 38:16, 38:22 hopefully [1] - 16:11 hoping [2] - 70:18, 75:10 Horn [2] - 11:4, 22:6 hotter [3] - 49:1, 50:14, 51:11 hour [1] - 75:2 hours [4] - 31:16, 38:20, 52:5, 74:7 House [1] - 9:22 house [6] - 20:19, 27:16, 56:1, 58:2, 76:13, 85:1 households [1] - 20:23 houses [5] - 18:16, 58:2, 58:7, 78:7, 79:10 hundred [17] - 22:9, 23:2, 36:10, 37:6, 37:7, 50:3, 50:8, 50:9, 55:6, 58:1, 60:1, 61:18, 61:21, 61:22, 62:1, 81:3, 93:2 hundred-unit [1] - 55:6 hurricanes [2] - 56:19, 56:23 hurt [3] - 55:14, 55:18, 77:20 hurting [1] - 20:11	husband [1] - 84:20
I				
idea [3] - 25:10, 27:13, 49:12 ideal [1] - 69:2 ideas [2] - 67:4, 80:10 identical [2] - 90:3, 91:19 identified [1] - 64:20 identify [1] - 11:10 IL [3] - 1:22, 2:3, 2:22 Illinois [20] - 5:14, 6:21, 8:19, 11:17, 12:16, 14:3, 17:23, 17:24, 35:12, 44:23, 52:24, 55:4, 55:20, 60:21, 63:9, 64:18, 75:7, 81:23, 82:9, 84:6 ILLINOIS [1] - 1:1 imagine [1] - 38:9 immediate [1] - 10:16 impact [11] - 18:17, 18:23, 19:11, 19:14, 19:19, 27:2, 27:6, 27:10, 47:12, 49:7, 62:14 Impact [1] - 63:12 impacted [1] - 33:10 impacts [2] - 92:10, 92:11 impair [2] - 10:17, 28:18 impede [3] - 10:17, 28:19, 29:13 implemented [1] - 82:1 important [7] - 20:8, 23:16, 29:12, 30:20, 43:12, 59:21, 92:2 importantly [1] - 23:5 imposition [1] - 94:17 improvement [1] - 10:18 improvements [1] - 28:20 inaccurate [1] - 34:13 inaudible [2] - 72:1, 72:7 incentive [1] - 72:24 inches [2] - 58:23, 65:23 include [1] - 22:14 includes [2] - 11:19, 12:20 including [2] - 7:4, 91:18 income [2] - 21:1,				

35:5 inconsiderate [1] - 70:24 incorporate [1] - 94:18 increased [1] - 92:16 independent [4] - 20:9, 27:9, 70:1, 71:23 Indiana [1] - 55:8 indicated [1] - 94:23 indicating [7] - 14:21, 14:22, 15:2, 49:1, 79:4, 83:1, 84:22 indicating [2] - 79:5, 87:1 industrial [2] - 23:22, 69:1 industries [1] - 72:3 industry [2] - 72:2, 72:8 inflation [2] - 23:17, 23:18 influence [2] - 21:1, 71:24 information [10] - 26:14, 68:4, 68:12, 90:7, 90:9, 90:11, 92:8, 92:14, 95:14, 99:22 infrastructure [1] - 19:16 ingredients [1] - 53:3 ingress [3] - 10:22, 11:3, 29:10 Ingress [1] - 25:9 initial [2] - 72:20, 72:24 injurious [1] - 10:15 innerconnection [2] - 18:6, 26:4 inquire [1] - 11:8 insert [2] - 90:7, 90:8 inside [1] - 54:20 inspection [1] - 57:24 installation [1] - 39:14 installations [2] - 66:7, 66:11 instead [1] - 15:19 insurance [2] - 60:5 intelligently [2] - 67:4, 68:3 intend [1] - 62:22 intended [3] - 54:2, 54:9, 54:24 interested [4] - 9:2, 20:15, 57:10, 57:14 interesting [2] - 25:11, 57:13 internet [1] - 80:14	interrupts [2] - 24:20, 102:8 inverters [1] - 21:24 invest [1] - 57:8 investment [1] - 37:9 involved [2] - 68:5, 73:15 IPS [3] - 63:9, 63:12, 63:15 island [10] - 48:22, 49:11, 49:23, 50:2, 50:4, 51:5, 51:7, 79:2, 79:6 issue [10] - 7:10, 7:12, 7:16, 8:3, 12:22, 23:9, 62:10, 81:16, 81:17, 98:21 issued [1] - 62:4 issues [4] - 10:12, 73:18, 88:23, 103:2 item [3] - 71:11, 103:9, 104:10 items [1] - 103:11 ITEMS [1] - 1:5 IV [1] - 2:20	jumped [1] - 58:7 June [1] - 57:21 jurisdiction [2] - 19:3, 23:12 jury [1] - 6:3	86:1, 86:19, 87:8, 88:24, 94:16, 94:21, 95:15, 95:21, 95:22, 102:23 KEYT [69] - 11:12, 12:3, 12:13, 13:2, 61:12, 61:15, 64:5, 71:2, 81:21, 82:14, 83:6, 83:11, 83:20, 83:23, 86:3, 86:22, 87:9, 89:2, 90:14, 90:16, 90:21, 91:1, 91:6, 91:8, 91:10, 91:12, 91:14, 91:16, 93:23, 94:11, 94:18, 94:22, 95:1, 95:11, 95:23, 96:5, 96:22, 97:21, 98:1, 98:6, 98:9, 98:11, 98:13, 98:15, 98:17, 98:19, 100:3, 100:10, 100:12, 100:14, 100:16, 100:18, 100:20, 101:7, 101:10, 101:13, 101:15, 101:19, 101:21, 101:23, 102:1, 102:7, 102:9, 102:12, 102:15, 102:17, 102:19, 102:21, 102:24 Keyt..... [1] - 3:9 kid [1] - 53:23 kids [1] - 58:22 Kimley [2] - 11:4, 22:6 kind [16] - 15:22, 23:24, 24:18, 25:3, 26:6, 26:8, 27:13, 27:21, 32:1, 67:13, 70:21, 70:22, 76:9, 77:9, 77:13, 95:11 kinds [1] - 50:6 kitty [1] - 24:1 knowledge [2] - 54:17, 65:4 known [1] - 9:13 knows [2] - 68:13, 89:4 KOCH [10] - 51:21, 51:24, 52:2, 52:7, 52:10, 52:12, 52:16, 56:6, 60:15, 60:19 Koch [6] - 51:21, 52:14, 56:4, 59:22, 61:5, 77:10 Koch... [1] - 3:8 Korean [1] - 43:24 Korean-built [1] - 43:24 KRYSTAL [7] - 6:14,	36:9, 73:10, 86:24, 103:5, 103:21, 104:2 Krystal [4] - 1:18, 6:10, 6:12, 6:15 KUJAWA [9] - 3:13, 42:18, 42:20, 42:24, 43:2, 43:5, 43:15, 45:3, 84:18 Kujawa [6] - 42:20, 84:17, 85:15, 85:18, 85:23, 87:3 Kujawa..... [1] - 3:7 Kujawa..... [1] - 3:13
	J jack [2] - 6:20, 27:23 Jack [4] - 2:2, 3:3, 3:15, 9:10 JACK [22] - 9:6, 9:9, 12:2, 12:5, 12:9, 28:1, 31:3, 33:20, 33:23, 36:8, 36:23, 48:14, 65:12, 69:24, 70:3, 81:12, 84:11, 85:20, 86:17, 87:13, 87:18, 87:20 Jacob [2] - 3:8, 51:21 JACOB [4] - 52:16, 56:6, 60:15, 60:19 Jamie [4] - 2:20, 8:17, 74:1, 104:5 Jamie's [1] - 74:8 Jerry [1] - 8:16 JESSE [6] - 13:8, 13:19, 15:17, 28:3, 82:18, 87:19 Jesse [6] - 7:11, 10:7, 10:13, 11:6, 11:8, 13:19 jESSE [1] - 3:5 Jesse's [1] - 10:24 jfranks@fgpglaw.com [1] - 2:4 jmummreports@gmail.com [1] - 2:23 Judge [1] - 8:16 Judy [1] - 8:16	K K-O-C-H [1] - 51:21 K-U-J-A-W-A [2] - 42:24, 43:2 Kains [2] - 1:16, 5:9 KAINS [99] - 5:5, 6:15, 9:7, 11:7, 11:21, 12:6, 12:11, 12:23, 13:3, 13:15, 15:13, 30:5, 33:18, 33:21, 34:1, 34:21, 35:16, 37:12, 39:24, 40:13, 42:2, 42:22, 43:1, 43:3, 43:7, 43:13, 45:4, 45:9, 45:12, 45:15, 45:18, 45:21, 46:8, 46:15, 46:20, 48:18, 49:3, 49:10, 50:16, 50:21, 51:17, 51:22, 52:1, 52:5, 52:8, 52:11, 52:13, 53:7, 56:4, 56:8, 57:19, 59:4, 59:8, 59:20, 60:13, 60:17, 61:4, 64:7, 65:9, 65:13, 70:7, 73:2, 73:22, 74:6, 74:16, 75:5, 75:15, 76:6, 79:21, 80:2, 81:6, 81:13, 83:24, 84:13, 85:14, 85:21, 86:4, 86:19, 86:23, 87:2, 87:10, 88:2, 88:20, 94:16, 94:20, 95:13, 102:20, 102:22, 103:1, 103:7, 103:14, 103:16, 103:24, 104:5, 104:9, 104:13, 104:15, 104:17, 104:20 Kains..... [2] - 3:6, 3:6 Kankakee [3] - 34:16, 44:19, 55:5 keep [2] - 20:2, 48:16 keeping [2] - 24:17, 33:1 keeps [1] - 24:22 Keyt [21] - 1:20, 6:5, 11:8, 11:10, 11:21, 12:11, 12:24, 61:11, 64:7, 81:20, 84:7,	L Ladies [1] - 6:1 lady [2] - 8:17, 55:10 Lady [1] - 14:24 lag [1] - 71:16 Lake [1] - 36:17 lamine [1] - 53:10 laminated [3] - 53:22, 54:1, 54:18 land [15] - 16:3, 16:18, 25:18, 28:13, 41:22, 44:22, 55:13, 58:20, 72:5, 76:22, 78:22, 78:23, 79:1, 79:15, 85:12 Landowner [7] - 11:14, 23:11, 32:8, 42:21, 44:11, 44:12, 68:16 Landowner's [1] - 28:8 Landowners [3] - 28:7, 28:10, 82:19 landscaping [1] - 62:11 language [1] - 93:23 large [10] - 31:17, 32:11, 33:4, 33:7, 33:15, 56:22, 66:12, 67:6, 71:19 largely [1] - 93:24 larger [3] - 32:13, 48:5, 66:15 Larry [1] - 70:10 last [9] - 7:3, 11:4, 13:18, 42:23, 45:13, 64:16, 78:20, 91:19 late [2] - 15:18, 15:23 lately [1] - 78:23 laughter [1] - 52:22 Laughter [4] - 38:21, 83:10, 84:10, 103:23 law [1] - 88:7 Law [1] - 2:2	

