

**TOWN OF HOPE MILLS
CLOSED SESSION MINUTES
WEDNESDAY, SEPTEMBER 30, 2015**

Mayor Warner called the Closed Session to order at 6:30 p.m.

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

Others present were Town Manager John W. Ellis, III, Town Clerk Melissa Adams, Kevin Lugo of MBP, 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 and NCGS 143-318.11 (a) (6) to discuss personnel matters.

Item 1.

Town Manager John Ellis addressed the Board concerning the proposed GMP (guaranteed maximum price) on the dam, remarking that the number is not anything that has been discussed before. The preliminary GMP, prior to any negotiations, is \$10.75 million. Mr. Ellis commented he has spoken with Del Shannon of ASI and the design is at 60% and this offer is the start to the negotiation process. The Board voiced their displeasure with the offered amount and is disappointed the GMP was not the price they felt in the beginning they were led to believe. Mr. Lugo explained to the Board a summary of the review process with ASI and there were things that could be changed in the GMP that will still get the dam they want for a price they can afford. Discussion pursued among the Board of options available to them at this time to include changing firms. Discussion was made on the topic of visiting the legislature in Raleigh and see what funds could be available. Commissioner Deaver remarked on his experience with the legislature in the prior dam building process. The consensus of the Board was to not accept this amount and to let ASI know they wish for the negotiation process to be resolved quickly.

Town Attorney Morphis commented the estimated GMP is marked "Confidential Trade Secrets" and cannot be discussed outside of the closed meeting. Once the GMP is set and contracted, the contract will become public record and will be available for review. Mr. Morphis remarked that it is important to keep closed session information confidential.

Del Shannon was contacted telephonically and the Board conveyed their dissatisfaction and inability to pay that high of an amount. Mr. Shannon commented he understood their feelings and wishes to work with them to get to a satisfactory conclusion. Mr. Shannon will contact Mr. Lugo once he has had an opportunity to review the estimate.

The consensus of the Board is to report the preliminary estimate amount and assure the audience that they have already conveyed to ASI they will not be accepting that amount and the negotiation process is ongoing to reach an acceptable amount.

Item 2.

Redacted.

Mayor Warner closed the session at 7:42 p.m.

JACKIE WARNER, MAYOR

ATTEST:

Melissa P. Adams, MMC Town Clerk