

**Special Board Meeting
Approved Meeting Minutes
ROSS TOWNSHIP
KALAMAZOO COUNTY, MICHIGAN
August 28, 2023 at 6 pm**

Attendee Name	Title	Roll Call Status
Christina Hutchings	Supervisor	Present
Alexander Harris	Clerk	Not Present
Syndee Genung	Treasurer	Present
Diana Langshaw	Trustee	Present
Michael Bekes	Trustee	Present
Lynn Harmon	Trustee	Present
Mike Sulka	Trustee	Present

Also in attendance were about 18 interested people.

Supervisor Hutchings called the meeting to order at 5:00 pm with all rising to Pledge Allegiance to the Flag.

APPROVAL OF AGENDA:

Trustee Harmon motioned to approve the agenda as written. Trustee Bekes seconded, and the motion passed unanimously.

PUBLIC COMMENT:

David Scott shared as lead petitioner for Alex Harris he found out that Alex Harris filed an appeal which stopped thirty people collecting signatures on petitions until the appeal is decided upon.

Nancy Boyd shared the group is very organized with thirty people collecting signatures, 300 signatures have already been collected and the team has divided Ross Township into different areas for organization. The group heard from Alex that he believed the County held the hearing too soon as they should have waited 10 days. She shared the team did nothing wrong as they started to collect signatures on the day they received approval from the County. She hopes it is just a technicality and the team is ready to proceed once everything is cleared up.

Valli McDougale shared she is a petition gatherer and already has 40 signatures so far. She believes Alex Harris should resign or be recalled as he is only doing about 15% of his duties as elections should only take 15% of his time. Other statutory duties aren't being handled, he isn't qualified for the job and part of that is the voter's fault as they do not know the requirements of the job before they vote for a candidate. She recommended a forum where candidates can discuss their qualifications for the job they are trying to be elected to prior to the election.

Katie ~~Simora~~ Zamora shared she had two lengthy conversations with Alex, one a couple of weeks ago and the second one the day of this meeting. The conversations were respectful as she tried to figure out his thought process. She stated they agreed to disagree as she shared with Alex that sometimes a person

just doesn't fit the role. She recommended it would be best that he resign for both his mental and physical health and to give the office staff more opportunity to do what needs to be done.

Dan VanderMeulen shared Alex Harris is an elected official and he noted Treasurer Harris is not at this board meeting and he was also not at the last board meeting either. As an elected official, he should attend the meetings and accurately take meeting minutes. He was shocked to hear the Township's draft board meeting minutes were not changed per board instruction prior to publication of the official approved minutes. He shared many people he talked with are also shocked on that, but everyone loves Chief Martin and the wonderful job he did this summer.

With no further attendee input, Supervisor Hutchings closed Public Comment at 5:10 pm.

Trustee Bekes moved the Township board 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 the letter from our attorney dated August 28, 2023, for the reason the letter is exempt from disclosure under state law due to attorney client privilege. Trustee Harmon seconded the motion and each member of the board voted aye individually in a roll call vote. The board left the conference room at 5:15 to move into closed session.

Trustee Bekes motioned to come out of closed session at 5:48 pm and convene in open session. Trustee Harmon seconded the motion and the motion passed unanimously.

Trustee Bekes moved to authorize Attorney Rob Thall to negotiate a severance agreement with Clerk Harris with an execution date no later than September 1st, 2023. If the negotiation is successful, we authorize Supervisor Harris to immediately post the job and agree all agreements would be public. Trustee Harmon seconded the motion and each member of the board voted aye individually in a roll call vote.

SECOND PUBLIC COMMENT:

David Scott asked if the resignation doesn't happen, what else can we try as a plan B. The recall is in motion but there is no guarantee, and we need him removed from the office.

Questions about revealing details of the agreements to the public whether agreements are executed or not were raised. It was stated material from Attorney Thall would not be made public due to Attorney Client privilege but any information that was emailed between parties prior to our closed section could be made public per FOIA requests.

Tom Boyd opined the board walk through the process carefully as there is a consideration period of 21 days for impacted person/people in the private sector.

Mary Stage asked if we are giving the agreement to Alex on the 1st or sooner. Attorney Thall shared per the motion Clerk Harris has until the 1st of September to agree with a signature. Attorney Thall also addressed the advice on the consideration period component by stating the agreement would include a resignation and it would be final at the time of signature.

Adjournment:

Trustee Bekes moved to adjourn the meeting at 5:55 pm and Trustee Harmon seconded. The motion passed unanimously.

Michael Bekes
Township Trustee
Temporary Acting Recording Secretary