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1 MR. WELBERS: We're ready. We can begin.
2 Now, just to recap a little bit. First of
3 all, our member, Troy Quest, is not available
4 tonight. Everyone else is still the same. Our
5 County Board members are all still the same;
6 Callie is here; and we are still in a quorum.
7 So we can still hold this meeting. It's been
8 difficult to schedule with everybody all these
9 nights. So ultimately, Troy is the one that
10 isn't able to be here. But we are still in
11 quorum, so we can hold this meeting.

12 The Applicant would like to introduce a
13 couple things that are new to them. Technically
14 we are recessed from Cherry Solar -- or Ladd
15 Solar 2, which means that we would just resume
16 with that.

17 But if you're ready to introduce what you
18 want to, and then some discussion on how we can
19 maybe consolidate this, please go ahead and do
20 so now.

21 MR. JACOBI: Yeah, so in terms of -- you
22 know, we had the Ladd 2 project and the Ladd 3
23 project, and we have been sort of flipping back
24 and forth between those hearings --

1 MS. DONARKSI: Could you stand up so
2 everybody can hear too? Thank you.

3 MR. JACOBI: Here, maybe I'll just take
4 the podium.

5 MS. DONARSKI: Thank you. And state who
6 you are for the record.

7 MR. JACOBI: Ben Jacobi, J-A-C-O-B-I,
8 Counsel for the Applicant, both Ladd 2 Solar and
9 Ladd 3 Solar.

10 So just to sort of open us here. We had
11 been switching -- we started Ladd 2, then we
12 switched over to Ladd 3, and then we switched
13 back to Ladd 2 and then Ladd 3, and then there
14 was an incorporation of Ladd 3 testimony into
15 Ladd 2's record.

16 So what I'm proposing from this point
17 forward, because we're moving into Interested
18 Parties' testimony, rebuttal, if necessary, and
19 then closing, for the balance of the Ladd 2 and
20 Ladd 3 project hearings to consolidate those
21 into just one hearing, one transcript. So
22 anybody can speak on either one of the projects
23 or both of the projects when it's your
24 opportunity to talk, and present rebuttal on

1 either one or both of the projects, if
2 necessary. And then I'll close and we'll close
3 on -- all the parties will close on either one
4 or both of the projects.

5 But that's just so you put everything
6 together. It will be one transcript for both
7 transcripts. It will be two votes by the Board.
8 So you'll still have to vote on both of the
9 Special Uses and both of the Variance requests,
10 but the record will be consolidated for the
11 transcript purposes so that we don't have to all
12 say the same thing twice.

13 So that's my proposal.

14 MS. NEMETH: I'm sorry. For the record,
15 could you please state your address too.

16 MR. JACOBI: Sorry. 150 Riverside Plaza,
17 Chicago, Suite 3000, 60606.

18 MS. NEMETH: Thank you.

19 MR. WELBERS: Does everyone understand
20 what Attorney Jacobi just proposed, just to
21 consolidate it?

22 If someone had an objection to Ladd Solar
23 2 but not an objection to Ladd Solar 3, they can
24 still express that individually. But I think

1 probably everyone is -- both cases are pretty
2 much the same for everyone here. And that would
3 mean that you would not be presenting your
4 testimony or be cross-examined twice, just one
5 time, and that would serve for both cases.

6 Is that okay with everybody here?

7 (No verbal response.)

8 MR. WELBERS: It's okay, then, with me
9 too.

10 Board?

11 MS. SMITH: I have no objection.

12 MR. WELBERS: I will move that we do it
13 that way.

14 Would there be a second?

15 MR. FORRISTALL: Second.

16 MR. JENSEN: Second.

17 MR. WELBERS: Everyone is in favor?

18 (All those simultaneously
19 responded.)

20 MR. WELBERS: That's how we will handle
21 it.

22 MR. JACOBI: Okay. Thank you.

23 MR. WELBERS: Is there something else you
24 want to present in regard to landscaping?

1 MR. JACOBI: We do have a landscaping plan
2 exhibit. I wasn't sure if it was appropriate to
3 introduce it now. I can put it on the record
4 now.

5 MR. WELBERS: Why don't you put it on the
6 record now, and then we'll go to the Interested
7 Parties.

8 MR. JACOBI: We have a proposed
9 landscaping plan for Ladd 2. There was already
10 a proposed landscaping plan for Ladd 3 entered
11 into the record. So this is a proposed
12 landscaping plan for Ladd 2. It's a landscaping
13 plan than Ladd 2 Solar is comfortable committing
14 to as a condition to the Special Use Permit, if
15 it were so granted by the County.

16 So I can pass out a copy now.

17 So you'll see here, members of the Board,
18 the first page is the memo. Very similar to the
19 Ladd 3 memo. The second page is a map that
20 shows the preliminary site plan and then the
21 proposed landscaping, which is the green line to
22 the southeast -- northeast corner of the project
23 area. So that's what you're looking at there.

24 MR. WELBERS: You have introduced that.

1 MR. JACOBI: Thank you.

2 MR. WELBERS: Now, who would like to
3 testify? Who would like to go first?

4 MS. NEMETH: Would you like the list?

5 MR. WELBERS: I guess, yeah.

6 ANDY RUGGERIO,
7 being first duly sworn, testified as follows:

8 MS. NEMETH: Can you please state your
9 name and address for the record.

10 MR. RUGGERIO: Name is Andy Ruggerio.

11 MS. NEMETH: Can you spell that.

12 MR. RUGGERIO: R-U-G-G-E-R-I-O. I live at
13 136 North Central Avenue in Ladd.

14 MS. NEMETH: Thank you.

15 MR. WELBERS: Go ahead, sir.

16 MR. RUGGERIO: I'm part of the Ladd
17 Village Council, and I'm here to say that I am
18 in favor of what Frank Cattani, the mayor, had
19 said at previous meetings on this plan.

20 As a Council member, we're -- we have
21 nothing against the boundaries, nothing against
22 the Gillan family for this project. We just
23 want to try to expand property for future growth
24 in Ladd.

1 So I just wanted to state that I'm in
2 condolence (sic) to what Mayor Cattani has said
3 in the last meeting.

4 MR. WELBERS: Anyone have any questions
5 regarding what he said, or is that clear?

6 (No verbal response.)

7 MR. WELBERS: Thank you, sir.

8 Next.

9 MR. PRATT: I'll go. The Board is going
10 to be so happy to not have a projector and stuff
11 sitting there after this meeting. They'll
12 probably do jumping jacks.

13 TIM PRATT,
14 being first duly sworn, testified as follows:

15 MS. NEMETH: And please state your name
16 and address for the record.

17 MR. PRATT: Tim Pratt, 32267 - 1800 North
18 Avenue, Arlington, Illinois.

19 MS. NEMETH: Okay.

20 MR. PRATT: I think I owe Kris a couple
21 things. I think I had one for 2 and one for 3,
22 of this PowerPoint. So I have a couple extras.

23 MR. JACOBI: Can I have one?

24 MR. PRATT: Okay. Let's see, I don't know

1 if the Board needs to move to the other side of
2 the table here so it's not flashing in their
3 eyes or so they can see. It will be in your
4 eyes for sure.

5 MS. DONARKSI: Do you want to come set
6 your chairs over here?

7 MS. NEMETH: Do you want to turn down
8 lights?

9 MR. PRATT: Is it possible to turn it
10 down?

11 MS. NEMETH: Yes.

12 MR. PRATT: Okay. Can you see that okay
13 from where you're at? I've got to warn you
14 though, because every meeting that we have like
15 this, I add another 20 minutes or so to this
16 presentation. So it's added up over time. So
17 if you want to move, now would be a good time.

18 Anyway, thank you. I want to thank the
19 Board, the Zoning Office, stenographer. They
20 have all been great and very helpful.

21 We're here tonight, I think we all know,
22 we're here to discuss Ladd Solar 2 and Ladd
23 Solar 3. I appreciate, you know, that GreenKey
24 has decided that we should probably combine

1 these. Because I think for those yet in
2 attendance, we view them as one solar farm, one
3 68-acre solar farm.

4 GreenKey is out of Portland, Oregon. We,
5 in opposition, are the Bureau County citizens
6 concerned about commercial solar fields, and we
7 are here tonight to present our opposition.

8 First, I want to make it clear, we oppose
9 this siting not only because of the distraction
10 to our quality of life, but also because of the
11 safety, health, welfare and financial wellbeing
12 of the entire community.

13 To begin, I just want to say, it seems
14 like this project was rushed. Those of us that
15 live a quarter mile away received letters from
16 the Bureau County Zoning Office on or about the
17 1st of July. By the 11th of July, it was
18 already at the Bureau County Planning
19 Commission; in one week, the very next week. It
20 seems like nobody wanted the public to know what
21 was going on.

22 If it hadn't been for a problem on the
23 July 11th Bureau County Planning Commission
24 meeting, it would have been heard here, at the

1 Bureau County Zoning Board of Appeals meeting,
2 on July 18th. It was actually on your agenda to
3 be heard.

4 So in two and a half weeks from the time
5 we had any notification this was even going on,
6 is all the time we had to try to figure out what
7 we were going to do, what we were going to say,
8 what even could be done.

9 To be fair to GreenKey, Reuben did send a
10 nice, basic form letter out. And in the form
11 letter, it was about three paragraphs, it says
12 how they want to share the details and scope of
13 the proposed energy project which we're
14 developing in your area. It also says, We're in
15 the process of applying for a Conditional Use
16 Permit with Bureau County.

17 I don't understand how the County views
18 work very well, I guess, but when I think you're
19 in the process of applying, I'm not thinking
20 this is going to be done in two and a half
21 weeks. I'm thinking we've some time to figure
22 this out.

23 And the letter was delivered actually
24 after we received the letter from the Zoning

1 Office. The envelope looked like about any
2 other letter you see that you get from a solar
3 farm that wants to put solar panels on your
4 roof, any type of solicitation like that.

5 We, as a group, just feel that GreenKey
6 did not even try to personally reach out to any
7 of us at the time. You know, they could have
8 maybe sent -- there's only 14 of us, for Pete's
9 sake -- maybe a registered letter or something
10 that looked official in some way. A
11 community-wide informational meeting in some
12 way, possibly. At least pretend that you want
13 to work with nearby landowners. But instead, we
14 feel like there was just a complete lack of
15 transparency.

16 As a matter of fact, in our opinion
17 GreenKey did not even seem to care about the
18 community or what the community felt until after
19 the community started to speak up.

20 Just wanted to kind of move off here a
21 little bit and just talk about a House Bill that
22 was brought up in this legislation session in
23 Illinois, and it was brought up by a Democrat
24 and a Republican, not that that matters, but the

1 Bill was trying to move the setbacks from the
2 50 feet that it is now back to 500 feet.

3 The comments that these representatives
4 made were such -- you know, basically they don't
5 have anybody in their communities that want to
6 live next to a solar farm. That's one of our
7 comments too: people don't want to live next to
8 solar farms; therefore, it will drive the values
9 down.

10 He goes on to say: We don't know what the
11 health concerns might be of a solar farm. We
12 don't like the way they look. We're concerned
13 about how it might impact housing values. Those
14 are the three most common concerns that Tony
15 Deluca heard.

16 Charlie Meier also kind of said the same
17 about his constituents. They worry about their
18 health. They don't want this right behind their
19 house. They don't want it right on the edge of
20 their property line. We agree.

21 That Bill made it through Committee, but
22 it did not get voted on. So that leaves us with
23 these concerns and a few more as we go on.

24 But the edges of this solar facility are

1 less than 17 yards from property lines and
2 public roadways. 17 yards, 50 feet, is about
3 the same distance as it is from the pitcher's
4 mound to home plate in a baseball game. That's
5 not a lot of distance. That's a stone's throw,
6 a baseball's throw away.

7 The southern edge of the proposed project
8 is a half a mile from the northernmost edge of
9 Ladd's corporate limit. Waterways and drainage
10 areas can clearly be seen on satellite photos.

11 Excuse me. Solar fields, I think I'm
12 allergic to them.

13 Landowners have been told that Roundup
14 would be used to control vegetation. Also,
15 surely there will be something used to keep
16 these panels clean, some sort of chemicals.

17 Electromagnetic fields are detected within
18 solar farms, and there is an elevated risk of
19 fires.

20 Solar panels are often manufactured using
21 toxic chemicals, and they can possibly
22 contaminate groundwater.

23 I have to take a cough drop. Sorry.
24 Again, I apologize.

1 Now, most solar panels are made in China;
2 approximately 78 percent. At present, only
3 2 percent are manufactured in the United States.

4 Now, we have heard about Q Cell solar
5 panels and how great they are, and that's what
6 GreenKey would like to put in place here. And,
7 yes, these solar panels were developed in
8 Germany. GreenKey (sic) went bankrupt. They
9 sold out to a company in South Korea. They are
10 now manufactured in China, Malaysia and South
11 Korea.

12 A lot of the problems here, we're talking
13 a 40-year lease. That's a long time, and a lot
14 can happen in that amount of time. We just
15 don't know what -- these solar farms and solar
16 fields may cause problems down the line.

17 Electromagnetic fields are found in solar
18 farms. Electromagnetic fields are not good for
19 the human body. There's no debate on that.
20 We're told that they're diminished as you leave
21 even further from the solar farm, but any
22 electromagnetic field is not good for the human
23 body, diminished or not. So 40 years of
24 exposure to even weak EMF will increase existing

1 health risks. That's one of our concerns.

2 Glint and glare is another one. I
3 appreciate that GreenKey has been working with
4 some local farmers and property owners to try to
5 make some vegetative screening, but the reality
6 is that there are no solar panels that absorb a
7 hundred percent of the light. You can put
8 nonreflective glare coatings on them, but the
9 reality is that there's always going to be some
10 glare.

11 Some studies are saying that roadways and
12 dwellings within a half mile of solar
13 developments that have a view of the solar
14 panels should be assessed for glint and glare
15 output.

16 Solar waste -- solar panel waste. We hear
17 from the developers that these panels are not
18 toxic. The EPA says some are. They go on to
19 the point where they say that some are
20 considered hazardous waste and some are not,
21 even within the same model and manufacturer.

22 I think that maybe goes back to where they
23 come from. They're coming from China. So how,
24 in the same model and manufacturer, can some be

1 hazardous and some not? It just seems like
2 quality control could be better so we know which
3 ones are and which ones aren't.

4 So the question we have is, how do we know
5 which ones might have toxic materials in them
6 and which ones don't?

7 So how about these? This is a solar farm
8 in North Carolina. It's got the legendary chain
9 link fence in front, 12-foot-tall solar panels,
10 power pole in the middle of it. Are these
11 hazardous or are they not?

12 How about in hailstorms? We are told that
13 solar panels, these solar panels, are nearly
14 indestructible or maybe indestructible, I'm not
15 sure.

16 But in Houston, Texas, in March of 2024,
17 they had a hailstorm. The County Environmental
18 Health Department and Texas Commission of
19 Environmental Quality have been both contacted
20 regarding any potential chemical contamination.
21 The mayor, a local mayor, has contacted county
22 officials and the county officials haven't
23 responded. They haven't responded to any
24 request for comment, probably because they don't

1 know if they're hazardous or not either.

