

STATE OF ILLINOIS)
)SS
COUNTY OF BUREAU)

In the Matter of the Petition

of

Cherry Solar 1, LLC

Westfield Township
Bureau County, Illinois

Testimony of Witnesses
Produced, Sworn and
Examined on this 23rd day
of May, A.D., 2024,
before the Bureau County
Zoning Board of Appeals

Present:

Jim Forristall
Shirley Ann Smith
Bill Jensen
Mike Stutzke
Barry Welbers, Chairman

Cecelia Nemeth, Secretary
Kristine Donarski, Zoning Enforcement Officer

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1 MR. WELBERS: Okay. Hi, everybody. This,
2 as you know, is a continuation, and we have
3 to -- we have this case that you're all here for
4 currently tabled until tonight.

5 So the first thing that I'm going to do is
6 introduce a motion to place this back on -- in
7 for discussion, to take it off the table.

8 Any of our members willing to do that,
9 second that?

10 MR. STUTZKE: Second.

11 MR. WELBERS: Michael is the second.

12 I'll call the roll -- all in favor.

13 (All those simultaneously
14 responded.)

15 MR. WELBERS: Okay. Now, I don't have to
16 read everything, as you watched me do on some of
17 those cases before, because this has already
18 been read into the record. We have had more
19 than one hearing on this matter. As a matter of
20 fact, this case was closed out by our Board
21 sometime ago and sent on to the County Board,
22 with a recommended -- a recommendation not to go
23 forward with it because there were unanswered
24 questions and there were questions that were

1 introduced by the Interested Parties who were
2 there then that the Developer didn't answer.
3 And so that's where we sent it to the County
4 Board.

5 This is a case that's ultimately a
6 Conditional Use, ultimately their decision, and
7 we didn't think the case was complete. Well,
8 they didn't either, and they moved that we come
9 back, bring it back, put it back on the agenda,
10 which we have done, and speak only about four
11 topics in relation to this. Don't have to open
12 the case all up again, but we needed to talk on
13 four topics:

14 One being the impacts to property values;

15 Another being general health and safety;

16 Noise and sound effects;

17 And the impacts to a child who lives very
18 near to the development who is autistic.

19 And so that's what we are going to do, is
20 address those subjects.

21 Now, we had sound in our last hearing that
22 we held on this, and real estate values were
23 addressed by the Developer's expert witness, and
24 cross-examination from the Interested Parties

1 were here at the time.

2 And so tonight I believe the expert
3 witness is going to be on the health and the
4 autistic child; is that correct?

5 MS. DONARSKI: Yes, the sound or the
6 impact.

7 MR. WELBERS: The impact on that child.

8 So we're going to let the Developer, the
9 Developer of this project, bring that expert
10 witness forward and let that witness testify
11 regarding this matter. The witness will then be
12 subject to be cross-examined by each and every
13 one of you. And when you do that, try to do it
14 in terms of questions of the witness at the
15 time.

16 After the Developer ultimately rests,
17 every one of you that has testimony is
18 allowed -- will be allowed to come up here, they
19 would also be subject to cross-examination, and
20 lay your opinions, your feelings into the
21 record. That's what we want you to do. And we
22 have got four hours tonight. Hopefully everyone
23 can get theirs in and we can move this on.

24 So again, as you listen to the expert

1 witness and whatever it is that the Developer
2 has to testify to tonight, and ask questions of
3 that person, limit it to questions. It's so
4 easy to get off and start to express your
5 opinion. That comes later. We have to keep
6 things in order.

7 And our court reporter does an amazing job
8 of capturing this as long as we do things in
9 order. And the real purpose of our meeting here
10 tonight -- I mean, our Board will -- you know,
11 if we conclude all the testimony, our Board will
12 vote to close the case out, either with a
13 recommendation to develop or a recommendation
14 not to develop. There's also the possibility of
15 a deadlock, but that doesn't happen often. But
16 the real purpose is to create the public case so
17 that everyone knows, you know, the best of all
18 information is available for both sides, for the
19 County Board to make the appropriate decision.
20 This is ultimately their decision.

21 Now, I presume we have a witness that
22 would like to come forward?

23 MS. DONARSKI: I think they have an
24 attorney present.

1 MR. SNYDER: I'll introduce him.

2 MS. DONARSKI: Okay.

3 TROY SNYDER,
4 being first duly sworn, testified as follows:

5 MS. NEMETH: Could you please state your
6 name and address for the record.

7 MR. SNYDER: Troy Snyder, 3519 Northeast
8 15th, Portland, Oregon, 97212.

9 MS. NEMETH: What street?

10 MR. SNYDER: Northeast 15th.

11 MS. DONARSKI: And if you could speak up
12 louder so everybody can hear, even in the back.
13 The microphones do not work.

14 MR. SNYDER: Thank you for allowing us to
15 come back once again. Have a few witnesses here
16 with me tonight.

17 Ben Jacobi, counsel who was here last time
18 with us, he had a conflict for tonight. So Sean
19 Pluta, his colleague, is filling in for him.

20 And then we do have one witness who was
21 held up with his travel. He's not here yet.
22 He's on his way. We are still proceeding
23 regardless. It's TBD if we're still going when
24 he gets here, so. But we still want to proceed.

1 So I just want to acknowledge that somebody is
2 still on the way.

3 At this time I'll just hand it over to
4 Sean.

5 MR. PLUTA: Hi, good evening. My name is
6 Sean Pluta. I'm an attorney representing Cherry
7 Solar.

8 As you just heard, this is a continuation
9 of the April 18th hearing on a limited set of
10 questions that the County Board has asked the
11 Zoning Board of Appeals to hear additional
12 evidence on.

13 At the last meeting, Cherry Solar
14 presented Andrew Lines, a real estate appraisal
15 expert who testified on open issues of solar
16 facilities' impacts on property values. You
17 also heard Andrew Lines testify in support of
18 the Pivot project last week.

19 We also presented Tad Hardy, a sound
20 engineering expert, who testified that sound
21 from the facility will not extend past the
22 property boundaries, and thus will have no
23 effect on the neighboring properties.

24 The remaining issues we are addressing

1 tonight relate to health and safety questions
2 raised by witnesses, and whether a solar
3 facility would pose special concerns for a child
4 with autism who lives near the project.

5 Tonight GreenKey is presenting two
6 witnesses, and potentially a third. The first
7 witness is Ian Cardosi and the second witness is
8 Dr. Steven Wahls. If Mr. Jeffrey Szabo is able
9 to make it here, then he would be our third
10 witness, but we are prepared to move forward
11 without him.

12 Mr. Cardosi is a master electrician with
13 100 Amps, here in Princeton, and is an expert on
14 solar facilities and related safety concerns,
15 and can speak to the safety of installing,
16 operating and working around solar facilities
17 and why those solar facilities do not pose a
18 threat to the health and safety of the
19 community.

20 Dr. Steven Wahls is a specialist in family
21 medicine, with over 43 years of experience.
22 Dr. Wahls has experienced treating children with
23 neurodevelopmental challenges, and is familiar
24 with evaluating environmental stressors to

1 children with hyper- and hyposensitives.

2 Dr. Wahls has reviewed Kimley-Horn's sound
3 studies which were presented at the last
4 meeting, and reviewed medical and scientific
5 peer-reviewed papers addressing the concerns
6 raised by the Gillan family. Dr. Wahls has also
7 reviewed the articles and testimony submitted by
8 the Gillan family relating to their concerns,
9 and is prepared to respond to those statements.

10 Dr. Wahls will testify that this solar
11 farm, which does not generate any sound past the
12 property boundaries, will not negatively impact
13 the health of the child with autism next door.

14 To echo what I know was shared at the last
15 meeting, the scope of tonight's hearing is
16 narrow and meant to cover the presentation of
17 remaining open issues which were addressed by
18 the Chairman and what I just covered.

19 With that, I thank you for your time, and
20 I welcome Mr. Cardosi to present his testimony
21 and take questions.

22 IAN CARDOSI,

23 being first duly sworn, testified as follows:

24 MS. NEMETH: Could you state your name and

1 address for the record, please.

2 MR. CARDOSI: Ian Cardosi.

3 MS. NEMETH: Can you spell Cardosi?

4 MR. CARDOSI: C-A-R-D-O-S-I, 49 East
5 Thompson Street, Princeton, Illinois.

6 MR. WELBERS: Go ahead, sir.

7 MR. CARDOSI: Okay. I have been working
8 with GreenKey and these guys. I have been in
9 the industry 25 years, with solar, utility. I
10 worked 15 years for a local utility, Cornbelt
11 Energy, as a distribution engineer. We did a
12 lot of line designs, all that stuff.

13 We started, about 12 years ago, doing a
14 lot with the solar as it become popular and
15 things like that. So we had some policies and
16 things like that we did.

17 And then about six years ago, I decided to
18 jump ship and go out on my own and start a solar
19 company and do it from the ground up. So we
20 have done dozens of installs, ranging from
21 banks, healthcare facilities, farm fields, a lot
22 of farms, houses, residential. We have done
23 them all over the state.

24 And then here a couple years ago, I met up

1 with these guys and we started doing development
2 planning and things like that, getting into the
3 bigger fields. With my utility background,
4 that's kind of where I wanted to go.

5 Being a local guy here in Princeton, from
6 Princeton, born and raised, spent most of my
7 life here -- I did go away, lived out on the
8 East Coast for ten years -- but, you know, I
9 have heard a lot of the concerns, I have been
10 coming to the meetings, and as a local taxpayer,
11 I wanted to make sure that, you know, we are
12 doing things properly. I have dealt with many
13 different solar companies I do consult for, and
14 there's definitely some interesting ones out
15 there.

16 But we have taken the initiative, as a
17 company, to go out there and maintain the
18 systems that are here and local areas and then
19 help with these development projects. Because
20 they are becoming more and more, and there's
21 quite a few that are going.

22 And as I said before, we have put them on
23 everything. There's a lot of people that have
24 them, residential, everything. We have never

1 had any safety issues or concerns with anybody.
2 As far as all of us being trained to go out
3 there, we -- very little instances. Typically
4 you put the solar systems on, they don't make a
5 lot of noise, they really -- they are pretty out
6 of sight, out of mind. In fact, people put them
7 in and five years later forget they even have
8 them. So we just haven't witnessed anything bad
9 that's happened or health concerns.

10 Noise, when we address that, they asked me
11 to -- you know, what I thought about it. I have
12 been around plenty of them, day and night,
13 worked on hundreds of them, and nobody's ever
14 complained about it. They're in the middle of
15 residential areas. You're talking little fans
16 and stuff like that.

17 So my biggest thing was, I'm here as,
18 like, local support and stuff. As I have said
19 before, anybody ever has any questions, our
20 office is right in the Clark House here in
21 Princeton on Main Street. I would take anybody
22 out to the fields, anything to help out to -- so
23 that you guys have better familiarity with them
24 as renewable energy is coming front and center.

1 So any questions?

2 MR. WELBERS: I bet there will be.

3 MR. CARDOSI: I figured. I'm better at
4 answering questions than talking, sorry.

5 MR. WELBERS: Counsel?

6 EXAMINATION

7 BY MR. PLUTA:

8 Q. Could I ask one clarifying question of you?

9 A. Yes.

10 Q. You spoke about the installations that you have
11 performed across Illinois in the past ten years
12 or so.

13 A. Yeah.

14 Q. Does that use similar equipment to the
15 equipment that's being proposed here?

16 A. Yes. A hundred percent, yup.

17 Q. You said that includes ones that were racked on
18 top of schools, healthcare facilities?

19 A. Yes.

20 Q. Residences?

21 A. Yup. They rack them on or on the sides of. A
22 lot of times they'll put the inverters on the
23 sides of the buildings so there will be easy
24 access.

1 A lot of public areas, like your bigger
2 places that are worried about, like, vandalism
3 and stuff, they will rack them up on top of
4 roofs.

5 Q. Sure.

6 A. Otherwise, we rack them in basements. We have
7 them in basements of bank facilities.

8 Q. Sure.

9 And you, yourself, have worked, you know,
10 among solar facilities and other things that can
11 produce EMFs, correct?

12 A. Yes.

13 Q. And you have been around a bunch of other
14 people in your profession that do?

15 A. Yup.

16 Q. Have you ever heard of anybody experiencing
17 health impacts due to EMFs?

18 A. I haven't been approached by it, no.

19 Q. You're not aware of any?

20 A. I'm not aware. It's never been an issue as far
21 as, you know, that's been brought to our
22 attention.

23 MR. PLUTA: Okay. Thank you.

24 MR. WELBERS: Do you have questions, Kris?

1 MS. DONARSKI: I do.

2 EXAMINATION

3 BY MS. DONARSKI:

4 Q. Ian, have you ever been around a 4.99-megawatt
5 commercial solar --

6 A. Yes.

7 Q. -- energy facility?

8 A. Yes.

9 Q. Okay. I didn't have -- I was just wanted to
10 clarify that.

11 A. Yup.

12 Q. Because I heard you say a lot about at homes
13 and farms, so.

14 A. 4.9 is really -- I mean, it's at the high end
15 of, like, the general solar stuff, but we have
16 -- you know, I have a couple clients that we
17 have over a megawatt. It's on roofs, so it's
18 very familiar.

19 They are all really the same, it's just
20 you're adding inverter characteristics and
21 you're adding transformers and a couple
22 different things, but yeah.

23 Q. So --

24 A. Every system basically is similar.

1 Q. Right.

2 But just to clarify, have you ever worked
3 on a 4.99-megawatt?

4 A. Yes.

5 MS. DONARSKI: Okay. That was just my
6 question. Thank you.

7 MR. CARDOSI: Yup. Yup.

8 MR. WELBERS: That's all you have?

9 MS. DONARSKI: That's all I have.

10 MR. WELBERS: Okay. Who's first?

11 Go ahead, sir. State your name for the
12 court reporter.

13 MR. SOLDATI: Devin Soldati.

14 I didn't know if it was an appropriate
15 time to ask where the first two gentlemen were
16 from? I just couldn't hear them.

17 MR. WELBERS: Say that one more time.

18 MR. SOLDATI: I couldn't hear where the
19 first two gentlemen were from, from back here.

20 MS. NEMETH: He didn't hear where the
21 first gentlemen were from, the first two
22 speakers.

23 MR. WELBERS: You mean from these people?

24 MR. SOLDATI: Where they were from?

1 MR. WELBERS: Okay. Go ahead.

2 MR. SNYDER: Company or location?

3 MR. SOLDATI: Location.

4 MR. SNYDER: I live in Portland, Oregon.

5 MR. PLUTA: I live in St. Louis.

6 MR. SOLDATI: Thank you.

7 MR. WELBERS: Lori, go ahead.

8 EXAMINATION

9 BY MS. FRY:

10 Q. Do you live next to a solar farm?

11 A. I do not live next to a solar farm.

12 MS. SUTTON: Colette Sutton.

13 EXAMINATION

14 BY MS. SUTTON:

15 Q. Do you represent GreenKey Solar or do you
16 represent GreenKey Development?

17 A. GreenKey So- or GreenKey Development is who
18 we --

19 Q. So you do not represent GreenKey Solar?

20 A. Well, it's the same or --

21 Q. No, it is not.

22 A. Okay. Yeah, I mean, okay.

23 Q. So which do you represent?

24 A. I work with both of them. It depends. So I

1 work with Troy and Hunter, which are the owners
2 of that, so.

3 Q. Okay. So what company is this tonight that we
4 are talking about?

5 A. GreenKey Solar is the one that we are talking
6 about.

7 Q. So GreenKey Solar has a revoked license in
8 Illinois. GreenKey Development does not.

9 A. Okay. Sorry, it would have been --

10 Q. Just a clarification question.

11 A. That would have been for that one, yup.

12 MR. WELBERS: Karen?

13 MS. STREMLAU: Karen Stremlau.

14 EXAMINATION

15 BY MS. STREMLAU:

16 Q. Have any of solar farms that you have put up
17 been along the State highway?

18 A. Yeah, I have put up solar along State highways
19 for farm use.

20 Q. Where was that located at?

21 A. There was one on 79 going out south of Kewanee,
22 down there past the curves.

23 Q. Okay. Can you tell me what the topography is?
24 Is it hilly? Is it flat?

1 A. Flat.

2 Q. Okay.

3 A. Yup.

4 Q. Have you ever -- do you believe that there
5 would be glare from the panels that are on a
6 solar farm?

7 A. No. No.

8 Q. Have you ever been above a solar farm to know
9 for sure?

10 A. Yes. Standing on top of buildings, looking
11 down at arrays and stuff, yes, and also on
12 canopies, yes. If we go to inspect panels, we
13 don't physically go out and climb a roof to
14 inspect the panels. We'll get it from a high
15 point or fly a drone, and so I see it quite
16 often.

17 MR. WELBERS: Other questions of this
18 witness?

19 Go ahead, Nanette.

20 MS. GILLAN: Nanette Gillan.

21 EXAMINATION

22 BY MS. GILLAN:

23 Q. You said you have done installs on various
24 farms in Illinois. Where?

1 A. We have done a ton over mainly in, like, Henry
2 County. Henry County is the biggest one.
3 Kewanee area. There's -- if you drive around
4 out in the thing down there, we have got a
5 couple big ones down south, Peoria County. You
6 have -- Stark County, we have quite a few in
7 Stark County.

8 Q. How many are "tons"?

9 A. I would say we have -- who I was helping with,
10 installs, we were doing -- like, they have 1300
11 systems.

12 Q. In Henry County?

13 A. No, Henry County is probably close to 300, I
14 would say, that we touched.

15 Q. So are they all similar to this one, in that
16 they would have 17,000 panels?

17 A. No, they are not. They are smaller scale but
18 of the same --

19 Q. So how many panels?

20 A. Same, like, actual material and stuff is being
21 used, as far as the panels and racking.

22 MS. CARLS: Jessica Carls.

23 EXAMINATION

24 BY MS. CARLS:

1 Q. How many similar to this have you worked on, in
2 those various --

3 A. As far as -- they are just coming on.

4 Q. So how many? Out of those 1200 --

5 A. Oh, zero are the exact same size.

6 Q. Zero?

7 A. Yeah.

8 Q. Okay.

9 A. Over in Henry County, yeah.

10 Q. Just in the local area, zero?

11 A. One that I have actually worked on, yeah.

12 Because there's --

13 Q. They brought you in as an expert on this one,
14 which is not similar to all these other ones?

15 A. I -- to us it is. I'll be honest with you, to
16 me and our company it is. It's just a bigger
17 scale. Everything is scalable. It's all the
18 same equipment.

19 Q. But to the people living around it, it's not
20 going to be the same, right?

21 A. It's --

22 Q. The number of panels versus what you're --

23 A. If you're --

24 Q. -- what they're proposing, it's not similar?

1 A. A panel is a panel. I mean, yes, you're
2 talking more.

3 Q. Right.

4 A. But I would say, you know, as far as looks,
5 they are the same.

6 Q. We're not talking looks. We're talking
7 functionality and noise and all those sorts of
8 things.

9 A. Noise isn't going to be --

10 Q. You said more inverters on ones like this.

11 A. But they are further away.

12 Q. But they -- someone testified to earlier was
13 that -- or in the last meeting were that
14 inverters are what makes the noise, correct?

15 A. Correct.

16 Q. So if it has more inverters, you're going to
17 assume it's going to make more noise?

18 A. But at a further distance.

19 So we have some sites that have, let's
20 say, eight inverters that are right up next to
21 an office building, okay. Where, to me, that's
22 where you would -- I mean, if you were hearing
23 that noise, you wouldn't want to put it right on
24 the side of an office building.

1 We have them on banks. There's eight
2 inverters, and their fans are cranking, and you
3 don't hear them when you step away from them.

4 Like I said, if anybody wants to go see
5 them, I can show banks of multiple ones. These
6 inverters that we are doing, they put them in
7 racks. It's not like all 40 of them are right
8 in one. They separate them out. So you might
9 have 20 here. In some banks they'll do, like,
10 ten, ten, and things like that.

11 That's why I say it's similar to what we
12 do. It's just a different scale. We are
13 actually going into the larger ones now, so.

14 MS. GILLAN: I have one more question.

15 EXAMINATION

16 BY MS. GILLAN:

17 Q. So you're testifying as a noise expert?

18 A. I wouldn't say I'm a noise expert, but I would
19 say that I have been around it long enough
20 that I --

21 Q. But you're not an expert on noise?

22 A. No, I am not an expert on noise.

23 MR. WELBERS: Lori is next.

24 EXAMINATION

1 BY MS. FRY:

2 Q. What is the largest amount of solar panels that
3 you have been around?

4 A. I have been around a 5-megawatt AC size.

5 Q. How many?

6 A. One.

7 Q. One?

8 A. It's --

9 Q. Not 17,000?

10 A. No.

11 Q. Okay. And have you ever sat out in the country
12 at night?

13 A. Yeah. Yup.

14 Q. In the quiet?

15 A. And I have went out and sat in a field too, one
16 of the solar fields.

17 Q. Okay. Around 17,000 of them?

18 A. Yes. Outside of -- actually outside, I have
19 went to two of them with my family. My daughter
20 plays soccer and travels around. We went to
21 them, and I sat outside the fence to listen to
22 see if there was noise, after the first hearing
23 that we had a bunch of stuff. Nothing.

24 MR. WELBERS: State your name.

1 MS. DEBNAR: Rebecca Debnar.

2 EXAMINATION

3 BY MS. DEBNAR:

4 Q. So you're talking about the panels you put on
5 hospitals, about the ones you put on banks.
6 You're talking about a baseball game. So
7 there's other noise around those at the time.
8 Most of the banks, the hospitals, they are going
9 to be in residential areas, correct? There's
10 going to be street noise? There's going to be
11 other noise that's around. So you're not
12 listening solely to the inverters. Even at a
13 baseball game, because that's --

14 A. Correct. Out on a farm --

15 Q. You're not listening to just the inverters,
16 correct?

17 A. Correct.

18 Q. Thank you.

19 A. On those.

20 Q. That's all I'm asking.

21 A. Out on the agriculture, where there is a bunch
22 of them, I mean, we do have inverter banks, you
23 can sit there and hear the birds chirp. You'll
24 hear the fans when you're up next to them. And

1 this is out in the middle of a cornfield.
2 You'll hear them as you're next to them. But as
3 you go further away, you don't hear them.

4 Q. Do you have any hypersensitivity to sound?

5 A. No.

6 MS. DEBNAR: Okay.

7 MS. STETSON: Connie Stetson.

8 EXAMINATION

9 BY MS. STETSON:

10 Q. So you don't have any in Bureau County yet?

11 A. As far as these fields?

12 Q. Solar.

13 A. No. We're working on --

14 Q. You have no solar in Bureau County whatsoever?

15 A. Oh, yeah, we have solar in Bureau County, yes.

16 Q. You kept saying Henry.

17 A. Personal ones that we have done, yes, I do have
18 them here, yes.

19 Q. How many of those?

20 A. I probably have -- I'd have to look at my
21 thing, but it's 20-plus. I have them all over.

22 Q. I'm just saying -- and another thing is, I live
23 on a farm and I love the noise I don't hear.

24 A. Okay. I mean, it's -- in my opinion, it's less

1 than a fan for a grain dryer. I mean, that's --

2 Q. That's a seasonal thing.

3 (Indiscernible crosstalk by
4 multiple audience members.)

5 COURT REPORTER: I am going to stop before
6 this gets out of control.

7 First of all, I would like everybody to
8 state their name. I am trying to keep track,
9 but I have a hard time. I don't know
10 everybody's names. So before you talk, just
11 state your name.

12 And everybody, one at a time or you are
13 not going to be on the record. So if you want
14 your comment on the record, one at a time.
15 Thank you.

16 MR. WELBERS: I saw an arm.

17 MS. CARLS: Jessica Carls.

18 EXAMINATION

19 BY MS. CARLS:

20 Q. If this project gets approved, are you working
21 for them?

22 A. I will be helping them, yes.

23 Q. So you'll be --

24 A. As a local support for those projects.

1 Q. So you'll be getting paid to work for them?

2 A. Yes.

3 Q. Okay.

4 A. But I also will be where -- they brought me in
5 to help get local contractors, work with all the
6 locals, because that's what we do now.

7 When I develop projects of our own, that's
8 what we do.

9 MR. WELBERS: Karen.

10 MS. STREMLAU: Karen Stremlau.

11 EXAMINATION

12 BY MS. STREMLAU:

13 Q. So you say you have put up several personal
14 solar farms. Do you have one in your front
15 yard?

16 A. No. I live in town.

17 MR. WELBERS: I saw another arm back
18 there.

19 MS. SOLDATI: Devin Soldati.

20 EXAMINATION

21 BY MR. SOLDATI:

22 Q. So your presence on the stand, with the
23 financial incentives that you just admitted to
24 having in this project, do you believe that that

1 skews your opinion or presents any bias to the
2 case?

3 A. No. The reason I say no is, I do it
4 personally, and people that call, we're very
5 selective of who we do. I do all local stuff.
6 I live here in Princeton. I'm on the local
7 zoning board here in Princeton.

8 I had a lot of opposition to the first
9 solar farm that they wanted to put in Princeton
10 because of the location, but it was because we
11 were using taxpayers' ground to put that solar.
12 It wasn't the location, physical or anything.
13 It was because the City owned the ground, and
14 the company wasn't paying anything for that
15 ground. So we were getting no income off it.
16 So I didn't think that was right.

17 In these cases, we're developing solar on
18 private ground. I mean, everybody has a choice
19 of what they want to do with their ground.

20 Q. So why did the City not get any money for these
21 solar farms on the City property?

22 A. On the City property? Because they're the --
23 the IMEA dictates. So what they do is, for
24 their thing the City didn't really have a say.

1 They just go to the cities and ask if they have
2 ground that they could do that for, that it
3 makes it look green and stuff and helps with the
4 portfolio to get some renewables.

5 Q. Would they not be getting tax revenue generated
6 from that?

7 A. Nope. That was my objection. No -- no -- the
8 City of Princeton, if we give up the ground,
9 which they did give up some ground that's not
10 prime development ground here in Princeton,
11 which, you know, I still have -- I'm not a -- I
12 don't like to put solar where solar don't
13 belong, and it doesn't. It has to benefit
14 everybody, in my personal opinion, and it
15 doesn't.

16 Q. And where was this?

17 A. The City was out at the Tech Park, where the
18 water treatment plant was.

19 So we've spent tons of money, as taxpayers
20 here in town, to develop that ground for
21 tech-type businesses and everything. And a
22 solar field didn't really fit it, but it was
23 ground that the City of Princeton had.

24 Q. And what is the ground currently being used

1 for?

2 A. Nothing. Farming. It's -- so I should say
3 farming.

4 Q. So it's a greenscape?

5 A. Yes, yup.

6 MR. WELBERS: Lori was next. Lori, go
7 ahead, remind the court reporter of your name.

8 MR. FRY: Lori Fry.

9 EXAMINATION

10 BY MS. FRY:

11 Q. You said you're selective about where you put
12 your solar panels. You know, I find that hard
13 to believe, because I know there were several
14 letters sent out from where this area is going
15 to be.

