

**HOWARD TOWNSHIP BOARD OF TRUSTEES
PROPOSED AGENDA
May 19, 2026, 7:00 P.M.**

CALL TO ORDER

1. Call to Order
2. Pledge to the Flag
3. Roll Call of Board Members
4. Approval of Agenda
5. Approval of Minutes of April 21, 2026, Regular Board Meeting
6. Approve of Minutes of May 12, 2026, Special Meeting
7. Approve Financial Report
8. Approval of Bills
9. Departmental Reports
 - A. Commissioners' Reports
 - B. Building Department
 - C. Fire Department
 - D. Sheriff Department
 - E. SMCAS Ambulance
 - F. Parks Department

INFORMATION/CORRESPONDENCE

Brian Scribner SMCAS presentation
Introduction of proposed Ordinance 237 regarding Data Centers

PUBLIC COMMENT ABOUT AGENDA ITEMS ONLY

OLD BUSINESS

None

NEW BUSINESS

VOTE 2026 Firework permit for Scott Carli
VOTE Approval for Barron Lake Association use of Fire Dept for summer meetings
VOTE Resolution 2026-10 Data Center Moratorium
VOTE Rezone request

CONCERNS OF CITIZENS

ADJOURNMENT

CHARTER TOWNSHIP OF HOWARD

COUNTY OF CASS, STATE OF MICHIGAN

ORDINANCE NO. 237

ADOPTED: _____

EFFECTIVE: Upon publication after adoption

**AN ORDINANCE TO ENACT A NON-ZONING TEMPORARY MORATORIUM ON
DATA CENTERS AND BATTERY ENERGY STORAGE SYSTEMS**

An Ordinance to protect the public health, safety, and welfare by establishing regulations relating to a temporary moratorium on considering applications for Data Centers and Battery Energy Storage Systems (“BESS”) to protect the public health, safety of the Charter Township of Howard while the Township completes a study of the Ordinances and regulations pertaining thereto and considers possible subsequent revisions to current Ordinances pertaining thereto; to allow for an extension of the temporary moratorium; to provide for severability; to repeal all Ordinances or parts of Ordinances in conflict therewith; and to provide an effective date.

CHARTER TOWNSHIP OF HOWARD

COUNTY OF CASS, STATE OF MICHIGAN

ORDAINS:

SECTION I
FINDINGS

In accordance with Public Act 1945 PA 246, MCL 41.181 *et seq.*, as amended, the Charter Township of Howard Board of Trustees has determined the following:

1. The Township Board determines that the approval of Data Centers and BESS and may result in or produce negative impacts on permitted land uses and development and may harm the public health, safety and general welfare of property owners and residents of the Township.
2. The Township Board has a fiduciary duty to the Township and its constituents to protect the public health, safety, and general welfare concerns about the impacts of Data Centers and BESS on the residents and property owners within its territorial boundaries.
3. The Township has a legitimate public purpose in assessing the regulation of the establishment and use of Data Centers and BESS within the Township to ensure that Data Centers and BESS do not interfere with other land uses, or have substantial negative impacts on the environment, public, health and safety.

4. The Township Board finds that adopting a temporary moratorium is reasonable and necessary for, among other reasons, the following reasons:
 - A. Michigan courts have recognized that a moratorium is a common and legitimate tool to preserve the status quo while formulating a development strategy.
 - B. The Township Board desires to review and study the public health, safety, and welfare concerns regarding Data Centers and BESS, and any Township regulations that may impact and/or regulate such projects.
 - C. The adoption of a temporary moratorium will allow the Township Board adequate time to study and possibly implement revisions to the Township's Ordinances and regulations, including attention to and consideration of citizen input and involvement, public debate, and full consideration of all issues and points of view.
5. The Township Board accordingly determines that it is desirable and in the public interest for the reasons set forth above that the Township Board adopt a temporary moratorium on the acceptance and/or processing of any applications for Data Centers and BESS.

SECTION II
MORATORIUM/TERM OF MORATORIUM

The Township Board adopts a temporary moratorium on the acceptance and/or processing of any applications for a Data Center and BESS. The temporary moratorium is in effect one (1) year from the effective date of this Ordinance, or until the effective date of any amended or new Township Ordinances or regulations addressing Data Centers and/or BESS are effective, whichever date occurs first.

SECTION III
EXTENSION OF MORATORIUM

Before this moratorium expires, the Township Board may extend the moratorium by resolution as appropriate to allow sufficient time to complete amendments or additions to its Ordinances and regulations.

SECTION IV
SEVERABILITY

The provisions of this Ordinance are hereby declared to be severable. If any clause, sentence, word, section or provision is hereafter declared void or unenforceable for any reason by a court of competent jurisdiction, it shall not affect the remainder of such Ordinance which shall continue in full force and effect.