2 But in this picture, in the top right-hand
3 corner, you can see where the storm also
4 dropped, you know, some rain. There's a puddle
5 of water. If these are hazardous, any leaching
6 off these panels is going into that pond of
7 water, which is going to go into the ground
8 water, which is certainly a concern of ours
9 because a lot of our wells are only 30 feet deep
10 in our area.

11 And hailstorms can pack a big punch. The
12 National Weather Service says that Illinois gets
13 approximately seven major hailstorms a year; you
14 know, marble-sized hail or more.

15 This is a hailstone from Minnesota,
16 actually. But we see these type of pictures a
17 lot. They make the news a lot.

18 Another thing that Bureau County gets, a
19 word that I hadn't heard of until probably five
20 years ago, derecho; straight-line winds. We
21 have seen, just in the last four or five years,
22 we have seen derechos in Bureau County with
23 winds approaching a hundred miles an hour.

24 You know, the developers will tell us,

1 Well, yeah, we set these piers so deep and we do
2 everything to make sure that it doesn't happen.
3 But if it does, which one of these panels is
4 hazardous? Which one isn't?

5 As a matter of fact, this picture -- if
6 you remember four years ago probably, north of
7 Ladd, about a half mile from where this proposed
8 site, is Route 89. These are power poles that a
9 derecho, 100-mile-an-hour winds, blew down
10 across Route 89.

11 You know, Mother Nature does strange
12 things. Gives us some tornados from time to
13 time. You can clearly see here the path the
14 tornado went through this solar array.

15 You know, the question is, where are some
16 of those panels at? And were they hazardous-
17 material panels or were they not?

18 It's not just Mother Nature. The solar
19 panels themselves can cause us some problems
20 with short circuits, electrical failures.

21 How hot does a fire need to be -- I meant
22 to look this up so I knew. How hot does a fire
23 need to be to melt silicon glass that's in these
24 solar panels? I think it takes a pretty hot

1 fire.

2 The representative from GreenKey, the
3 engineer, you know, in testimony told us that
4 even in the news we see, you know, solar
5 panels -- solar farms that have fires. There's
6 an example.

7 Again, how hot does it need to be to
8 ignite silicon glass?

9 And if these panels are less than 17 yards
10 from maybe a cornfield that's ready to harvest
11 this time of year or just somebody's barn, maybe
12 close to property line, how much wind would it
13 take to cause a definite fire hazard from these
14 panels?

15 We're going to move on to property values.
16 Because this, too, is certainly on all of our
17 minds. Those of us that have lived here in
18 Bureau County most of our lives are concerned,
19 because we have put a lot of equity in our
20 properties. We have a lot at stake here. And
21 if property values do go down, we're the ones
22 that pay. We lose our dreams. We lose those
23 things that we strive for all our lives.

24 I find it interesting -- this study is

1 from Berkeley Labs, and CohnReznick themselves
2 brought up the Berkeley Lab study. And when it
3 was brought up to them that this study actually
4 shows -- they actually study in six different
5 states -- homes within a half a mile of these
6 solar plants are reduced at a value of 4 or 5.8,
7 5.6 percent.

8 But when it was brought up to
9 CohnReznick's people, they said, Well, those
10 numbers aren't right. They didn't do the same
11 type of studies we do. But they used these
12 studies when it benefitted them.

13 This also goes on to say that there are
14 ways -- some solar companies include
15 compensation to nearby affected homes, and
16 landscape measures such as vegetative screening
17 can also help with property values.

18 You know, I have been a lifelong Bureau
19 County resident. And as such, I'm convinced
20 that home values in close proximity to solar
21 farms are going to fall no matter what the
22 experts say.

23 When a rural home goes up for sale,
24 there's going to be a certain small group of

1 people that have interest in it. Not
2 everybody's looking for a home in the country.
3 There is, though, a certain group that is. And
4 when that pool of people that are looking at
5 this house are then told, Oh, by the way, this
6 home is going to come with a 68-acre solar field
7 in your backyard with a nice chain link fence
8 wrapped around it, that pool of people that
9 wants to buy that house is going to get smaller.
10 The competition to buy that house is going to go
11 down.

12 I mean, imagine, you found -- maybe you're
13 looking for a perfect country home and you found
14 it. You go to sign the closing, and the lawyers
15 at the closing say, Oh, by the way, there's soon
16 going to be a solar farm built right next door
17 to this house. What do you do? Do you go ahead
18 and sign the contract, try to renegotiate the
19 price, maybe look for a different house?

20 The problem here -- it even goes back to
21 one of those first slides that says nobody wants
22 to live by them. Since so many people feel that
23 solar farms are not aesthetically pleasing, they
24 will decrease property values and prices around

1 them. Nearby properties are going to decline in
2 value.

3 And our question, those of us near them,
4 is who's going to make us whole? When our
5 property is worth less, who is going to care?

6 Again, consider, there's two houses. They
7 are both exactly the same in every way, except
8 one of them has a solar power plant next to it
9 and one of them has a field of corn and beans
10 next to it. If a buyer is given a choice
11 between those two properties -- again, exactly
12 the same, except for the solar field next to one
13 and one not -- which is the buyer probably going
14 to choose? What would be his first choice?

15 Most of us I think are going to say that
16 they would rather choose the one that did not
17 have a solar facility next to it. However, if
18 the house that did have it was significantly
19 lower-priced, they would then be considered --
20 they would then consider buying it instead.

21 This leads to a question, because we see
22 what CohnReznick puts out and we see these
23 independent research papers. Why are the
24 independent research papers published -- why do

1 those indicate the property close to utility-
2 scale solar facilities are negatively impacted,
3 but research funded by solar developers is
4 saying there's no impact? How can that be? How
5 can we have both sides here? And this is easy,
6 you go online and find page after page after
7 page of, you know, people saying that there is
8 negative or there is not.

9 But for my presentation, let's stick with
10 there is negative. This particular MIA -- this
11 MAI decided that in their research there's at
12 least a 6 percent to 30 percent decline in
13 values with houses next to a solar farm.

14 If you think back to that Berkeley study
15 that I showed, they were talking homes within
16 half a mile away losing a value of 5 to
17 6 percent. We're talking homes that are 50 feet
18 away; 150 feet. You know, those are the ones
19 that could possibly lose 30 percent.

20 She goes on to say: Industrial-scale
21 solar farms do negatively impact adjacent
22 properties, and the market considers solar power
23 electric-generating facilities to be a
24 detrimental condition.

1 Rhode Island University, I think that was
2 another one that Erin from CohnReznick brought
3 up. This one says homes within a tenth of a
4 mile decline by 7 percent. That's 500 feet.
5 Again, we're talking homes 50 to a 150 feet.

6 So the question comes up, why aren't more
7 appraisers looking at this from the homeowners'
8 side. Mrs. Nerad brought up I think at our last
9 meeting. She had talked to a couple of real
10 estate people, and they said, We just don't have
11 the data. We don't have the data to make that
12 decision.

13 Mashburn Appraisal Group, when they were
14 asked that question, has three reasons that why
15 only solar developers are putting in these
16 studies.

17 Number 1, with the submittal of a request
18 for approval for a solar development, an
19 analysis showing the proposed project will not
20 impact adjacent or abutting parcels is required.

21 Number 2, the time frame needed to
22 complete this type of assignment is long.

23 We had from July 1st to the 18th, if
24 everything would have went right. We had two

1 and a half weeks to find somebody to do an
2 appraisal study and do a study report, and
3 there's no way we could do that.

4 When Erin was here last week -- or the
5 last meeting, from CohnReznick, she brought up
6 the fact, when asked, it would take hours and
7 hours to come up with this type of report from
8 somebody that's coming in without any other
9 experience except just, you know, an appraiser.
10 There's no way we could have had time to put
11 that together.

12 And Number 3 goes along with 2, the cost.
13 The cost of completing such an assignment of
14 this is beyond the abilities of single
15 individuals or community groups to bear.
16 There's just no way we could afford it. We do
17 not have the deep pockets that the solar
18 developers do.

19 Speaking of CohnReznick, this is from Page
20 4 of their adjacent property value impact report
21 addendum, and they go on about how they have
22 talked to these County and Township assessors.
23 You know, I took it upon myself to call these
24 assessors. And, you know, two of them haven't

1 even been in that position for the last two
2 years. It was only a year and a half ago that
3 the siting standards went to 50 feet from 500
4 feet. So two of them weren't even there at that
5 time when the siting standard -- before they
6 were changed.

7 The other two were kind of surprised.
8 They were surprised that their -- what they had
9 sent in for the survey or interview questions
10 was being used to show that there was no impact
11 to property values.

12 When I asked them about that, I asked
13 them, I said, you know, It says there's no
14 impact to property values in your township due
15 to proximity to solar farms. And I read to one
16 of them exactly what the report said. She said,
17 That's not what we said. That's not cut and
18 dried. She said, We don't have the data to make
19 that decision. We can't say whether or not, you
20 know, that you will lose property values.

21 And all of them, including Melissa Simms,
22 of our own Bureau County Assessor's Office, made
23 the comment, In a case like that, where it's
24 only 50 feet away from a property line, property

1 owners need to be talking to their local county
2 review board and see if they can get the
3 property reassessed.

4 Reassessing property, that might help with
5 my taxes, but that's not going to help with my
6 worth. If I lose 7 to 30 percent of my property
7 just because a solar farm moves in, that's not
8 good.

9 So what else does CohnReznick do? They
10 seem to have a pretty large umbrella of things
11 they do, but most everything they touch has to
12 do with solar and renewable energy development.

13 They offer a full range of services. They
14 actually have a White Paper out, they talk about
15 how they pick the winners in the evolving
16 renewable project merger and acquisition
17 landscape. Their goal is to pick the winners
18 and get solar farms out there, to get wind
19 turbines out there. They don't care about the
20 Nerads or the Nolls or how much property value
21 they're going to lose. They're worried about
22 picking the winners.

23 Do a quick search. I just pulled out my
24 phone. I mean, some of these slides are just

1 from today and yesterday. You pull out your
2 phone, you put "CohnReznick solar farms," and
3 here's some of the things they do:

4 They work in partnership with others to
5 put up solar fields;

6 They have renewable energy investment
7 banking where they actually, this says, include
8 project financing;

9 They have an energy advisory to help
10 development companies to be able to present,
11 probably as they are today and through the last
12 few weeks;

13 The Inflation Reduction Act that was
14 fairly new, but they're looking into that for
15 ways that can benefit solar development
16 properties;

17 And property value impact studies.

18 The experts that we're hearing from
19 CohnReznick and from GreenKey are basically paid
20 by the developers. I mean, that's a pretty --
21 you know, they, CohnReznick, is not out for the
22 property owner. They are out to help renewable
23 energy developers.

24 In the same line, this is your backyard

1 view. Just, you know, I want you to just take a
2 look at this picture and just think, this is my
3 backyard view. You know, when you watch maybe
4 something on TV or you know somebody who's
5 bought property somewhere, what's one of the
6 things you often hear? They open the drapes and
7 they say, Just look at that view. How often do
8 we hear that? It's a million dollar view.

9 This is actually the backyard of Karen and
10 Tim Nerad. So now let's just step off here 17
11 yards and put up a nice chain link fence and
12 12-foot-tall solar panels, and now let's take a
13 look at their view.

14 CohnReznick says, Oh, no, they won't lose
15 any value. That won't change. Losing their
16 million dollar view is not going to change a
17 thing. I do want to point out though, around
18 the ground cover of those solar panels, take a
19 good look, because there is some nice pollinator
20 mix grasses there which should help a lot with,
21 you know, losing the view that they had.

22 I also -- I don't know how to introduce
23 this. Over the last, oh, two and a half weeks,
24 I have had some emails with Reuben. I know he's

1 working with both Nerads and with Nolls on some
2 vegetative screening, and I certainly applaud
3 him for that. And you can look this over.

4 Reuben, you probably have this.

5 I'm not going to spend a lot of time on
6 this except to say, he is working with the
7 Nerads and Nolls. I have asked for those of us
8 to the north and to the west of this area to
9 also have vegetative screening, maybe something
10 at least as tall as the fences, to kind of block
11 the eyesore that this is going to be to us if
12 this does get approved.

13 This is an issue brief put out by the
14 Illinois State Association of Counties after
15 House Bill 4412, about almost a year after it
16 was passed, explaining some things the counties
17 can and can't do. You can also go to
18 illinois.gov, the General Assembly site, and see
19 the same bullet points listed there. There's
20 many.

21 But the one I want to really focus in on
22 is that counties may require certain vegetative
23 screening surrounding a commercial wind energy
24 facility or a commercial solar energy facility.

1 This is saying you could require surrounding
2 them. If you can require surrounding them, I
3 would say ask, please, if you're going to accept
4 this application, at least help us and try to
5 hide it from those of us around it.

6 Because you have seen the view from
7 Nerads' backyard. This is the view from my
8 second-story window, and that's Nerads' barn.
9 When the corn is gone, what am I going to see?
10 Nothing I want to see, that's for sure.

11 Okay. Enough on property values for now.
12 There's also the loss of farmland. Even China
13 is saying their solar farms are starting to
14 crowd out much-needed crops. China, of all
15 places. And yes, they pushed hard to get as
16 many solar panels out there as they could. They
17 need the energy. Their goal is to feed China by
18 itself, by their own cropland. They're worried
19 now that they may have gone too far and they
20 won't be able to do that.

21 Italy, Italy is another manufacturer of
22 solar panels, another proponent. They have put
23 a lot of them out there. They, just in the
24 spring of this year, decided, Nope, no more on

1 solar farm -- no more on agricultural ground.
2 We're not putting any more because we're worried
3 we're not going to have enough agricultural
4 land.

5 They say, The policy is intended to
6 preserve Italy's productive agricultural land
7 and put an end to the wild installation of
8 ground-mounted photovoltaics.

9 The wild installation. It just seems like
10 every time I turn around here in Bureau County
11 I'm hearing somebody talk about solar fields or
12 wind farms or something. It just seems like
13 definitely the wild installation of them.

14 Here in the United States, in Indiana
15 actually, here's a picture of a solar farm. I
16 just thought this was interesting. It shows,
17 number one, even America's most productive
18 farmland is at risk.

19 The people around this solar farm said,
20 Hey, we're getting a lot of dust from this solar
21 farm. So the developers decided, well, we'll
22 put up this nice tarp and that will help a lot
23 with the dust. It also helped a lot with -- I
24 don't know. But it just -- it didn't help the

1 looks, that's for sure.

2 We have also talked in these meetings
3 about decommissioning. An estimated 8 million
4 metric tons of decommissioned solar panels could
5 accumulate globally by 2030. Folks, 2030. In
6 just a couple months we're 2025. In five years
7 we are going to be 8 million metric tons of
8 solar panel waste. In another 20 years, by
9 2050, that number can reach 80 million metric
10 tons.

11 The developers, GreenKey in this case,
12 will tell us, Yup, but we can recycle those.
13 Yup, they can recycle them. When a solar panel
14 is recycled, you get about \$4 worth of recycled
15 material that can be used. It costs somewhere
16 in the neighborhood of \$18 to recycle them.

