

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

An Executive Session of the Stokesdale Town Council was held on Thursday, June 25, 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 10:15 pm. The closed session was held for the purpose of Attorney-Client Privilege per GS 143-318.11(a)3.

Mr. Trevorrow said that one of the lawsuits that Mr. Walker has filed on behalf of the Town was against Randy Wilson for failure to pay over \$10,000 for the water availability fees. Mr. Wilson has hired a lawyer who has answered the lawsuit and also filed a counter claim for unfair and deceptive trade practices against the Town. He said that if you prove damages under the unfair and deceptive trade practices, then treble damages can be awarded. Mr. Trevorrow and Mr. Brian Walker have investigated and they believe that the Town is not in commerce and not engaged in commerce and could not be sued for this.

Mr. Trevorrow has called the Town's insurance carrier, the North Carolina League of Municipalities and consulted with them on the matter. They have sent a letter which explains why our policy does not cover this as they do not defend the Town for a counter claim and they agree that the Town is not involved in commerce. Brian Walker has talked to the attorney for Mr. Wilson and he will probably be withdrawing the counter claim. Mr. Walker would not defend the Town since it is not authorized in his contract with the Town. Mr. Trevorrow would have to defend the case and for future cases, Council may decide on a case by case basis if Mr. Walker would defend the case.

Mr. Trevorrow said that a motion would be filed and the case would be dismissed. Mayor Braswell said that Mr. Walker had indicated that an extension may be necessary. Mr. Trevorrow said that Council could ask for an extension but it may not be needed if the counter claim is dropped. Mr. Trevorrow is authorized to defend the Town if a reply is needed.

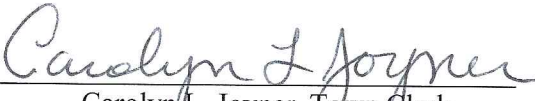
Mayor Braswell asked about Mr. Wilson's claim that Council waited too long to pursue the past due amount. Mr. Bruno said that he was being billed monthly for the fees and was aware of the past due amount.

Mayor Braswell asked if the previous attorney had made efforts to collect this amount. Ms. Joyner said that all of the past dues were turned over to an attorney but the Town records may not have information on the methods were used such as letters that were written or if phone calls were made. Mayor Braswell said that any information should be given Mr. Walker.


Mayor Braswell asked when minutes of the executive sessions would be released to the public. Mr. Trevorrow said that when the reason for the executive session expires or is no longer needed, then if a

request is made, the public can see the minutes. Mayor Braswell said that Council is not to discuss the executive sessions when the session is over.

Council returned to open session at 10:36 pm.

  
Carolyn L. Joyner, Town Clerk

Approved:

  
Randy Braswell, Mayor