

**Special Board Meeting
Columbia Township Library
Community Meeting Room
*April 21, 2023***

The supervisor called the meeting to order at 11:00 a.m.

Board Members Present: Kathy Trischler, Chris Creguer Christina Parmenter, Christine Kolar

Absent: Dara Hood

Others Present: Brian Garner, Richard Sondquist, Steve Linzner, Deana Jacoby, Josh Hahn, Christina Martens

PROPOSED SETTLEMENT REVIEW

The board reviewed the proposed settlement satisfaction agreement and stipulations for consent judgement by Consumers Energy.

**RESOLUTION 2023-01 FOR APPROVAL OF SATISFACTION AGREEMENT –
CONSUMERS ENERGY**

At a special meeting of the Township Board for the Township of Columbia (“Township”), Tuscola County, Michigan (the “Board”), held at Columbia Township Library Community Room on the 21st day of April, 2023, at 11:00 am, Local Time.

PRESENT: MEMBERS:

Kathy Trischler, Supervisor
Christina Parmenter, Treasurer
Christine Kolar, Clerk
Chris Creguer, Trustee

ABSENT: MEMBERS: Dara Hood

The following preamble and resolution were offered by Trustee Creguer and supported by Trustee Parmenter.

WHEREAS, the Township is a member of or otherwise collaborates with the Michigan Renewable Energy Collaborative (“MREC”) which is an association of townships, intermediate school districts and counties hosting utility scale wind parks in Michigan.

WHEREAS, the Township and other townships (as parties) and MREC (a non-party) have been involved in litigation in the Michigan Tax Tribunal (“MTT”) regarding the valuation of wind turbines owned by Consumers Energy Company (“Consumers”) for many years. There are three Consumer-owned or affiliated wind parks currently under appeal in the MTT. **WHEREAS**, Cross Winds Energy Wind Park, owned by Consumers, is located in the Township and Akron Township and consists of 62 wind turbines and other property (“Wind Park”).

WHEREAS, Cross Winds II Energy Wind Park, owned by Consumers, is located in the Township and Akron Township and consists of 19 wind turbines and other property (“Wind Park II”). **WHEREAS**, Cross Winds III Energy Wind Park, owned by Consumers, is located in the Township and consists of 33 wind turbines and other property (“Wind Park III”).

WHEREAS, the Wind Park, Wind Park II and Wind Park III (collectively, “Wind Parks”) are the subject of pending MTT cases described as follows:
CLARKHILL\45916\172782\271276992.v1-4/17/23 2 Wind Park - Consumers Energy Company v Columbia and Akron Townships, MTT Docket No. 16-001670. Wind Park II - Consumers Energy Company v Columbia and Akron Townships, MTT Docket No. 19-001745. Wind Park III - Consumers Energy Company v Columbia Township, MTT Docket No. 21-001340. (collectively, “Wind Park Cases”).

WHEREAS, Consumers and MREC have negotiated a resolution of the Consumers wind turbine tax appeals currently pending in the MTT (including the Wind Park Cases) and Consumers is prepared to enter into that Agreement Regarding Satisfaction of Consent Judgment (“Satisfaction Agreement”) attached as Exhibit 1. Stipulations for Entry of Consent Judgment for the Wind Park Cases are attached to the Agreement as Exhibit C (“Stipulations for Consent Judgment”).

WHEREAS, the MREC Executive Committee has approved the Satisfaction Agreement and requested the Township Board to review and approve the Satisfaction Agreement.

WHEREAS, counsel for MREC, the Township and Akron Township recommends approval of the Satisfaction Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Township Board of Columbia Township, Tuscola County, Michigan, as follows: 1. The Township Board approves the Satisfaction Agreement regarding the Wind Parks, including the Stipulations for Consent Judgment. 2. The Supervisor of the Township and the Clerk of the Township (a) are hereby authorized to execute and deliver the Satisfaction Agreement and any and all documents and exhibits necessary and incidental as required by the Satisfaction Agreement and to approve any such changes as may be approved by either or both of them such approval being evidenced by their execution of such changes, and (b) are further authorized, acting individually or together, to take such other steps and perform such other acts that either or both of them deem necessary or appropriate in order to consummate the transactions contemplated by the Satisfaction Agreement. 3. Clark Hill PLC (by one or more of its attorneys) is hereby authorized to execute the Stipulations for Consent Judgment and deliver any and all other documents necessary and incidental as required by the Satisfaction Agreement and the Stipulations for Consent Judgment and is further authorized to take such other steps and perform such other acts that it deems necessary or appropriate in order to consummate the transactions contemplated by the Satisfaction Agreement on behalf of the Township. CLARKHILL\45916\172782\271276992.v1-4/17/23 3 4. The Township Clerk shall deliver to Consumers a copy of this Resolution upon adoption and a copy of the approved minutes of any meeting ratifying the Satisfaction Agreement within 30 days of adoption. Resolution adopted by the Board on April 21, 2023, which shall be deemed effective immediately.

ROLL CALL VOTE: YEAS: Trischler, Parmenter, Creguer, Kolar
NAYS: none Motion carried.

Motion by Kolar, 2nd by Creguer to adjourn the meeting at 12:40. Ayes: 4 Nays: 0 Motion carried.

Christine Kolar, Columbia Twp. Clerk
Next regularly scheduled meeting is May 16, 2023 at 8:30 AM