17 Landfilling is five times more cost-
18 effective than recycling. That is why
19 90 percent right now are going to landfills.

20 We have also discussed the
21 decommissioning. I understand what you guys are
22 saying. You know, we're putting money in an
23 escrow account. We've got this set and all.
24 But still, four decades, 40 years for now. Just

1 look at what inflation has done to us in the
2 last three to five years. If it continues at
3 that pace, how will we afford to decommission
4 these farms?

5 And I asked this question before -- I
6 didn't get an answer, I don't believe -- are
7 there any case studies that show that even is
8 actually possible to return the land to the same
9 condition as it was before the installation? I
10 don't know if we're going to know until maybe
11 40 years from now.

12 Okay. We'll take just a quick look at
13 Nerads' -- both Nerads' and Tim's -- Chris
14 Noll's farms, Karen and Tim and Chris and
15 Sandra. Most of you have seen this map. This
16 is, the road right here, Route 89. At the
17 bottom would be Ladd. The top would be Cherry.
18 1800 runs across the top. We have Ladd Grain
19 Elevator sits here in the corner.

20 This is Ladd Solar 2 and Ladd Solar 3.
21 The dotted line here that you can kind of make
22 out is the property line. 50 foot off that
23 property line is where the fence will go.

24 Chris Noll's house is a little bit

1 different because this one is considered
2 150 feet from the nearest outside wall. But I
3 like this map because they really edge out right
4 around here so they can gain every inch of area
5 there that they can.

6 Again, vegetative screening will help
7 those situations, but it's not going to replace
8 the views that they are losing. It's not going
9 to make up for that.

10 Nerads also have one other problem. They
11 own this acreage out here, about 3, 3.5 acres.
12 The culvert to get in here is over here. They
13 have no culvert to the north or to the east to
14 even access their property anymore if this
15 project goes in. So when they talk about, Is
16 the land locked, or they talk about, We can't
17 access our own property, there's no way a farmer
18 right now, if this project goes through, can get
19 in there. So a culvert would be -- would
20 definitely be necessary.

21 Also in the corner we have a cutout here
22 where the wetlands is. You can see down here at
23 the bottom where the drainage ditch is and the
24 waterways run.

1 This just shows a map. The blue outlined
2 area is where the solar development is proposed.
3 Green is the northeastern Village of Ladd. You
4 have half a mile between. And even in here, you
5 can see where the waterways run up into this
6 area and drain.

7 Interesting enough, even though this
8 project area itself is only, I think Reuben
9 said, 8 feet maybe in fall, it is a very little
10 amount of fall, from Nerads' house down here to
11 Brad Bastion's house is 35 foot of fall.
12 Somewhere right around here, all the sudden this
13 becomes all hill.

14 So when we talk about the amount of water
15 that comes down these ditches, down these
16 waterways, we're talking 30 feet of fall that's
17 draining right to the Village of Ladd. And
18 whatever comes of it.

19 One more map just kind of shows size-wise
20 how big this is compared to the Village of Ladd.
21 You know, it takes a pretty good chunk of ground
22 here.

23 And on Friday, January 27th of 2023, House
24 Bill 4412 was passed and signed. It was signed

1 by Governor Pritzker. It was effective
2 immediately. That's what set the new Statewide
3 Renewable Energy Project Siting Standards.
4 Prior to that, I believe it was 500 feet
5 setbacks, and now it's only 50. It's only that
6 baseball throw away. And it also took a lot of
7 the power that the local officials had to deny
8 these. A lot of communities are starting to
9 become aware, because -- Sandwich, for example,
10 there's a case study on Sandwich. City of
11 Sandwich is surrounded by other communities to
12 the north -- or, I'm sorry, to the south, to the
13 east and to the west. It's a growing area and
14 has been for some time.

15 The City of Sandwich was looking to annex
16 some land to the north, possibly purchase some.
17 They wanted to set up some housing to the north
18 of town. COVID came. They put this on the back
19 burner. And in January of 2023, when this Bill
20 was passed, shortly thereafter a solar company
21 decided, Oh, we want that land.

22 Last I knew, this is still in litigation.
23 But if the solar company gets that land, it's
24 going to land-lock the Village of Sandwich for

1 the next 30 to 40 years. They'll have nowhere
2 to grow.

3 And it's not just Sandwich. Rockford has
4 recently denied an installation for similar
5 reasons. Danville, Illinois, has also denied an
6 installation. And Ladd's in good company,
7 because they also denied the Variance for this
8 installation.

9 I don't understand how Variations work
10 entirely. I'm not a lawyer. I'm not paid to be
11 one. But the way I understand it, the Village
12 of Ladd would need to allow that Variation in
13 order to allow them to build this solar power
14 plant only a half a mile from the limits of the
15 town.

16 Bureau County Zoning Ordinance, which is
17 compliant with Illinois State law, requires a
18 one and a half mile setback from corporate
19 boundary lines.

20 I don't think Ladd took this lightly. I
21 know they talked about this more than once.
22 They had their Village attorney in meetings when
23 they talk about this. They gave this careful
24 consideration. They decided it's just not in

1 their long-term plans. It's not in their best
2 interest. They decided they don't want it, any
3 solar farm, to be closer than one and a half
4 miles from the corporate village limit, as is
5 required by Bureau County Zoning Ordinance.

6 As a matter of fact, I think they're here
7 today because they're looking to the Zoning
8 Board of Appeals, and they're also going to be
9 looking at the Bureau County Board, you know,
10 are you guys going to uphold your own Zoning
11 Ordinance and keep it a mile and a half or not?

12 Speaking about -- and I don't understand
13 -- here's another. I don't understand the
14 Bureau County Zoning Ordinance that well, but I
15 know in the application there's Section 10.5,
16 Standards for Variations.

17 Actually, 10.5-2 says, The Variation shall
18 be permitted only if the evidence and the
19 judgement of the Zoning Board sustains each of
20 the following, and there's three standards:

21 Number 1, the property in question cannot
22 yield a reasonable return that is permitted to
23 be used only under the conditions allowed by the
24 regulations in the Zoning District.

1 That seems pretty self-explanatory. I
2 have -- in italics, I have a little bit that's
3 used by -- well, actually, the Supreme Court is
4 one of them that has used this and written about
5 it.

6 It goes on to say, The Applicant or owner
7 must demonstrate that there would be a loss or
8 lack of reasonable return for each and every
9 permitted use of the property.

10 I think the permitted use of the property
11 is agriculture. If so, then in this case the
12 landowner could continue farming as normal,
13 could cash rent the property, or could sell to
14 achieve a reasonable return. He can, they can,
15 yield a normal, reasonable return on that
16 investment.

17 Number 2, the plight of the owner was not
18 created by the owner and is due to the unique
19 circumstances.

20 When you hear the word plight, you think,
21 Oh, this is something really drastic. This is
22 something terrible that's going to happen. But
23 the plight of the owner, in this case it
24 actually refers to the configuration of the

1 topography of the property.

2 And it talks about the uniqueness, unique
3 circumstances, and usually that means that they
4 can't use that property. They can't use it
5 because of the plight, because there's not
6 access to it. There's no way to get to it.

7 The plight issue has to do with the
8 configuration of the property such that it
9 prohibits the use of the land.

10 Instead, the Applicant's answer has to do
11 with the unique opportunity for the Applicant
12 presented by precise location. I don't see
13 where there's a hardship. This is all because
14 of unique opportunity that the Applicant has.
15 It has nothing to do with the land or the
16 topography of it.

17 And Number 3, the Variation, if granted,
18 will not alter essential character of the
19 locality.

20 We're here today because we think it is
21 going to alter the essential location --
22 character of the locality.

23 You know, the Applicant states that the
24 proposed use is not dissimilar from its existing

1 use.

2 I'm sorry, I didn't hear anybody come up
3 and say, We're going to plant seeds and we're
4 going to grow solar panels. The use of this
5 property is, you plant seeds and you grow crops.

6 A commercial solar facility composed of
7 inorganic metal and glass is not in any way
8 comparable to organic crops, and is, in fact,
9 very dissimilar for the property's existing use.

10 As a matter of fact, during previous
11 testimony -- on the first day of testimony,
12 actually -- when we were talking about Ladd and
13 the industrial area north of town, and I believe
14 it was Reuben who said, Oh, well, as a matter of
15 fact, this solar field could be considered
16 either Agriculture or Industrial. It would fit
17 right into the Industrial Zone.

18 Well, which is it? I don't think you can
19 be both.

20 But whichever, this project, if allowed,
21 will indeed alter the essential character of the
22 locality. We have seen the pictures of the
23 Nerads' yard. We have seen the pictures from my
24 back window. The character is going to change.

1 Folks, people that live in urban
2 environments, and not to mention anybody
3 specifically, but if you're from Chicago or
4 Portland, Oregon, or maybe some of those places,
5 don't really understand the rural character.
6 They don't understand our community.

7 We live where we do because we enjoy --
8 like in Karen's photo, we enjoy going in our
9 backyard and seeing that vista way out to the
10 horizon. Most of us don't even close our
11 curtains because we like seeing those views.

12 And in the city, yes, 16.66 yards may seem
13 like a long way to the property line. But in
14 the country, that's a baseball's throw. A mile
15 in the country, that's just the neighbors down
16 the road; that's just next door.

17 Many of us have lived in Bureau County for
18 most of our lives. We do not think that rural
19 Illinois should have to sacrifice our way of
20 life, our lifestyle or our character so that
21 green energy companies can get rich off of us.

22 Oop, wrong button.

23 So in conclusion, throughout history,
24 throughout history, forever, experts have been

1 proven wrong, as long as I can remember and even
2 before that. We look at, you know, when
3 Columbus sailed the ocean blue, experts were
4 saying, If you go too far, you'll sail off the
5 edge of the earth. The earth is flat.

6 When I was growing up in grade school, we
7 were being told that there was a period of
8 global cooling. We weren't going to be able to
9 grow enough crops because it was going to be so
10 cold. Now we're told pretty much the opposite.

11 The bottom line here is, we're talking
12 four decades, 40 years. That's a long time to
13 be stuck with such an eyesore in your backyard,
14 especially if it turns out that there are
15 long-term effects of living in close proximity
16 to it, or if the electromagnetic fields, even
17 slight ones, do compound and cause us problems
18 or some other unknown health problem.

19 Remember back when Teflon was the greatest
20 thing on a pan? You know, you cook your eggs
21 and Teflon was great. Now Teflon is the enemy
22 because it flakes off and gets in our bodies and
23 never leaves. Experts. Experts aren't always
24 right.

1 Will these solar arrays cause hazardous
2 waste to leach into the waterways and aquifers?
3 Again, 30 feet deep. My well is 36 to 30 feet
4 deep. It's a concern for me.

5 Will it cause annoying glare? For those
6 of us there to the west, to the east, will we
7 have annoying glare that causes a problem? Will
8 inverter and other noises annoy us?

9 And it's not a question of "if," but how
10 much will our property values go down?

11 Will there be electrical failures that
12 cause fires?

13 And what are we going to do with
14 80 million tons of solar waste? And what will
15 disposal cost for that be in 40 years?

16 Again, the experts say there's nothing to
17 worry about. Unfortunately, the experts aren't
18 going to be here in 40 years, when we may be
19 finding out that there is something we should be
20 worried about.

21 Because of these concerns, we, the
22 citizens of Bureau County, are asking the Zoning
23 Board of Appeals to deny this proposed
24 commercial solar facility.

1 Questions, Mr. Chairman?

2 MR. WELBERS: I have no questions for you,
3 Tim. You put considerable effort into your
4 study. But you are subject to
5 cross-examination, so we are going to see if
6 anyone has any.

7 MR. PRATT: All right.

8 MR. WELBERS: Do you have questions?

9 MR. JACOBI: (Nods head.)

10 MR. WELBERS: I thought you would.

11 MR. JACOBI: Should I go first? I thought
12 often --

13 MS. DONARSKI: Yeah.

14 MR. JACOBI: But I'm happy to go first.

15 MR. WELBERS: Go ahead, Kris.

16 EXAMINATION

17 BY MS. DONARKSI:

18 Q. You handed out this other exhibit, I labeled it
19 IP Number 3, it says Outlook. It's some emails.

20 A. Ladd 2 and 3, yes.

21 Q. Were you going to go through what that said so
22 that's in the record?

23 A. I can go through that.

24 Q. Briefly.

1 A. That's why I handed it out.

2 I feel like, I don't know where we're at
3 in the whole process of approval. I know that
4 Reuben has been working with adjacent
5 homeowners. And, in fact, I think he already
6 has that worked out.

7 I don't know if they're going to do
8 anything for those others of us. And if they're
9 not, I think my question was, would the County
10 Board Zoning of Appeals if the statute says that
11 they may require it, if they would. So I don't
12 know how to handle that.

13 Q. Well, what my question is for you, were you
14 going to review what the contents of this was,
15 or you just wanted to place it on the record and
16 we weren't going to discuss it and no one knows
17 what it says? That's my question for you.

18 A. I can read it into the record if that's --

19 Q. I'm just asking you what you're planning to do.

20 A. This is my first time, Kris.

21 Q. Okay.

22 A. I don't know what's best. I'm just trying
23 to --

24 Q. Okay.

1 A. It's, I don't know, half a dozen emails. I
2 think between Reuben and I, we can say what they
3 are.

4 After our last Zoning Board of Appeals
5 meeting or maybe -- anyway, on the 10th I
6 emailed Reuben, and I told him that, you know,
7 there's a number of us that want to walk, jog,
8 bike and drive by this proposed location daily.
9 We've looked at other solar facilities. We find
10 them not good to look at. At the least, we feel
11 a screen of some sort might help.

12 And Reuben did get back to me and -- what
13 do we have here?

14 Thank you for your email. We are working
15 on a vegetative screen with two neighbors who
16 are directly adjacent to the solar facility.

17 That was on the 11th.

18 I then followed up: Hi, Reuben. Thanks
19 for your reply. I'm certainly glad to hear you
20 are working with a couple of nearby property
21 owners. That is a good start. Is there any
22 chance that those of us within a quarter mile
23 radius could also get some screening? Maybe
24 bushes to grow to the height of the fence.

1 On the 13th, I emailed again: Good
2 morning, Reuben. Just a quick Friday morning
3 email to follow up on my screening question.
4 Can vegetative screening be added to the Ladd 2
5 and 3 project for those of us that live on the
6 north and west sides of the proposed project?
7 Thanks, and have a great day. Tim Pratt.

8 His response was: Thank you for your
9 email, Mr. Pratt. Right now we are focused on
10 getting alignment with the two adjacent
11 neighbors regarding vegetative screening for
12 this project site.

13 On the 19th, then I followed up and said:
14 At Monday's zoning meeting -- would have been --
15 so this would have been in reference to our last
16 zoning meeting -- at Monday's zoning meeting it
17 seemed like you were wrapping things up
18 regarding vegetative screening with the two
19 adjacent neighbors.

20 I know at that time Mr. Noll and Sandra
21 Noll, they had vegetative screening set for
22 them.

23 I asked: Are you at a place where my
24 question from last week can now be addressed?

1 The question was, Can vegetative screening be
2 added to the Ladd 2 and 3 project for those of
3 us that live on the north and west sides of the
4 proposed project? And I would like to see
5 something planted reasonably close to the fence
6 that can easily be maintained at a height of 8
7 to 12 feet, but I am sure that you have
8 considered vegetative screening like this in
9 past projects, so you probably have an idea of
10 what works best. Best regards, Tim.

