

**ANN ARBOR CHARTER TOWNSHIP
BOARD OF TRUSTEES SPECIAL MEETING MINUTES
TUESDAY, OCTOBER 17, 2023 at 2:00PM
TOWNSHIP OFFICES - 3792 PONTIAC TRAIL, ANN ARBOR, MI**

I. CALL TO ORDER, ESTABLISH QUORUM

Supervisor O'Connell called the Ann Arbor Charter Township Board of Trustees meeting to order at 2:00 pm on October 17, 2023.

Present: Supervisor Diane O'Connell
Clerk Rena Basch
Treasurer Carlene Colvin-Garcia
Trustee John Allison
Trustee Michael Moran

Absent: Trustee Kristine Olsson
Trustee Rodney Smith

Also Present: Township Attorneys Nathan Dupes, Sinéad Redmond, Sarah Williams, Sarah Gabis
Environmental Consultant Dr. Steven Wright
Township Planner Sally Elmiger

II. CITIZEN PARTICIPATION

Eric Kaljian, 3177 Warren Rd., on behalf of himself and spouse Cindy Stiles, commended the Board on its urgent approach to the injunction, but requested that proof of no adverse impacts be required for the mine to move forward. He reported on some wells showing no change in static levels since June or August, indicating that it takes a long time for the aquifer to recover, in contrast to a hydrology study done by Dominos in 2001 that showed a 24-hour recovery, but in a much smaller pump test. He said we do not yet understand the extent of the aquifer depletion, how long its restoration will take or even whether it can be restored. There should be no further pumping until demonstration by the mine of no adverse impacts, and technical oversight by the Township. They supported a moratorium on the granting of mining CUPs.

Michael Nicklowitz, 4460 Warren Rd., was present on Zoom and wished to speak, but was unable to get his audio working.

Supervisor O'Connell explained that the Board would adjourn to closed session, where they will discuss the legal strategy presented by the township attorneys. No action will be taken in closed session, which will be of indeterminate length. Residents can stay at Township Hall or may be contacted by email and join via Zoom when the Board returns from closed session.

III. Closed Session - To consult with Township attorneys regarding trial or settlement strategy in connection with the litigation.

The following motion was made at 2:12 pm.

MOTION by Basch, support by Colvin-Garcia, that the Board adjourn to closed session in order to consult with Township attorneys regarding trial or settlement strategy in connection with the litigation in the Washtenaw County Circuit Court, Ann Arbor Charter Township vs. WSG Properties LLC, AMC-WSG LLC, AMC-Mid Michigan Materials, LLC, Case No. 23-001234-CE.

Roll call vote:

Allison - yes

Basch - yes

Colvin-Garcia - yes

Moran - yes

O'Connell - yes

Motion passed 5-0. The Board of Trustees moved into closed session at 2:13 pm and left the meeting room.

IV. Open Session

At 5:12 pm the Board re-entered the Township meeting room and the following motion was offered: **MOTION by Allison, support by Moran, that closed session be adjourned. Motion passed 5-0.**

At 5:12 pm the following motion was offered: **MOTION by Colvin-Garcia, support by Moran that the Board move into open session. Motion passed 5-0.**

V. Non-Agenda Items - None.

VI. Public Comment

Basch reported on emailed public comment from the following three people:

Amy Oszewski, 2816 Warren Rd, emailed comments and requested the township enact a moratorium on approval of new extraction or mining permits. She enclosed a resolution from Cambridge Township from December 27, 2022 imposing a moratorium on CUPs as an example.

Robin and Steve Kunkel, 2797 Trailwood Ln, submitted written comments to the Board requesting that the Township not allow MMM to dewater under any circumstances, and supporting Oszewski's suggestion of a moratorium.

Sarah Devereaux, 2340 Hickman Rd, emailed comments in support of Oszewski's suggestion and recommending that thorough analysis must be done to unequivocally determine that NO harm will be inflicted by extraction activities.

Michael Watts, 4700 Grandeur Oaks, had signed up online for Public Comment, but said he had none.

Gail Nicklowitz said Mike tried to send his comments in the Zoom chat.

VII. Adjourn

As no other public indicated they wished to speak, the following motion was offered at 5:15 pm:

MOTION by Colvin-Garcia, support by Allison, to adjourn the meeting. Motion passed by voice vote.