16 I mean, so, I mean, how is that being
17 selective?

18 A. And what I said, too, is that each person owns
19 your ground. I think you have the right to
20 choose what you want to do with that ground.

21 If somebody came to me, like the City --
22 like what happened on the City of Princeton, I
23 stood my ground and said what I felt about it.
24 And that was an instance where I didn't believe

1 it was the right spot, but it wasn't because of
2 the geographic location or anything. The
3 building is right next door. It was because the
4 financial impact, that it doesn't give anything.
5 We're just giving ground for nothing.

6 This -- these projects will have, for one,
7 tax revenue, but then you create local jobs to
8 build the stuff and things like that.

9 Q. Two.

10 A. Huh?

11 Q. We were -- at the last meeting we were told
12 that it's two full-time jobs, two, and then, you
13 know, subcontractors. So that's --

14 A. They come in, but --

15 Q. I mean, that's --

16 A. So if we're using -- if we are using a local
17 contractor as the contractor to do the repairs,
18 that is -- that is going right into the local
19 economy.

20 Q. Right. What about the seed dealer, the
21 fertilizer company and --

22 A. That's all local. We're going to buy all the
23 seed from --

24 Q. -- the, like, small-town farmer? How about all

1 those people? You're hurting more than just
2 one.

3 A. They are still getting --

4 Q. You're helping two.

5 MR. WELBERS: Now, you've got to be
6 careful, Lori. There's a little bit of personal
7 comment, which you'll be able to come and do.

8 MS. FRY: Sorry.

9 MR. WELBERS: Neil was next.

10 MR. N. GILLAN: Neil Gillan.

11 EXAMINATION

12 BY MR. N. GILLAN:

13 Q. Do you think these belong on prime farm ground?

14 A. I think it's a farmer's choice, and that's my
15 opinion. It's the farmer's choice. He owns the
16 ground.

17 MR. WELBERS: Counsel, something you want
18 to counsel your witness on?

19 MR. PLUTA: Not my witness. I just wanted
20 to remind that we have a limited scope, and he's
21 here for health and safety. So prime farmland
22 and tax stuff is getting a little afar.

23 MR. WELBERS: You've got a point there.

24 Who was next? Go ahead, Connie.

1 MS. STETSON: Connie Stetson.

2 EXAMINATION

3 BY MS. STETSON:

4 Q. So you say that the landowner -- if they want
5 to do it, that's fine, right? So what about the
6 nonparticipating landowner that's next door?
7 They don't have a say? You don't care?

8 A. I didn't say I didn't care.

9 Q. Well, it's sounds like it.

10 A. I care. No, I'm saying, specifically to that
11 ground, that it's -- I wouldn't want somebody
12 telling me -- I'm a personal taxpayer here in
13 Bureau County too. So I'm not going to sit here
14 and vote for something, but I'm not going to
15 judge what you use your ground for. I'm just
16 not going to do it.

17 Q. But you don't think the nonparticipating person
18 that's next door doesn't have a right?

19 A. I didn't say they didn't have a right.

20 Q. For safety?

21 A. I don't -- there's no safety concerns.

22 Q. Well, yes, there is, because Pivot had a wind
23 guy here last time and the question to him
24 was --

1 MR. WELBERS: Don't testify, Connie. You
2 can do that --

3 MS. STETSON: I'm going to ask him.

4 MR. WELBERS: Okay. Go ahead.

5 Q. (By Ms. Stetson:) He stated that he wouldn't
6 live next to it. What about you, for safety
7 reasons because of the wind?

8 A. I'd live next to it. If my house was next to
9 it, I'd live next to it.

10 Q. How come you don't have one on your roof?

11 A. Because I don't have any roof and I have trees
12 that shade it.

13 Q. So you don't have solar at all?

14 A. Nope.

15 Q. And you're pushing it on other people?

16 A. I'm not pushing it on other people.

17 Q. Well, it sounds like it.

18 MR. WELBERS: Nanette.

19 MS. GILLAN: Nanette Gillan.

20 EXAMINATION

21 BY MS. GILLAN:

22 Q. You stated that you objected to the use of
23 prime development ground for a solar farm, but
24 yet we have prime farmland and that's okay?

1 A. It was prime development ground --

2 MR. WELBERS: We're kind of off.

3 A. -- that the City owns, and we are not
4 generating anything from that. Now, if they
5 wanted to pay us, fine. If they wanted to pay
6 the City, and us taxpayers are not taking the
7 burden on it, use it.

8 MS. GILLAN: Can I ask one more thing? I
9 know it's probably not on health and safety, but
10 I guess my question is --

11 MR. WELBERS: Well, you have four
12 categories it can be under, I guess. But go
13 ahead, ask your question.

14 Q. (By Ms. Gillan:) Well, I'm wondering, you
15 know, if you're getting paid for it, it's okay.
16 So if they would pay the rest of us farm owners
17 all around, then it would be okay, right?

18 MR. WELBERS: Well, that's kind of. . .

19 MS. SUTTON: Colette Sutton.

20 EXAMINATION

21 BY MS. SUTTON:

22 Q. Can I ask a point of clarification? What is
23 the name of the company that you own or you
24 represent?

1 A. 100 Amps.

2 Q. What is your relationship with GreenKey Solar
3 or GreenKey Development? I don't have that
4 clear in my mind.

5 A. They have -- I'm buddies with the owners, okay,
6 and they have hired me --

7 Q. Excuse me. You're buddies?

8 A. Buddies with the owners.

9 Q. Who is the owner?

10 A. Troy and Hunter.

11 And I have been -- they have me consulting
12 to help them with projects on the development
13 side because we are a local company.

14 Q. So what is your company?

15 A. 100 Amps.

16 Q. 100 Amps is the name of your company?

17 A. Yup.

18 Q. And you are consulting with?

19 A. Yes.

20 Q. With who?

21 A. With GreenKey.

22 Q. With GreenKey?

23 A. Yes.

24 Q. Or GreenKey Development?

1 A. GreenKey Development.

2 Q. Okay.

3 A. Actually, to get down to it, Renewable Acres is
4 the EPC on it and they're the ones building it,
5 so.

6 Q. Could you run that by me again?

7 A. We have -- there's two on the permits. There's
8 a developer, and then there's the EPC who's
9 going to build it. And what we are talking
10 about doing is building it.

11 Q. Okay. So, Mr. Cardosi, your official role is
12 with GreenKey Development?

13 A. Correct.

14 Q. As what?

15 A. As helping out with the development of the
16 sites in whatever capacity, for local.

17 Q. And then what's your represent -- who's the
18 other entity that you are dealing with?

19 A. On a couple of the other projects, we deal
20 with --

21 Q. No, this project in particular.

22 A. This project in particular is with GreenKey
23 Solar.

24 Q. Totally?

1 A. Yes.

2 Q. Okay. So you're with GreenKey Development?

3 A. Yes.

4 MR. WELBERS: Are there any other
5 questions for this witness tonight?

6 (No verbal response.)

7 MR. WELBERS: Does the Board have any
8 specific questions.

9 MS. SMITH: I have one.

10 MR. WELBERS: Go ahead, Shirley.

11 MS. SMITH: There's someone back there.

12 MR. WELBERS: Go ahead. Just a second.
13 Go ahead, sir. State your name one more
14 time.

15 MR. SOLDATI: Devin Soldati.

16 EXAMINATION

17 BY MR. SOLDATI:

18 Q. I'm just wondering, were you up here speaking
19 about the health and safety?

20 A. Yeah.

21 Q. And what background do you have to consider
22 yourself a health and safety expert?

23 A. So the biggest thing we were doing is
24 they asked about, like, we have been around it

1 and went through. I have been familiar with it.

2 Safety issues as far as, you know, I know
3 at the last meeting the wind and all this other
4 stuff, trajectory of panels and stuff, we have
5 had experience with that during the storms and
6 what happens with the panels.

7 The sound, we are around it every day, so
8 yeah. Any concerns about any public safety,
9 we're there. We help our clients with the
10 development systems and stuff. We keep them
11 safe.

12 Q. So you don't have a medical background?

13 A. No. Nope.

14 Q. And the solar that you have had -- how many
15 years in the industry?

16 A. Huh?

17 Q. How many years do you have in the industry?

18 A. I have 25 years in the industry.

19 Q. Over those 25 years in the industry, you don't
20 believe that your brain has desensitized your
21 response to these sounds?

22 A. No.

23 Q. Okay. So for a child with hypersensitivity,
24 you don't believe that --

1 A. I don't know. I'm not a medical expert.
2 You're asking me personally. I mean, we are out
3 in the environment. I'm not in an enclosed area
4 with them. So, I mean, we are out in an
5 environment where you're near them for short
6 periods of time to long periods of time,
7 depending on what you're doing.

8 Q. So if you're sitting in a room with, like, a
9 box fan, let's say, you eventually forget that
10 that sound is there, correct?

11 A. Yes.

12 Q. So you don't believe that that's the case with
13 these sounds emitted from the solar farms, for
14 you personally?

15 A. I wouldn't know unless I lived next to them.

16 MR. WELBERS: Are you good?

17 MR. SOLDATI: Yeah.

18 MR. WELBERS: Mary, you had a question.

19 MS. ROMANELLI: Mary Romanelli.

20 EXAMINATION

21 BY MS. ROMANELLI:

22 Q. I read today that in Europe it's recommended
23 that no one live within one mile of a solar
24 farm. Are you aware of that?

1 A. No. I mean, we're putting them in backyards.
2 I'm not aware of that. I have never, ever heard
3 of it.

4 MR. WELBERS: Did you have a question,
5 Karen?

6 MS. STREMLAU: Yes. Karen Stremlau.

7 EXAMINATION

8 BY MS. STREMLAU:

9 Q. With a solar farm this size, how many inverters
10 will be onsite?

11 A. 40.

12 MR. DICKINSON: Brian Dickinson.

13 EXAMINATION

14 BY MR. DICKINSON:

15 Q. When you're in the field or any of your
16 co-workers, do you guys wear earplugs or
17 anything to protect your ears, like you would in
18 a factory?

19 A. Nope. We do have a couple of factories that we
20 do wear earplugs or earmuffs when we're inside
21 if we have to do anything, but not when we are
22 outside with the inverters or the panels.

23 Q. Could you describe what you're doing inside,
24 why you would have to wear those?

1 A. So the electrical connections inside. So when
2 we do inspections or have to work on something,
3 we have to go inside the building to disconnect
4 the power and things like that.

5 MR. DICKINSON: Can I just keep going, one
6 more?

7 Q. (By Mr. Dickinson:) Have you ever -- with
8 damage and safety, have you ever experienced
9 panels that have been damaged --

10 A. Yes.

11 Q. -- severely damaged?

12 Could you describe to the audience what
13 that kind of looks like or what kind of storm
14 you saw that take place after?

15 A. So a few years ago we had, down in Galesburg,
16 some straight-line winds went through. At one
17 of the banks, it's out in their yard, and a few
18 panels were blown off. Something must have hit
19 them or done something, but they come off. They
20 had a bunch of trees down, a bunch of damage,
21 and the panels come off.

22 The way they're conducted and the way they
23 caught, they just fall right in front of the
24 array.

1 Then we see a lot of hail damage, tree
2 damage and stuff like that to the panels. And
3 they basically just shatter, kind of like a car
4 window, where they don't fully break because
5 they're the glass and everything, so.

6 Q. Was that location in Galesburg in town or
7 outside of town?

8 A. Right on the edge.

9 Q. And they blew apart?

10 A. Huh?

11 Q. Some of them blew off, blew apart?

12 A. Two of them blew off, yeah.

13 Q. Outside of town?

14 A. Yeah.

15 Q. As far as a windshield breaks, sometimes
16 there's little -- splintered little shards
17 around the crime scene. EMTs can agree with
18 that.

19 Did you see any little shards in any of
20 the areas after hail damage?

21 A. The panels did not break.

22 Q. Have you ever seen damage be invited at these
23 solar panels or, perhaps, companies that want to
24 go with older fossil fuels and they are getting

1 their jobs taken away and it just invites maybe
2 more glass, graffiti, destruction? In an area
3 that's outside of town, we have people that like
4 to booze cruise, unfortunately, and I don't know
5 if you have ever -- have you seen anything like
6 that --

7 A. Nope.

8 Q. -- where damage has been invited to those
9 locations in rural areas?

10 A. The only -- the latest one was a golf ball,
11 where his daughter was out in the backyard
12 playing golf with it and smoked one of the solar
13 panels with a golf ball. That just put a hole
14 in it.

15 We have seen where tree branches come
16 through and they bent the solar panel, the
17 module itself. We go out there, take them off
18 and put new ones on.

19 Q. One last question then. Would you prefer to
20 see these on rich soil and farmland or on top of
21 buildings like the new distribution center
22 outside of Princeton, whatever it's called, the
23 new one, it starts with an O?

24 A. I personally don't have -- like I said, it's --

1 each individual who owns the property, it's what
2 they choose to do.

3 MR. WELBERS: Go ahead, Neil.

4 MR. N. GILLAN: Neil Gillan.

5 EXAMINATION

6 BY MR. N. GILLAN:

7 Q. Have you ever done any of the ones that are
8 suspended above parking lots?

9 A. Yup.

10 Q. How do you -- how are they suspended?

11 A. Same way they are on the ground. They just
12 build a canopy. Did one for a bank over in
13 Milan and then also down in Galva. And they are
14 suspended up with steel structures in the ground
15 and everything.

16 MR. WELBERS: State your name one more
17 time.

18 MR. SOLDATI: Devin Soldati.

19 EXAMINATION

20 BY MR. SOLDATI:

21 Q. So what's the largest number of inverters that
22 you've worked with on a single property?

23 A. It would be 40 -- or -- yeah, 40.

24 Q. You've worked with 40?

1 A. Yeah.

2 Q. And how many times? Once.

3 A. A couple times. But yeah, there's not much --
4 we were out visiting and helping with the
5 project, the contractor.

6 Q. What's the average size of a solar farm that
7 you work on, how many inverters?

8 A. Anywhere from, I'd say, the larger ones we have
9 will have close to 20.

10 Q. Just on average, about 20?

11 A. Average is going to be down because of the
12 residential systems. As far as the
13 hundred-meter systems.

14 Q. Okay. And you're aware that sound increases
15 exponentially?

16 A. (Nods head.)

17 Q. So 40 inverters, as opposed to -- let's even
18 say 20, to be conservative, is going to be not
19 double, it's going to be an exponential number?

20 A. They're not going to be in the same -- all 40
21 inverters on the projects aren't in the one
22 single, isolated area. We might have 15
23 inverters on one single wall, on a steel wall --

24 Q. So you're saying --

1 A. -- and the noise, I would think, would be a lot
2 greater.

3 Q. So you're saying that you have never worked on
4 a regular basis with this many inverters and
5 been exposed to that sound and megahertz?

6 A. I'll just say that's what we are -- that is the
7 direction we are going to.

8 Q. Okay.

9 A. We are -- our business is expanding into that
10 market.

11 MR. SOLDATI: Just clarifying your
12 experience. Thank you.

13 MS. GILLAN: Nanette Gillan.

14 EXAMINATION

15 BY MS. GILLAN:

16 Q. You said that you have seen the panels cracked
17 by hail or a golf ball. And when that happens,
18 they don't -- nothing -- they don't emit
19 anything into the ground? There's nothing that
20 would come out of them to damage anything?

21 A. Nope. Nope. I can -- I mean, my daughter, I'd
22 let her -- I have had -- we put it to the test
23 up at our shop, let her throw --

24 Q. So are residential solar panels the same as,

1 like, an industrial solar factory that they're
2 going to put in?

3 A. Yes. Usually black-on-black is a little bit
4 smaller. But as far as material wise, same
5 stuff.

6 Q. So all the studies that have been out there
7 that say that they emit toxic waste into the
8 ground when they're cracked and stuff, all those
9 studies are wrong, you're correct?

10 A. I'm saying, when we go out there, we don't get
11 a lot of damage that you don't -- I mean,
12 there's no --

13 Q. Do you test the soil?

14 A. No, but we don't -- there's no liquids or
15 anything in there, so I mean.

16 MR. WELBERS: Are we good? Our Board has
17 a few questions if everybody here is complete.

18 (No verbal response.)

19 MR. WELBERS: Shirley, you had a question?

20 EXAMINATION

21 BY MS. SMITH:

22 Q. Since you're local, you're familiar with the
23 wind in this area?

24 A. Uh-huh.

1 Q. However, you do live in town and many of the
2 folks here live out in the country.

3 So my question has to do with derecho-
4 type, tornadic-type winds. Recently we -- our
5 neighbors here in Iowa had pieces of different
6 objects fly a hundred miles away.

7 With my health and safety, if we were to
8 have -- and we do have a lot of, you know,
9 tornados. We have had some recently. What is
10 your experience with regard to that?

11 A. So I spent 15 years at the REA, which is -- we
12 had 1300 miles of lawn, covered 13 counties out
13 in the country. They serve rural areas. That's
14 what the REAs were created for. So I have dealt
15 with storms in those 15 years. I have dealt
16 with them down in Bloomington, ice storms, high
17 winds, everything else. I've dealt with them on
18 the solar stuff.

19 They are designed -- when we do design
20 systems and everything, they are designed for
21 high winds at, like, 115 miles an hour and then,
22 like, a 25-pound snow load and stuff like that.
23 So we send it off to engineering to design the
24 stuff.

1 And usually your winds, you know, if they
2 are recorded over that, we'll notice it, but
3 usually if something flies through those panels,
4 it's going to damage it. What I have seen so
5 far in these storms is everything has been
6 localized. And if you have got a row of panels
7 like that desk, you might have a panel sitting
8 right out here. Because the wind is usually
9 quick and it snaps one or two panels and breaks
10 it off.

11 Q. What keeps it there? I mean, sometimes these
12 tornados are on the ground for more than a
13 couple of minutes. What keeps them, you know,
14 from being lifted up and thrown?

15 A. Tornado -- I have never seen one hit by a
16 tornado, so I don't know. I don't know
17 specifically. I'm talking high winds and stuff
18 like that we have seen go through flatland
19 lands.

20 And in that case that I'm talking about at
21 the bank, we literally picked up the panels and
22 put them back. They were not damaged.

23 Q. Once those -- if that were to happen, you were
24 talking about the cracking glass and what -- how

1 do they replace those? What happens to --

2 A. We just replace them with new panels.

3 Q. Okay.

4 MR. WELBERS: Any other questions?

5 MR. PLUTA: I have a few rebuttal. Sorry.

6 Was there somebody behind me?

7 MS. DONARSKI: Can I just ask one

8 clarification question?

9 EXAMINATION

10 BY MS. DONARSKI:

11 Q. Ian, you had said that the Developer was
12 GreenKey Development, and then you said
13 something about a builder. What was the name
14 of --

15 A. I was talking about the other projects that we
16 have that were already approved. So that one's
17 Renewable Acres.

18 Q. Okay.

19 A. Sorry. We got -- and I shouldn't have got
20 sidetracked to another project.

21 Q. So that wasn't with this project?

22 A. No.

23 MS. DONARSKI: Okay. Thank you.

24 MR. CARDOSI: Yup.

1 MR. WELBERS: One more question in the
2 back.

3 MR. SOLDATI: Just one more. Devin
4 Soldati.

5 EXAMINATION

6 BY MR. SOLDATI:

7 Q. So you said that the panels that are damaged
8 are replaced with new panels. So what happens
9 with the old ones?

10 A. We either give them back to the distributor,
11 and then they are working on ways to recycle
12 them. I don't know what happens to them, to be
13 honest with you, after that.

14 Q. So they are not currently in a recyclable
15 state, to your knowledge?

16 A. To my -- like, when we give them back, I do
17 believe they send them to be recycled. I can
18 find that out. We don't have a lot of them,
19 sorry.

20 Q. Unsure of what they do with them?

21 A. Correct. It really depends on the company,
22 what -- like, who you buy them from, the
23 distributors and stuff like that.

24 Q. Are the materials used by all these different

1 companies about the same, in terms of panels?

2 A. Yes.

3 Q. So why, in your opinion, do you believe that
4 the modes of removing these panels and getting
5 rid of them are different?

6 A. I don't think they're different. I don't know.

7 Q. You just said --

8 A. I don't know where the recycling is at right
9 now with solar panels, old solar panels.

10 Q. So they may just be going into landfills and
11 contributing to pollution?

12 A. I haven't seen them, so.

13 MR. WELBERS: Counsel, is there anything
14 else you would like your witness to clarify?

15 MR. PLUTA: Yes, a few limited issues.

16 EXAMINATION

17 BY MR. PLUTA:

18 Q. The first, you mentioned that 5 megawatts was
19 about the max of projects that you have
20 personally been out and assisted on, correct?

21 A. Yes.

22 Q. But just to clarify, in your personal
23 experience and not your direct personal
24 experience, you are aware that there are

1 projects that are much bigger than 5 megawatts,
2 right?

3 A. A hundred percent, yes.

4 Q. And on that scale, 5 megawatts, is that
5 considered a large commercial project?

6 A. Yeah, I'd say it's a large commercial project.
7 That's why it relates to what we do.

8 Q. Right, but I guess in terms of the scale of
9 commercial projects, there are ones that are
10 50 megawatts, right?

11 A. A hundred percent.

12 Q. There are ones that are a hundred?

13 A. And me, personally, I represent that as more of
14 an industrial type.

15 Q. Okay.

16 A. So a clarification would be more industrial
17 type for the larger ones.

18 Q. Okay. So there's an industrial category of
19 solar projects --

20 A. Yes.

21 Q. -- that are magnitudes larger?

22 A. Correct. Thousands of acres.

23 Q. We got in your employment stuff a little bit.

24 I just want to clarify. You are not an employee

1 of Cherry Solar, LLC?

2 A. Nope.

3 Q. GreenKey --

4 A. Nope.

5 Q. -- Development?

6 GreenKey Solar?

7 A. Nope.

8 Q. You are just an employee of 100 Amp?

9 A. Correct.

10 Q. And you have been hired as a contractor --

11 A. Correct.

12 Q. -- for this project --

13 A. Yes, correct.

14 Q. -- correct?

15 Okay. Safety was a big issue and your

16 qualifications. You're a master electrician; is

17 that correct?

18 A. Correct.

19 Q. And a large part of being an electrician is

20 safely maneuvering in and around electrical

21 devices?

22 A. Equipment, yes.

23 Q. Those would include solar facilities?

24 A. Yes.

1 Q. So would you consider yourself an expert of
2 understanding the safety components working
3 around a solar facility?

4 A. Yeah. We have to be trained for that, I mean,
5 yeah.

6 Q. Okay.

7 A. Our insurance requires safety procedures for us
8 to be around that.

9 Q. Last topic. You got a lot of questions about
10 sound. You're aware that Kimley-Horn provided a
11 sound study for this project, correct?

12 A. Yes.

13 Q. And you're aware that in that study they
14 actually study where the inverters will go on
15 the project and what level of noise you could
16 expect out of that at the project, correct?

17 A. Yes.

18 Q. So appreciate that you provided personal
19 knowledge, but is it fair to say that you would
20 defer to the Kimley-Horn sound study in
21 reference to sounds that you would experience
22 around this project?

23 A. Yes.

24 MR. PLUTA: Okay. Thanks so much.

1 MR. WELBERS: I think you can sit down
2 now.

3 MR. CARDOSI: Cool. All right.

4 MR. WELBERS: Would you like to bring
5 forward your second witness?

6 DR. WAHLS: Good evening.

7 COURT REPORTER: I need to swear you in.

8 STEVEN WAHLS, M.D.,
9 being first duly sworn, testified as follows:

10 MS. NEMETH: Could you state your name and
11 address for the record.

12 DR. WAHLS: Steven A. Wahls, W-A-H-L-S.
13 That's 60864 River Rim Drive in Bend, Oregon.

14 So Sean did a good job, not only
15 introducing me, but bringing up a lot of my
16 background and what I have to say. So I guess
17 that's your job.

18 But thanks for allowing me to present this
19 evening. I am a board-certified family
20 physician, and I think most of you know what
21 that means. I'm a native of Joliet, Illinois,
22 just up the highway here, and completed my
23 medical school and residency training in Chicago
24 at Rush University.

1 I was self-employed full-time in a full-
2 spectrum family medicine practice, and that
3 includes everything you would think of a family
4 doctor doing. That was a few years ago. 24
5 years in a rural community, and then followed by
6 12 years as a faculty member at a -- our major
7 Oregon teaching university, Oregon Health and
8 Science University.

9 Can you hear back there? I'm sorry, I can
10 talk louder.

11 AUDIENCE MEMBER: Just barely.

12 DR. WAHLS: I'm sorry. I'll try and
13 project a little better.

14 AUDIENCE MEMBER: Thank you.

15 DR. WAHLS: My last full-time position at
16 the university did include continuing education
17 administration, development, quality improvement
18 and medical informatics. So essentially
19 applying some of the new computer technology as
20 to how we document medically. I now work about
21 half-time in family medicine in the city of
22 Redmond, Oregon. And I have submitted my CV for
23 your review, so that's available if you need
24 some more information.

1 In addition to medical physiology and
2 patient care, I do have a particular interest in
3 physics and have been asked to serve as an
4 expert witness here, not only to health effects
5 but on some of the information that's already
6 been submitted as evidence. And Cherry Solar is
7 the one who's asked me to come.

8 I have reviewed some of the testimony from
9 this body from previous, especially more recent,
10 testimony that's been shared, and you have that
11 on file. And also I have seen the documentation
12 by Tad from last -- was it a month ago, or last
13 session. And then also an article by Tell,
14 Hooper and Sias regarding the electromagnetic
15 fields associated with commercial solar
16 installation.

17 Then Ian's just shared information this
18 evening about the electrical impact, more from a
19 hands-on, practical individual who's been
20 involved with the process.

21 It's my understanding that very limited
22 sound generation is expected from this project,
23 and I think that was documented in the last
24 meeting or two. In addition, the way the

1 physics of it works is, there's decay of sound
2 and actually EMF over a distance. So the decay
3 is greater the farther we get from the facility.
4 And I think that's been shown by the things that
5 have been presented.

6 It was my understanding, based on how far
7 I understand the closest residence is, as well
8 as where the property boundary of the proposed
9 solar installation is, that there will be
10 negligible or no sound audible from the
11 inverters and the other equipment at that
12 distance, at the fence around the facility.

13 Documentation was submitted by Nanette
14 Gillan in her undated message entitled "To the
15 Bureau County Zoning Board of Appeals," and she
16 did express concerns about the potential medical
17 impact on her grandson, Mavrick, who's been
18 diagnosed with autism.

19 As a medical professional who's worked
20 with adults and kids over almost 40 years in
21 that multiple areas of healthcare, but also
22 dealing with those with behavioral health issues
23 and autism, I do have some exposure to this, and
24 I'd like to provide a little bit of information

1 regarding autism.

2 Between 1 and 2 percent of children are
3 thought to have autism spectrum disorder. Half
4 of those may have a genetic component, but we
5 really don't know the reason why some people get
6 it, and that's lots -- because of that, there's
7 a lot of people with ideas. Unfortunately, we
8 don't have a lot of solid documentation. For
9 example, a number of years ago it was thought by
10 some that the MMR vaccine could be causing
11 autism. This has been looked at ad nauseam and
12 there's no evidence to that. But I think we are
13 required to look at the evidence we have to look
14 at.

