

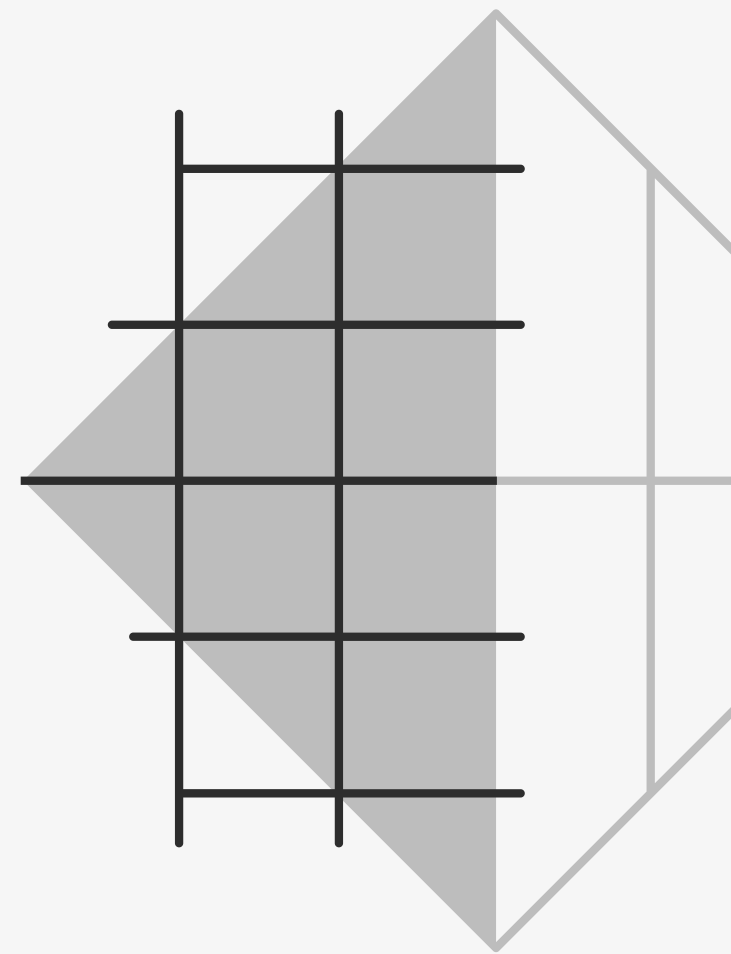
Selection of County Attorney

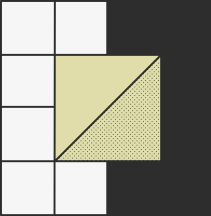


November 3, 2025

County Manager Bryan Thompson

Background



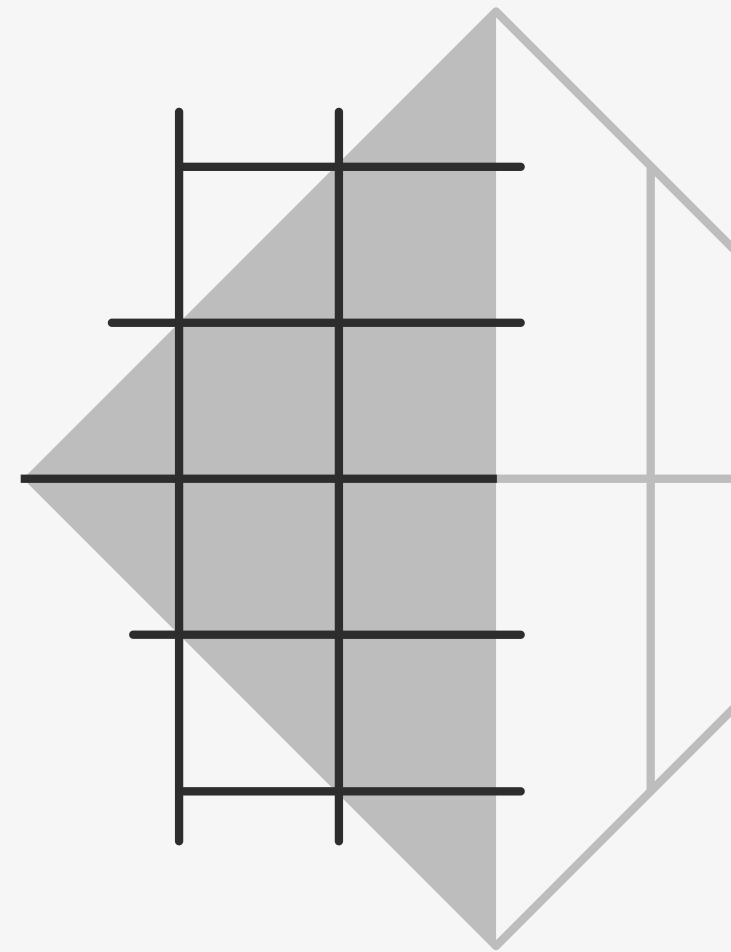


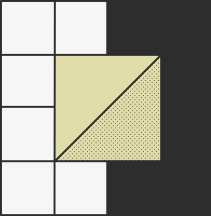
Statutory and Requirement Overview

§ 153A-114. Appointment; duties.

The board of commissioners shall appoint a county attorney to serve at its pleasure and to be its legal adviser.

- 1.Counties must appoint a specific person or firm to serve as the official attorney to represent them.
- 2.The appointment is at the Board's discretion. Structure, selection process, and terms are flexible.
