



## Legislation Text

---

**File #:** 2022-161, **Version:** 1

---

### **Closed Session Request - Applications for Employment and Attorney-Client Communication**

**Agenda of:** April 27, 2022

**Item No.:** **2022-161**

**Amount:** N/A

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

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

**DATE:** April 25, 2022

**RE: Closed Session Request - Applications for Employment and Attorney-Client Communication**

#### MOTION

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

- 1) Agrees to meet, in closed session, pursuant to Section 8(f) of the Michigan Open Meetings Act to review and consider the contents of applications for employment if the candidates request that their applications remain confidential and Section 8(h) of the Michigan Open Meetings Act to discuss to consider material exempt from discussion or disclosure by state or federal statute, 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.

#### **JUSTIFICATION**

A meeting in closed session is requested to discuss the above referenced matter. Section 8(f) of the Michigan Open Meetings Act, MCL 15.268(f), allows a public body to meet in closed session: "to review and consider the contents of an application for employment or appointment to public office if the candidate requests that the application remain confidential."

Further, Section 8(h) of the Michigan Open Meetings Act, MCL 15.268(h), allows a public body to meet in closed session: “to consider material exempt from discussion or disclosure by state or federal statute.” Section 13(1)(g) of the Michigan Freedom of Information Act (MCL 15.243(1)(g)) exempts from disclosure, “information or records subject to the attorney-client privilege.”

The General Counsel has attorney-client communications that he would like to discuss in a closed session.

**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.

**SHARED SERVICES IMPACT**

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