

PLANNING & ZONING COMMISSION

City Council Chambers

800 Game Farm Road, Yorkville, IL

Wednesday, November 14, 2018 7:00pm

Meeting Called to Order

Chairman Randy Harker called the meeting to order at 7:00pm, roll was called and a quorum was established.

Roll Call:

Reagan Goins-yes, Deborah Horaz-yes, Don Marcum-yes, Jeff Olson-yes,
Randy Harker-yes

Absent: Bill Gockman, Richard Vinyard

City Staff

Krysti Barksdale-Noble, Community Development Director

Jason Engberg, Senior Planner

Other Guests

Lynn Dubajic, City Consultant

Chris Vitosh, Vitosh Reporting Service

Shawn Ajaz, Progressive Energy Group

Megan Fanthorpe, Blackberry Woods

Mike Olszewski, Blackberry Woods

Chris Childress, Progressive Energy Group

Lana Lerman, Yorkville Dialysis Center

Deb Milam, Cimmaron Subdivision

Dan Kramer, Attorney

Eric Peterman, GRNE Solar

Stefan Fanthorpe, Blackberry Woods

Ryan Hoogland, Blackberry Woods

Ben Kilgore, Blackberry Woods

Scott Koeppel, Kendall County

Greg Milam, Cimmaron Subdivision

Previous Meeting Minutes October 10, 2018

The minutes were approved as presented on a motion and second by Commissioners Marcum and Horaz, respectively.

Roll call: Goins-yes, Horaz-yes, Marcum-yes, Olson-yes, Harker-yes. Carried 5-0.

Citizen's Comments None

Public Hearings

Chairman Harker said there were two Public Hearings originally scheduled for this meeting, however, not all materials were submitted for the Marker, Inc. Hearing and it will be moved to the next PZC meeting. A motion was made by Mr. Marcum and seconded by Ms. Horaz to move PZC 2018-18 Marker, Inc. to December 12, 2018.

Roll call: Horaz-yes, Marcum-yes, Olson-yes, Goins-yes, Harker-yes. Passed 5-0.

Chairman Harker explained the procedure for the other Public Hearing and he swore in those who would give testimony. At 7:05pm a motion was made by Commissioner Goins to open the Public Hearing for PZC 2018-07 GRNE Solar and it was seconded by Commissioner Marcum.

Roll call: Marcum-yes, Olson-yes, Goins-yes, Horaz-yes, Harker-yes. Carried 5-0.

Chairman Harker read the petition as follows:

1. **PZC 2018-07 GRNE Solar**, Eric Peterman, petitioner, has filed an application with the United City of Yorkville, Kendall County, Illinois, requesting special use permit approval to install and operate a solar farm with more than one freestanding solar energy system on approximately 7.4 acres of land consisting of roughly 6,400 solar modules. The real property, zoned in the O Office District, is located at the southeast corner of John Street and Beecher Road at the Kendall County Government Campus in Yorkville, Illinois.

(See Court Reporter's Transcript of Testimony)

Also to be entered into public record:

Statement from Yorkville Dialysis Center

Statement from Megan Fanthorpe

Petitioner Responses to the Special Use Standards

The Public Hearing was closed at approximately 8:12pm on a motion by Mr. Marcum and second by Ms. Horaz.

Roll call: Olson-yes, Goins-yes, Horaz-yes, Marcum-yes, Harker-yes. Carried 5-0.

Unfinished Business None

New Business

1. **PZC 2018-07 GRNE** (see above description)

Mr. Engberg provided details of the project including setbacks, fencing, glare study, distance of homes from solar panels, solar panel details, city request for solid fence around the perimeter, landscape plan, request for the security camera to be accessible by the sheriff and a knox box on site for emergency use. Other city requests include a security guarantee if the system is abandoned, an easement to enter the site and a full engineering and erosion plan. Scott Koeppel from Kendall County stated the the county included strong language regarding abandonment.

The floor was then opened for Commissioner discussion. Mr. Olson commented on any possible glare being hidden by a solid fence, construction pollution, noise being absorbed by nearby trees, emissions from panels being a non-issue, composite-type fence and the strict standards for dust. Ms. Noble said the city engineer would be on site every day to monitor dust and street maintenance.

Mr. Engberg said the city is asking for a 7'6" solid opaque fence. Ms. Horaz suggested the fence not be totally solid but it should allow air flow and give the illusion of being totally solid. Mr. Marcum discussed language for fencing and suggested a request for low maintenance and opaqueness rather than specifying certain materials.

Resident Megan Fanthorpe said she would like to see more trees and less fence. The petitioner plans for six types of trees at different heights. Ms. Noble explained the landscape requirements ask for 33 trees/shrubs for each 100 linear feet. Mr. Olson added that buffer trees should be replaced if they die.

Ms. Horaz inquired about snow on panels, potential hail damage and breakage by baseballs. Mr. Peterman said snow will slide off, double pane panels are resistant to hail damage and baseballs do not break the panels.

The discussion concluded and Chairman Harker read the special use standards plus the additional four. Mr. Engberg said petitioner responses to the special use standards and four additional standards from Chapter 14 will be entered into the official record.

The commissioners briefly discussed the language for the fence material as a condition in the motion and they decided on PVC or composite-type material. Mr. Engberg also requested that the petitioners adhere to the updated letter of November 7th pertaining to #4 of the staff recommended conditions.

Action Item

Special Use

A motion to approve the petition and Findings of Fact was made by Mr. Marcum and seconded and read by Mr. Olson: In consideration of testimony presented during a Public Hearing on November 14, 2018 and discussion of the Findings of Fact, the Planning and Zoning Commission recommends approval to the City Council a request for Special Use authorization to construct a freestanding solar energy system, or solar farm, on a O Office District zoned property located at the southwest corner of the Kendall County Government Center, subject to staff recommendations in a memo dated November 7, 2018 and further subject to a fence on 4 sides, PVC or composite-type material, solid and opaque, and request date on landscape survey to change to November 7, 2018.

Roll call: Goins-yes, Horaz-yes, Marcum-yes, Olson-yes, Harker-yes. Carried 5-0. Ms. Noble said this petition will move to the December 11th City Council meeting for final approval.

Additional Business

1. PZC 2018-17 Text Amendment for Signs

Mr. Engberg said the City Council approved the text amendment updating Chapter 20 of the sign ordinance.

In another matter, Mr. Engberg said extra material will be added to the packet to keep commissioners up to date. More training may be done later and Ms. Noble asked for ideas of the types of training desired.

Adjournment

There was no further business and the meeting was adjourned at 8:53pm on a motion by Commissioners Marcum and Goins, respectively. Unanimous voice vote approval.

Respectfully submitted by Marlys Young, Minute Taker

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UNITED CITY OF YORKVILLE
YORKVILLE, ILLINOIS

PLANNING AND ZONING COMMISSION
PUBLIC HEARING

800 Game Farm Road
Yorkville, Illinois

Wednesday, November 14, 2018
7:00 p.m.

1 PRESENT:

2 Mr. Randy Harker, Chairman,

3 Mr. Jeff Olson, Deputy Chairman,

4 Ms. Deborah Horaz,

5 Ms. Reagan Flavin-Goins,

6 Mr. Donald Marcum.

7
8
9 ALSO PRESENT:

10 Ms. Krysti Barksdale-Noble, Community
11 Development Director,

12 Mr. Jason Engberg, Senior Planner,

13 Ms. Marlys Young, Minute Taker.

14 - - - - -

1 (WHEREUPON, the following
2 proceedings were had in
3 public hearing:)

4 CHAIRMAN HARKER: Okay. I've got a
5 little change here on the public hearing. There
6 are two public hearings scheduled for tonight's
7 Planning and Zoning Commission meeting.

8 While there are two public hearings
9 on tonight's agenda, the petitioner, Marker,
10 Inc., has not provided the staff with additional
11 requested materials for the PZC 2018-18 before
12 tonight's scheduled public hearing date.

13 Therefore, the public hearing for
14 PZC 2018-18 will not be open for discussion or
15 testimony will not be taken at tonight's
16 meeting.

17 May I have a motion to move the
18 public hearing scheduled for PZC 2018-18 from
19 November 14th, 2018 Planning and Zoning
20 Commission meeting to December 12th, 2018
21 Planning and Zoning Commission meeting at the
22 same time and place that was the originally
23 planned hearing?

24 MR. MARCUM: So moved.

1 MS. GOINS: Second.

2 CHAIRMAN HARKER: Second?

3 MS. NOBLE: Second. Roll call.

4 CHAIRMAN HARKER: Okay, and a second.

5 Can I get a roll call?

6 MS. YOUNG: Horaz.

7 MS. HORAZ: Yes.

8 MS. YOUNG: Marcum.

9 MR. MARCUM: Yes.

10 MS. YOUNG: Olson.

11 VICE-CHAIRMAN OLSON: Yes.

12 MS. YOUNG: Goins.

13 MS. GOINS: Yes.

14 MS. YOUNG: Harker.

15 CHAIRMAN HARKER: Yes.

16 Okay. The purpose of -- and I still
17 have to say this -- the purpose of this hearing
18 tonight is to invite testimony from members of
19 the public regarding the proposed request that's
20 being heard before the commission.

21 Public testimony for persons present
22 may wish to speak in favor of or against the
23 request, or have questions for the petitioner
24 regarding the request being heard.

1 Those persons wishing to testify are
2 asked to speak clearly, one at a time, state your
3 name and who you represent, if anyone. You are
4 asked to sign in at the podium if you have not
5 already done so.

6 If you wish to speak at tonight's
7 public hearing as a petitioner or as a member of
8 the public, please stand, raise your hand and
9 repeat after me.

10 Anybody out there -- yeah, you want
11 to speak? Okay.

12 (Witnesses sworn.)

13 CHAIRMAN HARKER: Thank you, you may be
14 seated.

15 All right. So the order that we're
16 going to receive the testimony is the petitioner
17 is going to do his presentation first and then
18 those that want to speak that are in favor of the
19 request, they're next, then those that are
20 opposed to the request follow that, and then we
21 will move on.

22 So if the petitioner is ready?

23 MS. NOBLE: A motion.

24 CHAIRMAN HARKER: Oh, yeah, I'm sorry.

1 Hold on two seconds.

2 May I have a motion to open the
3 public hearing on petition number PZC 2018-07?

4 MS. GOINS: So moved.

5 MR. MARCUM: Second.

6 CHAIRMAN HARKER: Okay. Roll call vote,
7 please.

8 MS. YOUNG: Marcum.

9 MR. MARCUM: Yes.

10 MS. YOUNG: Olson.

11 VICE-CHAIRMAN OLSON: Yes.

12 MS. YOUNG: Goins.

13 MS. GOINS: Yes.

14 MS. YOUNG: Horaz.

15 MS. HORAZ: Yes.

16 MS. YOUNG: Harker.

17 CHAIRMAN HARKER: Yes.

18 Okay. PZC 2018-07, the GRNE Solar,
19 Eric Peterman, petitioner, has filed an
20 application with the United City of Yorkville,
21 Kendall County, Illinois, requesting a special
22 use permit approval to install and operate a
23 solar farm with more than one free-standing solar
24 energy system on approximately 7.4 acres of land

1 consisting of roughly 6400 solar modules.

2 The real property, zoned in the
3 O Office District, is located at the southeast
4 corner of John Street and Beecher Road at the
5 Kendall County Government Campus in Yorkville,
6 Illinois.

7 Now, you are ready to go?

8 DANIEL J. KRAMER,
9 having been first duly sworn, testified from the
10 podium as follows:

11 MR. KRAMER: Thank you, Mr. Harker. My
12 name is Daniel J. Kramer. I am an attorney
13 licensed to practice law in the state of
14 Illinois. My address is 1107A South Bridge
15 Street in Yorkville, Illinois.

16 I represent GRNE Solar, whose
17 representatives are here tonight. We have three
18 possible witnesses who will answer questions
19 from the audience and participate in the
20 presentation.

21 You will probably hear the most from
22 Eric Peterman who is presented or prepared on
23 behalf of GRNE Solar the video presentation, and
24 then we also have Chris Flynn Childress here who

1 is a consultant for the county in the energy
2 request, and we also have Shawn Ajazi, and I did
3 provide spellings of all the names for the court
4 reporter before we started.

5 Again, tonight it's a bit of an
6 unusual request in the sense that the petitioner
7 is joined on behalf of the county to make this
8 request.

9 The property is properly zoned; this
10 is an accessory use to the functions that exist
11 out at the county. As most of you know, but some
12 in the audience may be newer to the community,
13 this is about a 50-acre campus that was
14 designated as a public safety campus back when I
15 had hair.

16 The first building was the
17 sheriff's department, ultimately an animal
18 control facility was built behind it and there is
19 a garage behind the sheriff's department, several
20 public safety buildings for the jail now.

21 At the far west end of the campus is
22 the Kendall County Health Department, which keeps
23 growing with community needs all the time, and
24 the Kendall County Courthouse was actually the

1 second building built here, and they made I
2 thought really good use of the space in that they
3 could have knocked the west wall out and put a
4 bigger footprint, but they went upstairs instead,
5 so it should stand like the old courthouse for a
6 good half century as the county grows.

7 In terms of the use that's before
8 you here tonight, the city has asked that a solar
9 array be a special use so that they take into
10 account the effect on the neighbors in the
11 orderly development of the city.

12 We think it's a good use. We think
13 the applicant has thought of as many of the
14 issues as they can and they have taken some time
15 with the neighborhood.

16 They did a meeting with the board
17 about three weeks ago, the HOA association, and
18 they did a meeting at the historic courthouse and
19 invited any residents that wanted to come Monday
20 night.

21 We let the city know we were doing
22 both meetings and said, look, if aldermen or
23 staff want to come, you are welcome, but
24 aldermen, please be careful because of Open

1 Meeting Act that we really couldn't have more
2 than two aldermen, and the county is under the
3 same issue.

4 We let the county board know that we
5 were doing open meetings and said if you'd like
6 to come, but please, no more than two so you
7 don't violate the Open Meetings Act and they did
8 not come, which is okay because it's their
9 petition.

10 Really not a lot of comments from me
11 other than at the end of the presentation the
12 public comment and after your due consideration
13 tonight as a Plan Commission, we will ask you to
14 give a positive recommendation to the City
15 Council.

16 Thank you very much, and I'll let
17 Mr. Peterman talk about the technical aspects.

18 ERIC PETERMAN,
19 having been first duly sworn, testified from the
20 podium as follows:

21 MR. ENGBERG: Lights.

22 MR. PETERMAN: While Jason is grabbing
23 that, as Dan mentioned, we have done a lot over
24 the past several weeks and months to prepare

1 material for this application, this petition, met
2 specifically with Krysti and Jason, we've gone
3 back and forth several times to prepare all the
4 information that's requested for the special use
5 application, as well as, as Dan mentioned, met
6 with the HOA and the homeowners that are -- that
7 are nearby this facility, taking in their input
8 and actually changing some of the plans because
9 of their input so that we are all on the same
10 page.

11 I've told the HOA a number of times
12 as well, I have two young kids, I would have some
13 of the same questions that they had, which are
14 all great. I think there has been a great
15 dialogue through the process.

16 Thank you to the staff, I think
17 Jason and Krysti have done a great job of taking
18 it to all those who have been involved from the
19 HOA as well. It's been a healthy process so far.

20 Tonight we've prepared a
21 presentation with some of the questions that have
22 come out of the previous meetings, and I know
23 there is some more information requested from the
24 city which is in this presentation, as well as

1 from the HOA, which we have in here as well.

2 Can everybody see this okay or do
3 more lights need to go? All right. Great.

4 And feel free, if you need any
5 clarification or questions along the way, feel
6 free to jump in and stop me. Apologize to a few
7 of those who have seen this for the third time.
8 We'll jump right in.

9 So a couple different areas that
10 we'll cover, how solar works, the break up of
11 what solar array looks like, some of the sound
12 study, layout, questions that have come up
13 throughout the process, and then some of the
14 maintenance and prior installations that we've
15 done.

16 I guess I should introduce myself, I
17 apologize. Eric Peterman, I'm an industrial
18 engineer from Northwestern University. I started
19 this company about eight years ago. Born and
20 raised in Illinois, live in Arlington Heights
21 now, our company is run out of Palatine, so we
22 are local. We operate only throughout the
23 Midwest.

24 There is a lot of solar development

1 going on in Illinois right now because of the
2 incentive structure. I know there was another
3 petition prior to ours that came from an
4 out-of-state that was eventually withdrawn.

5 That was a totally separate setup.
6 That was what's called community solar, where you
7 can choose any plot of land to be able to
8 interconnect into the utility grid.

9 This is what's called a
10 behind-the-meter application to where it's
11 directly impacting Kendall County's offices, so
12 in terms of the location, it needs to be where
13 the Kendall County offices are located. It can't
14 just be on another plot of land out in the middle
15 of nowhere, so that's the difference between
16 those location-wise. That's a little bit of the
17 background on that.

18 Yeah, as I mentioned, engineer by
19 trade and born and raised in Illinois. I've
20 taken numerous hours to think about how this
21 design is put together, I've driven through the
22 neighborhoods, for Blackberry Woods, and had some
23 great communication with them along the way.

24 Sorry, I'll jump in now, so this is

1 a great slide that I like to use just to explain
2 how solar works just so everybody has a baseline
3 understanding.

4 If you can see, Step One here, solar
5 panels -- this is on a house, but solar panels on
6 the roof are directly impacted by the sun. The
7 sun hits the solar panels and then knocks around
8 some electrons to create energy.

9 That energy is created in DC, or
10 direct current, and then it's transferred into a
11 box that you can barely see right here, which is
12 called an inverter.

13 The inverter is the brains of the
14 system and that's what converts the energy from
15 direct current to alternating current.

16 Alternating current is what we use
17 to turn on these lights and the projector and the
18 computer, so once it becomes alternating current,
19 it then powers any loads that are going on inside
20 the house, so if the refrigerator is on or if the
21 washing machine is on, the solar power will help
22 to power those things first.

23 If everything is shut off, let's say
24 you are away on vacation, then that power would

1 be pushed back onto the utility grid. ComEd
2 would then give you a credit on your utility
3 bill, so you won't lose that energy you created,
4 you will get a one-to-one credit from ComEd, and
5 that's where it goes back onto the utility grid.

6 Here is a picture of what a typical
7 ground mount system might look like. So the
8 three main areas we have identified here, the
9 racking structure, which you can see kind of in
10 the background here, it's made with steel posts
11 that go in the ground and then aluminum rails
12 that run the length of the system that also
13 support the solar panels.

14 You can see one solar module is
15 installed here. That's what is impacting with
16 the sun to create the energy, and then there is a
17 box, like I said, an inverter, which is the
18 brains of the system, which is usually located
19 somewhere along the racking structure hidden
20 underneath the solar panels.

21 What is in a solar panel? So this
22 is a breakdown of what is actually inside of a
23 solar module, so this is kind of a deconstructed
24 module here.

1 On the top you can see there is an
2 aluminum frame that houses everything inside.
3 There is a double layer of glass, just like a
4 windshield would have, and then the solar cells
5 is what's beneath that double layer of glass,
6 another layer on the back side, and then these
7 electrical wires, which help transmit the energy.

8 So the solar cell itself is made up
9 of these three elements: Most notably silicon
10 and ingot, which is -- they're all metalloids.
11 Silicon is one of -- I think it's the second most
12 abundant element on earth behind oxygen.

13 There is nothing toxic about any of
14 these materials, there is no harmful materials
15 that are inside the cells at all, and I think one
16 of the board members had a question about what a
17 solar cell looks like, or solar module. Jeff, if
18 that was you. So this is actually a full scale
19 solar panel. You are welcome to come look at it
20 or touch it, or any questions you have.

21 This one looks like -- this one is a
22 residential module with a black frame, but this
23 is full scale solar panel, so you are welcome to
24 check it out when you have some time or if you

1 have more questions.

2 The racking structure. So this is
3 actually on what's called a single axis tracker,
4 and what that means is at the beginning part of
5 the day, the solar panels will face east.

6 As the sun rises and goes across the
7 sky to the west, the solar panels will actually
8 rotate without the sun. That's the most
9 efficient way to install solar, so in order to
10 achieve that, you need a motor which will
11 actually turn the racking structure with the sun.

12 So here you can see a picture of
13 what that motor looks like and a portion of the
14 racking structure that helps turn the solar
15 module.

