

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 17, 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 17, 2023 at 6:00 p.m. with Chairperson Sayles calling the meeting to order.

ROLL CALL Margaret Sayles, Planning Commission
Michael O'Bryant, Planning Commission Alternate
Eric Harger, Bingham Township
Dawn Levey, Duplain Township
Ann Gifford, Essex Township
Lee Thelen, Greenbush Township
Ken Wieber, Lebanon Township
Eric Voisinet, Olive Township
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:
Dennis Strahle, Eagle Township
Jennings West, Ovid Township
Kevin Garvey, Riley Township

OTHERS PRESENT Jessica Bolt, Planning & Permit Technician
Joel Haviland, Building Official/Zoning/SESC Administrator
Todd Campbell, Deputy County Administrator
Leslie Abdo, Foster Swift Collins & Smith (County Legal Counsel)

VISITORS Alannah Woodring, ESA
Brian Czubko, Brooklyn
David D'Onofrio, ESA

Fred Gifford, 7100 N. Williams Road
 Gail Wadell, 5112 E. Maple Rapids Road
 Grace Lacki, ESA
 Harold V., Ashley
 Jacob Lutz, Summett
 Janet Dennings, 7881 N. Upton Road
 Jason Hayes, The Mackinaw Center for Public Policy
 Jessica Tramontana, Consumers Energy Public Affairs Manager
 Jody Smith, 4739 W. Gratiot Road
 Kim Wieber, 5048 N. Wright Road
 Larry Kindel, 3273 W. Island Road
 Linda Gifford, 7100 N. Williams Road
 Lindsey E., Consumers Energy
 Madeleine Krol, 214 S. State Street
 Matt Drennan, ESA
 Kevon Martis
 Michael Dunn, Iosco Township
 Nancy Cropsey, Watertown Charter Township
 Nathan Washburn, Consumers Energy
 Patricia Dunn, Iosco Township
 Peter Sinelam, Midland
 Robert W. Rand, ASA, INCE Rand Acoustics, LLC
 Roger Dennings, 7881 N. Upton Road
 Roni Christmas, Clinton County Planning Commission / 7849 Clark Road
 Ryan Carrigan, Consumers Energy
 Theresa Hubbard, 1124 E. Alward Road
 Thomas Banks, ESA
 Zona Martin, 214 S. State Street

APPROVAL OF
 ADVISORY
 COMMITTEE
 MEETING MINUTES

ADVISORY COMMITTEE ACTION: Dawn Levey moved, supported by Russell Braun to approve the August 3, 2023 Advisory Committee Meeting Minutes as presented. Voting on the motion by roll call vote, motion carried unanimously. [Vote of 15-0, all in favor, none opposed.]

PRESENTATIONS
 (A) ROBERT RAND,
 RAND ACOUSTICS
 LLC

- Chairperson Sayles introduced Robert W. Rand, Member ASA, INCE (Member Emeritus) Rand Acoustics, LLC, as the first presenter.
- Robert W. Rand, Member ASA, INCE (Member Emeritus) Rand Acoustics, LLC introduced himself and provided information regarding his background.
 - *Presented information to the Committee via Zoom.*
- *The Committee discussed wind shear; regulatory difficulties; protection of residents; inverters in transformers; impacts to wellbeing; proven reliable noise controls; tonal noise assessment; setbacks; ordinances; decibels A (dBA); state authority; offer of waivers to residents; and World Health Organization (WHO) 2009 Impacts of Noise Executive Summary as they relate to utility scale wind and solar projects with Mr. Rand.*

(B) JASON HAYES,
 THE MACKINAW
 CENTER FOR PUBLIC
 POLICY

- Chairperson Sayles introduced Jason Hayes, The Mackinaw Center for Public Policy, as the second presenter.
- Jason Hayes, Director of Energy and Environmental Policy for The Mackinaw Center for Public Policy, introduced himself and provided information regarding his background.
 - *Presented information to the Committee via PowerPoint presentation.*
- *The Committee discussed environmental and social impacts; Senate bills; energy costs; carbon capture and storage (alternative energy*

sources to renewables); and recycling as they relate to utility scale wind and solar projects with Mr. Hayes.

