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FAIRGROVE TOWNSHIP PLANNING COMMISSION
2800 NORTH THOMAS ROAD
FAIRGROVE, MICHIGAN
WEDNESDAY, DECEMBER 20, 2017
7:00 P.M.

PLANNING COMMISSION MEMBERS:

- Carl Childs, Chairperson
- Brian Pike, Member
- Anne Leen, Member
- Marilyn Grzemkowski, Member
- Jeff Montei, Member
- Doug Shannon, Member
- Mike Day, Member
- Bruce Turner, Zoning Administrator

FOR THE TOWNSHIP:

- David Meyer, Township Attorney

SPICER GROUP:

- Alan Bean, AICP
- Jennifer Clawson, AICP

NEXTERA:

- Erico Lopez
- Mark Trumbauer
- Dan Ettinger - Attorney
- Rich Lampeter - Epsilon
- Bourke Thomas - Atwell

REPORTED BY:

- Quentina R. Snowden,
Certified Shorthand Reporter-5519

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MEMBERS OF THE PUBLIC ADDRESSING THE BOARD:

Dave Schmidt
Victor Trisch
Corey Guza
Art Bernia
Joe Baranic

	AGENDA	
		PAGE
1		
2		
3	1 Call to order and roll call	04
4	2 Approval of agenda	05
5	3 Spicer Group Presentation	05
6	4 NextEra Presentation	14
7	5 General public comment	39
8	6 Adjournment	78
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
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1 Fairgrove, Michigan

2 Wednesday, December 20, 2017

3 7:00 p.m.

4 CHAIRPERSON CHILDS: Welcome to the
5 Fairgrove Township Planning Committee meeting.
6 The purpose of this meeting is to look over the
7 application from NextEra for a wind farm called
8 Pegasus. So I'm calling this meeting to order.
9 First order is -- is roll call. Pike.

10 MEMBER PIKE: Here.

11 CHAIRPERSON CHILDS: Leen.

12 MEMBER LEEN: Here.

13 CHAIRPERSON CHILDS: Day.

14 MEMBER DAY: Here.

15 CHAIRPERSON CHILDS: Grzemkowski.

16 MEMBER GRZEMKOWSKI: Here.

17 CHAIRPERSON CHILDS: Shannon.

18 MEMBER SHANNON: Here.

19 CHAIRPERSON CHILDS: And Montei.

20 MEMBER MONTEI: Here.

21 CHAIRPERSON CHILDS: And myself, Carl
22 Childs.

23 All right. The members, you've seen
24 the -- the agenda as printed. We need to approve
25 the agenda.

1 MEMBER DAY: I make a motion we
2 approve the agenda.

3 MEMBER LEEN: I'll second.

4 CHAIRPERSON CHILDS: And Anne seconded
5 the motion. Is there a discussion on the motion?
6 All those in favor say "Aye".

7 (All ayes.)

8 CHAIRPERSON CHILDS: Any opposed say
9 "Nay". Motion carried. So at this time, the
10 public hearing is open for utility grid energy
11 system. We'll have a brief overview. The
12 proposed development and tonight's process by
13 Spicer Engineering, who is represented by Mr.
14 Alan Bean.

15 MR. BEAN: Let's see what we can do
16 here. See how much real estate we have. Hi, my
17 name is Alan Bean, I work with Spicer Group. We
18 are the planning and zoning consult working with
19 the Fairgrove Township Planning Commission this
20 evening. I'm here also with Jenny Clawson, a
21 planner with Spicer Group. I would like to go
22 through a short PowerPoint about why we're here
23 tonight. Briefly, this is a special meeting of
24 the Fairgrove Township Planning Commission to
25 review a proposal by NextEra Energy Resources

1 called Pegasus Wind, which is comprised of 37
2 wind turbines. Over here on the screen, I
3 apologize for the layout of the room, if everyone
4 can just turn to the left, that's where kind of
5 the feature presentations will be this evening.
6 So I -- I thank you for your patience with the
7 layout of the room.

8 So, to begin, this is our agenda for
9 tonight. I hope everybody's got a hard copy, but
10 this is a recap of what we're going to do this
11 evening. Right now we are on 3(b), we're going
12 to give an overview of what we're here for and
13 what we're going to do. NextEra will then
14 present their application and request that they
15 made to the Fairgrove Township Planning
16 Commission. Then this being a public hearing, we
17 have to open up the floor to public comments
18 regarding specific application. And then after
19 we've gone through that whole process we'll close
20 the public hearing, and then there's a staff
21 report that we at Spicer Group have written and
22 presented to the Planning Commission, and we'll
23 go over that. And then the Planning Commission
24 will deliberate on all of the information
25 presented to them, and -- regarding any questions

1 or concerns brought before the public hearing.

2 And then after the Planning
3 Commission deliberates, we'll have general
4 public comment and then we'll adjourn. Next
5 slide. Kind of a bit of a background. In
6 Fairgrove Township, utility-scaled wind energy
7 system or utility grid wind energy system
8 are -- is what you see out on the landscape
9 here in this little county. The wind turbines,
10 the wind farms, they are allowed by a special
11 land use in the wind energy overlay district of
12 Fairgrove Township, and that district covers
13 the whole Township. So essentially, per the
14 zoning ordinance, utility-scaled wind is
15 allowed throughout. That is their zoning map
16 and it's just kind of giving you a window into
17 what's -- what's the zoning landscape here in
18 Fairgrove Township.

19 On the next slide, currently,
20 Fairgrove Township is home to 37 wind turbines.
21 They are about 426 feet high each. They have a
22 rate capacity of 1.7 megawatts. They have a
23 power purchase agreement with DTE, which has been
24 in effect since November of 2013. This is a
25 project that was developed by NextEra Energy

1 Resources and extends into Akron, Gilford and
2 Wisner Townships. So this Planning Commission
3 has already gone through the wind energy zoning
4 process before. Next slide, Jenny.

5 So, that process in 2013, as is
6 tonight, is a special land use process, and
7 that's a use in a zoning district that
8 fits -- that is determined to fit -- the
9 question before the Planning Commission, is it
10 a use that will fit within the overall zoning
11 of the area. It requires an additional review,
12 which is this public hearing, in noticing to
13 the -- the property owners and those within
14 300 feet. All of these considerations and
15 standards are described in the zoning
16 ordinance. There are general standards and
17 then there are specific requirements that go
18 down to the site design of the turbine
19 locations and other ancillary facilities. In
20 essence, if the standards are met the Planning
21 Commission must make a decision on the special
22 use permit request and this is stated in the
23 Zoning Enabling Act. Next slide, Jenny.

24 So I had mentioned the special use
25 has general requirements and specific

1 requirements. Section 706 of the Fairgrove
2 Township zoning ordinance lists the four
3 general standards. Then on the next slide
4 there are about 20 specific design standards
5 and submittal requirements that the Applicant
6 needs to meet, everything from their site plan,
7 visual impact, whether it's avian and wildlife
8 impact, shadow flicker, sound, safety,
9 electromagnetic interference, just to name a
10 few.

11 On the next slide, thinking through
12 what's going to happen tonight, let me -- let me
13 just take a step back and say, we are Spicer
14 Group, we are planning and zoning consultants for
15 Fairgrove Township, we are working for Fairgrove
16 Township. We have been in receipt of the NextEra
17 Energy application for over a year, and let me
18 explain that a little bit.

19 In 2016, NextEra Energy Resources came
20 before the Fairgrove Township Planning Commission
21 to seek a special -- special land use permit
22 approval on the Tuscola Wind III application
23 which proposed 17 turbines. In 2016, 53 weeks
24 ago, the Planning Commission approved that
25 application. So tonight, NextEra is coming

1 before the Planning Commission with an amended
2 special use permit application which contemplates
3 32 turbines within the Township.

4 So, we have been working with
5 Fairgrove Township for over a year. Just looking
6 back at what's happened over the past year in the
7 area, we are here today with a revised
8 application and we have reviewed it and provided
9 a staff report and recommendation to the Planning
10 Commission. So we are here to help the Planning
11 Commission, we are here to assist Fairgrove
12 Township in furthering that role we are
13 facilitating tonight's public hearing. If
14 there's questions, anything that comes up from
15 the Planning Commission we're going to clarify
16 what's in the zoning ordinance, what are the
17 rules, what is -- what needs to be done tonight
18 and then we're going to make sure that the
19 developer follows the rules, that is, has NextEra
20 Energy looked at the zoning ordinance and
21 developed an application that is -- that fits
22 with what's required in Fairgrove Township.

23 The next slide, just think of this as
24 here we all probably have very different ideas
25 and thoughts tonight to tonight's public hearing.

1 I'm asking everybody to be respectful of
2 everybody. This is your turn to speak, we have a
3 podium up here and a microphone. We ask that you
4 when you approach the podium that you limit your
5 comments to four minutes. Please state your name
6 and address so that we can get who you are into
7 the record. We have a Court Reporter here
8 tonight who is transcribing the whole meeting and
9 public hearing.

10 Again, be respectful. We all want to
11 hear what you have to say. We, Spicer, will be
12 writing down your questions and we will be
13 relaying them to the Planning Commission after
14 the public hearing. Just to clarify, we're here
15 to look at the special use permit application,
16 the big picture. That is to say, does the
17 utility-scaled wind farm fit within this area of
18 Fairgrove Township in terms of the site
19 specifics, you know, where the turbine -- where
20 are the turbines are going to be located, that
21 sort of thing. That will be deferred to site
22 plan review at a later date. So this is the
23 first two steps for the Planning Commission.
24 Jenny, next slide.

