

In The Matter Of:
PIVOT ENERGY IL 6 LLC and
4200 NORTH SOLAR 1 LLC

VERMILION COUNTY WIND AND SOLAR COMMITTEE
March 17, 2025

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PIVOT ENERGY IL 6 LLC
AND
4200 NORTH SOLAR 1 LLC

VERMILION COUNTY WIND AND SOLAR COMMITTEE

MARCH 17, 2025

TRANSCRIPT OF PROCEEDINGS

Reported in Person By:

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VERMILION COUNTY WIND AND SOLAR COMMITTEE

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1 (Monday, March 17, 2025, at 9:00 a.m.)

2 WHEREUPON, THE FOLLOWING PROCEEDINGS WERE HELD:

3 MR. FOUREZ: 9:00. Let's call the meeting to
4 order. And we will begin with, I will just roll call.
5 We are going to -- everybody is present. We will count
6 everybody present. Roll call for approval of the
7 agenda.

8 BOARD MEMBER: So moved.

9 MR. FOUREZ: So moved. Need a second.

10 MR. PUZEY: Second.

11 MR. FOUREZ: Harold, second. All in favor.

12 THE BOARD: Aye.

13 MR. FOUREZ: We have an agenda. Approval of
14 the past minutes. Should have a copy of minutes from
15 the last meeting we had back in November. Need a
16 motion to place the minutes on file.

17 BOARD MEMBER: So moved.

18 MR. FOUREZ: Moved. I need a second.

19 BOARD MEMBER: Second.

20 MR. FOUREZ: I hear a second.

21 BOARD MEMBER: Yep.

22 MR. FOUREZ: All in favor.

23 THE BOARD: Aye.

24 MR. FOUREZ: And we have the minutes taken

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1 care of. Public comment.

2 MR. KEYT: Keep in mind that if there is
3 public comment on any subject is fine. The public
4 comment if you are wanting to put in testimony or
5 evidence regarding a specific case, you will have to
6 present that evidence when that case is called up at
7 that time, but you can have public comments and make
8 the same information during the context of that
9 hearing. But if there is public comment, you are free
10 to have any comment you want during that time period.

11 PUBLIC MEMBER: People back here can speak
12 during the other portion?

13 MR. KEYT: You can speak -- you can, A, ask
14 questions during the hearing, each of the hearing --
15 Agenda Item No. 6 and Agenda Item No. 7 are both
16 hearings. You can ask questions of any witness that
17 presents any evidence. Anyone is free to also present
18 their own evidence and testimony in the context of that
19 hearing.

20 You can also provide public comment. So if
21 you want to provide public comment though, understand
22 that the committee is not part of a specific case or
23 hearing this up, but you can provide public comment on
24 any topic you want to provide comment on.

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1 PUBLIC MEMBER: Thank you for running our
2 meeting. Oh, this is not on. Thank you for running
3 our meeting.

4 Mr. Chairman, I challenge this meeting on the
5 grounds that it was not advertised as a hearing.
6 Everything that was on the calendar, this is the first
7 time you folks have put this on the calendar, ever, the
8 Board calendar.

9 There is no mention that there would be a
10 stenographer here and there would be someone from the
11 State of Illinois conducting the process.

12 Let's start with the fact that all renewable
13 technologies are net loss designed. They all will
14 create more hydrocarbon than they will ever save, never
15 producing more energy than it takes to build,
16 distribute and operate.

17 And how do we know that for a fact? If any
18 of the renewable system of any kind saved anything at
19 all, that is all we would hear. It doesn't happen.
20 Because it is all a net loss scam that only exists
21 because of our tax dollars.

22 During this meeting, everyone in this room is
23 pulling money from their pockets and handing to those
24 who are promoting the scam. It is the largest wealth

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1 transfer in human history going into debt to pay
2 unknown persons for unreliable technology.

3 Let's check your knowledge. First, we have a
4 legal counselor who stated he does not work for us
5 while running our meeting to fit his agenda who from
6 the beginning has diligently worked to satisfy the
7 state's interests. You were even lied to, told that
8 since the Committee had recommended approval that the
9 Board was required to pass it.

10 He even told us who he works for, our state's
11 attorney, who was publicly outed engaged in secret
12 negotiations with a solar company assuring them that if
13 the Vermilion County Board did not approve the project,
14 she would personally sign off on it. For those things
15 alone, this Committee is in violation and needs
16 reformed because if the process is this corrupt on the
17 outside, what is it like inside.

18 Remember this committee was created for the
19 sole purpose to allowing County renewable ordinances
20 with the state, not represent the best interest of
21 Vermilion's. Obviously.

22 Let's see what you have learned. Did they
23 show you a chart that details the standard decline in
24 electrical production of a solar installation's age?

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1 Did you understand the land will never again be
2 agriculturally viable? Did they show you charts on the
3 shedding of plastics as they age? What did the
4 environmental report say about plastic contamination?

5 What were the findings with regard to forever
6 chemical bleaching and the depth of hazard cleanup
7 required after a damaging event like a tornado? Do
8 solar contracts have first amendment gag clauses like
9 wind turbines where the signatories can never speak
10 about the scam installation or lose everything?

11 Do you have permissions that -- provisions
12 that require the solar company to separately apply for
13 lithium storage systems, you know, those pesky lithiums
14 that randomly self-emulate creating unstoppable fires
15 to spew forever chemicals downwind?

16 Is there an escrow fund for abatement after
17 the scam company disappears? Using reliable coal,
18 China now controls 80 percent of the world's solar
19 market. Remember that every solar installation takes
20 away from us and gives to China. Please do not destroy
21 what God has created.

22 MADAME COURT REPORTER: Sir, what is your name
23 for the record?

24 PUBLIC MEMBER: Under Illinois state law I

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1 don't have to give you my name.

2 MR. CLARY: Good morning. My name is Michael
3 Clary. And back in the 1990's, I had the extreme honor
4 to serve as the state's attorney of Vermilion County
5 for six years. And during that time, I and my staff
6 were charged with coming up with some regulations for
7 green renewable sources of energy. It was brand new.

8 There was a wind farm that wanted to come in.
9 And I felt compelled to speak because we were charged
10 by the County Board Chairman, the County Board at that
11 time, with coming up with some basic regulations. And
12 it was all certainly for the good of the citizens of
13 Vermilion County. And that was our job. That was our
14 work.

15 And I sat through a number of County Board
16 meetings with people raling against these things; the
17 shadow flicker, the noise, the dead birds, a lot of
18 complaints.

19 But what we tried to do, what our mandate
20 was, was provide some simple rules so that the
21 landowners of Vermilion County, the people that
22 actually purchased the land, paid for it, pay taxes
23 every year on it, can do with their land what they
24 think is best or what they want to do.

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1 And I think -- maybe it is a sham, maybe it
2 is a con. I certainly don't believe so. But even so,
3 if somebody wants to be involved with a con, that is
4 their choice. It is not for the County Board to say
5 no.

6 But, anyway, and I certainly don't believe
7 that to be true, but I just wanted to say that I think
8 the overarching purpose at that time and solar wasn't
9 on the horizon and everything was new, there weren't a
10 lot of rules then so we were kind of in an unplowed
11 field there and trying to come up with rules which I
12 think we did a good job.

13 They changed a lot over the years, but it was
14 for the best interest of the citizens of this county.
15 And so the landowners who actually have an interest in
16 what is going on and know what they want to do can also
17 achieve their goals. So thank you for the opportunity
18 to speak.

19 MR. FOUREZ: Any further public comments?
20 Being none, we will go on to Item 6. Public Hearing
21 and Possible Action on Siting Permit Application of
22 Pivot Energy. Do I need to read that whole thing?

23 MR. KEYT: No. I can read it in when we
24 start if you want.

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1 MR. FOUREZ: Okay.

2 MR. KEYT: This one is the Public Hearing and
3 Possible Action on Siting Permit Applications of Pivot
4 Energy, 6, LLC, to construct and operate a commercial
5 solar energy facility approximating 14.9 acres and
6 3.375 megawatts, generally located at the intersection
7 of County Road 750 North and Catlin-Indianola Road in
8 Vermilion County in Carroll Township.

9 The Wind and Solar Committee previously heard
10 evidence related to the totality of the Petition on
11 November 22, 2024. On January 14, 2025, the Vermilion
12 County Board remanded this Petition to the Wind and
13 Solar Committee for further evidence on specific
14 issues.

15 The purpose of the hearing is limited to the
16 subject matters of safety impacts related to nearby
17 mine shaft and water aquifers. Someone from Pivot here
18 to present that?

19 MS. GELMETTI: Yeah. Can we present?

20 MR. KEYT: Yes. So Scott Kains is the
21 hearing moderator here behind me and he will moderate
22 the hearing, call up witnesses, and then ask for
23 anybody that has questions or evidence they wish to
24 present. So I will turn that over to Mr. Kains.

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1 MR. KAINS: Thank you, Mr. Keyt. Good
2 morning. My name is Scott Kains. I am the hearing
3 facilitator appointed by Vermilion County to conduct
4 this public hearing.

5 Just by way of introduction, I have been a
6 licensed attorney for 33 years. For the last seven or
7 so years, I have been conducting public hearings
8 throughout Downstate Illinois with respect to wind
9 energy supplemental use permit applications and solar
10 energy supplemental use permit applications.

11 We have a set of basic hearing procedures
12 that I would like to get to initially. I will just
13 start by way of introductions. Steve Fourez is the
14 Chairman of this Committee here in Vermilion County.
15 He and four gentlemen seated in the first row will be,
16 they are members of the zoning board -- or not the
17 zoning board -- but the Wind and Solar Committee.

18 Mr. Joel Bird is seated, he would be to your
19 far right, Mr. Harold Puzey is next to him and
20 immediately to his left is Adrian Greenwell and Chris
21 Crawford is seated to your far left. And those four
22 plus Mr. Fourez will be the ones making a decision on
23 this. And their decision will be a recommendation to
24 the full Vermilion County Board thumbs up or thumbs

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1 down.

2 We have a court reporter seated here and she
3 is taking everything down. Mr. Keyt you have already
4 heard from. He is the attorney representing Vermilion
5 County in this and his paralegal Brian is with him in
6 this row.

7 We will be hearing from folks from Pivot
8 Energy and as Mr. Keyt read in the agenda, this is a
9 hearing that was initially conducted on November 22,
10 2024, and then remanded by the Vermilion County Board
11 at its meeting on January 14, 2025, for the specific
12 purpose limited to subject matters of safety impacts to
13 nearby mine shaft and water aquifers.

14 With respect to the order of proceedings, in
15 a public hearing the public is allowed to participate
16 by way of asking questions and by way of testifying if
17 they so desire.

18 We will initially start with evidence from
19 the Applicant, Pivot Energy, 6, LLC. They will have a
20 presentation. And we will then take questions in the
21 following order: First, for members of the Wind and
22 Solar Committee; then from any member of units of local
23 government; then any interested parties represented by
24 licensed attorneys will get to ask questions then; then

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1 any other interested parties including members of the
2 public will have the opportunity to ask questions of
3 each witness.

4 Then if there is any evidence from Vermilion
5 County staff and consultants that will be, they will
6 have questions and then follow-up questions from
7 Committee members.

8 After the Applicant has its chance to present
9 on these limited issues in this hearing, then persons
10 in favor of the application can have the opportunity to
11 testify and they will then have questions from the
12 public and the Committee as I mentioned in the order
13 previously.

14 There will be evidence from licensed
15 attorneys representing interested parties in opposition
16 to the application and questions for those witnesses
17 and evidence from persons opposed to the application,
18 but unrepresented by a licensed attorney and they will
19 have questions as I testified above.

20 And then there would be evidence from persons
21 who are neutral on the application and questions for
22 them. Then we will identify and read any written
23 comments regarding the application.

24 Then if there is any evidence from Vermilion

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1 County staff and consultants, they can present evidence
2 and there will be questions from them.

3 We will have public comment on this specific
4 application and proposal and then there will be closing
5 statements allowed from the Applicant and any other
6 person who has presented testimony in this hearing.

7 And then the Committee will conduct its
8 deliberations and then vote on a recommendation that
9 will then be sent to the full County Board of Vermilion
10 County. How are we coming on the technology,
11 gentlemen?

12 MR. BECKER: Just in time.

13 MR. KAINS: Off the record.

14 (Discussion held off the record.)

15 MR. KAINS: Back on the record, Becky. Okay.
16 Are you the first witness?

17 MS. GELMETTI: I am.

18 (Witness duly sworn.)

19 MR. KAINS: Could you please state your name
20 for the record, spelling first and last for the court
21 reporter.

22 MS. GELMETTI: My name is Lauren Gelmetti.
23 First name is spelled l-a-u-r-e-n. Last name is
24 spelled g-e-l-m-e-t-t-i.

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1 MR. KAINS: All right. Ms. Gelmetti, you may
2 introduce yourself and your title and your job and then
3 you may conduct your presentation.

4 MS. GELMETTI: Thank you. My name is Lauren
5 Gelmetti. I work at Pivot Energy and I am the senior
6 manager on our project development team. And I think
7 that is it. Thank you.

8 Good morning. Thank you to the Vermilion
9 County Wind and Solar Committee for the opportunity to
10 present additional information on our project, Pivot
11 Energy, Illinois, 6, LLC, specific to diligence related
12 to nearby mines and any aquifers.

13 Our project was remitted back to the Wind and
14 Solar Committee for further details on these topics at
15 the recommendation of the Vermilion County Board during
16 the January 14, 2025, meeting.

17 Following this overview presentation, we have
18 our subject matter experts, Dr. Safdar Gill and Adam
19 Moghamis available today to answer any further
20 technical questions you may have.

21 Next slide please. Applied Geosciences,
22 Inc., completed a geotechnical subsurface investigation
23 at the project site in February and March 2024. Six
24 geotechnical borings were completed to 20 feet below

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1 ground surface and one test pit to 10 feet below ground
2 surface were investigated. There were no unusual
3 voids, visual or olfactory evidence of contaminated
4 soil.

5 The pH of the soil was 6.71, well within
6 normal range for uncontaminated soils which indicates
7 there was no acid mine drainage affecting the soils.
8 There was no field evidence indicative of subsidence,
9 surface aging, on the project site.

10 Next slide please. Applied Geosciences,
11 Inc., completed the initial Phase I Environmental Site
12 Assessment in March of 2024. It has been refreshed
13 every six months since then as required by Pivot
14 Energy's internal project processes.

15 The Phase I Environmental Site Assessment
16 includes a site visit, an interview with the
17 landowners, submittals of freedom of information
18 requests to various agencies, and desktop reviews of
19 environmental databases including historical imagery
20 and records.

21 Proximity to both the Bunsenville and Riola
22 mines were evaluated as part of this process and
23 determined to not be an environmental concern based on
24 the research and aggregated information.

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1 To the right is the aerial image from 1946
2 which shows no superficial or topographical
3 disturbances on or around the project site.

4 Next slide please. In Vermilion County
5 available data indicates mining has a primary coal seam
6 thickness of 6 feet and is typically located at depths
7 185 to 240 feet deep. Recovery ratios of about
8 60 percent are indicated with surface subsidence in the
9 range of 35 to 65 percent of the coal seam thickness.

10 Based on this information one would expect
11 subsidence of over 2 feet at the subject site if it had
12 been mined. This supports the conclusion that it was
13 either not mined or the recovery was too small.

14 The Bunsenville mine was abandoned in 1947
15 and subsidence is most typical within the first 10
16 years after mining. No such subsidence has been
17 observed at the subject site historically or was
18 observed during site visits or the geotechnical
19 subsurface investigation previously mentioned.

20 Next slide please. The Riola mine is located
21 to the west of the subject site and it is known that
22 active mining operations occurred there until 2006.
23 The coal seam for the Riola mine was 251 feet deep.

24 Based on this depth of the coal seam, the

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1 edge of the critical zone for subsidence concerns was
2 calculated to be 176 feet. Our project is over
3 600 feet from the nearest western edge of the Riola
4 mine.

5 As previously mentioned when discussing the
6 Bunsenville mine, the subsidence is most typical in the
7 first 10 years after mining. Once more, no subsidence
8 has been identified at the subject site.

9 Next slide please. Well locations were
10 reviewed as part of the Phase I Environmental Site
11 Assessment database search from Environmental Data
12 Resources, EDR, records.

13 The nearest well they identified was an
14 18-foot deep well that is likely a farm well based on
15 its depth. Review of the ISGS Illinois Water and
16 Related Well Database did not identify any wells within
17 a quarter mile of the subject site.

18 Further, no potable aquifers were identified
19 under the subject site or in the vicinity of the
20 subject site. The subject site on here is kind of
21 difficult to see, but it is the yellow box there.

22 Based on all available information, no
23 impacts to potable water sources from the project site
24 are anticipated as there are no potable aquifers under

1 or near the project site.

2 Next slide please. Pivot Energy completed
3 extensive diligence on these topics dating back to
4 March 2024 to de-risk the design, construction and
5 environmental impact concerns of the project.

6 The geotechnical investigation was completed
7 in March and April of 2024 and no risks were
8 identified. The Phase I ESA was completed first in
9 March 2024 and periodically updated since with no risks
10 identified.

11 Research and subject matter expert reviews of
12 the abandoned Bunsenville mine and the closed Riola
13 mine yielded no structural, environmental or
14 construction related concerns.

15 Pivot takes care to evaluate and identify
16 potential risks to ensure a safe long term operating
17 asset. We complete both internal due diligence and go
18 through rigorous third party evaluations of our sites
19 to secure financing.

20 Furthermore, based on Pivot's experience with
21 developing and installing solar projects near and
22 around abandoned mines, we consider the items of
23 concern de-risked.

24 This concludes our summary on these topics

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1 and our subject matter experts, Dr. Safdar Gill and
2 Adam Moghamis, are available to answer any further
3 technical questions to satisfy the Board. Thank you
4 for the opportunity to present our project.

5 MR. KAINS: Thank you, Ms. Gelmetti.
6 Questions for this witness? In order, first from
7 members of the Wind and Solar Committee. Any questions
8 for this witness regarding her presentation? Mr.
9 Puzey?

10 MR. PUZEY: Yes. Can we go back to the map
11 and look at the location of the project relative to
12 Riola mine and the Bunsenville mines? Can you point
13 that out please?

14 MR. BECKER: This is Riola.

15 MR. KAINS: Sir, what is your name?

16 MR. BECKER: My name is Buzz Becker.

17 MR. KAINS: Buzz, b-u-z-z, and Becker,
18 b-e-c-k-e-r?

19 MR. BECKER: (Nodding.)

20 MR. KAINS: If you talk, the court reporter
21 has got to write down your name and --

22 MR. BECKER: My apologies.

23 MR. KAINS: Okay.

24 MS. GELMETTI: Hey, Buzz, we can't see it.

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1 MR. BECKER: Yeah.

2 MR. KAINS: Mr. Becker, if it would be
3 easier, I can swear you in and you can make whatever
4 comment about the map that you want to make.

5 MR. BECKER: That would be fine.

6 (Witness duly sworn.)

7 MR. KAINS: You are Buzz Becker. And what is
8 your position at Pivot?

9 MR. BECKER: Senior director of project
10 development.

11 MR. KAINS: Okay. Mr. Becker, if you want to
12 explain, I don't have any problem with that.

13 MR. BECKER: Again, I will refer to my
14 colleague.

15 MS. GELMETTI: Which map are you looking to
16 see again? The one that he had up?

17 MR. PUZEY: I believe it is that one there.
18 Where is the project?

19 MS. GELMETTI: The project is in the white
20 boundary there with the pin on it.

21 MR. PUZEY: Can you scan up a little bit?
22 Scan down. Zoom in.

23 MS. GELMETTI: It is taking you to the --

24 MR. BECKER: It is very finicky, yeah.

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1 MR. PUZEY: For clarification, what I think
2 your conclusions were that based on the drilling that
3 you have already done, and I may be repeating, there is
4 no subsidence, no evidence of subsidence, and there may
5 be an aquifer that runs deep?

6 MS. GELMETTI: There may be what?

7 MR. PUZEY: An aquifer below there, the
8 500-foot level.

9 MS. GELMETTI: There are no potable aquifers
10 from what I have seen on the ISGS. There is an aquifer
11 greater than 500 feet down. And if recollection serves
12 me correctly, that is not a potable aquifer because of
13 the total dissolved solids in that aquifer.

14 But the aquifer maps that we pulled from the
15 ISGS as well as from Applied Geosciences don't show any
16 potable aquifers anywhere near the subject site. The
17 brown being what they have mapped as an aquifer and the
18 yellow being our site and the blue being wells on the
19 Illinois State Geological Services GIS mapping.

20 MR. PUZEY: Thank you.

21 MS. GELMETTI: You're welcome.

22 MR. KAINS: Any other questions from
23 Committee members for Ms. Gelmetti?

24 BOARD MEMBER: I am confused on the potable

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1 aquifers and their locations. The blue dots indicate
2 aquifers or what else?

3 MS. GELMETTI: No. The blue dots from my
4 understanding on the ISGS are well locations. There
5 are no mapped potable aquifers under this project site
6 from ISGS.

7 BOARD MEMBER: What is the closest one?

8 MS. GELMETTI: I believe it is the brown one.
9 Buzz, if you can zoom out and go to the right. That
10 would be your closest aquifer. And the legend is at
11 the bottom.

12 BOARD MEMBER: How many miles from that
13 aquifer?

14 MS. GELMETTI: I haven't run the calculation,
15 but I would say off of that estimated scale on the
16 bottom, several miles.

17 MR. BECKER: Using my calculation, it is over
18 2.

19 MR. PUZEY: What is the depth that will be
20 supporting the solar panel expected to be?

21 MS. GELMETTI: That is a great question. I
22 would defer to our technical experts. That comes
23 during the design phase with our structural engineers
24 and based off the geotechnical investigation and the

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1 understanding of the surrounding area. I don't have a
2 depth currently because we are not at that point in
3 time for the project.

4 MR. PUZEY: Thank you.

5 MR. BECKER: So one point, it sort of depends
6 on the soils underneath, how deep you need to go.
7 Typical is about 10 feet. That is why we do our
8 geotechnical borings. You can go way deeper than that,
9 but 10 feet is pretty standard.

10 MR. PUZEY: You don't go much deeper than 10
11 feet?

12 MR. BECKER: No.

13 MR. KAINS: Any other questions for either
14 Ms. Gelmetti or Mr. Becker from members of the Wind and
15 Solar Committee? Very good. Thank you.

16 Questions for Ms. Gelmetti or Ms. Becker from
17 members of the units of local government including
18 school districts? Questions from interested parties
19 represented by licensed attorneys?

20 Other than the attorney for the next hearing
21 and the attorney who is the chairman of the County
22 Board, any other licensed attorneys in the room?

23 Then I can skip asking that every single time
24 I go through and ask are there any questions from.

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1 Thank you. And, Mr. Miller, you are not representing
2 any interested parties, are you?

3 MR. MILLER: I am not.

4 MR. KAINS: You are just here as the County
5 Board Chairman.

6 MR. MILLER: That is correct.

7 MR. KAINS: Better to have that hat on some
8 days than a licensed attorney hat, isn't it?

9 MR. MILLER: There is good and bad days for
10 each.

11 MR. KAINS: Very good. All right. Then the
12 next group that gets to ask questions of the witnesses
13 would be members of the public. Mr. Kronkite.

14 MR. KRONKITE: Do I address from here?

15 MR. KAINS: Why don't you come forward? That
16 might be better.

17 MS. GELMETTI: I can step aside.

18 MR. KAINS: Mr. Kronkite can have the podium.

19 MR. KRONKITE: I prefer her to be up here.

20 MR. KAINS: Well, just as long as everyone
21 can hear everybody.

22 MR. KRONKITE: You stated that you did a
23 20-foot test. What is the average coal vein depth that
24 was mined in Vermilion County? That is, 20 feet is

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1 nothing.

2 If you want to see what 20-foot depth mining
3 does, just go to the stoplight in Westville and Belgium
4 in the northeast corner and you can see what a 20-foot
5 mine does.

6 That field 50 years ago didn't have any trees
7 standing in it and now it is about to devour Route 1.
8 It is going to destroy a concrete highway because of
9 the collapse.

10 MR. KAINS: Mr. Kronkite, what was your
11 question?

12 MR. KRONKITE: My question is: What is the
13 average depth that was mined in Vermilion County?
14 Bunsenville. You kept mentioning Bunsenville. What is
15 the depth that it was mined at?