16 The inverter, looked like a
17 nondescript white box like you have here. There
18 is a fan, just like you would have on a computer,
19 that runs to keep the electronics cool inside the
20 box. There is a display on the front that tells
21 you how much energy you're making or if there is
22 any errors with the system.

23 Here is a picture of the inside or
24 the guts, there is some internal blocks where the

1 wires are housed, some capacitors and resistors..

2 The question came up about sounds
3 throughout this process, how much sound is
4 created by the solar array. So in order to just
5 provide a base level understanding of how many
6 decibels normal activities are, you can see,
7 starting on the left here, a quiet, rural area is
8 described or calculated at 30 decibels, and then
9 as we go to the right you can see -- as we get
10 into the 50 and 60-decibel range, that's what's
11 characterized as a refrigerator noise or normal
12 conversation makes the sound that you are hearing
13 from my voice right, now would be in the 50 to 60
14 decibel range.

15 Getting higher becomes what's called
16 this dangerous level, and that's where you start
17 to hear -- like if you were next to a car horn, I
18 think that says chain saw or a jet engine. So
19 that that's hopefully a base level understanding
20 of decibel level for some normal, everyday
21 activities.

22 Solar panels themselves produce zero
23 decibels, so there is actually no noise at all
24 that comes out of the solar panel, so when the

1 sun hits it and it's creating power, you will
2 never know if you were just listening for an
3 audible test.

4 In terms of racking structure, I did
5 mention that it had motors that turn -- for the
6 racking structure. So when those motors are in
7 motion, the calculated or the tested decibel
8 level is between 40 and 50 decibels. That's in
9 between a library whisper and a refrigerator, for
10 reference.

11 The motors only run on 15-second
12 intervals every ten minutes. That's only during
13 the day when the sun is shining, so it does not
14 run at night or any time the sun is not shining.
15 It rotates the modules during the day and then it
16 resets itself.

17 One of the questions that was asked
18 at a previous meeting, and I got some
19 clarification, so it will go -- every ten minutes
20 it will run for 15 seconds to rotate the modules
21 throughout the day.

22 At the end of the day it will run
23 for about a minute to reset it back to a normal
24 level, and then the next day it will then start

1 again, so it's only running a limited amount of
2 time and there is only a noise that's comparable
3 to a library whisper or a refrigerator. There is
4 only two motors on the entire site is the plan
5 design right now.

6 MR. MARCUM: Those tracking things go
7 down the center of the -- they are not on every
8 panel; is that correct?

9 MR. PETERMAN: The tracker -- you are
10 talking about the racking structure itself?

11 MR. MARCUM: Yes.

12 MR. PETERMAN: Yes. So you will have a
13 row of solar panels that might look like this
14 solar panel and then another solar panel right
15 here.

16 There will be a beam that runs down
17 and attaches to the back of the solar panel, so
18 it's almost like a hinge, so it will go from the
19 east and then they'll rotate on the hinge.

20 MR. MARCUM: But there is not one of
21 those motors on every one of those panels?

22 MR. PETERMAN: No, no. Only two motors
23 on the entire site. Yes. Thanks for the
24 question.

1 Inverters. So the next study was
2 the decibel reading on the inverters themselves.
3 The inverters as I mentioned are the brains of
4 the system. That's the electronics. So standing
5 next to the inverter, measured at around 60
6 decibels, so again, that's a normal conversation,
7 probably similar to what you're hearing from my
8 voice right now, there are planned about 40
9 inverters for the site right now.

10 VICE-CHAIRMAN OLSON: 60 decibels at how
11 many feet away?

12 MR. PETERMAN: 60 decibels at three
13 meters, so about ten feet, and then once you
14 get -- Actually the next slide will give you some
15 more detail on that.

16 So this is standing right next to
17 it, and you can't see it on the screen, but these
18 are decibel readings here that show that these
19 are about 60, 61 decibels for each of these, and
20 the angle, why there is four different angles,
21 it's from the front, the back, the right, the
22 left, so you can get it from all different
23 angles, and this was actually provided from the
24 inverter manufacturer.

1 To your question about how far away.
2 So these are some installed inverters that we
3 have on a site that we own. This is in northwest
4 Indiana for an elementary school. It's a similar
5 size, it's about 1.2 megawatts.

6 The proposed size for this project
7 is close to two megawatts, so it's I guess a
8 little more than half of what's being proposed
9 for this site.

10 These are actually videos that are
11 not wanting to run on Jason's computer tonight,
12 so I will give you a background of what this
13 sounds like.

14 So at three feet away from the
15 inverter you'll hear about 60 decibels, so it
16 will sound like a fan running, similar to a
17 computer fan.

18 As we back up, we've got a recording
19 here at about ten feet, that's where it's, you
20 know, still in that 60 decibel range, so you can
21 still audibly hear it about ten feet away, and
22 then the third picture here shows a recording at
23 25 feet from the enclosure, where at this stage
24 you can't really hear the inverter.

1 You can hear some wind rippling and
2 you can hear some traffic in the background, but
3 the audible noise from the inverter is
4 negligent.

5 VICE-CHAIRMAN OLSON: Where are the
6 inverters located on the site?

7 MR. PETERMAN: Yes, good question. I am
8 going to defer that question for a couple slides
9 later so it be a little more helpful.

10 And this is another video, it
11 actually has one of our guys walking through the
12 middle of the solar field to give you a good feel
13 for what that looks like. We can make this
14 available if you want to try the videos later,
15 but that's not wanting to work for us tonight.

16 Similarly, another question that
17 came up about any electromagnetic fields that are
18 given off by the solar array, so to provide some
19 EMF levels of everyday activities or everyday
20 devices, here is another frame of reference.

21 So as we start on the left -- and
22 excuse me, I can't see it from this far away. As
23 we start on the left, you'll see brain waves and
24 solar system is on the left which is considered

1 extremely low frequency.

2 As we move to the right we've got
3 some everyday devices such as a radio,
4 television, laptop, cellphone, which are in the
5 radiowave, microwave category here.

6 As we continue to go to the right
7 that's where you get some UV lights, or light
8 bulbs, medical devices, and the dangerous
9 category is where you have some more nuclear and
10 radioactive activity.

11 So as you can see from the solar
12 field, what's giving off the EMF is the inverter
13 and that's where it's categorized in the
14 extremely low frequency next to -- you know,
15 further to the left than everyday devices like
16 your cellphone or your computer.

17 To your question about location, so
18 this if you can see is -- the blue box here is
19 the area that is planned for the solar panels
20 and the red in the middle, we've actually
21 designed it based on some feedback and concerns
22 from the HOA to run down the center of the array,
23 so the nearest home, as you can see here, is over
24 300 feet away from the inverters and the motors,

1 which are in the center, the only things that
2 make noise or give off EMF. Nothing in the solar
3 field produces either of those.

4 Does that answer your question on
5 location?

6 VICE-CHAIRMAN OLSON: Yes.

7 MR. PETERMAN: Great. Landscape layout,
8 which was required by the city, this was produced
9 by HLR, the engineering firm. There is some
10 detail down here that describes the different
11 trees that will be planned for this site.

12 This is the southern portion of the
13 solar field. There is a black line that runs
14 directly east/west that you can kind of see right
15 there, and then just to the south of that fence
16 line is the tree line.

17 This is an image of what that will
18 look like. There's going to be an opaque fence
19 on the south side, seven-and-a-half-foot tall
20 wood fence that will not be able to be seen
21 through, and then you will have the tree
22 landscaping between the residents and the solar
23 grid.

24 VICE-CHAIRMAN OLSON: And that's on the

1 south elevation?

2 MR. PETERMAN: Yes, sir.

3 MR. KRAMER: Eric, can you point out,
4 the photographs they have in the package show it
5 a lot better than that. That's very dark there.

6 MR. PETERMAN: Yeah, it's pretty dark
7 here. Point out --

8 MR. KRAMER: They've got color drawings
9 that show that much better.

10 CHAIRMAN HARKER: Okay.

11 MR. PETERMAN: This shows that -- There
12 was a question about what other -- what other
13 developments might happen on this land, and this
14 land is obviously owned by Kendall County and
15 it's -- right now it's housing a temporary
16 nursery for some trees, but there are other plans
17 in development.

18 This was taken from the Kendall
19 County Capital Improvement Plan back in fiscal
20 year 2012. It just shows the public safety
21 center was discussing a build-out of the
22 correctional facility, so there is talks of
23 either expansion of the jail that's currently
24 there further to the west where the site is,

1 there is talk of additional buildings for this
2 space. There is nothing set in stone right now.
3 The proposed plan is for the solar field.

4 This was a little bit more
5 clarification on what could go there if this
6 wasn't a solar field.

7 The intention -- it's my
8 understanding something will be developed there;
9 the timing or what is what's uncertain.

10 A question on property value. So
11 some of the concerns from -- or some of the
12 questions that were brought up from the HOA was
13 will this have an impact on my property value,
14 and we were requested to find a study that showed
15 a similar scenario of a large solar field being
16 developed directly next to a residential home or
17 a residential plot of land.

18 There is actually a study that was
19 produced in the Midwest, so this actually has a
20 lot of Indiana and Illinois solar fields on it,
21 which are much larger than the field that we are
22 proposing for this petition, and essentially
23 what this is saying, there is a couple key
24 categories here, but what they did is they took a

1 control site and then a test site to see similar
2 properties that are next to a solar array and
3 similar properties that are not next to a solar
4 array, what was the impact on the property value,
5 and this shows the distance from the solar field
6 to the home, and some of the numbers here, I
7 think that number is like 68 feet from the
8 property line to the solar field, there is a few
9 that are in the hundred feet, 200, that says 400
10 there.

11 So the gist of it is these massive
12 solar fields are right next to a residential area
13 and all the way on the right the analysis
14 concluded that there was no impact, was the final
15 ruling.

16 This number down here shows the
17 property values actually increased by close to
18 two percent, so it's a minimal increase to no
19 impact is what the study showed.

20 This was just a recap of some of the
21 questions that did come up and then direct
22 answers to them.

23 Most of the presentation has covered
24 these questions, so I will just highlight some of

1 these things that were brought up.

2 Will living near a solar field
3 affect my property value? We just presented that
4 study.

5 Do solar panels contain harmful
6 chemicals? There have been numerous studies to
7 show that there is no connection between solar
8 fields or health conditions or any reason to
9 believe that it would be harmful. So we covered
10 that also with the anatomy of what's inside a
11 solar panel and how it works.

12 Do solar panels create glare?
13 Actually Jason did a great job at presenting this
14 topic at one of the last meetings. The purpose
15 of solar panels is to actually capture sunlight,
16 not to reflect it, so that is the way that solar
17 panels are designed.

18 Even if it did reflect, if you
19 remember, the solar panels are only facing east
20 and west, so they will not ever face to the
21 south, which would be where the nearby residents
22 are located.

23 Do solar panels leak radiation? We
24 talked about that at the EMF study and, as I

1 said, there is no link between solar fields or
2 any threat or concern with health conditions, and
3 then EMF specifically.

4 This is actually that school that I
5 was talking about that we had a picture of
6 earlier. This is an elementary class that's
7 actually outside discussing the solar field
8 that's being installed.

9 We worked with the Tri-Creek School
10 Corporation to implement this on their campus at
11 the elementary school. They built it into their
12 curriculum.

13 We have designed it such that the
14 students can actually come out and do different
15 tests on the solar field, they can put a shade on
16 a solar panel to see how it impacts it, they can
17 record the voltage to see how much voltage is
18 being pushed through the solar panel.

19 So this has been a great thing for
20 us to show that not only is there is no concerns
21 of harm or health concerns, but it's also an
22 opportunity to educate our young ones and build
23 it into the curriculum as they go through,
24 throughout their elementary school.

1 Question came up of site
2 maintenance. So our relationship with Kendall
3 County is we are leasing the land and we will be
4 responsible for everything on the land. So
5 maintenance, maintenance of the landscaping
6 that's on the subject site, ensuring that the
7 field is kept in operation and is functional, we
8 will be responsible for all of that.

9 So you can see a couple fields here
10 that are well manicured.

11 VICE-CHAIRMAN OLSON: Those are
12 landscaped. Is the one you are proposing also
13 landscaped grass, it's all -- it's not gravel
14 or --

15 MR. PETERMAN: Yes, sir, there will be
16 grass underneath, correct.

17 Some of the previous projects -- I
18 don't remember if this was from the city or from
19 the HOA, but they had asked to provide a list of
20 some of the previous projects.

21 That's an aerial view of the
22 Tri-Creek School Corporation; this is a project
23 in Nebraska for a ground mount system. We've
24 done roof mount system, we've done ground mount

1 systems, had various different equipment that we
2 have used.

3 We were recently awarded as the
4 number one solar installer in Illinois. It's
5 been a long time coming to get to this point, but
6 as I said, it's prideful for myself because I am
7 born and raised here, we are focused specifically
8 on the Midwest and we do everything local, so to
9 earn this is definitely something we are proud
10 of.

11 And then finally this just shows
12 that third-party organizations, which are usually
13 the watchdogs of environmental actions, have all
14 come out in support of solar, the ones listed on
15 this slide as least, so organizations such as
16 Greenpeace, or the EPA, National Geographic, U.S.
17 Department of Energy, Sierra Club, these folks
18 are very interested and engaged in anything that
19 would impact the environment. They have all come
20 out to support solar. And, in fact, the EPA has
21 a very similar sized solar array on their campus,
22 so 1.5 megawatts of solar that's on their campus
23 would look very similar to the petition that we
24 have before you.

1 And then finally just a quick
2 summary of the points, some of the key points, as
3 we mentioned in the layout, the solar motors and
4 racking motors will be located more than 300 feet
5 from the nearest home.

6 The inverters and racking motors
7 will only operate during the day when the sun is
8 out; nothing is operating at night.

9 The emitted sound and the EMF we
10 discussed as to have no impact, you won't be able
11 to hear it from outside the fenced area or have
12 an effect anywhere outside the fenced area at
13 all.

14 Solar field would be regularly
15 maintained by GRNE Solar. There's been no --
16 After rigorous tests, there's been no connection
17 between health concerns or solar arrays.

18 We talked about the independent
19 third-party groups which support solar. GRNE
20 Solar is -- it will save the taxpayers \$4 million
21 over the course -- over the life of the system,
22 and that's all with zero dollar capital costs.

23 So the way that works is there is a
24 lot of incentives and grants that are out there.

1 We have an investor that would fund the money for
2 this project so it would not come out of the
3 Kendall County budget at all and they would pay
4 less for the energy that's created by the solar
5 than they are currently paying with their
6 supplier.

7 And then the property values we
8 discussed; the study that was shown there with --
9 specifically in the Midwest, Illinois and Indiana
10 products that has a slight positive to no impact
11 on the property values.

12 And then in terms of next steps, as
13 we mentioned, we've held two joint meetings other
14 than the EDC meetings that we've had previously,
15 but since then we've had two joint meetings with
16 the HOA and the homeowners who have decided to
17 show up.

18 As I said, we've had great dialogue
19 and actually had a change in the plans because of
20 those meetings. Here tonight we have the public
21 hearing and then if it decides to go before the
22 Council for vote, we'll see that on the the 11th.

23 Assuming that is approved, we have
24 to apply for those incentives in January and then

1 the installation would be slated for spring of
2 2019.

3 One thing I will note is the timing
4 or the urgency of the solar incentives. Because
5 of the way the program is structured, it's very
6 appealing to developers, so there's been a lot of
7 development from out-of-state that's come to
8 Illinois.

9 In fact, there is actually more
10 products being developed than there are funds for
11 in terms of the incentives, so they've discussed
12 doing the process of a lottery, so assuming we do
13 get approval and move forward and we get to
14 submit our application on January 15th, then we
15 will still be at the whim of the Illinois Power
16 Agency, which distributes the incentive money for
17 the project.

18 VICE-CHAIRMAN OLSON: So you might get
19 approved and you might lose out on the lottery.

20 MR. PETERMAN: That's correct, yeah.
21 And without those incentives, the economics of
22 the project don't work, so the timing is vital to
23 get the approval so that we are ready to submit
24 the application in January, so just want to make

1 sure that that's clear, and appreciate your
2 attention and timeliness on this.

3 At this time I will turn it back to
4 Jason and I'll be available for questions if
5 there is anything else that you need.

6 Thanks for your attention.

7 CHAIRMAN HARKER: Thank you. Okay.
8 Moving on, anybody that's here that would like to
9 speak that's in favor of the proposal being
10 heard? Step forward. Please state your name
11 when you get there too, please.

12 SCOTT GRYDER,
13 having been first duly sworn, testified from the
14 podium as follows:

15 MR. GRYDER: Sure. Hi, I'm Scott
16 Gryder. I am County Commissioner for Kendall
17 County. I am here on behalf of the County Board.

18 They spent a lot of time looking at
19 this, wanting to be fiscally responsible and then
20 also wanting to be environmentally responsible,
21 and we thought this was a project that could do
22 all of those things in one, and they spent a lot
23 of time, both staff-wise and County Board, going
24 through to come to these agreements, to look at

1 the products, a lot of questions about the field
2 as well, what would happen, where it would
3 result, and then they unanimously voted to go
4 forward with this project earlier this year,
5 which brought about coming to Yorkville to get
6 approval and get the special use put out.

7 Just wanted to come here and mention
8 that, you know, that there is other elected
9 officials that have reviewed this and looked at
10 it from the County level and they voted
11 unanimously to do it. So thank you.

12 CHAIRMAN HARKER: Thank you. Those who
13 are -- that would like to speak that are opposed
14 to this request? Please step up, step forward.

15 (No response.)

16 CHAIRMAN HARKER: Awesome.

17 MS. FANTHORPE: Are we allowed to ask
18 questions?

19 CHAIRMAN HARKER: Yeah, absolutely.
20 Come on up to the --

21 MS. FANTHORPE: Do we have to go to the
22 podium?

23 MS. LERMAN: Is there anyone else that
24 wanted to be up for anything to oppose it?

1 Otherwise I will.

2 CHAIRMAN HARKER: Yeah, go ahead. Come
3 on up.

4 LANA LERMAN,
5 having been first duly sworn, testified from the
6 podium as follows:

7 MS. LERMAN: Hi. My name is Lana
8 Lerman. I represent Yorkville Dialysis Center.
9 We are located on the west side of the proposed
10 solar field, yes, I think it's west side, so we
11 did submit a written opposition, but we just
12 wanted to kind of reiterate and explain why.

13 Dialysis is a life sustaining
14 treatment. We have a lot of elderly patients
15 that come in; they come in three days a week,
16 four hours a day, so that's pretty much part of
17 their lives.

18 We feel that the noise, the
19 pollution of the construction and everything
20 would not be very good for them, you know, moving
21 in and out and coming into the unit, so -- we're
22 also concerned about when the panels go to the
23 west, the possible glare.

24 I know they said there is no glare,

1 but if there is one, we feel that will go right
2 into our location, so that's essentially why we
3 would like to oppose this; however, if you do
4 decide to go with it, we do respectfully request
5 that you have a fence that's at least eight feet
6 tall and that we have a little bit more shrub,
7 bermage (sic) and trees on our side. Didn't look
8 like there was going to be anything on the west
9 side, so --

10 CHAIRMAN HARKER: Okay.

11 MS. LERMAN: And that's about it. Thank
12 you.

13 MR. ENGBERG: It's in the packet, real
14 quick, would you like the letter that's sent in
15 the packet entered into the record?

16 MS. LERMAN: Yes.

17 CHAIRMAN HARKER: All right. Anybody
18 else that's in opposition of the request?

19 MS. FANTHORPE: Okay. I will talk.

20 CHAIRMAN HARKER: Okay. And, sorry,
21 real quick because you weren't here when we swore
22 everybody else in, so --

23 MS. FANTHORPE: Yes, I realize it was
24 for the public; I thought it was like formal

1 representatives.

2 CHAIRMAN HARKER: You're good. Please
3 stand, raise your right hand, and repeat after
4 me.

5 (Witness sworn.)

6 CHAIRMAN HARKER: And what was your last
7 name?

8 MS. FANTHORPE: Fanthorp.

9 CHAIRMAN HARKER: One more time?

10 MS. FANTHORPE: Fanthorpe.

11 CHAIRMAN HARKER: Okay.

12 MEGAN FANTHORPE,
13 having been first duly sworn, was examined upon
14 oral interrogatories and testified as follows:

15 MS. FANTHORPE: So I am the HOA
16 president for Blackberry Woods, and I've spoken
17 with a lot of our neighbors and I've done a lot
18 of research on this myself and I found some
19 conflicting things with the Power Point.

