

TOWN OF SILER CITY
BOARD OF COMMISSIONERS
October 16, 2023, MINUTES
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TOWN OF SILER CITY

The Siler City Board of Commissioners met in Regular Session on **Monday, October 16, 2023**, at 6:30pm in the City Hall Courtroom with Mayor Price presiding. Mayor Price gave the invocation with the recitation of the Pledge of Allegiance following. Mayor Pro Tem Haiges recited the Town of Siler City Mission Statement and Commissioner Brown recited the Town of Siler City Vision Statement.

ELECTED TOWN OFFICIALS PRESENT: Albert Alston, Cindy Bray, Norma Boone, Curtis Brown, Lewis Fadely, Bill Haiges, and Thomas "Chip" Price, and James Underwood

TOWN STAFF PRESENT: Town Manager Hank Raper, Town Attorney William Morgan, Public Works Director Cal Pettiford, Public Utilities Director Chris McCorquodale, Human Resource Director, Nancy Darden, Planning Director Jennifer Baptiste, Budget Manager Jenifer Johnson, and Town Clerk, Kimberly Pickard.

AGENDA ADJUSTMENTS/APPROVAL OF AGENDA

Town Manager, Hank Raper requested to remove 3.5 CDBG-NR Project Budget 91 Amendment Schedule E, ad section 3.9 Stormwater and Sewer AIA Schedule M, 3.10 De-obligate Community Development Block Grant Schedule N, 10.1 Mayors Term Expansion- Resolution of Intent and timeline Schedule O.

A motion to approve the agenda amendments was made by Commissioner Brown, seconded by Commissioner Fadely, and unanimously approved.

A motion to approve the agenda as amended was made by Commissioner Fadely seconded by Commissioner Boone, and unanimously approved.

CONSENT AGENDA

A motion to approve the consent agenda which included the September 18, 2023 Minutes (Incorporation by reference as if fully set forth herein Schedule A), Siler City Airport Safety / Maintenance Program (Incorporation by reference as if fully set forth herein as Schedule B), On Call Engineering Services Firm Listing (Incorporation by reference as if fully set forth herein as Schedule C) Siler City Fire Department 100th Anniversary Road Closure (Incorporation by reference as if fully set forth herein as Schedule D) Wastewater Treatment Plant Land Purchase Budget Amendment (Incorporation by reference as if fully set forth herein as Schedule F). Water Meter Project Budget 99 Amendment (Incorporation by reference as if fully set forth herein as Schedule G) Finance Officer Appointment Resolution (Incorporation by reference as if fully set forth herein as Schedule H) Stormwater and Sewer AIA (Incorporation by reference as if fully set forth herein as Schedule M) Deobligate Community Development Block Grant (Incorporation by reference as if fully set forth herein as Schedule N) was made by Commissioner Fadely, seconded Commissioner Boone, and unanimously approved.

PUBLIC COMMENT

Jimmy Pugh 330 Womble Street, Siler City NC 27344: stated he is concerned about his water and sewer bill and how he does not have any usage but still must pay a bill, he also is concerned about the overflow of water in the ditches. And when rezoning properties are done there are no concerns over how the citizens will feel.

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PRESENTATIONS

Loves Creek Watershed Stewards gave a PowerPoint presentation regarding the Loves Creek Watershed Restoration and Protection plan.

OLD BUSINESS

Community Development Director Jack Meadows discussed the Rural Planning Organization and the Municipal Statement of Adoption – Triangle Area RPO (TARPO) is asking all municipalities to sign a Municipal Statement of Adoption of the Amended MOU between NCDOT and the four counties. Meadows went on explain to the Board of Commissioners that each municipality must adopt the statement by January 1, 2024 to remain a member of Central Pines RPO.

A motion to approve the Municipal Statement of Adoption of the Amended Memorandum of Understanding regarding the rural planning organization for Chatham, Lee, Moore, and Orange counties was made by Commissioner Fadely, seconded by Mayor Pro Tem Haiges, and unanimously approved.

NEW BUSINESS

Town Manager Hank Raper discussed using the firm of 120 Water Professional Services to develop a preliminary service line inventory to meet the Lead and Copper Rule revisions published on December 16, 2021. The Environmental Protection Agency (EPA) requires that all community water systems and non-transient non-community (NTNC) water systems develop an inventory of all service line connections, both system-owned and customer owned. The inventory must identify the potential presence of lead within each service line connection. The initial inventory must be completed and submitted to the North Carolina Public Water Supply Section by October 16, 2024.

