

**TOWN OF HOPE MILLS  
CLOSED SESSION MINUTES  
MONDAY, APRIL 6, 2015**

Mayor Warner called the Closed Session to order at 907: p.m.

Mayor Jackie Warner, Mayor Pro Tem Bob Gorman, Commissioners Pat Edwards, Bryan Marley, Edwin Deaver and Jerry Legge were present.

Others present were Town Manager John W. Ellis, III, Deputy Town Clerk Debbie Holland and Town Attorney T.C. Morphis.

**PURPOSE:** Closed Session was called pursuant to NCGS 143-318.11 (a) (3) to consult with the attorney and maintain the attorney-client privilege.

Town Attorney Morphis reported that Kevin Lugo of MBP had prepared a draft contract for the owner representative on the dam project. Mr. Morphis commented that the amount is not a guaranteed amount and that Mr. Lugo's hourly rate had been reduced. Mr. Morphis continued that this is not a fixed fee for Mr. Lugo and it could possibly be less.

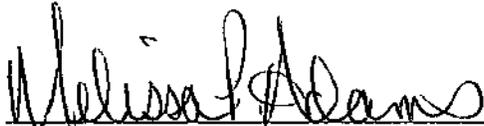
Attorney Morphis reviewed the fees, services to be performed during the different phases of the project and the resident project representative during the project. Discussion pursued among the Board members and the staff. Mayor Warner expressed concern about the amount of the fees that will be incurred and is it necessary now that we have a contract with ASI. Mr. Morphis commented that if they do not wish to proceed with Mr. Lugo/MBP, he strongly recommends that they pursue someone of at least comparable experience.

Town Manager Ellis suggested that the Board do a budget amendment for just \$100,000.00 for now to get them started and if you are uncomfortable with this proposed amount, then do an amendment as we are billed for the additional funds. Mr. Morphis commented that there is a termination section to the contract and if we feel we no longer need this service, we can terminate. Mr. Ellis commented, with all due respect to the Board, if we had someone like this in place before, we may not have had the problems with the dam, citing as an example the installation of the sheeting which failed. Commissioner Edwards remarked she feels that we need to have someone there to oversee the stages of construction and the billing for services by ASI. The consensus of the Board is to return to open session and to approve the contract with a budget amendment of \$100,000.00.

At 9:50 p.m. Mayor Warner closed the session.

  
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JACKIE WARNER, MAYOR

**ATTEST:**

  
Melissa P. Adams  
Melissa P. Adams, MMC Town Clerk