lay [1] - 72:3
leach [1] - 54:7
lead [2] - 53:13
leaders [1] - 83:9
learn [2] - 65:3, 72:6
learned [1] - 87:14
learning [1] - 19:24
lease [8] - 63:2, 63:8, 63:10, 63:17, 86:15, 86:18, 91:22, 92:1
leased [1] - 81:1
leases [1] - 86:13
least [3] - 26:8, 40:18, 63:22
leave [2] - 51:8, 96:5
leavin' [1] - 38:14
left [5] - 52:24, 58:24, 71:22, 73:9, 73:11
legal [4] - 6:6, 7:13, 81:23, 97:17
Legion [1] - 58:8
length [1] - 66:1
less [7] - 21:11, 21:23, 22:18, 31:8, 38:2, 53:12, 68:21
lesser [1] - 77:9
letting [1] - 15:22
liable [1] - 59:18
lies [1] - 57:1
life [5] - 16:7, 62:7, 79:20, 92:6, 94:8
light [1] - 21:22
lighting [1] - 29:19
likely [1] - 33:12
limit [2] - 74:24, 95:4
limited [2] - 82:4
limiting [1] - 64:1
Linda [5] - 3:9, 6:10, 64:9, 84:9, 86:23
LINDA [4] - 64:12, 64:14, 65:6, 73:12
line [11] - 20:1, 21:15, 25:16, 47:3, 67:6, 67:7, 67:11, 76:17, 76:18, 77:3, 77:5
linear [1] - 20:1
lines [1] - 26:1
listen [3] - 18:22, 19:1, 95:9
listening [1] - 85:13
literally [1] - 28:7
littered [1] - 55:12
live [12] - 13:23, 45:10, 45:16, 45:19, 52:1, 56:12, 59:24, 69:16, 77:22, 79:7, 84:18, 88:14
lived [1] - 52:2
lives [3] - 47:15, 58:5,

68:8
living [2] - 66:24, 92:2
Livingston [1] - 61:9
LLC [10] - 1:7, 11:15, 12:14, 23:7, 44:15, 44:16, 63:9, 89:20
loading [1] - 40:12
local [15] - 7:4, 18:3, 19:3, 19:21, 21:9, 23:12, 28:5, 31:15, 32:18, 35:15, 42:5, 48:6, 57:6, 81:8, 85:19
locally [1] - 83:17
location [1] - 89:18
locations [1] - 29:18
look [15] - 22:6, 24:4, 27:14, 37:2, 37:18, 40:19, 46:4, 47:16, 47:22, 77:21, 78:8, 78:17, 78:18, 90:2, 91:17
lookin' [3] - 48:17, 67:24, 79:7
looking [8] - 18:5, 18:17, 27:22, 40:22, 62:24, 67:2, 69:21, 76:18
looks [4] - 24:7, 37:17, 63:9, 63:21
losin' [1] - 88:16
losing [2] - 79:15, 85:12
lost [1] - 57:24
lot's [1] - 49:14
loud [1] - 95:4
Louis [2] - 15:20, 32:15
love [6] - 27:17, 65:3, 65:4, 68:20
low [5] - 21:1, 22:3, 23:18, 35:5, 37:10
lower [1] - 36:14
Luke [1] - 4:5
lying [1] - 69:22

M

ma'am [4] - 42:15, 43:8, 45:4, 87:4
machine [1] - 80:19
mailbox [1] - 38:9
maintain [4] - 34:9, 62:6, 92:5, 94:8
maintaining [2] - 16:7, 33:2
maintenance [2] - 32:23, 33:2
makin' [2] - 79:11, 83:22

man [1] - 75:10
management [1] - 93:8
Management [2] - 62:2, 93:7
manager [1] - 60:20
Managers [1] - 16:10
managers' [1] - 72:12
managing [1] - 16:4
mandate [1] - 81:23
mandatory [1] - 40:17
Maple [6] - 12:15, 45:10, 45:17, 58:5, 58:6, 76:12
Marengo [1] - 2:3
MARY [9] - 3:13, 42:18, 42:20, 42:24, 43:2, 43:5, 45:3, 84:18
Mary [7] - 3:7, 3:13, 42:20, 43:4, 43:5, 70:10
material [3] - 51:7, 60:4, 77:13
materials [1] - 50:24
maturity [1] - 18:2
McHenry [1] - 10:2
mean [7] - 46:5, 47:19, 58:13, 65:24, 66:3, 67:17, 78:23
meaning [1] - 40:24
means [1] - 18:6
meant [2] - 21:4, 21:6
measures [2] - 10:21, 29:9
meet [4] - 29:21, 40:11, 66:17, 66:19
meeting [7] - 5:4, 36:18, 38:21, 62:14, 68:12, 69:17, 103:4
meetings [1] - 85:2
Meetings [1] - 88:8
megawatt [13] - 9:13, 9:15, 11:15, 11:16, 12:14, 12:21, 16:1, 16:15, 31:8, 31:9, 36:1, 50:1
megawatt's [1] - 36:3
Meier [1] - 9:24
MEMBER [88] - 4:5, 4:7, 4:8, 4:9, 4:10, 4:11, 4:12, 4:13, 4:15, 4:17, 4:20, 4:23, 34:8, 34:22, 35:10, 35:18, 35:22, 36:12, 36:14, 37:3, 40:2, 40:15, 41:6, 65:21, 66:21, 67:16, 67:19, 67:23, 69:6, 69:19, 70:2, 70:5,

70:8, 70:13, 70:16, 71:17, 72:14, 73:4, 80:9, 83:15, 86:10, 90:12, 90:15, 90:18, 90:20, 90:24, 91:7, 91:9, 91:11, 91:13, 91:15, 93:18, 94:10, 95:22, 95:24, 97:20, 97:22, 97:23, 98:4, 98:8, 98:10, 98:12, 98:14, 98:16, 100:1, 100:5, 100:11, 100:13, 100:15, 100:17, 100:19, 101:6, 101:9, 101:12, 101:14, 101:20, 101:22, 101:24, 102:2, 102:3, 102:4, 102:5, 102:11, 102:14, 102:16, 102:18, 104:12, 104:14
MEMBERS [2] - 1:11, 80:7
Members [15] - 5:2, 6:2, 7:1, 7:5, 9:9, 34:2, 42:3, 42:4, 65:14, 73:3, 73:23, 81:7, 86:5, 104:16
members [11] - 7:4, 42:8, 42:14, 51:19, 61:7, 74:19, 81:8, 81:14, 85:17, 85:18, 85:22
Members. [1] - 3:10
Members..... [3] - 3:7, 3:12, 3:14
memo [1] - 11:4
mention [1] - 41:7
mentioned [1] - 77:4
merged [2] - 63:13, 63:15
message [1] - 83:11
met [10] - 21:8, 28:5, 29:17, 29:22, 29:24, 30:1, 82:3, 95:17, 95:21
metal [3] - 22:17, 37:16, 40:9
metallic [1] - 37:22
metals [2] - 26:15, 53:11
Michael [1] - 4:9
MICHAEL [1] - 4:10
micro [1] - 57:22
middle [2] - 18:14, 43:4
Middleton [1] - 73:13
Midway [1] - 15:20
might [4] - 30:16,

44:13, 57:6, 84:9
mike [1] - 1:13
MIKE [17] - 34:8, 40:15, 41:6, 73:4, 90:15, 91:9, 93:18, 94:10, 95:22, 95:24, 97:20, 98:14, 100:13, 101:6, 101:9, 101:12, 101:22
mile [4] - 49:1, 49:16, 57:4, 57:11
miles [3] - 18:7, 55:8, 56:15
million [3] - 36:2, 36:5, 58:11
mind [1] - 14:17
mine [3] - 32:15, 38:19, 51:15
minimally [1] - 49:19
minimize [5] - 10:22, 18:17, 29:10, 92:10, 92:11
minimizing [1] - 93:6
Minnesota [13] - 13:20, 13:22, 13:23, 17:18, 17:24, 41:11, 43:17, 43:20, 48:2, 56:16, 66:16, 66:17, 68:8
minute [2] - 31:6, 74:10
minutes [4] - 4:19, 15:18, 15:23, 74:14
Miss [6] - 8:17, 84:17, 85:14, 86:5, 87:3, 103:24
misunderstood [1] - 102:6
mitigate [3] - 18:23, 27:19, 62:14
mitigation [2] - 64:17, 64:22
modeling [2] - 64:19, 64:22
moderate [2] - 21:1, 35:5
Moeller [10] - 9:16, 24:23, 29:12, 30:11, 30:17, 32:7, 87:5, 93:20, 99:20
Moellers [2] - 86:14, 86:21
Monday [2] - 93:3, 95:6
money [4] - 20:22, 41:17, 79:19, 79:20
month [6] - 11:4, 17:19, 21:2, 80:15, 80:18, 80:19

