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BEFORE THE CHRISTIAN COUNTY  
ZONING BOARD OF APPEALS

Meeting conducted on February 28, 2023,  
at 6:00 PM in the County Board Room  
Second Floor of the Christian County Courthouse

Reported by:  
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1 ZONING BOARD:

2 Jim Overholt, Chairman

3 David Copenbarger

4 Joe Dorr

5 Glen Goodrich

6 Joann Howard

7 Gary Merker

8 Jon Rosenthal

9

10 ALSO PRESENT:

11 Blake Tarr, Zoning Administrator

12

13 SPEAKERS:

14 Mark Bauman, Central Commodity

15 Darin Hennings, Central Commodity

16 Danny Pop

17 Brian Schoenung

18 Michael Laurenzana

19 Jennifer Laurenzana

20 Angela Alaria

21 Amber Brown

22 Janet Williams

23 Patricia Brown

24

25

1 CHAIRMAN OVERHOLT: The meeting of the  
2 Christian County Zoning Appeals Board will come to order.  
3 Let's have a roll call. David Copenbarger.

4 MR. COPENBARGER: Present.

5 CHAIRMAN OVERHOLT: Joe Dorr.

6 MR. DORR: Here.

7 CHAIRMAN OVERHOLT: Glen Goodrich.

8 MR. GOODRICH: Here.

9 CHAIRMAN OVERHOLT: Joann Howard.

10 MS. HOWARD: Here.

11 CHAIRMAN OVERHOLT: Gary Merker.

12 MR. MERKER: Here.

13 CHAIRMAN OVERHOLT: Jon Rosenthal.

14 MR. ROSENTHAL: Here.

15 CHAIRMAN OVERHOLT: We have anybody else?

16 MR. TARR: That's it.

17 CHAIRMAN OVERHOLT: Okay. The Chair would  
18 entertain a motion to accept the minutes from last week.

19 MR. GOODRICH: Glen Goodrich. I'll make  
20 that motion to accept the minutes.

21 CHAIRMAN OVERHOLT: All in favor, please.

22 (All members of the Board voted aye.)

23 CHAIRMAN OVERHOLT: Opposed? I think  
24 we're supposed to do a roll call vote. David Copenbarger.

25 MR. COPENBARGER: Yes.

1 CHAIRMAN OVERHOLT: Joe Dorr.  
2 MR. DORR: Yes.  
3 CHAIRMAN OVERHOLT: Glen Goodrich.  
4 MR. GOODRICH: Yes.  
5 CHAIRMAN OVERHOLT: Joann Howard.  
6 MS. HOWARD: Yes.  
7 CHAIRMAN OVERHOLT: Gary Merker.  
8 MR. MERKER: Yes.  
9 CHAIRMAN OVERHOLT: Jon Rosenthal.  
10 MR. ROSENTHAL: Yes.  
11 CHAIRMAN OVERHOLT: Okay. Thank you very  
12 much. I thought we had a new Zoning Board secretary, but  
13 it appears we do not. We will have by next week. Okay.  
14 We'd also ask for nominations for the new Zoning Board  
15 secretary.  
16 MR. COPENBARGER: I got a question.  
17 CHAIRMAN OVERHOLT: Go ahead, sir.  
18 MR. COPENBARGER: So what does the  
19 secretary's job entail? What kind of minutes are we  
20 keeping? What are we doing? We haven't done this for a  
21 long time, so --  
22 MR. TARR: Dave, what I understand  
23 budgetarily we always had a court reporter, so I think --  
24 in the past I think Vince has taken notes for the meetings  
25 and then we were just kind of trying to divide up some of

1 that workload if there was somebody interested in helping  
2 out with that.

3 MR. DORR: But as long as we have a court  
4 reporter here, secretary doesn't have to take minutes,  
5 correct?

6 MR. TARR: That's correct. Yeah.

7 MR. COPENBARGER: So how are you going to  
8 determine with a court reporter you know hired? What's  
9 the plan on that or do you know?

10 MR. TARR: We've just had her here.  
11 Sandra was at the last meeting. Kim's here tonight in  
12 lieu of not having that position filled.

13 MR. COPENBARGER: Okay. I can't -- if I  
14 did it, I can't do like what she is.

15 MR. DORR: So are you interested?

16 MR. COPENBARGER: You did a great job  
17 before.

18 MR. DORR: That was just a secretary  
19 position. That was just a --

20 MR. COPENBARGER: Right.

21 MR. DORR: Totally like her. It was a  
22 side position. Wasn't Board member. It was just a  
23 secretary, so --

24 MR. COPENBARGER: So what are the -- okay,  
25 so if I did it, I take the minutes, they're getting typed

1 up by somebody else? My writing's not great, I mean,  
2 honestly.

3 MR. TARR: Yeah.

4 MR. DORR: Well, last time I filled in, I  
5 took the notes, took them to --

6 MR. TARR: Yeah.

7 MR. DORR: -- the office and Mary typed  
8 them up.

9 MR. COPENBARGER: Okay.

10 MR. TARR: You would just be essentially  
11 helping us out so Mary and I can get those put on the  
12 website for just public knowledge.

13 MR. COPENBARGER: I don't really want to  
14 do it, but -- there might be somebody else. Joann might  
15 want to do it.

16 MS. HOWARD: You can't do it when you're a  
17 member of the Board.

18 MR. COPENBARGER: What's that?

19 MS. HOWARD: You can't do it when you're a  
20 member of the Board.

21 MR. COPENBARGER: I am on the Board.

22 MR. DORR: Yeah, you can.

23 MS. HOWARD: Huh?

24 MR. DORR: He just -- yeah, you can. He  
25 was asking for someone to fill in when we don't have a

1 court reporter.

2 MS. HOWARD: I know, but I read the  
3 minutes and it says if you're a member of this Board, you  
4 can't be the recorder.

5 MR. DORR: What minutes?

6 MS. HOWARD: Huh?

7 MR. DORR: What minutes?

8 MS. HOWARD: From last meeting.

9 MR. DORR: No, it didn't say that.

10 MR. GOODRICH: I think it said on there  
11 you couldn't nominate somebody that wasn't here.

12 MS. HOWARD: Well, I read that much.

13 MR. TARR: That might have happened.

14 MS. HOWARD: Well, I'll find it.

15 MR. MERKER: Is the question whether or  
16 not you can be the secretary of the Board and not be a  
17 Board member? Is that what I'm understanding? You have  
18 to be a Board member to be an officer of the Board.

19 MS. HOWARD: But is the secretary an  
20 officer?

21 MR. MERKER: Sure. President, vice  
22 president, treasurer, secretary.

23 MR. DORR: But in years past it was a  
24 separate position, not a Board member.

25 MR. MERKER: Oh, really?

1 MR. DORR: Yes, so -- because I held that  
2 position prior to being a Board member for many, many  
3 years.

4 MR. MERKER: Oh, you're experienced. You  
5 may need it back.

6 MR. DORR: No, I served my time being a  
7 secretary.

8 MR. TARR: Can I ask how that was handled  
9 then? Was that an appointment that was made for somebody  
10 in that position?

11 MR. DORR: Yeah, it was by the -- your  
12 position.

13 MR. TARR: Okay.

14 MR. DORR: Whoever had that before.

15 MR. TARR: Got you. Just appoint  
16 somebody.

17 MR. DORR: Yeah, to keep the official  
18 minutes and recordings and turn them in to the office and  
19 so it was on file, but, I mean, we had a few meetings that  
20 were major --

21 MR. TARR: Sure.

22 MR. DORR: -- that we actually retained a  
23 court reporter because it was too much for --

24 MR. TARR: Right. I would be open to that  
25 if -- you know, if the Board thought that was the best --



1 MR. DORR: I mean, if it was a simple  
2 thing like doing some variances or something like that,  
3 it's not bad --

4 MR. TARR: Sure.

5 MR. DORR: -- but if you have, say, like  
6 the wind farm hearings that were forever, you know.

7 MR. TARR: And I think with hearings like  
8 that we have to have a court reporter.

9 MR. DORR: Yeah.

10 MR. TARR: Yeah.

11 MR. DORR: So -- and -- but it's not bad.

12 MR. COPENBARGER: The only thing I would  
13 say is sometimes it's going to be a little difficult to be  
14 engaged if you're trying to concentrate on the minutes.

15 MR. TARR: Sure.

16 MR. COPENBARGER: Now sometimes when we're  
17 doing a property line or something, it's pretty easy, but  
18 seems like every meeting in the last two years hasn't been  
19 very easy. It's been complicated.

20 MR. TARR: Sure.

21 MR. COPENBARGER: So --

22 MR. DORR: But it's more, to me, just  
23 having somebody being the secretary that does not have to  
24 be the writing secretary a hundred percent of the time.  
25 Is that what I'm getting from this?

1 MR. TARR: So would the Board consider,  
2 you know, a motion for appointment for somebody to be on  
3 that -- to be the secretary, to do that position? Would  
4 that be --

5 MR. DORR: Correct, with the option to --  
6 with the option to retain a court reporter on a hearing  
7 that's a major --

8 MR. TARR: Sure.

9 MR. DORR: -- hearing.

10 MR. TARR: Which I think that's the way  
11 it's supposed to be anyway.

12 MR. DORR: Like I said, doing that in the  
13 past, we had some big hearings, but they were nothing  
14 compared to the wind turbine hearings --

15 MR. TARR: Sure.

16 MR. DORR: -- that we held several  
17 meetings forever.

18 MR. TARR: Okay.

19 MS. HOWARD: On Page 6 it says -- Mr. Dorr  
20 said it is a non-Board member position, the secretary.

21 MR. DORR: I said it was previously a  
22 non-Board member position.

23 MS. HOWARD: Okay.

24 MR. DORR: Like I said, I served in that  
25 position for many years and I was not a voting Board

1 member, and then things changed and then we ended up  
2 getting some of those major hearings and we always had  
3 court reporters, and Vince did it when we did not have a  
4 Board member designated as a secretary, but those were for  
5 the smaller --

6 MR. TARR: Sure.

7 MR. DORR: -- variances and --

8 MR. TARR: Right. When the engagement  
9 levels are different?

10 MR. DORR: Right.

11 MR. TARR: You know what I mean? Yeah.

12 MR. DORR: I mean, if you've got 20, 30  
13 people in attendance, trying to take their comments and  
14 everything else, that's just hard for somebody to hand  
15 write that when a court reporter is capable of -- you  
16 know.

17 MR. COPENBARGER: I agree with that.

18 MR. MERKER: Is anybody aware of  
19 anybody -- let me start over. Is anybody aware of any  
20 Board in this county where the secretary is not a Board  
21 member? To me, it seems the most sensical -- sensible  
22 thing to do would be to have the four titled officers,  
23 president, vice president, treasurer, secretary and have  
24 the secretary be in charge of the minutes, et cetera, et  
25 cetera, to sign off on as an official titled officer. He

1 can always direct the activities of the -- if -- he should  
2 be given -- he or she should be given the authority to  
3 bring in a court reporter or not as anticipated. That  
4 would be my view on it.

5 MR. DORR: So basically you're saying then  
6 we'll have a secretary in name. Secretary can opt to take  
7 minutes of the meeting, or if the secretary deems it  
8 necessary to have a court reporter, then that would be the  
9 secretary's call?

10 MR. TARR: Right.

11 MR. DORR: I --

12 MR. MERKER: Yeah.

13 MR. COPENBARGER: Do you -- Blake, do you  
14 think -- I know you're kind of new at this, but --

15 MR. TARR: Sure.

16 MR. COPENBARGER: You get a feel for how  
17 many people will be in attendance or is that hard for you  
18 to know, like not really?

19 MR. TARR: Yeah. Second meeting in, it's  
20 been -- it's a different number each time. It would be  
21 tough to ballpark.

22 MR. COPENBARGER: Because that's going to  
23 be the problem I see is if we say oh, we can take care of  
24 this one and then 50 people show up --

25 MR. TARR: Right.

1 MR. COPENBARGER: -- and we're trying to  
2 do the work, you know, of the recorder, that --

3 MR. TARR: Right. Yeah, it might be best  
4 just to nominate somebody outside of the Board to fulfill  
5 that spot if the Board's okay with that. What do you  
6 think, Jim? What's your thought?

7 CHAIRMAN OVERHOLT: Can somebody put this  
8 in form of a motion that we can understand and vote on?

9 MR. COPENBARGER: I'll make a motion that  
10 we, the Zoning Board, would agree that we would have  
11 somebody appointed as secretary for the Zoning Board and  
12 they would be non-voting member, I would assume. All  
13 their job is is to do minutes.

14 CHAIRMAN OVERHOLT: Okay.

15 MR. ROSENTHAL: I'll second it.

16 CHAIRMAN OVERHOLT: Motion's been made and  
17 seconded. Let's have a roll call vote here. Jon  
18 Rosenthal.

19 MR. ROSENTHAL: Yes.

20 CHAIRMAN OVERHOLT: David Copenbarger.

21 MR. COPENBARGER: Yes.

22 CHAIRMAN OVERHOLT: Gary Merker.

23 MR. MERKER: Yes.

24 CHAIRMAN OVERHOLT: Joe Dorr.

25 MR. DORR: Yes.

1 CHAIRMAN OVERHOLT: Joann Howard.

2 MS. HOWARD: Yeah.

3 CHAIRMAN OVERHOLT: Glen Goodrich.

4 MR. GOODRICH: Yes.

5 CHAIRMAN OVERHOLT: Motion passes. Okay.

6 Central Commodity which we all know and love as Christian  
7 County FS has proposed putting in a new facility or expand  
8 a facility over at --

9 MR. TARR: South of Kincaid.

10 CHAIRMAN OVERHOLT: South of Kincaid and  
11 Blake is going to fill us in a little bit more on that.

12 MR. TARR: Yeah, so I received a special  
13 use permit application from Mark Bauman with Central  
14 Commodity for moving their ammonia -- anhydrous ammonia  
15 facility from Kincaid to south of town, and I've asked  
16 them to be here tonight to kind of share, kind of  
17 introduce that project that they've applied for and to  
18 help kind of talk through any concerns or any questions  
19 that the general public may have. I just ask that we will  
20 allot some time for the questions and concerns, but I'd  
21 like to give Mark or one of his representatives the floor  
22 to kind of expand on that project.

23 MR. BAUMAN: Thank you, Blake. So I'll  
24 give a little bit of an outline of what we're trying to  
25 accomplish with this moving the existing facility which

1 now sits in the town of Kincaid itself, move it out into  
2 the country but obviously would answer any questions or  
3 concerns anyone may have, but those of you that are  
4 familiar with the area, our ammonia facility existing sits  
5 in the middle of the town of Kincaid. We've operated our  
6 anhydrous ammonia within this county at multiple sites for  
7 70 years and we've not had a release or anything that  
8 would lead us to believe there's imminent danger from  
9 anhydrous ammonia; however, the proximity of those tanks  
10 in the middle of a town to a highway that actually kind of  
11 veers around those tanks does cause some concern that, you  
12 know, at some point something could happen with the number  
13 of people in the immediate proximity of that site. Our  
14 Board of Directors and myself have discussed for a while  
15 the idea that we would take that facility out of Kincaid  
16 and move it into the country where it would obviously be  
17 more remote from the population, and that's really the  
18 plan that we had and it's -- I'll probably refer to Darin  
19 on specific questions for setbacks, but there's state  
20 guidelines on what we can and can't do. The current site  
21 actually is grandfathered in because it's been there for a  
22 long time. Our new site exceeds the guidelines by a good  
23 amount in every case, and that's really the nuts and bolts  
24 of it. I mean, it's just the idea that we would get that  
25 away from the population of Kincaid.

1 MR. TARR: Mark, can you talk, too, a  
2 little bit about where it's actually going to be located  
3 south of town?

4 MR. BAUMAN: Sure. So if you go south of  
5 town on County Road 5 approximately a mile, mile and a  
6 half and then back to the west a quarter mile off the  
7 road, so it sits pretty remote. I've got some maps here  
8 if you're interested, kind of shows the site proposed and  
9 existing site. It also shows kind of half-mile radius  
10 around the proposed site. Existing, you'll see with the  
11 proximity to the homes and citizens of Kincaid at our  
12 existing facility versus our proposed site, it's a more  
13 remote location. That's a good part of the reason why we  
14 picked that site is just to try to keep it as far away  
15 from people as feasible, but we also have access there to  
16 roads that allow for semi traffic and things like that so  
17 we're not seeing weight limits, things like that, so it's  
18 a fairly ideal site for what we're going to use it for.

19 MR. TARR: Thanks, Mark. Is there any  
20 discussion or comments from the Board?

21 MR. COPENBARGER: Are you going to  
22 increase the size, bigger -- I mean, are you improving  
23 what you got, making bigger capacity and stuff or what's  
24 your plan on the new site?

25 MR. BAUMAN: It allows us the opportunity



1 to do so.

2 MR. COPENBARGER: Okay.

3 MR. BAUMAN: Which we currently have two  
4 18,000-gallon tanks. I don't have any more approval at  
5 the moment for bigger tanks, but probably down the road  
6 we'd look at putting in at least another tank.

