

PROCEEDINGS OF THE BOARD OF HEALTH MEETING
Tuesday, April 28, 2015
5:00 PM

Present: J.J. Tibbetts, MD, Audrey Murphy, Susan Paulus Smith, Harold Pfothenauer, Richard Schadewald, Joe Van Deurzen

Excused: Karen Sanchez

Staff Present: Chua Xiong, Rob Gollman, Patti Smeester (note taker), Juliana Ruenzel

1. Call to Order, Welcome, and Introductions

Audrey called the meeting to order at 5:00 PM. Audrey hoped to introduce our new board member, Karen Sanchez but she had a conflict and was not able to join us. Audrey invited Brown County Executive Troy Streckenbach to our closed session tonight but he is being sworn in for another term with a reception to follow. Chad Weininger may attend in his place. Audrey spoke with Senator Rob Cowles' office yesterday regarding the state budget having \$250,000 earmarked for a study related to the health impacts of wind turbines. It was removed from the budget but the Joint Finance Committee ordered the Public Service Commission to review all the previous studies that already had been done and if found credible, the Public Service Commission could push back the 1,250 foot setback that is currently in place as a Wisconsin State Statute. They would do this per Administrative Rule and she assumes later on the legislature would bless it.

2. Open Session: Discussion regarding the Shirley Wind Turbines.

Audrey asked for any comments. Patrick Evans, Brown County Supervisor and Chairman of the Human Services Committee indicated he has been following this issue and talking to different people and hearing different things. He was going to save his comments for closed session but thought they were more appropriate for open session. He wanted to make sure he said them in open session. He wanted to address comments he has heard such as if something would happen and the County gets into any sort of litigation that the County Executive is against this. Chairman Murphy asked "Who said this?" Mr. Evans replied "These are people that are telling me things Chairwoman and I am just going to speak to this issue but it has nothing to do with that. Or that the County Board will throw them both together or that the County Board is afraid of getting into any sort of litigation or paying for it. The fact of the matter is and I have talked to Corporation Counsel and if there was any litigation if this body or Health Director were to take any sort of action, and it produces that we have to go to court, the County Board and the County will pay for this." He stated that there seemed to be from when he has talked to people, that the County Board may not want to support any sort of action because it may lead to litigation. He stated this is immaterial and that Brown County is paying for the Fox River cleanup, and we had nothing to do with that. He continued that there were issues when Executive Hinz was in office and he had Mr. Kalny, who was his Treasurer, and who was then being used for Human Resources. People were upset with that. We paid that. Mr. Evans stated Mr. Mohr was our attorney. We paid that. There is no problem. Don't worry about saying that

the County Board or the County Executive may not want to have any litigation costs. It is all immaterial. Mr. Evans is glad this Board is doing what is right and that is protecting the people of Brown County and anything that falls after that is all taken care of. There is an idea of saying we want to get physicians of Brown County on Board before there is any sort of decision. How it stacks up is physicians in Brown County are concerned with their patients. Mr. Evans doesn't know of the Board needs a dermatologist be on Board if they feel wind turbines cause problems. There is a medical advisor to the health department. A medical advisors job to the Health Department is to research this information/subject and how it pertains to people. That is how it works. He thinks that is being done. If the medical advisor wants to have a seminar for everyone else that's fine. To say that we want to get the physicians on board in Brown County, that is also immaterial. Because you have physicians that have the same patient that disagree with types of treatment and even disagree with how this person had contracted it. And finally, if you really want to move forward, he was thinking more about this and you feel that the wind turbines are a detriment to the people as you have already said it's a health hazard then this Board should think about putting together a resolution directing the Health Department Director to implement a cease and desist. If you are going to be moving forward then this board is going to have to come out and make that sort of decision.

Dr. Tibbetts talked to Susan Ashley and wanted to know the number of people she tested, the number of homes she tested, the number of complaints and what was going on. The complaints are in excess of 80 at this time, the testing is in excess of a dozen, all of which have been complaint driven with the exception of one. The most recent has been a person that is a neighbor of Michelle Buresh. She is 4.1 miles from the nearest turbine. She too cannot see the turbines. She had been considerably ill as well as her family. She went on vacation, spent 10 days away, she was considerably improved with the symptoms. When she returned home, her symptoms recurred but the touching thing was that her six year old daughter said I don't feel well and that was for Dr. Tibbetts hard to grasp given that the child doesn't know what is going on.

3. **Closed Session: Notice is hereby given that the governmental body will adjourn into a closed session for discussion with legal counsel, possible action and the strategy to adopt regarding the Shirley Wind Turbines. Closed session is authorized pursuant to Wis. Stat § 19.85 (1)(g), for the purpose of conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is likely to become involved.**

MOTION: To go into closed session at 5:12PM.

Schadewald/Van Deurzen

Roll call vote: Ayes: Schadewald, Van Deurzen, Pfothenhauer, Tibbetts, Paulus Smith and Murphy

Nays: None

MOTION CARRIED.

4. Reconvene into Open Session: Discussion and possible action regarding the Shirley Wind Turbines.

Reconvene into open session at 7:59 PM.

MOTION: To have all the documentation, evidence and testimony used in the October 14, 2014 Board of Health determination of a "human health hazard " of the Shirley Wind project be compiled into a record and provided to the current Health Director of Brown County.

Schadewald/Van Deurzen

MOTION CARRIED.

MOTION: To have the Board of Health members and interested parties provide any additional information related to wind turbines and adverse health effects to the current Health Director of Brown County.

Schadewald/Van Deurzen

MOTION CARRIED.

5. Adjournment / Next Meeting Schedule

MOTION: To adjourn meeting at 8:03PM.

Schadewald/Van Deurzen

MOTION CARRIED

NEXT MEETING: May 12, 2015 at 5:00 PM