

Dickinson County Board of Adjustment
October 23,2023
October 24, 2023
October 25, 2023
6:00 P.M.

The Dickinson County Board of Adjustment met Monday October 23, Tuesday October 24, 2023, and Wednesday October 25, 2023, at 6:00 P.M. in the community room of the Dickinson County Courthouse.

Members present were Jeff Ashland, Alex Oponski and Kirby Berhow and Cami Wills. Jennifer Johnson-Ross was present for the Variance.

Also in attendance was Megan Kardell, Planning & Zoning Administrator, Lee McKim, Dickinson County Zoning Assistant and Steven Goodlow, Dickinson County Attorney.

Jeff Ashland, Chairman called the meeting to order at 6:00 p.m. and read the opening statement. Kardell read the staff report.

First on the agenda was Roll Call. Members present were Jeff Ashland, Alex Oponski, Kirby Berhow and Cami Wills. Jennifer Johnson-Ross was only present for the variance.

Second on the agenda was New Business: Kardell read the staff report.

Joe Crowley from Invenergy, RedRock Wind Energy Project LLC, took the podium for the application. Crowley stated that there are two hundred and forty signed up landowners and thirty-six thousand acres. Crowley stated that construction would begin in 2024 and should be done by 2025, it is estimated to bring in ninety-four million in property tax. Crowley stated sections 1, 12-16, 20-29, 32-36, are the ones in the application and discussed that there are fifty to eighty-nine turbines pending locations, due to the bigger size then there are less turbines requested. Crowley went through setbacks for the turbines, safety of the red lights atop of the turbines being FFA required for ADLS (aircraft detection lighting systems) and meeting the Dickinson County ordinance regulations.

Kate Millar of the RedRock Wind Energy team took the podium, she discussed the draft road agreement, financial security letter or a bond to cover costs, drainage agreement reconstruction relocation modification and reinstallation of drainage tiles. Millar talked about the Emergency response plan, with a control center that provides twenty-four/seven remote monitoring systems. Millar also said the Decommissioning Plan was to dismantle, remove and restore land within 180 days and cost with the Decommissioning security being in a financial security, bond, or letter in a calculated amount for cost of removal of facility, then after 15 years it should be updated every 5 years. Millar said if it was sold to be owned by IUB or someone else, then the financial security would transfer. Millar stated for the recycling of the blades and whole wind turbine they would work with recyclers.

Delanie Breuer, counsel for RedRock Wind Energy introduced Mike MaRous Appraiser, Mai, CRE, of MaRous and Company of Parkridge, Illinois who appraises properties. MaRous talked about residential land & agricultural land that shows no negative impact by wind projects. MaRous reviewed Dickinson and Clay Counties ordinances for Agricultural land. MaRous also visited and toured the site.

David Loomis, professor in Economics, President for Strategic Economics, LLC for the RedRock Wind Energy team, talked about economic benefits wind and solar energy. Loomis has looked at over 200 wind farms and the economic impact analysis, methodology for analysis and economic benefits of wind farms, including long term landowners' payments. Those payments benefit local communities, which have job creations, and employee earnings. The school districts GTRA, Okoboji, ELC and ILCC would benefit.

7:00 pm Variance Hearing for Lavern & Connie Mathison owners and Brandon Mathison option purchase, on lots 19-22, BLK 30 Triboji Beach Township, 99 Lakeville Township Parcel number 0602205032, address of 15212 Wilson Blvd. Brandon Mathison took the podium to ask for a variance to construct a new home structure with a rear yard setback of thirteen feet when twenty feet is required, a variance of seven feet on the back of the property. A slideshow was presented,

and Mathison talked about the shape of the property to adjust for a new home. Johnson -Ross asked about a basement, Mathison responded no basement, it will be a slab home. Kardell talked about a shed and asked for a stipulation in a motion to make for the accessory. Mathison said he removed the shed, and he will be having an old well abandoned as well. Oponski asked about a double garage and Mathison said it's a single home, so the garage will be forty feet as Mathison will purchase the property from his parents to make handicap accessible.

No Correspondence.

