

**PROCEEDINGS OF THE BOARD OF HEALTH MEETING**  
**Tuesday, March 17, 2015**  
**5:00 PM**

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

Excused: Joe Van Deurzen

Staff Present: Chua Xiong, Rob Gollman, Patti Smeester, Juliana Ruenzel

**1. Call to Order, Welcome, and Introductions**

Audrey called the meeting to order at 5:00 PM

**2. Approval / Modification of the Agenda**

Audrey would like to eliminate agenda item number 9 as there was a conflict so we will not be doing the education presentation.

MOTION: To approve the modification of the agenda and eliminate item no. 9.

Schadewald /Pfothenauer

MOTION CARRIED.

**3. Approval of Minutes of January 13, 2015, January 20, 2015 and March 3, 2015**

MOTION: To approve minutes of January 13, 2015.

Pfothenauer/Schadewald

MOTION CARRIED.

MOTION: To approve minutes of January 20, 2015.

Pfothenauer/Paulus-Smith

MOTION CARRIED.

Audrey asked Mr. Schadewald if he received a copy of a list of best practices from Dr. Terry as requested at the January 20<sup>th</sup> meeting. Mr. Schadewald indicated he did not receive anything.

MOTION: To approve revised minutes of March 3<sup>rd</sup>, 2015 meeting.

Schadewald/Pfothenauer

Dr. Tibbetts had one revision to the minutes.

MOTION CARRIED.

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

MOTION: To depart from the regular order of business to hear public comments.

Tibbetts/Schadewald

MOTION CARRIED.

William Acker, 3217 Nicolet Drive. Mr. Acker wanted to address comments made by Professor Patricia Terry on January 20<sup>th</sup> meeting in regard to peer review. Professor Terry in her speech spoke about the importance of peer review. Mr. Acker indicated he is a peer reviewer for an engineering magazine and gave an example of the importance of peer review. The purpose of peer review is to review statements, misspellings, wrong

equations, etc. Patricia Terry said it was very important that documents are reviewed are peer reviewed and that way we wouldn't be accepting any biased statements. As part of Mr. Acker's involvement with the Wisconsin Citing Council, Mr. Acker was asked to help them with their peer review process. They had a lot of articles and could not decide which articles were good and which were bad. He suggested a peer review process and he gave them a list of different peer review processes he had rated. Mr. Acker indicated good peer review samples are medical journals. In his opinion, medical journals do a very thorough study of articles. He likes medical journals because of the number of people involved in the process reviewing the articles, expertise of those people, etc. There is one called Sage. Many professors publicize their articles in Sage.

Mr. Acker indicated the document that Patricia Terry shared that night, which came from the Massachusetts state, is a non-peer review document. No one was given the task to peer review it. Patricia Terry spoke to us about the importance of peer review and how important that process is but the document she shared as proof there are no health problems is a non-peer reviewed document. Mr. Acker wanted to mention this because it is an important part of the process and as people share information we should pay attention to what they are sharing, as peer review is very important.

Mr. Acker continued in regard to Patricia Terry earning a McCloy Fellowship as she had talked about her trip to Germany on the McCloy Fellowship. Mr. Acker stated a document that he pulled from UWGB's website about this says *"in January 2013 to collaborate with German colleagues in the wind energy sector to help overcome obstacles to further wind energy development..."* Mr. Acker states that Patricia Terry is meeting with wind turbine development companies to help develop wind turbine installations in the United States. She stated to us that she had no conflict of interest and Mr. Acker believes this is a very strong conflict of interest. According to the McCloy Fellowship it appears she had a conflict of interest.

Mr. Acker stated Dr. Alec Salt, who he believes is one of the most renowned experts in the field of otolaryngology (the workings of the inner ear), has his own conflict of interest statement and he says:

*"I have no personal or financial conflicts of interest related to wind turbines. My work is not financially supported by pro- or anti-wind energy groups. To my knowledge, there are no existing wind turbines or planned wind turbines within at least 10 miles of my home or the home of anyone that I know personally. I do not currently have any grant funding related to wind turbines or the noise they produce...I do not regard myself as in any way 'anti-wind'...I am also a non-compensated 'Scientific Advisor' to the Society for Wind Vigilance...Some people have asked me 'Why did I get into this?' The answer is quite simple. It is because I knew for a fact that infrasound does affect the ear at levels well below 100 dB SPL."*

Mr. Acker states this is an example of Dr. Salt letting people know whether he has conflict of interest or not. He did not think Patricia Terry did a good job of indicating her conflicts of interest.

