
BUCHANAN COUNTY PLANNING AND ZONING
PUBLIC HEARING (WITH PUBLIC COMMENTS)

WEDNESDAY, JANUARY 15, 2020

THURSDAY, JANUARY 16, 2020

Location:

Buchanan County Courthouse
Division No. 3 Courtroom
411 Jules Street
St. Joseph, MO 64501

REPORTED BY: Pamela K. Koch, CCR
Official Court Reporter, Division 1
5th Judicial Circuit

APPEARANCES

PLANNING & ZONING

Denise K. Embrey, Director

BOARD OF PLANNING AND ZONING MEMBERS

James F. Whitson Chairman	Agency Township
Johnaphine Fenton Secretary	Rush Township
Glen Frakes	Lake Township
Rodney Fry	Bloomington Township
Fred Corkins	Platte Township
Patrick E. McLear	Jackson Township
Wayne Barnett	Center Township
Scotty Paul Sharp	Wayne Township
Alfred Purcell	Tremont Township
Shirley Day	Crawford Township

BUCHANAN COUNTY COMMISSION

Lee Sawyer
Scott Burnham
Ron Hook

LEGAL COUNSEL

Chad Gaddie

MODERATOR

Judge Abe Shafer (retired)

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1 PROCEEDINGS

2 PUBLIC PARTICIPATION HEARING

3 WEDNESDAY, JANUARY 15, 2020

4 MODERATOR SHAFER: Good evening, ladies and
5 gentlemen. If I could have your attention, please,
6 ladies and gentlemen. My name is Abe Shafer. I'm a
7 retired Circuit Judge and have been a member of the
8 Missouri Bar for over 51 years. I have been asked to
9 preside or moderate this public hearing tonight where
10 everyone will be allowed to express their views,
11 concerns and considerations.

12 The County Commission consisting of Presiding
13 Commissioner Lee Sawyer, Western District Commissioner
14 Ron Hook and Eastern District Commissioner Scott Burnham
15 are all in attendance tonight to listen to your
16 comments, along with members of the Planning Commission
17 and staff who will also be here to listen to your
18 comments.

19 The County Commission has established some public
20 hearing guidelines. So there will be fairness and a
21 full opportunity for everyone to be heard. Is anybody
22 up in the back having trouble hearing me?

23 PUBLIC MEMBERS: Yes. Speak up.

24 MODERATOR SHAFER: I'll try to speak up. Is that
25 better?

1 PUBLIC MEMBERS: Yes.

2 MODERATOR SHAFER: All right. Well, I just
3 mentioned that all members of your County Commission are
4 here. There are members of the Planning Commission
5 here. They're here to listen tonight to your cares,
6 your concerns, and listen to what you have to say as the
7 consideration of this matter goes on. The Commission
8 has established public hearing guidelines so that the
9 hearing will be fair and open to all residents who
10 desire to speak.

11 The purpose of the public hearing is to provide an
12 opportunity for interested parties to provide comments
13 about potential wind energy regulations in Buchanan
14 County. In order to establish an orderly, fair and
15 efficient process for all involved, the following
16 guidelines will be implemented:

17 Number One. Speakers must sign up at the hearing
18 prior to speaking. A written sheet was provided, and
19 speakers will be called to speak in the order of their
20 sign-up. It's my understanding that everyone here was
21 asked to sign the sign-up sheet, so you may be planning
22 on speaking or not. But when we get started with the
23 public portion of this hearing, I am going to call each
24 name on the sign-up sheet, and if you want to speak, you
25 will have your opportunity to speak. But certainly

1 because you signed in, you are not required to speak.

2 Each speaker will be required to provide their name
3 and address. Each speaker will be provided five minutes
4 to provide comments. The speaker is not required to
5 spend the entire five minutes. I have been given the
6 discretion to extend or shorten the time of a speaker as
7 necessary. In the event that testimony is provided on a
8 topic which is particularly unique or deals with an area
9 of scientific or mechanical expertise, I will be allowed
10 to extend the time allotted to provide a thorough
11 presentation of that same.

12 In lieu of oral testimony, parties or entities may
13 present input in written form. This can be accomplished
14 via three different methods; by sending the written
15 comments via email to dembrey@co.buchanan.mo.us; by
16 delivering or mailing the written comments to Buchanan
17 County Planning and Zoning, Buchanan County Courthouse,
18 411 Jules, St. Joseph, Missouri 64501.

19 During any public hearing, written testimony can be
20 hand delivered to the clerk conducting the hearing. Any
21 written commentary needs to be received by 5:00 PM on
22 January 31, 2020. All written commentary will be copied
23 and distributed to the Planning and Zoning Commission.
24 It will not be read aloud during the public hearing.

25 Testimony shall be limited to Buchanan County

1 residents or those entities wishing to conduct
2 wind-related business within the county. Any nonperson
3 entity, for example a company or a trust owning land in
4 Buchanan County, shall also have the opportunity to
5 provide testimony by a designated representative.

6 The hearings are expected to be conducted in a
7 courteous and orderly manner. Only the designated
8 speaker will be able to provide input at any given time
9 during the hearing. Outbursts or other unsolicited
10 commentary, for example cheering or booing during the
11 testimony, will not be tolerated. I reserve the right
12 to remove anyone from the hearing that does not follow
13 the rules set forth by your County Commission. I also
14 have the discretion to amend these rules as may be
15 deemed appropriate during the hearing.

16 Speakers are allowed to present exhibits in the
17 form of pictures, maps, etc. In the event they are
18 utilized, said exhibits will be retained by Buchanan
19 County for purposes of maintaining a record of the
20 hearing. Each speaker will have a single opportunity to
21 provide input. Rebuttal testimony will not be permitted
22 without my specific approval.

23 If the posted ending time for the public hearing
24 arrives without all speakers having had the opportunity
25 to speak, the hearing will recess and reconvene at the

1 next scheduled date. This hearing is scheduled to
2 recess tonight at 9 o'clock, and if necessary, will
3 reconvene tomorrow evening at 6 o'clock. If a future
4 date is not -- is needed, then one will be established
5 and public notice will be given.

6 Additionally, as I want to reiterate, this is not a
7 question-and-answer session. The County Commission and
8 members of the Planning Commission are here to listen to
9 your comments, concerns and suggestions. When a speaker
10 concludes, applause only will be permitted. Please
11 remember to not interrupt a speaker with applause or
12 booing or encouragement. Please do not use foul or
13 offensive language.

14 There has been prepared a list of questions,
15 frequently-asked questions.

16 Why are regulations necessary? The answer to that
17 is currently there are no regulations specific to wind
18 energy projects in the Buchanan County Zoning order. If
19 a wind energy company wanted to bring a project to
20 Buchanan County, there is no framework in place to
21 determine under what conditions the project would or
22 would not be allowed. The Buchanan County Commission
23 has requested that regulations be put in place to
24 address potential future wind energy projects. These
25 regulations would set specific rules for anyone wishing

1 to establish a wind energy project in Buchanan County.
2 All zoning regulations are an effort to balance the
3 freedom of people being able to do what they desire with
4 their property against the protection of the neighboring
5 properties and the community as a whole.

6 The process is as follows. Since wind energy
7 regulations require a great deal of scientific and
8 energy knowledge, the Buchanan County Commission
9 retained the engineering firm of Black and Veatch to
10 draft preliminary guidelines. They researched how other
11 communities dealt with the issue and provided a
12 preliminary draft. This initial draft was presented to
13 the Planning and Zoning Commission at two different
14 meetings and has been posted online.

15 The next step in the process is to gather input
16 from the community and interested parties. This is done
17 via public hearings. These hearings are an opportunity
18 for the Planning and Zoning Commission to listen and
19 determine what issues are important to those involved.
20 After the public hearing -- after the public hearings,
21 the Planning and Zoning Commission will conduct a work
22 session to amend the Black and Veatch draft. The
23 Planning and Zoning Commission is permitted to change
24 this preliminary draft and construct a final version
25 that best fits unique characteristics of Buchanan

1 County. Once the Planning and Zoning Commission
2 approves a final draft, their recommendation is then
3 sent to the Buchanan County Commission for a final
4 approval or a denial.

5 What is a setback? A setback is a minimum required
6 distance between a building project and a geographic
7 item. For instance, if there is a property line setback
8 of 2,640 feet, one-half mile, then a project cannot be
9 built closer than this distance to the property line.
10 Multiple setbacks can apply to the same project. For
11 instance, the project might contain a property-line
12 setback and a habitable-structure setback. This means
13 that the project must be a certain distance from the
14 property line, but must also be a certain distance from
15 any habitable structure. When there are multiple
16 setbacks that apply, typically the builder has to comply
17 with all of them to meet the code requirements.

18 Ladies and gentlemen, I will now begin to call for
19 speakers. If you have not already silenced your phone,
20 I would ask you to please do so. I've done my best to
21 silence mine, but I can tell you I've been in an open
22 courtroom and mine has gone off. So nobody is going to
23 fault you if it goes off. But I have tried to get mine
24 off and I hope I have accomplished the same.

25 The first person to sign in is Rick Knieb.

1 Mr. Knieb, do you desire to speak?

2 MR. KNIEB: Yes.

3 MODERATOR SHAFER: Would you please come up to the
4 podium, sir.

5 **RICK KNIEB**

6 MODERATOR SHAFER: Mr. Knieb, would you please
7 state your name and tell everyone where you live.

8 MR. KNIEB: Rick Knieb, 430 Southeast 90th Road,
9 St. Joseph, Missouri.

10 PUBLIC MEMBER: We can't hear.

11 MR. KNIEB: Sorry. **Rick Knieb, 430 Southeast 90th**
12 **Road, St. Joseph, Missouri.**

13 Good evening. First off, thank you for the
14 opportunity to address the Commission. As I said, my
15 name is Rick Knieb and I'm a resident and property owner
16 of Buchanan County. Marion Township is directly
17 affected by this project as my property will fall within
18 the boundary, or directly adjacent to the boundary of
19 the project.

20 I'm employed as a commodity manager for a major
21 manufacturing company in St. Joseph. As part of my
22 employment, my responsibilities include reviewing and
23 helping to write commercial agreements clearly laying
24 out the responsibilities of all concerned parties. As
25 I've read the latest revision of the zoning ordinance, I

1 see several areas that may need clarification or
2 additional information.

3 This evening I went to address the economic impact
4 that could be placed on nonparticipating residents of
5 the county. One of the objectives listed under
6 Section 1 of the proposed ordinance is to protect
7 property values and extended conditions. To make my
8 point, I'll be summarizing and quoting directly from
9 three articles that address the effect of wind farms on
10 property values. The discussion points these articles
11 make are mentioned in Section 6, Segment 10; Section 7,
12 Sections 2 through 4; Section 8, Segment 2 of the draft
13 ordinance.

14 These articles, along with others on the subject,
15 can be viewed in their entirety online. First article
16 is titled "Do Wind Turbines Lower Property Values?"
17 It's taken from Forbes.com dated September 23, 2015
18 written by Jude Clement. Jude's bio states that he is a
19 principle at JTC Energy Resource Associates and that he
20 has over 400 professional publications relating to
21 energy. He has also authored and edited reports for the
22 US Department of Energy.

23 Jude writes, "Wind farms flicker, make noise, cause
24 health problems and can be visual intrusions, so their
25 impact on property values, especially as wind power

1 grows, is increasingly concerning. It seems logical
2 enough, anything that would cause a potential buyer to
3 value a property less lowers its value. The value of a
4 piece of property, after all, is just what someone is
5 willing to pay for it. Markets are about supply and
6 demand, and all things being equal, why would someone
7 choose to buy a home with an industrial wind farm
8 nearby?"

9 Jude quotes Michael McCann of McCann Appraisals LLC
10 based in Chicago. "Residential property values are
11 adversely and measurably impacted by close proximity to
12 an industrial scale wind energy turbine project for up
13 to two miles. The range is 25 percent to approximately
14 40 percent of value lost."

15 The next article is a blog by Abigail Mooney dated
16 April 5th of 2019. Ms. Mooney's bio states that she is
17 a senior analyst at Greenfield Advisors with nearly a
18 decade of experience working on a variety of real estate
19 and business valuation projects. Additionally, she's a
20 program coordinator for the residential mortgage-backed
21 securities matters for that firm.

22 She writes, "Do wind turbines affect property
23 value? The answer is, in fact, yes, depending on
24 several conditions. To understand the degree to which
25 value is affected, we must first understand how they are

1 affected. So use and enjoyment. Noise pollution is
2 created by wind turbines, more particularly groups of
3 turbines at wind farms. Shadows and flicker may impact
4 nearby homes depending on their proximity to the wind
5 farm. Health impacts may arise for nearby residents
6 whose sleep is interrupted by noise and light issues
7 noted above. However, the long-term effects are largely
8 unknown.

9 Impacts to view may be considered a disamenity to
10 residents who experience limited overall visibility or a
11 change from a natural vista to a more industrial view.

12 Stigma and decreased demand. The anticipation of
13 adverse effect from wind farms has been noted by some
14 studies to have more impact on value than the effects of
15 the wind farms themselves.

16 While all of the above may not deter every buyer or
17 homeowner, the stigma of such issues alone can diminish
18 the pool of potential buyers, thus causing negative
19 impact on the price of the property. Along with the
20 studies that we reviewed, the highest diminution that we
21 saw was 40 percent, and that was in the circumstances
22 where the wind turbine was located directly on the
23 property. While that loss of percentage was on the high
24 end, most studies show that the loss of property value
25 from wind farm in the United States is somewhere between

1 zero and 35 percent."

2 The last article I will cite is from a Forensic
3 Appraisal Group website from Neenah, Wisconsin titled,
4 "Do Wind Turbines Affect Property Values?"

5 "Wind turbine companies say it doesn't, and so do
6 their advocates. But they have something to protect by
7 saying so. After all, what company would ever admit
8 that their product damages people's quality of life?
9 Groups against wind turbines and wind farms say that it
10 does. They cite noise, blinking lights at night, view
11 obstruction and other factors as well. But they also
12 have something to gain by saying so. Maybe they just
13 don't like the change or maybe they're just rebels
14 looking for a cause.

15 Through our research, we've interviewed dozens of
16 realtors, because they have nothing to gain by taking
17 sides in this debate, making them the perfect barometers
18 of public perception of wind turbines and their effect
19 on property values. After all, a realtor's job is to
20 sell. If the market says a house with polka dots sells
21 for less than a house of a single color scheme, a good
22 realtor adopts the public's perception of value and
23 discounts the polka dotted house to make the sale."

24 MODERATOR SHAFER: Excuse me, sir, your time has
25 expired. But because of the technical information

1 you're presenting, I'll allow you to continue. Can you
2 wrap up in another 30 seconds or so?

3 MR. KNEIB: Yes. Thank you.

4 MODERATOR SHAFER: If you would like to submit your
5 written information to the clerk for consideration by
6 the Planning Commission, you are most welcome to do so.

7 MR. KNEIB: Thank you. Do I still have the 30
8 seconds?

9 MODERATOR SHAFER: You've still got the 30 seconds.

10 MR. KNEIB: Okay. So what do most realtors think
11 of property -- think of the property that once had an
12 attractive view shed that now looks at wind turbines?
13 According to research, an overwhelming majority of
14 realtors say the wind turbines negatively affect
15 property value. They estimate the range of impact from
16 10 percent reduction to be completely unsellable."

17 In reviewing the ordinance before this evening,
18 mention is made of required property value impact study
19 Section 6 and Section 10. We're going to skip that
20 portion and go to the wrap-up.

21 In closing, I urge the Commission to consider that
22 for many people their home is their greatest asset.
23 Buchanan County should not adopt any rezoning ordinance
24 that does not protect the citizens by diminishing
25 property values resulting from industrial building

1 projects. In rezoning, if rezoning is undertaken -- is
2 allowed, this or any other wind project to move forward,
3 an ordinance should be -- should include language that
4 states that residents who suffer from reduction of
5 property as a result of the project shall be compensated
6 for the diminished value of their property by the entity
7 responsible for the project. They should also lay out
8 the methodology for determining the diminished value so
9 that any disputes are avoided on the back end. Thank
10 you, and I appreciate your consideration.

11 MODERATOR SHAFER: Thank you, sir. I apologize I
12 mispronounced your last name.

13 Stephanie McGuire or Karl McGuire.

14 **STEPHANIE MCGUIRE**

15 MS. MCGUIRE: Five minutes is going to be
16 optimistic, I'll let you know. May I approach, Your
17 Honor?

18 MODERATOR SHAFER: You may.

19 MS. MCGUIRE: I only made 12 binders. You have my
20 apologies. So you may have to share. There's not
21 enough to go around.

22 PUBLIC MEMBER: Your Honor?

23 MODERATOR SHAFER: Yes?

24 PUBLIC MEMBER: Can I allot my time to Stephanie so
25 that she can have more time?

1 MODERATOR SHAFER: That is not permitted. I will
2 discuss with Ms. McGuire how much time she needs and
3 make a determination so that we can afford everyone
4 involved the information needed.

5 PUBLIC MEMBER: We still can't hear.

6 MODERATOR SHAFER: Can you not hear me?

7 PUBLIC MEMBER: We can hear you.

8 MODERATOR SHAFER: But you couldn't hear the last
9 speaker?

10 PUBLIC MEMBER: Yes.

11 MODERATOR SHAFER: Well, we'll ask everyone to
12 speak up. That may be our only solution, ladies and
13 gentlemen. Yes, Ms. McGuire.

14 MS. MCGUIRE: Can I put this on the record?

15 MODERATOR SHAFER: Put whatever on the record that
16 you want. Everything is on the record.

17 MS. MCGUIRE: You talked about time. Do you want
18 me to ahead and start presenting and then make a
19 determination if I get additional time?

20 MODERATOR SHAFER: How much time are you
21 requesting, and who are you and who do you represent?
22 Would you step to the podium, please, so that everyone
23 can hear you. Thank you. I apologize.

24 MS. MCGUIRE: Oh, no problem. No problem. **My name**
25 **is Stephanie Karl McGuire.** Can you guys hear me in the

1 mic? I currently reside at 219 Yorkchester Drive in
2 Houston, Texas. However, I am a **taxpayer and property**
3 **owner at 2145 Northeast Road 139 in Marion Township.** I
4 am addressing you here tonight because I have a very
5 unique perspective on these regulations. My family has
6 owned and operated the farm at that location in Marion
7 Township for approximately 150 years. We've owned,
8 operated that farm, and a lot of our respective heritage
9 comes from that unique perspective.

10 In case you've never seen one, these are historic
11 documents. Can you all hear me? These are historic
12 documents. It's called an abstract of title. It traces
13 the history of the land. And some of the earliest
14 documents in this bundle go back to 1842. So I have a
15 little different perspective on land and land use in
16 Buchanan County.

17 I'm also a lawyer. I practice law in Houston,
18 Texas. I'm not a land-use expert, but I have read
19 plenty of legal documents. So my perspective on what
20 these documents mean, where we're going, why regulation
21 is important, is perhaps a little bit different from
22 some other people that are standing in the room.

23 There's no doubt that renewable energy is the
24 future. We have to look forward to something other than
25 what we've done in the past. I want to be clear that

1 I'm not against wind energy. I think it's a good thing.
2 However, I am for responsible regulation of what that
3 industry is and how it is conducted in our county. Your
4 role in this process as the Planning and Zoning
5 Commission is especially vital today. If you ask why,
6 let me tell you.

7 There is a myriad of federal regulation regarding
8 wind energy and other areas such as the environment.
9 However, in Missouri, there is no overarching regulation
10 or state agency that governs wind energy in our state.
11 For that reason, you serve a vital role, because you are
12 the first step when a developer comes to our county to
13 try to protect not only property owners, but property
14 values. So it's very, very important.

15 In case you didn't know, NextEra, who is looking at
16 developing our county, is a publicly traded company.
17 There's a wealth of information about publicly traded
18 companies available on the Internet. They file
19 something called a 10-K every single year talking about
20 their financial health and condition. There is a
21 portion of their 10-K that is behind Tab 13 in your
22 binder in case you don't know what that is or have never
23 seen a 10-K. The true document is about 150 pages. I
24 only reproduced about 13 pages. But it gives you a
25 snapshot of what the company is, what it does and where

1 it operates.

2 Large publicly traded companies are capable of
3 funding years, if not decades, of aggressive litigation
4 with nationally known law firms against individual
5 owners, townships, counties and even states. If there's
6 any question about that, then you just need to look to
7 our eastern neighbors in Washington Township in Clinton
8 County. If something like that scares or intimidates
9 you, it really shouldn't. To the contrary, it should
10 solidify your resolve to critically examine the proposed
11 regulations that are before you. It reveals who and
12 what you are dealing with. You need to square up, be
13 cautious, ask questions, ask a lot of questions, ask
14 tough questions. And if the answers don't make sense,
15 keep asking the questions.

16 Perhaps the first question people should be asking
17 is, Are there potential undisclosed conflicts of
18 interest? If you've discussed this, fantastic. That's
19 great. Because that's the way good governance rules.
20 If you haven't, you need to ask questions.

21 For example, I really don't expect you to raise
22 your hands or answer me tonight. But have you discussed
23 if anyone has family employed by the wind turbine
24 industry that's on this Board? Does anybody have stock
25 in a publicly traded wind turbine company? Does anybody

1 own property under contract with a wind turbine company?
2 Has anyone sought representation by the law firms
3 representing the wind turbine companies? I would also
4 urge you to check out the Missouri Ethics Commission and
5 filings there. Some of that information could be very,
6 very revealing.

7 Disclosing potential conflicts of interest are
8 necessary to determine who should be allowed to
9 participate in the discussion, deliberation and debate
10 over the proposed regulations. So I have a series of
11 visuals that I prepared to share with you tonight.
12 Those of you that have binders, you have smaller
13 versions of these visuals behind Tab 1 in your binders.
14 If you want to follow along with me, feel free to do so.
15 Some of the larger visuals are somewhat pixilated
16 because they were blown up. So the first poster is
17 behind Tab 1.

18 During the January 2019 meeting, NextEra came
19 before you and told you they were interested in
20 developing land in Buchanan County. (Timer)

21 Is that my timer, Your Honor?

22 MODERATOR SHAFER: That is your five minutes. Now,
23 we can approach this one of two ways if I can get the
24 timer turned off. We can approach this one or two ways.
25 I can extend your time by a couple more minutes and

1 allow you to submit anything you want to the Planning
2 Commission and make it a part of the record as I
3 initially indicated. If you want to speak further,
4 you're welcome to come back tomorrow evening or if we
5 finish before 9:00 tonight and everybody's finished, you
6 may continue. But it's not really fair to have everyone
7 be limited to five minutes approximately and offer you a
8 half an hour, or whatever it looks like to me you're
9 probably thinking. Is that what you're thinking?

