

**MINUTES OF A SPECIAL MEETING HELD BY THE WARREN COUNTY BOARD OF COUNTY COMMISSIONERS IN THE ARMORY CIVIC CENTER MEETING ROOM ON THURSDAY – JULY 9, 2015 AT 3:00 PM.**

The Special Meeting was called to order by Vice-Chairman Jennifer Jordan. Other Commissioners present: Bertadean Baker and Victor Hunt. Absent: Chairman Barry Richardson. Others in attendance: County Manager Linda T. Worth, Finance Director Gloria Edmonds and Attorney Christopher Darrenbacher (by telephone).

Commissioner Tare Davis arrived at 3:05 pm.

A moment of silence was followed by the Clerk to the Board reading the “Conflict of Interest Disclaimer.”

*“Members of the County Board of Commissioners are advised, hereby, of their duty under the State Government Ethics Act to avoid conflicts of interest and the appearance of such conflict; and, further, are instructed to refrain from participating in any matter coming before this Board of County Commissioners with respect to which there is a conflict of interest or appearance of such conflict”.*

*In accordance with the State Government Ethics Act, it is the duty of every Board member to avoid both conflicts of interest and appearances of conflict.*

*Does any Board member have any known conflict of interest or appearance of conflict with respect to any matter coming before this Board today?*

***If so, please identify the conflict and refrain from any undue participation in the particular matter involved.***

Clerk to the Board read the Notice of Special Meeting.

Attorney Christopher Darrenbacher (by telephone) gave an overview of each item presented on the agenda:

- **Memorandum of Understanding relative to the Sale of the Middleburg Waterline to the City of Henderson:**  
Darrenbacher highlights: Advised procedure for signing and receiving funds and approval should be subject to “no substantial changes and completion of map that accompanies MOU. Authorize Chairman to sign same.”
- **Bill of Sale and Assignment to Finalize the Sale of the Middleburg Waterline to the City of Henderson:**  
Darrenbacher highlights: includes Exhibit II; transfer of lines, records, easements and permits in exchange for \$60,000. Approval and subsequent signature is subject to “no substantial changes; inclusion of Exhibit II, and attorney consultation. Authorize Chairman to sign same.”
- **Fifth (5<sup>th</sup>) Amendment to the Agreement (relative to the Regional Water System)**  
Darrenbacher highlights: Agreement is key issue in litigation regarding City of Oxford –vs- City of Henderson and Warren County. Approval and subsequent signature is subject to “no substantial changes; inclusion of Exhibit B, and attorney consultation. Authorize Chairman to sign same.”
- **Settlement Agreement; RE: City of Oxford –vs- City of Henderson and Warren County.**  
Darrenbacher highlights: Settlement Agreement was referred to closed session for discussion.

On motion of Commissioner Hunt, which was seconded by Commissioner Davis and duly carried by unanimous vote, it was ordered to enter into closed session for discussion of Attorney Client Privileged information in accordance with NC GS § 143-318.11(a)(3). RE: **City of Oxford –vs- City of Henderson and Warren County.**

On motion of Commissioner Baker, which was seconded by Commissioner Hunt and duly carried by unanimous vote, it was ordered to return to the July 9, 2015 Special Meeting.

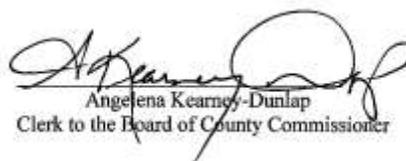
On motion of Commissioner Davis, which was seconded by Commissioner Baker and duly carried by unanimous vote, Memorandum of Understanding (MOU) relative to the Sale of the Middleburg Waterline to the City of Henderson was approved subject to no substantial changes and completion of map that accompanies MOU. Chairman Richardson was authorized to sign same.

On motion of Commissioner Davis, which was seconded by Commissioner Hunt and duly carried by unanimous vote, Bill of Sale and Assignment to Finalize the Sale of the Middleburg Waterline to the City of Henderson was approved subject to no substantial changes; inclusion of Exhibit II, attorney consultation and exchange of funds. Chairman Richardson was authorized to sign same.

On motion of Commissioner Davis, which was seconded by Commissioner Baker and duly carried by unanimous vote, Fifth (5<sup>th</sup>) Amendment to the Agreement (relative to the Regional Water System) was approved subject to no substantial changes; inclusion of Exhibit B, and attorney consultation. Chairman Richardson was authorized to sign same.

On motion of Commissioner Davis, which was seconded by Commissioner Hunt and duly carried by unanimous vote, Settlement Agreement; RE: City of Oxford –vs- City of Henderson and Warren County was approved subject to no substantial changes and attorney consultation. Chairman Richardson was authorized to sign same.

With no further business to discuss and on motion of Commissioner Baker which was seconded by Commissioner Davis and duly carried, the July 9, 2015 Board of Commissioners' special meeting was adjourned.



Angelena Kearney-Dunlap  
Clerk to the Board of County Commissioners