11 Reuben did send me an email back,
12 basically telling me that he's still working
13 with at least one of the adjacent property
14 owners. So that email is not here. That is
15 missing.

16 Q. Okay. So is it your testimony that you would
17 like to ask that -- to have them address your
18 question on whether or not they would consider a
19 vegetative screening of a height of 8 to 12 feet
20 on the north? Do you have any kind of diagram,
21 like on the north and west sides, what that
22 would be?

23 A. I don't, but I could put something together.
24 And again, I think that GreenKey, as much as

1 they have worked in the solar industry, probably
2 has an idea. I mean, I think 8 to 12 feet is
3 going to be approximately at the top of where
4 the solar panels are. So any glare that comes
5 off, you know, especially those of us to the
6 west, you know, it would help with any glare.
7 It would also help in screening it and just
8 making the site better.

9 But I -- you know, I'm not terribly picky,
10 but something that's, you know, somewhat
11 maintained that's low maintenance.

12 MS. DONARSKI: That's my questions on this
13 document.

14 MR. PRATT: And I didn't know if -- I
15 didn't know for my part if I was even allowed to
16 ask questions during my testimony. I didn't
17 know how to proceed there. So I appreciate
18 that. Thank you.

19 MR. WELBERS: You're good?

20 MS. DONARKSI: Yup, I'm good.

21 MR. WELBERS: Okay. We're ready,
22 Mr. Jacobi.

23 MR. JACOBI: Thank you. Just a couple
24 clarifications.

1 And thank you, Mr. Pratt, for your
2 presentation.

3 EXAMINATION

4 BY MR. JACOBI:

5 Q. You stated that you're presenting on behalf of
6 the Bureau County citizens concerned about
7 commercial solar fields?

8 A. Uh-huh.

9 Q. Is that an unassociated group of some sort of
10 people?

11 A. Unassociated from?

12 Q. Is it incorporated?

13 A. No, it's not incorporated. It is a group of
14 landowners, mostly those that are within a
15 quarter mile or even Ladd now, in this case,
16 that have concerns.

17 Q. I see.

18 A. Most of us in that group are the ones that have
19 received the letter from the Zoning Office.

20 Q. Got it.

21 So your presentation here tonight, the
22 objections that you have raised, the concerns
23 that you raised, that was on behalf of the
24 group?

1 A. Yes.

2 Q. Can you tell me who the members of the group
3 are?

4 A. Members would be Chris and Sandra Noll; Mr. and
5 Mrs. Flaherty; Tim and Karen Nerad; Brad and
6 Kris Bastion; my wife, Sue; Jim and Sandra
7 Dunseth. Those are the members that are here
8 tonight.

9 Q. Thank you.

10 And just to be clear, you're speaking on
11 behalf of all of them?

12 A. I was. We have actually -- yes.

13 Q. Thank you.

14 A. We have had a few meetings and we discussed,
15 you know, to a length. I feel this is a pretty
16 good outline of what some of the others are now
17 going to bring up and discuss further.

18 Q. Very good. So these folks are going to
19 testify?

20 A. Some of them are, yes. Some of them are not;
21 some of them are.

22 Q. What's your background?

23 A. My background?

24 Q. Uh-huh.

1 A. I'm a dad, I'm a father. I have lived in
2 Bureau County my whole life. I have -- we
3 own -- my wife and I own a business, an LLC.
4 It's Pratt Real Estate Investments. We have
5 bought and sold property in the county. I have
6 worked in education and in private sector,
7 taking care of technology, network
8 administrator, director of information
9 technology-type jobs.

10 Q. Thank you.

11 So no engineering degree?

12 A. Huh-uh.

13 Q. Do you have a real estate license?

14 A. I do not.

15 Q. Your house is a little over a half mile away
16 from the project site; is that correct?

17 A. My property line is less than a quarter mile
18 away.

19 Q. Okay.

20 A. We own the land. It's as close as a quarter
21 mile. My house is probably about a third of a
22 mile.

23 Q. I think we measured it at 0.52. Would you
24 disagree with that?

1 A. Mine or the neighbors'? We own the house next
2 door to it, too. So I'm wondering if maybe you
3 got that one. Because the house directly across
4 from us is Joe Parnell's, who I have talked to
5 as well. He has an even straighter sight of
6 this than I do. His measures at just over a
7 third of a mile.

8 Q. Okay. Is Mr. Parnell a member of the --

9 A. He is not. He has been on vacation, and I
10 actually just got to talk to him last week. So
11 I kind of expected him to show up.

12 But he was not in the quarter mile radius,
13 so he didn't even know anything was going on.
14 He would have been one of those that was going
15 to be completely surprised.

16 Q. But he's not here and he's not a part of that
17 group?

18 A. He is not.

19 Q. So the house where you reside, is that -- I got
20 a little confused. Is that the third of a mile
21 or a half mile?

22 A. Third. We own a rental property that's about a
23 half a mile away.

24 Q. Got it. Oh, that's probably what you're --

1 A. It's to the west of our house.

2 Q. And that's a third of a mile or so from the
3 property line of the solar parcel?

4 A. If I use Google Maps and measure from the
5 boundary of the solar parcel to the property --
6 to the property line. Not to the outside wall.
7 To the property line.

8 If I go to the property line -- because we
9 own farmland. You know, number one, we own
10 farmland that's less than a quarter mile away.
11 That's why we got the letter from the Zoning
12 Office.

13 Q. I'm just trying to find out, how far is your
14 house --

15 A. Otherwise we wouldn't have got the letter
16 either.

17 Q. How far is your house from the property line?

18 A. About a third mile.

19 Q. That photo that you showed towards the end of
20 your presentation from your second story, is
21 that from your residence?

22 A. That's from my residence.

23 Q. Was that taken with an iPhone?

24 A. That was taken from my Android phone at about

1 1 o'clock this afternoon.

2 Q. Okay. So you did get notice of the hearing,
3 right? I just want to make sure of that.

4 A. In the first week of July, yes.

5 Q. Okay. And you're here and had an opportunity
6 to present and object?

7 A. Yes.

8 Q. Okay. The -- so you showed some items. I
9 guess, first I just want to confirm, the Bill
10 you showed, House Bill 4135, that is still in
11 committee; that's not law, right?

12 A. It did not get voted on this session.

13 Q. And that session ended, correct?

14 A. Which is why I think probably so many solar
15 companies are pushing forward, trying to get
16 this on the ground before this Bill possibly
17 does get passed.

18 Q. Or possibly dies?

19 A. Or possibly dies.

20 Q. Deluca and Meier are the two representatives
21 you quoted --

22 A. I have not talked to them.

23 Q. Okay. And they're not here obviously?

24 A. They are not here obviously.

1 Q. So you raised the issue of toxic chemicals.
2 That's of serious concern to you, I can tell.

3 A. Uh-huh.

4 Q. Is that correct?

5 A. It is.

6 Q. You heard Kelten's testimony last week or the
7 last hearing that the amount of heavy metal is
8 minuscule, it's lead, and the panels that
9 GreenKey, Ladd Solar 2, Ladd Solar 3 expect to
10 procure, the ones that are on the market now and
11 the ones that they're committing to procure,
12 they're made of silicon, tempered glass, and a
13 tiny, miniscule amount of lead in the soldering.
14 Do you recall that testimony?

15 A. I recall that testimony.

16 Q. So you're aware that GreenKey is committed to
17 not buy the -- I should say, GreenKey has
18 committed to buy the more modern silicon
19 tempered glass?

20 A. That's what Reuben said.

21 Q. I only bring that up because --

22 A. GreenKey --

23 Q. I am sorry.

24 A. The Q Cells MSDS sheets show lead and cadmium

1 at certain levels. And when you talk about one
2 panel, that may not seem so bad, but we're
3 talking 27,000 panels in this facility.

4 Q. You heard --

5 A. And not only that, but there's an outside firm
6 -- I didn't bring it up because I didn't talk to
7 them either -- but they have actually looked at
8 them and said that the levels of cadmium and
9 lead are actually higher than Q Cells' MSDS
10 sheets are showing.

11 Q. Do you recall testimony that GreenKey committed
12 that it would not use any cells with cadmium in
13 it?

14 A. I remember them saying that. I also remember
15 them saying that they don't know where they're
16 going to source them from and they won't know
17 until the project gets approved.

18 Q. That's true, but the commitment was that the
19 cells would not have cadmium in them.

20 A. And how --

21 Q. Do you recall that testimony?

22 A. I recall that.

23 Q. Okay. Thank you.

24 A. How do we know that they don't?

1 Q. Well, because it's on the record.

2 A. In testimony -- in questions, I think last
3 meeting, I think it was brought up, you know,
4 would GreenKey go ahead and commit to doing a
5 soil sample once a year in random locations
6 through these solar arrays. I don't think
7 GreenKey committed to that.

8 Q. Instead, GreenKey committed to procuring a --
9 and I don't want to answer the question, because
10 I'm the one that's supposed to be asking them,
11 but GreenKey committed to procuring panels that
12 were of the silicon tempered glass type and not
13 of the cadmium type.

14 A. So then we're just talking, what, lead?

15 Q. Yeah, just the lead in the soldering.

16 A. Thank you for clarifying that.

17 Q. I mean, it's important.

18 A. It is, very much so. Lead is bad for us.

19 Q. Cadmium is worse.

20 A. Yeah.

21 Q. And we don't know -- I mean, you showed the
22 pictures from Houston, Texas, from --

23 A. And I didn't call any of them either.

24 Q. You don't know what kind of panels these were?

1 A. I don't know.

2 Q. You know, the panels, the melted panels, we
3 don't know what kind of panels these were,
4 right?

5 A. Right.

6 Q. You showed us a letter, there it is, from Mary
7 McClinton Clay. It is a little hard for me to
8 read.

9 A. 6 to 30 percent in reduction, is what it would
10 say in there.

11 Q. So it's dated March 15, 2022?

12 A. That sounds right.

13 Q. Mary is not here to testify?

14 A. No, she is not. I cannot afford anybody to
15 come in and testify on my behalf on that.

16 Q. The assessors that you called from Illinois,
17 did you ask whether any properties had been
18 reassessed because of solar panel proximity?

19 A. What they told me was --

20 Q. Did you ask that question though?

21 A. Pardon me?

22 Q. Did you ask that question? Did you ask what --

23 A. I don't know that I asked that specific
24 question.

1 Q. So in the CohnReznick report where CohnReznick
2 also testified under oath that they had
3 contacted these assessors and that the
4 communication they had received from the
5 assessor was that no properties had been
6 reassessed on the basis of proximity to solar
7 farms, you wouldn't have any reason to dispute
8 that testimony?

9 A. No, because all the township assessors are
10 saying the same thing: they do not have the
11 data. They cannot say if there's an increase or
12 decrease in property values at this time. They
13 do not have enough data.

14 Q. They would know, though, if someone challenged
15 a property value assessment on the basis of
16 proximity to solar panels, they would have that
17 data?

18 A. Possibly.

19 Q. It's their own county.

20 A. The Bureau County Assessor, if we just use her
21 as an example, how many solar farms are in
22 Bureau County at this time? I think only one,
23 and there's no houses around it. We don't have
24 the data to come up with -- CohnReznick and Erin

1 said, in blanket, say there is no --

2 Q. I am going to -- sorry -- show you an article.

3 Do you mind passing that around?

4 A. Sure. I'm up.

5 Q. Can you pass that one to the court reporter for
6 me? Thank you.

7 So, Mr. Pratt, just for the record, I have
8 handed you an article titled "Assessing Property
9 Value Impacts Near Utility-Scale Solar in the
10 Midwestern United States," authored by an
11 academic at the School of Environmental
12 Sustainability, Loyola University, Chicago, in
13 the publication Solar Compass dated 2024.

14 Do you see that?

15 A. 12/2024. And again, who is the article -- oh,
16 Loyola.

17 Q. Did I represent that correctly?

18 A. I believe so.

19 Q. Okay. Have you seen this article before?

20 A. I have not.

21 Q. I'm just going to read a sentence from the
22 abstract and then ask you if I have read it
23 correctly. The abstract states -- and it's
24 about two-thirds of the way down. Starts with,

1 "Using the difference --

2 A. Which page would it be?

3 Q. First page.

4 A. First page.

5 Q. On the first page, there's an abstract at the
6 top, summarizing the article.

7 A. Oh, I got it. I was looking at the
8 introduction.

9 Q. So the abstract, about two-thirds of the way
10 down, states, quote, Using the difference-
11 in-differences method, our results indicate that
12 utility-scale solar projects increase nearby
13 property values by roughly 0.5 to 2 percent.
14 Moreover, our results show that smaller projects
15 have more of a positive impact on nearby
16 property values than projects that are
17 20 megawatts or larger.

18 Did I read that correctly?

19 A. Yup.

20 Q. Okay. There was some slides you showed that I
21 didn't have in my --

22 A. I apologize. Because those were just today.

23 Q. No, that's fine.

24 A. I completely apologize.

1 Q. I'm just going to reference them sort of
2 vaguely, so hopefully you know what I'm talking
3 about.

4 But there was a slide with a title "The
5 White Paper" from CohnReznick. Do you recall
6 that slide?

7 A. Uh-huh.

8 Q. Is that a yes?

9 A. Yes. It was talking about how they're
10 making -- trying to make the winners in solar
11 energy, yes.

12 Q. Did you bring a copy of that article for us?

13 A. I believe I do.

14 Q. Okay. Can I have it?

15 A. If I can find it.

16 Q. Okay. Did you --

17 A. If not, I can certainly get one to you. You
18 know, after a while I get so many things
19 floating around here.

20 Q. It just wasn't entered into the evidence.

21 A. I see what you're saying. I don't, but I have
22 got it on my laptop. I can make a hotspot and
23 get it for you, if necessary.

24 Q. Okay. There was, I think it was the next

1 slide, it looked like you had Googled
2 CohnReznick and it had a bunch of results of
3 what CohnReznick did.

4 Do you have a printout of that slide or is
5 that just --

6 A. No, but I can start the laptop back up. I can
7 bring it up.

8 Q. I just wanted to --

9 A. There was like six or seven different things
10 there.

11 Q. It looked like -- and I'm no expert on this, so
12 I'm making an educated guess here. Tell me if
13 I'm right. It looked like you Googled it, and
14 those were the AI --

15 A. They were.

16 Q. Sorry, for the record, I just have to finish my
17 questions. Court reporters are very strict
18 about that. Cut my head off if I don't stop
19 talking and allow you to talk, and then you stop
20 talking and allow me to talk.

21 So that looked to me like it was -- you
22 had entered a Google -- the term in the Google
23 bar, and those were the AI-generated results
24 from Google; is that correct?

1 A. Artificial intelligence brought those terms up,
2 yup.

3 Q. Okay.

4 A. And all those have links attached, if you were
5 to go where those links will take you.

6 Q. But those sources then on which the AI
7 generator relied, those aren't with us tonight?
8 You didn't bring copies of those sources?

