

**TYRONE TOWNSHIP
PUBLIC HEARING & REGULAR BOARD MEETING
APPROVED MINUTES – MARCH 7, 2023 – PAGE 1**

CALL TO ORDER

Supervisor Cunningham called the meeting of the Tyrone Township Board to order with the Pledge of Allegiance on March 7, 2023 at 7:00 p.m. at the Tyrone Township Hall.

ROLL CALL

Present: Supervisor Mike Cunningham, Clerk Pam Moughler, Treasurer Jennifer Eden, Trustees Herman Ferguson, Kurt Schulze, and David Walker. Absent: Trustee Zach Tucker.

PUBLIC HEARING

Supervisor Cunningham opened the public hearing at 7:01 p.m. The purpose of the public hearing was to review the proposed 2023-2024 Fiscal Year Township Budget and hear comments. Supervisor Cunningham presented the budget and asked for public comment. Jannette Ropeta asked what ARPA funds were used for and why the salary percentage was different from last year. Scott Dietrich said the public should have a say how ARPA funds are allocated. The Supervisor closed the public hearing at 7:17 p.m.

APPROVAL OF AGENDA – OR CHANGES

Trustee Schulze moved to approve the agenda as presented. (Trustee Walker seconded.) The motion carried; all ayes.

APPROVAL OF CONSENT AGENDA

Regular Board Meeting Minutes – February 21, 2023

Clerk's Warrants and Bills – February 28, 2023

Trustee Schulze moved to approve the consent agenda as presented. (Trustee Ferguson seconded.) The motion carried; all ayes.

COMMUNICATIONS

1. Fire Service Report – March 1, 2023

Trustee Walker moved to receive and place on file Communication #1 as presented. (Trustee Ferguson seconded.) The motion carried; all ayes.

PUBLIC REMARKS

None.

UNFINISHED BUSINESS

None.

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NEW BUSINESS

1. Request of Andrew Zourob to appeal his fire service charge.

Trustee Walker moved to postpone indefinitely Andrew Zourob’s appeal of his fire service charge until he receives the result of his traffic ticket appeal from Livingston County. (Trustee Ferguson seconded.) The motion carried; all ayes.

2. Request of Brendan Foster for Storage Condominium Special Land Use Permit.

Trustee Ferguson moved to conditionally approve the US23 Storage Condominiums Special Land Use Permit requested by Brendan Foster, as recommended by the Planning Commission. The conditions include meeting any unaddressed stipulations previously set forth by the Planning Commission and ten (10) REUs are assigned to the site plan to be implemented in phases. (Treasurer Eden seconded.) The motion carried; all ayes.

3. Resolution to adopt the 2023-2024 budget by department totals.

RESOLUTION #230301
TYRONE TOWNSHIP, LIVINGSTON COUNTY

RESOLUTION TO ADOPT 2023-2024 BUDGET FOR THE GENERAL FUND

Revenues	2023-2024 Proposed Budget
101 General Fund Revenues	\$ 1,962,492
Department Expenses	
101 - Township Board	122,945
171 - Supervisor	54,592
215 - Clerk	141,690
247 - Board of review	2,510
253 - Treasurer	163,488
257 - Assessing	129,653
262 - Elections	91,486
265 - Building and Grounds	57,080
567 - Cemeteries	8,101
272 - Unallocated	16,191
441 - Public Works	12,000
448 - Street Lighting	2,546
685 - Social Services	6,000
701 - Planning Commission	139,511
702 - Zoning Board of Appeals	7,065
703 - Zoning Administrator	77,987
724 - Ordinance Enforcement	29,637
729 - Community Action Programs	3,500
277 - Insurance, Bonds & Fringes	221,760
966 - Transfers Out	600,000
Total Department Expenses	\$ 1,887,742
Surplus (Deficit)	\$ 74,750

