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1 JUDGE SLAVIN: Good evening, ladies and
2 gentlemen. I call out of recess Bureau County
3 Zoning Board of Appeals hearing on 111
4 sequential petitions, beginning with
5 25-56-16-1-CV, Braided Creek Wind, LLC's,
6 requests for Conditional Use Permits and Zoning
7 Variances to construct and operate a wind energy
8 conversion system in the county.

9 I note the presence, let's see, of the
10 Chair of the ZBA, Mr. Welbers; Mr. Jensen;
11 Mr. Stutzke, and Mr. Forristall.

12 I note the presence of Zoning Officer
13 Donarski and her assistant; Counsel for the
14 Petitioners; our noble, hardworking court
15 reporter; himself.

16 And then I see one, two, three
17 Petitioner's representatives. I see one, two,
18 three, four, five, six, seven -- seven
19 Interested Parties.

20 When we left off last, I think the
21 Interested Parties had begun producing evidence.
22 One of them requested time until tonight to
23 produce her testimony, which I granted. So we
24 will pick up there.

1 Connie?

2 MS. STETSON: Laura has some more
3 testimony, if she can.

4 JUDGE SLAVIN: Okay. Sure.

5 ATTORNEY BARRY: No objection.

6 JUDGE SLAVIN: The Slavin Rule in the
7 courtroom used to be if it was a different day,
8 if we passed midnight, then you get put under
9 oath again.

10 It's supposed to be a joke, but. . .

11 MS. ROSE: You want me here?

12 JUDGE SLAVIN: Yes, please, that way the
13 ZBA can see you, and they're the decision-
14 makers.

15 Want to raise your right hand?

16 LAURA ROSE,
17 being first duly sworn, testified as follows:

18 JUDGE SLAVIN: I'll help you get started.
19 State your name.

20 MS. ROSE: Laura Rose.

21 JUDGE SLAVIN: And, Ms. Rose, do you live
22 or own a business within the footprint of the
23 proposed development?

24 MS. ROSE: I live within the footprint.

1 JUDGE SLAVIN: Okay. All right. You take
2 it from there.

3 MS. ROSE: Okay. Thank you very much.

4 I have handed out three different handouts
5 for you. The first one is a multi-page research
6 analysis that I did on the negative impacts of
7 commercial wind farms on rural properties,
8 property values and --

9 JUDGE SLAVIN: Wait a minute. These are
10 not numbered. If we're going to do this, we
11 have got to do numbers.

12 MS. DONARSKI: I was going to number them
13 for you, if you can tell me numbers.

14 JUDGE SLAVIN: Hold on. Let's -- I've got
15 to pick up where I -- just hold on.

16 This starts then with IP 5. So,
17 Ms. Donarski, let's make the page that starts
18 "Negative Impacts of Wind Farms" IP Number 6 --
19 is that what I said?

20 MS. DONARSKI: 5. You said 5.

21 JUDGE SLAVIN: 5, thank you.

22 MS. DONARSKI: Okay.

23 (IP Exhibit Number 5 marked for
24 identification.)

1 JUDGE SLAVIN: Then the next one, which
2 starts -- that was in big bold letters.

3 The next one starts "Negative Impacts of
4 Commercial Wind Farms on Rural Property Values:
5 An Analysis of" blah, blah, blah, and it starts
6 1 and 1.1. We'll call that IP Number 6.

7 (IP Exhibit Number 6 marked for
8 identification.)

9 JUDGE SLAVIN: And then we have something
10 that starts "I would like to testify." We'll
11 call that IP 7.

12 (IP Exhibit Number 7 marked for
13 identification.)

14 JUDGE SLAVIN: Do you have copies of those
15 for the Zoning Board?

16 MS. DONARSKI: Yup.

17 JUDGE SLAVIN: With the numbers on them?

18 MS. DONARSKI: I am numbering them.

19 JUDGE SLAVIN: Okay. Got it.

20 Okay. Ms. Rose, you may proceed.

21 MS. ROSE: Thank you.

22 We'll start then with the first exhibit,
23 which is Number 5, and this is just a list of
24 opposing views for property values, just

1 basically places that you could go and do some
2 of your own research, if you wanted to,
3 regarding the negative impacts of wind farms on
4 property values.

5 The other exhibit, Number 6, is the
6 research -- it's kind of a research summary. At
7 the end of that is a list of citations that all
8 this research was taken from. And in the course
9 of the handout, you'll see numbers at the end of
10 the paragraphs and sections, and that refers to
11 the citation that that information came from.
12 So instead of reading 15 pages' worth of
13 information, I did a summary of this
14 information, which I will present to you now.

15 I would like to testify regarding the
16 negative impact of wind turbine generators on
17 property values. While there are numerous
18 studies surrounding no impact or low impact, as
19 outlined in Mr. Line's testimony and research
20 given to the Zoning Board of Appeals in
21 September, there are also studies that suggest
22 there is a negative impact on property values
23 for properties located in or near commercial
24 wind farm generators. This testimony is a

1 summary of the research done regarding that
2 fact. The full research and citations are
3 attached, which was Exhibit 6.

4 Location. Location data confirms that
5 large commercial wind farm generators are
6 fundamentally rural. Approximately 94 percent
7 of installed wind capacity in the United States
8 resides in counties with populations less than
9 250,000, and 88 percent is in counties under
10 100,000. Consequently, the economic burden of
11 potential negative impact falls
12 disproportionately on rural residents and
13 markets.

14 It should be noted that in appraisal
15 reviews, the highest and best use for rural
16 properties is not commercial development but for
17 agricultural.

18 I will start with two views. The macro
19 view shows that wind farm facilities have no
20 statistically observable long-term negative
21 impact on property values based on comprehensive
22 studies by the Lawrence Berkeley National
23 Laboratory.

24 This laboratory and the study was also

1 outlined in Mr. Lines' research that he
2 presented.

3 They concluded that if the property value
4 impacts exist, they were either too small or too
5 infrequent across the broader market to result
6 in any widespread, statistically-observable
7 impact. This perspective suggests that the
8 planning, construction and operation phases
9 ultimately result in no long-term negative
10 economic consequences. These points are
11 consistent with Mr. Line's presentation.

12 The other view is the micro view, which
13 supports and confirms that the measurable
14 economic losses are localized and severe by
15 those most affected: those individuals located
16 in immediate proximity, less than one mile to
17 the turbines, and those considered
18 nonparticipating landowners.

19 They receive no economic or financial
20 benefit from the wind farm project leases. The
21 devaluation is driven by proximity, which is
22 consistently found to be a significant negative
23 predictor of value, and by associated sensory
24 nuisances (visual intrusion, noise and shadow

1 flicker).

2 While some studies focusing on urban
3 counties found that negative effects were
4 temporary and dissipated after three to five
5 years of operation, it does not negate the
6 permanent nature of the external obsolescence
7 for the nonparticipating landowner who remains
8 in the immediate vicinity and continues to
9 experience the nuisance.

10 External obsolescence is the incurable
11 loss of value due to factors outside the
12 property, and is the financial burden of
13 nonparticipating landowners living near
14 commercial wind farm generators. This
15 represents a reduction in property value caused
16 by adverse external influences originating
17 outside the property boundary, making the laws
18 typically incurable by the owner. The major
19 factors driving this economic loss include loss
20 of viewshed, noise, including infrasound, shadow
21 flicker and perceived physical risks like ice
22 throw.

23 While some studies suggest that home sale
24 prices are temporarily reduced during the

1 announcement and construction period, the sale
2 prices returned to pre-construction values
3 within a three- to five-year period after
4 operations begin. For the nonparticipating
5 landowner that continues to live in the area,
6 the above-mentioned adverse effects are
7 permanent.

8 Proximity to a commercial wind farm
9 generator is an established indicator of
10 negative property value impact. This includes
11 properties within the footprint and within two
12 miles of the nearest turbine. Site-specific
13 real estate appraisal reports reveal the
14 severity of devaluation within this critical
15 radius. In one detailed analysis, properties --
16 excuse me. In one detailed analysis, properties
17 located directly within the wind farm's
18 immediate footprint experienced an estimated
19 35 percent value loss, totalling significant
20 dollar amounts in projected depreciation.
21 Properties located precisely one mile outside of
22 the footprint still experienced a substantial,
23 measurable devaluation, estimated at 22 percent
24 value loss. This data demonstrates that the

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1 severity of the economic injury is not marginal
2 or theoretical, but constitutes a major
3 uncompensated loss for the nearest neighbors.

4 Viewshed is a high source of external
5 obsolescence due to the height of modern
6 turbines. This significantly outweighs the
7 physical nuisance like those of noise and
8 flicker. Viewshed and proximity statistically
9 show that visibility negatively affects property
10 values up to 5 miles away with a decrease in the
11 asking price of between 9 and 14 percent. This
12 suggests that aesthetic concerns of viewshed and
13 proximity both impact values.

14 Shadow flicker being the intermittent
15 interruption of sunlight caused by the rotating
16 blades of the turbine does not impose a
17 measurable economic burden -- excuse me, does
18 impose a measurable economic burden. This is
19 unique due to not just distance but also
20 relative location, sun angles and topography.
21 It is a compounding factor to external
22 obsolescence. It doesn't go away, although it
23 is lessened by cloudy days, time of year and
24 regulatory setbacks. However, regulation

1 measures to limit flicker to 30 hours per year
2 or 30 minutes per day on occupied residences are
3 only Band-Aids to the fact that it doesn't go
4 away.

5 The following table summarizes the
6 documented relationship between the type of
7 nuisance, distance threshold and economic
8 impact.

9 And I will just let you look at that table
10 on your own.

11 Noise impact is a fundamental source of
12 property nuisance and other factors in external
13 obsolescence. Legal actions confirm that noise-
14 related claims are highly relevant to property
15 valuation, with lawsuits alleging substantial
16 property depreciation alongside noneconomic
17 losses due to turbine sound.