Commissioner Fadely asked if 120 Water Professionals had been researched and Town Manager Hank Raper stated that, they were the most common Vendor used and they had received positive feedback from other municipalities and references that have used them for services.

A motion to approve the professional services agreement with 120 Water professionals was made by Commissioner Fadely and seconded by Commissioner Brown and unanimously approved.

MANAGER'S REPORT

Town Manager, Hank Raper discussed the Mayors Term Expansion. Raper, explained that Town Staff had been working with the election board trying to find a remedy to the Mayors Term expansion not being on the November ballot, it was explained that staff had reached out to the UNC School of Government seeking guidance, and the Mayor's term expansion would be able to be placed on the March 2024 ballot. Commissioner Fadely asked for confirmation that the items that would be approved at tonight's meeting would put us on track for the Mayor's four-year term to be on the 2025 ballot and Raper confirmed.

Commissioner Brown asked why did it not make it on the November 2023 ballot?

Mayor Price stated he we were jumping ahead because he has several questions he would like to ask.

Mayor Price stated that it was voted to be put on the ballot a referendum to expand the Mayors term to four years, Haper stated correct. Mayor Price asked why was this not on the ballot? Hank Raper, explained that the time line was in the packet and went to further explain that elections stated they were going to reach out to the UNC School of Government and get back with us and they did not and he felt that staff

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had done what they needed to do to get it added to the ballot and election staff never circled back to have it added and we think we had our wires crossed.

Mayor Price stated with that being the case why was there no contact between town staff and the board of elections after May 31st and now that's been six months. Hank Raper stated that staff believed they had done everything that needed to be done to have it added to the ballot.

Mayor Price, stated Really? We did not hear anything back, I looked at the emails and the paper trail and it was just so open ended, did someone not thing they might of outta called or another email to somebody to see where we stand. Hank Raper stated that it was an unfortunate oversight that it was not added to the ballot, he is not trying to get into the mind of staff, but he felt there was not a reason to contact or an issue that needed to be remedied.

Mayor Price stated let me ask you this question, who was responsible for seeing that this was done? Who was supposed to do that? Hank Raper said the last page of the packet stated that the Town Attorney was copied on that email so like I said I believe the Town Attorney, myself and town staff believed that the elections team had the information they needed. Mayor Price said I am not talking about what you believe, who is responsible for seeing that this referendum that was dually voted on and approved by the Board and was to make sure it was put on the ballot, who in the town was supposed to do that? I keep hearing Town Staff and Hank Raper replied that would be everyone in administration. Mayor Price repeated I want to know who is responsible for putting this referendum is placed on the ballot. Who is responsible for that?

Commissioner Fadely asked what portion is the responsibility of the staff versus what portion because it is two separate entities to get this on the ballot. So, what is the responsibility of the staff and what is the responsibility of the board of elections if you know and what is the responsibility of the state for getting it on because it did say the state was going to send some follow up suggestions and this is just to follow up with the Mayors question of who was responsible.

Mayor Pro Tem Price stated he did have a clarification that he also thinks there is a difference between responsibility and accountability. He thinks the accountable person is the Town Manager and the responsibility was whoever was tasked to do it. Mayor Price agreed with Mayor Tem Haiges stated he was absolutely right but the second part of that question who had the responsibility to do that? Hank Raper stated that would be the Town Clerk per the resolution. Mayor Price said, Town Clerk that is our current Town Clerk, right? Hank Raper stated that was correct. Mayor Price, stated ok let me get this right, how long had the Town Clerk been the Town Clerk when this resolution was done? Hank Raper, stated he did not know that date off the top of his head. Mayor Price asked, was it one month, two months, three months? Hank Raper replied it was a few months. Mayor Price said just a few months so in other words, she was new in the position, so we just turn that over to her and make her responsible to do something and she had only been here for three months without any training and we just turn it over to her. Hank Raper, stated he did not feel that was a fair assessment, that you can see from our email chain that the Budget Manager, that supervises the clerk assisted while the Town Clerk was out of the office and administration believed there was enough information that had been shared to resolve this problem. Commissioner Bray, asked if she could interject something. She said I think we can all agree this was supposed to be on the ballot, but how many of us took the time to ask if it had been put on the ballot?