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	<u>Revenue</u>	<u>Expenses</u>	<u>Surplus (Deficit)</u>	
145 Public Improvement Bldg & Site	\$100,000	\$ 75,000	\$ 25,000	
205 Public Safety	668,670	810,736	(142,066)	Use fund balance
212 Liquor Law Enforcement	3,000	3,000	-	
218 Jayne Hill Street Lighting	572	1,200	(628)	Use fund balance
219 Walnut Shores Street Lighting	100	160	(60)	Use fund balance
225 Shannon Glen Rubbish Removal	6,045	6,305	(260)	Use fund balance
226 Jayne Hill Rubbish Removal	21,618	19,360	2,258	
230 Apple Orchard Rubbish Removal	7,183	6,888	295	
234 Silver Lake Estates Rubbish Removal	15,300	15,300	-	
238 Parkin Lane Snow Removal	6,510	10,200	(3,690)	Use fund balance
232 Great Oaks Drive	2,960	3,250	(290)	Use fund balance
233 Laurel Springs Rubbish Removal	6,132	5,880	252	
245 Public Improvement Road	500,000	795,000	(295,000)	Use fund balance
246 Township Improvement Revolving	-	-	-	
259 Right of Way	8,800	10,000	(1,200)	Use fund balance
274 Public Education Grant	50,000	60,000	(10,000)	Use fund balance
858 Parkin Lane Road Improvement	29,421	43,015	(13,594)	Use fund balance
863 Lake Shannon Road Improvement	106,111	129,675	(23,564)	Use fund balance
864 Laurel Springs Road Improvement	14,032	15,300	(1,268)	Use fund balance
865 Irish Hills Road Improvement	59,046	62,976	(3,930)	Use fund balance
599 Sewer 2003	186,171	1,522,657	(1,336,486)	Use fund balance
590 Public Works Sewer O&M	689,508	867,400	(177,892)	Use fund balance

RESOLVED BY: Trustee Walker

SUPPORTED BY: Trustee Ferguson

VOTE: Walker, yes; Schulze, yes; Ferguson, yes; Cunningham, yes; Eden, yes; Moughler, yes; Tucker, absent.

ADOPTION DATE: March 7, 2023

CERTIFICATION OF THE CLERK

The undersigned, being the duly qualified and acting Clerk of Tyrone Township, Livingston County, Michigan, hereby certifies that (1) the foregoing is a true and complete copy of a resolution adopted by the Township Board at a regular meeting, held on March 7, 2023, at which meeting a quorum was present and remained throughout, (2) the original thereof is on file in the records in my office, (3) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended) and (4) minutes of such meeting were kept and will be or have been made available as required thereby.



Pamela Moughler
Township Clerk

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4. General Appropriation Act Resolution.

RESOLUTION #230302
TYRONE TOWNSHIP, LIVINGSTON COUNTY
GENERAL APPROPRIATION ACT
BUDGET FOR FISCAL YEAR ENDING MARCH 31, 2024

WHEREAS, it is the intention of the Tyrone Township Board to comply with the provisions of Michigan Public Act 621 of 1978, the Uniform budgeting and Accounting Act, as modified to fit the needs of Tyrone Township;

THEREFORE, BE IT RESOLVED THAT the following budgetary policies and procedures, in accordance with said Act, be set forth as follows:

1. The chief administrative officer of the budget shall be the Supervisor.
2. The chief administrative officer or Supervisor shall receive assistance in performance of budgetary responsibilities from the Clerk and from the accountant employed by the Township Board.
3. By November 30, 2023, the Supervisor shall compile the information, as outlined in the Act, for presentation to the chairman or officer of each department, board and commission of Tyrone Township.
4. By December 31, 2023, each department, board and commission shall complete the forms requested by the Supervisor as to their estimates of the amount of money required for each line item in their activity for the ensuing fiscal year. Any department, board or commission which generates revenue from the public hearings, land use permits or the sale or rental of services shall estimate anticipated revenue for the ensuing fiscal year.
5. No later than February 1, 2024, the Tyrone Township Board shall meet in special work session to review the requests of each department, board and commission to make recommendations on the content of the proposed fiscal year budget, ensuring that the total of estimated expenditures does not exceed the total estimated revenue and accumulated fund balance.
6. The Supervisor shall compile the recommendations of the Tyrone Township Board into a budget document, all Funds, and shall present the proposed budget to the Tyrone Township Board no later than the first regularly scheduled Board Meeting in March. The Tyrone Township Board shall set time, date, and place for all required public hearings on the proposed budget.