16 MS. GELMETTI: (No reply.)

17 MR. KRONKITE: You can't answer it I am sure
18 because you haven't looked it up yet. In the 1940's
19 --

20 MR. KAINS: We still don't have an answer to
21 your question and I want an answer to your question if
22 that is all right.

23 MR. KRONKITE: That is fine, but their
24 expressions tell you everything. They have no clue.

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1 MR. KAINS: Let's let them answer if they
2 know.

3 MS. GELMETTI: Thank you, Scott. I am happy
4 to defer to our technical experts who are geotechnical
5 engineers today to answer Mr. Kronkite's questions
6 following our testimony.

7 MR. KAINS: Do you have them here today?

8 MS. GELMETTI: Correct.

9 MR. KAINS: Okay. Next question, Mr.
10 Kronkite.

11 MR. KRONKITE: You showed a survey, a picture
12 from the 1940's as to whether there was any collapse in
13 the mines. Is that what we saw in your presentation?

14 MS. GELMETTI: There was a historical aerial
15 image from 1946 of our site included in our
16 presentation today.

17 MR. KRONKITE: Right. And when did
18 Bunsenville shut down?

19 MS. GELMETTI: From what I understand, it was
20 abandoned in 1947.

21 MR. KRONKITE: Correct. So how many years has
22 it been since 1947 to today that a lot of collapse
23 didn't happen is what I am getting at. You took -- you
24 are giving us a picture that is completely irrelevant

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1 to today's hearing. Who cares what that mine looked
2 like in '47. We want to know what it looks like today.

3 So that right there, I mean, the Bunsenville
4 site you talked about how there was no subsidence
5 around the Bunsenville site. All vertical shaft mines
6 which Bunsenville was, you got on a cage and you went
7 down hundreds of feet to mine coal, all right.

8 That area was incredibly reinforced in every
9 mine. It is not the site you have to worry about. So
10 don't give us the crap about the site. We want to know
11 what happened 3 miles away. That is where you are
12 going to have the collapse. The tunnels that they dug
13 taking the coal out.

14 Bunsenville is 500 feet high. In 1976 I and
15 my family sat on the top of that and watched all of the
16 fireworks around the area. I burnt my hand on a vent
17 --

18 MR. KAINS: Mr. Kronkite, if you could, you
19 will have plenty of time to testify.

20 MR. KRONKITE: Well, I can't because I didn't
21 know this was a hearing.

22 MR. KAINS: You can ask questions now and I
23 will allow you to testify when it is your time. So if
24 you could please, just ask questions.

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1 MR. KRONKITE: Yes. I will stick to the
2 questions. Bunsenville site --

3 MR. KAINS: Hang on, Mr. Kronkite.

4 MR. KEYT: I want to clarify for the record.
5 First, there are two public hearings taking place in
6 the context of the meeting, open meeting.

7 There is a Notice of Public Hearing that has
8 been provided that was published in the News Gazette on
9 the 18th of February, 2025. It is listed as a Notice
10 of Public Hearing. So the record is clear.

11 MR. KAINS: Thank you. Go ahead with your
12 questions now, Mr. Kronkite.

13 MR. KRONKITE: Wells. You kept repeating that
14 there were no aquifers. What are all those wells
15 plugged into? That is an aquifer.

16 MR. KAINS: Okay. Let's let them answer the
17 question. What are the wells plugged into?

18 MR. KRONKITE: You said there was none there.

19 MS. GELMETTI: I said there were no maps of
20 potable aquifers on the ISGS, Water and Well Database.
21 That is what is publicly available.

22 MR. KRONKITE: Which you told the truth and
23 that is called disinformation because what you did is
24 you told us a fact --

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1 MR. KAINS: Mr. Kronkite, please ask a
2 question rather than just criticizing her testimony.
3 Let's ask questions please.

4 MR. KRONKITE: Yes, I will.

5 MR. KAINS: Thank you.

6 MR. KRONKITE: So those, just because it is
7 on, it is not on a map, it is not there? An aquifer is
8 not there? What do those wells tap into?

9 MR. KAINS: Hang on. If it is not on the
10 map, is an aquifer there was your question. Correct?

11 MR. KRONKITE: Yes.

12 MR. BECKER: Sir, we were asked to provide
13 some more information about the mines and any aquifers
14 in this area. And this is the information that we were
15 able to provide today.

16 MR. KRONKITE: Which is incomplete. Okay.

17 MR. KAINS: Please ask a question.

18 MR. KRONKITE: So, you know, I am still asking
19 the questions of how deep are the mines mined, the 1940
20 picture is pretty much history.

21 The Bunsenville site, you know, that has been
22 closed down for a long time and wells around the
23 installation area when we were told there were no
24 aquifers there. So, I mean, there is no more

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1 questions.

2 MR. KAINS: Very good. Thank you, sir. I
3 appreciate your questions. Are there any other
4 questions for Ms. Gelmetti and/or Mr. Becker?

5 Ms. Miller. I remember Ms. Miller from a
6 prior hearing because I had a really bad cough and she
7 helped me out with a cough drop.

8 MS. MILLER: Becky Miller.

9 MR. KAINS: Thank you, Ms. Miller.

10 MS. MILLER: When those piles are pounded into
11 the ground, is there a lot of vibration that would
12 happen during that in installing the panels, the
13 framework that holds it?

14 MR. BECKER: So typically about two weeks of
15 driving those piles into the ground supporting the
16 panels. Part of the geotechnical survey that we do is
17 understanding that that soil can withstand the pile
18 driving that they will stay in place.

19 MS. MILLER: Also the wells that you
20 identified, could you show us exactly on the map whose
21 well that is? What house it belongs to or what farm?

22 MS. GELMETTI: Are you talking about the well
23 from --

24 MS. MILLER: You mentioned one well.

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1 MS. GELMETTI: It is --

2 MR. KAINS: Ms. Gelmetti, we need to hear
3 you.

4 MS. GELMETTI: So sorry. I said I didn't
5 include a visual of that well. It is included in the
6 technical memo that was provided to Andy on Friday to
7 the Committee last week.

8 I just didn't have enough visual space to
9 include it all, but, Andy, there is in that memo a
10 couple other pages of water and well visual support.
11 And if you would like to --

12 MS. MILLER: Can you identify that up there?
13 Can you point to them, where they are?

14 MS. GELMETTI: It is a different map. It is a
15 different mapping database provided by a third party
16 consultant.

17 MS. MILLER: Thank you. So I don't understand
18 how to interpret this.

19 MR. KAINS: For the record, what is the
20 document that has been handed to Ms. Miller? What is
21 the document that has been handed to Ms. Miller?

22 MS. GELMETTI: There is a mapping database
23 that is employed by a third party consultant as part of
24 our Phase I Environmental Side Assessment.

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1 The provider of that information is called
2 Environmental Database Records, EDR, and they aggregate
3 a bunch of information including historical imagery,
4 including wells and water wells that they have
5 identified in the area.

6 Our consultant indicated they thought it was
7 a farm well based on the depth and I believe it was
8 only like an 18 foot deep well which likely supports
9 that conclusion. Beyond that, I don't have additional
10 information, but that is what that map is from.

11 MR. KAINS: I think Ms. Miller's question --

12 MS. MILLER: May I walk up to the map?

13 MR. KAINS: Absolutely, Ms. Miller. Do you
14 want to know what that is that you are holding? Let's
15 answer that question first. It is a?

16 MS. GELMETTI: That is what I just tried to
17 do, Scott.

18 MR. KAINS: What is the yellow thing in the
19 middle of the document Ms. Miller is holding?

20 MS. GELMETTI: Those are depths, a quarter
21 mile radius around the project site which is starred on
22 the map. And then a half mile and a mile radius from
23 the site. It is from a third party provider.

24 MR. KAINS: Go ahead, Ms. Miller.

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1 MS. MILLER: The proposed solar is the yellow,
2 correct?

3 MR. BECKER: Yes.

4 MS. MILLER: The yellow is the proposed solar
5 site. This would be Dave Stillheimer -- and don't ask
6 me how to spell Stillheimer, I'm not sure -- lives.
7 And he has a farm well.

8 How about did you -- the marks on here, the
9 pipes that cross the road in the Riola coal mine
10 footprint where you can check the water level has the
11 shaft marks on here also. I don't think it was a well
12 per se, but it does have a check water valve that flows
13 underneath there.

14 MR. KAINS: Let's get an answer to the
15 question before we go on.

16 MS. MILLER: I am asking is that marked on
17 here also?

18 MR. BECKER: If it is a different type of
19 water feature and not a well, then it is probably not
20 on our well sheet. We were just trying to capture
21 nearby wells in the area.

22 MS. MILLER: I am trying to look at this and
23 figure out which one would be Dave's house. And then
24 down the road where Windland lives or up the highway

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1 where Richarts live or what used to be Riola, the
2 little cluster of homes, are they all -- I am trying to
3 figure out which ones are which on here.

4 MR. BECKER: What we might have to do, and I
5 am not sure if we can do it live here today because
6 that map is not going to reference well on this or
7 maybe on a Google map or something. Maybe we sit down
8 and try to map out, hey, what do these go to.

9 MS. MILLER: I am concerned that there is a
10 lot more wells that affects peoples' homes. Because
11 are you acquainted with farms?

12 Used to be the old -- there used to be more
13 farm wells. You will find wells, abandoned wells out
14 in the field. Are those included here or are these
15 home wells or all wells?

16 MR. BECKER: They are the wells that our
17 experts who catalogued these wells are aware of. That
18 is not to say there is no existing well out there might
19 not be on there, but that is hard to know for sure.

20 MS. GELMETTI: From the ISGS and the current
21 perspective, I look at this and I see that this being
22 probably your best representation.

23 If there are other home wells that are dug,
24 if there are other records, we have not reviewed them.

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1 The ISGS and we reviewed the depth --

2 MS. MILLER: So then if the flow of the water
3 goes under this, continues on to the west which I am
4 going to guess it does, but I don't know, there are
5 lots of farms and homes to the west. So what is the
6 radius of this?

7 MS. GELMETTI: A quarter, a half mile and
8 mile.

9 MS. MILLER: Would it be possible to extend
10 that, and when I testify, you will hear why, to 4,
11 5 miles past?

12 MS. GELMETTI: Potentially possible.

13 MR. BECKER: Becky, if I could zoom out, I'd
14 be happy to sit down with you and try to identify
15 anything that this shows here today. But if we zoom
16 out a little bit, we are looking at a 2-mile radius.

17 I do want to be mindful the size of this
18 project is going to have a pretty limited radius
19 impact. So if we talk about something 5 miles away,
20 you know --

21 MS. MILLER: Do you want this back?

22 MR. KAINS: Do you have any other questions,
23 Ms. Miller?

24 MS. MILLER: I got distracted. I don't know.

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1 MR. KAINS: That is okay. You can take your
2 time.

3 MS. MILLER: Yes. There was one other one.
4 When I went to your open house at the fairgrounds and I
5 mentioned coal mine, the look of shock on your
6 representative's face, what coal mine, when did you all
7 become aware of the fact that there was a coal mine
8 that in that area or a former coal mine?

9 MS. GELMETTI: So I was the representative at
10 the community meeting with you, Becky. Just because I
11 was not aware of the coal mine does not mean that our
12 research was not previously done.

13 As indicated we did our Phase I ESA in March
14 of 2024 and did our geotechnical investigation before
15 our community meeting.

16 MS. MILLER: And the geologists that you all
17 have brought to this meeting are on your payroll? You
18 chose them; is that correct? Are they --

19 MR. KAINS: Let's let them answer that
20 question first. Are they on the payroll of Pivot
21 Energy, the geologists?

22 MR. BECKER: They were hired as a third party
23 independent witness today.

24 MS. MILLER: Did Vermilion County choose them

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1 or did Pivot Energy choose them?

2 MR. BECKER: So they were hired by Pivot
3 Energy to fulfill the information request that was put
4 out by the Board.

5 MS. MILLER: I don't have any further
6 questions. Thank you.

7 MR. KAINS: Thank you, Ms. Miller.
8 Appreciate your questions. Are there any other
9 questions from the public for Ms. Gelmetti and Mr.
10 Becker? Very good. Thank you. Questions now from
11 Vermilion County staff and consultants, Mr. Keyt?

12 MR. KEYT: I have a few questions, but I
13 think it might be appropriate that the subject matter
14 experts, the people who prepared the reports testify.

15 MR. KAINS: Your questions will be for the
16 subject matter experts and not for the project
17 development team?

18 MR. KEYT: Yeah.

19 MR. KAINS: Very good. Thank you. Final
20 questions for Ms. Gelmetti and Mr. Becker from the Wind
21 and Solar Committee of Vermilion County, Gentlemen?
22 All right. Very good. Thank you.

23 You two, you are not on the witness stand,
24 but you two are done. As we say in the business, you

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1 may step down, but you can stay right there. Ms.
2 Gelmetti, do you have any other witnesses?

3 MS. GELMETTI: Yes.

4 MR. KAINS: You have subject matter
5 witnesses. Mr. Keyt referenced he had questions for
6 somebody. Who do you have and what is the subject
7 matter?

8 MS. GELMETTI: We have Dr. Safdar Gill and
9 Adam Moghamis from Applied Geosciences Services and
10 Dr. Gill is their independent consultant.

11 MR. KAINS: Who do you want to have talk?

12 MS. GELMETTI: Both men. I am not sure.

13 MR. KAINS: We will take one at a time. Who
14 is first? Good morning, sir.

15 (Witness duly sworn.)

16 MR. KAINS: If you could, sir, please move
17 the microphone down a little bit. There you go. Sir,
18 can you please state your name for the record?

19 DR. GILL: My first name is Safdar, which is
20 "s" as in Sam, "a" as in apple, "f" as in Frank, "d" as
21 in David, "a" as apple, "r" as Roger. And then last
22 name is "g" as in George, "i" in India, two l's.
23 Safdar Gill.

24 MR. KAINS: Is it Mr. Gill or Dr. Gill?

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1 DR. GILL: Dr. Gill.

2 MR. KAINS: Okay. Dr. Gill, do you have a
3 Ph.D.?

4 DR. GILL: Yes, sir.

5 MR. KAINS: In what?

6 DR. GILL: In geotechnical engineering or
7 civil engineering.

8 MR. KAINS: Slow down. Geotechnical?

9 DR. GILL: Engineering.

10 MR. KAINS: Okay. Dr. Gill, thank you for
11 spelling your name and giving us your area of
12 expertise. Who are you employed by?

13 DR. GILL: I am self-employed.

14 MR. KAINS: You are self-employed?

15 DR. GILL: Um-hum. I have a company.

16 MR. KAINS: Okay. Very good. Then did Pivot
17 Energy retain your services?

18 DR. GILL: Correct.

19 MR. KAINS: Correct? Okay. Very good. And
20 so I assume they paid you for the work you have done
21 and are paying you for your testimony to be here today?

22 DR. GILL: Correct.

23 MR. KAINS: Very good. Okay. Those are all
24 the big questions I have for you now. Dr. Gill, if you

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1 could, do you have any presentation or anything you
2 would like to say first or do you just want to take
3 questions?

4 DR. GILL: I will take questions. I don't
5 have a presentation.

6 MR. KAINS: Okay. Very good. Okay. This is
7 Dr. Gill, he is a geotechnical engineer. I don't know
8 what that is. But Dr. Gill is here to explain anything
9 that folks may have with respect to questions about
10 wells, aquifers, mine shafts, etc.

11 First question will come from members of the
12 Vermilion County Wind and Solar Committee. Gentlemen,
13 do you have any questions for Dr. Gill? Very good.
14 Thank you.

15 Questions for Dr. Gill from members of units
16 of local government including school districts? Okay.
17 Other interested parties, members of the public? Does
18 anyone have questions on geotechnical engineering with
19 respect to wells, aquifers, mine shafts, etc.?

20 MS. MILLER: I do. I have one question.

21 MR. KAINS: Ms. Miller.

22 MS. MILLER: Can I just stand back here? I am
23 loud.

24 MR. KAINS: If you keep loud, then you can

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1 say there.

2 MS. MILLER: Ground water as it flows, how, if
3 it is even, maybe it is not technically labelled as an
4 aquifer, but it is ground water in a vein, a water
5 vein, how long of a distance could that water travel?
6 Underground.

7 DR. GILL: Ground water can travel depending
8 on the slope or the gradient. Ground water can only
9 flow if it is a gradient. If it does not have a
10 gradient, it is static. It stays at the same level.

11 So I don't have any knowledge of a gradient
12 here. I don't know what is the gradient here. That
13 would be the location of the aquifers, the Department
14 of Natural Resources of the state.

15 MR. KAINS: Dr. Gill, when you answer another
16 question, if you could be closer to the microphone.

17 DR. GILL: Thank you, sir.

18 MR. KAINS: Thank you. Any other questions
19 for Dr. Gill? Mr. Kronkite. And if you can be loud
20 and proud, that would be appreciated by all.

21 MR. KRONKITE: I can do that. It is a
22 beautiful acoustic room. You say self-employed. What
23 is your company's name?

24 DR. GILL: Ground Engineering Consultants.

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1 MR. KRONKITE: LLC? Is it an LLC corporation?

2 DR. GILL: The name of the company is Ground
3 Engineering Consultants.

4 MR. KRONKITE: Okay. So there is more than
5 just yourself. How many projects do you and/or your
6 organization do for pay, this kind of thing, per year?

7 DR. GILL: (No reply.)

8 MR. KRONKITE: What you are doing right now,
9 standing and validating allegedly some things that were
10 found, how many of those do you do a year, you and your
11 company?

12 DR. GILL: The total number of jobs you mean
13 how much I have done?

14 MR. KRONKITE: How many per year average do
15 you or your company testify to these proceedings?

16 DR. GILL: Not many.

17 MR. KRONKITE: Not many. A dozen?

18 DR. GILL: I would say yes.

19 MR. KRONKITE: Okay. How deep is the aquifer
20 in this area that they are putting this project in,
21 where does it begin? How deep are all those wells
22 around it?

23 DR. GILL: I work in Chicago area. The
24 aquifer is deep. It is in the ground.

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1 MR. KRONKITE: Right.

2 DR. GILL: There has been no issue. The only
3 issue which comes off and on is the shallow groundwater
4 flowing into the basements of, you know, people. And
5 you will see during construction, there is an issue of
6 dewatering, removing the water and that is where we get
7 involved.

8 MR. KRONKITE: Well, you know, people's
9 basements in Chicago is one thing. In our neighboring
10 counties, they drink the water that flows from Chicago.
11 It is called the Mahomet Aquifer. Are you familiar
12 with the Mahomet Aquifer?

13 DR. GILL: In Chicago area?

14 MR. KRONKITE: No. Downstate. The water that
15 people in Champaign drink comes from Chicago. It is
16 called the Mahomet Aquifer. It flows from the Chicago
17 area down through the state. Some of the finest water
18 there is and you don't know it?

19 MR. KAINS: Mr. Kronkite.

20 MR. KRONKITE: I'm sorry.

21 MR. KAINS: No, you are fine, but I think the
22 question is: Dr. Gill, are you familiar with something
23 called the Mahomet Aquifer?

24 DR. GILL: No, I am not.

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1 MR. KAINS: Very good. Thank you. Go ahead
2 with questions.

3 MR. KRONKITE: Thank you for keeping me in
4 line.

5 MR. KAINS: No, you are fine, Mr. Kronkite.
6 It is just when people ask a question, it is my job to
7 make sure that this has the opportunity to answer
8 because you are not asking the questions just to ask a
9 question. You want an answer too, right?

10 MR. KRONKITE: Yeah. I appreciate what you
11 are doing.

12 MR. KAINS: Go ahead, sir.

13 MR. KRONKITE: So, anyway, you have no idea
14 what the depth of the average well is in that area?

15 DR. GILL: No.

16 MR. KRONKITE: Well, I think you have answered
17 all of the questions we need.

18 DR. GILL: Thank you, sir.

19 MR. KAINS: Yes, sir. Can you please state
20 your name for the record.

21 MR. HENDERSON: Lon Henderson, County Board
22 member. My question is: Did you or an associate put
23 feet on the ground? Did you actually go on site? Were
24 you there?

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1 DR. GILL: I have not gone to this site, no.

2 MR. HENDERSON: Did someone from your company
3 go on that site?

4 DR. GILL: No.

5 MR. HENDERSON: Thank you.

6 MR. KAINS: Thank you, Mr. Henderson.

7 Dr. Gill, I am just going to ask this question. You
8 didn't go to the site, what did you do? You did some
9 kind of engineering thing on a computer? Tell me what
10 you did about this project.

11 DR. GILL: I have done countless issues. I
12 went to, I read several publications to get familiar
13 with what has been done here. And the reports that
14 Applied Geoscience collected from, I read these
15 resources to familiarize myself with what is the issue.

16 So that is what I am familiar with it from
17 publications, what is the depth of coal, what is the
18 thickness of the seams and how it was removed.

19 MR. KAINS: Thank you. Are there any other
20 questions from the public for this witness? All right.
21 Questions from Vermilion County staff and consultants.
22 Mr. Keyt.

23 MR. KEYT: Dr. Gill -- Dr. Gill, I am right
24 here. Dr. Gill, my name is Andy Keyt. I represent the

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1 County. I am just going to have a few questions for
2 you. So if I understand it, you have your doctorate
3 degree in civil engineering from Northwestern; is that
4 right?

5 DR. GILL: Correct.

6 MR. KEYT: And when did you graduate with your
7 doctorate degree?

8 DR. GILL: 1972.

9 MR. KEYT: Okay. And if I understand, can you
10 just tell us the types of projects you have done in
11 terms of matters that involve either underground mine
12 shafts or tunnels underground? Just give us an idea of
13 what the types of work you have done in that arena.

14 DR. GILL: Correct. During this period I have
15 been in the Chicago area, you know. There are a lot of
16 tunnels in the Chicago area. They are deep tunnels.
17 Then I worked on deep tunnels in other cities. So I am
18 familiar with underground mining and so on.

19 And I am also an adjunct professor at
20 Illinois Institute of Technology. So I was teaching
21 rock mechanics which kind of includes, you know, give
22 the students an idea of the removal of various, you
23 know, underground resources. So I am familiar with
24 mining.

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1 MR. KEYT: So if I understand it correctly,
2 from what you have done, it sounds like you looked at
3 this particular site to determine whether or not there
4 were mine shafts in that immediate area; is that
5 correct?

6 DR. GILL: I was made aware that there are
7 mines. Then I read publications from Illinois State
8 Geology in which it did describe the mining right in
9 this area.

10 So I am kind of familiar with what was done
11 here, you know, in Vermilion County. And also several
12 years ago there was some issues of mining in the
13 Johnson school south of Illinois. So I am familiar
14 with the effect of mining of coal.

15 MR. KEYT: Understood. So if I understand it,
16 you looked at this particular site to determine and
17 looked at resources of information to determine whether
18 or not there were any coal mine shafts that were either
19 nearby or on the subject site; is that right?

20 DR. GILL: Well, there were coal mine sites
21 what they described from mining right in that location.
22 They are all old mines and a couple of mines. How they
23 were mined, yes.

24 MR. KEYT: Understood. So in terms of the

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1 aquifer type questions, that is not necessarily your
2 expertise, but the issue related to potential mine
3 subsidence on the site would be your expertise. Do I
4 understand that correct?

5 DR. GILL: Correct.

6 MR. KEYT: If I understand from your
7 research, you -- there were two mine shafts that you
8 are aware of; one runs underneath of the particular,
9 this particular subject property, and there is one that
10 is on a nearby adjacent parcel. Do I understand that?

11 DR. GILL: Correct.

12 MR. KEYT: In terms of the one that is -- just
13 sticking with the one on the site, it was from a mine
14 that was abandoned in 1947. Do I understand correctly?

15 DR. GILL: I am not certain of the date of
16 stoppage.

17 MR. KEYT: Understood. But in terms of the
18 report that you provided to Applied Geoscience which
19 was then provided to us very recently here, there is --
20 there reflects the mine that was operational there from
21 1917 to 1947 on the mine shaft that went underneath
22 this subject project. Do I understand that correct?

23 DR. GILL: That is correct. And that was
24 given to me by Applied Geoscience.

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1 MR. KEYT: And if I understand that from what
2 your expertise then would be to determine whether or
3 not there would be a risk of putting this particular
4 solar project on that particular site. Do I understand
5 that correctly?