18 Wind turbine noise is unique in its
19 frequency profile compared to standard
20 industrial transportation sources, exhibiting a
21 higher concentration of low-frequency noise and
22 infrasound --

23 JUDGE SLAVIN: Please turn your phones to
24 silent, please.

1 I'm sorry for interrupting.

2 MS. ROSE: -- and infrasound, which is
3 frequencies below 20 hertz. Health research
4 suggests that long-term average sound levels as
5 low as 30 decibels to 40 decibels can be -- can
6 affect sleep and lead to adverse health effects,
7 particularly for vulnerable populations.

8 Reliance on standard noise metrics may not
9 fully cover turbine noise at the lower
10 frequencies even though it is a component of
11 wind turbine noise. While some research may
12 suggest that infrasound levels are typically
13 below the hearing threshold and therefore not
14 annoying; however, to ensure the wellbeing and
15 comfort of neighbors, standards and requirements
16 for commercial wind turbine projects should
17 account for the full spectrum of noise levels,
18 including night and day levels.

19 Economic conflict in rural setting run
20 along the lines of participating landowners and
21 nonparticipating landowners. Wind turbine
22 facilities shift economy costs and benefits
23 within rural communities. The regional benefits
24 are tax revenues, job creating and annual land

1 lease payments, which is approximately \$2
2 billion annually in the U.S.

3 The financial rewards among the
4 participating landowners include a value
5 increase as it generates rent that reflects on
6 an upgraded highest and best use; meaning,
7 industrial income versus agricultural income.
8 This would be a positive selling point.

9 There is a burden transfer though to the
10 nonparticipating landowner in the aforementioned
11 external obsolescence factors. Their value loss
12 and diminished use and enjoyment of their land
13 exists without receiving any direct financial
14 compensation. The financial hardship is
15 involuntarily endured by the neighboring
16 property owners. This creates a cost equity
17 challenge that leads to conflict between
18 neighbors who may have been friends for a
19 substantial amount of time.

20 Productive agricultural land values in
21 rural states like Kansas and Pennsylvania
22 conclude that wind farms do not negatively
23 impact values. In fact, the introduction of
24 wind capacity can correlate with a slight,

1 measurable increase in overall farmland
2 transaction prices.

3 The highest negative impact is on land
4 value in areas reserved for undeveloped
5 residential property. While being agricultural
6 in nature, it holds potential for future
7 residential development. Setbacks and poor
8 market perception means that the undeveloped
9 land cannot be marketed or assessed as
10 developable -- excuse me -- cannot be marketed
11 or assessed as developable, leading to a loss of
12 value for the owner.

13 The shift in land classification inherent
14 in wind development can exert financial pressure
15 on nonparticipating landowners relating to real
16 estate taxes. Land utilized for turbines is
17 reclassified from agricultural to industrial
18 use, reflecting its market value and substantial
19 rental income. This reclassification increases
20 the assessed value of the participating parcels
21 and it expands the local tax base.

22 As the tax base of participating
23 properties and any surrounding land deemed
24 suitable for future energy development rises,

1 property taxes across the area may increase.
2 This can impose a financial strain on the
3 nonparticipating landowners.

4 Other negative impacts relate to
5 inadequate zoning setbacks and siting
6 regulations. However, in Illinois, the zoning
7 setbacks policy has been established by the
8 State, and making them more restrictive would
9 potentially lead to total unrestricted siting
10 for wind and solar for the county. As you are
11 well aware, Bureau County has changed their
12 prior zoning policy regarding wind and solar to
13 meet the State standards.

14 The table below contrasts common
15 regulatory setback criteria with the distances
16 required to mitigate documented economic loss,
17 highlighting the insufficiency of current
18 standards.

19 And you can read through that table
20 yourself.

21 Given the impracticality of achieving a
22 five-mile buffer for all projects, the most
23 essential tool for achieving equity and
24 offsetting for external obsolescence is the

1 implementation of financial compensation.

2 Based on a property value guarantee
3 program, which Bureau County does not have, the
4 wind energy development owner or operator would
5 provide compensation for the documented
6 reduction in property value experienced by
7 eligible nonparticipating landowners within the
8 identified zone of impact. The developer,
9 rather than the unwilling neighbor, bears the
10 economic hardship related to large-scale
11 industrial wind projects.

12 It is noted that other wind farm entities
13 within the county have entered into nuisance
14 agreements individually with nonparticipating
15 landowners and residents who had verifiable
16 complaints with noise, flicker and TV reception.
17 Compensation factors in these cases include
18 planting trees for flicker, purchasing light-
19 blocking curtains and installing dish-based TV
20 antenna or direct annual nuisance payments.

21 In conclusion, it seems the most prevalent
22 negative impact relating to the commercial wind
23 farm projects is external obsolescence to
24 nonparticipating landowners. In just a cursory

1 view of the map provided by Braided Creek, the
2 evidence clearly shows there are many more
3 nonparticipating -- which are the red dots --
4 residents within the footprint than
5 participating, which is blue dot. Plus, the
6 whole population of Buda. This means there are
7 many more people who could be negatively
8 impacted by this project.

9 Many factors contribute to and affect
10 their land values that are outside of their
11 control. These factors do represent a decrease
12 in their land value.

13 Thank you.

14 JUDGE SLAVIN: All right. Questions of
15 this witness. Ms. Donarski?

16 MS. DONARSKI: I have none.

17 JUDGE SLAVIN: How about you, Mr. Welbers?

18 EXAMINATION

19 BY MR. WELBERS:

20 Q. To clarify, what you just testified is a
21 summary of the research you did from these three
22 articles?

23 A. From the 15-page one.

24 Q. From the 15-page one?

1 A. Right.

2 JUDGE SLAVIN: Well, let's -- so we all
3 know what we're talking about -- that's why we
4 mark exhibits.

5 MS. ROSE: Exhibit, that would be, 6.

6 Q. (By Mr. Welbers:) Exhibit 6. So you have
7 summarized Exhibit 6 and that's what your
8 testimony was?

9 A. Yes.

10 MR. WELBERS: All right. Thank you.

11 JUDGE SLAVIN: Mr. Jensen.

12 MR. JENSEN: No questions.

13 JUDGE SLAVIN: Mr. Forristall?

14 MR. FORRISTALL: No, sir.

15 JUDGE SLAVIN: Mr. Stutzke?

16 MR. STUTZKE: No questions.

17 JUDGE SLAVIN: Mr. Barry?

18 ATTORNEY BARRY: Yes, I have some
19 questions.

20 EXAMINATION

21 BY ATTORNEY BARRY:

22 Q. Good evening, Mrs. Rose. Are you an MAI-
23 designated real estate appraiser?

24 A. No.

1 Q. Do you have a real estate license?

2 A. No.

3 Q. So I just -- as a follow-up to an earlier
4 question, what is IP Exhibit Number 6?

5 A. That was basically the research summary from
6 all of the notations -- citations at the end.

7 So the research quoted there is cited --
8 so, like, take 1.1, those facts in that section
9 are outlined in Citation Number 1 and Number 2.

10 Q. Well, they are not really facts though, right,
11 because you wrote the document, correct?

12 A. No, this document was -- I wrote what I
13 testified about.

14 This document is a summary of -- I did
15 research through an AI system on this question,
16 "Negative impacts of commercial wind farms on
17 rural property values."

18 Q. Okay.

19 A. And this is what was generated, and then it
20 gave me those citations.

21 Q. So who prepared IP Exhibit Number 6?

22 A. Basically my computer.

23 Q. A computer prepared it?

24 A. Yes.

1 Q. So this was -- did you say this was an AI-
2 generated document?

3 A. Yes.

4 Q. And what were the sources that this computer
5 used for generating this document?

6 A. All the citations at the end.

7 Q. The AI computer, is it an MAI-designated
8 appraiser?

9 A. No.

10 Q. I guess I -- can you help me understand the
11 process of how a computer generates a document
12 like this? In other words, how does it -- how
13 do you know that it used the sources that are
14 listed at the end of the document?

15 A. Each one of the citations that are noted here
16 was noted on the AI search. So when it -- when
17 it produced this section here, it notated that
18 that came from Citation Number 1 and Number 2.

19 Q. Do you have a copy of the searches that you
20 used on your computer?

21 A. The search was just basically this question at
22 the top, "Tell me the negative impacts of
23 commercial wind farms on rural property values."
24 You type that in your AI search system, and it

1 generates this for you.

2 Q. What was the AI search system that you used on
3 your computer or that your computer used?

4 A. Gemini.

5 Q. Gemini.

6 All right. And then how about Exhibit IP
7 Number 5, who prepared that document?

8 A. That was the same thing. I did something very
9 similar and I just got the citations on this,
10 and this was through ChatGPT. So instead of
11 going through and reading -- we would be here
12 until next June -- each one of these citations,
13 I just printed out what was available to view to
14 look up and what it -- and there's a brief
15 outline of what was in each one of those.

16 Q. So have you read the documents?

17 A. Not all of them. They are quite lengthy.

18 Q. So let's take the last one listed on Page 2 of
19 IP Number 5. Are there wind farms operating
20 currently in McLean County?

21 A. I believe so, yes.

22 Q. Are there wind farms operating currently in
23 Livingston County?

24 A. I believe there is in all three of those

1 counties cited there.

2 Q. Okay. Thank you.

3 Is the California Ridge Wind Farm
4 operating?

5 A. Like I said, I did not read each and every one
6 of these.

7 Q. So as far as you're aware, these studies
8 weren't used to block the development of the
9 wind farms in the counties referenced, correct?

10 A. I don't know. The only -- probably the only
11 ones that would be would be, like, the Champaign
12 County Zoning Board of Appeals, Exhibit 7, that
13 was probably used in -- that was on the first
14 page, the third one down. More than likely that
15 was used.