months [2] - 29:16, 32:23 Monticello [2] - 2:22, 8:20 morals [1] - 28:17 morning [3] - 15:19, 15:21, 95:10 most [7] - 5:10, 14:15, 33:12, 37:9, 43:23, 85:11, 92:2 Mother [6] - 56:17, 56:21, 57:5, 59:3, 59:9, 59:16 mother [2] - 43:9, 43:10 motion [20] - 4:19, 4:21, 90:5, 90:10, 90:12, 94:19, 97:17, 97:18, 97:20, 98:2, 99:23, 100:1, 101:5, 101:10, 101:16, 102:7, 102:9, 102:10, 102:19, 104:1 Motion [1] - 104:10 mounted [2] - 37:23, 37:24 move [2] - 40:17, 84:20 moved [5] - 52:22, 76:11, 76:14, 104:12, 104:14 moving [2] - 40:19, 41:9 MR [93] - 9:6, 9:9, 11:12, 12:2, 12:3, 12:5, 12:9, 12:13, 13:2, 13:15, 28:1, 30:5, 31:3, 33:20, 33:23, 36:8, 36:23, 48:14, 61:12, 61:15, 64:5, 65:12, 69:24, 70:3, 71:2, 81:12, 81:21, 82:14, 83:6, 83:11, 83:20, 83:23, 84:11, 85:20, 86:3, 86:17, 86:22, 87:9, 87:13, 87:18, 87:20, 89:2, 90:14, 90:16, 90:21, 91:1, 91:6, 91:8, 91:10, 91:12, 91:14, 91:16, 93:23, 94:11, 94:18, 94:22, 95:1, 95:11, 95:23, 96:5, 96:22, 97:21, 98:1, 98:6, 98:9, 98:11, 98:13, 98:15, 98:17, 98:19, 100:3, 100:10, 100:12, 100:14, 100:16,	100:18, 100:20, 101:7, 101:10, 101:13, 101:15, 101:19, 101:21, 101:23, 102:1, 102:7, 102:9, 102:12, 102:15, 102:17, 102:19, 102:21, 102:24 MS [1] - 43:15 mud [2] - 27:15, 27:17 Mulholland [8] - 1:12, 4:13, 37:12, 91:4, 98:6, 98:17, 100:8, 101:17 MULHOLLAND [19] - 4:1, 4:14, 4:18, 4:22, 4:24, 5:3, 37:14, 38:1, 38:6, 38:11, 39:19, 39:22, 91:5, 98:5, 98:18, 100:9, 101:18, 103:13, 103:15 multi [2] - 64:17, 64:22 multi-hazard [2] - 64:17, 64:22 Multiple [1] - 90:23 multiple [1] - 49:22 Mumm [1] - 2:20 music [1] - 102:8 must [2] - 95:17, 95:20	11:12, 11:13, 12:24, 28:22 need [21] - 14:15, 15:6, 17:3, 18:9, 18:13, 18:20, 20:1, 23:19, 25:1, 33:3, 33:5, 33:12, 40:11, 50:23, 54:23, 90:5, 91:23, 91:24, 96:17, 98:3 needed [2] - 17:10, 20:4 needs [1] - 47:18 negative [5] - 22:5, 27:2, 27:6, 27:10, 49:7 negotiated [1] - 17:2 neighbor [9] - 18:22, 48:2, 50:5, 62:13, 68:18, 69:16, 96:10, 96:12, 96:13 neighbor's [1] - 92:8 neighborhood [6] - 32:6, 32:11, 33:9, 68:24, 76:16, 78:10 neighboring [1] - 68:14 neighbors [11] - 18:18, 18:24, 19:6, 49:8, 49:20, 67:9, 68:4, 68:21, 87:22, 93:5, 96:4 nephew [1] - 60:20 net [1] - 22:9 neutral [9] - 7:15, 8:3, 42:9, 81:16, 81:17, 84:16, 84:18, 85:22, 85:23 never [7] - 34:11, 38:8, 38:18, 38:20, 72:10, 77:4, 103:17 new [8] - 6:12, 12:5, 13:22, 27:4, 38:19, 38:22, 60:23, 69:1 NEW [1] - 2:1 New [3] - 9:11, 16:2, 63:12 next [12] - 6:9, 7:6, 16:12, 22:12, 51:16, 69:11, 69:12, 69:16, 71:17, 81:2, 103:3, 104:4 nextdoor [1] - 18:22 nice [2] - 17:6, 26:9 night [2] - 17:13, 94:24 nine [3] - 37:6, 89:12, 103:11 ninety [3] - 25:14, 36:20, 37:5	nobody [5] - 18:21, 22:4, 26:5, 55:13, 78:10 Noise [1] - 21:20 noise [11] - 11:3, 17:11, 17:13, 21:21, 22:1, 22:5, 24:20, 31:15, 72:2, 72:7, 77:8 noises [2] - 22:2, 31:17 noisiest [1] - 63:24 non [5] - 37:22, 41:3, 49:18, 92:9, 94:2 non-participating [2] - 92:9, 94:2 non-reflective [1] - 49:18 non-rotating [1] - 41:3 non-shiny [1] - 37:22 none [3] - 83:20, 98:7, 100:8 normal [4] - 10:18, 17:12, 28:20, 32:20 north [10] - 19:17, 23:22, 32:2, 32:3, 40:23, 60:10, 76:16, 78:3, 79:10, 82:21 north/south [1] - 41:19 Northern [1] - 6:21 northern [2] - 23:21, 66:16 northwest [1] - 26:4 Northwestern [2] - 36:16, 36:18 note [2] - 59:21, 95:7 noted [1] - 90:13 nothin' [1] - 83:2 nothing [3] - 33:15, 47:4, 78:23 notice [2] - 11:13, 69:18 noticeable [1] - 50:2 notices [1] - 13:1 nuclear [1] - 20:5 number [9] - 36:24, 37:1, 48:19, 55:5, 71:8, 74:23, 87:23, 91:21, 103:9 numbers [3] - 11:23, 22:14 nursing [1] - 85:8	object [1] - 67:6 objection [3] - 11:22, 11:24, 12:3 objectors [1] - 7:24 obtained [2] - 22:16, 24:16 obviously [13] - 7:11, 19:2, 19:5, 19:15, 25:7, 27:15, 27:18, 33:3, 35:14, 38:23, 54:20, 62:6, 66:12 occasions [1] - 5:17 occur [2] - 63:4, 95:4 odd [2] - 15:21, 95:16 OF [6] - 1:2, 1:11, 1:19, 34:6, 65:19, 86:8 Off-the-record [1] - 74:3 off-the-record [1] - 15:7 Office [1] - 96:12 office [3] - 94:7, 96:2, 96:17 Office's [1] - 96:6 Official [1] - 2:20 officials [2] - 7:7, 42:6 offset [2] - 24:4, 41:24 often [1] - 10:4 Okawville [6] - 16:9, 34:14, 44:18, 52:23, 60:10, 70:9 old [2] - 25:24, 46:2 once [5] - 77:4, 94:12, 97:15, 100:7, 101:17 one [70] - 6:24, 7:10, 8:4, 8:5, 8:6, 8:24, 12:24, 17:17, 23:7, 24:7, 24:11, 26:7, 27:4, 30:7, 30:17, 31:1, 31:4, 31:9, 31:10, 31:19, 31:23, 32:4, 32:8, 32:22, 35:23, 37:7, 37:8, 38:8, 38:19, 39:12, 39:22, 41:10, 41:15, 41:24, 43:9, 44:18, 44:19, 44:20, 46:3, 47:24, 48:10, 49:8, 51:10, 51:11, 53:13, 53:14, 56:10, 56:15, 60:15, 60:24, 63:16, 63:21, 66:3, 68:7, 69:5, 69:6, 70:10, 76:8, 76:13, 78:9, 79:11, 79:19, 80:23, 84:3, 84:4, 84:14, 88:13, 91:21, 94:3, 94:21 one's [1] - 51:10
N				
name [14] - 5:9, 8:16, 9:10, 13:18, 21:5, 42:20, 43:3, 43:4, 43:10, 45:6, 45:13, 51:20, 51:23, 89:17 name's [1] - 45:8 named [1] - 6:17 names [1] - 90:3 Nashville [10] - 5:18, 5:20, 5:21, 11:17, 12:16, 52:23, 55:20, 73:5, 73:7, 84:19 native [1] - 47:11 natural [1] - 20:5 Nature [6] - 56:17, 56:21, 57:5, 59:3, 59:9, 59:16 near [3] - 40:19, 67:12, 77:22 nearby [1] - 27:7 neat [1] - 27:21 necessarily [2] - 18:21, 82:10 necessary [5] - 11:11,				
O				
o'clock [1] - 95:10 oaks [1] - 41:13 Oakside [1] - 24:12 obey [1] - 83:17				

one-foot [1] - 66:3
ones [11] - 41:3, 41:8, 41:11, 41:17, 41:18, 67:21, 91:17, 91:18, 93:11, 101:4
ongoing [2] - 29:6, 29:22
Open [1] - 88:8
open [3] - 25:4, 67:4, 88:8
Opening [1] - 3:3
opening [1] - 9:3
operating [1] - 16:11
operation [3] - 32:21, 33:3, 44:17
operational [1] - 24:7
operations [1] - 16:4
opinion [2] - 20:3, 77:17
opportunity [15] - 6:23, 6:24, 7:6, 7:8, 7:13, 7:15, 7:16, 7:21, 8:12, 20:20, 20:23, 20:24, 32:17, 87:21, 104:3
opposed [8] - 7:15, 7:20, 42:9, 74:21, 79:8, 81:15, 85:22, 104:17
opposition [1] - 84:15
optional [1] - 40:16
options [3] - 94:14, 97:7
order [1] - 7:1
orderly [1] - 28:20
Ordinance [3] - 29:21, 29:23, 89:13
ordinances [2] - 82:3, 82:6
ordinary [1] - 10:18
organization [1] - 36:17
originally [1] - 25:20
otherwise [2] - 10:1, 90:5
ourselves [1] - 27:13
outbursts [1] - 8:15
outline [1] - 31:12
outside [12] - 17:6, 17:11, 22:4, 31:13, 32:11, 33:1, 39:5, 39:8, 50:3, 54:18, 54:20, 95:6
outskirts [2] - 18:15, 58:19
overall [3] - 20:8, 41:17, 71:24
oversight [1] - 71:23
overview [1] - 9:3
own [5] - 20:19, 34:20,