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7. No later than the second regularly scheduled Tyrone Township Board Meeting in March, the Board shall pass, by Resolution, a general appropriations measure which spells out the policies and procedures of the Tyrone Township Board regarding compliance with and modifications to P.A. 621 of 1978.
8. The Supervisor shall be required to monitor the expenditures of each department, board and commission to ensure that expenditures do not exceed the budgeted amount, and shall make recommendations to the Tyrone Township Board to amend the budget when such action seems necessary.
9. The Supervisor shall provide quarterly reports of actual revenues and expenditures compared to budgeted amounts, as required by the Act. Quarterly reports shall be provided to the Tyrone Township Board for the first three-quarters; thereafter, the comparison reports shall be required monthly until the end of the fiscal year.
10. The Tyrone Township Clerk has been authorized by board action on September 3, 1991, to obligate the Township in an amount up to \$2,000 without prior approval of the Board, and that the Clerk summarize the items and amounts so warranted and submit the report for approval of the Board at the following meeting as outlined by Resolution #090103 adopted January 20, 2009.
11. The Tyrone Township Clerk has been authorized, in action taken September 3, 1991, to make capital expenditures up to \$400 with authorization by the Board at the next meeting. Capital expenditures over \$400 must have prior Township Board approval.

FURTHER, BE IT RESOLVED THAT, pursuant to MCL 141.412 notice of a public hearing on the proposed budget was published on March 5, 2023, and a public hearing on the proposed budget was held on March 7, 2023, the Tyrone Township Board adopts the 2023-2024 budget of all funds by revenue and expense, as prepared and presented.

RESOLVED BY: Trustee Schulze

SUPPORTED BY: Trustee Walker

VOTE: Eden, yes; Schulze, yes; Walker, yes; Cunningham, yes; Ferguson, yes; Moughler, yes; Tucker, absent.

ADOPTION DATE: March 7, 2023

CERTIFICATION OF THE CLERK

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Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended) and (4) minutes of such meeting were kept and will be or have been made available as required thereby.



Pamela Moughler
Township Clerk

5. Headlee Operating Tax Millage Rate Resolution.

RESOLUTION #230303
TYRONE TOWNSHIP, LIVINGSTON COUNTY

ESTABLISHING FISCAL YEAR 2023-2024 OPERATING TAX MILLAGE RATE AS
DIRECTED BY THE HEADLEE ROLLBACK CALCULATION

WHEREAS, the Tyrone Township Board has carefully examined the financial circumstances of the Township for the 2023-2024 fiscal year, including estimated expenditures, estimated revenues and state equalized valuation of property located within the Township;

NOW, THEREFORE, BE IT RESOLVED, that the Tyrone Township Board has complete authority and hereby authorizes up to .9018 mills to be levied for operating purposes in Fiscal Year 2023-2024 from within its authorized millage rate.

RESOLVED BY: Trustee Walker
SUPPORTED BY: Trustee Ferguson

VOTE: Schulze, yes; Cunningham, yes; Eden, yes; Walker, yes; Ferguson, yes; Moughler, yes; Tucker, absent.

ADOPTION DATE: March 7, 2023

CERTIFICATION OF THE CLERK

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Pamela Moughler
Township Clerk

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6. Resolution to opt out of Senate Bill #7 health insurance provision for the 2023-2024 fiscal year.

RESOLUTION #230304
TYRONE TOWNSHIP, LIVINGSTON COUNTY

TO ADOPT THE ANNUAL EXEMPTION OPTION AS SET FORTH IN 2011 PUBLIC ACT 152, THE PUBLICLY FUNDED HEALTH INSURANCE CONTRIBUTION ACT (SENATE BILL #7)

WHEREAS, 2011 Public Act 152 (the “Act”) was passed by the State Legislature and signed by Governor Snyder on September 24, 2011;

WHEREAS, the Act contains three options for complying with the requirements of the Act;

WHEREAS, the three options are as follows:

- 1) Section 3 – “Hard Caps” Option – limits a public employer’s total annual health care costs for employees based on coverage levels, as defined in the Act;
- 2) Section 4 – “80%/20%” Option – limits a public employer’s share of total annual health care costs to not more than 80%. This option requires an annual majority vote of the governing body;
- 3) Section 8 – “Exemption” Option – a local unit of government, as defined in the Act, may exempt itself from the requirements of the Act by an annual 2/3 vote of the governing body;

WHEREAS, the Tyrone Township Board has decided to adopt the annual Exemption option as its choice of compliance under the Act;

NOW, THEREFORE, BE IT RESOLVED the Tyrone Township Board elects to comply with the requirements of 2011 Public Act 152, the Publicly Funded Health Insurance Contribution Act, by adopting the annual Exemption option for the fiscal year 2023-2024.

