

**Minutes of the 12 January 2012
Special Meeting of the Yancey County Board of Commissioners
Held at 4:00 o'clock p.m. in the Commissioners Board Room
Yancey County Courthouse, Burnsville, North Carolina**

Present at the 12 January 2012 meeting of the Yancey County Board of County Commissioners were Chairman Johnny Riddle, Commissioners Jill Austin (joined the meeting at 4:30 pm), Dale England, Michele Presnell and Marvin Holland, County Manager and Assistant Clerk to the Board Nathan Bennett, County Attorney Donny Laws, and Special County Attorney for Litigation David Etheridge.

Call to Order and Approval of Agenda

Chairman Riddle called the meeting to order and then asked for a motion to approve the agenda. Commissioner Holland made a motion to approve the agenda and it was seconded by Commissioner Presnell. The vote to approve was unanimous. (Attachment A)

Conference with Counsel

The first order of business for the Board was the discussion of the tax appeals by Mountain Air Country Club, Mountain Air Development Corporation, and Settlers Edge, LLC. Chairman Riddle stated that because of the nature of the discussion that the Board probably needed to go into closed session per NCGS 143-318.11(a)(3). The motion to go into closed session was made by Commissioner Presnell and seconded by Commissioner England. The vote to approve was unanimous. When the Board came out of closed session no business was taken up. Commissioner England then made a motion to recess the meeting until January 13, 2012 at the law offices of Donny Laws at 10:00 am. The motion was seconded by Commissioner Presnell. The vote to recess was unanimous.

January 13, 2012 at 10:00 am

Present for the continuation of the meeting from January 12, 2012 meeting were Chairman Johnny Riddle, Commissioners Jill Austin, Dale England, Michele Presnell, and Marvin Holland, County Manager and Assistant Clerk to the Board Nathan Bennett, County Attorney Donny Laws, Special Attorney for Litigation David Etheridge, Judge Bob Hunter, and Attorney Bart McLean.

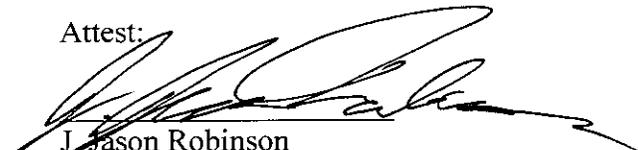
Chairman Riddle reconvened the meeting from the previous day. Commissioner England made a motion to accept general summary and description of mediation process by County Attorney Donny Laws and Special County Attorney for Litigation David Etheridge. Commissioner Austin seconded the motion. The vote to approve was unanimous. After discussion, Commissioner Austin made a motion for Chairman Riddle and Commissioner Holland to be the Board's representatives for mediation. The motion was seconded by Commissioner England and the vote to approve was unanimous. After much discussion and negotiation no resolution had been reached. It was agreed that the attorneys for both sides would continue negotiations and the Board would reconvene at a time when necessary to discuss progress made.

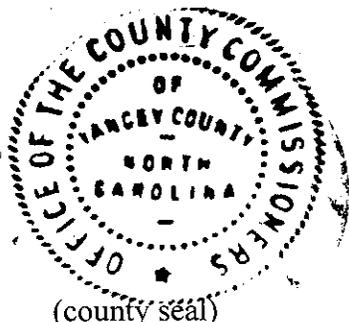
Adjournment

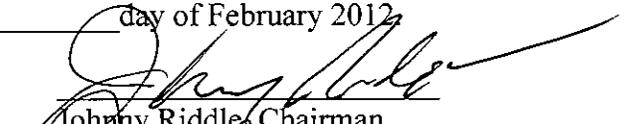
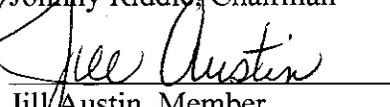
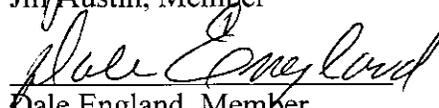
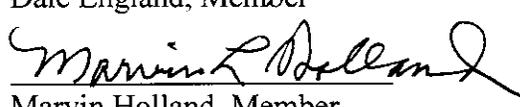
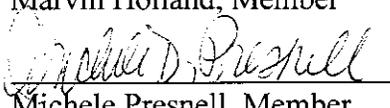
Having no further business Commissioner England made a motion to adjourn and it was seconded by Commissioner Holland. The vote to adjourn was unanimous.

Approved and authenticated on this the 7th day of February 2012.

Attest:


Jason Robinson
Clerk to the Board




Johnny Riddle, Chairman

Jill Austin, Member

Dale England, Member

Marvin Holland, Member

Michele Presnell, Member

Attachment A

COUNTYMANAGER
Nathan Bennett



COMMISSIONERS
Jill Austin
Dale England
Marvin Holland
Michele Presnell
Johnny Riddle

YANCEY COUNTY

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AGENDA

YANCEY COUNTY BOARD OF COMMISSIONERS SPECIAL MEETING

January 12, 2012 at 4:00 P.M.

and

January 13, 2012 at 10:00 A.M.

- I. Call to Order – Chairman Johnny Riddle
- II. Approval of the Agenda
- III. Conference with Counsel regarding settlement and mediation of pending appeals for ad valorem taxes made by the following taxpayers: Mountain Air Country Club, Mountain Air Development Corporation and Settler Edge, LLC
- IV. Mediation and Settlement Discussion – January 13, 2012 at 10:00 A.M. at the Offices of Donny J. Laws, Attorney regarding the appeals referenced in item III above
- V. Adjourn