15 So many theories as to contributing
16 factors, but due to the nature of the condition
17 of autism, it's very difficult to do blinded
18 research about cases. Most of our information
19 does some from observational or cohort studies,
20 and we can talk more about that if you would
21 like.

22 So common features of autism spectrum
23 disorder include difficulty with social
24 communication and restrictive or repetitive

1 patterns of behavior, interests or activities.
2 As we all know, much of our communication is not
3 speaking and it's not the spoken word, it's
4 interaction, our facial gestures, the way we
5 communicate by motion in our bodies. And these
6 are all factors that affect kids and adults with
7 autism.

8 Peer-reviewed literature has shown that
9 people with autism spectrum disorder are able to
10 adapt, especially with good support and
11 intensive behavioral intervention. Many are
12 able to lead independent and highly-productive
13 lives.

14 Ms. Gillan does cite someone that she
15 describes as an autism expert, Dr. German. And
16 it appears that there was a question submitted
17 through the internet site, Just Answer, though
18 there was no documentation that I have seen as
19 to what that question might have been. And
20 perhaps, you know, we can get feedback on that
21 later.

22 But I was not able to determine what
23 credentials Dr. German had or whether Dr. German
24 has a doctorate in medicine. This was no peer

1 literature -- or peer-reviewed literature cited
2 in that response and no scientific studies that
3 I could find. Dr. German provided only general
4 speculative comments, comments to, quote, Solar
5 panels can be disruptive, especially at night,
6 end quote, and, quote, Living close to a solar
7 farm could carry certain risks, like exposure to
8 radio magnetic fields, possibly producing
9 nausea, headaches, fatigue or sleep
10 disturbances, end quote.

11 So we have good documentation from the
12 Kimley-Horn sound study as to the lack of sound
13 impact at the perimeter of this particular
14 development, and we do have documentation that
15 there's not an increase in background EMF
16 outside the Cherry Solar 1 project.

17 So it's really hard for me to give much
18 credence to the information that Dr. German
19 provided.

20 In addition, because of the lack of energy
21 production at night, the statement about
22 disruption of sleep is a little hard to fathom
23 for me.

24 There was a paragraph following the Just

1 Answer response that was provided also without a
2 citation as to source. This states, The impact
3 of solar farms on special needs children is a
4 topic that requires special consideration.

5 And I am all for trying to learn what we
6 can about any health topic exposure to just
7 about anything, from cars and lack of seat belts
8 to solar farms. I think this is all a valid
9 discussion.

10 The paragraph also, interestingly,
11 provides some suppositions but states that
12 there's no, quote, No direct research on this
13 topic.

14 Ms. Gillan provided a post by Patrick
15 Kiley from Irish Solar that appears to downplay
16 specific health risks from solar farms. Again,
17 I do not see scientific documentation there. I
18 just see statements.

19 One article provided by Ms. Gillan --

20 MR. N. GILLAN: It's Gillan (different
21 pronunciation).

22 DR. WAHLS: Gillan. I'm sorry.

23 -- entitled "Detrimental Impacts of
24 Constant Sound Emitted by Inverters to Special

1 Needs Pupils." This article is written in
2 response to a proposed solar farm in the
3 vicinity of a school for pupils that have
4 special needs, but it's not specified whether
5 these are individuals with autism spectrum
6 disorder or what those particular needs were,
7 nor was it stated how far that particular solar
8 farm was from the school.

9 The methodology of that appears to be
10 uncertain to me. So I believe that's not really
11 a credible source to make a decision in terms of
12 health-related issues about solar farms.

13 So I understand concerns with autism
14 spectrum disorder and the impact of various
15 stimuli, including sounds. And so that is
16 reasonable to ask that question, Is the sound
17 from a solar array going to be an issue? I
18 think we know the answer to that from the prior
19 documentation.

20 I have a very intelligent grandson, age
21 five, with severe autism. We can go into more
22 details too, but I don't think that's necessary.
23 So I have a personal connection with this
24 problem.

1 He lives in a city, and there's
2 considerably more ambient sound than is present
3 in the vicinity of our rural areas and also in
4 the vicinity of this project we're talking about
5 or other solar projects I'm familiar with.

6 But the literature would state that family
7 members and professional support is helpful.
8 And for this grandson of mine, he is actually
9 learning to communicate and express himself and
10 not to decompensate over time, and presumably
11 that will go on. Mavrick appears to have a
12 sound family and supportive family background,
13 and I would certainly hope that he will show
14 those same improvements over time.

15 I have spent some time during this last
16 week doing literature research as to health
17 effects from solar arrays on people nearby and
18 really have not found anything to raise my
19 concern, either as to sound or as to
20 electromagnetic fields.

21 So in summary, based on my review of the
22 peer-reviewed literature and the evidence that
23 we have seen in this committee, I really have a
24 hard time predicting any negative impact from

1 this Cherry Solar 1 project outside of the
2 project itself and perhaps not even in the
3 project boundary. I really don't expect medical
4 evidence to suggest impact or negative impact on
5 anybody, and I think that we have seen several
6 presentations that would support that.

7 I have never seen an individual with
8 autism spectrum get into trouble as a result of
9 low-level sound, especially consistent low-level
10 sound.

11 So thank you. I'll take questions.

12 MR. WELBERS: Counsel, is there anything
13 that you would like to clarify now, before I go
14 to questions?

15 MR. PLUTA: No. You can go ahead. Thank
16 you.

17 MR. WELBERS: Kris, do you have questions?

18 MS. DONARSKI: Thank you.

19 EXAMINATION

20 BY MS. DONARSKI:

21 Q. I have a question. At the beginning, you said
22 you had submitted your curriculum vitae.

23 A. Yes.

24 MR. PLUTA: I don't have it.

1 MR. SNYDER: Sorry, with Sean being here
2 instead of Ben, I think we forgot to bring it
3 along.

4 MS. DONARSKI: So we don't have one. I
5 just want to make sure I --

6 MR. PLUTA: I do not have it now then, but
7 I have it submitted so that you can have it as
8 soon as we get it to you.

9 MS. DONARSKI: Okay. Just make sure we
10 have that.

11 Q. (By Ms. Donarski:) The second question I had
12 was, at the last hearing I had there were three
13 exhibits that were given out for the next
14 witness, which was Monica M. Wahls.

15 A. Correct.

16 Q. Who seems to have the same address as you.

17 A. She does.

18 Q. And so who is Monica Wahls?

19 A. She and I have been married for 44 years this
20 summer.

21 Q. So that's your wife. And she was unable to
22 attend?

23 A. She was unable to attend. She's had a medical
24 problem herself, and that's gotten in the way.

1 We had talked through a lot of these issues and
2 questions together. So, you know, I feel more
3 comfortable coming from my perspective as a
4 physician. She's a nurse practitioner.

5 Q. Okay. So then now that we got that kind of
6 straightened out.

7 Okay. So you are a board-certified family
8 physician. Do you have any kind of specialty in
9 dealing with autistic children?

10 A. I don't have a specialty, but I have dealt with
11 many dozens of autistic individuals, children
12 and adults, over the years.

13 Q. Okay. So not a specialty, just practical
14 experience?

15 A. You know, I suppose I'm not a psychiatric-
16 trained individual, correct.

17 Q. Okay. And then do you have any specialty in,
18 like, sound or, like, an audiologist or anything
19 like that?

20 A. I'm not an audiologist. I have done
21 audiograms, audiogram evaluation in my office.
22 I'm not doing that now in my part-time
23 retirement gig. But, yes, I am very familiar
24 with sound and its impact on ears, as well as on

1 individuals with autism spectrum.

2 MS. DONARSKI: Okay. Thank you very much.

3 MR. WELBERS: Counsel?

4 MR. PLUTA: Yeah, on the CV note, I have
5 an electronic copy of the CV. I'm happy to
6 arrange to have that printed, if we have access
7 to a printer here. And the doctor will be here
8 all night if people have questions about the CV.

9 MR. WELBERS: I didn't really understand
10 your question on this CV. What is it that
11 you're looking for that's not here?

12 MS. DONARSKI: Well, it's sort of like his
13 education, his certification, his background.

14 MR. WELBERS: His background, but he
15 testified to what that was.

16 MS. DONARSKI: Right.

17 DR. WAHLS: It's an oversized resume.

18 MS. DONARSKI: Right.

19 So he said he had one, and I hadn't marked
20 it as an exhibit. So I just wanted to make
21 sure --

22 MR. WELBERS: We don't have the exhibit,
23 and so we have clarified --

24 MS. DONARSKI: But it's on his phone and

1 he can print it out.

2 MR. WELBERS: But at any rate, the witness
3 did testify to his training and his experience.

4 MS. DONARSKI: Right.

5 MR. WELBERS: Is there anything in
6 addition that he should be saying into the
7 record?

8 MR. PLUTA: I don't believe it's necessary
9 to provide the CV. I just am trying to correct
10 that error.

11 MR. WELBERS: Well, he testified to what
12 it is. So is there anything that he left off
13 that he would -- because he can just testify to
14 it and it's in the record.

15 MR. PLUTA: He left off his lecture
16 history and presentations. I'm not sure any of
17 that's relevant beyond what he's testified to.

18 MR. WELBERS: Oh, go ahead.

19 DR. WAHLS: It's 16 or 18 pages. I don't
20 know how much you want to. . .

21 MR. SOLDATI: Devin Soldati.

22 Am I correct in believing that phones are
23 not supposed to be on during this trial?
24 Because that's what the officer told me.

1 MR. WELBERS: I am not the police officer.
2 The phones are -- during the daytime I don't
3 even believe they let them in for court. My
4 only instruction, which I did not give, is for
5 everyone to put it on silent.

6 I don't think there's any conflict that
7 the Counsel has his phone, that he could look
8 for something. My phone could do the same
9 thing. It is indeed on.

10 We're not violating anything, are we?

11 THE BAILIFF: No, sir. The sheriff just
12 asked specifically for meetings like this that
13 phones be silenced or turned off and not to
14 disrupt the meeting.

15 MR. WELBERS: Right.

16 THE BAILIFF: That came from the sheriff
17 himself.

18 MR. WELBERS: Okay. So Counsel is fine,
19 that he look something up.

20 State your name.

21 MS. DEBNAR: Rebecca Debnar. I have a few
22 questions for you, sir.

23 DR. WAHLS: Sure, thank you.

24 EXAMINATION

1 BY MS. DEBNAR:

2 Q. So I have here the previous statement from your
3 wife.

4 A. Okay.

5 Q. Can I assume that the references that she
6 provided were the same ones that you referred to
7 in the literature that you discussed?

8 A. I believe so. I can't say that's an exhaustive
9 list, but I looked at some other things than she
10 had too.

11 Q. Because I definitely have some concerns about a
12 few of them. A few of them are very outdated.

13 Is it true that in the medical community
14 something is considered credible when it's
15 within five years, correct?

16 A. The later, the better.

17 Q. Typically. Because two of her sources, one is
18 from 1997. So 27 years old.

19 A. You know, I don't --

20 Q. Would you consider that an old resource?

21 A. I'd say that's an old resource. On the other
22 hand, there's a paucity of really new resources
23 there too.

24 Q. Correct.

1 When was the last time that you personally
2 evaluated a child with autism?

3 A. Within the last year.

4 Q. Okay. And in your experience with children
5 with autism, have you ever met two children with
6 autism that are exactly the same?

7 A. No.

8 Q. Okay. Because --

9 A. Nor two adults.

10 Q. -- in the literature provided by your wife, it
11 does say -- speak to the uniqueness, correct?

12 A. Correct. There's a lot of diversity --

13 Q. So there's --

14 A. -- in individuals, adults and children, with
15 autism, and they all interact with slightly
16 different environments. How much is the
17 environmental impact of that? How much is the
18 genetics? How much is whatever else that
19 triggered the autism?

20 Q. Correct.

21 A. It's anyone's guess, yeah.

22 Q. And also in the literature provided by your
23 wife, one of the articles spoke to 50 percent of
24 children with autism having sensitivities to

1 sound. Does that seem accurate?

2 A. I believe that's accurate, from my own
3 experience.

4 Q. So it's not uncommon for children with autism
5 to have either a hyper- or a hyposensitivity to
6 sound?

7 A. Correct. I would add to that, that it's not
8 just sound in general. It's change in sound.

9 Q. Okay.

10 A. Often kids with autism will go around making
11 sounds.

12 Q. Correct.

13 A. And that's just one of the features, and I
14 think it is reflected in the DSM-5 diagnostic
15 criteria too.

16 Q. Correct. Correct.

17 So along with that, if someone were to
18 have a hypersensitivity to sound, sounds that
19 are potentially inaudible to someone with normal
20 hearing, can they cause sensory overload to
21 someone with extreme hypersensitivity?

22 A. I mean, that's an interesting theoretical
23 question, but the human ear has --

24 Q. Well, the article said it.

1 A. -- certain limits to its ability to hear, you
2 know, a threshold in decibels.

3 I'm not an audiologist, so I will not
4 quote the chapter or verse on that. But, I
5 mean, there's a threshold that is going to not
6 be audible to anyone. Is it different? I mean,
7 as I get older I may need hearing aids. Okay.
8 There's going to be some changes there. So we
9 all have some differences in our hearing acuity.

10 I would have to see evidence that the
11 sound produced by something, whether it's a
12 refrigerator or a solar array, is greater than
13 the ambient sound in the area. I don't think we
14 have seen that at this point.

15 Q. Okay. You previously stated that the addition
16 of a new sound could be disruptive to an
17 autistic child, correct?

18 A. It could be if the child could hear that, and
19 that's a theoretical question. I think, based
20 on what we had heard, it's unlikely that most of
21 us are going to be able to hear it at the fence
22 line, let alone 450 feet away.

23 Q. Okay. What kind of testing is done to diagnose
24 someone with this type of hypersensitivity?

1 A. I don't know that there's separate testing. I
2 have never come across that for hypersensitivity
3 in autism spectrum disorder.

4 People with ADHD, attention deficit
5 hyperactivity disorder, often have increased
6 sensitivity to sound. And it's interesting,
7 there's a little bit of overlap. In a group
8 this size, safe to say that probably at least
9 two or three of us probably have ADHD and
10 probably one or two have autism spectrum
11 disorder. Again, highly-functioning, but the
12 reality is, you know, we're all out there.

13 Q. And you said previously that with intensive
14 behavioral treatment, that's how children with
15 autism become more functional?

16 A. Again, we've got a huge differential between
17 one end and the other end of the spectrum, and
18 especially in the last 20 years or whatever it
19 is since we have had DSM-5. You know, they
20 combined four different categories into one.

21 So, you know, we're dealing with not one
22 type of situation. We're dealing with people
23 who come from different environments and
24 backgrounds who respond to different things.

1 Some may respond to nothing. Some will respond
2 to different types of stimuli.

3 So, you know, I think that, without
4 knowing an individual, working with a given
5 individual, it's hard to say exactly how much of
6 an impact that may be. All I can go on is
7 audible thresholds we are likely to hear.

8 Okay. Now, yes, we were told dogs hear
9 things we don't, whistles, et cetera. That's
10 great. I think there's a whole bunch more
11 similarity between those of us who don't have
12 autism spectrum and our hearing and those who
13 do.

14 They may be more alert to that and they
15 may be bothered by it, louder or sudden changes
16 in sound, but background sound that is not
17 detectable outside of a boundary I wouldn't
18 expect to have any impact on an individual with
19 autism.

20 Q. Have you evaluated personally the child with
21 autism that lives at that residence?

22 A. No. Yeah, no, I have not.

23 Q. So is it safe to say --

24 A. I'm not licensed in Illinois.

1 Q. -- that with his specific severity that he will
2 not be able to hear the sound of the inverters?

3 A. I can't make any better judgement than any of
4 the rest of us in this room can make.

5 Q. Okay.

6 A. I think we have seen -- we have evidence to
7 look at, and we all can look at the same
8 evidence perhaps a little differently, but it's
9 there. It's been presented.

10 MS. DEBNAR: Okay.

11 MR. SOLDATI: Devin Soldati.

12 EXAMINATION

13 BY MR. SOLDATI:

14 Q. So you mentioned audible thresholds. So from a
15 set distance and 40 inverters letting off
16 particular frequencies, why is this a
17 theoretical question?

18 A. It's a theoretical question because we don't
19 have evidence there's a change in ambient sound
20 outside the boundary. So it's a theoretical
21 question because you're saying, Well, Fred --
22 picking another name -- might be able to hear
23 something. We don't know. We don't have
24 evidence of that.

1 And unless we can prove on a consistent
2 basis that Fred always responds to a sound
3 that's inaudible to the rest of us, it's very
4 hard to make a case for that being a reason not
5 to install something. That can be a cell phone,
6 can be a windmill, you name it.

7 Q. So if we know the distance from, say, the
8 inverters to the property where this child will
9 be, and we know the frequency of these inverters
10 and the number of them, and that sound increases
11 exponentially, we know these things, it's just
12 an equation, why is it a theoretical question?

13 A. Because you're trying to, in that setting, make
14 an assumption that a given individual, with or
15 without autism, can hear something.

16 Q. You mentioned an audible threshold is a
17 number --

18 A. Say that again. I'm sorry.

19 Q. You mentioned an audible threshold, it's a
20 given number, it's a given range. So why is
21 that theoretical?

22 A. An audible threshold is going to be --
23 obviously we're all a little different. We can
24 hear different things. But I don't know of any

1 evidence that somebody with autism has a
2 hundred-fold higher sensitivity in their
3 hearing, for example, thousand-fold, whatever it
4 is, at 450 feet. And that may be a little bit
5 of a stretch. Again, we are talking about a lot
6 of nonevidence-based stuff here.

7 Q. So is it needed to have a 100 or 1,000 times
8 threshold increase in hearing to be able to hear
9 the frequency that these inverters are going to
10 give up off, 40 of them, from a set distance
11 from the property?

12 A. I would -- you know, I would have to be able to
13 sit down and do calculations and probably can go
14 from that.

15 But we are talking about multitudes. We
16 are not talking about, you know, a drop of
17 10 percent per foot or something.

18 Q. Do you know how far the house is, the property,
19 that the kids would be playing on from these
20 inverters?

21 A. I believe the documentation that was submitted
22 by Nanette was that it was 450 feet.

23 Q. And brings you here from Bend, Oregon?

24 A. Say that again.

1 Q. What brings you here from Bend, Oregon? That's
2 pretty far.

3 A. I was asked to come. Partially because my wife
4 was asked to come and she could not make it.

5 Q. Are you financially incentivized to be here?

6 A. Nope. I am paid but I am not -- I should not
7 say I'm incentivized.

8 Q. You're being paid?

9 A. Yes.

10 Q. By who?

11 A. By the company.

12 Q. Okay. Do you have any other studies that would
13 be important to bring up in this case, other
14 than the -- I can't remember the name of the one
15 that you guys said earlier, it started with an
16 H?

17 A. I believe that was the one that was included
18 previously?

19 Q. It was in the previous hearing, yes.

20 A. So I don't have anything extra to submit right
21 now. Frankly, my time in the last week where I
22 have been looking for things, I have not come up
23 with much in terms of negative impacts from
24 solar projects or sound from solar projects on

1 health in any fashion.

2 Q. So as a medical doctor, you're aware of the
3 importance of gathering data from multiple
4 sources and not relying on one peer-reviewed
5 study?

6 A. That's reasonable.

7 Q. So why is it an overreliance on one study when
8 there could potentially be others out there with
9 conflicting evidence? Is that observation bias
10 coming into effect?

11 A. I think, looking at what I have seen -- and,
12 again, I have not reviewed every article that's
13 been published on sound or EMFs from these types
14 of installations. But it does not seem to me
15 that we have -- what I have seen so far is, the
16 evidence would say we have not been able to
17 document a problem as a result of it.

18 Q. From that one study?

19 A. From the others I looked at online too.

20 Q. Can you cite them?

21 A. No. I did not write them all down, but I
22 certainly could provide them at a future time if
23 needed.

24 Q. And when was this study from?

1 A. This one here?

2 Q. Yeah.

3 A. I'm going to have to ask the people who have it
4 in front of them. My recollection, the last ten
5 years or so.

6 DR. WAHLS: Ms. Gillan, was that the one
7 from your documentation?

8 MS. GILLAN: It's Gillan. And no.

9 Q. (By Mr. Soldati:) The one that the sound
10 expert from North Carolina was talking about.

11 A. Yeah, I --

12 Q. It seems like it's the only study that I have
13 heard of that's an actual citation on solar.

14 A. I don't believe we have seen -- the materials
15 that I have give a lot of different sources
16 here.

17 Q. So is it a metaanalysis?

18 A. Say that again.

19 Q. Is it a metaanalysis or is it an individual
20 study?

21 A. I don't know that I can tell you that.

22 Q. Do we have a year?

23 A. Say that again.

24 Q. Do we have a year of when that study was

1 published?

2 MR. PLUTA: The study "Possible Health
3 Effects of Exposure to Residential Electric and
4 Magnetic Fields" was published in 1997.

5 Q. (By Mr. Soldati:) And as a medical doctor, are
6 you aware that medical knowledge doubles every
7 seven to eight years?

8 A. I have heard that said.

9 Q. So let's say 27 years, medical knowledge is
10 doubling how many times in that time period?
11 Four times?

12 A. You know, it's interesting that many of the
13 things we deal with are identical to the things
14 we were dealing with 25 years ago because the
15 people are built of the same stuff. Now, we
16 have new tools, granted. I would have to ask
17 you to provide me with evidence more recently.
18 Ideally, case control trials are something with
19 some verifiability to it and that shows me a
20 difference.

21 If we want to pick somebody with autism,
22 great, but we are talking about something bigger
23 than just autism. We are talking about a lot of
24 potential health effects. If there is a sense

1 that there may be something there, who's
2 documenting it? And I hear a lot of quotes, but
3 I don't see a lot of, you know, rubber meeting
4 the road as such.

5 MR. SOLDATI: So it's true that we can
6 have our phones out, as long as they are silent?
7 So if we were to look up something, we could
8 present that as a part of this case?

9 MR. WELBERS: You are free to research
10 something on your phone on silent. You were
11 told that. You were told that, indeed, by
12 direction of the sheriff.

13 Then you would come up and cite that, I
14 guess, if you want to testify.

15 State your name.

16 MS. DEBNAR: Rebecca Debnar.

17 EXAMINATION

18 BY MS. DEBNAR:

19 Q. So the other study on acoustics and EMF levels
20 from solar projects that your wife submitted,
21 that's from 2012, so not quite as old as the
22 other one.

23 I actually do have a study that revokes
24 that one, that makes that un-credible.

1 MS. DEBNAR: I don't know if you want to
2 wait until later to submit this?

3 MR. WELBERS: That's your evidence. You
4 can come up and testify to it.

5 Q. (By Ms. Debnar:) Just so you know, I do have
6 something that calls out specifically that one.

7 A. Well, we'll have to look at how the study was
8 done.

9 MR. WELBERS: Now, you understand that
10 Dr. Wahls could then cross-examine you when
11 you're up here?

12 MS. DEBNAR: Absolutely.

13 MR. WELBERS: Just so you know.

14 Any other questions?

15 Yes, Nanette.

16 MS. GILLAN: Nanette Gillan.

17 EXAMINATION

18 BY MS. GILLAN:

19 Q. I don't have studies and stuff. I just have
20 statements that I have found made by the World
21 Health Organization that states there is a
22 health risk of electromagnetic hypersensitivity
23 associated with living near solar farms. The
24 conditions are characterized by a range of

1 symptoms triggered by exposure to these
2 radiation fields. These symptoms can include
3 headaches, fatigue, skin rashes, sleep
4 disturbances.

5 And that there was a study done in
6 Australia -- I don't have that study because
7 I --

8 MR. WELBERS: Are you going to lead to a
9 question for Dr. Wahls?

10 MS. GILLAN: Yes.

11 Q. (By Ms. Gillan:) Have you heard of this stuff,
12 that the World Health Organization has made
13 these comments?

14 A. You know, I have not seen a specific published
15 reference to that. Again, I would love to see
16 peer-reviewed literature for that, and the WHO,
17 I would hope, is looking into that.

18 But, again, sometimes I hear a reference
19 of a reference of a reference. That doesn't
20 help me as much.

21 Q. Okay. You want to see peer-reviewed studies;
22 however, you're willing to accept peer-reviewed
23 studies that are 24 years old?

24 A. If I can't get better. If I can't get them

1 more recently, then I have got to start
2 somewhere.

3 Q. So with all of the studies that our medical
4 community are doing these days, there's nothing?

5 A. I have not found it. There's got to be
6 something more, and I would love to have
7 somebody submit that to me and to the record.

8 Because, you know, what we're talking
9 about here is a lot of things. We have got a
10 lot of potential concerns about a solar project
11 nearby from your property. You know, what is
12 our big worry? What is our big issue? Is it
13 medical? I can speak somewhat to medical.
14 Beyond that, I'm just speaking as a citizen of
15 this country.

16 Q. One last question. So I had to go through some
17 training a while back when I was going to be a
18 legal guardian for a child that was severely
19 autistic. One of the things that I learned in
20 these studies was, of course, the sensitivity.

21 Have you ever heard of a child that is so
22 sensitive to hearing that they can't sleep at
23 night because they can hear the sheets crinkle
24 underneath their heads?

1 A. I would say -- you know, have I had that
2 specific quote? No. But I have had --

3 Q. Being that sensitive?

4 A. You know, I would go back to what I was saying
5 about the evidence showing that we can work with
6 kids. And that, you know, your grandson, at
7 age 6 now, I believe, or at least when the
8 paperwork was submitted, has a set of things and
9 that's going to be different. It may not be
10 qualitatively different, but quantitatively it's
11 different.

12 He's going to learn, because he's got
13 family around him, I'm assuming that the family
14 and other people are helping him develop coping
15 mechanisms. So he's not going to be, I suspect,
16 wearing ear protection 20 years from now. Don't
17 know.

18 But, you know, there may be some more
19 information you have there. Good to know.

20 MR. WELBERS: Rebecca Debnar.

21 MS. DEBNAR: Rebecca Debnar.

22 EXAMINATION

23 BY MS. DEBNAR:

24 Q. So what you're saying is, this child should

1 have to incur, potentially, intensive behavioral
2 treatment and his parent should have to fund the
3 cost of that treatment for somebody else to make
4 a profit on their land?

5 A. Not saying that.

6 Q. That's what you basically just said.

7 A. No, what I said is, my suspicion is because his
8 family cares a lot about him, they are already
9 working on this.

10 And this does not always imply somebody is
11 brought in from outside. School systems often
12 provide this. There's a lot of sources. So, I
13 mean, I suppose you could spend whatever you
14 want on it, but the reality is relationship is
15 the foundation for that healing.

16 So, no, the autism is not likely to go
17 away, but I believe, in most cases, we see
18 improvements in the ability of somebody to cope
19 with the realities of life around them. The
20 refrigerator goes off and on. That's a big
21 change, but I believe that that's not an issue
22 in the household, I'm guessing. I don't know
23 that for sure, but I -- you know, that's my
24 suspicion.