25 Okay. So just to review, I

1 probably peppered my -- my remarks with tidbits
2 that are already collectively placed on the
3 slides. So what is under consideration
4 tonight? So, the application, the Pegasus
5 application, that version was submitted on
6 November of this year. It is asking for 32
7 wind turbine locations which includes two
8 alternates. There are three turbine heights.
9 One is 499 feet. One is 486 feet. And one is
10 453 feet. Of those three heights there are two
11 rating capacities, 2.5 and 2.3 megawatts. Of
12 course they're going to -- each turbine is
13 going to have an access road, we have to have
14 an electrical collection system of getting the
15 power generated from the turbines to the
16 substation. There's a transmission line
17 connection from the substation to the
18 interconnected IPC.

19 This application for the Pegasus
20 proposal has been reposted on a WordPress type of
21 free blogging website, it's at
22 spicerplanning.wordpress.com. Everything has
23 been liked into a Dropbox link so many of you may
24 have already looked at that before coming
25 tonight, maybe not. If you want to look at it,

1 that's the web address. Okay. Let's see.

2 I think I've covered everything.
3 Jenny, what's on the next slide? We're just
4 recapping the agenda. Great. Okay. So we're at
5 3(b), 3(c) will be the Applicant. I think I'll
6 turn it over to Erico. With that, I do want to
7 ask the Planning Commission before we transition
8 to NextEra, do we have any questions or any
9 procedural things we need to clarify before we
10 move forward?

11 CHAIRPERSON CHILDS: Not as far as I
12 know.

13 MR. BEAN: Okay. Great. Great.
14 Thank you. Thank -- thank you for listening. I
15 will hand this off to Erico.

16 CHAIRPERSON CHILDS: Just bring that
17 back here.

18 MR. BEAN: Yep.

19 CHAIRPERSON CHILDS: Thank you. While
20 we're waiting, I do want to state one thing, I
21 was the one that asked for this layout of the
22 room. Last time we were sitting in front of the
23 screen as the Board and we could not read what
24 was on the screen, and so that's why I asked to
25 have it this way. Everybody can read it this

1 way. So, I hope it's working out well for
2 everybody. And I think he has it up and working.

3 MR. LOPEZ: That almost became one of
4 my worst dreams, or nightmares, I should say.

5 Thank you for your patience. So, good
6 evening Fairgrove Township Planning
7 Commissioners. My name is Erico Lopez, NextEra
8 Energy Resources project manager for the Pegasus
9 Wind Energy Center. Thank you all for the
10 opportunity to present before you tonight. My
11 hope is to have a brief, but informative
12 presentation that walks you through our company
13 and its investments in Michigan, our development
14 projects thus far, and then an overview of
15 Pegasus Wind Energy Center and how it complies
16 with the Fairgrove Township Ordinance.

17 So for those of you that are familiar
18 with -- with us, NextEra Energy Inc. is a premier
19 U.S. power company primarily composed of two
20 strong businesses, Florida Power & Light and
21 NextEra Energy Resources LLC. Florida Power &
22 Light is Florida's main power utility and has
23 been in business for over 90 years and currently
24 serves over 5 million customers. NextEra Energy
25 Resources is the number one generator of

1 electricity from the wind and sun in North
2 America. We've been in the renewables market for
3 nearly 30 years and have approximately 120
4 projects across the United States and Canada
5 consisting of almost 9,000 wind turbines.

6 NextEra has three wind farms in
7 Michigan. In Huron County we have Pheasant Run
8 and in -- right here in Tuscola County we have
9 Tuscola Bay, which was our first project we
10 developed in Michigan. And just outside the
11 doors of this high school you'll be able to see
12 the Tuscola II wind turbines which was the last
13 project we developed -- we developed here in
14 Tuscola County.

15 As you can see, these projects are a
16 significant capital investment in the State and
17 have contributed an estimated \$6 million in
18 annual property taxes to their respective
19 counties, townships and schools.

20 This slide is here to give a quick
21 snapshot of our development process thus far. As
22 you can see, we're currently in the permitting
23 stage of the process, but our initial step of the
24 process is to measure the anticipated project
25 area's wind capacity. As all of you know, we

1 have a windy area here and that's evident in why
2 we decided to build our two projects in the area.
3 Our next step was to identify willing landowners
4 that wanted to partner with us in -- in our
5 project. That's been a process that we have
6 really enjoyed due to the amount of great people
7 we have encountered along the way.

8 I would like to state that we're still
9 very much interested in having other landowners
10 partner with us in the project no matter the size
11 of their parcel. We really just want as many
12 people to benefit from the project as a whole.

13 Contingent upon permit approvals, we
14 hope to start construction for the Pegasus Wind
15 Energy Center in the spring of 2018, but we will
16 be beginning operations of the wind farm by
17 December of 2018.

18 Our team is made up of a number of
19 development specialists from NextEra Energy along
20 with experts in sound and flicker, health, law
21 and construction. The Pegasus Wind Energy Center
22 will utilize 62 GE 2.5 and 2.3 megawatt turbines
23 that collectively will produce 156.1 megawatts.
24 Upon operation the project will have enough
25 capacity to power 72,000 homes. The project will

1 contribute an estimated 35 million in property
2 taxes of which 2.5 million will go directly to
3 Fairgrove Township over the life of the project.
4 These dollars are in addition to the millions of
5 tax dollars still being contributed from Tuscola
6 II to the Township.

7 Our primary commitment to Fairgrove
8 Township has and always will be to be a good
9 neighbor. We believe we have shown this
10 commitment through our Tuscola II project and aim
11 to build upon this with the Pegasus Wind Energy
12 Center. We will meet all of the provisions of
13 the Fairgrove Township zoning ordinance.

14 One thing we are really striving to
15 bring with this project is an aircraft detection
16 lighting system. As a result of being a part of
17 the community and attending a number of community
18 meetings, we understand that although mandated by
19 the FAA, the red blinking lights are not liked,
20 which is exactly why we are proposing the system.
21 The system will essentially allow the lights to
22 only illuminate when an aircraft is approaching
23 the wind farm boundary and then extinguish the
24 lights when the aircraft has left the project
25 boundary area. If approved by the FAA, the

1 Pegasus Wind Project will be the first project to
2 utilize this system in Michigan.

3 This portion of our presentation will
4 concentrate on how the Pegasus Wind Energy Center
5 complies with the Fairgrove Township zoning
6 ordinance standards and requirements. I would
7 now like to introduce Bourke Thomas,
8 environmental consultant from Atwell to further
9 the presentation.

10 MR. THOMAS: Thank you Erico. Again,
11 my name is Bourke Thomas, the environmental
12 consultant on the project from Atwell. Brief
13 introduction of myself, I received my Bachelor's
14 from Michigan State University in environmental
15 studies and I received my Master's degree in
16 business administration from Northwood. Worked
17 at Atwell for 12 years. I also was part of the
18 environmental permitting studies for Tuscola Bay,
19 Tuscola II and Pheasant Run, so I'm very familiar
20 with the projects.

21 So as part of our environmental due
22 diligence that we did for the project we went
23 through and followed the voluntary Fish and
24 Wildlife Service land-based guidelines, which
25 are laid out here.

1 We have Tier 1 and Tier 2 studies
2 which include desktop reviews. So all of these
3 tiers lead to the appropriate siting to reduce
4 the impacts on environmental -- environmental
5 impact of the project. So we did an
6 environmental impact assessment. We did the
7 desktop review of the natural resources. We
8 did a site assessment that focused on habitat
9 assessments and habitat reviews. We reviewed
10 the available databases from the Federal
11 government and the Michigan State DNR
12 pertaining to protected and endangered species,
13 our Tier 3 studies, which include Gilford.

14 We've conducted three years of
15 avian eagle migration route surveys from 2014,
16 2015, 2016 and now we are in 2017, continue
17 that. We have conducted two years -- two eagle
18 nest resource surveys within the project area
19 and a ten-mile buffer. We are proposing our
20 third eagle use -- or eagle nest survey within
21 the Pegasus project and it's ten-mile buffer
22 this winter. So we will schedule that for at
23 the end of this winter.

24 We have also conducted two years of
25 bat acoustics, which is ground-based monitoring

1 where we submitted a study plan to the Fish and
2 Wildlife Service. They have approved our site
3 plan and conducted the surveys in 2016 and 2017.
4 We submitted our results to the Fish and Wildlife
5 Service and they concluded that the findings of
6 our studies, they -- they concur with our studies
7 that there were no threatened or endangered bat
8 species observed within the Tuscola III or
9 Pegasus (inaudible) boundaries.

10 Also, as part of the Tier 3 study we
11 conducted environmental impact analysis which was
12 submitted as part of this special use
13 application.

14 Additional studies that we completed
15 include wetland determinations and delineations.
16 We identified all of the wetlands within the
17 project infrastructure where the turbines are,
18 where the access roads are, where the
19 transmission line is, where the collection line
20 (inaudible) substation will go in the temporary
21 construction lay-down yard.

22 In addition to that, we conducted both
23 desktop and pedestrian surveys for cultural
24 resources where we went to the State Historic
25 Preservation Office, we reviewed all of their

1 records and then we conducted pedestrian surveys
2 and walked (inaudible) find any potential
3 cultural resources.

4 In addition to the due diligence in
5 the field work, we have also consulted the
6 agencies, and as part of that -- the findings
7 of the results, we have not identified any
8 federally threatened or endangered species
9 within the project boundary. We have not
10 observed any Federal or State threatened or
11 endangered species nesting within the project
12 boundary. From a State-listed perspective from
13 the migrates -- the birds that migrate through
14 here, we did have some low concentrations of
15 State-listed species. We have not identified
16 or observed any bat species within the project
17 boundary. We have not identified any bald
18 eagle nests within the project boundary. And
19 the bald eagle use within the project area
20 should be considered moderate and consistent
21 with the use of the surrounding or adjacent
22 wind farms in the area.

