

**BRIDGEWATER TOWNSHIP
BOARD OF TRUSTEES SPECIAL MEETING
MINUTES OF MEETING
THURSDAY, APRIL 14, 2011**

I. CALL TO ORDER

The special meeting of the Bridgewater Township Board of Trustees was called to order by Supervisor Mull at 7:04 p.m. with a moment of silence/silent prayer followed by the pledge of allegiance to the flag at Bridgewater Township Hall, 10990 Clinton Road, Manchester, MI. Supervisor announced she called this special meeting in accordance with the Public Act 267 of 1676 as amended (the Open Meetings Act), being posted at the Bridgewater Township Hall on April 13, 2011. The purpose of the meeting is to reconsider the proposed agreement with Stansley Mineral Resources regarding the consent judgment violation.

Present: Supervisor Jolea Mull, Clerk Laurie Fromhart, Treasurer Amy Riley, Trustees Dave Faust and Geoff Oliver.

Attendance: 0

II. CITIZEN PARTICIPATION

There was no public comment.

III. REVIEW AND APPROVE AGENDA

Faust moved to approve the agenda as amended with the addition of item 2) Manchester Enterprise reporter David Veselenak questions regarding SMR.

III. PRIORITY BUSINESS

A. Proposed agreement with SMR regarding the consent judgment violation.

Mull reported she asked for Township attorney Fred Lucas' opinion as to the best course of action regarding SMR's consent judgment violation. Mull provided the Board with an alternate proposal from Lucas. Lucas advised the Board in an email that it is his opinion the Board would be better using the alternate version in that it would avoid any issues regarding the usability of the gravel and the Board could use the proceeds for any purpose that it may choose, including purchasing gravel. Lucas further stated by requiring payment instead of gravel the Board would avoid the cost of transporting the gravel from SMR's site and imposes no greater hardship on SMR since payment would be made to the Township as the material are sold. Mull provided the Board with the original Agreement A which was amended to insert "*gravel roads*" in paragraph (1) and the alternate Agreement B the same as Agreement A but with the following revised language in paragraph (3): "*...the Township shall receive 50% of all proceeds received from the sale of the Materials after it has been processed by SMR. Payment shall be remitted to the Township as the Materials are sold.*"

Mull reported she received an email from Ed Reed with the WCRC that it is unlikely the Township could use the crushed concrete on the Township's gravel roads. Mull indicated after speaking with Oliver on this issue she followed-up with Reed who confirmed that the Township could use the crushed concrete on gravel roads if it is crushed to a 23A grade. Fromhart asked if she received the confirmation in writing from the WCRC. Mull reported Reed left her a voice mail message today confirming this. Oliver reported he spoke with Lucas who told him how he was changing the agreement and that it would be best for both parties and less problematic. Oliver asked that the proceeds be allocated for roads to be used at a later time. Faust questioned when SMR would pay the Township and how fast they would sell the materials. Faust noted the Township couldn't stop SMR from selling it for \$2 a ton. Riley questioned how Lucas could manage to monitor the proceeds as the materials are sold. Fromhart stated it would be better to place a value on the materials and asked for that amount in the agreement. Fromhart reported the only money allocated for roads for the next 2

years is for the cost of brine. Oliver reported the value of 6000 tons of crushed concrete is \$30,000. **Mull moved to present Agreement B dated April 14, 2011 with revised language inserted in paragraph (3) to state: "...the Township shall receive \$30,000 in two (2) \$15,000 installments to be paid over two (2) years on each anniversary of this agreement. Payment shall be remitted to the Township."** Fromhart seconded the motion. **Roll Call Vote: Faust yes, Fromhart yes, Mull yes, Oliver yes, Riley yes. Motion passed.**

B. Questions from Manchester Reporter David Veselenak regarding SMR

Mull reported she received a series of questions from the reporter with the Manchester Enterprise and asked for the Board's guidance as to how or if to respond. The Board noted there have been several articles recently published by the Manchester Enterprise containing misstatements of fact. Riley reported when she ran for office she asked to see a copy of the article before it went to print to make sure it was factually accurate. Riley suggested that the Board make the same request. The board agreed by acclamation to demand to see copies of news articles from the Manchester Enterprise before they go to print. The Board proceeded to answer a series of questions posed in an email from reporter Veselenak. Mull said she would forward the Board's answers to Veselenak.

IV. CITIZEN PARTICIPATION

There was no public comment.

V. ADJOURNMENT

Fromhart moved to adjourn the meeting at 7:43 p.m. Oliver seconded the motion which was adopted unanimously.

Respectfully submitted,
Laurie Fromhart
Bridgewater Township Clerk