

**Town of Marshville  
Town Council Meeting  
Tuesday, September 4, 2012, 7:00 PM  
Marshville Town Hall – 201 W. Main St.**

**Council Members Present:** Mayor Frank Deese, Mayor Pro-Tem Matthew Jefferson, Council Members Norma Carpenter, Dora Bridget and Margaret Bivens. Council Member Gary Huntley was absent due to medical reasons.

**Staff Present:** Town Manager, Amanda Reid; Town Clerk/Finance Officer, Tonya Johnson; Town Attorney, Bobby Griffin; Chief of Police, Carl Webber

**Call to Order/Invocation/Pledge of Allegiance**

The meeting was called to order at 7:06 pm by Mayor Deese. The invocation was offered by Council Member Bivens. The Pledge of Allegiance was offered by all in attendance.

**Adoption of Agenda**

The Town Manager requested to add to the agenda 7 (a) Discussion and possible action regarding the Austin Grove Church Road water main replacement project. A motion to add the agenda item was made by Council Member Bivens, seconded by Council Member Carpenter and passed by unanimous vote.

The Town Manager requested to add to the agenda a closed session to discuss a matter under privilege with the Town Attorney per the NCGS 143-318.11. Closed Sessions.

*(a) (3) 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. General policy matters may not be discussed in a closed session and nothing herein shall be construed to permit a public body to close a meeting that otherwise would be open merely because an attorney employed or retained by the public body is a participant. The public body may consider and give instructions to an attorney concerning the handling or settlement of a claim, judicial action, mediation, arbitration, or administrative procedure...*

A motion to add a closed session discussion per the statute cited above was made by Council Member Bivens. The motion was seconded by Council Member Carpenter and passed by unanimous vote.

A motion to adopt the agenda for the meeting with the two additions was made by Council Member Bridget. The motion was seconded by Council Member Bivens and passed by unanimous vote.

**Public Comments**

There were no public comments.

**Adoption of the Consent Agenda for the Meeting**

- August 20, 2012 Town Council Minutes
- Approve Tax Releases

A motion was made by Council Member Bridget to adopt the consent agenda as presented with the items thereon. The motion was seconded by Council Member Bivens and passed by unanimous vote.

**Approve Resolution in Remembrance of 9/11**

Mayor Deese read into the minutes the Town of Marshville Resolution in Remembrance of 9/11. A motion to approve the resolution and to authorize the Mayor to sign said resolution was made by Council Member Bivens. The motion was seconded by Council Member Carpenter and passed by unanimous vote.

### **Discussion and possible action regarding Text Amendment RZA12-04 “Solar Energy Production Facility”**

The Town Manager referenced the revised solar energy ordinance and commented that the changes were made as requested by the town council. She informed council that the Planning Board will draft a separate ordinance for Solar Collectors as an accessory use as directed by the town council. A motion to approve Text Amendment RZA12-04 “Solar Energy Production Facility” was made by Mayor Pro-Tem Jefferson. The motion was seconded by Council Member Bridget and passed by unanimous vote.

### **Discussion and possible action regarding the Austin Grove Church Road Water Main Project**

The Town Manager reported that all of the easements have been collected except for the Pilgrim’s Pride parcel and she is currently working with their representatives. The Town Manager reported that the contract for engineering services from Hobbs, Upchurch and Associates was received today and requested that council authorize the Town Manager to execute the contract. A motion authorizing the Town Manager to execute the contract for engineering services for the water main relocation project on Austin Grove Church Road was made by Mayor Pro-Tem Jefferson. The motion was seconded by Council Member Bivens and passed by unanimous vote.

### **Town Manager’s Report – Ms. Amanda Reid**

*Crosswalk Update* – The Town Manager informed council of a meeting with NCDOT regarding crosswalks. The Town Manager referenced an email from NCDOT and commented that we are getting on the schedule for crosswalk installation and will have information forthcoming.

*NCLM Annual Conference* – The Town Manager informed the council that the League conference will be in Charlotte on October 21-23 and asked that registration forms be received by September 14, 2012 by those planning to attend.

*2012 Union Co. Farm City Celebration* – The Town Manager informed council that this event is scheduled for September 27, 2012 and the cost for an eight person table is \$120, or \$15 per person. The money for anyone planning to attend is needed by the end of this week. The Town Manager cautioned the council regarding supporting one organization over another and Mayor Deese agreed.

### **Comments**

Council Member Carpenter commented that things are running smoothly and commended the Town Manager. She wished Council Member Gary Huntley well as he recovers from health issues.

### **Closed Session to Discuss Matter under Privilege with the Town Attorney**

*§ 143-318.11. Closed sessions. (a) (3) 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. General policy matters may not be discussed in a closed session and nothing herein shall be construed to permit a public body to close a meeting that otherwise would be open merely because an attorney employed or retained by the public body is a participant. The public body may consider and give instructions to an attorney concerning the handling or settlement of a claim, judicial action, mediation, arbitration, or administrative procedure...*

In open session a motion was made to go into closed session per *NCGS 143-318.11 (a) (3)*, as cited above, by Council Member Bridget. The motion was seconded by Council Member Bivens and passed by unanimous vote.

### **Closed Session (7:31 pm)**

### **Open Session (7:41 pm)**



**Possible action resulting from closed session**

A motion to release the closed session minutes of August 20, 2012 and add said minutes the regular meeting minutes was made by Council Member Carpenter. The motion was seconded by Council Member Bridget and passed by unanimous vote.

**Adjourn**

A motion to adjourn was made by Council Member Bivens. The motion was seconded by Council Member Carpenter and passed by unanimous vote. There being no further comments the meeting adjourned at 7:43 pm.

These minutes approved this 17th day of September, 2012.

By: \_\_\_\_\_

Frank Deese  
Mayor

Attest: \_\_\_\_\_

Tonya D. Johnson  
Tonya D. Johnson  
Town Clerk