16 JUDGE SLAVIN: Wait a minute. I don't
17 see -- Exhibit 7, I don't see --

18 MS. ROSE: No, sorry. Exhibit 5.

19 JUDGE SLAVIN: Okay.

20 MS. ROSE: The third one down.

21 Q. (By Attorney Barry:) It was used to prevent a
22 permit for a wind project?

23 A. I don't know if it was used to prevent it, but
24 it was presented at that Board of Appeals.

1 Q. Okay. Well, is it possible also that that was
2 a hearing that the Champaign County Zoning Board
3 of Appeals was doing to evaluate whether to make
4 changes to their Wind Turbine Siting Ordinance
5 in 2022?

6 A. I do not know that.

7 Q. Would it surprise you if I told you I was at
8 those hearings?

9 A. No.

10 Q. Okay. So what about IP Exhibit Number 7?

11 A. That was my testimony.

12 Q. And what does that mean? That you prepared
13 this document yourself?

14 A. I summarized what was in Number 6.

15 Q. Okay.

16 A. So if you read through Number 6 fully, it is
17 exactly some of the things that I said in mine.

18 So as not to have to read 15 pages or 12
19 pages, I just basically summarized it.

20 Q. Okay. In the -- in IP Exhibit Number 7, you
21 used the word "nuisance" more than once,
22 correct?

23 A. Yes. Yes.

24 Q. What is your definition of nuisance that you're

1 using when you were talking about that term in
2 this document?

3 A. I would say anything that causes a problem
4 with, you know, in this case, like, viewshed,
5 flicker, noise.

6 In your house, a mouse is a nuisance, you
7 know. A neighbor that has -- you know, is
8 playing his music too loud every night is a
9 nuisance.

10 So things that would affect you.

11 Q. You're not referring to a legal nuisance,
12 correct?

13 A. No.

14 Q. I just want to be clear on this. Did you
15 examine any sales data of homes in or in
16 proximity to wind turbines?

17 A. No.

18 Q. On Page 3 of IP Exhibit Number 7, you refer to
19 health research. Top of the page.

20 A. Uh-huh.

21 Q. What research are you referring to?

22 A. It would be -- if you'll go back to Number 6,
23 there is a reference there for the citations on
24 health. It was in one of the citations. Number

1 22, "Wind Turbine Noise: Annoyance and Health,
2 McLean County."

3 Q. So that is a document prepared and distributed
4 by McLean County, Illinois?

5 A. It says mcleancountyil.gov. So I would assume
6 that's through their -- McLean County's website.

7 Q. Did you select this document or was that --

8 A. It was part of the research. It was part of
9 what AI generated.

10 Q. Have you examined Number 22?

11 A. Not in detail, no.

12 Q. Well, have you looked at it at all?

13 A. No.

14 There was 31 references here, and some of
15 them, like I said, were quite lengthy.

16 Q. Yeah, I can see that. I have got a lot of work
17 to do here. I just got the documents, right?

18 I'm just trying to figure out whether this
19 is some document that was prepared by or at the
20 direction of McLean County or if it was
21 something that someone submitted to McLean
22 County, and you don't know the answer to that,
23 correct?

24 A. I do not.

1 Q. Are you aware that the State of Illinois has
2 noise standards and limits?

3 A. Yes.

4 Q. Do you know if those noise limits address
5 infrasound?

6 A. No.

7 Q. And the documents you submitted tonight and in
8 your testimony, are you taking a position about
9 whether the project complies or does not comply
10 with Illinois' applicable noise limits?

11 A. I would say it complies.

12 ATTORNEY BARRY: Okay. And I guess my
13 final -- my final comment isn't a question,
14 Judge. I guess I'll make an objection to the
15 extent that --

16 Q. (By Attorney Barry:) Well, I'll ask the
17 question, is either -- is either version, the
18 Gemini or ChatGPT, available for me to
19 cross-examine this evening?

20 A. If you pulled it up on your phone, I suppose.

21 ATTORNEY BARRY: Well, I'm going to object
22 to the sources, just for the record.

23 Otherwise, I have no further questions.

24 Thank you.

1 MS. ROSE: Thank you.

2 JUDGE SLAVIN: Based on the -- whoop.
3 Based on the questions he asked you, do you have
4 any further testimony?

5 MS. ROSE: No.

6 JUDGE SLAVIN: And are you asking that
7 these Exhibits 5, 6 and 7 be admitted?

8 MS. ROSE: Yes.

9 JUDGE SLAVIN: Oh, boy. Okay. Thanks.
10 You can sit down.

11 Well, of course I retired before this
12 question came up in my courtroom, whether an
13 AI-generated document -- I recognize this is not
14 proceeding --

15 Where are you going? I'm not --

16 MS. STETSON: Oh, I'm sorry.

17 JUDGE SLAVIN: I recognize this is not --
18 these are not documents where I'm called upon,
19 or a jury is called upon, to find somebody
20 guilty of burglary and impose criminal
21 penalties. I recognize it's not a proceeding
22 where a jury or a judge are being called upon to
23 find liability and assess damages, whether in
24 thousands or millions of dollars.

1 However, there has to be some base modicum
2 of probative value. By that, I mean I look at
3 these -- well, let me deal with Number 6 first.
4 It's the one that Ms. Rose very honestly admits
5 was generated by AI.

6 AI is not a person. It's a very expert,
7 but binary, process by which it culls through
8 various things on the internet and spits them
9 out in a format that somebody can read. The
10 trouble with AI is, we don't know what it -- how
11 well it was programmed, what it calls out, what
12 it missed, what it misinterpreted.

13 The same goes for IP Number 5, which is
14 apparently a list of things that Ms. Rose never
15 read. I mean, on Number 5, if one or more of
16 these were printed out -- because a number of
17 them are marked "peer-reviewed" or they are
18 attributable to evidence admitted in some other
19 ZBA proceeding in another county at another
20 time.

21 But if any of those were printed out,
22 okay, at least it's attributed to an author, and
23 you can read who testified and you can see who
24 cross-examined that person. But they are not

1 printed out. They are just synop- -- two-,
2 three-sentence synopsis -- synopses, and that
3 doesn't tell you hardly anything.

4 And I can't run a proceeding where it's up
5 to people to go back home and read, on their
6 computer, things. That's just not appropriate.
7 That's why we call it a hearing. That's why we
8 gather, so far, eight nights and go through
9 testimony and listen to it and have cross-
10 examination and arguments about it.

11 So 5 is not admitted.

12 6, I understand that AI is getting more
13 and more sophisticated, I get that, and I'm not
14 trying to be an old, crotchety, retired judge
15 who says it's not believable. But on the other
16 hand, I don't know of any case law and I don't
17 know of any statute that allows the admission of
18 an AI-generated document that isn't even -- I
19 mean, Ms. Rose was honorably honest, said she
20 didn't know how it regurgitated this stuff, and
21 she didn't read the stuff on which it's based.

22 So really we have a bunch of prose that a
23 professional binary program, software program,
24 produced, and we don't know how good it is or

1 isn't, one way or the other. I mean, maybe the
2 macro stuff pales in comparison to the micro
3 stuff; maybe the micro stuff pales in comparison
4 to the macro stuff. I don't know.

5 But if this had been produced by somebody
6 and it could be shown it was peer-reviewed and
7 it was attributable to -- it had some -- some
8 foundational value, I'd buy it.

9 But 6 is not admitted.

10 And 7 is, again, Ms. Rose's attempt to
11 faithfully regurgitate what was in 6. And I'm
12 sure she did a nice job, but if 6 is not
13 admissible, 7 is not.

14 5, 6 and 7 are denied.

15 All right. Next witness.

16 MS. DONARSKI: Judge, she has a packet of
17 information here. Do you want to --

18 JUDGE SLAVIN: Can they be divided --
19 let's take our first break of the night, rather
20 than everybody stare while we do that. Off the
21 record.

22 (A recess was taken at 6:46 p.m.
23 and proceedings resumed at
24 7:02 p.m.)

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(IP Exhibits Number 8 through 19
marked for identification.)

JUDGE SLAVIN: Let's go back on the
record.

We now have a number of documents marked
IP 8, 9, 10, 11 -- they are not admitted yet.
I'm just making sure we are all on the same page
-- 11, 12, 13, 14, and 15 and 16 -- nope. More
than that.

MS. DONARSKI: It goes up to 19.

JUDGE SLAVIN: Thank you. Through 19.

All right. Want to raise your right hand,
please.

CONNIE STETSON,
being first duly sworn, testified as follows:

JUDGE SLAVIN: And I'll help you get
started. State your name.

MS. STETSON: Connie Stetson.

JUDGE SLAVIN: And, Ms. Stetson, remind us
with regard to the footprint of this proposed
development, the proposed footprint of this
development, do you live in or own a business
within that footprint?

MS. STETSON: Live in.

1 JUDGE SLAVIN: Okay. You take it from
2 there.

3 MS. STETSON: Okay. I'm here to advise
4 everyone that Leeward energy company is a
5 foreign company. It has been purchased by OMERS
6 on March 22nd, 2018, and OMERS is a benefit --
7 benefit pension plan. We were told that the
8 investors from Canada will be the ones getting
9 the benefits of the money made, not the U.S.

10 Page one, question asked: "Would Leeward
11 be considered a foreign company since OMERS is
12 from Canada."

13 Answer: "When a Canada company purchases
14 a U.S. company, the company is generally
15 considered foreign for U.S. tax purposes. This
16 is because the U.S. federal corporate income tax
17 applies to companies that have income
18 effectively connected with a U.S. trade or
19 business."

20 On Page 2, 3 and 4 --

21 ATTORNEY BARRY: I'm sorry, can I ask what
22 document she's referencing to the pages for?

23 MS. STETSON: Pages 1.

24 JUDGE SLAVIN: Fair enough. I thought she

1 was talking about IP 8.