(C) KEVON MARTIS,
LENAWEE COUNTY /
CERT. ZONING
ADMIN.

- Chairperson Sayles introduced Kevon Martis, Lenawee County Commissioner & Certified Zoning Administrator, as the third presenter.
- Kevon Martis, Lenawee County Commissioner & Certified Zoning Administrator, introduced himself and provided information regarding his background.
 - Clarified that his presence tonight is as an individual only and does not represent Lenawee County or Deerfield Township in any way.
 - Disclosed that a web search of his name will generate articles that claim he is financially linked to fossil fuel interests.
 - Videographer here today is here on behalf of the Land and Liberty Coalition and will likely try to link him to those same claims.
 - Stated that of all those articles are false.
 - Will take no questions on this matter.
 - Presented information to the Committee via PowerPoint presentation.
- *The Committee discussed solar leases; farm economics; tax benefits; the Michigan Zoning Enabling Act; Senate Bill No. 438 (H-7); Farmland and Open Space Preservation Program (PA-116); Master Plans; Zoning Ordinances; the Right to Farm Act; industrial-zoned areas; ag preservation; setbacks; drainage tile; noise; glare; decommissioning; enforcement escrows; fiduciary responsibility; the referendum process; citizen outreach; “trespass zoning”; “effects easement”; and manufacturer’s evacuation zone as they relate to utility scale wind and solar projects with Mr. Martis.*

DRAFT ORDINANCE
LANGUAGE

- Chairperson Sayles introduced Leslie Abdoo, County Legal Counsel.
- Leslie Abdoo discussed the materials that were provided by her firm to the Committee:
 - Mostly includes suggestions for formatting and topics the Committee may want to discuss.
 - Not intended to be a policy document.
 - Simply providing options.
 - Comprehensive draft ordinances for the Committee’s review and consideration.
 - Have highlighted the most controversial sections.
 - Including ordinances that contemplated regulation by overlay district delineated based off certain factors/conditions that the County would consider when considering rezoning.
 - Seeing a lot of regulation going with the overlay district route rather than regulating by district.
 - Encouraged the Committee members to review these ordinances.
 - Reminded the Committee of their role – the Committee will only make recommendation to the Planning Commission, who will make official recommendation to the Board of County Commissioners.
 - Don’t get too bogged down in the minutia.
 - Focus more on the bigger picture items.
- Chairperson Sayles encouraged the Committee to thoroughly review these materials.
 - Reminded the Committee of the importance of progression.

- Lee Thelen asked for clarity of the Committee's charge as it relates to the smaller – which he feels are important to establish and provide to the Planning Commission.
- Leslie Abdoo reassured Mr. Thelen that discussion of these issues is important.
 - However, those discussions can't hinder the advancement of this process.
 - They are better left to simply identify a general direction to be provided to the Planning Commission.
- Lee Thelen expressed concern regarding establishing guidelines to give the Planning Commission.
 - Also concerned about the progression of the Committee's work.
- David Smith expressed concern regarding balance of the Committee meetings up to this point.
- Chairperson Sayles urged Mr. Smith to discuss this concern with the Board of County Commissioners.
 - Reminded the Committee of the timeline that the Board of County Commissioners set for this process.

REVIEW / WRAP-UP

- Chairperson Sayles gave the following reminders:
 - Solar Tour scheduled for Monday, August 21, 2023 at 10 a.m.
 - Additional Committee meeting scheduled for August 24, 2023 at 6:00 p.m. to continue discussions of policy/language.

ADJOURNMENT

ADVISORY COMMITTEE ACTION: With no further business to come before the Committee, Chairperson Sayles adjourned the meeting at 8:30 p.m.



Jessica Bolt, Planning & Permit Technician

NOTE: These minutes were approved by the Advisory Committee on August 24, 2023.