6 DR. GILL: Correct.

7 MR. KEYT: In terms of what you found, it
8 appears that the Bunsenville mine which was the one
9 that you reflect was abandoned in 1947 was a coal seam
10 that was about 6 feet thick and located at a depth of
11 185 to 240 feet. Do I understand that correctly?

12 DR. GILL: Correct.

13 MR. KEYT: And if I understand your opinion
14 correctly, what you are stating is that you would
15 normally see mine subsidence within the first 10 years
16 after that mine shaft was abandoned. Do I understand
17 that correctly?

18 DR. GILL: That is what I read in the
19 publications.

20 MR. KEYT: Okay. In terms of publications,
21 you are referring to publications that you read on this
22 particular topic?

23 DR. GILL: Correct.

24 MR. KEYT: One of them being Architectural

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1 Measures to Minimize Mine Subsidence Damage which was
2 prepared by the Appalachian Regional Commission. Is
3 that one you are referring to?

4 DR. GILL: Correct. Yes.

5 MR. KEYT: Go ahead.

6 DR. GILL: Also described elsewhere in other
7 publications.

8 MR. KEYT: Okay. Now based on what you have
9 looked at, your opinion is that the coal was either not
10 mined or a very small portion of that seam was mined?
11 Do I understand that? Is that your testimony or is
12 that your opinion?

13 DR. GILL: What I read from the publications
14 about this Vermilion County, Illinois, and others. And
15 I may not be exact, but it is described there and the
16 amount of coal that they removed generally is in the
17 range of 50, 60 percent unless they started to see
18 pillars, it could be even higher.

19 MR. KEYT: In your opinion to a reasonable
20 degree of scientific certainty, is there any risk of
21 subsidence on that site related to the construction of
22 a solar farm?

23 DR. GILL: No. Not based on the reports.

24 MR. KEYT: Is there any risk to any mine

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1 subsidence in relation to the operation of a solar farm
2 on that site?

3 DR. GILL: No.

4 MR. KEYT: In your opinion is there any risk
5 of subsidence in relation to the decommissioning or
6 removal of a solar site at that particular location?

7 DR. GILL: No, sir. No, sir.

8 MR. KEYT: And in terms of the aquifer issues,
9 you would defer to the other expert on that topic, do I
10 understand that?

11 DR. GILL: Correct. My opinion is that there
12 is not going to be any affect of the surface structures
13 on aquifers.

14 MR. KEYT: Okay. Now you have done a number
15 of risk assessments during your career. Do I
16 understand that? In your career you have done a number
17 of reviews of projects that are deep tunnel projects to
18 make sure that there is not going to be some risk
19 either to aboveground facilities or even those below
20 ground?

21 DR. GILL: Not tunnels for coal mining or
22 others, but generally for tunnels for water,
23 transportation and general conveyance of water.

24 MR. KEYT: I understand. But when you look at

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1 it, you are looking at those to determine whether or
2 not there would be a risk either to the tunnel
3 collapsing or some risk to aboveground facilities. Do
4 I have that right?

5 DR. GILL: Correct.

6 MR. KEYT: Those are all the questions I have
7 for you, Dr. Gill. Thank you.

8 DR. GILL: Thank you.

9 MR. KAINS: Thank you, Mr. Keyt. Final
10 questions come from members of the Wind and Solar
11 Committee. Any last questions, Gentlemen? Mr. Puzey.

12 MR. PUZEY: Can you provide some clarity
13 regarding a potential for this 6-foot coal seam being
14 underneath the project site? Was it completely under
15 the project site or just a narrow band? Where was it
16 located? Do we know?

17 DR. GILL: Please, can you repeat what your
18 question is?

19 MR. PUZEY: The question is: Is the coal
20 seam that may be underneath the project site widespread
21 or just one small area of the 30 acres all together?

22 DR. GILL: You know, I cannot answer this
23 question as to why there are lines of mining shown on
24 the property. I do not know why. If the mining was

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1 done in those lines, there should be a subsidence on
2 the surface. There should be.

3 But according to what I was informed, there
4 is no subsidence on the surface, in the center or -- in
5 my opinion maybe they did not mine it or they mined
6 very small quantity so that the subsidence was
7 manageable.

8 There are two seams indicated on the geology
9 report. One big seam 6 foot thick and one is like 2 or
10 3 foot thick which is higher up. I don't know if they
11 tried to remove something from that mine. There is no
12 report from the geology who observed it.

13 MR. PUZEY: Okay. So there is no evidence
14 that it has been mined in the first place?

15 DR. GILL: Correct. Yes. All the reports of
16 the state's geologists are from the 6-foot, something
17 of that order. All observations related to that seam.

18 MR. PUZEY: So no test drillings were actually
19 made all the way down to 150 feet or 200 feet in this
20 research?

21 DR. GILL: None that I know of.

22 MR. PUZEY: Thank you.

23 MR. KAINS: All right. Thank you, Mr. Puzey.
24 Mr. Kronkite, you already had your chance, I am sorry.

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1 That is just how the rules go. Final questions come
2 from members of the Zoning Board of Appeals?

3 Any other questions from the Zoning Board of
4 Appeals? There is no zoning in Vermilion County. I've
5 been doing a hearing in Livingston County and where
6 they have a zoning board.

7 Final questions come from members of the Wind
8 and Solar Committee. Any questions? Thank you,
9 Dr. Gill, for your testimony. You may step down.

10 DR. GILL: Thank you.

11 MR. KAINS: Your next witness, Ms. Gelmetti?
12 Please come forward, sir.

13 MR. MOGHAMIS: Good morning.

14 MR. KAINS: Good morning. Raise the
15 microphone a little bit.

16 (Witness duly sworn.)

17 MR. KAINS: Very good. Sir, can you please
18 state your name, spelling first and last names for the
19 court reporter.

20 MR. MOGHAMIS: Adam Moghamis. A-d-a-m, last
21 name m-o-g-h-a-m-i-s.

22 MR. KAINS: M-o-d-h-i-s?

23 MR. MOGHAMIS: No, a-m-i-s.

24 MR. KAINS: Can you start over? I messed

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1 this all up. Can you start over?

2 MR. MOGHAMIS: M-o-g-h-a-m-i-s.

3 MR. KAINS: How do you pronounce it?

4 MR. MOGHAMIS: Mo-gom-us.

5 MR. KAINS: Mr. Moghamis, is it Mr. or Dr.?

6 MR. MOGHAMIS: Mister.

7 MR. KAINS: Mr. Moghamis, thank you. What is
8 your occupation?

9 MR. MOGHAMIS: I am self-employed.

10 MR. KAINS: And what do you do?

11 MR. MOGHAMIS: I am a geotech engineer.

12 MR. KAINS: Same as Dr. Gill.

13 MR. MOGHAMIS: He is more advanced than me.

14 MR. KAINS: He is more what?

15 MR. MOGHAMIS: More advanced than me.

16 MR. KAINS: More advanced than you. And where
17 are you from?

18 MR. MOGHAMIS: Illinois.

19 MR. KAINS: What town in Illinois?

20 MR. MOGHAMIS: Schaumburg, Illinois.

21 MR. KAINS: All right. And have you had
22 occasion to work on this project for Pivot Energy?

23 MR. MOGHAMIS: Yes.

24 MR. KAINS: And just to be clear, Pivot Energy

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1 has been paying you for your work and they are paying
2 for you to be here to testify today.

3 MR. MOGHAMIS: Yes.

4 MR. KAINS: Very good. Do you have anything
5 you would like to say right off the bat or would you
6 like to take questions?

7 MR. MOGHAMIS: Either way. We do this kind of
8 work for, not for Pivot Energy, for all cities, state
9 and government, do all the geotech and material testing
10 and environmental testing.

11 MR. KAINS: Is it just you or do you work in a
12 company?

13 MR. MOGHAMIS: In a company.

14 MR. KAINS: What is your company called?

15 MR. MOGHAMIS: Applied Geoscience, Inc.

16 MR. KAINS: Applied Geoscience. Did you say
17 Inc. also?

18 MR. MOGHAMIS: Yes.

19 MR. KAINS: So you are incorporated. Very
20 good. All right. Then what did Applied Geoscience do
21 on, for Pivot Energy on this project? If you could
22 explain just kind of why you are here and what you did.

23 MR. MOGHAMIS: We provide environmental site
24 assistance, first thing we do. We did the geotechnical

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1 engineering study for the site.

2 MR. KAINS: Did you do any -- did you look at
3 any of the coal mines in the area?

4 MR. MOGHAMIS: Yes. We did.

5 MR. KAINS: What did you do about that?

6 MR. MOGHAMIS: We just we collect all the
7 records from the EDR and state and we report in our
8 final report.

9 MR. KAINS: Okay. And did you do any work
10 with respect to aquifers?

11 MR. MOGHAMIS: Whatever the data we get from
12 the government, we report in our report.

13 MR. KAINS: And I believe one of the members
14 of the public had a question earlier about the Mahomet
15 Aquifer. Have you ever heard of the Mahomet Aquifer?

16 MR. MOGHAMIS: No.

17 MR. KAINS: Very good. I don't believe I have
18 any preliminary questions. So, gentlemen of the Wind
19 and Solar Committee, do you have questions for Mr.
20 Moghamis?

21 MR. BIRD: And if the solar farm is built and
22 then a site accident occurs, what would the
23 ramifications be and what would the remedy be to fix
24 the problem?

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1 MR. MOGHAMIS: Basically just to jack it up,
2 extend maybe an inch.

3 MR. KAINS: Any other questions from members
4 of the Committee for Mr. Moghamis? All right. Very
5 good. Questions for Mr. Moghamis from members of units
6 of local government including school districts.

7 MR. KAINS: Yes, sir. Mr. Henderson.

8 MR. HENDERSON: Lon Henderson from County
9 Board. Did you go out on site and do any work?

10 MR. MOGHAMIS: Yes.

11 MR. HENDERSON: Do any on site?

12 MR. MOGHAMIS: Yes.

13 MR. HENDERSON: Can you talk about that a
14 little bit?

15 MR. MOGHAMIS: We did the first site visit was
16 just walk through the whole neighborhood, the site
17 specifically and took picture all around the area. And
18 that is part of Phase 1. And then geotech, we locate
19 the worst location, suspicious, that is what we do and
20 a test pit.

21 MR. HENDERSON: I didn't catch that last bit.

22 MR. MOGHAMIS: We do a test pit.

23 MR. HENDERSON: What is that?

24 MR. MOGHAMIS: Just we use a backhoe and we

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1 dig down 10 feet to make sure there is no void or any
2 rock.

3 MR. HENDERSON: So like a boring or something
4 like that?

5 MR. MOGHAMIS: Yes. More visual so you can
6 see like cross sections instead of just 2 inches in the
7 ground. We pull a sample.

8 MR. HENDERSON: Thank you.

9 MR. KAINS: Thank you for your questions, Mr.
10 Henderson. Any other questions for members of units of
11 local government. Are you a member of local
12 government?

13 MR. BIGGERSTAFF: Yes, sir.

14 MR. KAINS: Sir, what is your name?

15 MR. BIGGERSTAFF: My name is David
16 Biggerstaff.

17 MR. KAINS: David Biggerstaff. Two g's and
18 two f's?

19 MR. BIGGERSTAFF: Yes, sir.

20 MR. KAINS: And what unit of local government?

21 MR. BIGGERSTAFF: Zoning administrator for
22 Village of Catlin and Catlin Township.

23 MR. KAINS: Very good. Thank you for being
24 here, Mr. Biggerstaff. Go ahead.

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1 MR. BIGGERSTAFF: So in the installation of
2 these solar panels and they are driving the beam or
3 whatever in the ground, is there any range of, I guess,
4 I don't know, for lack of a better term, seismic range,
5 that that can affect wells, things we are talking
6 about, homes, anything like that when these are being
7 driven? I guess based on different soil types or
8 whatever that percussion can be spread out?

9 MR. MOGHAMIS: For this situation, for the
10 project, the damage is so small, the impact on the
11 driving is very small. So if any effect, it would be a
12 couple of feet from where they drive it.

13 MR. BIGGERSTAFF: Are you saying that it is
14 limited to a couple of feet in the driving or --

15 MR. MOGHAMIS: It is not going to travel so
16 far from the area where they drive the pipes.

17 MR. BIGGERSTAFF: What makes the difference in
18 those percussions being spread out in the soil?

19 MR. MOGHAMIS: Well, the type of soil is silty
20 clay and it is kind of stiff. And I don't think there
21 will be a lot of resistance to drive those piles.

22 MR. BIGGERSTAFF: Okay. Thank you.

23 MR. KAINS: Thank you, Mr. Biggerstaff. Any
24 questions from any other units of local government

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1 including school districts? Questions from other
2 interested parties, members of the public? Mr.
3 Kronkite.

4 MR. KRONKITE: Mr. Moghamis, why wasn't EEMF
5 geo-mapping done for this project that would show us
6 absolute detail of everything in the ground over a
7 hundred feet?

8 MR. MOGHAMIS: Whatever we took from the
9 government, that is what we report. So we report
10 whatever required by SDM, notify the IEPA, the city,
11 the state.

12 MR. KRONKITE: So you went by only government
13 paperwork?

14 MR. MOGHAMIS: Whatever the standards
15 required.

16 MR. KRONKITE: And how many times do you do
17 this a year, you and your company? How many times do
18 you work like this that you present this kind of
19 information?

20 MR. MOGHAMIS: Maybe 300 a year.

21 MR. KRONKITE: Okay. So you make a pretty
22 good living at this. How many mine tunnels are known
23 and mapped and their side groups? Are they all mapped?
24 Does the state have a map of every mine tunnel and

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1 their side groups?

2 MR. MOGHAMIS: Say that again please.

3 MR. KRONKITE: Does the State of Illinois
4 mapping system for mines which didn't begin until early
5 in the 19th, 20th century here, do the mine maps, do
6 they list every mine tunnel and side group?

7 MR. MOGHAMIS: Whatever the reports are, we
8 put them in the report.

9 MR. KRONKITE: Okay. Government reports, we
10 know how trusting government goes. What would happen
11 if a forever chemical is spilled on that land, what
12 would happen to that?

13 MR. MOGHAMIS: If nobody reports an incident,
14 then there is no record, then --

15 MR. KRONKITE: Well, if somebody does report
16 it, what happens?

17 MR. MOGHAMIS: Then they notify the EPA,
18 report the incident and have to do a followup.

19 MR. KRONKITE: How deep can those chemicals
20 travel into the ground?

21 MR. MOGHAMIS: That is why we have to do an
22 investigation to Phase 2 to know the extent of the
23 contamination.

24 MR. KRONKITE: Okay. What is the average well

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1 depth in that area of that aquifer?

2 MR. MOGHAMIS: I don't know.

3 MR. KRONKITE: Okay. 20 feet down. The
4 company said they did bores 20 f integrity eet down.
5 Does that really ever tell you anything about what is
6 down there up to 200 feet?

7 MR. MOGHAMIS: Well, based on the type of the
8 project, they going to drive the pile up to 10 feet.
9 So they go above and beyond another 10 feet to
10 investigate what is below that, the sediment and the
11 integrity of the structure. So 20 feet is beyond the,
12 what we need. Usually we do like 12 feet. 2 feet
13 below the pile depth.

14 MR. KRONKITE: But, so you have no idea what
15 is beyond 20 feet then?

16 MR. MOGHAMIS: 20 feet, yeah.

17 MR. KRONKITE: How high did you -- you said
18 that you did a test or you dug a hole in the ground and
19 to see what kind of water infiltration you had. Right?
20 That is a typical test. If the water level was down in
21 that area, would you have hit any water?

22 MR. MOGHAMIS: If we hit when we drill, we
23 report it.

24 MR. KRONKITE: Well, you said dug. You dug it

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1 with a backhoe?

2 MR. MOGHAMIS: Yes.

3 MR. KRONKITE: And you didn't see any
4 infiltration with that, right?

5 MR. MOGHAMIS: If we don't hit any water
6 during drilling, there is no water.

7 MR. KRONKITE: And you did not hit water when
8 you dug that hole?

9 MR. MOGHAMIS: I don't have the report with
10 me. I don't know.

11 MR. KRONKITE: Interesting. Okay. Are you
12 aware of subsidence some 5, 6 miles away in Westville?
13 Along Route 1 there is houses that have dropped into
14 the ground from subsidence. Are you aware of all the
15 subsidence sites around that area? There are a lot of
16 them.

17 MR. MOGHAMIS: I have been through this area
18 and I see some up and down, but not on our site.

19 MR. KRONKITE: All right. I think you have
20 answered our questions. Thank you.

21 MR. KAINS: Thank you. Any other questions
22 from the public? Questions from Vermilion County staff
23 and consultants. Mr. Keyt?

24 MR. KEYT: Mr. Moghamis, hi. If I

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1 understand, you visited the site yourself.

2 MR. MOGHAMIS: (Nodding.)

3 MR. KEYT: Is that correct?

4 MR. MOGHAMIS: Yes.

5 MR. KEYT: At the site did you observe any
6 wells that were on the site?

7 MR. MOGHAMIS: No, sir.

8 MR. KEYT: If I understand it correctly, you
9 authored a report. It is in relation to mines and
10 water aquifers. That is your report; is that correct?

11 MR. MOGHAMIS: Environmental report, yes.

12 MR. KEYT: And you also consulted with Mr. --
13 or Dr. Gill to add other information into the report?

14 MR. MOGHAMIS: Right.

15 MR. KEYT: When you were at the site, did you
16 notice any evidence of mine subsidence on the site?

17 MR. MOGHAMIS: No, sir.

18 MR. KEYT: In terms of mining on the site, was
19 there any evidence that there was a mine shaft that had
20 been mined underneath at some point?

21 MR. MOGHAMIS: Visually, I couldn't see any
22 evidence.

23 MR. KEYT: And the report that you indicated
24 or in your report, it indicates that if there was some

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1 sort of mining activity on the site, there would be an
2 expectation that that subsidence would occur within the
3 first 10 years of the abandonment of that site?

4 MR. MOGHAMIS: That is Dr. Gill's specialty.

5 MR. KEYT: But that is in your report; is that
6 correct?

7 MR. MOGHAMIS: Yes.

8 MR. KEYT: In terms of this solar farm, in
9 your opinion is there any risk to groundwater from the
10 presence of a solar farm?

11 MR. MOGHAMIS: No.

12 MR. KEYT: In your opinion to a reasonable
13 degree of scientific certainty, is there any risk to a
14 water aquifer in relation to the presence of a solar
15 farm on this particular site?

16 MR. MOGHAMIS: No.

17 MR. KEYT: In terms of how it is constructed,
18 they would be driving piles into the ground. You
19 understand that, correct?

20 MR. MOGHAMIS: Yes.

21 MR. KEYT: In terms of the driving of the
22 piles into the ground, does that increase any risk of
23 subsidence at that site?

24 MR. MOGHAMIS: To a minimum. Almost none.

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1 MR. KEYT: So to a reasonable degree of
2 scientific certainty, is there any risk of subsidence
3 from construction of the solar farm there?

4 MR. MOGHAMIS: No.

5 MR. KEYT: To a reasonable degree of
6 scientific certainty, is there any risk to the presence
7 of a solar farm on that site?

8 MR. MOGHAMIS: No.

9 MR. KEYT: And to a reasonable degree of
10 scientific certainty, is there any risk either of
11 subsidence or to a water aquifer in relation to
12 deconstruction of that site?

13 MR. MOGHAMIS: No.

14 MR. KEYT: All right. That is all the
15 questions I have for you. Thank you.

16 MR. KAINS: Very good. Thanks, Mr. Keyt.
17 All right. Final questions come from members of the
18 Wind and Solar Committee. Any last questions,
19 gentlemen? Mr. Puzey.

20 MR. PUZEY: You personally visited the site
21 on how many occasions?

22 MR. MOGHAMIS: One time.

23 MR. PUZEY: And how many -- were you there at
24 time they did the test borings?

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1 MR. MOGHAMIS: Before they did the tests.

2 MR. PUZEY: Okay. How many test borings did
3 they do?

4 MR. MOGHAMIS: Six borings and one test pit.
5 So seven.

6 MR. PUZEY: And the depth of the borings?

7 MR. MOGHAMIS: 20 feet.

8 MR. PUZEY: Thank you.

9 MR. KAINS: Mr. Free.

10 MR. FREE: How were the locations of the
11 borings determined?

12 MR. MOGHAMIS: We space them as to cover
13 majority of the area, give us a good indication what
14 subsurface there. And we provide it to the engineer
15 and the owner and they approve it for us and we do the
16 soil boring.

17 MR. FREE: I thought you had made the
18 statement earlier that it was based on seeing the worst
19 locations.

20 MR. MOGHAMIS: Yes. That is what it is.

21 MR. FREE: What does that mean?

22 MR. MOGHAMIS: The worst areas we place the
23 borings.

24 MR. FREE: What makes them the worst areas?

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1 MR. MOGHAMIS: Just you walk through and just
2 pinpoint those.

3 MR. FREE: Were you seeing depressions or --

4 MR. MOGHAMIS: We take a high and low and just
5 the worst area. That is what we do, we go to the worst
6 area.

7 MR. FREE: Okay.

8 MR. KAINS: Any other questions from members
9 of the Wind and Solar Committee? Mr. Chairman.

10 MR. FOUREZ: Just out of curiosity knowing
11 the history of the mining industry in that part of the
12 county, etc., what are the chances of un-indicated
13 undrawn old mine shafts that there is no record of
14 being under or adjacent to that particular plot of land
15 that they are proposing the solar panels on?

16 MR. MOGHAMIS: So based on the information we
17 got over maps and basic visual walkthrough, nothing.
18 Not going to be an issue.

19 MR. KAINS: Any further questions for members
20 of the Committee? Very good. Mr. Moghamis, thank you
21 for your testimony. You may step down.

22 MR. MOGHAMIS: Thank you.

23 MR. KAINS: Ms. Gelmetti, any other
24 witnesses?

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1 MS. GELMETTI: No.

2 MR. KAINS: Very good. Thank you. Then we
3 will hear from persons in favor of the application. Is
4 there anyone who wishes to testify who is in favor of
5 the application? Thank you.

6 Evidence from persons who are opposed to the
7 application, but unrepresented by a licensed attorney?
8 Ms. Miller? Please step forward.

9 MS. MILLER: Can I use him to bring the maps
10 out? Is that possible?

11 MR. KAINS: Yes. Ms. Miller, you may come
12 up. Ms. Gelmetti, if you can bring maps, and Mr.
13 Becker too. Okay. Now, Ms. Miller, please raise your
14 right hand to be sworn.

15 (Witness sworn in.)

16 MR. KAINS: Very good. Thank you, Ms.
17 Miller. Okay. You can move right ahead with whatever
18 statement you want. Now is -- we had time for
19 questions now is the time for your statement and then
20 people can ask you questions if they so desire.

21 MS. MILLER: Sure. When I found out about
22 this and the location of it, I started doing some
23 investigating and I talked to some of the neighbors who
24 didn't know what was going on. And that is when I

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1 first heard about this aquifer that was underneath
2 there.

3 Dave Stillheimer, the neighbors, they are all
4 very concerned that this is going to affect their well.
5 You had a picture, it had a block and it had a line
6 right through it. It wasn't the map. You showed it
7 before you brought up your map. It was part of your
8 presentation. That is the one I am after. If you
9 could bring that up.

10 So after talking to Dave Stillheimer who
11 wanted to be here today, but he is having an MRI done
12 so he couldn't get, he had a conflict, I had to check.
13 He said that when the coal mine went in, he was deeply
14 concerned about his well.

15 You have several houses out there and that
16 could rely on this. And I am not sure all of those
17 wells show up on the state registry for wells, but I
18 got to researching aquifers and I will say I couldn't
19 find a main aquifer for underneath this property.

20 Nope. Not that picture. Before that. You
21 showed it before. It wasn't -- it didn't look like one
22 little -- nope. That one. Yeah. May I come up there?

23 MR. KAINS: Yes, ma'am. As long as your
24 voice carries.

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1 MS. MILLER: Okay. I will talk loud. So I
2 looked at actual aquifers in here. However, to the
3 north which I assume this is north on your map, the
4 Mahomet Aquifer goes clear to Danville.

5 When you go over to closer to the state line,
6 there is an aquifer that runs along the river. I do
7 know from talking to Dave that over here on the coal
8 mine property, there is pipes. It has mulberry trees
9 that grow up around it. You can actually judge how
10 much water is there.

