

**TOWN OF HOPE MILLS  
CLOSED SESSION MINUTES  
MONDAY, OCTOBER 5, 2015**

Mayor Warner called the Closed Session to order at 8:25 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 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 T.C. Morphis remarked that he had a presentation to give to the Board concerning the small structure located at 3648 Lakeshore Drive. Mr. Morphis explained that the small structure is within the 100-year floodplain. Mr. Morphis informed the Board that because the floodplains are predicted to increase, the design team must submit a "letter of map revision" ("LOMR") to the NC. Floodplain Mapping Program. Mr. Morphis further explained that one of the requirements for obtaining a ("LOMR") is to certify "that no structures are located in an area which would be impacted by the increased base flood elevation".

Mr. Morphis stated that Town Staff has investigated the history of the accessory building, reviewing the deed history, aerial photographs and permitting history. Mr. Morphis reported that the Inspections Department found a 2003 drawing of the property that shows the structure, but could not find any other records for the building. It was noted that the Inspections Department is not required to keep records for more than six years and regularly disposes of old files.

Mr. Morphis remarked that based on the 1984 deed metes and bounds description of the lake; the 1989 deed reference to the property line being the "high water mark"; the 2001 aerial photograph showing the structure landward of the high water mark; and no evidence to the contrary, the structure appears to have been built lawfully.

Mr. Morphis informed the Board that a staff person from the N.C. Floodplain Mapping Program has told the design team that "The impacted structure(s) would need to be relocated or demolished". Therefore, Mr. Morphis stated that staff needs guidance from the Board of Commissioners as to how to proceed. Mr. Morphis remarked that he asked Del Shannon about waiting until the GMP has been negotiated to submit the CLOMR application and would that delay the start of construction, but has not yet received a reply.

After a brief discussion the consensus of the Board was to wait to take any further action. Furthermore Mayor Warner remarked that this issue is to remain confidential.

Mayor Warner closed the session at 8:40 p.m.

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**JACKIE WARNER, MAYOR**

**ATTEST:**

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