

RELEASED AT THE TUESDAY, NOVEMBER 8, 2016 COUNCIL MEETING

**APPROVED AND SEALED AT THE TOWN COUNCIL MEETING ON TUESDAY,
APRIL 13, 2010**

**CLOSED SESSION MINUTES
MOREHEAD CITY, N.C.**

TUESDAY, FEBRUARY 9, 2010

The Council met in CLOSED SESSION in the Municipal Chambers at 202 South 8th Street, Morehead City, N.C., during a regular meeting of the Town Council held on Tuesday, February 9, 2010, at 5:30 p.m., to discuss property acquisition as per G.S. 143.318.11[a][5] and to consult with the City Attorney. Those in attendance were: Mayor Gerald A. Jones, Jr., Councilmen George W. Ballou, Paul W. Cordova, John F. Nelson, City Manager R. Randy Martin, and City Clerk Jeanne M. Giblin. Councilman Horton was absent, excused.

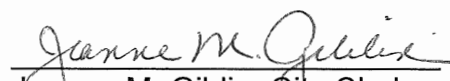
Constitutional Challenge to Prayer before Governmental Meetings

Manager Martin advised the Council about a recent Fourth Circuit Court of Appeals decision against Forsyth County, North Carolina, prohibiting the recitation of prayers at governmental public meetings. He suggested the City Attorney review the result and advise the Council of the impact and legal ramifications.

City Attorney Nelson Taylor explained that having a prayer prior to or during a public meeting has been declared unconstitutional and simply cannot be done. He advised the Council that for a local government to try to fight the ruling would be almost impossible to prevail. Instead of a prayer at the beginning of meetings, he stated the alternative is that the Council could open with a moment of silence.

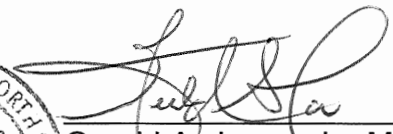
Councilman Nelson MOVED, seconded by Councilman Cordova, and carried unanimously, [Councilman Horton absent, excused], to return to OPEN SESSION.

Attest:



Jeanne M. Giblin, City Clerk





Gerald A. Jones, Jr., Mayor