

Closed Session – November 15, 2017 – 4:17p.m.

Attendance: Randy Braswell, Bill Jones, Vicki White-Lawrence, Frank Bruno, Kim Hemric

Motion made by Mayor Braswell to enter into closed session. Motion seconded by Bill Jones. All ayes, so the motion carried.

Mayor Braswell referenced that he discussed the closed session NCGS with Attorney, Brian Pearce, "making sure we were covering our tracks," in justifying the reason for entering the closed meeting. He felt confident that it was appropriate. He stated emails related to this event will be sealed.

Mayor Braswell said that Bill Jones had some great ideas, in which Brian Pearce was in full agreement. Bill Jones asked if the sheriff had been notified. Ms. Hemric said yes, that she had filed with Sheriff department, an event number, not an actual criminal action. She stated the sheriff's department did not consider it a criminal action, but rather most likely misconduct or a violation of ethics, unless she or Council noted missing items.

Bill Jones said that all staff and all Councilmembers are sworn in to an oath of office, and they could make a written statement confirming whether or not they had entered the building (Town Hall) over the holiday weekend and that they did not enter any secure areas. An "affidavit" of sorts is requested to be completed by staff and Councilmembers.

Ms. Hemric obtained the Town's letterhead, per Mayor Braswell's request, so that there was no delay in writing statements. Frank Bruno said his concern was, "our liability as a Town."

Mayor Braswell said, "If I am interpreting Brian correctly, that if the Council believes a breach has occurred that it requires a notice must be sent out without a reasonable delay." Then the sheriff's office would continue their own investigation. Possible acts of perjury if someone signed an affidavit and it was not true. General conversation took place regarding the legal responsibility as the Town's "record keeper" being assigned to the Town Clerk, that it is a sworn in position. Mayor Braswell said for example that he did not enter the Clerk's office if she was not there, as it is considered a secure area, nor did he remove files without the Clerk's prior knowledge.

Mayor Braswell asked if it was possible that the Clerk forgot to lock her door. He asked if it was possible that the Clerk forgot to log-off the computer as well. Hemric explained that the end of day protocols is witnessed by one of the deputy clerks, that it is an extra internal protocol that has been in place for quite a while. This particular event, Deputy Clerk Houk witnessed the closing process. This fiscal year's invoices and payable are in the cabinet in question – not actual merchant vendor information. Petty Cash was reconciled by the Clerk, and no missing funds were noted.

Bill Jones said that for the file, all affidavits should be submitted and that it is possible that it was "simply forgetting things that become so routine." Mayor Braswell said, "We work hard to keep the place secure." It was agreed that all Councilmembers submit their written statement, or if anyone refused, it would still be noted, and the investigation would continue. The next action is review Brian's legal advice and circle back in a follow-up closed session. Mayor Braswell said he wanted to go on record stating that the Clerk had reported, "About a year ago, documents being appropriately secure and accounted for."

Meeting adjourned at 5:09p.m. after motioned by Mayor Braswell. Seconded by Frank Bruno.

Town Administrator/Town Clerk/Finance Officer

Mayor