10 MS. McGUIRE: I don't have a particular time in
11 mind, Your Honor.

12 MODERATOR SHAFER: Yes.

13 MS. McGUIRE: But I would like to address these
14 issues. I think some of the issues that I have in my
15 presentation address questions that the Planning and
16 Zoning Commission had asked earlier on based on my
17 review of their minutes both from January 2019 and
18 during a public hearing that was conducted in September
19 of 2019. So I think the issues are out there. Some of
20 these are directly responsive to issues that they asked.
21 I appreciate there's a lot of people that have opinions
22 on this. I'm happy to continue. I can hit on a couple
23 of high points that are regulation specific. However,
24 there's a lot of information here, I will admit.

25 MODERATOR SHAFER: I can see that there is. But it

1 is information you can submit in written form to the
2 Commission, is that right? Is that right?

3 MS. McGUIRE: Some of it, yes. But some of it
4 definitely needs explanation.

5 MODERATOR SHAFER: Do you want to see how things go
6 throughout the evening or into tomorrow evening? If we
7 have enough time, come back and I can give you more time
8 at the end.

9 MS. McGUIRE: If Your Honor would allow me, I have
10 a couple of minutes to skip to one specific section on
11 regulation.

12 MODERATOR SHAFER: Granted.

13 MS. McGUIRE: Then I could come back tomorrow night
14 if the Planning and Zoning Commission would so allow,
15 and I can follow up on some of these other issues that I
16 have in my presentation.

17 MODERATOR SHAFER: Two minutes allowed, thank you.

18 MS. McGUIRE: Very good. Thank you, Your Honor.

19 MODERATOR SHAFER: You're welcome. Thank you.

20 MS. McGUIRE: All right. So without further ado,
21 let's skip over to one of the biggest issues that I am
22 gravely concerned with regarding regulation in this
23 county, and that is decommissioning. It is not
24 something that gets a lot of discussion, but it is very
25 vital in terms of maintaining property values and

1 putting a system in place to make sure that whatever
2 operator comes in here, NextEra or otherwise, is
3 responsible for what they leave behind in the county.

4 In the current regulations, the decommissioning and
5 restoration falls under Roman Number XI. So in your
6 books that I've presented to you, if you look at Tabs 5
7 through 9, most of those are articles or other studies
8 that deal with decommissioning of commercial wind
9 turbine systems. And there's also some legislation from
10 Texas that is fairly recent legislation. Texas is a
11 leader in the wind power industry. That legislation I
12 think is very vital for you to look at because there are
13 specific contract provisions in Texas that cannot be
14 waived by the operator or the individual landowner with
15 respect to the decommissioning process. So once again,
16 this is a way for you to take steps to protect the
17 landowners in Buchanan County with respect to any wind
18 turbine development.

19 I would also like to point out that I think the
20 costs of decommissioning are far higher than what has
21 been represented in the past. During the September 2019
22 meeting, it was represented to this body that the cost
23 of decommissioning was approximately \$25,000 per
24 turbine. I would take that with a big grain of salt.
25 If you look at Tabs 9 and 10 in your book, those are

1 both submissions regarding decommissioning. One of them
2 is a February 2011 letter from Excel Energy. In that
3 letter to the Minnesota Regulatory Agency, their
4 estimate was a cost of \$445,000 per turbine to
5 decommission. That's quite a bit different from
6 \$25,000.

7 The second article is behind Tab 10. That is an
8 independent study done about a New York project
9 completed back in August of 2019. That turbine project
10 was comprised of 117 turbines. And that estimate -- the
11 overall estimate for decommissioning the entire project
12 of 117 turbines, if you include removing access roads,
13 operations and maintenance buildings, was approximately
14 18.2 million.

15 (Timer) There it goes. I could spend a lot of
16 time speaking with you. I do have a lot of material.
17 I'll be happy to come back again tomorrow night. I
18 thank you all for taking the opportunity to have a
19 public hearing and listen to everyone's comments. This
20 is a vital issue that we all need to address. Thank you
21 again.

22 MODERATOR SHAFER: Thank you so very much,
23 Ms. McGuire. Joel Worsham.

24 **JOEL WORSHAM**

25 MODERATOR SHAFER: Please state your name and where

1 you reside.

2 MR. WORSHAM: Thank you. **My name is Joel Worsham.**
3 **And I live at 1141 Notheast Davis Road, Easton, which is**
4 **in Marion Township.** Helping me is my wife Cindy. We've
5 been married for, I don't know, 41 years, something like
6 that. We own 50 acres out here. We built our house
7 about 25 years ago. We really -- we like Buchanan
8 County and we're pretty good residents, we think, and
9 try to pay our taxes and be good citizens. We want to
10 thank you for the opportunity to present to you guys
11 some of our concerns and thoughts that we've been
12 working on the proposed regulations of Draft Three. And
13 I've done some editing on that.

14 My job history is I was a sales rep in the sporting
15 goods business for 38 years. I retired a couple of
16 years ago. Primarily the last several years I was
17 managing an ammunition business for a major ammunition
18 company for the law enforcement business. I actually
19 sold Buchanan County and St. Joe Police Department their
20 ammunition. So I only pray that they don't ever have to
21 use it.

22 From a personal point of view, the concerns that
23 I've got is I'm not against renewables at all. A number
24 of my neighbors have got solar panels. I kind of wish I
25 did, because they tell me they don't have to pay any

1 electricity bills and we do. But the concerns that I've
2 got is the quality of life that we're going to have
3 handed to us if a wind energy system comes through.

4 My point of view is I think that our county is way
5 too urban for this type of a project. It has a huge
6 visual footprint from a long way. Putting it in
7 perspective, if you take a look at the KQ2 Tower, the TV
8 tower, it's 587 feet. These turbines are 600. I had
9 lunch yesterday at Fazoli's and that's about a quarter
10 of a mile from the KQ Tower. You've got to look like
11 this, and that's a quarter of a mile away. So it's a
12 huge impression on your visual. From our deck at night,
13 we see the turbines over at Osborn and over toward
14 Maysville. The lights blink every three seconds. It's
15 got a huge footprint on us.

16 I brought this little sign, we had this little sign
17 made. How would you like this to be your house? It
18 gives you the perspective of how many feet from that
19 guy's house each one of those turbines are. And if you
20 look at -- we're looking at a half-mile setback, I
21 think, is what is in the regulation. 3,900 feet from
22 that guy's house to that one turbine right there 2,900.
23 The thing is pretty big. And if you've got 100 of them
24 on the landscape around you, it's got a lot of
25 impression to you.

1 So I'll give you a binder. I'll also give you a
2 thumb drive that's got full presentations on it. I've
3 got partials in the binder. So if you want to take a
4 look, what I did was I highlighted in yellow the things
5 that are a concern to me. Then I post questions or
6 issues in the bluish print.

7 Looking through, there's property values, impact
8 studies. I've included six of them back in the deal.
9 You can easily get them on the web. I also got one from
10 a guy named Mike McCann, who's been referenced already
11 tonight, who presented down in Clinton County. He had a
12 PowerPoint that's pretty powerful. He shows that
13 without a doubt, that turbines, depending on the
14 proximity to your land, has a great devaluation
15 depending on the distance, 15 to 40 percent, which is
16 huge. My wife and I are going to be -- I'm 69. We're
17 going to be looking at retiring in town, and sometime in
18 the future we'll want to sell our place. Taking a 40
19 percent hit, we don't know what our neighbors are going
20 to do. There could be one right across the road from my
21 place for all I know. But taking a 40 percent decrease
22 on the valuation of my property is a huge hit through no
23 cause of my own. I didn't do anything. The funds that
24 we saved to pay for our place when we sell it should
25 help see us through our golden years. And that can be

1 dramatically impacted by what happens here in this
2 progression.

3 MODERATOR SHAFER: Mr. Worsham, your time has
4 expired. I want to thank you for the written
5 information you've submitted. You may submit a copy to
6 the court reporter so that it may be part of the record
7 of tonight's hearing.

8 MR. WORSHAM: So I got the hook? I understand.
9 Thank you. Thank you very much for your service to our
10 county. I appreciate you looking through these tabs
11 that I provided for you. There's a lot of information
12 in here. And you'll hear from a lot of other folks I'm
13 sure.

14 Just in closing, we don't think it's a good fit for
15 our county for reasons that I stated, and others.
16 There's issues of wildlife, eagles. I saw an eagle
17 today in the Platte River bottoms soaring around, okay?
18 The regulations say two miles from an eagle's nest.
19 Well, eagles aren't nesting right now. They're flying
20 around. What happens if one of those gets killed? The
21 turbine -- we would probably never know it.

22 MODERATOR SHAFER: Thank you, Mr. Worsham. Could I
23 ask you please, if you will give to the court reporter
24 whatever you have for the Planning Commission? Thank
25 you, sir. Thank you.

1 David Laderout.

2 **DAVID LADEROUT**

3 MR. LADEROUT: Your Honor, thank you for saying my
4 name properly.

5 MODERATOR SHAFER: You're welcome, sir. I'm
6 familiar with the Laderout name.

7 MR. LADEROUT: Well, we're all cousins --

8 Your Honor, members of the Commission and the
9 Zoning Board members, I just have a couple of things, so
10 I won't probably get the hook tonight. I don't have a
11 lot of handouts. I just have some words to say to you.

12 I rise in opposition to the wind energy systems in
13 our county period. I do so as an energy economist, an
14 energy engineer and a conservationist. I have over 40
15 years working in the utility industry, and I helped on
16 system planning pertaining to tens of thousands of
17 megawatts of energy systems.

18 Wind energy systems are very much like a drug. On
19 one side we've got the government, particularly the
20 federal government, and other organizations feeding
21 money into the system. And if that money weren't there,
22 the wind energy systems for the most part wouldn't be
23 there.

24 On the other side we've got a situation where the
25 drug money is flowing out to the communities,

1 particularly if they to schools and stuff, as an
2 enticement to invite these wind energy systems to come
3 in and locate in the community.

4 So that's my high horse. I've got three particular
5 areas I wanted to focus on. First of all,
6 administration help on page 5 of the proposed Zoning
7 Draft Three, This ordinance shall be administered by the
8 county Planning and Zoning inspector code enforcement
9 official. I think that there needs to be some technical
10 assistance associated with this, someone who's got
11 experience working with wind energy systems or at least
12 has a background strongly in the utility industry,
13 perhaps as an electrical engineer.

14 Number two. I find the 600-foot limit a little bit
15 baffling. Number one, because it wasn't in any of the
16 prior drafts and it just popped up in this draft without
17 any type of public notice or hearing that I'm aware of.
18 I think the 600 feet is too high. I also am a bit
19 concerned about the proportion of the regulations, this
20 is on page 13, that allows for someone to come in and
21 get a zoning variance for a higher level. So I'd be
22 real concerned somebody coming in at 700 and then 800
23 and 900 and so on. As the gentleman said a few moments
24 ago, the KQ Tower is 700 feet tall, 600 feet tall,
25 excuse me. And I believe that's a bit much. I think if

1 we're going to have zoning for wind energy systems, we
2 need to rethink that.

3 The final area I wanted to speak about is the area
4 of penalties on page 15. I find \$500 per occurrence for
5 a system that's going to be millions and millions and
6 millions of dollars, sadly on the low side. If you go
7 out and get a DWI, it's going to cost you more than \$500
8 in fines and by the time -- there you go, I got a smile
9 on that gentleman. By the time it's all said and done,
10 I know I've got expense. Okay? By the time it's all
11 said and done, you're going to spend thousands and
12 thousands of dollars with your insurance company, your
13 lawyer, your fines and so on. So I'd appreciate it if
14 you would take a look at that \$500. I think that's a
15 bit on the low side.

16 That's all I have to say. Thank you very, very
17 much, ladies and gentlemen, for your attention and your
18 work on this. Your Honor, Commissioners, thank you.

19 MODERATOR SHAFER: Thank you. Thank you
20 Mr. Laderout. John Slayton.

21 MR. SLAYTON: No. No.

22 MODERATOR SHAFER: I'm sorry?

23 PUBLIC MEMBER: He just signed in.

24 MR. SLAYTON: I'm not talking.

25 PUBLIC MEMBER: He and the next three people -- the

1 next two people with that last name.

2 MODERATOR SHAFER: And that would include Marsha
3 and Margaret, right?

4 PUBLIC MEMBER: Yes.

5 MODERATOR SHAFER: Barry Birr, B-I-R-R. Do you
6 wish to speak, sir?

7 MR. BIRR: Yes, please.

8 MODERATOR SHAFER: Please come up.

9 **BARRY BIRR**

10 MR. BIRR: **My name is Barry Birr. I live at**
11 **3 Shadow Ridge, Easton 64443.** It's in Marion Township.
12 I am one of the founders of the citizens' group Friends
13 of Buchanan County. I thank you for this public
14 hearing.

15 Our group opposes commercial wind energy
16 development in Buchanan County because of the county's
17 population density and because of potential negative
18 impacts on economic development, quality of life and
19 overall property values. We are asking you members of
20 the Planning and Zoning Commission to ban commercial
21 wind power plants in Buchanan County. And we're asking
22 the County Commissioners to join you in this. Our
23 neighbors in Clinton and Caldwell Counties have done
24 this. And NextEra has withdrawn its legal action
25 contesting Clinton County's right to do so.

1 But if Buchanan County leaves the door open for
2 wind power plants by proceeding with this ordinance, we
3 ask that you take specific steps to protect the citizens
4 you represent. Our group is asking for a minimum
5 one-mile setback between wind projects and property
6 lines. We believe this is necessary to protect the
7 property and quality of life of the neighbors of wind
8 power plants. We've heard it said that a one-mile
9 setback is too restrictive, that no building site here
10 would meet those requirements. Well, if so, that should
11 be a message that unlike less populated communities,
12 Buchanan County is not suitable for this kind of
13 development.

14 This third draft of the zoning ordinance for wind
15 energy conversion systems calls for a minimum setback
16 that included a half mile from property lines. This is
17 a change from the first two drafts, and it is a step in
18 the right direction. But there are also provisions for
19 quarter-mile setbacks from habitable structures
20 belonging to nonparticipating landowners and a
21 quarter-mile from all rural schools. What are those
22 doing in there if a half-mile setback from property
23 lines is the minimum?

24 There seems to be a loophole in the provisions. At
25 the top of page 8, Section 1, second sentence, If there

1 are particular setbacks that a WECS permit applicant
2 believes are too restrictive or that cause hardships for
3 the project, Buchanan County will review specific
4 locations at the applicant's expense to determine
5 whether a modified setback would be appropriate on a
6 case-by-case basis. What good are requirements if
7 they're negotiable? I thought one of the arguments for
8 specific ordinances was to avoid case-by-case decisions.
9 I urge our Planning and Zoning Commission members and
10 our County Commissioners to nail that down and make sure
11 a half-mile property line setback can't be compromised.

12 I also have a question about the property values
13 impact study called for in the permit application
14 contents on page 6 at item number 10. If the applicant
15 does the study, are the results credible? Will the
16 applicant admit that the project might harm neighbors?
17 Common sense tells you that people are not likely to
18 build houses and schools and businesses and churches
19 under turbines. Real estate agents tell you all the
20 time it's all about location, location, location. If
21 you had a choice, would you build or buy a house under a
22 turbine? And if the answer is no, you recognize that
23 these locations are less desirable, which means these
24 properties are less valuable. It may be true that
25 turbines increase the value of a property they're built

1 on, at least temporarily.

2 MODERATOR SHAFER: Excuse me, sir, you have --

3 MR. BIRR: Not so fortunate is the neighbor who
4 gets all the negatives and none of the benefits. The
5 setbacks also include a one-mile buffer around so-called
6 natural areas like conservation areas. This is good.
7 My only question would be, if ducks, geese and wild
8 plants deserve a one-mile setback, should people on
9 their own property get anything less?

10 Also on setbacks, St. Joseph would have a two-mile
11 buffer around it, which I support. But other cities,
12 towns and villages in the county would only get a
13 quarter-mile. Are smaller communities less important?

14 On page 11, the provisions deal with measures to
15 reduce the visual impact of wind turbines. The fact
16 that this section is here at all is an admission that
17 these gigantic machines change the landscape and somehow
18 they need to be toned down. But there's no cammo paint
19 for wind turbines. How do you hide a machine 60 stories
20 tall topped by a spinning rotor the size of a football
21 field? You don't hide it. You can't. Thank you.

22 Thank you, Your Honor.

23 MODERATOR SHAFER: Excuse me, sir, your five
24 minutes. Thank you very much for your consideration,
25 sir. Thank you.

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Lynn Anderson.

LYNN ANDERSON

MR. ANDERSON: I'm Lynn Anderson at 2866 Northeast 110th Road, Easton, Missouri in Marion Township.

MODERATOR SHAFER: Thank you, sir.

MR. ANDERSON: You're welcome. Buchanan County Planning and Zoning Board and Commissioners, and fellow Buchanan County landowners, I'm Lynn Anderson and I'd like to share some of my thoughts this evening. I'm a lifelong resident of Buchanan County. As a landowner, I understand and desire landowner rights. I want to have a choice in the use of our property. As a farmer, I understand the economics of a profession that does not provide a surplus of cash flow. I had a front-row seat in the arenas of the 1980s farm crisis.

I saw hard-working well-managed family farms suffer from a degrading farm economy. The result, the lesson learned, was to have some sort of cash flow income that would prevent financial vulnerability. But as tempting as the income would be from installed wind turbines, I think there are several reasons to avoid having wind turbines as an income source.

My grandparents, Emmett and Ruby Nold, farmed 90 acres, the 90-acre farm north of Moffatt Nursery during the depression, and were able to hold onto it during the

1 depression of the 30s. They did custom grain thrashing,
2 truck gardening and had a dairy, all of which provided
3 cash flow. During my life, I observed my grandpa
4 keeping his farm intact while neighboring farms were
5 sold, divided and new numerous neighbors moved in
6 sharing their children and dogs. I saw Grandpa
7 transition to enjoy these new neighbors, thus making new
8 memories. I later found out, usually at funerals, the
9 positive memories these children had on my grandpa's
10 farm.

11 On February 8, 1994 around 4:30 PM, our aging
12 farmhouse caught on fire. As we were scurrying about,
13 several of our neighbors -- several are seated here
14 tonight, stopped by on their way home after their work
15 day to help empty the house. This was taking place
16 where our neighborhood volunteer fire department was
17 getting in position to stop the fire. Again, I'm
18 sharing the value of financial prudence and the value of
19 relationships.

20 So now as a farmer/landowner/neighbor, I'd like to
21 share my opinion about wind turbines. I like
22 alternative energy. We have three solar systems
23 installed which provides us with utility savings and
24 electric utilities with usable electricity. We are
25 interested -- we are invested in ethanol plants which

1 provide fuel alternatives to foreign oil, which ethanol
2 is made from a plant-based material which can be raised
3 on our land year every year. I have researched wind
4 turbines like most major purchases I have made. I've
5 asked friends and acquaintances who are owners. And I
6 need to admit that I do have friends that have wind
7 turbines and I have friends that do not own wind
8 turbines, but they live very close to the installed
9 turbines. Much is to be learned when you listen to
10 friends.

11 I'll summarize in close with two more points.
12 After talking to various landowners who have wind
13 turbines, combined with my experience of over half a
14 mile of waterline leases and over a mile of petroleum
15 line lease, I don't see wind turbines as a good fit on
16 our land. The potential income is not worth the
17 permanent change done to our fertile soils and our open
18 ridges on our farms.

19 I've also seen negative effects on neighbor
20 relationships where wind turbines were not wanted. And
21 I certainly don't want to do that to my neighbors.

22 My lost point, which is an offer, I'm willing to
23 connect anyone interested in wind turbines to visit wind
24 turbine owners that are not fully satisfied and regret
25 installing it. These owners live in Missouri. I was

1 fortunate enough to be on their property having an open
2 and candid conversation about their experiences which I
3 learned would cause them not to install any more wind
4 turbines. My offer is to coordinate and escort eligible
5 Buchanan County landowners to an open discussion about
6 all aspects of wind turbine ownership.

7 Our Friends of Buchanan County group is also in the
8 process of making a checklist of questions to ask prior
9 to any contract signing, thus giving you the opportunity
10 to know as much as possible before making your final
11 decision.

12 After all, having the best possible relationship
13 with neighbors has a value that money can't purchase.
14 Thank you.

15 MODERATOR SHAFER: Thank you, Mr. Anderson.
16 Mrs. Anderson, Rhonda Anderson. You may proceed.

17 **RHONDA ANDERSON**

18 RHONDA ANDERSON: Thank you. Good evening. **My**
19 **name is Rhonda Anderson. I live at 2866 Northeast 110th**
20 **Road, Easton.** I have an Easton address, reside in the
21 St. Joe School District and have been a Buchanan County
22 voter for 32 years. Thank you for this opportunity to
23 speak to the Buchanan County Planning and Zoning
24 Commission and Commissioners.

25 I have seen industrial wind plants go up around my

1 hometown and around our state and country in various
2 places. Now since this has come up in our area, I have
3 been educating myself about wind turbines. Someone once
4 said you can find anything online to support your
5 opinions, but that is when you continue researching to
6 find the facts. Many of the residents of Buchanan
7 County have been just that as you have heard, and we
8 continue to hear on the research of the effects of the
9 wind turbines.

10 This has been a subject that makes me scratch my
11 head and ask myself, Why would we want wind turbines? I
12 will say, most of the time when something doesn't make
13 sense, follow the money. This is not an exception.

14 Let's not fall into the trap of these wind
15 turbines. There is enough research from other counties
16 who have them for us to know it is not a good fit for
17 our county.

18 Now, I would like to refer to the third draft of
19 the proposed wind energy ordinance. I'm asking for a
20 one-mile setback from property lines, one-mile setback
21 from schools and a two-mile setback from cities, towns,
22 villages, the same as St. Joseph.

23 Planning and Zoning Board, Commissioner Sawyer,
24 Commissioner Hook, Commissioner Burnham, this is under
25 your watch. You have been put in this leadership for

1 such a time as this to help protect our county. And I
2 also would like to thank you, and I would like to leave
3 the ordinance. And I've highlighted some of the items I
4 would like for you guys to look at again and hopefully
5 change. Thank you.

6 MODERATOR SHAFER: Thank you. Gale Grable. Gale
7 Grable, G-R-A-B-L-E. Nancy Grable. Gale Grable and
8 Nancy Grable will be passed.

9 Debra Kretzer. Debra Kretzer.

10 MS. KRETZER: Your Honor, I'm not interested in
11 speaking.

12 MODERATOR SHAFER: Thank you very much for
13 attending. Richard Kretzer, is your position the same
14 circumstance?

15 MR. KRETZER: Yeah. I'm just here to listen.

16 MODERATOR SHAFER: Yes, sir. Thank you. Donna
17 Kneib.

18 MS. KNEIB: I don't wish to speak.

19 MODERATOR SHAFER: Mike Simon. Yes, sir,
20 Mr. Simon.

21 MR. SIMON: Thank you, Your Honor.

22 MODERATOR SHAFER: Yes, sir. Thank you.

23 **MIKE SIMON**

24 MR. SIMON: **My name is Mike Simon. I live at 4711**
25 **Northeast State Route P in Marion Township.** Ladies and

1 gentlemen of Planning and Zoning Board, thank you for
2 your service. Through your volunteering, you have taken
3 on responsibility of protecting Buchanan County
4 residents whether it be public health, safety and
5 welfare as well as the use and enjoyment of property and
6 its underlying value. I repeat, underlying value.
7 Before I continue, I just want to say this. I'm not
8 opposed to green renewable energy. My wife and I have
9 recently installed a 25KW solar energy system which none
10 of my neighbors would know if I had not told them. They
11 are not intrusive.

