

OCTOBER 8, 2013
CLOSED SESSION MINUTES REVIEW AND OPINION – WLH

<u>July 9, 2013</u>	Release with redactions
<u>May 14, 2013</u>	Release with redactions
<u>April 9, 2013</u>	Release with redactions
<u>March 12, 2013</u>	CANNOT BE RELEASED
<u>December 18, 2012</u>	CANNOT BE RELEASED
<u>December 11, 2012</u>	CANNOT BE RELEASED
<u>November 13, 2012</u>	Release with redactions
<u>October 9, 2012</u>	Can release full minutes – no redactions
<u>September 25, 2012</u>	CANNOT BE RELEASED
<u>April 27, 2012</u>	Release with redactions
<u>April 4, 2012</u>	Release with redactions
<u>March 21, 2012</u>	Release with redactions
<u>March 13, 2012</u>	Release with redactions
<u>January 27, 2012</u>	Release with redactions
<u>January 10, 2012</u>	Can release full minutes – no redactions
<u>November 10, 2011</u>	Release with redactions
<u>July 12, 2011</u>	Release with redactions
<u>June 14, 2011</u>	Release with redactions
<u>March 9, 2010</u>	Can release full minutes – no redactions
<u>December 19, 2007</u>	Release with redactions
<u>August 14, 2007</u>	Release with redactions



C L O S E D S E S S I O N M I N U T E S J U L Y 9 , 2 0 1 3 , 6 : 3 0 P M

Present: Mark Brown, Dena Barnes, Alicia Flowers, Dianne Laughlin, Elizabeth McClellan, John Wray, Town Manager Scott Whitaker, and Town Attorney William Rozell

* NOTE: In open session, Laughlin made a motion at 8:00pm to recess to closed session as provided under NCGS 143-318.11(a)(3), NCGS 143-318.11(a)(5), and NCGS 143-318.11(a)(6). The motion was seconded by Wray and passed unanimously.

SAP Field House building repairs: A settlement check for \$10,000 was received from RP Murray and a \$1,000 check is expected soon from Bilco. Whitaker had not yet received a repair proposal, but was expecting an amount in the \$20,000 to \$25,000 range. An open-session motion would be made to accept the funds.

[REDACTED]

[REDACTED]

Whitaker and Hill were excused at 8:20pm.

[REDACTED]

By consensus, Council reconvened to Open Meeting at 8:37pm.

Mark Brown, Mayor

Valarie R. Halvorsen, Town Clerk



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

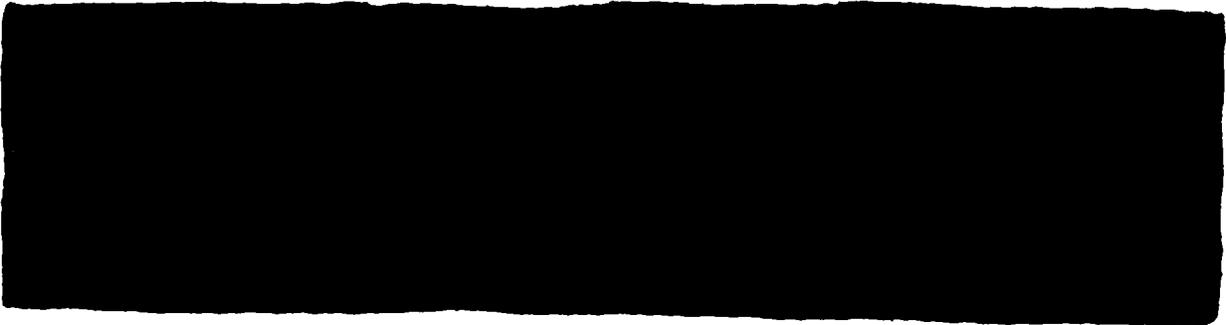
C L O S E D S E S S I O N M I N U T E S MAY 14, 2013, 6:30PM

Present: Mark Brown, Dena Barnes, Alicia Flowers, Dianne Laughlin, Elizabeth McClellan, John Wray, Town Manager Scott Whitaker, and Town Attorney William Hill

* NOTE: In open session, Barnes made a motion at 7:58pm to recess to closed session as provided under NCGS 143-318.11(a)(3) and NCGS 143-318.11(a)(5). The motion was seconded by Wray and passed unanimously.

SAP Field House Building repairs: Hill recommending discussing the issue with insurance carriers of RP Murray and Doggett Construction.