20 I've found that it can be a health
21 hazard, that it can cause hypersensitivity in
22 some people if this is added, and I don't know
23 how far it would have to go across the property
24 lines for it to be effective of our neighbors,

1 but if they would have that problem, they
2 wouldn't even be able to go into their home
3 potentially.

4 I found that the components that
5 make up solar panels overwhelmingly they are
6 toxic and that they cannot be disposed of very
7 easily. That's actually one of the problems with
8 solar panels, is trying to recycle them
9 afterwards, because they are made of toxic
10 materials.

11 I agree that they are made of
12 silicone, but a lot of the studies that I have
13 found show that the components inside of there,
14 if they are released into the air, can cause
15 health hazards, and I only received their Power
16 Point today, what they are citing, so I didn't
17 have an opportunity to read it beforehand, but I
18 haven't, to try to figure out which one is
19 accurate, but if they are toxic and there is a
20 potential for something like a weather-related
21 element such as a tornado to come through and
22 pick these up and smash them or a baseball to hit
23 them or any other way that they could potentially
24 become unencapsulated, I understand in the

1 encapsulated form they're likely safe, just like
2 asbestos, but if it got out into the air for some
3 reason, we would like to know that there is some
4 type of biohazard cleanup plan, but as of right
5 now they're saying it's safe, so they don't feel
6 that that's a need, but we have a concern for it
7 being I believe about 85 feet from our back doors
8 is what we were told, that this is being so close
9 to kids.

10 I don't know what the hazards are,
11 if some -- if a kid would get in there, if there
12 is electrical components that they could get
13 hurt.

14 We also have concerns with them
15 removing all of the trees in that area. We've
16 got homeowners that have, you know, a lower water
17 table that could end up flooding if they have,
18 you know, kind of a flat area that has no
19 drainage.

20 I don't think there is a drainage
21 plan in there right now, I know they said in the
22 future they would have to do that, but I wouldn't
23 want them to move forward without that plan.

24 We also have a water basin that's

1 right next to there, about 300 feet from there.
2 If they remove all the trees there could
3 potentially be a problem with the water basin,
4 and that's something that we have to -- the
5 homeowner maintained and he's had problems in the
6 past and we don't particularly want to have those
7 type of costs incurred on our homeowners.

8 We have a low budget for our
9 association, our dues are low, and so any
10 maintenance to those water basis is very costly
11 for our homeowners.

12 We also asked for long-term studies.
13 While I understand solar energy has been around,
14 I don't know if it's been around long enough for
15 them to show that 20 or 30 years from now some
16 type of byproduct that they are not aware of now
17 could cause problems or cancers that we don't
18 know about.

19 I know Willowbrook is having a
20 similar problem right now with Sterigenics, you
21 know, they thought it was safe, and now 20 years
22 from now we have a higher cancer rating, and we
23 don't want to be getting these to have more
24 health effects, potentially 20 years from now

1 we're going to have this unknown and have them
2 say oh, sorry, we didn't know then.

3 I just -- I feel like for the -- I
4 think we broke it down, it ends up being \$1.26 in
5 savings for residents in Kendall County. We just
6 don't know that it's worth the risks of this.

7 They say the property values won't
8 go down, but most people I've talked to say 5,000
9 solar panels next to your house is going to raise
10 some concerns for not just people who back right
11 up to it, but we have two-story homes, so you're
12 going to see over it even with the fence and the
13 tree lines. You know, our houses are raised up a
14 bit, so they are still going to overlook that.

15 There has to be security systems in
16 place based on what we are -- the sheriff wants,
17 so some cameras may be looking into our backyards
18 as we well.

19 They've talked about putting a chain
20 link fence around this project, which we think
21 would be an aesthetic eyesore, and while we know,
22 you know, there might be an expansion of some
23 kind in this area, when the Kendall County
24 representative came to one of our meetings, he

1 said that based on the prison population going
2 down is that the likelihood is that this area
3 won't be anything until 2028, so we think there
4 is some time to figure out what that would be.

5 You know, it's also blocking out
6 things like the view of the other government
7 buildings, some of the traffic, Route 34, Target,
8 all of those other things that are being blocked
9 by that area.

10 We know it can't be trees forever,
11 but I just think with the safety concerns that
12 are out there, I just don't know that right now
13 they have enough information to prove beyond a
14 reasonable doubt that it's safe, and we don't
15 want to be the guinea pigs that prove that it's
16 going to be safe now and in the future, so I
17 think that's all I've got. Okay. Thank you.

18 MR. ENGBERG: Your letter that you sent
19 us that's in the packet, would you like that
20 entered into the record as well?

21 MS. FANTHORPE: Yes, please.

22 MR. MARCUM: I have a question. The
23 water basin you are talking about, is it in
24 somebody's yards or the retention areas?

1 MS. FANTHORPE: It's the retention area
2 to the right off of Blackberry Woods, so my
3 understanding of it is it's supposed to retain
4 the water and then drain out into Blackberry
5 Creek, and it's about -- from my Google map about
6 300 feet.

7 MR. MARCUM: So you are talking about
8 something that's on your property, on your --

9 MS. FANTHORPE: Yeah, it's in our
10 homeowner's association.

11 MR. MARCUM: It's not this part to the
12 north here?

13 MS. FANTHORPE: No, it's like --

14 CHAIRMAN HARKER: It's on the east part,
15 right?

16 MS. FANTHORPE: When you are drive into
17 our neighborhood --

18 MS. NOBLE: It's south. It's south.

19 MS. FANTHORPE: It's right by the model
20 house. Scruffy's.

21 CHAIRMAN HARKER: Yeah.

22 MR. ENGBERG: The project area.

23 CHAIRMAN HARKER: Okay.

24 MR. MARCUM: That's it.

1 VICE-CHAIRMAN OLSON: Can we ask
2 questions of Eric?

3 CHAIRMAN HARKER: Yeah. Absolutely.
4 Can I just say this real quick?

5 VICE-CHAIRMAN OLSON: Yes.

6 CHAIRMAN HARKER: We can also do that
7 when we stop and get out of the public hearing,
8 you know what I mean? Because we will get kind
9 of wrapped up in that a little bit, you know,
10 so -- thank you, yeah.

11 Okay. Eric, would you like to
12 respond to some of the things that she just said,
13 or Mr. Kramer?

14 MR. KRAMER: Thank you. Again, Dan
15 Kramer for the record.

16 The technical stuff I'll let Eric
17 respond to because I have zilch in terms of
18 knowledge there.

19 In terms of drainage, I think
20 Mr. Marcum hit the nail on the head. When the
21 original campus was designed, the county had to
22 go through some overall drainage studies to show
23 the city how the drainage would work given a
24 reasonable build-out and this parcel would have a

1 building.

2 It was never intended that the trees
3 were going to stay there. It's a sad story for
4 Kendall County taxpayers, but the county bought
5 those trees twice, first when the Orchard Road
6 was condemned and as part of the settlement they
7 gave the nursery owner the right to keep growing
8 them on this ground, and then they had to move
9 some a second time and buy a second time, so it
10 was always believed that these would be harvested
11 back before the economy went down the tube and
12 they got too big, frankly.

13 So what Eric has shown you on the
14 Power Point is that under the panels, it's still
15 going to be a low fescue-type grass that's got a
16 deep root structure, not the bluegrass that we
17 have on our lawn that only has three or four
18 inches of roots, so you're still going to have
19 good ground absorption because you've just got
20 the small pipe holding the poles.

21 Again, we would anticipate the
22 drainage going into our retention pond on the
23 county ground to the north and not going to the
24 neighbors in the south into the subdivision at

1 all, particularly because there is going to be
2 the fence, the berm and the landscaping there.

3 In regards to the safety issue, I
4 think that's a very good question, and the
5 sheriff had us address that, as did staff working
6 with Mr. Engberg, and that is that whatever type
7 of fence is there, the sheriff wants internal
8 cameras connected into their computer system so
9 whoever is in public safety or KenCom can always
10 see inside the facility, and the gate would be a
11 Knox box type gate that all emergency responders,
12 police, fire and EDP would have the ability to
13 get right in without calling GRNE or anybody. So
14 if there were children trespassing or anything,
15 they would be known with the cameras right away.

16 The one issue that we can't give a
17 final answer on from our side -- and we will do
18 whatever the government authorities work out and
19 tell us to do at the end of the day -- and that
20 is we have committed to the solid opaque fence to
21 the back, to the residential, which makes good
22 sense.

23 The sheriff has given us a letter
24 that he would like to not see a solid fence on

1 the east, north and west side because of public
2 security reasons, and that goes way back to
3 Sheriff Randall who didn't like the place getting
4 too big, not just because of the possibility of
5 prisoners escaping, but also some bad attributes
6 we're seeing these days in society.

7 If the city at the end of the day
8 passes a special use ordinance and says do a
9 solid fence, we do a solid fence. We don't argue
10 that at all.

11 Besides the young lady who testified
12 on behalf of the dialysis center, we did get
13 written contact, as I believe the city did, from
14 Copley, and Copley asked -- much the same as the
15 dialysis center, asked if we could beef up the
16 landscaping on the west side and they would
17 prefer a solid rather than a chain link fence;
18 otherwise they are fine with the project.

19 They didn't know the history about
20 the trees and wondered if they could be
21 preserved; when we explained what was going on,
22 they said no, we understand that now.

23 Those I think are the non-technical
24 ones I can respond to, and I will be quiet and

1 let Eric talk.

2 MR. MARCUM: It sounds as though the
3 concerns from the dialysis people, and the HOA
4 lady didn't say, but the construction, that's
5 when they're going have the -- the dialysis
6 people are going to have the biggest problem.

7 With all the lumberjacks going in
8 there taking these trees out, and also the
9 grading, how long is this going to take to build
10 do we anticipate?

11 MR. KRAMER: I will let Eric respond
12 because he's actually done some.

13 MR. MARCUM: Okay, let's try another
14 one.

15 MR. KRAMER: Sure.

16 MR. MARCUM: You also -- You and I have
17 had lots of conversations over the years, nothing
18 ever related to science.

19 MR. KRAMER: This is true.

20 MR. MARCUM: So you say it's going to be
21 structured so that the water runoff will go to
22 this retention area to the north. Do we have
23 something evidencing that or is that just what we
24 hope?

1 MR. KRAMER: Well, that again was the
2 original county engineering plan when they got
3 the courthouse and the public -- or public health
4 department building built.

5 There is a huge wetland pond in
6 front of public health, and this one is a smaller
7 pond and, again, they are designed -- they've got
8 wetland plants in them. The whole idea is to
9 infiltrate on-site and not have stormwater
10 runoff.

11 Now, what will have to happen before
12 the city would actually issue a building permit
13 is the petitioner's engineer has to do an updated
14 study giving flows on it, and it's a bit
15 difficult on this one because back again 30 years
16 ago the engineers simply always did bold
17 detentions. You had this Metropolitan Sanitary
18 District software program, you pumped in how many
19 acres you had, what the density was going to be,
20 and it told you how many acre feet of water.

21 Now they've gone to something -- and
22 the city's reviewing engineer is a huge proponent
23 of it -- called BMP's or best management
24 practices, and that's what this pond is. It's a

1 naturalized area and they size it using somewhat
2 the old methods, but they've got to make
3 allowances because of the infiltration on-site,
4 and yes, there will be actual calculations.

5 MR. MARCUM: Okay. Thank you.

6 MR. KRAMER: Thanks.

7 MR. PETERMAN: Thanks for the question.

8 Regarding the timeline, so we try to be as
9 efficient as possible, and even with our crews,
10 we don't want our crews, you know, on-site more
11 than they have to be, so we do a lot of planning
12 and pre-work on the front end of the project
13 before we ever show up to the site.

14 In terms of actual construction on
15 the site, anticipated duration for this size
16 project would be in the two to three-month range,
17 so minimal disturbance, between two and three
18 months, is all it would take to get the product
19 in place, and then it would be undisturbed after
20 that time.

21 MR. MARCUM: Are you familiar with any
22 of the studies that she's cited about the --

23 CHAIRMAN HARKER: Disposal?

24 MR. MARCUM: -- toxic --

1 CHAIRMAN HARKER: Toxic, yeah.

2 MR. MARCUM: And disposal of the units,
3 are you familiar with any of those?

4 MR. PETERMAN: I haven't seen any of the
5 sources or seen any of the citations that were
6 discussed.

7 What I know is the studies that I
8 have presented that have been shown as fact that
9 I have found both from the specific manufacturers
10 of the products and from independent third
11 parties like the governmental agencies and the
12 non-profits that do the environmental watchdog
13 activities, everything that they have put out and
14 presented has been favorable in terms of health
15 or any type of risk or environmental factors
16 related to solar.

17 There is a couple studies that we
18 have, so we have a couple questions on the back
19 side of this, and I think Jason has this -- and
20 I'll also make this one available, it's a little
21 bit different than the previous one, but all of
22 our -- everything that was in this presentation
23 is cited, so you have all the citations here from
24 the different parties.

1 One of the ones -- let's see if I
2 left it -- yeah, back here, so there is -- there
3 is three different sources that specifically
4 discuss the EMF, the electromagnetic field or
5 electromagnetic force. I've highlighted a couple
6 in here.

7 This was a report that was put out
8 by the North Carolina -- it's by North Carolina
9 State University, and the North Carolina Clean
10 Energy Technology report.

11 I think the line here that shows --
12 this was actually a report that went in front of
13 the Congress, and the key line that's shown here
14 is: The conclusion of the committee is that the
15 current body of evidence does not show that
16 exposure to these fields presents any human
17 health hazard. So that's one source.

18 The second source, from the
19 Massachusetts Clean Energy Center, talks about
20 the different recommended levels of the EMF, they
21 say once you get to 833 milliGauss, that's kind
22 of the level, anything above that is when it
23 starts to become concerning, is 833.

24 The level for the solar field beyond

1 50 feet is less than 0.2, so 833 is the level
2 that it becomes concerning, and the report says
3 that there's been studies that show for solar
4 fields that it's less than 0.2.

5 Now, EMF is in this room right now.
6 It's from your laptop in front of Krysti, it's
7 from the cellphones we have in our pockets.
8 There is EMF everywhere. And what the study is
9 trying to say, that solar field -- if you are
10 standing next to the inverter, you will
11 experience some of the EMF that's given off from
12 the inverter. When you get beyond 25, 50 feet,
13 you won't experience anything from the EMF given
14 off by that inverter. That's what's put out by
15 the support.

16 CHAIRMAN HARKER: She also brought up
17 like the disposal after the -- What is the life
18 expectancy of the solar field?

19 MR. PETERMAN: So the solar panels are
20 warranted by the manufacturer to operate for at
21 least 25 years.

22 CHAIRMAN HARKER: Okay.

23 MR. PETERMAN: So this solar panel right
24 here is going to produce energy for at least

1 25 years. Most studies show that it will go
2 beyond 30. The only reason that you would take
3 it out is if you wanted to upgrade or do
4 something different with the property.

5 There are agencies that take damaged
6 solar panels for research, and we have donated
7 some of those to different area universities, but
8 yeah, in terms of the manufacturer, in terms of
9 the third-party organizations, that's what I know
10 to be fact from the studies that we have done.

11 VICE-CHAIRMAN OLSON: Are there SVS
12 sheets for solar panels?

13 MR. PETERMAN: Yes, sir. Data sheets?

14 VICE-CHAIRMAN OLSON: Does it say there
15 is anything harmful from them?

16 MR. PETERMAN: The data sheets I believe
17 were in the initial packet we presented for the
18 original petition; if not, I can get them.

19 MR. MARCUM: How long is the leasehold
20 agreement with the county?

21 MR. PETERMAN: 25 years.

22 MR. MARCUM: Megan. That's all I can
23 recall; the last name was too complicated.

24 MS. FANTHORPE: That's okay.

1 MR. MARCUM: These prior HOA meetings
2 you talked about, was the information about some
3 studies he is citing made available to you?

4 MS. FANTHORPE: I only received the
5 original Power Point with his information after I
6 emailed him today. I have a full-time job, so
7 unfortunately I didn't have time to read all this
8 information, but I have asked for them since the
9 first meeting when we were -- I don't recall when
10 the first meeting was called, but when we asked
11 for any information that they could provide to
12 show us that there are studies that show this is
13 safe for now and the long-term, and I can go back
14 and read these, but I did send an email
15 requesting that from the day that we had that
16 meeting, that we would get 60 days to take the
17 time to read it and we didn't get a response back
18 whether we were going to get the 60 days, so we
19 are here, it's not been voted on yet.

20 I would like more time to research
21 it; quite honestly I would like more time for
22 experts to research it, because again, it's a
23 safety thing for our neighborhoods and families
24 and kids.

1 This is 85 feet from our houses, so
2 I don't think that's something that anybody
3 should be passing without having beyond a
4 reasonable doubt that it's 100 percent safe now,
5 future, forever for the life span of these being
6 here.

7 If the studies aren't out there
8 because they just haven't had it out there long
9 enough, I don't think you can ask us to take that
10 risk. I don't think you would take that risk for
11 your family members.

12 MR. MARCUM: How about the studies that
13 you have referenced, have you made those
14 citations available to them?

15 MS. FANTHORPE: I have copies available,
16 I will be happy to email to every one of them.

17 CHAIRMAN HARKER: But the data that
18 you're showing, Eric, you're saying that there is
19 no --

20 MR. PETERMAN: Yeah.

21 CHAIRMAN HARKER: -- compelling issues?

22 MR. PETERMAN: We provided multiple
23 sources, as I said, there was presentation to
24 Congress for the United States of America, there

1 was the Massachusetts Clean Energy, North
2 Carolina State University, the manufacturer of
3 the products themselves, all of those have been
4 made available and they are in the packet.

5 This was an excerpt that actually I
6 think Jason put together, somebody from staff,
7 the average feet here, so from the property line
8 is about 75 to 80 feet, but distance from the
9 panel to any home, average distance is 160 feet,
10 and that's from the edge of the solar array.

11 As you recall, we moved the
12 inverters and the motors even further, so as a
13 conservative estimate, it's at least 300 feet.
14 From any home that's currently existing, probably
15 a more realistic expectation is 400 or better.

16 MS. FANTHORPE: We did ask they meter
17 test, they can do what it emits outside of it,
18 we're talking about the interior components, that
19 they can see what the EMF's are currently at the
20 border lines of our yard, and we asked that they
21 do before and after, and they have not raised
22 that at all, so that we don't have to worry about
23 that component, whether that means they need to
24 move the inverters further, you know, all the way

1 to the north side, or have less of them, you
2 know, whatever they need to do to make sure that
3 that number doesn't raise at all our borders,
4 that would be appreciated, or add more trees or
5 buffer.

6 With the interior components, I
7 guess that's just a matter of whose research is
8 accurate. My understanding is they use toxic
9 chemicals to make the cells, and again, I
10 understand when they're in an encapsulated form,
11 they're safe, but so is asbestos until it's
12 disturbed, and there is all type of weather
13 components, or a fire, if there are mechanicals
14 involved, so if something malfunctions, set on
15 fire, that could expose them, so I still think
16 there needs to be some kind type of biohazard
17 cleanup plan.

18 And, you know, too, they said there
19 would be security there in case kids get in, but
20 how fast you are going to reasonably -- unless
21 you have an on-site security person that's there
22 right then, how fast are you going to get there
23 that a kid is not going to be injured or killed
24 by the electrical components of the solar field

1 before they can get there?

2 CHAIRMAN HARKER: That's pretty close to
3 the police or the -- really close. You couldn't
4 get any closer to the sheriff's department.

5 MS. FANTHORPE: It only takes a couple
6 seconds to get electrocuted and killed.

7 MR. PETERMAN: To that topic, in terms
8 of safety, obviously we have discussed the fence
9 and the locks and all that.

10 Even if there were no fence and you
11 were able to be touch it, as I mentioned, there
12 is a solar panel here, you can touch it, you can
13 feel it.

14 I am going to flip it around to the
15 back side so you can see on the back. These are
16 the wires that transmit the energy. There is a
17 plastic head on each end, it's a plug and play,
18 so it's a male and a female.

