



## Buncombe County Legal Department

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To: Buncombe County Commissioners  
cc: George Wood, Interim County Manager  
From: Michael C. Frue  
Re: Settlements

General Statutes require settlements of any claim, judicial action, mediation, arbitration, or administrative procedure be entered into the minutes of the public body. NCGS §143-318.11 (a)(3) reads, in part, "If the public body has approved or considered a settlement, other than a malpractice settlement by or on behalf of a hospital, in closed session, the terms of that settlement shall be reported to the public body and entered into its minutes as soon as possible within a reasonable time after the settlement is concluded."

You will note that not all these matters come to the Board. Each year during the budget cycle the Board delegates authority for settlements of amounts up to \$30,000 to the Small Claims Committee. That team is made up of the manager, finance director and myself.

Under a prior county manager such a report was a hit or miss proposition. The attached are reports for settlements over the last 1 ½ fiscal years. I plan to bring these to the Board each quarter going forward.

I have included information of fees paid to outside attorneys for some of this work.

Please let me know if you have any questions.