

## County attorney said he quit rather than face firing

**By Billy Ball**  
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MONROE

Former Union County attorney John Burns said he resigned in late 2008 because he expected to be forced out of office by the new Board of Commissioners.

"I was going to be replaced," Burns said Wednesday, adding he was told in November that current board Chairman Lanny Openshaw, who had yet to be elected to the top board post, wanted another lawyer.

County commissioners called for applicants to the position this month, but have yet to interview a replacement for Burns, County Manager Al Greene said.

The county attorney is the primary legal counsel for the Board of Commissioners, and can be asked to defend the county in court cases.

The job comes with no definite term. The attorney is paid hourly and "serves at the pleasure of the board," according to a recent county request for qualifications, or RFQ, on the position.

Burns' resignation was effective Nov. 30, although Greene said Burns did not tell county officials why he was leaving.

"Mr. Openshaw didn't want me to be the county attorney when I was appointed" in February 2007, Burns said.

A lawyer from a private local firm, Burns replaced Don Perry of Monroe's Perry, Bundy, Plyler and Long.

Shortly after Burns took the job, Perry likewise said he was fired by the new Board of Commissioners that took office in December 2006.

Openshaw could not be reached before deadline Wednesday, but Commissioner Tracy Kuehler, who assumed her seat last month, said she had no intentions of firing Burns.

"He actually would have been welcome to apply (for the job)," Kuehler said. "If he took it upon himself to think that he was out, that's his issue."

Kuehler said Burns and Openshaw could "have a history" of disagreeing, but commissioners would have called for a RFQ anyway.

"I'm a big advocate of getting the best of whoever is out there," she said.

Burns was involved in a number of major cases in his term, including a bitter contract dispute with fired County Manager Mike Shalati, although Raleigh firm Poyner & Spruill handled the bulk of that case.

Greene said Burns' relationship with commissioners was going "very smoothly" before he left.

Monroe lawyer H. Ligon Bundy, also of Perry, Bundy, Plyer and Long, has taken over most of the county attorney's duties, Greene said.

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