23 The risk to avian and bat species
24 should be considered relatively low and is
25 consistent with the other projects in the region.

1 This is backed up by the post-construction
2 studies, the results of the post-construction
3 studies that NextEra has completed at Tuscola
4 Bay, Tuscola II and Pheasant Run.

5 And in addition, the agency
6 coordination that we have undertaken, we have met
7 with the Fish and Wildlife Service, we have met
8 with the Department of Natural Resources and we
9 have met with the Michigan Department of
10 Environmental Quality to discuss avian bats and
11 wildlife permitting. As part of that, Pegasus
12 Wind is expected to receive our water resources
13 permit from the DEQ in the spring of 2018.
14 Although the project anticipates to have a low
15 level of impact to avian bat species, Pegasus
16 Wind is committed to completing the final stages
17 of the tiered process that's associated with
18 voluntary land-based and energy guidelines set by
19 the U.S. Fish and Wildlife Service.

20 As you'll remember at the beginning of
21 my presentation, we talked about Tier 1 and Tier
22 2 and the desktop reviews. Tier 3 is
23 pre-construction field work. Tier 4 and Tier 5
24 are post-construction. So as part of the Tier 4,
25 where NextEra is completing its one-year

1 voluntary post-construction mortality monitoring
2 where we will identify -- we will identify the
3 turbines that we're going to review for
4 mortality, we'll do an annual survey for
5 mortality around the turbines. And then Tier 5
6 is what the Fish and Wildlife Service considers
7 as -- is active monitoring throughout the
8 operations. So as part of the voluntary effort
9 NextEra's operational team will conduct their
10 voluntary wildlife resource reporting system,
11 which is the internal process that they set up
12 for the wind turbine technicians to observe the
13 wildlife, any wildlife reporting requirements
14 during their standard operations.

15 So with that said, I'd like to
16 introduce Rich Lampeter from Epsilon to discuss
17 sound and shadow.

18 MR. LAMPETER: Good evening. My name
19 is Rich Lampeter, I'm an associate at Epsilon
20 Associates located in Maynard, Massachusetts.

21 Before I get into the sound and
22 flicker discussion for the Pegasus Wind project,
23 I just want to give a little bit of background
24 about myself. I've been at Epsilon Associates
25 for over 15 years. I'm also a member of the

1 Institute of Noise Control Engineering, a
2 non-profit professional organization. Since 2004
3 I've been involved in over 70 wind energy
4 projects across the United States and Canada.
5 For these projects I have worked for various
6 developers and also done third-party reviews
7 presenting the findings of these analyses in
8 front of regulatory bodies and giving expert
9 sworn testimony. These projects have involved a
10 modeling of all sound and shadow flicker,
11 pre-construction sound level emissions and
12 post-construction compliance sound level
13 evaluations.

14 So in Fairgrove the sound pressure
15 levels generated by a utility grid wind energy
16 system shall not exceed 55 dBA for more than
17 three minutes in any hour as measured at an
18 inhabited structure on a non-participating
19 parcel. This sound level limit is evaluated
20 using an Leq sound pressure level. This metric
21 is consistent with data provided by the
22 manufacturer and previous post-construction
23 monitoring evaluations. There's an International
24 Standard, it's IEC 61400, which dictates how
25 sound levels are to be measured and reported for

1 wind turbines. In following this standard, sound
2 levels are presented in technical documents which
3 are provided through GE or developer, and the
4 sound levels in these are Leq sound levels.

5 They provide a range of sound levels,
6 so a wind turbine is not always going to operate
7 at a consistent sound level, it depends on the
8 wind speed and how fast the blades are spinning,
9 so it varies. And we look at the data provided
10 and we use from this specification sheet the
11 maximum Leq sound level that's provided for the
12 operation of that wind turbine and that gets
13 input into the model. We do not use an average
14 for the year or a typical day, we look at the
15 maximum Leq sound level for that wind turbine.
16 The modeling consisted of evaluating two wind
17 turbine types, as the project is going to have a
18 mixture of wind turbines, a GE 2.5-116 and a GE
19 2.3-116 rotor diameter.

20 The sound level modeling was conducted
21 using the CadnaA software package. This software
22 package incorporates another International
23 Standard, ISO 9613-2. This standard is not
24 specific to wind turbines, although it's used
25 throughout the industry for predicting community

1 sound levels due to the operation of wind
2 turbines. It's used as well for various other
3 pieces of equipment for evaluating community
4 impact. So it can be -- it can be used for
5 traditional power, fossil fuels, other types of
6 industries as well; anything that's going to make
7 a sound that someone is interested what that
8 sound level will be at a distance, at a receptor,
9 in the U.S. this is the standard to go to for --
10 for modeling.

11 The modeling was done at discreet
12 points and also a grid. And the modeling
13 included a two decibel uncertainty factor from
14 the manufacturer. So the manufacturer says
15 there's some uncertainty when they report a
16 sound level plus or minus two decibels. And
17 that's the typical value you'll see for wind
18 turbines so we added two to the sound level
19 provided by the manufacturer to go into the
20 model.

21 Based on the modeling results, the
22 maximum model Leq sound level is 47 dBA at a
23 non-participating home in Fairgrove Township.
24 Therefore, we found that the project meets the
25 regulatory limit here of 55.

1 For shadow flicker the Township
2 requires an analysis to be conducted which shows
3 areas where shadow flicker may affect occupants
4 and inhabitable structures or homes and describes
5 measures that shall be taken to eliminate or
6 mitigate the problems. Shadow flicker can be
7 minimized through proper siting. And what that
8 means is shadow flicker is very directionally
9 specific, so you'll see in the report a butterfly
10 shape that is generated from a wind turbine. And
11 based on that shape one can move the wind turbine
12 in small increments and see potentially a
13 significant benefit at a home, i.e. a reduction.
14 So with the constraints that all come into play,
15 one cannot just move it to just eliminate or
16 always minimize, but there is some flexibility in
17 siting the wind turbines, taking the other
18 constraints into account to get to a reduced
19 amount of shadow flicker. And as part of that
20 process, multiple layouts were evaluated here,
21 and the modeling analysis included 409 receptors
22 in the Township.

23 So as part of building a model, the
24 model is done using the windPRO software package,
25 this is the industry standard for modeling,

1 evaluating shadow flicker from wind energy
2 projects. So we input the receptors, the wind
3 turbine locations, specific parameters for the
4 wind turbines, so the hub heights, the rotor
5 diameters, terrain, the percentage of expected
6 sunshine, along with wind speed and wind
7 direction information to get an expected annual
8 duration of shadow flicker at the receptors. And
9 we found here that there were two receptors
10 predicted to experience greater than 30 hours per
11 year. This is slightly different from the
12 earlier report from the beginning of November
13 which had three receptors. Both of these
14 receptors are non-participating and they're just
15 slightly above the 30 hours per year amount, the
16 highest being 33 hours and 21 minutes per year.
17 This analysis also is a conservative analysis,
18 specifically on two fronts. The modeling treats
19 each receptor as a greenhouse, so windows on all
20 sides of the home.

21 And secondly, it's a barer scenario,
22 which means there are no obstacles or vegetation
23 which may screen a particular home from a wind
24 turbine and reduce the amount of actual shadow
25 flicker that -- that the homeowner would

1 experience.

2 And now I'm going to pass it back to
3 Erico to elaborate on the mitigation plan.

4 MR. LOPEZ: Thank you, Rich. So as
5 part of the Township Ordinance, we will mitigate
6 shadow flicker through our complaint resolution
7 process, whereby if a Township resident contacts
8 us with an issue regarding shadow flicker, we
9 will record it in our complaint log and report
10 it -- report all issues to the Township Board on
11 an annual basis. We will contact the -- the
12 Township resident within 24 to 48 hours. We'll
13 go out and confirm the issue with the resident.
14 And then once the issue is confirmed, we will
15 develop a strategy with the resident to address
16 the issue and implement it through commercially
17 reasonable mitigation alternatives, which include
18 the installation of awnings, blinds and
19 vegetative screens.

20 I would like to report that in the
21 five years since we developed our first project,
22 and implemented our complaint resolution process
23 there have been six issues related to shadow
24 flicker, and reported. And all six have been
25 resolved to the full satisfaction of the

1 landowners.

2 With respect to decommissioning, our
3 decommissioning plan for this project evolved
4 after our (inaudible) current on file for Tuscola
5 II. The posted bond covers the Township in the
6 unlikely scenario that NextEra goes away and the
7 Township has to take down the turbines and return
8 the ground to its natural state. We would like
9 to state that there is no need to bond for the
10 decommissioning of a single turbine. I know that
11 that has been bantered about in certain circles,
12 and we as a company have a responsibility to
13 deliver a certain amount of energy to our
14 offtaker, so when a turbine goes down, it is our
15 contractual obligation to get that turbine back
16 online as soon as possible.

17 If a turbine has to come down that is
18 not a decommissioning of that turbine, because we
19 are then going to be rebuilding that turbine,
20 because we still have to develop those megawatts,
21 or produce those megawatts, I'm sorry, into the
22 grid. So decommissioning means taking down and
23 not putting it back up. I just want to make
24 that -- that clear.

