MINUTES OF THE MADISON COUNTY BOARD OF ELECTIONS MEETING HELD ON 24 MARCH 2014

Hearing on the Matter of a Candidate Challenge Filed Against C. John Ledford, Candidate for Sheriff of Madison County

Chairman Andy Gibson called the meeting to order at 9:30 o'clock a.m. on Monday 24, 2014 in the Courtroom of the Madison County Courthouse in Marshall, North Carolina. Present at the meeting were Board Members Andy Gibson, Jerry Wallin, Dyatt Smathers, Donny J. Laws, Counsel for the Board of Elections, John Ledford, Candidate for Sheriff of Madison County, Respondent in the hearing before the Board, Larry Leake, Attorney for Ledford, David Wijewickrama and Vince Hyatt, Attorneys for the Challengers, Peter Orthmann, Cindie Harman, and Timothy Malone, board staff members of the public and media and others.

As Board of Elections Director Kathy Ray was not present at the meeting due to her attendance at a North Carolina State Board of Elections training session the Board proceeded to the designation of an interim clerk to take the minutes of the meeting. Chairman Gibson made a motion that Dyatt Smathers be appointed to take the minutes of the special meeting. Member Jerry Wallin seconded the motion. There being no further discussion upon the call of the question the motion was unanimously agreed to.

Chairman Gibson then announced the purpose of the special meeting, being particularly the hearing of the challenge filed to the candidacy of C. John Ledford for the office of Sheriff of Madison County filed by challengers Peter Orthmann, Cindie Harman, and Timothy Malone. Pursuant to North Carolina law the special meeting was recorded by court reporter and a transcript of the same was rendered by the court reporter under seal as the true and accurate account of the verbatim proceedings of the special meeting/hearing. To that end a copy of the transcript of the same is appended to these minutes as Exhibit "A" and is incorporated herein by reference as if set forth fully herein for the purposes of these minutes and recording the actions of the Board during the special meeting/hearing, the rulings of the Chair, and the actions taken corporately by the Board.

Upon the conclusion of the evidentiary hearing which appears of record in the transcript of the same appended hereto as Exhibit "A" the Board excused the Court reporter and by unanimous consent took a brief ten minute recess.

Upon returning from recess the Board proceeded to deliberations and discussion of the evidence presented at the preceding evidentiary hearing to the end of rendering a decision regarding the election challenge pending before the board. Upon asking and receiving advice from legal counsel to the board and upon discussion of the issues between the members Chairman Gibson made a motion that the challenge filed by the challengers in the matter pending before the Board in its previous evidentiary hearing be dismissed and further that the Board's legal counsel be directed to draft an Order to that end containing findings of fact and conclusions of law in keeping with the Board's deliberations and discussions of the matter. Mr. Wallin seconded the matter and the Chair called for further discussion. Upon the conclusion of all

discussion of the pending motion upon the call of the question the Motion was unanimously approved.

Member Dyatt Smathers then made a motion that the Board adjourn the special meeting. Chairman Gibson seconded the motion, upon the call of the question the Motion was unanimously agreed to and the Board adjourned.

Approved this the _____ day of April 2014.

Andy Gibson, Chairman

Dyatt Smathers, Member

Jerry Wallin, Member