

Mount Pleasant

North Carolina

Founded in 1848

**Town of Mt. Pleasant
Board of Commissioners
Town Board Meeting - ZOOM Electronic Meeting #817 0245 1568
Monday, August 10, 2020 at 6:00 P.M.
CLOSED SESSION**

143-318.11.(a)(#3) Closed session- Consult with Town Attorney

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.

Attending: Mayor Eudy, Mayor Pro-Tem Lori Furr, Commissioner Ashby, Commissioner William Meadows, Commissioner Jim Sells, Commissioner Justin Simpson, Randy Holloway, John Scarbrough, Amy Schueneman, and Crystal Smith.

Town Clerk Amy Schueneman informed the Board that an incorrect date was published in the paper for the June 22nd Annexations on Walker Road and the FY2020/2021 Budget Public Hearings. The mistake was discovered when Town Planner Erin Burris asked for a copy of the Affidavit from the Independent Tribune for the Public Hearing Notice. The date published in the paper, Board Agenda Packets, and website had March 13th as the Public Hearing. No one caught the error including the newspaper.

Town Attorney John Scarbrough referred to a handout that listed the Legal Issues and the State Statutes that support his recommendations. *The handout is included with the Closed Session Minutes.*

First, the Annexations on Walker Road can only be contested by the person requesting the annexation which is the property owner. Therefore, Tenneill Shirley White who spoke against it would not be able to reverse the annexation. Only the State legislator can reverse the annexation. Erin Burris did email Ms. White a detailed timeline and the legal requirements concerning the annexation which was reviewed by Mr. Scarbrough and Mr. Holloway prior to being sent. She was also informed that an appeal can be filed by August 11th if she wanted but all that would accomplish is to have the Board hear it again because it is a done deal that only the State Legislator can reverse at the request of the property owner.

All requirements were followed by the Town Staff and Boards.

The Public Hearing for the FY 2020/2021 Budget Ordinance requires a Public Hearing, it is to be advertised in the local paper, and a copy to be available for the Public to view prior to adoption. All these items were completed. Mr. Scarbrough stated that typos and clerical errors happen all the time. The best solution is to acknowledge the error at the next Board meeting to get it in the minutes that the error was found, and the Town wants to let the public know for transparency.

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It was decided that a motion to set as a New Agenda Item under New Business at the next meeting (September 14th) a discussion to address the June 22nd Public Hearing for Annexation and Budget Ordinances would be made when back in Open Session.

Commissioner Sells made a motion with a second from Commissioner Simpson to end the Closed Session.

Roll Call: Ashby-yes, Furr- yes, Meadows-yes, Sells- yes, and Simpson-yes.

All Board Members were in favor. (5-0)



Amy Schueneman, Town Clerk CMC, NCCMC

