

COHOCTAH TOWNSHIP

RESOLUTION NO. _____
RESOLUTION OPPOSING PUBLIC ACT 233 PREEMPTING LOCAL CONTROL
OVER LOCAL LAND USES

At a meeting of the Township Board of the Township of Cohoctah, Livingston County, Michigan, on the 14th day of March, 2024 at 7:00 p.m.

PRESENT:

ABSENT:

The following preamble and resolution was offered by _____ and seconded by _____.

The Township of Cohoctah hereby resolves:

WHEREAS, local governments are best able to determine which uses should and should not be in their communities and what plans are best and reasonable for each neighborhood; and

WHEREAS, the Michigan State Legislature has passed and the Governor has signed House Bill 5120, now Public Act 233 of 2023, that strips away local community control on the siting and regulation of wind, solar, and battery storage facilities within the Township and instead gives the power to site and regulate wind, solar, and battery storage facilities to the Michigan Public Service Commission; and

WHEREAS, the Cohoctah Township Board is committed to protecting the interests of our community and is best suited to site and regulate through its zoning authority under the Zoning Enabling Act, wind, solar, and battery storage facilities; and

WHEREAS, specifically with wind, solar, and battery storage facilities, the loss of local control in Cohoctah Township would eliminate the ability of the township to locate a site, establish setback requirements, site plan approval, volume levels, construction traffic routes, decommissioning plan to restore the land back to its agricultural use, drainage, and other criteria to protect the health, safety and welfare of our residents;

NOW, THEREFORE, BE IT RESOLVED that Cohoctah Township, a General Law Township, is opposed to the legislature of the State of Michigan's passage of legislation

that takes away local control and places it within the authority of the Michigan Public Service Commission; and

BE It FURTHER RESOLVED, that Cohoctah Township is opposed to corporation-prioritized action such as building utility scale wind, solar, and battery storage facilities projects in our community; and

BE IT FURTHERED RESOLVED, that Cohoctah Township supports the statewide ballot initiative, Citizens for Local Choice, a grassroots coalition of local officials and community organizers across Michigan working to amend the Clean and Renewable Energy and Energy Waste Reduction Act to, among other things, repeal Part 8 as added by Public Act 233 o 2023, which will restore local control of land use to ensure reasonable regulation in our community to protect the health, safety and welfare of our residents; and

BE IT FURTHER RESOLVED, that the Cohoctah Township Board of Trustees directs the Clerk to forward a copy of this Resolution to our state legislators, the Governor’s Office, the Michigan Public Service Commission and the Michigan Township Association.

ADOPTED: YEAS: _____

NAYS: _____

RESOLUTION DECLARED ADOPTED.

STATE OF MICHIGAN)
)
COUNTY OF LIVINGSTON)

I, the undersigned, the duly qualified and acting Clerk of the Township Board, DO HEREBY CERTIFY that the foregoing is a true and complete copy of certain proceedings taken by the Township Board of Cohoctah Township at a meeting held on the 14th day of March, 2024, and that the meeting was conducted and public notice of the meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, as amended, and that the minutes of the meeting were kept and will be or have been made available as required under the Open Meetings Act.

Barbara Fear, Clerk