19 Those are -- they click together
20 with the solar panel next to it, so you
21 physically cannot get electrocuted. I can hold
22 this while it's operating, there is no way,
23 unless you were to physically cut it or damage
24 it, but all of this is manufactured to be secure

1 through the weather elements, so there is no way
2 that these are going to come apart, they are all
3 secure, tightened, and they are plug and play,
4 male and female, snap together. They are called
5 NC 4's, which is a multi-contact, so
6 multi-contact to keep it secure.

7 CHAIRMAN HARKER: If a kid broke in
8 there with a set of bolt cutters or whatever,
9 laid under it and, you know, cut one of those,
10 would he get electrocuted or just shocked really
11 good?

12 MR. PETERMAN: You only get electrocuted
13 if you touched the two ends of the terminals
14 together with a portion of your body --

15 CHAIRMAN HARKER: Okay.

16 MR. PETERMAN: -- which you would have
17 to cut each one of these, touch them together and
18 touch a portion of your body together, and there
19 is regulations from the National Electric Code
20 that say you can't go beyond certain voltages
21 which are unsafe.

22 So each one of these creates about
23 40 volts; you can only string so many together
24 because they sum until you get to a voltage

1 that's unsafe.

2 So that's covered by the National
3 Electric Code, which we have to be mandated by,
4 so if they were to get in here and they were to
5 get shocked, it would hurt, but it wouldn't do
6 more damage than that.

7 CHAIRMAN HARKER: Okay.

8 MR. MARCUM: I am very possibly the
9 least scientific person you've ever come across,
10 and if this lady is right, if there is stuff in
11 made -- if there is stuff in there that's toxic,
12 some miscreant comes in there and thinks it's
13 going to be fun to smash all these, is there some
14 sort of danger then? I mean, what is the toxic
15 component, or is there a toxic component?

16 MR. PETERMAN: Yeah. Yeah. As I
17 mentioned, and with the studies, these are all
18 metalloids, so it's silicon, ingot. They are all
19 non-toxic from the studies we've seen.

20 So even if they were to smash -- You
21 know, when we first met there was concerns of
22 liquid running out or chemicals being released
23 into the ground or into the air. These are all
24 metalloids that are in the air, so we've had

1 broken ones before.

2 Like I said, we donate those broken
3 ones to local universities for research and
4 study. We've never had any issues and the
5 studies show there has never been any health
6 issues with the materials.

7 CHAIRMAN HARKER: Okay.

8 MR. MARCUM: Another point she brought
9 up was if you got these security cameras, what
10 about the privacy of the neighbors.

11 Are these going to be set up so that
12 they're not pointing towards these people's
13 homes?

14 MR. PETERMAN: I don't think the sheriff
15 is interested in policing the backyards; it's
16 going to be focused on the solar array and the
17 area that's there. That's the intention for the
18 security cameras.

19 MR. MARCUM: Anybody here from the
20 sheriff's office by any chance?

21 MR. KRAMER: No, but I was the one --
22 again, Dan Kramer, for the record -- that dealt
23 with the sheriff's department. They want the
24 cameras inward on the inside of the fence. They

1 are not so worried about the outside.

2 MR. MARCUM: Okay. Why did the
3 sheriff's office just -- I mean, they had no
4 problem with the southerly fence. Why did they
5 want the rest of it open? I mean, especially
6 going to the west so the dialysis people don't
7 have to look at this.

8 MR. KRAMER: They literally -- again,
9 like I said, the position had gone back there to
10 Richard Randall, our multi-term sheriff, he
11 wanted that whole campus open so that from the
12 second floor of the KenCom center that you got a
13 visual view out those windows of the whole thing.

14 Well, obviously you don't with the
15 trees now because they've grown up massively and
16 they are extremely thick.

17 Current sheriff again has followed
18 that policy and would like it as open as possible
19 and is frankly happy the trees are going, so that
20 they do have visibility.

21 And as I said, the petitioner has no
22 quarrel; whatever the city passes as the
23 resolution, if they said solid fence we are happy
24 to do it. Done.

1 We just were put in a position that
2 one body told us to do one thing and another told
3 us another.

4 MR. MARCUM: Right. And I think there
5 is an ugly issue.

6 MR. KRAMER: Not quarreling.

7 MR. MARCUM: And build that wall.

8 MR. KRAMER: Yeah. So if they say --
9 again, the height has been agreed upon so that
10 when the panels are totally extended the fence
11 would cover.

12 Now, if you're in a three-story
13 building, you'd still be able to look down, no
14 question, but again, if the ultimate
15 recommendation is the solid fence, like I said,
16 we're going to comply. We have no objection.

17 CHAIRMAN HARKER: Excellent. Thank you.

18 MR. KRAMER: Thank you.

19 CHAIRMAN HARKER: Okay.

20 CHRIS CHILDRESS,
21 having been first duly sworn, testified from the
22 podium as follows:

23 MR. CHILDRESS: Hi. Chris Childress
24 from Progressive Energy Group. I think there are

1 a couple built in here. I think maybe we need to
2 understand the process that one -- that back up
3 actually to the solar field, and where we'll be
4 that have an opinion.

5 I don't think that -- we knew I
6 think -- I don't want to speak for them, but I
7 think not having done this before there was one
8 of the people that there -- you might want to
9 hear from them.

10 CHAIRMAN HARKER: Okay. Anybody else
11 want to come up?

12 MR. OLSZEWSKI: I will come up.

13 CHAIRMAN HARKER: Did you get sworn in?

14 MR. OLSZEWSKI: No, I did not.

15 CHAIRMAN HARKER: Anybody else that
16 wants to come up and we can swear everybody in at
17 the same time now? All good? Okay. Awesome.

18 (Witnesses sworn.)

19 CHAIRMAN HARKER: All right. Thank you.

20 MICHAEL OLSZEWSKI,
21 having been first duly sworn, testified from the
22 podium as follows:

23 MR. OLSZEWSKI: I back -- that's my back
24 yard where this is proposed.

1 CHAIRMAN HARKER: State your name again,
2 please.

3 MR. OLSZEWSKI: Michael Olszewski.

4 CHAIRMAN HARKER: Michael.

5 MR. OLSZEWSKI: Would you like me to
6 spell it?

7 THE COURT REPORTER: Sure, go ahead.

8 MR. OLSZEWSKI: O-L-S-Z-E-W-S-K-I.
9 That's my backyard. My house backs up right to
10 it.

11 I enjoy the trees, I enjoy
12 everything right now, but if I'm going to have
13 something put back there, I'd rather see trees
14 and a fence than possibly a building, possibly --
15 and I know it's all talk and hearsay -- a jail
16 extension, I don't want to see that. I'm going
17 with the lesser of the two to three evils.

18 There will always be a problem with
19 drainage, whether it be solar panel fields or
20 building, so that problem will always be there.

21 I trust enough about the health
22 issues, solar panels have been around for a
23 while, never heard a whole lot about it, never
24 heard a lot of bad about it.

1 But if something is going to be put
2 back there -- and something will be put back
3 there -- it might as well be something that helps
4 the environment a little, not so much damage to
5 the properties.

6 There's going to be grass, fences,
7 shrubs, trees. I don't think we'll get that with
8 a building, I really don't, and I don't want to
9 see -- I'm going to be honest, if they want to
10 put a building up there, I'll probably cut my
11 losses and move.

12 I don't want to see it. Me and my
13 girlfriend stood in my sunroom today and looked
14 and I'm like what do you vote for, building or
15 fences and trees? I'm going fences and trees.
16 Just my opinion though. Thank you.

17 CHAIRMAN HARKER: Thanks. Appreciate
18 it.

19 BEN KILGORE,
20 having been first duly sworn, testified from the
21 podium as follows:

22 MR. KILGORE: Ben Kilgore, directly next
23 door to Mike. Kind of have the same opinion. I
24 don't -- personally I don't want either; I'd love

1 to see the trees to stay there. Obviously they
2 weren't intended to stay there. If something has
3 to go in, again, I'm kind of with Mike on this
4 one.

5 I don't know how much the
6 association talked to the community on some of
7 the decisions and the letters that were sent. I
8 wish a little bit more would have been done.

9 I'm not standing up to become
10 anybody's enemy by any chance, but again, same
11 thing Mike said, if you trust the company to know
12 their research -- I mean, I always say it to
13 myself, you wake up every morning, cancer is all
14 around you, not going to lie, you burn candles.
15 I mean, I work on brakes, I do mechanic work.
16 It's all on that. I have a kid, Mike's got a
17 kid. I mean, it's -- I don't know. That's
18 pretty much all I got.

19 CHAIRMAN HARKER: Thank you.

20 MS. GOINS: Thank you.

21 CHAIRMAN HARKER: Would anybody else
22 like to speak at tonight's public hearing before
23 we close it out?

24 MS. MILAM: Can I just ask a question?

1 CHAIRMAN HARKER: Sure.

2 DEB MILAM,
3 having been first duly sworn, testified from the
4 podium as follows:

5 MS. MILAM: All right. I was interested
6 in the health studies that you cited. What was
7 the length of these studies? How long did they
8 study? How do you determine it's not a health
9 risk?

10 CHAIRMAN HARKER: And, ma'am, what was
11 your name ?

12 MS. MILAM: Deb Milam.

13 MR. PETERMAN: I'd be happy to
14 provide -- like I said, I'll make it for public
15 record available and you can view all the studies
16 yourselves.

17 There is multiple sources with
18 varying lengths of what it is. How to determine
19 or how to correlate a health concern with the
20 solar field, they do analysis of the materials,
21 they do analysis of anything that is emitted from
22 the solar array, all of that, and many more
23 variables taken into account, so the multiple
24 studies that are in the report, I'll be happy to

1 share those with you and you are welcome to look
2 through them as well. There are varying lengths
3 of the different studies.

4 One thing I'll say also. It sounds
5 like that topic has come up with a little bit.
6 As we've shown earlier, the EPA, the
7 Environmental Protection Agency, has a solar
8 field on their campus.

9 I don't think that they would do
10 that if they believed that there was any harm or
11 health concerns or anything like that related to
12 solar. Field very similar to the size that's
13 proposed here, so that's located in New Jersey on
14 the EPA's campus.

15 CHAIRMAN HARKER: Awesome, thank you.
16 All right.

17 Since all the public testimony
18 regarding this petition has been taken, may I get
19 a motion to close the taking of testimony within
20 this public hearing?

21 MR. MARCUM: So moved.

22 MS. HORAZ: Second.

23 CHAIRMAN HARKER: Okay. Thank you.

24 MS. NOBLE: Roll call.

1 CHAIRMAN HARKER: Can I get a roll call
2 vote, please?

3 MS. YOUNG: Yes.

4 Olson.

5 VICE-CHAIRMAN OLSON: Yes.

6 MS. YOUNG: Goins.

7 MS. GOINS: Yes.

8 MS. YOUNG: Horaz.

9 MS. HORAZ: Yes.

10 MS. YOUNG: Marcum.

11 MR. MARCUM: Yes.

12 MS. YOUNG: Harker.

13 CHAIRMAN HARKER: Yes.

14 (Which were all the
15 proceedings had in the
16 public hearing portion
17 of the meeting.)

18 ---o0o---

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1 STATE OF ILLINOIS)
2) SS.
3 COUNTY OF LASALLE)

4 I, Christine M. Vitosh, a Certified Shorthand
5 Reporter, do hereby certify that I transcribed
6 the proceedings had at the public hearing and
7 that the foregoing, Pages 1 through 75,
8 inclusive, is a true, correct and complete
9 computer-generated transcript of the proceedings
10 had at the time and place aforesaid.

11 I further certify that my certificate annexed
12 hereto applies to the original transcript and
13 copies thereof, signed and certified under my
14 hand only. I assume no responsibility for the
15 accuracy of any reproduced copies not made under
16 my control or direction.

17 As certification thereof, I have hereunto set
18 my hand this 3rd day of December, A.D., 2018.

19 _____
20 Christine M. Vitosh, CSR
21 Illinois CSR No. 084-002883
22
23
24

\$	400 [2] - 28:9, 60:15	activities [4] - 18:6, 18:21, 23:19, 54:13 activity [1] - 24:10 actual [2] - 53:4, 53:14 add [1] - 61:4 added [1] - 40:22 additional [2] - 3:10, 27:1 address [2] - 7:14, 49:5 aerial [1] - 31:21 aesthetic [1] - 44:21 affect [1] - 29:3 aforesaid [1] - 75:9 afterwards [1] - 41:9 agencies [2] - 54:11, 57:5 Agency [2] - 35:16, 73:7 agenda [1] - 3:9 ago [3] - 9:17, 12:19, 52:16 agree [1] - 41:11 agreed [1] - 67:9 agreement [1] - 57:20 agreements [1] - 36:24 ahead [2] - 38:2, 69:7 air [4] - 41:14, 42:2, 64:23, 64:24 Ajazi [1] - 8:2 aldermen [3] - 9:22, 9:24, 10:2 allowances [1] - 53:3 allowed [1] - 37:17 almost [1] - 20:18 ALSO [1] - 2:9 alternating [2] - 14:15, 14:18 Alternating [1] - 14:16 aluminum [2] - 15:11, 16:2 America [1] - 59:24 amount [1] - 20:1 analysis [3] - 28:13, 72:20, 72:21 anatomy [1] - 29:10 AND [1] - 1:10 angle [1] - 21:20 angles [2] - 21:20, 21:23 animal [1] - 8:17 annexed [1] - 75:10 answer [3] - 7:18, 25:4, 49:17 answers [1] - 28:22 anticipate [2] - 48:21, 51:10 anticipated [1] - 53:15	apart [1] - 63:2 apologize [2] - 12:6, 12:17 appealing [1] - 35:6 applicant [1] - 9:13 application [6] - 6:20, 11:1, 11:5, 13:10, 35:14, 35:24 applies [1] - 75:11 apply [1] - 34:24 appreciate [2] - 36:1, 70:17 appreciated [1] - 61:4 approval [4] - 6:22, 35:13, 35:23, 37:6 approved [2] - 34:23, 35:19 area [16] - 18:7, 24:19, 28:12, 33:11, 33:12, 42:15, 42:18, 44:23, 45:2, 45:9, 46:1, 46:22, 51:22, 53:1, 57:7, 65:17 areas [3] - 12:9, 15:8, 45:24 argue [1] - 50:9 Arlington [1] - 12:20 array [11] - 9:9, 12:11, 18:4, 23:18, 24:22, 28:2, 28:4, 32:21, 60:10, 65:16, 72:22 arrays [1] - 33:17 asbestos [2] - 42:2, 61:11 aspects [1] - 10:17 association [4] - 9:17, 43:9, 46:10, 71:6 assume [1] - 75:13 assuming [2] - 34:23, 35:12 attaches [1] - 20:17 attention [2] - 36:2, 36:6 attorney [1] - 7:12 attributes [1] - 50:5 audible [2] - 19:3, 23:3 audibly [1] - 22:21 audience [2] - 7:19, 8:12 authorities [1] - 49:18 available [8] - 23:14, 36:4, 54:20, 58:3, 59:14, 59:15, 60:4, 72:15 average [2] - 60:7, 60:9 awarded [1] - 32:3 aware [1] - 43:16 awesome [3] - 37:16, 68:17, 73:15	axis [1] - 17:3
\$1.26 [1] - 44:4	5		B	
0	5,000 [1] - 44:8 50 [5] - 18:10, 18:13, 19:8, 56:1, 56:12 50-acre [1] - 8:13		background [4] - 13:17, 15:10, 22:12, 23:2 backs [1] - 69:9 backyard [1] - 69:9 backyards [2] - 44:17, 65:15 bad [2] - 50:5, 69:24 barely [1] - 14:11 Barksdale [1] - 2:10 Barksdale-Noble [1] - 2:10 base [2] - 18:5, 18:19 baseball [1] - 41:22 based [3] - 24:21, 44:16, 45:1 baseline [1] - 14:2 basin [3] - 42:24, 43:3, 45:23 basis [1] - 43:10 beam [1] - 20:16 became [1] - 41:24 become [2] - 55:23, 71:9 becomes [3] - 14:18, 18:15, 56:2 Beecher [1] - 7:4 beef [1] - 50:15 beforehand [1] - 41:17 beginning [1] - 17:4 behalf [4] - 7:23, 8:7, 36:17, 50:12 behind [4] - 8:18, 8:19, 13:10, 16:12 behind-the-meter [1] - 13:10 BEN [1] - 70:19 Ben [1] - 70:22 beneath [1] - 16:5 berm [1] - 49:2 bermage [1] - 39:7 best [1] - 52:23 better [3] - 26:5, 26:9, 60:15 between [8] - 13:15, 19:8, 19:9, 25:22, 29:7, 30:1, 33:17, 53:17 beyond [6] - 45:13, 55:24, 56:12, 57:2, 59:3, 63:20 big [2] - 48:12, 50:4 bigger [1] - 9:4	
0.2 [2] - 56:1, 56:4 084-002883 [1] - 75:20	6			
1	60 [9] - 18:13, 21:5, 21:10, 21:12, 21:19, 22:15, 22:20, 58:16, 58:18 60-decibel [1] - 18:10 61 [1] - 21:19 6400 [1] - 7:1 68 [1] - 28:7			
1 [1] - 75:6 1.2 [1] - 22:5 1.5 [1] - 32:22 100 [1] - 59:4 1107A [1] - 7:14 11th [1] - 34:22 12th [1] - 3:20 14 [1] - 1:22 14th [1] - 3:19 15 [1] - 19:20 15-second [1] - 19:11 15th [1] - 35:14 160 [1] - 60:9	7			
2	7.4 [1] - 6:24 75 [2] - 60:8, 75:6 7:00 [1] - 1:23			
20 [3] - 43:15, 43:21, 43:24 200 [1] - 28:9 2012 [1] - 26:20 2018 [4] - 1:22, 3:19, 3:20, 75:17 2018-07 [2] - 6:3, 6:18 2018-18 [3] - 3:11, 3:14, 3:18 2019 [1] - 35:2 2028 [1] - 45:3 25 [5] - 22:23, 56:12, 56:21, 57:1, 57:21	8			
3	80 [1] - 60:8 800 [1] - 1:17 833 [3] - 55:21, 55:23, 56:1 85 [2] - 42:7, 59:1			
30 [4] - 18:8, 43:15, 52:15, 57:2 300 [5] - 24:24, 33:4, 43:1, 46:6, 60:13 34 [1] - 45:7 3rd [1] - 75:17	A			
4	A.D [1] - 75:17 ability [1] - 49:12 able [8] - 13:7, 25:20, 33:10, 41:2, 62:11, 67:13 absolutely [2] - 37:19, 47:3 absorption [1] - 48:19 abundant [1] - 16:12 accessory [1] - 8:10 account [2] - 9:10, 72:23 accuracy [1] - 75:14 accurate [2] - 41:19, 61:8 achieve [1] - 17:10 acre [1] - 52:20 acres [2] - 6:24, 52:19 Act [2] - 10:1, 10:7 actions [1] - 32:13			
4 [1] - 33:20 4's [1] - 63:5 40 [3] - 19:8, 21:8, 63:23				