Lipinski case: Hill gave an update regarding the Lipinski lawsuit against the Town.



By consensus, Council reconvened to Open Meeting at 9:07pm.

Mark Brown, Mayor

Valarie R. Halvorsen, Town Clerk



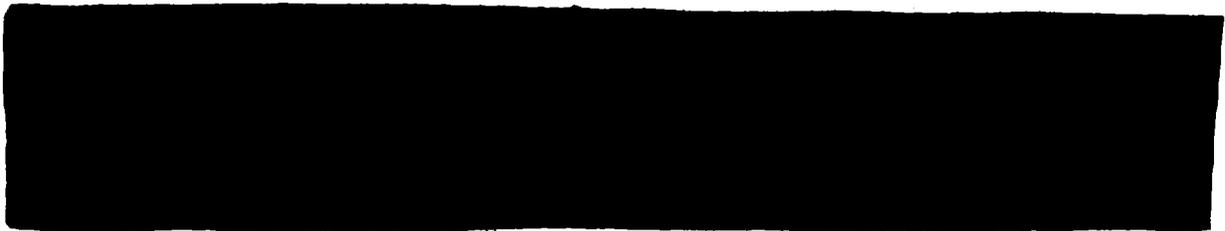
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C O U N C I L C L O S E D S E S S I O N M I N U T E S

APRIL 9, 2013, 6:30PM, SFD COMMUNITY CENTER

Present: Mark Brown, Dena Barnes, Alicia Flowers, Elizabeth McClellan, John Wray, Town Manager Scott Whitaker, and Town Attorney William Hill

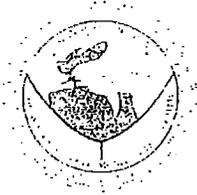
* NOTE: In open session, Barnes made a motion at 7:38pm to recess to closed session as provided under NCCGS 143-318.11(a)(5). The motion was seconded by Flowers and passed unanimously.



By consensus, Council reconvened to open session at 8:21pm.

Mark E. Brown, Mayor

Valarie R. Halvorsen, Town Clerk



Town of Summerfield – Closed Session Minutes

Town Council Meeting Minutes - Brown

March 12, 2013 6:30 PM

Alicia Flowers

Dianne Laughlin

Valarie Halvorsen, Clerk

Scott Whitaker

Scott Whitaker, Manager

John Wray

Summerfield Town Hall | 4117 Oak Ridge Road
March 12, 2013 | 6:30PM

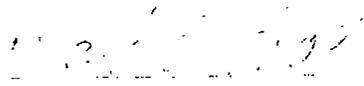
Present: Mark Brown, Dena Barnes, Alicia Flowers, Dianne Laughlin, John Wray, Town Manager Scott Whitaker, and Town Attorney William Hill

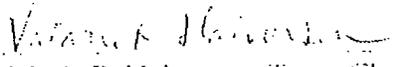
* NOTE: In open session, Barnes made a motion at 7:39pm to recess to closed session as provided under NCGS 143-318.11(a)(2), NCGS 143-318.11(a)(3), NCGS 143-318.11(a)(6), and 160A-168. The motion was seconded by Flowers and passed unanimously.

There was brief discussion about presenting the Summerfield Award during Founders' Day; and update on repairs of the SAP Field House building; and an update regarding the Lipinski lawsuit against the Town.

Council dismissed Whitaker to discuss his goal progress at a 9-month interval. There was discussion of projects that have been started and completed, current needs, general managerial duties, the annual evaluation and need to update the existing evaluation form.

By consensus, Council reconvened to Open Meeting at 8:35pm.


Mark Brown, Mayor


Valarie R. Halvorsen, Town Clerk



Town of Summerfield – Closed Session Minutes

Town Council: Mayor Mark L. Brown
Mayor Pro Tem Dena Barnes
Alicia Flowers
Dianne Laughlin
Elizabeth McClellan
John W. Wray Jr.
Valarie Halvorsen - Clerk
Scott Whitaker (Manager)

Summerfield Town Hall | 4117 Oak Ridge Road
November 13, 2012 | 6:30PM

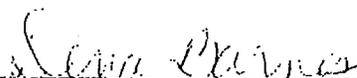
Present: Dena Barnes, Alicia Flowers, Dianne Laughlin, Elizabeth McClellan, John Wray, Town Manager Scott Whitaker, Town Attorney Will Rozell

* NOTE: In open session, Laughlin made a motion to recess to closed session as provided under NCGS 143-318.11(a)(3) and NCGS 143-318.11(a)(5) at 9:17 pm. The motion was seconded by McClellan and passed unanimously.