Ronald Arhenstorff of 15217 Lincoln Blvd. took the podium to say he built a house ten years ago on the other side of the fence and he is set back twenty feet, and he thinks that is fine that they don't need to go any closer.

No discussion for the board. Wills moved to include the stipulation that the accessory building be removed. Johnson- Ross seconded.

Votes 4-1 approved. Johnson-Ross denied.

****Meeting 7:12 pm resumed with RedRock Wind Energy.** John Aquilino, Environmental Specialist took the podium. Aquilino stated he does Field surveys, regulatory agencies, IDNR, agency coordination and works with the US Fish and Wildlife. Aquilino went over survey site areas, avian, aerial, and ground raptor nest, bat habitat, northern long ear bat presence and bird & bat conservation surveys. They agreed to site a turbine one thousand feet from the areas of habitat, the standard the Fish & Wildlife uses, to site responsibly.

Brett Dublinkske local counsel for RedRock Wind Energy introduced Dr. Jonathan Rogers of Aerospace Engineering. Rogers is an Ice throw expert who has worked with Nasa. Rogers talked about the risk assessments for ice throw, ice buildup on a blade that is released from a turbine, he also assessed setbacks and procedures. Roger's methodology uses simulation of the largest turbine model /and ice throw calibration, risk is estimated one in per ten thousand the blade suffers a structural failure where the blade is taken down and replaced. Rogers stated the new ice detection systems shut down turbines, using sensors in blades immediately stopping turbines and that blade failure risk is low compared to other activities as there is only one blade failure per ten thousand turbines per year.

Dublinkske introduced JoAnne Blank, Shadow Flicker Expert scientist who works with Stantec Noble Energies, Atmospheric/Oceanic Sciences and in Environmental monitoring. Blank stated that shadow cast is defined by turbine blades that rotate in front of the sun, generally at sunrise and sunset. Normally the limit is thirty annual hours for that dwelling and shadow flicker doesn't generally go past one mile. Blank said RedRock Wind Energy is committed to limiting shadow flicker to thirty hours or less per year of nonparticipating dwellings because RedRock Wind Energy works with owners to manage and mitigate shadow flicker.

Mike Hankard took the podium, he is a Noise Analysis and Acoustics engineer expert. Hankard is an independent consultant who owns his own company. Hankard has worked with noise experts to have noise levels of no more than fifty dba, and he established a Numerical limit as Dickinson County doesn't have one, which is a numerical limit is fifty dba applied to dwellings within one and a quarter mile that experience thirty-six dba to forty-nine dba on the outside of a house and inside to be thirty for bedrooms. Hankard explained his slideshow of noise acoustics from smallest to largest.

Dublinkske introduced Dr Jeffrey Ellenbogen to the podium, and Ellenbogen is a Neurologist, Electrology, sleep specialist in noise/vibration who has worked with Bose, shadow flicker. Ellenbogen provided information on the Health Canada study, of noise annoyance, reminded them of turbine existence has no association between noise levels and health outcomes. Ellenbogen talked about epilepsy, photo sensitive epilepsy, and the conclusion that wind turbines do not pose risk for seizures and shadow flicker has no risk of seizures or other health issues.

Crowley took the podium to thank the board, and let the board know the experts are ready for questions. Ashland let the board begin with questions.

Berhow asked about installing infrastructure and cables if open trenching had open tile. Crowley answered the trenching would be flagged for repair and closed, if anything was broken.

Wills asked about environmental studies/suggestions measured by USWFS and IDNR that were not put in the application. Aquilino came up to answer the question that IDNR gave general recommendations and they looked at site specific data, few instances were not met. Wills asked about infield evaluators and extensive studies, how many were in all for a total. Aquilino said over two thousand survey hours in the field and biologists conducted the survey, over five years. Wills asked about the bat study that was done in spring of 2022. Aquilino said bat surveys follow how much habitat there is at night, deploying listed bat species and that survey involved thirty-two nights. Wills asked what happens beyond turbines, Aquilino responded to bird and bat survey's serve for life of project.