44:13, 69:16, 84:19
owned [5] - 44:10, 44:11, 59:10, 59:13, 63:15
owner [1] - 32:8
Owner/Operator [1] - 23:6
owners [4] - 25:19, 62:10, 67:12, 94:2
ownership [2] - 34:9, 44:17
owning [6] - 16:6, 16:11, 34:14, 34:15, 44:19, 44:21
owns [1] - 24:24

P

P.C [1] - 1:21
p.m [3] - 1:4, 64:2, 103:8
P.O [1] - 2:2
pad [1] - 95:7
PAGE [1] - 3:4
pages [1] - 89:12
paid [3] - 11:11, 11:12, 13:1
painted [1] - 46:1
pane [1] - 53:24
panel [10] - 26:11, 33:24, 50:13, 51:2, 51:14, 54:9, 54:15, 54:23, 55:6, 57:2
panels [36] - 22:17, 26:12, 26:14, 26:15, 26:22, 27:3, 32:13, 35:19, 35:23, 36:19, 37:15, 40:22, 43:22, 43:23, 46:5, 46:9, 47:16, 48:24, 49:17, 50:12, 51:13, 53:3, 53:10, 53:18, 53:22, 56:3, 56:18, 61:2, 77:9, 77:13, 77:16, 78:16, 79:2, 79:18, 85:1, 85:13
paralegal [1] - 6:9
parcel [9] - 11:19, 17:11, 22:4, 24:24, 25:16, 31:13, 49:24, 58:20
parent [4] - 23:6, 43:16, 44:14
parking [4] - 49:13, 49:14, 50:8, 50:11
parochial [1] - 60:1
part [15] - 6:11, 17:1, 17:4, 29:21, 29:23, 53:11, 53:16, 58:17, 58:19, 60:7, 63:24,

64:21, 89:7, 95:11, 97:5
partially [1] - 77:8
participate [2] - 17:20, 20:21
participating [2] - 92:9, 94:2
particular [9] - 21:17, 62:11, 62:16, 63:10, 63:17, 81:24, 84:6, 91:23, 98:20
particularly [1] - 27:21
pass [4] - 68:5, 83:3, 83:11, 83:13
passed [2] - 84:20, 89:9
passes [1] - 102:19
past [4] - 57:14, 90:2, 91:17, 93:14
PAT [10] - 4:5, 4:7, 4:9, 4:11, 4:13, 4:15, 86:10, 98:16, 101:20, 104:14
path [1] - 19:2
Patricia [1] - 4:15
PATRICIA [2] - 91:7, 100:11
patricia [1] - 1:12
pay [9] - 48:7, 57:16, 59:5, 59:17, 68:17, 78:13, 78:14, 92:15, 93:7
pays [1] - 96:2
peak [3] - 17:13, 22:1, 31:16
penetration [2] - 54:21, 55:1
people [19] - 7:20, 7:24, 8:2, 14:21, 20:19, 26:8, 26:13, 31:4, 31:16, 35:14, 37:9, 39:23, 66:24, 68:5, 73:15, 77:22, 79:19, 90:23
Peoria [1] - 1:22
per [4] - 36:6, 36:12, 37:6
per-acre [1] - 36:6
percent [12] - 17:18, 23:18, 28:24, 35:4, 37:8, 48:11, 53:13, 61:18, 62:1, 72:22, 76:22, 93:2
percentage [2] - 35:3, 44:22
performance [1] - 22:24
perhaps [2] - 41:10, 92:18
period [3] - 62:23,

63:24, 72:4
periods [1] - 66:8
permission [1] - 39:6
Permit [6] - 9:12, 17:1, 29:5, 29:7, 94:7, 96:3
permit [9] - 24:16, 30:1, 62:4, 71:3, 71:13, 91:23, 92:14, 93:3, 93:10
permitting [4] - 11:18, 12:19, 39:2, 72:5
person [1] - 67:23
personal [1] - 87:23
persons [1] - 8:22
phases [1] - 16:10
phone [2] - 53:15, 69:1
Phone [2] - 2:22, 2:23
photo [2] - 24:5, 25:9
Piatt [1] - 2:21
pick [3] - 58:3, 72:9, 82:13
pick-up [1] - 58:3
picked [1] - 82:16
picking [1] - 77:15
picture [2] - 21:20, 46:2
piece [2] - 8:11, 54:1
pieces [2] - 54:2, 77:15
pile [1] - 95:2
piles [3] - 63:23, 64:1, 93:3
pilings [2] - 95:2, 95:3
pit [1] - 32:8
place [3] - 23:11, 38:13, 71:11
places [1] - 79:9
placing [1] - 62:18
plain [1] - 74:9
plan [10] - 10:23, 11:5, 16:17, 25:6, 32:16, 64:18, 64:23, 73:17, 80:10, 92:10
Plan [2] - 62:2, 73:21
plan's [1] - 96:14
planes [1] - 49:19
planned [1] - 92:17
planning [1] - 31:23
plant [7] - 47:8, 48:3, 66:3, 66:20, 66:23, 67:14, 68:6
planted [2] - 67:21, 94:4
plantin' [1] - 47:21
planting [2] - 65:23, 92:10
plastic [2] - 53:11, 54:12

plate [1] - 72:12
platforms [2] - 34:18, 38:4
platted [1] - 25:20
play [1] - 76:24
playground [1] - 60:3
playin' [1] - 81:4
playing [1] - 60:3
plus [1] - 79:7
podium [3] - 42:15, 79:22, 85:16
point [16] - 7:24, 14:5, 14:18, 23:6, 25:17, 26:5, 30:2, 46:18, 49:15, 51:1, 53:12, 57:7, 57:13, 63:19, 69:24, 70:4
pointing [1] - 41:8
points [2] - 29:4, 89:14
pole [3] - 26:4, 41:24, 58:17
poles [5] - 26:5, 26:6, 26:7, 68:9, 68:10
politicians [1] - 5:10
pond [2] - 19:12, 24:24
population [1] - 52:21
porch [1] - 78:19
posed [8] - 3:7, 3:7, 3:8, 3:8, 3:9, 3:10, 3:12, 3:14
POSED [7] - 34:6, 42:17, 52:16, 64:11, 65:18, 80:6, 86:7
positive [3] - 20:14, 20:16, 21:1
possible [3] - 20:10, 33:10, 39:15
POSSIBLE [1] - 1:5
possibly [4] - 22:17, 25:3, 32:23, 53:17
post [3] - 37:19, 37:22, 61:18
posted [1] - 11:16
posts [1] - 40:10
pot [1] - 58:12
pounded [1] - 37:23
pounding [2] - 38:3, 95:9
Power [2] - 60:21, 63:12
power [10] - 14:5, 14:18, 17:14, 18:20, 34:23, 56:17, 58:17, 68:8, 68:10, 96:9
prefer [2] - 26:8, 48:5
preference [2] - 41:18, 63:1
prepared [1] - 10:10

PRESENT [1] - 1:11
present [3] - 39:1, 39:7, 87:21
presentation [7] - 10:9, 14:6, 15:3, 15:15, 30:19, 69:20, 87:7
presented [2] - 37:4, 39:9
pretty [6] - 20:24, 38:9, 46:1, 71:23, 80:21, 88:14
previous [1] - 70:21
previously [1] - 61:17
primarily [1] - 5:15
primary [2] - 73:14, 93:1
priority [1] - 72:18
private [1] - 71:18
privilege [1] - 5:16
problem [4] - 53:6, 54:14, 85:3, 93:19
problems [2] - 78:8, 85:9
proceedings [3] - 24:20, 102:8, 104:22
process [6] - 29:6, 71:3, 71:6, 71:7, 95:4, 99:19
produce [2] - 35:20, 35:23
produced [1] - 17:7
produces [2] - 36:20, 37:5
producing [2] - 17:14, 37:2
production [1] - 41:17
Professor [1] - 36:16
profitability [1] - 72:20
program [4] - 17:24, 18:2, 35:2, 35:7
Program [1] - 16:15
programs [1] - 35:4
progress [1] - 71:20
prohibited [1] - 23:13
project [13] - 11:20, 16:3, 16:5, 50:1, 58:14, 58:15, 59:2, 70:11, 72:12, 72:21, 91:19, 91:23
Project [79] - 7:15, 7:18, 7:19, 7:21, 7:23, 9:4, 9:5, 10:8, 11:14, 11:15, 11:16, 12:14, 12:15, 12:20, 13:11, 15:24, 16:1, 16:8, 16:9, 16:10, 16:18, 17:4, 17:10, 17:11, 17:14, 19:11,

19:16, 21:10, 22:8, 22:19, 23:20, 28:16, 28:18, 28:19, 28:21, 29:9, 29:12, 30:13, 31:7, 31:8, 31:9, 31:12, 32:9, 32:24, 33:9, 34:12, 34:14, 34:15, 34:17, 34:19, 34:20, 34:23, 38:24, 39:4, 42:9, 42:10, 42:11, 44:17, 48:1, 61:17, 62:7, 62:16, 63:14, 63:18, 63:21, 73:16, 74:20, 74:21, 84:16, 88:24, 89:20, 90:22, 92:6, 94:9, 95:3, 95:21, 99:21, 101:11
project's [1] - 72:19
Project's [2] - 6:18, 97:4
projecting [1] - 14:14
projector [1] - 72:2
projector [1] - 72:7
Projects [20] - 10:13, 11:24, 12:7, 19:4, 21:17, 27:12, 32:17, 32:19, 32:21, 38:16, 38:18, 41:20, 61:20, 62:19, 66:10, 69:5, 70:9, 89:4, 89:17, 92:8
projects [14] - 18:8, 26:20, 27:9, 71:6, 72:4, 72:9, 72:11, 72:23, 81:24, 82:1, 82:5, 87:23, 89:6, 91:18
promise [1] - 87:15
promises [1] - 87:17
proof [5] - 69:7, 75:12, 92:18, 94:6, 96:11
properties [8] - 10:19, 17:9, 27:7, 28:19, 28:21, 30:11, 63:10, 63:18
property [27] - 9:13, 9:16, 10:16, 10:17, 11:3, 27:5, 27:11, 28:18, 48:3, 48:12, 62:11, 66:22, 67:11, 67:12, 67:17, 68:13, 68:14, 68:24, 69:7, 69:12, 69:20, 70:14, 77:3, 92:12, 92:13, 93:20
Property [1] - 16:1
proposed [2] - 24:3, 73:17
protection [2] - 95:18,