Mayor Price said he asked Hank Raper if it had been put on the ballot back in the summer. Commissioner Brown said he remembers getting the petitions from citizens that wanted it on the ballot. Mayor Price

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said is it fair to say we gave this responsibility to a person that had only been on the job three months, had no training, had not been a Town Clerk before, and we just turn that over to them. Now with that being said, we also established that the Town Manager is accountable for that right and the Town Manager is accountable for everything that goes on in the Town, right? Hank Raper stated I am sure that is the point you are trying to make. Mayor Price, do you agree or not? Hank Raper stated that he agrees there was an oversight. Mayor Price said we are not talking about an oversight we are talking about the Town Manager responsibilities or his accountability. Let's phrase this another way, what are the responsibilities of the Town Manager, what is his main function for the town?

Commissioner Fadely stated he had follow up questions to responsibilities and Mayor Price stated that Lewis could follow up when he was done asking his questions. Commissioner Fadely said alright I will follow up when you are done asking your questions.

Commissioner Bray asked if we needed to take a number to ask a question.

Town Attorney William Morgan stated that the resolution that was adopted on June 5, 2023, was based on a form and that form is just what I used when I drafted it and that form directs the clerk to deliver a copy of the resolution to the Board of Elections and the statute reads that this is done through the Board of Commissioners and staff. Morgan also stated that he feels we may be getting too much into Personnel and that concerns him under the Personnel privacy act and that is why the Personnel is one of the exceptions to open meetings and if this jumps up again, we will need to go into closed session.

Mayor Price stated that we have sort of established that it is the Town Manager's responsibility to carry out the directions of the Board when something is voted on and approved of, right? Town Manager Hank Raper stated that is correct Mayor. Mayor Price stated that we have established that this referendum that we asked to have done was voted on and approved unanimously. Hank Raper stated that no one is questioning it. Mayor Price stated that we have also established that we went from May 31st to sometime in October that we had no contact with the Board of Elections. Hank Raper stated that was correct. Mayor Price, stated let me ask this question, who found out the referendum was not on the Ballot? Hank Raper stated he found out after it was disclosed to him by Donald Matthews that he had come by his office one day and shared that information. Mayor Price said oh a citizen came and told you that it was not on the ballot? Hank Raper stated that was correct. Mayor Price asked what date did you find this out? Hank Raper stated I will have to approximate but I would say a couple of weeks ago. Mayor Price asked if it would be fair to say that was October 6? Hank Raper stated that it may have been. Mayor Price said so at the end of the week. Hank Raper said it was that Friday. Mayor Price asked, upon finding out that what did you do? Hank Raper stated that we called the elections staff to see if there was a remedy to this issue and we had several conversations with Pandora Paschal to try and resolve this and I still believe that staff did what was necessary to have this added to the ballot again I believe staff complied with what was necessary to have this added to the ballot but be as it may election staff did not add this to the ballot and they told us there was not anything that we could do, so we contacted William to see if there was a way to remedy this and I also contacted the County Manager and made him aware that this was an issue we were dealing with. Mayor Price asked when you found this out when did you contact the commissioners or when did you notify them it was not on the ballot? Hank Raper stated I am not sure the answer to that off the top of my head. Mayor Price asked did you inform anyone? Hank Raper stated I am not sure. Mayor Price stated so you are telling me that something that important and dually voted on by the Board and approved and you found out it was not there, and you didn't think it was important enough to tell the Commissioners.

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Lewis Fadely stated if you found on the 6th and I got my packet on the 11th, so I was informed on the 11th and I don't know when everyone else was informed but I got my packet on the 11th. So I was informed very quickly within three working days, I do have a question though that I think is important, we talk about responsibilities and then we talk about statutory responsibilities both have been brought up, I would like to ask our Town Attorney if he has reviewed the statutory responsibilities and then I would like to have a discussion on follow up because there was no follow-up from the email from Pandora Paschal on May 31st I don't know if this a statutory responsibility or a common sense responsibility, but then moving forward I would like to, I don't want to point fingers at the Board of elections or the state because they are out partners in this process and we need them moving forward but I am concerned about the statutory responsibility in this matter and maybe just some type of internal responsibility.

William Morgan stated that this can be done through the governing body, the clerk or a number of different people and I think that some confusion may have been caused by two different resolutions one of which was the resolution on intent and a resolution of calling a referendum and I note the first resolution got sent because I was copied on it and I don't know if the second one was sent or not.