biggest [1] - 51:6 bill [1] - 15:3 biohazard [2] - 42:4, 61:16 bit [10] - 8:5, 13:16, 27:4, 39:6, 44:14, 47:9, 52:14, 54:21, 71:8, 73:5 black [2] - 16:22, 25:13 Blackberry [4] - 13:22, 40:16, 46:2, 46:4 blocked [1] - 45:8 blocking [1] - 45:5 blocks [1] - 17:24 blue [1] - 24:18 bluegrass [1] - 48:16 BMP's [1] - 52:23 board [3] - 9:16, 10:4, 16:16 Board [2] - 36:17, 36:23 body [4] - 55:15, 63:14, 63:18, 67:2 bold [1] - 52:16 bolt [1] - 63:8 border [1] - 60:20 borders [1] - 61:3 born [3] - 12:19, 13:19, 32:7 bought [1] - 48:4 box [6] - 14:11, 15:17, 17:17, 17:20, 24:18, 49:11 brain [1] - 23:23 brains [3] - 14:13, 15:18, 21:3 brakes [1] - 71:15 break [1] - 12:10 breakdown [1] - 15:22 Bridge [1] - 7:14 broke [2] - 44:4, 63:7 broken [2] - 65:1, 65:2 brought [5] - 27:12, 29:1, 37:5, 56:16, 65:8 budget [2] - 34:3, 43:8 buffer [1] - 61:5 build [5] - 26:21, 30:22, 47:24, 51:9, 67:7 build-out [2] - 26:21, 47:24 building [11] - 8:16, 9:1, 48:1, 52:4, 52:12, 67:13, 69:14, 69:20, 70:8, 70:10, 70:14 buildings [3] - 8:20, 27:1, 45:7	built [5] - 8:18, 9:1, 30:11, 52:4, 68:1 bulbs [1] - 24:8 burn [1] - 71:14 buy [1] - 48:9 byproduct [1] - 43:16 C calculated [2] - 18:8, 19:7 calculations [1] - 53:4 cameras [6] - 44:17, 49:8, 49:15, 65:9, 65:18, 65:24 Campus [1] - 7:5 campus [10] - 8:13, 8:14, 8:21, 30:10, 32:21, 32:22, 47:21, 66:11, 73:8, 73:14 cancer [2] - 43:22, 71:13 cancers [1] - 43:17 candles [1] - 71:14 cannot [2] - 41:6, 62:21 capacitors [1] - 18:1 capital [1] - 33:22 Capital [1] - 26:19 capture [1] - 29:15 car [1] - 18:17 careful [1] - 9:24 Carolina [4] - 55:8, 55:9, 60:2 case [1] - 61:19 categories [1] - 27:24 categorized [1] - 24:13 category [2] - 24:5, 24:9 cell [2] - 16:8, 16:17 cellphone [2] - 24:4, 24:16 cellphones [1] - 56:7 cells [3] - 16:4, 16:15, 61:9 Center [2] - 38:8, 55:19 center [7] - 20:7, 24:22, 25:1, 26:21, 50:12, 50:15, 66:12 century [1] - 9:6 certain [1] - 63:20 certificate [1] - 75:10 certification [1] - 75:16 Certified [1] - 75:3 certified [1] - 75:12 certify [2] - 75:4, 75:10	75:10 chain [3] - 18:18, 44:19, 50:17 Chairman [2] - 2:2, 2:3 CHAIRMAN [67] - 3:4, 4:2, 4:4, 4:11, 4:15, 5:13, 5:24, 6:6, 6:11, 6:17, 21:10, 23:5, 25:6, 25:24, 26:10, 31:11, 35:18, 36:7, 37:12, 37:16, 37:19, 38:2, 39:10, 39:17, 39:20, 40:2, 40:6, 40:9, 40:11, 46:14, 46:21, 46:23, 47:1, 47:3, 47:5, 47:6, 53:23, 54:1, 56:16, 56:22, 57:11, 57:14, 59:17, 59:21, 62:2, 63:7, 63:15, 64:7, 65:7, 67:17, 67:19, 68:10, 68:13, 68:15, 68:19, 69:1, 69:4, 70:17, 71:19, 71:21, 72:1, 72:10, 73:15, 73:23, 74:1, 74:5, 74:13 chance [2] - 65:20, 71:10 change [2] - 3:5, 34:19 changing [1] - 11:8 characterized [1] - 18:11 check [1] - 16:24 chemicals [3] - 29:6, 61:9, 64:22 children [1] - 49:14 Childress [2] - 7:24, 67:23 CHILDRESS [2] - 67:20, 67:23 choose [1] - 13:7 CHRIS [1] - 67:20 Chris [2] - 7:24, 67:23 Christine [2] - 75:3, 75:20 citations [3] - 54:5, 54:23, 59:14 cited [3] - 53:22, 54:23, 72:6 citing [2] - 41:16, 58:3 CITY [1] - 1:6 city [11] - 9:8, 9:11, 9:21, 11:24, 25:8, 31:18, 47:23, 50:7, 50:13, 52:12, 66:22 City [2] - 6:20, 10:14 city's [1] - 52:22	clarification [3] - 12:5, 19:19, 27:5 class [1] - 30:6 Clean [3] - 55:9, 55:19, 60:1 cleanup [2] - 42:4, 61:17 clear [1] - 36:1 clearly [1] - 5:2 click [1] - 62:19 close [7] - 22:7, 28:17, 42:8, 62:2, 62:3, 71:23, 73:19 closer [1] - 62:4 Club [1] - 32:17 Code [2] - 63:19, 64:3 color [1] - 26:8 ComEd [2] - 15:1, 15:4 coming [3] - 32:5, 37:5, 38:21 comment [1] - 10:12 comments [1] - 10:10 Commission [4] - 3:7, 3:20, 3:21, 10:13 COMMISSION [1] - 1:10 commission [1] - 4:20 Commissioner [1] - 36:16 committed [1] - 49:20 committee [1] - 55:14 communication [1] - 13:23 community [4] - 8:12, 8:23, 13:6, 71:6 Community [1] - 2:10 company [3] - 12:19, 12:21, 71:11 comparable [1] - 20:2 compelling [1] - 59:21 complete [1] - 75:7 complicated [1] - 57:23 comply [1] - 67:16 component [3] - 60:23, 64:15 components [7] - 41:4, 41:13, 42:12, 60:18, 61:6, 61:13, 61:24 computer [7] - 14:18, 17:18, 22:11, 22:17, 24:16, 49:8, 75:8 computer-generated [1] - 75:8 concern [3] - 30:2, 42:6, 72:19 concerned [1] - 38:22 concerning [2] - 55:23, 56:2	concerns [11] - 24:21, 27:11, 30:20, 30:21, 33:17, 42:14, 44:10, 45:11, 51:3, 64:21, 73:11 concluded [1] - 28:14 conclusion [1] - 55:14 condemned [1] - 48:6 conditions [2] - 29:8, 30:2 conflicting [1] - 40:19 Congress [2] - 55:13, 59:24 connected [1] - 49:8 connection [2] - 29:7, 33:16 conservative [1] - 60:13 consideration [1] - 10:12 considered [1] - 23:24 consisting [1] - 7:1 construction [3] - 38:19, 51:4, 53:14 consultant [1] - 8:1 contact [3] - 50:13, 63:5, 63:6 contain [1] - 29:5 continue [1] - 24:6 control [3] - 8:18, 28:1, 75:15 conversation [2] - 18:12, 21:6 conversations [1] - 51:17 converts [1] - 14:14 cool [1] - 17:19 copies [3] - 59:15, 75:12, 75:14 Copley [2] - 50:14 corner [1] - 7:4 Corporation [2] - 30:10, 31:22 correct [4] - 20:8, 31:16, 35:20, 75:7 correctional [1] - 26:22 correlate [1] - 72:19 costly [1] - 43:10 costs [2] - 33:22, 43:7 Council [2] - 10:15, 34:22 county [11] - 8:1, 8:7, 8:11, 9:6, 10:2, 10:4, 47:21, 48:4, 48:23, 52:2, 57:20 County [17] - 6:21, 7:5, 8:22, 8:24, 13:13, 26:14, 26:19,
---	---	--	---	--

31:3, 34:3, 36:16, 36:17, 36:23, 37:10, 44:5, 44:23, 48:4 COUNTY [1] - 75:2 County's [1] - 13:11 couple [9] - 12:9, 23:8, 27:23, 31:9, 54:17, 54:18, 55:5, 62:5, 68:1 course [1] - 33:21 court [1] - 8:3 COURT [1] - 69:7 Courthouse [1] - 8:24 courthouse [3] - 9:5, 9:18, 52:3 cover [2] - 12:10, 67:11 covered [3] - 28:23, 29:9, 64:2 create [3] - 14:8, 15:16, 29:12 created [4] - 14:9, 15:3, 18:4, 34:4 creates [1] - 63:22 creating [1] - 19:1 credit [2] - 15:2, 15:4 Creek [3] - 30:9, 31:22, 46:5 crews [2] - 53:9, 53:10 CSR [2] - 75:20, 75:20 current [7] - 14:10, 14:15, 14:16, 14:18, 55:15, 66:17 curriculum [2] - 30:12, 30:23 cut [4] - 62:23, 63:9, 63:17, 70:10 cutters [1] - 63:8	DEB [1] - 72:2 deb [1] - 72:12 Deborah [1] - 2:4 December [2] - 3:20, 75:17 decibel [6] - 18:14, 18:20, 19:7, 21:2, 21:18, 22:20 decibels [9] - 18:6, 18:8, 18:23, 19:8, 21:6, 21:10, 21:12, 21:19, 22:15 decide [1] - 39:4 decided [1] - 34:16 decides [1] - 34:21 decisions [1] - 71:7 deconstructed [1] - 15:23 deep [1] - 48:16 defer [1] - 23:8 definitely [1] - 32:9 density [1] - 52:19 Department [2] - 8:22, 32:17 department [5] - 8:17, 8:19, 52:4, 62:4, 65:23 Deputy [1] - 2:3 described [1] - 18:8 describes [1] - 25:10 design [2] - 13:21, 20:5 designated [1] - 8:14 designed [5] - 24:21, 29:17, 30:13, 47:21, 52:7 detail [2] - 21:15, 25:10 detentions [1] - 52:17 determine [2] - 72:8, 72:18 developed [3] - 27:8, 27:16, 35:10 developers [1] - 35:6 Development [1] - 2:11 development [4] - 9:11, 12:24, 26:17, 35:7 developments [1] - 26:13 devices [4] - 23:20, 24:3, 24:8, 24:15 dialogue [2] - 11:15, 34:18 Dialysis [1] - 38:8 dialysis [6] - 38:13, 50:12, 50:15, 51:3, 51:5, 66:6 difference [1] - 13:15	different [13] - 12:9, 21:20, 21:22, 25:10, 30:14, 32:1, 54:21, 54:24, 55:3, 55:20, 57:4, 57:7, 73:3 difficult [1] - 52:15 direct [3] - 14:10, 14:15, 28:21 direction [1] - 75:15 directly [5] - 13:11, 14:6, 25:14, 27:16, 70:22 Director [1] - 2:11 discuss [1] - 55:4 discussed [5] - 33:10, 34:8, 35:11, 54:6, 62:8 discussing [2] - 26:21, 30:7 discussion [1] - 3:14 display [1] - 17:20 disposal [3] - 53:23, 54:2, 56:17 disposed [1] - 41:6 distance [3] - 28:5, 60:8, 60:9 distributes [1] - 35:16 District [2] - 7:3, 52:18 disturbance [1] - 53:17 disturbed [1] - 61:12 dollar [1] - 33:22 Donald [1] - 2:6 donate [1] - 65:2 donated [1] - 57:6 done [12] - 5:5, 10:23, 11:17, 12:15, 31:24, 40:17, 51:12, 57:10, 66:24, 68:7, 71:8 door [1] - 70:23 doors [1] - 42:7 double [2] - 16:3, 16:5 doubt [2] - 45:14, 59:4 down [10] - 20:7, 20:16, 24:22, 25:10, 28:16, 44:4, 44:8, 45:2, 48:11, 67:13 drain [1] - 46:4 drainage [7] - 42:19, 42:20, 47:19, 47:22, 47:23, 48:22, 69:19 drawings [1] - 26:8 drive [1] - 46:16 driven [1] - 13:21 due [1] - 10:12 dues [1] - 43:9 duly [9] - 7:9, 10:19, 36:13, 38:5, 40:13, 67:21, 68:21, 70:20, 72:3	duration [1] - 53:15 during [3] - 19:12, 19:15, 33:7	E	earn [1] - 32:9 earth [1] - 16:12 easily [1] - 41:7 east [5] - 17:5, 20:19, 29:19, 46:14, 50:1 east/west [1] - 25:14 economics [1] - 35:21 economy [1] - 48:11 EDC [1] - 34:14 edge [1] - 60:10 EDP [1] - 49:12 educate [1] - 30:22 effect [2] - 9:10, 33:12 effective [1] - 40:24 effects [1] - 43:24 efficient [2] - 17:9, 53:9 eight [2] - 12:19, 39:5 either [3] - 25:3, 26:23, 70:24 elderly [1] - 38:14 elected [1] - 37:8 Electric [2] - 63:19, 64:3 electrical [3] - 16:7, 42:12, 61:24 electrocuted [4] - 62:6, 62:21, 63:10, 63:12 electromagnetic [3] - 23:17, 55:4, 55:5 electronics [2] - 17:19, 21:4 electrons [1] - 14:8 element [2] - 16:12, 41:21 elementary [4] - 22:4, 30:6, 30:11, 30:24 elements [2] - 16:9, 63:1 elevation [1] - 26:1 email [2] - 58:14, 59:16 emailed [1] - 58:6 emergency [1] - 49:11 EMF [12] - 23:19, 24:12, 25:2, 29:24, 30:3, 33:9, 55:4, 55:20, 56:5, 56:8, 56:11, 56:13 EMF's [1] - 60:19 emits [1] - 60:17 emitted [2] - 33:9,	72:21 encapsulated [2] - 42:1, 61:10 enclosure [1] - 22:23 end [8] - 8:21, 10:11, 19:22, 42:17, 49:19, 50:7, 53:12, 62:17 ends [2] - 44:4, 63:13 enemy [1] - 71:10 Energy [5] - 32:17, 55:10, 55:19, 60:1, 67:24 energy [13] - 6:24, 8:1, 14:8, 14:9, 14:14, 15:3, 15:16, 16:7, 17:21, 34:4, 43:13, 56:24, 62:16 engaged [1] - 32:18 ENGBERG [4] - 10:21, 39:13, 45:18, 46:22 Engberg [2] - 2:12, 49:6 engine [1] - 18:18 engineer [4] - 12:18, 13:18, 52:13, 52:22 engineering [2] - 25:9, 52:2 engineers [1] - 52:16 enjoy [2] - 69:11 ensuring [1] - 31:6 entered [2] - 39:15, 45:20 entire [2] - 20:4, 20:23 environment [2] - 32:19, 70:4 Environmental [1] - 73:7 environmental [3] - 32:13, 54:12, 54:15 environmentally [1] - 36:20 EPA [3] - 32:16, 32:20, 73:6 EPA's [1] - 73:14 equipment [1] - 32:1 ERIC [1] - 10:18 Eric [11] - 6:19, 7:22, 12:17, 26:3, 47:2, 47:11, 47:16, 48:13, 51:1, 51:11, 59:18 errors [1] - 17:22 escaping [1] - 50:5 especially [1] - 66:5 essentially [2] - 27:22, 39:2 estimate [1] - 60:13 eventually [1] - 13:4 everyday [5] - 18:20, 23:19, 24:3, 24:15 everywhere [1] - 56:8
--	--	---	--	----------	---	--

<p>evidence [1] - 55:15 evidencing [1] - 51:23 evils [1] - 69:17 examined [1] - 40:13 Excellent [1] - 67:17 excerpt [1] - 60:5 excuse [1] - 23:22 exist [1] - 8:10 existing [1] - 60:14 expansion [2] - 26:23, 44:22 expectancy [1] - 56:18 expectation [1] - 60:15 experience [2] - 56:11, 56:13 experts [1] - 58:22 explain [2] - 14:1, 38:12 explained [1] - 50:21 expose [1] - 61:15 exposure [1] - 55:16 extended [1] - 67:10 extension [1] - 69:16 extremely [3] - 24:1, 24:14, 66:16 eyesore [1] - 44:21</p>	<p>36:9 favorable [1] - 54:14 feedback [1] - 24:21 feet [22] - 21:11, 21:13, 22:14, 22:19, 22:21, 22:23, 24:24, 28:7, 28:9, 33:4, 39:5, 42:7, 43:1, 46:6, 52:20, 56:1, 56:12, 59:1, 60:7, 60:8, 60:9, 60:13 female [2] - 62:18, 63:4 fence [21] - 25:15, 25:18, 25:20, 39:5, 44:12, 44:20, 49:2, 49:7, 49:20, 49:24, 50:9, 50:17, 62:8, 62:10, 65:24, 66:4, 66:23, 67:10, 67:15, 69:14 fenced [2] - 33:11, 33:12 fences [3] - 70:6, 70:15 fescue [1] - 48:15 fescue-type [1] - 48:15 few [2] - 12:6, 28:8 Field [1] - 73:12 field [25] - 23:12, 24:12, 25:3, 25:13, 27:3, 27:6, 27:15, 27:21, 28:5, 28:8, 29:2, 30:7, 30:15, 31:7, 33:14, 37:1, 38:10, 55:4, 55:24, 56:9, 56:18, 61:24, 68:3, 72:20, 73:8 fields [9] - 23:17, 27:20, 28:12, 29:8, 30:1, 31:9, 55:16, 56:4, 69:19 figure [2] - 41:18, 45:4 filed [1] - 6:19 final [2] - 28:14, 49:17 finally [2] - 32:11, 33:1 fine [1] - 50:18 fire [3] - 49:12, 61:13, 61:15 firm [1] - 25:9 first [16] - 5:17, 7:9, 8:16, 10:19, 14:22, 36:13, 38:5, 40:13, 48:5, 58:9, 58:10, 64:21, 67:21, 68:21, 70:20, 72:3 fiscal [1] - 26:19 fiscally [1] - 36:19 flat [1] - 42:18</p>	<p>Flavin [1] - 2:5 Flavin-Goins [1] - 2:5 flip [1] - 62:14 flooding [1] - 42:17 floor [1] - 66:12 flows [1] - 52:14 Flynn [1] - 7:24 focused [2] - 32:7, 65:16 folks [1] - 32:17 follow [1] - 5:20 followed [1] - 66:17 following [1] - 3:1 follows [9] - 7:10, 10:20, 36:14, 38:6, 40:14, 67:22, 68:22, 70:21, 72:4 foot [1] - 25:19 footprint [1] - 9:4 force [1] - 55:5 foregoing [1] - 75:6 forever [2] - 45:10, 59:5 form [2] - 42:1, 61:10 formal [1] - 39:24 forth [1] - 11:3 forward [5] - 35:13, 36:10, 37:4, 37:14, 42:23 four [3] - 21:20, 38:16, 48:17 frame [3] - 16:2, 16:22, 23:20 frankly [2] - 48:12, 66:19 free [3] - 6:23, 12:4, 12:6 free-standing [1] - 6:23 frequency [2] - 24:1, 24:14 front [6] - 17:20, 21:21, 52:6, 53:12, 55:12, 56:6 full [3] - 16:18, 16:23, 58:6 full-time [1] - 58:6 fun [1] - 64:13 functional [1] - 31:7 functions [1] - 8:10 fund [1] - 34:1 funds [1] - 35:10 future [3] - 42:22, 45:16, 59:5</p>	<p>gate [2] - 49:10, 49:11 generated [1] - 75:8 Geographic [1] - 32:16 girlfriend [1] - 70:13 gist [1] - 28:11 given [5] - 23:18, 47:23, 49:23, 56:11, 56:13 glare [3] - 29:12, 38:23, 38:24 glass [2] - 16:3, 16:5 Goins [4] - 2:5, 4:12, 6:12, 74:6 GOINS [6] - 4:1, 4:13, 6:4, 6:13, 71:20, 74:7 Google [1] - 46:5 Government [1] - 7:5 government [2] - 45:6, 49:18 governmental [1] - 54:11 grabbing [1] - 10:22 grading [1] - 51:9 grants [1] - 33:24 grass [4] - 31:13, 31:16, 48:15, 70:6 gravel [1] - 31:13 great [10] - 11:14, 11:17, 12:3, 13:23, 14:1, 25:7, 29:13, 30:19, 34:18 Greenpeace [1] - 32:16 grid [4] - 13:8, 15:1, 15:5, 25:23 GRNE [6] - 6:18, 7:16, 7:23, 33:15, 33:19, 49:13 ground [8] - 15:7, 15:11, 31:23, 31:24, 48:8, 48:19, 48:23, 64:23 Group [1] - 67:24 groups [1] - 33:19 growing [2] - 8:23, 48:7 grown [1] - 66:15 grows [1] - 9:6 GRYDER [2] - 36:12, 36:15 Gryder [1] - 36:16 guess [3] - 12:16, 22:7, 61:7 guinea [1] - 45:15 guts [1] - 17:24 guys [1] - 23:11</p>	<p>H</p> <p>hair [1] - 8:15 half [3] - 9:6, 22:8, 25:19 hand [4] - 5:8, 40:3, 75:13, 75:17 happy [5] - 59:16, 66:19, 66:23, 72:13, 72:24 Harker [5] - 2:2, 4:14, 6:16, 7:11, 74:12 HARKER [54] - 3:4, 4:2, 4:4, 4:15, 5:13, 5:24, 6:6, 6:17, 26:10, 36:7, 37:12, 37:16, 37:19, 38:2, 39:10, 39:17, 39:20, 40:2, 40:6, 40:9, 40:11, 46:14, 46:21, 46:23, 47:3, 47:6, 53:23, 54:1, 56:16, 56:22, 59:17, 59:21, 62:2, 63:7, 63:15, 64:7, 65:7, 67:17, 67:19, 68:10, 68:13, 68:15, 68:19, 69:1, 69:4, 70:17, 71:19, 71:21, 72:1, 72:10, 73:15, 73:23, 74:1, 74:13 harm [2] - 30:21, 73:10 harmful [4] - 16:14, 29:5, 29:9, 57:15 harvested [1] - 48:10 hazard [2] - 40:21, 55:17 hazards [2] - 41:15, 42:10 head [2] - 47:20, 62:17 Health [1] - 8:22 health [17] - 29:8, 30:2, 30:21, 33:17, 40:20, 41:15, 43:24, 52:3, 52:6, 54:14, 55:17, 65:5, 69:21, 72:6, 72:8, 72:19, 73:11 healthy [1] - 11:19 hear [9] - 7:21, 18:17, 22:15, 22:21, 22:24, 23:1, 23:2, 33:11, 68:9 heard [5] - 4:20, 4:24, 36:10, 69:23, 69:24 HEARING [1] - 1:11 hearing [17] - 3:3, 3:5, 3:12, 3:13, 3:18,</p>
<p>F</p> <p>face [2] - 17:5, 29:20 facility [4] - 8:18, 11:7, 26:22, 49:10 facing [1] - 29:19 fact [4] - 32:20, 35:9, 54:8, 57:10 factors [1] - 54:15 familiar [2] - 53:21, 54:3 families [1] - 58:23 family [1] - 59:11 fan [3] - 17:18, 22:16, 22:17 Fanthorp [1] - 40:8 FANTHORPE [19] - 37:17, 37:21, 39:19, 39:23, 40:8, 40:10, 40:12, 40:15, 45:21, 46:1, 46:9, 46:13, 46:16, 46:19, 57:24, 58:4, 59:15, 60:16, 62:5 Fanthorpe [1] - 40:10 far [5] - 8:21, 11:19, 22:1, 23:22, 40:23 farm [1] - 6:23 Farm [1] - 1:17 fast [2] - 61:20, 61:22 favor [3] - 4:22, 5:18,</p>	<p>F</p>	<p>G</p> <p>Game [1] - 1:17 garage [1] - 8:19</p>		