9 A. I have got my phone in my pocket. That's the
10 way I got them.

11 I didn't think it was so important to have
12 the sources as, you know, just to point out the
13 fact that CohnReznick is not just doing impact
14 studies. As a matter of fact, they are a major
15 player in the solar field, and they are out to
16 make the winners choose the winners, finance
17 them and whatever it takes.

18 Q. On the decommissioning, you know, you made the
19 point, and it's a good one, that, you know,
20 inflation changes, price changes over the years.

21 You're aware, though, that the AIMA
22 requires and the County can require, and
23 GreenKey and the solar project company will
24 commit, that after the 11th anniversary of the

1 solar project's commercial operation date, the
2 decommissioning bond is adjusted every five
3 years thereafter to match current rates in
4 inflation?

5 A. I believe Reuben brought that up in his
6 testimony, yes.

7 Q. Okay. And then you made the point about, you
8 know, the recycling of solar panels is
9 inefficient. Do you remember that testimony
10 here?

11 A. Uh-huh.

12 Q. Do you recall Reuben's testimony that solar
13 panels, at least today, as they reach the end of
14 their life, are often reused into noncommercial
15 uses, such as residential or other, you know,
16 smaller-scale uses than what a commercial solar
17 farm would require? Do you recall that
18 testimony?

19 A. I do.

20 Q. I believe Reuben also testified that, you know,
21 the reused and recycled markets are maturing,
22 and we do expect -- he expects, I should say,
23 that, you know, within the next 20 to 40 years
24 those markets and the availability of that to

1 solar farms that are retiring at that point will
2 be more available than they are today.

3 Do you recall that testimony from Reuben?

4 A. Something similar, yes.

5 Q. Something like that, right?

6 A. Yes.

7 Q. Not verbatim.

8 A. Paraphrasing, yeah, close enough.

9 Q. I'm also remembering from a month and a half
10 ago, but that's what I remember.

11 You know, you spoke about the Village of
12 Ladd. I do think this is important, since you
13 brought it up.

14 I'm going to give you six, if that's okay.

15 A. One for me?

16 Q. Yeah.

17 MS. DONARSKI: This is going to be 12.

18 (Petitioner's Exhibit Number 12
19 marked for identification.)

20 Q. (By Mr. Jacobi:) Mr. Pratt, these are the
21 meeting minutes from July 9, 2024, of the
22 Village of Ladd's Village Council minutes. They
23 are subject to judicial notice.

24 MR. JACOBI: I would ask that the ZBA take

1 notice of these as an accurate copy to the
2 extent under the Illinois Rules of Evidence 201
3 they're not subject to reasonable dispute. They
4 are generally known within the territorial
5 jurisdiction, and they're capable of accurate
6 and ready determination by sources whose
7 accuracy cannot reasonably be questioned.

8 Q. (By Mr. Jacobi:) But have you seen these
9 minutes before, Mr. Pratt?

10 A. I don't know as I have seen them before, but I
11 was at the meeting.

12 Q. You were?

13 A. I believe so.

14 Q. You were at the July 9 meeting, where they
15 approved the project? Where they voiced their
16 no objection?

17 A. No, I was not at the July 9th. This would have
18 been the meeting where they approved it?

19 Q. Correct.

20 A. This would have been the meeting that was a
21 week after they received the letter asking them
22 to grant the Variance. So I apologize. I was
23 not at the 9th meeting.

24 Q. I'm going to direct you to the third page of

1 the Village of Ladd minutes, under New Business,
2 Bureau County Zoning Board of Appeals, and then
3 I'm going to read what it says.

4 It says, quote: The Council discussed in
5 detail all the pros and cons of the request from
6 Ladd Solar 2 and Ladd Solar 3 for locating a
7 commercial solar energy facility to generate
8 electric power on a portion of the subject
9 property. The reason the Village was included
10 in this decision is because the south side of
11 the subject property is as close as 2,660 feet
12 from the corporate boundary line of the Village
13 of Ladd; therefore, requesting up to a
14 5,260-foot setback Variation. Martin motioned,
15 Thrasher seconded, to report no objection to the
16 applications from Ladd Solar 2 and Ladd Solar 3
17 to the Bureau County Zoning Board of Appeals.

18 And then there was a unanimous. Motion
19 carries.

20 Do you see where I read that?

21 A. I do.

22 Q. You weren't at this meeting though?

23 A. I was not at this meeting.

24 Q. Okay. I have just distributed the meeting

1 minutes from the August 13, 2024, regular
2 meeting of the Village of Ladd Village Board.
3 Ask that this be admitted as an exhibit as well
4 as the next Exhibit.

5 MR. JACOBI: What number are we on, Kris?

6 MS. DONARKSI: 13.

7 MR. JACOBI: Thank you.

8 (Petitioner's Exhibit Number 13
9 marked for identification.)

10 Q. (By Mr. Jacobi:) Mr. Pratt, were you at this
11 meeting?

12 A. Yes, I was. That's where I first met Reuben.

13 Q. Okay. Direct you again to Page 3, which is
14 reflecting public comment in relation to the
15 Village's consideration of the solar projects.

16 I'm going to direct you to the paragraph
17 that is second from the bottom, just above
18 "Committee Reports" underlined. This paragraph
19 states, quote: Dave Flaherty raised his hand
20 and Attorney Barry asked him if he had a
21 question. Dave stated that the Village is a
22 fast-growing community with a small town -- I'm
23 sorry -- for a small town and he thinks -- I'm
24 sorry. I'm just going to start over, actually.

1 So it says, quote -- I'm going to be
2 careful this time, quote: Dave Flaherty raised
3 his hand and Attorney Barry asked him if he had
4 a question. Dave stated that the Village is a
5 fast-growing community for a small town, and he
6 seems to think that most of our area for
7 expansion is going north of town. Barry told
8 him that the development, if any, will be more
9 at the south end of town towards the interstate.

10 Did I read that correctly?

11 A. You did.

12 Q. Is that the Village attorney, Attorney Patrick
13 Barry?

14 A. I believe it is, yes.

15 Q. Your slide as you begin to discuss the HB 4412
16 Bill, which was the siting bill approved in
17 2023, your slide states: Illinois House Bill
18 4412 stripped local officials of their ability
19 to deny solar and many projects and made
20 Illinois the only state in the nation that
21 automatically approves these projects as long as
22 they meet watered-down State siting standards.

23 Did you write that?

24 A. I did not, I don't believe, but I agree with

1 that.

2 Q. You agree with that, okay.

3 Are you familiar with the State siting
4 legislation that's now codified at Section 5,
5 12-020?

6 A. I believe that's an illinois.gov site, yes.

7 Q. You have read that statute?

8 A. I have read through it. There's plenty there
9 to read through, but yes.

10 Q. Just checking my math here. The Section 5,
11 12-020(e) has the setbacks. Do you recall that?

12 A. Some of them, yes.

13 Q. Do you recall --

14 A. The distance from the outside wall of a house,
15 distance from property lines.

16 Q. Yeah. Is there a setback to municipalities in
17 5, 12-020(E)?

18 A. Not that I recall.

19 Q. Are you also familiar with Section 5,
20 10-020(H), which prohibits counties from
21 actually prohibits counties from -- actually,
22 prohibits counties from prohibiting solar on
23 agricultural and industrial-used land? Do you
24 recall that?

1 A. I am familiar with that, and I think that's
2 where House Bill 4412 stripped local officials
3 of their ability to deny solar and wind
4 projects. I think that's what that's in
5 reference to.

6 Q. Okay. Got it. That's what I was trying to
7 figure out. Thank you.

8 And when you began discussing the
9 Variation standards, the first standard, as you
10 correctly noted on your slide, the Applicant or
11 owner must demonstrate that there would be a
12 loss or lack of reasonable return from each and
13 every permitted use from the property.

14 Do you recall that standard?

15 A. Uh-huh.

16 Q. You would agree that under the State siting
17 Legislation 12-020(H), a permitted use on
18 agricultural land is solar?

19 A. I believe the standard refers to each and every
20 use, that the owner must show more than a loss.

21 Q. But one use that's allowed on agricultural land
22 under State statute is solar, correct?

23 A. I'm not a lawyer, but seems like it may be.

24 Q. Let me just check my notes.

1 You had testimony on EMF. You were
2 concerned about EMF escaping the property
3 boundaries for long periods of time. Is that
4 properly -- is that correct?

5 A. I may not have worded that very well. EMF, as
6 we all know, isn't good for the human body. You
7 know, too much exposure to it is bad. And
8 before electric motors and, you know,
9 electricity, there was no EMF basically. Very
10 little, if possible.

11 The concerns that seem to be coming up are
12 not whether or not it does have EMF associated
13 with it. Because the testimony says it does.
14 My concern, and our concern, is when you add any
15 more EMF to what we're already getting from WiFi
16 and refrigerators and all, adding more of it
17 just adds to the load on the human body.

18 And when you live for 40 years in close
19 proximity to it -- I mean, Reuben talked about,
20 you know, in industry the EMF standards and
21 occupational standards and all these. You know,
22 but I think this goes back again to speaking to,
23 in over 40 years do we know? Is there any
24 studies that show over 40 years that low dosage

1 of EMF over that period of time isn't -- this is
2 a 24/7. We're not talking an occupation where
3 you're in working on a machine for eight hours a
4 day. We're talking people live next to this 24
5 hours a day, seven days a week.

6 Q. It's a valid concern.

7 Do you recall Kelten's testimony that what
8 generates EMF are the transformers and
9 inverters, and those will be centrally located
10 on the property so that the EMF that -- the EMF
11 exposure at the property lines is zero? Do you
12 recall that testimony?

13 A. I don't know if it was zero or it was very
14 little or something, but it diminishes close to
15 the property line, yes.

16 Q. Diminishes to ambience, essentially, to
17 background?

18 A. Okay.

19 Q. Do you recall that? If you don't, I'll have
20 him testify about it later.

21 A. No, he doesn't need to testify.

22 Q. Okay. You addressed glare. I saw that in your
23 slides. You don't want -- you know, you live a
24 third of a mile away. You're concerned about

1 glare, you know, interfering with your life,
2 looking outside the window, fair?

3 A. Fair.

4 Q. Do you recall Kelten's testimony, and I think
5 Reuben testified on this too, that the panels
6 are coated with antireflective material and, you
7 know, they're actually designed to absorb the
8 sun, and the amount of glare that they actually
9 produce is little to zero. I won't say zero,
10 because they are tempered glass, but little to
11 zero.

12 Do you recall that testimony?

13 A. I do. Do they absorb a hundred percent of the
14 sun's rays? Is that what you're telling me,
15 they absorb a hundred percent?

16 Q. I don't think we can say that.

17 A. Well, then there's going to be some glare.

18 Q. Do you recall Reuben's testimony that there's
19 no glare visible at ground level?

20 A. I didn't take a picture at ground level.

21 Q. Do you have any studies showing what type of
22 glare is expected from a panel that's built like
23 that?

24 A. I do not have those studies.

1 Q. You had some testimony about the chemicals used
2 to clean panels. Are you familiar with the
3 testimony of, I think, Reuben that just water is
4 used to clean panels; they don't use chemicals?

5 A. I do not remember hearing that. As a matter of
6 fact, there was a question about that very thing
7 because of proximity to the grain elevator and
8 the amount of dust, bees wings and things that
9 these accumulate. It was brought up, I think
10 maybe at the same time it was brought up as far
11 as can we do some soil samples, you know, to
12 test the ground. I do not remember that only
13 water was being used.

14 Q. That's fair. We may have to clean that up
15 later.

16 MR. JACOBI: I think we covered most of
17 this. Let me just check Reuben's notes. I
18 would be a bad lawyer if I didn't.

19 MR. PRATT: Do your due diligence, because
20 I don't want you to be a bad lawyer. I want you
21 coming back.

22 MR. JACOBI: Yeah, I think we're okay on
23 this. I think this has all been covered. I
24 don't have any more questions. Thank you,

1 Mr. Pratt.

2 MR. PRATT: Thank you.

3 MR. WELBERS: Does anyone here have
4 questions for Mr. Pratt? Chris?

5 MR. NOLL: Chris Noll.

6 EXAMINATION

7 BY MR. NOLL:

8 Q. GreenKey has just questioned you about the
9 solar panels. And as I recall, there was a lot
10 of discussion about sourcing of the solar panels
11 in an earlier hearing, and that GreenKey said
12 they did not know where the panels were going to
13 come from or what they would cost or who would
14 be making them.

15 So even though they say there won't be
16 cadmium in them, is that a certainty unless they
17 know who's manufacturing that panel?

18 A. I don't see how it can be a certainty. And
19 depending on the quality control there is
20 involved, where they're coming from, I don't
21 know if we still would know. I mean, they can
22 tell us there's no cadmium. We know there's
23 going to be lead. They can do their best, I
24 guess, to try to source ones that don't have

1 hazardous material, heavy metals in them, but
2 when push comes to shove, if they need panels to
3 fill 27,000 spots, they're going to get 27,000
4 panels.

5 And how will I know where those panels
6 came from, what they're manufactured with or
7 what hazards they might have associated with
8 them?

9 Q. And you and I have had conversations, I think
10 you recall, that the Q Cell -- Q panels that are
11 stated in the application are no longer made in
12 Germany, that that company went bankrupt and was
13 acquired by a Korean firm which now manufactures
14 the panels in Asia, which may not be to the same
15 standards as is stated in the application.

16 A. That is correct. And I did bring that up in
17 one of the slides here, that Q Cells are now
18 headquartered in South Korea actually. After
19 bankruptcy, a South Korea company bought them,
20 and they're manufactured mainly in Malaysia and
21 China and South Korea.

22 Q. And do you recall that I have shared with you
23 some glare information, particularly the one
24 that you showed that says that highways next to

1 panels can be affected by glare, which is not an
2 elevation, and that the panels are not a hundred
3 percent antiglare?

4 A. I have looked over that. I presented that one.
5 I have seen others similar.

6 And that's one of the reasons that I think
7 those of us that are close by are asking for
8 vegetative screening that will surround us to
9 help reduce that glare.

10 MR. WELBERS: Are you good, Chris?

11 MR. NOLL: That's my questions.

12 MR. WELBERS: Any other questions for Tim?

13 MS. DONARSKI: I have one.

14 EXAMINATION

15 BY MS. DONARSKI:

16 Q. Tim, can you get me a copy of the slides that
17 you showed tonight that are not in the packet?

18 A. I sure can. Can I email those to you?

19 Q. You can, and I'll add that so it's complete
20 then.

21 A. I appreciate that. I apologize. Like I say,
22 it was 1 o'clock this afternoon I took the
23 picture, and I thought, Well, I'm going to --
24 and so I just got it, so I apologize.

1 MS. DONARSKI: Thank you.

2 MR. WELBERS: Then there was also some
3 information that you got through artificial
4 intelligence on your cell phone.

5 MR. PRATT: That will be in there.

6 MR. WELBERS: Is that all part of that?

7 MR. PRATT: It's all being printed.

8 MR. WELBERS: It needs to be a part of the
9 record.

10 Any other questions? Mr. Noll?

11 MR. NOLL: One more for Tim.

12 EXAMINATION

13 BY MR. NOLL:

14 Q. Tim, you recall a conversation I also had with
15 you about CohnReznick that all of that
16 information can be found on their home page, you
17 don't have to use artificial intelligence?

