

PROCEEDINGS OF THE BROWN COUNTY
HUMAN SERVICES COMMITTEE

Pursuant to Section 19.84 Wis. Stats., a special meeting of the **Brown County Human Services Committee** was held on Wednesday, September 20, 2017 in Room 210 of City Hall, 100 N. Jefferson Street, Green Bay, Wisconsin.

Present: Chair Hoyer, Supervisor Brusky, Supervisor Schadewald, Supervisor Linssen, Supervisor De Wane
Also Present: Health & Human Services Director Erik Pritzl, Chad Weininger, other interested parties.

I. **Call Meeting to Order.**

The meeting was called to order by Chair Hoyer at 6:45 pm.

II. **Approve/Modify Agenda.**

Motion made by Supervisor Brusky, seconded by Supervisor Linssen to approve. Vote taken. MOTION CARRIED UNANIMOUSLY

Comments from the Public: None.

1. **2018 Six-Year Capital Improvement Plan (CIP).**

Motion made by Supervisor Schadewald, seconded by Supervisor Brusky to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY

Other

2. **Such other Matters as Authorized by Law.**

3. **Adjourn.**

Motion made by Supervisor Schadewald, seconded by Supervisor Brusky to adjourn at 6:55 pm. Vote taken. MOTION CARRIED UNANIMOUSLY

Respectfully submitted,

Alicia Loehlein
Recording Secretary

Human Services Committee
2018 Capital Project 6-Year Outlook Summary

Projects Proposed

As of 8/10/17

Key for Funding Source:

ST = Sales Tax G=Grants and Aides O = Operating Revenues M = Municipal Funds P = Property Tax GF = General Fund Fund Balance TIF = TIF District S = Stadium District Sales Tax Refund CD = Charitable Donations

2018 EXECUTIVE CAPITAL IMPROVEMENTS PROGRAM (CIP) - TO BE FUNDED BY SALES TAX

DIVISION/ DEPARTMENT	FUNDING SOURCE	DEPT PRIORITY	PROJECT DESCRIPTION	2018	2019	2020	2021	2022	2023	TOTAL
HEALTH & HUMAN SERVICES: Human Services	ST	1	Mental Health Services	-	529,360	5,511,454	-	-	-	6,040,814
			Health and Human Services Sales Tax Request Total	-	529,360	5,511,454	-	-	-	6,040,814



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VIA ELECTRONIC TRANSMISSION

September 20, 2017

Brown County Board of Supervisors
305 E. Walnut St.
Green Bay, WI. 54305

Brown County Human service Committee
305 E. Walnut St.
Green Bay, WI. 54305

Brown County Human service Board
111 N. Jefferson St.
Green Bay, WI. 54305

Brown County Board of Health
610 S. Broadway St.
Green Bay, WI. 54303

RE: SEPTEMBER 12TH JOINT MEETING

Dear Board and Committee Members:

As a member of either the Brown County Human Services Committee or the Brown County Board of Health, Duke Energy is providing a response to the members of both committees and boards relating to the presentations and answers in the Q&A portion shared on September 12th, with respect to the inferences made, assertions and representations, which in many instances were not accurate.

Because Duke Energy representatives were present at the joint meeting on September 12th and listened to the presenters and the subsequent Q&A, it is incumbent upon Duke Energy to communicate its grave concerns about the misinformation and the liberty taken to primarily ask questions from an “anti-wind” perspective.

Below are brief bullets of just a few of the problematic issues from the meeting with corrected facts, as part of a Fact Check, related to misinformation provided, or a responder’s failure to present a clear picture of information based upon all information available:

- 1) Mr. Rand publically stated that he has published three research study papers, but when asked to name the journals, he claimed he could not remember. For him not to remember where HE published HIS studies is disingenuous, and appears to be a blatantly false statement.
 - **FACT:** Mr. Rand could not or would not identify the journals in which he stated that he had published articles, which he referenced. We would request the Boards undertake more due diligence in examining his credentials, his research methods, and the opinions of established experts and physicians in occupational and environmental medicine.
 - **FACT:** A review of the PubMed study index to search for Mr. Rand’s published studies demonstrates that Mr. Rand has not published any research study indexed in PubMed, the world’s largest medical data base, with over 22 million cited papers from over 550 medical and health journals worldwide.

- 2) Mr. Rand repeatedly referenced and made statements inferring that Shirley Wind consistently and frequently exceeded and exceeds the 50 DBA, and either he or Dr. Coussons used the numbers "70 and 90" in reference to the decibel level, again inferring that Shirley Wind has operated at those higher and unacceptable levels.
- **FACT:** Mr. Rand is one of five vendors who conducted noise studies during the same time period, and he was the only one of the five who stated that Shirley Wind operated above 50 DBA, and he measured the levels just around 51 or 52 DBA; again, the slightly elevated DBA levels were only reported from Mr. Rand's report and none of the four other vendors.
 - **FACT:** Out of the five vendors conducting the referenced noise studies, four vendors, not retained, hired or compensated by Duke Energy, all reported the Shirley Wind operating decibel levels at less than the 50 DBA limit.
 - **FACT:** Shirley Wind has not operated at a 70 or 90 decibel level at any time.
 - **FACT:** Four of five vendors did not come to the same conclusion as Mr. Rand, and that should be problematic from a credibility standpoint.
 - **FACT:** Shirley consistently operates below 50 DBA.
- 3) Mr. Rand stated to all those present on Sept 12th that there was a New York case that had been in protracted litigation for 7 years and the result of that litigation was that the court ordered the windfarm to be shut down. He did not provide the name of that case; however, we will reasonably conclude that it is the one such New York case that we could find where the plaintiff's name is Abele and the defendant is Iberdrola.
- **FACT:** That case, which was filed in October 2012, has not been resolved and is still ongoing.
 - **FACT:** The NY Supreme Court **HAS NOT** issued an order to shut down the wind farm to date.
 - **FACT:** Shirley consistently operates below 50 DBA, with no reading above that level except for Mr. Rand's questionable measurement.
 - **FACT:** The New York case has been ongoing for 5-years, not 7 years as stated by Mr. Rand, and the case is still in its early stages. This may seem like a small point, but he stated it as fact, which it is not.
 - **FACT:** In an article the plaintiff's attorney stated, "... the plaintiffs cannot seek injunctive relief because the turbines are already in place...." Thus, with respect to the windfarm in Albany New York **shutting down the operation of the wind farm is simply not an option for the court for the plaintiff's complaint, and the plaintiff's attorney is the party that points out this factual reality.**
- 4) Dr. Coussons indicated that he saw 6 patients that complained of symptoms, and the newspaper reported him as having treated these patients.
- **FACT:** Dr. Coussons stated that he has not treated any of those patients for their vague and unspecific symptoms.
 - **FACT:** Dr. Coussons has not participated in any original research or peer-reviewed studies.
 - **FACT:** All of Dr. Coussons' information for his presentation was obtained from second, third, or fourth hand information and not first-hand studies in which he has participated or been involved in personally.