7 MR. COPENBARGER: Okay.

8 MR. MERKER: Have you -- what taxing  
9 districts are impacted, would be impacted by this?

10 MR. BAUMAN: I don't know the answer to  
11 that question.

12 MR. MERKER: So you've not calculated that  
13 in? Okay.

14 CHAIRMAN OVERHOLT: Thank you, sir. All  
15 right, we've heard from Central Commodity's  
16 representative.

17 MR. BAUMAN: Thank you.

18 CHAIRMAN OVERHOLT: Is there a motion to  
19 approve or a motion to deny this special use permit?

20 MR. DORR: Do we have any public comments?

21 CHAIRMAN OVERHOLT: Let's have a motion  
22 first and then --

23 UNIDENTIFIED AUDIENCE MEMBER: You're  
24 making a motion to approve. I don't think you can approve  
25 that until you've heard public comment. That doesn't make

1 sense to me either.

2 UNIDENTIFIED AUDIENCE MEMBER: Absolutely  
3 not.

4 UNIDENTIFIED AUDIENCE MEMBER: Approving a  
5 motion.

6 CHAIRMAN OVERHOLT: We can have a motion  
7 and then have a discussion.

8 THE REPORTER: I don't have any  
9 identification of people talking, just so you know.

10 CHAIRMAN OVERHOLT: Okay.

11 MR. COPENBARGER: Mr. Chairman, I know in  
12 the past we've had discussion before we voted on a motion.

13 CHAIRMAN OVERHOLT: Okay, let's do that  
14 then. Go ahead. Sir, would you like to speak?

15 MR. POP: I would.

16 CHAIRMAN OVERHOLT: And please identify  
17 yourself.

18 MR. POP: My name's Danny --

19 THE REPORTER: Please come up here so I  
20 can --

21 MR. POP: My name's Danny Pop. I'm a  
22 resident of Kincaid and I live in very close proximity to  
23 the proposed site. The gentleman back there, the Board  
24 member, made a good point about the taxing district, and I  
25 would like to know if there's been any thought and I think

1 the Board should put thought into the economic impact that  
2 this may provide. You say you're moving it out of the  
3 residents, but this thing literally sits right on the city  
4 incorporated line. I would just like to see is there any  
5 other thoughts to any other sites other than -- there's --  
6 the predominant winds are out of the west and south.  
7 There's one of the newer subdivisions in Kincaid due west  
8 of this proposed site. The subdivisions a lot of us here  
9 live on are directly north of this site which the other  
10 predominant winds are out of the south, so I'm really  
11 concerned about my property value. We pay extremely high  
12 taxes for some of these areas that we live in and if this  
13 is going -- I know how this works. Our taxes aren't going  
14 to go down, but I fear our property value is going to go  
15 down. There's going to be this plant right -- it's not  
16 rural. It's not out of town. I'd like to see it moved  
17 three or four miles out of town, not right on the edge.  
18 So I believe there's other potential for housing  
19 development which is good for our school district to be  
20 adjacent to the current subdivision that's there now.  
21 That will not happen if this plant's sitting right there.  
22 Typically -- I'm a 33-year engineering profession, so I  
23 attend other meetings all the time. Typically there's an  
24 environmental impact statement, an economic impact  
25 statement. To me, there's been no thought or concern.

1 This is the first I've heard of this, so I have a lot of  
2 questions and I don't -- I'd like to get a few more  
3 answers on that type of -- before this Board votes on  
4 approving this motion to grant this permit which is what I  
5 believe the motion's for. I'm not sure. Wasn't -- that's  
6 all I have to say.

7 MR. BAUMAN: As far as an environmental  
8 impact statement -- sorry if I'm speaking out of turn  
9 here, but --

10 CHAIRMAN OVERHOLT: Go ahead.

11 MR. BAUMAN: As far as state approval's  
12 concerned, there's no need for environmental impact  
13 statement with this project. There are state guidelines  
14 and we would meet those state guidelines. It's my belief  
15 that the line of sight of your subdivision is obscured by  
16 trees from this project.

17 UNIDENTIFIED AUDIENCE MEMBER: That's not  
18 true.

19 UNIDENTIFIED AUDIENCE MEMBER: That is not  
20 true.

21 UNIDENTIFIED AUDIENCE MEMBER: It's wide  
22 open.

23 MR. DORR: So on this map here, where is  
24 the subdivision from this --

25 MR. COPENBARGER: Are you guys around the

1 lake?

2 UNIDENTIFIED AUDIENCE MEMBER: Yes.

3 MR. DORR: So there. And the village is  
4 here.

5 MR. BAUMAN: And our current is --

6 MR. DORR: Yeah, I know where your  
7 current --

8 MR. POP: So one of my questions, is there  
9 another site that you guys have looked at? I mean, is  
10 this -- why are we so set in stone on this site?

11 MR. BAUMAN: We own the property.

12 MR. POP: You currently own the property  
13 or did you just recently purchase it?

14 MR. BAUMAN: Recently purchased it.

15 MR. MERKER: With the idea of doing this  
16 plant?

17 MR. BAUMAN: Correct.

18 MR. POP: So again we're putting the cart  
19 before the horse here that they're buying property they  
20 think they're going to get approved without any public  
21 information or knowledge what that's going to do to our  
22 housing value and our taxes, so just the fact that they  
23 own the site, I don't think that should be a  
24 consideration. You don't -- I think -- that's just my  
25 thought.

1 MR. BAUMAN: I'm unaware that we could  
2 bring something to the Zoning Board on property we didn't  
3 own.

4 MR. MERKER: Would you speak up a little  
5 bit?

6 UNIDENTIFIED AUDIENCE MEMBER: Yeah.

7 MR. BAUMAN: Sorry.

8 UNIDENTIFIED AUDIENCE MEMBER: We can't  
9 hear you here.

10 MR. BAUMAN: I didn't -- I was unaware  
11 that we could bring something to the Zoning Board on  
12 property we didn't own, so in this case, you know, we  
13 purchased the property with the knowledge that we met  
14 state guidelines with this site.

15 MR. POP: But without the knowledge that  
16 you'd have approval for the special use permit?

17 MR. BAUMAN: That's correct.

18 UNIDENTIFIED AUDIENCE MEMBER: That's kind  
19 of wrong.

20 MR. LAURENZANA: Also you have to have EPA  
21 control number. Do you have that?

22 MR. HENNINGS: The other Board has to sign  
23 off on this -- my name's Darin. Sorry.

24 THE REPORTER: I'm sorry, say again. I'm  
25 not -- just so everybody knows, if you want to speak, you

1 need to say your name in order to be recognized on the  
2 transcript, okay? So just speak your name and then say  
3 what you're going to say if that's --

4 (Proceeding was interrupted by an audience  
5 member's cell phone.)

6 CHAIRMAN OVERHOLT: Just a point of order,  
7 I'd like to point out that this Board does not have  
8 approval authority for the special use permit. This Board  
9 will make a recommendation to the County Board who will  
10 then decide on the fate of the special use permit, and as  
11 our court reporter pointed out, anybody wants to speak, if  
12 you want to have your name with your comments, please  
13 state your name before you start to speak. Does that help  
14 you out a little bit?

15 THE REPORTER: That would be great. Thank  
16 you.

17 CHAIRMAN OVERHOLT: Okay. Next person.

18 MR. SCHOENUNG: My name's Brian Schoenung.  
19 I'm at 9 Sarah Lane actually, and I'll just say up front  
20 that, you know, I'm a pretty strong proponent of private  
21 property rights, but I think it's the duty of bodies like  
22 this, the Zoning Board, to balance those private property  
23 rights with community needs, and I think that's why we're  
24 here to have this discussion today and, you know, as being  
25 someone that lives in the immediate area, you know,

1 obviously I'm not a super fan of having three pretty big  
2 large anhydrous tanks very nearby to me. I understand  
3 your desire to move them out of town because, you know,  
4 while failures aren't frequent -- I think I looked it up,  
5 it's about 10 to 15 percent where there's either a leak or  
6 an explosion or something like that -- they can be rather  
7 catastrophic and there's been any number of incidents that  
8 have occurred across the country where we've had anhydrous  
9 explosions or spills or whatever. The one caveat that I  
10 have to that is the location that you're currently seeking  
11 is still if you have something catastrophic happen, that  
12 gas cloud will go right through the bulk of Kincaid and,  
13 you know, granted unlikely, but it has happened and, you  
14 know, viewing that this is a pretty remote area, I think  
15 that there's opportunity there for vandalism that probably  
16 doesn't exist in your current site, and then from my  
17 perspective, I'm a professional fisheries biologist, so I  
18 understand from years of experience how anhydrous reacts  
19 with water and what it does to fish populations, and being  
20 situated close to the lake like it is, if there is a  
21 response, the chemicals go in the water, always going to  
22 find its way into the lake and that will definitely kill  
23 fish. Anhydrous is one of the more toxic elements to fish  
24 that are out there and it's a pretty large lake.  
25 Certainly that arm that our houses are on would be



1 severely impacted by that. You know, obviously there's  
2 fines and restitutions for things like that, but at the  
3 same time, it takes years to reestablish fish populations,  
4 and it's just something to be aware of that additionally  
5 again, I think it was brought up by somebody else, the  
6 potential to develop that area into more lakefront  
7 residences like exist where I'm at would be eliminated  
8 with the establishment of a pretty large facility like  
9 that, so just things to consider for you all.

10 MR. BAUMAN: Just to clarify so everyone  
11 understands, anhydrous ammonia is a liquid under pressure,  
12 and as soon as that pressure is -- if it's not under  
13 pressure, it turns to gas, so if there's a leak, it will  
14 not go into the ground or the water. It goes into the  
15 air, and the good part of this half-hour radius that you  
16 see is as it goes into the air, it diffuses. So I've been  
17 around anhydrous a long time. I've worked with it. If  
18 you're in close proximity to where that pressure vessel is  
19 leaking, whether it's a hose or tank or whatever it is, it  
20 can be -- it can be fatal if it was a cloud. However, as  
21 you get away from it, it diffuses in the air and  
22 becomes -- you know, if you are a half mile from a leak,  
23 you wouldn't even -- you wouldn't smell it. I would think  
24 even if the directional wind is blowing your way, and if  
25 you did, it would be a mild irritant or odor at best. If

1 | you look at the map in town, you know, that's a different  
2 | story, and I understand your concerns, but I also would  
3 | have greater concerns of those residents of Kincaid where  
4 | maybe it's not just a nuisance or worry about possible  
5 | property value, but true -- you know, true harm to health  
6 | and hazard, so I understand your ideas and we could  
7 | possibly move it somewhere else. It's not as easy to find  
8 | a piece of property to put a site like this as you may  
9 | think. It took us a long time to find a farmer that would  
10 | sell us a site that was adequate for our needs.  
11 | Fortunately, Mr. Puccetti was willing to work with us and  
12 | expressed his desire to his heirs before his passing that  
13 | this site could be sold to us and, you know, it wasn't  
14 | ever with an intention that they were going to put this  
15 | site in because there's a subdivision a half mile away.  
16 | It was -- it was by necessity because it was the only site  
17 | we could really find that could meet our needs and we  
18 | could purchase.

19 |                   MR. SCHOENUNG: Miss, Brian Schoenung  
20 | again. I'll just -- for the court record, I'll interject  
21 | that I've personally responded in any number of anhydrous  
22 | ammonia fish kills, so it does seek water and it does kill  
23 | fish if it gains its way in there.

24 |                   CHAIRMAN OVERHOLT: Any other members of  
25 | the public would like to speak?

1                   MR. POP:  Danny Pop again.  I personally  
2 know Mr. Puccetti and his family and the size of their  
3 farm, and if they were willing to sell you this piece,  
4 they have a lot of other pieces that I believe would  
5 probably be suitable, too.  Again I don't want the  
6 Board -- because they already own the ground, that, to me,  
7 was maybe premature before following through with finding  
8 out the concerns -- the possible potential addition of  
9 subdivisions in that area is extremely high tax value for  
10 the county.  We pay very high taxes.  The more we can  
11 develop that area, the more tax revenue the county and our  
12 school's going to get.  That's gone.  Dan -- Mr. Puccetti  
13 has a lot of property and they picked this -- I just wish  
14 it would have been pushed further out of town because  
15 it -- from where it currently is, yes, it's an  
16 improvement, but it's not out of town.  I think something  
17 like this should have been pushed further out of town  
18 where you don't get -- you know, about a half-mile radius,  
19 I don't know what the guidelines are.  Again the  
20 economical impacts of this facility, I think, are going to  
21 be pretty significant for the town of Kincaid.  So because  
22 the fact the property was purchased, I think that was  
23 premature.

24                   MR. LAURENZANA:  My name's Mike  
25 Laurenzana.  There's two things that have to happen before

1 | you even pass this. You have to have an EPA control  
2 | number and you have to have a -- have it approved by the  
3 | Fire Department. Do you have those?

4 | MR. HENNINGS: We just did a site at  
5 | Millersville six months ago. The whole precursor of this  
6 | is I have to get tentative approval from the Board --

7 | MR. LAURENZANA: Prior.

8 | MR. HENNINGS: -- tentative approval from  
9 | the state and then County full Board approval, and we are  
10 | in the discovery phases of all that.

11 | MR. LAURENZANA: Okay. So nothing's  
12 | happened that you're --

13 | MR. HENNINGS: No, we are merely just  
14 | trying -- we bought this property with the blessing of the  
15 | blessing of the State of Illinois. The State of Illinois  
16 | can't do anything until the Christian County Board says --

17 | MR. LAURENZANA: It's good?

18 | MR. HENNINGS: -- this is fine.

19 | MR. LAURENZANA: Okay.

20 | MR. HENNINGS: It is -- as you guys say,  
21 | yes, it makes absolutely no sense, but this is how we have  
22 | to do this. It's -- the cart is in front of the horse and  
23 | we're trying to catch it, but that's the rules that we  
24 | have to --

25 | MR. LAURENZANA: Well --

1 MR. HENNINGS: -- abide by.

2 MR. LAURENZANA: I live near there and to  
3 ask you the question if you lived where I live and some --  
4 I proposed an anhydrous plant less than a half mile from  
5 my house, would you be happy?

6 MR. HENNINGS: So --

7 MR. LAURENZANA: Well, let me -- let me  
8 add one more. The southwest winds come and blow and we  
9 get strong winds out there, so if there's any smell, we're  
10 going to smell it. I'm out there walking my dog. I can't  
11 enjoy being outside anymore. It's bad enough when they  
12 come by and do the fields. I have to be inside. It's  
13 that bad, but this will be all the time.

14 MR. HENNINGS: No. It will not be.

15 MR. LAURENZANA: I beg to differ. If you  
16 walk by that anhydrous one over there off of Springfield  
17 Street at any time of the day, you can smell it.

18 MR. HENNINGS: Well, then the Fire  
19 Department needs to be notified so we can find and fix the  
20 leak.

21 MR. LAURENZANA: Okay, I just want to  
22 make --

23 MR. HENNINGS: I live near a hog farm, so  
24 I understand your --

25 MR. LAURENZANA: Concern?

1 MR. HENNINGS: I smell hogs all day. When  
2 the weather -- wind comes from the north, I smell it again  
3 from Decatur, so I totally understand that, but given my  
4 20 years of being with ammonia, I have to agree with Mark.  
5 I have never, you know, had an incident that was anywhere  
6 near catastrophic. The area meets -- like Mark said, we  
7 can't drive down unmarked roads, three-phase power.  
8 Truthfully, I think the state statutes are too lenient for  
9 an ammonia site. That's just me as an individual which is  
10 why I propose that we triple and quadruple the lay-offs.  
11 It's -- it's really easy to -- I don't need to be 200 feet  
12 from your house. To me, I don't want to be 200 feet from  
13 your house.

14 MR. LAURENZANA: I will sell my house. I  
15 will move. If -- I mean, I would sell it, find a new  
16 home.

17 MR. HENNINGS: And I would not want you  
18 to --

19 MR. LAURENZANA: I don't want to live next  
20 to an anhydrous plant. I just -- for the record.

21 MR. HENNINGS: So a lot of people around  
22 the property are long-term owners that voice that they are  
23 not interested in selling their property. We have spent  
24 probably a year going down the rabbit hole of who, where,  
25 what, and this was the best fit for the approval to even

1 start the process.

2 MR. LAURENZANA: I would appreciate if you  
3 would consider another option because that's pretty close  
4 and the whole town's going to know, experience, experience  
5 it, and it's not going to be good for Kincaid, not that  
6 there's much there, it's a bed and breakfast, granted  
7 that, but, I mean, that's all we have, so please take that  
8 in consideration.

9 MR. DORR: Has there ever been a leak at  
10 the Kincaid facility?

11 MR. BAUMAN: I think they're more --

12 THE REPORTER: Can you come closer to  
13 me --

14 MR. BAUMAN: Yeah, sorry.

15 THE REPORTER: -- so I can hear you?

16 MR. BAUMAN: So as you fill tanks to 85  
17 percent, sometimes you get temperature changes and you can  
18 have some -- they call it pop-off valves that will release  
19 the pressure so it doesn't get too much pressure and  
20 that's a lot of times it could smell and, you know, it's a  
21 pungent odor, no doubt, in close proximity, but from a  
22 half mile, a half mile's a long way and you're not going  
23 to smell --

24 MR. DORR: So have you ever had a major  
25 leak at the Kincaid facility?

1 MR. BAUMAN: Not to my knowledge. We've  
2 not had a major leak at any of our facilities and we have  
3 six in the county.