Oponski asked if the wind turbines are produced in America. Crowley took the podium, to respond and said depends on model. Millar then took to the podium and stated it depends on the manufacture and model; they are seeing more American turbine manufactures as well as seeing Asia manufacturers. Oponski asked about the proposed five models. Millar said some come from Colorado, there are some parts from Asia. Oponski asked about the numbers of long-term jobs during operations. Millar said there will be a select number of employees who are directly employed. Loomis took the podium and explained that direct employees, wind turbines techs, additional jobs come from property taxes or expenditures and services made in local area. Oponski asked about the number including an extra five to seven employees and revenue generated will increase jobs. Loomis said they do figure out what is being spent on operations, also the property tax with landowner payments and making sure what is being separated out to be spent on Dickinson co residents. Oponski asked if jobs are created to increase for only the implementation, then after done decrease. Loomis said it's based on ongoing construction; some might be short term only a year. Oponski asked about eighty million over the life of the forty years is two point three seven million a year to attract more jobs. Wills said the two point three seven million is going to the county, so three hundred and forty-three thousand is county taxes, sixty two percent going to schools, so two hundred and twelve thousand dollars going to the school, so it would have to sustain the teachers across the forty years of the project and not incremental. Loomis agreed.

Ashland talked about working with farmers and private landowners who sign up, that it would go to the property for the duration. Millar answered that's correct, and there would be an easement on the whole property unless there is an inclusion. Ashland talked about construction and crushing tiles on land. Millar said they have learned a lot of lessons over the years to have any construction errors to repair tile, crops, and communication with landowners.

Oponski said some of the bridges are questionable to support the weight of machines. Millar stated a pre-construction survey is done to identify haul routes, bridges, and they would work to enhance the bridge. Oponski asked about the substation and Millar said it will be in Clay County.

Oponski asked about the ADLS for them to get permission to do a test for five to six minutes. Millar said the ADLS works with the FFA, if implemented there is a limit of the lights when they come on when aircraft in region, there is a failsafe on them, at least once a night there is a test and they come on, other than an aircraft in the area. Oponski asked about implementing the ADLS or constant blinking, Millar said it takes two to three months from when they file. Ashland asked about the projects done with the ADLS and Millar said current facilities without ADLS blink all the time.

Ashland asked about turbine size with the largest model, Millar said tallest tip height is five hundred and ninety-one feet with the maximum tip height with all turbines under consideration. John Flanigan, a wind engineer for RedRock Wind Energy said ninety meters for the tower height.

Wills questioned the five hundred ninety-one feet turbines with the sound studies, asking if they were they based on height. Millar said they were based on studies of turbines at the tallest height of five hundred eighty-eight, as well as the noisiest turbine was at four hundred sixty-five and the tallest isn't the loudest.

Oponski asked about the dba rating. Hankard took the podium and said the turbines have similar sound output, the larger turbines are quieter cause they spin slower, that noise is directed to how fast a blade spins, the sound of the vastest is one hundred eight.

Oponski asked about Spirit Lake School not benefiting for the money. Kardell said the project area doesn't affect the school district, only where the turbines are.

Ashland asked for clarification on the setbacks at two thousand seventy-one feet and what the average turbine is. Millar said one thousand eighty-five is the closest one. Aidan O'Connor, a developer on the team, the project layout has two turbines that are under fifteen hundred feet, one at one thousand two hundred eighty-five and one at fifteen hundred feet. O'Connor stated more are continuous at fifteen hundred feet, so the average distance is two thousand one hundred seventy-one across the board.

Berhow asked if the maximum number of turbines is eight nine, so that it is possible for less numbers. Millar said it depends on what model is available as RedRock Wind Energy is not sure on models yet, but they could use a combination of eighty-three models. The total range for the project is fifty to eighty-three turbines.

Wills asked about the sound studies and to clarify that they were done on adults only. Ellenbogen clarified the study was done on adults only, no one under 18. Wills asked about information about information on fear versus actual events and has there been any discussion on mental issues. Ellenbogen clarified that it's not that turbine itself causes the fear, it's the information they have that causes the problem. Annoyance was present in the Canada Wind Turbine study done in 2009 with the syndrome proven incorrect.

Ashland asked about the decommissioning plan if RedRock Wind Energy sells the project, what happens. Millar said if the project is sold all agreements and conditions are sold with it to be transferred.

