

LIVINGSTON COUNTY BOARD  
AGRICULTURE, ZONING AND EMERGENCY SERVICES COMMITTEE  
MINUTES OF THE OCTOBER 18, 2023 MEETING

Committee Chair Gerald Earing called the meeting to order at 4:03 p.m.

Present: Gerald Earing, Michael Haag, Jack Vietti, Steven Lovell, Paul Ritter (arrived at 4:24 p.m.) and Rebekah Fehr

Absent: Joel Barickman

Board Members Present: James Carley, Marty Fannin, Gina Manker, Mark Runyon, Seth Welch, Jim Blackard, and Linda Ambrose

Also Present: Zoning Director Brittney Miller, Zoning & Planning Interim Director Jordan Uselding, Administrative Assistant Patricia Merlino, Executive Director Alina Hartley and Attorney Andy Keyt (Heyl, Royster, Voelker & Allen)

Earing called for any additions or corrections to the agenda with none requested. Motion by Haag, second by Lovell to approve the agenda as submitted. **Motion carried with all ayes.**

**Business:**

**a. Battery Energy Storage System Ordinance**

Keyt was present to discuss stand alone battery storage and battery storage connected to a solar farm. Keyt explained that battery storage connected to a solar farm would follow the setbacks outlined in the current ordinance and can't be any more restrictive than what is in the state statute. Keyt also expressed to the committee members that if battery storage was not included in the original special use application, the solar company could not come back at a later time requesting battery storage being added without another special use application process. Keyt then explained that there are no parameters set by the State for stand alone battery storage and through a text amendment, changes could be made to the current solar/wind ordinance addressing stand-alone battery storage.

After some discussion it was decided to work on adding stand alone battery storage to the current ordinance and possibly adding some language to battery storage connected to a solar farm.

Hartley suggested to the committee that the committee needed to work to get a draft together sooner than later since there are 4 current solar project applications with battery storage included in them.

The committee discussed adding specific language to the battery energy storage system ordinance, to which Keyt suggested that the language in the ordinance not be so specific due to technology changing.

A question was asked regarding a moratorium being set in place for battery storage, to which Keyt stated that a moratorium is not necessary at this because the existing ordinance would apply. Mr. Keyt stated that the focus was to amend the current solar ordinance.

Uselding voiced to the committee that the November 6, 2023 agenda will not have any cases, meaning that the meeting could be used solely to focus on the Battery Energy Storage System Ordinance.

**Public comment**

The floor was opened for public comment.

**Adjournment:**

Motion by Haag, second by Lovell to adjourn the meeting. **Motion carried on voice vote.**

The meeting was adjourned at 5:01 p.m.

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Patricia Merlino, Administrative Assistant  
Livingston County Regional  
Planning Commission