2 MS. STETSON: IP 8. I'm sorry, I'm going
3 by my pages.

4 ATTORNEY BARRY: I thought you might be --

5 JUDGE SLAVIN: Whoa, whoa. Let's not do
6 that.

7 You testify as to the exhibits. That's
8 why we marked them. We don't care what you
9 numbered them.

10 MS. STETSON: On my wording, I have page
11 numbers. So now I have to figure that out.
12 Okay. I'm sorry.

13 ATTORNEY BARRY: I apologize.

14 MS. STETSON: So now IP 10, IP 10,
15 according to the Agricultural Foreign Investment
16 Disclosure Act of 1978, the AFIDA foreign
17 investors should report holdings of agricultural
18 land totalling 10 acres or more, leaseholders on
19 agricultural land for ten or more years.

20 According to the CFR Title 7 Part 781,
21 foreign investors must file form FSA-153.

22 And you go to IP 9, on the third page of
23 that, it says -- this is what the -- this is the
24 -- actually the form of the 781 disclosure.

1 "Any foreign person who held, holds, acquires or
2 transfers any interest in United States
3 agricultural land is subject to the requirement
4 of filing a report on form FSA-153 for the
5 following."

6 And if you don't file this within 90 days,
7 there is a penalty.

8 Some of the leases for the proposed
9 turbines are dated back to 2020. This is from
10 the public records at the courthouse. Examples
11 of the lease would be IP 4 (sic). It states the
12 date of this contract, which I obtained from the
13 County Courthouse public records. It says this
14 contract was dated in 2021, and it states, at
15 the last column -- or Segment 3, for 30 years.
16 This means that Leeward is well over their 90
17 days and well over the ten years.

18 I didn't copy all 9,200-acre projects
19 because it costs me 25 cents for a copy. You
20 can check that information at the courthouse.

21 It also states that it's Leeward Renewable
22 Energy, LLC, as leaseholder, not Braided Creek
23 Wind, LLC.

24 And I have, on IP 12 -- now, Lone Tree is

1 one of theirs. And it states "Lone Tree" at the
2 top, with Leeward Renewable Energy as the owner.

3 So I just wanted to make that aware, that
4 there's Leeward on this one and the other one
5 says Lone Tree.

6 From the Farm Service report -- got me all
7 confused here.

8 IP 13, from the Farm Service report,
9 Crescent Ridge and Braided Creek are not entered
10 on this report. If you go to Page 10.2, I have
11 it, and in that IP 13, this is the record from
12 the USDA. You can call it up on -- I got it off
13 the internet.

14 It states who, as a foreign company,
15 has --

16 JUDGE SLAVIN: Which exhibit are we
17 talking now?

18 MS. STETSON: We're talking IP 13.

19 JUDGE SLAVIN: Okay.

20 MS. STETSON: Page, and I have it at the
21 bottom, 10.2.

22 This report shows that there's contracts
23 that were done in 2020 for this project, and
24 they have not entered their USDA as foreign.

1 And this report goes to 2023.

2 The only one -- and then, like I said,
3 Lone Tree is on here and they are on here.
4 Because they are on the agreement that was
5 signed. And that -- this here was changed in
6 2020. You can see at the very end that there's
7 a date, 2020 is when they entered that.

8 Crescent Ridge should be on there. It's
9 one of their companies. And that was done in
10 2021. And they are not on here. I just wonder,
11 Leeward is considered foreign. Crescent Ridge
12 isn't on here. There's documents that are from
13 this Braided Creek, and these documents are on
14 here.

15 Then we go to -- this has got me messed
16 up. I'm sorry.

17 IP 15, Braided Creek was established in
18 April of 2025 in Delaware, in Delaware, as a
19 domestic LLC.

20 I went to the FSA office in Princeton, and
21 they had no record of Crescent Ridge or Braided
22 Creek or Leeward in any of their data to put on
23 that report in the IP 13.

24 So I talked to the manager at the FSA

1 office, and she called the Springfield office
2 while I was there. And with the government
3 shutting down, they put it aside because it was,
4 like, the day before.

5 So Laura Rose and I took it upon ourselves
6 to make -- to make a call. So we called down to
7 the State office to ask if we could have the
8 year 2024, because the last -- from my
9 understanding, from the courthouse public
10 records, the last lease was signed in October of
11 2024. And that filing is IP 14.

12 And we asked this lady, Mary Estep, from
13 the AFIDA, program manager, we stated that we
14 are looking for a filing for the foreign-owned
15 wind company that is in the application process
16 of 58 turbine generator locations, associated
17 access roads, collection lines, collector
18 substation area, high-voltage transmission line
19 and temporary staging area in the county
20 referenced above.

21 We said "county," Bureau County, Macon
22 Township.

23 The company, Leeward, said that they have
24 filed with Illinois, the State of Illinois, and

1 with Delaware with a type LLC as Foreign. But
2 the specific project name is Braided Creek, LLC,
3 which is a subsidiary of Leeward. Leeward is
4 owned by OMERS, a Canadian private equity
5 company. We could not find any filing for an
6 LLC in Illinois for Braided Creek, LLC.

7 So the question is, is this legal?

8 But we went on and we asked them if we
9 could get a copy of 2024, to see if they had
10 filed in 2024. And they said that we would have
11 to do a FOIA to get that. So it will be
12 available in January. So we will attempt to get
13 a copy of the 2024 report from the USDA to see
14 if they have filed.

15 But, again, 2025 wouldn't make a
16 difference because the last lease that the
17 courthouse stated was 2024.

18 Then if we go back to the -- sorry.

19 If we go back to that report from the USDA
20 office, IP 13 -- I'm sorry. I need a table.

21 You go to 10.5 in that report of IP 13, it
22 gives you the acres for foreign investors of --
23 from Canada, 4,454. Well, we don't have the
24 nine now, 200 acres, from the project and we

1 don't have the 2500 acres from Crescent Ridge
2 added onto there.

3 So you go to the next one, Page 10.6, and
4 it states there for Bureau County. It states
5 182 parcels, and 27,900 acres signed up. That's
6 signed up, reported. Again, Braided Creek and
7 Crescent Ridge are not reported. So that's
8 mis- -- those numbers are not true. And how is
9 the congress supposed to keep track of foreign
10 entities?

11 And the last page, 10.7, it just shows you
12 a historical penalty table. Because it's
13 25 cents on an acre or something like that -- or
14 25 percent on an acre of how much penalty they
15 can get if they don't file these within 90 days.

16 Okay. IP 15, now, Leeward is a foreign
17 company -- we established that -- because OMERS
18 from Canada owns them. They have a LLC in
19 Illinois and they have one in Delaware. And,
20 again, we looked -- Laura and I looked
21 everywhere trying to find the LLC for Illinois,
22 and it's not there.

23 So I want you to go to -- it's in the same
24 IP 15, definition of a domestic LLC. A domestic

1 LLC company is legally defined as a hybrid
2 business structure that combines the benefits of
3 a corporation, such as a limited liability, with
4 the operational simplicity and tax advantages of
5 sole proprietorship or partnership. To form a
6 domestic LLC, individuals or groups must file
7 organizational documents, such as articles of
8 organization.

9 Unlike corporations that require
10 formalities like boards of directors and
11 shareholders, domestic LLCs offer a more
12 flexible management structure.

13 So what does domestic LLC mean? The
14 meaning of a domestic LLC lies in the
15 operational jurisdiction. Simply put, a
16 domestic LLC means the business is "home-based"
17 in the state where it is officially registered.

18 So if you register in Florida, that is
19 your domestic LLC. But once you go out of your
20 state, you are considered a foreign LLC.

21 Turn the page to -- I have it on Page 17,
22 but it's in the same IP 15.

23 A foreign LLC, if you register an LLC in
24 one state and you're operating your business in

1 another state as well, you'll likely need to
2 register as a foreign LLC in each of those
3 states where you're conducting business.

4 IP 16, this is how the Applicant put their
5 application: Braided Creek Wind, LLC, is a
6 Delaware limited liability company acting for
7 itself and not as an agent, alter ego or
8 representative of another. The Applicant is
9 owned a hundred percent by Leeward Renewable
10 Energy Development.

11 So Leewards -- it sounds like, to me,
12 Leeward needs to be the one that goes to the
13 USDA office and files.

14 And I'm not sure about this domestic
15 Delaware, but I would believe that you would
16 have to -- well, I'm not going to say "believe."

17 I have IP 17. If you're a Delaware LLC,
18 if you're Delaware LLC, will operate or have
19 physical presence in Illinois, you will need to
20 register as a foreign entity in the state. And
21 I believe that Braided Creek should be
22 registered in Illinois, and if --

23 JUDGE SLAVIN: That's a speech. Remember
24 about "believing" and an opinion.

1 MS. STETSON: Okay. I'm sorry.

2 And you go to IP 18, is their cards.

3 Braided Creek is not on their cards at all. It
4 states LRE. Again, a hundred percent foreign.
5 And they are not registered.

6 IP 19, these reasons, a foreign company --
7 a foreign wind turbine company may choose not to
8 disclose certain information in paperwork for
9 several reasons, including:

10 Geopolitical risks. Companies may be wary
11 of geopolitical tensions, such as trade wars and
12 tariffs, which could impact their operation's
13 profitability;

14 Supply chain vulnerabilities. The supply
15 chain for wind turbine components is often
16 dominated by countries like China, and companies
17 may want to protect their supply chain from
18 potential disruptions;

19 Regulatory compliance. Companies may have
20 specific regulations or compliance requirements
21 that they wish to maintain, which could be
22 affected by foreign ownership or operations;

23 Operational risks. There may be
24 operational risks associated with foreign

1 ownership, such as foreign exchange risk or
2 differing labor laws, that a company may prefer
3 to avoid.

4 These factors can influence a company's
5 decision to disclose certain information in
6 paperwork, reflecting a strategic approach to
7 managing risks and ensuring compliance with
8 relevant regulations.

9 There will be a FOIA done in February to
10 see if LRE or Braided Creek is on the AFIDA
11 report, and when we get it, I would like to
12 enter that into the record at the Zoning Office.

