

Proposed 03-22-24

Approved _____

Marshall Township Special Board Meeting

March 15, 2024

The meeting was called to order at 9:30 a.m. by Supervisor David Bosserd.

Present: Supervisor Bosserd, Clerk Albaugh, Treasurer VanArman, Trustee Lyng, and Trustee Walsh

Absent: None

The Pledge of Allegiance was recited.

Supervisor Bosserd indicated the special meeting was called pursuant to Board rules and State Law by request of the Supervisor for the reasons set forth in the Special Meeting Public Notice.

The proposed agenda was distributed to Board members and posted to the website prior to the meeting in accordance with Board rules and state law by the Clerk. The agenda was declared approved by the Supervisor, there being no objection.

PUBLIC COMMENTS: Three township residents spoke. with seven indicating they were Marshall Township residents.

Motion by Albaugh, supported by Lyng, that the Marshall Township Board of Trustee convene in closed session under section 8(1)(h) of the Open Meetings Act, to consider material exempt from disclosure by state statute, section 13(1)(g) of the Freedom of Information Act, being a written legal opinion from its attorney dated March 14, 2024, for the reason that the memorandum is exempt from disclosure under State law due to the attorney-client privilege. ROLL CALL VOTE: YES-Walsh, Lyng, Bosserd, Albaugh and VanArman. NO-None. MOTION CARRIED.

Whereupon the public was excused to wait in the office foyer area. The Board held a closed session until approximately 11:20 a.m.

Motion by Lyng, supported by Walsh, the Board reconvene in public session. ROLL CALL VOTE: YES-Lyng, Bosserd, Albaugh, VanArman and Walsh. NO-None. MOTION CARRIED.

Township Attorney Koches informed the public in attendance that the subject matter of the closed session was the proposed Development agreement with MAEDA for township0 property and construction of a new Fire Station 1. Attorney Koches indicated that an updated proposed agreement will be available next week and will be posted to the township website and that, quite likely, a Special Meeting will be held of the Board on March 28, 2024, at 7 p.m. to consider the updated proposed agreement. In response to a public comment, Attorney oches further indicated he would issue an opinion as to whether Trustee Lyng should be recused from voting on the agreement since he is the Board's designated representative on the MAEDA Board.

Motion by Albaugh, supported by Walsh, that the Marshall Township Board of Trustee convene in closed session under section 8(1)(h) of the Open Meetings Act, to consider material exempt from disclosure by state statute, section 13(1)(g) of the Freedom of Information Act, being a written legal opinion from its attorney dated March 14, 2024, for the reason that the memorandum is exempt from disclosure under

State law due to the attorney-client privilege. ROLL CALL VOTE: YES-Bosserd, Albaugh, VanArman, Walsh and Lyng. NO-None. MOTION CARRIED.

Whereupon the public was again excused to wait in the office foyer area. The Board held a closed session until approximately 11:40 a.m.

Motion by Lyng, supported by Walsh, the Board reconvene in public session. ROLL CALL VOTE: YES-Albaugh, VanArman, Walsh, Lyng and Bosserd. NO-None. MOTION CARRIED.

Township Attorney Koches informed the public that the subject matter of the second closed session as an ADA complaint filed by a residents concerning failure to use the sound system during a meeting of a township board. Attorney Koches indicated he is discussing compliance with the assigned investigator and that a settlement agreement may result soon. It was pointed out that the proposed 2024-25 budget contains funds for a permanent sound system for the meeting hall, which should resolve the issue.

PUBLIC COMMENT: Further public comments were heard.

BOARD MEMBER COMMENTS: None

The Supervisor declared the special meeting adjourned at approximately 11:45 a.m.

Respectfully submitted,

JEFFREY S. ALBAUGH, Marshall Township Clerk