<p>3:23, 4:17, 5:7, 6:3, 18:12, 21:7, 34:21, 47:7, 71:22, 73:20, 74:16, 75:5</p> <p>hearings [2] - 3:6, 3:8</p> <p>hearsay [1] - 69:15</p> <p>height [1] - 67:9</p> <p>Heights [1] - 12:20</p> <p>held [1] - 34:13</p> <p>help [2] - 14:21, 16:7</p> <p>helpful [1] - 23:9</p> <p>helps [2] - 17:14, 70:3</p> <p>hereby [1] - 75:4</p> <p>hereto [1] - 75:11</p> <p>hereunto [1] - 75:16</p> <p>hi [2] - 38:7, 67:23</p> <p>Hi [1] - 36:15</p> <p>hidden [1] - 15:19</p> <p>higher [2] - 18:15, 43:22</p> <p>highlight [1] - 28:24</p> <p>highlighted [1] - 55:5</p> <p>hinge [2] - 20:18, 20:19</p> <p>historic [1] - 9:18</p> <p>history [1] - 50:19</p> <p>hit [2] - 41:22, 47:20</p> <p>hits [2] - 14:7, 19:1</p> <p>HLR [1] - 25:9</p> <p>HOA [12] - 9:17, 11:6, 11:11, 11:19, 12:1, 24:22, 27:12, 31:19, 34:16, 40:15, 51:3, 58:1</p> <p>hold [2] - 6:1, 62:21</p> <p>holding [1] - 48:20</p> <p>home [7] - 24:23, 27:16, 28:6, 33:5, 41:2, 60:9, 60:14</p> <p>homeowner [1] - 43:5</p> <p>homeowner's [1] - 46:10</p> <p>homeowners [5] - 11:6, 34:16, 42:16, 43:7, 43:11</p> <p>homes [2] - 44:11, 65:13</p> <p>honest [1] - 70:9</p> <p>honestly [1] - 58:21</p> <p>hope [1] - 51:24</p> <p>hopefully [1] - 18:19</p> <p>Horaz [4] - 2:4, 4:6, 6:14, 74:8</p> <p>HORAZ [4] - 4:7, 6:15, 73:22, 74:9</p> <p>horn [1] - 18:17</p> <p>hours [2] - 13:20, 38:16</p> <p>house [5] - 14:5, 14:20, 44:9, 46:20,</p>	<p>69:9</p> <p>housed [1] - 18:1</p> <p>houses [3] - 16:2, 44:13, 59:1</p> <p>housing [1] - 26:15</p> <p>huge [2] - 52:5, 52:22</p> <p>human [1] - 55:16</p> <p>hundred [1] - 28:9</p> <p>hurt [2] - 42:13, 64:5</p> <p>hypersensitivity [1] - 40:21</p>	<p>I</p> <p>idea [1] - 52:8</p> <p>identified [1] - 15:8</p> <p>ILLINOIS [2] - 1:7, 75:1</p> <p>Illinois [14] - 1:18, 6:21, 7:6, 7:14, 7:15, 12:20, 13:1, 13:19, 27:20, 32:4, 34:9, 35:8, 35:15, 75:20</p> <p>image [1] - 25:17</p> <p>impact [7] - 27:13, 28:4, 28:14, 28:19, 32:19, 33:10, 34:10</p> <p>impacted [1] - 14:6</p> <p>impacting [2] - 13:11, 15:15</p> <p>impacts [1] - 30:16</p> <p>implement [1] - 30:10</p> <p>Improvement [1] - 26:19</p> <p>Inc [1] - 3:10</p> <p>incentive [2] - 13:2, 35:16</p> <p>incentives [5] - 33:24, 34:24, 35:4, 35:11, 35:21</p> <p>inches [1] - 48:18</p> <p>inclusive [1] - 75:7</p> <p>increase [1] - 28:18</p> <p>increased [1] - 28:17</p> <p>incurred [1] - 43:7</p> <p>independent [2] - 33:18, 54:10</p> <p>Indiana [3] - 22:4, 27:20, 34:9</p> <p>industrial [1] - 12:17</p> <p>infiltrate [1] - 52:9</p> <p>infiltration [1] - 53:3</p> <p>information [7] - 11:4, 11:23, 45:13, 58:2, 58:5, 58:8, 58:11</p> <p>ingot [2] - 16:10, 64:18</p> <p>initial [1] - 57:17</p> <p>injured [1] - 61:23</p>	<p>input [2] - 11:7, 11:9</p> <p>inside [10] - 14:19, 15:22, 16:2, 16:15, 17:19, 17:23, 29:10, 41:13, 49:10, 65:24</p> <p>install [2] - 6:22, 17:9</p> <p>installation [1] - 35:1</p> <p>installations [1] - 12:14</p> <p>installed [3] - 15:15, 22:2, 30:8</p> <p>installer [1] - 32:4</p> <p>instead [1] - 9:4</p> <p>intended [2] - 48:2, 71:2</p> <p>intention [2] - 27:7, 65:17</p> <p>interconnect [1] - 13:8</p> <p>interested [3] - 32:18, 65:15, 72:5</p> <p>interior [2] - 60:18, 61:6</p> <p>internal [2] - 17:24, 49:7</p> <p>interrogatories [1] - 40:14</p> <p>intervals [1] - 19:12</p> <p>introduce [1] - 12:16</p> <p>inverter [13] - 14:12, 14:13, 15:17, 17:16, 21:5, 21:24, 22:15, 22:24, 23:3, 24:12, 56:10, 56:12, 56:14</p> <p>inverters [10] - 21:1, 21:2, 21:3, 21:9, 22:2, 23:6, 24:24, 33:6, 60:12, 60:24</p> <p>investor [1] - 34:1</p> <p>invite [1] - 4:18</p> <p>invited [1] - 9:19</p> <p>involved [2] - 11:18, 61:14</p> <p>inward [1] - 65:24</p> <p>issue [5] - 10:3, 49:3, 49:16, 52:12, 67:5</p> <p>issues [5] - 9:14, 59:21, 65:4, 65:6, 69:22</p> <p>itself [3] - 16:8, 19:16, 20:10</p>	<p>10:22, 11:2, 11:17, 29:13, 36:4, 54:19, 60:6</p> <p>Jason's [1] - 22:11</p> <p>Jeff [2] - 2:3, 16:17</p> <p>Jersey [1] - 73:13</p> <p>jet [1] - 18:18</p> <p>job [3] - 11:17, 29:13, 58:6</p> <p>John [1] - 7:4</p> <p>joined [1] - 8:7</p> <p>joint [2] - 34:13, 34:15</p> <p>jump [3] - 12:6, 12:8, 13:24</p>	<p>K</p> <p>keep [3] - 17:19, 48:7, 63:6</p> <p>keeps [1] - 8:22</p> <p>KenCom [2] - 49:9, 66:12</p> <p>Kendall [14] - 6:21, 7:5, 8:22, 8:24, 13:11, 13:13, 26:14, 26:18, 31:2, 34:3, 36:16, 44:5, 44:23, 48:4</p> <p>kept [1] - 31:7</p> <p>key [3] - 27:23, 33:2, 55:13</p> <p>kid [5] - 42:11, 61:23, 63:7, 71:16, 71:17</p> <p>kids [4] - 11:12, 42:9, 58:24, 61:19</p> <p>KILGORE [2] - 70:19, 70:22</p> <p>Kilgore [1] - 70:22</p> <p>killed [2] - 61:23, 62:6</p> <p>kind [11] - 15:9, 15:23, 25:14, 38:12, 42:18, 44:23, 47:8, 55:21, 61:16, 70:23, 71:3</p> <p>knocked [1] - 9:3</p> <p>knocks [1] - 14:7</p> <p>knowledge [1] - 47:18</p> <p>known [1] - 49:15</p> <p>Knox [1] - 49:11</p> <p>KRAMER [15] - 7:8, 7:11, 26:3, 26:8, 47:14, 51:11, 51:15, 51:19, 52:1, 53:6, 65:21, 66:8, 67:6, 67:8, 67:18</p> <p>Kramer [4] - 7:12, 47:13, 47:15, 65:22</p> <p>Krysti [4] - 2:10, 11:2, 11:17, 56:6</p>	<p>L</p> <p>lady [3] - 50:11, 51:4, 64:10</p> <p>laid [1] - 63:9</p> <p>LANA [1] - 38:4</p> <p>Lana [1] - 38:7</p> <p>land [8] - 6:24, 13:7, 13:14, 26:13, 26:14, 27:17, 31:3, 31:4</p> <p>landscape [1] - 25:7</p> <p>landscaped [2] - 31:12, 31:13</p> <p>landscaping [4] - 25:22, 31:5, 49:2, 50:16</p> <p>laptop [2] - 24:4, 56:6</p> <p>large [1] - 27:15</p> <p>larger [1] - 27:21</p> <p>LASALLE [1] - 75:2</p> <p>last [3] - 29:14, 40:6, 57:23</p> <p>law [1] - 7:13</p> <p>lawn [1] - 48:17</p> <p>layer [3] - 16:3, 16:5, 16:6</p> <p>layout [3] - 12:12, 25:7, 33:3</p> <p>leak [1] - 29:23</p> <p>leasehold [1] - 57:19</p> <p>leasing [1] - 31:3</p> <p>least [6] - 32:15, 39:5, 56:21, 56:24, 60:13, 64:9</p> <p>left [7] - 18:7, 21:22, 23:21, 23:23, 23:24, 24:15, 55:2</p> <p>length [2] - 15:12, 72:7</p> <p>lengths [2] - 72:18, 73:2</p> <p>LERMAN [5] - 37:23, 38:4, 38:7, 39:11, 39:16</p> <p>Lerman [1] - 38:8</p> <p>less [4] - 34:4, 56:1, 56:4, 61:1</p> <p>lesser [1] - 69:17</p> <p>letter [3] - 39:14, 45:18, 49:23</p> <p>letters [1] - 71:7</p> <p>level [10] - 18:5, 18:16, 18:19, 18:20, 19:8, 19:24, 37:10, 55:22, 55:24, 56:1</p> <p>levels [2] - 23:19, 55:20</p> <p>library [2] - 19:9, 20:3</p> <p>licensed [1] - 7:13</p>
---	--	---	--	---	--	--

<p>lie [1] - 71:14</p> <p>life [4] - 33:21, 38:13, 56:17, 59:5</p> <p>light [1] - 24:7</p> <p>lights [4] - 10:21, 12:3, 14:17, 24:7</p> <p>likelihood [1] - 45:2</p> <p>likely [1] - 42:1</p> <p>limited [1] - 20:1</p> <p>line [7] - 25:13, 25:16, 28:8, 55:11, 55:13, 60:7</p> <p>lines [3] - 40:24, 44:13, 60:20</p> <p>link [3] - 30:1, 44:20, 50:17</p> <p>liquid [1] - 64:22</p> <p>list [1] - 31:19</p> <p>listed [1] - 32:14</p> <p>listening [1] - 19:2</p> <p>literally [1] - 66:8</p> <p>live [1] - 12:20</p> <p>lives [1] - 38:17</p> <p>living [1] - 29:2</p> <p>loads [1] - 14:19</p> <p>local [3] - 12:22, 32:8, 65:3</p> <p>located [8] - 7:3, 13:13, 15:18, 23:6, 29:22, 33:4, 38:9, 73:13</p> <p>location [5] - 13:12, 13:16, 24:17, 25:5, 39:2</p> <p>location-wise [1] - 13:16</p> <p>locks [1] - 62:9</p> <p>long-term [2] - 43:12, 58:13</p> <p>look [11] - 9:22, 15:7, 16:19, 20:13, 25:18, 32:23, 36:24, 39:7, 66:7, 67:13, 73:1</p> <p>looked [3] - 17:16, 37:9, 70:13</p> <p>looking [2] - 36:18, 44:17</p> <p>looks [5] - 12:11, 16:17, 16:21, 17:13, 23:13</p> <p>lose [2] - 15:3, 35:19</p> <p>losses [1] - 70:11</p> <p>lottery [2] - 35:12, 35:19</p> <p>love [1] - 70:24</p> <p>low [5] - 24:1, 24:14, 43:8, 43:9, 48:15</p> <p>lower [1] - 42:16</p> <p>lumberjacks [1] - 51:7</p>	<p>M</p> <p>ma'am [1] - 72:10</p> <p>machine [1] - 14:21</p> <p>main [1] - 15:8</p> <p>maintained [2] - 33:15, 43:5</p> <p>maintenance [5] - 12:14, 31:2, 31:5, 43:10</p> <p>male [2] - 62:18, 63:4</p> <p>malfunctions [1] - 61:14</p> <p>management [1] - 52:23</p> <p>mandated [1] - 64:3</p> <p>manicured [1] - 31:10</p> <p>manufactured [1] - 62:24</p> <p>manufacturer [4] - 21:24, 56:20, 57:8, 60:2</p> <p>manufacturers [1] - 54:9</p> <p>map [1] - 46:5</p> <p>Marcum [5] - 2:6, 4:8, 6:8, 47:20, 74:10</p> <p>MARCUM [31] - 3:24, 4:9, 6:5, 6:9, 20:6, 20:11, 20:20, 45:22, 46:7, 46:11, 46:24, 51:2, 51:13, 51:16, 51:20, 53:5, 53:21, 53:24, 54:2, 57:19, 57:22, 58:1, 59:12, 64:8, 65:8, 65:19, 66:2, 67:4, 67:7, 73:21, 74:11</p> <p>Marker [1] - 3:9</p> <p>Marlys [1] - 2:13</p> <p>Massachusetts [2] - 55:19, 60:1</p> <p>massive [1] - 28:11</p> <p>massively [1] - 66:15</p> <p>material [1] - 11:1</p> <p>materials [6] - 3:11, 16:14, 41:10, 65:6, 72:20</p> <p>matter [1] - 61:7</p> <p>mean [7] - 47:8, 64:14, 66:3, 66:5, 71:12, 71:15, 71:17</p> <p>means [2] - 17:4, 60:23</p> <p>measured [1] - 21:5</p> <p>mechanic [1] - 71:15</p> <p>mechanicals [1] - 61:13</p> <p>medical [1] - 24:8</p>	<p>meeting [11] - 3:7, 3:16, 3:20, 3:21, 9:16, 9:18, 19:18, 58:9, 58:10, 58:16, 74:17</p> <p>Meeting [1] - 10:1</p> <p>Meetings [1] - 10:7</p> <p>meetings [10] - 9:22, 10:5, 11:22, 29:14, 34:13, 34:14, 34:15, 34:20, 44:24, 58:1</p> <p>MEGAN [1] - 40:12</p> <p>megan [1] - 57:22</p> <p>megawatts [3] - 22:5, 22:7, 32:22</p> <p>member [1] - 5:7</p> <p>members [3] - 4:18, 16:16, 59:11</p> <p>mention [2] - 19:5, 37:7</p> <p>mentioned [8] - 10:23, 11:5, 13:18, 21:3, 33:3, 34:13, 62:11, 64:17</p> <p>met [3] - 11:1, 11:5, 64:21</p> <p>metalloids [3] - 16:10, 64:18, 64:24</p> <p>meter [2] - 13:10, 60:16</p> <p>meters [1] - 21:13</p> <p>methods [1] - 53:2</p> <p>Metropolitan [1] - 52:17</p> <p>MICHAEL [1] - 68:20</p> <p>Michael [2] - 69:3, 69:4</p> <p>microwave [1] - 24:5</p> <p>middle [3] - 13:14, 23:12, 24:20</p> <p>Midwest [4] - 12:23, 27:19, 32:8, 34:9</p> <p>might [8] - 15:7, 20:13, 26:13, 35:18, 35:19, 44:22, 68:8, 70:3</p> <p>Mike [3] - 70:23, 71:3, 71:11</p> <p>Mike's [1] - 71:16</p> <p>MILAM [4] - 71:24, 72:2, 72:5, 72:12</p> <p>Milam [1] - 72:12</p> <p>milliGauss [1] - 55:21</p> <p>million [1] - 33:20</p> <p>minimal [2] - 28:18, 53:17</p> <p>minute [1] - 19:23</p> <p>Minute [1] - 2:13</p> <p>minutes [2] - 19:12, 19:19</p>	<p>miscreant [1] - 64:12</p> <p>model [1] - 46:19</p> <p>module [6] - 15:14, 15:23, 15:24, 16:17, 16:22, 17:15</p> <p>modules [3] - 7:1, 19:15, 19:20</p> <p>Monday [1] - 9:19</p> <p>money [2] - 34:1, 35:16</p> <p>month [1] - 53:16</p> <p>months [2] - 10:24, 53:18</p> <p>morning [1] - 71:13</p> <p>most [7] - 7:21, 8:11, 16:9, 16:11, 17:8, 44:8, 57:1</p> <p>Most [1] - 28:23</p> <p>motion [5] - 3:17, 5:23, 6:2, 19:7, 73:19</p> <p>motor [2] - 17:10, 17:13</p> <p>motors [11] - 19:5, 19:6, 19:11, 20:4, 20:21, 20:22, 24:24, 33:3, 33:4, 33:6, 60:12</p> <p>mount [4] - 15:7, 31:23, 31:24</p> <p>move [8] - 3:17, 5:21, 24:2, 35:13, 42:23, 48:8, 60:24, 70:11</p> <p>moved [4] - 3:24, 6:4, 60:11, 73:21</p> <p>moving [2] - 36:8, 38:20</p> <p>MR [85] - 3:24, 4:9, 6:5, 6:9, 7:11, 10:21, 10:22, 20:6, 20:9, 20:11, 20:12, 20:20, 20:22, 21:12, 23:7, 25:7, 26:2, 26:3, 26:6, 26:8, 26:11, 31:15, 35:20, 36:15, 39:13, 45:18, 45:22, 46:7, 46:11, 46:22, 46:24, 47:14, 51:2, 51:11, 51:13, 51:15, 51:16, 51:19, 51:20, 52:1, 53:5, 53:6, 53:7, 53:21, 53:24, 54:2, 54:4, 56:19, 56:23, 57:13, 57:16, 57:19, 57:21, 57:22, 58:1, 59:12, 59:20, 59:22, 62:7, 63:12, 63:16, 64:8, 64:16, 65:8, 65:14, 65:19, 65:21, 66:2, 66:8,</p>	<p>67:4, 67:6, 67:7, 67:8, 67:18, 67:23, 68:12, 68:14, 68:23, 69:3, 69:5, 69:8, 70:22, 72:13, 73:21, 74:11</p> <p>MS [54] - 4:1, 4:3, 4:6, 4:7, 4:8, 4:10, 4:12, 4:13, 4:14, 5:23, 6:4, 6:8, 6:10, 6:12, 6:13, 6:14, 6:15, 6:16, 37:17, 37:21, 37:23, 38:7, 39:11, 39:16, 39:19, 39:23, 40:8, 40:10, 40:15, 45:21, 46:1, 46:9, 46:13, 46:16, 46:18, 46:19, 57:24, 58:4, 59:15, 60:16, 62:5, 71:20, 71:24, 72:5, 72:12, 73:22, 73:24, 74:3, 74:6, 74:7, 74:8, 74:9, 74:10, 74:12</p> <p>multi [3] - 63:5, 63:6, 66:10</p> <p>multi-contact [2] - 63:5, 63:6</p> <p>multi-term [1] - 66:10</p> <p>multiple [3] - 59:22, 72:17, 72:23</p>
N				
<p>nail [1] - 47:20</p> <p>name [8] - 5:3, 7:12, 36:10, 38:7, 40:7, 57:23, 69:1, 72:11</p> <p>names [1] - 8:3</p> <p>National [3] - 32:16, 63:19, 64:2</p> <p>naturalized [1] - 53:1</p> <p>NC [1] - 63:5</p> <p>near [1] - 29:2</p> <p>nearby [2] - 11:7, 29:21</p> <p>nearest [2] - 24:23, 33:5</p> <p>Nebraska [1] - 31:23</p> <p>need [8] - 12:3, 12:4, 17:10, 36:5, 42:6, 60:23, 61:2, 68:1</p> <p>needs [3] - 8:23, 13:12, 61:16</p> <p>negligent [1] - 23:4</p> <p>neighborhood [2] - 9:15, 46:17</p> <p>neighborhoods [2] - 13:22, 58:23</p> <p>neighbors [5] - 9:10,</p>				