18 A. We had that conversation, yes, and that is so.
19 You don't have to use artificial intelligence to
20 find any of that. Put in "CohnReznick, solar,"
21 and it pops up. You know, it's an umbrella
22 company that does business specifically with
23 solar companies to make them winners in the
24 solar industry field, not -- there's nothing in

1 there that says, "Will do appraisals for the
2 Nerads or the Nolls to help them, you know, in
3 their testimony saying that their property
4 values will go down." I don't believe. Maybe
5 you can find something.

6 MR. WELBERS: Any questions from our Board
7 members?

8 MR. JENSEN: I have a couple.

9 MR. WELBERS: Go ahead, Bill.

10 EXAMINATION

11 BY MR. JENSEN:

12 Q. At the beginning of your presentation you were
13 talking about the use of Roundup to kill weeds.

14 Wouldn't you be more concerned of other
15 chemicals, like insecticides, as well? Because
16 you have neighboring fields.

17 A. Sure.

18 Q. All those farmers are using similar to same
19 chemicals.

20 A. Including Roundup.

21 Q. Wouldn't that be a bigger concern?

22 A. I think you're right.

23 Q. Because the amount of chemicals that they're
24 going to spray on those weeds around the fence

1 is going to be nothing compared to the adjoining
2 fields. And you have water runoff and --

3 A. There will be possibly more in some of the
4 adjoining fields. It doesn't change the fact
5 that, you know, Glyphosate, Roundup, any other
6 chemicals -- I'm hearing now that they're only
7 using water on the solar panels. You know,
8 previous to that I was under the assumption that
9 they would have to clean them with something
10 besides water. I mean, the dust and dirt from
11 harvesting and from the grain bins seems like
12 that would have to be more than water.

13 Our concern is in general the amount of
14 chemicals, you know, on adjoining fields and
15 that field. If this field isn't used for
16 growing crops anymore, then that would be a
17 perfect field not to use Roundup on, because
18 there's no reason to. You know, get in there,
19 keep the grass and vegetation mowed, do your
20 trimming. Don't use Glyphosate. That would be
21 better for everybody.

22 But the reality is that in -- I believe it
23 was in the application, somebody can correct me,
24 it said specifically they would be using

1 Glyphosate to control weeds. So it's a concern.

2 I mean, there's at least a couple of us in
3 this room that have had cancer, lymphoma, and,
4 you know, we wonder all the time, is it because
5 of exposure? Possibly. We don't know.

6 But I think your question is right on,
7 spot on. I think in general we're using too
8 many chemicals in the agriculture field, and
9 it's not good for the generations that are
10 coming, it's not good for our own generation.
11 And, again, those of us with wells that are
12 30 feet deep, that's one major worry of ours is
13 chemical contamination.

14 Q. The one picture that you had up, I believe you
15 had it titled like, What a view. It had a
16 little shed with some firewood stacked and had
17 the sunset.

18 A. Yeah, Nerads' property.

19 Q. Do you know what crops were planted in that
20 field at that time?

21 A. It would have been beans the time before that,
22 it looks like, from what I could tell in the
23 picture. It's corn this year, but the Gillans
24 already picked that.

1 Q. So if that picture would have been taken a
2 month ago, how much of that sunset would you
3 have seen?

4 A. Well, a month ago, with corn, you maybe -- you
5 wouldn't see that much. But at certain times of
6 the year, you are. Once there's 12-foot solar
7 panels, you're never going to see it again.

8 Q. You also had a picture off of 89, I believe it
9 would be the west side of the road, where the
10 development could possibly be, and you were
11 showing pictures of the waterways.

12 A. Uh-huh.

13 Q. Or there was pictures of the waterways.

14 A. Okay.

15 Q. Yet, they're saying that that property north of
16 Ladd could be used for future development.

17 Now, if you start developing on natural
18 waterways, one of the biggest concerns -- or one
19 of the concerns that was mentioned in this
20 project was possible flooding that solar panels
21 could cause.

22 If you start messing with natural
23 waterways, wouldn't that be a bigger concern for
24 flooding?

1 A. Possibly. I'm not an engineer. I can see your
2 point. Any development can certainly be a
3 concern. At this stage of the game, the only
4 development that's planned for that area
5 potentially is a solar farm.

6 And in that case, I know that they had to
7 have engineers come in to look at the waterways.
8 They had to look it over, I understand that.
9 But the fact still is, as you point out, you
10 look at those pictures, the waterways that are
11 there are running directly downhill 30 feet,
12 35 feet, into Ladd. So something would, in that
13 case, probably have to change.

14 MR. JENSEN: That's all I have.

15 MR. WELBERS: Anyone else?

16 (No verbal response.)

17 MR. WELBERS: Tim, thank you for your
18 presentation. You worked very hard.

19 MR. PRATT: I'm serious, every meeting,
20 after every meeting I go home and I've got to
21 add another 20 minutes.

22 MR. WELBERS: I understand. Thank you
23 very much.

24 Anyone need a short break? It's quarter

1 to 9:00. We've still got an hour and 15 minutes
2 to go.

3 MS. DONARKSI: We'll take a short break.

4 MR. WELBERS: We'll do that. Usually
5 turns out to be about ten minutes.

6 (A recess was taken at 8:51 p.m.
7 and proceedings resumed at
8 9:02 p.m.)

9 MR. WELBERS: Who is our next witness?

10 KAREN NERAD,
11 being first duly sworn, testified as follows:

12 MS. NEMETH: State your name for the
13 record, please.

14 MS. NERAD: My name is Karen Nerad. I
15 live at 17867 Illinois Highway 89, Arlington,
16 Illinois, 61312.

17 My name is Karen Nerad, and my husband is
18 Tim. We purchased our home at 17867 Illinois
19 Highway 89, Arlington, Illinois, in May of 2004.
20 We have been here for 20 years, only to hear of
21 a solar farm proposal to be surrounding three-
22 quarters of our property.

23 We have spent the majority of those years
24 perfecting our home and landscaping, only to

1 find out that our quiet, serene property may now
2 be directly next to a 68-acre solar farm with
3 27,000 panels.

4 We chose to live here because it was
5 private and a peaceful setting in the country,
6 away from the houses of town life. My husband
7 and I enjoy being outdoors, working in our
8 gardens, in our barn, grilling out with our
9 family, enjoying our picturesque, quiet life.
10 We had planned to live out our life here. This
11 has been our tranquility, watching and taking
12 pictures of the sunrises and sunsets, and now
13 that opportunity wants to be taken from us if
14 this is approved.

15 We are opposed to this for many reasons.
16 First and foremost, we have three and a half
17 acres of tillable farmland north of our house
18 that sits adjacent east to where the solar farm
19 proposal is. We cash rent this out to the
20 Gillans.

21 I have spoke to a few farmers, and no one
22 wants to come in and farm this because of a
23 solar farm that will be adjacent to the west of
24 our field. So now we are losing income from

1 this land that will be sitting empty.

2 In addition, if this is approved, we lose
3 the easement to this property that the Gillans
4 came in and farmed, and we will now have to
5 install a drive with a culvert for access.

6 This solar farm will devalue our property.
7 No one seeking a quiet country life will want to
8 buy this property because of the solar farm.
9 From my upstairs windows, I can see 13 homes.
10 No one will want to live by this.

11 Although this technology is relatively new
12 to Illinois, it is not in other parts of the
13 country, where property values have gone down as
14 much as 30 percent in rural areas.

15 Which Tim Pratt covered on. I think we
16 covered that already.

17 We have spoken to several appraisers and
18 realtors, and they have told us the technology
19 is too new in Illinois.

20 Our barn is only going to be 27 yards away
21 from this solar farm. Our concern is the wind
22 we get out there. It is rarely ever calm winds.
23 We have already had a tornado on our farm in
24 2015 which took Gillans' barn all the way to the

1 ground and flattened it and did damage to our
2 house and yard.

3 So I can only imagine with these solar
4 panels 27 yards away, what will it do when the
5 winds and hail hit them? I am positive that
6 some of these panels will be in our yard.

7 My next concern is our barn and these
8 solar panels catching on fire. We are in the
9 Ladd Fire Department District. And as per Mayor
10 Frank Cattani stated that this fire department,
11 I believe he said, had only two volunteers,
12 which then they will call in back-up
13 departments.

14 Three of the main causes of fires with
15 these solar fields are improperly installed
16 connectors, cable chafing from wind and panel
17 movement causing a short circuit and failure of
18 one of the solar inverter components, like
19 breaker, capacitor and transformer.

20 We have a two-story house. This is where
21 the examples of the pictures come in, and
22 they're labeled on the back, when I get down to
23 Exhibit 1. We have a two-story house, and when
24 I'm up on the second floor looking out in all

1 directions, there is a lot more neighbors going
2 to be affected by this solar farm than you
3 think. Like I said, I can count 13 neighbors
4 that will be able to see this. To give you an
5 example, I can see all the way to the Cherry
6 dump and all the way into Ladd to see their
7 dump. That is how high we are -- that is how
8 high up we are to see everything that these
9 solar panels are going -- that are going to be
10 visible.

11 (Nerad Exhibit Number 1 marked
12 for identification.)

13 MS. NERAD: Exhibit 1. The north side of
14 my house on the first floor has five windows, as
15 well as the second story does. We will be able
16 to see these solar panels out to the northwest,
17 and the measurement will be from these windows
18 of my house is 90 yards to where the solar
19 panels are located at.

20 (Nerad Exhibit Number 2 marked
21 for identification.)

22 MS. NERAD: Exhibit 2. The west side of
23 my house on the second story has two windows.
24 We will be able to see these solar panels out to

1 the west and southwest, and the measurement will
2 be, from these windows of my house, 73 yards to
3 where the solar panels are located at.

4 (Nerad Exhibit Number 3 marked
5 for identification.)

6 MS. NERAD: Exhibit 3. The west side of
7 my house on the first story has four windows.
8 We will be able to see these solar panels out to
9 the northwest, west and southwest, and the
10 measurement will be from these windows will also
11 be 73 yards to where the solar panels are
12 located at.

13 (Nerad Exhibit Number 4 marked
14 for identification.)

15 MS. NERAD: Exhibit 4. The south side of
16 my house of the second story has three windows.
17 We will be able to see these solar panels out to
18 the south, southwest and west, and the
19 measurement will be from these windows will be
20 90 yards to where the solar panels are located
21 at.

22 (Nerad Exhibit Number 5 marked
23 for identification.)

24 MS. NERAD: Last one, Exhibit 5. The

1 south side of my house on the first floor has
2 five windows. We will be able to see these
3 solar panels to the south and southwest, and the
4 measurement will be from these windows will be
5 90 yards.

6 So no matter in which room we are in in
7 our house or outside on our farm, we will be
8 surrounded by 27,000 solar panels. I'm asking
9 you, is this what you would want to live by and
10 look at your place of residence? I am pretty
11 certain that none of you would want that to be
12 your view.

13 This morning I got an insert in -- it's on
14 the back pages of the -- there's two more
15 pictures -- nope. Keep going through the paper.
16 It's all the way at the end.

17 This morning I went out to my car, getting
18 ready to go to work, and I have got new
19 evidence. And I believe somebody had brought up
20 about debris on the panels and cleaning them.

21 Now, this is off my -- on my car, all this
22 debris. This is coming from the fields and the
23 Ladd Elevator.

24 So my question is, you know, how many

1 times are you going to clean these panels? Is
2 this going to be, you know, all the time or
3 what? I mean, this is in the air. So that's
4 the evidence I have on that.

5 We went down to Granville, Illinois, and
6 went to their solar farm on Route 71 to see the
7 solar field they had put up, and this is what we
8 came upon: there was no vegetative screening,
9 there were panels laying on the ground, and
10 garbage also laying on the ground.

11 I have -- I want to ask the Chairman if I
12 can use my phone? I have evidence of how loud
13 these panels are, and I have some pictures. I
14 didn't get to get them, because I had to work.
15 But they are of when I went down there.

16 MR. WELBERS: You are welcome to do that.
17 Anything that you introduce, somehow you'll have
18 to get a copy to our Zoning Office to be part of
19 the record.

20 MS. NERAD: Right. Okay.

21 MR. WELBERS: Any way you can transfer it.
22 If you would like to play that for us the best
23 you can show us, yes, you can do that.

24 (Video audio was played.)

EXAMINATION

BY MR. WELBERS:

Q. Before you play another one, you took those at the solar farm --

A. In Hennepin, across from Mennie's Machine Shop.

Q. Where were you standing in relation to the solar farm?

A. Probably -- because I zoomed in on it, probably from where my husband is and Brad Bastion, I would say.

Q. Okay.

A. I don't know the feet. I didn't --

Q. You're not sure what the distance is?

A. Yeah. I did not measure it.

Q. It gives us an idea, I guess.

MR. WELBERS: Let the record reflect it was the third row of the County Board tables back away from where we are.

MS. NERAD: Now, I don't know if you want to hand my phone around? Because this is some of the garbage that's on the ground, like the solar panels. It's just like the first three. And I will get them to Kris.

Q. (By Mr. Welbers:) And that noise that you had

1 recorded you're hearing, that was coming from
2 the solar farm?

3 A. Yes. Yes.

4 Q. Okay.

5 A. And it was right -- I believe -- don't -- I
6 don't know if that's the inverter or what it is
7 there.

8 And my point that I'm trying to prove is,
9 is this how loud this is going to be, that I
10 have to walk outside and hear this?

11 Q. I understand your question.

12 When it comes to the trash you're showing
13 us, it clearly is not well-kept at that
14 particular solar farm, but I would expect the
15 Applicant will point out that that is not their
16 solar farm.

17 A. Right, I understand that.

18 Q. And they have no intention to do that.

19 But the noise that you hear, it was
20 certainly outside the chain link fence?

21 A. Yes. Yes, it was.

22 Q. As a matter of fact, your testimony, just to
23 try to clarify, that you would have been about
24 the distance to Brad from the chain link fence?

1 Is that what you've testified?

2 A. Yes.

3 Q. Whatever that distance is. We didn't bring a
4 measuring tape.

5 A. Sorry. I did not bring anything to measure. I
6 just went down to see.

7 Q. If we really wanted to know, we can measure it
8 and then add it to the record later.

9 AUDIENCE MEMBER: Hopefully Brad doesn't
10 move.

11 MR. WELBERS: Well, we have established
12 it's the third row of the County Board tables or
13 desks back.

14 Okay. That's a little different than
15 anything we have done before, but your
16 information, I think, is clear in the record.

17 Go ahead.

18 MS. NERAD: These are the three pictures.

19 MS. DONARSKI: So then you'll get these to
20 me then?

21 EXAMINATION

22 BY MR. JACOBI:

23 Q. Can I just see the picture? Did you say there
24 was an inverter -- what was making the noise?

1 A. That right there.

2 Q. Okay. Actually, that first picture was pretty
3 good. Can we go back to that?

4 A. Sure. Right there?

5 Q. Yeah, the one with the equipment.

6 So for the record, I just want to try to
7 describe this.

8 A. Is that the inverter?

9 Q. It's an equipment box. It's probably --

10 MR. JACOBI: What do you think that is?

11 MR. GRANDON: That's the bus -- was the
12 noise coming from the big gray box or the white
13 boxes?

14 MS. NERAD: I don't know. I just recorded
15 it when I heard the noise. I can't answer you
16 because I don't know what these are, I mean,
17 besides solar panels and that.

