

**Chairperson**  
Margaret Sayles, PC Rep.

**Members**  
Michael O’Bryant, PC Alternate  
Eric Silm, Bingham Twp. Rep.  
Dawn Levey, Duplain Twp. Rep.  
Dennis Strahle, Eagle Twp. Rep.  
Kathleen George, Essex Twp. Rep.  
Lee Thelen, Greenbush Twp. Rep.  
Ken Wieber, Lebanon Twp. Rep.  
Eric Voisinet, Olive Twp. Rep.  
Jennings West, Ovid Twp. Rep.  
Kevin Garvey, Riley Twp. Rep.  
Jim Conklin, Victor Twp. Rep.  
Troy Thelen, Westphalia Twp. Rep.  
Donald Lowell, General Rep.  
David Smith, General Rep.  
Melany Mack, General Rep.  
Rene Rosenbaum, General Rep.  
Russell Braun, General Rep.



# Clinton County

## Planning Commission

### Advisory Committee

### Utility Scale Solar and Wind Zoning Regulations

## MEETING MINUTES

AUGUST 3, 2023

**Facilitator**  
Val Vail-Shirey, PC / BOC Rep.

**Community Development Staff**  
Jessica Bolt, Planning/Permit Tech.  
Joel Haviland, Building Official/  
Zoning/SESC Admin.

**County Administrators**  
John Fuentes, Admin.  
Todd Campbell, Dep. Admin.

**County Legal Counsel**  
*Foster Swift Collins & Smith*  
Michael Homier  
Leslie Abdo

Clinton County Courthouse  
100 East State Street, Suite 1300  
St. Johns, Michigan 48879-1571  
(989) 224-5180

**CALL TO ORDER** The Clinton County Utility Scale Solar and Wind Zoning Regulations Advisory Committee (Committee) met on Thursday, August 3, 2023 at 6:05 p.m. with Facilitator Val Vail-Shirey calling the meeting to order.

**ROLL CALL** Michael O’Bryant, Planning Commission Alternate – *joined at 7:30 p.m.*  
Dawn Levey, Duplain Township  
Dennis Strahle, Eagle Township  
Kathleen George, Essex Township  
Lee Thelen, Greenbush Township  
Ken Wieber, Lebanon Township  
Eric Voisinet, Olive Township  
Jennings West, Ovid Township  
Claudia Barrett Pluger, Ovid Township Alternate  
Jim Conklin, Victor Township  
Troy Thelen, Westphalia Township  
David Smith, General Representative  
Donald Lowell, General Representative  
Melany Mack, General Representative  
Rene Rosenbaum, General Representative  
Russell Braun, General Representative

Members Absent:  
Eric Silm, Bingham Township  
Kevin Garvey, Riley Township  
Margaret Sayles, Planning Commission

**OTHERS PRESENT** Val Vail-Shirey (Committee Facilitator), Planning Commission/Board of County Commissioners Rep.  
Jessica Bolt, Planning & Permit Technician  
Joel Haviland, Building Official/Zoning/SESC Administrator  
John Fuentes, County Administrator  
Todd Campbell, Deputy County Administrator  
Michael Homier, Foster Swift Collins & Smith (County Legal Counsel)

VISITORS

Connie Martens, Riley Township  
David Castner, 1303 N. St. Clair Road  
Don Keef, 4055 W. Lehman Road  
Ed Rivet, MICEF  
Ellen Link, 8767 E. Price Road  
Fay Feldpausch, Fowler  
Fred Gifford, 7100 N. Williams Road  
G. Castner, 1303 N. St. Clair Road  
Gail Wadell, Elsie  
Gary Barker, 225 Beaupre Avenue  
Gillian Kelahan, ESA  
Gloria Barker, 225 Beaupre Avenue  
Janet Dennings, 7881 N. Upton Road  
Jim Kissane, 2723 N. DeWitt Road  
Jody Smith, 4739 W. Gratiot Road  
Joe Lawson, Consumers Energy  
Karen Andrews, 8992 Williams Road  
Karen Bird, Bingham Township  
Kevin Kent, 330 E. Carmel Drive  
Larry Kindel, 3273 W. Island Road  
Linda Gifford, 7100 N. Williams Road  
Lorene Knight  
Louis Martin, Dallas Township  
Matt Drennan, ESA  
Michelle Kent, 3535 E. Colony Road  
Penny Tahvonen, 4897 N. Hollister Road  
Ray Vitek, 1209 Hampshire Drive  
Robert Mack, 11849 Schavey Road  
Roger Dennings, 7881 N. Upton Road  
Ronald Feldpausch, 5353 N. Hinman Road  
Rosemary Feldpausch, 1121 Tyler Drive  
Ryan Carrigan, Consumers Energy  
Sharon Conklin, Victor Township  
Theresa Hubbard, 1124 E. Alward Road  
Theresa Owen, 5261 N. Williams Road  
Thomas Banks, ESA  
Yvonne Makara, 3644 N. Chandler Road

APPROVAL OF  
ADVISORY  
COMMITTEE  
MEETING MINUTES

- Val Vail-Shirey requested the revision to move Jim Conklin from “Members Absent” to “Members Present”.