4 MR. DORR: Well, I disagree with that  
5 because I used to work for FS. Back in probably '81, '82  
6 there was a major leak at one and that was a facility in  
7 town before they moved to Millersville, and the delivery  
8 driver was filling the tank and he did not shut his truck  
9 off before he opened the relief valve which drained the  
10 hose into water to contain it and it basically froze the  
11 holding tank and made a mushroom cloud over the entire  
12 town of Owaneco because there was no breeze that day.  
13 There was no personal injuries, but it killed a lot of  
14 vegetation as far as gardens and trees and everything  
15 else. They shut down Route 29 for probably 45 minutes,  
16 so, yes, it can happen, but once again that was within a  
17 village, kind of like your current facility, so --

18 MR. BAUMAN: So I amend my statement to my  
19 knowledge, there hasn't been. I've been a general manager  
20 of Christian County FS and now Central Commodity FS since  
21 2015, but that's exactly the type of situation we seek to  
22 avoid.

23 MR. DORR: I agree.

24 MR. POP: Danny Pop. In hearing  
25 additional information on why you chose this site, this



1 site -- they chose this site because it's more cost  
2 beneficial to Central Commodities. That's why this site  
3 was chosen, three-phase. They can put this site anywhere,  
4 but it's going to be additional cost to Central  
5 Commodities to make that happen. Don't -- this is  
6 beneficial to them to put the site there. It's not  
7 beneficial to Kincaid and the county's taxing dollars.  
8 I'm extremely concerned about my property value. I think  
9 this could potentially be very harmful for the city of  
10 Kincaid. People selling houses. It's going to drop  
11 property value. That's going to happen.

12 MS. LAURENZANA: Hi, I'm Jennifer  
13 Laurenzana. I too live in Kincaid. Just for the record,  
14 the south line of Lot 15 of our subdivision, I haven't  
15 seen your map, but where I believe it's going to be is  
16 roughly 1300 feet give or take which is not a mile. It's  
17 about a quarter of a mile, so I don't know where you're  
18 measuring from, but our subdivision is in Kincaid city  
19 limits, and I know our ground is low in the back. It  
20 slopes down towards Lake Sangchris. This gas moves along  
21 the ground, it's going to go down towards my property.  
22 It's bad enough, like Mr. Laurenzana back there said, when  
23 they crop dust, I've lost multiple fruit trees and every  
24 year my irises get chemical burns because of this  
25 chemical. Now I've lived in Kincaid for 26 years and I

1 | drove down 104 and the first time I smelled something, I  
2 | called 911 because I didn't know what it was. Okay? Now  
3 | I do. That was many years ago. I -- I don't want this --  
4 | I don't want to smell it because I know leaks happen and I  
5 | don't want the flow line going down to kill my property,  
6 | my flowers, and when we walk our dog, I don't want her to  
7 | breathe it in and end up having something bad happen,  
8 | so -- and I am concerned about our property values, as  
9 | well. That's all for now. Thank you. Oh, one more  
10 | thing. I do have a question for the Board. What is the  
11 | property that they are currently looking at zoning? Is it  
12 | zoned agricultural and, if so, what are they -- what are  
13 | you planning to do? What kind of special permit zoning is  
14 | going to be needed for this?

15 | MR. TARR: Is it currently AG-1?

16 | MR. BAUMAN: Yes.

17 | MS. LAURENZANA: And what would it be --

18 | MR. TARR: Yes, currently AG-1.

19 | MS. LAURENZANA: What would it need to be  
20 | to move an industrial plant for this? And what would the  
21 | Board determine for the special use permit?

22 | MR. TARR: As far as determine --

23 | MS. LAURENZANA: The zoning. So what is  
24 | it -- what's it going to be -- it's zoned agricultural.  
25 | You're going to put a business there which is industrial,

1 correct?

2 MR. TARR: Um-hum.

3 MS. LAURENZANA: Okay. So then it's no  
4 longer going to be zoned agricultural, correct? Okay, so  
5 then with that, I am still interested in the economic  
6 impacts because you're changing it from an agricultural to  
7 something different.

8 MR. TARR: And I want to lean on the ZBA  
9 Board a little bit because I know in our zoning ordinances  
10 like I-1, so Industrial 1 states that, you know, you can  
11 use some fertilizer storage and sales, but you don't  
12 necessarily have to have a special use permit. With a  
13 project this size, I seem to -- I seem to think it would  
14 lean more towards an I-2, but I guess, gentlemen, looking  
15 for some feedback from the Board on any type of project  
16 like this in the past when it comes to rezoning.

17 MS. LAURENZANA: And what would you base  
18 it off of?

19 MR. DORR: Well, that's the thing. We've  
20 never had anything like this in the past.

21 MR. TARR: Right.

22 MR. DORR: So --

23 MR. TARR: So, yeah. So, Jennifer, yeah,  
24 my best answer is we'll have to research that and see  
25 what's in the best interest of the county as far as

1 rezoning.

2 MS. LAURENZANA: Thank you for that.

3 MR. MERKER: I have a question.

4 MR. TARR: Yes, sir.

5 MR. MERKER: Gary Merker, Board member.  
6 I'm trying to phrase this right. Obviously you have two  
7 points of view. That's why we're here. One of them seems  
8 to be centered more on property values and the danger  
9 involved in having this facility here. What's FS's  
10 primary concern on this? Why did you choose this  
11 particular -- I understand about meeting state  
12 requirements and stuff, but what are you trying to achieve  
13 by making this move? I mean, are you more concerned about  
14 property values and that type of thing or are you more  
15 concerned about the danger?

16 MR. BAUMAN: Well, obviously the danger is  
17 magnified by the proximity and density of population of  
18 Kincaid versus this site, so --

19 MR. MERKER: So why even propose something  
20 that creates this kind of a controversy? There's a lot of  
21 land out there that could be used for this.

22 UNIDENTIFIED AUDIENCE MEMBER: Thank you.  
23 That's a good point.

24 MR. BAUMAN: Well, my point being the  
25 danger is just to the citizens of Kincaid currently. If

1 you look at the maps and population density in those two  
2 half-mile circles, there's no comparison in the amount of  
3 people and proximity to the anhydrous ammonia tanks that  
4 are there. Now I understand that there is residences  
5 within a given distance of this site, but they're far  
6 away, and I think we're overstating that someone walking a  
7 dog a half mile away from our ammonia plant would  
8 constantly smell anhydrous.

9 MR. MERKER: This spreadsheet that you  
10 guys passed out, if I read this correctly, you're saying  
11 the site that you're proposing is 2202 feet from the  
12 current closest home; is that right?

13 MR. HENNINGS: That's correct. That home  
14 is currently on County 5 to the southeast.

15 MR. MERKER: And there is no minimum.

16 MS. ALARIA: That's my home.

17 MR. HENNINGS: Which is why I put it on  
18 there because it is the closest home to the --

19 MS. ALARIA: Yes. Okay, I'm Angela  
20 Alaria. The current site of their plant right now, my  
21 husband fixed a house. He remodeled a house that sits  
22 behind the property. We considered downsizing and moving  
23 into this home, but because of the smell from the current  
24 plant, we chose to stay at our current home, and now we're  
25 very concerned that a plant is going to be just right

1 outside down the road from us, and we do like to be  
2 outside. We like to cook out, like to hang out on our  
3 deck. You know, it's quality of life right there. I  
4 mean, beside from the property value impact, the  
5 environmental impact that's already been discussed, this  
6 is quality of life. You're basically stripping our home  
7 from us, and if you've ever been -- you can come to my  
8 yard any time. That wind that comes through there is  
9 fierce. We can't have patio furniture -- well, we have a  
10 picnic table because it's extremely, extremely heavy. I  
11 can't have cute patio furniture because it blows away.  
12 That's how strong that wind comes through there.

13 MR. LAURENZANA: My name's Mike  
14 Laurenzana. I need to add to what he said. When I said a  
15 half mile from my house, their homes are closer, and  
16 there's a lot of other homes that are a lot closer than  
17 their homes. For the record.

18 MR. DORR: So we've got them, that's this  
19 map here?

20 MR. HENNINGS: I use GIS mapping from the  
21 federal GIS maps to map everything out and I'm not making  
22 it up. I've just --

23 MS. ALARIA: I mean, I would just ask the  
24 Board to consider would you want to live this close?  
25 Would you want to take the chance that this is what you're

1 smelling all the time? I mean, regardless -- I mean,  
2 other points in addition to that, I mean, would you want  
3 to live that close? I think that's, you know, the bottom  
4 line that each of you have to ask yourself, and I  
5 understand you're saying it's safe, there hasn't been an  
6 accident, but what happens when there is? When you had  
7 the chance to move it further away from the community and  
8 didn't.

9 MR. BAUMAN: I'm not sure of a site in the  
10 county that wouldn't have a home within some proximity,  
11 so, I mean, we're -- no one probably, given the choice,  
12 would want something within a half mile; however, there's  
13 always going to be someone within a half mile almost  
14 anywhere you go. Once again I'll reiterate there's not  
15 that many farmers willing to parcel off pieces of ground  
16 for something like this. Farmers are farmers. They want  
17 to farm, so it's not really as easy as just hey, let's  
18 move it down the road somewhere else.

19 MR. POP: Again my name's Danny Pop, and  
20 the statement just currently made about it's not as easy,  
21 no, it's not because it's not cost effective.  
22 Everything's for sale. This particular site is what is  
23 most cost beneficial to Central Commodities. Bottom line.  
24 I'm not opposed to Central Commodities moving it. It's  
25 going to be an improvement, but he talked about someone's

1 always going to smell it. The proximity to Kincaid and  
2 the new subdivisions in that town are extremely going to  
3 be affected other than a single, two, three farmhouses  
4 three or four miles out of town. This site is specific  
5 beneficial to Central Commodities because it's their most  
6 cost-effective site to keep their costs down to do this.  
7 Land is for sale. I can buy a piece of land tomorrow.  
8 You point to a map and I can buy it tomorrow. It's  
9 what's -- who's willing to give them the best price.  
10 Everything's for sale. This is cost beneficial to Central  
11 Commodities. I appreciate them moving it; it's just --  
12 like you said, it's the property values, the biological  
13 hazards, the pets, but also the impact to the county and  
14 schools if people sell houses and property values go down,  
15 the tax revenue goes down, you know -- it's cost  
16 beneficial to Central Commodities for this site. They can  
17 move this anywhere.

18 MR. MERKER: And speaking of which, one of  
19 the things that I think we're going to need to make a  
20 decision on this is going to be the economic data involved  
21 which you haven't supplied. I think we need to know  
22 exactly what the tax impact is going to be or the tax  
23 burden is going to be. Obviously these folks' concern --  
24 I'm going to say this, but don't land on me for it -- it's  
25 an emotional issue. It's their home. We can't make



1 decisions on emotional issues without some kind of data to  
2 base it on that we can justify to the public, so, for me,  
3 I just -- my position on this is I want to see data before  
4 we make any kind of a vote on -- a vote to approve this.  
5 I'd like to see the tax impact. If you folks can put  
6 together -- I don't know how it can even be done, but if  
7 you can put together some kind of an estimate on property  
8 values, that was one of the things that everybody in here  
9 spoke to. I'm not opposed to this at all. I'm firmly in  
10 favor of creating jobs. By the way, how many jobs is this  
11 going to create?

12 MR. BAUMAN: So we currently have 75  
13 employees.

14 MR. MERKER: I'm sorry, speak up, please.

15 MR. BAUMAN: We have 75 employees  
16 currently at Central Commodity FS.

17 MR. MERKER: Is this going to create any  
18 new jobs?

19 MR. BAUMAN: It will not create new jobs  
20 per se; however, you know, the tax benefit as I see it for  
21 the county is the fact that our company's been in business  
22 for a hundred years nearly in this county. We employ 75  
23 employees that by and large live within the county, pay  
24 property taxes, pay sales taxes, go to stores. Our  
25 property tax bill for our company alone last year was

1 290,000, so, you know, we do our fair share for the tax  
2 benefit of Christian County. The idea that this area is  
3 all going to be developed, I think, is possible, but  
4 it's -- you know, this is -- this is something that we can  
5 do and it has a benefit for the farmers. What we do  
6 allows the agricultural industry in Christian County,  
7 specifically this area, to be able to put crops in, pay  
8 their property taxes and generate income. Agriculture has  
9 been a mainstay in Christian County forever. Now we see  
10 other things coming in here like wind and solar and  
11 different things that might threaten that agricultural  
12 background that provides, what I feel, an economic engine  
13 for the county and that's why we're here. We're not here  
14 to lower property values or cause problems for you. In  
15 this case I understand your concerns, but I do disagree,  
16 sir, that we're just doing it for an easy economic gain  
17 because we're spending considerable money to move this  
18 site out of town, and while I won't disagree that there  
19 may be other more expensive properties that we could buy,  
20 you know, I can't state enough there's just not that many  
21 places where we can just go out and buy land.

22 MR. COPENBARGER: Dave Copenbarger. I got  
23 a question. The road going in there, whose is that? Is  
24 that a township road?

25 MR. BAUMAN: It is not, no.

1 MR. COPENBARGER: It's a private rock --  
2 is it just a gravel road; is that what it is?  
3 MR. BAUMAN: It is.  
4 MR. COPENBARGER: Off of County Road?  
5 MR. BAUMAN: Um-hum.  
6 MR. COPENBARGER: So how are you going --  
7 how does that work? Are you buying the road; are you  
8 going to maintain the road; have you worked an agreement  
9 out; or have you got -- maybe you're not that far, I don't  
10 know.  
11 MR. BAUMAN: Yeah, well, there's two  
12 options there. Of course the existing road is an option.  
13 There's also -- if -- there's a piece of property that we  
14 own that goes back to it from the south, so that's  
15 something we can develop into, as well, so either way it  
16 would be accessible from the County 5 road.  
17 MR. COPENBARGER: It would be your -- but  
18 it would be --  
19 MR. BAUMAN: At our expense.  
20 MR. COPENBARGER: But it would be  
21 maintained by the township?  
22 MR. BAUMAN: No.  
23 MR. COPENBARGER: It would be your road,  
24 private road?  
25 MR. BAUMAN: Correct.

1 MR. COPENBARGER: Okay.

2 MS. LAURENZANA: This is Jennifer  
3 Laurenzana again. I have a question on how you plan to  
4 grow forth your business. Are you -- you say you have two  
5 18,000-gallon tanks, you want to put another one there and  
6 how much truck traffic and things like that because as you  
7 see on the map, I'm going to be looking out my front door  
8 at your thing, at your facility, and I don't want to see a  
9 big plant there. If I would have done that, I could have  
10 moved somewhere like to Robinson and lived in the middle  
11 of town where they have plants everywhere. Point being is  
12 are you going to do anything to help make things  
13 aesthetically pleasing? Are you going to put trees to  
14 help block so I don't have to look at your thing, at your  
15 plant? Are you going to help -- with these trees maybe it  
16 will help knock the gases down if it does leak. I'm not  
17 saying I'm for this. I want to know what you're planning  
18 on doing in the future, how you're going to grow, how much  
19 truck traffic is going to be out there. When I bought  
20 that property, I wanted to live outside in somewhat of the  
21 country. I didn't want to buy it and live next to a  
22 commercial industrial facility, so, yes, there is emotion  
23 here, but it's also economical, but it's also an  
24 investment. My house is my investment just like it is for  
25 many other people, so, yes, there is emotion, but it's

1 | also an investment.

2 |                   MS. HOWARD: I can speak to the truck  
3 | traffic. I live in Tovey and there's a --

4 |                   MS. LAURENZANA: Thank you.

5 |                   MS. HOWARD: -- an FS plant there and of  
6 | course it's in front of town, but we don't see it because  
7 | they have access to the highway.

8 |                   MR. LAURENZANA: My name's Mike  
9 | Laurenzana. I understand business. You're going to be  
10 | more efficient. Your break-even, I don't know when your  
11 | break-even's going to take, but you're actually going to  
12 | pay less in taxes, so it's actually going to be less  
13 | beneficial to Christian County because you're going to  
14 | become more efficient. You're probably going to be able  
15 | to lay people off because you're going to be so efficient  
16 | because everything is going into one area. You don't have  
17 | three different properties. You don't have three  
18 | different property taxes. You don't have all that  
19 | overhead. You're consolidating and that's how business  
20 | works and I get that. I understand that. I just ask that  
21 | you do it somewhere else.

22 |                   MR. BAUMAN: We're not going to  
23 | consolidate.

24 |                   MR. MERKER: If I may just add onto that,  
25 | do you -- the bottom line is this is America. In America

1 we follow the money. What are your expectations -- do you  
2 have expectations of increasing FS profitability if this  
3 is approved?

