

**Convis Township Board of Trustees Special Meeting
Monday April 27, 2026, 7:00 PM
Convis Township Hall
19500 15 Mile Road, Marshall, MI 49068
Minutes**

Call To Order: Supervisor Harvey called the meeting to order at 7:00 PM with the pledge to the flag.

Board Members present: Supervisor Ryan Harvey, Clerk Kim Collins, Treasurer Kristy Kipp, and Trustees Elyse Bibbings and Frank Irish

Absent/Excused: None

Supervisor Harvey announced the purpose of the special meeting is for consideration of the request of Liberty Crossing Energy Storage, LLC, for a special land use and site plan approval for a 70 MW Large Off-Site Battery Energy Storage System.

Public Comment:

Diana Delaney, 12312 L Drive North – She presented the Board with a petition for the record containing 84 signatures of community members opposed to the proposed project who believe this project would not fall within the guidelines of the township’s Master Plan or Zoning Ordinance.

Jeff Collins, 18100 12 Mile Road – He resides directly adjacent to the proposed project location, noting the conditions being considered allow for adjustments to screening and landscaping requirements but does not include any plan for Invenergy to notify residents within a half mile of the project should there be an emergency.

Julia Schafer, 16995 N Drive North – She is concerned about the noise and decibel levels in areas surrounding the storage units and questioned how many containers would be included in the project.

Dave Delaney, 12312 L Drive North – He continues to be concerned with loss of property value and believes the property owners near the project should be offered a property value guarantee.

Mick Woods, 155 River Park Drive – He stated he is a member of the Marshall Township Board of Trustees and is its representative to their Planning Commission. He shares the concerns of those citizens located in his municipality. He believes the main benefits will go to the landowner and the company who would own and operate the BESS project and believes loss of property value is a real concern. He felt before a decision is made the Board members should check the noise level at the site near Coldwater.

Peter Kuhl, 20010 15 Mile Road – He noted the township already has a landfill and solar project and now are considering adding a BESS. He has questions and concerns about a guarantee of property value, whether the local fire department has resources and training in place should an emergency arise, and if the Board has done any cumulative impact studies.

Brenda Isbell, 19950 15 Mile Road – She questioned what benefit the overall community and its residents would see from this project.

Katie Cline, 23780 15 Mile Road – She believes that the Board would not be following the guidelines found within the Master Plan if this project was allowed and questioned the motivation for approving it.

Jim Fletcher, 12504 L Drive North – He noted the comments he has heard are overwhelmingly against allowing this project and wondered how the Board could consider any option other than voting it down.

Public Comment was concluded at 7:21 PM.

Supervisor Harvey offered representatives from Invenergy, the applicant, an opportunity to address the Board.

Senior Manager Tyler Barron introduced his team members present and noted their areas of expertise.

Trustee Irish questioned why there is no property value guarantee being offered and asked for basic details included in the private agreements either already signed or being negotiated.

Private Developer Sarah Heithaus responded that they have reached out to landowners within ½ mile of the proposed BESS project, and felt their approach was better by addressing concerns and offering possible compensation on an individual basis rather than a one-size-fits-all approach.

Mike MaRous from MaRous & Company spoke on the research his company has done and potential impact on surrounding properties, stating in his opinion, there will be no negative impact on neighboring properties and that a BESS is distinctly different than a landfill and would not need to be covered by the same type of property value guarantee agreement.

Mike Hill, a member of the legal team for Invenergy, cited the many solar, wind, and BESS projects he has been involved with, stating the best approach to guaranteeing property value is with individual property owners rather than a blanket agreement. He noted they have three signed agreements with property owners close to the proposed BESS location and have 6 more in progress. The company did not wish to disclose specific details of the signed agreements as they include non-disclosure terms and conditions.

Treasurer Kipp read a letter from Lynn and Sandra Smith which stated they are in support of BESS but don't believe this project should be built unless there is a property value guarantee agreement in place with properties within ½ mile of the battery site.

Senior Project Engineer Reza Talieh responded to concerns voiced by Treasurer Kipp about fire department response in the event of an emergency. He spoke on training already taking place with local fire departments and the emergency response plan already in place should the project be approved.

Trustee Irish shared concerns with possible insurance issues for homeowners near a BESS project.

Supervisor Harvey said that most, if not all, BESS related emergencies that have been publicized were prior to UL 9540A test methods and current NFPA standards instituted to manage these types of emergent situations. He noted the local fire departments have already done testing and pre-training and the departments have sufficient equipment on hand to manage a fire or emergency at a BESS facility. He said one of the conditions attached to the permit, if approved, would include Invenergy purchasing any additional equipment that might be required to manage an emergency and covers regular training of fire personnel at Invenergy's expense.