Wills asked about ninety four percent of wind turbine mass is recyclable, so what is done with other six percent that is not recycled. Millar said it would be hauled away if not recyclable, some are buried collection.

Oponski asked about the twenty-four seven maintenances, would then help if it would be shut down in case of fire. Oponski then asked what the process in case of fire is. Millar said they would stop it, there are mechanical breaks to help stop the turbine.

Correspondence

Kardell read correspondence.

Oponski Moved to vote to table the meeting till Tuesday October 24,2023, Wills seconded.

Meeting for October 23, 2023, was tabled and will start again on Tuesday October 24, 2023.

*** Meeting October 24, 2023

Jeff Ashland, Chairman called the meeting on October 24, 2023, to order at 6:00 p.m. and read the opening statement.

First on the agenda was Roll Call. Members present were Jeff Ashland, Alex Oponski, Kirby Berhow and Cami Wills. Jennifer Johnson-Ross was recused.

Second on the agenda was New Business: Kardell read the staff report.

Correspondence was continued to be read. Kardell continued to read the correspondence.

At 8:00pm Ashland called a 5-minute break. At 8:05pm the meeting was reconvened, and correspondence resumed.

Oponski moved to have public comments to five minutes or less per person. Wills seconded.

Jamie Hunter, attorney for the Dickinson County Concerned Citizens from the Dickey Campbell Sahag law office, took the podium. Hunter had submitted letters for denial to the board members as well as a petition with signatures. Hunter gave her presentation with reasonings of why the Dickinson County Concerned Citizens would like a denial to the RedRock Wind Energy Project. Hunter then took rebuttal to RedRock Wind Energies presentation, the surveys, IDNR and list of agency requirements, talking about economic impact, the uniqueness of the local economy for the area. Hunter also then discussed the monetary for the school districts and if it was being funded properly for state aid, since Dickinson County is in a good financial position with increased enrollment. Hunter included photos of the rural areas and Swiss Acres for the board. Hunter then asked the board on setbacks for the turbines, referencing Denmark being four times the turbine height, as well as other Iowa counties. Hunter then discussed her point of view of the

Health Canada study stated being exposed to noise didn't cause annoyance, but residents being annoyed of the fear of turbines, stating she feels they misrepresented their studies. Hunter then discussed landowner rights by showing a map of non-participating owners, not wanting to live in the area with red lights, shadow, or flicker concluding her presentation.

Public Speakers take the podium:

Bob Hinshaw

Rebecca Kern

Kristen Sheldon

Wendy Clark

Patrick Kelly

Ryan Ross

Janie Eick

Ron Williams

Kristen Ross

Richard VonEhwegen

Steve Eral

Phil Petersen

Barb Clayton

Kris VanKleek

Kirb Walters

George Brocksma

Matthew Heikens

Cindy Smith

Aaron Janssen

Adam Brower

Alex Miles

Oponski moved to adjourn, Wills seconded. Ashland then tabled the meeting for the night. Meeting for Tuesday October 24, 2023, was tabled and will start again on Wednesday October 25, 2023.

*** Meeting October 25, 2023

Jeff Ashland, Chairman called the meeting on October 25, 2023, to order at 6:00 p.m. and read the opening statement. Kardell read the staff report.

First on the agenda was Roll Call. Members present were Jeff Ashland, Alex Oponski, Kirby Berhow and Cami Wills. Jennifer Johnson-Ross was recused.

Second on the agenda was Old or unknown business: None.

Third item on the agenda was the approval of the minutes from September 25, 2023, Berhow moved to approve, Wills seconded. All were in favor.

Fourth item on the agenda Communications Kardell let board know she had been approached for a couple of variances for next month, so it would be the Monday after Thanksgiving. Kardell asked the board for their presence to have a quorum.

Correspondence was continued to be read. Kardell read the continued correspondence.

