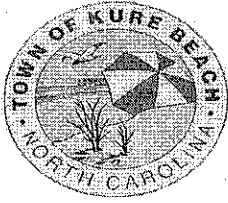


The following
Closed Session Minutes
were approved for release by
Town Council
on
Tuesday, March 17, 2009
at a Regular Council Meeting

Please contact the Town Clerk if you have
any questions.



KURE BEACH TOWN COUNCIL

CLOSED SESSION
January 18, 2007

MINUTES

The closed session of the Town Council of the Town of Kure Beach was called to order by Mayor Fuller at 10:35pm on January 18, 2007. A quorum was present.

COUNCIL MEMBERS PRESENT:

Mayor	Tim Fuller
Mayor Pro Tem	Mac Montgomery
Commissioner	Jim Dugan
Commissioner	Bill Ufferman
Commissioner	Dean Lambeth

COUNCIL MEMBERS ABSENT:

None

STAFF PRESENT:

Town Clerk	Nancy Avery
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Town Attorney A.A. Canoutas was in attendance.

Item of discussion:

Property known as Lots 2, 3, 4 and 5 of Block 10, 105 Atlantic Avenue, owned by SF Holdings (N. Sanders).

Per Attorney Canoutas:

- Mike Robertson of Robertson Enterprises, appealed the BOA decision granting a variance to build four single family homes
- CAMA permits for demolition and construction have been issued
- The town's Building Inspector, acting as CAMA officer, received letters from Robertson Enterprises appealing CAMA permits before permits were issued
- Nathan Sanders should be contacted to help argue BOA appeal since he has vested interest resulting from BOA granting variance to allow building of four single family homes – feels judge would accept involvement by Sanders' attorney
- The key is how the judge feels about whether a business could have been built and whether the BOA followed format and presented an adequate decision with evidence
- Council chose not to appeal BOA decision – didn't feel major impact to B1
- Town doesn't have to do anything yet except wait for court to request papers
- Appeal to superior court does not "stay" action – Building Inspector may proceed with issuing building permits

Council consensus:

- Approve contract with attorney Holt Moore for general legal services to work as co-counsel with Town attorney to defend BOA and Building Inspector
- Move \$20,000 from reserve fund into legal services
- Town will defend Building Inspector acting as CAMA officer, if necessary
- Attorney to let Building Inspector know that building permits may be issued

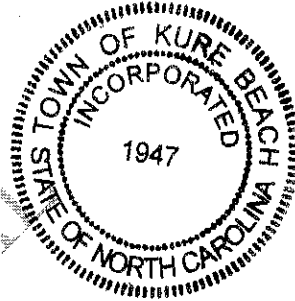
Meeting adjourned at 11:13pm and council returned to open session.

Tim Fuller, Mayor

ATTEST:



Nancy Avery, Town Clerk



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