4 MR. BAUMAN: It will allow us over time to  
5 grow our business, so if we want to continue to serve the  
6 needs --

7 MR. MERKER: Well, but what does grow your  
8 business mean?

9 MR. BAUMAN: Well --

10 MR. MERKER: More sales, more profit, more  
11 employees?

12 MR. BAUMAN: More sales over time,  
13 correct, which would generate profit and probably lead to  
14 more employees. We're not going to consolidate plants.  
15 So we're moving the plant from town to this new site.  
16 We're not closing additional plants down. We will not lay  
17 off employees because of this site. We're simply moving  
18 from one site to another.

19 MR. SCHOENUNG: Can I just say is your --  
20 and I'm -- first of all, is your sole business  
21 anhydrous --

22 MR. BAUMAN: Yeah, no, there's --

23 MR. SCHOENUNG: -- distribution?

24 THE REPORTER: What is -- what is your  
25 name?

1 MR. SCHOENUNG: Brian Schoenung.

2 THE REPORTER: I can't remember  
3 everybody's name.

4 MR. SCHOENUNG: Oh, I understand. I was  
5 just trying to get it in here. So besides anhydrous, what  
6 else do you all do?

7 MR. BAUMAN: So we spread fertilizer, car  
8 protection products, we sell fuel propane and we own grain  
9 elevators, so we try to work with the farmers from  
10 Christian County from planting through harvest. They're  
11 actually our owners because we're a cooperative, so --

12 MR. SCHOENUNG: Would there be the  
13 opportunity if you acquire this property to bring some of  
14 the other aspects of your business to this location?

15 MR. BAUMAN: You know, I can't say that  
16 would never happen, although the site doesn't lend itself  
17 to those other aspects of our business. There's no plan  
18 to do that. I can't speak for somebody 20 years from now.

19 MR. HENNINGS: I can second that. We've  
20 been working on centralizing a lot of things to your  
21 point. Our major fertilizer hub is at Millersville. We  
22 don't want extra -- we don't need extra sites because  
23 that's extra problems, so the ammonia is labor intensive.  
24 It's a long drive for the farmers. It makes more sense,  
25 and also your point, we can't hire enough people to work

1 for us, so we're not going to lay anyone off. We can't  
2 get anybody to work, so that is the farthest thing from  
3 what is going to happen.

4 MR. POP: My name's Danny Pop. So are you  
5 saying if this site isn't approved, you're going to move  
6 out of Christian County?

7 MR. BAUMAN: I mean --

8 MR. COPENBARGER: Who said that?

9 MR. POP: He talked about the tax revenue  
10 they generate for the county. I would love to see an  
11 economic impact as to amount of tax that's currently paid  
12 in the areas near this facility and a potential growth  
13 factor has to be included in that projection for the  
14 future economic impact. I would think you would still --  
15 it's not feasible for you to move out of the county due to  
16 farmers, so that tax revenue from Central Commodity if  
17 they were to have to choose another location would still  
18 be beneficial to the county.

19 MR. COPENBARGER: Mr. Chairman, Dave  
20 Copenbarger, Zoning Board. We don't even know what we're  
21 going to -- we can't vote on this tonight. We don't  
22 know --

23 CHAIRMAN OVERHOLT: I agree.

24 MR. COPENBARGER: -- what zoning that  
25 we're going to change this to if we were going to even do



1 that. I mean, if we want to keep discussing all -- we  
2 could have this all night. I don't know where we're going  
3 with this. There's opposition. There's their side. We  
4 don't know -- we can't vote on a zoning change tonight  
5 because we don't know what -- it needs to be outlined what  
6 zoning they're wanting or we're allowing them to have and  
7 it's got to meet that before we can vote on anything.

8 MS. HOWARD: My feeling is there's too  
9 many unknowns.

10 MR. DORR: One question. The picture here  
11 with the current facility within the village of Kincaid,  
12 what size tanks are those?

13 MR. BAUMAN: 18,000 gallons.

14 MR. DORR: So they got two of them  
15 currently and you're going to add a third one at the new  
16 location if --

17 MR. BAUMAN: Potentially.

18 MS. LAURENZANA: Jennifer Laurenzana. One  
19 last question.

20 MR. BAUMAN: Sure.

21 MS. LAURENZANA: You said you're moving  
22 your facility basically in Kincaid to the site south of  
23 town and this is -- at this location you have -- this is  
24 where you have the tanks on the wheels for the farmers,  
25 correct?

1 MR. BAUMAN: Right. Yes.

2 MS. LAURENZANA: Right. At this location  
3 that's what you're going to be moving out there, correct?

4 MR. BAUMAN: Correct.

5 MS. LAURENZANA: My concern is this. Last  
6 summer we had somebody siphon gas out of my boat. We  
7 didn't realize it until we got to the lake and we had no  
8 gas. Point to this story, though, is if somebody's  
9 stealing gas out of my property and I have no trees  
10 around, how are you going to keep it -- with the meth  
11 problem and things like that that Kincaid and Tovey and  
12 other surrounding areas have, are you going to have this  
13 fenced in? Are you going to have people vandalizing who  
14 would potentially leave your facility open or faucets or  
15 whatever they're called -- I'm sorry, I'm ignorant to the  
16 terms -- to cause, you know -- you see where I'm --

17 MR. BAUMAN: I do.

18 MS. LAURENZANA: My concern here?

19 MR. BAUMAN: So we currently have --

20 MS. LAURENZANA: Thank you.

21 MR. BAUMAN: -- ammonia facilities  
22 throughout the county. One's fenced in and the rest  
23 aren't. We did experience a large number of thefts years  
24 ago because of the meth problem as anhydrous is an  
25 ingredient in the formation of it; however, it's my

1 understanding, and I'm no expert in this field, that  
2 anhydrous has been replaced and we have -- I can say the  
3 amount of incidents of theft and people coming to steal  
4 anhydrous is -- it's gone away. I mean, for a long time  
5 we'd find hoses and even bicycle inner tubes and things  
6 draped on our tanks where people had come in and stolen  
7 product overnight. We don't experience that anymore.

8 MS. LAURENZANA: This is Jennifer  
9 Laurenzana again. But you're in town where people,  
10 neighborhood watches and things where people are more  
11 aware of this. Now you're going to move it outside of  
12 town with trees surrounding it. I mean, you're not going  
13 to be there. That's why I want to know what are you going  
14 to do? What are you proposing to do that nothing --  
15 nothing gets stolen? Nothing -- what are you going to --  
16 yes, what are you going to do to -- for potential --

17 MR. BAUMAN: I guess my point that I was  
18 trying to make is we have other sites that aren't secure  
19 that are remote and we're not experiencing those theft  
20 problems at those locations now because the inherent value  
21 of the anhydrous is to the farmer when it's in the ground.  
22 I don't feel like it's a base ingredient in what they use  
23 to cook meth at this time and that's why the thefts have  
24 stopped, so --

25 MS. LAURENZANA: You still didn't answer

1 the question, though. So you're not going to do anything,  
2 correct?

3 MR. BAUMAN: We would consider things,  
4 yes.

5 MS. LAURENZANA: Okay. Thank you.

6 MR. BAUMAN: And I would consider, to your  
7 earlier point, planting trees and things to secure this  
8 site from view.

9 MS. BROWN: Hi, I'm Amber Brown and I live  
10 out there on Sarah Lane, and I just want to say that I  
11 think that you're -- and I'm not trying to offend you, but  
12 you're trying to sell this to these people as in this is  
13 for -- we're protecting Kincaid and we've decided this is  
14 where we're going to move it, and if you really want to  
15 protect Kincaid, you would move it further. There's no  
16 way this is the only area that you could purchase. Maybe  
17 it was the only area you could get a good deal, but not  
18 the only area that you could purchase because this is why  
19 we live out there. There's children out all the time.  
20 This is a nice street, a dead-end street with children out  
21 there playing and whatnot, and I want to keep it that way,  
22 not smelly and have that coming blowing at our home where  
23 our children are, but if you were so concerned, you would  
24 move it out of town, so it's like you only care about the  
25 ones right in town, their children. You don't care about

1 mine.

2 MR. BAUMAN: I think there's maybe just a  
3 difference of opinion on the distance of this facility  
4 from your homes as relates to the smell of anhydrous  
5 because if I open the tank valve a half mile away downwind  
6 from where you're staying, I honestly don't feel like you  
7 would smell it.

8 MS. LAURENZANA: Yeah, but that's  
9 downwind. Sorry, Jennifer Laurenzana. That's downwind,  
10 though. We're going to be all upwind.

11 MR. BAUMAN: No, you would be upwind if I  
12 opened it downwind.

13 CHAIRMAN OVERHOLT: Excuse me.

14 MS. LAURENZANA: Okay. Never mind.

15 CHAIRMAN OVERHOLT: As one of these two  
16 gentlemen pointed out, we can discuss this from now till  
17 when the cows come home and we still don't have enough  
18 data to make a decision, so we'd entertain a motion to  
19 table this matter pending further information.

20 MR. DORR: Before we do that, I'd like to  
21 make one request. Are there any studies of dissipation of  
22 anhydrous clouds depending on the wind, how quickly  
23 they -- 'cause, like I said, I went through one of these  
24 that happened before, but I currently live, as the crow  
25 flies, a mile from Millersville facility and have never

1 smelt that in the 28, 29 years that I've lived there and,  
2 I mean, I understand their concern, but, you know, I used  
3 to apply this all the time, and it's very dangerous, it  
4 will take your breath away, it will burn you severely, but  
5 there's got to be some kind of study out there that -- how  
6 long it'll last, how long it'll travel, something like  
7 that. I mean, if you had some of that kind of  
8 information, it might relieve some of their concerns  
9 because, like I said, yes, it does have an odor, but so  
10 does ammonia you clean your bathroom with.

11 MR. BAUMAN: Sure.

12 MR. DORR: So it's still ammonia; it's  
13 just in a different form; but I think that would be  
14 something that would be to the advantage of you guys if  
15 you had some kind of --

16 MR. BAUMAN: No, I'd be glad to search for  
17 that information. I guess one more thing I'd like to  
18 point out on the record here for this Board to consider as  
19 we go forward with estimations of reduced property values  
20 because of this plant, I would point out that on this map  
21 there are many oil wells surrounding this site, so I would  
22 contend that it's not a pristine ag vista that everyone's  
23 looking out of their backyard across this field. It's  
24 pretty much industrial now. If you look at all these  
25 roads on this map within this half-mile radius, there's

1 oil wells all over that property, so --

2 MS. WILLIAMS: I'm Janet Williams and I  
3 live not far from where you're going to be. I have health  
4 issues and if I have to smell that, it's not going to be  
5 good on my lungs. My husband and I built that house as an  
6 investment for later on and he's since passed, so I'm  
7 still there, and I really do not think this has been  
8 thought out, and I would like -- you know, every -- all of  
9 us should have a map of what you're doing.

10 MR. BAUMAN: I apologize. We didn't know  
11 how many would be here; however, if you guys would be so  
12 kind as to put your name and address down, I'd be glad to  
13 mail some material to you or e-mail.

14 MR. MERKER: If I may, it seems to me that  
15 there are a lot of unanswered questions. Good questions  
16 have been posed that need answers; perhaps some of them  
17 don't. I suggest to my fellow Board members that we come  
18 prepared next meeting with any questions that we have and  
19 limit to responses to those questions so we don't have to  
20 sit here for 24 hours rehashing a lot of the same ground.  
21 I personally -- I'm a data guy. I want to see the  
22 numbers. I want to see what kind of impact it's going to  
23 have on the county's tax situation. It ain't been that  
24 long ago that we were broke before Harper got here and it  
25 may well be that we may look at those numbers and say man,

1 we can live with that, that's not bad, but we may not.  
2 Second point, I think you're asking us for a blank check.  
3 I think there's a lot of -- whole lot of stuff that you  
4 probably -- do you have a facility design? Have you had  
5 an architect and engineers in there? Do you know exactly  
6 where your cribs are going and your tanks are going and  
7 the roads are going?

8 MR. BAUMAN: We can --

9 MR. MERKER: Do you know all that stuff?

10 MR. BAUMAN: We can provide that to you.

11 MR. MERKER: Should have come today.

12 MR. BAUMAN: I'm sorry. I provided  
13 information to Mr. Tarr. We felt like it was sufficient  
14 at the time. Was unaware that, you know, this was going  
15 to --

16 MR. MERKER: And that's understandable. I  
17 want to see the tax impact.

18 MS. BROWN: Can I say something? Just  
19 about taxes anyway. My name's Pat Brown. That's my  
20 daughter. Her dad and she and her husband and I, we have  
21 three houses right in the vicinity of where you're talking  
22 about, so with our combined three homes, we pay about  
23 \$1200 a month in property taxes. That's \$144,000 a year.  
24 That's just our family, our three houses. I'm retired.  
25 I'm 73 years old. I've lived there almost 21 years. I



1 don't want to move. I don't want to see my property go  
2 down, and something like this will lower our property  
3 taxes. There's no doubt. There's no doubt. So we're  
4 supporting the schools. We don't even have a child in the  
5 school -- Kincaid schools, but we're supporting the  
6 schools and the fire district and whatever else, and so  
7 that's my opposition right there. It's been nothing  
8 personal against your company.

9 MR. LAURENZANA: My name's Mike  
10 Laurenzana. I just have a comment on the scenery that  
11 we're looking at is oil wells and fracking pumps. Those  
12 were there prior. This is not there.

13 MS. LAURENZANA: This is Jennifer  
14 Laurenzana. On that there, the oil wells, that's all  
15 zoned agricultural. What he's proposing to do is changing  
16 the zoning to commercial, industrial potentially on what  
17 you guys decide, but that there is the economic impact  
18 that it's going to have. The wells, yes, they are there,  
19 but it's not -- it's the zoning of what it is. Thank you.

20 MR. DORR: So if you do move these tanks  
21 from their current location, you still have a plant  
22 operation right there, fertilizer, chemical?

23 MR. BAUMAN: No, sir.

24 MR. DORR: There's not. So it's just --

25 MR. BAUMAN: It's just ammonia.

1 MR. DORR: Okay. So where do you do your  
2 other fertilizer, chemical?

3 MR. BAUMAN: In that area we have a plant  
4 in Tovey and we load liquid chemicals and fertilizer  
5 there.

6 MR. DORR: So what would your further  
7 plans be if you move the tanks with this property?

8 MR. BAUMAN: We would probably put it up  
9 for sale.

10 MR. DORR: Okay. Has there been any  
11 studies -- like we've had all these other hearings about  
12 wind turbines and solar panels. Has there been any  
13 studies of affected property value from anhydrous  
14 facilities that you're aware of?

15 MR. BAUMAN: Not that I'm aware of.

16 MR. DORR: Okay. Could you see if there  
17 is? I mean, that would be nice to know. Like I said,  
18 when we had all these other hearings, that was one of the  
19 important things that they brought. I mean, there might  
20 not be anything out there, but, you know, that would be  
21 something to look into.

22 MS. HOWARD: Mr. Chairman? I'm Joann  
23 Howard. Have you thought about going to the EPA? I mean,  
24 that's not our responsibility, but that's one route.

25 MR. COPENBARGER: What do you mean,

1 | though?

2 | MS. HOWARD: You can check with the  
3 | Environmental Protection Agency, see if they have studies.

4 | MR. COPENBARGER: Oh, okay.

5 | MR. BAUMAN: We'll see what kind of due  
6 | diligence we can do over the next 30 days or month,  
7 | provide information on the dissipation, diffusion of --

8 | MR. DORR: Well, I think that's the two  
9 | most important things that everybody here that's in  
10 | attendance is asking about property values and the impact  
11 | of a leak, and I think if you had some answers or some,  
12 | you know, scientific information on that, you know, that  
13 | would be the two top things besides the -- what Gary was  
14 | talking about with the property values, but I think those  
15 | are the two most important things.

16 | MR. BAUMAN: Yes, sir.

17 | CHAIRMAN OVERHOLT: On the motion to table  
18 | this matter till some time off in the future when we can  
19 | get more data, let's have a roll call vote.

20 | MR. DORR: I'll second that motion.

21 | CHAIRMAN OVERHOLT: David Copenbarger.

22 | MR. COPENBARGER: Yes.

23 | CHAIRMAN OVERHOLT: Joe Dorr.

24 | MR. DORR: Yes.

25 | CHAIRMAN OVERHOLT: Glen Goodrich.

1 MR. GOODRICH: Yes.

2 CHAIRMAN OVERHOLT: Joann Howard.

3 MS. HOWARD: Yes.

4 CHAIRMAN OVERHOLT: Gary Merker.

5 MR. MERKER: Yes.

6 CHAIRMAN OVERHOLT: Jon Rosenthal.

7 MR. ROSENTHAL: Yes.

8 CHAIRMAN OVERHOLT: Motion is passed  
9 unanimately. This matter will be tabled until a future  
10 date when we have more information.

11 MR. DORR: I'll make the motion to  
12 adjourn.

13 MR. ROSENTHAL: One more thing before a  
14 motion.

15 MR. DORR: Okay.

16 MR. ROSENTHAL: Mr. Chairman?

17 CHAIRMAN OVERHOLT: Go ahead.

18 MR. ROSENTHAL: Just wanted to let  
19 everybody know this was my last meeting on the Zoning  
20 Board. I'm resigning my position as of tonight.