RESOLVED BY: Trustee Schulze
SUPPORTED BY: Trustee Ferguson

VOTE: Ferguson, yes; Schulze, yes; Eden, yes; Walker, yes; Cunningham, yes; Moughler, yes; Tucker, absent.

ADOPTION DATE: March 7, 2023

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CERTIFICATION OF THE CLERK

The undersigned, being the duly qualified and acting Clerk of Tyrone Township, Livingston County, Michigan, hereby certifies that (1) the foregoing is a true and complete copy of a resolution adopted by the Township Board at a regular meeting, held on March 7, 2023, at which meeting a quorum was present and remained throughout, (2) the original thereof is on file in the records in my office, (3) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended) and (4) minutes of such meeting were kept and will be or have been made available as required thereby.



Pamela Moughler
Township Clerk

7. Resolution to establish the 2023-2024 Trustees' salary.

**RESOLUTION #230305
TYRONE TOWNSHIP, LIVINGSTON COUNTY**

**TO ESTABLISH THE TOWNSHIP
TRUSTEE'S SALARY FOR THE 2023-2024 FISCAL YEAR**

WHEREAS, pursuant to MCLA 41.95(3), which provides that in a Township that does not hold an annual meeting, the salary for Trustees composing the Township Board shall be determined by the Township Board; and

WHEREAS, the Board of Tyrone Township deems it desirable to adjust the salary of the Township Trustees to ensure that compensation for this position remains equitable and commensurate with the duties of said elective office;

NOW, THEREFORE, BE IT RESOLVED, that as of April 1, 2023, the salary for the office of Tyrone Township Trustee shall be \$205.82 per meeting attended.

RESOLVED BY: Trustee Walker

SUPPORTED BY: Treasurer Eden

VOTE: Cunningham, yes; Ferguson, yes; Walker, yes; Schulze, yes; Eden, yes; Moughler, yes; Tucker, absent.

ADOPTION DATE: March 7, 2023

CERTIFICATION OF THE CLERK

The undersigned, being the duly qualified and acting Clerk of Tyrone Township, Livingston County, Michigan, hereby certifies that (1) the foregoing is a true and complete copy of a resolution adopted by the Township Board at a regular meeting, held on March 7, 2023, at which meeting a quorum was present

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PUBLIC HEARING & REGULAR BOARD MEETING
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and remained throughout, (2) the original thereof is on file in the records in my office, (3) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended) and (4) minutes of such meeting were kept and will be or have been made available as required thereby.



Pamela Moughler
Township Clerk

8. Resolution to establish the 2023-2024 Supervisor's salary.

RESOLUTION #230306
TYRONE TOWNSHIP, LIVINGSTON COUNTY

TO ESTABLISH THE TOWNSHIP
SUPERVISOR'S SALARY FOR THE 2023-2024 FISCAL YEAR

WHEREAS, pursuant to MCLA 41.95(3), which provides that in a Township that does not hold an annual meeting, the salary for officers composing the Township Board shall be determined by the Township Board; and

WHEREAS, the Board of Tyrone Township deems it desirable to adjust the salary of the Township Supervisor to ensure that compensation for this position remains equitable and commensurate with the duties of said elective office;

NOW, THEREFORE, BE IT RESOLVED, that as of April 1, 2023, the salary for the office of Tyrone Township Supervisor shall be \$51,313.60.

RESOLVED BY: Trustee Schulze
SUPPORTED BY: Treasurer Eden

VOTE: Ferguson, yes; Walker, yes; Cunningham, yes; Schulze, yes; Eden, yes; Moughler, yes; Tucker, absent.

ADOPTION DATE: March 7, 2023

CERTIFICATION OF THE CLERK

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PUBLIC HEARING & REGULAR BOARD MEETING
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Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended) and (4) minutes of such meeting were kept and will be or have been made available as required thereby.