95:19
protects [1] - 23:11
proud [1] - 87:21
prove [1] - 77:7
provide [5] - 10:21, 29:10, 90:12, 94:6, 96:15
provided [4] - 90:9, 90:11, 91:2, 93:2
proximity [1] - 12:8
Public [1] - 73:13
public [24] - 5:8, 5:15, 6:4, 7:8, 8:5, 8:12, 10:14, 10:19, 28:16, 29:11, 42:8, 42:14, 45:5, 46:6, 61:6, 61:7, 69:17, 74:19, 81:14, 85:22, 88:8, 96:24, 103:19, 103:20
publication [1] - 11:13
published [1] - 13:1
puddin' [1] - 75:13
pulled [2] - 38:8
pursuant [1] - 82:5
put [31] - 16:17, 18:14, 18:15, 20:18, 26:19, 31:23, 37:16, 38:12, 39:16, 40:3, 40:11, 53:5, 57:15, 58:11, 62:22, 66:9, 66:12, 67:1, 67:10, 69:16, 72:18, 73:15, 74:24, 78:6, 79:3, 79:9, 79:18, 82:16, 82:23, 83:1, 93:21
puttin' [2] - 60:20, 79:8
putting [5] - 19:9, 37:18, 38:4, 46:11, 77:19
pylon [1] - 39:11
pylons [3] - 37:16, 38:1, 38:13

Q

quantifiable [1] - 57:12
Queen [1] - 5:20
questioner [1] - 45:24
QUESTIONS [7] - 34:6, 42:17, 52:16, 64:11, 65:18, 80:6, 86:7
Questions [8] - 3:7, 3:7, 3:8, 3:8, 3:9, 3:10, 3:12, 3:14
questions [71] - 6:23, 6:24, 7:2, 7:3, 7:6,

7:8, 7:13, 7:17, 7:19, 8:1, 8:10, 10:10, 11:2, 25:21, 30:8, 30:24, 33:22, 34:2, 35:16, 40:1, 40:13, 42:3, 42:4, 42:8, 42:10, 42:13, 42:14, 45:5, 45:22, 48:9, 51:15, 51:18, 52:14, 60:14, 61:7, 61:9, 61:11, 64:5, 65:10, 65:13, 73:2, 73:16, 73:22, 73:24, 75:8, 79:24, 80:2, 80:3, 80:4, 81:5, 81:6, 81:7, 81:15, 81:17, 81:18, 81:20, 81:21, 83:20, 84:1, 85:16, 85:18, 85:21, 85:23, 86:1, 86:2, 86:3, 86:4, 87:3, 89:23, 91:3
quick [4] - 36:4, 61:12, 80:22, 89:22
quickly [2] - 28:2, 72:10
quiet [2] - 76:15, 76:16
quite [3] - 5:20, 22:3, 74:7

R

rabbit [1] - 25:11
racking [3] - 37:24, 40:10, 69:17
radius [1] - 24:17
railroad [3] - 25:24, 26:1, 32:2
raise [2] - 13:4, 75:16
raised [2] - 5:21, 52:20
ramp [1] - 62:1
range [1] - 40:7
rate [4] - 34:24, 37:5, 37:10, 77:21
rather [1] - 48:18
rays [2] - 48:23, 50:12
re [10] - 22:10, 22:13, 23:16, 31:21, 33:8, 39:7, 65:10, 74:17, 78:22
re-applying [1] - 39:7
re-convene [1] - 74:17
re-direct [1] - 65:10
re-drew [1] - 33:8
re-evaluate [1] - 22:13
re-evaluated [3] - 22:10, 23:16, 31:21
re-present [1] - 39:7

re-zone [1] - 78:22
reach [2] - 82:18, 87:15
read [11] - 48:9, 48:21, 53:5, 65:2, 77:2, 79:16, 89:12, 90:1, 93:12, 93:13, 97:19
readin' [1] - 48:17
ready [1] - 5:7
real [5] - 46:1, 56:2, 80:21, 81:3, 89:22
realistic [1] - 23:19
realistically [1] - 23:5
really [12] - 5:18, 9:23, 18:24, 21:6, 26:9, 28:9, 28:10, 33:3, 41:15, 55:4, 69:3, 85:3
reason [2] - 23:9, 37:3
reasonable [4] - 94:3, 94:5, 94:9
receipts [1] - 96:16
receive [1] - 86:20
recently [1] - 37:21
recess [2] - 74:10, 74:14
Recess [1] - 74:15
Recommend [1] - 3:19
recommend [6] - 94:14, 97:9, 97:10, 102:10
recommendation [13] - 89:5, 94:13, 96:24, 97:8, 97:11, 97:12, 97:13, 97:14, 97:16, 101:5, 101:8, 101:10, 101:16
recommendations [2] - 89:9, 89:22
recommended [1] - 93:16
record [13] - 13:18, 15:7, 15:14, 34:12, 45:7, 74:1, 74:3, 74:6, 74:18, 87:19, 97:5, 104:6, 104:10
recycling [2] - 22:15, 22:16
reduce [1] - 20:6
reduces [1] - 49:20
refer [1] - 68:7
reference [1] - 46:23
referenced [1] - 27:6
referencing [2] - 95:2, 95:5
reflection [1] - 77:8
reflective [1] - 49:18
regarding [1] - 81:23
regards [1] - 59:23

regionally [1] - 66:14
regular [1] - 27:2
regularly [1] - 26:21
regulations [6] - 21:9, 28:5, 28:11, 28:14, 39:2, 66:18
Regulations [1] - 41:12
reimburse [1] - 63:5
related [1] - 28:15
relates [3] - 88:10, 88:11
relative [1] - 71:14
release [1] - 23:13
Reliance [1] - 19:23
relying [1] - 70:3
remain [1] - 12:18
remember [2] - 6:16, 36:17
Rend [1] - 36:17
renewable [2] - 20:4, 20:21
RENSING [12] - 4:5, 4:7, 4:9, 4:11, 4:13, 4:15, 86:10, 91:7, 98:16, 100:11, 101:20, 104:14
Rensing [7] - 1:12, 4:15, 86:5, 91:6, 98:15, 100:10, 101:19
rent [1] - 37:9
rented [1] - 80:19
repairs [1] - 17:3
repeat [2] - 33:16, 35:21
replace [1] - 47:11
replaced [2] - 47:18, 54:24
report [3] - 40:4, 40:8, 103:20
reporter [1] - 55:10
Reporter [6] - 2:20, 8:18, 15:11, 74:4, 104:8
reports [1] - 87:7
represent [6] - 82:14, 82:15, 83:6, 83:7, 86:12, 87:21
representative [1] - 4:2
Representative [1] - 84:5
Representatives [1] - 9:23
representing [2] - 6:7, 73:7
represents [1] - 36:19
request [2] - 94:9, 98:1

require [2] - 66:10, 68:10
required [3] - 13:1, 21:11, 29:23
requirement [4] - 22:21, 66:2, 89:15
Requirements [1] - 88:8
requirements [8] - 29:17, 29:18, 29:20, 66:8, 82:2, 82:3, 82:9, 82:11
requires [2] - 29:21, 82:2
research [3] - 49:23, 56:7, 56:11
reservoir [1] - 26:23
reservoirs [1] - 26:21
residences [3] - 63:22, 66:22, 92:9
resident [1] - 52:23
residential [4] - 47:16, 78:2, 93:5, 94:2
residents [5] - 78:8, 79:11, 82:21, 83:2, 104:4
resolve [1] - 73:18
respect [1] - 30:10
respond [1] - 50:17
response [7] - 57:8, 63:3, 63:4, 63:5, 63:6, 93:8, 104:19
Response [1] - 4:6
responses [1] - 75:8
responsibility [2] - 58:16, 59:2
responsible [3] - 57:4, 57:11, 59:15
rest [2] - 51:15, 88:1
return [1] - 37:8
returns [1] - 20:13
revenue [5] - 16:20, 19:21, 20:12, 20:16, 22:16
reverts [1] - 16:18
review [1] - 23:16
revise [1] - 92:22
revisions [3] - 89:23, 91:20, 91:21
Richview [4] - 21:19, 24:13, 25:13, 25:19
rid [1] - 79:12
right-of-way [4] - 21:18, 25:13, 25:15, 25:18
river [1] - 55:8
road [18] - 23:24, 24:18, 25:12, 25:15, 25:17, 26:5, 29:13, 33:5, 49:2, 49:16,

51:2, 58:17, 71:11, 73:14, 73:17, 73:19, 73:20, 93:9
Road [11] - 16:24, 17:4, 21:19, 24:11, 24:13, 25:5, 25:7, 25:13, 25:19, 73:21, 93:9
roads [4] - 10:20, 16:22, 28:22, 49:20
Roll [1] - 3:2
roll [5] - 4:4, 91:3, 98:7, 100:8, 101:17
roof [1] - 51:3
room [9] - 7:6, 14:13, 38:21, 52:22, 83:10, 84:10, 84:14, 103:8, 103:23
rotate [5] - 40:23, 41:2, 41:4, 41:17, 41:19
rotating [2] - 41:3, 41:15
round [1] - 37:19
Route [1] - 11:17
routes [1] - 55:22
row [1] - 31:23
rows [1] - 24:3
Royster [1] - 1:21
rubber [2] - 54:12, 54:19
ruckus [1] - 5:12
rule [1] - 75:2
rules [11] - 21:8, 28:11, 28:13, 28:15, 39:2, 39:3, 61:24, 66:6, 66:17, 72:7, 76:9
Rules [1] - 41:12
run [10] - 8:7, 17:7, 26:2, 27:10, 28:1, 49:6, 78:24, 83:4, 89:21, 92:24
run-off [1] - 17:7
running [4] - 17:8, 17:14, 33:1, 103:21
runt [1] - 103:12
rural [1] - 18:16