- 3.The attorney must be licensed to practice law in North Carolina.
- 4.The appointment must occur in open session by action of the majority of the Board.

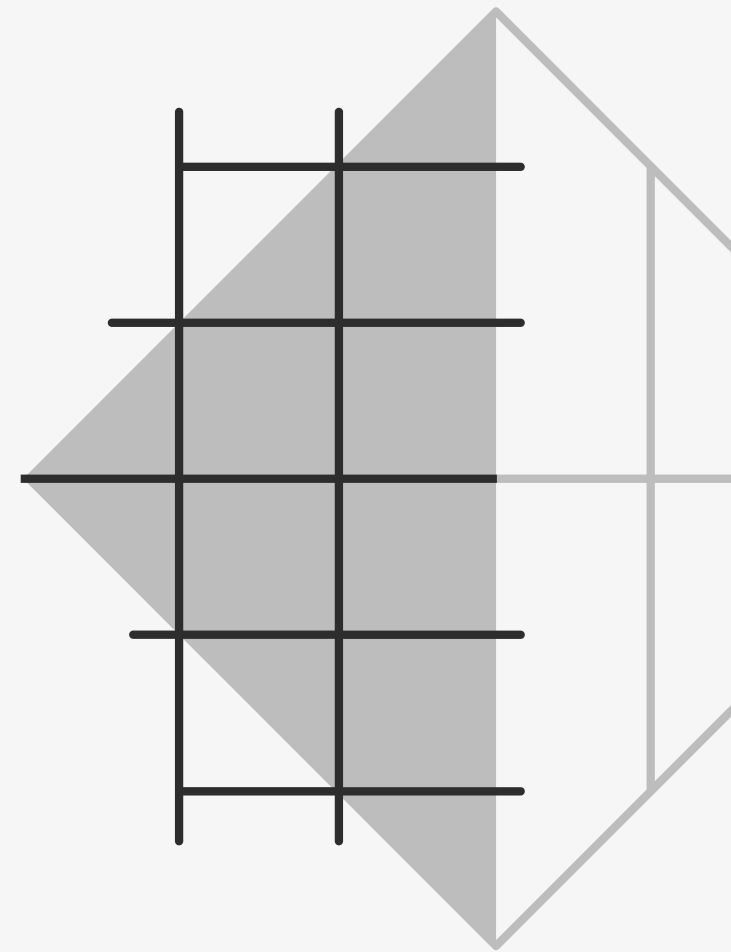


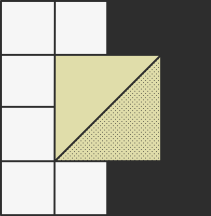


Option 1 - Continue with Current Firm **(Poyner Spruill LLP)**

Considerations:

- Firm has established familiarity with the County's operations, history, and prior legal matters.
- Firm currently engages in working relationships with County staff.
- Provides expertise across multiple legal areas (e.g., human resources, land use, real estate).
- County Attorney selection limited to the attorneys on staff at Poyner Spruill LLP.

