

RESOLUTION NUMBER 7-2023

Resolution Recommending Revision to State Renewable Energy Contract Regulations

The County Board of Supervisors of Green Lake County, Green Lake, Wisconsin, duly assembled at its regular meeting on this 18th day of April, 2023, does resolve as follows:

- 1 **WHEREAS**, the Wisconsin Legislature has limited how counties can regulate solar and
- 2 wind energy systems. See Wis stats. 66.0401, 196.02, 196.025 & 196.378.
- 3
- 4 **WHEREAS**, The Wisconsin Public Service Commission (“PSC”) has promulgated rules
- 5 that limit how counties can regulate wind energy systems. See PSC 128 of the
- 6 Wisconsin Administrative Code.
- 7
- 8 Fiscal note is not applicable.
- 9 Majority vote is needed to pass.

Submitted by Land Use Planning and Zoning Committee

Roll Call on Resolution No. 7 -2023

Ayes 16, Nays 0, Absent 2, Abstain 1

/s/ Curt Talma

Curt Talma, Chair

Passed and Adopted/~~Rejected~~ this day of 18th day of April 2023.

/s/ Chuck Buss

Chuck Buss, Vice Chair

/s/ David Abendroth

County Board Chairman

absent

Bill Boutwell

/s/ Elizabeth A. Otto

ATTEST: County Clerk
Approve as to Form:

absent

Harley Reabe

/s/ Jeffrey Mann

Corporation Counsel

/s/ Gene Thom

Gene Thom

10 **WHEREAS**, Planning and Zoning is a fundamental regulatory function and authority of
11 Wisconsin counties.

12

13 **WHEREAS**, Green Lake County residents have expressed concerns about contractual
14 provisions proposed by both solar and wind renewable energy companies in renewable
15 energy easement agreements.

16

17 **WHEREAS**, Green Lake County Land Use Planning & Zoning Committee and the
18 Green Lake County Board of Supervisors have concerns about the use of renewable
19 energy systems and their impacts on our residents, agricultural land and production, as
20 well as our water ways.

21

22 **WHEREAS**, Green Lake County Land Use Planning & Zoning Committee and the
23 Green Lake County Board of Supervisors have concerns about the regulatory limitations
24 placed on the counties by PSC 128, Chapter 66 and Chapter 196, Wisconsin Statutes.

25

26 **NOW THEREFORE BE IT RESOLVED:** by the Green Lake County Board of
27 Supervisors recommends and requests the Wisconsin Public Service Commission and
28 the Wisconsin State Legislature to revise PAC 128 and/or Chapters 66 & 196 of the
29 Wisconsin Statutes to address the following concerns:

30 a. Some renewable energy contracts under the current regulations appear to
31 bind owners and their property to decades worth of encumbrances while
32 allowing renewable energy companies to terminate the contracts at any time
33 for any or no reason.

34 b. The law does not prohibit energy companies from shifting liability created by
35 the renewable energy company to the landowners. This includes liability for
36 stray voltage, diminished property values, neurological problems, cancer, and
37 death that the renewable energy company causes.

38 c. State Law prohibits the regulation of the density and footprint of renewable
39 energy systems by Municipalities and prohibits Green Lake County from
40 requiring bonding certain to ensure proper decommissioning of renewable
41 energy systems.

42 **NOW THEREFORE BE FURTHER RESOLVED**, a copy of this resolution be sent to
43 Governor Tony Evers, all members of the State Legislature, the Wisconsin Counties
44 Association, and all other Wisconsin Counties.

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