1 MR. WELBERS: Lori.

2 MS. FRY: Rebecca took the words right out
3 of my mouth.

4 MR. WELBERS: Connie.

5 MS. STETSON: Connie Stetson.

6 EXAMINATION

7 BY MS. STETSON:

8 Q. The refrigerator is a familiar sound. Every
9 household has that. This child grew up with
10 that. It's familiar.

11 The sound that could possibly be from the
12 solar is not a familiar sound. And, again, I
13 love what she just said: The landowner is
14 getting paid, and the parents have to deal with
15 it, that are nonparticipating parents.

16 A. Have we established that there is an impact on
17 the child?

18 Q. We don't know that. What happens if they put
19 these up and there is an impact? Are they going
20 to have to take them down?

21 A. I'd love to know how you're going to
22 document --

23 MR. WELBERS: I don't think Dr. Wahls is
24 capable of answering that question.

1 A. Again, back to the theoretical stuff.

2 Q. (By Ms. Stetson:) There's familiar sounds.
3 Children are -- when they are born, there's
4 familiar sounds. They don't particularly pick
5 those sounds up as much as the sounds that come
6 different.

7 A. That's correct. Kids go into an educational
8 setting, whether it's a traditional school, an
9 alternative school, and there's different
10 sounds. There's kids that make noise.

11 Most kids -- there are kids with autism
12 that may never go to anything other than a home
13 school. I have kids that have been homeschooled
14 in my family, some I have called my own kids at
15 one time or another. So we, as parents, make
16 adjustments when necessary.

17 I don't have any control over what they do
18 at the end of my neighborhood if they punch that
19 road through. I mean, I'm stuck with it. And
20 when my autistic grandson comes by, guess what?
21 He's stuck with it too.

22 Q. The nonparticipating landowner is stuck with
23 it. I'd like to push that. Because they should
24 have been told before the contract was even

1 signed.

2 MR. WELBERS: That's not a question.

3 Mr. Soldati, and then we'll get back to
4 Rebecca.

5 MR. SOLDATI: Devin Soldati.

6 EXAMINATION

7 BY MR. SOLDATI:

8 Q. I found a site within, like, two seconds. Can
9 I share that?

10 A. Good.

11 MR. WELBERS: Just a second. What it is
12 you intend to do? Do you have a question for
13 Dr. Wahls? If you have got something you want
14 to come up and testify to, again, we'll get to
15 that.

16 MR. SOLDATI: Okay. My bad.

17 MR. WELBERS: If you have got a question
18 for Dr. Wahls, then ask that question of him.

19 MR. SOLDATI: Can I ask his opinion of the
20 study?

21 MR. WELBERS: Introduce it as best you
22 can, I guess.

23 Q. (By Mr. Soldati:) So this is in 2017, not '97.
24 Cindy Sage and Ernesto Burgio, and I can only

1 read the abstract so far, but it says: Symptoms
2 of retarded memory, learning, cognition,
3 attention, and behavioral problems have been
4 reported in numerous studies and are similarly
5 manifested in autism and attention deficit
6 hyperactivity disorders, as a result of EMF and
7 RFR exposures where both epigenetic drivers and
8 genetic (DNA) damage are likely contributors.

9 A. So we need to see that full article, not just
10 the abstract, and we also need to see the
11 references for that.

12 Q. Okay.

13 A. And we need to know who did the study.

14 I am rather skeptical about a lot of stuff
15 we do in healthcare. I think we need to do our
16 best to probe. I'm delighted to have you
17 looking things up. It's just that I think we
18 need to go a little further than just the
19 abstract.

20 Q. And this is a published research article on
21 child development.

22 A. Okay.

23 Q. And you're saying that it's not reliable?

24 A. I didn't say that.

1 Q. Okay. I'm just sharing what I have sound thus
2 far.

3 A. Okay.

4 MR. WELBERS: Just to clarify. Dr. Wahls,
5 you're saying you're not familiar with the
6 study, and therefore you can't comment on it?

7 DR. WAHLS: That is an acceptable
8 response, yes.

9 MR. WELBERS: Okay. I don't mean to
10 testify for you, but I think that's what you
11 were trying to say.

12 DR. WAHLS: Thank you.

13 MR. WELBERS: Go ahead.

14 MS. DEBNAR: Rebecca Debnar.

15 EXAMINATION

16 BY MS. DEBNAR:

17 Q. So you said previously, when responding to
18 Connie's statement, that we can't conclusively
19 prove that there will be an impact on this
20 child.

21 Have we conclusively proved there will not
22 be?

23 A. Do you think we can -- can we prove anything?
24 So then I guess we have to say that we have to

1 put life on hold.

2 Q. But is life going to be on hold for him while
3 we're waiting to figure it out?

4 A. Is life going -- it's going to be on hold for
5 you.

6 You know, again, I'm thinking we are
7 spending a lot of time on a very important
8 individual. I think that individual may be kind
9 of a flash point for discussion. I don't know
10 that we have -- once we overlay the testimony
11 that we have heard, that we can get -- no, you
12 can't absolutely prove a negative, but you can
13 do the best you can to document sound, in this
14 case electromagnetic fields, if you choose, and
15 the lack of current evidence of negative
16 outcomes.

17 That doesn't mean that our friend in the
18 back here isn't going to come up in the next ten
19 minutes. But we have to look at all of it. I
20 would like to say I know all the literature. I
21 don't. I love to learn, which is probably why
22 I'm still doing what I'm doing.

23 MR. WELBERS: Lori.

24 MS. FRY: Lori Fry.

EXAMINATION

1

2 BY MS. FRY:

3 Q. You said that you have a 5-year-old grandson
4 with autism?

5 A. Affirmative, yes.

6 Q. Okay. So let's put yourself in these parents'
7 shoes. They live in the country. Quiet.

8 A. Yeah.

9 Q. Not busy road. And this comes in.

10 A. Uh-huh.

11 Q. And could potentially affect him and his life.

12 A. Okay. My grandson --

13 Q. Do you think that's fair?

14 A. You know, I'm not sure if you're asking if that
15 was my grandson --16 Q. Well, put yourself in their shoes. If this was
17 your grandson --

18 A. Yes. I would love --

19 Q. -- and your children live there --

20 A. I would love for my grandson to be able to live
21 next to -- out in a rural area --

22 Q. Out in the country, absolutely. It's amazing.

23 A. -- near, right next to a solar farm, if that
24 was going to give him the opportunity to be

1 outside. He loves being outside. He loves
2 running. In fact, nobody can catch the kid.
3 But, you know, that would be a wonderful place
4 to be for him, if he could.

5 I have absolutely no fear or worry that
6 being around a solar project is going to
7 negatively impact his autism, nor his general
8 health. So that's my opinion, as a grandfather,
9 and with a little bit of physician background in
10 there too.

11 Q. I was just going to say, but with your
12 physician background in there, I mean, you know
13 that no patient is ever the same.

14 A. That is absolutely true.

15 Q. No patient, ever?

16 A. And we have to make decisions as a society.
17 How do we do this? What do we want to do? How
18 do we want to get our power? What do we want in
19 our backyard? You know, what's the liability on
20 a swing set we just put in from Lowe's or
21 something? Those are all unknowns.

22 Q. That can be tore down in, like, a second.

23 A. Yeah.

24 MR. WELBERS: Nanette.

1 MS. GILLAN: Nanette Gillan.

2 EXAMINATION

3 BY MS. GILLAN:

4 Q. So you weren't here when a previous person from
5 the solar company testified that people can save
6 \$13 a month if they subscribe. So \$13 a month
7 is worth risking your grandson's health? When
8 you don't know, because it's unknown -- as you
9 have said already, we haven't proven either
10 way -- it's unknown what effects it could have.
11 \$13 a month is worth that?

12 A. First of all, I get the same mailings from my
13 local company as you get yours.

14 Q. Oh, I don't get them because I throw them away.

15 A. Well, they come through and they go into our
16 recycling bucket. Okay.

17 But yes, in that setting -- first of all,
18 I don't care about the \$13. I have somebody
19 telling me what a nice roof I have every two,
20 three months. They want to sell me a project.
21 I live in a neighborhood where two-thirds of the
22 places have solar installations on top. That's
23 great. I'm not quite ready for it, but I may
24 decide the dollars are worth it to me in the

1 future.

2 You know, these are decisions we have to
3 make along the way. I'm not worried about my
4 potential health impacts from EMF or impacts
5 from a solar array. You know, we have them in
6 our community, several, big ones, in fact, twice
7 the size of this, actually four times the size.
8 I don't live next to it, but I live on a little
9 lot in a subdivision.

10 If I had a bigger property, I would love
11 to do something like this. I don't think I am
12 ever going to get to that point. And I would
13 have my grandson come too. And that's not
14 neglect or abuse to my grandson.

15 Q. I'm glad you're willing to take that risk,
16 because I know my husband, as a grandpa,
17 wouldn't have been.

18 And I know I just testified. Sorry.

19 MR. WELBERS: Are there any other
20 questions for Dr. Wahls?

21 (No verbal response.)

22 MR. WELBERS: Does our Board have
23 questions for Dr. Wahls?

24 (No verbal response.)

1 MR. WELBERS: Would you like to clarify
2 anything for your client, for your witness?

3 MR. PLUTA: Does the Zoning Administrator
4 have any questions?

5 MS. DONARSKI: I don't have any questions.

6 MR. PLUTA: Okay. Thank you. Just a few.

7 EXAMINATION

8 BY MR. PLUTA:

9 Q. All right. I want to talk about sound. You
10 testified earlier, you mentioned that there are
11 more similarities between people with autism's
12 human ear and people without autism's human ear
13 in terms of how they function; is that correct?

14 A. I believe that's the case. I have never seen
15 anything referring to anatomical differences in
16 the hearing apparatus, the ear, in somebody with
17 autism.

18 Q. Okay. And the follow-along question to that
19 is, so you're saying there's not a difference
20 physically in the receptors that children with
21 autism have versus children without autism?

22 A. That would be my understanding.

23 Q. Okay.

24 A. That does not mean they wouldn't be processed

1 somewhat differently.

2 Q. Sure. And we'll get to that.

3 So that -- so when we're referring to the
4 category of noise that a human can process,
5 there's a threshold that can vary a little bit,
6 but there's a threshold to which a human ear can
7 pick it up, and if it's below that, the human
8 ear can't pick it up, correct?

9 A. That's my understanding.

10 Q. And nothing physiologically about a child with
11 autism will give them special, unique hearing
12 abilities below the range that a human ear can
13 pick up?

14 A. I don't believe so.

15 Q. Okay. And you're aware that there was a sound
16 study done that showed that noise levels beyond
17 the property boundaries would be inaudible to
18 the human ear?

19 A. I'm aware of that, that reference.

20 Q. So let's move to sensitivity to audible sounds.
21 You have testified that children with autism can
22 have hypersensitivities to sound; is that
23 correct?

24 A. That is correct.

1 Q. Okay. And I believe that you testified that
2 there are -- it's not just the sound itself, but
3 it's the characteristics of sounds that are more
4 likely to cause disturbances to a child with
5 autism.

6 Could you elaborate a bit on what sorts of
7 sounds create that discomfort?

8 A. So my observations are that it's mostly sudden
9 changes. It's not change where there's nothing
10 there and then there's something there.

11 So case in point, okay, if we take and
12 were to put a solar installation X number of
13 feet away, there would be some adjustment if
14 that sound was audible to the child. In most
15 cases that becomes just like the sounds that a
16 kid that's newborn or early in life gets
17 adjusted to, whether it be a refrigerator, a
18 cell phone ringing or whatever it is.

19 So those changes, if you were to go up and
20 down, sudden blasts of sound, screaming,
21 yelling, I have seen kids spin with that one,
22 you know, especially emotional types of things.

23 So I would not anticipate -- maybe there's
24 a -- if a kid could hear this, which we have not

1 established yet, I would anticipate there might
2 be a slight change, a transition, getting used
3 to it. I think within a month it's not likely
4 to affect things at all.

5 Q. Okay. So, and there were a few examples of
6 sound that people in the audience asked about.
7 So I'm going to name a couple of them and you
8 can kind of help explain why they might be
9 different reactions.

10 So I think people mentioned constant
11 sounds that a child would, you know, become
12 accustomed to in the house, I'm thinking
13 refrigerator, air conditioning, heating, and
14 then I believe someone mentioned the sound of,
15 you know, if a child is trying to sleep, you
16 know, if there's a rustle in the sheet, that may
17 upset them.

18 Could you kind of compare and contrast
19 what's different about those sounds and why a
20 child may react that way?

21 A. Well, every kid may be responding to something
22 different. I mean, I think that the -- you
23 know, again, without knowing the child and
24 verbal characteristics, the communication

1 skills. And frankly, we, as parents, sometimes
2 try to overcompensate for our kids. I don't
3 know that that's happened anywhere here.

4 But so what happens is, we can protect our
5 kids from the world, whether it's the crinkling
6 of the sheets or loud noises, sonic booms, you
7 name it. We can do our best. I think we're
8 probably ineffective with most of that, having
9 been a parent of three kids and watching them
10 raise their kids now.

11 But most of us, and I believe most people
12 with autism, over time will become comfortable
13 with a set sound. I do not think that they're
14 necessarily going to be comfortable with sudden
15 change, and that's probably more characteristic
16 of autism anyway.

17 Q. Okay. So if I understood that, especially at
18 the end, a constant, repetitive noise that's low
19 might be something that a child with autism
20 could get used to; whereas, a sudden noise, a
21 crinkle of the sheet when they're trying to
22 sleep, car driving by on the highway, that may
23 be something that is more likely to cause a
24 discomfort?

1 A. I would think so.

2 Q. When we're talking about solar panels, is it
3 your understanding that if it is audible -- and
4 I know that we don't want to caveat that it is,
5 because it sounds like it's not -- it would be
6 -- the characteristic would be a low noise that
7 would be there through the course of the day,
8 correct?

9 A. As I understand the physics of it, the sun is
10 shining, it would be generating electricity in
11 proportion to the solar energy hitting the
12 panels.

13 Q. And is your --

14 A. That's not going to be a sudden change. It can
15 come and go, I suppose, with the clouds going
16 by. But by and large, daytime is going to be
17 one level and nighttime is another level.

18 Q. And nighttime there's no noise, correct?

19 A. (Nods head.)

20 Q. So if a child is trying to sleep, the solar
21 farm isn't going to make noise?

22 A. That's my understanding.

23 Q. Okay. Let's talk about research. I know that
24 there was some questions about, you know, the

1 studies that you found, but I just want to
2 clarify.

3 When you said that you spent time
4 preparing to be here today, you actively looked
5 for peer-reviewed research that was reliable,
6 regardless of the direction that it went?

7 A. I did.

8 Q. Okay.

9 A. And mostly I was searching with basically an
10 algorithm of solar farms, solar arrays, autism
11 spectrum or health consequences.

12 Q. Sure.

13 And is it fair to say that when you're
14 looking on the internet for medical advice,
15 medical research, that not all of that research
16 is created equal?

17 A. That's true. I typically will start with the
18 NIH as a source, because they are a pretty good
19 resource for searching published information.

20 Q. Okay. And so just because there is an internet
21 article that says some medical concern or
22 conclusion, that's not necessarily proved
23 positive, that that study is correct?

24 A. No.

1 Q. And the fact that a study is old, does that
2 necessarily make it wrong?

3 A. No.

4 Q. Okay. And even among peer-reviewed journal
5 articles, if there are any, are all peer-
6 reviewed journal articles on the same level in
7 terms of their intellectual and academic rigor?

8 A. They are not, and let me explain why. Because
9 some journals charge you to publish, some pay
10 you to publish, some seem to do a better job of
11 kind of going with people who have a given vent
12 or an agenda, and there are a lot of medical
13 journals that really focus on one of those types
14 of agendas too. I don't need to go into
15 examples, but I think it is interesting.

16 They are not all created equal.
17 Publication is an interesting, you know,
18 craziness with academia, which I'm thankful it's
19 there but I didn't love doing it. But bottom
20 line, yes, there's a lot of variety, and I think
21 you have to put it all in the context of what
22 you know.

23 Q. Sure.

24 A. What you know and your experience from your

1 personal practice.

2 Q. And so is it fair to say that in your expert
3 opinion as a medical physician that you have
4 authority to look at peer-reviewed journal
5 articles, look at non-peer-reviewed journal
6 articles, look at journal articles, and give
7 them the weight that they deserve in terms of
8 how you view this issue?

9 A. I don't like the word "authority," but I do --
10 I have to look at everything I see and process
11 it based on the filter that I have --

12 Q. Okay.

13 A. -- based on the people I have worked with over
14 the decades and what I have read even the
15 previous day.

16 Q. Okay. There were a couple questions that came
17 up and I wanted to make sure that we can clarify
18 what you meant.

19 You mentioned that a child with autism can
20 have their conditions improved. And I know
21 every child is different, but I believe you made
22 a statement that a child can improve with
23 social, family, healthcare investments in time
24 and money; is that correct?

1 A. Correct.

2 Q. But to clarify, did you mean that as sort of a
3 general statement about how children with autism
4 progress throughout their lives?

5 A. I meant that in general, yes, and I think
6 that's realistic because none of us,
7 fortunately, behave now like we did when we were
8 13.

9 Q. Okay.

10 A. And kids with autism also progress through
11 different stages. They have to adjust to the
12 environment around them, and so whether that's
13 other kids, hopefully not, but bullying or, I
14 mean, controlling emotions.

15 Most of us who have been around kids with
16 autism have seen this and, you know, it can be
17 kind of alarming. How do we deal with it?
18 Especially as parents, you know, it is not easy,
19 it is not fun. So it's reasonable to do
20 everything we can say, you know, to say, What
21 are we missing? Is there something we can
22 change? How do we help this kid, autism or not,
23 progress to their next stage in life?

24 And that applies with or without autism.

1 And most kids learn to cope with a lot of things
2 in life, even though they have a diagnosis of
3 autism spectrum disorder.

4 Q. Okay. And I think there was an inference that
5 was drawn from that from some of the questions
6 that got asked that what you meant was that if a
7 solar installation is installed that a family
8 will need to incur development -- healthcare
9 expenses in order for the child to overcome that
10 installation.

11 But if I heard your testimony correctly,
12 you are not saying that that was a reaction to a
13 solar farm, you were just talking about general
14 childcare?

15 A. In general, that's correct. I, frankly,
16 believe that the efforts required to help a kid
17 grow, with or without autism, is not going to be
18 impacted by the presence of a solar array a
19 hundred feet away or 500 feet away.

20 Q. Last question. What are the potential
21 positives to living next to a solar farm for a
22 kid with autism?

23 A. You know, I don't know that I can say a lot of
24 negatives and I'm not sure I can say a lot of

1 positives, but I haven't looked at them.

2 Some kids love to watch things move, you
3 know, adjust to the sun. You know, one thing
4 that's interesting about ADHD and autism is,
5 kids learn differently, ways that I can't
6 conceive, but they learn from things. They look
7 out the window, they're busy, you know,
8 teenagers that are on their phone or whatever,
9 but they learn from different things.

10 And I could see some kids say, Whoa, I
11 love this. You know, this is a series of row
12 upon row upon row of kind of a glassy thing, and
13 they could get infatuated with that too. So I
14 mean, every kid is different. Some wouldn't
15 notice it. Some would love it. Some would not.

16 MR. PLUTA: Okay. Thank you.

17 MR. WELBERS: Go ahead, Connie.

18 EXAMINATION

19 BY MS. STETSON:

20 Q. You had --

21 MS. STETSON: Connie Stetson. I'm sorry.

22 Q. (By Ms. Stetson:) You had said that a child
23 should get over this in a month. Is that your
24 opinion or is that a study?

1 A. That's my opinion. I'm talking --

2 Q. But you don't have a study to back it up?

3 A. I don't have a study, but I have observational
4 data from my experience.

5 Q. But that's just an opinion?

6 A. I think that we find that in most situations
7 most of us get used to something new in our
8 environment over that span of time. I can't
9 speak to the child we're talking about
10 specifically.

11 Q. You don't have a study to back that up?

12 A. No, I don't have a study to back that up. I
13 have a lot of people I have studied, but I don't
14 have a published study.

15 MS. SUTTON: Colette Sutton.

16 EXAMINATION

17 BY MS. SUTTON:

18 Q. Just a point of clarification. In talking with
19 your legal counsel here, my understanding is
20 that the line inverters may hum at night; is
21 that correct? Because you were talking about
22 during the day.

23 A. That's --

24 Q. The panels flipping during the day, follow the

1 sun, and my understanding is the inverters are
2 not; is that correct?

3 A. The inverters should be -- I'm going to have
4 the smart people here address that one.

5 The inverters are necessary to take DC
6 current and convert it to AC current, like that
7 runs our lights and everything else in our
8 public dissemination system.

9 So when there's not sun shining, when the
10 panels aren't doing what they're designed to,
11 they're just sitting there, then there should be
12 no sound as a result of the creation of
13 electricity because there should be no
14 electricity.

15 Q. Is that not the opposite of what happens here;
16 that the solar arrays are silent during the day,
17 for children who have difficulties with
18 transition, and they move during the day, but at
19 night the inverters upload to the grid? Is that
20 not correct? I'm just wanting clarification.

21 A. I'm going to allow -- I'm going to have to
22 defer to the people who build the projects.

23 MR. WELBERS: Dr. Wahls, you don't have to
24 testify to what you're not --

1 A. I'm saying I'm deferring that one. Thank you.

2 MR. WELBERS: Dr. Wahls, I think you can
3 sit down now. Thank you.

4 DR. WAHLS: Thank you.

5 MR. WELBERS: Your third witness, please.

6 MR. PLUTA: We have a third witness. If I
7 could give a brief introduction.

8 MR. WELBERS: Please do.

9 MR. PLUTA: All right. Our third witness
10 is Jeffrey Szabo. Mr. Szabo is a civil engineer
11 with Partner Engineering and Science, and is an
12 expert in electromagnetic fields, or EMFs, and
13 can speak to the level of EMFs produced by solar
14 facilities and why those levels do not pose a
15 threat to the health and safety of the
16 community.

17 He can also answer questions on heat
18 islands, if required.

19 MR. WELBERS: The court reporter will put
20 you under oath.

21 JEFFREY SZABO,
22 being first duly sworn, testified as follows:

23 MS. NEMETH: Can you please state your
24 name and address for the record.

1 MR. SZABO: My name is Jeffrey Szabo,
2 spelled S-Z-A-B-O. I live at 1041 Canal Road,
3 Princeton, New Jersey.

4 MR. WELBERS: Go ahead, sir.

5 MR. SZABO: So I believe there were two
6 topics that were raised during earlier testimony
7 and earlier comments from the public --

8 AUDIENCE MEMBER: Speak up, please.

9 AUDIENCE MEMBER: That doesn't work.

10 MR. SZABO: This doesn't work?

11 MS. DONARSKI: No.

12 MR. SZABO: I'll practice my projection
13 then. Thank you.

14 So I believe there are two topics of
15 concern this evening with regard to
16 electromagnetic fields and heat island effect.
17 I think these are the two items that were
18 brought up by previous comments from the public.

19 And so let me start with the heat island
20 effect first, because I think that is pretty
21 much straightforward. Heat island effect, as
22 you all know, is when a mass absorbs the sun's
23 rays during the day and then after the sun sets
24 that mass emits, radiates, reemits heat that was

1 collected from the sun.

2 And this is really dependent on the mass.
3 So for instance, you know, buildings, buildings
4 will retain heat and then release heat at night.
5 Pavement will -- asphalt pavement will absorb
6 the heat during the day, release it at night.

7 The difference between that scenario is
8 that the -- comparing this now to a
9 ground-mounted solar array, a single-axis
10 tracker, one similar to the application that is
11 being considered tonight, and those don't
12 maintain -- those don't have the mass to absorb
13 the heat. Granted, they have a black -- a black
14 plane that absorbs the sun's irradiance and
15 converts that to DC electricity. But, in fact,
16 that's a fairly efficient process, and it's
17 getting better and better all the time.

18 What would maintain or what would absorb
19 the heat and radiate it back out after the sun
20 sets would be the glass. The glass itself,
21 though, is not very thick. I would wager to say
22 that it's probably a quarter of an inch thick
23 maybe, and that varies depending on
24 manufacturer.

1 But that is really the only available mass
2 to absorb the heat. Yes, there are metal
3 components, the frame, et cetera, which likewise
4 would absorb that heat, but those are the only
5 components that have any substance.

6 And by comparison to what the U.S. EPA
7 states as the heat island effect, that has to do
8 with buildings, parking lots and large groupings
9 of such objects which would pull the heat and
10 then emit at night. This is not the case with
11 solar arrays/solar panels.

12 There was a gentleman from the University
13 of Illinois, a professor, last week that made
14 mention of this. He did a bunch of studies.
15 But what I'm telling you is based on my years of
16 experience. I have six years in designing solar
17 arrays, ground-mounted solar arrays.

18 But in my six years in designing these
19 systems specifically, the arrays, as they
20 rotate, as the modules rotate, do shield and
21 shade the ground. What that does is, it has an
22 effect of actually reducing the absorbed heat at
23 ground level, which is, again, a mass, like a
24 parking lot or a building. Granted, it probably

1 in this case has vegetation, some greenery. But
2 those panels, as they rotate throughout the day,
3 they face the sun. So therefore, they are
4 shading what's behind them or what's beneath
5 them from the sun.

6 So there is really no -- I would say
7 there's really no notable impact. Yes, the
8 glass gets hot. The glass gets hot to about
9 120 degrees Fahrenheit, measured 5 feet above
10 the glass. And that said area, as you move
11 farther away, you have impacts of wind basically
12 reemitting this heat into the atmosphere.

13 You have got -- sort of what they say is
14 that the solution to pollution is dilution. In
15 this case what you have is a situation where you
16 have these relatively low-mass objects emitting
17 heat during the day, but those tend to dissipate
18 very quickly as you move away.

19 I would liken this to perhaps what you
20 might see if you had a festival and you had a
21 grass field and that grass field is now parked
22 with vehicles. Your windshield would get hot,
23 obviously. And so, yes, if you were to touch
24 it, it might be hot to the touch. But over the

1 course of the day, as the sun starts to set that
2 windshield will then go back to an ambient
3 temperature within a period of probably an hour,
4 I would say.

5 If there's heat trapped in the car and
6 it's not ventilated, then obviously that might
7 take a little bit longer. But that's not the
8 case with these trackers. They have air flowing
9 all around them. They help shade the ground
10 beneath them, thus not warming up the ground as
11 much as would otherwise happen if it was
12 exposed.

13 And I think that the notion of a heat
14 island effect is perhaps overstated in this
15 instance.

16 MR. WELBERS: That's all you have to say
17 right now?

18 MR. SZABO: That's all I have to say.

19 MR. PLUTA: You can move on to the EMF
20 topic.

21 MR. SZABO: Okay. EMF is a phenomenon
22 that happens when electricity moves. So when
23 electricity moves, especially in an AC
24 environment, it oscillates, versus what happens

1 in a DC current, where it's a direct current.

