



WASHTENAW COUNTY ELECTION COMMISSION

February 11, 2026

MINUTES

A meeting of the Washtenaw County Election Commission was held in-person in the lower-level large conference room at 200 N. Main Street, Ann Arbor, MI 48104.

MEMBERS PRESENT: Lawrence Kestenbaum, Clerk/Register
Judge Darlene O'Brien
Latitia Lamelle Sharp, Treasurer

MEMBERS ABSENT: None

STAFF PRESENT: Rena Basch, Director of Elections
James N. Allen, Deputy Clerk/Elections Program Manager

Members of the Public: David Hall
Patricia Kemeter
Dan Wholihan
Wendy Albers
Kim Gonczy, Augusta Township Clerk
Keith Gipfert, Augusta Township Trustee
Allan Cassell
Linda Adams, Augusta Township Trustee
Stephanie Prain, Augusta Township Trustee
Joanne Wade, Augusta Township Deputy Treasurer
Tim Bruneau
Susan Borek, Augusta Township Treasurer
Belynda Domas, Augusta Township Deputy Clerk
Todd Waller, Augusta Township Supervisor
Michael Green, Augusta Township Trustee
Travis Matts

Call to Order

Judge O'Brien called the meeting to order at 4:01 pm.

Public Participation

None.

Approve Previous Minutes from September 4, 2025

Kestenbaum moved to approve the minutes of September 4, 2025. Lamelle Sharp seconded.

Vote on the motion: 3 Yeas. 0 Nays. 0 Absent. Motion carried.

Recall petition review hearings for language submitted by Wendy Albers against Augusta Township Supervisor Todd Waller, Augusta Township Clerk Kim Gonczy, Augusta

Township Treasurer Susan Burek, Augusta Township Trustee Linda Adams, Augusta Township Trustee Michael Green, Augusta Township Trustee Keith Gipfert, and Augusta Township Trustee Stephanie Prain.

Judge O'Brien explained the purpose of the factuality and sufficient clarity hearing is to determine if the language is sufficient to be on the ballot, not to determine "facts." Clerk Kestenbaum provided a brief history of the recall process before and after 2012.

It was noted that all seven petitions have identical language except for the name and title of the elected official. The Commission decided to combine the hearing on each petition into one hearing.

The Commission opened the floor up to discussion.

Attorney Dan Wholihan spoke on behalf of the sponsor to explain the recalls were initiated to prevent the construction of a data center in Augusta Township. He read from case law regarding that "factuality" is about how something is stated, and that "clarity" is a lenient standard. He emphasized that this is a question for the voters to decide.

Augusta Township Clerk Kim Gonczy spoke on behalf of the recall subjects. She explained that the recall language was incorrect. It was not a vote on a data center, it was not a vote on a "conditional rezoning", it was a vote to amend the zoning map, i.e. a rezoning. The rezoning was requested by the property owner and the Township voted to approve the request.

Augusta Township Deputy Clerk Belynda Domas provided supplemental information to Clerk Gonczy's statements.

Township Supervisor Todd Waller spoke against the recall petition hearing language submitted by Wendy Albers against him and the other Augusta Township officials, saying they were following the law.

Trustee Linda Adams spoke against the recall petition hearing language submitted by Wendy Albers against her and the other Augusta Township officials, saying her job is to consider what the petitioner asked for, to rezone a property.

Treasurer Susan Burek spoke against the recall petition hearing language submitted by Wendy Albers against her and the other Augusta Township officials. She said the problem with the factuality is assuming her "intent"; she would not have voted for a data center, she voted for a zoning change.

Wendy Albers spoke in favor of the recall petition hearing language she submitted against the Augusta Township officials. She read from the intro of the Township's Master Plan about preserving open space. She was concerned the process was rushed, and that there was only one public hearing on the matter.

Trustee Keith Gipfert spoke against the recall petition hearing language submitted by Wendy Albers against him and the other Augusta Township officials. He reminded everyone that the rezoning is going for a public vote at the next election per the referendum.

