

Winfield Township

RESOLUTION NO. 2024-12-2

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

At a meeting of the Township Board of the Township of Winfield (the  
"Township"), Montcalm County, Michigan, held on December 12th, 2024, located at  
Winfield township hall at 7:00 P.M.

PRESENT: Susan Majinska, Gande Sue Chase-Stout, Ryan  
Van Solkema, Theresa Bennett-Stuttin, Julia Potratz.

ABSENT: None

The following resolution was offered by Ryan Van Solkema and supported by  
Julia Potratz.

**WHEREAS** the Township 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 Township’s inability to hold a meeting during which it could consider and vote to join the appeal; and

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

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

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

YEAS: Susan Majinska, Carol Sue Chase-Stout, Ryan VanSolkema, Theresa Bennett-Stutton, Julia Potratz.

NAYS: None

ABSENT: None

**THE RESOLUTION WAS DECLARED ADOPTED.**

STATE OF MICHIGAN )

COUNTY OF Montcalm )

I, Carol Sue Chase-Stout, the duly elected Clerk of the Township of Winfield DO HEREBY CERTIFY that the foregoing is a true and complete copy of certain proceedings taken by the Township Board of the Township of Winfield at a meeting held on the 12th day of December, 2024, at 7:00 P.M.

Carol Sue Chase-Stout  
Clerk: Carolyn Sue Chase-Stout  
Township Clerk