



**Town of Marshville  
Town Council Special Meeting  
August 02, 2023, 6 PM  
Marshville Town Hall  
118 East Union – Marshville, NC 28103**

**In Attendance:** Mayor Larry Smith, Mayor Pro-tem Ernestine Staton; Council Member Margaret Bivens, Gary Huntley, Paulette Blakeney, Monaca Marshall

**Staff Attendance:** Town Manager Franklin Deese, Town Clerk Ashlie Vincent, Town Attorney Bobby Griffin

**Call to Order/Invocation/Pledge of Allegiance:** Mayor Smith called the meeting to order. Member Huntley gave the invocation. All shared the Pledge of Allegiance.

### **Special Meeting Minutes**

**Discussion/Adoption of July 5<sup>th</sup> Minutes:** The motion to adopt the July 05, 2023, Regular Meeting Minutes was made by Mayor Pro-tem Staton and seconded by Member Huntley—all ayes.

**Discussion of Veterans Memorial Marker:**

The council discussed allowing three or four people to speak before the discussion to allow for public input.

**Bob Morgan:** This is how governments are supposed to work. This is how the government addresses the people. Veterans out here are not your enemy; they are the best friends you've ever had. As stated in previous minutes, it is a valuable piece of property where the monument resides. Veterans work together. He hopes that some elected officials will step up and work with the veterans. He thinks the committee has tried reaching out. He said he wants them to work with us to benefit Marshville.

**Gail Kiker:** One of the original people who started the memorial 16 years ago. She stated that her memory may not be as good, but she remembers that a citizen wanted the memorial. The board at that time voted to donate the property. She asked Bivens Steele about the validity of the lines under the monument, saying that he had told the committee that there were no water lines. Bivens Steele replied that the original idea was to place a basketball court there. The water lines have been there since the 30's. He mentioned being told to be quiet about the water and sewer lines.

She said Public Works never said there were lines there. The committee held two fundraisers to raise approximately \$30,000 for the monument. She commented that the town doesn't own

anything on that property. Why didn't anyone contact them about the issue? She wants the memorial back where it is. She said the land was donated for the memorial.

**Gary Wyatt** – District 17 Vice Commander: He presented a letter to the council after reading it aloud for the public to hear. The letter will be included in the minutes. He expressed he would like the memorial to be moved to a prominent area for public access/view to pay respects.

**Tarbox Mark** – Navy Veteran: He said the land was donated via verbal contract. He exclaimed that he would not come back to the town if the monument were to be moved.

**Fern Shubert**: She has worked for the town and has been involved with the town for many years. The comments saying the town disrespects veterans felt like a personal insult to herself. No one on the board wants to get rid of the monument. She has come to the council numerous times about infrastructure problems. The pipes in town are terrible. Marshville has an infrastructure problem; this has nothing to do with respect to veterans.

**Ms. Baucom**: She said it is a beautiful memorial and is sad it isn't in the beautiful shape it was. She expressed how important it is to teach children to respect and support the veterans. The memorial is very significant and is a blessing to the town. She stated that if the monument has to move, it will be in a prominent place. The committee would like to offer input and ideas.

Mayor Smith said he attended the community meeting with Mayor Pro-tem Staton and Member Marshall. No action was intended to disrespect the veterans. The issue was presented by staff to the council. He said he didn't realize the move would happen so fast; it was a failure on his part not to ask more questions.

Manager Deese said Gail Kiker was the council liaison for the monument committee. There was no vote to donate the land or report brought to the council about the water/sewer lines.

Gail Kiker interrupted Manager Deese's report. Police Chief Tarlton asked Gail Kiker to leave for continuously interrupting the staff.

Mayor Smith asked for quiet in the crowd to allow the staff to report and respect the staff.

Manager Deese spoke to the public. Wooten did a sewer study to map out the sewer lines in town. The map is presented. The reference shows an eight-inch clay sewer line running through the lot. Manager Deese said Biven Steels knows more than anyone about sewer and water; it is to be believed when he says something is wrong. He shared the G.S 100-2.1 with the public. He read a blog post from Adam Lovelady from the School of Government.

The prudent thing to do is to move the object because it could be in danger of being damaged. There is no legal agreement between the committee and the town. There are no records in the minutes about the town owning the monument.

There are three options: 1: It is the committee's responsibility. 2: Donate to the town to be the town's responsibility. 3: An agreement with the committee to put it on town property for the town to maintain. Everything is collected at public works, waiting for a decision.

Mayor Smith commented that it is time for the council to discuss what needs to be done now. Manager Deese pointed out that rerouting the sewer line would cost around \$250,000. Mayor Pro-tem Staton said it needs to be established who owns the monument in the minutes to prevent this from happening again. Manager Deese suggested reaching out to the committee and working something out in the best interest of the monument. Mayor Pro-tem Staton asked how much it would cost to move it. Manager Deese replied \$1000.

There was a suggestion of placing it at the lake. Manager Deese told the council there would be a process to annex that land at the lake before you could put the monument there because it needs to be within the town limits. He mentioned that whether it's at the park or lake, there will be lights and cameras to watch it. Manager Deese stated that it was presumed to be the town's memorial at the time. It has been determined that it belongs to the committee.

The motion to allow four weeks to get with the original 2006 monument committee for discussion was made by Mayor Pro-tem Staton and seconded by Member Blakeney.

The town attorney suggested withdrawing the motion and directing staff to meet with the committee and report on the decision.

The motion to direct staff to meet with three committee members and report back to the council was made by Mayor Pro-tem Staton and seconded by Member Blakeney—all ayes.

**Manager's Comment:**

No Comments.

**Adjournment:** The motion to adjourn the meeting was made by Member Bivens and seconded by Mayor Pro-tem Staton—all ayes.

Approved this \_\_\_\_ day of September 2023.

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Larry B. Smith, Jr., Mayor

ATTEST

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Ashlie Vincent, Town Clerk



**TO: Town Council, Marshville, North Carolina**

**August 1, 2023**

**FROM: American Legion, District 17, Commander and Vice Commander**

**SUBJECT: Veterans Memorial**

This is to advise you that we had our District Meeting on the 29<sup>th</sup> of July and a motion was brought forward and approved by all in attendance that we submit this correspondence to you for your review and possible action.

We want to advise you that we are all in agreement that the Veterans Memorial in Marshville, if moved, should only be placed in a very prominent area so all who pass through Marshville will have the opportunity to observe and/or visit this Monument.

We also want you to know that we are adamant in our suggestion and would like you to know that District 17 encompasses the following 17 Posts: Post 27 (Monroe, NC), Post 51 (Concord NC), Post 76 (Albemarle, NC), Post 115 (Kannapolis, NC), Post 121 (Marshville, NC), Post 172 (Concord, NC), Post 208, (Waxhaw, NC), Post 212 (Monroe, NC), Post 431 (Wingate, NC), Post 433 (Midland, NC), Post 440 (New Salem, NC) Post 446 (Marshville, NC), Post 458, (Indian Trail, NC), Post 520 (Albemarle, NC), Post 523 (Harrisburg, NC) and Post 535 (Unionville, NC).

We also want you to know that the American Legion worldwide is tasked with the wellbeing of our Veterans and their families as well as continuing to remember those thousands of Veterans who are no longer with us or may still be Missing in Action or Prisoners of War.

We would appreciate your sincere consideration of our request.

**/S/ JUDY TARBOX, District 17 Commander**

**/S/ GARY WYATT, District 17, Vice Commander**