S

S26-002 [1] - 11:23
S26-003 [1] - 11:23
sac [4] - 45:10, 45:19, 58:6, 76:12
safe [4] - 26:12, 26:17, 26:24, 54:24
safely [2] - 16:14, 29:15
safest [1] - 24:13

safety [2] - 22:8, 28:17
sale [1] - 84:23
Sangamon [1] - 59:13
saplings [1] - 66:9
satisfied [2] - 89:14, 89:15
saturation [1] - 27:20
save [6] - 12:9, 17:18, 20:22, 21:2, 29:19, 50:19
savings [6] - 35:5, 35:7, 36:3, 36:22, 36:23, 37:1
saw [3] - 56:14, 56:15, 72:8
sayin' [4] - 46:11, 82:23, 82:24, 83:18
scattered [1] - 77:16
scenario [2] - 26:7, 26:9
scheme [1] - 82:1
Schneider [10] - 1:14, 4:16, 34:4, 35:17, 70:7, 91:12, 98:9, 100:16, 102:1, 102:15
SCHNEIDER [23] - 4:17, 4:23, 35:18, 35:22, 36:12, 36:14, 37:3, 70:8, 70:13, 70:16, 71:17, 72:14, 90:18, 90:24, 91:13, 97:23, 98:4, 98:10, 100:17, 101:14, 102:2, 102:4, 102:16
school [8] - 5:18, 5:22, 6:17, 53:1, 56:16, 60:1, 81:8
School [2] - 7:5, 42:5
schools [1] - 16:22
scope [1] - 35:11
Scott [6] - 1:16, 5:3, 5:9, 9:9, 9:20, 33:20
SCOTT [97] - 5:5, 6:15, 9:7, 11:7, 11:21, 12:6, 12:11, 12:23, 13:3, 15:13, 33:18, 33:21, 34:1, 34:21, 35:16, 37:12, 39:24, 40:13, 42:2, 42:22, 43:1, 43:3, 43:7, 43:13, 45:4, 45:9, 45:12, 45:15, 45:18, 45:21, 46:8, 46:15, 46:20, 48:18, 49:3, 49:10, 50:16, 50:21, 51:17, 51:22, 52:1, 52:5, 52:8, 52:11, 52:13, 53:7, 56:4, 56:8, 57:19,

59:4, 59:8, 59:20, 60:13, 60:17, 61:4, 64:7, 65:9, 65:13, 70:7, 73:2, 73:22, 74:6, 74:16, 75:5, 75:15, 76:6, 79:21, 80:2, 81:6, 81:13, 83:24, 84:13, 85:14, 85:21, 86:4, 86:19, 86:23, 87:2, 87:10, 88:2, 88:20, 94:16, 94:20, 95:13, 102:20, 102:22, 103:1, 103:7, 103:14, 103:16, 103:24, 104:5, 104:9, 104:13, 104:15, 104:17, 104:20
scratching [1] - 95:7
screening [4] - 10:23, 11:1, 12:19, 23:20
seal [1] - 54:12
sealed [1] - 54:24
sealing [1] - 54:19
season [2] - 27:14, 66:16
seasons [1] - 66:18
seated [1] - 6:19
seats [1] - 74:17
second [17] - 4:22, 4:23, 12:13, 15:8, 31:3, 31:4, 36:1, 74:2, 85:15, 90:14, 90:15, 92:1, 97:21, 98:3, 98:5, 100:3, 101:14
seconding [1] - 98:4
seconds [2] - 98:6, 104:13
section [1] - 84:6
Section [1] - 21:10
security [2] - 22:24, 23:13
see [21] - 5:13, 8:3, 10:11, 11:1, 19:7, 22:1, 22:13, 24:9, 26:6, 26:8, 29:12, 31:4, 55:2, 56:15, 58:8, 68:1, 72:9, 72:23, 78:9, 78:16, 82:20
seeing [3] - 17:23, 72:4, 73:23
seeking [1] - 9:12
select [1] - 18:5
self [1] - 33:1
self-running [1] - 33:1
sell [4] - 34:10, 44:13, 44:16, 69:13

selling [5] - 34:17, 46:18, 69:8, 69:11, 85:1 semi [1] - 32:12 Senator [1] - 84:5 send [1] - 65:5 sense [5] - 30:16, 33:5, 41:11, 50:13, 68:7 sent [1] - 11:13 separate [2] - 12:4, 23:8 Sequoias [1] - 94:4 serve [1] - 6:3 service [1] - 9:19 serving [1] - 5:16 session [1] - 74:18 set [6] - 89:3, 89:11, 89:16, 91:1, 92:23 sets [1] - 39:2 seven [6] - 5:22, 36:3, 36:6, 36:10, 49:24, 58:9 seventeen [1] - 55:6 seventy [1] - 80:20 several [2] - 5:17, 85:2 severe [1] - 64:21 sewer [1] - 16:22 shatter [2] - 53:24, 54:2 shell [1] - 72:16 shift [1] - 94:24 shiny [1] - 37:22 ship [1] - 103:22 short [1] - 67:21 shorten [1] - 71:2 shot [1] - 79:18 show [8] - 8:16, 14:6, 26:18, 30:17, 35:6, 48:14, 49:7, 69:20 showed [3] - 27:6, 27:10, 46:2 showing [1] - 28:4 shown [2] - 4:3, 27:7 shows [4] - 26:22, 27:1, 31:11, 96:18 shrubby [1] - 76:18 shut [1] - 59:1 sick [1] - 53:4 side [15] - 7:10, 21:24, 23:21, 23:23, 29:13, 31:24, 32:1, 32:2, 32:10, 32:20, 52:20, 55:24, 60:10, 71:5 sides [2] - 24:2 sight [2] - 67:6, 67:8 sign [4] - 80:16, 80:17, 84:24, 104:18 significant [1] - 59:1	significantly [1] - 31:10 silica [2] - 53:11, 54:17 silicone [2] - 53:10, 53:11 silver [1] - 53:13 similar [7] - 17:24, 18:19, 31:2, 53:22, 89:16, 91:17, 91:20 singing [1] - 80:21 single [9] - 8:21, 16:16, 20:13, 49:24, 53:24, 58:20, 69:5 single-pane [1] - 53:24 sit [7] - 8:1, 14:9, 16:16, 46:4, 47:22, 78:15, 86:11 site [4] - 31:12, 41:12, 63:3, 93:8 sites [4] - 18:5, 23:21, 41:20, 66:9 sittin' [3] - 78:5, 78:19, 83:14 sitting [1] - 86:24 situation [1] - 55:20 SIU [2] - 5:20, 5:22 six [11] - 6:1, 22:9, 23:2, 48:11, 58:3, 58:9, 61:21, 65:23, 76:22, 77:1, 103:11 sixty [2] - 21:18, 80:20 size [10] - 31:5, 31:9, 31:20, 35:10, 48:5, 51:6, 65:22, 66:20, 89:18 skiing [1] - 58:22 skip [1] - 31:1 slab [1] - 49:16 slide [1] - 31:6 slides [1] - 31:2 slow [2] - 71:24, 72:8 slowed [2] - 70:21, 70:23 small [8] - 14:14, 19:12, 26:20, 53:17, 53:18, 55:16, 58:13 smaller [5] - 18:8, 31:5, 31:10, 47:8, 51:6 smart [1] - 69:4 snow [1] - 58:24 so-called [1] - 54:11 so.. [2] - 43:11, 60:12 soil [2] - 40:5, 40:8 solar [41] - 9:13, 9:17, 18:18, 20:4, 20:12, 20:19, 26:11, 26:20, 35:19, 35:23, 36:19,	38:11, 40:16, 43:22, 43:23, 49:17, 50:12, 51:2, 51:6, 53:3, 55:6, 56:3, 57:2, 58:13, 58:15, 59:2, 61:2, 68:24, 69:3, 69:12, 72:23, 77:12, 78:4, 79:1, 79:14, 81:24, 82:17, 85:1, 85:13, 88:15 Solar [13] - 11:15, 11:23, 11:24, 12:12, 12:14, 16:15, 17:20, 17:21, 23:7, 44:15, 89:19, 91:24, 92:24 SOLAR [3] - 1:6, 1:7 sold [1] - 26:1 solid [1] - 49:12 solution [1] - 20:6 Solutions [1] - 63:12 solvent [1] - 23:8 someone [2] - 17:19, 53:3 sometimes [5] - 8:7, 18:15, 18:16, 35:4, 69:1 song [4] - 46:7, 77:24, 78:13, 80:21 soon [1] - 48:10 sorry [5] - 16:24, 52:10, 53:4, 81:22, 104:2 sort [1] - 93:11 sounds [2] - 58:14, 62:9 source [1] - 20:21 sources [1] - 18:20 south [16] - 12:18, 19:13, 19:16, 19:17, 24:17, 24:24, 31:23, 33:10, 38:12, 40:23, 41:1, 41:3, 41:8, 41:15, 45:20, 46:23 southeast [2] - 25:16, 26:3 southern [2] - 48:1, 60:9 Southern [1] - 64:18 southwest [1] - 21:24 SPEAKER [1] - 73:9 speaking [2] - 90:23, 96:8 special [2] - 71:12, 72:5 Special [2] - 6:6, 62:23 specific [5] - 29:4, 39:10, 56:11, 58:15, 59:2 spell [2] - 42:22, 45:13	spelling [2] - 13:18, 45:7 spend [2] - 11:2, 31:6 spent [4] - 9:20, 18:18, 29:16, 87:14 split [1] - 43:24 spoken [1] - 34:22 sponsored [1] - 36:16 Springer [1] - 8:16 Springfield [8] - 5:9, 5:11, 5:12, 5:21, 9:21, 10:1, 10:4, 59:12 square [1] - 37:22 St [3] - 10:12, 15:20, 32:15 staff [5] - 61:10, 81:19, 86:1, 87:7, 103:20 Staff [1] - 6:11 staffing [1] - 71:1 stage [4] - 28:23, 30:2, 39:1, 93:3 stagnant [1] - 53:21 stand [3] - 5:6, 15:2, 74:1 standards [2] - 93:11, 93:13 standin' [1] - 50:8 standing [1] - 14:17 standpoint [3] - 39:3, 97:17 stare [1] - 68:9 start [7] - 15:17, 35:15, 39:4, 41:4, 52:19, 70:18, 89:19 started [10] - 4:3, 16:8, 25:13, 48:11, 58:6, 70:17, 72:10, 76:21, 77:19, 80:21 starting [2] - 16:5, 72:9 starts [1] - 77:24 state [3] - 13:17, 45:6, 51:20 State [19] - 5:14, 9:22, 11:17, 17:23, 17:24, 19:3, 21:9, 22:20, 28:4, 57:5, 81:23, 82:5, 82:8, 82:9, 83:3, 83:6, 83:8, 84:4, 84:5 State's [5] - 6:6, 28:15, 82:23, 83:16, 83:18 statement [7] - 9:3, 9:6, 52:18, 60:15, 69:6, 69:20, 87:11 Statement [2] - 3:3, 3:15	statements [4] - 83:22, 86:13, 86:16, 87:11 states [1] - 18:1 Statute [2] - 82:5, 84:7 statutory [1] - 82:1 stay [3] - 17:8, 19:9, 78:22 staying [1] - 77:10 stays [1] - 23:11 step [3] - 45:6, 73:24, 87:4 sterile [1] - 79:17 still [12] - 5:7, 22:3, 23:11, 24:14, 28:24, 29:7, 29:13, 72:23, 73:1, 76:15 Stillwater [2] - 13:20, 56:16 stones [1] - 56:22 stop [5] - 31:3, 39:4, 54:23, 60:11, 79:5 stopped [1] - 25:13 stops [2] - 77:3, 77:6 storage [2] - 62:17, 62:18 storm [8] - 53:20, 54:7, 55:22, 55:23, 56:11, 60:2, 64:15, 64:23 storm's [1] - 77:14 storms [5] - 56:5, 56:7, 60:8, 64:21, 77:10 story [1] - 78:1 straight [2] - 21:15, 32:14 Street [8] - 12:15, 12:17, 32:15, 45:11, 45:17, 58:5, 58:6, 76:12 street [2] - 58:4, 67:20 streets [1] - 29:11 stretch [2] - 57:4, 57:11 stringent [1] - 93:21 strip [1] - 54:11 strong [1] - 70:24 struck [1] - 68:11 structure [1] - 90:1 students [1] - 60:2 studies [9] - 27:5, 27:8, 48:14, 48:16, 48:19, 50:7, 70:1, 76:23, 76:24 study [4] - 22:5, 48:10, 49:6, 76:20 Study [2] - 21:20, 22:7 stuff [5] - 10:4, 45:20, 49:20, 60:23, 79:3
---	--	---	--	--