**ADVISORY COMMITTEE ACTION:** Dawn Levey moved, supported by Dennis Strahle to approve the July 20, 2023 Advisory Committee Meeting Minutes as amended. Voting on the motion by roll call vote, motion carried unanimously. [Vote of 15-0, all in favor, none opposed.]

PUBLIC COMMENT

- Theresa Owen expressed opposition to wind and solar energy facilities.
  - *Submitted written public comments to be placed in the Committee file.*

- Yvonne Makara expressed opposition to wind and solar energy facilities, including the following points:
  - Referenced articles regarding adverse health effects caused by wind turbines (IWTs).
  - Referenced NIMBY-ism (not in my backyard).
  - Wind turbines are responsible for killing wildlife such as bats and eagles.
  - Requested searching for other clean energy alternatives.
- Kevin Kent urged the Committee to support solar projects, including the following points:
  - As someone who belongs to a farming family, he believes this land use can provide great value.
    - Promotes energy production and jobs.
    - Land can be reclaimed.
    - Opportunities for wildlife to utilize the land while the facility is operating.
  - Green energy initiatives are important to the State of Michigan.
- Don Keef urged the Committee of the following points:
  - Used to live in Shiawassee County near the 1,200-acre solar energy facility and was impacted by the noise.
    - Believes most people were not aware of the noise that they would produce.
    - Inverters need to be located away from the residences and the road.
  - Now lives in DeWitt; however, he did not move because of the solar energy facility.
    - Home in Shiawassee County was not a challenge to sell but there were potential buyers that lost interest because of the solar energy facility noise.
- Ellen Link urged the Committee of the following points:
  - This should not be a partisan issue.
  - There is a need to establish renewable energy.
  - Climate change is real, and we need to stop using fossil fuels.
  - Personally, has solar panels and feels they are quiet and provide value.
  - There is a right and wrong way to achieve renewable energy, however.
    - Not in support of using farmland.
    - Solar energy facilities would be better placed in parking lots or rooftops of large buildings/factories.
    - Subsidization/incentives for individual installation of solar panels.
  - Warned against false information being spread about solar energy.
- Gail Wadell expressed opposition to wind and solar energy facilities, including the following points:
  - Is impacted by the red blinking lights of wind turbines in Gratiot County.
  - Feels the wind turbines are taking up prime farmland.
  - Asked the Committee to not allow solar energy facilities to consume prime farmland.
  - Concerned about potential impacts to food production, including production of artificial food in its place.
  - How can these facilities be justified when solar panels only work half of the day and wind turbines only work when the wind blows?
  - Refuted climate change by referencing an article that stated the number of deaths due to climate change has decreased since 1920.

- Theresa Hubbard urged the Committee of the following points:
  - Has done research about brownfields in Clinton County.
    - There are less than 14 in Clinton County – some of which are non-contiguous sites, meaning there are actually only 11 brownfield sites.
    - All the acreage of all the brownfield sites in Clinton County would not add up to enough for even half of a solar farm.
    - There are not enough brownfield locations in Clinton County to support such an ordinance restriction.
    - Many of the brownfield sites are located near residential areas.
  - Regarding the requirement of not being more restrictive toward solar and wind energy facilities than similar land uses – cell phone towers are a good comparison to wind energy systems.
    - Cell phone towers have been responsible for killing wildlife, including eagles.
  - Concerned that the County may try to “zone out” these land uses and lose control to the State.
    - Encouraged the Committee to be reasonable.
  - *Submitted a brownfields report to be placed in the Committee file.*
- Gloria Barker spoke about a potential solar project by ESA.
  - Inverters will be centrally located and in-compliance with local ordinance requirements.
    - Including noise equivalency of hearing a neighbor’s air conditioning.
  - There will be minimal impact, including a landscaping plan.
  - Would be a huge community benefit due to tax revenues, jobs, etc.
    - Support overall drive for green energy initiatives.
    - Will work with locals for grass/seed mix and would prefer to use other local products and services as well.
    - Land can be reclaimed after the facility is done operating.
  - Feels the project would be a “win-win” to St. Johns.
- Larry Kindel urged the Committee of the following points:
  - Noted that he gave a list of his concerns to Greenbush Township’s committee representative, however one of those concerns has not yet been addressed –
    - Landowner notification for Special Land Use permit of a green energy site – would like to have the notice expanded from 300 feet to any parcel within 1 mile on both sides of the road.
  - Thanked Greenbush Township residents for their participation when a solar energy facility was reviewed for their township.
  - Urged the Committee to take their time, be thoughtful, and get this right for the residents of Clinton County.
- Don Keef commented that the solar energy facility landscaping plans need to be better enforced to ensure maintenance of the site.
- Yvonne Makara referenced a statement from Mr. Drennan, ESA, at the July 20, 2023 Advisory Committee Meeting that there would only be 10 permanent jobs with creation of a solar energy facility.
- Jim Kissane expressed support of solar energy facilities, including the following points:
  - Has solar panels on his own residence that operate his farm.
  - Regarding concerns about the use of farmland – you can still farm in some cases and in others, you are “farming” the sun.
    - The need for energy production is high.
    - If an alternative energy source is not found, coal and other fossil fuels will be eliminated eventually.

