

FW: Oriental Financial Liaison Discussion

From: **Diane Miller** | manager@townoforiental.com

Thursday, Dec 7, 2023 at 12:00 PM

To: **Allison DeWeese** | allison@towndock.net

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From: **Scott Davis** | msd@dhwlegal.com

To: **bonniecrosser@townoforiental.com**

Monday, Nov 27, 2023 at 8:33 AM

Morning Ms. Crosser -

That is generally correct. I'll respond later today in more detail to make sure we're all on the same page. As I mentioned several times during our call, North Carolina statutes that create and regulate local governments are permissive rather than preclusive, meaning that a local government has NO authority to act unless a statute permits that authority. For example, there is no statute that precludes a local government from operating a hospital. However, there is no specific authority that allows local governments to operate a hospital, therefore it can't.

One thing that might help everyone understand this issue better is defining what we mean by Finance Liaison? As we discussed, it's not uncommon for a governing board to appoint a "liaison." However, the liaison has no authority to do anything, therefore it's not something I worry about with respect to statutory authority as the "liaison" is someone who goes to an outside meeting and reports back to the Board. The liaison doesn't actually do anything that requires any legal authority.

Will circle back later.

Michael Scott Davis

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From: **bonniecrosser@townoforiental.com**

Monday, Nov 27, 2023 at 8:16 AM

Mr. Davis,

RE: Town of Oriental: Financial Liaison Discussion on 11/22/23

Hope you have a wonderful Thanksgiving Holiday.

I appreciated your time on Wednesday, 11/22/23, regarding the topic of Financial Liaison. Below is the recap of our discussion.

1. Question: Is the formation of a Financial Liaison in a Council Manager form of government precluded by North Carolina statute?

The North Carolina statute does not contain language which prohibits the formation of a Financial Liaison. However, you advise against following this course of action, as it may cause issues with the Town staff.

Your recommendation would be to request copies, for each Commissioner, of the review documents.

Appreciate your assistance.

Regards, Bonnie Crosser, CPA
Commissioner Elect
