

**Benner Township Supervisors
Special Meeting Minutes
October 4, 2024
2:00pm
1224 Buffalo Run Road
Bellefonte, PA 16823**

1. CALL TO ORDER

This special meeting of the Benner Township Board of Supervisors was called to order on October 4, 2024 at 2:00 p.m. by the Chairman, Randy Moyer.

2. ROLL CALL/ATTENDANCE

Members Larry Lingle, Randy Moyer and Kathy Evey were present.

Also in attendance were: Sharon Royer, Township Secretary and Rod Beard, Township Solicitor.

3. PERSONS TO ADDRESS THE BOARD/PUBLIC COMMENT

- John Kostas, questioned how it is determined what is included in the minutes.
 - It was clarified that in accordance with Sunshine laws, general public comment is not required to be included in public meeting minutes. Some public comments can be included but are not required to be included by law.

4. ADJOURN TO EXECUTIVE SESSION TO DISCUSS LITIGATION

5. RETURN TO PUBLIC MEETING

The purpose of this Special Meeting is to discuss the Civil Action suit filed by Mrs. Kathy Evey against the Benner Township Supervisors (Mr. Randy Moyer, Mr. Larry Lingle and Mrs. Sharon Royer). The action to be taken at the meeting today is to authorize Mr. Rodney Beard to act as solicitor to represent all the parties in the action that has been filed.

- a. Retention of Counsel for Lawsuit Filed by Kathy Evey

Moyer made a motion to authorize Rodney Beard to represent the Board of Supervisors, Randy Moyer, and Larry Lingle in the civil action filed by Kathy Evey against the Board of Supervisors, Randy Moyer, and Larry Lingle, and

Sharon Royer. Lingle seconded the motion. Discussion included a question by Christine Line regarding the ethics/code of conduct/conflict of interest in representing 2 out of the 3 supervisors. The motion carried with 2 yes votes and 1 no vote.

Vote:

Moyer: Yes/No YES
Lingle: Yes/No YES
Evey: Yes/No NO

- b. Lingle motioned to waive the potential conflict of interest with Rodney Beard representing Sharon Royer in the in the civil action filed by Kathy Evey against the Board of Supervisors, Randy Moyer, and Larry Lingle, and Sharon Royer, and to execute the acknowledgement presented by Rodney Beard for such waiver. Moyer seconded the motion. A question was raised by Christine Line regarding legal fees of Mrs. Royer and Mrs. Evey. It was clarified that the Township will pay for Mrs. Royer's legal fees, but not the legal fees for Kathy Evey. Kathy Evey raised a question regarding board Secretary and Treasurer duties versus Township secretary/employee duties. The Second Class Township Code was cited in response to the question. The motion carried with 2 yes votes and 1 no vote.*

Vote:

Moyer: Yes/No YES
Lingle: Yes/No YES
Evey: Yes/No NO

- c. Moyer motioned for the Township to pay Rodney Beard for his representation of Sharon Royer in the civil action filed by Kathy Evey against the Board of Supervisors, Randy Moyer, and Larry Lingle, and Sharon Royer, because Sharon Royer was sued in her capacity as a Township employee. Lingle seconded the motion. The motion carried with 2 yes votes and 1 no vote.*

Vote:

Moyer: Yes/No YES
Lingle: Yes/No YES
Evey: Yes/No NO

6. HIRING OF OFFICE ASSISTANT

Moyer motioned to authorize Sharon Royer, Township Secretary, to prepare an advertisement for an office assistant position, and advertise the position as Sharon Royer deems appropriate, and collect applications and letters of interest for the position, and schedule and conduct interviews with appropriate candidates as Sharon Royer deems appropriate, and make a recommendation to the Board of Supervisors. Lingle seconded the motion. The motion carried unanimously with 3 yes votes.

Vote:

Moyer: Yes/No YES
Lingle: Yes/No YES
Evey: Yes/No YES

7. ADJOURNMENT

The meeting adjourned at 2:37pm.

Leah Guizar - Transcriptionist

Benner Township Supervisors
Special Meeting
October 4, 2024 - 2:00 p.m.
Sign in Sheet
(Please Print)

Name

Address

Allen & Treva Strouse

Buffalo Run

Bret Pallotto

Bellefonte

Dennis Tewksbury

293 Meadow Flower Cir Bellefonte

CHRISTINE WINE

Camp Hill

FRED GAY

BENNER TWP.

JOHN KOSTES

BENNER TWP.