

City of Mercer Special Executive Session Meeting

February 6, 2025

Mayor Lori Stute called the meeting to order and lead the Pledge of Allegiance.

Tonya Wellington- Auditor conducted a roll call with Barb Stute-present, Gary Volochenko-present, Randy Zinke-present and Erika Lorenz and Jim Wilson were present on a conference call.

Lori Stute stated the only item on the agenda is the Water Assessment Issue. This item may be discussed in an executive session. The legal authority for closing this portion of the meeting is North Dakota Century Code section 44-04-19.1& .2. The purpose of this executive session is Attorney Consultation.

At this time, a motion would be made in order to discuss the next topic in the executive session rather than in an open meeting. Is there such a motion? Randy Zinke made a motion to close the meeting, and Barb Stute seconded the motion. Lori asked if there is any discussion on the motion? Seeing no discussion, I will call the roll, Erika Lorenz, Barb Stute, Gary Volochenko, and Randy Zinke all voted Aye. Motion carried.

The executive session will be recorded, and all members of the governing body are reminded to limit their discussion during the executive session to the announced topic. Any collective decision, collective commitment, or other final action by the governing body must occur after it reconvenes in an open meeting, unless final action is specifically required by law to be taken during the executive session.

The prohibition on taking final action during the executive session does not apply to providing guidance or instructions to our attorney or negotiator.

We will now ask the members of the public who are attending the meeting to leave the room. We anticipate adjourning the executive session, and reconvening the open portion of the meeting, in approximately one hour.

The minutes will show that the executive session began at 6:04pm and was attended by Lori Stute, Gary Volochenko, Randy Zinke, Barb Stute, Erika Lorenz, and Jim Wilson from Wilson Law.

The minutes will show that the executive session was adjourned at 7:11pm. The public has been invited to return to the meeting room, and we are back in open session. The public cannot get back shortly however, so seeing there is nothing further and no other item on the agenda is there a motion to adjourn? Gary Volochenko made the motion to adjourn, and Barb Stute seconded. Barb Stute, Gary Volochenko, Randy Zinke and Erika Lorenz all voted Aye. Motion carried. Meeting adjourned.