21 CHAIRMAN OVERHOLT: Thank you very much,  
22 Jon.

23 MR. ROSENTHAL: I need a break. I've been  
24 on here long enough, so --

25 CHAIRMAN OVERHOLT: I understand.

1 Appreciate your service.

2 MR. ROSENTHAL: Thank you.

3 MR. DORR: I'll make a motion now to  
4 adjourn the meeting.

5 MR. COPENBARGER: Second.

6 CHAIRMAN OVERHOLT: Motion's been made and  
7 seconded to adjourn. David Copenbarger.

8 MR. COPENBARGER: Yes.

9 CHAIRMAN OVERHOLT: Joe Dorr.

10 MR. DORR: Yes.

11 CHAIRMAN OVERHOLT: Glen Goodrich.

12 MR. GOODRICH: Yes.

13 CHAIRMAN OVERHOLT: Joann Howard.

14 MS. HOWARD: Yes.

15 CHAIRMAN OVERHOLT: Gary Merker.

16 MR. MERKER: Yes.

17 CHAIRMAN OVERHOLT: Jon Rosenthal. You --

18 MR. ROSENTHAL: Yes.

19 CHAIRMAN OVERHOLT: -- might as well --

20 MR. ROSENTHAL: Yes.

21 CHAIRMAN OVERHOLT: Thank you.

22 MR. ROSENTHAL: You're welcome.

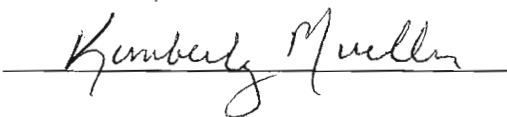
23 CHAIRMAN OVERHOLT: All right. Everybody,  
24 have a good one.

25 (Meeting was adjourned.)

REPORTER'S CERTIFICATE

I, KIMBERLY MUELLER, a Certified Shorthand Reporter in and for the State of Illinois, do hereby certify that a public meeting was conducted before me on February 28, 2023, at the County Board Room, Second Floor of the Christian County Courthouse, City of Taylorville, State of Illinois, and taken by me in stenotype and afterwards transcribed into typewriting, being true and accurate to the best of my ability.

BY THE AUTHORITY BESTOWED UPON ME, I have hereunto set my hand on this 12th day of March 2023.



Illinois C.S.R. #84-002718

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<b>abide</b> 29:1	15:4,6,9 25:11	<b>asked</b> 14:15	<b>belief</b> 20:14	<b>breeze</b> 32:12
<b>ability</b> 62:11	26:22 30:4,9 37:3	<b>asking</b> 6:25 56:2	<b>believe</b> 15:8 19:18	<b>Brian</b> 2:17 23:18
<b>able</b> 42:7 45:14	37:7 47:23 50:21	59:10	20:5 27:4 33:15	26:19 47:1
<b>absolutely</b> 18:2	54:10,12 57:25	<b>aspects</b> 47:14,17	<b>beneficial</b> 33:2,6,7	<b>bring</b> 12:3 22:2,11
28:21	<b>amount</b> 15:23 37:2	<b>assume</b> 13:12	39:23 40:5,10,16	47:13
<b>accept</b> 3:18,20	48:11 51:3	<b>attend</b> 19:23	45:13 48:18	<b>broke</b> 55:24
<b>access</b> 16:15 45:7	<b>Angela</b> 2:20 37:19	<b>attendance</b> 11:13	<b>benefit</b> 41:20 42:2,5	<b>brought</b> 25:5 58:19
<b>accessible</b> 43:16	<b>anhydrous</b> 14:14	12:17 59:10	<b>best</b> 8:25 13:3 25:25	<b>Brown</b> 2:21,23 52:9
<b>accident</b> 39:6	15:6,9 24:2,8,18	<b>audience</b> 17:23 18:2	30:25 35:24,25	52:9 56:18,19
<b>accomplish</b> 14:25	24:23 25:11,17	18:4 20:17,19,21	40:9 62:11	<b>budgetarily</b> 4:23
<b>accurate</b> 62:10	26:21 29:4,16	21:2 22:6,8,18	<b>BESTOWED</b> 62:12	<b>built</b> 55:5
<b>achieve</b> 36:12	30:20 37:3,8	23:4 36:22	<b>bicycle</b> 51:5	<b>bulk</b> 24:12
<b>acquire</b> 47:13	46:21 47:5 50:24	<b>authority</b> 12:2 23:8	<b>big</b> 10:13 24:1 44:9	<b>burden</b> 40:23
<b>activities</b> 12:1	51:2,4,21 53:4,22	62:12	<b>bigger</b> 16:22,23	<b>burn</b> 54:4
<b>add</b> 29:8 38:14	58:13	<b>avoid</b> 32:22	17:5	<b>burns</b> 33:24
45:24 49:15	<b>answer</b> 15:2 17:10	<b>aware</b> 11:18,19 25:4	<b>bill</b> 41:25	<b>business</b> 34:25
<b>addition</b> 27:8 39:2	35:24 51:25	51:11 58:14,15	<b>biological</b> 40:12	41:21 44:4 45:9
<b>additional</b> 32:25	<b>answers</b> 20:3 55:16	<b>aye</b> 3:22	<b>biologist</b> 24:17	45:19 46:5,8,20
33:4 46:16	59:11		<b>bit</b> 14:11,24 16:2	47:14,17
<b>additionally</b> 25:4	<b>anticipated</b> 12:3	B	22:5 23:14 35:9	<b>buy</b> 40:7,8 42:19,21
<b>address</b> 55:12	<b>anybody</b> 3:15 11:18	<b>back</b> 8:5 16:6 18:23	<b>Blake</b> 2:11 12:13	44:21
<b>adequate</b> 26:10	11:19,19 23:11	32:5 33:19,22	14:11,23	<b>buying</b> 21:19 43:7
<b>adjacent</b> 19:20	48:2	43:14	<b>blank</b> 56:2	
<b>adjourn</b> 60:12 61:4	<b>anymore</b> 29:11 51:7	<b>background</b> 42:12	<b>blessing</b> 28:14,15	C
61:7	<b>anyway</b> 10:11 56:19	<b>backyard</b> 54:23	<b>block</b> 44:14	<b>calculated</b> 17:12
<b>adjourned</b> 61:25	<b>apologize</b> 55:10	<b>bad</b> 9:3,11 29:11,13	<b>blow</b> 29:8	<b>call</b> 3:3,24 12:9
<b>Administrator</b> 2:11	<b>Appeals</b> 1:4 3:2	33:22 34:7 56:1	<b>blowing</b> 25:24 52:22	13:17 31:18 59:19
<b>advantage</b> 54:14	<b>appears</b> 4:13	<b>balance</b> 23:22	<b>blows</b> 38:11	<b>called</b> 34:2 50:15
<b>aesthetically</b> 44:13	<b>application</b> 14:13	<b>ballpark</b> 12:21	<b>Board</b> 1:4,11 2:1	<b>capable</b> 11:5
<b>ag</b> 54:22	<b>applied</b> 14:17	<b>base</b> 35:17 41:2	3:2,22 4:12,14	<b>capacity</b> 16:23
<b>Agency</b> 59:3	<b>apply</b> 54:3	51:22	5:22 6:17,20,21	<b>car</b> 47:7
<b>ago</b> 28:5 34:3 50:24	<b>appoint</b> 8:15	<b>basically</b> 12:5 32:10	7:3,16,17,18,18	<b>care</b> 12:23 52:24,25
55:24	<b>appointed</b> 13:11	38:6 49:22	7:24 8:2,25 10:1	<b>cart</b> 21:18 28:22
<b>agree</b> 11:17 13:10	<b>appointment</b> 8:9	<b>bathroom</b> 54:10	10:25 11:4,20,20	<b>case</b> 15:23 22:12
30:4 32:23 48:23	10:2	<b>Bauman</b> 2:14 14:13	13:4,10,11 15:14	42:15
<b>agreement</b> 43:8	<b>appreciate</b> 31:2	14:23 16:4,25	16:20 18:23 19:1	<b>catastrophic</b> 24:7
<b>agricultural</b> 34:12	40:11 61:1	17:3,10,17 20:7	20:3 22:2,11,22	24:11 30:6
34:24 35:4,6 42:6	<b>approval</b> 17:4 22:16	20:11 21:5,11,14	23:7,8,9,22 27:6	<b>catch</b> 28:23
42:11 57:15	23:8 28:6,8,9	21:17 22:1,7,10	28:6,9,16 34:10	<b>cause</b> 15:11 42:14
<b>Agriculture</b> 42:8	30:25	22:17 25:10 31:11	34:21 35:9,15	50:16 53:23
<b>AG-1</b> 34:15,18	<b>approval's</b> 20:11	31:14,16 32:1,18	36:5 38:24 48:20	<b>caveat</b> 24:9
<b>ahead</b> 4:17 18:14	<b>approve</b> 17:19,24	34:16 36:16,24	54:18 55:17 60:20	<b>cell</b> 23:5
20:10 60:17	17:24 41:4	39:9 41:12,15,19	62:7	<b>centered</b> 36:8
<b>ain't</b> 55:23	<b>approved</b> 21:20	42:25 43:3,5,11	<b>Board's</b> 13:5	<b>Central</b> 2:14,15
<b>air</b> 25:15,16,21	28:2 46:3 48:5	43:19,22,25 45:22	<b>boat</b> 50:6	14:6,13 17:15
<b>Alaria</b> 2:20 37:16	<b>approving</b> 18:4 20:4	46:4,9,12,22 47:7	<b>bodies</b> 23:21	32:20 33:2,4
37:19,20 38:23	<b>approximately</b> 16:5	47:15 48:7 49:13	<b>bolts</b> 15:23	39:23,24 40:5,10
<b>allot</b> 14:20	<b>architect</b> 56:5	49:17,20 50:1,4	<b>bottom</b> 39:3,23	40:16 41:16 48:16
<b>allow</b> 16:16 46:4	<b>area</b> 15:4 23:25	50:17,19,21 51:17	45:25	<b>centralizing</b> 47:20
<b>allowing</b> 49:6	24:14 25:6 27:9	52:3,6 53:2,11	<b>bought</b> 28:14 44:19	<b>Certainly</b> 24:25
<b>allows</b> 16:25 42:6	27:11 30:6 42:2,7	54:11,16 55:10	<b>break</b> 60:23	<b>CERTIFICATE</b>
<b>Amber</b> 2:21 52:9	45:16 52:16,17,18	56:8,10,12 57:23	<b>breakfast</b> 31:6	62:1
<b>amend</b> 32:18	58:3	57:25 58:3,8,15	<b>break-even</b> 45:10	<b>Certified</b> 62:4
<b>America</b> 45:25,25	<b>areas</b> 19:12 48:12	59:5,16	<b>break-even's</b> 45:11	<b>certify</b> 62:5
<b>ammonia</b> 14:14,14	50:12	<b>bed</b> 31:6	<b>breath</b> 54:4	<b>cetera</b> 11:24,25
	<b>arm</b> 24:25	<b>beg</b> 29:15	<b>breathe</b> 34:7	<b>Chair</b> 3:17

<b>Chairman</b> 2:2 3:1,5 3:7,9,11,13,15,17 3:21,23 4:1,3,5,7 4:9,11,17 13:7,14 13:16,20,22,24 14:1,3,5,10 17:14 17:18,21 18:6,10 18:11,13,16 20:10 23:6,17 26:24 48:19,23 53:13,15 58:22 59:17,21,23 59:25 60:2,4,6,8 60:16,17,21,25 61:6,9,11,13,15 61:17,19,21,23	29:12 31:12 38:7 51:6 53:17 55:17 56:11 <b>comes</b> 30:2 35:16 38:8,12 <b>coming</b> 42:10 51:3 52:22 <b>comment</b> 17:25 57:10 <b>comments</b> 11:13 16:20 17:20 23:12 <b>commercial</b> 44:22 57:16 <b>Commodities</b> 33:2,5 39:23,24 40:5,11 40:16 <b>Commodity</b> 2:14,15 14:6,14 32:20 41:16 48:16 <b>Commodity's</b> 17:15 <b>community</b> 23:23 39:7 <b>company</b> 41:25 57:8 <b>company's</b> 41:21 <b>compared</b> 10:14 <b>comparison</b> 37:2 <b>complicated</b> 9:19 <b>concentrate</b> 9:14 <b>concern</b> 15:11 19:25 29:25 36:10 40:23 50:5,18 54:2 <b>concerned</b> 19:11 20:12 33:8 34:8 36:13,15 37:25 52:23 <b>concerns</b> 14:18,20 15:3 26:2,3 27:8 42:15 54:8 <b>conducted</b> 1:11 62:6 <b>consider</b> 10:1 25:9 31:3 38:24 52:3,6 54:18 <b>considerable</b> 42:17 <b>consideration</b> 21:24 31:8 <b>considered</b> 37:22 <b>consolidate</b> 45:23 46:14 <b>consolidating</b> 45:19 <b>constantly</b> 37:8 <b>contain</b> 32:10 <b>contend</b> 54:22 <b>continue</b> 46:5 <b>control</b> 22:21 28:1 <b>controversy</b> 36:20	<b>cook</b> 38:2 51:23 <b>cooperative</b> 47:11 <b>Copenbarger</b> 2:3 3:3,4,24,25 4:16 4:18 5:7,13,16,20 5:24 6:9,13,18,21 9:12,16,21 11:17 12:13,16,22 13:1 13:9,20,21 16:21 17:2,7 18:11 20:25 42:22,22 43:1,4,6,17,20,23 44:1 48:8,19,20 48:24 58:25 59:4 59:21,22 61:5,7,8 <b>correct</b> 5:5,6 10:5 21:17 22:17 35:1 35:4 37:13 43:25 46:13 49:25 50:3 50:4 52:2 <b>correctly</b> 37:10 <b>cost</b> 33:1,4 39:21,23 40:10,15 <b>costs</b> 40:6 <b>cost-effective</b> 40:6 <b>country</b> 15:2,16 24:8 44:21 <b>county</b> 1:3,11,12 3:2 11:20 14:7 15:6 16:5 23:9 27:10,11 28:9,16 32:3,20 35:25 37:14 39:10 40:13 41:21,22,23 42:2 42:6,9,13 43:4,16 45:13 47:10 48:6 48:10,15,18 50:22 62:7,8 <b>county's</b> 33:7 55:23 <b>course</b> 43:12 45:6 <b>court</b> 4:23 5:3,8 7:1 8:23 9:8 10:6 11:3 11:15 12:3,8 23:11 26:20 <b>Courthouse</b> 1:12 62:8 <b>cows</b> 53:17 <b>create</b> 41:11,17,19 <b>creates</b> 36:20 <b>creating</b> 41:10 <b>cribs</b> 56:6 <b>crop</b> 33:23 <b>crops</b> 42:7 <b>crow</b> 53:24 <b>CSR</b> 1:21 <b>current</b> 15:20 19:20	21:5,7 24:16 32:17 37:12,20,23 37:24 49:11 57:21 <b>currently</b> 17:3 21:12 24:10 27:15 34:11,15,18 36:25 37:14 39:20 41:12 41:16 48:11 49:15 50:19 53:24 <b>cute</b> 38:11 <b>C.S.R</b> 62:17 <hr/> <b>D</b> <hr/> <b>dad</b> 56:20 <b>Dan</b> 27:12 <b>danger</b> 15:8 36:8,15 36:16,25 <b>dangerous</b> 54:3 <b>Danny</b> 2:16 18:18 18:21 27:1 32:24 39:19 48:4 <b>Darin</b> 2:15 15:18 22:23 <b>data</b> 40:20 41:1,3 53:18 55:21 59:19 <b>date</b> 60:10 <b>daughter</b> 56:20 <b>Dave</b> 4:22 42:22 48:19 <b>David</b> 2:3 3:3,24 13:20 59:21 61:7 <b>day</b> 29:17 30:1 32:12 62:13 <b>days</b> 59:6 <b>dead-end</b> 52:20 <b>deal</b> 52:17 <b>Decatur</b> 30:3 <b>decide</b> 23:10 57:17 <b>decided</b> 52:13 <b>decision</b> 40:20 53:18 <b>decisions</b> 41:1 <b>deck</b> 38:3 <b>deems</b> 12:7 <b>definitely</b> 24:22 <b>delivery</b> 32:7 <b>density</b> 36:17 37:1 <b>deny</b> 17:19 <b>Department</b> 28:3 29:19 <b>depending</b> 53:22 <b>design</b> 56:4 <b>designated</b> 11:4 <b>desire</b> 24:3 26:12 <b>determine</b> 5:8 34:21 34:22	<b>develop</b> 25:6 27:11 43:15 <b>developed</b> 42:3 <b>development</b> 19:19 <b>differ</b> 29:15 <b>difference</b> 53:3 <b>different</b> 11:9 12:20 26:1 35:7 42:11 45:17,18 54:13 <b>difficult</b> 9:13 <b>diffuses</b> 25:16,21 <b>diffusion</b> 59:7 <b>diligence</b> 59:6 <b>direct</b> 12:1 <b>directional</b> 25:24 <b>directly</b> 19:9 <b>Directors</b> 15:14 <b>disagree</b> 32:4 42:15 42:18 <b>discovery</b> 28:10 <b>discuss</b> 53:16 <b>discussed</b> 15:14 38:5 <b>discussing</b> 49:1 <b>discussion</b> 16:20 18:7,12 23:24 <b>dissipation</b> 53:21 59:7 <b>distance</b> 37:5 53:3 <b>distribution</b> 46:23 <b>district</b> 18:24 19:19 57:6 <b>districts</b> 17:9 <b>divide</b> 4:25 <b>dog</b> 29:10 34:6 37:7 <b>doing</b> 4:20 9:2,17 10:12 21:15 42:16 44:18 55:9 <b>dollars</b> 33:7 <b>door</b> 44:7 <b>Dorr</b> 2:4 3:5,6 4:1,2 5:3,15,18,21 6:4,7 6:22,24 7:5,7,9,23 8:1,6,11,14,17,22 9:1,5,9,11,22 10:5 10:9,12,16,19,21 10:24 11:7,10,12 12:5,11 13:24,25 17:20 20:23 21:3 21:6 31:9,24 32:4 32:23 35:19,22 38:18 49:10,14 53:20 54:12 57:20 57:24 58:1,6,10 58:16 59:8,20,23 59:24 60:11,15
--	--	--	--	---



