

Special Meeting Minutes
Executive Session, Mediation Conference
October 8, 2014 @ 9:00 am

Trustee Likley called the special meeting to order with roll call; Trustees Schmidt, Thombs and Likley present.

Also present; Prosecutors Office, William Thorne and Brian Richter, Attorney Alfred Schrader, Attorney's Todd Hunt, Forest Thompson and plaintiff Timothy Kratzer, Ninth District Mediation Attorney Jennifer Redman Krieger and Westfield Township Zoning Inspector Carolyn Sims.

Trustee Likley stated that the necessary public notice for this special meeting had been sent and posted in the Gazette.

The purpose of the special meeting was to enter into executive session with legal counsel to conduct the court requested mediation conference on pending litigation.

Trustee Likley then offered a motion to go into executive session on pending litigation and mediation conference with the follow persons to participate; William Thorne, Brian Richter, Alfred Schrader, Todd Hunt, Forest Thompson, Timothy Kratzer, Jennifer Redman Krieger and Zoning Inspector Carolyn Sims available for informational consultation.

Mr. Thompson stated that he had made himself clear to Mr. Schrader in a previous phone conversation that they would not permit Mrs. Sims to be involved in this mediation conference and got up to leave stating that they were done. He then stated that this conference was initially being set-up to be held at his office and that had changed upon hearing that Mrs. Sims was going to participate. They conceded to the change in venues but not her participation.

Trustee Likley stated that the change in venue was a requirement of this Board and not Mrs. Sims, that Mr. Thombs had specifically requested that all three Trustees participate and that any and all meeting be held here at the township dually notice and open. That Mrs. Sims be available to this board for informational consultation if needed. That warranted her being named in the motion to enter executive session.

Mr. Schrader stated that in 36 years of law practice, he has never tried to dictate to the opposing side who can be on their negotiating team, and Mr. Schrader did not accept Mr. Thompson's demands.

Mr. Thombs stated that he would not tolerate the tone from Mr. Thompson and if he continued this mediation as far as he was concerned was done.

Mediator Krieger interjected; That we've started in a non-productive manner and that in order for this mediation to proceed that would need to change.

Mr. Schrader stated that his involvement in this case has been only since January and he has called on the Zoning Inspector for additional information and felt that her knowledge and history on this case was valuable moving forward.

Mr. Hunt stated you can consult with whoever you chose but we will not participate in this mediation if she is present during these sessions.

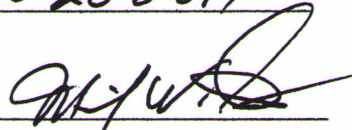
Mrs. Krieger stated that Mrs. Sims will be available for consultation and will be required the same confidentiality of these proceeding as with all present. Mrs. Sims then retired to her office.

Trustee Likley stated the motion is on the floor,
Trustee Schmidt seconded.
Roll call;
Thombs yes, Schmidt yes, Likley yes
Executive session 9:15

Trustee Thombs made a motion to come out of executive session 11:45
Trustee Schmidt seconded
Roll call Likley yes, Scmidt yes, Thombs yes.

Trustee Likley stated; That no action was taken or decision made.
Trustee Likley then made a motion to adjourn,
Trustee Schmidt seconded.
Roll call;
Thombs yes, Likley yes, Schmidt yes.

Date approved 10-20-2014

Michael Schmidt 

William Thombs William N Thombs

James Likley 