Sarah Heithaus received permission to disclose base terms for property agreements with landowners near the project, stating the base terms include a flat fee of \$5,000.00 paid within 45 days of signing an agreement, an additional payment of \$5,000.00 at the start of operations, and \$1,000.00 per year during the lifetime of the project with adjustments made for inflation. These amounts are base terms and may vary according to each individual agreement being negotiated, stating the signed agreements would stay with the property if sold at a later date.

New Business: Consideration of Request of Liberty Crossing Energy Storage, LLC Special Land Use:

Supervisor Harvey opened discussion and asked for input from attorney Seth Koches with Bauckham Thall representing Convis Township. He reviewed the progression of the application, first being the subject of a Planning Commission public hearing and additional meetings, thorough review by the Planning Commission, who then made a recommendation to the Township Board to approve the application with conditions. At the Board level the application can now be approved, denied, or approved with conditions, noting the Board is required to explain why the decision was reached.

Supervisor Harvey referred to a Resolution contained in Board member packets which outlined dates of the public hearing and additional meetings conducted by the Planning Commission and their subsequent affirmative votes to recommend approval of the application request and site plan to the Township Board with conditions included. He read the contents of Resolution 2026-04-01 for the record.

Attorney Koches discussed decommissioning requirements, stating the agreement should cover actual cost for decommissioning and would require a bond for that amount to be posted which would be re-addressed every 5 years and be adjusted accordingly for inflation. The decommissioning agreement would be recorded with the county Register of Deeds.

Supervisor Harvey reviewed the overall scope of the project to answer questions about the size of the acreage that would be used, noting the BESS application is only for a small portion of the parcel number included in the application. The site plan for the BESS project regulates where the project would be situated within the larger parcel.

It was discussed and agreed to add "and Sundays" after Federal holidays as listed on Page 8, D. Construction of the *Recommended Special Land Use Conditions of Approval*, change Page 8, G. Roads to read "Prior to issuance of building permits" rather than construction, add wording on Page 10, Q. Sound Study requiring additional annual sound studies be completed confirming compliance with sound limitations, with copies provided to the Township Board by June 1 of each year.

Attorney Koches provided information on the EGLE Award Application as referred to on Page 8, H. When questioned about Page 8, F. Community Outreach of the same document, Sarah Heithaus stated she is responsible for complying with that condition, noting they attempt to make contact by phone, or door knock if allowed. If unable to reach by phone or in person, it was requested that a certified letter be sent requiring a signature as proof of receipt.

A motion was made by Kipp, seconded by Irish to take a 10-minute recess to allow the property owner Lynn Smith to have a discussion with representatives from Invenergy. Roll call vote: Ayes: Bibbings, Harvey, Kipp, Irish. Nays: None. Abstain: Collins. The motion carried and the meeting was recessed at 8:20 PM. The meeting was reconvened at 8:30 PM.

Supervisor Harvey referred again to the *Recommended Special Land Use Conditions of Approval* and requested that page 10, O. include an agreement to cover reimbursement of expenses to any property owner forced to evacuate their home due to an emergency. It was stated by Invenergy representatives that this could be managed with a separate displacement portion included within the development agreement. It was discussed and agreed to add inclusive dates of April 1 through November 1 for mowing season on Page 10, P. It was discussed and agreed to remove S. Screening on L Drive from Page 10 as it is duplicated.

A motion was made by Harvey, seconded by Bibbings to approve Resolution 2026-04-01 for Special Land Use and Site Plan for Liberty Crossing Energy Storage with conditions as recommended by the Planning Commission and including additional conditions and revisions made by the Township Board, citing reasons for approval as those listed in the Resolution under the General Findings of Fact beginning on Page 3 and Findings of Fact - Special Land Use Standards of Review beginning on Page 4, which addresses compliance with the ordinance standards.

Further discussion offered by Trustee Irish, who does not believe the need for a property value guarantee has been satisfactorily addressed. It was also discussed that the Township already has an existing solar project at the same location and a landfill close by. Irish was concerned with the overall negative impact the BESS would have on surrounding property owners, which negatively impacts the compatibility and is harmful to surrounding uses. Additionally, Treasurer Kipp said that she does not believe that Invenergy satisfied number 4 of the Special Land Use Standards of Review on Page 5 of the Zoning Ordinance, which states "The proposed facility shall not be hazardous, disturbing, or detrimental to the use, peaceful enjoyment, economic value or development of

neighboring property...” Property values and the existing solar project were also noted as concerns, which negatively impacts economic value and is a detrimental use to the surrounding land uses and property owners.

Roll call vote: Ayes: Harvey, Bibbings. Nays: Kipp, Irish. Abstain: Collins. The motion failed.

Adjournment: Supervisor Harvey adjourned the special board meeting at 8:58 PM.

Kimberly L. Collins

Convis Township Clerk

Approved as printed, at the May 12, 2026 regular meeting of the Convis Township Board of Trustees