61:3,9,10  
**doubt** 31:21 57:3,3  
**downsizing** 37:22  
**downwind** 53:5,9,9  
53:12  
**drained** 32:9  
**draped** 51:6  
**drive** 30:7 47:24  
**driver** 32:8  
**drop** 33:10  
**drove** 34:1  
**due** 19:7 48:15 59:5  
**dust** 33:23  
**duty** 23:21

---

**E**

**earlier** 52:7  
**easy** 9:17,19 26:7  
30:11 39:17,20  
42:16  
**economic** 19:1,24  
35:5 40:20 42:12  
42:16 48:11,14  
57:17  
**economical** 27:20  
44:23  
**edge** 19:17  
**effective** 39:21  
**efficient** 45:10,14  
45:15  
**either** 18:1 24:5  
43:15  
**elements** 24:23  
**elevators** 47:9  
**eliminated** 25:7  
**emotion** 44:22,25  
**emotional** 40:25  
41:1  
**employ** 41:22  
**employees** 41:13,15  
41:23 46:11,14,17  
**ended** 11:1  
**engaged** 9:14  
**engagement** 11:8  
**engine** 42:12  
**engineering** 19:22  
**engineers** 56:5  
**enjoy** 29:11  
**entail** 4:19  
**entertain** 3:18 53:18  
**entire** 32:11  
**environmental**  
19:24 20:7,12  
38:5 59:3  
**EPA** 22:20 28:1  
58:23

**essentially** 6:10  
**establishment** 25:8  
**estimate** 41:7  
**estimations** 54:19  
**et** 11:24,24  
**everybody** 22:25  
41:8 59:9 60:19  
61:23  
**everybody's** 47:3  
**everyone's** 54:22  
**Everything's** 39:22  
40:10  
**exactly** 32:21 40:22  
56:5  
**exceeds** 15:22  
**Excuse** 53:13  
**exist** 24:16 25:7  
**existing** 14:25 15:4  
16:9,10,12 43:12  
**expand** 14:7,22  
**expectations** 46:1,2  
**expense** 43:19  
**expensive** 42:19  
**experience** 24:18  
31:4,4 50:23 51:7  
**experienced** 8:4  
**experiencing** 51:19  
**expert** 51:1  
**explosion** 24:6  
**explosions** 24:9  
**expressed** 26:12  
**extra** 47:22,22,23  
**extremely** 19:11  
27:9 33:8 38:10  
38:10 40:2  
**e-mail** 55:13

---

**F**

**facilities** 32:2 50:21  
58:14  
**facility** 14:7,8,15,25  
15:4,15 16:12  
25:8 27:20 31:10  
31:25 32:6,17  
36:9 44:8,22  
48:12 49:11,22  
50:14 53:3,25  
56:4  
**fact** 21:22 27:22  
41:21  
**factor** 48:13  
**failures** 24:4  
**fair** 42:1  
**fairly** 16:18  
**familiar** 15:4  
**family** 27:2 56:24

**fan** 24:1  
**far** 16:14 20:7,11  
32:14 34:22 35:25  
37:5 43:9 55:3  
**farm** 9:6 27:3 29:23  
39:17  
**farmer** 26:9 51:21  
**farmers** 39:15,16,16  
42:5 47:9,24  
48:16 49:24  
**farmhouses** 40:3  
**farthest** 48:2  
**fatal** 25:20  
**fate** 23:10  
**faucets** 50:14  
**favor** 3:21 41:10  
**fear** 19:14  
**feasible** 16:15 48:15  
**February** 1:11 62:6  
**federal** 38:21  
**feedback** 35:15  
**feel** 12:16 42:12  
51:22 53:6  
**feeling** 49:8  
**feet** 30:11,12 33:16  
37:11  
**fellow** 55:17  
**felt** 56:13  
**fenced** 50:13,22  
**fertilizer** 35:11 47:7  
47:21 57:22 58:2  
58:4  
**field** 51:1 54:23  
**fields** 29:12  
**fierce** 38:9  
**file** 8:19  
**fill** 6:25 14:11 31:16  
**filled** 5:12 6:4  
**filling** 32:8  
**find** 7:14 24:22 26:7  
26:9,17 29:19  
30:15 51:5  
**finding** 27:7  
**fine** 28:18  
**finest** 25:2  
**fire** 28:3 29:18 57:6  
**firmly** 41:9  
**first** 17:22 20:1 34:1  
46:20  
**fish** 24:19,23,23  
25:3 26:22,23  
**fisheries** 24:17  
**fit** 30:25  
**fix** 29:19  
**fixed** 37:21  
**flies** 53:25

**floor** 1:12 14:21  
62:7  
**flow** 34:5  
**flowers** 34:6  
**folks** 40:23 41:5  
**follow** 46:1  
**following** 27:7  
**forever** 9:6 10:17  
42:9  
**form** 13:8 54:13  
**formation** 50:25  
**forth** 44:4  
**Fortunately** 26:11  
**forward** 54:19  
**four** 11:22 19:17  
40:4  
**fracking** 57:11  
**frequent** 24:4  
**front** 23:19 28:22  
44:7 45:6  
**froze** 32:10  
**fruit** 33:23  
**FS** 14:7 32:5,20,20  
41:16 45:5 46:2  
**FS's** 36:9  
**fuel** 47:8  
**fulfill** 13:4  
**full** 28:9  
**furniture** 38:9,11  
**further** 27:14,17  
39:7 52:15 53:19  
58:6  
**future** 44:18 48:14  
59:18 60:9

---

**G**

**gain** 42:16  
**gains** 26:23  
**gallons** 49:13  
**gardens** 32:14  
**Gary** 2:7 3:11 4:7  
13:22 36:5 59:13  
60:4 61:15  
**gas** 24:12 25:13  
33:20 50:6,8,9  
**gases** 44:16  
**general** 14:19 32:19  
**generate** 42:8 46:13  
48:10  
**gentleman** 18:23  
**gentlemen** 35:14  
53:16  
**getting** 5:25 9:25  
11:2  
**GIS** 38:20,21  
**give** 14:21,24 33:16

40:9  
**given** 12:2,2 30:3  
37:5 39:11  
**glad** 54:16 55:12  
**Glen** 2:5 3:7,19 4:3  
14:3 59:25 61:11  
**go** 4:17 16:4 18:14  
19:14,14 20:10  
24:12,21 25:14  
33:21 39:14 40:14  
41:24 42:21 54:19  
57:1 60:17  
**goes** 25:14,16 40:15  
43:14  
**going** 5:7 9:13 12:22  
14:11 16:2,18,21  
19:13,13,14,15  
21:20,21 23:3  
24:21 26:14 27:12  
27:20 29:10 30:24  
31:4,5,22 33:4,10  
33:11,15,21 34:5  
34:14,24,25 35:4  
37:25 39:13,25  
40:1,2,19,20,22  
40:23,24 41:11,17  
42:3,23 43:6,8  
44:7,12,13,15,18  
44:19 45:9,11,11  
45:12,13,14,15,16  
45:22 46:14 48:1  
48:3,5,21,25,25  
49:2,15 50:3,10  
50:12,13 51:11,12  
51:13,15,16 52:1  
52:14 53:10 55:3  
55:4,22 56:6,6,7  
56:14 57:18 58:23  
**good** 15:22 16:13  
18:24 19:19 25:15  
28:17 31:5 36:23  
52:17 55:5,15  
61:24  
**Goodrich** 2:5 3:7,8  
3:19,19 4:3,4 7:10  
14:3,4 59:25 60:1  
61:11,12  
**grain** 47:8  
**grandfathered**  
15:21  
**grant** 20:4  
**granted** 24:13 31:6  
**gravel** 43:2  
**great** 5:16 6:1 23:15  
**greater** 26:3  
**ground** 25:14 27:6

33:19,21 39:15  
51:21 55:20  
**grow** 44:4,18 46:5,7  
**growth** 48:12  
**guess** 35:14 51:17  
54:17  
**guidelines** 15:20,22  
20:13,14 22:14  
27:19  
**guy** 55:21  
**guys** 20:25 21:9  
28:20 37:10 54:14  
55:11 57:17

---

**H**

**half** 16:6 25:22  
26:15 29:4 31:22  
31:22 37:7 38:15  
39:12,13 53:5  
**half-hour** 25:15  
**half-mile** 16:9 27:18  
37:2 54:25  
**hand** 11:14 62:13  
**handled** 8:8  
**hang** 38:2  
**happen** 15:12 19:21  
24:11 27:25 32:16  
33:5,11 34:4,7  
47:16 48:3  
**happened** 7:13  
24:13 28:12 53:24  
**happens** 39:6  
**happy** 29:5  
**hard** 11:14 12:17  
**harm** 26:5  
**harmful** 33:9  
**Harper** 55:24  
**harvest** 47:10  
**hazard** 26:6  
**hazards** 40:13  
**health** 26:5 55:3  
**hear** 22:9 31:15  
**heard** 17:15,25 20:1  
**hearing** 10:6,9  
32:24  
**hearings** 9:6,7  
10:13,14 11:2  
58:11,18  
**heavy** 38:10  
**heirs** 26:12  
**held** 8:1 10:16  
**help** 14:18 23:13  
44:12,14,15,16  
**helping** 5:1 6:11  
**Hennings** 2:15  
22:22 28:4,8,13

28:18,20 29:1,6  
29:14,18,23 30:1  
30:17,21 37:13,17  
38:20 47:19  
**hereunto** 62:12  
**hey** 39:17  
**Hi** 33:12 52:9  
**high** 19:11 27:9,10  
**highway** 15:10 45:7  
**hire** 47:25  
**hired** 5:8  
**hog** 29:23  
**hogs** 30:1  
**holding** 32:11  
**hole** 30:24  
**home** 30:16 37:12  
37:13,16,18,23,24  
38:6 39:10 40:25  
52:22 53:17  
**homes** 16:11 38:15  
38:16,17 53:4  
56:22  
**honestly** 6:2 53:6  
**horse** 21:19 28:22  
**hose** 25:19 32:10  
**hoses** 51:5  
**hours** 55:20  
**house** 29:5 30:12,13  
30:14 37:21,21  
38:15 44:24 55:5  
**houses** 24:25 33:10  
40:14 56:21,24  
**housing** 19:18 21:22  
**Howard** 2:6 3:9,10  
4:5,6 6:16,19,23  
7:2,6,8,12,14,19  
10:19,23 14:1,2  
45:2,5 49:8 58:22  
58:23 59:2 60:2,3  
61:13,14  
**hub** 47:21  
**Huh** 6:23 7:6  
**hundred** 9:24 41:22  
**husband** 37:21 55:5  
56:20

---

**I**

**idea** 15:15,24 21:15  
42:2  
**ideal** 16:18  
**ideas** 26:6  
**identification** 18:9  
**identify** 18:16  
**ignorant** 50:15  
**Illinois** 28:15,15  
62:5,9,17

**immediate** 15:13  
23:25  
**imminent** 15:8  
**impact** 19:1,24,24  
20:8,12 38:4,5  
40:13,22 41:5  
48:11,14 55:22  
56:17 57:17 59:10  
**impacted** 17:9,9  
25:1  
**impacts** 27:20 35:6  
**important** 58:19  
59:9,15  
**improvement** 27:16  
39:25  
**improving** 16:22  
**incident** 30:5  
**incidents** 24:7 51:3  
**included** 48:13  
**income** 42:8  
**incorporated** 19:4  
**increase** 16:22  
**increasing** 46:2  
**individual** 30:9  
**industrial** 34:20,25  
35:10 44:22 54:24  
57:16  
**industry** 42:6  
**information** 21:21  
32:25 53:19 54:8  
54:17 56:13 59:7  
59:12 60:10  
**ingredient** 50:25  
51:22  
**inherent** 51:20  
**injuries** 32:13  
**inner** 51:5  
**inside** 29:12  
**intensive** 47:23  
**intention** 26:14  
**interest** 35:25  
**interested** 5:1,15  
16:8 30:23 35:5  
**interject** 26:20  
**interrupted** 23:4  
**introduce** 14:17  
**investment** 44:24,24  
45:1 55:6  
**involved** 36:9 40:20  
**irises** 33:24  
**irritant** 25:25  
**issue** 40:25  
**issues** 41:1 55:4  
**it'll** 54:6,6  
**I-1** 35:10  
**I-2** 35:14

---

**J**

**Janet** 2:22 55:2  
**Jennifer** 2:19 33:12  
35:23 44:2 49:18  
51:8 53:9 57:13  
**Jim** 2:2 13:6  
**Joann** 2:6 3:9 4:5  
6:14 14:1 58:22  
60:2 61:13  
**job** 4:19 5:16 13:13  
**jobs** 41:10,10,18,19  
**Joe** 2:4 3:5 4:1  
13:24 59:23 61:9  
**Jon** 2:8 3:13 4:9  
13:17 60:6,22  
61:17  
**justify** 41:2

---

**K**

**keep** 8:17 16:14  
40:6 49:1 50:10  
52:21  
**keeping** 4:20  
**kill** 24:22 26:22  
34:5  
**killed** 32:13  
**kills** 26:22  
**Kimberly** 1:21 62:4  
**Kim's** 5:11  
**Kincaid** 14:9,10,15  
15:1,5,15,25  
16:11 18:22 19:7  
24:12 26:3 27:21  
31:5,10,25 33:7  
33:10,13,18,25  
36:18,25 40:1  
49:11,22 50:11  
52:13,15 57:5  
**kind** 4:19,25 12:14  
14:16,16,18,22  
15:10 16:8,9  
22:18 32:17 34:13  
36:20 41:1,4,7  
54:5,7,15 55:12  
55:22 59:5  
**knock** 44:16  
**know** 5:8,9 7:2 8:25  
9:6 10:2 11:11,16  
12:14,18 13:2  
14:6 15:12 17:10  
18:9,11,25 19:13  
21:6 22:12 23:20  
23:24,25 24:3,13  
24:14 25:1,22  
26:1,5,13 27:2,18  
27:19 30:5 31:4

31:20 33:17,19  
34:2,4 35:9,10  
38:3 39:3 40:15  
40:21 41:6,20  
42:1,4,20 43:10  
44:17 45:10 47:15  
48:20,22 49:2,4,5  
50:16 51:13 54:2  
55:8,10 56:5,9,14  
58:17,20 59:12,12  
60:19  
**knowledge** 6:12  
21:21 22:13,15  
32:1,19  
**knows** 22:25

---

**L**

**labor** 47:23  
**lake** 21:1 24:20,22  
24:24 33:20 50:7  
**lakefront** 25:6  
**land** 36:21 40:7,7  
40:24 42:21  
**Lane** 23:19 52:10  
**large** 24:2,24 25:8  
41:23 50:23  
**Laurenzana** 2:18,19  
22:20 27:24,25  
28:7,11,17,19,25  
29:2,7,15,21,25  
30:14,19 31:2  
33:12,13,22 34:17  
34:19,23 35:3,17  
36:2 38:13,14  
44:2,3 45:4,8,9  
49:18,18,21 50:2  
50:5,18,20 51:8,9  
51:25 52:5 53:8,9  
53:14 57:9,10,13  
57:14  
**lay** 45:15 46:16 48:1  
**lay-offs** 30:10  
**lead** 15:8 46:13  
**leak** 24:5 25:13,22  
29:20 31:9,25  
32:2,6 44:16  
59:11  
**leaking** 25:19  
**leaks** 34:4  
**lean** 35:8,14  
**leave** 50:14  
**lend** 47:16  
**lenient** 30:8  
**let's** 3:3 13:17 17:21  
18:13 39:17 59:19  
**levels** 11:9