Lewis Fadely asked if we meet our statutory responsibilities of sending what we needed to the board of elections. William Morgan stated this went on for days and days and days and I cannot tell from the documents that I have reviewed if the resolution calling for a referendum was sent. I think the expectation based on the email was they would contact the UNC school of government. Commissioner Fadely asked, "so when you mean referendum you mean the document or referendum calling for the actual question?" William Morgan said I am referring to the resolution for referendum that was approved on June 5th, there are two resolutions one that kicks off the process and one that calls for the vote. Mayor Price asked William, so we did what we needed to do in plenty of time to get it done its just nothing happened after we did it, is that correct? William Morgan said yes that pretty much sums it up.

Mayor Price stated and it did not happen so now we are right back to who's responsibility was it or who was accountable for that and that goes right back to the direction of the board was not carried out and you never did answer the question why do you think it was not important to tell the commissioners something that important why were we not contacted immediately, you could have sent an email out or a phone call or something what is the thought process.

Hank Raper stated that staff was trying to work to get a remedy and he still feels like they complied with what was required by the statute, and he felt sharing at tonight's meeting so it could be shared with the entire board and any questions asked could be answered and this is the first meeting we have had since that took place.

Mayor Price asked do you think out of courtesy to the board you could not have sent out an email that said look it is not on it. When did you talk to Pandora, what was the date? Hank Raper answered I am not sure, the first conversation the Town Clerk and I were speaking with together, I am not sure if she remembers the date of that call.

Kimberly Pickard answered I believe it was Tuesday, or Wednesday of last week. Mayor Price asked Town Manager did you not talk to her on October 6th? Hank Raper replied I am trying to give you an accurate answer, but I do not recall. I recall the specific conversation I just do not recall when it was. Mayor Price asked any conversation you had with Pandora did she tell you it was not on the ballot? Hank Raper replied yes, she did. Mayor Price said and that point you knew it was not on the ballot and Hank Raper replied that is correct. Mayor Price said at that point did she also tell you there was no way to get it on the ballot

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because it had already been printed, Hank Raper said that is correct, but she also told us to contact our Town Attorney and the School of government. Mayor Price stated so at that point you were pretty confident that it was not on the ballot, and it was not going to happen. Hank Raper replied that is why we do our due diligence. Mayor Price said did you do your due diligence?

Mayor Pro Tem Haiges said I think we can all agree there was a lack of follow up from the town staff and the town manager and I think there was a lack of follow up from the Board of elections, and I think we can all agree with that.

Mayor Price replied that the Board of elections does not have any responsibility to get back with us about the language we are supposed to supply the information to them and that is on us the Town.

Mayor Pro Tem Haiges said I am not disagreeing with that but what I am reading in her though is that Pandora said she would get with the school of government and state and get that now I think that is were the lack of follow up and when you see that no one followed up and said what is the final outcome and what is the language we are going to use and that is where the breakdown is.

Mayor Price stated yeah, a break down occurred and you would think that with something that important that somebody would after four or five months hey I have not heard anything, lets shoot an email, lets pick up the phone, let's call, lets ride down there.

Commissioner Bray asked if she could possibly say something? She said as you all know I am a long sitting commissioner and I have worked with several mayors and many of you remember John Grimes, and if he had a concern, he would pick up the phone and call me personally and everyone on the Board. He would not just send an email if he had a concern, he would pick up the phone and call you and tell you what his concern was before he had a meeting so everyone could be informed. He also would not come in and make is a personal issue, he would put his personal feelings aside and go with what was supposed to happen and he would follow the rules and I personally think you are making it a personal issue. Mayor Price replied I am sorry you feel like that it is not a personal issue. Commissioner Bray replied well you have showed that in the past for the way you have treated him. We are not talking about the past said Mayor Price. Commissioner Bray said well the past does have something to do with it. Mayor Price said Commissioner Bray, my personal feelings do not have anything to do with it, we are talking about facts, we are talking about what happened and what has not happened, and that particular point has no bearing on what we are doing. Commissioner Bray said that if anyone of this board feels like I do they should speak up because it has went on too long for you to try and parade him in front of everyone and that's not right.

Mayor Price stated no one is trying to parade him we are pointing out facts and Commissioner Bray said yes you are. Commissioner Bray asked Mayor price did you call me and tell me how concerned you were about this issue? Did you? Mayor Price said the Town Manager did not call me and Commissioner Bray said no did you call me? Mayor Price said the town manager did not call me so how was I supposed to know, Commissioner Bray said well you knew it before we got here? Mayor Price said well I did not know it for sure. Hank Raper stated to Mayor Price that you know that is not true because Mayor Pro Tem and myself tried to talk with you last Friday morning about this issue and you refused to talk about it. Mayor Price said that is not my point my point is you could have picked up the phone sent an email or something just me know or something lets just move on.