Speakers take the podium:

Michael Stowell

Bill Murphy

Robert Fox

Bonnie Ewoldt

Gloria Buchman

Garry DeLoss

Terry Kosek

Dan Lutat

Randy Heikens

Thaddeous Cook

Mike Fergen

Cherolyn Hinshaw

Alan Hagedorn

Shelley Kaiser

Abagail Miles

Roger Doyle

James Faggart

Nancy Heikens

Leah Brower

Austin Fairchild

Greg Jorgensen

Connie Kable

Ashland then closed the public comments and then Ashland then stated the board would take a five-minute recess.

Ashland then called RedRock Wind Energy to the Podium. Millar then took the podium, stating the project was started by area landowners. Millar went over how the project benefits the economy, school, and infrastructures. Millar then talked about aircraft safety, reducing the run time of lights at night and how the turbines are designed to detect aircraft in the area. Millar discussed the letter from the Mayor of Milford about the Fuller airport, FFA responsibility and how they had reached out to the FFA, and they received the confirmation of having it checked for distances to turbines being three miles. Millar then responded to the question where the turbines come from, they would come from Fort Madison, IA Kansas, Colorado, Florida, with the blades coming from Grand Forks. Millar discussed the IDNR recommendations being one mile buffer around all public lands within the project area, two-mile buffer in all public land, over two thousand acres in size, as well as the one-point two-mile buffer around Spring Run complex and Ingham complex, which the IDNR did not raise concerns.

Loomis with Strategic Research took the podium to go over some of the tourism questions. Loomis feels the county can benefit from both wind and tourism as there is no evidence of a loss of tourism in Iowa due to turbines. Loomis discussed that property taxes would go up in the first year then to year seven, a study state would be done. Taxable value would be determined not by RedRock Wind Energy but by the Dickinson County Assessor. RedRock Wind Energy will pay property taxes to the school district per the table he had shown. Loomis stated the increase inspending of money coming in would be impacted by the state aid formula.

Rogers, Professor of Engineering Aerospace Tech, followed up on the safety of flight, downwind of turbine, with turbine concerns. Rogers stated the studies of wind turbine wakes are significantly smaller, he has recorded flight data analysis and there is no difference flying inside

or outside the wake. Rogers went over the turbine shadowing effect, in the vicinity of a turbine farm temperatures rise causing a warming occurs, it has been shown to be a benefit to crops.

Blank, of Stantec Consulting, a Shadow Flicker Expert talked about the glare versus shadow flicker and the difference is the blades turning away from sun for shadow flicker. Blank stated that glare comes from the sun reflecting off the surface and that modern turbines have an anti-reflective coating on blades, so it decreases any glare. Blank went over the thirty hours of shadow flicker, she has measured up to a mile and a quarter from every turbine, with the maximum being eighty-nine models.

Hankard of Hankard Environmental took to the podium to discuss the use of data to validate the turbine model, the model is real world and calibrated to over predict. Hankard discussed noise levels are of residence yard ranges in the mid-forty's dba, which is compatible with a conversation. Hankard rebutted that it is hard to measure turbines to crickets, as they put audio recorders on all monitors and were then able to hear a combine in distance for noise comparison.

Ellenbogen, medical doctor came to the podium and talked about the sleep disorder, which was earlier discussed, saying that his opinion turbines don't emit health issues, health studies, and health outcomes. Ellenbogen discussed annoyance is not due to the noise but a major variable of personal safety such as fear, and fear of the noise source is the most common. Ellenbogen felt that Dr. Ben Johnson's letter of the description of health issues from wind turbine speculation is troubling, and this project does not have any health issues.

Dublinske counsel for RedRock Wind Energy took to the podium to discuss the Board of Adjustment being a Quasi-judicial body, the board being tasked to apply the ordinance to the RedRock Wind Energy application. Dublinske went over the public talking about a moratorium and that is for Board of Supervisors. Dublinske believes the application meets all the requirements for the County. Dublinske went over the rebuttal for Not in my Backyard and the Punch and James health study as well as stating that the actual application is for a maximum of eighty-three turbines. Dublinske also addressed that RedRock Wind Energy has eliminated T1 & T7 as Milford Airport requested three miles away from any turbines and T1 was the only one in that area. Dublinske stated that the City of Milford requested the three miles from turbines for growth, but two miles makes a better buffer to help mitigate the Milford concerns. Dublinske said that RedRock Wind Energy will forego T48, T59 for additional distance to Vankleek airstrip runway. Dublinske summarized that RedRock Wind Energy meets all criteria for an approval and Red Rock Wind Energy followed closely the Upland Prairie application comparing the Upland Prairie turbines of GE two point three sixteen model that are five hundred feet in height. RedRock Wind Energy brings economic revenue, jobs, taxes, farmers revenue that is more stable, wind energy supported by the county ordinance and RedRock Wind Energy meets all legal requirements.