18 MR. GRANDON: Okay. Yeah, that's the bus
19 bar, but then those are the string inverters.

20 Q. (By Mr. Jacobi:) So the picture depicts -- you
21 know, hard to tell distance here, but
22 probably --

23 A. I zoomed in, yes, I did.

24 Q. Okay. So to the fence here is probably 15,

1 20 feet?

2 A. From where I was standing when I took the
3 picture?

4 Q. No. From the equipment.

5 A. Oh, from that to the fence, you're saying?

6 Q. Yeah.

7 A. Okay.

8 Q. How far do you think that was? Looks like
9 about 15, 20 feet to me.

10 A. That I don't know. I did not measure that.
11 Like I said, I went down because somebody said,
12 Go down and listen to them and take pictures,
13 and that's what I did.

14 Q. So from you to the -- I just want to make sure
15 the record is clear, because I know there's a
16 little confusion here. From you to the fence
17 when you took this picture was, like, 30 feet or
18 so?

19 MR. WELBERS: I wish we had a tape
20 measure.

21 AUDIENCE MEMBER: 20. About 20 feet.

22 Q. (By Mr. Jacobi:) 20 feet. So from the podium
23 to your husband is about 20 feet, and then from
24 the fence to that equipment is about another,

1 let's call it, 20 feet. So about 50 feet, 40 to
2 50 feet?

3 A. Okay.

4 Q. Is that fair? I'm just trying to get some
5 guidelines here, because it's important.

6 MR. WELBERS: Karen, you only can answer
7 what you know.

8 A. Yeah, I don't know. I can't answer that. I do
9 not know. I cannot give you the measurement for
10 that.

11 Q. (By Mr. Jacobi:) Would you say it's a fair
12 guess, from you to this equipment?

13 A. I'm not even going to fair guess it. Because
14 I'm under oath, and I'm not -- I don't want you
15 coming back at me saying I said 50 feet.

16 Q. I'm not going to come back at all. I'm trying
17 to figure out how far --

18 A. I mean, I don't know. I'm under oath.

19 Q. You cannot tell us under oath here today how
20 far you were when you took this picture to the
21 equipment that was making the noise?

22 A. Like I said, from me to Brad Bastion.

23 Q. That was the distance from you to the fence?

24 A. That's away from -- where I was standing,

1 he -- right there is where the noise was coming
2 from, where Brad Bastion is sitting.

3 Q. So about 20 feet to the noise?

4 A. I can't answer you. You're asking me a
5 measurement and I can't answer you.

6 MR. WELBERS: I had asked you to clarify
7 if that was -- if Brad was to the fence, and
8 then the noise further, or to the noise, itself,
9 I guess.

10 MS. NERAD: To the noise. To the noise.

11 MR. WELBERS: Okay. So it was that
12 distance to whatever you thought the noise was.

13 MR. NERAD: We couldn't get inside the
14 fence.

15 MS. NERAD: Yeah, that's -- I don't know.

16 MR. WELBERS: You don't belong inside
17 there.

18 MS. NERAD: Right. So, I mean, I can't
19 answer your question. You're asking me --

20 MR. JACOBI: No, that's fair.

21 MR. WELBERS: If you don't know, you don't
22 know.

23 MS. NERAD: I don't know.

24 Q. (By Mr. Jacobi:) From you to Brad was the

1 distance between you and the equipment that was
2 making the noise?

3 A. Exactly. Where I was standing.

4 Q. And Brad is the gentleman in the black shirt?

5 A. Yes.

6 MR. JACOBI: Thank you.

7 MR. WELBERS: I think you clarified better
8 than we did.

9 Okay. Carry on.

10 MS. NERAD: Besides my husband and these
11 other families that it is going to affect, have
12 been here longer than us, some of them have been
13 here over 30, 40 and 50 years that have lived
14 here by our farm. They have worked their whole
15 lives, and we have all raised our families here.

16 These are our homes, and now we are on
17 fixed incomes, and just because somebody
18 wants -- or someone wants to put a 68-acre solar
19 farm with 27,000 solar panels up, which no one
20 wants for a view in the countryside, these
21 people can't just pick up and leave their homes
22 and start all over again at our ages.

23 As I stand here today before you with my
24 fellow neighbors, I'm asking you to please take

1 our concerns into consideration.

2 There's one other thing that I need to
3 insert. Going back to -- I think I skipped
4 something, oh about the fire. I'm going to skip
5 back to where I said about where Mayor Frank
6 Cattani stated that the fire department only had
7 two volunteers.

8 Okay. Like I said, my main concern again
9 is the, you know, improperly-installed
10 connectors, cable chafing and panel movement
11 causing a short circuit. And I put in this
12 paper in the back and have highlighted the exact
13 same thing about, you know, the causes of solar
14 farms.

15 So as I was saying, as I stand here today
16 before you with all my fellow neighbors, I'm
17 asking you to please take our concerns into
18 consideration. I just can't understand how one
19 man's decision can adversely affect so many
20 lives.

21 Thank you. Tim and Karen Nerad.

22 MR. WELBERS: Anything else?

23 MS. NERAD: Pardon me?

24 MR. WELBERS: Do you have anything else?

1 MS. NERAD: That's it.

2 MR. WELBERS: Now, this one photo that you
3 talked about this debris, you believe that came
4 from the elevator because it's harvest time, the
5 Ladd Elevator.

6 MS. NERAD: That was this morning when I
7 walked out from my car, and that I believe
8 that's from the Ladd Elevator.

9 MR. WELBERS: You believe it's bees wings?
10 Basically it's chaff from the corn that's being
11 brought into the elevator? Is that what you
12 believe it is? You don't know what it is?

13 MS. NERAD: I know it's from the elevator
14 -- or I think it's from the elevator. Because
15 we get it every year when they're in the fields,
16 whether they're in the fields or it's the
17 elevator.

18 MR. WELBERS: Okay. And it was there this
19 morning on your car?

20 MS. NERAD: Yes, sir.

21 MR. WELBERS: Okay. Kris, do you have
22 questions for Karen?

23 MS. DONARKSI: I have none.

24 MR. WELBERS: Do you have other questions?

1 MR. JACOBI: I have no questions. Thank
2 you.

3 MS. WELBERS: Anyone else like to
4 question? Tim, go ahead.

5 EXAMINATION

6 BY MR. NERAD:

7 Q. Since I was with you, I want to clarify. When
8 you were doing the noise from Brad to you, we
9 were that far from the fence. Now, where the
10 noise was coming from was inside the fence. So
11 however far -- is that not correct?

12 A. That is correct.

13 MR. NERAD: Okay.

14 MS. NERAD: I do want to say one thing to
15 that gentleman on the end over there. With this
16 picture that you had questioned Tim Pratt, okay,
17 that was taken in 2021 or '22. I can't pinpoint
18 the date, okay, or the year. But you said
19 something to him about the sunset, okay, and I
20 can't --

21 MR. JENSEN: I just used that as a
22 reference for the picture that he had up here.

23 MS. NERAD: Okay. Because when I go out,
24 I take, every morning, either sunrises, sunsets.

1 I'm out there 24/7, when I'm not working, out
2 there taking pictures.

3 That sun, that first window all the way
4 towards the field, okay, that window is taller
5 than us. So the sunset sits that low. I just
6 want to clarify that.

7 And on that picture where you see the
8 green -- and I use no filters when I take
9 pictures. Where you see the green and then
10 where you're going into the field, that is how
11 close our barn is to the field. I just wanted
12 to kind of say that.

13 MR. WELBERS: Okay.

14 MR. JACOBI: Actually, I forgot. I did
15 have a question.

16 MR. WELBERS: Okay.

17 MR. NERAD: I wasn't done.

18 MR. WELBERS: I'm sorry. Go ahead, Tim.
19 Keep it to -- I understand she's under oath.
20 You do want to keep the questions involving
21 this. There might be some other things you want
22 to know from her, but just involving our case
23 here tonight.

24 Q. (By Mr. Nerad:) I'm just questioning the thing

1 about keeping the panels clean with water. You
2 wouldn't happen to know where this water is
3 coming from, would you? Is it going to be
4 coming out of our well, Tim's well, Dunseths'
5 well? Do you know where the water is going to
6 be coming from?

7 MR. WELBERS: Again, you only have to
8 answer what you know. I don't think you know.

9 A. I don't know that. I don't know that question.

10 MR. WELBERS: That's all you can say.

11 A. I don't know that question.

12 MR. WELBERS: That's all you can say.

13 A. Yeah.

14 MR. WELBERS: Anything else?

15 MR. NERAD: That's it.

16 MR. WELBERS: Do you have a question?

17 EXAMINATION

18 BY MR. JACOBI:

19 Q. So we had earlier presented our Exhibit 10, the
20 landscaping plan, and, Ms. Nerad, I just wanted
21 to confirm from you that -- I understand you
22 object to the solar project. But if it's
23 approved, this is the plan you would like to see
24 required by County; is that accurate?

1 A. Okay. Me and Reuben have been in contact back
2 and forth through email. And what I had
3 proposed to him and what he sent me back, yes,
4 we do agree to vegetative screening if -- if
5 this solar panel -- or solar farm is approved.

6 Q. Right.

7 A. Okay. And I believe if you -- you might want
8 to correct me on this if I am wrong, because I'm
9 not good at reading this map. Okay. So what
10 I'm understanding, I asked for 1800 North, all
11 the way south, down past our barn, correct, and
12 then it zigzags all the way down and then to the
13 south. Am I correct on that?

14 Q. The vegetative screening runs from the very
15 northern edge of the project.

16 A. 1800 North.

17 Q. Yup. All the way down.

18 A. All the way down.

19 Q. Zigzags and then all the way over.

20 A. To the south?

21 Q. Yeah.

22 A. Okay. That's what I agreed upon.

23 Q. To this right here, this point right here.

24 A. Okay. Yeah, that's what we agreed on.

1 Q. Okay.

2 A. That's only if the solar farm is approved.

3 Q. Objections reserved, I just -- you know, if,
4 you know, the time comes for a condition to a
5 Special Use Permit, this is -- the -- this is
6 the vegetative plan/landscaping plan that you
7 would like to see if that happens?

8 MS. NERAD: I do have a question, if I can
9 question him about something?

10 MR. WELBERS: Go ahead.

11 MS. NERAD: My question is, to you solar
12 guys, if there is a faulty wiring on the
13 installation and there is a fire, my barn is
14 right there. Okay. Who's responsible if --
15 with the winds we get out there, who is
16 responsible for if this catches on fire? I
17 mean, do you think my insurance company -- you
18 know, that's going to make my insurance go up.
19 Are they going to pay for it because of a solar
20 farm being there?

21 MR. JACOBI: Is the question -- and I
22 don't want to get too far afield here. But is
23 the question, in the unlikely event that your
24 barn were to burn down by a fire caused by the

1 solar farm, who would pay for the property
2 damage? Is that the question?

3 MS. NERAD: Yes.

4 MR. WELBERS: Technically what she's doing
5 is expressing concern about that. She's really
6 not supposed to be questioning you. But anyway,
7 she's expressing concern. If you would like to
8 answer that --

9 MR. JACOBI: I'll honor the question. The
10 answer would be the solar company's insurance
11 company would pay for that or the solar company
12 would. Likely it would be subrogated by the
13 solar company's insurance company, and their
14 limits are adequate, as required by the Solar
15 Ordinance.

16 MS. NERAD: Would that be in writing?

17 MR. JACOBI: It's in the Ordinance, yeah.

18 MS. NERAD: Okay.

19 MR. WELBERS: Tim, do you have a question
20 for Karen?

21 MR. PRATT: Tim Pratt.

22 EXAMINATION

23 BY MR. PRATT:

24 Q. Karen, I have one question. There's been some

1 testimony in a couple meetings where it was
2 brought up this three and a half acres of land
3 that you have that's basically going to be
4 landlocked. I'm not quite sure I understand
5 that.

6 It seems like there's no access for a
7 farmer, you know, to even get in there and farm.
8 Is that what you kind of have said in the past?

9 A. To the west, Gillans own. They've got
10 easements. That's on their property. That's
11 theirs, I understand that.

12 Q. Is there a culvert there?

13 A. There's a culvert there.

14 Q. Oh, okay.

15 A. And they had farmed our three and a half acres
16 for 20 years. Okay. So now, if this is
17 approved, we have no -- we have already lost
18 income. Because I have already talked to
19 several farmers. They don't want to come in and
20 farm it. They don't want to farm with the solar
21 thing. I have talked to several of them.

22 Okay. We have no access. Okay. We would
23 either have to go to 1800 North or Route 89.
24 You can't put it on Route 89 because that's a

1 State highway. So you have to come in 1800
2 North.

3 Okay. I have asked Reuben in emails,
4 okay, about if -- besides the vegetative
5 screening, if they're willing -- if we lose,
6 that they put a culvert or some kind of easement
7 in there, okay, because we have loss of income.
8 So Reuben said, basically, it wasn't in the
9 plan. Okay.

10 So I'm going to read this. The last
11 meeting, I had asked Reuben not to turn in the
12 proposal on the vegetative screening. Okay.
13 Because -- until -- I said:

14 Hi, Reuben. Thank you for my request last
15 night for not turning in the proposal until we
16 get something worked out with this culvert and
17 drive put in until we can come to some kind of
18 agreement here so when we do get a farmer to
19 come in and farm our land, otherwise we are
20 losing income. It still holds that this
21 proposal is only in the condition we lose.

22 The concern about the access to the
23 property north of our home is getting over the
24 ditches. We would need a culvert put in and

1 dirt and gravel to make a small drive from 1800
2 North to our field. Currently the only access
3 for farm equipment is through Gillans' property,
4 but not feasible if a solar field is there.

5 Like I said, that is his property. That's
6 not ours.

7 Easier to get approval from 1800 North
8 than from 89.

9 And like I said, 1800 being a County road
10 and 89 being State.

11 To come in from 89 would also require a
12 much larger culvert, more dirt and gravel to
13 cover it. Can't come in from the south because
14 of the treeline and the outbuildings.

15 That was 9/17/2024.

16 9/23/2024: Hi, Reuben. I have not heard
17 anything back from you yet on the access to my
18 field. As of right now, if we lose to the solar
19 panels, we have proof of your proposal of the
20 vegetative screening for your proposal, but I
21 also want access to my field with a culvert to
22 my field on my property. As I said before, if
23 we were to lose, we are losing income on this
24 field with no access.

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1 9/23, Reuben answered me back: Hi,
2 Mrs. Nerad. We are agreeable to providing the
3 landscaping plan for the vegetative screening
4 that we discussed previously. I am still not
5 sure I fully understand your question about
6 access to the field and the culvert on your
7 property. We do not have any rights to do any
8 improvements on your property. This may be
9 easier to discuss over the phone. Could we set
10 up a time to talk this through in more detail?
11 It is a little bit nuanced.