12 Now, moving forward, the value of mine and my
13 neighbors' properties are of concern to me, and it is
14 this topic I would like to discuss. Residential
15 property values versus industrial wind turbine projects.

16 As a past homebuilder, I have built homes in the
17 city limits and in rural Buchanan County. It is my
18 experience that when building outside the city in rural
19 Buchanan County, the homes that I built were in the
20 upper price range, thus commanding higher property
21 taxes. I believe the additions of wind turbines in our
22 county would have adverse affects on this trend. As I
23 did my research, I found mostly data reflecting the drop
24 in property values with respect to industrial wind
25 turbines. From the many articles and documents I have

1 found, because of time constraints I will only refer to
2 one.

3 A study of effects of industrial wind turbines to
4 property value was ordered by the Planning and Zoning
5 Commissions of Adams County, Illinois. The firm they
6 hired was, and I'm sure you've heard this name, McCann
7 Appraisal LLC. This firm is highly respected and its
8 credentials are outstanding. It is a document I will be
9 referring to. It is an 82-page comprehensive study. I
10 have copies of the first 18 pages for the Board members'
11 convenience.

12 Once again, because of time constraints, I will
13 only comment on only a few of the bullet points of this
14 study. McCann points out three potential effects
15 turbine contamination can have on real property values;
16 cost effects, use effects and risk, or stigma effects.
17 I want to speak to two of these.

18 Use effects include the loss of peaceful use and
19 enjoyment of their homesteads for many turbine
20 neighbors. Also there is more and more evidence that
21 livestock are adversely impacted by the noise and
22 vibration from wind turbines, as are horses, dairy
23 cattle and some household pets.

24 Risk effects or stigma effects, this can range from
25 loss of aesthetics, diminished views and character of

1 neighborhoods and communities to the fear of health
2 issues and noise disturbances. This effect is when
3 turbine stigma manifests itself in a lack of
4 marketability of homes in the footprint and properties
5 in close proximity to active turbines. You, as Buchanan
6 County government officials, are tasked with creating
7 policies and land-use decisions intended to prevent
8 significant negative impacts on property values and a
9 peaceful use and enjoyment of existing properties by
10 area residents.

11 Some quick bullet points. McCann's firm suggested
12 a two-mile setback for property lines for Adams County.
13 All real estate sales data I found reveals a range of 25
14 to 40 percent loss of property values in highly
15 populated counties, like Buchanan County, when
16 industrial wind turbine farms are allowed. Anything
17 less than a two-mile setback, property value impacts are
18 likely to occur.

19 The approval of wind turbine projects within close
20 proximity to occupied homes is tantamount to an adverse
21 condemnation or regulatory taking of private property
22 rights as the noise and impacts are in some respects a
23 physical invasion. This has a direct impact on reduced
24 property values and the rights of nearby neighbors.

25 And one last point. By my estimate and based on

1 the cost of my 25KW solar panel system, I believe 40 to
2 45 households could get a system like ours for the cost
3 of one industrial wind turbine. Buchanan County is a
4 first class county. Do we really want to jeopardize
5 this label because of industrial wind turbines? My wife
6 and I have 675 acres, but I will not allow these
7 monstrosities on my property. And I will not betray my
8 neighbors for 30 pieces of silver.

9 My desire would be an outright ban of industrial
10 wind turbine projects, and at the very least a one-mile
11 setback from property lines, no exception. And once
12 again, thank you for your service.

13 MODERATOR SHAFER: Thank you, sir. Angela Klein.
14 Ms. Klein, you may proceed.

15 MS. KLEIN: All right.

16 **ANGELA KLEIN**

17 MS. KLEIN: Thank you for allowing my voice to be
18 heard in the proposed Draft 3 of the Zoning Ordinance
19 for Wind Systems. Let me introduce myself. **My name is**
20 **Angela Klein and I reside at 4453 Northeast 110th Road**
21 **in Easton, Missouri.** I am a descendant of one of the
22 first families to arrive in a covered wagon and decide
23 to make Buchanan County their home. They homesteaded a
24 section of land east of St. Joseph, which is one mile
25 square, or 640 acres. The reason was because it

1 reminded them of their homeland and the abundance of
2 fresh water, wildlife and fertile ground. And I am
3 proud of my legacy. My grandparents, Charles and
4 Blanche Kessler, raised me to respect the land that we
5 are caretakers for only a brief moment in time, and that
6 when we leave this world, we leave it as best we can for
7 our children.

8 I now own the last 80 acres of the family
9 homestead, which is why I am here to speak tonight. The
10 purpose of the proposed Draft Three Zoning Ordinance for
11 Wind Systems states, and I quote, "The purpose of this
12 ordinance is to preserve and protect the public health
13 and safety without significantly increasing or
14 decreasing the efficiency of a wind energy conversion
15 system to allow for the orderly development of land,
16 protect property values and aesthetic conditions and
17 enable the continuation of agriculture operations within
18 the county."

19 Should not the main priority of the ordinance read,
20 The purpose of this ordinance is to protect, preserve
21 the health and safety, property rights and property
22 values of Buchanan County citizens? Because you cannot
23 preserve and protect public health and safety of people
24 with 600-foot industrial wind turbines in close
25 proximity to homes, schools and places of worship of

1 Buchanan County citizens.

2 I do not believe industrial wind turbines are the
3 answer to the energy crisis, and evolving new technology
4 will be a safer and cleaner option when you take the
5 construction and decommissioning costs and carbon
6 footprint of industrial wind turbines.

7 In the ordinance it states that shadow flicker
8 and/or noise levels exceed the maximum limit allowed
9 onto the property of a nonparticipating landowner, and
10 they choose not to sign a waiver or accept compensation,
11 will the companies still be allowed to operate
12 industrial wind turbines? What about their property
13 rights, let alone their property value? All noise, DBA
14 and shadow flicker should be contained on the property
15 of the lessee holder and not be allowed to use a
16 nonparticipant's land to accomplish the placement of
17 industrial wind turbines. One more reason a one-mile
18 setback from property lines should be applied to the
19 ordinance.

20 There is a relatively new noise DBA sound abatement
21 called wind trailing noise abatement that I read about,
22 which attaches to the blades of industrial wind turbines
23 to reduce the noise DBA levels. Also require wind
24 turbines to be a mile setback -- sorry. Wind turbines
25 should be shut down from 10:00 PM to 7:00 AM. Again, I

1 want to state, it needs to have a one-mile property line
2 setback.

3 Shadow flicker. Up to 4,900 feet before it is
4 negligible so, again, another good reason for a one-mile
5 setback from property line. If an industrial turbine
6 cannot be sited and contained on a participating
7 property owner's land without somehow infringing on a
8 nonparticipant's land, then it is not a good fit for
9 Buchanan County.

10 If you indeed stand behind the property rights and
11 property values of its citizens, how does the county
12 propose to preserve the aesthetic conditions of rural
13 Buchanan County? 600-foot industrial wind turbines are
14 not easily hidden. On a clear day, I can see DeKalb
15 County's wind turbines, which are over 10 miles away
16 from my deck, looking east to northeast. At night, the
17 blinking red lights that I see from dusk to dawn are
18 irritating and obscure and pollute my peaceful view.

19 There is alternative lighting available to
20 alleviate the constant blinking by requiring the use of
21 radar based aircraft detection lighting systems. I
22 believe it was stated that the lighting was cost
23 prohibitive. If the county was looking out for
24 citizens' best interests, should they not require the
25 best solutions for obvious problems? North Dakota now

1 requires that system on all WECSes.

2 In conclusion, I have spent many long hours
3 knocking on my neighbors' doors and talking to them
4 about the petition for a one-mile setback from property
5 lines. I acquired over a hundred signatures. And in
6 talking with them, many of the residents who signed the
7 petition wanted an outright ban on industrial turbines
8 and wanted a petition to do just that. They did not
9 feel it was a good fit for Buchanan County.

10 Now, I will tell you that I am, and I will be, a
11 nonparticipant property owner. I will not give my
12 consent. I will not take any reimbursement, nor will I
13 sign any agreement for any noise DBA or shadow flicker
14 on my home or my land. I choose to protect and preserve
15 my property rights. That will be my legacy. I now ask
16 you to ask yourself as you debate this ordinance, what
17 will your legacy be? Thank you.

18 MODERATOR SHAFER: Thank you.

19 MS. KLEIN: I also included a North Dakota farm
20 lighting technology. I also indicated the 4,921 feet
21 before wind flicker is not affected -- the next people.
22 I also include a South Dakota approval on that wind
23 trailing noise abatement. And I also included something
24 about wind flicker health issues for anybody with
25 vertigo. Thank you.

1 MODERATOR SHAFER: Thank you, Ms. Klein.

2 MS. KLEIN: Thank you. John Klein.

3 **JOHN KLEIN**

4 MR. KLEIN: Good evening.

5 MODERATOR SHAFER: Good evening, sir.

6 MR. KLEIN: Good evening, ladies and gentlemen. My
7 name is John Klein, and I reside at 4453 Northeast 110th
8 Road located in Marion Township, the initial area
9 targeted for installation of the wind turbines. I'm
10 sure you hear lots of manner of opinions and complaints
11 on the prospect of wind turbines being installed in
12 Buchanan County. But I would like to address what I
13 feel are some of the inadequate aspects of the Draft
14 Three Wind Ordinance Conversion Ordinance that the
15 county is presently presenting to its citizens. Because
16 of time constraints, I will only focus on a few, but the
17 remaining items will be noted, and a copy of the
18 ordinance that I will leave with you. I hope you'll
19 read the copy and make comments and hopefully take some
20 of them into consideration on the next draft.

21 On page 4, item B-2, Section 4 in the General
22 Requirements. It states that the movement of 300 feet
23 or less to approved locations of wind turbines and other
24 elements of the wind project are allowed without the
25 need of county reapproval. I would like to see the

1 following added to the ordinance: That providing such
2 movements do not place the turbines or other elements of
3 the project closer to the property line of any
4 nonparticipating landowner.

5 On page 8 regarding the setbacks as listed in
6 Table 1 under Section 7 Design Standards and Criteria,
7 the setbacks for rural schools must be more than the
8 1,320 feet listed in the ordinance. I'm sure that the
9 majority of the people in the gallery behind me would
10 love to see an outright ban on industrial wind turbines
11 in the county. But realizing that the county must have
12 some ordinance on record, I would like them to impose a
13 one-mile setback from the property lines of schools and
14 all nonparticipating landowners.

15 In the same table, the ordinance calls for a
16 setback of 1,320 feet from other smaller towns in the
17 county. I believe that these communities should be
18 entitled to the same two-mile setback that St. Joseph
19 was awarded. Although these smaller towns do not have
20 the political clout or the financial resources that
21 St. Joseph may have, I'm sure that they would expect to
22 have the same right to establish their own setback as
23 St. Joseph has received.

24 On page 12 of the ordinance, it states that
25 collection system may be placed overhead adjacent to

1 county roadways near substations or points of
2 intersection to the grid or in other areas necessary.
3 Although the height of the tower poles is not addressed
4 in the ordinance, I would like to see the maximum height
5 of 40 feet from ground level and not the 75 foot steel
6 power poles similar to the ones located along 36 Highway
7 between I-29 and Riverside Road.

8 On page 13, under Section 7 on the height, the
9 ordinance calls for a maximum height of 600 feet. I
10 would like to see the height reduced to 300 feet to the
11 center of the hub. 600 feet is a bit excessive. Why is
12 Buchanan County allowing 600-foot industrial wind
13 turbines to be built while our DeKalb neighbors have
14 500-foot turbines and the Atchison County neighbors have
15 350-foot turbines?

16 The items I have spoken about are just a few of the
17 items which I feel still need to be addressed. There
18 are several more aspects that I believe should have some
19 added language to alleviate any gray areas. Again, I'll
20 leave you a copy of my concerns and notations on the
21 items that I spoke about and the other items that I have
22 questions about.

23 One last thing. On page 11, part 2B of the
24 ordinance states, The design of the WECS buildings and
25 related structures shall, to the extent reasonably

1 possible, use materials, colors, textures, screening and
2 landscaping that will blend facility components with a
3 natural setting in the existing environment. Ladies and
4 gentleman, there is absolutely nothing natural about a
5 600-foot industrial wind turbine. Thank you.

6 MODERATOR SHAFER: Thank you, sir. Virginia
7 W-E-I --

8 MS. WEIGUM: Weigum.

9 MODERATOR SHAFER: Weigum, I'm sorry, ma'am.

10 MS. WEIGUM: That's okay.

11 MODERATOR SHAFER: I need to get these glasses
12 changed plus cleaned.

13 **VIRGINIA WEIGUM**

14 MS. WEIGUM: Good evening. I hope you brought your
15 sleeping bags. **My name is Virginia Weigum, 5113**
16 **Mockingbird Lane, which is in Stonecrest.** Since the
17 wind turbines are so tall, they will impact property
18 values for miles. The lights flash every three seconds
19 at night. This is a concern for the whole county. And
20 there's a big conflict of interest. Mr. Seth Wright has
21 a conflict between NextEra, the school district and the
22 wind farms. And he should recuse himself or the
23 Commissioners should recuse him. And thank you for your
24 time.

25 And I pray that the answer is no like Clinton

1 County. We've worked all of our lives for our value.
2 If I can see those from my front door, every -- all 600
3 homes in Stonecrest are going to go down in value. They
4 also will stop the reception at Heartland Hospital, at
5 the armory on Faraon and Beck Road -- Faraon and
6 Woodbine, which receives worldwide communications to
7 protect us. And also for Rosecrans. If you live in the
8 county, if you live out in the country, the only thing
9 you get is a land line. Everything else is distorted.

10 And why are we subsidizing our tax dollars to build
11 something so that a county can receive one million
12 dollars a year, and they've made that on the back of
13 property owners? And it's just like our Lord was
14 betrayed for 30 pieces of silver. Thank you for your
15 time.

16 MODERATOR SHAFER: Thank you, Ms. Weigum.
17 Jan Johnson or Sidney Johnson.

18 MS. JOHNSON: No, thank you.

19 MODERATOR SHAFER: Thank you for being here.
20 Anita Simon.

21 MS. SIMON: Thank you.

22 MODERATOR SHAFER: You may proceed, Ms. Simon.

23 **ANITA SIMON**

24 MS. SIMON: Hello. Thank you for allowing us to do
25 this. We really appreciate it. **My name is Anita Simon.**

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**I live in Buchanan County, Marion Township at 4711
Northeast State Route P, Clarksdale, Missouri 64430.**

I really am appreciative of you all because I know you volunteer your time, and I know this is not easy for you. So thank you again.

First I want to disclose that I am representing both myself and as a landowner in Marion Township and as a member of Friends of Buchanan County, which is an advocacy group that we formed after our Township Commissioner informed us about the possibility of a wind farm being located in Buchanan County. This group is simply a group of neighbors who reside in Marion Township and have a mutual interest in maintaining the beauty and integrity of our community. We are not affiliated with any national group or any group from any other county.

I would like to begin with stating our group doesn't believe wind turbines are a good fit for this county. We think a ban on industrial wind power plants is the right option for Buchanan County. Wind energy may work for lightly populated counties where the power plants sprawl over hundreds of thousands of acres. But they are not compatible with best land use in our rural neighborhoods on the doorstep of a densely populated urban center.

1 However, because we have been told by the
2 Commissioners that regulations are needed to regulate
3 placement of turbines in the county, we are recommending
4 a one-mile setback from property lines for any
5 nonparticipant as a fair and reasonable request to help
6 protect us from those negative affects. And we have
7 been collecting petition signatures since September.
8 And currently we have over 640 signatures, and I have
9 these right here. We are continuing to collect
10 signatures, so what I'll leave with you tonight is a
11 list of what we have thus far.

12 On a personal level, I grew up on a farm in Marion
13 Township with a view of Seven Dolors Church at
14 Hurlingen. I went to school at Bessie Ellison
15 Elementary, and I have known many of the people in the
16 area for most of my life. My father was a
17 conservationist, and he put in terraces and waterways
18 and built many ponds to prevent erosion and protect the
19 land as well as provide pleasing aesthetics. My parents
20 taught me to conserve, and not to waste. They taught me
21 to think beyond just today.

22 I don't see 60-story wind turbines protecting the
23 land, but destroying the land and our beautiful horizons
24 forever. This visual pollution will be intrusive for
25 every neighbor within five miles. We can see the

1 turbines in DeKalb County by day and their blinking red
2 lights at night, which are over 10 miles from our home.
3 And those turbines are 100 feet shorter than what is
4 proposed here and do not sit on a ridge.

5 Another concern I have is for the future economic
6 growth of St. Joseph. I believe that this will be a
7 permanent blight to the local economy and the town of
8 St. Joseph, and will necessarily stop all future growth.
9 As I have concern for my neighborhood, I also have
10 concern for my extended community of St. Joseph. I grew
11 up here and I love St. Joseph. I wonder who will want
12 to move here if turbines are placed in the county's best
13 asset.

14 The hospital and other companies certainly use our
15 rural area as a recruiting tool for physicians and
16 professionals that want to have an opportunity to live
17 in a rural area if it comes available. The vision of
18 St. Joseph leadership is to grow St. Joseph to the east.
19 Many people have a dream of buying land and living in
20 the country. Someday I will be gone and my land will be
21 sold to someone else who will be able to fill their
22 dream of quiet country living. We live here because we
23 love the quiet, we love the beauty and we love our
24 neighbors.

25 My husband and I own 675 acres, and regardless of

1 what anyone else chooses, we will not put a turbine on
2 any part of our land. I could not and would not do
3 something that could harm my neighbor. We are friends
4 with our neighbors, both large and small landowners, and
5 we help each other and care about each other. My
6 neighbors aren't just people I share boundary lines
7 with. They are five miles away from me. They are the
8 town of St. Joseph and they are Buchanan County. This
9 is a generational decision that can't be undone, and
10 there are many variables that can affect each person
11 here. Money can be very enticing and an incentive for
12 any decision, but it should never be the only decision
13 for choices made.

14 MODERATOR SHAFER: Excuse me, Ms. Simon, you have
15 25 seconds left.

16 MS. SIMON: Okay, thank you. I'm just about done.

17 MODERATOR SHAFER: Thank you.

18 MS. SIMON: I don't want this to be the legacy we
19 leave for our farm community, city and county, and I
20 hope that those making the final decisions on this will
21 conclude the same. I want to reiterate a request for an
22 outright ban of industrial wind turbines in this county,
23 but at the very least, I do request a one-mile setback
24 from property lines for nonparticipants, including
25 towns, schools, fire stations, etc. I would offer that

1 regulations should not be crafted to suit NextEra or any
2 wind company or for the sake of making money for the
3 county or schools and a few landowners, but be
4 formulated to first protect all its citizens who are
5 here and live here. Thank you for your time. I
6 appreciate it.

7 MODERATOR SHAFER: Thank you. Thank you,
8 Ms. Simon.

9 MS. SIMON: Thank you.

10 MODERATOR SHAFER: Cindy Worsham.

11 MS. WORSHAM: My husband already spoke on our
12 behalf, so I pass.

13 MODERATOR SHAFER: Pardon me?

14 MS. WORSHAM: My husband already spoke on our
15 behalf.

16 MODERATOR SHAFER: Thank you so much for coming.
17 Terri Hausman.

18 MS. HAUSMAN: Pass.

19 MODERATOR SHAFER: Did you say pass?

20 MS. HAUSMAN: Yes.

21 MODERATOR SHAFER: Thank you. LeRoy Hausman.

22 MR. HAUSMAN: Pass.

23 MODERATOR SHAFER: Leslie Speiser.

24 **LESLIE SPEISER**

25 MODERATOR SHAFER: You may proceed when you're

1 ready, ma'am.

2 MS. SPEISER: **My name is Leslie Speiser. We live**
3 **on Cook Road, Easton, Missouri.** We would rather the
4 wind turbines be prohibited altogether. If that is not
5 possible, we ask that you endorse the one-mile setback.
6 We moved to the country over 30 years ago to experience
7 the benefits of being close to nature. And we have done
8 that. We've always thought this land was especially
9 beautiful. Once these farmlands are ruined, they cannot
10 be put back the way they were before. From my couch at
11 night in our living room, from about Union Star to
12 Cameron, we can see over 100 large red blinking lights.
13 They look terrible. It looks like a war zone or that
14 there's a disaster going on over there. And this is
15 over 13 miles away. The proposed setback of one-half
16 mile is too close in my opinion.

17 Light and sound travel a long way out in the
18 country. Complaints have been made that residents can
19 hear the sound of the blades over a mile away. The wind
20 turbines are ugly, they're noisy, the red lights are
21 annoying, they're bad for the environment, they kill
22 birds. And after all that, after so many years, the
23 motors die out. And then what?

24 We understand how important green energy is for the
25 future. We would promote that through any way possible,

1 solar, hydroelectric, putting the wind turbines in
2 sparsely populated areas. It's clear that the residents
3 of our Township do not want wind turbines here. Please
4 endorse the one-mile setback. Thank you.

5 MODERATOR SHAFER: Thank you, Ms. Speiser.
6 Mr. Speiser.

7 **PAT SPEISER**

8 MR. SPEISER: Your Honor.

9 MODERATOR SHAFER: Sir?

10 MR. SPEISER: **My name is Pat Speiser. As my wife**
11 **just indicated, we live at 9697 Cook Road.** I'm not
12 going to go over all of the objections that you've heard
13 tonight. But I do want to reaffirm what I consider a
14 very valid objection to wind turbines that friends,
15 family and neighbors have already told you about and
16 will probably continue to tell you about. But just
17 quickly, my personal experience is we bought a farm
18 about 30 years ago. We had decided to buy a place where
19 we did in Marion Township because of the land itself.
20 We have now lived there 30 years. Part of the time I
21 was working, and I remember telling my wife a number of
22 times it was such a pleasant situation to be able to
23 come home at night after work and feel like you were on
24 vacation, which is what it was like. Obviously, a wind
25 turbine would certainly take that away.

1 I've heard some talk here tonight about banning
2 wind turbines. Quite honestly, that's what I would like
3 to see you do and consider. I've heard rumors that you
4 can't ban them legally. I don't know that. But I would
5 encourage you to maybe follow that up a little bit.
6 Evidently it's not illegal. They've dismissed some
7 suits that some people have already mentioned tonight in
8 other locations. And I think that's important, because
9 I think that one wind turbine is one too many.