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Mayor Pro Tem Haiges agreed it was a good idea to move on and we have a solution so if we could talk about a solution. Mayor Price stated he was not ready to talk about the solution yet he is not through with what he wants to go over.

Commissioner Fadely asked Mayor Price, "I thought you were ready to move on?"

Mayor Pro Tem Haiges again asked to move on to the solution and Mayor Price answered the solution would have been for the Town Staff to follow through and they did it would be on the ballot, and we would not even be sitting here.

Commissioner Fadely said a solution cannot be in the past a solution has to be moving forward and we have made it record that the statutory item sending the final resolution did not occur and that's on the record and we have also made on the record that there was no follow up to the May 31st email so we all know those things did not occur, I don't want to point fingers I don't want to say well why didn't we get language from Pandora, maybe the state never got back to her then pointing the fingers at us, we can go round and round and round over and over again, I think we have made the record officially with statutory responsibility and why there was not a ticker on the calendar, I think now we need to move forward to get it on the next ballot as quickly as possible.

Mayor Pro Tem Haiges said he would like to make another comment, that he thinks we would all agree that we need to make sure going forward that something like this does not occur again. How do we set up and ensure this is a learning opportunity because obviously mistakes were made and how do we fix that going forward? Commissioner Fadely responded by modifying our internal procedures and I do think we need to talk about that, so it does not happen again and how we get it fixed as quickly as possible.

Mayor Price answered we will get to that we just have not got to that yet, okay? We will talk about that in a little bit. Alright we have established a couple of things I want to add here this is not the first time we have had issues for me this is the straw that broke the camel's back. It is not an isolated event, it is an ongoing problem, a pattern, there have been other things that we have been told, one thing we heard about tonight was the 2021 audit, we were told it was going to be done by March, then going to be done by June, then we did not know when it was going to be done, and then tonight it is not going to be done until the end of the year. That's the 2021 audit other audits have not been completed 2022 and 2023 have not been completed, another complaint we get a lot, I get a lot and I am sure other commissioners get is they don't get returned phone calls or emails. I got two today, William Morgan stated that we are nearing the boundaries of personnel issues again and Mayor Price responded we would move on.

Commissioner Bray stated to Mayor Price I have had several people tell me they call you and leave you messages and you will not return their phone calls so then you are telling someone else the same thing, I've had more than one person, Mayor Price replied will I had two today and every time I go somewhere its something like that. Evidentially NC Legislature does not have any confidence in Town Staff you can go to this house bill we are looking at in the language that is in the bill it says it will give us x dollars we can get 15 percent of it but can't get anymore until we have some type of agreement worked out with someone else. Hank Raper replied that has absolutely nothing to do with Town Staff. Mayor Price said it says they do not have confidence in the Town Staff of Siler City. Hank Raper replied that is not said anywhere.

Mayor Pro Tem Haiges said to Mayor Price that is not true, you can not come out and say something like that, that is just not true, Mayor Price replied well I think I heard that in a meeting somewhere, next part the DEQ has no competence in town staff, Commissioner Fadely said we are right at the limits of going

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into closed session so before we go any further: I am going to make a motion to approve the resolution of intent to consider an ordinance amending the charter of the Town of Siler City to provide for election of the mayor for a term of four years and setting the date for a public hearing thereon, Mayor Price taps the gavel and says meeting is out of order, Commissioner Bray seconded the motion, Mayor Price said I want to back up, Commissioner Fadely stated to Mayor Price the town attorney has already told you twice you are pushing the line, Mayor Price replies I said we will get to that in a minute. Commissioner Fadely responds are you not going to listen to our Town attorney he has told you two times you are pushing the line; I have made a motion and there is a second. Now if you want to go to closed session and discuss I am fine with that but right now I want to fix the problem. Mayor Price said it does not need to be talked about in closed session it needs to be talked about in open session. Commissioner Fadely says we have a motion and a second on the floor.

Mayor Price said why can't we do like Pittsboro did and vote on it and send it on in and be done with it. William Morgan said well we started out that way and you heard from some citizens or from what I recall do it by ordinance and there were some concerns at the meeting so we decided to make it a referendum vote. Commissioner Fadely stated we heard from a good amount of citizens that wanted it on the ballot so I would pause at voting against the wishes of the citizens, he also said I am upset that it is not on this ballot but I am ready to move forward and get this on the primary and perhaps more people will show up for a presidential primary than they will a municipal election. William Morgan said actually the statute suggests using a primary election for the referendum at a time when you think you will get the most votes. Commissioner Fadely said Mr. Mayor I am not arguing that things that should have gotten done did not get done, I am not arguing that at all, I just want to get this fixed and the only way I know how to get this fixed is to go ahead and make this motion. Mayor Pro Tem said if we do this tonight this would still give us time to put it on the 2025 election, even with the other that did not get placed on the ballot was still going to be for the 2025 election not the 2023 election. Commissioner Boone said and I do think we need to make sure we hear from the people because that is the reason, we did it to begin with.

