



Legislation Details (With Text)

File #: 2018-998 **Version:** 1 **Name:**
Type: Resolution **Status:** Passed
File created: 11/7/2018 **In control:** Board of Directors Workshop Meeting
On agenda: 11/14/2018 **Final action:** 11/14/2018
Title: Closed Session Request - Personnel Evaluation
Sponsors: Randal Brown
Indexes: General Counsel, Office of the Executive
Code sections:
Attachments: 1. 2018 CEO closed session letter

Date	Ver.	Action By	Action	Result
11/14/2018	1	Board of Directors Workshop Meeting	Approved	Pass

Closed Session Request - Personnel Evaluation

Agenda of: November 14, 2018
Item No.: **2018-998**
Amount: N/A

TO: The Honorable
Board of Directors
Great Lakes Water Authority

FROM: Randal M. Brown, General Counsel
Great Lakes Water Authority

DATE: November 8, 2018

RE: **Closed Session Request - Personnel Evaluation**

MOTION

Upon recommendation of Randal M. Brown, General Counsel, The Board of Directors (Board) of the Great Lakes Water Authority (GLWA) having received the attached request from its Chief Executive Officer (CEO) to meet in closed session:

1) Agrees to meet in closed session, pursuant to Section 8(a) of the Michigan Open Meetings Act which permits a Public Body to meet in Closed Session:

To consider the dismissal, suspension, or disciplining of, or to hear complaints or charges brought against, or to consider a periodic personnel evaluation of, a public officer, employee, staff member, or individual agent, if the named person requests a closed hearing. A person requesting a closed hearing

may rescind the request at any time, in which case the matter at issue shall be considered after the rescission only in open sessions.

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 CEO to take such other action as may be necessary to accomplish the intent of this vote.

BACKGROUND

Section 8(a) of the Michigan Open Meetings Act, MCL 15.268(h) allows a public body to meet in closed session: to:

To consider the dismissal, suspension, or disciplining of, or to hear complaints or charges brought against, or to consider a periodic personnel evaluation of, a public officer, employee, staff member, or individual agent, if the named person requests a closed hearing. A person requesting a closed hearing may rescind the request at any time, in which case the matter at issue shall be considered after the rescission only in open sessions

Pursuant to this provision of the Open Meetings Act the CEO has requested an opportunity to meet with the Board in closed session.

JUSTIFICATION

As permitted by provision of the Open Meetings Act quoted above, a request has been made to meet with you in closed session to consider a periodic personnel evaluation. When such a request is received, the Open Meetings Act allows a public body to meet in closed session for this purpose.

BUDGET IMPACT

The proposed Closed Session does not impact the budget.

COMMITTEE REVIEW

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