10 If you could see your way clear to ban the wind
11 turbines, we would give you the opportunity to -- I hate
12 to say kick the can down the road, but at least you
13 would always have that opportunity to come back if, God
14 forbid, things would get to the point where you would
15 have to have that particular energy and have it used in
16 this county. But if it did, you would have that
17 opportunity later to do that.

18 If you pass an ordinance that allows wind turbines
19 and wind turbines go up, it's obviously going to be
20 terribly difficult to reverse that situation. So I just
21 want to encourage you to consider that possibility of
22 banning the turbines.

23 I know you have a very difficult job. I know
24 you're volunteers. I know you're doing this on your own
25 time, and I admire you for that. I want to thank you

1 sincerely for considering what I've had to say tonight
2 and what people before me have had to say and what the
3 people after me are going to say. Thank you very much.

4 MODERATOR SHAFER: Thank you, Mr. Speiser. Ginger
5 Garrett.

6 MS. GARRETT: I pass.

7 MODERATOR SHAFER: Pat Fisher.

8 **PAT FISHER**

9 MS. FISHER: I've been cold, so I'm going to put my
10 coat back on.

11 MODERATOR SHAFER: Excuse me, I think I just
12 skipped Steve Blazer. I will call you right after
13 Ms. Fisher.

14 MR. BLAZER: Thank you.

15 MODERATOR SHAFER: Thank you. I'm sorry. I didn't
16 read it correctly. Ms. Fisher, you may proceed when
17 you're ready.

18 MS. FISHER: Thank you. **I'm Pat Fisher. I live at**
19 **2043 Northeast Route P in Easton, Missouri, Buchanan**
20 **County, Marion Township.** Thank you for allowing me to
21 speak this evening. I have three main points as to why
22 I oppose the installation of wind farms in Buchanan
23 County. My opposition comes from a legacy standpoint.
24 The grandparents of my husband and me were Kneibs,
25 Fishers, Wallers and Sliemers. Our children are the

1 sixth generation of Fishers raised in Buchanan County.
2 Our ancestors came from Harlingen, Germany, a place that
3 looked familiar to their homeland and called it
4 Hurlingen, Missouri.

5 I say all of this because the landscape and the
6 view have remained the same for 168 years since they
7 arrived. Our fathers and our forefathers have farmed
8 and owned land in this county for 168 years. We have
9 loved the rolling hills and the ability to see
10 approximately 10 miles to the east and 10 miles to the
11 west without large objects obstructing our view. We
12 would like that to remain the same for our four sons and
13 14 grandchildren. But not only for the landscape to
14 remain the same, but for the land to be used wisely.

15 Neighborly relationships. My husband used to haul
16 lime and has been on most farms in Marion Township. We
17 have established relationships and have made many
18 friends in the county. We would not want those
19 friendships harmed as the introduction of wind farms
20 sometimes causes disruptions in that neighborly feel.

21 My husband and I attended the last Zoning meeting
22 and heard the opposition to a proposal due to the
23 eyesore of trailer homes. How would the presence of
24 60-story wind turbines in the neighborhood be agreeable
25 to all those impacted?

1 My third point is decommissioning regulations. And
2 Stephanie touched on these, so it may be a rehashing of
3 that. On page 15 of the current ordinance it states
4 that a performance or surety bond will be established in
5 the event a wind turbine needs to be decommissioned. Do
6 you have an amount for the surety bond? In Minnesota,
7 which Stephanie also stated, where some turbines are
8 being taken down, it is estimated to cost \$410,000 to
9 \$532,000 for each turbine to be removed.

10 One turbine farm in Minnesota, it will be costing
11 7.1 million dollars. Will our county have enough money
12 if the surety bond does not meet the removal cost or if
13 the turbines have been sold to a different company? It
14 also states that the county reserves the right to review
15 their decommissioning plan every five years. Will the
16 county regularly review a plan once it's adopted?

17 At the bottom of page 15 it states that the cement
18 base will be removed to a depth of five feet below the
19 surface. The base of most turbines is about 10 feet
20 deep, plus it contains rebar. Will a farmer be able to
21 terrace a field that has that much concrete and rebar
22 remaining there? One month ago today on a plane ride to
23 California, I sat next to a former Zoning Board member
24 from Livermore, California who served during the
25 explosion of wind turbines coming to California in the

1 1980s. I was told that because of windspeed
2 interference with one another, 472 wind turbines have
3 been taken down just a few years ago. He said the
4 company who owned them was supposed to restore the land
5 to its original use. But instead, they cut the turbines
6 off four foot above the ground and left the cement.
7 That scares me. We have to look ahead.

8 In closing, I oppose the wind farms in Buchanan
9 County. And while I see the necessity of regulations, I
10 would really like to see them banned. While new
11 technology changes so quickly, I feel new energy
12 solutions are going to be available in the near future
13 for my children and for our county. Thank you very
14 much.

15 MODERATOR SHAFER: Thank you, Ms. Fisher.

16 Mr. Blazer.

17 **STEVE BLAZER**

18 MR. BLAZER: Thank you, Your Honor.

19 MODERATOR SHAFER: You may proceed, sir. Yes, sir.

20 MR. BLAZER: **My name is Steve Blazer. I live at**
21 **12900 Northeast State Route 6, Easton, Missouri, which**
22 **is eight miles east of town on 6 Highway in Marion**
23 **Township.** My profession, I'm a registered professional
24 mechanical engineer. I worked for Altec for 32 years.
25 I bought 80 acres probably close to 13 years ago out

1 there, and a few years later I built a house. I've
2 lived there for 10 years. Besides engineering, I dabble
3 in farming. I farm 50 acres of that in row crop. I
4 also get involved in a lot of other alternative things.

5 PUBLIC MEMBER: We can't hear you.

6 MR. BLAZER: I also farm other alternative crops,
7 aronia berries, chestnuts, I bee keep and am also a
8 private pilot. If you want to know what aronia berries
9 are, Google it at Blazer Farms. So I try and do some
10 alternative things with the land. Again, I've been a
11 pilot. I trained back at a school. I went to work for
12 Boeing for years, so I trained in Wichita.

13 I won't reiterate a lot of what other people talked
14 about. I did move out there. The beauty of the quiet
15 country living, I'm concerned about the loss of property
16 value, the wildlife. Just last week I had bald eagles
17 every day coming home, sitting around the pond. I've
18 had trumpeter swans on my pond before. I know the
19 turbines will affect migratory routes in the habitat.
20 The wildlife won't be the same once they're there.

21 My wife has anxiety issues at times. She's highly
22 concerned about the noise, the flicker and everything
23 else, so if they're too close, I may be forced to sell
24 out and move. I would like to retire eventually here
25 and stay in Buchanan County, but that may not be

1 possible.

2 I'm going to focus on a little bit different than
3 probably everybody else is talking about. Being a
4 pilot, I trained in Wichita when I worked for Boeing.
5 And I took off and landed behind commercial aircraft in
6 a single-engine airplane. Wave turbulence. I don't
7 know if people understand what wave turbulence is. I'll
8 try and boil it down a little bit. Most people have
9 probably been at the Lake of the Ozarks at some point.
10 If you follow a big cabin cruiser, it's putting out a
11 huge wave. Take, like, 50 of them running down the lake
12 at the same time and you try to ski behind it. The
13 waves amplify.

14 These wind turbines will cause huge wave
15 turbulence, or disturbance of the air behind them, that
16 will make it unsafe to fly in around them and disrupt
17 some of the farming activities. A lot of people, I
18 included, have hired spray, aerial spray, to spray the
19 crops, apply cover crops. They won't be able to operate
20 in these wind turbine farms, and even private pilots.

21 There is a number of airports in Buchanan County
22 besides Rosecrans that we fly in and out of. If any of
23 these -- a wind farm is in proximity to those, the wave
24 turbulence is going to make it hazardous to fly around
25 them. Wave turbulence is invisible. You can't see it.

1 Depending on wind direction, wind speed, it can drift
2 for miles beyond the wind turbines.

3 Now, I've looked -- in just the last few days I've
4 looked at some of the surrounding areas. Since I came
5 from Kansas and spent some time in Wichita, Wichita, if
6 people don't know, Boeing, Cessna, Learjet, Beechcraft,
7 all these airplane manufacturers, they have lots of
8 airports. They went around and around with the wind
9 turbine issue also. And they proposed five-mile
10 distances from airports. And recently last year
11 Sedgwick County, where Wichita is at, banned commercial
12 wind farms. I think they allow solar and they allow
13 personal wind, 45 foot and below, but they banned
14 commercial because of the hazard with the airplane
15 traffic.

16 I don't understand why Buchanan County can't take
17 that same approach. I've heard over and over we have to
18 come up with an ordinance to control it. Well, make an
19 ordinance that bans it, not just controls it. But I
20 would like to see Buchanan County look at some of these
21 hazards with aviation and follow suit with Sedgwick
22 County. If not, the other thing I looked at is Kansas
23 has introduced the House Bill 2273.

24 MODERATOR SHAFER: Your time is up, sir, but you
25 may have 30 more seconds.

1 MR. BLAZER: All right. Look at how this Kansas
2 House Bill address this, and this is at a minimum of
3 what I would like to see. They say not less than 12
4 times system height, or 7,920 feet, essentially a mile
5 and a half, from any residential property or public
6 building. Here it talks about 20 times. So it's been
7 essentially three miles from any airport. As a minimum
8 I'd like to see Buchanan County, instead of leaving it
9 up to the FAA -- that's what our ordinance right now,
10 the proposed ordinance lists per FAA. We need to define
11 that, not leave it up to them. Put a minimum of three
12 miles from the airport. The same thing, it lists three
13 miles from any local, state, federal wildlife refuge,
14 public hunting area or public park. Again, to protect
15 our wildlife, Missouri has created a legacy of the
16 Conservation Department and all the conservation
17 grounds. These wind turbines definitely will affect the
18 wildlife kingdom.

19 Here's an example of wind turbulence. I don't know
20 how many years ago.

21 MODERATOR SHAFER: Excuse me, sir, could you wrap
22 up in 30 seconds, please?

23 MR. BLAZER: Okay. An airplane, private pilot --
24 this hits home, so a single-engine airplane coming into
25 Rosecrans and was landing just after a C-130 took off.

1 He's about to flare. The wave turbulence from the C-130
2 flipped it over and killed the pilot and passenger.

3 So I urge you to consider some of these things and
4 put a restriction from airports. I'm thinking the
5 wildlife and the birds are going to be flying through
6 the same wave turbulence. Being a pilot, I understand
7 and have flown around this stuff and trained around this
8 issue with wind turbulence. Thank you for your
9 consideration.

10 MODERATOR SHAFER: Thank you, sir. Ladies and
11 gentlemen, we're going to take a brief break or a
12 recess, about 10 or 12 minutes. We'll let everybody
13 stretch their legs for a second. We'll be back and
14 we'll resume our hearing.

15 (A short recess was taken.)

16 MODERATOR SHAFER: We resume the testimony at the
17 first public hearing. The next name I have on my list
18 is Ron Fisher.

19 MR. FISHER: That would be me.

20 MODERATOR SHAFER: Yes, sir, Mr. Fisher, yes, sir.

21 **RON FISHER**

22 MR. FISHER: Thank you guys for listening. **My name**
23 **is Ronnie Fisher and I live at 2043 Route P in Easton,**
24 **Missouri.** Tonight I'm going to kind of focus on a
25 little different thing. I'm a machinist, and I like to

1 look at machinery and how efficient they are. So I'm
2 going to focus on the efficiency of a two-megawatt
3 turbine.

4 Electricity is measured in kilowatt hours. The
5 wholesale rate for a kW-h is approximately two cents.
6 This means that a megawatt hour is \$20. So a
7 two-megawatt turbine produces \$40 worth of electricity
8 every hour at maximum output.

9 If a wind turbine costs four million dollars, it
10 has to run 100,000 hours at maximum output to produce
11 four million dollars worth of electricity. In a year,
12 there are 8,760 hours. Divide that into 100,000. It
13 takes 11.4 years running nonstop at maximum output.

14 In the years 2016, '17 and '18, according to the
15 weather service at Pleasant Hill, the St. Joseph area
16 had 31 days during those years that the average wind
17 speed was 15 miles an hour or more. That's one month
18 out of 12 during the year that the wind speed was high
19 enough to even turn on the turbine. So you have to take
20 that figure, the 11.4 years running at maximum times 12
21 to get your four million dollars of current. That comes
22 to 136.8 years for that turbine to pay for itself in
23 this area. By the way, the maximum output of these
24 turbines is produced at 25 to 30 miles per hour wind
25 speed.

1 The second item I'd like to look at is why do we
2 think that these wind turbines are green machines? The
3 two-megawatt wind turbine weighs about 250 tons.
4 Globally it takes about a half a ton of coal to make a
5 ton of steel. So that's 125 tons of coal. Then there's
6 70 tons of rebar that goes into the concrete. That's
7 another 35 tons of coal. Then the concrete itself takes
8 another 25 tons of coal. So that gets us up to 185 tons
9 of coal.

10 Then there's oil. There's oil in these machines.
11 Several gallon, at least 60 gallons of oil in the
12 turbine.

13 Then you have the trucks hauling the turbine
14 components to the job site. It takes at least 10
15 semi-trucks, and if they're coming from either coast
16 with these parts, that's 2,000 gallons of diesel. Then
17 you have 70 trucks delivering 560 yards of cement.
18 That's at least another thousand gallon. Then there's a
19 dozer at the job site, the excavator, maybe a road
20 grader, two giant cranes. All of this just to install
21 one machine that will never pay for itself that nobody
22 wants.

23 In the end, when the wind doesn't blow and the sun
24 doesn't shine, we need reliable power. In our area,
25 that power comes from either coal or nuclear. Both have

1 gotten a bad rap over the years. Coal has been cleaned
2 up. And nuclear uses no fossil fuels at all. But,
3 again, we find that money talks a lot louder than common
4 sense. Thank you.

5 MODERATOR SHAFER: Thank you, Mr. Fisher. Sandy
6 Pratt. Ms. Pratt, you may proceed when you're ready.

7 **SANDY PRATT**

8 MS. PRATT: Okay, thank you.

9 MODERATOR SHAFER: You're welcome.

10 MS. PRATT: I appreciate you guys being here and
11 letting us have this. **My name is Sandy Pratt. I live**
12 **at 2201 Northeast 85th Road.** It's a mile north of
13 Bessie Ellison School. I understand that Seth Wright,
14 President of the School Board and lawyer for NextEra was
15 involved in the third draft. It is obvious to the
16 citizens that the third draft is less restrictive for
17 NextEra than it is to the citizens of Buchanan County.

18 In reviewing the third draft, I notice there is no
19 township listed where NextEra wants to put the turbines.
20 Nowhere was Marion Township mentioned. Why are they
21 wanting to put these wind turbines in Buchanan County?
22 Our county has no real place for commercial expansion
23 except to the east. West of us is the Missouri River.
24 North is Andrew County and south they have a gas line
25 company. If Buchanan County allows NextEra to build

1 turbines in eastern townships, no commercial companies
2 will want to come.

3 In researching the wind farm companies, I noticed
4 many sell to other wind farms companies and then they
5 sell to other wind arm companies. And eventually they
6 go to the utility companies. Then that's when the
7 eminent domain takes effect.

8 Black and Veatch told us -- gave us some
9 information about the turbines from Atchison County.
10 They said they get \$1,500,000 in tax revenue, and the
11 school district gets \$600,000 for their revenue. The
12 problem is, Andrew (sic.) County has over 151 turbines
13 and covers 20,000 acres. And their turbines are 350
14 feet tall. We were told Buchanan County will have 51,
15 which means that we will get \$506,634 in taxes. And the
16 school district will get \$227,717.

17 Turbines will definitely affect the children with
18 special needs. I work with children with special needs.
19 And it does affect, especially when you get to the
20 shadow flickering and the noise. We were told at the
21 first meeting that if it affects your child, that you'll
22 just have to move because the turbines will be here. I
23 find that degrading and an insult to our citizens and
24 our students. Wind turbine blades result in shadow
25 flickering effect, which means that the sun shines

1 through the shadow and appears into the house. This
2 affects all kids. And I suggest you all go to the
3 shadow flickering and watch it for 20 minutes and see
4 how it affects you.

5 And why do they want 60-foot (sic.) tall turbines?
6 To compare the height, the Washington Monument in
7 Washington D.C. is 599 feet tall. The St. Louis Arch in
8 St. Louis is 620 feet. It would take two football
9 fields plus 30 yards to equal 600-foot turbines.

10 What about the bond and the decommissioning?
11 According to American Experiment Org., that they are
12 having to pay \$532,000 -- \$532,000 a turbine to
13 decommission. And who will pay for this? Certainly not
14 the company. And it will have to come to the -- will it
15 be the county, or will it be the farmers, the huge land
16 they lease?

17 The life of a turbine is usually 10 to 20 years.
18 If not used within 12 months, they are considered
19 decommissioned. Black and Veatch also said it would
20 affect our cell phone reception. And they said you
21 would just have to use another tower. We don't have
22 another tower. We don't have cable. We have to rely on
23 satellite TV. Our Internet is terrible. We have had --
24 because of our Internet being so bad because we have to
25 use the satellite for our Internet, we have two

1 neighbors that had to move from their houses because
2 they worked out of the home and it affected their jobs.

3 I encourage a ban on the wind turbines. Thank you.

4 MODERATOR SHAFER: Thank you, Ms. Pratt.

5 Jan Wynes.

6 **JAN WYNES**

7 MODERATOR SHAFER: Ms. Wynes, you may proceed when
8 you're ready.

9 MS. WYNES: Thank you.

10 MODERATOR SHAFER: You're welcome.

11 MS. WYNES: **My name is Jan Wynes. I live at 11701**
12 **Southwest Kerns Road, Stewartville, Missouri. I own**
13 **farmland in Buchanan County.** I own farm land next to my
14 brother-in-law, Wayne Weipert, located at the corner of
15 36 Highway across from Horizon Equipment.

16 Wayne and I are opposed to the wind turbine project
17 in our rural area. We have attended three public
18 meetings at Bessie Ellison and two public courthouse
19 meetings. It was apparent in all meetings by the
20 majority of the people present, the majority of the
21 public voiced opposition to the project, in addition to
22 some of the Planning and Zoning members. There are
23 major concerns by us landowners and homeowners that have
24 been shared with the Planning and Zoning members and to
25 the three Commissioners.

1 First of all, I and others feel the installations
2 of the turbines will decrease our land values. Because
3 Buchanan County is so densely populated and the immense
4 size of the turbines, they would greatly impose upon
5 neighboring nonparticipating properties.

6 Last week I emailed a letter to our presiding
7 Commissioners, but didn't have time to get my concerns
8 to the rest of you regarding three items on Draft Three.
9 I'll read parts of my letters and some additional
10 comments and questions to the rest of you.

11 We were thankful to see the setbacks from property
12 lines that were added to the setback requirements as
13 everybody's been asking for. But I guess we just need
14 some clarification because the nonparticipating and
15 school setbacks still are from structures of 1,320 feet.
16 It seems to conflict with the added setback from
17 property lines at a half mile, and the line noting
18 setback of nonparticipating property lines was taken
19 off. Or is the setback of property lines of a half mile
20 inclusive of everyone? We're just always -- we are
21 asking for one mile from property lines.

22 Number two, another item. If any time a variance
23 request is made for taller turbines, as it was stated by
24 the Black and Veatch lady speaker at one of the
25 courthouse meetings, then wouldn't it require a larger

1 setback for height? That should be addressed in the
2 setback requirements.

3 Item six, signal interference, addresses the WECS.
4 It should not be installed where it would interfere with
5 cellular, radio, TV, wireless phone, microwave, etc.
6 However, the last sentence only addresses wind projects
7 securing dependable TV for the life of the wind project.
8 What about all the other possible interferences?
9 Shouldn't the last sentence include all interferences,
10 especially for nonparticipating landowners?

11 I drove a very limited area around Bessie Ellison
12 School east to AB, AB to 36, 36 to C and C back to
13 Bessie Ellison, a few miles on P and a short section of
14 Southwest Pickett Road. I counted 65 signs in a small
15 area opposing the wind project. I remember Mr. Sawyer
16 said at one of the courthouse meetings that he'd
17 received some calls from people interested in the area.
18 But in my engagement with residents in the involved
19 planning area, I haven't met anyone who supports the
20 project. I heard of a couple families, but that's
21 strictly hearsay.

22 For what it's worth, I honestly feel, based on past
23 meetings, hearing from some of you Board members,
24 questions and statements, speaking with area people and
25 posted signage, the majority of the rural residents

1 involved that you represent are against this project.
2 That this area NextEra is interested in is rural and
3 densely populated. We're not a corporate area, we're
4 county residents. We ask the County Commissioners to
5 protect our county. One of our reps in Jefferson City
6 said the Grain Belt Appeal is denied. The Grain Belt
7 will be able to eminent domain as a private utility.
8 That will open the door to other private utilities to do
9 the same. Companies like NextEra, whose legal actions
10 have taken on other counties east of us, in my opinion
11 they'll take every advantage they can.

12 Our land values are of the utmost importance to us,
13 as well as our rural way of life. I believe if you were
14 to have land value studies done to see how they are
15 affected by implementation of these turbines, and we
16 would like to know the results.

17 And why and when was the whole Buchanan County
18 added to the project? Last time I knew from the
19 meetings this whole past year, I thought it was just
20 Marion Township NextEra was interested in, just east of
21 St. Joe. And I believe most of the people were informed
22 it was this area, therefore, primarily the majority of
23 the people who thought it involved them were the
24 majority vested in voicing their opinions. Someone
25 asked me if I thought the rest of Buchanan County was

1 added at some point to minimize our Marion Township
2 voiced opposition in regard to a larger area. I never
3 thought of that.

4 Last I heard on AM 680, Barry Birr interviewed
5 Mr. Sawyer regarding this whole issue. And Mr. Birr
6 just point blank asked Mr. Sawyer if he just couldn't
7 say no, that the wind turbine was not suitable for this
8 area. Mr. Sawyer didn't have an answer but would look
9 into it. Also one of the Planning and Zoning members
10 asked the same thing at one of the courthouse meetings.
11 Do we have an answer yet? Can you just say no?

12 MODERATOR SHAFER: Ms. Wynes, you have 30 more
13 seconds.

14 MS. WYNES: Thank you for your time, and thanks
15 also to the hard work, time invested and professionalism
16 of the Friends of Buchanan County. In closing, we wish
17 you would ban these things. At least, if you don't,
18 give us the one-mile setback from property lines. Thank
19 you.

20 MODERATOR SHAFER: Thank you, Ms. Wynes. Mary
21 Wagner.

22 **MARY WAGNER**

23 MS. WAGNER: I wasn't planning on speaking, but
24 there's only been a couple of people touch on a point
25 that I thought was important. **I'm Mary Wagner. I was**

1 born in Iowa. I grew up out east of town, 350 Southeast
2 90th Road, St. Joseph, Missouri.