**lieu** 5:12  
**life** 38:3,6  
**limit** 55:19  
**limits** 16:17 33:19  
**line** 9:17 19:4 20:15  
 33:14 34:5 39:4  
 39:23 45:25  
**liquid** 25:11 58:4  
**literally** 19:3  
**little** 9:13 14:11,24  
 16:2 22:4 23:14  
 35:9  
**live** 18:22 19:9,12  
 29:2,3,23 30:19  
 33:13 38:24 39:3  
 41:23 44:20,21  
 45:3 52:9,19  
 53:24 55:3 56:1  
**lived** 29:3 33:25  
 44:10 54:1 56:25  
**lives** 23:25  
**load** 58:4  
**located** 16:2  
**location** 16:13 24:10  
 47:14 48:17 49:16  
 49:23 50:2 57:21  
**locations** 51:20  
**long** 4:21 5:3 15:22  
 25:17 26:9 31:22  
 47:24 51:4 54:6,6  
 55:24 60:24  
**longer** 35:4  
**long-term** 30:22  
**look** 17:6 26:1 37:1  
 44:14 54:24 55:25  
 58:21  
**looked** 21:9 24:4  
**looking** 34:11 35:14  
 44:7 54:23 57:11  
**lost** 33:23  
**lot** 19:8 20:1 27:4  
 27:13 30:21 31:20  
 32:13 33:14 36:20  
 38:16,16 47:20  
 55:15,20 56:3,3  
**love** 14:6 48:10  
**low** 33:19  
**lower** 42:14 57:2  
**lungs** 55:5

**M**

**magnified** 36:17  
**mail** 55:13  
**mainstay** 42:9  
**maintain** 43:8  
**maintained** 43:21

**major** 8:20 10:7  
 11:2 31:24 32:2,6  
 47:21  
**making** 16:23 17:24  
 36:13 38:21  
**man** 55:25  
**manager** 32:19  
**map** 20:23 26:1  
 33:15 38:19,21  
 40:8 44:7 54:20  
 54:25 55:9  
**mapping** 38:20  
**maps** 16:7 37:1  
 38:21  
**March** 62:13  
**Mark** 2:14 14:13,21  
 16:1,19 30:4,6  
**Mary** 6:7,11  
**material** 55:13  
**matter** 53:19 59:18  
 60:9  
**mean** 6:1 8:19 9:1  
 11:11,12 15:24  
 16:22 21:9 30:15  
 31:7 36:13 38:4  
 38:23 39:1,1,2,11  
 46:8 48:7 49:1  
 51:4,12 54:2,7  
 58:17,19,23,25  
**measuring** 33:18  
**meet** 20:14 26:17  
 49:7  
**meeting** 1:11 3:1  
 5:11 7:8 9:18 12:7  
 12:19 36:11 55:18  
 60:19 61:4,25  
 62:6  
**meetings** 4:24 8:19  
 10:17 19:23  
**meets** 30:6  
**member** 5:22 6:17  
 6:20 7:3,17,18,24  
 8:2 10:20,22 11:1  
 11:4,21 13:12  
 17:23 18:2,4,24  
 20:17,19,21 21:2  
 22:6,8,18 36:5,22  
**members** 3:22  
 26:24 55:17  
**member's** 23:5  
**merely** 28:13  
**Merker** 2:7 3:11,12  
 4:7,8 7:15,21,25  
 8:4 11:18 12:12  
 13:22,23 17:8,12  
 21:15 22:4 36:3,5

36:5,19 37:9,15  
 40:18 41:14,17  
 45:24 46:7,10  
 55:14 56:9,11,16  
 60:4,5 61:15,16  
**met** 22:13  
**meth** 50:10,24  
 51:23  
**Michael** 2:18  
**middle** 15:5,10  
 44:10  
**Mike** 27:24 38:13  
 45:8 57:9  
**mild** 25:25  
**mile** 16:5,5,6 25:22  
 26:15 29:4 31:22  
 33:16,17 37:7  
 38:15 39:12,13  
 53:5,25  
**miles** 19:17 40:4  
**mile's** 31:22  
**Millersville** 28:5  
 32:7 47:21 53:25  
**mind** 53:14  
**mine** 53:1  
**minimum** 37:15  
**minutes** 3:18,20  
 4:19 5:4,25 7:3,5  
 7:7 8:18 9:14  
 11:24 12:7 13:13  
 32:15  
**moment** 17:5  
**money** 42:17 46:1  
**month** 56:23 59:6  
**months** 28:5  
**motion** 3:18,20 10:2  
 13:8,9 14:5 17:18  
 17:19,21,24 18:5  
 18:6,12 20:4  
 53:18 59:17,20  
 60:8,11,14 61:3  
**motion's** 13:16 20:5  
 61:6  
**move** 15:1,16 24:3  
 26:7 30:15 34:20  
 36:13 39:7,18  
 40:17 42:17 48:5  
 48:15 51:11 52:14  
 52:15,24 57:1,20  
 58:7  
**moved** 19:16 32:7  
 44:10  
**moves** 33:20  
**moving** 14:14,25  
 19:2 37:22 39:24  
 40:11 46:15,17

49:21 50:3  
**Mueller** 1:21 62:4  
**multiple** 15:6 33:23  
**mushroom** 32:11

---

**N**

---

**name** 12:6 23:1,2,12  
 23:13 46:25 47:3  
 55:12  
**name's** 18:18,21  
 22:23 23:18 27:24  
 38:13 39:19 45:8  
 48:4 56:19 57:9  
**near** 29:2,23 30:6  
 48:12  
**nearby** 24:2  
**nearly** 41:22  
**necessarily** 35:12  
**necessary** 12:8  
**necessity** 26:16  
**need** 8:5 20:12 23:1  
 30:11 34:19 38:14  
 40:19,21 47:22  
 55:16 60:23  
**needed** 34:14  
**needs** 23:23 26:10  
 26:17 29:19 46:6  
 49:5  
**neighborhood**  
 51:10  
**never** 30:5 35:20  
 47:16 53:14,25  
**new** 4:12,14 12:14  
 14:7 15:22 16:24  
 30:15 40:2 41:18  
 41:19 46:15 49:15  
**newer** 19:7  
**nice** 52:20 58:17  
**night** 49:2  
**nominate** 7:11 13:4  
**nominations** 4:14  
**non-Board** 10:20,22  
**non-voting** 13:12  
**north** 19:9 30:2  
**notes** 4:24 6:5  
**nothing's** 28:11  
**notified** 29:19  
**nuisance** 26:4  
**number** 12:20 15:12  
 22:21 24:7 26:21  
 28:2 50:23  
**numbers** 55:22,25  
**nuts** 15:23

---

**O**

---

**obscured** 20:15

**obviously** 15:2,16  
 24:1 25:1 36:6,16  
 40:23  
**occurred** 24:8  
**odor** 25:25 31:21  
 54:9  
**offend** 52:11  
**office** 6:7 8:18  
**officer** 7:18,20  
 11:25  
**officers** 11:22  
**official** 8:17 11:25  
**oh** 7:25 8:4 12:23  
 34:9 47:4 59:4  
**oil** 54:21 55:1 57:11  
 57:14  
**okay** 3:17 4:11,13  
 5:13,24 6:9 8:13  
 10:18,23 13:5,14  
 14:5 17:2,7,13  
 18:10,13 23:2,17  
 28:11,19 29:21  
 34:2 35:3,4 37:19  
 44:1 52:5 53:14  
 58:1,10,16 59:4  
 60:15  
**old** 56:25  
**once** 32:16 39:14  
**ones** 52:25  
**One's** 50:22  
**open** 8:24 20:22  
 50:14 53:5  
**opened** 32:9 53:12  
**operated** 15:5  
**operation** 57:22  
**opinion** 53:3  
**opportunity** 16:25  
 24:15 47:13  
**opposed** 3:23 39:24  
 41:9  
**opposition** 49:3  
 57:7  
**opt** 12:6  
**option** 10:5,6 31:3  
 43:12  
**options** 43:12  
**order** 3:2 23:1,6  
**ordinances** 35:9  
**outline** 14:24  
**outlined** 49:5  
**outside** 13:4 29:11  
 38:1,2 44:20  
 51:11  
**overhead** 45:19  
**Overholt** 2:2 3:1,5,7  
 3:9,11,13,15,17

3:21,23 4:1,3,5,7  
 4:9,11,17 13:7,14  
 13:16,20,22,24  
 14:1,3,5,10 17:14  
 17:18,21 18:6,10  
 18:13,16 20:10  
 23:6,17 26:24  
 48:23 53:13,15  
 59:17,21,23,25  
 60:2,4,6,8,17,21  
 60:25 61:6,9,11  
 61:13,15,17,19,21  
 61:23  
**overnight** 51:7  
**overstating** 37:6  
**Owaneco** 32:12  
**owners** 30:22 47:11

---

**P**

---

**Page** 10:19  
**paid** 48:11  
**panels** 58:12  
**parcel** 39:15  
**part** 16:13 25:15  
**particular** 36:11  
 39:22  
**pass** 28:1  
**passed** 37:10 55:6  
 60:8  
**passes** 14:5  
**passing** 26:12  
**Pat** 56:19  
**patio** 38:9,11  
**Patricia** 2:23  
**pay** 19:11 27:10  
 41:23,24 42:7  
 45:12 56:22  
**pending** 53:19  
**people** 11:13 12:17  
 12:24 15:13 16:15  
 18:9 30:21 33:10  
 37:3 40:14 44:25  
 45:15 47:25 50:13  
 51:3,6,9,10 52:12  
**percent** 9:24 24:5  
 31:17  
**permit** 14:13 17:19  
 20:4 22:16 23:8  
 23:10 34:13,21  
 35:12  
**person** 23:17  
**personal** 32:13 57:8  
**personally** 26:21  
 27:1 55:21  
**perspective** 24:17  
**pets** 40:13

**phases** 28:10  
**phone** 23:5  
**phrase** 36:6  
**picked** 16:14 27:13  
**picnic** 38:10  
**picture** 49:10  
**piece** 26:8 27:3 40:7  
 43:13  
**pieces** 27:4 39:15  
**places** 42:21  
**plan** 5:9 15:18  
 16:24 44:3 47:17  
**planning** 34:13  
 44:17  
**plans** 58:7  
**plant** 19:15 21:16  
 29:4 30:20 34:20  
 37:7,20,24,25  
 44:9,15 45:5  
 46:15 54:20 57:21  
 58:3  
**planting** 47:10 52:7  
**plants** 44:11 46:14  
 46:16  
**plant's** 19:21  
**playing** 52:21  
**please** 3:21 18:16,19  
 23:12 31:7 41:14  
**pleasing** 44:13  
**PM** 1:11  
**point** 15:12 18:24  
 23:6,7 36:23,24  
 40:8 44:11 47:21  
 47:25 50:8 51:17  
 52:7 54:18,20  
 56:2  
**pointed** 23:11 53:16  
**points** 36:7 39:2  
**Pop** 2:16 18:15,18  
 18:21,21 21:8,12  
 21:18 22:15 27:1  
 27:1 32:24,24  
 39:19,19 48:4,4,9  
**population** 15:17,25  
 36:17 37:1  
**populations** 24:19  
 25:3  
**pop-off** 31:18  
**posed** 55:16  
**position** 5:12,19,22  
 7:24 8:2,10,12  
 10:3,20,22,25  
 41:3 60:20  
**possible** 26:4 27:8  
 42:3  
**possibly** 26:7

**potential** 19:18 25:6  
 27:8 48:12 51:16  
**potentially** 33:9  
 49:17 50:14 57:16  
**power** 30:7  
**precursor** 28:5  
**predominant** 19:6  
 19:10  
**premature** 27:7,23  
**prepared** 55:18  
**Present** 2:10 3:4  
**president** 7:21,22  
 11:23,23  
**pressure** 25:11,12  
 25:13,18 31:19,19  
**pretty** 9:17 16:7  
 23:20 24:1,14,24  
 25:8 27:21 31:3  
 54:24  
**previously** 10:21  
**price** 40:9  
**primary** 36:10  
**prior** 8:2 28:7 57:12  
**pristine** 54:22  
**private** 23:20,22  
 43:1,24  
**probably** 15:18 17:5  
 24:15 27:5 30:24  
 32:5,15 39:11  
 45:14 46:13 56:4  
 58:8  
**problem** 12:23  
 50:11,24  
**problems** 42:14  
 47:23 51:20  
**Proceeding** 23:4  
**process** 31:1  
**product** 51:7  
**products** 47:8  
**profession** 19:22  
**professional** 24:17  
**profit** 46:10,13  
**profitability** 46:2  
**project** 14:17,22  
 20:13,16 35:13,15  
**projection** 48:13  
**propane** 47:8  
**properties** 42:19  
 45:17  
**property** 9:17 19:11  
 19:14 21:11,12,19  
 22:2,12,13 23:21  
 23:22 26:5,8  
 27:13,22 28:14  
 30:22,23 33:8,11  
 33:21 34:5,8,11

36:8,14 37:22  
 38:4 40:12,14  
 41:7,24,25 42:8  
 42:14 43:13 44:20  
 45:18 47:13 50:9  
 54:19 55:1 56:23  
 57:1,2 58:7,13  
 59:10,14  
**proponent** 23:20  
**propose** 30:10  
 36:19  
**proposed** 14:7 16:8  
 16:10,12 18:23  
 19:8 29:4  
**proposing** 37:11  
 51:14 57:15  
**protect** 52:15  
**protecting** 52:13  
**protection** 47:8 59:3  
**provide** 19:2 56:10  
 59:7  
**provided** 56:12  
**provides** 42:12  
**proximity** 15:9,13  
 16:11 18:22 25:18  
 31:21 36:17 37:3  
 39:10 40:1  
**public** 6:12 14:19  
 17:20,25 21:20  
 26:25 41:2 62:6  
**Puccetti** 26:11 27:2  
 27:12  
**pumps** 57:11  
**pungent** 31:21  
**purchase** 21:13  
 26:18 52:16,18  
**purchased** 21:14  
 22:13 27:22  
**pushed** 27:14,17  
**put** 6:11 13:7 19:1  
 26:8,14 33:3,6  
 34:25 37:17 41:5  
 41:7 42:7 44:5,13  
 55:12 58:8  
**putting** 14:7 17:6  
 21:18

---

**Q**

---

**quadruple** 30:10  
**quality** 38:3,6  
**quarter** 16:6 33:17  
**question** 4:16 7:15  
 17:11 29:3 34:10  
 36:3 42:23 44:3  
 49:10,19 52:1  
**questions** 14:18,20

15:2,19 20:2 21:8  
 55:15,15,18,19  
**quickly** 53:22

---

**R**

---

**rabbit** 30:24  
**radius** 16:9 25:15  
 27:18 54:25  
**reacts** 24:18  
**read** 7:2,12 37:10  
**realize** 50:7  
**really** 6:13 7:25  
 12:18 15:17,23  
 19:10 26:17 30:11  
 39:17 52:14 55:7  
**reason** 16:13  
**received** 14:12  
**recognized** 23:1  
**recommendation**  
 23:9  
**record** 26:20 30:20  
 33:13 38:17 54:18  
**recorder** 7:4 13:2  
**recordings** 8:18  
**reduced** 54:19  
**reestablish** 25:3  
**refer** 15:18  
**regardless** 39:1  
**rehashing** 55:20  
**reiterate** 39:14  
**relates** 53:4  
**release** 15:7 31:18  
**relief** 32:9  
**relieve** 54:8  
**remember** 47:2  
**remodeled** 37:21  
**remote** 15:17 16:7  
 16:13 24:14 51:19  
**replaced** 51:2  
**Reported** 1:20  
**reporter** 4:23 5:4,8  
 7:1 8:23 9:8 10:6  
 11:15 12:3,8 18:8  
 18:19 22:24 23:11  
 23:15 31:12,15  
 46:24 47:2 62:4  
**reporters** 11:3  
**REPORTER'S** 62:1  
**representative**  
 17:16  
**representatives**  
 14:21  
**request** 53:21  
**requirements** 36:12  
**research** 35:24  
**residences** 25:7

**residencies** 37:4  
**resident** 18:22  
**residents** 19:3 26:3  
**resigning** 60:20  
**responded** 26:21  
**response** 24:21  
**responses** 55:19  
**responsibility** 58:24  
**rest** 50:22  
**restitutions** 25:2  
**retain** 10:6  
**retained** 8:22  
**retired** 56:24  
**revenue** 27:11  
     40:15 48:9,16  
**rezoning** 35:16 36:1  
**right** 5:20 8:24 11:8  
     11:10 12:10,25  
     13:3 17:15 19:3  
     19:15,17,21 24:12  
     35:21 36:6 37:12  
     37:20,25 38:3  
     50:1,2 52:25  
     56:21 57:7,22  
     61:23  
**rights** 23:21,23  
**road** 16:5,7 17:5  
     38:1 39:18 42:23  
     42:24 43:2,4,7,8  
     43:12,16,23,24  
**roads** 16:16 30:7  
     54:25 56:7  
**Robinson** 44:10  
**rock** 43:1  
**roll** 3:3,24 13:17  
     59:19  
**Room** 1:11 62:7  
**Rosenthal** 2:8 3:13  
     3:14 4:9,10 13:15  
     13:18,19 60:6,7  
     60:13,16,18,23  
     61:2,17,18,20,22  
**roughly** 33:16  
**route** 32:15 58:24  
**rules** 28:23  
**rural** 19:16