<p>40:17, 40:24, 48:24, 65:10</p> <p>never [6] - 19:2, 48:2, 65:4, 65:5, 69:23</p> <p>New [1] - 73:13</p> <p>newer [1] - 8:12</p> <p>next [18] - 5:19, 18:17, 19:24, 21:1, 21:5, 21:14, 21:16, 24:14, 27:16, 28:2, 28:3, 28:12, 34:12, 43:1, 44:9, 56:10, 62:20, 70:22</p> <p>night [3] - 9:20, 19:14, 33:8</p> <p>Noble [1] - 2:10</p> <p>NOBLE [4] - 4:3, 5:23, 46:18, 73:24</p> <p>noise [6] - 18:11, 18:23, 20:2, 23:3, 25:2, 38:18</p> <p>non [3] - 50:23, 54:12, 64:19</p> <p>non-profits [1] - 54:12</p> <p>non-technical [1] - 50:23</p> <p>non-toxic [1] - 64:19</p> <p>nondescript [1] - 17:17</p> <p>normal [5] - 18:6, 18:11, 18:20, 19:23, 21:6</p> <p>north [5] - 46:12, 48:23, 50:1, 51:22, 61:1</p> <p>North [4] - 55:8, 55:9, 60:1</p> <p>northwest [1] - 22:3</p> <p>Northwestern [1] - 12:18</p> <p>notably [1] - 16:9</p> <p>note [1] - 35:3</p> <p>nothing [5] - 16:13, 25:2, 27:2, 33:8, 51:17</p> <p>November [2] - 1:22, 3:19</p> <p>nowhere [1] - 13:15</p> <p>nuclear [1] - 24:9</p> <p>number [6] - 6:3, 11:11, 28:7, 28:16, 32:4, 61:3</p> <p>numbers [1] - 28:6</p> <p>numerous [2] - 13:20, 29:6</p> <p>nursery [2] - 26:16, 48:7</p>	<p style="text-align: center;">O</p> <p>O-L-S-Z-E-W-S-K-I [1] - 69:8</p> <p>objection [1] - 67:16</p> <p>obviously [4] - 26:14, 62:8, 66:14, 71:1</p> <p>OF [3] - 1:6, 75:1, 75:2</p> <p>Office [1] - 7:3</p> <p>office [2] - 65:20, 66:3</p> <p>offices [2] - 13:11, 13:13</p> <p>officials [1] - 37:9</p> <p>old [2] - 9:5, 53:2</p> <p>Olson [4] - 2:3, 4:10, 6:10, 74:4</p> <p>OLSON [13] - 4:11, 6:11, 21:10, 23:5, 25:6, 25:24, 31:11, 35:18, 47:1, 47:5, 57:11, 57:14, 74:5</p> <p>OLSZEWSKI [7] - 68:12, 68:14, 68:20, 68:23, 69:3, 69:5, 69:8</p> <p>Olszewski [1] - 69:3</p> <p>on-site [4] - 52:9, 53:3, 53:10, 61:21</p> <p>once [3] - 14:18, 21:13, 55:21</p> <p>One [1] - 14:4</p> <p>one [42] - 5:2, 6:23, 15:4, 15:14, 16:11, 16:15, 16:21, 19:17, 20:20, 20:21, 23:11, 29:14, 31:12, 32:4, 35:3, 36:22, 39:1, 40:9, 41:7, 41:18, 44:24, 49:16, 51:14, 52:6, 52:15, 54:20, 54:21, 55:1, 55:17, 59:16, 63:9, 63:17, 63:22, 65:21, 67:2, 68:2, 68:7, 71:4, 73:4</p> <p>one-to-one [1] - 15:4</p> <p>ones [6] - 30:22, 32:14, 50:24, 55:1, 65:1, 65:3</p> <p>opaque [2] - 25:18, 49:20</p> <p>open [6] - 3:14, 6:2, 10:5, 66:5, 66:11, 66:18</p> <p>Open [2] - 9:24, 10:7</p> <p>operate [4] - 6:22, 12:22, 33:7, 56:20</p> <p>operating [2] - 33:8, 62:22</p>	<p>operation [1] - 31:7</p> <p>opinion [3] - 68:4, 70:16, 70:23</p> <p>opportunity [2] - 30:22, 41:17</p> <p>oppose [2] - 37:24, 39:3</p> <p>opposed [2] - 5:20, 37:13</p> <p>opposition [2] - 38:11, 39:18</p> <p>oral [1] - 40:14</p> <p>Orchard [1] - 48:5</p> <p>order [3] - 5:15, 17:9, 18:4</p> <p>orderly [1] - 9:11</p> <p>ordinance [1] - 50:8</p> <p>organizations [3] - 32:12, 32:15, 57:9</p> <p>original [5] - 47:21, 52:2, 57:18, 58:5, 75:11</p> <p>originally [1] - 3:22</p> <p>otherwise [2] - 38:1, 50:18</p> <p>out-of-state [2] - 13:4, 35:7</p> <p>outside [5] - 30:7, 33:11, 33:12, 60:17, 66:1</p> <p>overall [1] - 47:22</p> <p>overlook [1] - 44:14</p> <p>overwhelmingly [1] - 41:5</p> <p>own [1] - 22:3</p> <p>owned [1] - 26:14</p> <p>owner [1] - 48:7</p> <p>oxygen [1] - 16:12</p>	<p>29:5, 29:12, 29:15, 29:17, 29:19, 29:23, 38:22, 41:5, 41:8, 44:9, 48:14, 56:19, 57:6, 57:12, 67:10, 69:22</p> <p>parcel [1] - 47:24</p> <p>part [5] - 17:4, 38:16, 46:11, 46:14, 48:6</p> <p>participate [1] - 7:19</p> <p>particularly [2] - 43:6, 49:1</p> <p>parties [2] - 54:11, 54:24</p> <p>party [3] - 32:12, 33:19, 57:9</p> <p>passes [2] - 50:8, 66:22</p> <p>passing [1] - 59:3</p> <p>past [2] - 10:24, 43:6</p> <p>patients [1] - 38:14</p> <p>pay [1] - 34:3</p> <p>paying [1] - 34:5</p> <p>people [7] - 40:22, 44:8, 44:10, 51:3, 51:6, 66:6, 68:8</p> <p>people's [1] - 65:12</p> <p>percent [2] - 28:18, 59:4</p> <p>permit [2] - 6:22, 52:12</p> <p>person [2] - 61:21, 64:9</p> <p>personally [1] - 70:24</p> <p>persons [2] - 4:21, 5:1</p> <p>PETERMAN [28] - 10:18, 10:22, 20:9, 20:12, 20:22, 21:12, 23:7, 25:7, 26:2, 26:6, 26:11, 31:15, 35:20, 53:7, 54:4, 56:19, 56:23, 57:13, 57:16, 57:21, 59:20, 59:22, 62:7, 63:12, 63:16, 64:16, 65:14, 72:13</p> <p>Peterman [4] - 6:19, 7:22, 10:17, 12:17</p> <p>petition [8] - 6:3, 10:9, 11:1, 13:3, 27:22, 32:23, 57:18, 73:18</p> <p>petitioner [8] - 3:9, 4:23, 5:7, 5:16, 5:22, 6:19, 8:6, 66:21</p> <p>petitioner's [1] - 52:13</p> <p>photographs [1] - 26:4</p> <p>physically [2] - 62:21, 62:23</p> <p>pick [1] - 41:22</p>	<p>picture [5] - 15:6, 17:12, 17:23, 22:22, 30:5</p> <p>pigs [1] - 45:15</p> <p>pipe [1] - 48:20</p> <p>place [5] - 3:22, 44:16, 50:3, 53:19, 75:9</p> <p>Plan [2] - 10:13, 26:19</p> <p>plan [7] - 20:4, 27:3, 42:4, 42:21, 42:23, 52:2, 61:17</p> <p>planned [4] - 3:23, 21:8, 24:19, 25:11</p> <p>Planner [1] - 2:12</p> <p>planning [1] - 53:11</p> <p>Planning [3] - 3:7, 3:19, 3:21</p> <p>PLANNING [1] - 1:10</p> <p>plans [3] - 11:8, 26:16, 34:19</p> <p>plants [1] - 52:8</p> <p>plastic [1] - 62:17</p> <p>play [2] - 62:17, 63:3</p> <p>plot [3] - 13:7, 13:14, 27:17</p> <p>plug [2] - 62:17, 63:3</p> <p>pockets [1] - 56:7</p> <p>podium [10] - 5:4, 7:10, 10:20, 36:14, 37:22, 38:6, 67:22, 68:22, 70:21, 72:4</p> <p>point [3] - 26:3, 32:5, 65:8</p> <p>Point [5] - 26:7, 40:19, 41:16, 48:14, 58:5</p> <p>pointing [1] - 65:12</p> <p>points [2] - 33:2</p> <p>poles [1] - 48:20</p> <p>police [2] - 49:12, 62:3</p> <p>policing [1] - 65:15</p> <p>policy [1] - 66:18</p> <p>pollution [1] - 38:19</p> <p>pond [3] - 52:5, 52:7, 52:24</p> <p>population [1] - 45:1</p> <p>portion [5] - 17:13, 25:12, 63:14, 63:18, 74:16</p> <p>position [2] - 66:9, 67:1</p> <p>positive [2] - 10:14, 34:10</p> <p>possibility [1] - 50:4</p> <p>possible [4] - 7:18, 38:23, 53:9, 66:18</p> <p>possibly [3] - 64:8, 69:14</p> <p>posts [1] - 15:10</p> <p>potential [1] - 41:20</p> <p>potentially [4] - 41:3,</p>
	<p style="text-align: center;">P</p> <p>p.m [1] - 1:23</p> <p>package [1] - 26:4</p> <p>packet [5] - 39:13, 39:15, 45:19, 57:17, 60:4</p> <p>page [1] - 11:10</p> <p>Pages [1] - 75:6</p> <p>Palatine [1] - 12:21</p> <p>panel [16] - 15:21, 16:19, 16:23, 18:24, 20:8, 20:14, 20:17, 29:11, 30:16, 30:18, 56:23, 60:9, 62:12, 62:20, 69:19</p> <p>panels [27] - 14:5, 14:7, 15:13, 15:20, 17:5, 17:7, 18:22, 20:13, 20:21, 24:19,</p>			

<p>41:23, 43:3, 43:24 pound [1] - 48:22 power [4] - 14:21, 14:22, 14:24, 19:1 Power [5] - 35:15, 40:19, 41:15, 48:14, 58:5 powers [1] - 14:19 practice [1] - 7:13 practices [1] - 52:24 pre [1] - 53:12 pre-work [1] - 53:12 prefer [1] - 50:17 prepare [2] - 10:24, 11:3 prepared [2] - 7:22, 11:20 present [1] - 4:21 PRESENT [2] - 2:1, 2:9 presentation [9] - 5:17, 7:20, 7:23, 10:11, 11:21, 11:24, 28:23, 54:22, 59:23 presented [5] - 7:22, 29:3, 54:8, 54:14, 57:17 presenting [1] - 29:13 presents [1] - 55:16 preserved [1] - 50:21 president [1] - 40:16 pretty [4] - 26:6, 38:16, 62:2, 71:18 previous [5] - 11:22, 19:18, 31:17, 31:20, 54:21 previously [1] - 34:14 prideful [1] - 32:6 prison [1] - 45:1 prisoners [1] - 50:5 privacy [1] - 65:10 problem [7] - 41:1, 43:3, 43:20, 51:6, 66:4, 69:18, 69:20 problems [3] - 41:7, 43:5, 43:17 proceedings [4] - 3:2, 74:15, 75:5, 75:8 process [6] - 11:15, 11:19, 12:13, 18:3, 35:12, 68:2 produce [2] - 18:22, 56:24 produced [2] - 25:8, 27:19 produces [1] - 25:3 product [1] - 53:18 products [5] - 34:10, 35:10, 37:1, 54:10, 60:3</p>	<p>profits [1] - 54:12 program [2] - 35:5, 52:18 Progressive [1] - 67:24 project [12] - 22:6, 31:22, 34:2, 35:17, 35:22, 36:21, 37:4, 44:20, 46:22, 50:18, 53:12, 53:16 projector [1] - 14:17 projects [2] - 31:17, 31:20 properly [1] - 8:9 properties [3] - 28:2, 28:3, 70:5 property [15] - 7:2, 8:9, 27:10, 27:13, 28:4, 28:8, 28:17, 29:3, 34:7, 34:11, 40:23, 44:7, 46:8, 57:4, 60:7 proponent [1] - 52:22 proposal [1] - 36:9 proposed [7] - 4:19, 22:6, 22:8, 27:3, 38:9, 68:24, 73:13 proposing [2] - 27:22, 31:12 Protection [1] - 73:7 proud [1] - 32:9 prove [2] - 45:13, 45:15 provide [6] - 8:3, 18:5, 23:18, 31:19, 58:11, 72:14 provided [3] - 3:10, 21:23, 59:22 PUBLIC [1] - 1:11 public [30] - 3:3, 3:5, 3:6, 3:8, 3:12, 3:13, 3:18, 4:19, 4:21, 5:7, 5:8, 6:3, 8:14, 8:20, 10:12, 26:20, 34:20, 39:24, 47:7, 49:9, 50:1, 52:3, 52:6, 71:22, 72:14, 73:17, 73:20, 74:16, 75:5 pumped [1] - 52:18 purpose [3] - 4:16, 4:17, 29:14 pushed [2] - 15:1, 30:18 put [13] - 9:3, 13:21, 30:15, 37:6, 54:13, 55:7, 56:14, 60:6, 67:1, 69:13, 70:1, 70:2, 70:10 putting [1] - 44:19 PZC [5] - 3:11, 3:14,</p>	<p>3:18, 6:3, 6:18 Q quarrel [1] - 66:22 quarreling [1] - 67:6 questions [17] - 4:23, 7:18, 11:13, 11:21, 12:5, 12:12, 16:20, 17:1, 19:17, 27:12, 28:21, 28:24, 36:4, 37:1, 37:18, 47:2, 54:18 quick [4] - 33:1, 39:14, 39:21, 47:4 quiet [2] - 18:7, 50:24 quite [1] - 58:21 R racking [10] - 15:9, 15:19, 17:2, 17:11, 17:14, 19:4, 19:6, 20:10, 33:4, 33:6 radiation [1] - 29:23 radio [1] - 24:3 radioactive [1] - 24:10 radiowave [1] - 24:5 rails [1] - 15:11 raise [4] - 5:8, 40:3, 44:9, 61:3 raised [5] - 12:20, 13:19, 32:7, 44:13, 60:21 Randall [2] - 50:3, 66:10 Randy [1] - 2:2 range [4] - 18:10, 18:14, 22:20, 53:16 rather [2] - 50:17, 69:13 rating [1] - 43:22 read [4] - 41:17, 58:7, 58:14, 58:17 reading [1] - 21:2 readings [1] - 21:18 ready [3] - 5:22, 7:7, 35:23 Reagan [1] - 2:5 real [4] - 7:2, 39:13, 39:21, 47:4 realistic [1] - 60:15 realize [1] - 39:23 really [7] - 9:2, 10:1, 10:10, 22:24, 62:3, 63:10, 70:8 reason [3] - 29:8, 42:3, 57:2</p>	<p>reasonable [3] - 45:14, 47:24, 59:4 reasonably [1] - 61:20 reasons [1] - 50:2 recap [1] - 28:20 receive [1] - 5:16 received [2] - 41:15, 58:4 recently [1] - 32:3 recommendation [2] - 10:14, 67:15 recommended [1] - 55:20 record [6] - 30:17, 39:15, 45:20, 47:15, 65:22, 72:15 recording [2] - 22:18, 22:22 recycle [1] - 41:8 red [1] - 24:20 reference [2] - 19:10, 23:20 referenced [1] - 59:13 reflect [2] - 29:16, 29:18 refrigerator [4] - 14:20, 18:11, 19:9, 20:3 regarding [4] - 4:19, 4:24, 53:8, 73:18 regards [1] - 49:3 regularly [1] - 33:14 regulations [1] - 63:19 reiterate [1] - 38:12 related [4] - 41:20, 51:18, 54:16, 73:11 relationship [1] - 31:2 released [2] - 41:14, 64:22 remember [2] - 29:19, 31:18 remove [1] - 43:2 removing [1] - 42:15 repeat [2] - 5:9, 40:3 report [5] - 55:7, 55:10, 55:12, 56:2, 72:24 REPORTER [1] - 69:7 reporter [1] - 8:4 Reporter [1] - 75:4 represent [3] - 5:3, 7:16, 38:8 representative [1] - 44:24 representatives [2] - 7:17, 40:1 reproduced [1] - 75:14 request [11] - 4:19, 4:23, 4:24, 5:19,</p>	<p>5:20, 8:2, 8:6, 8:8, 37:14, 39:4, 39:18 requested [4] - 3:11, 11:4, 11:23, 27:14 requesting [2] - 6:21, 58:15 required [1] - 25:8 research [7] - 40:18, 57:6, 58:20, 58:22, 61:7, 65:3, 71:12 reset [1] - 19:23 resets [1] - 19:16 residential [5] - 16:22, 27:16, 27:17, 28:12, 49:21 residents [4] - 9:19, 25:22, 29:21, 44:5 resistors [1] - 18:1 resolution [1] - 66:23 respectfully [1] - 39:4 respond [4] - 47:12, 47:17, 50:24, 51:11 responders [1] - 49:11 response [2] - 37:15, 58:17 responsibility [1] - 75:13 responsible [4] - 31:4, 31:8, 36:19, 36:20 rest [1] - 66:5 result [1] - 37:3 retain [1] - 46:3 retention [4] - 45:24, 46:1, 48:22, 51:22 reviewed [1] - 37:9 reviewing [1] - 52:22 Richard [1] - 66:10 rigorous [1] - 33:16 rippling [1] - 23:1 rises [1] - 17:6 risk [4] - 54:15, 59:10, 72:9 risks [1] - 44:6 Road [3] - 1:17, 7:4, 48:5 roll [5] - 4:3, 4:5, 6:6, 73:24, 74:1 roof [2] - 14:6, 31:24 room [1] - 56:5 root [1] - 48:16 roots [1] - 48:18 rotate [3] - 17:8, 19:20, 20:19 rotates [1] - 19:15 roughly [1] - 7:1 Route [1] - 45:7 row [1] - 20:13 ruling [1] - 28:15 run [8] - 12:21, 15:12,</p>
--	--	---	--	--