3 PUBLIC MEMBER: We can't hear you. Put your
4 microphone up.

5 MS. WAGNER: Okay. I'm Mary Wagner, 350 Southeast
6 90th Road, St. Joseph, Missouri. I wrote a couple of
7 questions that I think need consideration. Many people
8 believe that the construction of the proposed wind
9 turbines within view of their property will lower the
10 value of their property drastically. If this proves to
11 be true, is Buchanan County prepared to lower the
12 property taxes on affected properties, thus decreasing
13 their revenue stream for our schools? If so, would this
14 decrease in revenue for the schools be offset by the
15 increase in revenue created by the wind turbines?

16 The other point was, if the proposed turbines are
17 approved and constructed, thus providing a revenue
18 stream for the schools, what assurances do we have that
19 other monies currently allocated to the schools will not
20 be redistributed for other uses? Those are my two
21 points. Thank you.

22 MODERATOR SHAFER: Thank you very much. Robert
23 Miner. Thank you. You may proceed when you're ready,
24 Mr. Miner.

25 _____

1 ROBERT MINER

2 MR. MINER: Members of the Commission,
3 Commissioners, I wish I could say it's a pleasure to be
4 here. But I can say, I think, that there's nobody here
5 that I know of that has spoken in favor of the wind
6 farms. I would just like that noted, it's been
7 two-and-a-half hours since this began. I'm here to
8 express my opposition to, number one, just the
9 implementation of any regulations that are going to
10 authorize the farms. But if those are going in, to
11 request that the property line be increased to one mile.

12 **I reside at 1717 North 30th Street here in**
13 **St. Joseph, but my family has had a farm on Hurlingen**
14 **Road northeast of Bessie Ellison school for over a**
15 **hundred years.** It's a Century Farm. I've been going
16 out there frequently since I was probably two or three
17 years old. I currently have three young grandchildren
18 that continue to go out with me, and they've been doing
19 that since they were born.

20 I'm here primarily, I think selfishly, looking at
21 my children, my grandchildren. I have a daughter living
22 in St. Joe, and I would like her to have an opportunity
23 to be able to take her kids out there, as my parents
24 took me out there over the years, and enjoy the peace
25 and quiet and beauty of the farmland. We have enjoyed

1 this, all of us in Buchanan County, particularly in
2 Marion Township where you do have the hills and the
3 beautiful views.

4 What's going to happen if this comes in? I have a
5 checkpoint of oppositions, and they've already been
6 expressed, I think, very well. I don't have anything
7 more to add other than from a personal standpoint. Will
8 my daughter ever have any interest in trying to live on
9 the farm, or build a cabin on the farm or take her kids
10 out to the farm if they know we've got a 600-foot wind
11 turbine within a close proximity to the farm?

12 I'm concerned about wildlife. My kids have hunted
13 with me out there, and I continue to hunt out there. I
14 know that it's not just a problem for me, it's a problem
15 for all of us here in the room, all of these issues that
16 we've addressed.

17 Economically, at some point my brother and sister
18 and I who own this farm together, we're not going to
19 continue to own it and what's it going to be worth when
20 we're not around anymore? That's a concern at such time
21 as that's going to be passed on to somebody else and at
22 some point sold.

23 I would like to express my gratitude to those
24 members of the Friends who have actively participated in
25 the meetings, Barry Birr and others, Anita who has

1 worked so hard on educating us and continuing to do so.
2 I look forward to continued support for the county. But
3 I think it's important for you on the Commission to look
4 long term. What are the long-term effects for the
5 county, the city? I don't want to be repetitious with
6 what others have said, but I think there is an economic
7 concern that we should all worry about in terms of is it
8 going to have an effect on bringing new people into
9 St. Joe, further growth and development in eastern
10 Buchanan County. I'm concerned about that. The St. Joe
11 population is rather stagnant now. Buchanan County's is
12 as well.

13 We all want, I think, growth and increased income
14 and opportunities in the county and the community. I do
15 have a serious concern that if you bring in these huge
16 wind farms and high towers, that we may not be seeing
17 that continued growth.

18 I am concerned as well about the decommissioned
19 expense. I think that that's something that needs to be
20 explored. I don't know how you're going to guarantee
21 payment at the time that those are going to have to come
22 down.

23 I do have one other item that I share. I don't
24 know if I should leave this or not. But I took this
25 photograph in connection with a photography class I took

1 at the college, and it was something that I took from a
2 hilltop from the farm. This is something I think I'll
3 go ahead and put in the record. It's noted as "Miner
4 Farm looking east in 2019". Way, way off in the
5 distance, probably 15 miles away, you can see wind
6 farms. They're about this high in the picture. But if
7 you picture one that's on the other side of the road,
8 you really don't want to be looking over there anymore.
9 I know it's a lot more than just looks. But it is peace
10 and enjoyment, not only for me, but for my children and
11 grandchildren. So all I ask is that you consider this
12 very carefully and consider carefully all the objections
13 that have been expressed. Note that there are not
14 people here expressing their support for this. Think
15 about the future. Thank you.

16 MODERATOR SHAFER: Thank you, Mr. Miner. Damon
17 Miles.

18 MR. MILES: I'm going to pass.

19 MODERATOR SHAFER: Lindell Norman.

20 MR. NORMAN: Yes.

21 MODERATOR SHAFER: Mr. Norman, you may proceed when
22 you're ready, sir.

23 **LINDELL NORMAN**

24 MR. NORMAN: Good evening, everybody. Thank you
25 for letting me talk. I really wasn't planning on

1 talking tonight. **My name is Lindell Norman. I live at**
2 **13001 Southeast US Highway 36, ironically in a little**
3 **place that's called Peaceful Acres.**

4 This is a little personal story rather than a lot
5 of technical stuff that everybody's talked about. Me
6 and my wife moved up here to Buchanan County, St. Joseph
7 about 25, 26 years ago right after the flood. We lived
8 in town, raised two boys, paid our taxes, done all that.
9 My wife has a history of cancer and things like that.
10 So she lost her sister and mother, father, stepfather
11 all in approximately four years.

12 So we lived in the country before we moved up here.
13 So we decided to move back to the country. So we took
14 some of our money, most of it, bought six acres out here
15 just east of 31 south heading into Easton. We got a
16 little piece of water on it. We've got about a quarter
17 mile driveway going one way, about a quarter mile the
18 other way. First thing would have put one of those at
19 each end of my property we could have seen.

20 Anyway, we bought it. And we bought a brand new
21 camper, RV camper. We're campers. At the beginning of
22 the year we took it out there and we parked it because
23 it was so beautiful when we got out there. And we
24 haven't moved it since.

25 Probably about a month after we got out there, I

1 got a letter in the mail talking about putting these
2 wind farms in. My wife cried. Think about it. That's
3 what she wanted. That's what we wanted for our
4 grandkids. They were fixing to take our money possibly.
5 Take whatever time my wife might have left. Think about
6 it. Think about these people that have been living
7 there for years to raise their families. The money
8 ain't worth it. Take our tax money that we've given you
9 and fight these people. We don't need 'em. Raise my
10 taxes if you need to if you need more money. Don't put
11 it on our properties. Leave us alone. Thank you.

12 MODERATOR SHAFER: Marvin Brown.

13 MR. BROWN: Decline.

14 MODERATOR SHAFER: Pardon me?

15 MR. BROWN: Decline.

16 MODERATOR SHAFER: Thank you, sir. Delores Moore.

17 MS. MOORE: Pass.

18 MODERATOR SHAFER: Thank you. Jeff Grubb.

19 Mr. Jeff Grubb.

20 Cindy Buckler. Cindy Buckler.

21 Teddy Pankau, P-A-N-K-A-U.

22 Gale Kline.

23 MR. KLINE: No.

24 MODERATOR SHAFER: Steve Culver.

25 MR. CULVER: No.

1 MODERATOR SHAFER: Patty Culver.

2 MS. CULVER: Pass.

3 MODERATOR SHAFER: Mike Gregory. Mike Gregory.

4 Joe Gregory. Mike or Joe Gregory.

5 Jody Mayes, M-A-Y-E-S.

6 MR. MAYES: Yes.

7 MODERATOR SHAFER: Mr. Mayes, you may proceed when
8 you're ready, sir.

9 **JODY MAYES**

10 MR. MAYES: Thank you, Your Honor.

11 MODERATOR SHAFER: Yes, sir, thank you.

12 MR. MAYES: Thank you to the County Commissioners
13 and for a chance to speak before the Planning and Zoning
14 Commissioners. **My name is Jody Mayes. I reside at**
15 **12875 State Route N in Easton, Missouri.** I'm a
16 long-time resident of Buchanan County. And I'm opposed
17 to the allowing of the windmill plants in Buchanan
18 County. I don't think that they're a right fit for what
19 is Buchanan County.

20 Personally, I just don't want to see them. They're
21 not aesthetically pleasing. They're 600 feet high.
22 They're unnatural. You want to take a look at the
23 landscape and see a horizon that is natural, or I do.
24 At night they're equally unpleasant. You see all the
25 blinking red lights. We see them in DeKalb County. It

1 goes on for miles.

2 For 30 years I made my profession as a soil
3 scientist and as an environmental specialist. Most of
4 my career I've been officed or worked more than 50 miles
5 away from the city of St. Joe or Buchanan County. But I
6 always returned to the county because it's my home. And
7 for all those years I've tried to -- this is where I
8 come from and this is where I wanted to come back to,
9 into the country. And I now farm on the place where I
10 live, which is a 260-acre farm in eastern Buchanan
11 County.

12 One of the things that I've learned working
13 throughout the state is that some things don't work well
14 everywhere. What works wonderfully in one area works
15 marginally in another. I think that's the same with
16 these wind towers. If we remove some of the subsidies
17 going into the installation, I don't think that these
18 companies would be looking at this area because it's
19 marginal for wind power. A type of grass or a type of
20 forage or a breed of cattle may work wonderfully in some
21 places, but only marginally in another. Wind farms
22 operate marginally in this part of the country.

23 There's nothing more pronounced in the landscape
24 than a wind farm. All you have to do is drive up 36 or
25 north. They're very prominent. Wind farms are

1 temporary. They possibly have a 25-year life span,
2 which means that the same logistics for putting them up
3 will also be needed to take them down. Roads have to be
4 widened. More base has to be put in to support the
5 loads. We've seen them on other installations where
6 they've stopped in a place they're not supposed to be,
7 and the trucks sink into the pavement so deeply that
8 they have to be pulled out of the pavement in order to
9 get to where they were supposed to go. County roads
10 will have to be widened or redone to accommodate some of
11 the oversized machinery that will install these wind
12 farms.

13 I'd like to ask if the county wants to continue to
14 maintain those widened roads or if they're going to ask
15 the company to do that? Will they put the roads back in
16 the place that that they were before the installation,
17 which means cutting out a lot of the material that they
18 had to put it in in order to get those to the property
19 that they're installed on?

20 When the wind farm is laid out, they're going to be
21 looking for hilltops and put structures for the
22 structures of the windmills, and they're going to look
23 for ridgelines to place the roads on to install them and
24 maintain those turbines. With the depth of the rock
25 that they'll place for the road construction leading up

1 to each of those wind platforms, means that those areas
2 will not be farmed anymore. So they're going to take a
3 ridgeline. They're going to cut it down. They're going
4 to put in enough base rock in order to carry the loads
5 of that machinery. And a lot of that land is prime
6 farmland.

7 In Buchanan County we have a lot of prime farmland.
8 I own farmland, so we don't really think about that.
9 It's going to be taken out of production just as if a
10 city street was being built. We use Planning and Zoning
11 so that this doesn't happen in the city. We don't want
12 urban sprawl, and it's not allowed through Planning and
13 Zoning. So why do we want it in the rural part of the
14 county? Your charge as appointed Commissioners is to
15 protect and to conserve the value of our communities and
16 the countryside, and encourage the most appropriate use
17 of the land.

18 Please consider not allowing wind farms to be
19 placed in Buchanan County. It's not the right mix.

20 MODERATOR SHAFER: Thank you Mr. Mayes. Larry
21 Andersen. Larry Andersen.

22 Scot Alvertson. Scot Albertson.

23 James Cox.

24 Gwen Hendricks

25 MS. HENDRICKS: Pass.

1 MODERATOR SHAFER: Is that a pass?

2 MS. HENDRICKS: Yes.

3 MODERATOR SHAFER: Thank you. William Clark.

4 MR. CLARK: Clark.

5 MODERATOR SHAFER: Clark, I'm sorry. I need to
6 wipe those glasses off again, Mr. Clark. Come up,
7 please, sir.

8 **WILLIAM CLARK**

9 MR. CLARK: **My name is William Clark. I live at**
10 **3400 Southeast State Route C, Marion Township.** I've
11 lived on the same property for 79 years. It's been
12 strictly by choice. I could have gone other places. I
13 like Buchanan County. It's a good county, a lot of good
14 people. I'm strictly opposed to the wind generators. I
15 took a 2,500 mile road trip this summer. And you want
16 to have your trip ruined, drive mile and mile and mile
17 looking at windmills. I hate to see Buchanan County
18 become that way.

19 I live out by John Deere. In the evening you go
20 home and it just looks like a war zone, red lights, red
21 lights blinking mile after mile. I'm so thankful that I
22 don't live in Stewartsville or Clarksdale or some area
23 where I've got to be exposed to that. So I appreciate
24 your thoughtfulness. Thank you

25 MODERATOR SHAFER: Thank you, sir. Penny Reil.

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MS. REIL: Pass.

MODERATOR SHAFER: Gerald Calvart.

Eileen Deger, D-E-G-E-R or D-E-Y-E-R. Eileen.

Sandy Smith.

Joseph and Frankie Kalin.

MR. KALIN: Pass.

MODERATOR SHAFER: Thank you. Wayne Weigert.

MR. WEIGERT: Pass.

MODERATOR SHAFER: Daniel and Jean Ann Gregory.

Margaret Clark.

Becky Clark or Teddy Clark. 10389 Southeast
Hillyard Road.

Parker Rice. Taking the short cut. You may
proceed when you're ready.

PARKER RICE

MR. RICE: Okay. Thank you, Judge.

MODERATOR SHAFER: You may proceed when you're
ready.

MR. RICE: All right, thank you, sir. Thank you
for having me. **My name is Parker Rice. I live at 13435
Northeast Hurlingen Road.** I'm probably more well known
for my worldwide recognized radio show out of Buchanan
County, Missouri. But I'm a conservation agent for the
Missouri Department of Conservation. I've been asked to
talk here just briefly on the impacts that these things

1 have on wildlife. And then being a resident of the
2 county, I'm going to take off that conservation hat and
3 I'm going to tell you what I feel about wind farms
4 personally.

5 The Department's official policy is we don't have
6 any regulatory authority over them, okay? As far as we
7 don't have any teeth to say you can't put them here, you
8 can't put them there or how far away they have to be.
9 And so what the Department -- my understanding is the
10 Department has tried to do in the years past when they
11 pose these farms to come up, is they try to build a
12 relationship with the company early on in the process,
13 and give advice and technical data on how to design
14 them, where to site them at, construction advice on just
15 trying to limit or minimize the impact that these things
16 do have on wildlife.

17 I think I'd be remiss to say that there is no
18 impact on wildlife. Everything has an impact on
19 something. Many times the reports that are generated
20 are industry reports on the impacts on wildlife. That's
21 like putting the fox in the henhouse. They're not going
22 to report on how many eagles they're killing, how many
23 bats die. And they're not required to.

24 Unfortunately, the Endangered Species Act and the
25 Bald and Golden Eagle Protection Act are voluntary

1 compliance for these things. They do kill eagles. They
2 kill bats. They affect the wildlife. Missourians take
3 their wildlife serious. The last study I read was that
4 95 percent of Missourians participated in an outdoor
5 activity in the last 12 months. 55 percent of those
6 were using our conservation areas. So that's what I
7 have to say about that.

8 Personally, my wife and I moved back here
9 specifically to Buchanan County three years ago from
10 after spending about eight years in the barren waste
11 lands of central Nebraska. And I wanted to come back to
12 north Missouri. And I knew that Buchanan County was
13 open with MDC. So I applied and got hired and got
14 placed where I wanted to. And we are trying to build a
15 Century Farm, as we purchased our 105 acres east of
16 St. Joe in Marion Township, put a house on it and we're
17 raising both of our little kids there.

18 We can see the windmills. I think there's been
19 multiple valid and well-explained points made about why
20 we don't want them. I think personally the confusion
21 for me is this is -- being a student of government
22 educationally and a government employee almost my whole
23 life, it seems like a simple equation. We don't want
24 them, so why are we even going through this process,
25 right? That about sums up my thoughts on it. So thank

1 you for your time.

2 MODERATOR SHAFER: Thank you Mr. Rice. Johnnie

3 Walker.

4 MR. WALKER: Pass.

5 MODERATOR SHAFER: Kyle Carroll.

6 MR. CARROLL: Pass.

7 MODERATOR SHAFER: Elizabeth Pollert,

8 P-O-L-L-E-R-T, on Southeast Bermond.

9 Neil Pollert.

10 Joe Bauer.

11 Marlene Hebb, H-E-B-B, on Boulevard View Drive.

12 Denney Dunning.

13 MR. DUNNING: Pass.

14 MODERATOR SHAFER: Thank you.

15 Ralph and Sonya Schwoder.

16 Mike and Pam Nold, N-O-L-D.

17 Clarence Vetter, V-E-T-T-E-R.

18 Tim Gach, G-A-C-H.

19 MR. GACH: Pass.

20 MODERATOR SHAFER: (timer sounded) I guess it just

21 called time on me, didn't it? I was afraid that was

22 going to happen. Mr. Gach, I believe you passed.

23 Debbie Gach.

24 MS. GACH: Pass.

25 MODERATOR SHAFER: Richard Coy.

1 Loi Jacqueline Coy.
2 Judith Cook.
3 MS. COOK: No.
4 MODERATOR SHAFER: Thank you. Norman Cook, Sr.
5 MR. COOK: No.
6 MODERATOR SHAFER: Thank you, sir. Sandra Toot.
7 Marcie Toot.
8 Mary Ann and Richard LaFollette.
9 Daria DeShon.
10 MS. DeSHON: Pass.
11 MODERATOR SHAFER: Pardon me?
12 MS. DeSHON: Pass.
13 MODERATOR SHAFER: Pass? Thank you. Richard
14 Ashley DeShon.
15 MR. DeSHON: Pass.
16 MODERATOR SHAFER: Pass? Thank you. Mark
17 Manville.
18 MR. MANVILLE: Pass, sir.
19 MODERATOR SHAFER: Thank you, sir. David Folkert.
20 Tim K-A-L-U-G-E, 715 Wallie Line in St. Joseph?
21 Sorry, Tim, I can't pronounce your last name.
22 Bob Evans.
23 Andrea Veatch. Chris Veatch. Andrea or Chris
24 Veatch.
25 Jodi and Chris Miljavac.

1 MR. MILJAVAC: Pass.

2 MODERATOR SHAFER: John Simenso.

3 MR. SIMENSO: Defer.

4 MODERATOR SHAFER: Pardon me?

5 MR. SIMENSO: Defer.

6 MODERATOR SHAFER: Defer. Thank you, sir. Chuck
7 Kemmer.

8 Mark and Sara Hager or Hagan.

9 Janet Dunning.

10 Robert Corder.

11 Gerald Abbott.

12 Daryal Pierce.

13 John Seymour and Sarah Seymour.

14 Gary and Jan Walkup.

15 Joshua Wagers. Yes, sir, Mr. Wagers. The
16 Commissioner will get you a microphone there, sir.

17 **JOSHUA WAGERS**

18 MR. WAGERS: Thank you, sir. (Speaking from the
19 balcony.)

20 MODERATOR SHAFER: Yes, sir. Thank you.

21 MR. WAGERS: Pretty hot here. Are we good? Okay.

22 MODERATOR SHAFER: Is it warmer up there?

23 MR. WAGERS: I was just meaning the mic, sir.

24 MODERATOR SHAFER: You may proceed, Mr. Wagers.

25 MR. WAGERS: Thank you, Your Honor.

1 MODERATOR SHAFER: Yes, sir.

2 MR. WAGERS: Thank you to the Commission for this
3 evening, for letting us come speak to show our concerns
4 and our thoughts. **My name is Joshua Wagers. I reside**
5 **at 4680 Northeast State Route P, Clarksdale, Missouri**
6 **64430.**

7 First, I'd like to advocate for the children in the
8 schools that might be in the surrounding area with the
9 windmills. My wife is a school teacher at Bessie
10 Ellison. And I would like to advocate for a one-mile
11 setback for the children there and for the teachers and
12 the work that they do.

13 I also have some things to give to the clerk for
14 the record. But I'd like to cite some things that I
15 found from the United States Census Bureau for Buchanan
16 County. Buchanan County has 38,804 housing units. Of
17 those 38,804, 63 1/2 percent are occupied -- are
18 owner-occupied housing units. The median value that the
19 Census says of those units is \$118,400. I'm not sure
20 what the average is. The Census didn't give us the
21 average, but it's the median value. Sorry.

22 So we have 24,640 units who are owner-occupied.
23 And we know that the owner-occupied units are \$118,400.
24 You multiply that, and we have a total of 2 billion, 917
25 million, and 439,000 and some change (\$2,917,439,000)

1 value in Buchanan County in the owner-occupied
2 properties alone, not including rental, commercial
3 properties, anything of that nature.

4 So I won't regurgitate the potential loss and
5 percentages, but I'm going to go with a modest
6 percentage of 10 percent in property value lost. That
7 would equal for our county, using these numbers from the
8 Census, \$291,743,993.

9 I don't see any way possible for this project to
10 recoup that money for the citizens of this county just
11 for the gain of a few landowners.

12 A few questions I have would be that I know the
13 total annual tax revenue for Buchanan County is
14 \$83,000,000. What percent is based on the property
15 taxes itself? And what is the total tax revenue lost if
16 the property values drop by 10 percent? I know there's
17 a lot of variables that would go into this to be
18 considered more than what I could just find from the
19 Census Bureau. But I do know that the Rock Creek
20 Facility in Atchison County produces 1.5 million dollars
21 in tax revenues for the county, \$650,000 for their
22 school districts.

23 The proposed Buchanan County wind turbine project,
24 if we had 100 units, which I do believe is more than
25 what is proposed. I'm not exactly sure on that. But if

1 you do have 100 units at an estimated \$10,000 payment to
2 a landowner per turbine, the total yearly payments to
3 landowners would equal one million dollars. The total
4 estimated yearly county tax revenue, school district and
5 landowner revenue combined, would be \$3,150,000 a year.
6 The loss value for the entire county -- as I mentioned
7 before, the \$291,000,000, when you compare that to the
8 \$3,000,000 revenues for the school district, the
9 landowners and to the county, based on these figures it
10 would take 92 1/2 years to recoup what your landowners
11 would be losing in the county.

12 Mr. Kneib, who was the first speaker this evening,
13 talked about the wind turbine study from an appraiser,
14 and I actually have that study here. I will submit that
15 for you all. And I also have the link for you guys to
16 be able to visit his website and see what he has to say.