11 So that got me interested. And, by the way,
12 the reason I had him pull this up according to the
13 geological surveys that are available, this was mined
14 right here. Right at the gut of this project. That is
15 a main -- that is a mine shaft. Around this where they
16 used to have the lines showing the side part, the
17 mining was done around it over here. Up there is where
18 the Richarts live.

19 For some reason I was looking at this with a
20 former miner, Justin Corbin, worked for the Black
21 Beauty Coal Mine, but he was mainly based out of the
22 Vermilion Grove portal, but we brought these maps up
23 Saturday.

24 We also found out over here, and I don't know

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1 how far it is, the subsoil was listed as sandy, not
2 silt as you testified to. We knew also from what I
3 heard know that Bunsenville, not everything was mapped
4 back when they were mining this. So we don't know if
5 these really are accurate or not.

6 So I did want to get to that because I do
7 know where the main coal mine shafts was. I talked to,
8 I reached out and found a coal miner who actually
9 worked at the Riola coal mine. And I asked him about
10 the water.

11 And he thought about it. He got back with
12 me. He goes I remember building two walls to hold back
13 the flow of water underneath that mine just like they
14 did at the Vermilion Grove mine which is all part of
15 the same mine when they actually flight shaft mined
16 under the river. And I asked Justin on Saturday what
17 did they build these walls out of. And he said he
18 believed it was cinderblock.

19 Then I found out eventually because of the
20 instability of this whole area, they shut down that
21 entrance at the Riola coal mine. They were actually
22 hauling the coal.

23 This was the second time when Black Beauty
24 was mining it. It was Bunsenville or whatever it was.

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1 I wasn't around here at that time. But they closed the
2 Riola portal because the ground became too unstable.
3 It wasn't safe. So they actually were taking the coal
4 all the way to Vermilion Grove to get it out of the
5 ground.

6 I also when I was researching this, I found
7 out that the largest prehistoric forest in the world is
8 located in the Riola coal mine area. And on a side
9 note, I think it is a shame that we didn't open that up
10 for people to go see, but if it is that unstable, it is
11 that unstable.

12 The Bunsenville mine goes all the way to
13 Georgetown, all the way to the north towards Westville.
14 It goes to clear over by where Chris Crawford lives,
15 goes underground to where my son lives.

16 And I know when my son bought his house
17 there, they were required to carry today subsidence
18 insurance. So, and I do know there was a house, I
19 always thought was the neatest house.

20 When I asked my husband why doesn't anybody
21 live there, he said because the house was constantly
22 sinking. They eventually tore that house down. So
23 this subsidence carries on for years and years in my
24 opinion.

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1 As for water, Doug Miller lives to the west
2 of there and I reached out to him because I had heard a
3 rumor that when the coal mine, when they were mining
4 it, he lost the water to one of his houses.

5 He had a couple of -- he has a tenant house.
6 And so I checked with him to see if that was true. And
7 I did find out, yes, they were mining that and, yes,
8 his wells were messed up.

9 He did also say there was a tremor which we
10 do get those tremors every once in a while in 2000. So
11 what he could actually lay blame to his wells being
12 messed up, what -- he had one well that did water all
13 the livestock, the whole farm and everything else and
14 he is lucky to be able to water the flowers with it
15 now. Is that related to the mining, a tremor or a
16 combination of the two?

17 I do know if you go north of this proposed
18 site is where the Richarts live, you go across the
19 road, you get the village, little town of Riola. There
20 is three houses there.

21 If you go towards the east, you get where the
22 Windlands live, the Stillheimers. If this underground
23 flow of water travels, I don't know which way or affect
24 a huge area, it could get clear to my house, Chris's

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1 house, if it went to Doug Miller's, we are not that far
2 away from Doug Miller's.

3 Who is responsible if by them pounding the
4 ground and we have the earth moving? We have unstable
5 Riola coal mine that -- who is responsible? Who is
6 going to provide water to these people for the rest of
7 their and their family's lifespan. I am looking at my
8 notes, sorry. That is it. Thank you.

9 MR. KAINS: Very good.

10 MS. MILLER: I have one more thing.

11 MR. KAINS: Go right ahead.

12 MS. MILLER: If, I feel like our county needs
13 to hire our own geologist. And according to our solar
14 ordinances if the County were to choose people,
15 experts, to look at this, then Pivot Energy would be
16 responsible for paying their fee. Of course they have
17 to agree to that.

18 I would like to see the County if they
19 proceed with this, I think we need some more
20 investigation. I think we need to talk to some miners
21 that were actually underground there.

22 MR. KAINS: Thank you, Ms. Miller. You are
23 not done. Questions for Ms. Miller? First come from
24 members of the Wind and Solar Committee. Any questions

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1 from the Committee for Ms. Miller regarding her
2 testimony? Mr. Puzey.

3 MR. PUZEY: Is your main concern is potential
4 for the well, either water quality or volume being
5 affected by the tremors of the vibration that could
6 come from the pile drivers?

7 MS. MILLER: And the instability of that, the
8 old, the original Bunsenville. I don't know how deep
9 any of those tunnels are. They are sinking all the
10 time. So why stir up a hornet's nest.

11 MR. PUZEY: We are specifically talking about
12 the project area.

13 MS. MILLER: Well, yeah. If it starts
14 affecting everybody around it.

15 MR. PUZEY: Okay.

16 MR. KAINS: Any other questions for Ms.
17 Miller from the Committee?

18 MR. GREENWELL: So it is not a water quality
19 issue?

20 MS. MILLER: That, it is talking to the
21 neighbors that live around there. They don't want to
22 lose their wells. So I am sure it would be quality and
23 quantity both.

24 MR. GREENWELL: Are farm chemicals an issue

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1 with wells?

2 MS. MILLER: Sure.

3 MR. KAINS: Any other questions for members
4 of the Committee for Ms. Miller? Again, Mr. Puzey.

5 MR. PUZEY: So have you personally seen any
6 indication of subsidence that has occurred on this
7 property?

8 MS. MILLER: On that piece of property?

9 MR. PUZEY: Yes.

10 MS. MILLER: I never paid that much attention
11 to that piece of property until I knew about this. And
12 the neighbors were like what the heck. So I don't go
13 out and measure. I wouldn't go to a field by your
14 house and look and see if anything has subsided on it,
15 no.

16 MR. PUZEY: Is there any indication that
17 there are wells on the property to the east of the
18 project area?

19 MS. MILLER: No. But there is a well to the
20 east.

21 MR. PUZEY: That is the well that is in
22 question, right?

23 MS. MILLER: Wells to the north, wells to the
24 west.

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1 MR. PUZEY: Does it actually maintain quality
2 or volume throughout all of the most recent history?
3 Has it been a problem at all?

4 MS. MILLER: From my understanding talking to
5 Mr. Stillheimer, he has never had issues with his well.

6 MR. PUZEY: Thank you.

7 MR. KAINS: Any questions, other questions
8 for members of the Committee? Very good. Thank you.
9 Questions from members of units of local government
10 including school districts? All right. Members of the
11 public? Mr. Kronkite. You want to ask Ms. Miller
12 questions?

13 MR. KRONKITE: No. I am sorry.

14 MR. KAINS: I think you guys are on the same
15 team. Questions from Livingston County staff -- sorry,
16 Vermilion County staff and consultants.

17 MR. KEYT: I have a couple. Ms. Miller,
18 where do you live in relation to this property?

19 MS. MILLER: Where do I live? I live
20 southwest.

21 MR. KEYT: How far is your property from this
22 property?

23 MS. MILLER: I am going to guess five miles.

24 MR. KEYT: That is all the questions I have.

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1 MR. KAINS: Thank you, Mr. Keyt. Final
2 questions for Ms. Miller come from members of the
3 Committee. Mr. Bird.

4 MR. BIRD: You said you live 5 miles to the
5 southwest. I believe on the map it was up to four
6 showed the aquifer over by Georgetown. Did you say
7 that was about five miles approximately?

8 MR. BECKER: The nearest point is 2 miles. If
9 we are going southwest, it might get down to that five
10 miles just --

11 MR. BIRD: Where the aquifer comes down there
12 --

13 MR. BECKER: Could be.

14 MR. KAINS: Gentlemen, if you could keep your
15 voices up so folks in the back can hear.

16 MR. BIRD: What I am saying is the aquifer
17 runs to the southwest and you are five miles southwest
18 of that property --

19 MS. MILLER: I don't know where. I just know
20 I have a really good well and I want to keep it that
21 way.

22 MR. BIRD: I understand. I am asking if you
23 know where your water comes from for your well.

24 MS. MILLER: No.

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1 MR. KAINS: Thank you, Mr. Bird. Mr.
2 Greenwell?

3 MR. GREENWELL: How deep is your well?

4 MS. MILLER: I don't know. I do know in the,
5 what is it, the 80's I believe, we had a bigger
6 drought. And, yes, we conserved water, but we were one
7 of the few people that had water. We weren't hauling
8 water on a regular basis.

9 I do know that a property, the house on Doug
10 Miller's property was eventually torn down after this.
11 The house may have had structural issues as well. I
12 don't know. But when I was texting with him last night
13 he did say it is weird this well -- they had a new
14 well. This well did better, you know.

15 It is like it doesn't really make sense.
16 Like, one well had an abundance of water, then all of a
17 sudden the coal mine, the tremor, now that well doesn't
18 hardly have any water. I don't know.

19 MR. BIRD: One more question. How often are
20 wells redrilled because the water runs out from where
21 they have it now.

22 MS. MILLER: I don't know. Doug Miller is the
23 only one I ever heard of in my area that has had to do
24 that.

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1 MR. BIRD: Do you know of anybody that has
2 had to redrill their well because the water, they had
3 to go deeper to get more water?

4 MS. MILLER: No. I know that old house I live
5 in which is, predates my existence, I don't know when
6 they put that well in. I know they missed the first
7 time and had to move over a little bit, but I don't
8 know.

9 MR. KAINS: Thank you, Mr. Bird. Any other
10 questions from the members of the Wind and Solar
11 Committee for Ms. Miller? Very good. Ms. Miller,
12 thank you for your testimony. You may step down.

13 Anybody else from the public wish to address
14 the Zoning Board from the Committee? Mr. Kronkite.
15 Mr. Kronkite, tell us your first name.

16 MR. KRONKITE: I have to now.

17 (Witness duly sworn.)

18 MR. KAINS: Very good. Thank you.

19 MR. KRONKITE: Arthur Kronkite.

20 MR. KAINS: Mr. Kronkite, I remember you from
21 a hearing from a year or year and a half ago. You have
22 a passion for your opposition to --

23 MR. KRONKITE: I have a passion for governance
24 that is decent to us.

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1 MR. KAINS: Well, let's stick to this.

2 MR. KRONKITE: We will. It is all going to be
3 about this. I live back in the hold home place three
4 miles south of Henning. It is called the 8-mile
5 prairie. I grew up there. I am living there now for
6 over 22 years again.

7 I served on a board, the Water Board of
8 Danville for a while and what they taught us was
9 because they were wanting to put in a big well up there
10 to dilute the water in Danville to meet EPA
11 regulations.

12 And they taught us that that area is a giant
13 stone bowl. That is why you have springs in Potomac
14 and there along Route 1 actually to the east of that
15 area. That is the overflow. When you dump water on
16 the earth, it has to go somewhere. And where it goes
17 is in through the damp ground.

18 Now where I live, there is some of the
19 richest soil in the planet just like where you are
20 going to be trying to build this thing. It is hundreds
21 of feet deep this area. You have got black loam, you
22 have got clay, you have all this other. You have a
23 strata that goes down below you.

24 The mines when they were built, it is really

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1 interesting, my brother and I had a business in
2 Danville for several years.

3 And the gentleman that sold us part of the
4 business was named Louie Parmatier. What it was is
5 that he grew up in the mines, came here as an immigrant
6 13 years of age. He is a door boy in the mines. So he
7 is opening the doors.

8 And when the mule would pull the cart
9 through, he would shut that door again so it would
10 route the air through the mine properly so they would
11 survive.

12 He and his brother bought a bus, built
13 successful businesses from there. Trucking people out
14 to Bunsenville mine. We need you need to understand --
15 I keep hearing these words all being convoluted and it
16 is all part of the confusing your mind.

17 There are three parts to a coal mine which
18 two of our distinguished gentlemen don't have a clue
19 of. They both said so. They are not experienced in
20 this.

21 There is three parts to a coal mine. The
22 shaft which goes straight down. You get in the cage
23 and you go down and you mine. You take the coal up the
24 same way.

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1 You have the tunnels that they dig out into
2 the mine, the coal, and they dig it out. As they dig
3 out the coal, they take it up to the surface and ship
4 it away. But around that is something called shale.
5 It is almost coal, but not quite. So they pile it up
6 in big piles all over that area.

7 60 years ago it was piles, a huge pile.
8 Bunsenville was 500 feet high. It will catch on fire.
9 I burnt my hand on it watching the fireworks on top of
10 it. Okay. That is how coal is mined and how it works.

11 Now here is the other thing that is
12 interesting. You have these mine tunnels that are
13 going out. And, yeah, they are probably, they may be
14 and they may not be listed with the State of Illinois
15 being there, but you have no proof.

16 You could be standing -- anything south of 74
17 is suspect. Everything. In fact you even heard
18 testimony that they actually mined under the river. I
19 had a client years ago that he was, his original job
20 was an engineer on 74 and he had a call about 2:00 in
21 the morning to come out to the job site.

22 He comes out and here is a huge 40-foot
23 diameter hole that you couldn't see the bottom of. A
24 mine had dropped out.

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1 He said it took him two days to haul in
2 enough rock to fill that hole in. He told me if you
3 are ever on 74 in Tilton and you fall in a hole, that
4 is it. It is a mine. They occur anywhere.

5 10 years is disinformation. Yeah, that may
6 be the average. But you may have a mine that may not
7 show anything for a hundred years or it might be five
8 years.

9 There is a city in, out east that the
10 underground coal mine has been on fire for like
11 30 years and they can't put it out. You have this
12 constant smoke billowing out of the ground. Oh, it is
13 safe. Oh, yeah. Keep telling us that. Come on.

14 All right. You know, we heard testimony it
15 was paid for. These people make their living giving
16 the answers to the companies that ask them to testify.
17 And you are going to trust that? Come on.

18 I saw in the last meeting, oh, man, the lies
19 that were told was unbelievable. There is an aquifer
20 -- there is an aquifer under everything. Now in the
21 Chicago and a lot of major cities, they are on bedrock.
22 Yeah, Chicago has some deep tunnels, one under a river.

23 Somebody poked a hole in it years ago and it
24 flooded the whole downtown. All of the major

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1 buildings. It was an old rail tunnel that took stuff
2 around underground at the turn of the century.

3 Out of Chicago out of that area that aquifer
4 south of Chicago comes the Mahomet Aquifer. Apparently
5 our people didn't even know existed. A major, major
6 water source in this area.

7 Now where I live, it is all self-contained
8 because the water falls down and it fills that bowl up
9 and I have always got water. My well is 110 feet. It
10 was drilled in probably 1885 or so. It is 200 feet
11 deep, it is 2-inch well and I am still drinking out of
12 it.

13 Well, I did until last year. It started
14 testing really, really bad. Apparently they sprayed
15 enough chemicals on the field that has now reached
16 120 feet down because it is really poisoned now because
17 of farm practices.

18 The big question I have, and, again, this
19 goes back to disinformation. They have been giving you
20 all this information from government paperwork.

21 Really?

22 Why didn't they do an EEMF geo-mapping? For
23 those of you who aren't aware of that, you put these
24 pods underneath an airplane or helicopter and you fly

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1 over an area and you read the electromagnetic fields of
2 everything that is in that ground. You can see a
3 detailed map of all the mines, all the water, all the
4 minerals of anything. Why aren't they giving you that?
5 They don't want you to know. Really. Bottom line. It
6 is a scam, people.

7 The wind turbines turn. So what. They don't
8 generate any electricity until it is 14 miles an hour.
9 There were weeks on end in January, February we didn't
10 have winds over 14 miles an hour.

11 In fact we had weather so cold those wind
12 turbines that were generating had electricity used to
13 keep them warm. And they are telling us those are safe
14 and effective and efficient. No, they are not.

15 The forever chemicals. Do you know what
16 forever chemicals are? They are forever. You, your
17 grandkids, your great-grandkids, your
18 great-great-grandkids, you put that in an aquifer, it
19 doesn't matter if you got a well 2 miles away or 10
20 miles away, if it is part of that aquifer, it is
21 poisoned forever. And you want to throw this stuff on
22 our land.

23 20 feet down. I couldn't help but laugh.
24 20 feet doesn't tell you squat. Yeah, it might tell

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1 you the very first vein of 6-inch coal that is there.
2 But the real coal is 200 feet deep. They never drill
3 anything that low to see if there is anything there.

4 Is there coal there or is it an empty room?
5 If it is an empty room, it is eventually going to
6 collapse. It is that simple. So that is really all I
7 have got to say.

8 MR. KAINS: Very good. Thank you very much,
9 Mr. Kronkite. Questions for Mr. Kronkite? First come
10 from members of the Wind and Solar Committee. All
11 right. Very good.

12 Thank you, Gentlemen. Questions from members
13 of units of local government including school
14 districts? Questions from the public? Questions from
15 Vermilion County staff and consultants. Mr. Keyt?

16 MR. KEYT: Where do you live in relation to
17 this site?

18 MR. KRONKITE: I don't. Doesn't matter.

19 MR. KEYT: How far away do you live in
20 relation to the site?

21 MR. KRONKITE: Does it matter?

22 MR. KEYT: Yes.

23 MR. KRONKITE: Why?

24 MR. KEYT: Well, we are trying to determine

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1 where you live in relation to the site to determine
2 whether or not --

3 MR. KRONKITE: I live in Vermilion County. I
4 am a Vermilion County citizen. And if we have to abate
5 that site, it is going to cost us. That I have a
6 vested interest in this, it doesn't matter where I
7 live.

8 MR. KEYT: Mr. Kronkite, I will ask again
9 where do you live in relation to the project site in
10 terms of miles.

11 MR. KRONKITE: It doesn't matter.

12 MR. KEYT: Mr. Kains, I will ask that he be
13 instructed to answer the question.

14 MR. KAINS: Yeah, I think it is relevant to
15 this proceeding. How far are you from this project?

16 MR. KRONKITE: Good job, Mr. Keyt. Doing a
17 good job. Probably about 25 miles.

18 MR. KAINS: Very good. Thank you. Mr. Keyt,
19 do you have any further questions of the witness?

20 MR. KEYT: No, sir.

21 MR. KAINS: Very good. Thank you. Final
22 questions from members of the Wind and Solar Committee
23 for this witness? All right. Very good. Mr.
24 Kronkite, thank you for your testimony.

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1 MR. KRONKITE: Thank you.

2 MR. KAINS: Any further testimony from
3 members of the public? Ms. Gelmetti or Mr. Becker, do
4 you have any further evidence in rebuttal?

5 MR. BECKER: I don't think -- I will just pull
6 it up from there.

7 MR. KAINS: Mr. Becker, just a reminder, I
8 swore you in earlier. You understand you are still
9 under oath to tell the truth?

10 MR. BECKER: I do.

11 MR. KAINS: Very good. Go ahead with
12 whatever you want to say now.

13 MR. BECKER: Great. I appreciate everyone's
14 time this morning. Just want to speak to some of the
15 concerns that came up and maybe just think within the
16 scope of our proposed development, certainly any type
17 of environmental impact as a company that wants to
18 produce energy that is good for the environment is
19 something we are conscious of.

20 But I think that really is where you can kind
21 of put dollars to commitments is we are long term
22 owners and operators. So when it comes to the
23 viability of these projects, the responsibility of
24 these projects, the insurance policies, the bonds that

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1 we commit to the county in building these, we have been
2 doing these projects for decades.

3 These aren't just sites that we just select
4 and say, hey, we hope it works out. We do a lot of
5 diligence and our financing partners who pay for these
6 projects, help us pay for these projects need to see
7 upmost diligence for it to happen.

8 I just want to put that out there that this
9 is something we are also concerned about and we want to
10 make sure that the extent of the development is
11 researched.

12 And so when we talk about the depths of the
13 coal that might be 200 feet, we are never going to be
14 impacted that far. We had the public testimony from
15 our geotechnical engineer saying we have already tested
16 20 feet deep which is more feet than there could be any
17 seismic impact based on their testimony of the most
18 intensive part of the development.

19 And that is a condition that if the County
20 Board is interested in putting some type of seismic
21 testing that we could verify that to bring some calm to
22 the folks about the impact on the ground.

23 That is something we are happy to commit to.
24 Again, we want to be good neighbors. We want to be in

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1 Vermilion County. This is not our only project in
2 Vermilion County. We want to be good decades long
3 partners here. And so if that means bringing forth
4 more diligence certainly anything before a building
5 permit is pulled, then that is something we are happy
6 to do.

7 In terms of the safety, it is important to
8 know when we are putting up fields like this, putting
9 solar projects up like this it is essentially going to
10 be USDA's conservation program. It is not being farmed
11 for decades.

12 So the pesticides that Mr. Kronkite testified
13 about that are making his water undrinkable are not
14 going into our soil. And that is a great impact on
15 that soil to have those native pollinators underneath
16 just resting that soil.

17 The other thing also is you are not tilling
18 this. So you are establishing a good deep-rooted
19 vegetative cover and it actually improves storm water
20 management.

21 So if you go to safe environmental
22 permitting, we don't -- you don't have storm water
23 management facilities like you might for more intensive
24 type developments because it is essentially just sheet

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1 flow from the rain because of that really deep root
2 system underneath the panels. So some really good
3 stuff here.

4 Out of respect for the agricultural history
5 for that property, we often do sheep grazing as part of
6 our vegetative management. Certainly that would be at
7 the guidance of the County Board and what the
8 preferences would be there, but I guess I am just
9 trying to share more information about Pivot is very
10 thoughtful over the long term about how we are good
11 neighbors on our sites. Something we just want to keep
12 communicating about that.

13 Last piece in terms of the safety of the
14 materials. I know that was brought up. We only use
15 Tier 1 panels. That has a specific designation which
16 says it has to pass EPA's rigorous leaching tests.

17 What that does is you grind these panels into
18 centimeter like pieces and rinse them through an acid
19 wash and test whatever comes out. That is how you know
20 if they are safe to go into recycling facilities,
21 landfills, things like that.

22 So we test those such that if there is heaven
23 forbid a hurricane or an earthquake or things like
24 that, that it would be safe for those materials to be

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1 there.

2 I really appreciate everyone's time and
3 attention today. I know these are complicated issues.
4 And as we talk about bigger questions and impacts that
5 it can be kind of like worst case scenarios, but I
6 think if we focus on the scope of the development, the
7 minimum impact on that land as proposed and can be
8 verified through permit conditions before pulling a
9 building permit, then I think we will see that is a
10 really safe and reasonable use of the land to help our
11 Vermilion County landowners do something with their
12 property.

13 MR. KAINS: Thank you. Questions for Mr.
14 Becker, first from members of the Committee.

15 MR. GREENWELL: If there were to be a single
16 development start losing panels, what measures would be
17 taken?

18 MR. BECKER: Yeah, so when I think about a
19 decommissioning fund, that is my first security, I
20 think about our insurance policy. We have some
21 confidence based on the geotechnical survey and we are
22 80 years since the agreed upon cease of any type of
23 activity on that site. It gives me lot of confidence
24 there.

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1 If there were -- what we might be, might be
2 an interest is if we look into separate add-on
3 insurance policies to the ones we have today. So we
4 have our standard insurance policy. I think that would
5 probably be the first thing we pull from, but I know
6 there is reference from folks in Vermilion County to a
7 resident specific subsidence insurance policy. That
8 might be something that we could talk about.

9 The great thing is, if I could just follow up
10 real quick, once a project is built and operating, a
11 lot of money and a lot of time has gone into that
12 project happening. So from a maintaining that moving
13 forward, that is never going to lose interest.

14 So Ameren obviously, the power going to the
15 Ameren system, we are using all that money has been
16 invested. So everyone, it is in their interest for
17 that to keep going. Even if anything happens to Pivot.
18 If Pivot goes away, that security is still there to
19 make sure the project is still going.

20 MR. GREENWELL: I guess I understand your
21 comment about an insurance policy, but if we start
22 losing panels, what would Pivot do to make the repair I
23 guess is what I was trying to get at.