Ashland asked the board if there were any questions.

Ashland asked about TV reception concerns. Millar took the podium and she said they did studies on a microwave path and TV reception concerns post construction would pay for satellite including for the cost of installation. Ashland asked about the monthly fee as well Millar said Yes.

Oponski asked about where pieces and parts of turbines were produced, especially internal gears. Millar said major components were addressed such as tower, tower sections, cell, blades, and hub but did not have the internal information.

Berhow asked if the ADLS could be implemented at all the sites in the area. Millar responded with it comes down to FFA approval and to the owner operator of the site. Berhow asked about a light on every turbine, Millar said yes.

Oponski asked about noise on a combine, with it being isolated, or continuous noise or intermittent, being on three hundred sixty-five days a year. Rogers took the stand that as combines come and go, turbines are the same, being intermittent and the same level. Oponski asked about the study about the days/hours being functional versus combines being operational per year. Rogers stated twenty five percent of the time is off and seventy five percent of the time running.

Ashland asked a noise question of vibration residents would they feel in their home. Rogers said it was not particular to this ordinance and that vibration will not be able to be felt by humans. Rogers stated that soil is not a good conductor of vibrations and vibration does not transmit energy.

Wills asked about the average distance of turbine locations was twenty-five hundred feet, then one was at twelve hundred, one was at fifteen hundred feet, the medium was sixteen hundred for non-participating setbacks. Millar said yes, setbacks were sixteen hundred feet for non-participating. Dublinske said it only affects one turbine site at the twelve hundred eighty-five feet which eliminates the T7. Wills said the impact is to one site. Dublinske said yes, it takes the outlier.

Oponski asked about state and federal subsidies. Dublinske stated that how much federal money you do get to build these projects is zero. Dublinske talked about the Production tax credit as no money on front end to develop the project, and a credit is based on an incentive for electrons produced, by the electricity produced, which is paid out. Oponski asked about tax law, Dublinske said he isn't specialized in tax law. Oponski asked if you have sold tax credits and what happens to the sale of those credits. Millar said Invenergy owns, operates several facilities and most companies wouldn't be able to use all credits and the lenders are potentially the tax equity investor.

Wills asked about the funding, the two point three seven million annually, when would it start. Millar said it would be a phased in property tax schedule that steps up over time and year seven would be thirty percent which it is standard. Dublinske said it is not the assessed value but the cost of the physical facility, a percentage of the installed cost. Wills asked if two point three seven million is an average. Loomis said correct, over the life of the projects.

Berhow asked about the easements, with the roads going into the turbines and turbines with electrical installation. Millar asked if he meant easements for buried collection as a majority are leased entire sections, stating the majority are leased sections that site the turbine, locate access routes, legal right to install, paying a linear amount, and the owners get site maps for major facilities for input.

Ashland asked about the project area on tile, that cost of damage would be covered. Millar said draft drainage agreement districts as well as landowner's agreements to repair tiles of theirs, even after years it's RedRock Wind Energies responsibility, even if it sells.

Wills asked about what turbines be installed, the size and scope of where they would be located, on a timeline. Millar said permitting, it's needed to know what ones they need to order, as they would like to be done by 2025, to work with vendors on supply and demand, as it affects wind turbines as well.

Oponski asked about the licensed appraiser Mr. MaRous and if there was any consideration on using a local appraiser, did he contact any local realtors. Millar said they went with MaRous, due to his extensive knowledge with accessors with wind. Breuer said MaRous did go around and assess the area, not sure if he spoke with local realtors.