17 I have a closing remark, Your Honor. If I might
18 have just a few more seconds?

19 MODERATOR SHAFER: You are granted a few more
20 seconds. Sir, you are going to be the last speaker this
21 evening, and you may make your concluding remarks.

22 MR. WAGERS: All right. Thank you, sir.

23 MODERATOR SHAFER: You're welcome.

24 MR. WAGERS: I'm holding in my hand what we
25 initially call a smartpone. The technology there is

1 amazing. To be quite frank with you all this evening, I
2 would like to say that I do believe from my studies and
3 things that I've seen, that we're on the brink of a --
4 we once had an industrial revolution. I believe that we
5 are on the brink of an electrical revolution.

6 Case in point here, smartphone. I ran a business.
7 I used to carry this phone. My employees used to give
8 me a hard time every time I pulled it out of my pocket,
9 calling this my "dumb phone" because they were more
10 technologically advanced than I was with my smartphone.
11 So I would like to present to you that the coming
12 electrical technology and advancement would be the
13 smartphone and the technology that is used in the wind
14 turbines would be likened to the dumb phone.

15 So that is all I have to say, sir.

16 MODERATOR SHAFER: Ladies and gentlemen, pursuant
17 to the Notice of Public Hearing, it is now time for us
18 to recess the first session. We will begin tomorrow as
19 promptly as we can at 6 o'clock. Hopefully we will have
20 no microphone delays tomorrow.

21 In any event, before I recess, I want to thank
22 everyone who has participated this evening. For the
23 courtesy you've extended to me, the Planning Commission,
24 your neighbors, your Commissioners, thank you. I'm very
25 appreciative, and you all deserve a pat on the back for

1 making your presentations and being heard and coming
2 here tonight. Take you very much for that.

3 To each of you before I conclude, all three of the
4 County Commissioners are here who may or may not have
5 any closing remarks. Then I will recess until 6 o'clock
6 tomorrow evening. I'll start where I left off on the
7 list. It will not be necessary for you to sign in again
8 if you have signed in tonight. I'm starting where I
9 left off.

10 If additional people sign in, we'll add them to the
11 list. Presiding Commissioner Sawyer, anything, sir?

12 PRESIDING COMMISSIONER SAWYER: I would like to
13 thank Judge Shafer for him being here on our behalf and
14 for everyone's behalf, and for him doing such a great
15 job organizing tonight's conversation. Again, I would
16 like to thank everybody for being here. We very much
17 appreciate your input. We very much appreciate your
18 attendance. So on behalf of Ron Hook, who is upstairs
19 and has been holding down the fort upstairs with the
20 microphone, and Scott Burnham and I, we very much
21 appreciate you being here. We also very much
22 appreciate, as was mentioned a number of times, we have
23 a volunteer Planning and Zoning Board, and we appreciate
24 their input and the thoughtfulness that they put into
25 what they do month in and month out.

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So we'll be here again tomorrow night. Again,
thank you very much for being here.

MODERATOR SHAFER: Thank you, Presiding
Commissioner Sawyer. Just a moment, ladies and
gentlemen. I have one question, Commissioner Hook. Is
it warmer up there? Do you have anything you want to
say in closing, Commissioner?

COMMISSIONER HOOK: No, sir.

MODERATOR SHAFER: Commissioner Burnham?

COMMISSIONER BURNHAM: No, sir.

MODERATOR SHAFER: We are in recess until 6 o'clock
tomorrow evening. Thank you, ladies and gentlemen.

(Hearing is concluded for
the evening.)

1 PROCEEDINGS

2 PUBLIC PARTICIPATION HEARING

3 THURSDAY, JANUARY 16, 2020

4 MODERATOR SHAFER: Good evening, ladies and
5 gentlemen. Some of you that I recognize, I'm saying
6 good evening to you for the second time and welcome
7 back. By way of introduction, my name is Abe Shafer.
8 I've been asked to moderate this public hearing. We had
9 a public hearing last night ending shortly after
10 9 o'clock, and are resuming the public hearing tonight.
11 Further, by way of introduction, I'm a retired circuit
12 judge and have been a member of the Missouri Bar for
13 over 51 years. I'm honored to have the opportunity to
14 be here tonight to moderate this hearing.

15 The County Commission of Buchanan County are here
16 tonight, Presiding Commissioner Lee Sawyer; Commissioner
17 of the Western District, Ron Hook; and Commissioner of
18 the Eastern District, Scott Burnham.

19 The Commissioners have set forth certain public
20 hearing guidelines so that it may be a fair hearing and
21 everyone will have an opportunity to speak to the
22 Planning Commission and to the Commissioners.

23 Tonight's meeting is not a question-and-answer
24 session. It's a public hearing where each of you
25 citizens of Buchanan County or other interested parties

1 have an opportunity to address the Planning Commission
2 and the Commissioners. The public hearing guidelines
3 are as follows. Anyone having any trouble hearing me?

4 PUBLIC MEMBER: Yes.

5 MODERATOR SHAFER: Having trouble?

6 PUBLIC MEMBER: Uh-huh.

7 MODERATOR SHAFER: I'm sorry. Is this better?

8 PUBLIC MEMBERS: Yes.

9 MODERATOR SHAFER: Great. I'm sorry again. I'm
10 Abe Shafer, and I'm going to be the moderator. I've
11 been asked to moderate this hearing and will do so.
12 Here are the public hearing guidelines:

13 The purpose of the public hearing is to provide an
14 opportunity for interested parties to provide comments
15 about potential wind energy regulations in Buchanan
16 County. In order to establish an orderly, fair and
17 efficient process for all involved, the following
18 guidelines will be implemented:

19 One, speakers must sign up at the hearing prior to
20 speaking. A written sheet will be available at the
21 hearing location. I see that I have the sign-up sheet.

22 Speakers will be called to speak in the order of
23 their sign-up. We will begin with the completion of
24 last night's sign-up list, and then go into tonight's
25 sign-up list.

1 Each speaker will be provided five minutes to
2 provide comments. The speaker is not required to speak
3 the entire five minutes. The moderator has the
4 discretion to extend or shorten the time as necessary.
5 In the event the testimony is provided on a topic which
6 is particularly unique or deals with an area of
7 scientific or mechanical expertise, the moderator will
8 be allowed to extend the time allotted to provide a
9 thorough presentation of the same.

10 By sending -- you may also send written comments
11 via email to dembrey@co.buchanan.mo.us, or you may
12 deliver or mail written comments to the Buchanan County
13 Planning and Zoning, Buchanan County Courthouse, 411
14 Jules, St. Joseph, Missouri 64501. During any public
15 hearing, written testimony can be hand delivered to the
16 clerk conducting the hearing. Any written commentary
17 needs to be received by 5:00 PM on January 31, 2020.
18 All written commentary will be copied and distributed to
19 the Planning and Zoning Commission. It will not be read
20 aloud during the public hearing.

21 Testimony shall be limited to Buchanan County
22 residents or those entities wishing to conduct
23 wind-related business within the county. Any nonperson
24 entity, for example, a company or trust owning land in
25 Buchanan County, shall also have the opportunity to

1 provide testimony by a designated representative.

2 The hearings are expected to be conducted in a
3 courteous and orderly manner. That was certainly the
4 case last night. And I'm certain that that will be the
5 case again this evening.

6 Only the designated speaker will be able to provide
7 input at any given time during the hearing. Outbursts
8 or other unsolicited commentary, for example cheering or
9 booing during the testimony, will not be tolerated. I
10 reserve the right to remove anyone from the hearing that
11 does not follow these rules. I also have the discretion
12 to amend these rules as I deem appropriate as we go
13 through the hearing.

14 Speakers are allowed to present exhibits in the
15 form of pictures, maps, etc. In the event maps or
16 pictures or any exhibit is utilized, they will be
17 retained by Buchanan County for purposes of maintaining
18 their record of the hearing.

19 Each speaker will have a single opportunity to
20 provide input unless I determine, based on time, that
21 that should be altered. Rebuttal testimony will not be
22 permitted without specific approval of myself.

23 If the posted ending time for the public hearing
24 tonight arrives without all speakers having had the
25 opportunity to speak, the hearing will be in recess and

1 reconvened at the last scheduled date. At this point,
2 no scheduled date has been set. So if it's necessary to
3 have another hearing because not everyone can be heard,
4 then one will be established, and public notice will be
5 given as to the date of the new hearing.

6 For those of you that didn't hear me, my name is
7 Abe Shafer. I'm a retired circuit judge and have been a
8 member of the Missouri Bar for over 51 years. And I am
9 honored to be here to moderate this meeting.

10 A couple of additional comments, if everyone would
11 be kind enough to turn their phones on silent, I would
12 appreciate that very much. I'll be keeping time, so you
13 may hear a beep out of mine, but hopefully that's all
14 you will hear. I can't assure you of that. It's very
15 embarrassing -- it was very embarrassing as a Judge when
16 my phone was the one that went off in the courtroom. So
17 I always understood people's phones going off, and I
18 still do. But if you can, if you can turn it off, that
19 would be greatly appreciated.

20 Certainly, when a speaker concludes, applause only
21 will be permitted. Please, as I mentioned earlier,
22 please don't interrupt a speaker. I know there will not
23 be any, but I should probably mention that no foul or
24 abusive language should be used in this public hearing.
25 Let's get right on into the hearing and giving you all

1 an opportunity to speak. The next speaker I have on my
2 list from last night is Ryan Richter.

3 **RYAN RICHTER**

4 MR. RICHTER: Good evening, everyone. Thank you,
5 Commissioners. Thank you, Your Honor. Thank you,
6 Buchanan County.

7 MODERATOR SHAFER: Thank you.

8 MR. RICHTER: **My name is Ryan Richter. My address**
9 **is 1 Shadow Ridge, Easton, Missouri 64443.** This is
10 where my wife Lisa, our three kids and our three dogs
11 live. Lisa and I moved to Buchanan County in 2004. We
12 had wanted to move to the country for as long as I can
13 remember, as we both came from farm families in northern
14 Iowa.

15 We're employed at Altec Industries. I'm an
16 engineer through education from Iowa State University.
17 I'm a plant manager responsible for unit production and
18 profit and loss, the importance of that. I'm here
19 tonight because my family and I will be greatly affected
20 by the proposed wind turbine project. Our home and our
21 property of 20 acres sits on a ridge east of Bessie
22 Ellison Elementary School.

23 For clarification, I want it to be known that I'm
24 not anti-green energy. In 2019 we purchased solar
25 panels which generate 25 kilowatts. I've identified

1 areas of Draft Three that would benefit your residents
2 of Buchanan County if revised. It's known that the
3 blades of turbines emit sound from the whirling wind
4 past them. It's known because Chapter 4, Section 4
5 addresses this. In Table 2, Section 4, the ordinance
6 states that sound levels not to exceed 50 decibels per
7 participating parcel, and 45 decibels per
8 nonparticipating parcel. What does that mean?

9 I brought this visual aid. I am going to step away
10 from the microphone. I brought this visual aid made by
11 General Electric showing wind turbines, examples of
12 items with similar sound levels and the levels diminish
13 as the distance from the source increases. The graph
14 shows the sound level at the tower will be as loud as a
15 gasoline powered lawnmower. As you're aware -- as you
16 move away from the tower, the comparative items are less
17 noisy. The chart places residential homes a safe
18 distance of 300 meters. That's 1,000 feet for us
19 Americans, where the sound would be louder than a
20 refrigerator, but more quiet than an AC unit. Again,
21 that's GE.

22 I'm going to circle back to that article at the end
23 here because sound levels alone are not the way to
24 measure noise. Sound must be considered from decibels
25 and frequency. In the mid-80s, a researcher by the name

1 of Neil Kelly headed a group of researchers under the
2 auspice of the US Department of Energy and NASA. They
3 found conclusive evidence that adverse wind effects,
4 very similar to what's known as wind turbine syndrome,
5 were due primarily to low frequency sound and inaudible
6 infrasound.

7 They wrote, The current sound standards based as
8 they are on decibels, weighted acoustic measurement,
9 gives particular weight to audible frequencies in the
10 soundscape, but very little weight, or no weight, to low
11 sound frequencies or infrasound, particularly below 10
12 hertz (Hz), which comprise a significant portion of the
13 sound generated by large turbines. People do not hear
14 decibels. We hear quantitatively different sounds,
15 birds, insects, running water, rustling leaves and
16 trees, etc. Basing noise criteria solely on a single
17 number ignores the unique nature of the sound produced
18 by large wind turbines.

19 It is constantly changing loudness, frequency,
20 harmonics, pitch, impulse, quality. It is precisely
21 these qualities that make the sound feel so intrusive
22 and annoying, especially in quiet rural environments
23 where these projects are usually located.

24 Parenthetically, the word annoying is somewhat
25 misleading as it implies a minor, temporary, occasional

1 nuisance that perhaps might be mostly ignored rather
2 than what it truly is, a repetitive stressor that can
3 degrade one's short- and long-term health and
4 well-being, and from where there is no escape over the
5 lifetime of the project short of having to abandon one's
6 home.

7 Acoustic technicians have known for decades how to
8 predict community reaction to new noise. In 1974, the
9 United States Environmental Protection Agency published
10 a methodology that can be used to communicate -- to
11 predict the community reaction to a new noise. This
12 simple chart can be used to show the community
13 reactions. On the Y axis on the left versus the noise
14 level, X axis, on the bottom. This chart was developed
15 from 55 community noise case studies, which are the
16 black squares plotted on that graph. The baseline noise
17 levels include adjustments for the existing ambient
18 prior noise experience and sound character. The
19 predicted wind turbine noise level is plotted on the X
20 axis. And the predicted community reaction is
21 determined by the highest reaction indicated by the
22 black squares.

23 I want to give you some examples. A 32-decibel
24 sound will typically generate sporadic complaints. A
25 37-decibel sound will generate widespread complaints by

1 at least 25 percent of the population.

2 MODERATOR SHAFER: Mr. McGuire (sic.), you and I
3 spoke last night about some additional time for you.

4 MR. RICHTER: Yes, sir.

5 MODERATOR SHAFER: And I agreed to give you some
6 additional time.

7 MR. RICHTER: I appreciate it, Your Honor, thank
8 you.

9 MODERATOR SHAFER: I wanted everyone to understand.

10 MR. RICHTER: Thank you. At readily increased --
11 Oh, I'm sorry. I jumped a paragraph. That's why I'm
12 lost.

13 MODERATOR SHAFER: I caused that. I'm sorry, sir.

14 MR. RICHTER: So we left off at 37 decibels,
15 annoying at least 25 percent to the point where they're
16 going to have widespread complaints. If you take that
17 all the way up to 45 decibels, strong -- up here to this
18 group, strong appeals to stop the noise, and that's 45
19 percent of the population.

20 Research found that when wind turbine noise level
21 reached 35 decibels, six percent of the population was
22 highly annoyed. And this rapidly increased to 25 at 40
23 decibels. Independent researchers recommend that noise
24 levels should not exceed 33 decibels, which is near the
25 upper limit for sporadic complaints.

1 Buchanan County's population is 89,000 strong.
2 St. Joseph City's population is 76,000. The difference
3 is 13,000. Those 13,000 residents -- those 13,000 are
4 Buchanan County's rural residents. The current noise
5 limit is set at 45 decibels. Using this chart, I can
6 expect 6,000 or more residents will be complaining about
7 the noise and making strong appeals for it to be
8 stopped.

9 Why does Draft Three, Chapter 4, Subsection C
10 exist? For those unfamiliar with the zoning regulation,
11 I'll tell you. Wind energy development will not be
12 approved within approximately a two-mile radius around
13 the city of St. Joseph. Does this rule exist because
14 Black and Veatch knew of this chart, and that dealing
15 with 6,000 complaints would be far better than dealing
16 with 40,000 complaints?

17 Now, back to the published article from General
18 Electric. Because wind turbines are such great sources
19 of clean, renewable energy, they're usually greeted with
20 a great deal of enthusiasm. But some complaints have
21 been made that they cause too much noise for residents
22 living within a mile of the blades. So just how noisy
23 are these turbines? The closest a wind turbine is
24 typically placed to a home is 300 meters. At that
25 distance, a wind turbine will have a sound pressure

1 level of 43 decibels. At 500 meters, one-third mile,
2 again for us Americans, that sound pressure level drops
3 to 38 decibels. In most places, according to Keith
4 Longden of GE Renewable Energy, background noise ranges
5 from 40 to 45 decibels, meaning that a turbine's noise
6 will be lost amongst it.

7 However, for the stillest most rural areas, Longden
8 said background noise is 30 decibels. At that level, a
9 turbine located about a mile away wouldn't be heard.
10 With GE, the company who designs these machines
11 admitting that a one-mile setback would be required to
12 protect the tranquility and peace of our residents in
13 Buchanan County, how can our Commissioners allow
14 anything less than a one-mile setback to protect their
15 voters, us, the residents and friends of Buchanan
16 County? Thank you.

17 MODERATOR SHAFER: Thank you, Mr. Richter.

18 MR. RICHTER: This can go on the record. I'll set
19 it right here.

20 MODERATOR SHAFER: Thank you very much, sir.

21 Ms. Richter, do you wish to speak also?

22 MR. RICHTER: My wife wasn't able to come tonight,
23 sir.

24 MODERATOR SHAFER: I understand. You were listed
25 as the speaker, so I presumed you were the spokesperson

1 for the family tonight. Jesse England.

2 MR. ENGLAND: Yes, sir.

3 MODERATOR SHAFER: You may proceed with you're
4 ready, Mr. England.

5 **JESSE ENGLAND**

6 MR. ENGLAND: Thank you, Your Honor.

7 MODERATOR SHAFER: Yes, sir.

8 MR. ENGLAND: Good evening. I appreciate this
9 opportunity to speak with you tonight. **Again, my name**
10 **is Jesse England. I reside at 9016 Northeast Hurlingen**
11 **Road, just over the hill from Bessie Ellison School.**

12 Back in the '90s, I helped build Werner Enterprises to
13 the second largest trucking company. I've done all
14 kinds of extensive research based on carbon footprints,
15 environmentally friendly operations, specifically in the
16 long-term trucking operations. We studied fuel burn,
17 tire wear and tear, those kind of things. In fact, one
18 of my claim to fame is obviously creating the paperless
19 log system that we know today.

20 Since I've moved to St. Joe in '05, I was an
21 integral part in building Dohrn Transfer. I tried to
22 build it here. It was built over at Cameron, three
23 miles west of Cameron north of 36 Highway. Since then,
24 I've played an integral part in building both biodiesel
25 plants here. I am all about renewable fuel and

1 renewable energy. In fact, I believe all of us probably
2 as a community as well as stewards of our earth are all
3 about renewable energy. But let's focus on whether it's
4 the most cost-effective, efficient renewable energy.

5 You've obviously heard testimony, and I could
6 inundate you with information, but now is not the time
7 or place. I guess I challenge you on doing your due
8 diligence in finding out truly if it's all about
9 renewable energy, is it the most cost-effective, most
10 applicable for our community? We have a river that's a
11 stone's throw away here and likes to flood. Has anybody
12 considered hydro? If it's all about renewable energy,
13 is it truly, quote unquote, "renewable energy"?

14 Clearly, I'm also a businessman. I've been a
15 professional businessman most of my adult life. I
16 currently have four businesses here in town. I have
17 four college degrees. My point is, as a businessman, as
18 a renewable -- I've worked in the government sector,
19 agricultural sector. My point is, I'm also about
20 socioeconomic and revenue generation for our community.
21 Clearly, I think we all are interested in the
22 socioeconomic benefit of our community.

23 But again, is it all about the money? There is a
24 cost benefit analysis on is it really worth the money or
25 not? So again, my challenge is to ask. Have we really

1 solicited -- if it's truly about green energy and if
2 it's truly about revenue generation, have we truly
3 solicited for our community? Because this is life
4 altering for our community. So anything that is life
5 altering, have we really considered or solicited the
6 best renewable "green energy" that's the best
7 application for us? Have we really factored in whether
8 this is going to be the most revenue generating for our
9 community and our residents? Is it really going to
10 create X-many jobs? Is it really going to generate that
11 much money for our schools and our communities, our
12 roads, our bridges and so forth?

13 My point is, all we have to do is follow the money.
14 We are not reinventing the wheel here. We can look to
15 our prairie states to the northwest, which is truly
16 where these things are designed to be, Kansas, North
17 Dakota. We had a Houston attorney here saying these
18 things are all over Texas. Follow the money.

19 Follow the litigation. I can tell you that most of
20 these large corporations, and I've worked for a lot of
21 them, trust me. They like to come into small, rural
22 areas. And I'm from there. I have a family farm that's
23 an hour and a half north of here. I also have a farm,
24 like I mentioned, north of St. Joseph. I'm all about
25 farming, clean air, stewards of the environment.

1 The point is, if you follow the money and the
2 litigation, you're going to find out large corporations
3 come into these smaller communities with no Planning and
4 Zoning. And once they get their hooks in them and there
5 are deep pockets, it's very difficult to get them out.
6 I've seen the desecration for families up in Iowa,
7 personal friends of mine. They'll literally just -- as
8 you've heard the testimonies of some of these gentlemen
9 here, it takes 100 years for this one turbine to pay for
10 itself.

11 Look at that due diligence, find out and check the
12 numbers. I've seen people that basically said, Hey, you
13 know, I'm a retired farmer. Supplemental income would
14 be nice. I totally agree with them. But is it truly
15 smoke and mirrors or is it truly renewable energy? Is
16 it truly as cost-effective as what they claim? Because
17 clearly they're going to purport, you know, the best
18 side of things. They may leave out some very specific
19 details on the benefits of this.

20 They've given up. They're handing down century-old
21 farms, which clearly I know some of my neighbors, the
22 Miners, Shadow Ridge, Barry Birr. Some of these people
23 are my neighbors. I would never put anything like that
24 on my farm because I appreciate it. This is one of the
25 reasons why I moved down here from Omaha, Nebraska.

1 So I challenge you to do your due diligence, follow
2 the money, follow the litigation. Because, again, all
3 these other states have done this. They've been there.
4 They have the same issues. They have the same problems.
5 I'm sure you've heard the old eminent domain that is
6 mentioned by utility companies, once it goes there.
7 You've heard of the decommissions. Again, I'm not going
8 to be repetitive with all of that. I'm not going to
9 bore you with all those.

10 Clearly, I simply ask you as a human being, as a
11 citizen of this community, as a local businessperson. I
12 appreciate, obviously, you looking at all the other
13 evidence that's already out there. Okay? It's just a
14 matter of just doing what my neighbors have presented
15 here tonight. It's readily available. We're not
16 reinventing the wheel. So please look at that again,
17 please. Thank you very much for your time. I
18 appreciate your service.

