

**THE BENZIE COUNTY BOARD OF COMMISSIONERS**  
**October 4, 2016**

The Benzie County Board of Commissioners met in a special meeting on Tuesday, October 4, 2016, 448 Court Place, Government Center, Beulah, Michigan. The meeting was called to order by Chairman Roger Griner at 9:00 a.m.

The purpose of the special meeting is to consult with legal counsel regarding VanDussen vs Benzie County et al.

Present were: Commissioners Bates, Carland, Griner, Sauer, Tucker, Walterhouse and Warsecke

The invocation was given by Commissioner Griner followed by the pledge of allegiance.

**Agenda:**

Motion by Sauer, seconded by Warsecke, to approve the agenda as presented. Ayes: Bates, Carland, Griner, Sauer, Tucker, Walterhouse and Warsecke Nays: None Motion carried.

9:01 a.m. Public Input

Eric VanDussen, Benzonia, spoke regarding the settlement option to that will be discussed in closed session and that he is at a loss as to what you are contemplating.

9:06 a.m. Public Input Closed

9:06 a.m. Motion by Sauer, second by Bates, to enter closed session to consult with our attorney regarding settlement strategy in connection with the case of VanDussen vs Benzie County Board of Commissioners and Benzie County Sheriff Ted Schendel, file number 16-10329-CZ, pending in the Circuit Court for the County of Benzie, pursuant to Section 8C of the Open Meetings Act since discussion in an open meeting would have a detrimental financial effect on litigating and settlement positions of the county, to include Mitch Deisch, Ted Schendel and Dawn Olney. Roll call. Ayes: Bates, Carland, Griner, Sauer, Tucker, Walterhouse and Warsecke Nays: None Motion carried.

9:55 a.m. Re-Enter Open Session

Motion by Sauer, seconded by Bates, to accept Plaintiff's settlement demands dated September 29, 2016 in the VanDussen vs Benzie County complaint. Roll call. Ayes: Bates, Carland, Griner, Sauer, Walterhouse and Warsecke Nays: Tucker Motion carried.

Public Input – None

Motion by Bates, seconded by Carland, to adjourn until the October 11, 2016 Regular meeting or the call of the chair. Ayes: Bates, Carland, Griner, Sauer, Tucker, Walterhouse and Warsecke Nays: None Motion carried

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Roger L. Griner – Chair

Dawn Olney, Benzie County Clerk

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1. Accepted settlement demands in VanDussen vs Benzie County.