2 So the sun irradiates the panel. The
3 interface then converts the photons. It creates
4 a current. That is a direct current, as they
5 call it. Direct current then feeds into an
6 inverter, whose purpose is to take the direct
7 current and convert that to an oscillating
8 current.

9 The EMF, electromagnetic field, that's
10 created is based on the oscillation of the
11 electricity as it goes from the inverter,
12 perhaps to a transformer, and then back into or
13 interconnected into the nearby electrical
14 system.

15 These oscillations everybody -- well, most
16 people would understand, it's the same
17 oscillations in your house. It's 50 to
18 60 hertz, right? So the electricity that's
19 produced by these solar arrays is the same
20 electricity that you would otherwise use in your
21 homes. It's the same type of wire, similar
22 wire. Connections are made by, obviously,
23 connecting the metal pieces, the aluminum or the
24 copper wires, and then transmitting that

1 oscillating frequency through the wires. Those
2 wires are insulated, just like the wires in your
3 home are insulated.

4 You will experience electromagnetic waves
5 in a number of circumstances; namely, all the
6 appliances that we use, the lighting that we
7 use, the microwaves that we use, the blow dryers
8 that maybe some of us use. I don't, but maybe
9 some of us do.

10 They all produce an electromagnetic force
11 or field. This field is measured in milligals.
12 So there is an organization, an International
13 Commission of Nonionizing Radiation Protection,
14 to which the U.S. subscribes, and they have set
15 a threshold level of this electromagnetic force
16 at 2,000 milligals. So I'd like to use that as
17 a benchmark.

18 Again, I'm not saying that anything less
19 than that is perhaps not in some way impactful.
20 But obviously they -- and they are much more
21 learned than I am about matters of health and
22 human exposure to these types of electromagnetic
23 frequencies and waves.

24 However, they have set that threshold,

1 2,000 milligals. By comparison now, I would
2 like to say that that hair dryer, at 6 inches
3 from your head, produces 600 milligals. That
4 microwave, at 6 inches away, produces
5 300 milligals. And by the way, when you move
6 away, just 2 feet away from that microwave, it
7 goes from 300 down to between 1 and 30.

8 And these numbers are published by the
9 U.S. EPA. So you're welcome to fact-check what
10 I'm saying here.

11 But in general, the notion is, the closer
12 you are to the source, obviously the more
13 impactful it is; and then as you move away from
14 that source, the less impactful it is.

15 My point, in my experience with these
16 systems and with designing these systems and
17 with reading manufacturer's literature is, that
18 these electromagnetic fields diminish
19 substantially within a short distance.

20 So as a point of reference, the -- and I'm
21 basing this now on my impression and designing
22 systems for several utility companies in the
23 U.S. And these utility companies typically
24 target 0.5 milligals at the property boundary,

1 the property interface between the solar array
2 and, again, perhaps the property next to us. In
3 this situation, the industry usually accepts
4 0.5 milligals.

5 What we have calculated based upon
6 calculations for this facility, assuming that
7 the transformers and the line inverters, the
8 string inverters, will be placed toward the
9 point of interconnection, which is actually the
10 road further west, and that interconnection
11 happens through those overhead wires.

12 Based on our calculation for that
13 measurement -- again, it's not an empirical
14 measurement. That measurement is somewhere
15 around one and a half times ten to the minus
16 nine milligals. And that, again, is based upon
17 a 50-foot offset from the fence. So the array
18 sits further inside. And then the units that
19 would otherwise create the most electromagnetic
20 field are located several hundred feet further
21 away.

22 So again, if I am looking at the property
23 next to us -- and I was asked to look at the
24 property next to us -- I believe the residence

1 sits somewhere a few hundred feet away, and that
2 was really not my concern. My concern was, what
3 is the impact at the property line? So if the
4 standard is 0.5 milligals, which is a generally-
5 accepted utility standard, and we are now
6 calculating a number at something much far less
7 than that -- again, assuming that we have got
8 equipment, the major so-called generators of
9 this EMF, is further away from the property
10 line -- I don't see that there is a tangible
11 impact on the adjacent property.

12 You, again, get all sorts of
13 electromagnetic fields developed by any one of
14 multiple things. By the way, the phone in your
15 pocket, the one that you place up to your ear,
16 right next to your head, generates a higher
17 frequency and obviously gives you a greater
18 exposure than something that runs at a
19 60-times-a-second frequency, which is the
20 electricity we have all had in our homes our
21 entire lives and have grown up with.

22 So my point here is that the impact of
23 electromagnetic fields as generated from the
24 wiring, which is insulated, generating from

1 the -- generated from the inverters, which are
2 yet further away from the property than even the
3 modules are, and the transformers are far away
4 from any tangible or measurable impact on
5 adjacent neighbors.

6 EXAMINATION

7 BY MR. PLUTA:

8 Q. I don't think that you talked about your
9 professional and educational credentials. Could
10 you just enter those?

11 A. Yeah, sure, I would like to do that.

12 I am a graduate of civil engineering, with
13 a Bachelor's of Science in Civil Engineering
14 from Rutgers University, 1987. I work for the
15 firm of Partner Engineering and Science,
16 headquartered in Torrance, California, with a
17 regional office, out of which I work, in
18 Eatontown, New Jersey.

19 And I am a licensed engineer in eight
20 states, none of which actually is Illinois, so I
21 want to make that clear. But civil engineering
22 experience is pretty much universal, in terms of
23 how it's applied. It's usually based upon the
24 local jurisdiction. I am licensed in eight

1 states: Florida, Massachusetts, Maine, North
2 Carolina, New Jersey, New York, Oregon and
3 Texas. I can repeat that if you want me to.

4 So that is -- and I have been working with
5 civil engineering, designing systems, initially
6 residential construction during the late '80s
7 when there was a boom. After that, I designed
8 water and wastewater facilities, water
9 transmission mains, and then back to
10 residential, commercial and institutional,
11 schools, universities, medical offices, that
12 type of thing, until about six years ago, when I
13 transitioned over to a number of projects that
14 we undertook larger utility-scale projects.

15 The first one was 38 megawatts. The
16 second was over a hundred megawatts. And I have
17 been doing all in between, in terms of sizes,
18 from 500 kilowatts, on a very small system, to
19 supporting water utilities, to most recently, in
20 Puerto Rico, we are looking at three projects
21 totalling about 168 megawatts.

22 So I deal with this type of design and
23 this type of equipment and all the civil
24 engineering aspects of it, as well as some of

1 the electrical engineering aspects of it, to
2 make sure that those disciplines are meshed
3 together and they talk to one another. Because
4 quite often you'll see projects that don't
5 integrate both sides of that engineering.

6 Q. Last question, because I think it's going to be
7 asked. So in your experience in the projects
8 that you have worked on, are any of those
9 projects near health facilities, schools,
10 residential communities?

11 A. They are, yes. They are near residential
12 communities. I can't say specifically if they
13 are near schools. I mean, I know I have seen
14 schools around me that have fixed-tilt
15 facilities, but not that I have designed, no.

16 MR. PLUTA: Okay. Thank you.

17 MR. WELBERS: Questions, Kris?

18 EXAMINATION

19 BY MS. DONARSKI:

20 Q. First of all, could you spell your first name.

21 A. Yeah, it's Jeffrey, J-E-F-F-R-E-Y.

22 Q. Thank you.

23 Okay. And then what was the name again of
24 the company that you work with?

1 A. Partner, P-A-R-T-N-E-R, Engineering and
2 Science, Incorporated.

3 Q. Okay. And so have you -- do you have
4 experience in doing -- designing systems like
5 are being proposed for Cherry Solar 1?

6 A. Yes, I would consider this a community solar
7 facility in terms of size, but yes.

8 Q. Okay. And then are there -- are -- if they use
9 string inverters or they use the other kind of
10 inverters, is there a difference in the amount
11 of the EMFs that are given off?

12 A. Well, in general they don't give off a lot.
13 But yes, the answer -- the short answer is yes,
14 they differ, but they don't differ -- based on
15 size, they don't differ dramatically, one from
16 another. So it might go up from 125 to a 250,
17 or a 750 or thousand-kilowatt inverters, and
18 they don't -- the levels of EMF recorded or
19 reported don't change drastically, because they
20 are all -- again, they are packaged, they are
21 insulated. There are other things that will
22 mitigate any potential feel that's generated by
23 the electricity's movement within the apparatus.

24 Q. So the size of the inverters that they are

1 proposing to do on Cherry Solar 1, would there
2 be any EMFs that would -- I don't know the
3 correct term -- radiate or come out beyond the
4 fence line of the project?

5 A. No.

6 MS. DONARSKI: Thank you.

7 MR. WELBERS: Okay. Who has a question
8 for this witness?

9 MS. SUTTON: Colette Sutton.

10 EXAMINATION

11 BY MS. SUTTON:

12 Q. Can you explain what would be the advantage of
13 line inverters over string -- the string
14 inverters over the previous inverters that we
15 were discussing?

16 A. The difference is that with the string
17 inverters you can compartmentalize or segment
18 various areas of an array; whereas, with a
19 centralized inverter -- which is a point source
20 of EMF, by the way, as is a line inverter --
21 the -- pardon me. I just lost my train of
22 thought.

23 The difference is that you can better
24 organize and segment portions of your array

1 based upon an increased number of connection
2 points for inverters; whereas, if you had a
3 centralized inverter, you may have -- depending
4 on the size of the site, you may have more than
5 one centralized inverter, but they require that
6 you route everything in through that inverter.

7 So every panel that you see, no matter how
8 close or how far, has to go into an inverter in
9 order to create the AC, which is then fed back
10 to the system.

11 So there -- is there a benefit? I would
12 say there's a benefit in terms of being able to
13 compartmentalize sections of your design or of
14 your array, and it would also reduce certain
15 wiring costs and -- because you could -- the way
16 I would look at it is, if I could put in an
17 inverter that gets fewer feeds into it, I could
18 that much more quickly go from a DC, which is
19 typically copper-type wiring, to an AC wire,
20 which in many cases aluminum is an adequate use
21 of cable to convey the electricity that's
22 collected in the system to the interconnection
23 with the utility.

24 So it's really a matter of balancing costs

1 for the various materials. String inverters may
2 be an option for the smaller facilities and be
3 more most-effective; whereas, centralized
4 inverters would be more cost-effective for much
5 larger arrays. At least that's how we look at
6 it in my company when we look to design systems.
7 And usually there is direction provided by the
8 utility company as to what they want to see.

9 Obviously we're responsible for what's
10 behind the point of interconnection. And from
11 the point of interconnection on, the utility is
12 required to maintain that system. But they
13 oftentimes have some say in what we do in terms
14 of our design and how we deliver the collected
15 electricity to their systems.

16 MR. WELBERS: Next question, anyone?

17 (No verbal response.)

18 MR. WELBERS: Okay. Does our Board have
19 any questions?

20 (No verbal response.)

21 MR. WELBERS: Anything you would like to
22 clarify?

23 MR. PLUTA: No. I am all done. Thank
24 you.

1 MR. WELBERS: Thank you, sir.

2 MR. SZABO: Thank you very much. And
3 Princeton, your sister city, says thank you.

4 MR. WELBERS: Do you have some?

5 MR. PLUTA: I'm happy to give a closing.
6 I don't know if you want me to wait until other
7 people have a chance to speak?

8 MR. WELBERS: So as far as evidence to
9 present, you are complete?

10 MR. SNYDER: For the time being. We might
11 be responsive to what we hear.

12 MR. WELBERS: You can always rebut what's
13 said by someone else and that type of thing.

14 I guess a closing argument would be at the
15 close.

16 MR. PLUTA: Yeah, with the exception of
17 rebuttal evidence, we're good for our case in
18 chief.

19 MR. WELBERS: All right.

20 What's that?

21 MS. DONARSKI: I think that Callie would
22 like to take a quick break, if we could, before
23 we start the next part.

24 MR. WELBERS: Would you like to do that?

1 COURT REPORTER: Sure.

2 MR. WELBERS: Then that's what we'll do.
3 Just a few-minute, short break for our court
4 reporter to rest her hands, and then we'll --
5 let's start back at 8:30. Then we can have our
6 first witness, whoever that chooses to be.

7 (A recess was taken at 8:22 p.m.
8 and proceedings resumed at
9 8:30 p.m.)

10 MR. WELBERS: Does anyone have a
11 particular order they would like to testify?

12 Rebecca, you came the furthest. Would you
13 like to --

14 MS. DEBNAR: Sure. Let's do this.

15 REBECCA DEBNAR,
16 being first duly sworn, testified as follows:

17 MS. NEMETH: State your name and address
18 for the record, please.

19 MS. DEBNAR: Rebecca Debnar.

20 MS. NEMETH: Spell your last name.

21 MS. DEBNAR: D-E-B-N-A-R. 14708
22 Independence Drive, Plainfield, Illinois.

23 MR. WELBERS: Go ahead.

24 MS. DEBNAR: So just to start with a

1 little bit of my background, I am a registered
2 nurse. I have been a nurse for 17 years now. I
3 received my bachelor's degree from Bradley
4 University, and my master's degree in nursing
5 education from Benedictine University.

6 I currently work as a clinical nurse
7 educator for an emergency department in the Rush
8 Health System. I regularly do research to
9 ensure best practices in my department. So I'm
10 very well-versed on peer-reviewed information,
11 and that is why I was looking at some of the
12 articles that were presented and noticed the age
13 of them.

14 And like I said earlier, in regard to the
15 one from Goldberg from 2012 on the study of
16 acoustic and EMF levels, I actually found an
17 article -- and I have copies here, if anyone
18 would like them -- that spoke to some of the
19 sound from solar farms. The last page is
20 actually Page 9, it calls out:

21 In 2012 the Massachusetts Clean
22 Energy Center sponsored a study of
23 measured sound levels from installed solar
24 equipment. This study, based on the

1 arrays, concluded that any sound from the
2 PV array and equipment was inaudible at
3 setback distances of 50 and 150 feet from
4 the boundary. While that may be true at
5 the time, modern solar projects can be 100
6 times larger than the arrays monitored in
7 2012. Equipment is now larger and energy
8 storage is added to the mix.

9 We recommend revisiting that study
10 and updating measured sound levels of all
11 facility components based on a monitoring
12 campaign at modern solar facilities.

13 So I guess we can't really take that into
14 account when making that educated decision,
15 because the majority of the information that
16 Mrs. Wahls provided in regards to the actual
17 sound produced by solar projects were outdated,
18 the one we previously referenced from 1997 and
19 then this one, which I just discredited.

20 All of the other information that she
21 provided was in regard to children with autism.
22 It didn't actually speak to the sound from
23 solar.

24 Speaking of children with autism, the

1 article she provided, as I previously stated
2 when talking with Dr. Wahls, states that there
3 is a wide variation in type of severity of
4 symptoms with autism. Each neurodivergent
5 individual is unique.

6 And actually, the DSM-5, which he
7 previously referenced, that came out in 2013.
8 There is not a DSM-6. It's due anytime between
9 2023 and 2028. So that is the current source
10 of -- for diagnosis of children with autism.

11 But if you look into that document, there
12 were actually a lot of updates when it came out
13 in 2013. So even though it is 11 years old,
14 that is the source of truth. And there was a
15 lot of learning opportunities about diagnosis
16 and treatment of children with autism.

17 So I can only assume that when the DSM-6
18 comes out, there will be even more. Because
19 there's been documentation of the fact that
20 Asperger's might not even be a diagnosis that is
21 used anymore. So we can see how healthcare is
22 constantly evolving, and we are learning more
23 and more about autism as we go. So having older
24 studies isn't necessarily the best source of

1 truth.

2 One of the studies that she presented also
3 talked about how atypical behavior responses to
4 environmental sounds is among the most prevalent
5 and disabling sensory features of autism, with
6 more than 50 percent of individuals exhibiting
7 impaired sound tolerance. For a person
8 experiencing sensory overload, everyday sounds
9 can be unpleasant and overwhelming and may lead
10 to poor emotional and social regulation.

11 So that brings me to my next point, which
12 like I said, I have been a nurse for 17 years.
13 The majority of that time I have spent in
14 critical care areas, including the emergency
15 department. So I have cared for numerous
16 children and adults presenting with emotional
17 disturbances and behavioral health crises.

18 Okay. So while I'm not an expert on
19 autism, I do have great experience on patients
20 presenting to the emergency department in
21 behavioral health crises, including children
22 with autism.

23 And I have a study -- or an article,
24 actually, released earlier this year from the

1 Emergency Nurses Association that talks about
2 the guiding principles for sensory-informed care
3 for children with autism, and how these people
4 have unique sensory needs, and that patients and
5 their families or caregivers are the best
6 authority to provide staff with information on
7 how to meet their unique sensory needs.

8 Not only am I a nurse, I happen to be the
9 aunt of the young man that is in question here.
10 So I personally know his strengths and his
11 weaknesses, and I am here as not only a
12 concerned healthcare provider but a concerned
13 family member for this young man. And I don't
14 feel that we should be putting somebody else's
15 bottom line in front of the health and wellbeing
16 of him.

17 MR. WELBERS: Are you good for now?

18 MS. DEBNAR: Huh?

19 MR. WELBERS: Are you good?

20 MS. DEBNAR: I'm good.

21 MR. WELBERS: Just want to be sure.

22 This is an exhibit for Kris?

23 MS. DEBNAR: Here. I'm standing already,
24 I'll do it.

1 MS. DONARSKI: Thank you very much.

2 MR. WELBERS: Now, you realize that there
3 will be some questions?

4 MS. DEBNAR: Absolutely.

5 MR. WELBERS: You're not scared.

6 MS. DEBNAR: Not at all. I work in the
7 emergency room; I'm not scared.

8 MR. WELBERS: Whenever you're ready, Kris,
9 I'm sure your questions come next.

10 EXAMINATION

11 BY MS. DONARSKI:

12 Q. You said that you have, like, behavioral health
13 crisis experience with children with autism in
14 your profession?

15 A. Yes.

16 Q. Okay. And so do you know, of any of your
17 experience, that would give us some idea of,
18 like, sounds they came in -- because of sound or
19 things that like that, that affected them, or is
20 this more like they were in a trauma, in a
21 crash? What kind of things do you see for?

22 A. I would say it's a wide variety. Typically
23 when they present to the ER it's because they
24 can't get those emotions controlled at home.

1 Like I said, families tend to be the most
2 capable of calming a child down when they're in
3 sensory overload. They know the child. They
4 know their comforts. Okay. So they only
5 present to the ER when they can't control them
6 anymore, when they're acting out, when they're
7 hitting, when they're doing things.

8 So I can't say that I have specifically
9 had ones related to sound, but I have cared for
10 a number of autistic children that are in
11 sensory overload.

12 MS. DONARSKI: Okay. Thank you much.
13 That's all I have.

14 MR. WELBERS: Who would have other
15 questions?

16 Dr. Wahls?

17 DR. WAHLS: I have one.

18 EXAMINATION

19 BY DR. WAHLS:

20 Q. Rebecca, you mentioned that the study, at least
21 as I understood it, said that -- the article
22 that you underlined there, studies were needed?

23 A. Yes.

24 Q. Have studies been done?

1 A. Not that I saw. The article is actually from
2 Noise-Con 2020, where they were evaluating them.
3 They were looking at some of them, but they
4 talked about how some of the factors hadn't been
5 totally considered yet because of the increase
6 in size -- the continued increasing in size of
7 solar facilities.

8 So the previous studies that were done,
9 from what I understand from the article, were
10 mainly done on smaller-scale solar facilities.
11 They hadn't been done on larger ones.

12 MR. PLUTA: I think one final question
13 from Cherry Solar on this.

14 EXAMINATION

15 BY MR. PLUTA:

16 Q. I'm reading the article that you passed out
17 from Noise-Con, and the Future Research Section
18 that you quoted from referred to the study,
19 you're correct, and it said that the study was
20 based on photovoltaic arrays of between 1,000
21 and 3500 kilowatts.

22 And it goes on to -- and I am going to
23 summarize, saying that because projects have
24 become much larger, it's necessary to reevaluate

1 the noise that's emitted from those sites. Is
2 that a correct characterization?

3 A. Yes.

4 Q. Is it fair to say that a sound study that
5 reviews the noise coming from inverters for this
6 specific project would more or less answer that
7 question about noise?

8 A. Maybe.

9 MR. PLUTA: Okay. Thank you.

10 MR. WELBERS: Go ahead, Nanette.

11 MS. GILLAN: Nanette Gillan.

12 EXAMINATION

13 BY MS. GILLAN

14 Q. But in reference to that, would it -- does it
15 say anything about the noise, how that would
16 affect an autistic child?

17 A. No, it does not.

18 MS. GILLAN: Thank you.

19 MR. WELBERS: Are there other questions
20 for Rebecca?

21 MS. SUTTON: Colette Sutton.

22 EXAMINATION

23 BY MS. SUTTON:

24 Q. So you're the aunt, and you can decline to do

1 this, if you wish, but can you describe for me
2 what this child's sensory, sort of,
3 compensations need to be addressed, how he deals
4 with noise, and how he deals with transitions or
5 whatever his particular autistic sensitivities
6 are?

7 A. All I can speak to is, typically if there is
8 going to be what we would consider an unpleasant
9 noise, it is not uncommon to see him wearing
10 noise-cancelling headphones. He has them with
11 him pretty much all the time to help control his
12 sensory issues.

13 Q. Could you describe further, if he does not have
14 those earmuffs, what is his reaction then?

15 A. I mean, it's disturbing for him, obviously. He
16 might cry. He might cover his ears. He might
17 run into a different room. It's variable based
18 on whatever the sound is.

19 MS. SUTTON: Thank you.

20 MR. WELBERS: Other questions of Rebecca?

21 (No verbal response.)

22 MR. WELBERS: Does the Board have any
23 questions?

24 (No verbal response.)

1 MR. WELBERS: Thanks, Rebecca.

2 MS. DEBNAR: Thank you.

3 MR. WELBERS: Lori, do you mind if you go
4 next?

5 MS. FRY: Sure.

6 LORI FRY,
7 being first duly sworn, testified as follows:

8 MS. NEMETH: Can you state your name and
9 address for the record, please.

10 MR. FRY: Lori Fry.

11 MS. NEMETH: Which way are you spelling
12 Lori, by the way?

13 MS. FRY: L-O-R-I.

14 MS. NEMETH: F-R-Y-E?

15 MS. FRY: Just F-R-Y. 111 East Burnett
16 Street.

17 MS. NEMETH: I'm sorry, what was the
18 street?

19 MS. FRY: 111 East Burnett, B-U-R-N-E-T-T,
20 Street, LaMoille, 61330.

21 MR. WELBERS: Go ahead.

22 MS. FRY: All right. Tonight I am here
23 speaking on behalf of my father, John Romanelli.
24 He had some major oral surgery today, so he's

1 unable to come. He was here last week. So I am
2 speaking on behalf of my father, John Romanelli:

3 My house and land sits on the south border
4 of the field that the solar farm is planned to
5 be built. I would like you to know the
6 sentimental importance that my property has to
7 me and my family.

8 I built this house with close friends in
9 the early 1990s. My late wife, Kathy, and I
10 designed the home and raised our four children
11 together on this property. The land itself
12 belonged to my family before me. The intentions
13 of building on this land is to keep this house
14 and farmland in the family for generations to
15 come.

16 My house was built on the top of a hill to
17 have a view of the surrounding land. The solar
18 panels wouldn't -- won't be behind my house. It
19 will be in front of my picture window, where I
20 will sit daily.

21 I have also received several letters from
22 solar panel companies. I chose to follow my
23 heart and not my pocketbook. I chose to respect
24 my neighbors and the property owners that

1 surround me.

2 I know there has been discussion of
3 farming the land directly connected to my
4 property, but the panels and up-to-8-foot fence
5 will still be in my direct view and an eyesore
6 compared to the crops that are planted annually.

7 I have been a hardworking man my whole,
8 entire life and I have earned it. Building this
9 house has my blood, sweat and tears in it. I
10 love this home. It is one of the proudest
11 things I did with my late wife, and I want to
12 leave my house behind for my children and in
13 hopes that it would be passed down to my
14 grandchildren.

15 I am very concerned about the value of my
16 property and the house value. The gentleman
17 that discussed the property value at the last
18 meeting did not give me any confidence that my
19 property value would not depreciate.

20 If you were to do a survey in our area,
21 local area, and give the choice of having an
22 identical property next to or not next to a
23 solar farm, I would guess that over 95 percent
24 of the surveyors would choose not to live next

1 to a solar farm. That's just a guess.

2 In closing, if you were sitting in my
3 shoes and the tables were turned, knowing how
4 much my property and home means to me, would you
5 be happy with the fact that a solar farm was
6 being built next to your home? And last I
7 checked, more farmland is not going to be made.
8 And if you can figure out a way, let me know.

9 MR. WELBERS: Is that what you have to
10 say?

11 MS. FRY: For John Romanelli, yes. I
12 would like to say some stuff too.

13 MR. WELBERS: Let's first ask if there's
14 any -- you represent your dad and that's because
15 he can't be here. That's good.

16 Is there anything you would like to
17 clarify on John's?

18 EXAMINATION

19 BY MS. DONARSKI:

20 Q. Lori, for the record, do you know what your
21 dad's address is, so we have that in for the
22 record?

23 A. It's 20816 Illinois Highway 89, Arlington,
24 Illinois, 61312.

1 MS. DONARSKI: Thank you very much.

2 MR. WELBERS: Any questions on Lori,
3 representing her dad?

4 MS. DONARSKI: I have none.

5 MR. WELBERS: Now Lori is going to
6 represent herself.

7 MS. FRY: I am going to represent myself.

8 So I was informed that tonight -- and I am
9 unsure that my father even knows this. He was
10 not here in February, when it was discussed.

11 I guess the tiling is only going to be
12 maintained one year after this project is
13 complete. I will say, I have pictures of one
14 tile that got plugged and my dad had, like,
15 3 foot of water in his basement. The whole --
16 he's got an open -- open-spaced basement, and it
17 was -- it looked like a swimming pool. And then
18 he's got drywall in his basement, some, like,
19 living area. And because of one tile, one tile
20 was plugged, that completely filled up that
21 whole area in his basement.

22 Now, once this project is complete and a
23 year later, if any of those tiles are affected,
24 I mean, you can't predict what's going to happen

1 one year -- from a drought one year to the next
2 year. So if a tile is broke because of that
3 project, then it could affect his farm ground,
4 area farm ground, it could affect their property
5 value. And to get that fixed, he's going to
6 have to pretty much sue that company to be able
7 to do that and to get it fixed.

8 It was actually on Page 15 and 16 of the
9 February minutes where they said that it would
10 be only one year.

11 And then I guess my other question is -- I
12 know Wes personally and I have known him my
13 whole life. And I guess my question would be
14 is, why that -- why that property? Because you
15 own several more. Why not have it in your
16 backyard, and then if it works great, then we
17 can talk in five years?

18 MR. W. GILLAN: I'm not on the stand here.

19 MR. WELBERS: Yeah, I understand.

20 MR. FRY: That's just a statement.

21 MR. W. GILLAN: I'll tell you one thing
22 though, the only way that you can see that field
23 of things is look through his sheds. Because
24 it's not going to be north of his house.