13 This is a regulation with the Department
14 of Agriculture. Leeward Renewable Energy is not
15 complying according to the 2023 Agricultural
16 Foreign Investment Disclosure Act of 1978.
17 Again, the leases were signed, 2020 through
18 2024. Braided Creek was established in
19 Delaware, April of 2025.

20 All the leases are signed "Leeward
21 Renewable Energy." If you go back to IP 11,
22 that's the name that's on here.

23 All leases with the foreign investor
24 should report holdings of agricultural land

1 totalling ten acres or more, leaseholders on
2 agricultural land of ten or more acres.

3 I'd like to know how they could hide under
4 a domestic --

5 JUDGE SLAVIN: This is not your chance to
6 ask questions.

7 MS. STETSON: Okay.

8 Does Bureau County want to do business
9 with LRE if they are not straightforward with
10 the federal government? If Leeward is not
11 straightforward with the government, is Leeward
12 going to be straightforward with Bureau County?

13 I guess I'm done.

14 JUDGE SLAVIN: Okay. Questions,
15 Ms. Donarski.

16 MS. DONARSKI: I have none.

17 JUDGE SLAVIN: Mr. Welbers?

18 EXAMINATION

19 BY MR. WELBERS:

20 Q. I'm trying to think about what you said,
21 Connie. Basically you're -- the point that you
22 have made is, you believe this development isn't
23 registered to do business in Illinois?

24 A. Yes.

1 Q. And also not registered to do business with the
2 USDA? They haven't registered as a
3 foreign-owned business with the USDA?

4 A. They have not done that, and the -- if you
5 go --

6 JUDGE SLAVIN: Just answer his question.

7 MS. STETSON: Okay. Well, I was going to
8 ask him -- tell him when they needed to do it.

9 JUDGE SLAVIN: He didn't ask that.

10 MS. STETSON: Okay.

11 Q. (By Mr. Welbers:) When do they need to do it?

12 JUDGE SLAVIN: There you go.

13 A. They have 90 days. If you go to IP 9, Page 3,
14 any person who holds or acquires any interest in
15 United States agricultural land at a time when
16 such person is not a foreign person and who
17 subsequently becomes a foreign person must
18 submit, not later than 90 days after the date on
19 which such person becomes a foreign person, a
20 report containing the information required to be
21 submitted under the Paragraph E in this section.

22 Q. And your research indicates that that has not
23 been done even now?

24 A. Right. If you go by the USDA report, which is

1 IP 13, that is off of the USDA website.

2 Q. Okay.

3 A. And it states right there how -- what it is,
4 where I got it, everything.

5 MR. WELBERS: Okay. All right. I'm fine.
6 Thank you.

7 JUDGE SLAVIN: Mr. Jensen?

8 MR. JENSEN: No questions.

9 JUDGE SLAVIN: Mr. Forristall?

10 MR. FORRISTALL: No questions.

11 JUDGE SLAVIN: Mr. Stutzke?

12 MR. STUTZKE: No questions.

13 JUDGE SLAVIN: Mr. Barry?

14 ATTORNEY BARRY: Yes, I have some
15 questions.

16 EXAMINATION

17 BY ATTORNEY BARRY:

18 Q. Good evening, Ms. Stetson.

19 Did you consult with a corporate attorney
20 about any of the exhibits that you presented
21 tonight?

22 A. No. I can't afford that.

23 Q. Okay. Let's start with IP Exhibit Number 8.
24 Did you prepare this document?

1 A. No. That was off of the website information,
2 but it states everything that was stated in the
3 beginning of your -- of this thing about OMERS
4 owning you in 2018.

5 Q. I'm sorry, what --

6 A. Jared stated that OMERS purchased Leeward in
7 2018.

8 Q. You said it came -- it -- the source is a
9 website?

10 A. No. This was from your website.

11 Q. Okay. So the source is a --

12 A. Your website.

13 Q. -- website of Leeward Renewable Energy; is that
14 correct?

15 A. I believe so.

16 Q. Okay.

17 A. Yes, it is.

18 Q. Let's turn to -- going back to IP Exhibit 8, is
19 it your testimony that the entire document, the
20 source of the language in the entire document,
21 is a Leeward website?

22 A. The first three paragraphs are.

23 Q. Okay. What's -- the remainder of the document,
24 what's the source of that information?

1 A. I called up on the computer, "If a Canada
2 company purchases a US company, are they
3 considered foreign?"

4 Q. Okay. Can you please describe what you mean
5 when you say you called up on the computer?

6 A. Typed up on the computer. I typed exactly, "If
7 a Canada company purchased a US company, are
8 they considered foreign?"

9 Q. What website did you type that in?

10 A. Just your normal computer search. But then I
11 want you to read --

12 JUDGE SLAVIN: No. Just answer the
13 question. That's what we're not going to start,
14 is an argument.

15 Q. (By Attorney Barry:) When you say "normal
16 search on your computer," I need to -- I'd like
17 to know more about what search engine you used.
18 Let's start with that.

19 A. I turn on my computer, I call the internet up,
20 and I call it up there.

21 Q. Okay. So was this an AI-generated --

22 A. No.

23 Q. -- information?

24 A. It's just a computer search.

1 Q. All right. So you didn't use any sort of AI
2 platform, like ChatGPT?

3 A. No.

4 Q. Okay. So something like Google maybe?

5 A. Yeah.

6 Q. And you did that yourself, correct?

7 A. Yes, and I also asked the FSA office.

8 Q. So information on language that you placed
9 on -- well, let me -- how did you get the
10 information on the language used in this -- the
11 text used in this document on the document?

12 A. That little, small paragraph?

13 Q. Any of the information.

14 A. The top three paragraphs are from your website.

15 Q. And you prepared this document?

16 A. Just the -- it's a cut-and-paste from your
17 website.

18 Q. Okay. The first three paragraphs are, correct?

19 A. Yes.

20 Q. And the remainder is -- how was that put on
21 this document?

22 A. Cut and paste.

23 Q. Okay. From the search you conducted, correct?

24 A. Yes.

1 Q. Let's turn to IP Exhibit Number 10.

2 A. Yes.

3 Q. Did you prepare this document?

4 A. This is a --

5 Q. Did you prepare the document?

6 A. Yes, I did, but it is information from the
7 pamphlet. I attached the pamphlet from the USDA
8 office. That's where I got the information,
9 between that and the 781, IP 9.

10 Q. Okay. So the source of this document was both
11 the pamphlet and the CRF, or the federal
12 regulations, correct?

13 A. Yes, uh-huh.

14 Q. And last for this one, what is the -- did you
15 prepare IP Exhibit Number 19?

16 A. No. The sources are there. I mean, yes, I put
17 it on the paper, but I had got them from the
18 sources. The sources are there.

19 Q. Well, I would like to drill down a little bit
20 more on what the sources are.

21 A. Power Technology.

22 Q. What is Power Technology?

23 A. It's a website that came up with this source.

24 Q. So it's a website that you found on a search?

1 A. Yes.

2 Q. And The Institute for Energy Research, did you
3 get the information --

4 JUDGE SLAVIN: What exhibit are we on?

5 ATTORNEY BARRY: 19. It's one page.

6 JUDGE SLAVIN: Sorry about that. Thank
7 you.

8 Q. (By Attorney Barry:) The information for The
9 Institute for Energy Resource, did that come
10 from a website?

11 A. Yes.

12 Q. And same for The Heritage Foundation?

13 A. Yes.

14 Q. How about the last sentence, what's --

15 A. It was compiled between the three of -- or
16 four.

17 Q. When you say it was compiled, who compiled it?

18 A. The computer, when I said -- when I typed in,
19 "a wind turbine company may choose not to
20 disclose certain information in paperwork for
21 several reasons, including," and that's what
22 came up.

23 Q. So you used a search engine to acquire this
24 information, correct?

1 A. I believe that's how everybody does research,
2 is they search.

3 JUDGE SLAVIN: That's a yes or a no.

4 A. Yes.

5 Q. (By Attorney Barry:) Well, what's the name of
6 that search engine?

7 A. It's my computer. I don't know.

8 ATTORNEY BARRY: Well, what I'm getting
9 at, Judge, is --

10 JUDGE SLAVIN: I didn't --

11 ATTORNEY BARRY: It seems like it's AI
12 generated.

13 JUDGE SLAVIN: She answered the question
14 "I don't know."

15 MS. STETSON: It's Google.

16 ATTORNEY BARRY: I'm going to object to
17 this exhibit.

18 JUDGE SLAVIN: We'll get there. Just ask.
19 We'll get there.

20 MS. STETSON: It's probably Google, I
21 guess is what you're talking about.

22 Q. (By Attorney Barry:) I don't know. That's why
23 I'm asking you.

24 A. That's what comes up on my computer, so I

1 assume it's Google.

2 Q. Does Google have an AI feature?

3 A. I don't know.

4 ATTORNEY BARRY: Judge, may I approach the
5 witness to hand her an exhibit?

6 JUDGE SLAVIN: Sure.

7 MS. STETSON: Are you handing this exhibit
8 to everyone? Does everyone get one of these?

9 JUDGE SLAVIN: Just hold on. It hasn't
10 been admitted yet.

11 ATTORNEY BARRY: Actually, it has.

12 JUDGE SLAVIN: Oh. Never mind.

13 MS. STETSON: Yes, this is a letter that
14 we put together.

15 JUDGE SLAVIN: He hasn't asked you a
16 question.

17 Q. (By Attorney Barry:) Ms. Stetson, I handed you
18 a copy of a previously-marked exhibit, ZO
19 GEN 16.

20 A. Uh-huh.

21 Q. Do you have that in front of you?

22 A. Yeah.

23 Q. And I apologize about the quality of the copy,
24 but hopefully you can read it.

1 A. Okay.

2 Q. Are you familiar with this document?

3 A. Yes.

4 Q. I'd like you to turn to Page 2.

5 A. I have a clearer copy.

6 Q. Thank you.

7 Turn to Page 2, please.

8 A. Yes.

9 Q. Is that your signature on the document?

10 A. Yes.

11 Q. And what is this document?

12 A. This is a document that the committeemen put
13 together.

14 Q. I'm sorry, what -- the committeemen? What do
15 you mean by committeemen?

16 A. There's committeemen in different counties;
17 Republican committeemen, Democrat committeemen.

18 Q. So --

19 A. You get voted in.

20 Q. Are you saying that you're a governmental
21 official?

22 A. Yeah. Well, yes, I'm a committee person.

23 Q. You're -- of what committee?

24 A. I guess it would be the Republic party. Is

1 that how that works? I'm a committeeman.

