

Chippewa County

RESOLUTION NO. 2024-37

**RESOLUTION TO SUPPORT LOCAL CONTROL AND CLAIM OF APPEAL AGAINST
MICHIGAN PUBLIC SERVICE COMMISSION ORDER**

At a meeting of the County Board of the County of Chippewa (the “County”), Chippewa County, Michigan, held on December 19, 2024, located at Sault Ste. Marie, MI at 4:30 P.M.

PRESENT: Jim Martin, Bob Savoie, Justin Knepper, Damon Lieurance and Jim Traynor

ABSENT: None

The following resolution was offered by Commissioner Savoie and supported by Commissioner Traynor.

WHEREAS, the County supports state policies that maintain and advance local control;
and

WHEREAS, the State of Michigan has adopted policies and introduced legislation that attempts to further reduce local control in key areas affecting unique interests in local communities;
and

WHEREAS, media reports describe ongoing efforts by interested groups to push for the further erosion of local control; and

WHEREAS, in 2023, the State of Michigan adopted Public Act 233 of 2023 (“PA 233”);
and

WHEREAS, only under limited circumstances, PA 233 confers powers and duties to the Public Service Commission (“PSC”) regarding the siting of utility-scale solar energy facilities, wind energy facilities, and energy storage facilities allowing developers to bypass local zoning authorities when proposing qualifying developments; and

WHEREAS, the PSC issued an order on October 10, 2024 (the “Order”) implementing the provisions of Public Act 233 of 2023 (“PA 233”); and

WHEREAS, the Order attempts to vastly expand the PSC's limited and enumerated jurisdiction in PA 233 and is both unlawful and unreasonable; and

WHEREAS, the Order is unlawful and unreasonable because, among other reasons: (1) the PSC's issuance of the Order violates the Administrative Procedures Act, MCL 24.201 *et seq.*, and (2) the Order unlawfully and unreasonably redefines key terms and concepts and creates processes and procedures that violate the Legislature's express and unambiguous intent for local input in the regulation of energy facilities; and

WHEREAS, a coalition of Michigan Municipalities timely filed a claim of appeal from the Order on November 8, 2024; and

WHEREAS, the window to appeal the Order was merely 30 days, during which conducting a general election and other business contributed to the County's inability to hold a meeting during which it could consider and vote to join the appeal; and

WHEREAS, the County supports the coalition of Michigan Municipalities in their efforts to protect local control in the regulation of energy facilities; and

WHEREAS, the County would have joined the appeal if it was able to hold a meeting before the deadline to join; and

NOW, THEREFORE, the County Board of the County of Chippewa, Chippewa County, Michigan, resolves its unequivocal support of local control and the coalition of Michigan Municipalities that have filed an appeal from the Order.

YEAS: Jim Martin, Bob Savoie, Justin Knepper, Damon Lieurance and Jim Traynor


NAYS: None

ABSENT: None

THE RESOLUTION WAS DECLARED ADOPTED.

STATE OF MICHIGAN)
)
COUNTY OF CHIPPEWA)

I, Steven Woodgate, the duly elected Clerk of the County of Chippewa DO HEREBY CERTIFY that the foregoing is a true and complete copy of certain proceedings taken by the County Board of the County of Chippewa at a meeting held on the 19th day of December 19, 2024, at 4:30 P.M.



Clerk: Steven Woodgate
Chippewa County Clerk