



## Legislation Details (With Text)

**File #:** 2022-264      **Version:** 1      **Name:**  
**Type:** Resolution      **Status:** Passed  
**File created:** 6/17/2022      **In control:** Board of Directors  
**On agenda:** 6/22/2022      **Final action:** 6/22/2022  
**Title:** Closed Session Request - Trial and Settlement Strategy  
**Sponsors:** Randal Brown  
**Indexes:** General Counsel  
**Code sections:**  
**Attachments:**

Date	Ver.	Action By	Action	Result
6/22/2022	1	Board of Directors	Approved	Pass

### Closed Session Request - Trial and Settlement Strategy

Agenda of: June 22, 2022  
Item No.: **2022-264**  
Amount: N/A

**TO:** The Honorable  
Board of Directors  
Great Lakes Water Authority

**FROM:** Randal M. Brown  
General Counsel

**DATE:** June 17, 2022

**RE: Closed Session Request - Trial and Settlement Strategy**

### MOTION

Upon recommendation and opinion of Randal M. Brown, General Counsel, the Board of Directors for the Great Lakes Water Authority (GLWA):

- 1) Agrees to meet with legal counsel, in closed session, pursuant to Section 8(e) of the Michigan Open Meetings Act to discuss pending litigation in the matter of General Mill v GLWA; and
- 2) Notes that an affirmative roll call vote of 2/3 of the Board Members appointed and serving is required for approval of this Motion; and
- 3) Authorizes the Interim Chief Executive Officer to take such other action as may be necessary to accomplish the intent of this vote.

**JUSTIFICATION**

A meeting in closed session is requested to discuss the above referenced matter. Section 8(e) of the Michigan Open Meetings Act, MCL 15.268(e) allows a public body to meet in closed session: "To consult with its attorney regarding trial or settlement strategy in connection with specific pending litigation, but only if an open meeting would have a detrimental financial effect on the litigating or settlement position of the public body."

**BUDGET IMPACT**

This request for a Closed Session meeting does not impact the GLWA's budget.

**COMMITTEE REVIEW**

This matter is being presented directly to the Board of Directors.

**SHARED SERVICES IMPACT**

This request for a Closed Session meeting does not impact the Shared Services Agreement.