19 MODERATOR SHAFER: Thank you, Mr. England. Russell
20 King.

21 Richard Ashley DeShon.

22 Nancy Folkert, F-O-L-K-E-R-T.

23 Charlie Robbins or Teresa Robbins.

24 Debbie Buzzaro or Buzzard, I'm having a little
25 trouble. Ms. Buzzard.

1 Tamara Christianson.

2 Roger Fisher.

3 MR. FISHER: Yes.

4 MODERATOR SHAFER: Would you like to speak,
5 Mr. Fisher?

6 MR. FISHER: Yes, sir.

7 MODERATOR SHAFER: Please. Are you upstairs, sir?

8 MR. FISHER: Yes, I am. You want me to come down
9 there?

10 MODERATOR SHAFER: Commissioner, would you prefer
11 he come down here, or would you go to him, sir?

12 COMMISSIONER HOOK: We'll come up to you. John,
13 you want to catch this?

14 MODERATOR SHAFER: That was a nice catch. We hope
15 to see some of those on Sunday.

16 MR. HOOK: Here, you go.

17 MODERATOR SHAFER: Mr. Fisher, you are recognized,
18 sir.

19 **ROGER FISHER**

20 MR. FISHER: Thank you. **My name is Roger Fisher.**
21 **I reside at 13051 Hurlingen Road in Easton, Missouri in**
22 **Marion County.** I want to speak tonight because I see
23 that this wind turbines, the idea of it, is dividing our
24 community. I see how people are reacting, the ones who
25 may be prone to have it on their property and those that

1 are not. I see that, you know, that it's dealing with
2 relationship with our neighbors. I think we already
3 have so much division in our country now as we see our
4 politics and morals and values and everybody has their
5 own. And I just think that one more thing we don't
6 need. So I am totally against these wind turbines. I
7 would like to see a total ban on them. That's my
8 comment tonight. Thank you.

9 MODERATOR SHAFER: Thank you, Mr. Fisher.

10 Charles Sailor.

11 Pat Samson.

12 Susan Harris.

13 **SUSAN HARRIS**

14 MODERATOR SHAFER: You may proceed, Ms. Harris.

15 MS. HARRIS: Thank you. Hello. **My name is Susan**
16 **Harris. I live at 2400 Jackson Street, St. Joseph,**
17 **Buchanan County, Missouri.** And I oppose wind farms in
18 my county.

19 This is a simple choice. Wind farm tax revenue or
20 continued quality of life. Sorry. Let's learn from
21 other counties' mistakes. We can be smart and
22 progressive about this and ban them. We can be on the
23 right side of history on this. Or we can forever regret
24 having allowed industrial wind turbines in. We are in
25 danger of losing our county's precious natural heritage

1 of beautiful countryside, peace and quiet, thousands of
2 songbirds and raptors and dark night skies. Is this
3 somebody's idea of a way to pay for the new high school?
4 If so, what a poor bargain, to build a new high school
5 that nobody wants by permanently ruining the countryside
6 that everybody loves.

7 NextEra sued neighboring counties that didn't want
8 their wind turbines. They did not win. We do not have
9 to take our marching orders from NextEra, its law firm
10 or any other wind turbine company. They are in a rush
11 to build these things because the federal government has
12 been considering phasing out the subsidies. Let's not
13 let NextEra rush us.

14 It seems that NextEra has even convinced us that we
15 can't ban them at all, only maybe put in some
16 regulations. Person after person last night said that
17 what they really wanted was a ban. But if that wasn't
18 possible, they wanted at least a one-mile setback.
19 Don't be fooled. Of course we can ban them, just like
20 other counties in the Midwest and all over the country
21 already have done. Our regulations can say no
22 commercial wind turbines allowed, period.

23 If they sue us, we will win. Even Los Angeles
24 County, California has banned commercial wind turbines
25 in unincorporated areas. We should not be bullied by

1 big companies or blinded by promise of tax revenue. How
2 much money would an industrial wind turbine company need
3 to pay us in exchange for ruining the beauty and quality
4 of life of Buchanan County? I don't think there's
5 enough money in the world.

6 Theodore Roosevelt said, "Here is your country.
7 Cherish these natural wonders. Cherish the natural
8 resources. Cherish the history and the romance as a
9 sacred heritage for your children and for your
10 children's children. Do not let selfish men or greedy
11 interests skin your country of its beauty, its riches or
12 its romance."

13 Please, let's don't let wind turbine companies skin
14 Buchanan County of its beauty, its riches or its
15 romance. Thank you.

16 MODERATOR SHAFER: Thank you, Ms. Harris.

17 Mike Harris.

18 Brad Drake. Is it Sheena Drake? Either Brad or
19 Sheena Drake.

20 Larry Hahn.

21 MR. HAHN: Here.

22 MODERATOR SHAFER: Would you like to speak, sir?

23 MR. HAHN: Yes, sir.

24 MODERATOR SHAFER: Please come up.

25

—

1 LARRY HAHN

2 MR. HAHN: First of all, thank you for this
3 opportunity. America is a great country. I'd like to
4 keep it that way. **My name is Larry Hahn. My wife Donna**
5 **and I have owned and lived at 330 Southeast 68th Road,**
6 **Washington Township, St. Joseph, Missouri 64507** since
7 the 15th of May, 1962. We're one mile south of Missouri
8 Highway 6 and State Route W and the (inaudible)
9 Methodist Church. I'm speaking not only to those
10 present here from Buchanan County, the Planning and
11 Zoning members and the County Commissioners, we at
12 Washington Township have no representative present, and
13 have not had any for most of the meetings that I have
14 attended.

15 First, I want to thank Scott Burnham for his
16 assistance in this matter and the discussions I've had
17 with him on this. I thank Scott and Lee Sawyer for
18 their responses to my letters. Donna and I know of no
19 other home in the area that has a more wide, beautiful
20 panoramic view than our hilltop. Most of you have never
21 been out there. If you have, we look from Mosaic -- we
22 look out our kitchen window to Mosaic Hospital, down
23 Riverside, clear down to the High Point on 169, back
24 around across the east to Saxton's, up Z to San Antonio
25 Ridge and around and back to the Ellison school.

1 Beautiful sight for miles and miles, up to three or four
2 miles.

3 We're about 120 feet higher than the 102 River and
4 the Platte. It's just a beautiful view out there. You
5 can't believe it. It wasn't like that when we moved
6 there 58 years ago this May. Within a half-mile of our
7 east property line, there are two active eagle nests.
8 Then in our southeast pasture is a pond with a single
9 tree, an old tree, it's dying. It's a favorite place
10 for this eagle to rest after he's -- we see him there
11 resting, we've taken pictures of him. This is about 150
12 yards east of our grain bin and barn.

13 Last Saturday while out at the barn with my son Tim
14 and a friend, this eagle flew by. Beautiful. Look at
15 him. He sure flew down to look at us. And then he flew
16 on his way. His big white head, it unbelievable. If
17 you haven't been able to see that regularly, you don't
18 know what it's like.

19 Let's go to the Draft Three, page 4, General
20 Requirements, Section 428. The permit fee for turbines
21 is listed as \$5,000. Draft Two, it was \$15,000. Is
22 there a reason why it's lower?

23 Page 4, I'll quote part of this. This provision
24 does not apply to future response repowering of the
25 project. The attorneys have left open there something

1 where they can change it after they get started.

2 Page 5, Permit Application Process, number four.
3 This hearing will be noticed in the largest circulation
4 newspaper for at least 15 days. Well, today many people
5 do not take the paper. So it also needs to be announced
6 in the local TV station and radio stations about any
7 meetings that are held.

8 Page 6, VI, Permit Application Contents. They use
9 the word turbine technology plan by developers. Why
10 can't the public present some proven technology and
11 information also? Yes, we'd have to hire it, but, you
12 know, there's two sides to this stuff. They're going to
13 present what they want.

14 Page 6, number 12. An application fee in the
15 amount of \$5,000 per turbine. Draft Two version said
16 \$15,000. What happened again? Again, is there a typo
17 or what? That's a \$10,000 difference.

18 Page 7, number 15. Consent is granted to allow
19 noise levels to exceed the national limits otherwise
20 allowed. You just had a good presentation by the fellow
21 here on noise limits. There should be no -- it says if
22 applicable in parentheses. There's to be no allowance
23 excepting, period. Set a standard and stick to it.

24 Setback. Well, that's a big issue, we all know.
25 Set up a half-mile originally in the past. We've asked

1 for one mile, which makes more sense. You've heard the
2 stories about the distance, the decibels and all that.
3 Minimum setback of one mile should be it. No one said
4 it will go through. But if it does, one mile is the
5 minimum setback from the property line. There's nothing
6 wrong with a two-mile setback.

7 A few weeks ago in the St. Joe paper, there was an
8 article about in Nebraska they're going to a two-mile
9 setback. And they do not have the population that we
10 have.

11 Page 9, eagle nest. The conservation plan
12 guidelines is two-mile standard, grant no waivers once
13 you reach that point.

14 Page 11(c). Wind energy development will not be
15 approved within approximately a two-mile radius around
16 the city of St. Joe. Is that the Missouri River? Is it
17 downtown? Or is it the city limits? They need to
18 clarify. It says approximately.

19 MODERATOR SHAFER: Mr. Hahn, you have one minute
20 remaining, sir.

21 MR. HAHN: What?

22 MODERATOR SHAFER: One minute remaining, sir.
23 You're running over just a little bit. You may have
24 another minute.

25 MR. HAHN: That's fine. I'm on my last page here.

1 MODERATOR SHAFER: Thank you, sir.

2 MR. HAHN: Now, look at the Buchanan County map of
3 the Townships. Then look at the breakdown of the
4 Buchanan County population. You've already heard
5 there's 89,000 population. Washington Township has a
6 population of 78,496 people. That's 88 percent of the
7 population of this county resides in Washington Township
8 alone. We have no representative present. We haven't
9 had one for most of the time. Look at Lake Township.
10 It's got a population of 35. And they've got a
11 representative here. We need some help.

12 Remember these drafts are oriented to be in favor
13 of NextEra, not we tax payers, property owners or
14 whatever. First, I'd like to have no wind turbines. We
15 do not want to create a Hatfield/McCoy situation, which
16 is we know what happened out in DeKalb County. It may
17 happen either way, but it will be a lot less damage if
18 there's no wind turbines. Even if there's a mile
19 setback, turbines height should be under 500 feet.

20 I'm praying that you guys will do what's best for
21 the property owners and taxpayers. Thank you. Thank
22 you.

23 MODERATOR SHAFER: Thank you, Mr. Hahn.

24 Katherine Manville.

25 Dennis Vogel.

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Dustin Creal.
Michele McCoy.
George McCoy.
Tina Goodrick.
Leslie Turner.
Richard Claycomb.
Anne Altorfer.
Glen Porter
Will Perland.

MR. PENLAND: I'm here.

MODERATOR SHAFER: Mr. Perland?

MR. PENLAND: It's Penland.

MODERATOR SHAFER: Yes, sir. Mr. Perland, you may proceed, sir.

MR. PENLAND: **So my name is Will Penland.**

MODERATOR SHAFER: I'm sorry.

MR. PENLAND: That's okay.

MODERATOR SHAFER: Mr. Penland.

WILL PENLAND

MR. PENLAND: I'm 42 years old, father of two. And I've been in St. Joe for many years. I work at Boehringer Ingelheim. I do vital statistics for them. **And I just recently purchased property in Easton, Missouri, 4 Shadow Ridge Drive.**

I own a home on Lover's Lane in St. Joe near the

1 Parkway system. I'm very happy with that. I love
2 St. Joseph. It's a wonderful community with a lot of
3 really good people and families and churches and
4 organizations.

5 Shadow Ridge is beautiful. There's 30 acres there.
6 We spend a lot of time out there. And just today I was
7 out there. I was thinking about this, and I just want
8 to say that I was really touched by all the testimonies
9 last night. These families and people that have lived
10 east of town all of their lives, it really impacted me
11 to a point where I, for the most part informationally
12 speaking, I was here to learn quite a bit about this.
13 And now I felt compelled to say something.

14 Looking out across this land that we just
15 purchased, it's so naturally beautiful. And I would say
16 that the sunrises and sunsets and so on would definitely
17 be nuisanced by wind turbines. There's no question that
18 these things would eclipse the natural beauty of the
19 countryside. And I think that that's shared by all the
20 people that gave their testimonies yesterday.

21 So my fiancée and I have a lot of plans out there
22 with trails and letting dogs and horses and children
23 play. We love during parties, and ultimately having
24 bonfires and family get-togethers and things like that.
25 And I just can't help but imagine that we wouldn't be

1 really sad and disheartened to see these very large,
2 significantly large wind turbines.

3 So professionally speaking, I evaluate new
4 technology all the time. And I have to make decisions
5 as to the value that that adds. And I've done quite a
6 bit of research today on these devices, and they don't
7 really seem to be a worthwhile investment. So
8 personally, you know, personally I would definitely
9 oppose that.

10 But I would also say that there's one other topic
11 that I heard mentioned here today. We have these
12 beautiful bald eagles, and the wildlife impact. There
13 seems to be such a negative impact that these wind
14 turbines cause on the natural environment, especially
15 with watching the bald eagles so often. I just can't
16 imagine that these things wouldn't impact birds,
17 migratory and otherwise.

18 So my position is that they would be a nuisance and
19 that as far as cost, cost is concerned, you know, the
20 installation associated with it and also the
21 decommissioning costs associated with it, I can't
22 imagine how all of that infrastructure necessary to
23 install those on all this farmland, to me that seems
24 that it's just really not warranted. So that's my
25 position.

1 Please honor -- ideally it would be a ban, you
2 know, that you would have. And I will add one other
3 thing, that when we drive out to Colorado, the eastern
4 side of Colorado, western Kansas, and you go into Limon
5 Colorado and you see those hundreds and hundreds of red
6 blinking lights flashing everywhere, and you just see
7 all those turbines. They're very unnatural,
8 unnatural-looking. So, you know, I would say that that
9 would be a real nuisance. And Being so proud of
10 St. Joseph, I would hate to think that that would be an
11 attribute that we would think of regarding St. Joe.

12 MODERATOR SHAFER: Thank you, Mr. Penland.

13 Denise Colhour. I'm sorry. Are you going to tell
14 me how to pronounce it?

15 MS. COLHOUR: You're very close.

16 MODERATOR SHAFER: Thank you.

17 **DENISE COLHOUR**

18 MS. COLHOUR: Thank you to the Planning and Zoning
19 Commission. I understand that you're volunteers, and I
20 appreciate your time.

21 MODERATOR SHAFER: Would you please give your name
22 and address to the court reporter?

23 MS. COLHOUR: Yes, I will. Thank you, Your Honor.

24 MODERATOR SHAFER: Thank you so much.

25 MS. COLHOUR: **My name is Denise Colhour. I live at**

1 **11881 Northeast Hurlingen Road, Easton, Missouri.** I
2 have a vested interest in being here this evening. I
3 was born in St. Joseph at the old Methodist Hospital.
4 My first family home was on Duncan Street. I later was
5 raised in Maysville, Missouri in DeKalb County, but came
6 back to St. Joseph specifically to live in Buchanan
7 County in the country as an adult. And I served the
8 St. Joseph School District as their Director of Special
9 Services for a number of years.

10 I purchased 10 acres, and I have a small hobby
11 farm. One of my neighbors takes care of the pasture for
12 me. But I built a brand-new home, and my intention is
13 to stay. We are blessed in Buchanan County that we have
14 an urban area of St. Joseph and we also have beautiful
15 countryside. And I love the peaceful enjoyment that I
16 get living on Hurlingen Road.

17 And I want you to please consider, and I do
18 appreciate your full attention to all of us tonight.
19 Please consider a ban on industrial-sized wind turbines.
20 You do not have to allow these in Buchanan County. But
21 if you should choose to write and continue along the
22 lines which you have with this draft, I want you to take
23 some things into consideration.

24 I'm very curious as to how you determine that the
25 citizens of Buchanan County, which live in the

1 St. Joseph city limits, are being granted a two-mile
2 setback, but your other citizens in Buchanan County are
3 not? By what means did you reach that conclusion? Did
4 you do a need survey? Did you do research? On what
5 basis do the citizens of St. Joseph get a two-mile
6 setback, but the rest of us do not?

7 If you do not have research backing your decision,
8 then it appears to be capricious and perhaps even
9 discriminatory solely based on where my property is
10 purchased. So please consider that. I think many of us
11 are wondering how is it what is good for one group of
12 citizens is not good for all of us?

13 Really, in closing, I just ask that you please
14 consider a ban. And if not, please take into
15 consideration the hundreds of people that have signed a
16 petition asking you to fairly consider at least a
17 one-mile setback. What you are proposing in your draft
18 is significantly different. But yet no reason has been
19 offered. So please allow us to continue enjoying and
20 loving living in Buchanan County. It's peaceful. Our
21 views are wonderful. It's quiet. And we are blessed to
22 be here. I thank you very much for your time, and I
23 think the County Commissioners also.

24 MODERATOR SHAFER: Thank you. Ken Lewis.

25 MR. LEWIS: Thank you.

1 KENNETH LEWIS

2 MR. LEWIS: I shouldn't have sat that far back in.
3 Thank you for allowing me to share just a moment on this
4 very important subject. **My name is Kenneth Lewis. I**
5 **live here in the city, 5607 Long View Drive, St. Joseph,**
6 **Missouri 64503.** I'm an area pastor.

7 And quite frankly, when I get in front of a mic,
8 I'm a little bit tempted to preach. But I'll just hold
9 off on that just a little bit because this is not the
10 time for that. Being a pastor and preaching the gospel,
11 I'm in the people business. I care about people. I
12 care about their lives. I care about their eternity.
13 I'm writing to urge you today to say no to wind towers
14 in Buchanan County. In general, these towers will make
15 lives miserable. They will destroy property values.
16 People will not be able to talk on their cell phones or
17 watch their television because of these towers.

18 That said, these things cause problems between
19 families and between neighbors. I've seen this. Many
20 times this product produces hate-filled speech where
21 there used to be warm greetings in the store and in the
22 places of business. It's hard not to hate when a person
23 next door has decided that having more money in their
24 pocket is more valuable than their neighbor's home or
25 their neighbor's health.

1 And if you happen to be one of those unfortunate
2 people that have those towers in your neighborhood, you
3 can't just sell out and move because all of a sudden
4 your place is not worth much anymore because of the
5 towers. No wonder people are tempted to hate and feel
6 hurt.

7 I told you a few minutes ago that I'm in the people
8 business. It worries me about what's happening in our
9 nation. We're becoming very hateful. Very few put any
10 value on other people's lives. You see, it's all about
11 number one. It's all about money too. Our nation is
12 fighting against itself. It's man against man and woman
13 against woman. No longer can we agree to disagree.
14 When you disagree with someone, they hate you and they
15 speak ill of you and they just try to destroy you. I
16 really hope and pray this doesn't happen here in our
17 county and in our city. But it can, and it will if we
18 care only about ourselves or about money, and not about
19 our friends and our neighbors around us and even the
20 people we do not know.

21 I know you guys did not cause this hate and
22 disunity among people. However, you on the Zoning Board
23 and on the County Commission have a great opportunity.
24 You can step up to the plate. You can do what's right
25 by every person that lives in this county. Your choice

1 in ruling on this matter must not be about money or
2 about school districts or whatever, but about people,
3 all the people, not just a few landowners or a few
4 school districts.

5 You guys on the Zoning Board can just say no to
6 wind energy. Just say we don't need it. It's the right
7 thing to do. Those of you on the Buchanan County
8 Commission, you have the opportunity to step up to the
9 plate and do what's right as well, and just say no to
10 wind energy. Even if the Planning and Zoning Committee
11 approve it, do your part to serve all the people in the
12 county, not just a few. Please do your part to keep
13 unity and harmony in our community. It is far more
14 valuable. Thank you for allowing me to speak.

15 MODERATOR SHAFER: Thank you, sir. Deborah BIRR.

16 **DEBORAH BIRR**

17 MS. BIRR: My name is Deborah BIRR. I live east of
18 St. Joseph near Bessie Ellison School, #3 Shadow Ridge,
19 Easton, Missouri, 64443. Thank you guys for allowing me
20 to address you tonight.

21 I'd love to quote from the County Commissioners'
22 handout, which Judge Shafer read last night before he
23 opened this hearing for public comment. I quote, "After
24 the public hearings, the Planning and Zoning Commission
25 will conduct a work session to amend the Black and

1 Veatch draft. The Planning and Zoning Commission is
2 permitted to change this preliminary draft and construct
3 a final version that best fits the unique
4 characteristics of Buchanan County. Once the Planning
5 and Zoning Commission approves a final draft, their
6 recommendation is then sent to the Buchanan County
7 Commission for final approval or denial."

8 On behalf of Friends of Buchanan County, I have a
9 request for each one of you. Change this preliminary
10 draft to reflect the input from the dozens of residents
11 who stood up last night, who came out again tonight and
12 are continuing to stand up and ask each one of you guys
13 to protect the county. Send the Commissioners a final
14 version that best fits the unique characteristics of
15 Buchanan County, a first-class, densely populated urban
16 county. Make it simple. Replace this 18-page draft
17 from Black and Veatch with a one-sentence regulation.
18 Commercial wind energy conversion systems are not
19 allowed in Buchanan County. Thank you.

20 MODERATOR SHAFER: Thank you. Last night I read
21 answers to frequently asked questions. I did not reread
22 it tonight. I think as our last witness, Ms. Birr,
23 pointed out, there are some things that -- for those of
24 you that weren't here last night --

25 MR. HOOK: Judge, talk into the mic.

1 MODERATOR SHAFER: Thank you, sir. Last night --
2 it quit working, didn't it?

3 MR. HOOK: You wore it out.

4 MODERATOR SHAFER: Then it's time for me to be
5 quiet. Hello. Thank you, sir. Thank you. Last night
6 I did read frequently asked questions -- answers to
7 frequently asked questions. I omitted doing that at the
8 beginning of the hearing, and there are a number of new
9 people here, so I want to read those again.

10 Why are regulations necessary? Currently there are
11 no regulations specific to wind energy projects in the
12 Buchanan County Zoning Order. If a wind energy company
13 wanted to bring a project to our county, there is no
14 framework in place to determine under what conditions
15 the project would or would not be allowed. The Buchanan
16 County Commission has requested that regulations be put
17 in place to address potential future wind energy
18 projects. These regulations would set specific rules
19 for anyone wishing to establish a wind energy project in
20 Buchanan County. All zoning regulations are in an
21 effort to balance the freedom of people being able to do
22 what they desire with their property against the
23 protection of the neighboring properties and the
24 community as a whole.

25 The process is as follows: Since wind energy

1 regulations require a great deal of scientific -- or
2 this has been the process, and engineering knowledge,
3 the Buchanan County Commission retained the engineering
4 firm Black and Veatch to draft preliminary guidelines.
5 They researched how other communities dealt with the
6 issue and provided a preliminary draft. This initial
7 draft was presented in the Planning and Zoning
8 Commission at two different meetings and has been posted
9 online.

10 The next step in the process is to gather input
11 from the community and interested parties, and this is
12 done via the public hearing last night and the public
13 hearing tonight. These hearings are an opportunity for
14 the Planning and Zoning Commission to listen and
15 determine what issues are important to those involved.