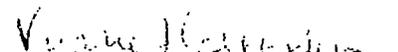
There was discussion about the repairs needed at the SAP Field House and the results of the mediation and potential litigation. The outcome was that drainage issues needed to be addressed immediately and that monitors would be placed on the building to monitor further settling; Atlantic Coast Engineering submitted a proposal. Barnes stated the company is owned by her cousin but she has no fiduciary interest in it. Council directed Whitaker to move forward on contracting with Atlantic Coast Engineering as needed.



By consensus, Council reconvened to Open Meeting at 10:12 pm.



Dena Barnes, Mayor Pro Tem



Valarie Halvorsen, Town Clerk



Town of Summerfield – Closed Session Minutes

*Town Council: Mayor Mark F. Brown
Mayor Pro-Tem Dena Barnes
Alicia Flowers
Dianne Laughlin
Elizabeth McClellan
John W. Wray, Jr.*

Summerfield Town Hall | 4117 Oak Ridge Road
October 9, 2012 | 6:30PM

*Valarie Halvorsen (Clerk)
Scott Whitaker (Manager)*

Present: Mark Brown, Dena Barnes, Alicia Flowers, Elizabeth McClellan, John Wray,
Town Manager Scott Whitaker

* NOTE: In open session, Wray made a motion to recess to closed session as provided under NCGS 143-318.11(a)(3) at 7:35 pm. The motion was seconded by McClellan and passed unanimously.

Speaking of potential litigation and repairs to the SAP Field House, Hill asked council to authorize seeking alternative approaches to the repairs, and taking a more in-depth look at the issues, as doubt has been cast on the severity of the building's structural condition. Whitaker and Hill recommended making drainage improvements and using monitors for a time period to assess the building settling prior to making extensive structural repairs.

The building is structurally sound and there is no immediate need for structural repair. The repairs and RFP bids may be excessive. It was decided by consensus to seek an informal proposal by Atlantic Coast (Chuck Higgins) outlining a less expensive repair option using helical piers rather than the micropile repair approach specified in the RFP.

By consensus, Council reconvened to Open Meeting at 7:49 pm.

Mark Brown, Mayor

Valarie Halvorsen, Town Clerk

**TOWN OF SUMMERFIELD
CLOSED SESSION
MINUTES
April 27, 2012**

Present: Mark Brown, Dena Barnes, Alicia Flowers, Dianne Laughlin, Elizabeth McClellan,
Interim Town Manager/Finance Officer Dana Luther, Town Attorney William Hill

* NOTE: In open session, Flowers made a motion to recess to closed session as provided under
NCGS 143-318.11 at 10:37 am. The motion was seconded by Laughlin and passed unanimously.

The meeting consisted of discussion of Town Manager applicants [REDACTED]

By consensus, Council reconvened to Open Meeting at 12:22 pm.



Mark Brown, Mayor



Valarie Halvorsen, Town Clerk

**TOWN OF SUMMERFIELD
CLOSED SESSION
MINUTES
April 4, 2012**

Present: Mark Brown, Dena Barnes, Alicia Flowers, Elizabeth McClellan, John Wray, Town Attorney William (Bill) Hill, Interim Town Manager/Finance Officer Dana Luther

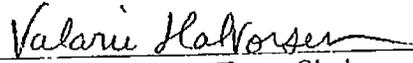
* NOTE: In open session, Barnes made a motion to recess to closed session as provided under NCGS 143-318.11 at 9:10 pm. The motion was seconded by Flowers and passed unanimously.

There was discussion of Town Manager applicants, [REDACTED]

By consensus, Council reconvened to Open Meeting at 9:47 pm.



Mark Brown, Mayor



Valarie Halvorsen, Town Clerk

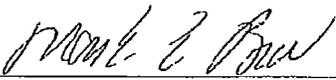
**TOWN OF SUMMERFIELD
CLOSED SESSION
MINUTES
March 21, 2012**

Present: Mark Brown, Dena Barnes, Alicia Flowers, Dianne Laughlin, Elizabeth McClellan,
Town Attorney William (Bill) Hill, Interim Town Manager/Finance Officer Dana Luther

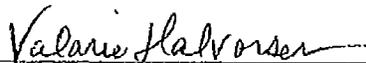
* NOTE: In open session, Flowers made a motion to recess to closed session as provided under
NCGS 143-318.11 at 10:31 am. The motion was seconded by Laughlin and passed unanimously.

