

GENESEE COUNTY ROAD COMMISSION

SPECIAL BOARD MEETING

Friday, March 22, 2024

MINUTES

CALL TO ORDER

Chairperson Elkins called the Special Board Meeting of the Genesee County Board of Road Commissioners to order at 10:03 a.m. The meeting was held at the Willard P. Harris Auditorium, Genesee County Administration Building – Third Floor, 1101 Beach Street, Flint, MI 48502.

ROLL CALL

Present: Timothy Elkins, Chairperson
Cathy Lane, Vice Chairperson
Reggie Smith, Commissioner
Chris Gehringer, Commissioner
Joe Massey, Commissioner

Others Present: Randy Dellaposta, Mike Lewis, Donna Poplar (Genesee County Road Commission Staff), Fred Poplar, (Genesee County resident), Attorney Andrew Cascini (Henn Lesperance PLC), Attorney Laura Genovich (Foster, Swift, Collins & Smith PC), Linda Kossak, Secretary of the Board of Road Commissioners

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chairperson Elkins

APPROVAL OF AGENDA

March 22, 2024 – Agenda - Motion by Mr. Gehringer, seconded by Mr. Massey, to approve the agenda for March 22, 2024.

VOTE ON MOTION:

Yes: Lane, Smith, Massey, Gehringer, Elkins
No: None.
Absent: None

MOTION CARRIED.

MEETINGS, PRESENTATIONS, HEARINGS, AND INFORMATION

Friday, March 22, 2024 – Closed Sessions

1. Closed session as permitted by Section 8(1)(a) of the Michigan Open Meetings Act, MCL 15.261 et seq., to “hear complaints brought against a public officer,” subject to the public officer’s pending request for such complaints to be heard by the Board in closed session.
2. Closed session as permitted by Section 8(1)(h) of the Michigan Open Meetings Act, MCL 15.261 et seq., to consider an attorney-client privileged opinion letter “exempt from disclosure by state or federal statute.”
3. Closed session as permitted by Section 8(1)(h) of the Michigan Open Meetings Act, MCL 15.261 et seq., to consider an attorney-client privileged opinion letter “exempt from disclosure by state or federal statute.”

PUBLIC ADDRESS THE BOARD

None.

BOARD OF ROAD COMMISSIONERS’ DECISIONS

DISCUSSION

Chairperson Elkins asked for a motion to go into the first closed session.

Motion by Mr. Massey, seconded by Mr. Gehringer, to enter closed session as permitted by Section 8(1)(a) of the Michigan Open Meetings Act, MCL 15.261 et seq., to “hear complaints brought against a public officer,” subject to the public officer’s pending request for such complaints to be heard by the Board in closed session.

VOTE ON MOTION:

Yes: Smith, Massey, Gehringer, Elkins, Lane
No: None.
Absent: None

MOTION CARRIED.

At 10:08 a.m., the Board entered closed session.

At 1:33 p.m. the Board left closed session.

Motion by Mr. Gehringer, seconded by Ms. Lane, to reconvene into open session.

VOTE ON MOTION

Yes: Massey, Gehringer, Elkins, Lane, Smith
No: None
Absent: None

MOTION CARRIED.

At 1:35 p.m. the board reconvened into open session.

Motion by Mr. Gehringer, seconded by Mr. Massey, that we take no action on what was discussed in the closed session.

VOTE ON MOTION:

Yes Gehringer, Elkins, Lane
No: Smith, Massey
Absent: None

MOTION CARRIED

Chairperson Elkins asked for a motion to go into second closed session as permitted by Section 8(1)(h) of the Michigan Open Meetings Act, MCL 15.261 et seq., to consider an attorney-client privileged opinion letter “exempt from disclosure by state or federal statute.”

Motion by Ms. Lane, seconded by Mr. Smith, to enter the second closed session.

VOTE ON MOTION

Yes: Lane, Smith, Gehringer, Elkins, Massey
No: None
Absent: None

MOTION CARRIED.

At 1:38 p.m. the Board entered closed session.

At 2:27 p.m. the Board left closed session.

Motion by Ms. Lane, seconded by Mr. Smith, to reconvene into open session.

VOTE ON MOTION

Yes: Lane, Smith, Massey, Gehringer, Elkins
No: None
Absent: None

MOTION CARRIED.

At 2:28 P.M. the board reconvened into open session.

Motion by Ms. Lane, seconded by Mr. Gehringer, to recognize that the Board received the information from legal counsel in closed session with no board action required.

VOTE ON MOTION

Yes: Smith, Massey, Gehringer, Elkins, Lane

No: None
Absent: None

MOTION CARRIED.

Chairperson Elkins asked for a motion to enter the third closed session.

Motion by Mr. Gehringer, seconded by Mr. Massey, to go into closed session as permitted by Section 8(1)(h) of the Michigan Open Meetings Act, MCL 15.261 et seq., to consider an attorney-client privileged opinion letter “exempt from disclosure by state or federal statute.”

VOTE ON MOTION

Yes: Massey, Gehringer, Elkins, Lane, Smith
No: None
Absent: None

At 2:31 p.m. the Board entered closed session.

At 3:01 pm the Board left closed session.

Motion by Mr. Massey, seconded by Mr. Gehringer, to reconvene into open session.

VOTE ON MOTION

Yes: Gehringer, Elkins, Lane, Smith, Massey,
No: None
Absent: None

MOTION CARRIED.

At 3:03 p.m. the Board reconvened into open session.

Motion by Ms. Lane, seconded by Mr. Massey, to approve the Managing Director follow the advice of legal counsel to hire the appropriate firm to deal with the issue discussed in closed session.

VOTE ON MOTION

Yes: Elkins, Lane, Smith, Massey, Gehringer
No: None
Absent: None

MOTION CARRIED.

ADJOURNMENT

Chairperson Elkins adjourned the meeting at 3:05 p.m.

Domonique Clemons
Clerk/Register

Linda B. Kossak
Secretary of the Genesee County Board of
County Road Commissioners
lbk – 3/22/2024