25 Our turbines have been sited not to

1 interfere with communication systems, including
2 existing microwave communications. We will
3 address any issues related to electromagnetic
4 interference through our complaint resolution
5 process. A replacement signal will be provided
6 to any affected parties and the interference, if
7 occurs, has to be mitigated to the affected
8 party's satisfaction. We are, however, required
9 to file our turbine placements with the National
10 Telecommunications and Information Administration
11 for review. The NTIA will then review our
12 turbine locations and identify if there are any
13 telecommunications signal interference. This is
14 a process that is very similar to the FAA's
15 process, we submit the locations, they'll let us
16 know if we're interfering with any
17 telecommunication signals. Some, as you know,
18 due to Homeland Security aren't, you know, put
19 out there, so they'll let us know what's behind
20 the curtain and if we have to move any turbines.

21 As previously noted, we will pursue
22 the FAA's approval for an aircraft detection
23 lighting system. And so, again, we're really
24 trying to make sure that this -- this aircraft
25 detection lighting system occurs where we would

1 be really excited to be the first wind energy
2 center in Michigan to have this. And, you know,
3 it's a process where we will file with the FAA
4 and -- and -- and hopefully get -- get approved
5 for it so that we can -- we can install this.
6 One note that I'd like to make is that the
7 aircraft detection lighting system essentially
8 has to be installed in the wind project once it's
9 operational. The FAA won't just approve it until
10 the -- before the project is approved they are
11 going to have to have the turbines operational,
12 install the system, make sure it actually works
13 and then sign off on it. So that's how the
14 process actually works.

15 Now, we inserted a couple of slides
16 here with regard to property values. I wanted to
17 take a quick opportunity to touch upon the notion
18 that wind turbines lower property values. In our
19 industry we only rely on scientific data. We
20 cannot rely on anecdotal remarks or studies that
21 are not peer-reviewed. So, with that said, I'd
22 like to quickly touch upon three studies that
23 all -- excuse me -- three studies that all
24 conclude that there is no statistical evidence
25 that wind turbines have a measurable impact on

1 property values.

2 As you can see, the first study --
3 studies we've highlighted are the Lawrence
4 Berkeley National Laboratory study from 2009 and
5 the follow-up four years after, which both
6 conclude that no statistical evidence that
7 operating wind farms have any measurable impact
8 on home sale prices. We call this -- these
9 studies out because these studies have taken time
10 to -- to undertake. The first study from 2009
11 analyzed more than 50,000 homes near 67 wind
12 facilities and reviewed over 12,000 sales within
13 one-mile of a turbine across nine U.S. states.
14 The point I'm trying to make here is that these
15 studies take time, they -- they have to use a lot
16 of data, and it is not something that you can
17 just say, "Oh, look, as a result of the wind
18 turbine, nobody wants to move in this area." You
19 know, we can't rely on information like that.

20 The follow-up we have the 2013
21 University of Rhode Island study which analyzed
22 over 48,000 home sales within five miles of the
23 turbine sites. And we also have another study,
24 the 2014, again produced by the Lawrence Berkeley
25 National Laboratory, and in conjunction with the

1 University of Connecticut that analyzed more than
2 122,000 homes. And that particular study also
3 found that no unique impact on the rate of home
4 sales was -- was found near wind turbines.

5 All right. Getting to community
6 benefits. This is actually one of my
7 favorites, because as we permit projects, at
8 times, you know, it's an arduous process, we
9 have to do a lot of work and come
10 before -- come before planning commissions and
11 boards and we -- we like visiting you guys, but
12 it takes a lot of time on and it takes a lot of
13 work from our team.

14 Our -- our pride and our goal, aside
15 from developing wind energy centers, is to work
16 with communities, and like I said, be good
17 neighbors, be good stewards and business partners
18 in communities. Our community benefits to
19 Fairgrove Township and to Juniata Township are as
20 listed right there on the screen. But we want to
21 concentrate on a picture that you can actually
22 see, and that is actually a picture of some
23 Akron-Fairgrove High School teachers and Caro
24 High School teachers that actually joined us in
25 this very room on -- for a KidWind program.

1 Now, the KidWind program is actually a
2 program where the teachers come together for a
3 day-long seminar and we, with another science
4 teacher that runs the program, teach
5 these -- teach these instructors all about wind
6 energy. And the purpose of this is to bring
7 these lessons back to the classroom so that the
8 students, the children can actually learn about
9 wind energy. I know that when I first came to
10 Tuscola County and noticed the turbines right
11 away and, you know, it was just -- it was
12 interesting to see this -- this -- this piece of
13 machinery moving, you know, on the landscape.
14 And I'm sure that children that grow up in this
15 area have a ton of questions about these
16 turbines. And so, we as a company thought,
17 what's a better way to teach kids about wind
18 energy than to come in, have a day with the
19 teachers and essentially through that program, we
20 give the teachers a stipend so that they can go
21 out and buy all of the school supplies that they
22 need and then they actually bring this lesson
23 back to children. And at the end of the day,
24 the -- the kids have a scheduled tour of the wind
25 farm so that they can actually go up to a

1 turbine, touch it, go inside of it, see how it
2 works, listen to it, see that it's not filled
3 with oil like some people think they are.
4 And -- and can actually learn about wind energy.
5 The U.S. Bureau of Labor Statistics just
6 announced that the fastest growing job in the
7 United States of America is a wind technician.
8 And so our hope is that one day some children
9 from Tuscola County, Fairgrove Township can
10 become wind technicians and can come work for us
11 and learn all about wind energy.

12 So that was a really good day and
13 teachers got to go out with Steve Gauger's team,
14 head of operations and management, were able to
15 let them see the turbine up close which we
16 thought was beneficial.

17 So -- the project in itself will
18 create up to 350 construction jobs, 7 to 12
19 full-time, high-paying jobs, and if I could just
20 make a quick note about those jobs. You know, if
21 you go to our operation center, you'll understand
22 that all of our wind technicians are from
23 Michigan. A lot of them started off working in
24 South Dakota or Texas and other places and with
25 the development of Tuscola Bay, Tuscola II and

1 Pheasant Run, they were actually able to move
2 back home and raise their kids in the State where
3 they grew up in and still do their job and have a
4 high-paying job and a quality job. So we're
5 really proud of that, that we can bring
6 Michiganders back home. So, I won't -- I won't
7 belabor the point with regards to the tax revenue
8 and what have you, but, you know, we take -- we
9 take a lot of pride in becoming a good business
10 partner in the community.

11 So our proposed SLUP conditions, and I
12 will go through these very quickly for the
13 record, but Pegasus Wind will submit site plans
14 for review and approval. Pegasus Wind will
15 submit updated insurance policy certificates on
16 an annual basis. Pegasus Wind will attain all
17 applicable Federal, State and local permits.
18 Pegasus Wind will update visual impact
19 documentation. Pegasus Wind will provide a
20 voluntary one-year post-construction mortality
21 monitoring study. Pegasus Wind will provide a
22 voluntary wildlife resource reporting system.
23 Pegasus Wind will comply with the requirement of
24 a post-construction sound measurement program,
25 provide it to the Township within 60 days of

1 commercial operation. Pegasus Wind will enter
2 into a mutually agreeable decommissioning
3 agreement prior to construction, will propose the
4 same form and methodology as Tuscola -- as the
5 Tuscola II decommissioning agreement. Pegasus
6 Wind will replace any signal for any affected
7 party and will restore reception to at least the
8 level present before operation of the wind energy
9 system. Pegasus Wind will implement a complaint
10 resolution process described in its application
11 and will provide the Township with annual
12 reports. Pegasus Wind will install an ADLS, once
13 approved by the FAA will provide status updates
14 in the process as appropriate. Pegasus Wind will
15 submit a summary chart derived from the
16 manufacturer's Material Safety Data Sheets
17 showing the type, quality of all materials
18 planned to be used at the site during operation.
19 Pegasus Wind will ensure that any damage to a
20 public road located within the Township resulting
21 from the project will be repaired at Pegasus
22 Wind's expense. And Pegasus Wind will provide
23 as-built drawings of the utility grid wind energy
24 system.

25 And with that I'd just like to wrap

1 up with saying that the application complies
2 with all of the requirements of the Fairgrove
3 Township zoning ordinance and Pegasus Wind
4 respectfully requests the Planning Commission
5 to approve our special land use permit. Thank
6 you again for allowing us to present tonight,
7 we're here for any questions at the time that
8 it's appropriate.

9 CHAIRPERSON CHILDS: Thank you, Erico.
10 All right. At this time we're going to open up
11 for public comment. As most of you I think have
12 already read, anyone wishing to address the
13 Planning Commission can do so at this time. And
14 speakers will be limited to four minutes apiece.
15 Individuals will be asked to state his or her
16 name and address. And minutes can't be given to
17 somebody else if -- and when we're all done with
18 the first round, if it doesn't take a long time
19 we may open it up for people that have four more
20 minutes at the end, but starting out, you're
21 going to be limited to four minutes. So, go
22 ahead.

23 MR. SCHMIDT: Hello. My name is Dave
24 Schmidt. I'm a property owner in Fairgrove
25 Township and I'm very much in favor of the wind

1 turbines. I think NextEra Energy does a real
2 good job as far as being a credible company, they
3 have a conscious, they -- they respect the -- the
4 landowners and the people surrounding the
5 turbines. And I think you'll see that over the
6 years that -- that they've done a very good job.
7 Plus to have the -- the wind turbines provide a
8 lot of employment. They provide a good source of
9 clean renewable energy which the entire country
10 is looking for, and I just wanted to mention that
11 I'm very much in favor of the new wind turbine
12 projects.

13 CHAIRPERSON CHILDS: Thank you. Next?

14 MR. TRISCH: Vic Trisch, I live in
15 Fairgrove Township on Gilford Road. And I want
16 to thank you, first of all, for the hard work
17 you've put into coming up with an ordinance and I
18 do believe and hope that you have the best
19 interests of the residents of the Township
20 foremost in your mind and not personal gain;
21 hopefully that was a secondary issue.