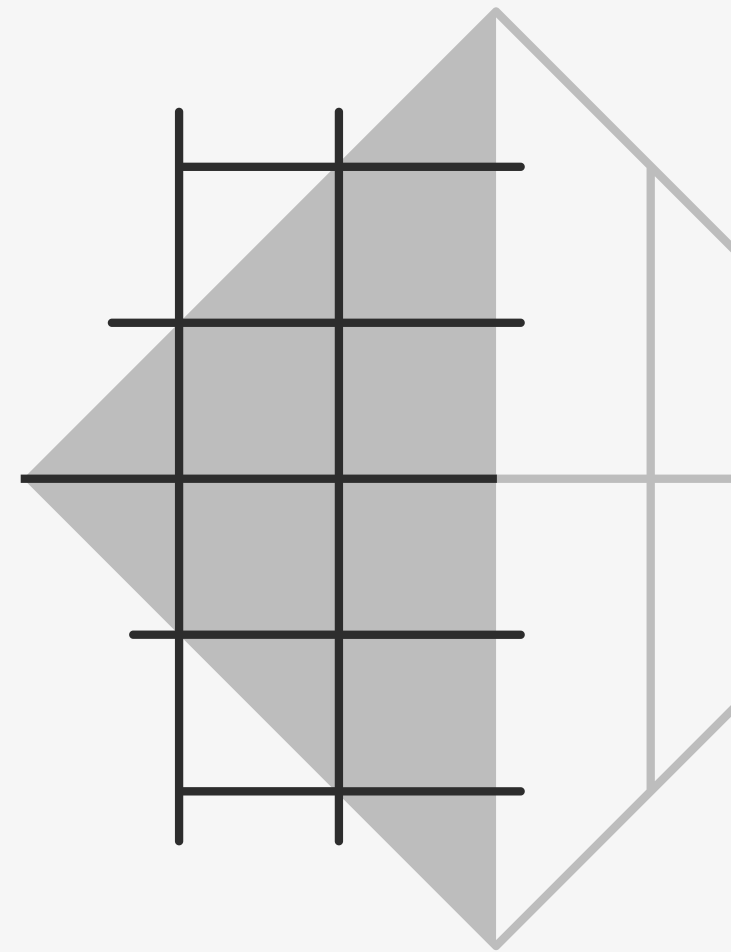


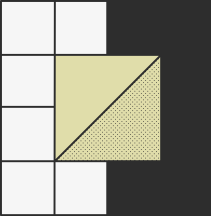


Option 2 - Solicit Proposals from Different Legal Firms (RFP)

Considerations:

- Allows competitive evaluation of services, fees, and firms.
- Opportunity to identify firms with specific approaches or characteristics.
- Requires investment of time and resources to develop request for proposals (RFP), evaluate proposals, and conduct interviews with multiple firms.
- Potential loss of institutional knowledge during transition.