Oponski asked if the ADLS was a concession. Millar said it's a proactive measure if the county would like to implement it, if the FFA approves it, it would be added in the stipulation to be approved in the permit, if the FFA doesn't approve it, it wouldn't be in the permit.

Ashland questioned the landowners that have signed on the projection of what they would generate for income in a year. Millar said it depends on the project. Dublinske said because procurement of plan, is competitive and a private compensation confidential record. Oponski asked if paid annually. Millar said yes and in forty years, with optional extensions.

Oponski asked about the landowners who have granted access for turbines, what the percentage of people that are local. Millar said there's a lot of contexts, for the whole project is well over fifty percent comes from Dickinson County.

Ashland said there were comments about peoples' businesses being affected, their livelihood. Millar said she understands the business, countryside, they work with landowners to understand rural concerns to reduce visual impact concerns, but they can't rank a landowner who wants to use their land to have a turbine.

Wills brought up Alaska as it was previously mentioned in public comments and whether a compensation plan with compensating non landowners, is an option. Millar said the initial land leasing in 2019 was from landowners, sighting turbines takes a lot of room, it's not selecting landowners over other landowners. A process of good neighbors' agreements is also something that they do, they don't do up front, it's done, it is done later in the process.

Berhow asked about a maintenance building. Millar said yes it would be something that needs to be finalized.

Wills asked if Clay County has turbines, and if that is where the substation is. Millar said there are no turbines in Clay County but the transmission line to tie into is in Clay County. Millar stated originally, they had them proposed in Clay County, but environmental setbacks needed to be dropped. Oponski asked to verify the issues that came up to withdraw working in Clay County. Millar said INDR, surveys, studies had a higher usage to the Trumball Lake complex, so they didn't site turbines there. Oponski, how large is Trumball Lake compared to the lakes in our area. Millar stated Trumball lake is an IDNR managed complex and is one that is over two thousand acres with grassland and prairie, and it is spring run on the northwest complex, it's not comprised of all the great lakes, not being public lands of two thousand acres.

Oponski asked how many projects are in Illinois and how many of the RedRock Wind Energy employees live near turbines. Loomis said he lives in McLean County, Illinois and which has the most turbines in Illinois. Loomis stated that Invenergy has two to three wind farms there and three other wind farms are not owned by Invenergy. Loomis said he lives in town and sees them visible. O'Connor came to the podium stating he lives next to a turbine, sees it out his front window and living room every day. Millar said she doesn't have one but she worked to have one. Blank attempted to buy a home on the edge of a wind farm but the home was not in good state.

Ashland asked for a discussion with the board. There was none.

Kardell stated conditions to concede, to agree to permit from eighty-three turbines down to seventy-nine, removing T1, T7, T48, T59. Kardell said the ADLS was subject to FFA approval and increasing nonparticipating setbacks and eliminating T7.

Wills asked about generically the satellite towers, microwave, cable disruption, radio tv. Kardell said that RedRock Wind Energy would have to agree to that. Wills asked if that was standard, for the mitigation of the microwave towers.

Hunter objected to the negotiations and clarified not to the board discussions. Goodlow said it's standard for the board to discuss conditions.

Kardell repeated removing towers, Wills said it's a valid concern to include microwave, satellite, and cable if it was to occur. Ashland asked for radio and TV to be included.

Kardell stated the stipulation was removing towers T1, T7, T48, T59, the installation of the ADLS subject to the FFA approval, satellite, tv interference should it occur. Wills said and non-participating less than sixteen hundred feet from structure, human occupied dwelling.

Kardell went over the stipulation again stating that any non-participating less than sixteen hundred feet removing towers one, seven, forty-eight, fifty-nine and implementation of the ADLS system subject to the FFA approval, microwave, satellite, radio, TV and cable interference.

Oponski asked Goodlow if the ADLS isn't approved then it doesn't get approved. Goodlow said correct.

Ashland asked for a motion to vote with those stipulations. Berhow moved to vote with the stipulations submitted, Wills seconded.

Votes 3-1 denied. Ashland stated the application as modified was denied.

Fifth item on the agenda was Adjournment.

Oponski motioned to adjourn, Wills seconded the motion. All were in favor.

(For more information, see BOA 10- 23,24,25-23)