1 MS. FRY: Yes, it is.

2 MR. W. GILLAN: There's going to be
3 nothing between the house and the shed.

4 MR. WELBERS: Wes, you have signed up to
5 speak, so we'll let you do that.

6 If you have a question of Lori, you can do
7 that. But I think you're probably good.

8 MR. W. GILLAN: I am sorry. She asked me
9 a question.

10 MR. WELBERS: I understand.

11 Is there anything else you would like to
12 talk about?

13 MS. FRY: No. I mean, I -- my dad showed
14 me the diagram. He'll be able to see it out his
15 window, on the hill. So it will be there.

16 MR. WELBERS: Let's see if there's any
17 other clarifications.

18 MS. DONARSKI: I have none.

19 MR. PLUTA: No questions for me.

20 I would just like to remind you that we're
21 here on a narrow set of topics. Drainage isn't
22 one of them.

23 MS. FRY: It affects the property value.

24 MR. PLUTA: I want to be sensitive of

1 everybody's time here.

2 MS. FRY: Correct, and I am sensitive of
3 time, like the last two times I have been here.

4 MR. WELBERS: Do you have a question,
5 Dr. Wahls?

6 DR. WAHLS: I did. Steve Wahls.

7 EXAMINATION

8 BY DR. WAHLS:

9 Q. So I was hearing before that someone that wants
10 to build a solar array on their property
11 shouldn't benefit from that, but now I'm hearing
12 that your dad -- and I realize he's not here to
13 speak for himself --

14 A. Correct.

15 Q. -- doesn't want somebody else to impact his --

16 A. Property values.

17 Q. -- use of his property?

18 A. Correct.

19 Q. So we have two property owners. I just don't
20 know, how you decide between -- I guess this is
21 how we do it. But each has, in my mind, an
22 equal entitlement to use their property as they
23 would choose. Am I right? Or maybe I'm missing
24 something.

1 MR. WELBERS: I guess you ultimately
2 turned that into a question. I guess you can
3 answer, if you choose, Lori.

4 A. I mean, everybody is entitled to build whatever
5 they want. And that's why, for example, if I
6 wanted to build a garage, like I did several
7 years ago, I still had to come to the committee
8 and make sure my neighbors were good with it.

9 If somebody wants to put a solar farm next
10 to my father's property, you have to make sure
11 your neighbors are okay with it, right?

12 Q. (By Dr. Wahls:) I think that's why we are
13 here.

14 A. I think so.

15 MR. WELBERS: Any other questions for
16 Lori?

17 Colette.

18 MS. SUTTON: Colette Sutton.

19 EXAMINATION

20 BY MS. SUTTON:

21 Q. According to the Illinois drainage law, Lori,
22 who pays if tiles are plugged and it's backing
23 water up into your farm field and affecting your
24 property value, that you can't get in to farm

1 it?

2 A. The farmer.

3 Q. So the --

4 A. The landowner would have to do all the
5 investigating and pay for it all.

6 Q. How often can that occur? Can that occur
7 longer than a year after the construction?

8 A. Absolutely, because we don't know. We could
9 have a complete drought for three years and not
10 get barely any rain, and then we could get a
11 bunch of rain, and then we'll find it will be a
12 big surprise, won't it?

13 MR. WELBERS: Any other questions for
14 Lori?

15 (No verbal response.)

16 MR. WELBERS: Board, questions?

17 (No verbal response.)

18 MR. WELBERS: Thanks, Lori.

19 Ruth Bonnell? Is Ruth Bonnell here?

20 Are you both witnesses?

21 MS. SUTTON: We own property together.

22 MR. WELBERS: So you're here collectively
23 as witnesses?

24 MS. SUTTON: Yes.

1 MR. WELBERS: So you'll both be sworn in
2 and you both have a presentation.

3 That's two names accomplished on my list
4 here.

5 COLETTE SUTTON and RUTH BONNELL,
6 being first duly sworn, testified as follows:

7 MS. NEMETH: State your name and address
8 for the record, please.

9 MS. SUTTON: Colette Sutton, 33919 - 2400
10 North Avenue, LaMoille, Illinois, 61330.

11 MR. WELBERS: And in a minute we'll get
12 Ruth's.

13 MS. BONNELL: 806 South Main, LaMoille,
14 61330.

15 MR. WELBERS: I think you would want to
16 give one to the Counsel so he can follow along.

17 Ruth, you will need to state your name and
18 address for the record.

19 COURT REPORTER: She did. 806 South Main.

20 MR. WELBERS: Okay. She did.

21 MS. NEMETH: 806 South Main?

22 COURT REPORTER: Uh-huh, LaMoille.

23 MR. WELBERS: You're ready?

24 MS. SUTTON: Okay. I'm going to start

1 with just property value impact, which was one
2 of the prescribed topics that we were supposed
3 to talk about. And I would like to add a few
4 more data points to what was presented in a
5 previous conversation the last meeting we were
6 at about a week ago.

7 One is the Lawrence Berkeley National Lab
8 Study from Berkeley, California, released
9 January 29th, 2023. And there were six states
10 in a quantitative statistical study. And they
11 have probably the largest study, I would guess,
12 that's been done most recently of 1.8 million
13 residential homes.

14 Of those six states, three of them had
15 statistical changes based on solar farm
16 presence. One was Minnesota, and those
17 residents lost 4 percent of value; North
18 Carolina lost 5.8 percent of value; and New
19 Jersey lost 5.6 percent of value. They also
20 studied California, Connecticut, Massachusetts,
21 and those studies were within their margin of
22 error.

23 So if the company, GreenKey Solar or
24 GreenKey Development, or the Board will look, I

1 have probably some articles from some magazines
2 that will kind of synthesize that, but your
3 Chair also has a complete study with highlighted
4 pieces of that study.

5 So I think the study is quite impressive.
6 It's one of the biggest ones done and definitely
7 with demographically-similar states, like
8 Minnesota, for example, which has got larger --
9 Minneapolis, St. Paul, city/urban area, and they
10 also have a lot of farming, very similar to our
11 area as well.

12 So you're looking at Minnesota losing
13 4 percent of the value of a residence within
14 solar panel situations, solar farms.

15 The second one, which is a little bit
16 older, University of Rhode Island, also was
17 quoted in the last meeting that I sat in on, and
18 that's dated from September 29th, 2020. And
19 they studied 400,000 homes within 3 miles of a
20 solar site. And homes within 1 mile of the
21 solar array lost 1.7 percent, which translated
22 to, according to the study, \$5,751 compared to
23 their control group.

24 And what was interesting, there was one

1 statement in that study, and it said there a was
2 greater negative impact for property within
3 0.1 mile and properties surrounding solar sites
4 built on farmland and forestland in nonrural
5 areas.

6 So those two sites, I wanted to be sure
7 that the people sitting here tonight and the
8 Board as well and the Zoning Board Enforcement
9 Officer was aware of any some additional data
10 points that were present in those two studies.
11 I think they're significant to the discussion
12 that we're having now.

13 Again, then I think the previous testimony
14 that tiles are only going to be maintained for
15 one year following construction is significant.
16 You're looking at my sister and I, who have a
17 family farm very close by on 2100. We can tell
18 you that opening up plugged tiles will run you
19 into thousands of dollars, which we have done in
20 the previous year.

21 So I am telling you that for landowners
22 that are connected up to this project that it is
23 a significant concern that they are only going
24 to be maintained for one year after.

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In Totidem Verbis, LLC (ITV)

1 This is a lifetime situation, where tiles
2 that are connected up to this project can plug
3 up at anytime, they can collapse, you can have
4 rodents come in and whatever is in the area
5 climb up from streams nearby and so on.

6 In addition to that, I wanted to talk a
7 little bit differently about property values and
8 what I would call trickling down impact for
9 taxpayers. The tax revenue coming from the
10 project, rightfully so, will be going to Dimmick
11 and will be going to Hall.

12 But I can tell you, if you look north of
13 this project, you're looking at land, and the
14 tax extensions that are going there will be
15 going to LaMoille High School and Unit 303.
16 What happens with that is, if you were an
17 administrator and you're levying taxes, and
18 you're finding that the surrounding farms are
19 being adversely affected -- and also LP is
20 within this as well. Some of you that are in
21 the audience tonight may see your taxes going
22 from Dimmick to LP.

23 But what happens when those property
24 values drop -- because you have bills to pay if

1 you're an administrator in a school or other
2 levying entity, and you will levy what you need
3 to levy. So you will -- let's say your EAV has
4 changed and you have dropped 4 percent, you're
5 going to have to levy more on the individual
6 residences and the farmland in order to pay your
7 bills and recoup and basically pay your people
8 that work for you.

9 The school district, which is usually
10 typically the heaviest levy in our area around
11 here, you're going to find that they're going to
12 need to raise that. So that's kind of a spinoff
13 of, what I would call, trickle-down economics,
14 but that's what that's going to amount to if
15 that EAV declines.

16 If we're talking -- I'm going to talk a
17 little bit in reverse, and I'm going to talk
18 about the farmland and the project and GreenKey
19 Solar. And I'm going to say, What's the value
20 of that farmland? And I'm going to say, It's
21 priceless. And the reason why it's priceless
22 is, if you look at the environmental studies
23 that were required of the company that's going
24 to put in the solar farm, you'll see that one --

1 well, more than one. There are actually seven
2 species that the company has to deal with, but
3 one of them is called the Indiana bat.

4 Okay. And lest you think that we're crazy
5 here. The Indiana bat is an endangered species.
6 And if you look at the Natural Resources report,
7 you will see that this particular parcel ground
8 is partially or wholly -- it's critical habitat.

9 Now, to their credit, the solar company
10 has said that they would try to make mitigating
11 actions for whooping cranes, these bats -- and
12 I'm not sure about the long-eared bat. That's
13 another one that's on the verge of extinction,
14 but we're not sure about the critical area that
15 it migrates around and travels to.

16 But what I wanted to tell you -- and some
17 of you think that bats are creepy, and they're
18 black, and we don't have to bother with them.
19 But bats save -- and this is from a very
20 credible source that you will see in the packet,
21 if you have one. But they save more than
22 \$1 billion per year in crop damage. And if
23 you're looking at the whole of agriculture, bats
24 save \$3 billion a year in all of crop production

1 and agriculture. So because we don't see them
2 doesn't mean that they aren't beneficial. And
3 in this particular piece of ground, hugely
4 beneficial.

5 So if we're going to put solar arrays on
6 that, the next piece of it is, Oh, we're going
7 to take mitigating action. But if you look in
8 your packets, there's a statistical study that's
9 pretty convincing. And what that statistical
10 study says -- and I'll have to read that -- that
11 bats alter their flight and feeding behavior at
12 ground-mounted solar farms.

13 I don't know what you're going to do about
14 that, to mitigate that. And that's a relevantly
15 recent, very, very recent, study, statistical
16 study, and I have to say that I think it's very
17 well done.

18 And they are insectivorous bats. So to be
19 very clear, we're not talking about fruit bats.
20 We're talking about bats that eat insects. And
21 roughly speaking, one bat can eat 13,000 insects
22 a minute.

23 So if you're looking at a very critical
24 piece of ground, this is it. We're here. So

1 we're talking about declining property values,
2 and we're talking about a very critical species.

3 Now, in the environmental impact reports
4 that the company did a great job of gathering,
5 and in the reports there was also a mention of
6 no streams flow through the property. Well,
7 they don't, except Brush Creek is right across
8 the road. So if you're looking at Brush Creek,
9 and in your packet you will see -- that actually
10 my husband took a picture of -- migratory birds
11 in the fall that are moving down Brush Creek.

12 Where did he take the picture? It was one
13 mile north of your project. So it's on the
14 Ernest Bartoli farm on Brush Creek, and that
15 comes right down, and we just happened to catch
16 them migrating.

17 So whooping cranes are in this area,
18 migratory birds are in this area, and of course
19 they fall under the Migratory Bird Act. I don't
20 know -- whooping cranes certainly are
21 endangered, and you'll see Dixon
22 Water project -- Waterfowl project down in
23 Putnam County that will eventually just shut
24 that completely off while those birds are coming

1 through.

2 So do they undoubtedly affect this
3 project? Yeah, they do. So I'm not -- anyway,
4 certainly an issue. And the bats probably are
5 more serious.

6 The other piece I had was the
7 archeological impact study, and that was more of
8 a question than anything. And that Commonwealth
9 Heritage report came in, and that Commonwealth
10 Heritage report indicated that there were
11 13.06 acres that overlap the area of high
12 probability for archaeological resources.

13 And so they were recommending a survey be
14 done before this project was instituted,
15 whatever, but I am not sure at this point if
16 that has been completed. So I know you're still
17 looking for approval. But that was one of my
18 questions.

19 Now, moving on to general health and
20 safety, which I think is one of the approved
21 topics as well.

22 MR. WELBERS: It is.

23 MS. SUTTON: I wanted to talk just briefly
24 about the perimeter fence. Because when I read

1 the application, one of my concerns was the
2 application indicated that the perimeter fence
3 is not part of the facility, and that's stated
4 on the -- and it may be because you want the
5 50-foot setback. I'm not sure what the
6 rationale was.

7 But my concern is, maintenance, repair and
8 insurance. So if you're carrying liability on
9 this, you have somebody that hit that fence and
10 they're in a catastrophic accident, where
11 injuries are terminal, you know, whatever,
12 people die in the accident, whose liability is
13 going to cover that? If your liability
14 insurance is -- and I read, you know, you agreed
15 to provide liability insurance for this project.
16 If the fence isn't part of the facility, I would
17 argue, having been in the public sector, that
18 they are going to say, This fence isn't yours,
19 we're not covering it.

20 So that's one of my concerns, in terms of
21 general health and safety. If the fence isn't
22 part of the facility, who manages it? And who
23 pays for the upkeep of that fence? And how is
24 it part of it?

1 And yes, I think you can argue semantics,
2 but liability insurance is going to argue
3 semantics when something critical happens.

4 One of my other concerns, maybe not an
5 objection, is indemnification. And I know that
6 the solar project has agreed to carry liability
7 insurance, and corporations carry liability
8 insurance to protect themselves, and they have
9 agreed to cover -- I have a list of some of them
10 -- respective agents, officers, appointed and
11 elected officials, volunteers and employees, as
12 additional insureds.

13 But that's for liability, not for
14 indemnification.

15 The corporation does not agree to
16 indemnify these same residents without a
17 judicial opinion and against any and all claims,
18 demands, losses and suits.

19 So one of -- you know, are these other
20 people at risk if it doesn't fall under your
21 liability insurance? This is a serious issue,
22 that you're not going to indemnify these people
23 sitting here tonight on the Board, you're not
24 going to indemnify other volunteers.

1 And one of the concerns -- and I
2 truthfully don't know -- what about your
3 volunteer EMTs, firefighters, people that
4 service you in emergencies? Do they fall under
5 this coverage? And you're covering for them
6 liability, but you're not indemnifying them for
7 other issues not pertaining to your liability
8 issues, I guess.

9 So that's one of my concerns. Maybe not
10 an objection, but a concern at this point.

11 There was another mention of solar panels
12 that are damaged. And, of course, I believe
13 that Hunter had some pictures on his LinkedIn
14 website of someone lobbying solar panels out in
15 Oregon.

16 But the solar panels in the United States,
17 according to the Harvard Business Review -- and
18 I think they're a respected group. I think
19 they're a respected organization that puts out
20 newsworthy items -- and they indicated that as
21 far as they know, there's only one solar farm
22 company in the United States that has a
23 recycling program at this point, and it's First
24 Solar. And they only recycle if you buy -- if

1 you use their product, which makes sense.

2 And so I think right now, the current
3 status of things, is that recycling, as far as
4 panels go, is they're entering the landfills
5 right now.

6 And I believe, when I looked at the
7 February minutes, that there was some mention of
8 you would use German-based solar panels or
9 something similar to that. But I could be wrong
10 about that.

11 So those are just a few of the things that
12 I had concerns about and information that I
13 thought people should know about, as a whole
14 group, and in addition to the corporation as
15 well.

16 MR. WELBERS: Does Ruth have anything to
17 add?

18 MS. BONNELL: No.

19 MS. SUTTON: She said she wasn't going to
20 talk.

21 MS. BONNELL: I just handed out papers.

22 MR. WELBERS: Ruth, do you support what
23 your sister said?

24 MS. BONNELL: Yes, a hundred percent.

EXAMINATION

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BY MR. WELBERS:

Q. Just one question. You own a farm very proximal to this. So is that located -- you said off 2100. Is that farther east?

A. Yes. Yes, it's east of the proposed project, right, and it's a family farm.

Q. East of Gillans' farm too?

A. Pardon me?

Q. East of Gillans' farm?

A. Yes. It's down the road.

Q. Okay.

A. It's the second four corners on 2100.

Q. Second four corners on 2100.

A. Right. We have been there over 150 years.

Q. In the family?

A. In the family. We're it, fight or no fight.

MR. WELBERS: Okay. Questions, Kris?

MS. DONARSKI: That was my question, is where their land was in relation to this.

MS. SUTTON: We're just down the road. Second four corners, that's us.

MS. DONARSKI: That's all I have. Thank you.

1 MS. SUTTON: I also would like to address
2 that I don't have any issues, and I don't think
3 Ruth does as well, with any part of the family.
4 So please don't think that we have got any
5 personal issues, any -- you know, this is just
6 strictly what I'm seeing happening with the site
7 selection. And I don't have any issues with
8 solar farms, per se. I do have an issue with
9 appropriate site selection.

10 So I know that's not part of the
11 allowable, but, you know, I just want to make
12 sure that site selections are thoughtfully taken
13 into consideration and reviewed by all players.

14 MR. WELBERS: Okay. Anyone have questions
15 of Colette? Ruth is not wanting to testify,
16 just supports what Colette says. So Colette is
17 the spokesman here.

18 MS. SUTTON: Right.

19 MR. WELBERS: So questions for Colette?
20 Go ahead.

21 MR. PLUTA: It's not a question for
22 Colette. Thank you.

23 I want to make a procedural point and then
24 figure out what you would like me to do with it.

1 So, you know, some of this report is
2 pretty far afield from the scope that we're here
3 to address. Would it be better for me to just
4 make, like, a running objection to stuff that's
5 off the scope?

6 MR. WELBERS: If you would like to make an
7 objection to, like, the bats and things that
8 were off scope, go ahead and do so, and we'll
9 put that into consideration for the public
10 record.

11 MR. PLUTA: Then I'll just make an
12 objection to the parts of the testimony that
13 related to the drainage, the bat study, the
14 archaeological study, the fence perimeter issue,
15 and then the legal liability insurance issues.

16 MR. WELBERS: Okay.

17 MS. SUTTON: Am I allowed to counter-ask
18 him why?

19 MR. WELBERS: Well, he's made an objection
20 that we were outside the scope of what we were
21 asked by the County Board. We actually were.

22 But you put a great deal of effort into
23 it, and this is a public meeting, so I let you
24 do it. And as the Counsel for them, he just

1 wants to point out to the County Board that I
2 didn't do what I was supposed to do, but that's
3 okay.

4 MS. SUTTON: I would like to offer some
5 support. In terms of the bats, if you're
6 talking about what is the value of this land,
7 what's the value of a piece of land that a
8 national organization has said is a critical
9 habitat for this bat, this bat is on borrowed
10 time, it's endangered. What's the value of that
11 property to keep that particular species alive
12 that contributes several billion dollars a year
13 to insecticides that farmers don't have to put
14 on the ground? I think that piece of ground is
15 worth a lot of money.

16 So if you're talking about the property
17 value impact, which was one of the allowable
18 topics, I would say that bats are primary to
19 property value impact. How can that not be a
20 property --

21 (Interruption by audience.)

22 MS. SUTTON: I'm sorry.

23 MR. WELBERS: You made a powerful argument
24 that it really is in the scope because it

1 affects property values.

2 Okay. Anything else?

3 (No verbal response.)

4 MR. WELBERS: Are there any other
5 questions for Colette Sutton here?

6 (No verbal response.)

7 MR. WELBERS: Does the Board have any
8 questions?

9 (No verbal response.)

10 MR. WELBERS: None. Thank you. You did a
11 lot of research, that's for sure.

12 Devin, could I call you up next?

13 DEVIN SOLDATI,
14 being first duly sworn, testified as follows:

15 MS. NEMETH: State your name and address
16 for the record, and spell your last name for me,
17 please.

18 MR. SOLDATI: Devin Soldati,
19 S-O-L-D-A-T-I.

20 MS. NEMETH: S-O-L?

21 MR. SOLDATI: D-A-T-I.

22 MS. NEMETH: And you need to speak up.

23 MR. SOLDATI: 33375 - 2100 North Avenue,
24 Arlington, Illinois, 61312. And it's I-N.

1 MR. WELBERS: Go ahead, Devin.

2 MR. SOLDATI: So Ladies and Gentlemen of
3 the Board, I come before you today not just as a
4 concerned citizen, but as a steward of the land
5 and a custodian of our rural heritage.

6 We stand at a crossroads where the
7 tranquility of our countryside is threatened by
8 the imposition of industrial structures. The
9 proposal to install solar panels in the
10 neighboring cornfield may seem like progress,
11 but let us not be deceived by the allure of
12 clean energy at the expense of our community's
13 wellbeing. The rural character that draws us to
14 this area will be irrevocably altered as growth
15 of the solar panels mar the horizon and disrupts
16 the natural beauty that surrounds us.

17 Beyond the aesthetic concerns, there are
18 practical implications that cannot be
19 overlooked. The installation of solar panels in
20 a cornfield not only displaces vital
21 agricultural activity, but also poses potential
22 environmental risks. The disruption of soil
23 ecosystems, the loss of variable land and the
24 disturbance of wildlife habitats are all

1 consequences that we cannot afford to ignore.

2 We live on prime agricultural soil, and we
3 are gathered here today to analyze data and find
4 a solution that benefits both the environment
5 and the community. My proposal is this, and it
6 is one that Massachusetts is noted for
7 implementing and one Minnesota is looking to
8 recreate: focusing on installing solar panels
9 not on high-grade farmland but rather on
10 neglected brownfields, creating areas called
11 brightfields.

12 A brownfield is defined by the EPA as, and
13 I quote, a property, the expansion,
14 redevelopment, or reuse of which may be
15 complicated by the presence or potential
16 presence of a hazardous substance, pollutant, or
17 contaminant, end quote.

18 They claim that there are over 450,000
19 brownfields in the country. Investing in and
20 repurposing these areas increases local tax
21 bases and job growth, takes advantage of
22 existing infrastructure, and takes development
23 pressures off of the undeveloped, open land,
24 such as the 40 acres we are here to discuss.

1 According to Community Environmental
2 Defense Services, or CEDS, the best solar farms
3 are built where they are not visible from homes
4 or a minimum of 600 feet away from any houses.
5 Additionally, CEDS claims that the best solar
6 farms minimize the use of prime productive soils
7 that would need to be taken out of agricultural
8 production. Neither of these recommendations
9 will be followed in this proposed solar farm
10 installation.

11 Moreover, let us consider the impact on
12 property value, which has been a controversial
13 subject thus far. As residents who have proudly
14 invested our time, effort and resources into
15 maintaining our homes and land, the prospect of
16 diminished property values is deeply troubling.
17 Potential buyers may be deterred by industrial-
18 scale solar infrastructure in our midst.

19 As a matriculating medical student in
20 August, I have some background in research and
21 the ethics associated with it. If I were to
22 stand here and claim that I have not read of any
23 negative impact on property value following the
24 installation of a solar farm on farmland, I

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1 would be remiss. I heard this in a previous
2 hearing, and believe that observation bias may
3 have come into play.

4 I am not on the stand claiming to be an
5 expert, but in my reading of online resources, I
6 have learned of homes' values both decreasing
7 and not changing by a statistically significant
8 margin. However, I have not personally read of
9 home values necessarily increasing from homes in
10 proximity to installed solar farms.

11 These expansive solar farms are not to be
12 confused with residential panels on homes, which
13 has been shown to actually increase home value
14 according to the Department of Energy.

15 For example, CEDS observed about 400,000
16 property values, and the results suggests 1.7
17 and 7 percent depreciation of property value
18 following the construction of a solar farm
19 within 1 mile and 0.1 miles, respectively.

20 That 7 percent coincided with the decrease
21 in value of \$23,682, meaning the average
22 property value study was around 338,000. And
23 this is not an exuberant amount, based on the
24 proposed area, and does not warrant the

1 dismissal of this study and statistic.

2 The results suggest, and I quote,
3 extremely large disamenities for projects in
4 very close proximity. On the other hand, the
5 University of Rhode Island believes that
6 property values may not be lowered in areas in
7 which solar panels are not visible from the home
8 and significantly worse effects are seen on farm
9 or forestland in nonrural areas.

10 Gaur and Lang oppose the University's
11 latter proposal, and claim that greater
12 reduction in sale prices are observed in rural
13 areas near greenfield construction.

14 Where these two studies do agree is in
15 decline of the sale price, with the Gaur and
16 Lang study on 289,000 properties estimating a
17 net loss of \$1.66 billion in aggregate housing
18 value due to solar installations within 1 mile
19 in Massachusetts and Rhode Island.

20 And I recall the results of studies from
21 Winnebago County being presented in this room,
22 which ultimately ended up being our Minnesotan
23 counterpart. So I would be misleading you if I
24 did not mention that this data was gathered in

1 Rhode Island and Massachusetts.

2 Their data points to probable adverse
3 property effects when solar panels disrupt
4 farmland within one mile.

5 A Benjamin Martin study on the Twin Cities
6 metro area observed lower market values for
7 properties abutting solar installation, but was
8 inconclusive in determining whether said lower
9 parcel value was actually due to the
10 installation.

11 So without conclusive data, especially on
12 our exact location and circumstances, I
13 reiterate that this is information that is meant
14 to serve as a guide, not as a decisionmaker.

15 Despite these recommendations and data
16 pointing to potential adverse effects, why would
17 solar panel developers continue to find
18 representatives from across the country to
19 continue pursuing our vital soil? Perhaps
20 because it costs substantially less to develop
21 on farmland than brownfield, landfill,
22 superfund or industrial land, per CEDS.

23 Perhaps it is the parcel in question, the
24 cost-effective proximity to people, and

1 transmission of the power generated, which
2 Martin's study notes as a combination that
3 lowers parcel values when solar panels are
4 implemented.

5 I understand that these companies are
6 trying to minimize their expenses, as any
7 company may, but their profits should not come
8 at the expense of our community members. CEDS
9 predicts that houses nearby the brownfields
10 repurposed into solar space depreciates less
11 than homes near repurposed farms and forestland.
12 The EPA even states that brownfield
13 redevelopment can increase neighboring homes'
14 values within about one mile by 5 to 15 percent.

15 If solar farm development is deterred by
16 the increased cost of implementation, there are
17 EPA brownfield program grants available to
18 assist with environmental research, cleanup and
19 job training. The EPA's website claims there
20 are over \$300 million in brownfield grants to
21 revitalize communities.

22 I recognize solar farms do have positive
23 impacts, such as bringing in additional tax
24 revenue. So let's propose a few alternative

1 locations in our county that will allow for the
2 additional income, while better preserving our
3 environment.