Mayor Price stated if there is no more discussion all those in favor say aye....

A motion to approve the resolution of intent to consider an ordinance amending the Charter of the Town of Siler City to provide for election of the Mayor for a term of four years and setting the date for a public hearing thereon was made by Commissioner Fadely seconded by Commissioner Bray and unanimously approved.

Mayor Price stated now we are back on talking about isolated events. The Town Manager has violated the trust and confidence between the board and the management. How can the Board know or trust that other things and direction are being carried out. What else is out there that we have just not found out about? My thought is enough is enough. The Board has fiduciary and statutory responsibilities to do what is in the best interests of the Town. I feel the time has come for the Board to decide to replace the Town Manager. Do I hear a motion to remove the Town Manager from his duties?

Curtis Brown made a motion to remove Town Manager Hank Raper from his duties. The motion was seconded by Commissioner Alston.

Commissioner Fadely stated call it for a vote.

Prepared by Kimberly D Pickard, Town Clerk

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Mayor Price, does anyone want to say anything? Commissioner Fadely, just call it for a vote.

Mayor Price, well I want to say something before we do though, if you vote for my thought and we vote and we allow this to stand and going forward when do we say well that's right and that's not right cause what has happened here by not following through with what the board asked to do is a breach of confidence and trust between the board and the manager. If there is not some type of reprisal somewhere or something saying that is not acceptable.

Commissioner Fadely said there is a motion and a second on the floor call a vote. Mayor Price said no and Town Attorney William Morgan said there is a motion to call the question and Commissioner Fadely said there is a motion to call the question.

Mayor Price said ok all those in favor of letting the Town Manager go raise your hand all those opposed like sign.

Voting Yay: Albert Alston, Curtis Brown, and James Underwood.

Voting Nay: Norma Boone, Cindy Bray, Lewis Fadely, Bill Haiges

The motion failed to pass.

Cindy Bray said this should be the end of it. Mayor Price replied that it will not be the end of it. I guarantee that the board at some point in time will be re-visiting.

GOVERNING BODY COMMENTS

None

CLOSED SESSION

A motion to go into Closed Session § 143-318.11 (a)(3) § 143-318.11 (a)(3) To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged. General policy matters may not be discussed in a closed session, and nothing herein shall be construed to permit a public body to close a meeting that otherwise would be open merely because an attorney employed or retained by the public body is a participant. The public body may consider and give instructions to an attorney concerning the handling or settlement of a claim, judicial action, mediation, arbitration, or administrative procedure. If the public body has approved or considered a settlement, other than a malpractice settlement by or on behalf of a hospital, in closed session, the terms of that settlement shall be reported to the public body and entered into its minutes as soon as possible within a reasonable time after the settlement is concluded at 7:58pm was made by Mayor Pro Tem Haiges, seconded by Commissioner Underwood, and unanimously approved.

A motion to come out of closed session at 8:19pm was made by Commissioner Fadely, seconded by Commissioner Brown, and unanimously approved.

A motion to go into Closed session § 143-318.11 (a)(6) To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate

Prepared by Kimberly D Pickard, Town Clerk

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a complaint, charge, or grievance by or against an individual public officer or employee. General personnel policy issues may not be considered in a closed session. A public body may not consider the qualifications, competence, performance, character, fitness, appointment, or removal of a member of the public body or another body and may not consider or fill a vacancy among its own membership except in an open meeting. Final action making an appointment or discharge or removal by a public body having final authority for the appointment or discharge or removal shall be taken in an open meeting at 8:20pm was made by Commissioner Underwood, seconded by Commissioner Fadely and unanimously approved.

A motion to come out of closed session at 8:48pm was made by Commissioner Fadely, seconded by Commissioner Brown and unanimously approved.

ADJOURNMENT

With no further business the Board of Commissioners adjourned at 8:49pm.

Thomas K Price III

Thomas K. Price, III, Mayor

ATTEST:

Kimberly D Pickard

Kimberly D Pickard, Town Clerk