2 Q. Okay. So this was a letter prepared by
3 yourself and some others?

4 A. Yes.

5 Q. Did you help prepare the letter?

6 A. Yes.

7 Q. Did you provide research on the contents of the
8 letter?

9 A. Some of it, yes.

10 Q. Okay. On the second paragraph on Page 1,
11 there's a sentence that reads, "Wind turbines do
12 not conserve fossil fuels."

13 Do you see that?

14 A. Uh-huh.

15 Q. What's the source of that information?

16 A. I don't remember the source at this point. I
17 don't have all my data with me to tell you.

18 Q. Is that a true statement?

19 A. I would think so.

20 Q. So, and you're under oath tonight, remember,
21 correct?

22 A. Yeah.

23 Q. So it's your position that wind turbines do not
24 conserve fossil fuels is a true statement,

1 correct?

2 A. Yes.

3 Q. And you don't know the source?

4 A. I don't have it with me. I didn't know I was
5 going to be drilled.

6 Q. Didn't you ask witnesses questions -- other
7 witnesses that provided testimony earlier,
8 didn't you ask them questions?

9 A. Yes, but this doesn't pertain to what I just
10 read.

11 Q. But you submitted this as -- your signature is
12 on the document, it's an exhibit or a piece of
13 evidence in this proceeding, correct?

14 A. Yes, but that's not what I discussed this
15 evening.

16 Q. Do you not stand behind your signature on this
17 document?

18 A. Yes, I do. I haven't read this letter in a
19 while, so I'm sorry.

20 Q. Well, why don't you take -- that's a fair
21 point. Can you take some time to read the
22 letter to refresh your recollection?

23 (Witness complies.)

24 A. Okay.

1 Q. You have read the letter?

2 A. Yes.

3 Q. Thank you.

4 I would like to ask you about a sentence
5 that's two down from the one we talked about
6 earlier, it says, "This is twice the capital
7 investment for electricity and one reason our
8 electric rates are rising."

9 A. Yes.

10 Q. Did you provide the information for that
11 statement?

12 A. Not in this letter.

13 Q. What is the basis for the assertion that it's
14 twice the capital investment for electricity?

15 A. Because it costs a lot of money to put these
16 turbines up, and it's State payers' money, is
17 what it is. It's the taxpayers' money that's
18 putting these up.

19 And if you weren't subsidized, they
20 probably wouldn't be put up.

21 Q. What is it twice the capital investment of?

22 A. I don't have the information with me.

23 Q. Is that a true statement?

24 A. Yeah.

1 Q. But you can't tell us what the basis for that
2 is?

3 A. I don't have the data in front of me, and there
4 was four people that helped with this letter.
5 I'm not the only one that had data.

6 Q. Okay. But you had an opinion on it?

7 A. Yes, I did.

8 Q. So let's go down another sentence later on,
9 same paragraph. "These projects are still not
10 market based but require 46 percent government
11 assistance to be feasible."

12 A. I just said that. If it wasn't for State money
13 or subsidies, you wouldn't be building them.

14 And no, I don't have the data in front of
15 me to tell me how I got that.

16 Q. Where did you get the 46 percent?

17 A. It was just a calculation that came up probably
18 on Google.

19 Q. Who did the calculation? Google did it?

20 A. No. It was probably between the four of us.

21 Q. Was that AI that did that?

22 A. No.

23 Q. Okay. Same paragraph, toward the end, "Braided
24 Creek's parent company is foreign owned and will

1 have full access to our national power grid."

2 A. Yes.

3 Q. Did you provide the information for that
4 statement?

5 A. I actually have something in my data for --
6 that says the same thing.

7 Q. Are you saying you -- one of the exhibits you
8 presented tonight has that information?

9 A. Not at this time. In future testimony I will
10 state that.

11 Q. What is the basis for the statement that if
12 this project is built and interconnects to the
13 electric grid that the parent company of Braided
14 Creek will have full access to our national
15 power grid?

16 A. Well, if you have read any articles that have
17 come up, they are saying China could be the one
18 that's infiltrating our power grid.

19 Q. Is Braided Creek's parent company based in
20 China?

21 A. No, but you're Canada, and I guess we just need
22 to make sure we trust everybody.

23 Q. How do you get full access to the power grid by
24 interconnecting a wind farm? What does that

1 mean?

2 A. Are you sure you know what's on top of those
3 things? Are you sure you know that there's no
4 China-made part that's going to cut us off? Are
5 you sure you know that?

6 Q. I'm not the one answering questions.

7 A. And I'm not the one that's making them either.

8 Q. So, but didn't you testify earlier this evening
9 that Leeward owns and operates two other wind
10 projects in Bureau County?

11 A. Yeah.

12 Q. And how long have those been operating?

13 A. Before I was -- probably -- well, it was
14 rebuilt in 2021.

15 Q. So were you concerned about their access to the
16 grid when they began operating?

17 A. More information has come out since 2021 about
18 how China could or foreign companies could.

19 Q. Well, I would like you to explain how
20 interconnecting to the electric grid by a power
21 source gives full access to the national power
22 grid.

23 A. You're connected to it and you can turn those
24 machines on and off. So you have control over

1 them.

2 Q. But what does that have to do with the national
3 power grid?

4 A. It may not -- well, if you -- if one starts,
5 another one may follow. Again, you don't know
6 what China did to those turbines. I'm sure
7 that's where you're getting your stuff.

8 Q. So you're -- are you saying that -- is it your
9 testimony that the turbines will be supplied
10 from a Chinese source?

11 A. That's where a lot of them are coming. If they
12 are not coming from China, they are coming -- if
13 you're a Canada company, they could be coming
14 from Canada; from China, from Canada, to here.

15 Q. Okay. Can we --

16 A. But you haven't stated where these are coming
17 from.

18 Q. Can we go to the last paragraph on the first
19 page? Last full sentence, "Recent studies have
20 shown a 4.4 percent loss of topsoil moisture
21 during peak Midwest growing season where wind
22 turbines are present."

23 Did you write that sentence?

24 A. No, but I can tell you, if you put concrete in

1 the ground and --

2 JUDGE SLAVIN: Just answer the question,
3 please.

4 A. No.

5 Q. (By Attorney Barry:) Are you an ecologist?

6 A. No.

7 Q. Did you supply the information for that
8 sentence?

9 A. No.

10 Q. Do you know if that sentence comes from a study
11 provided by the Journal of Resources in Ecology?

12 A. That I don't have. Like I said, I didn't know
13 I was going to be drilled tonight on this.

14 JUDGE SLAVIN: So what's the answer to the
15 question?

16 MS. STETSON: No, I don't know.

17 Q. (By Attorney Barry:) Are you familiar with a
18 study called "Localized Eco-climatic Impacts of
19 Onshore Wind Farms: A Review," in the Journal
20 of Resources in Ecology --

21 A. No.

22 Q. -- from 2024?

23 A. No. Is that AI?

24 Q. Is it possible that the -- that was the source

1 of that sentence?

2 A. I don't know.

3 Q. Are you aware that that study was prepared by
4 authors at the School of Grassland Science at
5 Beijing Forestry University in Beijing, China?

6 A. Really?

7 Q. Are you aware of that?

8 A. No, I'm not.

9 MS. DONARSKI: Judge, can I just ask a
10 question. Could we just take a little break
11 here? I need to go down the hall for a minute.
12 I'm sorry.

13 JUDGE SLAVIN: Sure.

14 ATTORNEY BARRY: Actually I think I'm
15 probably done with my questions.

16 MS. STETSON: Can I say something?

17 JUDGE SLAVIN: No. You're under cross-
18 examination. Ms. Donarski wanted five minutes,
19 so break. So I guess five of. Take a break.

20 (A recess was taken at 7:49 p.m.
21 and proceedings resumed at
22 7:55 p.m.)

23 JUDGE SLAVIN: Back on the record.

24 I reminded myself, nobody is reminding me,

1 but we need to go over the next possible dates
2 before I forget.

3 Through a very unusual series of events,
4 between the availability of the Moose Lodge,
5 necessary parties' scheduling, of course some
6 holidays, the next date I would like to propose
7 -- and I'll go through the ZBA first of all --
8 the date is January 22nd.

9 Moose Lodge available, Ms. Donarski?

10 MS. DONARSKI: Yes, on the 22nd.

11 JUDGE SLAVIN: And you are?

12 MS. DONARSKI: Yes.

13 JUDGE SLAVIN: How about you, Mr. Welbers?

14 MR. WELBERS: Did you say January the
15 22nd?

16 JUDGE SLAVIN: That's a Thursday.

17 MR. WELBERS: That's the next time you
18 would like to meet here?

19 JUDGE SLAVIN: Yup.

20 MR. WELBERS: Yes, I'm available.

21 JUDGE SLAVIN: How about you, Mr. Jensen?

22 MR. JENSEN: Yes.

23 JUDGE SLAVIN: How about you, Mr. Stutzke?

24 MR. STUTZKE: Yes.

1 JUDGE SLAVIN: Mr. Forristall?

2 MR. FORRISTALL: Yes.

3 JUDGE SLAVIN: And of course we don't know
4 about Shirley Ann.

5 MS. DONARSKI: I asked her at the last ZBA
6 meeting, and she said yes, she was available on
7 the 22nd.

8 JUDGE SLAVIN: How about you and yours,
9 Mr. Barry?

10 ATTORNEY BARRY: Yes.

11 JUDGE SLAVIN: And you, Ms. Court
12 Reporter?

13 COURT REPORTER: Yes.

14 JUDGE SLAVIN: I'm going to go to the next
15 one after that, which is Monday, January 26th.

16 Moose Lodge, Ms. Donarski?

17 MS. DONARSKI: Yes.

18 JUDGE SLAVIN: And you?

19 MS. DONARSKI: Yes.

20 JUDGE SLAVIN: How about you, Mr. Welbers?

21 MR. WELBERS: Yes.

22 JUDGE SLAVIN: How about you, Mr. Jensen?

23 MR. JENSEN: Yes.

24 JUDGE SLAVIN: Did you ask Mrs. Smith

1 about that?

