

FRANKLIN COUNTY BOARD OF COMMISSIONERS
MINUTES OF A CLOSED SESSION

DATE: November 21, 2011 (8)

STATUTORY REFERENCE/PURPOSE: 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.

MEMBERS OF BOARD OF COMMISSIONER PRESENT: Chair Sidney E. Dunston, Vice-Chairman E. Shane Mitchell, Robert L. Swanson, Donald C. Lancaster, Penny McGhee, Harry L. Foy, Jr. and David T. Bunn.

STAFF PRESENT: County Manager Angela L. Harris, County Clerk Kristen G. King, County Finance Director Chuck Murray and Attorney David Guin.

SUMMARY: Mr. Guin provided information to the Board following its action on November 7, 2011 meeting to seek legal advice on entering into a lawsuit with the respect to North Carolina redistricting. The vote came after Franklin County lost its single seat in the House of Representatives by having the County split into two districts. On November 7, 2011, North Carolina Senator Doug Berger informed the Board that Pender County had previously filed a lawsuit in a redistricting action and was successful in having its county representation remain intact as within one district after a redistricting effort had divided the County.

Mr. Guin commented the issues in Pender are similar to those in Franklin. He also stated that after further research, he had determined that a County or County Commissioner in their individual capacity has never been involved in Voting Rights Lawsuits and said Commissioners could personally be held financially liable.

The Board decided not to move forward with a lawsuit at this time and directed Mr. Guin to monitor the current redistricting lawsuits for an update in the future.

**CLOSED SESSION MINUTES
FRANKLIN COUNTY BOARD OF COMMISSIONERS**

MEETING DATE: November 21, 2011 (B)

PUBLIC INSPECTION STATUS

A. Must Remain Confidential Permanently:

Authorized By:	Date
Darnell Batton	
Franklin County Attorney	

B. Released for Public Inspection:

	<u>5-24-12</u>
Authorized By:	Date
Darnell Batton Pete Tomlinson	
Franklin County Attorney	

C. Pending Further Review:

	<u>12-30-11</u>
Authorized By:	Date
Darnell Batton	
Franklin County Attorney	

The Franklin County Board of Commissioners met for a Closed Session in the Commissioner's Meeting Room of the Franklin County Administration Building, 113 Market Street, Louisburg, NC, on the date indicated above.

The purpose of the meeting was to discuss matters relating to:

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| - | G.S. 143-318.11 (a) (1) | Not a Public Record |
| - | G.S. 143-318.11 (a) (2) | Scholarship/Academic |
| ✓ | G.S. 143-318.11 (a) (3) | Attorney-Client Privileged Communication |
| - | G.S. 143-318.11 (a) (4) | Industry/Economic Development |
| - | G.S. 143-318.11 (a) (5) | Real Property Purchase/Contracts/Leases |
| - | G.S. 143-318.11 (a) (6) | Personnel |
| - | G.S. 143-318.11 (a) (7) | Criminal Investigation |
| - | G.S. 143-318.11 (a) (8) | Board of Education Emergency Response |
| - | G.S. 143-318.11 (a) (9) | Public Safety (Act of Terrorism) |