SECTION V
REPEAL

All Ordinance or parts of Ordinances in conflict herewith are hereby repealed.

SECTION VI
EFFECTIVE DATE

This Ordinance shall take immediate effect upon publication, after adoption.

CHARTER TOWNSHIP OF HOWARD

Sheri Wozinak, Clerk
1435 Barron Lake Road
Niles, MI 49120
269-684-0072
clerk@howardtp.org

CHARTER TOWNSHIP OF HOWARD

CASS COUNTY, MICHIGAN

Resolution No. 2026-10

At a meeting of the Board of Trustees of the Charter Township Howard, held at the Township Hall, 1345 Barron Lake Road, Niles, Michigan, 49120, on May 19, 2026 at 7:00 p.m.:

PRESENT:

ABSENT:

**RESOLUTION DIRECTING THE PLANNING COMMISSION TO PREPARE ZONING
ORDINANCE TEXT AMENDMENT FOR A TEMPORARY MORATORIUM
ON DATA CENTERS AND BATTERY ENERGY STORAGE SYSTEMS**

WHEREAS, Data Centers may present unique and significant land use considerations, including but not limited to electrical demand, water usage, stormwater management, noise, heat discharge, building scale, visual impacts, public safety concerns, and long-term effects and impacts on a sited project and surrounding properties and infrastructure; and,

WHEREAS, Battery Energy Storage Systems (“BESS”) may present unique and significant land use considerations, including but not limited to emergency response planning, stormwater management, noise, heat discharge, visual impacts, public safety concerns, and long-term effects and impacts on a sited project and surrounding properties and infrastructure; and,

WHEREAS, the Township Board has a fiduciary duty to the Township including, but not limited to, promoting the public health, safety, and welfare of the Township which includes investigating the impacts of Data Centers and BESS on the residents and property owners and surrounding land uses of the Township; and,

WHEREAS, the Township’s existing zoning regulations and land use policies may not adequately or specifically address the siting, scale, intensity, and operational impacts of Data Centers and/or BESS, within the Township; and,

WHEREAS, the Township Board finds that additional time is necessary to study Data Centers and BESS to review best practices from other jurisdictions, evaluate infrastructure capacity, and consider whether updates to the Township’s Zoning Ordinance, Master Plan, or other regulatory tools are warranted; and,

WHEREAS, a temporary non-zoning police-power moratorium ordinance and a temporary moratorium zoning ordinance text amendment on new Data Center and/or BESS applications allows the Township to conduct this review in a deliberate and transparent manner without prejudicing future development decisions; and,

WHEREAS, the Township Board recognizes that a temporary moratorium is a useful planning tool intended to preserve the status quo while thoughtful policy review and regulatory evaluation are undertaken; and,

WHEREAS, the Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended, authorizes local units of governments, including townships, to provide for the adoption of zoning ordinances regulating the use of land within its territorial boundaries; and,

WHEREAS, the Charter Township of Howard's Planning Commission is charged under the Michigan Planning Enabling Act, Public Act 33 of 2008, as amended, with making, preparing and submitting recommendations concerning land use planning, zoning, and orderly development within the Township; and

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Chapter 21, Section 21.06.B, of the Township Zoning Ordinance, the Township Board of Trustees is hereby authorized and directs the Planning Commission to research and prepare a Temporary Moratorium Zoning Ordinance Text Amendment on Data Center and/or BESS applications in order to provide sufficient time for the Planning Commission to study such land uses and consider potential amendments to the Township's Zoning Ordinance, Master Plan, and related policies to ensure compatibility with community goals, infrastructure capacity, and public health, safety, and welfare; and, submit recommendations to the Township Board of Trustees after a public hearing.

BE IT FURTHER RESOLVED, that the Township Board of Trustees review and consider a temporary non-zoning police power moratorium ordinance contemporaneously to when the Planning Commission submits recommendations to the Township Board regarding a zoning ordinance text amendment for a temporary moratorium on Data Center and/or BESS applications.

By motion, the forgoing resolution offered by Board Member _____ and seconded by Board Member _____ to adopt Resolution No. 2026-10 as presented and hereby directs the Township Planning Commission to prepare a Zoning Ordinance Text Amendment for a Temporary Moratorium on Data Center and/or BESS applications, and to submit recommendations to the Township Board after a public hearing.

Upon roll call vote, the following voted:

“Aye”:

“Nay”:

Absent:

The Supervisor declared the resolution adopted.

Sheri Wozniak
Township Clerk

CERTIFICATE

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Board of Trustees of the Charter Township of Howard at a meeting held on the date first stated above.

Sheri Wozniak
Township Clerk
1345 Barron Lake Road
Niles, Michigan 49120
269-684-0072
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