

SWANCREEK TOWNSHIP BOARD OF TRUSTEES
Special Meeting Minutes
Monday, February 15, 2016

Call to Order 5:00 p.m.

Prayer

Pledge

Board members present: Rick Kazmierczak, Chairman, Ron Holdeman, Vice Chairman, and Phil Wiland, Trustee.

Employees: None

Fiscal Officer: Dawn Wheatley - Excused

Guests: Walt Lange & Dale Brunner

A discussion was held amongst the Trustees concerning the differing opinions from the Water District Attorney, Bobbi O'Keefe, and the Fulton County Prosecutor Scott Haselman. A verbal opinion was received from Kevin McIver, divisional chief of the Attorney General's opinion division concurring with the Prosecutor's opinion that the pending litigation was only part of the Water Board's business and that the applicant could easily remove any conflict of interest by recusing himself or herself from any discussions or deliberations of the pending suit, including conferring with Mrs. O'Keefe and the rest of the Board in executive session.

That was the issue that brought the most concern to the Trustees. What if that person refuses to recuse themselves? More discussion was held regarding the possibility of that issue arising. Mr. Lange reminded the Trustees that they have until February 17th, 2016 to fill the position. After that date, the Water District Board could appoint someone. Water Board President Bruner stated that it was his opinion that it would be better if this issue could be resolved prior to interviewing and that it was his sense that the Water District Board would not wish to appoint someone at this time.

37-16 Trustee Wiland then motioned to postpone interviews and seek an opinion from the Attorney General. Trustee Holdeman seconded.

Roll Call: Trustee Kazmierczak - yea, Trustee Holdeman - Yea, Trustee Wiland - Yea

Trustee Kazmierczak to call people scheduled for interviews on Tuesday, February 16th and inform them of the Board's decision.

Adjournment:

Trustee Holdeman motioned to adjourn, Trustee Wiland, 2nd

Adjournment: 5:30 p.m.

Swan creek Township Board of Trustees

Attest: Dawn Wheatley, Fiscal Officer
Swan creek Township Feb. 22, 2016

Trustee Rick Kazmierczak, Chairman

Trustee Ron Holdeman, Vice Chairman

Trustee Phil Wiland