
TOWN OF MARSHVILLE

est. 1877

118 E. Union Street • Marshville, NC 28103
Town Hall - 704.624.2515 • Fax - 704.624.0175
Tuesday, November 13, 2018, 7:00 PM

Special Called Meeting

Present: Mayor Franklin Deese; Council Members Margaret Bivens, Norma Carpenter, Ernestine Staton, and Gary Huntley; Mayor Pro-tem Virginia Morgan

Staff Present: Scott Howard, Town Manager; Ann Sutton, Town Clerk/Finance Officer; Bobby Griffin, Town Attorney

Call to Order/Invocation/Pledge of Allegiance:

The Meeting was called to order at 7 pm by Mayor Franklin Deese. The Invocation was given by Council Member Huntley. The Pledge of Allegiance was given by everyone.

Mayor Deese asked to add Public Comments to the agenda. Council Member Bivens made the motion, and it was seconded by Council Member Ernestine Staton. All agreed unanimously.

Public Comments:

Mr. Chadwick Whitley of 5115 Gilboa Road, Marshville, NC, was concerned for Marshville and the amount of money spent on attorneys. I know some of you want to continue the lawsuit. What is your plan if you do? Mayor Deese responded that part of our lawsuit is that Union County overcharged us. If we win, we will get the money Union County overcharged us, and we can use that to fix the system. Mr. Whitley asked what the facts are? What is it going to cost us if we do win? We have already spent half a million dollars. If we do win, can we afford what it will cost to fix the system? Mr. Whitley said he was for Marshville first and Union County second. We have lost twice. If we win, how will we pay for it? Mayor Deese responded it is true that we have countersued and the judge struck us down. However, if we appeal, we will have a jury. We will win then. I want to speak for me, not for the Council. I have no problem with working with Union County if they just do what they say. Mayor Deese said what he meant by this is Stoney comes and tells us things, and that is great, but then the County send paperwork and say something else different from what Stoney Rushing said. I can certainly tell you what Union County has offered. They will take over our debt. We listed the loans for them. Union County will pay us back \$200,000, which will leave a balance of \$434,000 with them. Union County promised to commit that amount to fix the system. Commissioner Rushing did not say that. He said that money would be used for natural gas. This agreement does not say that. This agreement says the additional money would go back into the system. That is Mayor Deese's problem with that part of the agreement. Mayor Deese said that the county will be putting a line to Marshville Elementary, but that doesn't help us if we have to put the lines in for the businesses and citizens. That is the Mayor's issue. Union County said one thing and sent us an agreement that does not reflect that. Mayor Deese said we sent back a list to Union County of things we would like to have with some options. Union County turned us down. My point is Union County needs to treat

Marshville fairly. We have spoken with Commissioners Rushing and Simpson. We all came to some conclusions. Then Union County sends this agreement which was totally out in left field. Mayor Deese said that from the beginning of the lawsuit, our attorneys have pushed to settle. Mr. Whitley said that as long as there is no resolution, this will continue to be pushed down the road. He does not know how it will be paid for. Mr. Whitley's concern is that even if Marshville won, how much is it going to cost us. Mayor Deese said the other sticking point is the citizen's bills. Union County says it will take five years for us to get our water/sewer bills down to what other town are. Mayor Deese said that our citizens need to see the benefit of transferring our system. They need to see their bill go down. Mr. Whitley agreed that our water bills need to be the same as the rest of the county. Mr. Whitley said he appreciated every thing and thanked the Council for allowing him to speak.

Don Stegall said he appreciated what the Council is trying to do. He is all for compromise, also. He thinks if two people can get in a room together, they can work it out. Is it scary, yes? But, if there is no alternative plan, we have no choice in the matter. The Mayor thanked Mr. Stegall for his input.

We appreciate all the public comments.

Motion to Enter Into Closed Session per NCGS 143-318.11 (a) (3) at Marshville Town Hall Meeting Room ...

To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged...The public body may consider and give instruction to an attorney concerning the handling or settlement of a claim, judicial action, mediation, arbitration, or administrative procedure...

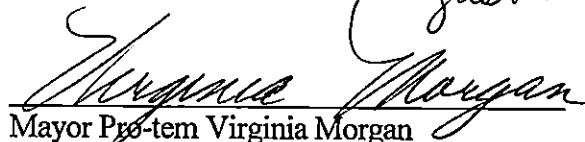
Discussion of Union County vs Marshville.

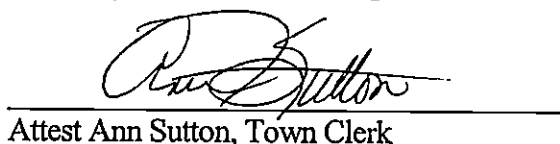
A motion was made to go into closed session by Council Member Staton and seconded by Mayor Pro-tem Morgan. All agreed unanimously. 7:30 pm

A motion was made to go out of closed session by Mayor Pro-tem and seconded by Council Member Carpenter. All agreed unanimously. Approx. 8:30 pm

Mayor Deese said that the Council needed to recess this session to reconvene on Thursday, November 15, 2018, at 7 pm. A motion was made by Council Member Bivens and seconded by Mayor Pro-tem Morgan. All agreed unanimously. 8:35 pm

Approved on this 5th of August, 2019


Mayor Pro-tem Virginia Morgan


Attest Ann Sutton, Town Clerk