stupid [2] - 46:5, 79:14 subdivision [1] - 76:14 subject [8] - 88:9, 89:6, 90:10, 94:15, 97:10, 97:14, 97:19, 98:2 submit [2] - 25:6, 62:3 subscribe [1] - 35:15 subscriber [1] - 17:17 subscribes [1] - 17:16 subscribing [1] - 20:22 substantially [1] - 10:16 substation [5] - 18:7, 18:9, 44:3, 44:4, 44:5 substations [2] - 18:11, 18:12 subtract [1] - 90:4 sudden [1] - 8:8 suffice [1] - 92:17 sufficient [1] - 96:6 suggest [5] - 45:1, 54:6, 91:20, 92:7, 100:21 suggestion [1] - 97:11 suggestions [1] - 67:4 suit [1] - 6:5 sun [7] - 16:16, 40:18, 40:23, 41:4, 41:19, 48:23, 50:12 sun's [1] - 50:24 support [2] - 25:7, 86:13 supports [1] - 20:17 supposed [4] - 66:2, 69:14, 83:18, 96:9 surface [1] - 40:17 surfaces [2] - 49:12, 51:4 surprised [1] - 60:22 surrounded [1] - 24:3 surrounding [3] - 10:19, 28:19, 28:21 survey [2] - 55:21, 56:9 surveys [1] - 27:9 swear [1] - 78:5 sworn [7] - 8:11, 8:15, 13:5, 13:7, 13:12, 75:16, 76:4 sworn [1] - 75:17	taken [1] - 74:15 talkin' [3] - 47:20, 47:21, 78:10 tall [7] - 46:22, 47:9, 65:24, 78:14, 78:15, 78:17 taller [2] - 66:23, 67:21 taxes [1] - 69:10 taxing [3] - 69:8, 69:9, 69:21 team [2] - 32:5, 67:5 tear [1] - 73:19 technical [3] - 29:2, 40:4, 40:7 telecommunication [1] - 18:19 tellin' [2] - 83:4, 83:16 ten [12] - 17:18, 18:18, 23:18, 48:16, 55:4, 55:8, 57:4, 57:11, 72:21, 74:10, 74:14, 80:18 ten-mile [2] - 57:4, 57:11 ten-minute [1] - 74:10 tend [1] - 19:8 terms [3] - 63:2, 63:3, 63:23 tested [2] - 26:21, 27:1 testified [1] - 13:12 testifies [1] - 6:22 testify [8] - 7:21, 42:11, 45:23, 74:21, 74:22, 84:15, 84:17, 87:5 testifying [1] - 74:24 testimony [5] - 12:6, 30:10, 59:17, 84:2, 85:24 THE [1] - 100:6 themselves [1] - 94:6 theory [1] - 51:9 thermal [2] - 48:22, 79:2 they've [11] - 8:9, 37:17, 37:19, 37:22, 60:4, 60:12, 71:22, 82:1, 87:24, 88:1, 92:19 thick [1] - 47:9 thinking [2] - 36:8, 68:15 third [2] - 55:7, 57:21 thirty [12] - 5:13, 16:12, 28:24, 60:1, 62:24, 63:1, 80:15, 80:18, 93:12, 95:16 thirty-five [7] - 5:13,	16:12, 60:1, 62:24, 63:1, 80:15, 80:18 Thomas [1] - 6:10 thorough [1] - 11:5 thoroughness [1] - 21:7 thoughts [1] - 68:13 thousand [7] - 22:9, 23:2, 36:10, 36:20, 37:5, 37:7, 81:1 thousands [1] - 56:3 three [10] - 27:5, 27:9, 47:21, 48:14, 52:10, 52:11, 58:7, 59:12, 61:1, 76:23 three-foot [1] - 47:21 threshold [1] - 35:6 throughout [3] - 62:7, 92:6, 94:8 Tilden [1] - 38:12 tilt [1] - 40:24 time-out [1] - 8:24 tin [1] - 53:12 today [2] - 14:2, 20:7 together [4] - 16:17, 54:3, 63:13, 78:12 tomorrow [1] - 52:8 tonight [9] - 4:2, 9:12, 10:1, 90:7, 90:9, 90:13, 91:18, 91:21, 99:24 tonight's [1] - 100:2 took [2] - 5:22, 58:22 top [1] - 40:7 topic [1] - 65:21 topography [2] - 41:12, 41:23 torch [1] - 79:3 tornado [6] - 54:7, 55:3, 55:23, 56:13, 56:14, 57:23 tornadoes [2] - 64:14, 64:20 tornados [1] - 56:22 total [5] - 11:17, 11:18, 11:19, 12:19, 12:21 totally [1] - 47:4 touch [4] - 21:7, 32:4, 58:7, 73:15 tougher [1] - 38:10 towards [2] - 20:15, 20:16 tower [1] - 69:1 towers [3] - 18:19, 77:20, 77:22 town [13] - 17:18, 18:15, 44:6, 44:7, 52:21, 56:16, 58:19, 77:17, 78:3, 79:10,	80:13, 82:21, 83:1 townships [1] - 81:9 Townships [1] - 42:5 track [1] - 16:16 tracking [1] - 56:12 tracks [2] - 25:24, 32:2 traditionally [1] - 34:10 traffic [2] - 10:22, 32:21 Tragesser [1] - 64:8 TRAGESSER [4] - 64:12, 64:14, 65:6, 73:12 Tragesser..... [1] - 3:9 transitioning [1] - 16:10 transmissions [1] - 60:22 treat [3] - 50:23, 51:2, 51:4 tree [12] - 31:24, 47:3, 47:18, 65:21, 65:23, 66:4, 68:17, 76:17, 76:18, 78:14, 78:15 trees [44] - 12:18, 24:1, 24:3, 24:4, 24:8, 31:23, 32:1, 46:3, 46:10, 46:12, 46:18, 46:21, 47:2, 47:8, 47:10, 47:11, 47:13, 47:20, 47:21, 48:3, 48:5, 48:7, 57:3, 58:1, 58:10, 58:12, 59:14, 66:11, 66:12, 66:15, 66:20, 66:23, 67:10, 67:14, 67:21, 68:6, 68:18, 78:12, 78:14, 78:17 tremendously [1] - 77:23 triple [1] - 72:1 trucks [5] - 16:23, 32:12, 32:13, 32:22, 58:3 true [2] - 7:20, 27:7 truly [1] - 21:6 truth [2] - 69:23, 78:1 try [2] - 50:21, 95:4 trying [7] - 20:9, 25:12, 51:1, 72:6, 72:11, 77:12, 78:19 Tuck [2] - 1:21, 6:9 turn [11] - 5:4, 10:7, 11:6, 11:8, 24:16, 27:15, 40:24, 59:21, 60:18, 88:24, 103:10 turning [1] - 79:13 TV [1] - 55:10 twelve [2] - 21:12,	21:16 twenty [13] - 21:2, 21:11, 34:9, 36:2, 36:5, 36:6, 36:9, 36:10, 53:21, 66:3, 67:7, 76:13 twenty-eight [1] - 36:10 twenty-five [6] - 34:9, 36:2, 36:5, 36:6, 36:9, 53:21 twice [3] - 94:12, 100:7, 101:17 two [26] - 8:22, 9:14, 23:20, 24:3, 25:3, 26:19, 31:24, 32:22, 33:14, 43:5, 50:9, 57:18, 58:2, 61:20, 61:21, 65:24, 70:9, 71:19, 74:7, 79:19, 81:1, 85:9, 92:21, 102:19, 104:3 two-and-a-half [1] - 9:14 type [3] - 37:17, 37:19, 40:9 types [3] - 26:12, 40:5, 66:14 typically [2] - 63:24, 71:13
U				
ultimately [3] - 26:16, 88:6, 88:23 umbrella [1] - 63:16 unbelievable [1] - 20:2 under [4] - 9:17, 35:6, 41:11, 63:16 underneath [3] - 21:13, 21:15, 73:20 understandable [1] - 48:23 unfortunately [1] - 9:24 UNIDENTIFIED [1] - 73:9 unison [2] - 5:2, 104:16 unit [1] - 55:6 units [4] - 7:4, 42:4, 81:8, 85:18 universal [1] - 67:13 University [3] - 48:9, 64:19, 76:20 unless [2] - 82:24, 93:13 up [66] - 4:3, 11:14, 14:10, 15:6, 19:13,				

