

SPECIAL MEETING

MARCH 19, 1998

The Special Meeting of the Birch Run Township Board was called to order at 7:00pm by Supervisor Harold Johnson. Also present for the board were Sheila DiBerardino, Clerk; Cheryl Hadsall and John Jankowski, Trustees. Nancy Henige, David Stewart, and Edward Magnus were absent. Seven (7) people were in the audience.

Carl Slemmer of Cinema Hollywood presented an Alcohol Enforcement Plan for the theatre and addressed resident's and board concerns on the requested liquor license transfer. Township Attorney Kathy Abbott recommended that the township adopt a Liquor License Ordinance to provide oversight of all township liquor licenses. This ordinance will be presented at the next board meeting. Motion by Hadsall, supported by DiBerardino to recommend the transfer of a liquor license for Cinema Hollywood. Motion carried 4-0.

Motion by DiBerardino, supported by Jankowski to go into closed session for the purpose of consulting with the Township's Attorney regarding trial or settlement strategy in connection with U.S. District Court Case No.98CV10068BC, entitled Scott R. Rausch v Township of Birch Run and Harold Johnson, because an open meeting would have a detrimental effect on the litigation or settlement position of the Township. Motion carried 4-0. This session began at 7:32pm.

The meeting was reconvened at 8:10pm. Motion by Hadsall, supported by Jankowski to authorize the Township Attorney to file a Counterclaim in U.S. District Court Case No. 98CV10068BC. Motion carried 4-0.

Motion by Jankowski, supported by Hadsall to adjourn at 8:11pm. Motion carried 4-0.

Sheila DiBerardino  
Birch Run Township Clerk