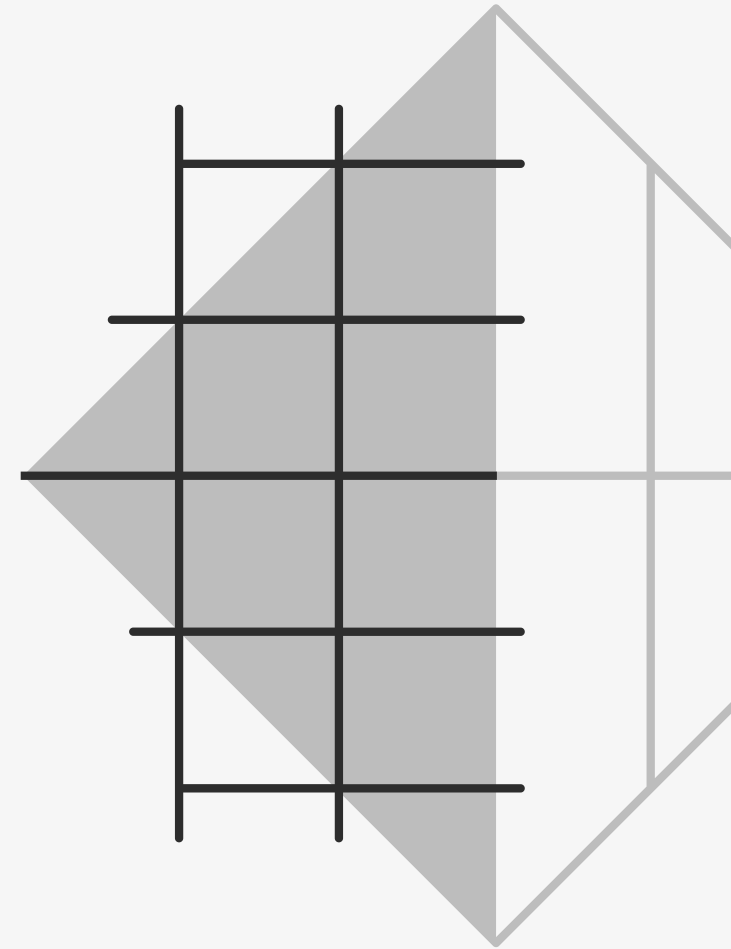


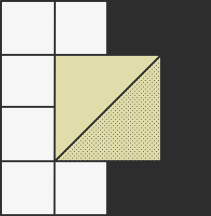


Option 3 - Hire a Staff Attorney who Serves as County Attorney

Considerations:

- Provides full-time in-house counsel dedicated solely to the County.
- Fully integrated within County operations and organizational structure.
- Greater institutional knowledge over time.
- Involves recruitment, hiring, and ongoing management of the attorney position.
- May still necessitate retaining external counsel for specialized areas (e.g., land use, human resources), which could increase overall costs.
- Potential loss of institutional knowledge during transition.





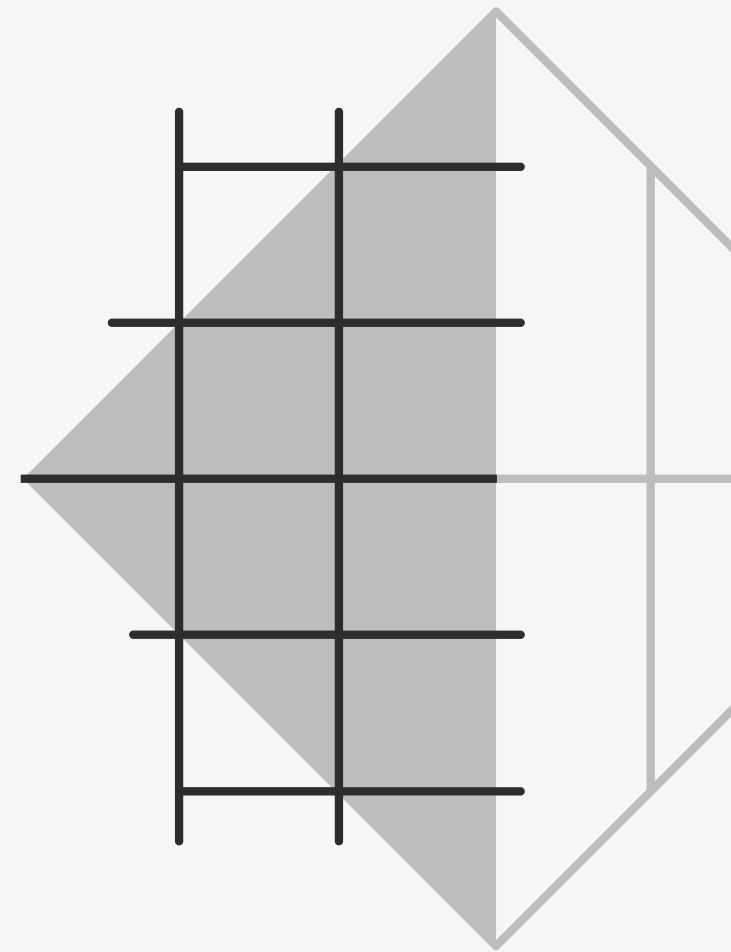
Option 4 - Hybrid Model – Staff Attorney for County/Staff + County Attorney on Retainer

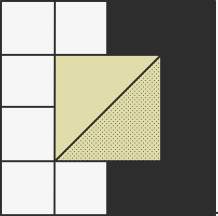
Structure:

- **Staff Attorney:** Provides legal support to County departments, drafts and reviews contracts/policies, and ensures compliance with daily operations.
- **Board Attorney:** Serves as County Attorney.