Pamela Moughler
Township Clerk

9. Resolution to establish the 2023-2024 Clerk's salary.

RESOLUTION #230307
TYRONE TOWNSHIP, LIVINGSTON COUNTY

TO ESTABLISH THE TOWNSHIP
CLERK'S SALARY FOR THE 2023-2024 FISCAL YEAR

WHEREAS, pursuant to MCLA 41.95(3), which provides that in a Township that does not hold an annual meeting, the salary for officers composing the Township Board shall be determined by the Township Board; and

WHEREAS, the Board of Tyrone Township deems it desirable to adjust the salary of the Township Clerk to ensure that compensation for this position remains equitable and commensurate with the duties of said elective office;

NOW, THEREFORE, BE IT RESOLVED, that as of April 1, 2023, the salary for the office of Tyrone Township Clerk shall be \$51,313.60.

RESOLVED BY: Trustee Walker

SUPPORTED BY: Trustee Ferguson

VOTE: Walker, yes; Cunningham, yes; Ferguson, yes; Schulze, yes; Eden, yes; Moughler, yes; Tucker, absent.

ADOPTION DATE: March 7, 2023

CERTIFICATION OF THE CLERK

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PUBLIC HEARING & REGULAR BOARD MEETING
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Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended) and (4) minutes of such meeting were kept and will be or have been made available as required thereby.



Pamela Moughler
Township Clerk

10. Resolution to establish the 2023-2024 Treasurer's salary.

RESOLUTION #230308
TYRONE TOWNSHIP, LIVINGSTON COUNTY

TO ESTABLISH THE TOWNSHIP
TREASURER'S SALARY FOR THE 2023-2024 FISCAL YEAR

WHEREAS, pursuant to MCLA 41.95(3), which provides that in a Township that does not hold an annual meeting, the salary for officers composing the Township Board shall be determined by the Township Board; and

WHEREAS, the Board of Tyrone Township deems it desirable to adjust the salary of the Township Treasurer to ensure that compensation for this position remains equitable and commensurate with the duties of said elective office;

NOW, THEREFORE, BE IT RESOLVED, that as of April 1, 2023, the salary for the office of Tyrone Township Treasurer shall be \$51,313.60.

RESOLVED BY: Trustee Schulze
SUPPORTED BY: Clerk Moughler

VOTE: Ferguson, yes; Schulze, yes; Eden, yes; Walker, yes; Cunningham, yes; Moughler, yes; Tucker, absent.

ADOPTION DATE: March 7, 2023

CERTIFICATION OF THE CLERK

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PUBLIC HEARING & REGULAR BOARD MEETING
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Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended) and (4) minutes of such meeting were kept and will be or have been made available as required thereby.



Pamela Moughler
Township Clerk

11. Runyan Lake Inc. request for display fireworks permit.

Trustee Walker moved to approve the request of Runyan Lake Inc. for their annual Fireworks Display Permit. (Trustee Ferguson seconded.) The motion carried; all ayes.

12. Request to write off uncollectible fire services charges.

Trustee Walker moved to authorize the write off of \$2,824.00 of uncollectible fire service charges. (Trustee Schulze seconded.) The motion carried; all ayes.

MISCELLANEOUS BUSINESS

None.

PUBLIC REMARKS

Residents voiced comments and opinions.

CLOSED SESSION

RESOLUTION #230309
TYRONE TOWNSHIP, LIVINGSTON COUNTY

CLOSED SESSION

Regarding the case of Tyrone Four, LLC v Tyrone Township, now pending in Livingston County circuit Court Case No. 21-031351-CZ, Supervisor Cunningham moved to go into closed session to consult with the Township's attorney regarding trial or settlement strategy in connection with specific pending litigation because an open meeting would have a detrimental financial effect on the litigating or settlement position of the Township. (Trustee Walker seconded.)

Roll call: Walker, yes; Schulze, yes; Ferguson, yes; Cunningham, yes; Eden, yes; Moughler, yes; Tucker, absent.

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PUBLIC HEARING & REGULAR BOARD MEETING
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The board convened in closed session at 7:46 p.m.

* * * * *Closed Session Minutes* * * * *

The board reconvened in open session at 8:27 p.m.

ADJOURNMENT

Trustee Walker moved to adjourn. (Trustee Schulze seconded.) The motion carried; all ayes.
The meeting adjourned at 8:27 p.m.