The meeting consisted of an interview with a Town Manager applicant [REDACTED]
[REDACTED]

By consensus, Council reconvened to Open Meeting at 12:30 pm.



Mark Brown, Mayor



Valarie Halvorsen, Town Clerk

TOWN OF SUMMERFIELD
CLOSED SESSION
MINUTES
March 13, 2012

Present: Mark Brown, Dena Barnes, Alicia Flowers, Dianne Laughlin, Elizabeth McClellan, John Wray, Town Attorney William (Bill) Hill, Interim Town Manager/Finance Officer Dana Luther

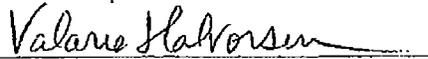
* NOTE: In open session, Flowers made a motion to recess to closed session as provided under NCGS 143-318.11 at 8:05 pm. The motion was seconded by Barnes and passed unanimously.

There was discussion of Town Manager applicants, [REDACTED]
[REDACTED]

By consensus, Council reconvened to Open Meeting at 9:07 pm.



Mark Brown, Mayor



Valarie Halvorsen, Town Clerk

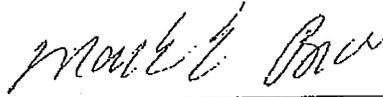
TOWN OF SUMMERFIELD
CLOSED SESSION
MINUTES
January 27, 2012

Present: Dena Barnes, Alicia Flowers, Dianne Laughlin, Elizabeth McClellan, John Wray, Town Attorney William (Bill) Hill, Interim Town Manager/Finance Officer Dana Luther

* NOTE: In open session, Flowers made a motion to recess to closed session as provided under NCGS 143-318.11 at 10:38 am. The motion was seconded by Laughlin and passed unanimously.

There was discussion about applicants for the Town Manager position, [REDACTED]
[REDACTED]

By consensus, Council reconvened to Open Meeting at 12:55 pm.



Mark Brown, Mayor



Valarie Halvorsen, Town Clerk

**TOWN OF SUMMERFIELD
CLOSED SESSION
MINUTES
January 10, 2012**

Present: Mark Brown, Dena Barnes, Alicia Flowers, Dianne Laughlin, Elizabeth McClellan, John Wray, Town Attorney William (Bill) Hill, Interim Town Manager/Finance Officer Dana Luther

* NOTE: In open session, Laughlin made a motion to recess to closed session as provided under NCGS 143-318.11 at 10:22 pm. The motion was seconded by Wray and passed unanimously.

There was discussion about the following: offering the job of Planning Director to Spencer; an unemployment claim by former Planner Chris Anderson; having Hill bring copies of Town Manager applications and associated paperwork to Town Council meetings; and potential Special Call meetings to continue with the process of hiring a Town Manager.

By consensus, Council reconvened to Open Meeting at 10:52 pm.



Mark Brown, Mayor



Valarie Halvorsen, Town Clerk

**TOWN OF SUMMERFIELD
CLOSED SESSION
MINUTES
November 10, 2011**

Present: Mark Brown, Dena Barnes, Alicia Flowers, Dianne Laughlin, Bob Williams, John Wray*, Town Attorney William (Bill) Hill, Town Council Elect Elizabeth McClellan*, Town Manager Michael Brandt, Town Clerk Valarie Halvorsen, Finance Officer Dana Luther

* NOTE: In open session, Williams made a motion to recess to closed session as provided under NCGS 143-318.11 at 8:15 pm. The motion was seconded by Flowers and passed unanimously. Town Council Elect McClellan was invited to join the Closed Session during Open Session. Wray arrived after the Closed Session began, and was formally welcomed to the meeting in Open Session (motion Laughlin, second Flowers at 8:26 pm), then Council reconvened Closed Session (motion Barnes, second Flowers at 8:28 pm).

Brown noted that the law requires having an interim manager employed with the Town until a suitable candidate can be selected and hired, and that Finance Officer Dana Luther was interviewed by a subcommittee.

Brandt was dismissed at 8:45 pm

There was discussion regarding potential contract provisions.

Luther was dismissed at 8:55 pm

It was decided by consensus to offer Luther an employment contract as Interim Town Manager (all agree), and that she would continue as a Town employed Finance Officer, rather than reverting back to a contractor, following the hiring of a Town Manager (Flowers is opposed).