4 A few potentially suitable brownfields to
5 install solar panels are the closed Princeton,
6 Malden and Ladd municipal landfills. I took a
7 glance at the Princeton municipal landfill on
8 Google Earth, and panels installed there would
9 not be visible to nearby homes due to bordering
10 tree lines. Additionally, the tree lines
11 between nearby houses in this area are wider
12 than 100 feet, if I interpreted the graph
13 correctly, which the sound expert from North
14 Carolina said would be the minimum needed to
15 block the sounds emitted by a solar farm. I
16 calculated there to be about 300, 800, and
17 400 feet surrounding the three non-road-
18 facing sides of the landfill.

19 Most importantly, we must not forget the
20 voice of the community. As neighbors who share
21 commitment to preserving the rural character of
22 our surroundings, we stand united in our
23 opposition to this ill-conceived proposal. Our
24 collective voice must be heard and respected in

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1 the decision that will shape the future of our
2 community.

3 In conclusion, I urge you to not consider
4 only the short-term benefits but also the
5 long-term consequences of this proposal. We
6 want to safeguard the rural heritage that
7 defines our way of life and reject the intrusion
8 of industrial development into our fertile
9 countryside.

10 Thank you.

11 MR. WELBERS: Now you're subject to a few
12 questions, you understand.

13 Do you have some, Kris?

14 MS. DONARSKI: I do.

15 EXAMINATION

16 BY MS. DONARSKI:

17 Q. Devin, where is your property in relation to
18 the proposed solar farm?

19 A. So there's Gillans' house, Neil and Meggie's
20 house, and we're further down the road east, and
21 it's the next house right on the north side of
22 the road.

23 Q. So do you have an estimate?

24 A. Like, a third of a mile from Neil and Meggie's

1 house.

2 MS. DONARSKI: Okay. Thank you. That's
3 all I have.

4 MR. WELBERS: Questions of this witness?

5 MR. PLUTA: No question. Just going to
6 lodge my objection to the portions of his
7 testimony about the environmental risks, the
8 farmland and soil conversation, and the
9 discussion about how the property was sited, you
10 know, whether it be a brownfield or a non-
11 brownfield.

12 So that's my objection, and moving to
13 strike the testimony.

14 MR. SOLDATI: Can you elaborate on the
15 details of that, what exactly you're testifying
16 against -- or objecting against?

17 MR. PLUTA: So the scope of the review
18 process for this remand was on four narrow
19 issues.

20 MR. SOLDATI: I understand that.

21 MR. PLUTA: So I'm saying that you went
22 outside of those issues.

23 MR. SOLDATI: What details are you
24 objecting against, is what I'm saying?

1 MR. PLUTA: So the topic of, like, where
2 we chose to site the project isn't one of the
3 four things that we are here to talk about
4 today.

5 MR. SOLDATI: The impact of the property
6 value in the neighboring areas is being impacted
7 by the site.

8 MR. PLUTA: But that's not related to the
9 decision not to be on a brownfield site or not
10 to be on a brownfield site.

11 MR. SOLDATI: It's not about the
12 brownfield site. It's about the property value
13 being within an area.

14 MR. PLUTA: I'm going to lodge my
15 objection.

16 MS. SOLDATI: You can lodge your
17 objection.

18 MR. WELBERS: You have done so. It's in
19 the record.

20 MR. SOLDATI: I'm testifying why it is
21 within the scope of the four.

22 MR. WELBERS: Colette, did you have a
23 question?

24 MS. SUTTON: Colette Sutton.

EXAMINATION

BY MS. SUTTON:

Q. I just wanted to clarify. Were you using the brownfield as an example of an alternative property value for the company or the corporation which would be a comparable comparison to something more less Class A soil?

A. Yes.

MS. SUTTON: I just wondered because I saw that there was a property value connection, but I just wanted to make sure.

MR. WELBERS: Any other questions?

MR. SOLDATI: Because the property value would increase.

MR. WELBERS: Any other questions? Does the Board have any questions?

(No verbal response.)

MR. SOLDATI: I have my sources here. Sorry, I didn't make ten copies of each.

MS. NEMETH: Is this the copy of each thing that you did?

MR. SOLDATI: That's my sources that I talked about today.

MR. WELBERS: Would you mind taking this

1 to Kris, since we're all behind the table, and
2 she'll log it in as an exhibit from you.

3 MS. DONARSKI: Thank you.

4 MR. SOLDATI: Would you like me to go over
5 the sources that I found online?

6 MR. WELBERS: Are they in what you have
7 just put in?

8 MR. SOLDATI: No, they are not. I didn't
9 know we could have our phones. So I looked up a
10 couple.

11 MR. WELBERS: Well, yes, if you have got
12 more to testify to, again, try to stay with
13 the --

14 MR. SOLDATI: Yeah, health and safety.

15 MR. WELBERS: Yeah, go ahead. Yes, if
16 you're not done testifying, now is the time to
17 testify.

18 MR. SOLDATI: So as a, like, matriculating
19 medical student, I'm not considering myself an
20 expert; however, I do have some background in
21 research and ethics that go along with that.
22 And for me to say that every piece of research
23 that I have ever seen on one particular topic,
24 and to bring that to a committee or bring that

1 to a group of people and to say that all I found
2 was on one side of the spectrum, they would not
3 really take my opinion very seriously. If I
4 were to go to a research conference and not
5 present counter-arguments and possible evidence
6 that do not support my side, I would be
7 considered biased.

8 So I presented arguments from both sides,
9 and additionally I found some articles in the
10 meantime that do support autism and EMF and EMF
11 possibly worsening symptoms of autism or causing
12 it.

13 And the studies were by Martha Herbert and
14 Cindy Sage. Let me see what the other ones
15 were. I do have the list of references, as
16 well.

17 One of the sources says, as I said
18 earlier, which is I think already in the record:
19 Symptoms of retarded memory, learning,
20 cognition, attention, and behavioral problems
21 have been reported in numerous studies and are
22 similarly manifested in autism and attention
23 deficit hyperactivity disorders, as a result of
24 EMF and RFR exposures where both epigenetic

1 drivers and genetic (DNA) damage are likely
2 contributors.

3 Another source that I had found says: In
4 parallel, the emergence of ever larger bodies of
5 evidence supporting a large array of nonthermal
6 but profound pathophysiological impacts of
7 EMF/RFR is transforming our understanding of the
8 nature of EMF/RFR impacts on the organism.

9 Which I believe the doctor said that,
10 because we are made of the same things, research
11 from, let's say, 27 years ago is still possibly
12 up to date. However, this article does
13 contradict that.

14 That's all I have got right now.

15 EXAMINATION

16 BY MR. WELBERS:

17 Q. Would you just elaborate a little bit more on
18 the medical background -- training and
19 background that you actually have?

20 A. I do not have -- I have a bachelor of science
21 from Bradley University, graduated in May of
22 2023, and I'll start medical school in the fall.
23 I'm not claiming to be an expert.

24 Q. You're going to go to medical school this fall?

1 A. Yes.

2 Q. And your bachelor of science from Bradley is in
3 what category?

4 A. Health science.

5 Q. Health science?

6 A. Yes.

7 Q. That's what I wanted you to lay into the
8 record.

9 So you have recently graduated in health
10 sciences from Bradley, and you are going to
11 begin medical school this fall?

12 A. Yes, sir.

13 MR. WELBERS: Okay. That needs to be
14 said.

15 Do you have any questions regarding that,
16 Kris?

17 MS. DONARSKI: I have none.

18 MR. PLUTA: Just a couple.

19 MR. WELBERS: Now's the time.

20 He has a couple questions for you.

21 EXAMINATION

22 BY MR. PLUTA:

23 Q. Just a couple questions for you. I realize you
24 just found these over the course of the meeting.

1 Have you had an opportunity to review the entire
2 articles?

3 A. I have not read the entire article. I can
4 provide them to you, if you would like to take a
5 deeper look at them.

6 Q. And you referred to one as Herbert and Sage,
7 but any more details?

8 A. They are published journal articles. I can
9 give you the information on them, if you want.
10 I'm sorry, I don't have physical copies here.

11 Q. But it's not something that you can personally
12 testify the knowledge to, other than the skim
13 that you did?

14 A. I'm not portraying myself as an expert. I'm
15 portraying myself as a student that can analyze
16 snips of data and give feedback on.

17 Q. Do you know about what levels of exposure the
18 people that were in the study that you're
19 talking about were exposed to?

20 A. I could if I read the entire thing.

21 Q. But you can't right now?

22 A. I cannot. I will, if you want me to. I'll sit
23 up here and read the whole thing.

24 Q. That's not really the point of the testimony.

1 A. Well, I will.

2 Q. What about the source of the EMF? Do you know,
3 from what you read, if the source is from solar
4 panels or if it's from something else?

5 A. It's from general EMF. It does not
6 specifically say solar panels.

7 Q. But you can't testify to the source or the
8 exposure level, the exposure length of time or
9 anything like that --

10 A. No.

11 Q. -- to your knowledge today?

12 A. I can read it and tell you.

13 Q. That's all right.

14 A. Thought so.

15 MR. WELBERS: Any other questions from our
16 Board?

17 (No verbal response.)

18 MR. WELBERS: Thank you, Devin.

19 MR. SOLDATI: Thank you. Appreciate your
20 time.

21 MR. WELBERS: Neil, would you like to go
22 next? Decline?

23 MR. N. GILLAN: Everybody has pretty well
24 covered my issues in their testimonies that they

1 have given.

2 MR. WELBERS: Nanette?

3 NANETTE GILLAN,

4 being first duly sworn, testified as follows:

5 MS. NEMETH: State your name and address
6 for the record, please.

7 MS. GILLAN: Nanette Gillan, 1442 Sleepy
8 Hollow Road, Amboy, Illinois.

9 MR. WELBERS: Go ahead.

10 MS. GILLAN: Okay. As far as -- I think
11 they have all, you know, pretty well gone
12 through the property values and everything.

13 But as far as safety, I just have a
14 brochure here that Spencer County, Indiana, had
15 printed and handed out in regards to safety
16 issues with the solar panels, such as fire.
17 Also they talk about the erosion caused by solar
18 projects and how solar companies don't maintain
19 things after they are built, which I have copies
20 of that for you.

21 But I also would like to note in the
22 February 15th transcript, Mr. Snyder, first of
23 all, on Page 10 quoted that he worked for
24 GreenKey Solar, which was already brought up

1 tonight that their license is revoked to
2 practice business in Illinois.

3 He then went on to say, when questioned in
4 regards to how long he's been in business, it
5 was seven to eight years. Then he was asked:
6 If this permit is granted, will GreenKey be
7 building and operating the proposed solar farm
8 or do you just kind of develop it and then sell
9 it to other companies?

10 He stated they hadn't really made the
11 decision yet. Therefore, personally I feel a
12 lot of this testimony is moot, because we don't
13 know who's going to operate it. So he can't
14 say, We're going to fix a tile in one year,
15 we're going to fix a tile in ten years, because
16 we don't know who's going to operate it.

17 They for sure are going to build it. But
18 if they sell it, then we don't know who's going
19 to have it. So it could be a company that files
20 bankruptcy a year into it, and then, from what I
21 have read, all the liability for the debt and
22 everything falls back on the landowner.

23 So, you know, I don't see, in part, why
24 we've even gone through all these hearings until

1 that's definitively decided.

2 I, too, am concerned, as John Romanelli
3 is. Like Lori stated, they built their house
4 with a lot of friends. They were part of the
5 friends that helped us build our house. We
6 helped them build their house. We both raised
7 our families on these farms.

8 I -- myself and my husband were very torn
9 about selling our home, and decided we would
10 only sell it to our son or a family member when
11 we decided to move to the campground that we now
12 operate. There's a lot of memories in this
13 place. And, you know, like John, we had planned
14 on leaving this farm with a good value, not
15 depreciate or not decrease because somebody
16 decided to put up a solar farm.

17 You know, some of the decisions that have
18 been made in this, I realize Mr. Gillan wants to
19 make a buck. Well, I want to have a buck to
20 give to my kids, too, and my grandkids some day.
21 I want to have a farm where my grandkids can
22 still go out and learn how to drive tractors and
23 learn the work ethic, like their grandfather
24 had, by being able to operate the farm and not

1 having to look at these huge solar panels next
2 to it or a fence that God knows if it's going to
3 be safe or not.

4 Because, as we have talked about, we have
5 a grandchild who's autistic. Not only does
6 noise bother him, but like you stated,
7 Dr. Wahls, he's very quick to move. And if they
8 put up the fence that they are proposing, he'll
9 use that as a ladder and he'll be in that farm
10 in no time flat. Granted, you know, it's our
11 responsibility to watch over him, but I don't
12 run that fast enough to follow him.

13 I mean, you know, Neil and Meggie -- when
14 he's at our campground, he's all over the place.
15 So, you know, it's hard to -- you do your best,
16 but there's no way that this fence that they
17 have talked about would keep him out of this.
18 So there's a safety issue with that too.

19 Also, you know, every witness that has
20 spoken in -- positively about having a solar
21 farm have all been paid witnesses. Everybody
22 that's spoken against it, we have emotional
23 attachments to it. We are concerned also
24 financially for what our property would be

1 worth.

2 These people have also supposedly been
3 experts, and yet we had one tonight who spoke
4 that he testified because he's a buddy of
5 Mr. Snyder, who owns the company.

6 And at the County Board meeting, when they
7 questioned Bob McCook, as the mayor of the
8 Village of Cherry, because the solar farm would
9 be too close to the boundaries of the village,
10 he said that he went along with it because he's
11 a buddy of Wes Gillan's. And he never even
12 brought it to the people of Cherry. So there's
13 a lot of -- I don't know, I can't say illegal
14 things that have gone on with this, but there's
15 a lot of things that, to me, have not been
16 handled properly.

17 So I just -- I respectfully ask that you
18 once again vote to deny this permit because it's
19 just affecting so many people and there's so
20 many questions surrounding it yet that haven't
21 been answered definitively. You know, why
22 should we -- why should we lose value just
23 because one person wants to make a buck?

24 That's it.

1 MR. WELBERS: There will be some
2 questions, and I have one.

3 EXAMINATION

4 BY MR. WELBERS:

5 Q. You touched on Mayor McCook, and you said that
6 he said he had not asked the people of Cherry.
7 Now, is that true?

8 A. We were told that by a Village Board member
9 that it was never brought to their attention.

10 MR. WELBERS: Go ahead. Connie, go ahead
11 and ask that question on that subject also,
12 because I know you have some firsthand
13 knowledge.

14 EXAMINATION

15 BY MS. STETSON:

16 Q. I was the one that confronted Mr. McCook; is
17 that correct?

18 A. Yes, it is.

19 Q. And I asked him if he had contacted you guys in
20 the area, within that mile and a half, because
21 he has to sign a paper saying that it's okay to
22 come within that mile and a half; is that
23 correct?

24 A. Correct.

1 Q. And what did -- and he stated that he did not?

2 A. That's correct.

3 Q. And he said, I didn't do anything against the
4 law; is that correct?

5 A. That's correct.

6 Q. And I said, It's just common courtesy to have a
7 meeting and let people know what's going on
8 within the mile and a half?

9 A. That's correct.

10 MR. WELBERS: Were you --

11 Q. (By Ms. Stetson:) And I said, You're Wes
12 Gillan's buddy? And he agreed?

13 A. Correct.

14 MR. WELBERS: Were you at that meeting?

15 MS. GILLAN: No, I was not.

16 MS. STETSON: It's in the Board minutes.

17 MR. WELBERS: Any questions?

18 EXAMINATION

19 BY MS. DONARSKI:

20 Q. Nanette, for the record, can you describe where
21 your property is in relation to the proposed
22 solar farm?

23 A. My farm -- my 60 acres butts right up to their
24 40 acres.

1 Q. On which side?

2 A. On the west side.

3 Q. On the east side?

4 A. East side. East side. I'm sorry, yes.

5 MS. DONARSKI: That's all right. I just
6 wanted that to be in the record. Thank you.

7 MR. WELBERS: Go ahead.

8 MR. PLUTA: I'm going to lodge an
9 objection.

10 MR. WELBERS: I know you are.

11 MR. PLUTA: The information about the
12 mayor of Cherry is both hearsay and outside the
13 scope of the hearing.

14 MS. GILLAN: No, it's not. It's in the
15 committee minutes.

16 MR. WELBERS: He's lodged an objection.
17 It was outside the scope, and I went ahead and
18 asked you because you introduced it. So he can
19 lay that objection there that I wasn't supposed
20 to ask that, but I did and so --

21 MR. PLUTA: I understand.

22 MR. WELBERS: -- his objection is in the
23 record, and that's good. That's fine. He's
24 done what he has to.

1 Anyone else, questions for Nanette?

2 (No verbal response.)

3 MR. WELBERS: Board?

4 (No verbal response.)

5 MR. WELBERS: Okay. That brings us -- go
6 ahead.

7 (Interruption by audience.)

8 MR. WELBERS: That brings us to Wes.

9 Would you like to come up and say your --
10 anything else?

11 MR. W. GILLAN: No, I'll just let it go.

12 MR. WELBERS: Okay.

13 MS. STREMLAU: Can I speak?

14 MR. WELBERS: Yes, go ahead. Come on up,
15 Karen.

16 KAREN STREMLAU,
17 being first duly sworn, testified as follows:

18 MS. STREMLAU: Karen Stremlau.

19 MS. NEMETH: Spell Stremlau, please.

20 MS. STREMLAU: S-T-R-E-M-L-A-U. Address
21 is 4013 East First Road, Mendota, Illinois,
22 61342.

23 Previous testimony has said that there's
24 no glare from these panels, and I believed you

1 guys. I was sold. I thought, okay, there's no
2 glare on these panels. Until the other day,
3 when I was driving to my son's house in
4 Wisconsin. We were between Lena and Warren,
5 Illinois, on a ridge going over, up and down
6 hills, and we came over a rise and there was a
7 very intense glare.

8 At first we didn't realize what it was. I
9 was with my husband. Didn't realize what it
10 was. As we got further down the road, we came
11 alongside of the facility, and it was very
12 definitely a solar farm. And the glare was
13 intense.

14 So I'm speaking to safety issues.
15 Route 89 is a busy road, north and south. You
16 come over the rise -- from Cherry heading north,
17 you come over a rise. Those solar panels are
18 going to be facing the road. There is -- can I
19 say definitely that there will be a glare? No.
20 But I can tell you that there could be a glare.

21 And for it to be in that close of
22 proximity to Route 89, which is known for
23 horrendous accidents without the distraction of
24 a solar farm and the glare, it increases safety

1 risk to the drivers on the road.

2 Now, can I tell you what kind of panels
3 those were? No. Can I tell you what company
4 put them up? No. I can tell you where the
5 solar farm is, because we drive by it when we go
6 to my son's house.

7 So previous -- it bothers me -- you made a
8 very good point. When you speak to something
9 and you say, I have never seen that. The guy
10 who talked about solar panels and no glare, he
11 said, I have never seen it. Well, I'm sorry, he
12 didn't address the fact that it can happen. And
13 I'm only speaking from personal experience,
14 because I saw it.

15 That's all I have got to say.

16 MR. WELBERS: Okay. Let's see if there's
17 any questions. That's how it works, Karen.

18 Kris, do you have any questions?

19 EXAMINATION

20 BY MS. DONARSKI:

21 Q. And, Karen, do you own any property in this
22 vicinity or your concern is just as a traveling
23 -- member of the traveling public on Route 89?

24 A. No, I do own property in that area.

1 Q. And where is it in relation to the solar farm?

2 A. It is southeast.

3 MS. DONARSKI: Okay. Thank you very much.

4 MR. WELBERS: Karen, you might put into
5 the record that your brother is John Romanelli.

6 MS. STREMLAU: My brother is John
7 Romanelli.

8 MS. DONARSKI: Oh, okay.

9 MS. STREMLAU: Lori is my niece. So yes,
10 that is family property, part of my heritage
11 that we all share in.

12 MR. WELBERS: Anyone else have any
13 questions for Karen?

14 (No verbal response.)

15 MR. WELBERS: Board?

16 (No verbal response.)

17 MR. WELBERS: Thank you, Karen.

18 Any other witnesses? Is there anyone else
19 that would like to testify?

20 Come forward.

21 CINDY BYERS,
22 being first duly sworn, testified as follows:

23 MS. NEMETH: Please state your name and
24 address for the record.

1 MS. BYERS: Cindy Byers, B-Y-E-R-S,
2 21149 Illinois Highway 89, Arlington, 61312.

3 I'm going to kind of sound like the other
4 lady, the last witness, but we just bought our
5 property two years ago kind of as our retirement
6 home. It's built up on the hill, and I believe
7 when they -- my sister built it, but she built
8 it and kept in mind the views to the southwest
9 that overlooks the creek that you spoke about
10 and the sunsets and the land to the south,
11 farmland, watch the corn grow.

12 Will I sell it? Probably not. But I
13 don't know that we would have bought it if we
14 had known this was going to happen.

15 I just -- that's it.

16 MR. WELBERS: Anything else you want to
17 say?

18 MS. BYERS: No. You know, we talk about
19 safety reasons and everything, we just don't
20 want to look at it. It's nothing against the
21 Gillans.

22 MR. WELBERS: Kris, I'll let you clarify
23 where she is in relation to that.

24 EXAMINATION

1 BY MS. DONARSKI:

2 Q. Cindy, can you explain how far away?

3 A. We're about 300 yards north.

4 Q. 300 yards north?

5 A. (Nods head.)

6 Q. Okay.

7 A. Up on the hill, right -- it would be the first
8 residence.

9 Q. You're on the east side --

10 A. I am on the east side.

11 Q. -- of Route 89?

12 MS. DONARSKI: Okay. Thank you.

13 MR. WELBERS: Questions of this witness?
14 Colette.

15 MS. SUTTON: Colette Sutton.

16 EXAMINATION

17 BY MS. SUTTON:

18 Q. Did you tell me that you do fall -- your home
19 falls within the distance of less than a half a
20 mile from the project, and from the data given
21 that that could potentially affect your home by
22 a reduction of 4 percent?

23 A. Yes. We're less than a half a mile.

24 Q. You're less than half a mile.

1 MS. SUTTON: Thank you.

2 MR. WELBERS: Any other questions, Board?

3 (No verbal response.)

4 MR. WELBERS: Is there any other
5 witnesses? Anyone else that would like to
6 testify tonight?

7 (No verbal response.)

8 MR. WELBERS: Kris, do we have something
9 we need to read into the record tonight?

10 MS. DONARSKI: I do. I have those, if you
11 would like me to read those conditions again so
12 that it's fresh in everyone's mind.

13 MR. WELBERS: Let's do that, and then we
14 will let Counsel do the closing argument, and I
15 think we can close this out.

16 I think our guard will give us a few extra
17 minutes. He and I go back a long ways. He's
18 not going to arrest me.

19 MR. PLUTA: In terms of order, if we have
20 a rebuttal witness to answer some of the things
21 that came up, should we do that before or after?

22 MR. WELBERS: Do we want to do that now?

23 MR. SNYDER: Yeah. I'll just make it very
24 quick.

1 COURT REPORTER: I can't remember, did I
2 swear you in tonight?

3 MR. SNYDER: Yes, you did.

4 TROY SNYDER,
5 having been previously duly sworn, testified as
6 follows:

7 MR. SNYDER: Troy Snyder.

8 Just wanted to be very quick, touching on
9 a few of these things that were brought up, just
10 really quick, just to touch on them.

11 GreenKey Development versus GreenKey
12 Solar. The Applicant here is Cherry Creek --
13 Cherry Solar. It's registered to do business as
14 GreenKey Development, who solely owns Cherry
15 Solar, also registered to do business.

16 An archaeological study, the archaeologist
17 has been back out to the site, and I believe
18 they did their study. They did not find
19 anything. We submitted that to the State
20 Historical Preservation Office for their
21 concurrence. I am not sure if we have that back
22 yet, but we are doing that.

23 On the drain tile issues, we monitor it
24 throughout the year, for sure, but we also have

1 an executed AIMA with the State of Illinois that
2 requires us to be responsible for the drain
3 tiles and any damage to them through the life of
4 the project.

5 On the fence issue, the fence and all of
6 our equipment is built according to local
7 building code standards, as well as the National
8 Electric Code, and those are there for safety
9 reasons, to keep children out, and we build to
10 -- what is safe and keep anything and anybody
11 else out.

12 Then just lastly on glare. I'm not going
13 to say you can't experience glare. And I think
14 you did experience glare in, like, a very finite
15 setting where you can. It's really simple
16 geometry. When you have an angle hitting the
17 panel, it reflects, and you have to be at an
18 elevated position at just the right time of day.
19 And that -- the elevated position has to be --
20 you have to be actually pretty elevated. So if
21 you're on a ridge above it, yeah, you
22 theoretically could.

23 But these are -- projects are built and
24 developed at airports across the country. I

1 have developed one on airport property. No
2 issues. Indianapolis Airport has a project
3 larger than this at their airport.

4 So if I had it here, I could -- the FAA
5 has guidance about glare and the reflective
6 properties and how it relates to other surfaces
7 that we find. You know, these projects are made
8 to absorb light, not reflect it. So the
9 properties are very minimal, and generally
10 there's more glare that comes off of bare
11 asphalt as you're driving down the road.

12 So I'll keep it at that because we don't
13 have much time.

14 MR. WELBERS: Any questions?

15 MS. DONARSKI: I have none.

16 MR. WELBERS: Colette, do you have a
17 question?

18 MS. SUTTON: Colette Sutton.

19 EXAMINATION

20 BY MS. SUTTON:

21 Q. Concerning your archaeological survey, is that
22 returned to you?

23 A. Commonwealth did go back and they did a site
24 walk and did a more -- onsite survey of the high

1 probability areas.

2 Q. And was that survey returned then to the Zoning
3 Office?

4 A. It has not been returned to the Zoning Office.
5 There hasn't been a reason for us to.

6 Q. Is that going to be returned to the office?

7 A. I don't know. Ultimately, like, the State of
8 Illinois requires us to get concurrence from the
9 State Historical Preservation Office if there is
10 any high probability areas. So the State of
11 Illinois has to sign off on it before we can do
12 anything.

13 Q. So the company that initially did that said
14 there were 13.6 acres that had a high likelihood
15 of archaeological --

16 A. Yeah, those high probable areas are just
17 digitally mapped. They are all over the state.
18 It just means -- all it's saying is, we have to
19 look further.

20 And actually, so we did our desktop study,
21 and the desktop said, Hey, there's a high
22 probability area. That means now we have to go
23 out onto the site and actually send an
24 archeologist out to do a study.

1 Q. So has it been done?

2 A. Yes, an archeologist has been out there. They
3 did not find anything. I can't tell you right
4 now whether or not the State has fully reviewed
5 it. They might have, maybe not, but I can't
6 tell you right now.

7 Q. So you don't know if the State has it? And the
8 Zoning Board does not have it?

9 A. I am sure the State has it. I just can't tell
10 you if they finished their review or not. We
11 can't do anything until they sign off.