---

**S**

---

**safe** 39:5  
**sale** 39:22 40:7,10  
     58:9  
**sales** 35:11 41:24  
     46:10,12  
**Sandra** 5:11  
**sandra.k.haines@...**  
     1:22

**Sangchris** 33:20  
**Sarah** 23:19 52:10  
**saying** 12:5 37:10  
     39:5 44:17 48:5  
**says** 7:3 10:19 28:16  
**scenery** 57:10  
**Schoenung** 2:17  
     23:18,18 26:19,19  
     46:19,23 47:1,1,4  
     47:12  
**school** 19:19 57:5  
**schools** 40:14 57:4,5  
     57:6  
**school's** 27:12  
**scientific** 59:12  
**se** 41:20  
**search** 54:16  
**second** 1:12 12:19  
     13:15 47:19 56:2  
     59:20 61:5 62:7  
**seconded** 13:17  
     61:7  
**secretary** 4:12,15  
     5:4,18,23 7:16,19  
     7:22 8:7 9:23,24  
     10:3,20 11:4,20  
     11:23,24 12:6,6,7  
     13:11  
**secretary's** 4:19  
     12:9  
**secure** 51:18 52:7  
**see** 12:23 16:10 19:4  
     19:16 25:16 35:24  
     41:3,5,20 42:9  
     44:7,8 45:6 48:10  
     50:16 55:21,22  
     56:17 57:1 58:16  
     59:3,5  
**seeing** 16:17  
**seek** 26:22 32:21  
**seeking** 24:10  
**seen** 33:15  
**sell** 26:10 27:3  
     30:14,15 40:14  
     47:8 52:12  
**selling** 30:23 33:10  
**semi** 16:16  
**sense** 18:1 28:21  
     47:24  
**sensible** 11:21  
**sensical** 11:21  
**separate** 7:24  
**serve** 46:5  
**served** 8:6 10:24  
**service** 61:1  
**set** 21:10 62:13

**setbacks** 15:19  
**severely** 25:1 54:4  
**share** 14:16 42:1  
**Shorthand** 62:4  
**show** 12:24  
**shows** 16:8,9  
**shut** 32:8,15  
**side** 5:22 49:3  
**sight** 20:15  
**sign** 11:25 22:22  
**significant** 27:21  
**simple** 9:1  
**simply** 46:17  
**single** 40:3  
**siphon** 50:6  
**sir** 4:17 17:14 18:14  
     36:4 42:16 57:23  
     59:16  
**sit** 55:20  
**site** 15:13,20,22  
     16:8,9,10,12,14  
     16:18,24 18:23  
     19:8,9 21:9,10,23  
     22:14 24:16 26:8  
     26:10,13,15,16  
     28:4 30:9 32:25  
     33:1,1,2,3,6 36:18  
     37:5,11,20 39:9  
     39:22 40:4,6,16  
     42:18 46:15,17,18  
     47:16 48:5 49:22  
     52:8 54:21  
**sites** 15:6 19:5 47:22  
     51:18  
**sits** 15:1,4 16:7 19:3  
     37:21  
**sitting** 19:21  
**situated** 24:20  
**situation** 32:21  
     55:23  
**six** 28:5 32:3  
**size** 16:22 27:2  
     35:13 49:12  
**slopes** 33:20  
**smaller** 11:5  
**smell** 25:23 29:9,10  
     29:17 30:1,2  
     31:20,23 34:4  
     37:8,23 40:1 53:4  
     53:7 55:4  
**smelled** 34:1  
**smelling** 39:1  
**smelly** 52:22  
**smelt** 54:1  
**solar** 42:10 58:12  
**sold** 26:13

**sole** 46:20  
**somebody** 5:1 6:1  
     6:14 7:11 8:9,16  
     9:23 10:2 11:14  
     13:4,7,11 25:5  
     47:18 50:6  
**somebody's** 50:8  
**someone's** 39:25  
**somewhat** 44:20  
**soon** 25:12  
**sorry** 20:8 22:7,23  
     22:24 31:14 41:14  
     50:15 53:9 56:12  
**south** 14:9,10,15  
     16:3,4 19:6,10  
     33:14 43:14 49:22  
**southeast** 37:14  
**southwest** 29:8  
**speak** 18:14 22:4,25  
     23:2,11,13 26:25  
     41:14 45:2 47:18  
**SPEAKERS** 2:13  
**speaking** 20:8 40:18  
**special** 14:12 17:19  
     22:16 23:8,10  
     34:13,21 35:12  
**specific** 15:19 40:4  
**specifically** 42:7  
**spending** 42:17  
**spent** 30:23  
**spills** 24:9  
**spoke** 41:9  
**spot** 13:5  
**spread** 47:7  
**spreadsheet** 37:9  
**Springfield** 29:16  
**start** 11:19 23:13  
     31:1  
**state** 15:19 20:11,13  
     20:14 22:14 23:13  
     28:9,15,15 30:8  
     36:11 42:20 62:5  
     62:8  
**statement** 19:24,25  
     20:8,13 32:18  
     39:20  
**states** 35:10  
**statutes** 30:8  
**stay** 37:24  
**staying** 53:6  
**steal** 51:3  
**stealing** 50:9  
**stereotype** 62:9  
**stolen** 51:6,15  
**stone** 21:10  
**stopped** 51:24

**storage** 35:11  
**stores** 41:24  
**story** 26:2 50:8  
**street** 29:17 52:20  
     52:20  
**stripping** 38:6  
**strong** 23:20 29:9  
     38:12  
**studies** 53:21 58:11  
     58:13 59:3  
**study** 54:5  
**stuff** 16:23 36:12  
     56:3,9  
**subdivision** 19:20  
     20:15,24 26:15  
     33:14,18  
**subdivisions** 19:7,8  
     27:9 40:2  
**sufficient** 56:13  
**suggest** 55:17  
**suitable** 27:5  
**summer** 50:6  
**super** 24:1  
**supplied** 40:21  
**supporting** 57:4,5  
**supposed** 3:24  
     10:11  
**sure** 7:21 8:21 9:4  
     9:15,20 10:8,15  
     11:6 12:15 16:4  
     20:5 39:9 49:20  
     54:11  
**surrounding** 50:12  
     51:12 54:21

---

**T**

---

**table** 38:10 53:19  
     59:17  
**tabled** 60:9  
**take** 5:4,25 11:13  
     12:6,23 15:15  
     31:7 33:16 38:25  
     45:11 54:4  
**taken** 4:24 62:9  
**takes** 25:3  
**talk** 14:18 16:1  
**talked** 39:25 48:9  
**talking** 18:9 56:21  
     59:14  
**tank** 17:6 25:19  
     32:8,11 53:5  
**tanks** 15:9,11 17:4,5  
     24:2 31:16 37:3  
     44:5 49:12,24  
     51:6 56:6 57:20  
     58:7

**Tarr** 2:11 3:16 4:22  
5:6,10 6:3,6,10  
7:13 8:8,13,15,21  
8:24 9:4,7,10,15  
9:20 10:1,8,10,15  
10:18 11:6,8,11  
12:10,15,19,25  
13:3 14:9,12 16:1  
16:19 34:15,18,22  
35:2,8,21,23 36:4  
56:13  
**tax** 27:9,11 40:15,22  
40:22 41:5,20,25  
42:1 48:9,11,16  
55:23 56:17  
**taxes** 19:12,13  
21:22 27:10 41:24  
41:24 42:8 45:12  
45:18 56:19,23  
57:3  
**taxing** 17:8 18:24  
33:7  
**Taylorville** 62:8  
**temperature** 31:17  
**tentative** 28:6,8  
**terms** 50:16  
**Thank** 4:11 14:23  
17:14,17 23:15  
34:9 36:2,22 45:4  
50:20 52:5 57:19  
60:21 61:2,21  
**Thanks** 16:19  
**theft** 51:3,19  
**thefts** 50:23 51:23  
**thing** 9:2,12 11:22  
19:3 34:10 35:19  
36:14 44:8,14  
48:2 54:17 60:13  
**things** 11:1 16:16,17  
25:2,9 27:25  
40:19 41:8 42:10  
42:11 44:6,12  
47:20 50:11 51:5  
51:10 52:3,7  
58:19 59:9,13,15  
**think** 3:23 4:23,24  
7:10 9:7 10:10  
12:14 13:6 17:24  
18:25 21:20,23,24  
23:21,23 24:4,14  
25:5,23 26:9  
27:16,20,22 30:8  
31:11 33:8 35:13  
37:6 39:3 40:19  
40:21 42:3 48:14  
52:11 53:2 54:13

55:7 56:2,3 59:8  
59:11,14  
**third** 49:15  
**thought** 4:12 8:25  
13:6 18:25 19:1  
19:25 21:25 55:8  
58:23  
**thoughts** 19:5  
**threaten** 42:11  
**three** 19:17 24:1  
40:3,4 45:17,17  
56:21,22,24  
**three-phase** 30:7  
33:3  
**till** 53:16 59:18  
**time** 4:21 6:4 8:6  
9:24 12:20 14:20  
15:22 19:23 25:3  
25:17 26:9 29:13  
29:17 34:1 38:8  
39:1 46:4,12 51:4  
51:23 52:19 54:3  
56:14 59:18  
**times** 31:20  
**titled** 11:22,25  
**today** 23:24 56:11  
**tomorrow** 40:7,8  
**tonight** 5:11 14:16  
48:21 49:4 60:20  
**top** 59:13  
**totally** 5:21 30:3  
**tough** 12:21  
**Tovey** 45:3 50:11  
58:4  
**town** 14:15 15:1,5  
15:10 16:3,5  
19:16,17 24:3  
26:1 27:14,16,17  
27:21 32:7,12  
40:2,4 42:18  
44:11 45:6 46:15  
49:23 51:9,12  
52:24,25  
**township** 42:24  
43:21  
**town's** 31:4  
**toxic** 24:23  
**traffic** 16:16 44:6  
44:19 45:3  
**transcribed** 62:10  
**transcript** 23:2  
**travel** 54:6  
**treasurer** 7:22  
11:23  
**trees** 20:16 32:14  
33:23 44:13,15

50:9 51:12 52:7  
**triple** 30:10  
**truck** 32:8 44:6,19  
45:2  
**true** 20:18,20 26:5,5  
62:10  
**Truthfully** 30:8  
**try** 16:14 47:9  
**trying** 4:25 9:14  
11:13 13:1 14:24  
28:14,23 36:6,12  
47:5 51:18 52:11  
52:12  
**tubes** 51:5  
**turbine** 10:14  
**turbines** 58:12  
**turn** 8:18 20:8  
**turns** 25:13  
**two** 9:18 17:3 27:25  
36:6 37:1 40:3  
43:11 44:4 49:14  
53:15 59:8,13,15  
**type** 20:3 32:21  
35:15 36:14  
**typed** 5:25 6:7  
**typewriting** 62:10  
**Typically** 19:22,23

## U

**Um-hum** 35:2 43:5  
**unanimously** 60:9  
**unanswered** 55:15  
**unaware** 22:1,10  
56:14  
**understand** 4:22  
13:8 24:2,18 26:2  
26:6 29:24 30:3  
36:11 37:4 39:5  
42:15 45:9,20  
47:4 54:2 60:25  
**understandable**  
56:16  
**understanding** 7:17  
51:1  
**understands** 25:11  
**UNIDENTIFIED**  
17:23 18:2,4  
20:17,19,21 21:2  
22:6,8,18 36:22  
**unknowns** 49:9  
**unmarked** 30:7  
**upwind** 53:10,11  
**use** 14:13 16:18  
17:19 22:16 23:8  
23:10 34:21 35:11  
35:12 38:20 51:22

## V

**value** 19:11,14  
21:22 26:5 27:9  
33:8,11 38:4  
51:20 58:13  
**values** 34:8 36:8,14  
40:12,14 41:8  
42:14 54:19 59:10  
59:14  
**valve** 32:9 53:5  
**valves** 31:18  
**vandalism** 24:15  
**vandalizing** 50:13  
**variances** 9:2 11:7  
**veers** 15:11  
**vegetation** 32:14  
**versus** 16:12 36:18  
**vessel** 25:18  
**vice** 7:21 11:23  
**vicinity** 56:21  
**view** 12:4 36:7 52:8  
**viewing** 24:14  
**village** 21:3 32:17  
49:11  
**Vince** 4:24 11:3  
**vista** 54:22  
**voice** 30:22  
**vote** 3:24 13:8,17  
41:4,4 48:21 49:4  
49:7 59:19  
**voted** 3:22 18:12  
**votes** 20:3  
**voting** 10:25

## W

**walk** 29:16 34:6  
**walking** 29:10 37:6  
**want** 6:13,15 22:25  
23:12 27:5 29:21  
30:12,17,19 34:3  
34:4,5,6 35:8  
38:24,25 39:2,12  
39:16 41:3 44:5,8  
44:17,21 46:5  
47:22 49:1 51:13  
52:10,14,21 55:21  
55:22 56:17 57:1  
57:1  
**wanted** 44:20 60:18  
**wanting** 49:6  
**wants** 23:11  
**wasn't** 5:22 7:11  
20:5 26:13  
**watches** 51:10  
**water** 24:19,21  
25:14 26:22 32:10

**way** 10:10 24:22  
25:24 26:23 31:22  
41:10 43:15 52:16  
52:21  
**weather** 30:2  
**website** 6:12  
**week** 3:18 4:13  
**weight** 16:17  
**welcome** 61:22  
**wells** 54:21 55:1  
57:11,14,18  
**went** 53:23  
**west** 16:6 19:6,7  
**we'll** 12:6 35:24  
59:5  
**we're** 3:24 9:16 13:1  
14:24 16:17,18  
21:18 23:23 28:23  
29:9 36:7 37:6,24  
39:11 40:19 42:13  
42:13,16,17 45:22  
46:14,15,16,17  
47:11 48:1,20,25  
49:2,6 51:19  
52:13,14 53:10  
57:3,5,11  
**we've** 5:10 15:5,7  
17:15 18:12 24:8  
32:1 35:19 38:18  
47:19 52:13 58:11  
**whatnot** 52:21  
**wheels** 49:24  
**wide** 20:21  
**Williams** 2:22 55:2  
55:2  
**willing** 26:11 27:3  
39:15 40:9  
**wind** 9:6 10:14  
25:24 30:2 38:8  
38:12 42:10 53:22  
58:12  
**winds** 19:6,10 29:8  
29:9  
**wish** 27:13  
**work** 13:2 26:11  
32:5 43:7 47:9,25  
48:2  
**worked** 25:17 43:8  
**working** 47:20  
**workload** 5:1  
**works** 19:13 45:20  
**worry** 26:4  
**wouldn't** 25:23,23  
39:10  
**write** 11:15  
**writing** 9:24

**writing's** 6:1  
**wrong** 22:19

---

**Y**

---

**yard** 38:8  
**yeah** 5:6 6:3,6,22,24  
8:11,17 9:9,10  
11:11 12:12,19  
13:3 14:2,12 21:6  
22:6 31:14 35:23  
35:23 43:11 46:22  
53:8  
**year** 30:24 33:24  
41:25 56:23  
**years** 7:23 8:3 9:18  
10:25 15:7 24:18  
25:3 30:4 33:25  
34:3 41:22 47:18  
50:23 54:1 56:25  
56:25

---

**Z**

---

**ZBA** 35:8  
**zoned** 34:12,24 35:4  
57:15  
**zoning** 1:4 2:1,11  
3:2 4:12,14 13:10  
13:11 22:2,11  
23:22 34:11,13,23  
35:9 48:20,24  
49:4,6 57:16,19  
60:19

---

**\$**

---

**\$1200** 56:23  
**\$144,000** 56:23

---

**#**

---

**#84-002718** 1:21  
62:17

---

**1**

---

**1** 35:10  
**10** 24:5  
**104** 34:1  
**12th** 62:13  
**1300** 33:16  
**15** 24:5 33:14  
**18,000** 49:13  
**18,000-gallon** 17:4  
44:5

---

**2**

---

**20** 11:12 30:4 47:18  
**200** 30:11,12  
**2015** 32:21

**2023** 1:11 62:7,13  
**21** 56:25  
**217** 1:22  
**2202** 37:11  
**24** 55:20  
**26** 33:25  
**28** 1:11 54:1 62:6  
**29** 32:15 54:1  
**290,000** 42:1

---

**3**

---

**30** 11:12 59:6  
**33-year** 19:22

---

**4**

---

**45** 32:15

---

**5**

---

**5** 16:5 37:14 43:16  
**50** 12:24

---

**6**

---

**6** 10:19  
**6:00** 1:11

---

**7**

---

**70** 15:7  
**73** 56:25  
**75** 41:12,15,22

---

**8**

---

**81** 32:5  
**82** 32:5  
**824-8558** 1:22  
**85** 31:16

---

**9**

---

**9** 23:19  
**911** 34:2