22 I have a question for you, however. I
23 was offered -- well, I was approached four times
24 this summer to lease property. And the last one
25 I was offered \$36,000 to lease my house and the

1 acre or two that it's on. And I wonder if every
2 homeowner in Fairgrove Township was offered that
3 same deal or if I for some reason was blessed
4 with that? So that's a question I -- I'm asking.
5 And it made me wonder if -- I'm -- I'm
6 immediately assuming maybe that I was not
7 the -- I was maybe the only one, that I know of,
8 that was offered that amount of money. And so
9 I'm wondering why the -- why would I be made that
10 offer. And the only close answer I got to that
11 during this conversation, was that it would help
12 in site placement due to boundaries, or
13 something, as a participate -- participating
14 property. But my location has nothing to do with
15 that, so then I become more suspicious and I'm
16 wondering if I might -- maybe am one of the two
17 that are projected to be impacted by flicker
18 above and beyond the ordinance that we've worked
19 so hard to establish. I don't know if these
20 residents have been notified that they're in the
21 problem area or not. And I may be way off base
22 and I may be way off the mark, but that's the
23 only thing I can think of that they might offer
24 me that money. Because it would kind of shut me
25 up, you know.

1 So, I don't know if anyone is able to
2 give me an answer to that; am I one of the
3 projected? And -- and I think it's unimaginable
4 that we would subject a resident to undo flicker
5 over and above what we've established as being
6 reasonable. Knowing by their own admission that
7 they'll be impacted beyond what we've established
8 as a safe and reasonable amount. So if I am one
9 of the two, I guess it's down to two now, that is
10 in that I would like to announce my objection to
11 a variance of our ordinance. So there's no
12 misunderstanding. So I don't know if I'll get an
13 answer tonight or not, but probably sleep better
14 if I knew what was going on.

15 CHAIRPERSON CHILDS: All right. As we
16 have done in the past, the answers will come
17 after. This is not a discussion time. But, I
18 know of one -- one that is in -- in -- over the
19 30 hours, but I -- I don't know of the second
20 one. So we'll find that out.

21 MR. TRISCH: Okay. Appreciate that.

22 CHAIRPERSON CHILDS: Next?

23 MR. GUZA: Hi. Corey Guza, 4729
24 Darbee Road. I want to say thank you to working
25 and so on the radar light, very excited about

1 that. Very excited about that opportunity. It's
2 a big deal. I know it's not a part of the
3 ordinance, as it is stated and it's going to
4 require some work on NextEra's part, but if
5 there's anything you want, I personally can do to
6 help, or write letters, or help the situation
7 with the FAA, or get groups of people to help
8 with that, I'd be very excited. But I think --
9 very excited about that. I think that's a
10 great -- great opportunity, the first in the
11 State and so I applaud your effort there, that's
12 very good. So thank you, very much.

13 CHAIRPERSON CHILDS: Thank you. Next?

14 MR. BERNIA: I am Art Bernia. I live
15 in Akron Township. I just kind of wanted to
16 say -- kind of give a report on the effect it's
17 had on our community, these last two projects. I
18 don't know everybody really realizes or feels it
19 directly, but it's had a real big impact on our
20 school district and our community. You know,
21 when it's come to our -- to our district or our
22 area, you know, I was a little on the fence and
23 wasn't sure if I was for it or against it, but we
24 are a participating landowner -- landowners, and
25 it's been a really good thing. You know, it all

1 kind of started to affect the district when
2 Akron-Fairgrove first got their first bond
3 passed, you know, and that money kind of rolled
4 into this district. And that school really
5 gained traction from that. And I just talked to
6 the Superintendent last night and we are up 41
7 kids this year, and that's a big accomplishment.
8 And school districts and communities aren't all
9 about money, but you have to get a boost to get
10 started. And, you know, it all starts with that,
11 you know, and of course it ends with parents,
12 good parents of the community, good staff,
13 administrative staff, teachers and the whole
14 package, but this project, these last two
15 projects have really helped this community and
16 bring the school district together. We're really
17 proud of this community coming together with
18 this.

19 And NextEra has been a very big part
20 of that, you know, and like I say, we're really
21 proud of that and, you know, it's been a big
22 deal. And this tax revenue, you know, we see it
23 up there on the screen and it says 25 million, it
24 doesn't mean a lot to you, you know, but when it
25 affects your schools and your kids, you know, it

1 really comes home. And I just want to make sure
2 that we're all thinking about that.

3 You know, and I know that it affects
4 some people's houses directly and shadow flicker
5 and I understand that. You know, my dad's house
6 has got some shadow flicker, you know, and we
7 have dealt with it and we've gotten around it.
8 But that impact, you know, to this community is
9 important. You know, this school district was
10 falling around and around itself and it's really
11 come back and I'm just really proud of that.

12 CHAIRPERSON CHILDS: Thank you. Next?

13 MR. BARANIC: Hi, my name is Joe
14 Baranic. My address is 1350 South Ringle Road,
15 Caro. I live in Juniata Township. Wednesday,
16 June 14th, 2017, we had a house fire on Dixon
17 Road just west of Ringle. When they called 911,
18 it was 55 minutes later before the first fire
19 truck came. We're four-and-a-half miles from
20 Fairgrove. That house is totally destroyed now.
21 I'm looking forward to the wind turbines. Maybe
22 we can have more money coming in for the fire
23 departments so we don't have to go through this.
24 Juniata Township is always struggling to pay for
25 the Vassar and Fairgrove fire departments, the

1 money. And I -- I just hope you use some common
2 sense.

3 I've never heard of shadow flicker
4 before in my life until I heard of a wind
5 turbine. I've been a truck driver for 42 years.
6 And when you go north, or south on a two-lane
7 road, where there's a lot of trees, and it's
8 sunset, or sunrise, holy smokes, there was all
9 kinds of shadow flicker I had. In all those
10 years. I never knew anything about it until now.
11 But I'm still alive, standing here talking to
12 you. Okay. Thank you.

13 CHAIRPERSON CHILDS: Thank you. Next?
14 Anyone that spoke already want to speak again?
15 I'll give you a couple more seconds to make up
16 your mind and then we'll close the public comment
17 period if nobody comes forward.

18 Okay. Thank you. We're going to
19 close the public comment period at this time. I
20 will try and answer some of the questions that
21 were brought up. I have no idea about the
22 \$36,000 that, Vic, you were offered. I do know
23 that property owners, if they just own a house,
24 are offered some money. I think it's around a
25 thousand dollars a year if they sign up. There's

1 you can. I'm quite sure that Linal Baur is one
2 and I don't know who the other one is.

3 MR. LAMPETER: And I have a figure
4 here, I could kind of bring it up and show
5 everybody exactly where it is, if that's helps as
6 well.

7 CHAIRPERSON CHILDS: While they're
8 looking that up, as was stated in how they done
9 the modeling was just you had a greenhouse and if
10 you don't -- some of these parcels may have a
11 tree that blocks some of that, or may not even
12 have a window on that side of the house. So,
13 that is one of the reasons that each individual
14 one has to be looked at.

15 MR. BEAN: Is that the right area,
16 generally?

17 CHAIRPERSON CHILDS: That does look
18 like your house, Vic.

19 MR. TRISCH: Yep. Yep. So is there
20 a -- what -- with so many ordinances in place, if
21 there's an objection to a variance to that zoning
22 ordinance, does it present a problem for you as a
23 Board to okay that location?

24 MR. LOPEZ: If I could just explain a
25 little bit.

1 MR. DEFENDANT: Sure.

2 MR. LOPEZ: And I don't want to speak
3 out of turn, I don't know if the Board wants to
4 go, but essentially the ordinance states that we
5 have to identify those locations that are over
6 30 hours, it is not a 30-hour limit. So we have
7 identified those two locations. It -- we -- we
8 understand that it is, again, not a limit, we
9 would not require -- it would not require a
10 variance. We will work, like we have worked with
11 every other landowner, if a landowner doesn't --

12 MR. TRISCH: (Inaudible) and can of
13 black paint is not going to satisfy me. If I
14 wanted awnings, I would have them on my house
15 now.

16 MR. LOPEZ: Again, as the -- as the
17 Chair just explained, these models that we've run
18 all are run on bare earth mentality with the home
19 being modeled as a greenhouse. So, we -- we
20 essentially don't understand if the house
21 will -- that will be getting flicker, will be
22 flicker on a wall that doesn't have a window,
23 will be flicker on any potential tree screening,
24 or if -- if a flicker occurs at a moment in time
25 when the resident is not even there. 30 hours,

1 or 31 hours over the course of the year is broken
2 into three minutes at a certain time of the day.
3 So that's -- that's how it's broken up. It is
4 not 30 hours, you know, like five hours a day or
5 something like that. It is --

6 MR. TRISCH: So you're saying you
7 really don't know what you're talking about?

8 MR. LOPEZ: Thank you.

9 CHAIRPERSON CHILDS: All right.

10 MR. TRISCH: Well, I object to a
11 variance in our Township Ordinance that affects
12 me over the limits that you guys have said, this
13 as far as we're going to take this thing. So I
14 just -- you, I would guess have to, or I think
15 you should eliminate that site. Those windmills,
16 if it's one or two that's causing the abundance
17 of flicker, I think they should be eliminated.

18 CHAIRPERSON CHILDS: We -- we will
19 discuss that when we go into our Board meeting.

20 MR. TRISCH: Thank you.

21 CHAIRPERSON CHILDS: Because, I -- I
22 understand where you're coming from.

23 Okay. I guess the other one was
24 the flicker, like I said, we've already
25 discussed that. The other was the fire

1 department. I have no idea why it took them so
2 long to get there, but of course that is a
3 different organization than we are. They do
4 get money from the Township, of course. And I
5 know that Fairgrove Township has just given
6 them, I think it was 30 -- it was over \$30,000
7 to get -- get new equipment. So, hopefully
8 they are going to be improving on those.

