

TOWN OF STOKESDALE  
Executive Session  
8325 Angel Pardue Road  
Stokesdale, NC 27357

An Executive Session of the Stokesdale Town Council was held on Thursday, July 16, 2015 at the Town Hall at 8325 Angel Pardue Road.

The following Council members were present: Mayor Randy Braswell, Vicki White-Lawrence, Frank Bruno, William N. (Bill) Jones, and Joe Thacker.

Others present included William B. Trevorrow, Town Attorney; and Carolyn Joyner, Town Clerk/Finance Officer.

The session began at 9:03 pm. The closed session was held for the purpose of Attorney-Client Privilege.


Mr. Trevorrow said that Mr. Wilson has been sued by the Town for unpaid water fees (dry tap or water availability fees. Town Attorney Brian Walker received an answer from the attorney representing Mr. Wilson who had filed an unfair and deceptive practices claim against the Town of Stokesdale. Both he and Mr. Walker do not feel that unfair and deceptive practices can be filed against municipalities. Mr. Lyle, Mr. Wilson's attorney, thinks that it is applicable but has offered \$500 00 payment on the \$12,000 amount owed by Mr. Wilson. Mr. Trevorrow suggested that the Town should counter claim. If Council would like to stay within the statute of Limitations for three years, the amount including late fees would total \$1,412.00. Mr. Walker had suggested a counter claim of \$2,500.00. Mr. Trevorrow asked for Council's input on the amount of the counter claim.

Ms. White-Lawrence, asked how much of the \$12,000 was penalties. Mr. Trevorrow said that Mr. Walker had sued for \$10,000. Ms. Joyner said that the lawsuit was filed over one year ago. The availability fees and late fees had accumulated from that the date of the lawsuit until now totaled the additional \$2,000.00.

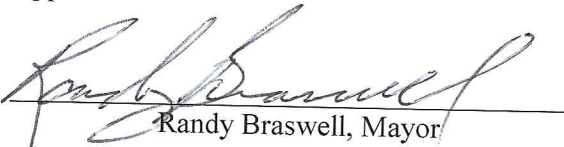
Mayor Braswell pointed out the collections effects had been made by an attorney previously hired by the Town. He felt that Mr. Walker needed to know that there were efforts made to collect the fees before now. The Clerk noted that she did not have copies of correspondence that the first attorney may have sent out to the past due accounts.

Mayor Braswell said that the amount should be for tap fees for the entire period of time and waive the late fees and penalties so that this man would pay what his neighbors have paid. Mr. Walker has failed a motion under 12(b)(6) to dismiss the counterclaim for unfair and deceptive practices. If he does not agree then we can file for attorney fees because we do not feel that it is a justifiable claim.

Council returned to open session at 9:24 pm.

  
Carolyn L. Joyner, Town Clerk

Approved:

  
Randy Braswell, Mayor