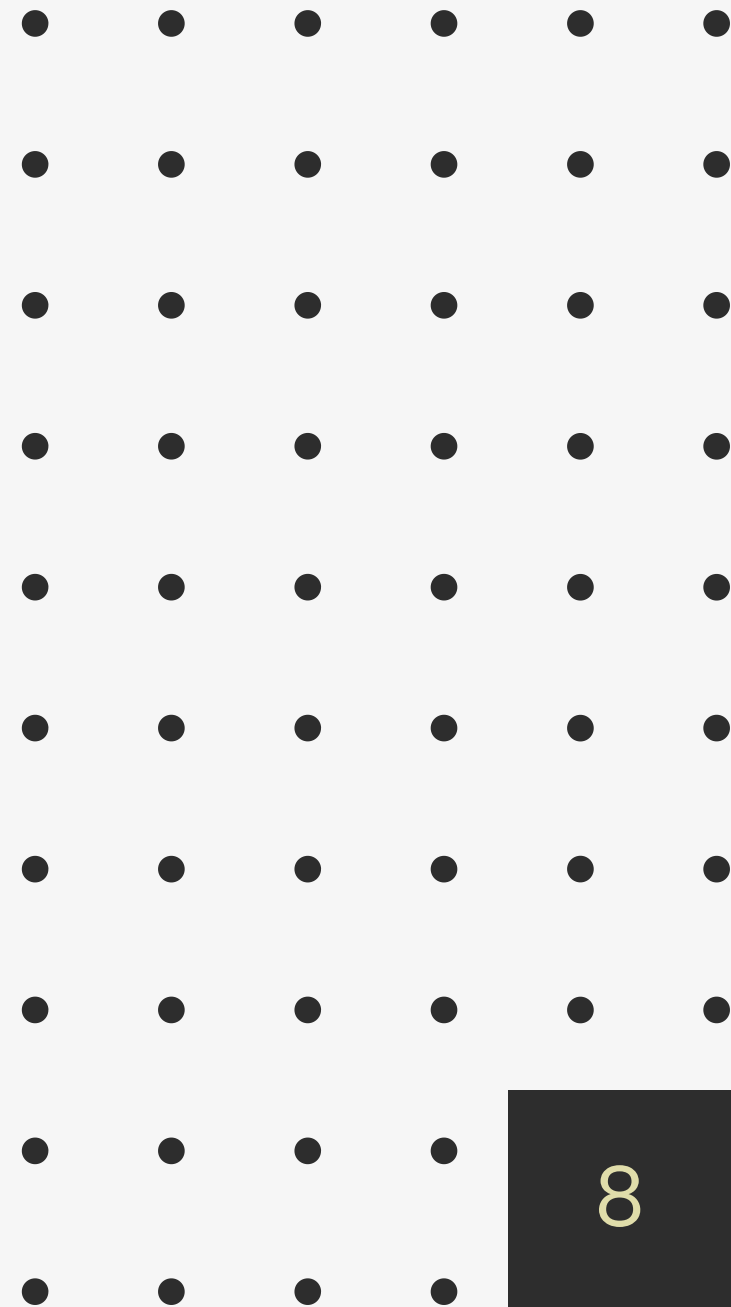
Considerations:

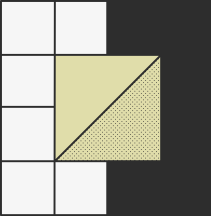
- Provides both internal Staff Counsel and access to external Board of Commissioner counsel.
- Retainer would prospectively provide specialized external expertise if required for particular legal matters.
- Potential budget impact from funding both a Staff Attorney position (salary and benefits) and County Attorney on retainer.
- Option for long term transition strategy for Staff Attorney to County Attorney only.
- Potential loss of institutional knowledge during transition.





Discussion



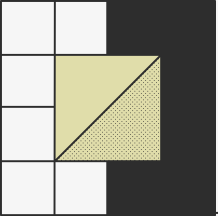


Overview of Options

§ 153A-114. Appointment; duties.

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- **Option 1** – Continue with Current Firm (Poyner Spruill LLP)
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- **Option 3** – Hire a Staff Attorney who Serves as County Attorney
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Questions?

