

State of North Carolina

Minutes

County of Madison

The Madison County Board of Commissioners met in special session on Tuesday, November 19, 2019 at 6:00 p.m. at the Madison County Public Library Marshall Branch, 1335 N. Main Street, Marshall, North Carolina.

In attendance were Chairman Norris Gentry; Vice-Chairman Wayne Brigman; Commissioners Matt Wechtel, Craig Goforth, and Mark Snelson; County Manager Forrest Gilliam; County Attorney Donny Laws; Clerk Mandy Bradley.

The meeting was called to order at 6:00 p.m. by Chairman Gentry.

#### **Agenda Approval**

Upon motion by Commissioner Snelson and second by Commissioner Wechtel, the Board voted unanimously to approve the agenda as presented.

#### **Agenda Item 1: Items Regarding Petition of Writ of Certiorari Filed by Madison Asphalt, Wherein Madison County is named as a Respondent**

Chairman Gentry discussed with the Board, North Carolina General Statute 143.318.11 regarding entering closed session. Upon council by County Attorney, Donny Laws, motion by Commissioner Goforth and second by Commissioner Snelson, the Board voted unanimously pursuant to North Carolina General Statute 143.318.11 (a)(3) to enter into closed session.

Upon motion by Chairman Gentry and second by Vice-Chairman Brigman, the Board voted unanimously to return to open session.

Chairman Gentry deferred to County Attorney, Donny Laws who read the proposed Resolution of Madison County Board of Commissioners to Retain Roberts-Stevens Attorneys at Law to Represent Madison County in the Matter of Madison Asphalt LLC v. Madison County et al. (Attachment 1.1)

Upon motion by Commissioner Snelson and second by Chairman Gentry, the Board voted unanimously to approve the Resolution.

Upon motion by Chairman Gentry and second by Commissioner Snelson, the Board voted unanimously to return to closed session for personnel pursuant to North Carolina General Statute 143.318.11 (a)

Upon motion by Chairman Gentry and second by Commissioner Goforth, the Board voted unanimously to return to open session.

#### **Agenda Item 2: Personnel**

Upon motion by Chairman Gentry and second by Commissioner Wechtel, the Board voted unanimously to authorize the County Manager and the Human Resources Department to post the County Manager vacancy.

**Agenda Item 3: Adjournment**

Upon motion by Chairman Gentry and second by Vice-Chairman Brigman, the Board voted unanimously to adjourn.

This the 19th day of November, 2019.

MADISON COUNTY



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Norris Gentry, Chairman  
Board of Commissioners

ATTEST:



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Mandy Bradley, Clerk

**RESOLUTION OF MADISON COUNTY BOARD OF COMMISSIONERS  
TO RETAIN ROBERTS-STEVENS, ATTORNEYS AT LAW  
TO REPRESENT MADISON COUNTY IN THE MATTER OF  
MADISON ASPHALT, LLC V. MADISON COUNTY ET AL.**

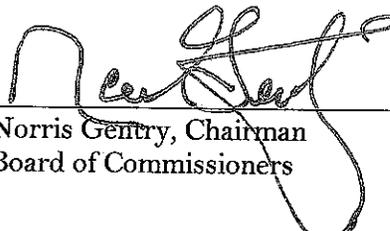
**WHEREAS**, a Civil Action has been filed in 19 CVS 340 entitled Madison Asphalt LLC v. Madison County et al.; and

**WHEREAS**, it is in the best interest of Madison County to retain Roberts-Stevens, Attorneys at Law of Asheville to assist Madison County and the Madison County Attorney in representing the interests of Madison County in the above stated lawsuit; and

**WHEREAS**, Roberts-Stevens has the expertise and experience to represent the interests of Madison County.

**NOW THEREFORE, BE IT RESOLVED** that the Madison County Board of Commissioners authorize the County Manager to execute all documents to retain Roberts-Stevens Attorneys at Law of Asheville to represent Madison County in the matter of Madison Asphalt LLC v. Madison County et al. in file No. 19 CVS 340 Madison County.

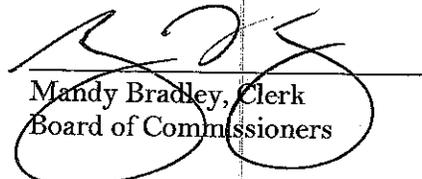
This the 19th day of November 2019.



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Norris Gentry, Chairman  
Board of Commissioners

ATTEST:



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Mandy Bradley, Clerk  
Board of Commissioners

**CERTIFICATION**

The undersigned Clerk to the Madison County Board of Commissioners does by execution hereof certify the foregoing to be a true and accurate copy of action taken by said Board as stated therein. WITNESS my hand and seal.



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Mandy Bradley, Clerk  
Board of Commissioners

(SEAL)