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- 5) Dr. Coussons stated that in the Health Canada Research Study that Dr. McCunney referenced the closest home for the people in that study was 1500 meters, which is 4,921 feet.
 - **FACT:** The closest home in that study was 250 meters or around 800 feet.

- 6) Dr. McCunney emphatically stated twice that he ***does not*** represent Duke Energy.
 - **FACT:** Dr. McCunney does not represent Duke Energy.
 - **FACT:** Bias in research would not be tolerated by the very credible and prestigious Harvard University and the Massachusetts Institute of Technology.
 - **FACT:** All of the information that Dr. McCunney provided in his presentation was based upon his research, education, relevant background in occupational medicine and experience as a physician and respected researcher who treats occupational and environmental illnesses. His original research and critical reviews of other scientists' research predates his association with Duke Energy.
 - **FACT: To demonstrate our deep concern and cooperation with the Boards' objectives, Duke Energy made the effort to provide the Boards of Brown County the best available information from a national and internationally respected expert in his field.**

- 7) Dr. McCunney was compensated by Duke.
 - **FACT:** Dr. McCunney received nominal payment from Duke for the valuable time away from his patients and practice, time spent in preparation, and expenses associated with his trip to Wisconsin, and his appearance, which is customary.
 - **FACT:** Dr. McCunney was not paid for any of his research or presentation material, which predates the invitation to share his expertise with Brown County
 - **FACT:** Dr. McCunney is personally motivated to share his expertise because he believes that patients are going untreated for actual medical illnesses when they and their physicians erroneously attribute symptoms to "wind turbine syndrome," a coined phrase by an anti-wind individual and not actually a medical condition.

- 8) Because presenters were present from both anti-wind and neutral viewpoints, we expected, at minimum, some balance and factual, science-based information.
 - **FACT:** The vast majority of the questions were deliberated "loaded" and asked from the "anti-wind" perspective.
 - **FACT:** Duke Energy submitted one question, and that question was ignored. The question was pertinent and relevant. The question we posed stated there are many employees working on windfarms and in and around wind farm operations consistently and they do not complain of symptoms. Medically, what would account for that? You unilaterally decided to eliminate that question while allowing many other questions, many of which were from Dr. Tibbets, a well-known individual to the board with staunch anti-wind opinions. This demonstrates a **bias in your views and behavior.**

- 9) In the public meeting on September 12th, the statement was made that landowners have abandoned their homes because of the symptoms they are experiencing and that property values have decreased solely because of Shirley Wind.



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- **FACT:** One landowner complaining of symptoms sold his home for Fair Market Value and the new family is not symptomatic at all.
 - **FACT:** The new family is the same distance from the wind farm and not complaining of any symptoms.
 - **FACT:** The house did not depreciate in value.
- 10) Brown County and the public continue to erroneously state that landowners who were compensated for hosting the turbines on their land are contractually prevented from complaining.
- **FACT:** Any such agreement was not entered into by Duke Energy.
 - **FACT:** Any such agreement could have been initiated by the original developer and builder of the wind farm, so it is not accurate to state that Duke insisted that the landowners sign any such agreement.

Facts are important because as the two sides move forward with discussions, conversations, and communications, and as Duke Energy continues to work with the various Brown County Boards and Committees, and the Town of Glenmore, misinformation often results in bad decisions. Most importantly, misinformation often communicates the opinions and beliefs of a particular party, without regard to whether that information is accurate, and after prolonged periods of exposure to inaccurate information, that inaccurate information is perceived as "fact" and then those inaccurate facts and bad information are acted upon, to the disservice of everyone involved.

When Brown County asked for suggestions about where to go from this point, Dr. Coussons and Rand consistently stated that the only option was to shut down the wind site. This is an untenable position and ignores the fundamental feature of noise from wind turbines and that it can be controlled and modified as needed. The fact that the anti-wind folks only want the turbines shut down and not controlled amplifies their unreasonableness.

This is simply not an option as we are contractually obligated to provide the power to the Wisconsin Public Service Corp. The parties have unfortunately moved no further in resolving the issue, because the anti-wind viewpoint is an all or nothing viewpoint, and that does not lead to an acceptable resolution for Duke Energy and Shirley Wind.

Duke Energy strives to be good neighbors in the communities in which we operate. We certainly intend to continue the dialogue, and we are willing to cooperate with Brown County and the Town of Glenmore based on factual information and robust, credible research that is recognized and validated by the scientific community.

Sincerely,

Nate Johnson

Nate Johnson
Site Manager
Shirley Wind