

**MINUTES OF CLOSED SESSION
CITY COUNCIL – CITY OF SANFORD
SEPTEMBER 26, 2001**

Upon a motion duly made, seconded, and carried in the September 26, 2001, open session of the Law and Finance Committee of the City Council, the Council went into closed session in accordance with N.C.G.S. 143-318.11 (a) (5) and (3) to discuss the acquisition of real property and information within the scope of attorney-client privilege.

The following people were present in the closed session:

Mayor Winston C. Hester
Council Member Clawson Ellis
Council Member J. T. Kirkman
Council Member James G. Williams

Mayor Pro Tem Joseph E. Martin
Council Member Philip Dusenbury
Council Member Linwood Mann Sr.
Council Member Walter McNeil, Jr

City Manager Leonard Barefoot
City Attorney Susan C. Patterson
City Clerk Bonnie D. White

Operations Manager Tim Shaw
City Engineer Vic Czar

Community Development Director Ron Satterfield
Golf Pro/Manager David Von Canon

Mayor Hester called the meeting to order.

City Manager Leonard Barefoot informed the committee that staff has negotiated with Tom Darden to purchase seven acres adjoining the golf course for \$17,600 and Pee Wee Rosser to purchase approximately 1.19 acres of property for \$13,000. The timber of the Rosser property was appraised at approximately \$6,000. These parcels of land are needed for the improvements at the golf course. Mayor Pro Tem Joe Martin made a motion to approve the purchase of the two parcels of land. Seconded by Council Member James Williams, the motion carried unanimously.

City Attorney Susan Patterson wanted to make the committee aware of the fact that Marshall McLean has filed a lawsuit against the Board of Adjustment. Robert Reives II is his attorney. Ms. Patterson advised that unless Council objects, she will file a motion to dismiss since the appeal was not timely filed. She advised that this matter may end up going through the court process to discuss the issue of whether he was notified of the hearing.

City Manager Leonard Barefoot called on Operations Manager Tim Shaw to discuss the potential litigation which may result if the Public Works Service Center roof is not properly fixed. Mr. Shaw stated that the installation of the roof on the Public Works Service Center was completed under the contract. Leaks occurred during some recent rains. The manufacturer came and inspected the installation of the roof so that we

Closed Session
Law and Finance
September 26, 2001

could obtain the warranty. The inspection resulted in that part of the roof had to be replaced because of improper installation. It is the responsibility of the contractor, John William Brown, to complete the repairs to the roof and to replace the Celotex and inspect the insulation for damage. Before final payment is made, a final inspection will be performed insuring that we can obtain a warranty on the roof and that it meets the satisfaction of City officials. If not, litigation will ensue.

Council Member Walter McNeil made the motion to return to regular session. Seconded by Mayor Pro Tem Joe Martin, it carried unanimously.

Respectfully submitted,

Mayor Winston C. Hester

Bonnie D. White, City Clerk