24 MR. BECKER: So those have a manufacturer

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1 warranty on them. They would just be replaced. The
2 nature of how those projects are connected into the
3 grid is the utilities, how much power going in, the
4 panels and inverters associated with that. So say we
5 have a hailstorm that knocks out a bunch of panels, we
6 would just be replacing those.

7 MR. KAINS: Any further questions from any
8 members of the Committee? Questions for Mr. Becker
9 from any units of local government including school
10 districts? Questions from the public? Ms. Miller?

11 MS. MILLER: Hi. You just made reference to
12 if the panels are destroyed like in a hailstorm or
13 tornado or something. Who picks up all the little
14 individual pieces of whatever -- I am going to say
15 glass even though I don't know it is technically glass.

16 Who picks all that up off that property and
17 the neighboring properties? I have questions. That is
18 the first one.

19 MR. BECKER: We would have an operations and
20 management team that would employ a local team for site
21 cleanup. What is good about these panels is they are
22 so resilient, these panels, this is going to be like
23 90 percent fair.

24 So this might be just a little bit either

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1 direction, but can handle a half -- no, excuse me -- a
2 1 inch hail rock at 50 miles per hour. These panels
3 are coated in a polymer coating similar to your
4 windshield. So even if you were to take like a hammer
5 to them, they are not just going to shatter in a bunch
6 of pieces. They are kind of maintained in that casing
7 so that nothing -- it kind of stays there.

8 But we would have a local operation
9 management team. We can also remotely track that the
10 panels are producing the energy they are supposed so if
11 there is any deficient equipment, we will send somebody
12 immediately.

13 MS. MILLER: I get the big pieces, but I read
14 nightmare stories of little tiny shards. Who picks all
15 them up? If there are little tiny shards that gets
16 scattered all over the place or on the ground, that is
17 my issue.

18 Not the big pieces. Not concerned about
19 them. So who goes along and picks -- have you ever
20 picked up burnt corn in a cornfield?

21 MR. BECKER: I have not done that, no.

22 MS. MILLER: Try that sometime. Who picks up
23 every individual little piece of glass?

24 MR. BECKER: So the answer is going to be the

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1 same. If it is a disaster or remediation situation,
2 then it would still be that same team going out
3 regardless of the scope of that remediation. And those
4 would be folks employed by Pivot Energy.

5 MS. MILLER: So let's say one of the panels
6 -- so once a panel is detached and it does damage on
7 neighboring property, who is responsible? Pivot, the
8 landowner, the County?

9 MR. BECKER: Pivot Energy. It is a part of
10 our insurance policy.

11 MS. MILLER: And what if you are no longer in
12 existence?

13 MR. BECKER: The conditions of permits for
14 solar projects like this, one of the conditions would
15 be that we have to maintain that insurance policy such
16 -- and decommission bond so that can always be called
17 upon regardless of Pivot's existence.

18 MS. MILLER: Then the post piles or pylons
19 that you hammer into the ground, what are they made out
20 of? Are they galvanized?

21 MR. BECKER: Often galvanized. Sometimes the
22 specific type of beams will come down to the nature of
23 the soil. This is early enough in the process we
24 haven't picked out that specific equipment yet.

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1 MS. MILLER: Is this galvanized metal more
2 toxic to the environment than traditional steel? I
3 know it rusts more. That is what I have been reading
4 and I would like clarification on that.

5 MR. BECKER: Galvanized --

6 MS. MILLER: And actually more toxic to the
7 environment and the water system and the ground than
8 traditional steel.

9 MR. BECKER: It would be beyond my expertise.
10 So what I would say is we choose our steel in the most
11 environmentally responsive way to match the soil where
12 our projects are located.

13 MS. MILLER: You don't know the, what the
14 actual would be?

15 MR. BECKER: We have not picked the steel for
16 this project yet.

17 MS. MILLER: Thank you.

18 MR. KAINS: Thank you, Ms. Miller. Let's go
19 off the record for a second, Becky.

20 (Discussion held off the record.)

21 MR. KAINS: Back on the record please.

22 Additional questions for Mr. Becker? Yes, Mr.
23 Kronkite.

24 MR. KRONKITE: Yes. Thanks to our

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1 stenographer. So, in other words, you are telling us
2 below 20 feet you have no idea what is down there?

3 MR. BECKER: That is not what we are saying,
4 Mr. Kronkite. What we are saying is the nature of our
5 development that 20 feet is the depth of reasonable
6 impact.

7 And so similar to we are not doing research
8 on thousands of feet up in the sky, we are not going to
9 be developing any impact there, then we keep our scope
10 within what we are going to impact.

11 MR. KRONKITE: Is this a reasonable
12 installation?

13 MR. BECKER: This is a reasonable
14 installation.

15 MR. KRONKITE: So you don't know what is below
16 20 feet. Polymers, you talk about breaking up and
17 shredding them up. That is not what we are really
18 worried about.

19 What we are worried about is polymer shed.
20 There is huge studies and a lot of stuff out there
21 scientifically and in public that talks about polymers,
22 how our bodies are basically becoming saturated with
23 them. A mother's breast milk has polymers in them.
24 So, what -- polymer shed. That is what we are

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1 interested in here. How much do those cells shed over
2 their lifespan?

3 MR. BECKER: I think I understand the
4 question. Actually I put a little -- next time folks
5 are up in Chicago, the blue paradox is a great exhibit
6 to that point. It shows that microplastics are in
7 everything, right?

8 And it is an interesting consideration. So
9 that is not -- there is nothing abnormal about a solar
10 panel in terms of any polymer that comes off it. And
11 it has not been seen to be any risk for any of our
12 project sites.

13 MR. KRONKITE: So you have read research that
14 says no risk?

15 MR. BECKER: That has never been raised in the
16 environmental site assessments of our hundreds of
17 projects that we have done before.

18 MR. KRONKITE: Well, that is not that it
19 shouldn't. So do you think it should be? Do you think
20 it should be studied and see how much these things shed
21 off into the ground? Basically, you know, they are
22 going to be for thousands of years possibly. Do you
23 think that should be studied?

24 MR. BECKER: I don't know that -- so, this

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1 type of work, this is the first time it has come up in
2 a hearing before for me. I am just talking with you.

3 MR. KRONKITE: Please.

4 MR. BECKER: So I am not aware of the type of
5 study that would be done to disprove something. I
6 think within the scope of what we are talking about
7 today, of course the nature of this hearing was about
8 the mines.

9 I think we have done a very good job of
10 addressing the limited impact that we are addressing
11 the mines in that sense. But if this is a different
12 concern that you would like to address, I would be
13 curious to see your research.

14 MR. KRONKITE: Well, it is not a matter of
15 research. It is a matter of science. It is huge out
16 there now. This is massive. This is in every medical
17 publication anymore. And you guys aren't looking at
18 it. Okay. That is fine.

19 Forever chemicals. What kind of chemicals?
20 Now you said that 90 percent of these solar panels
21 would stay in place. What happens to the other 10
22 percent when they shatter and leak their content? Are
23 they forever chemicals?

24 MR. BECKER: There is no leaking of the

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1 panels. There materials are inside.

2 MR. KRONKITE: You said 10 percent -- in an
3 event 10 percent could be damaged and destroyed in an
4 environmental, you know, something. The 10 percent
5 that is left, what kind of chemicals are in those
6 panels that could get into the soil?

7 MR. BECKER: And if that is what you took away
8 from what I said, let me adjust that. I was giving the
9 example of an incident that it didn't take out the
10 whole field.

11 Only specific panels that maybe got hit or
12 maybe someone drove their car in, right? And in that
13 instance we would be able to replace the individual
14 piece of equipment is what I would say there.

15 MR. KRONKITE: Really? That is what you were
16 saying? I didn't take it that way. So you are not
17 going to tell us if there is forever chemicals in these
18 panels is what I am hearing.

19 MR. BECKER: What I said is that these are
20 Tier 1, very safe panels, that are safe to be put into
21 landfills. There is no chemicals that would not pass
22 the EPA test.

23 MR. KRONKITE: What you said was the size, an
24 inch hailstone or three quarter inch?

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1 MR. BECKER: An inch.

2 MR. KRONKITE: There have been hail the size
3 of golf balls. What will a golf ball size hail do to
4 this installation?

5 MR. BECKER: Yeah. I was just giving an
6 example of resistance. So if there were a hailstorm
7 such that they impact the panels, then we would be
8 replacing those panels under manufacturer warranty.

9 MR. KRONKITE: So you are not going to answer
10 the question about forever chemicals.

11 MR. BECKER: I did answer the question.

12 MR. KRONKITE: You did not say there were or
13 were not forever chemicals in those solar panels.

14 MR. BECKER: If you have a specific chemical
15 you would like to bring up, we can take a look at that.
16 But it is a broad term that I am not sure what that
17 means.

18 MR. KRONKITE: If the government stopped
19 funding, if they quit giving out money for solar
20 companies to put in these panels, would your company
21 exist?

22 MR. KAINS: Mr. Kronkite, that is not
23 relevant to the particular issues here which are safety
24 impact related to nearby mine shaft and water aquifers.

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1 I think the fair thing is you have your opinion on it,
2 I think Mr. Becker probably has his opinion on it, but
3 we are going to have to stick to the issues. Go right
4 ahead with another question.

5 MR. KRONKITE: My question is: Why wasn't an
6 EMF imaging done of that area?

7 MR. BECKER: Because the first step in a
8 subsurface exploration is a geotechnical study and that
9 had a satisfying response for our project.

10 MR. KRONKITE: You answered my question.

11 MR. KAINS: Thank you. Any other questions
12 from members of the public? Now we are going to take a
13 recess. Let's come back. It is 11:14 right now.

14 Let's come back at -- it is 11:15 right now.
15 Let's come back at 11:25. The Wind and Solar Committee
16 from Vermilion County is now in recess until 11:25 a.m.
17 Thank you.

18 (Whereupon a break was taken and the hearing
19 continued as follows:)

20 MR. KAINS: Mr. Keyt, do you have any
21 exhibits that you wish to place in the record of this
22 hearing?

23 MR. KEYT: Yes, sir. Give me one second just
24 to pull it up. I am going to mark for the record

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1 Exhibit No. 6 will be the report from Applied
2 Geosciences, Inc. Received into evidence on March 17,
3 2025, as Exhibit No. 6.

4 Exhibit No. 7 is the CV of Adam Moghamis.
5 Exhibit 8 is the CV of Safdar Gill, Dr. Safdar Gill.
6 Exhibit No. 9 is the proof of publication for the
7 March 17, 2025, hearing date and the affidavit of
8 mailing to adjacent landowners.

9 MR. KAINS: Exhibits 6, 7, 8 and 9 will be
10 admitted into evidence as part of the record of this
11 hearing. They will be -- they may be considered by the
12 Wind and Solar Committee and they will be transmitted
13 to the full Vermilion County Board for its
14 consideration on this issue.

15 All right. When last we were here, we had,
16 Mr. Kronkite testified and now I asked for other
17 members of the public. Anybody else?

18 One thing I skipped, I forgot to ask if there
19 were any persons who wish to testify who are neutral on
20 the application. We had those in favor, those opposed.
21 Neutral? Very good. Then, Mr. Keyt, are there any
22 other Vermilion County staff reports or testimony?

23 MR. KEYT: No, sir.

24 MR. KAINS: Seeing none, Mr. Keyt or Mr.

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1 Chairman, have there been any written comments on this
2 project submitted to either of you or to the Vermilion
3 County Board Office?

4 MR. KEYT: I am not aware of any.

5 MR. FOUREZ: If he has nothing, I got
6 nothing.

7 MR. KAINS: Okay. There is no written
8 comments for us to identify. Then public comments, a
9 public comment period is available. I see that persons
10 who are most interested in this have already testified
11 and we appreciate that, Ms. Miller and Mr. Kronkite.

12 Seeing no public comment, then generally go
13 to closing statements from either counsel or project
14 developer. Although I believe Mr. Becker when he
15 testified in rebuttal, that was probably his closing
16 statement then. So you don't have anything else to
17 add?

18 MR. BECKER: (Shaking head.)

19 MR. KAINS: Very good. Closing statements,
20 the other persons who are interested. Ms. Miller and
21 Mr. Kronkite, you have testified. Do you have anything
22 else to say? Very good. Thank you.

23 Got to give everybody the opportunity if we
24 follow the rules. One thing I am is a rule follower.

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1 Not much else, but I am a rule follower.

2 All right. Then the evidence is closed in
3 this public hearing. There will be no additional
4 evidence accepted. And now it is time for the Wind and
5 Solar Committee of Vermilion County to deliberate and
6 discuss if necessary and vote on the Special Use Permit
7 Application. It is a special use, correct, Mr. Keyt?

8 MR. KEYT: Siting. I think they call it a
9 special use, but, yeah.

10 MR. KAINS: So to vote on the Siting
11 Application. I will turn the discussion on the issues
12 over to you, Mr. Keyt, to work with your client on.

13 And in a criminal trial or civil trial, a
14 jury trial, jurors go behind doors and deliberate and
15 come out with a verdict. Not the way we do things.
16 Everything is done in front of the public.

17 So the Board will deliberate in front. If
18 there is any comments they want to make, they may, but
19 they will do it in front of everyone. So, Mr. Keyt, I
20 will turn it over to you.

21 MR. KEYT: Thank you.

22 MR. KAINS: Can you raise your voice a little
23 bit?

24 MR. KEYT: Yes. So in front of the Committee

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1 members, I provided you a draft set of findings based
2 on the information that was provided as well as I have
3 some additional information based on testimony that was
4 provided today as well.

5 So I am going to walk through what is
6 additional from last time in the findings of fact. And
7 you should have in your packet of materials a draft set
8 of findings and fact. I will just for reference, it
9 should look like this. It is about 14 pages. Mr. Bird
10 has it. Anybody else looking for it? Okay. Mr.
11 Puzey, you want this copy? Here, take it.

12 Okay. So we are looking at the findings of
13 facts. Just this is supplemental so this is not, I am
14 not going to walk through the entire document because
15 November 22 we were here and heard the petition before.
16 So at least the majority of that information.

17 We are only supplementing with information
18 that was received today. So it is not a whole new set
19 of going through all of the conditions or findings. We
20 only need to go through what is supplementary based on
21 today. So I am going to direct your attention to a
22 couple of important parts.

23 If you look at Page 2, the list of witnesses
24 on our findings of fact, I have added the two experts,

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1 Adam Moghamis and Dr. Gill, have been added as well as
2 Buzz Becker has been added. He was one of the
3 witnesses. And also there was testimony from Becky
4 Miller and Arthur Kronkite, both citizens would be
5 listed in opposition to the project.

6 And then in terms of exhibits, I have added
7 Exhibits 6, 7, 8 and 9. Exhibit 6 is the supporting
8 documents for Applied Geoscience, dated March 13,
9 received into evidence on March -- dated March 13 and
10 receive into evidence on March 17.

11 And then Exhibit 7 is the CV of Adam
12 Moghamis, Exhibit 8 is the CV of Dr. Gill, and Exhibit
13 No. 9 is the proof of publication that was provided
14 today by the developer.

15 Any changes to that, just those section that
16 I read? I'm going to go down to the substantive
17 testimony here in a second and provide that
18 information, but any additions or subtractions that you
19 think need to be added or removed from that particular
20 section of exhibits? I think I have captured all the
21 witnesses and exhibits that have been presented in this
22 case.

23 Okay. Then I am going to direct your
24 attention to the bottom of Page 10 of that document.

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1 As you recall, we are on what we would call a remand
2 back from the County Board to the Committee.

3 The County -- and I have added the paragraph
4 that starts at the bottom of Page 10, starts with the
5 County Board requested specific information to be
6 evaluated regarding the presence of coal mines in the
7 area of the project, whether water aquifers could be
8 impacted by the project.

9 March 17, 2025, the Applicant presented
10 additional information and testimony including
11 Exhibit 6. Then we go on to describe what that
12 evidence is on to Page 11 and down to the beginning of
13 Page 12. I am going to briefly touch upon what we have
14 heard and what is included in Exhibit No. 6.

15 So starting at the bottom of Page 10,
16 Exhibit 6 is the additional testimony provided by the
17 Applicant witnesses and establishes the following
18 additional facts. And then there is bullet points
19 after that.

20 What is referenced here then is Applied
21 Geoscience, Inc., performed six geotechnical borings
22 and -- six geotechnical borings and a pit test was done
23 a depth to 20 feet below ground surface. The borings
24 did not discover any unusual voids, visual or olfactory

1 evidence of contaminated soil.

2 A Phase I Environmental Site Assessment was
3 performed and found evidence of two prior mines in the
4 vicinity of the project. One, Riola Coal Mine, located
5 approximately 2000 feet to the west of the subject
6 property boundary and was active in 1996 to 2006.
7 No. 2, the Bunsenville Mine abandoned.

8 No. 6 coal seam was located east of Riola
9 mine including the subject parcel and was potentially
10 active until 1947 when it was abandoned. Based on the
11 information discovered by Gill, it was determined that
12 the Bunsenville coal seam was located at a depth of 185
13 to 240 feet.

14 Based on the information he found subsidence
15 would be suspected, but none was found. The
16 Bunsenville coal seam was concluded to either not have
17 been mined or the recovery was too small.

18 Regardless, any subsidence on the property
19 would be typical within the first 10 years after mining
20 and on the subject parcel no subsidence was found.
21 Dr. Gill concluded there is no concern of continuing
22 subsidence on the subject property from the effects of
23 past mining done on the subject parcel. As to the
24 Riola mine, the west mine coal seam was 251 feet deep.

1 Based on the depth and distance from the
2 subject property, the effect of subsidence should be
3 minimal beyond 176 feet from the nearest edge of the
4 Riola mine.

5 The project area is well outside the
6 potential subsidence area with the closest distance
7 being approximately 606 feet. No subsidence is
8 expected to occur on the subject parcel.

9 As to water aquifers, no water wells or any
10 major sand and gravel aquifers or major rock aquifers
11 less than 500 feet under the subject property or within
12 the vicinity of the site.

13 No impact to potable water sources from the
14 project site are anticipated. The report concludes,
15 "based on the results of AGI's subsurface
16 investigation, the lack of historical evidence of
17 surficial disturbance at the site, the lack of wells or
18 aquifers in the vicinity of the site and a limited
19 structural review by Dr. Gill, the vicinity to the
20 former mine does not appear to pose any structural,
21 environmental or construction related concerns. That
22 is Exhibit No. 6.

23 We also heard from Becky Miller. Becky
24 Miller provided testimony largely based on

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1 conversations she had with others. She is concerned
2 about water aquifers and potential subsidence. She has
3 not visited the specific site. She lives approximately
4 five miles from the project site.

5 Arthur Kronkite provided testimony that he is
6 concerned about the site's forever chemicals within the
7 panels could leach into the ground. He believes there
8 may be even mine subsidence well after 10-years
9 following abandonment of the mine shaft. He lives
10 approximately 25 miles from the proposed site. Buzz
11 Becker testified that the panels are Tier 1 panels and
12 have passed testing from the EPA.

13 Is there any additional facts or information
14 or any adjustments to what I have read that you would
15 want to make to these draft findings of fact for your
16 review? Mr. Chairman, anything? Any changes to the
17 findings of fact that I have provided the Committee?

18 MR. FOUREZ: Anything on you guys?

19 MR. KEYT: Is there a motion to approve the
20 findings of fact as drafted?

21 MR. BIRD: So moved.

22 MR. KEYT: Mr. Bird. Is there a second?

23 MR. PUZEY: Second.

24 MR. KEYT: Mr. Puzey. Any discussion,

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1 further discussion I should say? Okay. Hearing none,
2 do you want me to do a roll call vote, Mr. Chairman?

3 MR. FOUREZ: Yes.

4 MR. KEYT: Chairman Fourez?

5 MR. FOUREZ: Yes.

6 MR. KEYT: Mr. Bird?

7 MR. BIRD: Yes.

8 MR. KEYT: Mr. Puzey?

9 MR. PUZEY: Yes.

10 MR. KEYT: Mr. Greenwell?

11 MR. GREENWELL: Yes.

12 MR. KEYT: Mr. Crawford?

13 MR. CRAWFORD: Yes.

14 MR. KEYT: We have previously done the
15 conditions on this project. Are there based on just
16 the testimony from today, just based on the testimony
17 from today, is there any additional conditions you
18 would want to include?

19 I can briefly kind of run through maybe the
20 topic of areas that are already addressed. For
21 example, the prior set of conditions that was passed by
22 the Board.

23 There is a provision regarding the capping of
24 wells. So if there is any wells discovered on the

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1 property, they have to cap those wells. In accordance
2 with Illinois laws, specific laws in Illinois about
3 capping wells.

4 The company if they, they are not doing that,
5 they have to perform well monitoring and testing and
6 provide the results to the County annually before
7 December 31 of every year. That deals with the wells
8 that could or may be, might be found on the site or at
9 this point it doesn't appear there are any, but we
10 would leave that condition in.

11 There are a number of other conditions that
12 were previously approved by the Committee, there is 27
13 in number. I'm not going to go through all of those.
14 We have already gone through them. One, for example,
15 includes drain tile surveys.

16 Is there any other additional conditions that
17 you might want specifically related to the testimony we
18 heard today? Mr. Fourez, any additional conditions you
19 want placed on the project?

20 MR. FOUREZ: It is up to the Committee.

21 MR. PUZEY: General question. Should we
22 consider performance of wells in the neighborhood
23 during the term for the project or leave that open as
24 if there was no damage in the first place?

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1 MR. KEYT: Well, I suppose we could have
2 wells tested on adjacent parcels perhaps. If you
3 wanted to include it. It is hard to figure what might
4 be appropriate or reasonable. Let's say reasonable
5 restriction in terms of water wells on maybe adjacent
6 parcels.

7 You could add to the wells and well
8 monitoring that if there is any wells on adjacent
9 parcels that you would want them to have tested if that
10 well owner wanted to have it tested. You could leave
11 that open.

12 MR. PUZEY: I would take that as an open
13 question.

14 MR. KEYT: You could say in Condition No. 9 we
15 already have company shall seal all wells on site
16 pursuant to Illinois law, provide appropriate proof of
17 sealing to the County prior to the receipt of any
18 building permit.

19 Alternatively the company shall annually
20 perform well monitoring testing and provide the results
21 thereof to the County on or before December 31. You
22 could add just a clause that says company shall provide
23 well monitoring or well testing for potable water
24 quality and offer that to adjacent -- parcels that have

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1 -- adjacent parcels that have potable water wells on
2 them. Do you want to add something along those lines?

3 MR. PUZEY: It is already in there, right?

4 MR. KEYT: This would be in relation to well
5 monitoring and testing and provide the results to the
6 County to those that are on the site, project site.

7 If you want to add that last sentence, you
8 could say, remove alternatively and say company shall
9 annually perform well monitoring and testing and
10 provide the results thereof to the County on or before
11 December 31 of each year for any potable water well
12 located on adjacent parcels.

13 MR. PUZEY: Does that mean next to or does
14 that mean I will call it a 5-mile radius or what is the
15 qualification there?

16 MR. KEYT: Immediately adjacent, i.e., a
17 parcel that is touching the property line of this
18 project.

19 MR. PUZEY: I think that is within reason on
20 that.

21 MR. KEYT: So we could say it as the company
22 shall annually perform well monitoring and testing.
23 How about this? Annually perform well monitoring and
24 testing when so requested by a well owner.

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1 MR. PUZEY: I am in favor of that.

2 MR. KEYT: And provide the results thereof to
3 the County on or before December 31 of each year for
4 any potable water well located on an immediately
5 adjacent parcel to the project.

6 MR. PUZEY: Yes.

7 MR. KEYT: Make sense?

8 MR. PUZEY: (Nodding.)

9 MR. KEYT: Is there any other changes you
10 would want to make to the conditions? Adjustments
11 based on testimony you heard today? Okay.

12 MR. GREENWELL: Mr. Becker mentioned
13 additional insurance in relation to subsidence.

14 MR. KEYT: You could add something like that
15 if you wanted to. Company shall seek out and provide
16 or obtain subsidence insurance. If you wanted to add
17 that. Does that make sense? Some nods yes.

18 MR. PUZEY: If you don't have subsidence
19 insurance, they are on the hook for it basically, are
20 they not? Or are they saying they are not.

21 MR. KEYT: The question would be, you know,
22 how would somebody recover if there was some sort of
23 subsidence. So the insurance they would have is the --
24 if there is subsidence on the property itself, if they

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1 had mine subsidence insurance, it would then kick in to
2 provide, you know, rebuild or make them whole.

