

DECEMBER 20, 2001

The Board of Commissioners of Franklin County, North Carolina, met in Special Session at 7:30 P. M. in the First Floor Conference Room of the County Administration Building with the following Commissioners present: Chairman John R. Ball, Vice Chairman Robert L. Swanson, Commissioner Harry L. Foy, Jr., Commissioner Edward G. Strickland, Commissioner George T. Wynne.

Upon motion by Commissioner Strickland that the Board go into Closed Session in order that the Board may consider the qualifications of a prospective public employee pursuant to General Statute 143-318.11 (a) (6). The motion failed for lack of a second.

Chairman Ball requested County Attorney Batton to make comments regarding the discussion of an Employment Agreement for a prospective public employee in Open Session. Mr. Batton stated that in his opinion that it would not be illegal and he had spoken to personnel at the Institute of Government and they had indicated that it would not be illegal to discuss in Open Session. They also indicated that it was most unusual for such discussion to be held in Open Session. Mr. Batton then reviewed the proposed Employment Agreement with the Board.

County Attorney Batton stated that the prospective employee for the position of County Manager, Mr. Richard Self, was requesting an Employment Agreement due to the fact that the vote to hire him had been a three/two vote and that he felt uncomfortable accepting this position without some protection should his employment with the County be terminated. Mr. Batton stated that Mr. Self had agreed to the following amendment in SECTION 16. TERMINATION AND FINAL COMPENSATION A. that should he be terminated by County action he would receive a lump sum equal to six (6) months salary be amended to read: four (4) months salary effective December 1, 2001; five (5) months salary effective December 1, 2002 and six months salary effective December 1, 2003. One further amendment was SECTION 2. Term C.: that the Agreement shall commence on December 28, 2001.

Commissioner Wynne stated that he could not support an Employment Agreement that would pay compensation to the manager if he were terminated.

Commissioner Foy stated that he had reservations about supporting an Employment Agreement that would pay compensation to the manager if he were terminated, but Mr. Self had the knowledge and experience that was needed for Franklin County at this time.

Upon motion by Commissioner Strickland, seconded by Commissioner Foy, voting "AYE" Commissioner Strickland, Commissioner Foy, Commissioner Ball; voting "NO" Commissioner Swanson, Commissioner Wynne that the Employment Agreement, as amended, between Franklin County and Mr. Richard B. Self be approved.

There being no further business to come before the Board, adjournment recorded at 9:00 P. M.

John R. Ball, Chairman Jean Gordon, Clerk