16 After the public hearings, the Planning and Zoning
17 Commission will conduct a work session to amend the
18 Black and Veatch draft. The Planning and Zoning
19 Commission is permitted to change this preliminary draft
20 and construct a final version that best fits the unique
21 characteristics of Buchanan County.

22 Once the Planning and Zoning Commission approves
23 the final draft, their recommendation is sent to the
24 Buchanan County Commission for a final approval or a
25 denial.

1 What is a setback? A setback is a minimum required
2 distance between a building project and a geographic
3 item. For instance, if there is a property line setback
4 of 2,640 feet, one half of a mile, the project cannot be
5 built closer than the distance to the property line.
6 Multiple setbacks can apply to the same project. For
7 instance, a project might contain a property line
8 setback and a habitable structure setback. This means
9 the project must be a certain distance from the property
10 line and must also be a certain distance from any
11 habitable structure.

12 When there are multiple setbacks that apply,
13 typically the builder has to comply with all of them to
14 meet the code requirements.

15 Mr. Hahn, your name is on the list for tonight.
16 You've already spoken, right, sir?

17 MR. HAHN: Yes, sir.

18 MODERATOR SHAFER: Greg Kerns will be our next
19 speaker.

20 GREG KERNS

21 MR. KERNS: Hi. **My name is Greg Kerns. I live at**
22 **8779 Northwest 356. It's in Stewartville. I live in**
23 **Clinton County, however, I own 80 acres on 135th just**
24 **south of 36 Highway. It's an Easton address.**

25 My concern with -- it's kind of different than

1 everybody else's. I'm not for them at all. But I would
2 like to just think about it. If this wind company
3 doesn't prepay for taking these down, they're going to
4 be bankrupt whenever this, you know, 20 years goes by,
5 25 years maybe. I don't know. I mean, think about it.
6 We're all old enough to remember big huge cell phones
7 down to small ones. If we can't get these taken down,
8 they're going to be cluttering up the landscape for our
9 grandkids, great-grandkids. It's just going to be a
10 mess. That's one of my concerns.

11 At my house I have 25 KW solar panels. I can get
12 them took down probably in an afternoon with a Bobcat by
13 myself. I've got a friend of mine that owns a
14 demolition excavation company. I asked him what he
15 would do if somebody called to take down a 600-foot tall
16 tower, and he just laughed. It's not going to happen.
17 They're going to be all over the place. You know, just
18 common sense.

19 This is a real live -- about a year ago I was out
20 by Amity doing some work on a guy's house. And I just
21 kind of asked him, just talking you know, What do you
22 think about these windmills? He's got a small acreage.
23 He might have five acres, I don't know. He said, Well,
24 the biggest issue is, he said, just go out there and
25 stand. It was a morning like this morning out in the

1 country, real cold out. It was in March. I didn't
2 really understand at first. But I just stood there a
3 minute. It just sounds like an airplane in the distance
4 that never comes or never goes. It's just there.

5 You know, there's so much here, so many different
6 things we can do. You know, I'm not against wind
7 energy, but I don't think this is -- just think about
8 it. It's just common sense. It's not very smart. I'm
9 worried about maybe not the years they're running, but
10 things change too fast. You know, you guys remember
11 cassette tapes, eight tracks. I mean, that's a little
12 thing, but we remember when they were invented and we
13 remember when they went away. It's pretty quick.

14 So these things may be, you know, a year or two we
15 can do one that's 100 feet tall, a few more years 50
16 feet. So if we're going to do them, they need to put
17 in, you know, the mile setbacks. And, honestly, they
18 need to just ban them to 30 feet tall. Heck with 500
19 feet, that's still too tall. I can knock 30 feet over
20 by myself. I can't 500.

21 Anyway, thanks for listening, and that's my idea.

22 MODERATOR SHAFER: Thank you, sir. Kevin Kuwatz.

23 MR. KURTZ: Kurtz.

24 MODERATOR SHAFER: Kurtz. I'm sorry, sir. You
25 have excellent writing. It's my reading skills that are

1 the problem.

2 **KEVIN KURTZ**

3 MR. KURTZ: **My name is Kevin Kurtz. And I live at**
4 **3129 St. Joseph Avenue.** I've been here for 20-plus
5 years. Thank you for listening to all of us tonight and
6 considering all this with great care. I, like everyone
7 that I've heard speak so far, I care about people. I
8 care about families and friends and everyone that lives
9 in our communities.

10 The reason I'm against the wind farms is a little
11 bit different angle. I know that family members and
12 friends and people in the community around us need jobs.
13 And they need good quality jobs. Although these jobs
14 that come with these wind farms may seem like
15 come-and-go jobs, they can lead people, young people,
16 people of all -- men and women that need jobs to lead
17 into good quality careers, an opportunity and a place to
18 get started.

19 I'm an iron worker by trade. And some 15 years ago
20 when the first wind turbines in our area started going
21 up, a lot of -- I've got friends and family here that
22 worked with us on those first original wind farms, and
23 they used local help. And the more they put up, the
24 more the local help get kicked out. The closer they got
25 to town, the more the local help got kicked out.

1 You can go up into Atchison County and Nodaway
2 County and talk to the folks that were involved with
3 those. And I can assure you they'll tell you NextEra
4 and all these big wind -- multi-billion-dollar bullies
5 that come into town, they'll tell you that they're going
6 to use local help. But I personally delivered, when
7 they said that they were going to use local help, I
8 personally delivered over 100 applications of men and
9 women that were overqualified and had experience in that
10 work, and they said that there was not enough qualified
11 help in the area. So for that reason, I think they need
12 to be checked. I think these big wind companies need to
13 be put in their place. That's my thoughts.

14 MODERATOR SHAFER: Thank you, sir. Catherine Jill
15 Blazer.

16 MS. BLAZER: I'm here.

17 MODERATOR SHAFER: Do you desire to speak,
18 Ms. Blazer?

19 MS. BLAZER: Yes.

20 MODERATOR SHAFER: Please come up.

21 **CATHERINE JILL BLAZER**

22 MS. BLAZER: Hi. My name is Catherine Blazer. My
23 friends and family know me as Jill, which is my middle
24 name, which is what I go by. My husband Steve and I
25 live at 12900 Northeast State Route 6, which is on the

1 eastern side of Buchanan County. And we have a farm
2 there that we've lived there for about 12 years.

3 We also -- I just wanted to make sure you knew, we
4 do have a grass airstrip as many rural farmers do. And
5 just to follow up a little bit, we did find out that FAA
6 regulations defer to county zoning regarding setbacks.
7 So I believe it is on -- I'm looking at the third draft,
8 Draft Three Zoning Ordinance. On page 8 it says the
9 setbacks. It says the setback for airports needs to be
10 per FAA guidelines. And FAA guidelines defer back to
11 zoning. So basically if -- our preference would be to
12 ban wind turbines all together, but if you were going to
13 continue to revise the ordinance here, there would need
14 to be something specific for setback for airports, and
15 not defer to FAA guidelines.

16 The state of Kansas House Bill proposes a
17 three-mile setback for airports. I think that was the
18 main point I wanted to follow up on. Thank you very
19 much.

20 MODERATOR SHAFER: Thank you very much. Ladies and
21 gentlemen, I have called everyone I have listed who has
22 signed in. Is there anybody who I failed to call?

23 The last two witnesses, then -- I have allowed the
24 request of Mr. Steve Blazer to make a point. He asked
25 if he could make one more point. He didn't tell me what

1 it was. Mr. Blazer, you have one minute, sir. You have
2 one minute, sir, thank you.

3 **STEVE BLAZER**

4 MR. BLAZER: Hello. My wife -- this is Steve
5 Blazer again, but same address. I wanted to make the
6 point again, I think she brought it up about the runway.
7 But I covered some of the wave turbulence issues in the
8 aircraft and aerial spraying and so forth. But the wave
9 turbulence isn't just that issue. It also affects the
10 homeowners and the wildlife around there.

11 I just pulled up today, there was a picture of what
12 it may look like. I'll leave this. For miles all these
13 spreads out close to the ground. In your house when a
14 thunderstorm comes and the winds battering around the
15 house, that's turbulent air. Essentially these, if
16 you're in the right position downwind of these things
17 and you've got 20- to 30-mile-an-hour winds, your house
18 and everything around your house, the birds, the bees,
19 is going to be in this unsettled air that they're not
20 going to enjoy flying in. So I believe that it's going
21 to affect the eagles and the hawks and songbirds. I'm a
22 beekeeper too. And the bees -- when a thunderstorm
23 comes, you look outside and you see everything flying
24 around. They're going to have to transition through
25 these areas that are constantly with wind beating you

1 from every which direction.

2 So I think it is going to drastically affect the
3 wildlife. This study right here was saying, you know,
4 the wind companies were looking at it because the
5 turbine that's behind the first turbine, the turbulence
6 is severe enough they're talking about structural damage
7 to the blades of the turbines in the wake.

8 I just wanted to try and make some of those points,
9 that it wasn't just my aviation. The turbulence is and
10 the setbacks. The turbulence will affect everybody who
11 would be downwind of these things.

12 MODERATOR SHAFER: Thank you, Mr. Blazer. You may
13 leave that with the clerk if you'd like, sir. Thank
14 you, sir.

15 Stephanie McGuire.

16 MS. McGUIRE: Still here.

17 MODERATOR SHAFER: Please proceed. Your 10 minutes
18 begins now.

19 **STEPHANIE McGUIRE**

20 MS. McGUIRE: Thank you. Okay.

21 MODERATOR SHAFER: And you may leave information
22 with the clerk also if you'd like.

23 MS. McGUIRE: All right. Thank you. Can you guys
24 hear me if I'm not at the podium?

25 PUBLIC MEMBER: Yes.

1 MS. McGUIRE: Okay. So I've got some visuals.
2 Those of you who are on the Board of the Planning and
3 Zoning Commission, you've got smaller versions of this
4 in your notebooks. They're behind Tab 1. I see you
5 guys are good students because you brought them back
6 tonight, so thank you. It took a lot of time to get
7 those together.

8 So what I'm going to do first is walk you through
9 some of the visuals, tell you what they are, what the
10 information is, because I went through the minutes from
11 both January 2019 and September 2019 to look at
12 questions that some of you guys had. I'm not an expert
13 on wind turbines, but there's some information you were
14 asking for that I thought you might want to see in
15 considering these regulations.

16 So go to the first picture. It should look like
17 this. One of the Zoning Commissioners, excuse me, one
18 of the Zoning Board members had asked for a map of wind
19 speeds, a wind study in Buchanan County. I couldn't
20 find a map specific to Buchanan County. I did find a
21 web resource, windexchange.energy.gov. It's a public
22 government funded website. It has a wind map of the
23 entire United States. You can go in and look by state.
24 This is an average wind speed of 80 meters. I think the
25 hub on these are somewhere around 80 meters. This may

1 be a little bit short. There's another map on that same
2 website that talks about the speed at 100 meters. So
3 here's St. Joe. Here's our little pocket. You can see
4 by the color coding, the red is the highest wind speed.
5 This orange is the next highest, at least for our part
6 of the state. So this is where we're at. This is why
7 we're even here talking about is wind feasible in the
8 county.

9 Once again, I'm not saying I'm a proponent of it.
10 If we're going to have it, it needs to be regulated.
11 That's why it needs to be regulated if we're going to
12 have it. So that's your first visual.

13 The second one, this should be page 2 behind Tab 1.
14 Another government database, this is from the USGS
15 website. It's an online interactive database. The
16 database shows the entire United States. You can zoom
17 in at any wind turbine development in the country. It
18 tells you who's the owner, how long it's been there,
19 what the size of the tower is. It gives you some pretty
20 specific information. If you look at your map that's in
21 front of you behind Tab 1, I've zoomed this in, so we're
22 basically looking at Northwestern Missouri. Here's
23 St. Joe. Here's 36 Highway. The cluster that you see
24 through here, this is NextEra. This is the development
25 they have in Clinton County and Washington Township.

1 That's DeKalb. This is another reason why we have to
2 make a decision of whether we want these wind turbines
3 to be in Buchanan County. You see they cluster all
4 through here. And there's some interesting information
5 just to look at. Why are we here?

6 The next one is really fast and easy, another good
7 visual. Unfortunately, everybody last night stole my
8 material, but that's okay. We had speakers last night
9 talking about comparisons on what these wind towers look
10 like. We had some really good examples on the height of
11 the KQ Tower. That's something we're familiar with. So
12 if we look at this, I don't have the KQ Tower. Here's
13 600 feet. We're talking about the height of 600 feet.
14 Here's 500. This is measured from the outermost tip of
15 the turbine. Obviously we're talking even another 100
16 feet beyond that. It gives you a visual on where the
17 tip of the Washington Monument is if you've been to D.C.
18 Here's the Eifel Tower, if you been lucky enough to go
19 to Paris.

20 So we're looking at here, right through here, as
21 tall as the Washington Monument. Again, it's another
22 good visual to get in your head. What are we dealing
23 with? Because if you haven't been east of St. Joe and
24 driven past this beautiful array, you may not know what
25 we're talking about.

1 Now, if you haven't driven out that direction, I
2 would urge you to get on 6 Highway after the sun goes
3 down, head east on 6 Highway. That's the route I take
4 to go to my family farm. Every time I drive down 6
5 Highway, I look and you can see an arc from the entire
6 horizon of flashing red lights. Same wind turbines
7 facilities for here. That's what we're talking about.

8 MODERATOR SHAFER: You have approximately five
9 minutes remaining.

10 MS. MCGUIRE: Okay, I'll talk faster. Here we go.
11 Let me tell you about what else is in your binder. If
12 you go to Tabs 3 and Tabs 4, very quickly. What I did
13 for your convenience, because you've got a lot of
14 documents to look at, Tab 3 is a comparison of Draft 2
15 and Draft 3, originally from Black & Veatch. This is
16 done in Word program. It is a mark-up. So you see the
17 differences of what the changes are between Draft 2 and
18 Draft 3, instead of just people talking you through it.
19 So it should be easier for you to follow. (Timer)

20 Now look at Tab 4. Are you trying to tease me?

21 MODERATOR SHAFER: No, that is five minutes. No,
22 you have five minutes remaining.

23 MS. MCGUIRE: All right. So Tab 4 contains a lot
24 of mark-ups and my comments on what Draft 3 looks like.
25 I'm not going to poke fun at engineers. Engineer --

1 lawyer. All right? You don't want me to do math, in
2 all fairness. But there's a big difference here. I'm
3 not getting paid to do this. As a matter of fact, it's
4 costing me money to be here. I'm doing this because I'm
5 very passionate about this. I'm not going to go through
6 my family history. It's a waste of my five minutes.
7 But, you know, I'm doing this because if we are going to
8 allow these in the county, we have got to have good
9 regulations.

10 I deal with very large corporations every day in my
11 business. Right now I practice white collar criminal
12 law in Houston, Texas. I deal with big corporations.
13 As a younger lawyer, I've only been licensed for 31
14 years, sorry. As a younger lawyer, I was an Assistant
15 Attorney General with the State of Missouri. Part of my
16 charge when I was there is that one of my clients was
17 called the Missouri Land Reclamation Commission. I
18 would venture to bet that almost no one in this room
19 knows what that entity is. That entity is around
20 because of several decades ago there were strip coal
21 mining operations in the state of Missouri. Most of you
22 probably didn't know that. The coal mining industry has
23 a lot of federal regulations. They're required to post
24 reclamation bonds, which is why one of my hot topics on
25 this entire debate is about the reclamation.

1 During my time period, I saw abandoned strip coal
2 mines from companies that went bankrupt, from bonding
3 companies that went bankrupt because it was their
4 obligation through those bonds to come in and reclaim
5 their property. They never did. What you have is a
6 lunar landscape where nothing will grow, acid pools.
7 It's awful. That's one of the reasons last night when
8 my time was extended, but still not enough, I went
9 straight to reclamation, because if these entities are
10 allowed to put turbines in Buchanan County, we have got
11 to make sure that there's money there for when these
12 things do come down. Because they will come down.
13 There is no company in the world that is too big to
14 fail. We've seen it with Sears & Roebuck. And we've
15 seen it with Enron. If you'd like to talk about Enron,
16 I've got plenty of time when I'm done, but not in my
17 five minutes.

18 So if they're going to be allowed to be here, you
19 do not, do not, let them just do a surety bond. You get
20 a guarantee from the parent company, not some subsidiary
21 that can be shuttered and closed. You have got to get
22 legal advice to make sure that whoever is tagged with
23 reclaiming this land, that they are judgment proof.
24 That if they're not judgment proof, these debts cannot
25 be wiped out in bankruptcy. Because we will be the ones

1 left holding the bag. I saw it in the coal mining
2 industry. It will happen again with this. And I'm
3 just, I'm very pessimistic about promises by big
4 corporations.

5 So the other thing that I think is a big point --
6 and I'm going to skip a couple of my visuals. This is a
7 visual that talks about the reclamation, because when we
8 do talk about wind turbine reclamation, it's not just
9 taking those turbines down. You have roads. You have
10 culverts. You have all types of access. So it's not
11 just the turbine. You've got to be aware of that.

12 The other big issue about this is, to borrow a
13 Hollywood phrase, if you build it, they will come.
14 Right? So a lot of us in this room, and probably some
15 of the people standing here tonight, were dealing with
16 the Grain Belt Express. A few years ago they'd throw a
17 spaghetti map on the websites and everybody scrambled
18 because the problem with the generation of all the power
19 is, from our turbines or wherever they come from, they
20 have to go somewhere. How do they get there?
21 Electrical power grids. How do they get the power
22 grids? That's where eminent domain comes in.

23 So the turbines come first. And this comes next.
24 This is the next move on the chess board. It's not just
25 one thing. It's a cascading effect.

1 I think -- I said last night you guys have a big
2 job. You're volunteers. God bless you for doing this
3 because I wouldn't want to be in your chair right now.
4 If you choose to go through with this, I beg you to
5 please, please get competent counsel. Not that
6 Mr. Gaddie isn't competent. But this is not a part-time
7 thing. If you are doing business with a very large
8 publicly-traded company, you have got to get someone
9 here that can push back with equal force. It is not
10 fair to put that burden solely on you. It's not fair to
11 put the burden solely on the Commissioners, nor is it
12 fair to do that to Mr. Gaddie. Please, do a search.
13 Get some counsel out of Kansas City. Get another big
14 law firm that can push back. Because that's how this is
15 done. Big corporations can bend, but they don't do so
16 unless you're willing to push back.

17 Thank you. I appreciate it.

18 MODERATOR SHAFER: Thank you. I can assure
19 everyone in this room, this long-time judge, long-time
20 lawyer, believes Mr. Gaddie is extremely competent
21 counsel.

22 Now ladies and gentlemen, we're about to recess for
23 the evening. So I want to express my appreciation for
24 the courtesies to me. I want to thank the Planning
25 Commission and the County Commission for being here and

1 making this a public hearing. That is the reason why
2 you have public hearings, to listen to everyone.
3 Presiding Commissioner Sawyer, do you have any closing
4 remarks, sir?

5 PRESIDING COMMISSIONER SAWYER: I just, again,
6 thank you. Thank you, Judge Shafer for being here and
7 conducting such a professional session for us. Thanks
8 to all of you for showing up. Many of you came both
9 nights and we appreciate that. We appreciate the input.
10 Thanks again, Planning and Zoning. Thank you, Chad, for
11 pulling a lot of this together, and Denise did a lot of
12 things in the background. So me and Scott and Ron
13 really appreciate you being here. And thanks for all
14 your input. We genuinely appreciate that. Thank you.

15 MS. MCGUIRE: Your Honor, can I add one thing?

16 MODERATOR SHAFER: Thank you, Presiding
17 Commissioner.

18 MS. MCGUIRE: Can I add one thing really quickly?
19 I'm not implying that Mr. Gaddie is not a competent
20 counsel. I'm just saying having people with experience
21 in this area in the regulatory industry would be
22 helpful.

23 MODERATOR SHAFER: I think, ladies and gentlemen,
24 you've been extremely courteous to each other.
25 Presiding Commissioner thanked everyone. Commissioner

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Hook, do you have anything you want to say in closing?

MR. HOOK: No.

MODERATOR SHAFER: Commissioner Burnham?

MR. BURNHAM: No.

MODERATOR SHAFER: I think you should each give yourselves a round of applause for the way you've conducted yourselves. Thank you.

This public hearing starting on January 15th and concluding tonight is hereby concluded. Thank you.

(The public hearing conducted on Wednesday, January 15, 2020 and Thursday, January 16, 2020, concluded.)

REPORTERS' CERTIFICATE

I, Pamela K. Koch, Certified Court Reporter, certify that I am the official court reporter for Division 1 of the Buchanan County Circuit Court; that on Wednesday, January 15, 2020 and Thursday, January 16, 2020, I was present and reported all of the proceedings had in the 6:00 PM PUBLIC HEARINGS (with participation by the public) of the BUCHANAN COUNTY PLANNING AND ZONING BOARD and the BUCHANAN COUNTY COMMISSIONERS, conducted by MODERATOR, JUDGE ABE SHAFER.

I further certify that the foregoing 166 pages, numbered 1 through 166, contain a true and accurate reproduction of the proceedings transcribed.

/s/ Pamela K. Koch

Pamela K. Koch, CCR #1220
Official Court Reporter
Division 1
Buchanan County Circuit Court
St. Joseph, Missouri 64501

Transcript Completed: February 3, 2020

Buchanan County Planning & Zoning Public Hearing (Public Participation)
 Wednesday, January 15, 2020 and Thursday, January 16, 2020
 Held in Buchanan County Courthouse, Division 3 Courtroom

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*Moderator - Judge Abe Shafer presiding
 Court Reporter - Pamela K. Koch, CCR 1220*

Buchanan County Planning & Zoning Public Hearing (Public Participation)
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*Moderator - Judge Abe Shafer presiding
 Court Reporter - Pamela K. Koch, CCR 1220*

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*Moderator - Judge Abe Shafer presiding
 Court Reporter - Pamela K. Koch, CCR 1220*

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*Moderator - Judge Abe Shafer presiding
 Court Reporter - Pamela K. Koch, CCR 1220*

Buchanan County Planning & Zoning Public Hearing (Public Participation)
 Wednesday, January 15, 2020 and Thursday, January 16, 2020
 Held in Buchanan County Courthouse, Division 3 Courtroom

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*Moderator - Judge Abe Shafer presiding
 Court Reporter - Pamela K. Koch, CCR 1220*

Buchanan County Planning & Zoning Public Hearing (Public Participation)
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*Moderator - Judge Abe Shafer presiding
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*Moderator - Judge Abe Shafer presiding
 Court Reporter - Pamela K. Koch, CCR 1220*

Buchanan County Planning & Zoning Public Hearing (Public Participation)
Wednesday, January 15, 2020 and Thursday, January 16, 2020
Held in Buchanan County Courthouse, Division 3 Courtroom

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