Mr. Acker continued that Patricia Terry stated:

*"I just would like to make one point very clear. There have been insinuations by a number of speakers that people who are proponents and I think I have been specifically looked at when they have said this are in the back pockets of the wind industry. I do not profit from the wind industry in any way shape or form. I do not receive research money nor is my job or the terms of employment in any way tied to the wind industry. So just for defamation of character purposes, I want to make that clear. I'm just another concerned citizen who holds a different opinion."*

Mr. Acker indicates that with respect to the grant, the organization that offered the grant to Patricia Terry works with manufacturers, businesses in Germany and there is certainly a possibility that the people that are working with this group have agendas. He states we need to be aware that Germany is a very strong manufacturer of wind turbines. As of today they are the world's leader in the manufacture of wind turbines. In 2009 they were No. 2, but from 2009 through 2014, they moved to the first position. They are now making 20.5% of the world's wind turbines, which equates to around 12 billion dollars a year. He states there is certainly a possibility that this group she was involved with may have involved manufacturers and also to promote wind turbines in the United States. He thinks Patricia Terry should have been more up front about her trip to Germany.

Mr. Acker continued with another statement Patricia Terry made was that wind turbine syndrome in the United States is mainly the green eyed monster of jealousy. She is basically saying that those that do not receive money, claim illness because they are not receiving money because they are jealous of their neighbors that are receiving money. Mr. Acker states he made a list of people who are hosts to wind turbines that have claimed illness. If you are a host you are making money from the wind industry for hosting those wind turbines on your land, so if you claim illness for what reason are you claiming illness. Mr. Acker shared some examples of individuals and a town which are contrary to the green eyed monster of jealousy that Patricia Terry has indicated.

Mr. Acker continued that a statement Patricia Terry made was that there is no such thing as wind turbine syndrome in Germany which he feels is false as he has many cases of people citing illnesses in Germany and many groups citing problems. He continues that Patricia Terry indicated that wind turbines are widely used in Denmark and Germany and that the saying in Germany is "*every flicker is a Euro.*" Mr. Acker states that wind turbine developers in Germany, one called Volkswind, recommend a setback distance of 1000 meters but in the United States it is 500 meters.

Mr. Acker states his research shows that Germany is moving to off shore and that by next year they will probably have more megawatts of off shore installations than onshore and then following 2015, the megawatts being installed each year after that will continue to grow in the offshore section. He questions if Germany is so friendly to onshore wind installations, why are they moving to offshore? Mr. Acker checked the install costs of an offshore installation and it is substantially more than an onshore installation.

In Germany, the University of Munich did a study of young individuals that were exposed to low frequency noise and infrasound and found that it stayed in the ear canal too long and then increased and they were concerned that the increase could cause damage to the inner hair cells.

Mr. Acker indicates that 100 college professors signed a document in 1998 called the Darmstadt Manifesto which demands the withdrawal of all direct and indirect subsidies in order to stop the exploitation of wind energy. In addition a group of 300 citizen groups had a document called the Resolution of Citizens' Action Committee Against Wind Turbines in Germany indicating that there are health problems with wind turbines and they don't want it funded anymore. In addition we have many European countries that have developed noise codes surrounded around infrasound and low frequency noise, Germany, Sweden, Netherlands, Poland and Denmark. Mr. Acker questioned we don't have those in the United States so if Germany and the other countries are pro-wind turbine then why have them developed noise codes to protect them from infrasound and low frequency noise.