3 If they didn't have mine subsidence, they
4 would be out of luck, right, so they wouldn't have any
5 insurance to cover it. They would have to pay for it
6 out of pocket.

7 MR. PUZEY: So maybe I missed this, maybe the
8 question didn't come up. Do they have, the project
9 developers, do they have insurance for subsidence?

10 MR. KEYT: You mean currently? Typically --

11 MR. PUZEY: Or will have.

12 MR. KEYT: In looking at Mr. Becker, I think
13 Mr. Becker thinks he can reach out and obtain mine
14 subsidence insurance sounds like. He is nodding yes.
15 So typically most insurance policies don't cover mine
16 subsidence. Typically. Now I am not an insurance guy,
17 but just from operating in the insurance industry.

18 So if you want to add a provision that says
19 company shall obtain subsidence insurance and provide
20 proof of same prior to receipt of building permit, you
21 could add a provision like that.

22 They already have some insurance they have to
23 get. It would probably just be a rider to their
24 general policy. Any other comments? Thoughts? Sounds

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1 like you want to add subsidence insurance.

2 MR. PUZEY: I'm not sure what that is going
3 to cover. If the ground sinks 1 inch, are they going
4 to do anything about it? The answer is probably no,
5 but if it sinks a foot or whatever the depth of these
6 pole beams, might be something they want to take a look
7 at.

8 It depends on the area that is affected. So
9 I am not sure what the insurance policy provides, would
10 even cover. They may be pretty limited on that.

11 MR. KEYT: It could be. There is something
12 there. You are not going to be able to guard against
13 any, every potential issue. If someone, you know, an
14 adjacent parcel was somehow harmed by activity on the
15 site that is caused by the developer, they would have
16 that recourse back to the developer. Private action,
17 they would have --

18 MR. PUZEY: I would also recommend the
19 subsidence insurance.

20 MR. KEYT: I drafted it as company shall
21 obtain mine subsidence insurance and provide proof of
22 same prior to receipt of building permit. Any other
23 additions, changes, subtractions?

24 MR. PUZEY: I would say they are pretty firm

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1 ground, but no subsidence since 1947, then probably
2 aren't.

3 MR. KEYT: Probably. Any other questions,
4 comments, any changes? Any other changes you would
5 want to make to this? Otherwise the conditions from
6 the November 22 hearing would remain. Is there a
7 motion to approve the additional conditions as drafted?

8 MR. PUZEY: I so move.

9 MR. KEYT: Mr. Puzey.

10 MR. GREENWELL: Second.

11 MR. KEYT: Mr. Greenwell. Any discussion
12 beyond what we just had? Hearing none, roll call vote.

13 MR. FOUREZ: Yes.

14 MR. KEYT: Mr. Fourez?

15 MR. FOUREZ: Yes.

16 MR. KEYT: Mr. Bird?

17 MR. BIRD: Yes.

18 MR. KEYT: Mr. Puzey?

19 MR. PUZEY: Yes.

20 MR. KEYT: Mr. Greenwell?

21 MR. GREENWELL: Yes.

22 MR. KEYT: Mr. Crawford?

23 MR. CRAWFORD: Yes.

24 MR. KEYT: Motion carries 5 to 0. Is there a

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1 motion -- based on the additional information provided
2 today in testimony, is there a motion on a
3 recommendation to the County Board?

4 Last time there was a motion to approve
5 subject to conditions. Do you want to make the same
6 motion? You can do so now.

7 Only thing I would say is the project, if you
8 are going to make a motion to approve, I would ensure
9 that you are making a motion to approve subject to
10 conditions.

11 Again, this goes to full County Board, but if
12 there is a motion anybody wants to make on a
13 recommendation, you can do so now. Last time there was
14 a motion to recommend approval subject to conditions.

15 MR. PUZEY: I --

16 MR. KEYT: Your options are motion to
17 approve, motion to approve subject to conditions -- or
18 I'm sorry -- motion to recommend approval subject to
19 conditions, a motion to recommend approval without
20 conditions, or a motion to recommend denial. Those are
21 your three options.

22 MR. PUZEY: I recommend approval subject to
23 recommendations.

24 MR. KEYT: To conditions?

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1 MR. PUZEY: Conditions.

2 MR. KEYT: Is there a second?

3 MR. BIRD: Yeah.

4 MR. KEYT: Mr. Bird. Any discussion?

5 Hearing none, roll call vote. Mr. Fourez?

6 MR. FOUREZ: Yes.

7 MR. KEYT: Mr. Bird?

8 MR. BIRD: Yes.

9 MR. KEYT: Mr. Puzey?

10 MR. PUZEY: Yes.

11 MR. KEYT: Mr. Greenwell?

12 MR. GREENWELL: Yes.

13 MR. KEYT: And Mr. Crawford?

14 MR. CRAWFORD: Yes.

15 MR. KEYT: Motion carries 5 to 0. That
16 concludes the hearing on Exhibit -- Pivot Energy No. 6.
17 That is Item No. 5 and No. 6 on your agenda and then
18 next up will be Item No. 7 on your agenda. As I
19 understand it, Mr. Fourez, you have to leave here
20 shortly.

21 MR. FOUREZ: Yes.

22 MR. KEYT: Up to the Committee if you want to
23 continue with hearing the next case, you can. We would
24 need somebody to potentially be the chair, turn it over

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1 to Scott to facilitate the hearing, but if there is
2 anybody that wants to nominate someone to be the chair
3 pro-tem you could do so. Or if you wanted to recess
4 and come back another day to hear this next one, you
5 could do that to a time that Mr. Fourez is available.

6 MR. PUZEY: I recommend we go ahead.

7 MR. KEYT: Is there a motion to recommend a
8 chair pro-tem? Is there any sucker that wants to?

9 MR. CRAWFORD: I recommend Harry Puzey as
10 chair.

11 MR. KEYT: Mr. Crawford. Is there a second?
12 Mr. Bird. All those in favor?

13 THE BOARD: Aye.

14 MR. KEYT: All right. Mr. Puzey, you are the
15 unlucky one. So we could -- Mr. Puzey is going to act
16 as the chair pro-tem. So if you need to take off, you
17 can.

18 MR. KAINS: All right. Before we get
19 started, I know this next team has been waiting all
20 morning, but I think we ought to take a recess, get
21 something quick to eat and get back here while we are
22 not hangry because judging from this first hearing,
23 that took nearly three hours, we are starting an entire
24 new hearing which could take easily three hours. What

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1 is the Committee's preference?

2 MR. PUZEY: Do you want a break or not? Is
3 that the question?

4 MR. KAINS: Lunch break or not, we can come
5 back. Is there something fast around here? Let's go
6 off the record, Becky. We will be in recess until
7 12:15. Thank you.

8 (Whereupon a break was taken and the hearing
9 continued as follows:)

10 MR. KAINS: Mr. Puzey is chairman pro-tem of
11 the Committee. Thank you, Mr. Puzey, for stepping in.
12 And we are down to Item No. 7 on the agenda: Public
13 Hearing and Possible Action on Siting Permit
14 Application of 4200 North Solar 1, LLC, to construct
15 and operate a commercial solar energy facility
16 approximating 17.53 acres and 3.0 megawatts, generally
17 located on East 4200 North Road in Vermilion County in
18 Butler Township. And I guess, Mr. Keyt, you need to do
19 a roll call for this hearing as well.

20 MR. KEYT: We don't have to, but I can. Mr.
21 Puzey?

22 MR. PUZEY: Present.

23 MR. KEYT: Mr. Greenwell?

24 MR. GREENWELL: Here.

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1 MR. KEYT: Crawford?

2 MR. CRAWFORD: Here.

3 MR. KEYT: Bird?

4 MR. BIRD: Here.

5 MR. KEYT: Okay. Board members are present.

6 MR. KAINS: All right. Mr. Keyt, my next
7 question, confirm or not confirm, that the necessary
8 fees have been paid by the Applicant to Vermilion
9 County and the Notice of Public Hearing has been
10 published and mailed in accordance with law.

11 MR. KEYT: Both the fee and the appropriate
12 notice has been done in accordance with law. In
13 addition notice of the hearing was also published on
14 the County's website and the Application itself was
15 published on the County's website.

16 MR. KAINS: Thank you. The Applicant is
17 represented by Attorney Kyle Barry. And he has his
18 team with him. And a witness anxious to testify.

19 Mr. Barry, do you have any opening statements
20 you would like to make or just want to jump right in
21 with testimony.

22 MR. BARRY: I have a brief intro if that is
23 what you mean?

24 MR. KAINS: Yes. Go ahead.

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1 MR. BARRY: Good afternoon, Members of the
2 Committee, Mr. Keyt, Mr. Kains. As Mr. Kains
3 indicated, my name is Kyle Barry. I am a lawyer in
4 Springfield with the law firm McGuire Woods and I
5 represent the Applicant.

6 And I have got two witnesses, the first one
7 Jeremy Walrond is going to kick us off. So Mr.
8 Walrond, if you could please tell us your name for the
9 record and spell it.

10 MR. KAINS: Before we do that, may I swear
11 him in?

12 MR. BARRY: Oh, yeah.

13 (Witness duly sworn.)

14 MR. KAINS: Thank you. Go ahead, Mr. Barry.

15 MR. BARRY: Again, can you tell us your name?

16 MR. WALROND: Jeremy Walrond. J-e-r-e-m-y,
17 w-a-l-r-o-n-d.

18 MR. BARRY: And what -- who is your employer,
19 Mr. Walrond?

20 MR. WALROND: Soltage, LLC, located in Jersey
21 City, New Jersey.

22 MR. BARRY: What your position?

23 MR. WALROND: I am an associate of
24 development.

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1 MR. BARRY: What is your connection to the
2 solar project we are talking about today?

3 MR. WALROND: I am the point of contact and
4 project manager of the project.

5 MR. BARRY: I understand you have a PowerPoint
6 presentation; is that correct?

7 MR. WALROND: That is correct. Yes, sir.

8 MR. BARRY: Could you go ahead and take us
9 through that?

10 MR. WALROND: Absolutely.

11 MR. BARRY: Thank you.

12 MR. WALROND: I will go through the next slide
13 and talk about Soltage, who we are, what we do and what
14 we are looking to accomplish. So thank you all for
15 giving us the opportunity to speak in front.

16 Good afternoon, Members of the Committee. My
17 name is Jeremy Walrond and I am here on behalf of 4200
18 North Solar 1, LLC, which is a subsidiary of Soltage,
19 LLC. Soltage is a national independent power producer
20 specializing in the development, ownership and
21 operation of solar energy projects since 2005.

22 To date we have developed and constructed 120
23 distributive generation solar projects across 15
24 states. In Illinois we currently operate 11 community

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1 solar projects including one in Vermilion County with
2 another under construction in partnership with the City
3 of Danville.

4 We remain committed to expanding renewable
5 energy access to the region and look forward to
6 continuing our work in Illinois. So the project that
7 is in Vermilion County already, it is called Ridge Farm
8 Solar 1, LLC. It has been operating since 2020. And
9 we have been maintaining a good relationship with the
10 County as well as the landowners.

11 Next slide please. So this slide is showing
12 the overview and aerial of the project. As you can
13 see, it is a very rural area. There are sparsely
14 populated. West of the solar project is the Village of
15 Rankin.

16 We are seeking approval for a commercial
17 solar energy facility siting permit for a 3 megawatt AC
18 solar PV system. The project will be located on a
19 72-acre parcel approximately one mile east of the
20 Village of Rankin off of East 4200 North Road. The
21 surrounding land, primary agricultural.

22 The system will be set back at least 50 feet
23 from all property lines with over 700 feet between the
24 fence line and East 4200 North Road ensuring ample

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1 distance from public roadways and adjacent properties.

2 MR. BARRY: Mr. Walrond, we see on the screen
3 here a box, rectangle. Is that the 72-acre parcel?

4 MR. WALROND: That is correct. Right where
5 you see it is a sun and it says solar project. The
6 blue highlighted area is actually going to be where the
7 solar array is located.

8 MR. BARRY: Why isn't the project located
9 more centrally on the parcel?

10 MR. WALROND: There is a gas pipeline that
11 runs diagonally. So from that northwest region towards
12 the southeast, there is a gas pipeline. So we wanted
13 to situate the project well far away from that gas
14 pipeline.

15 And we have enough of a setback where we are
16 not touching the gas movement. And we wanted to
17 incorporate the 700 plus setback from the north road
18 because there is a transmission line that runs parallel
19 to the project. So we are way behind that transmission
20 line as well.

21 MR. BARRY: So the project infrastructure will
22 avoid the gas line easement, correct?

23 MR. WALROND: That is correct.

24 MR. BARRY: And the gas pipeline easement will

1 be set back some distance from the fence for the
2 project?

3 MR. WALROND: Yes, sir. Next slide please.
4 Okay. So this slide presents the site plan which our
5 primary civil engineer Sean Hickey will explain in more
6 detail when I conclude.

7 The solar array will cover approximately
8 17.53 acres within the larger 72-acre parcel. A gas
9 transmission line and an overhead electric transmission
10 line runs through the parcel. To avoid these existing
11 utilities the project has been strategically placed in
12 the southeast portion of the site.

13 The project will be a ground-mounted solar
14 energy system comprised of about 6800 solar panels
15 mounted on single axis trackers. It will have 12
16 inverters and two transformers that will be housed on
17 concrete equipment pads.

18 There will be an access road with a gated
19 entrance and a 6-foot minimum tall safety fence
20 enclosing the facility. A vegetative buffer of
21 evergreens will surround the project on all sides.

22 The project will interconnect with Ameren's
23 grid on East 4200 North Road and have approximately
24 seven utility poles which will be installed for

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1 interconnection.

2 MR. BARRY: Will the vegetative buffer be
3 inside or outside the fence?

4 MR. WALROND: Outside.

5 MR. BARRY: And will that vegetative buffer on
6 the west side at least also avoid the pipeline
7 easement?

8 MR. WALROND: That is correct. There is
9 sufficient amount of room between the easement and the
10 vegetative buffer. So the project is expected to begin
11 construction in late 2025. The complete construction
12 in late 2026, of course assuming approval of permits.

13 Next slide please. So I'll briefly touch on
14 the benefits of solar. So this will be a community
15 solar project. As a community solar project,
16 residential, commercial Ameren customers may sign up to
17 receive solar energy from the system.

18 Approximately 600 homes can be supplied with
19 electricity through this project. About 50 contractor
20 jobs will be created during construction and we will
21 seek to source the vegetative buffer locally of
22 evergreens.

23 The native pollinator ground cover mix will
24 help rebuild topsoil, improve soil structure and

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1 stability and restore nutrients into the soil, increase
2 biodiversity, support habitats of wildlife including
3 endangered pollinator populations and the deep root
4 system will help prevent erosion and reduce the storm
5 water runoff.

6 There are no dangerous chemicals or
7 pesticides that will be used. Our civil engineer will
8 talk a little bit more about the storm water
9 management.

10 Next slide please. So here one of the key
11 benefits of this project is the increased tax revenue
12 for the township, village and county. The slide
13 compares the current taxes on the farmland with the
14 anticipated tax contributions from this specific solar
15 project.

16 The additional revenue will help support
17 local schools, the library, the conservation district
18 and infrastructure improvements at the county and
19 township levels.

20 Since the solar project requires minimum
21 public services, these funds will provide the direct
22 financial benefit to the community. Do you have any
23 questions?

24 Next slide please. I will touch briefly on

1 this slide, but our primary civil engineer will talk a
2 little bit more about this. But as you can see, access
3 to the site through a road use with Butler Township we
4 will maintain and make repairs from our use of township
5 roads used for construction of the project.

6 Threatened and endangered species. In terms
7 of environmental impacts, the Illinois Department of
8 Natural Resources, IDNR, confirmed there are no state
9 listed threatened and endangered species in the
10 vicinity of the project location, no threatened or
11 endangered species are expected to be impacted with
12 this project. The project site is agricultural land
13 and no tree clearing will occur.

14 We do not anticipate any impact on migratory
15 birds or sensitive species per the EcoCAT. We have
16 reviewed local wildlife concerns. We do not anticipate
17 conflict critical species. An archaeological survey is
18 being completed per request from Illinois Historic
19 State Preservation Office.

20 And regarding the site security and safety,
21 to ensure site security and safety, a minimum 6-foot
22 safety fence will be installed around the project to
23 prevent unauthorized access. All construction will
24 comply with the national electricity codes and all

1 equipment used will be monitored for safety and
2 reliability.

3 Solar projects have a very low fire risk. In
4 the event electrical fault, the system is designed to
5 automatically isolate the affected section using
6 circuit breakers. The circuit breakers are much around
7 in businesses and in our residential homes.

8 We have shared the emergency response plan
9 with Rankin Fire Protection District Fire Chief Shane
10 Diskin. He had no concerns about the plan and we will
11 continue coordinating with him throughout the
12 development and construction.

13 At the end of life, 95 percent of solar
14 panels can be recycled. The aluminum frame, glass and
15 silicon can all be recycled. Top PV recyclers include
16 Solar Cycle and We Recycle Solar. Some manufacturers
17 also have their own recycling facilities.

18 Next slide please. An Agricultural Impact
19 Mitigation Agreement will be signed with the Illinois
20 Department of Agricultural. This ensures that the site
21 will be maintained at all times including mowing
22 regularly so that the grass is not overgrown and does
23 not shade the panels.

24 We will clean up any noxious weeds, maintain

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1 drainage, check on the effectiveness of the solar
2 panels and pick up any trash on site. We may use
3 herbicides to prevent invasive species, but we spray
4 locally, not widely.

5 After the end of the project, all access
6 roads, fencing, modules, equipment pads and racking
7 will be removed. The land will be fully restored.

8 Any topsoil removed for the purposes of
9 installing the solar project will be restored to the
10 original depth and contour. The project owner is
11 responsible for restoring the land from compaction and
12 rutting as part of the decommissioning process.

13 If drain tiles are damaged during the
14 construction process, we the owner will repair them.
15 And we have done a green health survey as well. An
16 erosion and sediment control plan will be created to
17 prevent erosion of the property during construction.

18 Finally, as the facility owner, we will
19 provide the county with financial assurance to cover
20 the estimated costs of deconstruction of the facility.
21 At this time --

22 MR. BARRY: Hang on just a second. So before
23 you field questions, Mr. Walrond, just a couple of
24 housekeeping questions. The first one is: Did you

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1 provide an affidavit relating to public notice to Mr.
2 Keyt earlier?

3 MR. WALROND: Yes.

4 MR. BARRY: And did you -- or did Soltage
5 request a property value on real estate property value
6 impact report?

7 MR. WALROND: That is correct. And we do have
8 a copy.

9 MR. BARRY: Mr. Keyt, if I could approach, Mr.
10 Kains, if I could approach I have a couple copies of a
11 property value impact survey. So with that, that
12 completes my, the questions that I have currently for
13 Mr. Walrond and turn things over to you.

14 MR. KAINS: Very good. Thank you. Members
15 of the Committee, do you have questions for Mr.
16 Walrond? Any questions?

17 MR. BIRD: You were talking about as far as
18 the arc circles, if it would arc, it would shut off the
19 fuses?

20 MR. WALROND: Yes. We have circuit breakers.

21 MR. BIRD: That is, the solar panels
22 themselves, do you think it would continue to generate
23 energy even before the circuit breaker?

24 MR. WALROND: So the circuit breakers will

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1 actually shut off the affected solar panel. So if
2 there is electricity that is being produced, the
3 circuit breaker will shut off access.

4 MR. BIRD: Okay.

5 MR. KAINS: Any other members of the
6 Committee with questions for Mr. Walrond? Very good.

7 MR. PUZEY: Have you personally been on the
8 site?

9 MR. WALROND: I haven't, but we have civil
10 engineers who have been on site.

11 MR. GREENWELL: Are there batteries involved?

12 MR. WALROND: There are no batteries. This is
13 a PV only site, so no lithium batteries. We will not
14 have battery energy sources at all.

15 MR. GREENWELL: Where was the transmission
16 lines you were talking about, where were those located?

17 MR. WALROND: Yes. That is Ameren's
18 transmission line. So, yes, thank you. If you can see
19 right north of the solar array, that is Ameren's
20 transmission line.

21 So we are having an additional setback from
22 that transmission line. And then the road north is
23 about 700 feet south from the solar array. And those
24 are site plans that Sean is providing.

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1 MR. KAINS: We will give members of the
2 Committee an opportunity to review that document. Mr.
3 Keyt, is that in the application?

4 MR. KEYT: It is in the application.

5 MR. GREENWELL: How many township roads are
6 involved? Just 4200 North or?

7 MR. WALROND: That is a great question. I
8 would defer to my civil engineer, but I believe we are
9 only utilizing township roads.

10 MR. KAINS: Any further questions from the
11 Wind and Solar Committee? And, again, you will have
12 the last bite at the apple too so if things pop up.

13 All right. Then are there any questions from
14 members of local government including school districts?

15 Yes, sir. Would you please state your name?

16 MR. THEESFELD: Tom Theesefeld,
17 t-h-e-e-s-f-e-l-d. Butler Township, Hoopeston Library,
18 also Rankin Fire. Also there hasn't been much
19 interaction between the company and the taxing body.

20 Today was the first time I had seen anything
21 about the effect of taxes. The Township hasn't heard
22 anything about road use agreement, anything like that.
23 We haven't had much contact. I mean, the project
24 sounds good, the location is not bad. But we haven't

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1 seen or heard anything from anybody. Like, no maps, no
2 nothing.

3 MR. WALROND: so we did send out a community
4 mailer in December. So that was about a half mile
5 radius to send to parcel owners in the vicinity. And
6 most recently for the Notice of Public Hearing we also
7 sent out a mailer that was to Township municipalities
8 within 1.5 miles of the solar array.

9 So not too sure about not receiving any
10 information. I have reached out to Fire District Fire
11 Chief Shane Diskin. So he is aware of the emergency
12 response plan.

13 In terms of the forecasted tax benefits, we
14 did not mail those out. So if you do want a copy, I
15 can definitely supply you with that and I think that
16 can be helpful. If there is any communication that we
17 can do to be good neighbors, I think we are more than
18 happy to accommodate.

19 MR. THEESFELD: Yeah. Maybe talk to your road
20 commissioner or attend a township meeting so everybody
21 knows because we are starting to get questions and we
22 don't have any answers.

23 MR. WALROND: Certainly. I do believe we
24 reached out to Matt Davis, the road commissioner, at

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1 Butler Township.

2 MR. DAVIS: All I got was a letter.

3 MR. KAINS: Are you Mr. Davis?

4 MR. DAVIS: Yes.

5 MR. WALROND: I believe our civil engineer
6 reached out sometime in January. It might have been in
7 mail.

8 MR. DAVIS: All I received is the paper about
9 today.

10 MR. WALROND: We can definitely after this we
11 can get your contact information and make sure that we
12 are well informed with one another. Thank you.

13 MR. KAINS: Thank you. Thank you, gentlemen.
14 I appreciate your questions and comments. Any other
15 questions from members of units of local government?
16 Very good. Questions from members of the public. Mr.
17 Kronkite.

18 MR. KRONKITE: Yes. Have you or your
19 organization done any negotiating with our state's
20 attorney Jacqueline Lacy?

21 MR. WALROND: Not that I am aware of.

22 MR. KRONKITE: Would your company exist if
23 there was no federal tax funding?

24 MR. WALROND: We would. We have been around

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1 since 2005.

2 MR. KRONKITE: Yeah, okay. So how would you
3 do that without federal tax funding?

4 MR. WALROND: So solar projects don't always
5 need federal tax funding. This has been around since
6 2005. If you are referring to the Inflation Reduction
7 Act, that is a newer act with different tax incentives
8 that have come for renewable energy and providing clean
9 energy to different states in United States.

10 But we have been around since 2005. We are
11 not going anywhere. We don't foresee ourselves going
12 anywhere. We are long term owners of projects. We are
13 looking to have a solar project on this parcel for 25
14 to 40 years.

15 And it is not to say that we are going to
16 sell the project at all. We want to own this project
17 for the life of the solar panels and we want to make
18 sure that our landowners, you know, are well informed.

19 MR. KRONKITE: So you are getting tax dollars
20 to do this project?

21 MR. BARRY: Object to the form of the
22 question. I am not sure I understand what getting tax
23 dollars means, but please answer.