T

table [4] - 6:19, 79:4, 102:7, 102:9

19:23, 20:2, 20:19, 21:3, 23:3, 24:14, 25:23, 32:3, 32:5, 32:15, 33:1, 35:4, 37:2, 38:14, 38:17, 40:22, 41:10, 53:5, 55:12, 55:19, 56:3, 56:12, 57:6, 57:13, 58:3, 58:22, 59:11, 59:14, 60:5, 60:6, 61:2, 62:1, 65:4, 67:1, 68:11, 69:16, 72:9, 72:10, 72:24, 74:11, 75:11, 76:19, 77:15, 77:20, 77:22, 78:21, 80:16, 80:17, 80:20, 84:23, 88:8, 92:9, 93:16, 94:2, 94:6, 95:7, 96:10, 96:14, 96:15, 98:20, 99:19 update [1] - 99:21 updated [1] - 90:10 updates [1] - 91:2 urgency [1] - 72:19 US [2] - 43:24, 44:1 US-built [2] - 43:24, 44:1 utilities [5] - 10:20, 25:23, 28:22, 33:11, 73:20 utility [2] - 18:2, 33:11 utilize [2] - 32:18, 66:15 utilized [1] - 49:21	viable [2] - 23:10, 72:23 vicinity [3] - 10:16, 18:9, 41:13 view [6] - 23:24, 47:10, 48:4, 48:6, 67:8, 67:9 Virginia [2] - 48:10, 76:21 visibility [2] - 19:6, 24:9 visible [1] - 26:9 visited [1] - 37:21 visual [2] - 92:10, 92:11 visually [1] - 47:12 Voelker [1] - 1:21 voice [1] - 14:14 volumes [1] - 17:15 VOTE [1] - 3:17 vote [6] - 88:23, 91:4, 94:17, 97:13, 101:6, 102:12 voted [1] - 8:9 votes [2] - 12:4, 97:2 voting [4] - 88:7, 90:19, 90:20, 90:22	26:21, 26:23, 27:1, 54:8, 54:21, 55:1 waterway [1] - 19:13 waterways [1] - 19:12 ways [2] - 62:14, 73:1 wear [1] - 73:19 wearing [1] - 74:8 weather [4] - 14:2, 58:21, 59:1, 77:11 week [1] - 55:23 weekday [1] - 64:2 weekends [3] - 64:3, 93:4, 94:24 weird [1] - 28:9 Welcome [1] - 6:15 welfare [1] - 28:17 west [11] - 8:20, 12:17, 12:18, 32:1, 32:10, 33:7, 41:1, 41:4, 52:20, 55:24, 68:3 West [1] - 12:15 western [2] - 12:17, 32:14 wet [1] - 27:20 wetland [1] - 19:9 whereas [1] - 41:24 white [3] - 31:11, 51:10, 51:11 whole [8] - 5:6, 30:13, 50:10, 51:11, 69:23, 76:15, 78:1, 78:5 Wild [23] - 3:17, 3:18, 3:19, 3:19, 11:15, 11:23, 11:24, 12:12, 12:13, 23:7, 44:15, 89:19, 91:24, 92:24, 98:22, 99:19, 99:20, 100:22, 101:1, 101:3, 101:4, 101:8 WILD [3] - 1:6, 1:7 willing [9] - 47:24, 61:18, 62:3, 62:6, 62:9, 62:12, 63:5, 69:3, 80:9 win [2] - 26:6 win-win [1] - 26:6 wind [3] - 20:4, 40:11, 81:24 window [1] - 53:23 winds [1] - 56:23 wiring [1] - 54:18 wish [3] - 11:8, 14:6, 87:11 wished [1] - 84:15 wishes [5] - 61:6, 74:20, 74:22, 84:16 witness [14] - 3:4, 6:22, 7:10, 7:11, 7:19, 8:14, 9:4, 13:11, 33:22, 42:13,	65:11, 74:1, 76:3, 80:3 Witness [2] - 13:7, 75:17 witnesses [3] - 7:3, 8:10, 14:10 wonderful [1] - 9:23 wonderin' [1] - 46:17 wondering [1] - 64:24 word [2] - 8:21, 87:6 words [3] - 43:5, 47:15, 93:21 workers [1] - 28:8 workin' [1] - 39:23 works [3] - 6:17, 8:3, 14:13 Works [1] - 73:13 world [2] - 7:13, 88:11 worn [1] - 74:9 worried [1] - 77:14 worry [3] - 78:7, 79:10, 83:2 worse [2] - 57:22, 88:16 wrap [1] - 74:11 wreaked [1] - 56:21 written [3] - 23:14, 89:7, 91:1 Wulf [10] - 9:13, 16:1, 19:11, 19:16, 21:10, 21:17, 24:23, 30:11, 89:20, 93:20 Wulfs [3] - 84:23, 86:14, 86:20	Z ZBA [116] - 3:7, 3:10, 3:12, 3:14, 4:1, 4:5, 4:7, 4:8, 4:9, 4:10, 4:11, 4:12, 4:13, 4:14, 4:15, 4:17, 4:18, 4:20, 4:22, 4:23, 4:24, 5:2, 5:3, 34:8, 34:22, 35:10, 35:18, 35:22, 36:12, 36:14, 37:3, 37:14, 38:1, 38:6, 38:11, 39:19, 39:22, 40:2, 40:15, 41:6, 65:21, 66:21, 67:16, 67:19, 67:23, 69:6, 69:19, 70:2, 70:5, 70:8, 70:13, 70:16, 71:17, 72:14, 73:4, 80:9, 82:7, 83:15, 86:10, 90:12, 90:15, 90:18, 90:20, 90:24, 91:5, 91:7, 91:9, 91:11, 91:13, 91:15, 93:18, 94:10, 95:22, 95:24, 96:23, 97:20, 97:22, 97:23, 98:4, 98:5, 98:8, 98:10, 98:12, 98:14, 98:16, 98:18, 100:1, 100:5, 100:9, 100:11, 100:13, 100:15, 100:17, 100:19, 101:6, 101:9, 101:12, 101:14, 101:18, 101:20, 101:22, 101:24, 102:2, 102:3, 102:4, 102:5, 102:11, 102:14, 102:16, 102:18, 103:13, 103:15, 104:4, 104:12, 104:14, 104:16 zero [2] - 27:2, 53:13 zone [1] - 78:22 zoned [1] - 82:22 ZONING [15] - 1:2, 1:11, 1:17, 1:19, 6:14, 34:6, 36:9, 65:19, 73:10, 80:7, 86:8, 86:24, 103:5, 103:21, 104:2 zoning [2] - 5:15, 19:2 Zoning [26] - 6:2, 6:8, 6:12, 7:2, 7:7, 7:22, 11:9, 34:3, 42:3, 65:14, 70:21, 70:22, 73:3, 73:12, 73:23, 74:13, 80:4, 83:24,
V valuation [1] - 27:8 value [9] - 22:9, 22:15, 48:12, 69:7, 69:8, 69:9, 69:22, 76:22 values [4] - 10:17, 27:11, 28:18, 69:20 Values [1] - 27:5 variance [1] - 39:6 vegetation [1] - 11:1 Vegetation [1] - 62:2 vegetative [9] - 10:23, 92:3, 92:4, 92:16, 92:17, 93:19, 94:3, 94:5, 95:24 vehicle [3] - 32:21, 33:14, 58:17 vehicles [5] - 32:11, 32:12, 32:13, 33:4, 33:8 Venedy [1] - 52:21 veterinarian [1] - 55:15	W walk [2] - 49:14, 50:8 Walmart [3] - 49:13, 49:14, 50:8 wanna [4] - 46:4, 78:17, 88:17, 88:18 wants [10] - 18:21, 22:6, 36:4, 86:11, 87:5, 90:4, 93:15, 94:4, 94:11, 96:7 warm [1] - 14:4 warmer [1] - 49:15 Washington [21] - 2:21, 5:17, 6:2, 6:7, 6:11, 11:9, 34:3, 42:21, 52:2, 55:20, 61:10, 64:15, 74:13, 75:1, 81:19, 88:10, 95:18, 103:2, 103:8 washington [1] - 85:24 WASHINGTON [1] - 1:1 waste [2] - 77:16, 83:18 watch [1] - 55:23 watched [2] - 55:3, 56:14 watching [1] - 55:9 water [10] - 16:22, 17:7, 19:8, 26:19,	Y ya' [1] - 57:5 yard [4] - 31:18, 46:4, 59:24, 78:16 year [14] - 22:11, 22:12, 35:20, 35:24, 36:12, 36:21, 37:6, 46:2, 57:21, 64:16, 72:16, 72:17, 81:1 years [38] - 5:13, 5:22, 9:21, 16:12, 16:13, 18:18, 22:11, 22:12, 23:2, 23:17, 23:18, 24:6, 24:8, 31:22, 34:9, 36:2, 36:5, 38:17, 46:3, 46:13, 46:14, 46:19, 46:21, 47:8, 47:13, 47:17, 47:23, 52:3, 53:21, 58:2, 59:12, 62:24, 63:13, 76:13, 78:21, 79:17, 84:19, 85:9 young [1] - 8:17 yourself [1] - 78:19		

85:17, 86:5, 88:5,
88:22, 96:5, 96:8,
96:12, 103:19