

November 15, 2011

The Board of Commissioners of Franklin County, North Carolina, met for a Special Called Meeting at 5:00 P.M. in the Franklin County Superior Court Room with the following Commissioners present: Chair Sidney E. Dunston, Vice-Chairman E. Shane Mitchell, Penny McGhee, Harry L. Foy, Jr. and Robert L. Swanson. Commissioner Donald C. Lancaster was absent. Commissioner David T. Bunn was absent at the start of the meeting and later arrived at 5:41 P.M.

In addition to Board members, others present included Attorneys Jim Sheedy, Susan Driscoll, David Guin and County Attorney Darnell Batton along with County Manager Angela L. Harris, County Clerk Kristen King, Finance Director Chuck Murray and Public Utilities Director Bryce Mendenhall.

The purpose of the meeting was to conduct a joint meeting with the Town of Franklinton Board of Commissioners for the purpose of continuing formal court ordered mediation in the case of County of Franklin versus Town of Franklinton.

Chairman Dunston called the meeting of the Franklin County Board of Commissioners to order.

The Town of Franklinton Board of Commissioners called its meeting to order. Members present included John Allers, Al Barbour, Joseph Cutchins, Jr., Anita Fuller and Art Wright.

Chairman Dunston asked the Board of Commissioners to consider entering into closed session pursuant to North Carolina General Statute 143-318.11 (a)(3) to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged.

Commissioner Mitchell made the motion to enter into closed session pursuant to North Carolina General Statute 143-318.11 (a)(3) to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged. The motion was seconded by Commissioner McGhee and carried approval 4 to 1, with Commissioner Foy voting "NO."

The Town of Franklinton Board of Commissioners also entered into closed session pursuant to North Carolina General Statute 143-318.11 (a)(3).

At approximately 8:10 P.M., the Town of Franklinton Board of Commissioners entered back into open session and adjourned its meeting.

Following the closed session, Commissioner Mitchell made the motion to enter back into open session, seconded by Commissioner Bunn. The motion duly carried with all present voting "AYE."

Chairman Dunston noted the mediation had reached an impasse.

Commissioner Foy then made a motion to adjourn, seconded by Commissioner Bunn. The motion duly carried with all present voting "AYE" and the meeting adjourned at 8:12 P.M.

Sidney E. Dunston, Chair

Kristen G. King, Clerk to the Board

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