9 All right. Along the same line, I
10 have received a letter from a resident in Juniata
11 Township, Carol Hess and I'm just going to go
12 over it a little bit in that she was for the
13 windmills. I also got 22 postcards back and
14 every one of them -- they were passed out by
15 NextEra and every one of them of course was for
16 the windmills. If anybody on the Board wants to
17 read Carol's letter or any of these postcards
18 you're more than welcome to.

19 All right. At this time, we're
20 going to go to presentation of staff, and the
21 consultant report. Before we get to Alan,
22 though, in the introductions when we first
23 started the meeting, I didn't introduce Bruce
24 Turner. Bruce Turner is sitting here at the
25 end of the table. Your right end of the table.

1 He is the zoning administrator, he's the one
2 who issues the permits, the zoning permits,
3 building -- I shouldn't say building permits.
4 Building permit you have to get at Caro. And I
5 also should introduce Dave Meyer, he's the
6 lawyer that is representing us on this project.
7 So do you want to talk now Dave or wait and --

8 MR. MEYER: I think so.

9 CHAIRPERSON CHILDS: Okay. Do you
10 want to go to the mic or this one?

11 MR. DAVE: I can use -- I can use
12 that. Put my glasses on so I can see.

13 Thanks, Carl. In 2013, which was
14 the first time that we had a wind project in
15 Fairgrove Township, we did -- the Board did
16 several things in addition to of course
17 the -- the -- the ordinance amendments for wind
18 projects. The Planning Commission also had to
19 adopt bylaws to conduct its -- its hearings.
20 Not only in wind projects, but really for any
21 projects.

22 Under -- under Michigan law, you're
23 allowed to have a Planning Commission with a
24 variable number of members, up to nine. In this
25 case, of course, Fairgrove Township has

1 seven -- seven members. So the question is, well
2 how do you -- how do you -- or what does it take
3 to adopt or approve a project? The Michigan law
4 is -- is relatively clear on this. Once you have
5 your -- once you know the number of Planning
6 Commission members, before you vote on a project,
7 you need to indicate whether you have a conflict
8 of interest. I think you all understand the four
9 categories of situations where can you have a
10 conflict, we have talked about that before. If
11 you have a conflict of interest you can't vote
12 and you -- you should not vote. Unless, and
13 there are a couple of exceptions, one of which is
14 where we don't have -- we couldn't even function
15 and we can't conduct business, there aren't
16 enough members to participate in which case there
17 is an exception, but in most cases that does not
18 apply.

19 But, what the law provides and what
20 your bylaws provide is that before you -- before
21 the Planning Commission votes, you as Planning
22 Commission members need to indicate whether you
23 have that conflict. If you have the conflict I
24 would -- then you would abstain from voting. And
25 normally, I -- I suggest even though the bylaws,

1 and that we've talked about it, you probably
2 abstain from comment. You just -- you're here to
3 listen, basically. And once the -- the vote is
4 taken, we determine -- whether the action has
5 passed not by whether a majority of the Planning
6 Commission members present or the total Planning
7 Commission members have voted in favor, but
8 whether a majority of the people that are voting
9 are in favor. And so, I guess at this point what
10 I would ask is if a Planning Commission member
11 does have a conflict, indicate it, just generally
12 the type of conflict, and then we'll move on. So
13 we can start with you.

14 MEMBER PIKE: I'm Brian Pike and I
15 have a conflict of interest, because I'm going to
16 have a wind turbine.

17 MEMBER LEEN: I'm Anne Leen, I have no
18 conflict of interest.

19 MEMBER DAY: Mike Day. I have a
20 conflict of interest, potentially, with a
21 windmill.

22 CHAIRPERSON CHILDS: Carl Childs. I
23 have no conflict of interest.

24 MEMBER GRZEMKOWSKI: Marilyn
25 Grzemkowski, no conflict of interest.

1 MEMBER SHANNON: Doug Shannon. I do
2 have a conflict of interest as a windmill will be
3 on my property.

4 MEMBER MONTEI: Jeff Montei. I do
5 have a conflict. I have no -- no proposed
6 windmill on our property, but I am a lease
7 landowner which will supposedly get some of the
8 money or the 25 percent to the people that don't
9 have windmills on their properties.

10 CHAIRPERSON CHILDS: Okay. Thank you.
11 So now we'll turn it back over to Alan to give us
12 our report from the podium up there. I think all
13 of you have seen this book in front of us. That
14 is the application that was sent to us with all
15 of the legal and the technical terms and -- you
16 know, from shadow flicker to bat studies to
17 property that had wetlands on it and all that.
18 And so we have hired Spicer Engineering to go
19 through that. I think all of this have read
20 through most of the application, so to
21 familiarize ourselves we have hired Spicer to go
22 over it and give an official report from the
23 engineering side.

24 MR. BEAN: Thank you, Carl. You
25 all -- you all should have a copy of the staff

1 report, ten pages of analysis. Essentially, we
2 summarize the projects and we focus on
3 probably -- yeah, about 32 items. Four of the
4 items are the general standards for special uses
5 and 28 are the specific technical requirements.
6 And those 28 are listed on pages 4 through 8.
7 And then our recommendation begins on page 8 and
8 carries over onto page 10.

9 And on that recommendation on page 8
10 we have identified 12 items that we recommend as
11 conditions to an approval. The application's
12 very thorough. Again, this is an amendment to
13 the Tuscola Wind III application from 26
14 rechristened, the Pegasus wind application.
15 Comprised of 32 turbines, 32 turbine sites, two
16 of those will be alternates. So, you've been
17 through this, you've seen this report in some
18 ways in a very clear respect. You approved an
19 application from NextEra for your Township last
20 December. Of course, things have changed.
21 Layouts change, the number of turbines have
22 increased, the amount of land that's leased has
23 changed, and that's all documented in the
24 application booklet you have before you. Our
25 job, Spicer's job, is to give you that

1 recommendation of what you should do with that.

2 And we're recommending approval with
3 conditions. And those 12 conditions encompass
4 much of what Erico had on the slide earlier.
5 After we wrote the staff report and gave it to
6 you we shared it with them so that they can get
7 an understanding of where we're going with this.
8 Our recommendation, just kind of go through this
9 quickly, a laundry list. And this is all in
10 Section 708(d), which are your specific technical
11 requirements.

12 Four, for site plans, they submitted
13 preliminary site plans in their application, but
14 at some point we're going to want to see the
15 finalized site plans and we're going to review
16 them at a separate meeting. So that's a
17 condition, to submit those site plans.

18 Insurance, on 708(d)(5). That was
19 outdated in the application. Since then we have
20 received the updated insurance. I have copies of
21 that we can share with you. I don't know if that
22 needs to be a condition, but it was in our staff
23 report and so that's why it's still in there.

24 Certifications in 8. That is your
25 zoning ordinance stating -- requiring the

1 Applicant get all of the State and Federal
2 approvals out of the way. We would like to see
3 where the Applicant is at the time of
4 construction in terms of like the DEQ, Fish and
5 Wildlife Service, MDOT, Road Commission, all of
6 those entities matter.

7 We also have D(9), visual impact. The
8 application, before you had mislabeled
9 information, Tuscola Wind III, Erico came up to
10 me before the meeting and showed me that. They
11 have got it right. They have got the information
12 for Pegasus Wind. So, whether that's a
13 condition, probably not. I think they're at a
14 point and follow through with that.

15 In D-13, the material safety data
16 sheets, we're just asking them to provide a list
17 of all of the materials that they're going to
18 have on site.

19 The next two of the report, these
20 pertain to the site plans. 708(d)(18)(b) through
21 (e) and 708(d)(h) -- excuse me, the (b) through
22 (e). Those are your setbacks from homes from not
23 participating lines. Those are on the site
24 plans. That's not really a condition, but we're
25 just noting that that information needs to be

1 part of the overall submittal. The sound
2 modeling report next on 18(h). This is a
3 post-construction activity. After they build the
4 wind farm, they need to within 60 days of
5 construction, show that the project is not
6 providing over 55 decibels on non-participating
7 homes.

8 Next are the construction codes on
9 D-19, this -- this comes down to ADLS as Erico
10 and the Applicant has pointed out in the
11 presentation, they're going to seek approval from
12 FAA to see if they're permitted to do ADLS.

13 Next on D-21 visual impact. At this
14 time, NextEra does not have any other
15 determination of a hazard letter sent to FAA, and
16 that's usually -- usually that's the case when an
17 application comes before you, you have an idea of
18 how the FAA has come down on the location. So
19 those DNH letters will need to be submitted prior
20 to construction.

21 We have noted in the report the D-23
22 avian and wildlife impact we understand to be the
23 Tier 4 and Tier 5 process that NextEra will do
24 their WRRS process and have their, you know,
25 continual reporting internally.

1 Nine on D-24, electromagnetic
2 interference. In the application there's just
3 basically a map showing the beam paths. We know
4 that there's a whole variety of electromagnetic
5 beams, microwave, cellphone, radio, television,
6 and I believe Erico had mentioned it earlier on
7 the NTI report, that that will be submitted. And
8 what I'm gathering from this is that because they
9 don't have the FAA sites established they really
10 haven't finalized that report of the full
11 spectrum of electromagnetic waves that will come
12 through your community. We're going to ask for
13 that before construction.