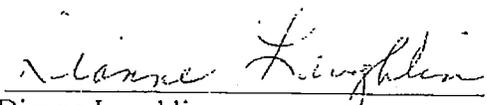
There was discussion of the process for rating applicants for the Town Manager position

McClellan was dismissed at 9:26 pm

By consensus, Council reconvened to Open Meeting at 9:39 pm.



Mark Brown, Mayor



Dianne Laughlin
for Valarie Halvorsen, Town Clerk

**TOWN OF SUMMERFIELD
CLOSED SESSION
MINUTES
July 12, 2011**

Present: Mark Brown, Dena Barnes, Alicia Flowers, Dianne Laughlin, Bob Williams, John Wray, Town Attorney William (Bill) Hill, Town Manager Michael Brandt

****NOTE:** In open session, John Wray made a motion to recess to closed session as provided under **NCGS 143-318.11** at 7:43 pm. The motion was seconded by Dianne Laughlin and passed unanimously.

There was discussion of property located at 7613 Summerfield Rd offered by the owner for purchase by the Town. Council decided not to consider the property after Wray noted the rear of the property may have been used as a landfill at one time.

Brandt stated the Guilford County School Board informed him that Laughlin Elementary School would likely not be used after September and stated the Board is aware of Summerfield's interest in the property.

Hill noted mediation was scheduled for the Beeson lawsuit.



By consensus, Council reconvened to Open Meeting at 8:34 pm.

Mark Brown, Mayor

Dianne Laughlin
for Valarie Halvorsen, Town Clerk

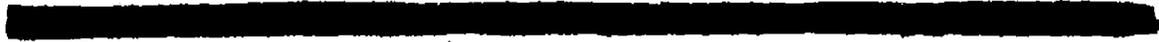
**TOWN OF SUMMERFIELD
CLOSED SESSION
MINUTES
June 14, 2011**

Present: Mark Brown, Dena Barnes, Alicia Flowers, Dianne Laughlin, Bob Williams, John Wray, Town Attorney William (Bill) Hill

****NOTE:** In open session, John Wray made a motion to recess to closed session as provided under NCGS 143-318.11 at 8:44 pm. The motion was seconded by Dena Barnes and passed unanimously.

Brown discussed his attendance at a workshop regarding evaluating managers, noting that the form currently in use was rated as good.

There was discussion about Manager goals for the past year and the upcoming year.



By consensus, Council reconvened to Open Meeting at 9:15 pm.

Mark Brown, Mayor

Dianne Laughlin
for Valarie Halvorsen, Town Clerk

**TOWN OF SUMMERFIELD
CLOSED SESSION
MINUTES
March 9, 2010**

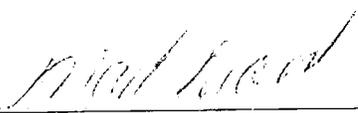
Present: Mark Brown, Dena Barnes, Bob Williams, Alicia Flowers, Dianne Laughlin, John Wray, William (Bill) Hill, Town Attorney

****NOTE:** In open session, Dena Barnes made a motion to recess to closed session as provided under NCGS 143-318.11 at 8:59 pm. There was no discussion. The motion was seconded by John Wray and passed unanimously.

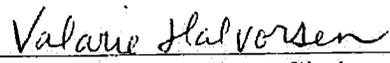
There was discussion about an offer of property for sale by Summerfield Properties, Inc.

Hill discussed the investigation into Closed Session minutes requested by former Councilperson Becky Strickland, stating it was completed.

By consensus, Council reconvened to Open Meeting at 9:08 pm.

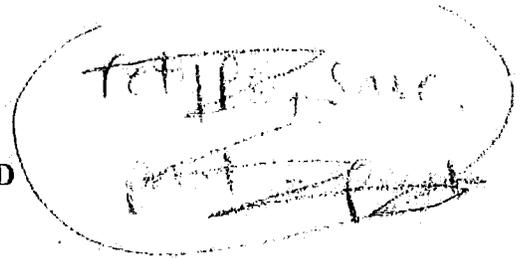


Mark Brown, Mayor



Valarie Halvorsen, Town Clerk

**TOWN OF SUMMERFIELD
CLOSED SESSION
MINUTES
December 19, 2007**



Present: Mark Brown, Dena Barnes, Bob Williams, Alicia Flowers, Becky Strickland, John Wray, William (Bill) Hill, Town Attorney, and Valarie Halvorsen, Town Clerk.