- Will result in better farm ground when it is reclaimed because it has had a chance to rest.
  - Conservation Reserve Program (CRP) is the same concept because it allows the ground to rest.
- Installation of solar panels have been financially beneficial to his energy costs.
  - Has 52 panels, run by 2 inverters.
  - Noise is minimal.
  - No glare.
- David Castner expressed support for solar energy facilities, including the following points:
  - Need to have a renewable energy option since coal plants are being shut down.
    - Believes solar is a viable alternative.
  - This Committee has an important job in its recommendations to the Planning Commission.
  - Believes there are adjustments that need to be made but they need to be reasonable.
- Penny Tahvonen expressed opposition to wind and solar energy facilities, including the following points:
  - The sun doesn't shine, and the wind doesn't blow all the time.
  - Most solar panels are produced in China.
  - Production of solar panels uses 3 times more carbon than natural gas.
  - Wind and solar energy facilities are being put on the backs of the taxpayers, although only a select few are benefitting.
- Jody Smith urged the Committee of the following points:
  - Has attended almost all of the Committee meetings.
    - So impressed with all the information that has been discussed.
  - Stressed the importance of property owner rights.
  - Thanked the Committee for their work.
  - Commented that she doesn't think the Committee needs to rush through his process as it is so gratefully impactful.
  - Questioned decommissioning of a solar energy facility in the United States.
- Ronald Feldpausch expressed opposition to wind energy facilities, including the following points:
  - Feels they are an eye sore.
  - Does not want to see them in Clinton County.
- Fred Gifford (also on behalf of wife, Linda) expressed opposition to wind and solar energy facilities.
  - *Submitted written public comments to be placed in the Committee file, including a QR code for a video.*

MEMBER  
RECOMMENDATIONS  
& LEGAL  
CONSIDERATIONS

- Val Vail-Shirey introduced Michael Homier, County Legal Counsel.
- Michael Homier clarified the roles/authority of legal counsel, the Advisory Committee, Planning Commission and Board of County Commissioners concerning this process.
  - *Discussed the following topics with the Committee:*
    - Zoning Enabling Act and ways to regulate land uses.
    - Broad policy issues
    - Factors that may influence the placement of solar and wind facilities.
    - Example ordinances

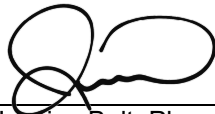
- *Each Committee member stated their suggestions for amendments and whether they have any personal conflicts related to solar or wind facilities.*
  - *All Committee members stated there were no personal conflicts related to solar or wind facilities.*

REVIEW / WRAP-UP

- Val Vail-Shirey discussed the upcoming meeting scheduled for August 17, 2023:
  - Identified the upcoming presenters:
    - Robert W. Rand, Member ASA, INCE (Member Emeritus) Rand Acoustics, LLC
    - Jason Hayes, Director of Energy and Environmental Policy for The Mackinac Center for Public Policy
    - Kevon Martis, Lenawee County Commissioner & Certified Zoning Administrator
  - Asked Mr. Homier if he could have a draft ordinance ready for the Committee to review by August 17th in order to discuss at the August 24th meeting?
- Michael Homier confirmed that he could.
- David Smith requested any Committee member not residing within one of the 11 General Law Townships not be allowed to vote on this matter.
- Michael Homier clarified that the Planning Commission and Board of County Commissioners are the only bodies that hold statutory authority on the resulting policy adoption.
  - The Advisory Committee holds no authority, and the Planning Commission is only able to make recommendation to the Board of County Commissioners on this matter.
- Val Vail-Shirey stated, when the Planning Commission requested letters of interest, there were no parameters put on the township of residence.
  - The Committee has already started its work and will complete it with the Planning Commission's appointments.

ADJOURNMENT

**ADVISORY COMMITTEE ACTION:** With no further business to come before the Committee, Val Vail-Shirey adjourned the meeting at 8:39 p.m.




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Jessica Bolt, Planning & Permit Technician

NOTE: These minutes were approved by the Advisory Committee on August 17, 2023.