14 Decommissioning, Erico alluded to
15 this, you've been through this process four years
16 ago. We will work with the Applicant and the
17 Township Board to finalize a decommissioning
18 agreement which spells out the terms of
19 decommissioning per turbine and what -- what is
20 considered a decommissioning event. Part of that
21 will also be the surety bond to back that
22 agreement up.

23 Complete resolution, that is section
24 D-27, the Applicant will have to define and agree
25 their complaint resolution process.

1 And finally in other we're requesting
2 as-built drawings and the details of, you know,
3 are they PDFs, electronic location data, et
4 cetera. That's spelled out in the report as
5 well.

6 So to restate, recommending approval
7 with essentially what comes down to about 12
8 conditions. So with that I'm ready to turn it
9 over to you guys, but do you have any questions
10 for me, Jenny or Dave about what's been submitted
11 so far or what's in our staff report?

12 CHAIRPERSON CHILDS: Anybody on the
13 Board have a question for Alan? I guess not.
14 Thank you, Alan.

15 MR. BEAN: Thank you.

16 CHAIRPERSON CHILDS: Anybody on the
17 Board have a question for NextEra?

18 MEMBER MONTEI: Carl.

19 CHAIRPERSON CHILDS: Yes?

20 MEMBER MONTEI: I'm assuming -- Mr.
21 Meyer said that if you have a conflict you
22 couldn't comment?

23 CHAIRPERSON CHILDS: That's kind of
24 what you said, wasn't it?

25 MR. MEYER: Well, the problem -- the

1 bylaws say before you vote you need to declare
2 the conflict. You would have to abstain from
3 voting. Do you have to abstain from commenting,
4 no, there's nothing in the bylaws that talks
5 about that. And I -- I've had other -- been in
6 other Planning Commission meetings where members
7 of the Planning Commission will -- will
8 certainly, you know, indicate if they have
9 information that they want to share with
10 their -- with their fellow members they can
11 certainly do that. Where you get a little
12 bit -- well, where I think where there's a
13 problem is where you start advocating for or
14 against that --

15 CHAIRPERSON CHILDS: Right.

16 MR. MEYER: -- you know, decision.

17 CHAIRPERSON CHILDS: Right.

18 MR. MEYER: But if you have
19 information, certainly I think you -- you need to
20 share it.

21 CHAIRPERSON CHILDS: Okay. Well --

22 MEMBER PIKE: Erico?

23 CHAIRPERSON CHILDS: Go ahead.

24 MEMBER PIKE: Erico, you have two
25 alternate sites, correct?

1 MR. LOPEZ: Yes.

2 MEMBER PIKE: Would you consider
3 moving the one that impacts Vic the most?

4 MR. LOPEZ: So the actual location of
5 the turbines will all be determined at site plan
6 review. We'll definitely -- my team has taken
7 copious notes here tonight and we definitely
8 understood that this is an issue with the
9 landowner and we'll understand exactly how it
10 affects the property, and understand how we can
11 remedy that situation moving forward. If we have
12 to activate an alternate we will definitely do
13 so, but again, we still have to understand the
14 turbine placements a little bit better and that
15 will all happen at site plan review.

16 CHAIRPERSON CHILDS: Okay. Anybody
17 have any questions of Erico on that? Jeff, what
18 did you want to --

19 MEMBER MONTEI: That was one of the
20 questions that I -- if I can ask some questions?

21 CHAIRPERSON CHILDS: Yes.

22 MEMBER MONTEI: The other one was the
23 aircraft detection system, you said that there
24 has not been one here in the State of Michigan.
25 I'm assuming just by that statement that

1 they're -- that there are some in other States?

2 MR. LOPEZ: Yes, we're actually --

3 UNKNOWN SPEAKER: Three -- three
4 systems.

5 MEMBER MONTEI: So it is something
6 that is up and working?

7 MR. LOPEZ: Has been done.

8 MR. TRUMBAUER: Good evening members
9 of the Commission, I'm Mark Trumbauer with
10 NextEra Energy. We're currently installing three
11 systems in North Dakota. One of them is on a
12 project that I was in charge of, it's in Oliver
13 and Morton County, and the other one is in our
14 Brady project, which is in Dickinson County,
15 North Dakota. And that takes a longer process to
16 get approved. The windmills are actually up and
17 running right now and we're currently installing
18 the radar system as the wind farms operate.
19 So --

20 CHAIRPERSON CHILDS: Okay. Any other
21 questions? Any comments or are we ready to make
22 a decision? As it turns out, it's just Anne and
23 Marilyn and myself that will be voting. So at
24 this time I will make a motion that the special
25 land use permit for a utility grid wind energy

1 system comprised of 32 windmill locations, which
2 is including two alternates, access roads,
3 underground electrical power collection system,
4 overhead transmission line, project's substation
5 and ancillary facilities as described in the
6 Pegasus Wind application submitted by NextEra
7 Energy results on -- resources on November 3rd,
8 2017, which amends the previous approval special
9 land use permit 2016-01 for Tuscola Wind III, and
10 satisfactorily addresses the requirements of
11 Section 706 and 708 of Fairgrove Township zoning
12 ordinance be approved with the following
13 conditions. And they would be the same
14 conditions that Alan has -- has talked about.

15 Prior to site plan review, submit site
16 plans that demonstrate conformance to the
17 Township's setback, sound pressure, shadow
18 flicker requirements including the requirements
19 of Section 307 site plan review, as well as the
20 project substation details.

21 Prior to construction the submittal of
22 the information and approval -- or appropriate
23 documents to ensure conformance to certifications
24 per Section 708(d)(8). Submittal of Pegasus Wind
25 visual impact documentation to ensure conformance

1 of visual impact per Section 708(d)(9).
2 Submittal of summary list of the type and
3 quality -- quantity of all materials used in
4 operation per Section 708(d)(13). Submittal of
5 FAA documentation of no hazard letters to ensure
6 conformance to visual impact Section 708(d)(21).
7 Submittal of fixed broadcast, retransmission,
8 RTK, radio, television, or wireless phone study
9 showing the Pegasus project does not produce any
10 interference with signal or reception. If there
11 is interference, the Applicant shall provide a
12 replacement signal to the affected party per
13 Section 708(d)(23). Finalize security (sic) bond
14 and decommissioning agreement Section 708(d)(26).
15 And provide the Planning Commission companies of
16 any Federal Aviation Administration applications
17 and correspondence indicating implementation
18 requirements, if any, for the aircraft detection
19 lighting system.

20 We also need an annual submission of
21 insurance, which he said that they have done.
22 Annual submittal of any Pegasus Wind project
23 complaints to ensure confirmation (sic) with
24 complaint resolution Section 706 -- or
25 708(d)(27). And within 60 days after commercial

1 operation, submit a sound modeling report that
2 conforms to Section 708(d)(18)(h). And lastly,
3 within one year after commercial operation,
4 submit as-built drawings of the utility grid wind
5 energy system, in electronic PDF and hard copy
6 formats, including locational data of site
7 features and any that can be read in both CAD and
8 GIS mapping systems.

9 Is there a second to my motion?

10 MEMBER LEEN: I'll second.

11 CHAIRPERSON CHILDS: Anne has seconded
12 the motion. Any discussion?

13 MR. BEAN: Carl, if I could interject.

14 CHAIRPERSON CHILDS: Sure.

15 MR. BEAN: Couple things just for the
16 record. The submittal of the fixed broadcast
17 retransmission, I think it was read as per
18 Section 708(d)(23); should be Section 708(d)(24).
19 And I believe the Applicant had on the screen
20 earlier that they would agree to a condition
21 regarding ensuring that any damaged roads are
22 repaired.

23 CHAIRPERSON CHILDS: Right. We will
24 include that damaged road -- we'll include the
25 damaged road into that.

1 MR. MEYER: Carl, the other item, and
2 I think we did this in -- when we went with the
3 earlier project, and that was to have -- or one
4 of the conditions was that we would enter into a
5 mutually acceptable community host agreement as
6 part of the process. I don't think that was --

7 CHAIRPERSON CHILDS: I forgot that
8 one.

9 MR. MEYER: We did that one --

10 CHAIRPERSON CHILDS: Right, we did.
11 So that will be another condition. That will be
12 added onto the back.

13 UNKNOWN SPEAKER: Dave, can you
14 explain what you're talking about.

15 MR. MEYER: I don't have a copy of
16 that -- of the earlier agreement, the community
17 host agreement. I know we had one.

18 CHAIRPERSON CHILDS: It was to do with
19 the --

20 MR. TRUMBAUER: Tax Tribunal.

21 CHAIRPERSON CHILDS: -- the Tax
22 Tribunal. Which you guys -- yeah, I know you'll
23 drop it, but the first one, Tuscola II, you
24 appealed the -- the tax evaluation and so forth,
25 and basically that's -- the agreement was that

1 you wouldn't do that this time.

2 MR. LOPEZ: So yes, that community
3 host agreement was as a result of the -- the
4 litigation -- the Tax Tribunal case that was
5 currently on -- on record. We have since dropped
6 that litigation and will be paying the -- the
7 taxes that have been agreed upon by the townships
8 and by the counties. So, that essential
9 agreement was -- was almost a make whole
10 agreement so that, you know, during the time of
11 the Tax Tribunal case if we were saying we would
12 pay X and there was a difference due to
13 the -- the difference of opinion on
14 which -- which tables to use --

15 CHAIRPERSON CHILDS: Right.

16 MR. LOPEZ: -- we would then pay that
17 difference. Now that we've dropped that, we are
18 agreeing to pay the whole -- the whole -- to use
19 the -- the tables that the counties have agreed
20 upon, and so -- so that's why, you know, we
21 believe that that host agreement is -- is kind of
22 a moot point currently.