In Denmark, their major utility called Dong Energy has announced they will abandon future onshore wind farms. Mr. Acker talked about a mink farm in which as soon as the wind turbines started up the mink started biting each other. They were 3.0 MW units. Within a month they had 1,600 miscarriages. Mr. Acker indicated that if you look at Richard James study on wind turbines and the sizes and how the bigger ones fall into this Navy category that is cited in the Shirley study of maximum nausogenicity. When you get into the 2 MW, 2.5 MW and 3 MW, you are almost to maximum nausogenicity. These were 3MW and no wonder the mink started biting each other and was forced to shut down.

Mr. Acker said if you look at the MW of the equipment that is installed in each of the countries, we have more MW of equipment installed than anywhere in the world China is about to overtake us. The United States is the largest producer of wind turbine electricity in the world.

Jim Vanden Boogart, 7463 Holly-Mor Road- He just wanted to submit into the official record a couple of documents. One document is a professional rebuttal of the Massachusetts Report by Dr. Raymond Hartman. Attached to his 25 page critique are 35 pages of credentials. Mr. Vanden Boogart read from the report:

*"Having done so, I conclude that the purported 'independent expert panel' was not independent. It was no more 'expert' than scientists whose research was dismissed or marginalized by the Panel. The Panel and its staff conducted no independent primary scientific research, even though it recognizes how such research should be conducted and it had ample opportunity to sample nearby, highly relevant, Industrial Wind Turbine installations in the Commonwealth and in New England. It dismisses or marginalizes a significant body of research conducted by scientists with credentials as good as, or better than, the credentials of the Panel members. Instead, the Panel relies upon a very limited number of research articles and after doing so comes to very strong conclusions. That in itself is questionable scientific practice. More importantly, the Panel misstates the full context of the research upon which it relies. I conclude, therefore, that the Wind Turbine Health Impact Study conducted by the Independent Expert Panel and presented to the Massachusetts DEP in January 2012 is biased, inaccurate and a fairly transparent mischaracterization of the existing scientific research. It cannot be relied upon to support the contention that IWTs have no impact upon the health and well-being of neighboring residents. The report has little scientific merit."*

Mr. Vanden Boogart also brought along a critique of the Massachusetts report written by Paul Schomer. Paul Schomer is one of the acousticians who did the testing at Shirley Wind and attached to his brief are his 10 pages of credentials. Mr. Vanden Boogart read part of the report:

*“We deal with the following two topics in this report:*

- a) The quality of the analysis of the physical wind turbine sound description and discussion. In particular, we review the use of references.*
- b) The quality of the analysis of the literature that discusses human response to the wind turbine noise.”*

He further read a sentence from his conclusion:

*“The authors of the Massachusetts study show problems with their analysis at many points, such as by selectively quoting evidence in a reference when the majority of the reference is contrary to a major thesis of the MA study.”*

Mr. Vanden Boogart also submitted a letter of support from the Town of Holland and a letter from a man in Kewaunee County who has health impacts.

Steve Deslauriers – 2889 Wayside Road, Greenleaf - Steve stated for the last five years he has been in the room with wind developers and gentlemen representing wind developers and he stated to his knowledge not a single wind developer lives within the footprint of a wind project. He finds this troubling that the people who are defending these companies find it acceptable for their families to be subjected to their toxic product but none of their families are living within any close proximity of the wind project.

MOTION: To return to the regular order of business     Schadewald/Pfotenhauer  
MOTION CARRIED

- 5. 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 5:40 PM.

Roll call vote: Ayes: Pfotenhauer, Paulus Smith, Schadewald, Tibbetts, And Murphy

Nays: None

MOTION CARRIED.

- 6. Reconvene into Open Session: Discussion and possible action regarding the Shirley Wind Turbines.**
- 7. Odor Complaint Update.**

Rob indicated we only had one odor complaint this year which was received on 3-12-15 from a funeral home. A neighboring resident complained about smoke and odor coming

from the crematory. The operator is compliant but a discussion was had with the operator regarding following proper procedures for a cremation and a stack extension was recommended. As far as environmental news, Rob indicated we received an open records request for the complete file on the Sanimax rendering facility. A law firm in Michigan made the request presumably for a class action law suit. It took over a week to put things together. Rob indicated that we have completed interviews for two sanitarians position and two offers were made. One was an intern from last summer and the other is an inspector coming from Washington County. Anticipated start is end of March beginning of April. Rob handed out some bar graphs showing some of the other things the inspectors are working on. Audrey asked if anyone had questions of Rob. There were none.

