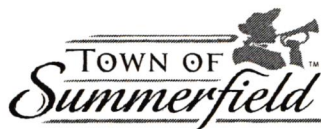


Unsealing of Closed Session Minutes

Council Action 10/12/2021

September 8, 2020—Release in full.



Town Hall: POB 970, 4117 Oak Ridge Road, Summerfield, NC 27358  
ph: 336-643-8655 / fax: 336-643-8654 / www.summerfieldnc.gov

C L O S E D   S E S S I O N   M I N U T E S   S E P T E M B E R 8, 2020

Present: BJ Barnes, Lynne Williams DeVaney, John O'Day, Tim Sessoms, Teresa Pegram, Reece Walker, Town Manager Scott Whitaker, Town Clerk Lance Heater, and Town Attorney Bob Hornik.

\*NOTE: Sessoms made a motion at 9:39pm to enter into closed session for the purpose of:  
1) consulting with an attorney employed or retained by the public body in order to preserve the attorney-client privilege as provided under NCGS 143-318.11(a)(3); and, 2) establishing, or instructing the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating the price and other material terms for the acquisition of real property as provided under NCGS 143-318.11(a)(5). The motion was seconded by O'Day and carried unanimously.

O'Day inquired as to whether Pegram was audio recording the meeting, to which Pegram responded that she was. Other Council members stated that Council's policy prohibits the recording of closed sessions, which Pegram disputed. Therefore, Council reconvened at 9:41pm in open session to prohibit the use of recording devices in closed session.

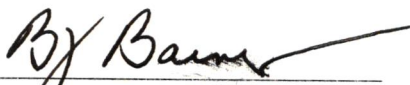
\*NOTE: DeVaney made a motion at 9:44pm to enter into closed session for the purpose of:  
1) consulting with an attorney employed or retained by the public body in order to preserve the attorney-client privilege as provided under NCGS 143-318.11(a)(3); and, 2) establishing, or instructing the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating the price and other material terms for the acquisition of real property as provided under NCGS 143-318.11(a)(5). The motion was seconded by Walker and carried unanimously.

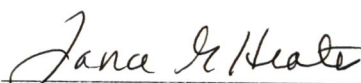
Per Council's direction, Whitaker gathered recording devices and cellular phones from those in attendance and removed them from the room.

Hornik distributed a proposed Resolution 2020-002 Authorizing Legal Defense: Dunham v. Whitaker. Hornik stated that because Whitaker was sued in his capacity as Town Manager, it would be advisable to adopt the proposed resolution to authorize the Town Attorney to defend the suit.

There was a discussion of the possible acquisition of property for purposes of constructing a new town hall. Council authorized Sessoms to approach the owners of the Baynes property, located across from the existing town hall, with an initial offer of \$160,000 with \$200,000 as a maximum offer. There was a discussion of alternate locations for the new town hall in the event negotiations were unsuccessful regarding the Baynes property. Council reviewed tracts adjacent to Summerfield Athletic Park for that purpose and authorized Whitaker to approach Jennie Decker with an offer of \$225,000 for her properties located on Winfree Road with \$235,000 as a maximum offer. Whitaker was directed to approach Decker in the event that negotiations on the Baynes property were unsuccessful.

Closed session ended at 10:47pm.

  
BJ Barnes, Mayor

  
Lance G. Heater Town Clerk