23 MR. MEYER: Well, and this was in the
24 December of 2016. That was the first public
25 hearing.

1 MR. ETTINGER: We dismissed in the
2 interim. So it's happened in between that time
3 and this year.

4 MR. MEYER: We're not -- we're not
5 spelling out the terms of that, it would be
6 something -- the way it reads is, "Pending legal
7 review by the Township, consideration of the host
8 community agreement to be signed by a corporate
9 officer of NextEra." And what -- what would be
10 in that agreement, is something that I think you
11 and -- probably Dan, you and I would need to
12 discuss. But I -- I think there are several
13 things that we have included in the host
14 agreements in the past. I just don't have -- I
15 mean, I don't have the agreements.

16 MR. ETTINGER: Just to tie the loose
17 ends, something about it being consideration of a
18 mutually agreeable host community agreement or
19 something like that?

20 MR. MEYER: I think that's what it
21 was, mutually agreeable host community agreement.

22 MR. ETTINGER: And I assume it will be
23 as simple as confirming the dismissal and
24 providing the necessary paperwork or something
25 like that? We'll have to talk.

1 MR. MEYER: We'll have to talk.

2 MR. ETTINGER: All right.

3 CHAIRPERSON CHILDS: All right. Does
4 everybody on the Board understand what we're
5 talking about on this? Yeah, we done it last
6 year when we approved the Tuscola III, that was
7 part of it. So I don't see why it shouldn't be
8 part of this one. Because this is just an
9 amendment of -- of Pegasus Wind -- Tuscola III.
10 So mutually agreeable between NextEra and our
11 lawyer.

12 And Anne, since we added that before
13 you seconded it, will you second the motion with
14 that addition?

15 MEMBER LEEN: Yeah, but I think you
16 should read it again. I'm just kidding. Yes.

17 CHAIRPERSON CHILDS: I'll give it to
18 you to read the whole thing again if you want. I
19 don't think the public wants to hear me read it
20 again.

21 All right. Is there any other
22 comments or questions? If not, we'll do this by
23 roll call vote. Anne Leen?

24 MEMBER LEEN: For it.

25 CHAIRPERSON CHILDS: Yes.

1 Carl Childs, yes.

2 MEMBER GRZEMKOWSKI: Marilyn

3 Grzemkowski, yes.

4 CHAIRPERSON CHILDS: Okay. So, the
5 special use permit has been approved. Thank you.

6 MEMBER MONTEI: Carl, can I ask --

7 CHAIRPERSON CHILDS: Yes.

8 MEMBER MONTEI: I should have asked
9 this before, can you restate -- all of the small
10 landowners have the ability to sign a -- I don't
11 know what it is, but I'm assuming it's a thousand
12 dollars a year or something, could you explain
13 that and make that public?

14 MR. LOPEZ: To speak to the terms of
15 the contract, we probably won't do that in the
16 public forum, just because that's confidential.
17 But, what I did say in my statements was that
18 yes, no matter the size of the parcel, if one
19 would like to sign up and be a participant in the
20 process, we would more -- we would be more than
21 happy to -- to have that landowner sign up with
22 us and -- and benefit from the project, yes.

23 MR. BEAN: And just to clarify, when
24 you do that, that's not part of tonight's
25 approval, but there's a whole list of parcels

1 that are part of the application that's the
2 official composition of Pegasus Wind in Fairgrove
3 Township. So after the fact sign ups would not
4 be part of the setbacks, shadow flicker-type of
5 requirements.

6 CHAIRPERSON CHILDS: Great. All
7 right. I think that takes care of the reason we
8 came here. But as our agenda states, we will
9 open this back up to the general public for
10 comment. Anybody like to make a comment at this
11 time?

12 MR. TRISCH: Can I approach?

13 CHAIRPERSON CHILDS: Sure.

14 MR. TRISCH: As I age, I can't hear as
15 well as I used to and some of the comments I
16 wasn't able to hear. What just happened here?
17 Did he say, as I thought, he will look into it
18 and maybe make some adjustments? Try to do
19 something? Or --

20 CHAIRPERSON CHILDS: Basically when we
21 get down to site plans, we will try to make it
22 enforceable that -- that they meet the
23 requirements. But we're going to look into any
24 possible -- you know, I don't know where the
25 shadow is coming from. It might be coming from a

1 side of your house that doesn't have any windows
2 on it, I don't know. You know, we got to look
3 into all of that.

4 MR. TRISCH: Well, flicker is flicker
5 no matter where it hits my place, right?

6 CHAIRPERSON CHILDS: Yes, it does.

7 MR. TRISCH: And I might be in the
8 backyard, does that mean I should turn my back to
9 comply and stay under the minimum requirement?

10 CHAIRPERSON CHILDS: I -- I'm not a
11 hundred percent sure how we're going to resolve
12 this issue, but we definitely as a Board are
13 going to try and protect your interest.

14 MR. TRISCH: I appreciate that. Does
15 your vote to include the 32 windmills eliminate
16 the possibility of if there's no other solution,
17 eliminating the one that is causing the problem?

18 CHAIRPERSON CHILDS: I can't answer
19 that question. There -- there was two alternates
20 included in that --

21 MR. TRISCH: Okay. I don't understand
22 what that means.

23 CHAIRPERSON CHILDS: Well, they have
24 two sites that they may not put a windmill up on,
25 there are alternates in case when -- when Tuscola

1 II was built, there was a conflict right out here
2 behind the school, that they could not meet and
3 so they put one in Wisner Township instead of
4 putting the one back here. And that Wisner
5 Township was an alternate, it was listed as
6 alternate.

7 MR. TRISCH: All right.

8 CHAIRPERSON CHILDS: They always have
9 a couple alternate locations in case they can't
10 meet all of the requirements.

11 MR. TRISCH: Okay. Which --

12 MR. BEAN: NextEra has been approved
13 for up to 32 sites, but they can only build 30
14 turbines.

15 CHAIRPERSON CHILDS: Right.

16 MR. BEAN: That's what we call two
17 alternate sites. Depending on issues, they can
18 play around with that.

19 MR. TRISCH: All right. Why would
20 they not go for the whole enchilada?

21 CHAIRPERSON CHILDS: Can't answer
22 that.

23 MR. BEAN: My experience is that it's
24 good project planning, because when you dig for
25 the foundation you may not have the appropriate

1 soils and ground materials that just wouldn't
2 support a foundation. That's usually the main
3 reason -- my understanding, is the main reason
4 for having alternates. But, you know, maybe
5 NextEra would like to address that more
6 specifically.

7 CHAIRPERSON CHILDS: And I'm sure that
8 they are selling this electricity and so they
9 have 30 that are going to produce electricity
10 that they're selling. The other two they're not
11 projected in there, they're not committed to
12 those.

13 MR. TRISCH: Did I understand or hear
14 that the landowner might be consulted in the
15 decision-making of the placement of the --

16 CHAIRPERSON CHILDS: Yes.

17 MR. TRISCH: Okay. Well, FYI, I've
18 already talked to the landowner, if I understand
19 which windmill is the one that's going to present
20 the major problem, and he will lose revenue to
21 gain it elsewhere. In other words, he'll lose
22 the farm, he will not be able to rent that farm,
23 and he'll probably lose about the same amount of
24 money as he would get from the placement of that
25 windmill.

1 So, if you talk to him, he's probably
2 going to see that there isn't a big financial
3 gain and maybe an alternate would make more sense
4 under those circumstances as well. Along with
5 the other issues.

6 CHAIRPERSON CHILDS: Yeah, I
7 understand, and you know, as you stated before,
8 we as a Board have a hard job here. We have to
9 try and protect the health and safety of all the
10 residents, but we're trying to protect the rights
11 of the property owners, too. So, it -- it's a
12 hard job for us up here and we definitely, I
13 think all of us are committed to working with you
14 and trying to protect your health as far as the
15 shadow flicker.

16 MR. TRISCH: Okay.

17 CHAIRPERSON CHILDS: And really,
18 the -- the shadow flicker has been brought up
19 only in the houses, that's all we've ever
20 considered it. You know, you mentioned the
21 backyard. Like Mr. Baranic said, you know,
22 driving down the road you have that same --

23 MR. TRISCH: Well, he has the right to
24 turn around and go the other direction.

25 CHAIRPERSON CHILDS: Right. I

1 understand. I understand.

2 MR. TRISCH: And (inaudible).

3 CHAIRPERSON CHILDS: Right. But
4 unfortunately, we -- we can't please everybody,
5 you know, but we're going to try to work with
6 you.

7 MR. TRISCH: Well, if there's
8 alternates I think there's a chance, and -- and
9 again, not to belabor the point, but we've set
10 guidelines and those were to protect us. And now
11 if those guidelines are by their own admission
12 going to exceed those amounts, where do we draw
13 the line? Do we just say, well, okay, you know,
14 next time don't do it? I think you've tried that
15 before and seen some instances where it really
16 doesn't work with this group. So that's all I
17 have to say. Thank you, guys.

18 CHAIRPERSON CHILDS: All right. Any
19 other public comment? Anybody from the Board
20 want to make comments? If not, I'll call this
21 meeting adjourned. Thank you all for showing up.
22 We had a nice meeting, nobody got real excited
23 and got kicked out like they have in some other
24 meetings.

25 (Meeting concluded at 8:42 p.m.)

C E R T I F I C A T E

I, Quentina Rochelle Snowden, do hereby certify that I have recorded stenographically the proceedings had and public comment taken in the meeting, at the time and place hereinbefore set forth, and I do further certify that the foregoing transcript, consisting of (79) pages, is a true and correct transcript of my said stenographic notes.

Dated: January 12, 2018



Quentina R. Snowden, CSR-5519
Notary Public, Genesee County, Michigan
My commission expires: 1/4/2024