2 MS. DONARSKI: Yes.

3 JUDGE SLAVIN: And she's a yes?

4 MS. DONARSKI: Yes.

5 JUDGE SLAVIN: How about you, Mr. Stutzke?

6 MR. STUTZKE: Yes.

7 JUDGE SLAVIN: And you, Mr. Forristall?

8 MR. FORRISTALL: I think yes.

9 JUDGE SLAVIN: Okay. I'll take that as a
10 yes.

11 How about you and yours, Mr. Barry?

12 ATTORNEY BARRY: Yes.

13 JUDGE SLAVIN: Ms. Reporter?

14 COURT REPORTER: Yes.

15 JUDGE SLAVIN: And I am as well.

16 Heck, let's go one more. The next date,
17 January 27th. That's a Tuesday.

18 Moose Lodge, Ms. Donarski?

19 MS. DONARSKI: Yes.

20 JUDGE SLAVIN: Mr. Welbers?

21 MR. JENSEN: Yes.

22 JUDGE SLAVIN: Mr. Jensen?

23 MR. JENSEN: Yes.

24 JUDGE SLAVIN: Mrs. Smith? Did you ask

1 her that one?

2 MS. DONARSKI: Yes.

3 JUDGE SLAVIN: Mr. Stutzke?

4 MR. STUTZKE: Yes.

5 JUDGE SLAVIN: Mr. Forristall?

6 MR. FORRISTALL: Yes.

7 JUDGE SLAVIN: You, Ms. Donarski?

8 MS. DONARSKI: Yes.

9 JUDGE SLAVIN: You and yours, Mr. Barry?

10 ATTORNEY BARRY: Yes.

11 JUDGE SLAVIN: Ms. Reporter?

12 COURT REPORTER: Yes.

13 JUDGE SLAVIN: And I am as well.

14 Okay. Thanks. I'll announce at the end
15 of the night, but I wanted to get what dates
16 were possible.

17 Okay. Back to the business at hand.

18 ATTORNEY BARRY: So if it's to me,

19 Judge --

20 JUDGE SLAVIN: It is.

21 ATTORNEY BARRY: I have no further
22 questions for the witness. I would just like to
23 make an objection to IP Exhibit Number 19,
24 because I believe it was generated by AI --

1 MS. STETSON: I didn't say that.

2 ATTORNEY BARRY: -- and for the same
3 reasons that applied to the previous witness's
4 exhibits.

5 JUDGE SLAVIN: Other Interested Parties,
6 questions of this witness? Raise your hand if
7 you have questions of this witness.

8 EXAMINATION

9 BY MR. HAWKINS:

10 Q. Did you prepare the report by AI?

11 A. Did I prepare?

12 Q. Did you prepare the report by AI?

13 A. No, I did not. I did not. I don't know how to
14 use that yet.

15 Q. Did you use your Google search, as you would
16 any other research tool, in order to obtain the
17 information that you presented tonight?

18 A. Yes, to specific websites usually.

19 Q. Did this -- would you have used the same
20 research if you would have had to drive to
21 different counties or --

22 A. Yes.

23 Q. -- look these up in books, but you were just
24 able to use your search in your home instead of

1 going out to receive that same information?

2 A. Yes.

3 JUDGE SLAVIN: Tell me when you're
4 finished.

5 MR. HAWKINS: I'm finished.

6 JUDGE SLAVIN: Any other Interested Party?

7 (No verbal response.)

8 JUDGE SLAVIN: Okay. I have a few
9 questions.

10 MS. DONARSKI: Judge, I think she has
11 another exhibit.

12 MS. STETSON: I'm going to wait until
13 after this one is done. Is that okay?

14 MS. DONARSKI: You have to ask him.

15 MS. STETSON: I have a bunch of testimony.
16 This is just portions of my testimony. I
17 thought we would get one section done at a time.

18 JUDGE SLAVIN: Well, I'm still going to
19 ask the questions because we may run out of
20 time.

21 ATTORNEY BARRY: I'm confused, Judge.

22 JUDGE SLAVIN: I'm asking questions about
23 her testimony.

24 ATTORNEY BARRY: I was -- I'm just

1 confused about her presentation as a witness. I
2 mean, she's --

3 JUDGE SLAVIN: We haven't got that far
4 yet. Hold on.

5 ATTORNEY BARRY: Okay. Sorry.

6 EXAMINATION

7 BY JUDGE SLAVIN:

8 Q. Exhibit Number IP 8 -- or 5 -- yeah, 8, the
9 bottom paragraph says, "If a company purchased a
10 USA company, are they considered foreign?" And
11 that's in black type.

12 Then below it, in blue type, is a
13 paragraph that begins, "When a Canada company
14 purchases a USA company."

15 Is what's in black type, "If a Canada
16 company purchases a USA company," is that the
17 question --

18 A. That's the question I asked Google.

19 Q. Don't interrupt me, please.

20 A. I'm sorry.

21 Q. Is that the question you typed into a search
22 engine?

23 A. Yes.

24 Q. What search engine did you use?

1 A. Google.

2 Q. When you pull up Google -- when did you do
3 this, about? I don't expect you to know
4 exactly, but.

5 A. I have been working on this for about a month
6 and a half.

7 Q. Okay. Certainly within the last six months,
8 probably the last year, when you -- are you
9 aware that when you type a search into Google,
10 the first thing that appears at the top of a
11 page is an AI-generated, artificial
12 intelligence-generated, answer?

13 A. Yes, and -- yes.

14 Q. Is this paragraph that's in blue from that AI-
15 generated answer?

16 A. I guess that would be. That portion would be.

17 Q. Number 2 -- or excuse me, IP 9 is a
18 regurgitation of a certain section of the Code
19 of Federal Regulations.

20 From where did you print that off?

21 A. This, I got it off the Farm Service Agency,
22 Department of Agriculture.

23 Q. You don't get it off the Department of
24 Agriculture. You mean their website?

1 A. Yes, the AFIDA, the Agricultural Foreign
2 Disclosure Act.

3 Q. IP Number 10 consists of -- the last two pages
4 consist of apparently pages from a pamphlet --

5 A. Yes.

6 Q. I haven't asked you a question yet.

7 A. Oh, I'm sorry.

8 Q. -- from the Foreign Investors with Agricultural
9 Land Holdings pamphlet; is that correct?

10 A. Yes, and I --

11 Q. The first --

12 A. I gave you copies because --

13 Q. I haven't asked you a question yet. You're
14 under cross-examination. All you have to do is
15 wait.

16 A. Yes or no, okay.

17 Q. Wait, listen for the question and answer the
18 question. I'm not trying to pick on you, but
19 this is the way we do it.

20 The first page, is that a -- the prose on
21 the first page, where did that prose come from?

22 A. What are you talking -- on the first page of --

23 Q. IP 10. We're talking about IP 10.

24 A. This came from -- this is just a breakdown of

1 the Foreign Investors Land Holdings that go --

2 Q. Where did the language come from?

3 A. The computer and myself.

4 Q. What does the -- the computer doesn't have a
5 language except binary language. Where did the
6 prose come from? Who wrote the prose? Who
7 wrote it?

8 A. The -- I guess the computer.

9 Q. A computer can't write something.

10 The soft- -- is it AI-generated? Did you
11 type --

12 A. No, this is not AI.

13 Q. So where is it copy-and-pasted from?

14 A. From the Department of Agriculture, the USDA
15 Farm Service.

16 Q. Are you saying it was in this pamphlet that
17 consists of Pages 2 and 3?

18 A. The reason I found out --

19 Q. Are you saying it comes from the pamphlet in
20 Pages 2 and 3 of IP 10?

21 A. Yes. Yes.

22 Q. But those pages are not attached; is that
23 correct?

24 A. The pamphlet? I'm sorry.

1 Q. I'm going to ask you again. On Page 1 of IP 10
2 there are one, two, three, four, five, six
3 paragraphs, correct?

4 A. Uh-huh.

5 Q. Those paragraphs have words on them; is that
6 correct?

7 A. Yes.

8 Q. Where did those words come from?

9 A. From the Farm Service.

10 Q. The Farm Service doesn't have words. That's
11 just an entity.

12 A. Well, it's Google. I don't know the -- I don't
13 know what the words are that deal with computer.
14 All I know is, I go down, sit down, type on the
15 computer.

16 Q. It didn't come from the computer.

17 So are you saying it came from the US
18 Department of Agriculture Farm Service Agency
19 website?

20 A. Yes.

21 Q. And how did it get on this piece of paper?

22 A. It's a cut-and-paste.

23 Q. IPI 11 and -- I said "IPI." There's an old
24 habit.

1 IP 11 and IP 12, were they gleaned from
2 the recorder of deeds?

3 A. Yes.

4 Q. And who did the search there?

5 A. I did, and I had them print it.

6 Q. IP 13 is a number of pages. The face page is
7 Foreign Holdings of the U.S. Agricultural Land.
8 What follows is just a table of very small
9 letters with certain data in it.

