

**Town of Marshville
Town Council Special Meeting
Monday, June 14, 2010
7:00 p.m.
Town Hall – 201 W. Main St.**

Present: Mayor Franklin Deese, Mayor Pro-Tem Margaret Bivens, Council Members Denise Whitley, Ned Beachum, Dora Bridget, and Matthew Jefferson, Town Administrator Radford Thomas, Interim Clerk/Finance Officer Tonya Johnson, and Attorney Bobby Griffin. Also present was John Edmondson of *The Home News*.

Mayor Deese opened the special meeting at 7:00 p.m. and welcomed everyone. Mayor Pro-Tem Margaret Bivens gave the invocation. All gave the Pledge of Allegiance.

Town Administrator Radford Thomas gave council members a handout on health insurance proposals and discussed briefly the changes in plan options. He asked council members to study the proposal between now and the next Budget Work Session on June 17.

Mayor Deese commented that the reason for the special called meeting was per *G.S. 143-318.11(a)(3)*, to received legal counsel concerning a pending lawsuit.

In Open Session, a motion was made by Council Member Bridget and seconded by Mayor Pro-Tem Bivens to go into Closed Session per *G.S. 143-318.11(a)(3)*. Vote: All ayes.

CLOSED SESSION

Town Administrator Thomas conveyed to the Council of a letter received last Thursday, June 10, 2010 offering to settle the suit for \$12,500. TA Thomas reminded the Council that \$12,500 was the amount we offered as discussed previously. Mr. Chaffin agreed to the settlement as per the terms we presented. A draft of a settlement agreement was put together by Attorney Griffin, with some changes made along the way. TA Thomas stated he has a signed and notarized copy of the settlement agreement from Mr. Chaffin. He conveyed that Mr. Chaffin is ready for this to be over and move on. TA Thomas stated to council that he needs authorization from the Council to execute this agreement on their behalf. He commented that he would contact the Standards Commission in Raleigh to get Mr. Chaffin's personnel file on order, as per the agreement. He (Chaffin) is ready to move forward.

Attorney Griffin commented to the Council about the confidentiality clause both parties agreed to. He stated we will deal with public disclosure at a later time. Attorney Griffin commented that he feels the terms of the settlement are favorable for the Town of Marshville. He also commented that the Council can authorize the execution of the settlement agreement in Closed Session.

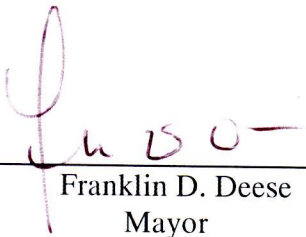
TA Thomas read the settlement agreement. After doing so, it was the consensus of Council to authorize the execution of the settlement agreement.

A motion was made by Council Member Matthew Jefferson to authorize and direct Attorney Griffin to settle the matter in the manner discussed, and to direct Mayor Deese to sign the settlement on behalf of the Town Council. The motion was seconded by Mayor Pro-Tem Bivens. Vote: All ayes.

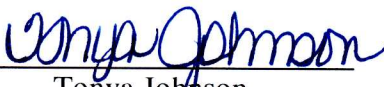
At 7:25 p.m. a motion was made by Council Member Denise Whitley to come out of closed session, seconded by Mayor Pro-Tem Bivens. Vote: All ayes.

There being no further comments, a motion was made by Council Member Denise Whitley to adjourn, seconded by Mayor Pro-Tem Bivens. Vote: All ayes.
The meeting was adjourned at 7:25 p.m.

These minutes approved this 10th day of July, 2010.



Franklin D. Deese
Mayor

Attest: 

Tonya Johnson
Interim Town Clerk

**A brief recess may be called every 45-60 minutes, as desired by Council.*