

Chairperson

Margaret Sayles, PC Rep.

Members

Jan Motz, PC Rep.
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.
Mike Halfman, 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

JULY 6, 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, July 6, 2023 at 6:01 p.m. with Chairperson Sayles calling the meeting to order.

MEMBERS PRESENT

Margaret Sayles
Jan Motz
Eric Silm
Dawn Levey
Dennis Strahle
Kathleen George
Lee Thelen
Ken Wieber
Eric Voisinet
Jennings West
Lianne Prange, Victor Township Alternate
Donald Lowell
David Smith
Melany Mack
Mike Halfman
Rene Rosenbaum
Russell Braun

Members Absent:

Kevin Garvey
Troy Thelen

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
Leslie Abdo, Foster Swift Collins & Smith (County Legal Counsel)

Dwight Washington, Board of County Commissioners Rep.

VISITORS

Alannah Woodring, ESA
Ed Rivet, Executive Director of the Michigan Conservative Energy Forum
Fred Gifford, 7100 N. Williams Road
Gillian Kelahan, ESA
Iain Ward, Solar Agricultural Services
Jody Smith, 4739 W. Gratiot Street
Larry Kindel, 3273 W. Island Road
Linda Gifford, 7100 N. Williams Road
Matt Drennan, ESA
Madeleine Krol, 214 S. State Street
Larry Kindel, 3273 W. Island Road
Robert Randolph, 4275 S. DeWitt Road
Ryan Carrigan, Consumers Energy
Theresa Hubbard, 1124 E. Alward Road
Thomas Banks, ESA

ROLL CALL

- *Each present member identified themselves and their appointment.*
- *The Committee and Staff discussed the presentations and format of meetings moving forward.*
 - Workshop sessions are intended to begin August 3, 2023.

APPROVAL OF ADVISORY COMMITTEE MEETING MINUTES

ADVISORY COMMITTEE ACTION: Dawn Levey moved, supported by Dennis Strahle to approve the June 29, 2023 Advisory Committee Meeting Minutes as presented. Voting on the motion by roll call vote, motion carried unanimously. [Vote of 17-0, all in favor, none opposed.]

PRESENTATIONS (A) ED RIVET, MI. CONSERVATIVE ENERGY FORUM

- Facilitator Vail-Shirey introduced Ed Rivet, Michigan Conservative Energy Forum as the first presenter.
- Ed Rivet, Executive Director of the Michigan Conservative Energy Forum, introduced himself and provided information regarding his background.
 - *Presented information to the Committee via PowerPoint presentation.*
 - *Passed his mobile phone around the room to demonstrate the decibel level of a normal speaker.*
 - Generally greater than 45 decibels.
- *The Committee discussed government funding; Farmland and Open Space Preservation Program (PA-116); decommissioning; effects on wildlife; distribution of power; and restrictive zoning methods as they relate to utility scale wind and solar projects with Mr. Rivet.*

(B) IAIN WARD, SOLAR AG SERVICES

- Jan Motz introduced Iain Ward, Solar Ag Services, as the next presenter.
- Iain Ward, Solar Agricultural Services, Inc., introduced himself and provided information regarding his background.
 - *Presented information to the Committee via Zoom.*
- *The Committee discussed agrivoltaics; the Solar Massachusetts Renewable Target (SMART) Program; farm succession; and preservation of ag land as they relate to utility scale wind and solar projects with Mr. Ward.*

- Lee Thelen asked if the County could mandate that new builds are required to install solar panels?
- Leslie Abdoo explained that this Committee's charge is only to evaluate utility scale solar and wind zoning regulations.
- Rene Rosenbaum stated that he would like to see the scope of the Committee be reevaluated to allow them to consider a wholistic review (utility scale and private use).
- *The Committee discussed it's charge/function with County legal counsel.*
 - Leslie Abdoo clarified the 2 methods that the County can use to regulate location:
 - (1) Zoning District and Special Land Use Permit
 - (2) Overlay District (i.e., specific location/area of the County that is deemed appropriate for that use, regardless of the underlying zoning district)
 - This committee can review these options and make recommendation to the Planning Commission (PC) regarding the direction.
- Val Vail-Shirey asked Mr. Carrigan to discuss the selection process for land used for solar facilities.
- Ryan Carrigan, Consumers Energy, explained that developers don't know exactly where the panels will be located until they begin the application process.
 - They start with a bigger picture and the development area is generally whittled down as the plan develops, guided by the local ordinance and other (state) regulations.
 - A good developer will disclose to the landowner that reality may vary from expectation after going through the process.
- Matt Drennan, ESA, clarified that business opportunities are guided by developers' existing land leases and that there are differing lease rates due to various conditions but that doesn't mean that they are not in good standing with the competitor developers.
 - Will address this subject more in his presentation on July 20th.
- *The Committee discussed agrivoltaics as it relates to utility scale wind and solar projects with Mr. Rivet and Mr. Carrigan.*

REVIEW / WRAP-UP

- Val Vail-Shirey addressed the Committee's desire to have a Questions and Answers session (Q&A) with the first 3 presenters.
 - Perhaps on August 3rd.
 - The beginning of the August 3rd meeting will include public comment – limited to 2-minute speaking times.
 - The Committee will then begin ordinance discussion/workshop sessions.
- Lee Thelen suggested the presenters come back for Q&A once policy has started to be written.
- Val Vail-Shirey noted that the Committee could get through 1 workshop session and then invite the first presenters back for Q&A on August 17th, if desired.
 - The July 20th meeting will include presentations from representatives from ESA and MSU Extension.
- Kathleen George asked if the deadline that has been established flexible?
 - Concerned about doing a disservice to the County by rushing through this process.

- John Fuentes explained that there is additional time – but not much from when the PC reviews and through final adoption of the Board of Commissioners (BOC).
- Ken Wieber asked Ms. Abdoo if the moratorium can be flexed one direction or the other?
- Leslie Abdoo, explained that the BOC can extend the moratorium, but it self-expires upon adoption of ordinance amendment(s).
- Melany Mack noted that the Committee is not going to be creating an ordinance from scratch.
 - They will be reviewing model ordinances for consideration.
- Val Vail-Shirey encouraged the Committee to write down their thoughts and come to the August 3rd meeting prepared to start the workshop sessions.
- Jan Motz asked that the Committee be provided the 5 townships' ordinances that complete their own zoning within Clinton County to review.
- Val Vail-Shirey asked Mr. Lowell to coordinate a tour of a wind energy site and Mr. Rivet to coordinate a tour of a solar energy site prior to August 3rd.

ADJOURNMENT

ADVISORY COMMITTEE ACTION: With no further business to come before the Committee, Chairperson Sayles adjourned the meeting at 8:31 p.m.



Jessica Bolt, Planning & Permit Technician

NOTE: These minutes were approved as amended by the Advisory Committee at the July 20, 2023 meeting.