Tim Bruneau spoke in favor of the recall petition language.

Trustee Michael Green said the property owner has the right to rezone.

David Hall spoke in favor of the recall petition language.

Patricia Kemeter spoke in favor of the recall petition language.

Travis Matts spoke in favor of the recall petition language.

Judge O'Brien allowed everyone to make additional comments, and many participants made additional comments.

At 5:11 pm, O'Brien closed the public hearing.

Kestenbaum reminded everyone of the limitations of the Election Commission's statutory authority, and that this language will only be on the petitions, not on the ballot should the recall proceed. He said the Election Commission does not know if the statements are true or not, but since they are stated in a factual way, the language meets the standards and urged approval.

Kestenbaum, seconded by Lamelle Sharp, moved to find that the language on all seven of the recall petitions (listed below) submitted by Wendy Albers for the recall of the Augusta Township officials is of sufficient clarity and factuality for the purposes of the recall process.

At the Augusta Township Board of Trustees meeting on June 24, 2025, Supervisor Todd Waller voted to "conditionally rezone" 522 acres of property. At the July 22, 2025 meeting, Supervisor Waller voted again to rezone the same property with the intention of allowing the placement of a data center on the rezoned property.

At the Augusta Township Board of Trustees meeting on June 24, 2025, Clerk Kim Gonczy voted to "conditionally rezone" 522 acres of property. At the July 22, 2025 meeting, Clerk Gonczy voted again to rezone the same property with the intention of allowing the placement of a data center on the rezoned property.

At the Augusta Township Board of Trustees meeting on June 24, 2025, Treasurer Susan Burek voted to "conditionally rezone" 522 acres of property. At the July 22, 2025 meeting, Treasurer Burek voted again to rezone the same property with the intention of allowing the placement of a data center on the rezoned property.

At the Augusta Township Board of Trustees meeting on June 24, 2025, Trustee Linda Adams voted to "conditionally rezone" 522 acres of property. At the July 22, 2025 meeting, Trustee Adams voted again to rezone the same property with the intention of allowing the placement of a data center on the rezoned property.

At the Augusta Township Board of Trustees meeting on June 24, 2025, Trustee Keith Gipfert voted to "conditionally rezone" 522 acres of property. At the July 22, 2025 meeting, Trustee Gipfert voted again to rezone the same property with the intention of allowing the placement of a data center on the rezoned property.

At the Augusta Township Board of Trustees meeting on June 24, 2025, Trustee Michael Green voted to "conditionally rezone" 522 acres of property. At the July

APPROVED

22, 2025 meeting, Trustee Green voted again to rezone the same property with the intention of allowing the placement of a data center on the rezoned property.

At the Augusta Township Board of Trustees meeting on June 24, 2025, Trustee Stephanie Prain voted to "conditionally rezone" 522 acres of property. At the July 22, 2025 meeting, Trustee Prain voted again to rezone the same property with the intention of allowing the placement of a data center on the rezoned property.

Lamelle Sharp thanked the elected officials and the community for attending the hearing; she appreciated that both sides were making their voices heard.

Judge O'Brien understands the concerns with the language "with the intention of" since how does one know what another's intention is, however, truth or falsity is not for the Election Commission to decide.

Vote on the motion: 3 Yeas. 0 Nays. 0 Absent. Motion carried.

New Business

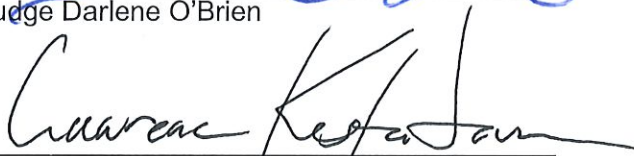
None.

Adjournment

The Election Commission adjourned at 5:20 pm.



Judge Darlene O'Brien



Lawrence Kestenbaum, County Clerk/Register



Rena Basch, Director of Elections

Approved: 5/5/2026