24 MR. WALROND: I want clarification on that.

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1 MR. KAINS: I will overrule the objection,
2 and I think, I don't want to speak for you, Mr.
3 Kronkite, but I am going to try. Is Soltage receiving
4 any federal subsidy for this particular project? Would
5 that be a fair --

6 MR. KRONKITE: Perfect.

7 MR. KAINS: Well, I don't know about that.

8 MR. WALROND: I guess if I could answer in a
9 different light, so this area is in an energy community
10 and as this parcel is in an energy community, you can
11 get tax credits.

12 So just like when you are doing your taxes,
13 when you are filling out forms and you are giving it to
14 the IRS, you can put it down that this is in an energy
15 community. You have to verify it is an energy
16 community.

17 And from there, there are different tax
18 credits that you can get. But to receive tax dollars,
19 the government isn't funding this project. This is all
20 from a private investment.

21 MR. KRONKITE: Okay. Do your panels contain
22 forever chemicals?

23 MR. WALROND: I do not know what forever
24 chemicals are.

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1 MR. KRONKITE: They are forever. They are
2 chemicals that will never go away.

3 MR. WALROND: Can you specify on the forever
4 chemicals?

5 MR. KRONKITE: A forever chemical will be
6 around for hundreds of years.

7 MR. WALROND: Can you specify the chemical?

8 MR. KRONKITE: I am asking you do your panels
9 contain forever chemicals?

10 MR. WALROND: The panels are nontoxic.

11 MR. KRONKITE: Okay. And you are swearing to
12 that. All right. Does your environmental report, does
13 any report of any of this address the water table
14 levels around that area?

15 MR. WALROND: In terms of?

16 MR. KRONKITE: Wells. Every house you see out
17 there has a well. They drive the well into the ground
18 and they pull water out of the water table. That whole
19 area has a water table. You drill a hole and you have
20 water. Have, you know, does your report basically talk
21 about the water tables, how deep they are?

22 MR. WALROND: I do not believe -- there isn't
23 a well on site.

24 MR. KRONKITE: I am not talking about on site.

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1 I live out in the country. Obviously you have never
2 farmed because close by is a mile away. And you guys
3 are trying to keep it in a half mile. Do you go beyond
4 that mile perimeter, two miles or three miles? That is
5 the water table.

6 MR. BARRY: I'm going to object to the form
7 of the question. I am not sure if he is a water
8 expert, I don't think he has established himself as an
9 expert on water tables or movement of water, first of
10 all.

11 Second, I am not sure that any of the
12 information that is assumed in the question that has
13 been brought up for the witness, but please answer.

14 MR. KAINS: I am going to overrule the
15 objection. I don't believe that Mr. Kronkite is an
16 expert in water or water tables. But let's get to the
17 question. Again, Mr. Kronkite, if you could just
18 focus. What is the question? Because I got lost too.

19 MR. KRONKITE: The question is: Have you
20 studied the water tables in that area and know what its
21 depth is?

22 MR. WALROND: Me personally, I have not.

23 MR. KRONKITE: Somebody? You are the company
24 rep.

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1 MR. WALROND: Correct.

2 MR. KRONKITE: I am asking you. The company,
3 have they studied the water table system in that area?

4 MR. WALROND: I am not sure what you mean by
5 the water system, but if you are talking about
6 wetlands, river reams, yes, that has been studied.

7 MR. KRONKITE: I have a 110-foot well.
8 Everybody around me has pretty much the same thing.
9 Every farmhouse you see has a well in the ground and it
10 pulls up water out of the water tables. That is how it
11 works. That is how, why this area was so successful.

12 MR. KAINS: Mr. Kronkite, get to a question.

13 MR. KRONKITE: The question is: Have you
14 studied, has there been any study done of the water
15 table in that area?

16 MR. WALROND: I will defer to my civil
17 engineer.

18 MR. KRONKITE: What level of damage occurs on
19 a solar array when you have softball sized hail?

20 MR. WALROND: Can you repeat the question?

21 MR. KRONKITE: What kind of damage occurs when
22 you have softball sized hail?

23 MR. WALROND: So the solar panels, the type of
24 glass is tempered glass. So what happens with tempered

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1 glass when anything collides with it, the glass will
2 kind of implode and it is not going to shatter off. It
3 is going to stay within the solar panel.

4 So if there is any damage that will occur, it
5 will stay within the solar panel. And per our OM
6 procedures, once we do see any damage, we will have
7 somebody sent out there to replace the panel.

8 MR. KRONKITE: So those cracks, nothing ever
9 comes out of that panel?

10 MR. WALROND: I wouldn't say never.

11 MR. KRONKITE: You gave us disinformation
12 about the tax dollars that communities would get. What
13 is the agricultural loss on 14 acres over 30 years?
14 How many millions of dollars is that?

15 MR. BARRY: Object to form of the question.
16 It assumes there is going to be millions of dollars of
17 impact. Can't you just ask a question?

18 MR. KAINS: I am going to overrule the
19 objection. The question I believe is what is the lost
20 amount of income had it been farmed.

21 MR. KRONKITE: Correct. What is the
22 agricultural lost?

23 MR. WALROND: I'm not too sure.

24 MR. KEYT: I am going to object to the

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1 relevance. The landowner is the person that decides
2 what they want to do with their property. Whether or
3 not there is a revenue loss is an issue to the
4 landowner which they have obviously decided what they
5 want to do with the property. So --

6 MR. KAINS: Very good point. It is late and
7 I appreciate that. Because it is the property owner's
8 deal, not the government in this case. So your
9 question is sustained. Ask another question please.

10 MR. KRONKITE: So you gave dollar figures for
11 the community, not the landowner?

12 MR. WALROND: Sure.

13 MR. KRONKITE: What is the agricultural loss
14 from that land into the community over 30 years?

15 MR. WALROND: I don't have that answer.

16 MR. KRONKITE: Okay. Thank you. Protection
17 of species. You talked about protective species.
18 There is no protected species. What about the other
19 species? What about all the regular and local species?
20 How many things will be lost there?

21 MR. WALROND: So per the studies that we have
22 done with EcoCAT, we have seen there aren't going to be
23 any species that are going to be impacted.

24 MR. KRONKITE: You said EcoCAT?

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1 MR. WALROND: EcoCAT.

2 MR. KRONKITE: Who is that?

3 MR. WALROND: It is a long name. Bear with
4 me. Ecological Compliance Assessment Tool.

5 MR. KRONKITE: Is it a program or people or
6 what is it?

7 MR. WALROND: Yes. It is run by, you know,
8 environmental folks.

9 MR. KRONKITE: You hire these people?

10 MR. WALROND: It is done on line.

11 MR. KRONKITE: So there is no charge?

12 MR. WALROND: There is a charge.

13 MR. KRONKITE: And you pay for that.

14 MR. WALROND: Yes.

15 MR. KRONKITE: Fully restored. Again,
16 obviously you have never farmed. When you disturb the
17 earth, you can never fully restore it. It is
18 impossible. It will never produce crop --

19 MR. BARRY: I will object to the form of the
20 statement and stipulate that Mr. Walrond has never
21 farmed, first of all. And, secondly, I don't think he
22 is asking a question.

23 MR. KAINS: Yeah. It doesn't matter whether
24 the gentleman has farmed before. I have owned a farm,

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1 but I have never farmed it. So I know less than Mr.
2 Walrond about farming even though I owned one.

3 MR. KRONKITE: So you have studies that show
4 that taking out a solar array like this 14 acres, that
5 taking it out, it will restore the land to its original
6 production?

7 MR. WALROND: So with our projects, we are
8 going to have native pollinator ground cover. And that
9 mix helps rebuild topsoil. So throughout the 40 years
10 of the solar project, this is going to improve soil
11 structure and stability and restore nutrients into the
12 soil. The soil, the 17.53 acres will not be tilled or
13 brought up numerous times.

14 We are going to have pollinators and the
15 appropriate ground cover to have the right amount of
16 nutrients that is specific for this region and for this
17 parcel.

18 MR. KRONKITE: And you have studies that show
19 this?

20 MR. WALROND: We have studies.

21 MR. KRONKITE: Okay. Half mile radius. For
22 folks that live --

23 MR. WALROND: Do you live close to the site?

24 MR. KRONKITE: Doesn't matter. I live in the

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1 county and these are my fellow Vermilions who are being
2 impacted.

3 MR. KAINS: What was the question?

4 MR. KRONKITE: The question was: Do you
5 monitor or are you looking at anything beyond a half a
6 mile?

7 MR. KAINS: Did you send notices is the
8 question?

9 MR. KRONKITE: Are you notifying people of
10 this project that live beyond a half a mile away from
11 the project?

12 MR. WALROND: We notify municipalities within
13 1.5 miles.

14 MR. KRONKITE: Okay. That is my last
15 question.

16 MR. KAINS: Very good. Thank you. Any other
17 questions for members of the public? Very good.
18 Questions from Vermilion County staff and consultants.
19 Mr. Keyt.

20 MR. KEYT: I just have a few. I think there
21 was a question about revenue. I assume the question
22 was really aimed towards tax revenue off of the
23 property.

24 MR. WALROND: Yes.

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1 MR. KEYT: Do you know how the assessment
2 works for agricultural land vs. property that is put in
3 a solar array?

4 MR. WALROND: Not fully, but in terms of what
5 gets brought down, we do have a tax assessment tool
6 which pretty much transfer what the costs of the taxes
7 will be sent over to different townships, county and
8 organizations.

9 So on the left hand side, that is what the
10 2023 taxes were sent to each section which is broken
11 down.

12 MR. KEYT: Got you. So if the last -- sorry,
13 I am talking away from you reading the chart. The last
14 column is the 40 years of taxes of just the solar array
15 itself, correct?

16 MR. WALROND: Correct.

17 MR. KEYT: And that comes out with that
18 40-year period to be \$595,000?

19 MR. WALROND: In total. Yes.

20 MR. KEYT: Your year one taxes then is the
21 next -- I think the first column, 2023 taxes on
22 farmland is comparable to the second column, year one
23 taxes with solar. Do I understand that correctly?

24 MR. WALROND: Yes. There is a comparable for

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1 40 years of farmland.

2 MR. KEYT: It is not quite, but it is about an
3 eight times increase in the amount of revenue that is
4 provided to taxing bodies?

5 MR. WALROND: That is correct.

6 MR. KEYT: In terms of the taxes that come
7 just off the solar farm itself, then you have the tax
8 revenue for that portion to be \$21,832.80?

9 MR. WALROND: Yes. That is broken down
10 proportionately for percentages for each section.

11 MR. KEYT: The project itself is only on a
12 portion of the parcel if I understand that correctly?

13 MR. WALROND: That is correct.

14 MR. KEYT: And as you understand it, it is a
15 remainder of the parcel also gets taxed, but at the
16 agricultural rate?

17 MR. WALROND: I think it will be zoned into
18 the solar category.

19 MR. KEYT: Okay. Understood. In terms of
20 your decommissioning plan, the decommissioning plan,
21 does it have a location where they plan to take the
22 panels to?

23 MR. WALROND: I would want to defer that to
24 our civil engineer who can speak a little bit more on

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1 our deconstruction plan.

2 MR. KEYT: And then dovetailing with that,
3 does the decommissioning plan incorporate prevailing
4 wage into the cost estimate?

5 MR. WALROND: I would also want to defer that
6 to our civil engineer.

7 MR. KEYT: Okay. Understood. Thanks.

8 MR. KAINS: Redirect examination. Any
9 further questions of your witness, Mr. Barry?

10 MR. BARRY: No, thank you.

11 MR. KAINS: Final questions for Mr. Walrond
12 come from members of the Wind and Solar Committee. All
13 right. Very good. Mr. Walrond, thank you for your
14 testimony. You may step down. Mr. Barry, call your
15 next witness.

16 MR. BARRY: I would like to call Sean Hickey.
17 Second and last witness.

18 MR. KAINS: Good afternoon, Mr. Hickey. Good
19 to see you again, sir. I remember you from a previous
20 hearing I think in this county perhaps.

21 MR. HICKEY: It was, yes.

22 (Witness duly sworn.)

23 MR. KAINS: Go right ahead.

24 MR. BARRY: Mr. Hickey, can you state your

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1 name for the record?

2 MR. HICKEY: My name is Sean Hickey, spelled
3 s-e-a-n, h-i-c-k-e-y.

4 MR. BARRY: And who is your employer?

5 MR. HICKEY: Kimley Horn and Associates.

6 MR. BARRY: What is your position with Kimley
7 Horn?

8 MR. HICKEY: I am an associate. In this
9 project I am a project manager.

10 MR. BARRY: And what is your level of
11 education?

12 MR. HICKEY: I have a bachelor's of science
13 from civil engineering at University of Illinois,
14 Urbana-Champaign.

15 MR. BARRY: And what is your connection to
16 this project?

17 MR. HICKEY: I am the project manager for
18 Kimley Horn which makes me the civil engineering
19 expert.

20 MR. BARRY: And you have some slides that you
21 would like to talk about today as well, correct?

22 MR. HICKEY: Yes. I will just touch on these
23 AIMA considerations. Is that okay?

24 MR. BARRY: Yeah. Tell us, I would like to

1 talk to you about this, just, yeah, you can take us
2 through this slide. Jeremy already covered parts of
3 it, but in particular I would like to ask you about
4 maybe the decommissioning questions that Mr. Keyt
5 raised as well as the drainage tile.

6 MR. HICKEY: So let's jump right down to
7 decommissioning then. A decommissioning plan is a
8 nonnegotiable plan that is required by the Agricultural
9 Impact mitigation Agreement which is an agreement that
10 is nonnegotiable with the Illinois Department of
11 Agriculture.

12 Any company that wants to sell energy from a
13 solar project in the State of Illinois has to sign it.
14 It cannot provide notes, they cannot tweak anything.
15 Either you sign it or you do not. That locks you into
16 rules with the Illinois Department of Agriculture.

17 These rules consider all of these things,
18 vegetative maintenance, decommissioning plan,
19 maintenance of drain tiles, and making sure that
20 everything can be removed in the event that the company
21 goes under.

22 So our decommissioning plan has these
23 step-by-step processes on how to remove the roads,
24 fencing, modules, equipment pads and racking, and how

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1 the land will be restored after the project within the
2 realm of the Agricultural Impact Mitigation Agreement.

3 We put together a decommissioning cost
4 estimate based on local area costs. So I would assume
5 that this area uses Danville as its RS Means which is a
6 a production calculator nationally used for estimating
7 prices and production rates for construction activities
8 all over the country.

9 And so we are using the best information,
10 best local information at the time to put together our
11 cost estimates. That cost estimate is then put into
12 the financial assurance that it is in the form of a
13 bond, it is filed with the county so that if Soltage
14 were to fail, walk away from the project whatsoever,
15 within 12 months the project is nonoperational, not
16 doing anything, the county would have the funds
17 necessary to be able to go out there and remove the
18 equipment and re-establish the land as usable ag land.
19 And then I believe it is a stipulation of AIMA after a
20 certain point that number is updated every five years.

21 MR. BARRY: So the AIMA requires
22 decommissioning of the project at the end of its useful
23 life, correct?

24 MR. HICKEY: Correct.

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1 MR. BARRY: And so there is a decommissioning
2 plan submitted for this project?

3 MR. HICKEY: Yes.

4 MR. BARRY: And that decommissioning plan
5 would require removal of all the equipment so that the
6 project returns to a similar state it was in before the
7 project was at issue, correct?

8 MR. HICKEY: Correct.

9 MR. BARRY: Drainage tile. Can you tell us
10 about whether -- does AIMA require a survey for this
11 exiting drainage tiles --

12 MR. HICKEY: It does.

13 MR. BARRY: And was a survey conducted for
14 this project?

15 MR. HICKEY: Yes. We actually as recently as
16 last week had the local landscape drainage company,
17 Regional Drainage Services, formerly Huddleson McBride,
18 go out and perform a field location, that includes both
19 horizontal and vertical locations and sizes and
20 materials of these drain tiles within the project area.

21 MR. BARRY: And so this consultant was able to
22 identify a drain tile system on the parcel?

23 MR. HICKEY: Yes.

24 MR. BARRY: In terms of vegetative

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1 maintenance, I would like to ask you a question about
2 that. But it might be useful to go back to the site
3 plan.

4 MR. HICKEY: Yes.

5 MR. BARRY: You may have some other points you
6 want to make about that. I don't know. Can you tell
7 us about what will be planted according to the
8 vegetative management plan on, within the fence line
9 and outside the fence line?

10 MR. HICKEY: Yes. So within the fence line we
11 have put together a tentative plan. This is subject to
12 change during the final engineering process, but to be
13 in line with the pollinator program through the State
14 of Illinois we have done the Pollinator Score Card.

15 And based on the preliminary numbers, our
16 number is at 97 which is above the pollinator standard
17 of the Illinois Department of Agriculture. And then
18 there are evergreen species and shrubs that will be
19 outside the fence fully surrounding the property. So
20 it will be screened with evergreens.

21 MR. BARRY: Do you have a copy of that
22 Pollinator Score Card.

23 MR. HICKEY: I do.

24 MR. BARRY: I would like to submit a copy of

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1 that to Mr. Keyt.

2 MR. KAINS: Are we going to mark that?

3 MR. BARRY: I would like to request it be
4 entered.

5 MR. KAINS: What exhibit are we on?

6 MR. KEYT: We are on 5.

7 MR. KAINS: How many other exhibits do you
8 have?

9 MR. BARRY: One more. Well, and plus the
10 PowerPoint presentation. So two more.

11 MR. KAINS: Go right ahead.

12 MR. HICKEY: There are a couple of areas that
13 are outside of the fence, but not within the -- that
14 are outside of the fence, but not a part of the major
15 agricultural area.

16 So that area you see is between the property
17 line east of the project and the property line south of
18 the project. Kyle is pointing to those areas.

19 Soltage will maintain those areas and those
20 will be planted with a pollinator mix that will not be
21 farmed. Those are small thin strips. We don't want
22 them to be forgotten about and we want them to be
23 maintained.

24 MR. BARRY: How about the remaining acres of

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1 the 72-acre parcel? What is to be done with that as
2 far as you are aware?

3 MR. HICKEY: As far as I am aware, those will
4 continue to be farmed.

5 MR. BARRY: But these strips along the eastern
6 edge and this southern edge of the panels, those will
7 be planted and the pollinators and maintained by the
8 Applicant, correct?

9 MR. HICKEY: Correct.

10 MR. BARRY: And is there a seed mix that you
11 identify for inside the fence line and along the strip?

12 MR. HICKEY: Yes. There is. It is a part of
13 the exhibit that Kyle is about to bring up.

14 MR. BARRY: Second exhibit here.

15 MR. HICKEY: I don't want to go through the 30
16 different names in Latin.

17 MR. BARRY: Nor do I.

18 MR. HICKEY: So we will forego that. But it
19 is very specifically designed by professional landscape
20 architects who are licensed in the State of Illinois
21 down to the 10th of a pound per acre for a certain
22 plant to make sure that it is the exact right mix that
23 we would like to use.

24 So that is a nice segue to our vegetation

1 design and considerations. So we love to use these
2 pollinator plants on these sites because they do a lot
3 of good things for agricultural land that has been
4 farmed for a long time.

5 So this improves water quality by creating
6 denser vegetation with deeper root systems so it keeps
7 more water in the area instead of having it all run
8 off. It creates a situation where you would have less
9 soil erosion because the water cannot pick up speed as
10 it runs because it will just continue to run through
11 the plants.

12 It will resist climate conditions by holding
13 onto that water, increase organic contents of topsoil
14 over time because it will go through those 25 seasons
15 where they grow and they die and then they will decay
16 and continue the carbon cycle.

17 They will provide native habitats for
18 pollinators; bees, butterflies, birds. All of those
19 good animals that we want to create environments for.
20 And they are very strong plants once established so
21 they provide good weed resistance, they reduce ambient
22 temperature and reduce invasive species.

23 Here is a picture of a side by side. The
24 left side has been planted with turf grass. You can

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1 see during a drought, it does not maintain that high
2 water content so the grass dies off.

3 On the right side we have those native
4 grasses, those pollinators that are much more resilient
5 to swings in moisture content.

6 This is another great example where we have
7 turf grass on the left. You can see ponding, you can
8 see soil. You can see -- it just does not look very
9 good. And a lot of that soil would run off.

10 On the right side we have our native grasses
11 with wildflowers. According to the Pollinator Score
12 Card, we have flowering plants in the spring, summer
13 and fall cycles that will be a part of the seed mix.
14 So it should look very nice and be a very beneficial
15 seed mix to the surrounding land.

16 So this is a noise chart that we have here.
17 We performed a noise analysis as a part of our project.

18 MR. BARRY: Who are we?

19 MR. HICKEY: Kimley Horn. Kimley Horn
20 provided a noise analysis by licensed noise
21 professionals to make sure that our site was within the
22 limitations prescribed by the Illinois Pollution
23 Control Board.

24 So I want us to kind of focus on this. At a

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1 thousand hertz is what humans can hear. I want us to
2 look at the moderate rainfall and normal conversation,
3 dishwashers 50 to 60.

4 Next slide. This is a picture of the results
5 of our sound study that we did. And we are below those
6 levels, well below those levels anywhere near any
7 possible receptors of noise.

8 MR. BARRY: Let's talk about that. First of
9 all, did the sound study conclude that the project once
10 operational if built will be able to comply with the
11 Illinois Pollution Control Board sound?

12 MR. HICKEY: It did.

13 MR. BARRY: Then you mentioned the word
14 receptors. What do you mean by that?

15 MR. HICKEY: People who are able to hear
16 sound.

17 MR. BARRY: Is the footprint of this project
18 near any home?

19 MR. HICKEY: We believe that the nearest place
20 where someone could potentially live is more than a
21 half mile away. More than 2500 feet away.

22 MR. BARRY: And are there any commercial
23 buildings within a quarter to a half mile of this
24 project?

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1 MR. HICKEY: I think there is a commercial
2 within a half mile, but outside of the quarter mile.

3 MR. BARRY: Are there -- obviously on the
4 picture I don't see any buildings; is that correct?

5 MR. HICKEY: Correct.

6 MR. BARRY: And so are there any commercial
7 buildings or homes within the range of the sound
8 emissions from the projects?

9 MR. HICKEY: There are not.

10 MR. BARRY: And, by the way, do the solar
11 panels make noise?

12 MR. HICKEY: They do not make noise.

13 MR. BARRY: What makes the noise?

14 MR. HICKEY: What makes the noise is when
15 energy is produced from these panels. They get
16 converted by the silicon into copper wire electrons.
17 And then they are sent as a direct current.

18 Direct current is not usable within our grid
19 system the way we built our electrical system. So it
20 is an alternating current. So it needs to go through
21 an inverter and then converted into an alternating
22 current. And that is what make the noise.

23 MR. BARRY: The inverter?

24 MR. HICKEY: Yes.

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1 MR. BARRY: Is the inverter on this map
2 located at the center of those concentric circles?

3 MR. HICKEY: It is.

4 MR. BARRY: As far as you know, what is the
5 solar panel made of?

6 MR. HICKEY: It is made of about 95 percent
7 steel or aluminum glass and plastic and then the other
8 5 percent is silicon and copper wire.

9 MR. BARRY: Does it contain, these solar
10 panels contain hazardous materials?

11 MR. HICKEY: No.

12 MR. BARRY: And what kind of glass? I think
13 this was mentioned earlier. What kind of glass is used
14 on the panels?

15 MR. HICKEY: So solar panels are made to be
16 outside for 25 years. So they have tempered glass
17 which is similar to your windshield. They are designed
18 not to shatter. It is designed to spiderweb and keep
19 all of those materials contained within the system.

20 MR. BARRY: Are there any liquids inside the
21 solar panel?

22 MR. HICKEY: There are not.

23 MR. BARRY: How about the racking? What is
24 the racking made of?

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1 MR. HICKEY: The racking is made of steel
2 aluminum.

3 MR. BARRY: And are there wires associated
4 with this solar project?

5 MR. HICKEY: There are wires associated.

6 MR. BARRY: And are those wires going to be
7 different than the wires in your electrical system in
8 your home or a building?

9 MR. HICKEY: They are not.

10 MR. BARRY: I think that concludes our
11 PowerPoint presentation. So that is all the questions
12 I have for this witness at this time.

13 MR. KAINS: Very good. Thank you, Mr. Barry.
14 Questions for Mr. Hickey from members of the Wind and
15 Solar Committee.