12 I said, 9/25: I'm available -- or no. He
13 said: I'm available for the rest of the day if
14 you would like to connect. And then he gave his
15 number.

16 I said: Hi, Reuben, on 9/25, I am
17 working, so I cannot call you to discuss
18 anything at this time. It's harder to talk on
19 the phone because of work, so that's why I am
20 keeping in contact with you through emails.

21 9/25, Reuben wrote back: Hi, Mrs. Nerad.
22 I will be available until 10:00 p.m. tonight if
23 you would like to talk.

24 And I'm getting to where I'm going on

1 this, okay, because I think there's something
2 important in here to be read.

3 MR. WELBERS: I understand. Go ahead.

4 MS. NERAD: 9/25, I said: Hi, Reuben --
5 or 9/25/2024, I should say. Hi, Reuben. I'm a
6 little confused here and need you to clear up
7 matter here. If the proposal where it -- in the
8 proposal, where is the Bureau County Parcel
9 18-04-200-05 at on this proposal? I do not see
10 this number anywhere on this plan. Our parcel
11 number is 18-04-200-03. I can keep in contact
12 with you through email.

13 9/25 Reuben answered back: The parcel
14 owned by Gillan is Parcel Number 18-04-200-005.
15 The only property rights we have to do any
16 construction or anything is limited to the
17 Gillan parcel. Here's the outline in blue from
18 the Bureau County GIS.

19 And he gave me an outline on it.

20 9/25, again: Hi, Reuben. Okay. Thank
21 you. This clears up the matter then. I just
22 didn't see the number on the map that you
23 provided . So go ahead and turn this proposal
24 in.

1 And that was from me.

2 9/25, again: Hi, Mrs. Nerad. Thank you
3 for your email. I will request to submit the
4 landscaping plan for Ladd Solar 2 into the
5 record at the ZBA hearing tomorrow night.
6 Reuben.

7 Now, this is the email I got today that
8 I'm a little bit kind of disturbed at. Okay.

9 9/26, today: Mrs. Nerad, I have been
10 thinking more about your request regarding the
11 culvert on your property on 1800 North. The
12 solar farm is not blocking access to your
13 property. For example, you could work out an
14 access easement through the Gillan property.

15 That's not going to happen, I can tell you
16 that right now.

17 Our solar facility will be set back from
18 the property line at least 50 feet, which should
19 provide adequate access. We also do not control
20 what you and the Gillan family do. If the
21 Gillans wish to continue to farm your land,
22 there is nothing about the solar farm that will
23 prevent them from doing that.

24 Regarding the culvert --

1 This is the one.

2 Regarding the culvert, we do not have
3 property rights to build a culvert on your land.
4 One solution to this may be to provide
5 reimbursement to you for the cost you incur to
6 install a culvert. We would agree to this in a
7 good neighbor agreement with you. In exchange,
8 we would ask you that you no longer oppose the
9 project because we have adequately addressed
10 your concern regarding vegetative screening and
11 the culvert. Please let me know if you wish to
12 discuss this further tonight at the hearing
13 meeting.

14 Well, you're kind of contradicting
15 yourself a little bit there, Reuben. Because at
16 first you're saying GreenKey is not going to
17 cover it. GreenKey is not going to do it. But
18 then you want me to tell you, Yeah, it's okay.
19 You're willing to say we'll cover the costs if I
20 am willing to not oppose this solar field. No,
21 that's not -- that's not going to happen. I
22 will not give up what I'm doing here.

23 This is my home, and I'm fighting to keep
24 my home and my sunsets and everything else. I

1 am not going to turn around when you're
2 contradicting yourself and saying in one
3 sentence you're not going to do it -- because I
4 get it, it's not GreenKey's property. I
5 understand that. It's not Brian Gillans'
6 property. This is my property.

7 I was just asking you, you know, if you
8 would cover it. You know, because you're saying
9 to put those trees on our property is \$20,000.
10 Okay. Why can't you turn around and spend
11 another 2500 if you have got all this money to,
12 you know, put up solar fields and everything
13 else?

14 But then you turn around and say you want
15 me to drop -- you know, not oppose the solar
16 field? That deal is off the table. I will not.
17 That's all I have got to say.

18 MR. WELBERS: I understand.

19 Are there any further questions? Does
20 anyone have any questions?

21 MS. PRATT: Sue Pratt.

22 EXAMINATION

23 BY MS. PRATT:

24 Q. So let me get this correct. He is asking

1 you -- he is telling you that he will -- they
2 will cover the cost of the culvert if you drop
3 your opposition, correct?

4 A. The way I --

5 Q. So would that -- would you consider that sort
6 of a bribe?

7 A. That's what I said on the way over here.
8 That's exactly what I said to my husband, that
9 sounds like a bribe, and I don't do bribes. I
10 don't do bribes when I'm fighting for my farm.

11 I understand it's their farm too. I
12 understand that's their property. But this is
13 my property, and I don't do bribes. I don't.
14 I'm sorry.

15 I had to read it because this is not going
16 to get solved. I mean, one way or the other I'm
17 losing income. I can't get a farmer to come in.

18 MR. JACOBI: I have to object under
19 Illinois Rule of Evidence 408 that the email was
20 an offer to compromise and it's inadmissible as
21 a settlement offer. And I think what it said
22 was -- first of all, what I think it says is
23 that you can try to get an easement from the
24 neighbor and we don't -- we don't have any

1 access to your property to build, but we're
2 willing to compromise with you on this by making
3 that offer.

4 I just want to make the admissibility
5 objection. I have to for the record. The email
6 itself can't be entered into evidence for the
7 truth of the matter.

8 Now --

9 MS. NERAD: Really?

10 MR. JACOBI: It's true. Under Illinois
11 Rule of Evidence 408.

12 Now, I get the point that you're making
13 and that the members of the public have made. I
14 wasn't going to object, but if we're going to
15 belabor this point, it was an attempt to
16 compromise with Ms. Nerad.

17 MS. NERAD: Okay.

18 MR. JACOBI: And if you turn it down,
19 that's fine.

20 MS. NERAD: Okay.

21 MR. JACOBI: And you have turned it down.
22 You have made that clear.

23 MS. NERAD: Okay.

24 MR. JACOBI: Now I have a question for

1 you?

2 MS. NERAD: Can I finish up on this, what
3 you just asked?

4 MR. JACOBI: It's your testimony. So I
5 think you're under cross-examination now.

6 EXAMINATION

7 BY MR. JACOBI:

8 Q. Since you brought it up, why don't you think
9 you can get an easement from the neighbor, from
10 the property owner to your west? Have you
11 asked?

12 A. No, I haven't asked.

13 Do you really think that if he loses to
14 this -- I'm just saying, if he loses his solar
15 field that he would give us access?

16 Q. So your assumption is that because you're
17 objecting and you're interfering with his rights
18 to develop his property and to make revenue off
19 of his property, you don't think he'll then
20 cooperate with you in the future to give you the
21 access that you need?

22 Now, I don't know that to be true because
23 that sounds like --

24 A. I don't think he would. I don't know. I have

1 not asked him. I don't know. That I do not
2 know.

3 But what I can say is, 20 years ago there
4 was a handshake between my husband and Brian
5 Gillan, and the deal was a year-in-advance
6 notice, that before harvest season starts --
7 like right now, before it starts next year --
8 or, I mean, not harvest -- planting season
9 starts. You have to give us a year's notice if
10 you want your land back. Okay. Fair enough.

11 Brian Gillan -- from us to Brian Gillan,
12 you have to give us a year's notice, okay, if
13 you want to give up this land. That handshake
14 was broken, completely broken.

15 Q. Understood.

16 A. So in a year's advance, you guys have putting
17 this -- planning this for a year. And the
18 notice we got from the Board on the Zoning, when
19 we got the letter of all this was going on,
20 June 27th, and I believe it went out --
21 June 29th was a Saturday morning. 20 minutes
22 after we received this letter, Brian and his
23 wife, Beth, pulled in. That's notice to tell
24 us?

1 You know, I wasn't out there. They talked
2 to my husband. I was not outside. So --

3 Q. I'm sorry that you feel like that agreement was
4 breached.

5 A. Well, here's the year's notice that nobody even
6 told us.

7 Q. Yeah.

8 A. And as, I think, Frank Cattani used the words
9 when he gave the testimony, blind-sided.

10 It's pretty bad when I'm walking out of a
11 store and I hear that there's going to be a
12 solar farm adjacent to your property. I don't
13 know what you guys are talking about. I have no
14 idea what you're talking about.

15 And getting back to this about
16 compromising on this email. Okay. Even though
17 you're asking it to be whatever, not in here, it
18 still says it in black and white. I mean, you
19 can't take that away when it says it.

20 How do you think I feel -- how would you
21 feel if you got a letter like this?

22 Q. I appreciate that.

23 A. I was pretty well upset today.

24 So now you want me to agree -- you know,

1 don't go for the solar farm and we'll put the
2 culvert -- or we'll pay for the culvert,
3 we'll put it in. Come on.

4 Q. Yeah.

5 A. I have been there 20 years. We just got done
6 paying off our whole farm, our whole farm. We
7 work 20 years for that farm.

8 And, I mean, I don't care, they can take
9 it out of the thing, but to me that is a bribe.
10 I'm sorry, I had to say it. That is a bribe.
11 It's wrong.

12 MR. WELBERS: Is there anything else? Any
13 other questions?

14 MS. SMITH: I would like to --

15 MR. WELBERS: Go ahead.

16 EXAMINATION

17 BY MS. SMITH:

18 Q. Karen, if -- they've made a proposal to do your
19 landscaping if it's approved, correct?

20 A. Okay. Correct, yes.

21 Q. Is there any -- would there be a problem with
22 them making an agreement, if it's approved, to
23 do your culvert? Not -- we're not talking about
24 a bribe or a compromise. But if they were to

- 1 make a plan with you regarding the culvert, just
2 like they did with the trees, would that be --
3 you're not having to say I'm not going to
4 object, but just a proposal to do your culvert.
- 5 A. So you're asking me, with this proposal -- let
6 me see if I understand this correct. You're
7 asking me, since we agreed to the vegetative
8 screening, okay, and they approved of it, you're
9 asking me if they -- if this solar farm is
10 approved, if they were to ask me -- or they
11 agreed to put in a culvert and access or
12 easement there, would I agree to it?
- 13 Q. No, no, no. Not that you would --
- 14 A. That's what I'm not understanding. I'm sorry.
- 15 Q. I'm not saying that you would agree to the
16 solar farm.
- 17 A. No. I'm just saying the culvert.
- 18 Q. Would you agree to a proposal for a culvert --
- 19 A. For the culvert.
- 20 Q. -- to be taken care of the way you want it
21 done, which would be like a stipulation that if
22 it's approved you would definitely get this
23 done?
- 24 A. With them paying for it?

1 Q. Yeah. Just like they did with the trees.

2 MS. SMITH: Is that understandable?

3 MR. JACOBI: I understand.

4 Q. (By Ms. Smith:) It would take that pressure
5 off your mind, that you would know that if it's
6 approved, which nobody knows if it's going to be
7 or not, but if it is, you're covered.

8 A. Right, I understand what you're saying.

9 Q. That's what I'm wondering, if you would be --
10 if that's a possibility. Instead of back and
11 forth of we'll consider, maybe we will, maybe we
12 won't.

13 A. Do I have to answer that right now? Because I
14 don't --

15 MR. WELBERS: You don't have to answer
16 anything you don't know.

17 MS. NERAD: I don't know.

18 Q. (By Ms. Smith:) That's something you would
19 take under consideration?

20 A. I would have to talk to my husband.

21 Q. That's just something for your consideration,
22 if that's a possibility to straighten that
23 matter out.

24 A. Right. Because I'm not -- I understand what

1 you're saying, but I'm not going to stand up
2 here and say yes --

3 Q. Oh, no, I don't expect you to. I'm just
4 saying, it's something for you to consider that
5 would maybe solve that issue.

6 A. I would like to talk --

7 Q. I can understand your frustration on it.

8 A. Okay. I would like to further more talk with
9 my husband, and I'm not going to answer this yes
10 or no tonight.

11 Q. I don't expect you to. Just something for your
12 consideration.

13 A. Right, and thank you. I appreciate you asking
14 that question.

15 Q. You're welcome.

16 MR. WELBERS: Are there any other
17 questions for Karen?

18 (No verbal response.)

19 MR. WELBERS: Are we good with questions?

20 (No verbal response.)

21 MR. WELBERS: Thank you, Karen.

22 Now, with respect to your objections,
23 you're the only attorney here. I am not going
24 to direct Callie to strike anything she said.

1 When we get to the position of the County Board
2 Zoning Committee and the County Board, there
3 will be an attorney there that will know if you
4 are correct or not.

5 MR. JACOBI: Yeah.

6 MR. WELBERS: So your information is still
7 part of the public record we have created here
8 tonight. Whether his argument that it was
9 inadmissible and could ultimately be struck from
10 the County Board's decision, that will be
11 decided by the County Board's attorneys, not me.
12 I'm not qualified to do it.

13 MR. JACOBI: Yup, that's fair.

14 MR. WELBERS: I certainly understand that
15 your offer wasn't a bribe. It was an offer of
16 trying to find some sort of appeasement, I
17 guess.

18 MR. JACOBI: It's purely in case the
19 record were to show up somewhere else. I just
20 need to make sure that the objection was stated
21 on it so that whoever is considering the record
22 can --

23 MR. WELBERS: You definitely have that
24 there.

1 At this point we really don't have time
2 for another?

3 MS. DONARKSI: No. I think we need to
4 pick our next date.

5 MR. WELBERS: You said it was October
6 15th.

7 MS. DONARKSI: It is October 15th, which
8 is a Tuesday. Let me get to that calendar.
9 It's Tuesday, October 15th.

10 And when I polled everyone, everyone said
11 they could be in attendance except for Jim
12 Forristall.

13 So, Callie, you're good on the 15th?

14 COURT REPORTER: Yes.

15 MS. NEMETH: Kris, is that at 7:00 p.m.?

16 MS. DONARKSI: Yeah, it would be at
17 7:00 p.m.

18 MR. WELBERS: Troy?

19 MS. DONARSKI: Troy stated he would be
20 available on the 15th.

21 I think we need to recess until Tuesday,
22 October 15th, at 7:00 p.m.

23 MR. WELBERS: Good with you guys?

24 MR. JACOBI: That will work.

1 MR. WELBERS: Everybody fine with that?

2 MS. SMITH: Yeah.

3 MR. WELBERS: Maybe, if we're lucky, we
4 can finish the case that night.

5 MR. JACOBI: Fingers crossed.

6 MR. WELBERS: All right. Thank you.

7 MS. SMITH: Is that at 7 o'clock?

8 MS. DONARKSI: At 7 o'clock.

9 MR. WELBERS: So we'll recess. We're not
10 adjourning anything. We'll recess.

11 MR. JACOBI: At this location?

12 MS. DONARKSI: Right here.

13 MR. WELBERS: Bureau County Board Room.

14 (The hearing was recessed at
15 9:51 p.m.)

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Now on this 26th day of September, 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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