****NOTE:** In open session, Dena Barnes made a motion to recess to closed session as provided under NCGS 143-318.11 (A) (6) to discuss naming an interim Town Manager and to (C) consult with counsel about Summerfield Properties (AKA Armfield) litigation and Public Records request by the Northwest Observer. There was no discussion. The motion was seconded by Bob Williams and passed unanimously.

Hill stated based on the successful referendum changing from Council/Administrator to a Council/Manager form of government, there was a need to appoint an interim Manager in order to enact the Ordinance Amending the Town Charter. This should be done in a timely manner. He stated there was a need to decide whether to appoint Brandt as Interim Manager, to hire Brandt as Manager, or to advertise for the position. He noted that per Brandt's current contract, he is entitled to severance pay if terminated. Flowers asked when the current contract expired and Strickland replied June of 2008.

Hill stated if Council wished to appoint Brandt to the Interim Manager position, this could be done via an addendum to his current contract.

After some discussion of a possible salary increase, the possibility of the need for an Assistant Manager, and advertising for applicants for the permanent position, it was decided by consensus to offer the Interim Manager position to Brandt, to do an addendum to his current contract, and to further discuss the issue in Closed Session at the March 11, 2008 Town Council meeting.

Summerfield Properties (Armfield) litigation

Present: Mark Brown, Dena Barnes, Bob Williams, Alicia Flowers, Becky Strickland, John Wray, William (Bill) Hill, Town Attorney, Michael Brandt, Town Administrator, and Valarie Halvorsen, Town Clerk.

Hill gave a brief overview of the situation and stated the issue is whether or not the applicant gets the increased density. He stated most people who spoke in opposition were opposed to the twin homes, which were withdrawn. Council members who voted in favor of the rezoning could ask for another Public Hearing and get it put on the agenda again.

Hill stated Council could direct him to listen to what the other attorney had to say, their offer or ideas, and perhaps enter into settlement negotiations. Strickland and Brown feel if it is settled it will set a precedent of "if you sue us, we will cave".

By consensus, it was decided to direct Hill to listen to what the opposing attorney has to say, although Strickland disagreed based on it costing the town additional money in attorney fees.

Public Records request by the Northwest Observer

Crawford and his attorney have demanded a retraction of Northwest Observer articles they deem defamatory. They are planning to sue if this retraction does not happen by December 31, 2007. Hill read Patty Stokes' letter requesting copies of Closed Session minutes, emails relating to Crawford, and the minutes of the Litigation Committee. These items are to be used by the Observer to defend themselves against Crawford's possible defamation suit. Hill stated the question is whether Council wishes to turn these items over voluntarily.



There was also discussion about the fact that the closed session minutes had not been approved, and since Flowers and Wray were not on the council at the time of several of the meetings, they would abstain from voting to approve those minutes.

By consensus, it was agreed to not turn over any documents voluntarily.

By consensus, Council reconvened to Open Meeting at 8:48 pm.



Mark Brown, Mayor



Valarie Halvorsen, Town Clerk



TOWN OF SUMMERFIELD
CLOSED SESSION
MINUTES
August 14, 2007

Present: Mark Brown, Dena Barnes, Bob Williams, Carolyn Collins, Becky Strickland, John Wray, William (Bill) Hill, Town Attorney, and Valarie Halvorsen, Town Clerk.

**NOTE: In open session, Carolyn Collins made a motion to recess to closed session as provided under NCGS 143-318.11 to consult with counsel at 9:20 pm. There was no discussion. The motion was seconded by Bob Williams and passed unanimously.

Bill Hill discussed a FOIA request from Gail Dunham, dated August 2, 2007, requesting "copies of all 'redacted pages 9-17' and other documents being withheld due to attorney-client privilege." Hill stated these items relate to Dwayne Crawford [REDACTED]

[REDACTED] Statute 132-1 says confidential conversations between a public board or commission and an attorney are not public record. He said he did not want to turn over the documents, and Mrs. Dunham has the option to protest and/or sue.

Strickland said Mrs. Dunham should have to go through the legal process to pursue it. Collins said nothing good can come from turning over the documents. Strickland agreed and stated Hill made the redaction based on law and council should stick with it. Brown agreed. By consensus, Council decided not to release the redacted documents

By consensus, Council reconvened to Open Meeting at 9:48 pm.



Mark Brown, Mayor



Valarie Halvorsen, Town Clerk