#### **8. Correspondence**

Audrey gave out two pieces of correspondence which she received at home. The first is a letter is dated 2-17-15 addressed to the Director of the Health Department and Audrey received a copy, congratulating Chua and welcoming her to her new position as the local health officer of Brown County. The second piece of correspondence is from Senator Robert Cowles and in the current budget for the State of Wisconsin the Governor has put in a request to the Public Service Commission to conduct a study on wind energy system health in the amount of \$250,000.

#### **9. Educational Presentation**

#### **10. Director's Report**

Chua updated there are no confirmed cases of measles in Wisconsin. As of January 1<sup>st</sup> to March 13<sup>th</sup> of 2015, 176 people from 17 different states have acquired measles but Wisconsin has not been one of them. 80% are considered to be part of the amusement park outbreak in California. It was 4 different outbreaks. The majority were unvaccinated. Six brought measles into the U.S. Some of them spread measles to other people in the U.S.

Ebola – On March 4<sup>th</sup>, 2015 104 people met the criteria for surveillance and Wisconsin is monitoring those people. The State Department of Health will notify us if there is someone in our jurisdiction who has returned from West Africa. That is being surveilled when they leave West Africa, before they leave the airport in the United States that is reported to the State Health Department then they work down to the local health department in that state and that person is monitored for 21 days to make sure they are not symptomatic. If they become symptomatic that is reported to the Department of Public Health who is working with the hospitals and EMS to transport the person either from home to a level II hospital, which is currently Bellin Hospital and then they would go to Froedtert. Chua is more concerned with the likelihood of getting influenza.

Chua indicated we were busy with outbreak investigations. We had 8 norovirus/gastrointestinal (stomach flu) outbreaks. We also had 22 acute respiratory outbreaks. Our influenza vaccine this year did not cover this strain but it did provide some cross protection.

We also had an investigation with food borne illness in conjunction with the City of DePere.

Chua indicated she did find a new Board of Health member, Celeste Jeffreys. She had agreed to join the Board and will be appointed tomorrow at the Board of Supervisors. Celeste is also on the board with the Green Bay Public Schools.

The CD nurse manager position interviews are this Friday. Chua is hoping by the beginning of April the position will be filled. Audrey indicated it was important to get back to a 7 person board.

**11. All Other Business Authorized by Law**

Dr. Tibbetts wanted to submit for the record the alleged conflict of interest that Mr. Acker pointed out and also a letter from a person in Massachusetts who is familiar with the Massachusetts study, Joanne Levesque. She sent a letter to Professor Terry and to the Chancellor. He also indicated that another Professor at UWGB, Michael Kraft, did a presentation on public radio and his comments were that money would solve everything. If the people were reimbursed they wouldn't have the symptoms. The other thing he suggested was there were no complaints from Fond du Lac. At the time the only people on the Board are Audrey, Dr. Tibbetts and Harold Pfothenhauer they had testimony from Anny Wertz. Mary Hartman send a letter to Professor Kraft and Dr. Tibbetts just wanted these letters into the record.

Susan Paulus-Smith asked Dr. Tibbetts what the disc was that he handed out. Dr. Tibbetts asked Jim Vanden Boogart to explain it. Mr. Vanden Boogart indicated that Carmen Krough from Canada has been compiling a list of peer reviewed articles and conference papers abstracts and other citations, regarding impairment of health in general and relating to industrial wind turbines. The CD is Entitled "Industrial Wind Turbines and Health: Wind Turbines Can Harm Humans if too close to Residents." This was her December 2014 update. It only covers literature that was published 2010 to 2014. In addition Jim Vanden Boogart included on the disc the Steven Cooper study in Australia.

**12. Adjournment / Next Meeting Schedule**

MOTION: To adjourn meeting at 6:55 PM.  
MOTION CARRIED

Schadewald/Pfothenhauer

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