10 Where did that come from?

11 A. The US Farm Service. The cover sheet is where
12 I got it.

13 Q. So you went to the US Farm Service Agency in
14 Washington?

15 A. The website.

16 Q. You got it from the website?

17 A. Yes.

18 Q. Okay. Now, the pages that have the real small
19 letters and the data in it, I mean, you can read
20 it. It says, "Illinois, Bureau, Big Sky Wind,
21 LLC." It's a little hard to read.

22 Why did you select -- well, did you select
23 those three pages that follow?

24 A. This is Bureau County only.

1 Q. Did you select --

2 A. Yes, I did.

3 Q. -- those three pages that follow?

4 A. Yes.

5 Q. All you have to do is listen to the question
6 and answer.

7 A. Yes, I did.

8 Q. Why did you select those three pages?

9 A. I wanted to know what was in Bureau County.

10 Q. Okay. And these then are only those entries
11 for Bureau County?

12 A. Yes.

13 Q. Then Page 5 of IP 13 is a list of counties, I
14 presume that's in Illinois; is that correct?

15 A. Yes, uh-huh.

16 Q. Showing the different holdings by county and by
17 nondomestic --

18 A. Right, correct.

19 Q. I haven't finished the question yet.

20 -- nondomestic investors; is that correct?

21 A. Yes.

22 Q. Do you know, when they say nondomestic -- or
23 when they say acreage by foreign investor, is
24 that ownership, lease holding, developer, or you

1 don't know?

2 A. This would be land holding, nonagricultural
3 land holdings.

4 Q. Land holdings doesn't mean anything.

5 A. Land ownership, land lease holding, land
6 development, I would say this would be --

7 Q. If you don't know --

8 A. I don't know.

9 Q. Okay. Don't perjure yourself.

10 IP 14 is one, two -- I'm not sure, I think
11 it's supposed to be three pages of an email; is
12 that correct?

13 A. Yes.

14 Q. And that email is initiated by you?

15 A. Yes.

16 Q. To somebody named Mary Estep?

17 A. Yes.

18 Q. And she is with the USDA; is that correct?

19 A. Yes. Her name --

20 Q. And that email has your initial message, and
21 then attached is the reply from Ms. Estep; is
22 that correct?

23 A. Yes.

24 Q. What purpose does that email serve?

1 A. It's trying -- we're trying to get the --

2 Q. So the purpose of the email is evidence of you
3 trying to get something; is that correct?

4 A. Yes.

5 Q. All right. IP 15 is from -- is one, two --
6 one, two, three, four, five pages of something
7 that appears to be from Secretary of State
8 Giannoulis' webpages; is that correct?

9 A. Yes.

10 Q. And that's true for Page 1, 2, 3; is that
11 correct? 1, 2 and 3 come from the website?

12 A. The first one came from the website and the
13 other two came from Delaware.

14 Q. Oh, thank you. Okay. Those came from
15 Delaware.

16 Where did Number -- Page Number -- you
17 have got it 10 (sic), I don't know why, but
18 we'll call it Page Number 4 in your Exhibit
19 Number 15. Where did that come from?

20 A. Is that the one that does the definitions?

21 Q. It says -- at the top it says, "A domestic LLC,
22 domestic liability limited company, is a type of
23 business entity established and operating."
24 That's the first sentence.

1 A. From the Wikipedia on the internet.

2 Q. Wikipedia now?

3 A. Wikipedia. Well, you have to ask what
4 definitions are, and it came up on Wikipedia.

5 Q. And is that also -- where did the next page --
6 what are we on, 5? Where did those words come
7 from?

8 A. Those came from the same -- same section.

9 Q. Is that a continuation then?

10 A. Well, I asked them for domestic, and then I
11 turned around and asked them for foreign.

12 Q. Who is "them"?

13 A. Well, I asked the computer. You know, the
14 Wikipedia.

15 Q. A computer can't make an answer.

16 A. Okay. Wikipedia.

17 Q. So you were in Wikipedia pages?

18 A. Yes.

19 Q. Okay. IP 16, what is IP 16?

20 A. This is in the back of the Variation report
21 that they're asking for and the back of the last
22 page of the Conditional Use report that they --

23 Q. Say that again.

24 A. They submitted their --

1 Q. Who's "they"?

2 A. Leeward.

3 Leeward submitted their application for
4 Variations and for Conditional Use. This is the
5 last page on each one -- on each one of those.

6 Q. The last page of each one of what?

7 A. The Variation.

8 I can show you. It's packet --

9 Q. I don't want to be shown. I'm asking you a
10 question.

11 A. We each -- we got a packet, and in the packet
12 it's stated a packet for Variations and a packet
13 for Conditional Use.

14 ATTORNEY BARRY: If it helps, Judge, the
15 Applicant will stipulate that this is a page
16 from one of the applications.

17 JUDGE SLAVIN: Okay.

18 Q. (By Judge Slavin:) IP 17, it appears to be
19 titled "Doing business in Illinois with a
20 Delaware LLC."

21 A. Uh-huh.

22 Q. And there's a picture of a guy whose name is
23 apparently Devin Scott?

24 A. Yes.

1 Q. Where did this come from?

2 A. It came -- I can't see the -- it came from HBS.
3 It's a place in Illinois, a website. The
4 Illinois symbol is right there.

5 Q. I didn't ask you what symbol is there. I
6 asked, where did it come from?

7 A. It's a business service.

8 Q. But you don't know where?

9 A. I can't see it. I need -- it's real small.

10 Q. IP 18 are apparently copies of business cards
11 given to you by Mr. Zvonar and Lenet, right?

12 ATTORNEY BARRY: Again, stipulated.

13 JUDGE SLAVIN: Okay.

14 Q. (By Judge Slavin:) All right. Now we're to
15 19. Let's go over 19 again. At the top in
16 black letters it says, "A foreign wind turbine
17 company may choose not to disclose certain
18 information and paperwork for several reasons,
19 including."

20 Is that a question you typed in to a
21 search engine?

22 A. Yes.

23 Q. What search engine?

24 A. Google.

1 Q. And are the blue -- the one, two, three, four,
2 the blue-typed font, is that a response you got
3 from Google?

4 A. Yes.

5 Q. From where did those -- the ones in blue font,
6 where did those words come from?

7 A. Well, they came from the search. It comes in
8 that, where you say, but it also gives you the
9 source, and you can click on the source and that
10 source comes up with an article that states
11 that.

12 Q. And following each one it says -- each -- I'm
13 sorry, each of the blue-fonted paragraphs, it
14 has black letters that says "Source: Power
15 Technology."

16 Where did those words come from?

17 A. That is what the source was, and you can click
18 on that and then it comes up.

19 Q. I didn't ask you what you can do. I said,
20 where did it come from?

21 A. The source came from the Google search.

22 Q. So the Google search typed out "Source: Power
23 Technology"?

24 A. It comes up with a little number, 1, 2, 3, 4,

1 and you click on the little 1 and it comes up
2 with the search name of where they came up with
3 it.

4 Q. How did the words "Source: Power
5 Technology" --

6 A. I typed that in because --

7 Q. There we go. You typed it in.

8 Is the same true for the black following
9 the second paragraph?

10 A. I did not type that in.

11 Q. So the words "Source: Power Technology" didn't
12 come up -- or that came up just like it's shown?

13 A. No. The "Source: Power Technology," it comes
14 with Source 1, Source 2.

15 Q. Who typed in "Source: Power Technology"?

16 A. I typed that in.

17 Q. Who typed in the next one, "Source"?

18 A. I typed that.

19 Q. And who typed in the next one, "Source"?

20 A. I typed that in.

21 Q. And when you typed it in, where did you get
22 what you typed in?

23 A. Off of the computer. When it says where
24 they -- their information comes up, it comes up,

1 there's a source that you can click on to read
2 more about it.

3 Q. Okay. Down at the bottom, there's one sentence
4 or -- well, at least three lines, starts "These"
5 -- it's in black, it starts, "These factors can
6 influence."

7 Where did those words come from?

8 A. It came from the source, the -- it didn't have
9 a source. It came with the blue items, as a
10 separate entity.

11 JUDGE SLAVIN: Okay. Before I completely
12 lose track of whatever decision I make on the
13 admissibility of these documents, I'm going to
14 say that IP 5 -- 5? IP 8, IP 9, IP 10, IP 11,
15 IP 12, IP 13, IP 15, IP 16, IP 18 and IP 19
16 would not meet the standard for admissibility in
17 a court of law where we're determining criminal
18 guilt or civil liability, but they are in here.

19 (IP Exhibits Number 8 through 13,
20 15, 16, 18 and 19 admitted into
21 evidence.)

22 JUDGE SLAVIN: IP 17 is not admitted
23 because it's not competent evidence because the
24 witness could not testify where that came from.

1 IP 14 is not admitted because it doesn't
2 show anything, it just shows an email string
3 that's not relevant to the proceedings.

4 So there we go.

5 Okay. Now you said -- how much more
6 testimony would you guess you have, Ms. Stetson?
7 And I know I'm saying "guess."

8 MS. STETSON: I'm going to say probably
9 three hours' worth.

10 So can I ask, did -- none of this got
11 submitted?

12 JUDGE SLAVIN: I think we have all had
13 enough. So I'm going to recess tonight until
14 January 21st --

15 MS. DONARSKI: January the 22nd.

16 JUDGE SLAVIN: 22nd, thank you, 6 o'clock,
17 here at the Moose Lodge.

18 MR. WELBERS: She did ask a question.

19 JUDGE SLAVIN: I know. I'm finishing the
20 hearing, and then I'll answer the question. I
21 have also made my decision on the record.

22 MS. STETSON: I didn't understand what was
23 submitted.

24 JUDGE SLAVIN: Off the record.

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(The hearing was recessed at
8:21 p.m.)

1 Now on this 10th day of December, A.D., 2025, I
2 do signify that the foregoing testimony was given
3 before the Bureau County Zoning Board of Appeals.
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8 Barry Welbers, Chairman
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12 Kristine Donarski,
13 Zoning Enforcement Officer
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15

16 -----
17 *Callie S. Bodmer*

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