19:11, 19:14, 19:20, 19:22, 22:11, 24:22 running [3] - 20:1, 22:16, 64:22 runoff [2] - 51:21, 52:10 runs [3] - 17:19, 20:16, 25:13 rural [1] - 18:7	62:15, 69:13, 69:16, 70:9, 70:12, 71:1 seeing [1] - 50:6 send [1] - 58:14 Senior [1] - 2:12 sense [2] - 8:6, 49:22 sent [3] - 39:14, 45:18, 71:7 separate [1] - 13:5 set [5] - 27:2, 61:14, 63:8, 65:11, 75:16 settlement [1] - 48:6 setup [1] - 13:5 seven [1] - 25:19 seven-and-a-half- foot [1] - 25:19 several [3] - 8:19, 10:24, 11:3 shade [1] - 30:15 share [1] - 73:1 Shawn [1] - 8:2 sheets [3] - 57:12, 57:13, 57:16 sheriff [7] - 44:16, 49:5, 49:7, 49:23, 65:14, 66:10, 66:17 Sheriff [1] - 50:3 sheriffs [6] - 8:17, 8:19, 62:4, 65:20, 65:23, 66:3 shining [2] - 19:13, 19:14 shocked [2] - 63:10, 64:5 Shorthand [1] - 75:3 show [16] - 21:18, 26:4, 26:9, 29:7, 30:20, 34:17, 41:13, 43:15, 47:22, 53:13, 55:15, 56:3, 57:1, 58:12, 65:5 showed [2] - 27:14, 28:19 showing [1] - 59:18 shown [5] - 34:8, 48:13, 54:8, 55:13, 73:6 shows [7] - 22:22, 26:11, 26:20, 28:5, 28:16, 32:11, 55:11 shrub [1] - 39:6 shrubs [1] - 70:7 shut [1] - 14:23 sic [1] - 39:7 side [12] - 16:6, 25:19, 38:9, 38:10, 39:7, 39:9, 49:17, 50:1, 50:16, 54:19, 61:1, 62:15 Sierra [1] - 32:17	sign [1] - 5:4 signed [1] - 75:12 silicon [2] - 16:9, 64:18 Silicon [1] - 16:11 silicone [1] - 41:12 similar [10] - 21:7, 22:4, 22:16, 27:15, 28:1, 28:3, 32:21, 32:23, 43:20, 73:12 similarly [1] - 23:16 simply [1] - 52:16 single [1] - 17:3 site [18] - 20:4, 20:23, 21:9, 22:3, 22:9, 23:6, 25:11, 26:24, 28:1, 31:1, 31:6, 52:9, 53:3, 53:10, 53:13, 53:15, 61:21 size [5] - 22:5, 22:6, 53:1, 53:15, 73:12 sized [1] - 32:21 sky [1] - 17:7 slated [1] - 35:1 slide [3] - 14:1, 21:14, 32:15 slides [1] - 23:8 slight [1] - 34:10 small [1] - 48:20 smaller [1] - 52:6 smash [3] - 41:22, 64:13, 64:20 snap [1] - 63:4 society [1] - 50:6 software [1] - 52:18 Solar [5] - 6:18, 7:16, 7:23, 33:15, 33:20 solar [103] - 6:23, 7:1, 9:8, 12:10, 12:11, 12:24, 13:6, 14:2, 14:4, 14:5, 14:7, 14:21, 15:13, 15:14, 15:20, 15:21, 15:23, 16:4, 16:8, 16:17, 16:19, 16:23, 17:5, 17:7, 17:9, 17:14, 18:4, 18:22, 18:24, 20:13, 20:14, 20:17, 23:12, 23:18, 23:24, 24:11, 24:19, 25:2, 25:13, 25:22, 27:3, 27:6, 27:15, 27:20, 28:2, 28:3, 28:5, 28:8, 28:12, 29:2, 29:5, 29:7, 29:11, 29:12, 29:15, 29:16, 29:19, 29:23, 30:1, 30:7, 30:15, 30:16, 30:18, 32:4, 32:14, 32:20, 32:21, 32:22,	33:3, 33:14, 33:17, 33:19, 34:4, 35:4, 38:10, 41:5, 41:8, 43:13, 44:9, 54:16, 55:24, 56:3, 56:9, 56:18, 56:19, 56:23, 57:6, 57:12, 60:10, 61:24, 62:12, 62:20, 65:16, 68:3, 69:19, 69:22, 72:20, 72:22, 73:7, 73:12 solid [7] - 49:20, 49:24, 50:9, 50:17, 66:23, 67:15 somewhat [1] - 53:1 somewhere [1] - 15:19 sorry [4] - 5:24, 13:24, 39:20, 44:2 sort [1] - 64:14 sound [5] - 12:11, 18:3, 18:12, 22:16, 33:9 sounds [4] - 18:2, 22:13, 51:2, 73:4 source [2] - 55:17, 55:18 sources [4] - 54:5, 55:3, 59:23, 72:17 South [1] - 7:14 south [7] - 25:15, 25:19, 26:1, 29:21, 46:18, 48:24 southeast [1] - 7:3 southerly [1] - 66:4 southern [1] - 25:12 space [2] - 9:2, 27:2 span [1] - 59:5 special [5] - 6:21, 9:9, 11:4, 37:6, 50:8 specific [1] - 54:9 specifically [5] - 11:2, 30:3, 32:7, 34:9, 55:3 spell [1] - 69:6 spellings [1] - 8:3 spent [2] - 36:18, 36:22 spoken [1] - 40:16 spring [1] - 35:1 SS [1] - 75:1 staff [6] - 3:10, 9:23, 11:16, 36:23, 49:5, 60:6 staff-wise [1] - 36:23 stage [1] - 22:23 stand [3] - 5:8, 9:5, 40:3 standing [5] - 6:23, 21:4, 21:16, 56:10,	71:9 start [4] - 18:16, 19:24, 23:21, 23:23 started [2] - 8:4, 12:18 starting [1] - 18:7 starts [1] - 55:23 STATE [1] - 75:1 State [2] - 55:9, 60:2 state [6] - 5:2, 7:13, 13:4, 35:7, 36:10, 69:1 States [1] - 59:24 stay [3] - 48:3, 71:1, 71:2 steel [1] - 15:10 step [3] - 36:10, 37:14 Step [1] - 14:4 steps [1] - 34:12 Sterigenics [1] - 43:20 still [9] - 4:16, 22:20, 22:21, 35:15, 44:14, 48:14, 48:18, 61:15, 67:13 stone [1] - 27:2 stood [1] - 70:13 stop [2] - 12:6, 47:7 stormwater [1] - 52:9 story [3] - 44:11, 48:3, 67:12 Street [2] - 7:4, 7:15 string [1] - 63:23 structure [10] - 13:2, 15:9, 15:19, 17:2, 17:11, 17:14, 19:4, 19:6, 20:10, 48:16 structured [2] - 35:5, 51:21 students [1] - 30:14 studies [22] - 29:6, 41:12, 43:12, 47:22, 53:22, 54:7, 54:17, 56:3, 57:1, 57:10, 58:3, 58:12, 59:7, 59:12, 64:17, 64:19, 65:5, 72:6, 72:7, 72:15, 72:24, 73:3 study [12] - 12:12, 21:1, 27:14, 27:18, 28:19, 29:4, 29:24, 34:8, 52:14, 56:8, 65:4, 72:8 stuff [3] - 47:16, 64:10, 64:11 subdivision [1] - 48:24 subject [1] - 31:6 submit [3] - 35:14, 35:23, 38:11 sum [1] - 63:24 summary [1] - 33:2
---	---	---	--	--

<p>sun [10] - 14:6, 14:7, 15:16, 17:6, 17:8, 17:11, 19:1, 19:13, 19:14, 33:7</p> <p>sunlight [1] - 29:15</p> <p>sunroom [1] - 70:13</p> <p>supplier [1] - 34:6</p> <p>support [5] - 15:13, 32:14, 32:20, 33:19, 56:15</p> <p>supposed [1] - 46:3</p> <p>sustaining [1] - 38:13</p> <p>SVS [1] - 57:11</p> <p>swear [1] - 68:16</p> <p>swore [1] - 39:21</p> <p>sworn [13] - 5:12, 7:9, 10:19, 36:13, 38:5, 40:5, 40:13, 67:21, 68:13, 68:18, 68:21, 70:20, 72:3</p> <p>system [12] - 6:24, 14:14, 15:7, 15:12, 15:18, 17:22, 21:4, 23:24, 31:23, 31:24, 33:21, 49:8</p> <p>systems [2] - 32:1, 44:15</p>	<p>testify [1] - 5:1</p> <p>testimony [6] - 3:15, 4:18, 4:21, 5:16, 73:17, 73:19</p> <p>tests [2] - 30:15, 33:16</p> <p>THE [1] - 69:7</p> <p>themselves [3] - 18:22, 21:2, 60:3</p> <p>Therefore [1] - 3:13</p> <p>thereof [2] - 75:12, 75:16</p> <p>they've [7] - 26:8, 35:11, 44:19, 52:7, 52:21, 53:2, 66:15</p> <p>thick [1] - 66:16</p> <p>thinks [1] - 64:12</p> <p>third [6] - 12:7, 22:22, 32:12, 33:19, 54:10, 57:9</p> <p>third-party [3] - 32:12, 33:19, 57:9</p> <p>threat [1] - 30:2</p> <p>three [13] - 7:17, 9:17, 15:8, 16:9, 21:12, 22:14, 38:15, 48:17, 53:16, 53:17, 55:3, 67:12, 69:17</p> <p>three-month [1] - 53:16</p> <p>three-story [1] - 67:12</p> <p>throughout [5] - 12:13, 12:22, 18:3, 19:21, 30:24</p> <p>tightened [1] - 63:3</p> <p>timeline [1] - 53:8</p> <p>timeliness [1] - 36:2</p> <p>timing [3] - 27:9, 35:3, 35:22</p> <p>today [3] - 41:16, 58:6, 70:13</p> <p>together [8] - 13:21, 60:6, 62:19, 63:4, 63:14, 63:17, 63:18, 63:23</p> <p>tonight [9] - 4:18, 7:17, 8:5, 9:8, 10:13, 11:20, 22:11, 23:15, 34:20</p> <p>tonight's [6] - 3:6, 3:9, 3:12, 3:15, 5:6, 71:22</p> <p>took [1] - 27:24</p> <p>top [1] - 16:1</p> <p>topic [3] - 29:14, 62:7, 73:5</p> <p>tornado [1] - 41:21</p> <p>totally [2] - 13:5, 67:10</p> <p>touch [5] - 16:20, 62:11, 62:12, 63:17, 63:18</p>	<p>touched [1] - 63:13</p> <p>towards [1] - 65:12</p> <p>toxic [11] - 16:13, 41:6, 41:9, 41:19, 53:24, 54:1, 61:8, 64:11, 64:14, 64:15, 64:19</p> <p>tracker [2] - 17:3, 20:9</p> <p>tracking [1] - 20:6</p> <p>trade [1] - 13:19</p> <p>traffic [2] - 23:2, 45:7</p> <p>transcribed [1] - 75:4</p> <p>transcript [2] - 75:8, 75:11</p> <p>transferred [1] - 14:10</p> <p>transmit [2] - 16:7, 62:16</p> <p>treatment [1] - 38:14</p> <p>tree [3] - 25:16, 25:21, 44:13</p> <p>trees [19] - 25:11, 26:16, 39:7, 42:15, 43:2, 45:10, 48:2, 48:5, 50:20, 51:8, 61:4, 66:15, 66:19, 69:11, 69:13, 70:7, 70:15, 71:1</p> <p>trespassing [1] - 49:14</p> <p>Tri [2] - 30:9, 31:22</p> <p>Tri-Creek [2] - 30:9, 31:22</p> <p>true [2] - 51:19, 75:7</p> <p>trust [2] - 69:21, 71:11</p> <p>try [4] - 23:14, 41:18, 51:13, 53:8</p> <p>trying [2] - 41:8, 56:9</p> <p>tube [1] - 48:11</p> <p>turn [5] - 14:17, 17:11, 17:14, 19:5, 36:3</p> <p>twice [1] - 48:5</p> <p>two [17] - 3:6, 3:8, 6:1, 10:2, 10:6, 11:12, 20:4, 20:22, 22:7, 28:18, 34:13, 34:15, 44:11, 53:16, 53:17, 63:13, 69:17</p> <p>two-story [1] - 44:11</p> <p>type [9] - 42:4, 43:7, 43:16, 48:15, 49:6, 49:11, 54:15, 61:12, 61:16</p> <p>typical [1] - 15:6</p>	<p>ultimately [1] - 8:17</p> <p>unanimously [2] - 37:3, 37:11</p> <p>uncertain [1] - 27:9</p> <p>under [5] - 10:2, 48:14, 63:9, 75:12, 75:14</p> <p>underneath [2] - 15:20, 31:16</p> <p>undisturbed [1] - 53:19</p> <p>unencapsulated [1] - 41:24</p> <p>unfortunately [1] - 58:7</p> <p>unit [1] - 38:21</p> <p>United [2] - 6:20, 59:24</p> <p>UNITED [1] - 1:6</p> <p>units [1] - 54:2</p> <p>universities [2] - 57:7, 65:3</p> <p>University [3] - 12:18, 55:9, 60:2</p> <p>unknown [1] - 44:1</p> <p>unless [2] - 61:20, 62:23</p> <p>unsafe [2] - 63:21, 64:1</p> <p>unusual [1] - 8:6</p> <p>up [37] - 12:10, 12:12, 16:8, 18:2, 22:18, 23:17, 27:12, 28:21, 29:1, 31:1, 34:17, 37:14, 37:20, 37:24, 38:3, 41:5, 41:22, 42:17, 44:4, 44:11, 44:13, 47:9, 50:15, 53:13, 56:16, 65:9, 65:11, 66:15, 68:2, 68:11, 68:12, 68:16, 69:9, 70:10, 71:9, 71:13, 73:5</p> <p>updated [1] - 52:13</p> <p>upgrade [1] - 57:3</p> <p>upstairs [1] - 9:4</p> <p>urgency [1] - 35:4</p> <p>utility [4] - 13:8, 15:1, 15:2, 15:5</p> <p>UV [1] - 24:7</p>	<p>various [1] - 32:1</p> <p>varying [2] - 72:18, 73:2</p> <p>VICE [13] - 4:11, 6:11, 21:10, 23:5, 25:6, 25:24, 31:11, 35:18, 47:1, 47:5, 57:11, 57:14, 74:5</p> <p>VICE-CHAIRMAN [13] - 4:11, 6:11, 21:10, 23:5, 25:6, 25:24, 31:11, 35:18, 47:1, 47:5, 57:11, 57:14, 74:5</p> <p>video [2] - 7:23, 23:10</p> <p>videos [2] - 22:10, 23:14</p> <p>view [4] - 31:21, 45:6, 66:13, 72:15</p> <p>violate [1] - 10:7</p> <p>visibility [1] - 66:20</p> <p>visual [1] - 66:13</p> <p>vital [1] - 35:22</p> <p>Vitosh [2] - 75:3, 75:20</p> <p>voice [2] - 18:13, 21:8</p> <p>voltage [3] - 30:17, 63:24</p> <p>voltages [1] - 63:20</p> <p>volts [1] - 63:23</p> <p>vote [4] - 6:6, 34:22, 70:14, 74:2</p> <p>voted [3] - 37:3, 37:10, 58:19</p>
<p>table [1] - 42:17</p> <p>Taker [1] - 2:13</p> <p>talks [2] - 26:22, 55:19</p> <p>tall [2] - 25:19, 39:6</p> <p>Target [1] - 45:7</p> <p>taxpayers [2] - 33:20, 48:4</p> <p>technical [3] - 10:17, 47:16, 50:23</p> <p>Technology [1] - 55:10</p> <p>television [1] - 24:4</p> <p>temporary [1] - 26:15</p> <p>ten [5] - 19:12, 19:19, 21:13, 22:19, 22:21</p> <p>term [3] - 43:12, 58:13, 66:10</p> <p>terminals [1] - 63:13</p> <p>terms [12] - 9:7, 13:12, 19:4, 34:12, 35:11, 47:17, 47:19, 53:14, 54:14, 57:8, 62:7</p> <p>test [3] - 19:3, 28:1, 60:17</p> <p>tested [1] - 19:7</p> <p>testified [10] - 7:9, 10:19, 36:13, 38:5, 40:14, 50:11, 67:21, 68:21, 70:20, 72:3</p>	<p>T</p>	<p>U</p>	<p>V</p>	<p>W</p>
<p>U.S [1] - 32:16</p> <p>ugly [1] - 67:5</p> <p>ultimate [1] - 67:14</p>	<p>vacation [1] - 14:24</p> <p>value [4] - 27:10, 27:13, 28:4, 29:3</p> <p>values [4] - 28:17, 34:7, 34:11, 44:7</p> <p>variables [1] - 72:23</p>	<p>wake [1] - 71:13</p> <p>walking [1] - 23:11</p> <p>wall [2] - 9:3, 67:7</p> <p>wants [3] - 44:16, 49:7, 68:16</p> <p>warranted [1] - 56:20</p> <p>washing [1] - 14:21</p> <p>watchdog [1] - 54:12</p> <p>watchdogs [1] - 32:13</p> <p>water [8] - 42:16, 42:24, 43:3, 43:10, 45:23, 46:4, 51:21, 52:20</p> <p>waves [1] - 23:23</p> <p>weather [3] - 41:20, 61:12, 63:1</p> <p>weather-related [1] - 41:20</p> <p>Wednesday [1] - 1:22</p> <p>week [1] - 38:15</p> <p>weeks [2] - 9:17, 10:24</p>		

<p>welcome [4] - 9:23, 16:19, 16:23, 73:1</p> <p>west [12] - 8:21, 9:3, 17:7, 26:24, 29:20, 38:9, 38:10, 38:23, 39:8, 50:1, 50:16, 66:6</p> <p>wetland [2] - 52:5, 52:8</p> <p>WHEREUPON [1] - 3:1</p> <p>whim [1] - 35:15</p> <p>whisper [2] - 19:9, 20:3</p> <p>white [1] - 17:17</p> <p>whole [4] - 52:8, 66:11, 66:13, 69:23</p> <p>Willowbrook [1] - 43:19</p> <p>wind [1] - 23:1</p> <p>windows [1] - 66:13</p> <p>windshield [1] - 16:4</p> <p>wires [3] - 16:7, 18:1, 62:16</p> <p>wise [2] - 13:16, 36:23</p> <p>wish [3] - 4:22, 5:6, 71:8</p> <p>wishing [1] - 5:1</p> <p>withdrawn [1] - 13:4</p> <p>witness [1] - 40:5</p> <p>witnesses [2] - 5:12, 7:18</p> <p>Witnesses [1] - 68:18</p> <p>wondered [1] - 50:20</p> <p>wood [1] - 25:20</p> <p>Woods [3] - 13:22, 40:16, 46:2</p> <p>works [4] - 12:10, 14:2, 29:11, 33:23</p> <p>worried [1] - 66:1</p> <p>worry [1] - 60:22</p> <p>worth [1] - 44:6</p> <p>wrapped [1] - 47:9</p> <p>written [2] - 38:11, 50:13</p>	<p>38:8</p> <p>YOUNG [15] - 4:6, 4:8, 4:10, 4:12, 4:14, 6:8, 6:10, 6:12, 6:14, 6:16, 74:3, 74:6, 74:8, 74:10, 74:12</p> <p>young [3] - 11:12, 30:22, 50:11</p> <p>Young [1] - 2:13</p> <p>yourselves [1] - 72:16</p> <p style="text-align: center;">Z</p> <p>zero [2] - 18:22, 33:22</p> <p>zilch [1] - 47:17</p> <p>zoned [2] - 7:2, 8:9</p> <p>Zoning [3] - 3:7, 3:19, 3:21</p> <p>ZONING [1] - 1:10</p>
Y	
<p>yard [2] - 60:20, 68:24</p> <p>yards [1] - 45:24</p> <p>year [2] - 26:20, 37:4</p> <p>years [9] - 12:19, 43:15, 43:21, 43:24, 51:17, 52:15, 56:21, 57:1, 57:21</p> <p>YORKVILLE [2] - 1:6, 1:7</p> <p>Yorkville [6] - 1:18, 6:20, 7:5, 7:15, 37:5,</p>	