12 Q. Also, may I ask another question? Can you
13 provide more detail then concerning your
14 language about the fence on your application
15 that was sent to the Zoning Board?

16 A. In terms of the structure?

17 Q. No. You're claiming that the fence doesn't
18 belong to the facility.

19 A. I think we're talking about semantics. It's
20 all part of the project area. We will have a
21 fence. It's on our leased area. Whether you
22 claim it as being outside of the facility,
23 quote, or being part of the facility, we will
24 have a fence. It will be insured.

1 Q. Who is maintaining the fence if it doesn't
2 belong to the facility?

3 A. We will have an operations maintenance crew,
4 most likely Ian. And all of our leased area,
5 both inside the fence and outside the fence,
6 will be maintained.

7 Q. Will that be added to your application process
8 then?

9 A. I don't believe that part is part of the
10 application process. We sort that out later,
11 down the road.

12 MR. PLUTA: There's a legal term of art
13 that may be helpful for me to explain, because
14 it explains the facility term versus the
15 project.

16 MS. SUTTON: Because the semantics thing
17 is very important in liability insurance.

18 MR. PLUTA: So for facility, as it's used
19 in the application, it relates back to how the
20 term is defined under the statute that
21 regulates, like, the zoning of solar facilities.

22 And the term "facility" is specific to
23 solar modules and associated parts of the
24 modules. And everything that's included in that

1 facility is, like, basically draw a circle
2 around it, and then from there you measure the
3 perimeter for purposes of setbacks.

4 So the fence is not included in that
5 definition of the facility, but that doesn't
6 mean that the fence itself is not, like, built
7 by the contractor and part of the project. It
8 just is not in that specific defined term. It's
9 one of the many cases that lawyers --

10 MR. SNYDER: Yeah, it's a semantics issue,
11 but it is on our leased area. We will be
12 maintaining it. We will be responsible for it,
13 both inside and outside our fence, so long as
14 it's on our leased area.

15 Q. (By Ms. Sutton:) One of my concerns I believe
16 when I presented was, the semantics are going to
17 drive the company's problem in terms of
18 liability. Because it's semantics if you have
19 it sitting there and it's not part of the
20 facility's liability --

21 A. Insurance and how we insure our project is
22 completely separate than the land use
23 application.

24 MR. GILLAN: Nanette Gillan.

EXAMINATION

BY MS. GILLAN:

Q. I just want to ask one question. So Ian Cardosi is a master electrician and he's going to take care of maintenance, is what you just said?

A. I --

MR. CARDOSI: Can I speak?

MR. WELBERS: He's the witness. Let him answer the question.

A. There is an electrical component of the maintenance. Ian also has some guys that work with him.

Q. (By Ms. Gillan:) But the question was about a fence. So he's going to do the maintenance for a fence?

A. Or he will find -- he'll be responsible for it. If it's out of his wheelhouse, he will find a local resource.

MR. WELBERS: Karen.

EXAMINATION

BY MS. STREMLAU:

Q. Will you please restate your comment about the care of the tiles? You were speaking to the

1 Board, and I couldn't hear what you were saying.

2 A. We still have a responsibility to care for the
3 tiles. If they are damaged by our project, we
4 have to repair them and we're responsible. That
5 is signed in the Agricultural Mitigation Impact
6 Act.

7 Q. So it's not going to be just a year that you're
8 going to be responsible?

9 A. Correct.

10 MR. WELBERS: Do you have something?

11 EXAMINATION

12 BY MS. DONARSKI:

13 Q. Troy, I wanted to go back to your statement
14 that the liability insurance has nothing to do
15 with the facility, that that's a separate issue.

16 The Bureau County Zoning Ordinance,
17 Section 26 says: The facility owner shall
18 maintain a general -- current general liability
19 policy covering bodily injury and property
20 damage, with limits of at least \$5 million per
21 occurrence and \$20 million in aggregate, during
22 the construction and operation of the facility.
23 The County and all it's affected township road
24 districts and their respective agents, officers,

1 appointed and elected officials, volunteers and
2 employees shall be listed as additional insureds
3 in all certificates of insurance, insurance
4 policies and endorsements of the general
5 liability policy maintained by the facility
6 owner, and any other type of insurance coverage
7 of the facility owner that covers the
8 construction and operation of the facility
9 except for worker's compensation and
10 professional liability insurance. The
11 contractors who construct and maintain the
12 facility on behalf of the facility owner shall
13 also list the county and all it's affected
14 township road districts and the respective
15 agents, officers, appointed and elected
16 officials, volunteers and employees as
17 additional insureds in all certificates of
18 insurance, insurance policies and endorsements
19 of the general liability policy maintained by
20 the contractor and any other type of insurance
21 coverage of the contractor, except for worker's
22 compensation and professional liability
23 insurance. The facility shall file the original
24 certificate of insurance with its application

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1 for a building permit. Corresponding policies
2 and endorsements are to be provided to the
3 Zoning Enforcing Officer within 60 days of
4 issuance and at subsequent renewal at least
5 annually thereafter.

6 It goes on to talk about indemnification:
7 The facility owner shall defend, indemnify and
8 hold harmless the County and all its appointed
9 and elected officials, employees, volunteers,
10 attorneys and agents, collectively and
11 individually, the indemnified parties, from and
12 against any and all kinds of claims, demands,
13 lawsuits, causes of action, damages, injuries
14 cost, expenses and liabilities of any kind,
15 including reasonable attorney fees, except for
16 the intentional acts of such indemnified
17 parties, such liabilities, together known as
18 liabilities, arising out of or relating to the
19 acts or omissions of the facility owner and/or
20 its respective contractors, employees, or agents
21 in the selection -- construction, operation and
22 removal of the facility and affiliated
23 equipment, including, without limitation, any
24 liability for property damage or personal

1 injury, including illness or death, whether the
2 liability is premised on the contract or on
3 torte, including, without limitation, strict
4 liability or negligence. This general
5 indemnification shall not be construed as
6 limiting or qualifying the County's other
7 indemnification rights available under the law.

8 A. We have no issue with that.

9 Q. Okay.

10 A. And when I was saying the insurance and
11 semantics, we will insure every bit of the
12 project, the facility, and then some, everything
13 that's on our leased area. Yeah, we pay for way
14 too much insurance.

15 Q. I just wanted that to be clear for the record,
16 when you said that was separate.

17 A. Yeah, no issue. And by "separate," I mean
18 more.

19 MS. DONARSKI: Thank you.

20 MR. WELBERS: Devin.

21 MR. SOLDATI: Devin Soldati.

22 EXAMINATION

23 BY MR. SOLDATI:

24 Q. So you said that you'll insure your property,

1 and if a tile breaks you'll repair the tile,
2 correct?

3 A. I would have to get into the -- look at the
4 AIMA and what our obligations are in terms of
5 tile, but we are responsible. Whether that's an
6 insurance claim or a claim against us, that's
7 our responsibility.

8 If we have to have insurance for it under
9 the Zoning Ordinance or the AIMA, we certainly
10 will have insurance for it.

11 Q. So what about any associated damages from,
12 let's say, a tile breaking?

13 A. Again, if we are required to have insurance by
14 the Zoning Code or the AIMA, we will certainly
15 have insurance for it.

16 Q. So associated damages that are not on your
17 property that your actions have caused, will you
18 be insuring that and reimbursing people that
19 have been affected by this?

20 A. I would have to work through the specifics of
21 the insurance with our insurance consultant.
22 But if we are responsible for it, we would be
23 paying that one way or the other.

24 MR. WELBERS: Lori? Lori Fry.

1 MS. FRY: Lori Fry.

2 EXAMINATION

3 BY MS. FRY:

4 Q. If the tile breaks just because of, like, it
5 gets old, I mean, things get old and break, so
6 say 15 years from now a tile breaks in the
7 middle of this project, who pays to find that
8 problem once it gets to the point where it's our
9 property? Who pays to find the rest?

10 And then also, I mean, it wouldn't be so-
11 called damage from your putting it in. It would
12 be, like, maintenance. Like, is that going to
13 be covered too?

14 A. Again, if it's on our property, we would -- if
15 we're made known from an impact down the line
16 or, I guess, up the line, yeah, or whether we
17 uncover it in our ongoing maintenance of the
18 facility, like, we would work to rectify that.

19 MR. WELBERS: Colette, you had one
20 question?

21 MS. SUTTON: Yes. Colette Sutton.

22 EXAMINATION

23 BY MS. SUTTON:

24 Q. Question on your application. Because on your

1 application concerning indemnification, your
2 liability insurance is fine as liability goes.
3 But in terms of indemnification, you said: To
4 the extent a court of competent jurisdiction
5 decides that the indemnification language as a
6 subsection is applicable to this application,
7 the facility owner agrees to indemnify the
8 County in accordance with this criterion.

9 So are you expecting these folks here to
10 have to go to court to get you to indemnify
11 them?

12 A. No. I'm saying if there's a court that says
13 it's not our issue and we don't have to, then
14 no. But I --

15 Q. So is your corporation agreeing to indemnify
16 all the classes that are in this --

17 A. We will agree to indemnify everybody per the
18 Zoning Ordinance.

19 Q. For which Zoning Ordinance, the State or Bureau
20 County?

21 MR. WELBERS: Ours.

22 A. Yeah, ours.

23 Q. (By Ms. Sutton:) In your application you deny
24 that.

1 A. No, I am standing here saying we will agree to
2 follow the Zoning Ordinance. You can put it in
3 a condition of approval, if you want, regarding
4 any indemnification provisions.

5 MR. WELBERS: Any other questions?

6 (No verbal response.)

7 MR. WELBERS: Anything else?

8 (No verbal response.)

9 MR. WELBERS: Thank you, Mr. Snyder.

10 MR. SNYDER: Thank you.

11 MR. WELBERS: Would you read those
12 conditions into the record, please, Kris, as
13 soon as you're done taking your notes?

14 MS. DONARSKI: While I'm up here, I'll
15 just read from up here, if that is okay?

16 MR. WELBERS: Okay. That would be great.

17 MS. DONARSKI: These are the conditions
18 for Cherry Solar 1, LLC, Conditional Use Permit:

19 Number 1, The Conditional Uses, including
20 the placement of all components of the proposed
21 Cherry Solar 1, LLC, (CS1) electric generating
22 facility approved by Bureau County, shall be
23 constructed as set forth in the applications
24 filed with Bureau County on January 18, 2024,

1 and shall comply with all requirements of the
2 Bureau County Zoning Ordinance.

3 2, All conservation practices, (such as
4 grassed waterways, filter strips, terraces,
5 grasslands) which are damaged by construction of
6 the proposed solar power facility, including but
7 not limited to access road construction,
8 underground transmission cable installation, and
9 heavy equipment shall be restored by the owner
10 of the solar power facility to their
11 pre-construction condition using original design
12 specifications and vegetative cover. Care
13 should be taken to try to maintain the integrity
14 of these practices for erosion control, flood
15 control, and water quality.

16 3, The owner of the solar power facility
17 shall implement erosion control standards for
18 all excavation activities to maintain water
19 quality and minimize erosion impacts.

20 4, The owner of the solar power facility
21 shall enter into a Road Use Agreement with the
22 governing road authority, unless the road
23 authority provides a written waiver of this
24 requirement.

1 5, The owner of the solar power facility
2 shall enter into a decommissioning plan with the
3 County to ensure that the facility is properly
4 decommissioned upon end of project life or
5 facility abandonment.

6 6, The solar power facility shall be in
7 compliance with all applicable County, state,
8 and federal regulatory standards (including
9 applicable building codes and electrical codes),
10 FAA requirements, EPA regulations (hazardous
11 waste, construction, stormwater, et cetera).

12 7, The location of all proposed access
13 points shall be identified and approved by the
14 governing road authority prior to the granting
15 of a building permit to accommodate road and/or
16 drainage improvements within the existing and/or
17 future right-of-way.

18 8, The Petitioner, Owner and/or Operator
19 of the solar power facility shall construct said
20 solar power facility in substantial accordance
21 with submitted Conditional Use Permit
22 applications and all accompanying documents.

23 Nothing contained herein shall be deemed
24 to preclude the agricultural use of the balance

1 of the subject property not occupied by the
2 solar power facility. Said agricultural use
3 will be considered as being the principal use of
4 the subject property notwithstanding adoption of
5 a Conditional Use Ordinance and the construction
6 and operation of a solar power facility on a
7 given lot or parcel of land, at locations
8 approved by the County Board pursuant to
9 Conditional Use approval on a Site Plan Map.

10 9, Solid Waste. All solid waste, whether
11 generated from supplies, equipment, parts,
12 packaging, or operation or maintenance of the
13 facility, including old parts and equipment,
14 shall be removed from the site immediately and
15 disposed of in accordance with all federal,
16 state and local laws.

17 10, The owner of the solar power facility
18 shall submit to the Bureau County Zoning
19 Enforcement Officer, the jurisdictional fire
20 district and the jurisdictional ambulance
21 service, a copy of the solar power facility's
22 site plan, Standard Operating Procedures and
23 Standard Operating Guidelines for the solar
24 power facility so that the local fire protection

1 district and rescue units that have jurisdiction
2 over the site may evaluate and coordinate their
3 emergency response plans with the owner and/or
4 operator of the solar power facility. In
5 addition, the owner of the solar power facility
6 shall provide training for, and the necessary
7 equipment to, local emergency response
8 authorities and their personnel so that they can
9 properly respond to a potential emergency at the
10 solar project. Nothing in this section shall
11 alleviate the need to comply with all other
12 applicable fire, life safety and/or emergency
13 response laws and regulations.

14 11, Additional Terms and Conditions.

15 A, Technical submissions as defined in the
16 Professional Engineering Practice Act of 1989
17 and contained in the application filed for
18 Conditional Use shall bear the seal of an
19 Illinois professional engineer for the relevant
20 discipline.

21 B, The Conditional Use Permit granted to
22 the Applicant shall bind and inure to the
23 benefit of the Applicant, its successors and
24 assigns. If any provision of this Ordinance is

1 held invalid, such invalidity shall not affect
2 any other provision of this Ordinance that can
3 be given effect without the invalid provision
4 and, to this end, the provisions in this
5 Ordinance are severable.

6 C, A violation of the terms and conditions
7 herein shall constitute a violation of the
8 Conditional Use granted herein and shall be
9 grounds for revocation of the Conditional Use by
10 the Zoning Enforcement Officer.

11 D, The owner of the solar power facility
12 shall supply written proof of an approved
13 entrance, from the appropriate governing road
14 authority to the Zoning Enforcement Officer
15 prior to the issuance of any building permits
16 for the proposed solar power facility.

17 E, The owner of the solar power facility
18 shall, at the owner's expense and in
19 coordination with the County, develop a system
20 for logging and investigating complaints related
21 to the solar power facility. The owner of the
22 solar power facility shall resolve such
23 complaints on a case-by-case basis and shall
24 provide written confirmation to the Bureau

1 County Zoning Office.

2 12, Floodplain Ordinance Compliance. All
3 parts of the solar power facility shall be in
4 compliance with all requirements of the Bureau
5 County Flood Damage Prevention Ordinance
6 (Floodplain Ordinance).

7 13, All components of the proposed solar
8 facility, including the perimeter fencing, shall
9 meet the setback requirements as stated in
10 Article 3.41-4 v.3 of the Bureau County Zoning
11 Ordinance.

12 Number 14, After the solar power facility
13 is completed and operational, the owner of the
14 solar power facility shall, at their expense,
15 hire a third party, qualified professional, to
16 complete a sound pressure analysis of the
17 existing conditions to demonstrate compliance
18 with Illinois Pollution Control Board
19 Regulations. This analysis will be completed
20 and returned to the Zoning Enforcement Officer
21 within 60 days. All analyses and studies are
22 subject to approval of the Zoning Enforcing
23 Officer and are a matter of public record.

24 And per Troy's last statement, we have to

1 come up with -- I'll have to come up with a new
2 one that the owner -- that they would agree to
3 meet the indemnification requirements per the
4 Bureau County Zoning Ordinance.

5 You're good with that, Troy?

6 MR. SNYDER: That is just fine.

7 MS. DONARSKI: Okay. We'll come up with
8 some wording -- official wording, because I had,
9 like, 30 seconds to come up with that.

10 So that will be 15.

11 MR. WELBERS: 15 conditions. Okay.

12 MS. DONARSKI: Thank you.

13 MR. WELBERS: Would you like to do your
14 closing arguments, Counsel?

15 MR. PLUTA: Sure, and I will keep them
16 brief.

17 Thank you to everybody that attended this
18 meeting, the last meeting and the meeting in
19 February. I know this is my first one here and
20 I haven't had to sit here as long as you all
21 have. I appreciate you all being here.

22 To circle back on the purpose of today's
23 and last month's hearing. In February, this
24 Board voted to recommend denial of the Special

1 Use application based on a lack of live,
2 informed witness testimony provided by the
3 Developer or the neighbors relating to property
4 values, health and safety concerns, sound
5 concerns, and concerns for a child with autism
6 who lives near the project.

7 At that hearing, Cherry did not have --
8 Cherry Solar, that is, did not have subject
9 matter experts available to answer the specific
10 concerns that the community put forward at the
11 meeting.

12 While I was not there, I understand from
13 the transcript that your decision was based on a
14 lack of expert testimony that would help you, as
15 a Board, understand the issues and lay the
16 testimony you heard from the lay witnesses who
17 provided comment.

18 The County Board reviewed your findings
19 and remanded the application back here so that
20 you could hear additional evidence on these
21 discrete issues and present findings based on a
22 more complete review of those issues.

23 Over the past few hearings, you heard from
24 four -- five expert witnesses on the open

1 issues. Andrew Lines presented credible expert
2 testimony, including that there was no evidence
3 that solar developments have a negative impact
4 on property values. You have two pieces of
5 written testimony -- or written evidence
6 submitted by Mr. Lines.

7 And if you only have time to read one
8 portion of these documents, I suggest you focus
9 on the first five pages of the report addendum.
10 Those pages summarize the mountain of data that
11 Mr. Lines collected, including interviews with
12 over 75 county and township assessors, that led
13 to the conclusion that there is no consistent
14 negating impact on adjacent property based on
15 proximity to solar farms.

16 You then heard from Tad Hardy, who
17 presented expert testimony on the subject of
18 sound. Mr. Hardy provided a sound study that
19 sound emitted during the day would be inaudible
20 to the residences neighboring the project, and
21 at night no noise would be emitted at all
22 because the project does not operate when the
23 sun is down.

24 Mr. Hardy also noted that the project is

1 designed to meet sound limitations established
2 by the Illinois Pollution Control Board. As you
3 just heard, one of the conditions, if our
4 application is granted, is that we would perform
5 a sound study after operations began to confirm
6 our previous study.

7 As this Board is aware, under
8 55 ILCS 5/5-12020(f), satisfying the Illinois
9 Pollution Control Board criteria for noise
10 satisfies the crit- -- satisfies the limit of
11 what the County can require.

12 Today you heard from Mr. Cardosi, a master
13 electrician who testified that facilities do not
14 cause health and safety concerns, even on solar
15 systems placed on residences, health facilities
16 and schools.

17 You also heard from Mr. Szabo, a
18 professional engineer, who testified that EMF
19 emissions from solar facilities are well below
20 any research-backed threshold for health and
21 safety concerns, and well below many appliances
22 and infrastructures that the community has lived
23 with for decades.

24 Finally, you heard from Mr. Wahls, a

1 medical doctor who provided expert testimony on
2 why this project will not negatively impact the
3 health of any neighbor, including children with
4 autism.

5 We heard from a number of concerned
6 citizens, and we ask the Board to weigh their
7 opinions expressed against the expert testimony
8 we presented.

9 No other contradictory expert witnesses
10 have been presented with compelling evidence of
11 fact evidence over the course of these two
12 hearings. And through cross-examination, I
13 believe that our witnesses have instilled
14 confidence in their respective findings.

15 Three months ago I think this Board
16 recommended denial of the application based on a
17 lack of clear information, rather than the
18 Applicant's failure on a discreet Ordinance
19 requirement. Now that the Board is armed with
20 complete information provided by experts who
21 have been here to answer your questions and
22 questions from the community, the Board can now
23 approach its recommendation with certainty.

24 Now that the record is complete and

1 demonstrates compliance with all standards, we
2 ask that you recommend approving this project.
3 Thank you.

4 MR. WELBERS: Thank you, sir.

5 Is everyone else here satisfied that what
6 you testified is the same as your closing
7 arguments? Because we can close this tonight,
8 unless you would like -- I mean, he just
9 summarized what they said. You folks have all
10 said what you had to say and probably any
11 closing arguments would be redundant, but I want
12 you all to agree that you're good.

13 (No verbal response.)

14 MR. WELBERS: Okay. Everybody is good.

15 So that brings it down to us to decide
16 whether to recommend or non-recommend. Our
17 purpose here has just been laid out in the
18 closing argument. Yes, we denied in February
19 for the reasons that -- exactly what you say.
20 We didn't -- we couldn't conclude. I introduced
21 that motion.

22 It's the area of the county closest to
23 where you live, so I was the one to to go
24 inspect. Ultimately our -- kind of our

1 procedure here is, whoever it is that inspects
2 the property is the one that introduces the
3 motion, if they want to. And so I did that. I
4 denied it for that reason, and four -- I think
5 the vote was four to one, that they agreed with
6 me. So we did.

7 Then the County Board said, Well, ask them
8 for the information. So here we have it.

9 Yes, I agree, in your closing argument,
10 that you have provided tremendous expert
11 testimony and you have answered a lot of
12 questions, but so have all the others. They
13 have also introduced a lot of information, all
14 for the purpose of the County Board making the
15 determination. Because this is a Conditional
16 Use and it is ultimately their vote, it's
17 ultimately their choice. It's up to us to
18 create the public hearing and collect all the
19 information for us that we have.

20 I can't, in good conscience, change my
21 non-recommendation on this particular case. I
22 am going to introduce the same motion, not
23 because information hasn't been provided this
24 time, because it has.

1 Dr. Wahls, I believe that you spoke
2 sincerely and out of knowledge. You're a great
3 witness, and I enjoyed listening to you testify
4 and I have learned a little bit from that.

5 But, Rebecca, you're also an expert
6 witness, and you have familiarity with the
7 patient specifically. And we know, from
8 comments here, public comments, that every case
9 is different. Dr. Wahls has not met the
10 patient, and you clearly have.

11 And so I don't know what the right
12 decision is. And so again I will, here in just
13 a minute, read a motion to still deny this for
14 the reasons. It needs a second, and then it
15 needs a vote. If there's no second to what I'm
16 about to read, well then another member will
17 make a vote and we'll see where that leads us.

18 But there's one other thing that bothers
19 me, and you may object to what I'm about to say,
20 but I'm familiar with what Nanette testified to
21 that really is off the record, and that's what
22 Mayor McCook said.

23 The Conditional Use that we approved, that
24 I introduced the motion, is based on the request

1 from the communities. This project could never
2 have been considered if the community of
3 Arlington or Cherry had said, No, I want the
4 mile-and-a-half setback honored.

5 Now, we had previously waived that
6 mile-and-a-half setback for Princeton. But
7 there was public meetings there, and we knew
8 that it was put before the Council, we knew what
9 the vote was. And so when we got the letter
10 from the mayor saying, Yes, please waive it,
11 well, we knew it was legitimate.

12 But if Mayor McCook just unilaterally did
13 it, then it wasn't done with proper procedure
14 and it wasn't done with the availability for
15 public comment from Cherry. There's no ability
16 for me to re-call that, but I would have
17 introduced that motion wrongly. I feel bad
18 about that.

19 So you can object to that when I'm done,
20 if you would like to, because that is off the
21 scope, but that's something that is clearly on
22 my mind.

23 Now, I am going to introduce a motion that
24 I recommend that the Bureau County Board deny

1 the Conditional Use Permit to build and operate
2 a 4.99-megawatt AC commercial solar energy
3 facility for the purpose of generating electric
4 power on a portion of the subject property. The
5 project will consist of solar panels, racking,
6 foundation piles, inverters, overhead poles and
7 lines. The commercial solar energy facility
8 will be enclosed by a perimeter fence.

9 That's my motion, to decline this one.
10 Now let's see if there's a second.

11 MS. SMITH: I'll second that motion.

12 MR. WELBERS: Shirley Ann Smith seconds
13 that motion.

14 Call the roll.

15 MS. NEMETH: Mr. Jensen?

16 MR. JENSEN: Kris, if I vote yes, I'm in
17 favor of the motion, correct?

18 MS. DONARSKI: Correct. So if you vote
19 yes, you are recommending denial.

20 MR. JENSEN: I wanted to make sure.
21 Yes.

22 MS. NEMETH: Mr. Stutzke?

23 MR. STUTZKE: No.

24 MS. NEMETH: Mr. Forristall?

1 MR. FORRISTALL: No.

2 MR. WELBERS: Shirley was the second. You
3 didn't call for her roll.

4 MS. NEMETH: Oh, I'm sorry.
5 Mrs. Smith?

6 MS. SMITH: Yes.

7 MR. WELBERS: And then me.

8 MS. NEMETH: Mr. Welbers?

9 MR. WELBERS: Yes.

10 (By voice vote three ayes, two
11 nays.)

12 MR. WELBERS: Now, I do want to talk about
13 this and make a motion on this, if I could, and
14 that is these conditions.

15 In the event that the Bureau County Board
16 approves this project for development, I move
17 that these 15 conditions be recommended to be
18 part of their approval.

19 Is there a second on that?

20 MS. SMITH: I'll second it.

21 MR. WELBERS: Okay. You can call the roll
22 on that.

23 MS. NEMETH: Mr. Jensen?

24 MR. JENSEN: Yes.

1 MS. NEMETH: Mr. Stutzke?

2 MR. STUTZKE: Yes.

3 MS. NEMETH: Mrs. Smith?

4 MS. SMITH: Yes.

5 MS. NEMETH: Mr. Forristall?

6 MR. FORRISTALL: Yes.

7 MS. NEMETH: Mr. Welbers?

8 MR. WELBERS: Yes.

9 (By voice vote five ayes.)

10 MR. WELBERS: Is there anything else you
11 would like to say, Counselor?

12 MR. PLUTA: Yeah, Mr. Chair, I just need
13 to lodge that objection, as you predicted, on
14 the mayor of Cherry issue.

15 I don't think it would -- doesn't sound
16 like it's going to change the determination of
17 the Board, but I need to lodge that.

18 MR. WELBERS: I understand. I expected
19 you to do that. And you would be remiss if you
20 didn't, because it is outside the scope that I
21 was specifically told to do, but it troubles me
22 very much.

23 Is there anything else for tonight?

24 MS. DONARSKI: I have nothing else.

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MR. WELBERS: Is there a motion to adjourn
our meeting tonight?

MR. JENSEN: Yup.

MS. SMITH: Second.

MR. WELBERS: All in favor.

(All those simultaneously
responded.)

(The hearing was concluded at
10:25 p.m.)

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Now on this 23rd day of May, A.D., 2024, I do
signify that the foregoing testimony was given
before the Bureau County Zoning Board of Appeals.

Barry Welbers, Chairman

Kristine Donarski,
Zoning Enforcement Officer

Callie S. Bodmer

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