16 MR. GREENWELL: Can you point out where the
17 fencing is going to be?

18 MR. HICKEY: Yes, sir. I will speak loud. So
19 it is kind of hiding because we have the screening
20 here, but you can see little x's just inside the dark
21 circles that indicate shrubs and tree planting. So the
22 fence will be inside that, those evergreen shrubs.

23 MR. GREENWELL: So the circles are the plants?

24 MR. HICKEY: Yes.

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1 MR. GREENWELL: And the pollinator on the east
2 and south would be outside of those?

3 MR. HICKEY: Yes. Between the property line
4 and the project.

5 MR. PUZEY: I have a question about the
6 pollinator renewal. Is that expected to stabilize and
7 maintain for the entire 25 years or do you have a
8 renewal time frame? Take it out, put it in, replace it
9 every 5 years, 10 years?

10 MR. HICKEY: There is actually a lot of
11 maintenance that goes into getting it well established
12 because we want to create an environment that doesn't
13 have the outside impacts of these plants, weeds that
14 you may run into.

15 The idea is that you create -- within the
16 first 3 to 5 years, there is a little bit more hands-on
17 planting and making sure that all of the right things
18 are growing and there may be a couple more mowings a
19 year.

20 But once this type of ground cover is
21 established, you do not want to mow it because it turns
22 into a self-sustaining prairie which if you were to let
23 it go, it would be like the prairie that we had prior
24 to all the farms coming to Central Illinois. So you

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1 will not need to remove it and replant it.

2 MR. PUZEY: Okay. Thank you.

3 MR. KAINS: Any other questions from members
4 of the Committee for Mr. Hickey? Questions from
5 members of units of local government including school
6 districts? Questions from interested parties, members
7 of the public?

8 MR. KRONKITE: Yes. How many times a year do
9 you do this?

10 MR. HICKEY: This will be my 6th time this
11 year.

12 MR. KRONKITE: So decommissioning funds, are
13 they adjusted for inflation?

14 MR. HICKEY: They are.

15 MR. KRONKITE: Good. How many years is this
16 project supposed to be installed?

17 MR. HICKEY: So the warranty on most of the
18 equipment goes out to 25 years. So that sets the
19 baseline. And then it becomes renewal up to -- there
20 are 5-year renewal periods that are up to 40 after
21 that.

22 MR. KRONKITE: You mentioned 25 so I wondered.
23 Audible sounds. You tested audible sounds. What about
24 infrasonic sounds? Were there any tests conducted

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1 about infrasonic sounds in driving the piles?

2 MR. HICKEY: The sound study, what is done for
3 the operation of the project.

4 MR. KRONKITE: Right. So if you did audible
5 sounds, did you do any infrasonic sounds?

6 MR. HICKEY: No. I don't believe so.

7 MR. KRONKITE: Panels. Do your panels contain
8 any kind of forever chemicals? If you break them open,
9 are they there forever?

10 MR. HICKEY: I think what we have been trying
11 to get to is, is there a specific chemical that is in
12 question.

13 MR. KRONKITE: Any.

14 MR. HICKEY: Forever chemicals is a very broad
15 statement and I cannot speak to any specific chemical.

16 MR. KRONKITE: Also polymer shedding, plastic
17 shedding. Is that one of the reasons why these solar
18 panels, the electrical production goes down over time,
19 is it because the plastic is aging and it is shedding?
20 Have you done any studies on polymer shedding off of
21 these --

22 MR. HICKEY: I cannot speak to polymer
23 shedding. I can speak to a study that we have included
24 in our package. It is the paper on health and safety

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1 as it pertains to solar modules. And within that study
2 its says that you could grind up the entire solar panel
3 as it is into a powder and it would be nontoxic.

4 MR. KRONKITE: Okay. Thank you.

5 MR. KAINS: Thank you very much for your
6 questions, Mr. Kronkite. Any other questions for
7 members of the public for this witness? All right.
8 Very good. Questions from Vermilion County staff and
9 consultants. Mr. Keyt?

10 MR. KEYT: Thank you, Mr. Kains. Mr. Hickey,
11 in terms of the decommissioning, where does it
12 anticipate the materials will be transported, either
13 for recycling or for landfill purposes?

14 MR. HICKEY: So Solar Cycle is an Illinois
15 based company. So and then there are also project
16 companies that do this in Texas. So, but these are --
17 this is, as many of us know, we have been to a lot of
18 these meetings.

19 This is going to be an industry that will be
20 growing in the coming years and we hope to utilize
21 local resources for this purpose as they come --

22 MR. KEYT: In terms of the cost estimates
23 typically between, before you come back for a building
24 permit, there is some discussion with the County about

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1 what the cost estimates are and whether they are
2 accurate which the County hires their own engineer to
3 evaluate what the cost estimates are.

4 I assume that is something you are open to or
5 the developer is open to having that discussion?

6 MR. HICKEY: Yes.

7 MR. KEYT: In terms of there was a question
8 about inflation. Typically there has been some
9 addition that there would be a 3 percent inflation
10 calculator added to the cost assurances. Is there any
11 objection to that as part of the cost assurances?

12 MR. HICKEY: I believe we included 3 percent
13 in our decommissioning plan.

14 MR. KEYT: In terms of the wages, what is the
15 -- does the decommissioning plan incorporate prevailing
16 wage within the cost estimate?

17 MR. HICKEY: It provides -- it is within the
18 limits of the RS Means.

19 MR. KEYT: Do you know where the closest
20 landfill is that would be able to take that many
21 panels?

22 MR. HICKEY: I do not.

23 MR. KEYT: That is all the questions I have
24 for you. Thank you.

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1 MR. KAINS: Thank you, Mr. Keyt. Redirect
2 examination. Anything further, Mr. Barry, for your
3 witness?

4 MR. BARRY: No, thank you.

5 MR. KAINS: Very good. Final questions come
6 from members from the Vermilion County Wind and Solar
7 Committee.

8 MR. CRAWFORD: Sounds like there was a
9 question on the road use agreement. You are prepared
10 to get your road use agreement, local, state, whatever?

11 MR. HICKEY: Yes. And I want to apologize. I
12 think we did send you a letter. I'm not sure if it got
13 lost or not. The only two roads that we will be
14 utilizing and that is within your package are IDOT and
15 Butler Township.

16 So we will be engaging once this process has
17 completed or if possible today have a conversation with
18 you guys about what that process looks like after this.

19 MR. KAINS: Mr. Keyt, did you say Butler
20 Township?

21 MR. KEYT: Yes.

22 MR. KAINS: Okay. The gentlemen right back
23 there. They have been very patient waiting all day.

24 MR. HICKEY: We appreciate them holding us

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1 accountable.

2 MR. KAINS: We appreciate you guys waiting
3 all day too.

4 MR. KEYT: Can I clarify one thing?

5 MR. KAINS: Sure.

6 MR. KEYT: One of the conditions if it were to
7 be approved or recommend for approval and it wasn't
8 approved by the County Board, one of the conditions of
9 approval would be road use agreements?

10 So prior to issuance of obtaining a building
11 permit, they have to enter into the necessary road use
12 agreements with the County if there is any or with
13 townships like Butler Township. They wouldn't be able
14 to pull their building permit and actually start
15 building anything until the road use agreements were in
16 place.

17 And as Mr. Greenwell knows, we often times
18 had a lot of back and forth with the developer about
19 what the appropriate amount for financial assurance and
20 routes of travel.

21 MR. CRAWFORD: I was just trying to satisfy
22 some of the questions of Butler Township.

23 MR. KAINS: Very good. Anything further for
24 members of the Committee for Mr. Hickey? Very good.

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1 Mr. Keyt, thank you. You may step down. No further
2 witnesses from you?

3 MR. BARRY: No further witnesses.

4 MR. KAINS: Very good. Evidence from persons
5 in favor of the application. Anyone in favor of the
6 application who wishes to testify? Very good. Thank
7 you. All right.

8 Questions from persons opposed to the
9 application, but unrepresented by a licensed attorney?
10 Evidence from persons who are neutral on the
11 application? Anyone who is neutral who wishes to
12 testify? All right.

13 Identification of reading of written comments
14 regarding the application. Mr. Keyt, do you show any
15 written comments on this project?

16 MR. KEYT: We have not received -- the County
17 has not received any that I am aware of.

18 MR. KAINS: Very good. Mr. Keyt, is there
19 evidence from Vermilion County?

20 MR. KEYT: The only evidence we would submit
21 is the Natural Resource Inventory Report from Vermilion
22 County Soil and Water Conservation District, but I
23 notice it is already within the materials of their
24 application, so there is no need for us to add on to

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1 it.

2 MR. KAINS: So already in the application.

3 MR. KEYT: It is already in the application.

4 In terms of those exhibits, I think we have the
5 affidavit of publication would be Exhibit No. 3, the
6 property value study would be Exhibit No. 4, Exhibit
7 No. 5 is the Illinois Solar Site Pollinator Habitat
8 Planning Form, and Exhibit 6 would be the species
9 document.

10 Group Exhibit 1 is the application with all
11 of the company exhibits that go with that. That is A
12 through Y. And then Exhibit 2 I have listed as a
13 PowerPoint, but I don't have the PowerPoint, if
14 somebody has a copy of it.

15 MR. BARRY: I can give you one, but I think
16 there is a typo on the printout. Is that something we
17 can email to you? I can hand you this one.

18 MR. KEYT: As long as we can send it to the
19 County.

20 MR. BARRY: We will send you an email today.

21 MR. KEYT: Perfect.

22 MR. KAINS: Exhibits 1 through 6 is what we
23 are considering; is that correct, Mr. Keyt?

24 MR. KEYT: Yes.

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1 MR. KAINS: Do you have any objection?

2 MR. KEYT: I have no objection to those
3 documents.

4 MR. KAINS: All right. Those documents will
5 be received and admitted into evidence. They are part
6 of the record of this particular hearing.

7 They will be considered or they may be
8 considered by the Wind and Solar Committee of Vermilion
9 County and then be transmitted to the full Vermilion
10 County Board for its consideration. So the exhibits
11 are in. Then public comment? Oh, Mr. Kronkite.

12 MR. KRONKITE: I have said it all.

13 MR. KAINS: Appreciate that. Thank you, sir.
14 Then closing statements. Anything from you, Mr. Barry?

15 MR. BARRY: Well, I guess I would just say
16 that thank you for all of you, the effort today and
17 going through lunch. Certainly appreciate it because
18 it can be a thankless job for members of the Committee
19 in particular.

20 On behalf of the Applicant, we would, we
21 submit that we have provided evidence sufficient to
22 demonstrate compliance with the solar siting ordinance
23 of the County and likewise we submit that the evidence
24 submitted as part of the application, the written

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1 evidence as well as the testimony today is sufficient
2 to demonstrate that the application meets the 10
3 standards or the hearing factors, excuse me, to justify
4 the recommendation of the siting permit.

5 And just a couple of examples and we didn't
6 really talk about this much, but there is as you saw
7 from the site plan and some of the maps, the project is
8 located out in the middle of farm fields. There aren't
9 any homes nearby. We don't anticipate any noise
10 issues. We don't anticipate any property value issues.

11 And, again, this is a project located a
12 quarter of a mile to a half a mile away from any home
13 as the testimony indicated. The property tax revenue,
14 that will significantly increase the property tax
15 revenue for the taxing jurisdiction, taxing body that
16 has jurisdiction over the facility.

17 I know there has been some discussions this
18 morning about health and safety issues, but as you
19 heard from the testimony today and I direct your
20 attention to some of the studies that are in the
21 application materials themselves, that this project and
22 the panels that will be used are called Tier 1 panels.
23 They are tested by US EPA.

24 And as Mr. Hickey indicated, if you grind

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1 them up, at the end of the day there is no toxic
2 materials in them. Even if you grind them down to
3 their component parts.

4 Most of the other factors are relating, kind
5 of balancing. We think that this is a good location
6 for a project given that it is not, it is located in
7 such a way that it won't, it shouldn't disturb the
8 neighbors. And the rest of the facts related to the
9 balancing it.

10 So at the end of the day we submit that the
11 balancing is in favor of a recommendation for approving
12 a siting permit for the project and we respectfully
13 request a vote from the Committee for such a permit.
14 And, again, appreciate your time both this morning and
15 this afternoon. Thank you.

16 MR. KAINS: Very good. Thank you, Mr. Barry.
17 All right. Now the evidence is closed. All testimony
18 is in. All documents are in. And we have closed the
19 evidence. Public comment on this project. I think I
20 already asked public comment. Mr. Kronkite not wanting
21 to.

22 All right. Then it is time for the Committee
23 to deliberate and vote on the application. Mr. Keyt,
24 do you need a short recess?

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1 MR. KEYT: I don't think so.

2 MR. KAINS: Becky, do you need a short recess.

3 MADAME COURT REPORTER: No thank you.

4 MR. KAINS: Without her, nothing happens. It
5 is kind of like the engine that runs the car.
6 Sometimes you forget about it, but you got to take care
7 of it. So, anyway, Becky, we thank you very much for
8 your work today. Mr. Keyt, you may proceed with the
9 findings of fact and proposed conditions.

10 MR. KEYT: Let's start with findings of fact.
11 Everybody should have a copy of those in front of you.
12 The proposed draft of findings, again, the Committee,
13 it is entirely up to you how you want the findings to
14 read.

15 The first two pages really just cover the
16 evidence that has been submitted and the witnesses that
17 have testified. Of course we don't know who is going
18 to testify before today so we added those two witnesses
19 to that list then.

20 And then also the additional exhibits would
21 appear on Page No. 2. The review of the application,
22 if you start on Page 3, we take the Vermilion County
23 ordinance and we line it out with what information and
24 evidence today presented by testimony or is in their

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1 application already. So we already know there is quite
2 a bit of information contained within their
3 application. It is probably about 300 and some pages
4 long.

5 Is there any changes to those findings as
6 they read on Page No. 3? We have gone through the lot
7 size. It is well over 5 acres. The setbacks are
8 compliant according to the written application,
9 compliant with our ordinance requirement.

10 There is no lighting proposed at the site
11 pursuant to their application. As you heard from their
12 witness, the noise is compliant with the Illinois
13 Pollution Control Board standards. That is 1
14 through 6.

15 No. 7 picks up with glare. One of the things
16 to keep in mind, there will be a vegetative screen that
17 surrounds this property so that should prevent any
18 glare from taking place.

19 Also given its proximity where it is, there
20 is not a lot of traffic that would be impacted by glare
21 in that area, if there is any.

22 Wiring is all under ground or there is some
23 above ground power poles that will connect to the
24 Ameren connection. No outdoor storage is allowed.

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1 They have signed their name on the agreement. No. 10,
2 they do have to follow the list of International
3 Building Codes.

4 Page 5 deals with vegetative landscape at the
5 site. There will be a vegetative management plan. As
6 you recall typically in our conditions we do have a
7 requirement that they get a vegetative management plan
8 approved by the County Board. That would be one of the
9 conditions we will walk through.

10 They have done or signed the AIMA. There is
11 potentially drain tiles they would have to have any --
12 if they have any impact, they are going to have to
13 resolve that.

14 Local drainage districts, if there are any,
15 No. 15. They are going to have confer with them for,
16 to obtain their approval to hook into any local
17 drainage districts that are there.

18 There is then on -- go to Page 7. This is
19 the, they have to or have provided a site plan. They
20 have conferred with Illinois Department of Natural
21 Resources, EcoCAT tool, U.S. Fish and Wildlife, and
22 they have provided the Vermilion County Soil and Water
23 Conversation District their application and they
24 provided a report based on their review.

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1 Any changes to 1 through -- I think we are on
2 about No. 20, that anybody wants to include, revise,
3 etc.? If you need time to review it, feel free.

4 If you skip down to No. 20, emergency plan.
5 They have provided that emergency plan to local fire
6 districts. And one of our conditions always is they
7 have to provide any training to that local fire
8 district and provide any equipment to that local fire
9 district.

10 No. 21 regards evidence of financial ability
11 if the applicant of the facility can't complete and
12 operate the project. They provided a letter that talks
13 about their background, their history and what they are
14 able to do. What I would suggest there is a condition
15 that they provide more information or detail as to the
16 finances. And I will get to that.

17 They have submitted a decommissioning plan.
18 That is No. 22. And then No. 23 covers our 10 factors
19 of evidence or information that we consider as a
20 Committee.

21 Any questions, changes, comments that anyone
22 would like to make to the findings of fact? If you
23 want to take a recess and review it, we could. If you
24 want to do that. Otherwise, somebody can make a motion

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1 to approve the findings of fact as drafted.

2 MR. BIRD: I will make a motion.

3 MR. KEYT: Mr. Bird. Is there a second?

4 MR. GREENWELL: I will second.

5 MR. KEYT: Mr. Greenwell. Any discussion?

6 Okay. We will take a roll call vote. Mr. Bird?

7 MR. BIRD: Yes.

8 MR. KEYT: Mr. Puzey?

9 MR. PUZEY: Yes.

10 MR. KEYT: Mr. Greenwell?

11 MR. GREENWELL: Yes.

12 MR. KEYT: Mr. Crawford?

13 MR. CRAWFORD: Yes.

14 MR. KEYT: All right. Motion passes. We
15 will move on to conditions. There is a draft of the
16 conditions in front of you.

17 I will cover the ones that may be a little
18 bit new to this project, but just in general same types
19 of conditions that you see in all of the projects that
20 come before us.

21 We do recommend just from a legal standpoint
22 having conditions in place on any project. It provides
23 our enforcement on the various issues. In terms of the
24 special use, we would want them to come back by

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1 March 31, 2026, for the building permit. And once that
2 is issued, they have 24 months to construct it. They
3 can always come back and ask for additional time if
4 they need it. The terms of the special use is 30
5 years.

6 Compliance and construction of maintenance
7 hours. Those are pretty standard. Construction and
8 maintenance hours, one thing to note is that
9 construction work is limited to the weekday.

10 No. 5 is evaluation of noxious weeds and weed
11 management plan. So before they get a building permit,
12 they would have to come to the County Board and provide
13 a weed management plan for the site so that we can
14 ensure that the location is going to be a pollinator
15 friendly site and we can assure that there is not going
16 to be noxious weeds that will spread to an adjacent
17 field. That is No. 5.

18 No. 6 deals with vegetative screening. They
19 talked a little bit about vegetative screening, but
20 essentially it would be surrounding the site typical of
21 our, most of our vegetative screening requirements.

22 And then that would be submitted with a weed
23 management and landscape management plan, submit it to
24 the County Board and approved by the County Board

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1 before they get a building permit. They would have to
2 maintain that vegetative screening for the life of the
3 project.

4 Nos. 7, 8, 9, 10, 11 and 12 are fairly
5 standard requirements within your conditions. No. 7 is
6 stockpiling topsoil. They have to retain all the
7 topsoil. If there is any grading on the site, they
8 would have to keep that topsoil on the site. And at
9 end of the life of the solar project, they have to
10 restore that topsoil.

11 No. 8 deals with drain tile surveys. Before
12 they obtain a building permit, they have to have a
13 drain tile survey in place. No. 9 deals with wells and
14 well monitoring.

15 No. 10 deals with road use agreement. Before
16 they get a building permit and start construction, they
17 have to obtain a road use agreement both in this case
18 from the township and provide financial assurances to
19 the township of that.

20 No. 11 deals with vehicular traffic and
21 posting notices to the public on either a website or
22 social media page so that the public can have, know
23 what, when traffic will be occurring, when traffic
24 impacts may occur at the site.

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1 No. 12 deals with decommissioning and
2 security, shall enter into a decommissioning agreement
3 with the County prior to issuance of building permits.
4 Included would be financial assurances that shall
5 provide for the placement and protection on a yearly
6 basis of at least 3 percent.

7 No. 13 deals with liability insurance. Our
8 ordinance requires them to carry liability insurance at
9 all times during the operation of the project.

10 No. 14 is a consignment clause. If they are
11 going to sell the project, they have to come to the
12 County Board and get some approval.

13 No. 15 deals with fire protection districts
14 and emergency response. They have to work on a plan
15 with any emergency response agencies, fire districts,
16 EMTs, whatever agencies might be there including
17 Vermilion County. They have to work on a plan that
18 they are agreeable with prior to obtaining a building
19 permit.

20 No. 16, reimbursement for County expenses to
21 the extent that the County has an expense. Perhaps you
22 have to hire an engineer, they have to reimburse us for
23 those expenses.

24 No. 17 deals with validity of conditions to

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1 the extent when they come back and apply for a building
2 permit, they are agreeing to the conditions approved by
3 the County Board.

4 No. 18 is defense against claims to the
5 extent there is some claim against the County in
6 relation to the project, they have to identify and
7 defend us in that case.

8 No. 19 deals with financial ability to
9 complete the project. They have to provide the County
10 evidence of financial ability to complete the project
11 and operate the project including the construction
12 costs associated with the project and sources of
13 funding.

14 No. 20 deals with compliance IDNR
15 recommendations. They didn't on this particular
16 location, but if they make a recommendation at a later
17 time, they have to comply with that.

18 No. 21 deals with the noise study. They have
19 already done that. No. 22, the glare study, to be
20 provided prior to the building permit. No. 23 deals
21 with battery storage. They cannot have battery storage
22 on the site.

23 No. 24 deals with grading. If they are going
24 to grade the site in any way, they have to come and get

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1 a dust mitigation plan and submit that to the County.

2 There is a gas line as you may recall. That
3 is Condition No. 25. Just want them to stay out of the
4 easement way of that gas line. So to the extent there
5 is a gas line that cuts diagonally across that
6 property, they testified to that they will stay out of
7 the easement area of the gas line.

8 There was a recommendation of an
9 archaeological study, a Phase 1 archaeological study be
10 done from the Illinois Historic State Preservation
11 Office recommended that be done and that would be a
12 condition before they get a building permit.

13 No. 27 deals with a curing period which is a
14 standard provision. No. 28 deals with proof of
15 compliance. At any point in time the County can ask
16 for proof of compliance.

17 Is there any suggested or requested changes,
18 removals, anything that you want to add, subtract,
19 etc., by this Committee by any of the conditions that
20 are there or draft conditions?

21 If not, if there is a motion to approve the
22 conditions as drafted so we can make that motion.

23 MR. GREENWELL: So made.

24 MR. KEYT: Mr. Greenwell. Is there a second?

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1 MR. PUZEY: Second.

2 MR. KEYT: Mr. Crawford. Oh, you beat him.

3 Mr. Puzey, second. Okay. Any discussion or any
4 further discussion of the condition? Hearing none, we
5 will do a roll call vote. Mr. Crawford?

6 MR. CRAWFORD: Yes.

7 MR. KEYT: Mr. Greenwell?

8 MR. GREENWELL: Yes.

9 MR. KEYT: Mr. Puzey?

10 MR. PUZEY: Yes.

11 MR. KEYT: Mr. Bird?

12 MR. BIRD: Yes.

13 MR. KEYT: Motion carries 4 to 0. Finally
14 then is there a motion on a recommendation to give to
15 the County Board. Again your options on a
16 recommendation to the County Board are recommend
17 denial, recommend approval or recommend approval
18 subject to conditions.

19 I will tell you my own legal advice to you is
20 if you make a motion to approve, make it subject to
21 conditions.

22 MR. BIRD: Motion to approve subject to
23 conditions.

24 MR. KEYT: There is a motion to recommend

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1 approval subject to conditions by Mr. Bird. Is there a
2 second?

3 MR. CRAWFORD: Second.

4 MR. KEYT: Mr. Crawford. Any discussion or
5 further discussion? Okay. Hearing none, we will do a
6 roll call vote. Mr. Crawford?

7 MR. CRAWFORD: Yes.

8 MR. KEYT: Mr. Greenwell?

9 MR. GREENWELL: Yes.

10 MR. KEYT: Mr. Puzey?

11 MR. PUZEY: Yes.

12 MR. KEYT: Mr. Bird?

13 MR. BIRD: Yes.

14 MR. KEYT: All right. That concludes the
15 hearing on the Soltage Project for Solar 1, LLC. I
16 think we only have one remaining item on your agenda.

17 MR. KAINS: Mr. Chairman, No. 8, the agenda
18 item is entitled Adjournment. Need to have a motion.

19 MR. PUZEY: I will move to adjourn.

20 MR. BIRD: Second.

21 MR. KAINS: Those in favor, aye.

22 THE BOARD: Aye.

23 MR. KAINS: Those opposed? Thank you, folks,
24 very much for your attention. This meeting of the

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1 Vermilion County Wind and Solar Committee is adjourned.

2 Thank you.

3 (The hearing concluded at 1:37 p.m.)

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