

Negaunee Township Special Board Meeting – November 19, 2014

Call to Order

William Carlson, Township Supervisor, called the Special Meeting of the Negaunee Township Board to order at 6:00 p.m. Other Board members present included John Ennett, Carl Nurmi, Rachel Sertich and Duane Soine.

Absent: None

Purpose of the Special Meeting

The purpose of the Special Meeting was to review: 1) Lindberg Gravel Pit Litigation

Closed Session

At 6:01 p.m. and upon motion of Duane Soine, seconded by Carl Nurmi, approval was given for the Board to go into Closed Session to meet with the Township attorneys to discuss the gravel pit litigation. Ayes: 5
Nay: 0 Motion Carried

Return from Closed Session

Board members returned to Open Session at 6:15 p.m.

Gravel Pit Litigation The Township Supervisor noted in Open Session the Township Attorneys felt the odds of obtaining a favorable decision upon appeal would be minimal. In addition, if an appeal was undertaken, the Township could be held liable for inverse condemnation for the company not being able to use the property during the time of the appeal process. However, the Lindberg & Son attorney had informed the Township if no appeal was filed, they would dismiss the inverse condemnation claim. Board members also felt it would not be fair to those Township residents not impacted by the proposed gravel pit property on Co. Rd. 510 to possibly bear the escalating cost of ongoing litigation. Upon motion of John Ennett, seconded by Duane Soine, upon recommendation of the attorneys, Negaunee Township will not proceed with an appeal for the Lindberg & Son gravel pit litigation with the understanding A. Lindberg & Son will dismiss the inverse condemnation claim. Motion Carried.

Public Comment

None

Adjournment

No further public comment or business appearing the Special Board meeting was duly adjourned at 6:25 p.m.

Respectfully submitted,

Rachel Sertich
Negaunee Township Clerk