



VILLAGE OF MARVIN

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VILLAGE COUNCIL MEETING MINUTES

May 6, 2019 – 12 p.m.

Village Hall, 10004 New Town Road

Special

AGENDA ITEM

TIME STAMP: 00:03 (R-1)

1. Call to Order:

Mayor Pro Tem Dispenziere called the Village Council Special Meeting to order at 12 p.m. He verified a quorum was present.

Council Members Present: Mayor Pollino, Mayor Pro Tem Dispenziere, Councilwoman Vandenberg, and Councilman Epps

Council Members Absent: Councilwoman Shkut

Staff Present:

Christina Alphin, Administrator

Barbie Blackwell, Clerk

Melanie Cox, Attorney

TIME STAMP: 00:22 (R-1)

2. Adoption of the Agenda:

TIME STAMP: 00:38 (R-1)

MOTION: Councilwoman Vandenberg made a motion to approve the agenda as presented.

VOTE: The motion passed with a 3-0 vote.

TIME STAMP: 00:54 (R-1)

3. Move into Closed Session, pursuant to and N.C.G.S. 143-318.11(a)(3) To consult with the attorney retained by the public body to consult with the attorney retained by the public body to preserve the attorney-client privilege and discuss the proposed language in the Settlement Agreement and Release in the Shkut v. Village of Marvin et al 18-CVS-1853:

TIME STAMP: 1:22 (R-1)

MOTION: Councilwoman Vandenberg made a motion to move into closed session, pursuant to and N.C.G.S. 143-318.11(a)(3) To consult with the attorney retained by the public body to consult with the attorney retained by the public body to preserve the attorney-client privilege and discuss the proposed language in the Settlement Agreement and Release in the Shkut v. Village of Marvin et al 18-CVS-1853.

VOTE: The motion passed with a 3-0 vote.

TIME STAMP: 00:04 (R-2)

4. Reconvene in open session to consider approval of settlement and release in the Shkut v. Village of Marvin et al 18-CVS-1853:

TIME STAMP: 00:04 (R-2)

MOTION: Councilwoman Vandenberg made a motion to reconvene in open session to consider approval of the settlement and release in the Shkut v. Village of Marvin et al 18-CVS-1853.

VOTE: The motion passed with a 3-0 vote.

TIME STAMP: 00:17 (R-2)

Council took the following action:

MOTION: Mayor Pro Tem Dispenziere made a motion to approve the settlement agreement of Shkut v. Village of Marvin et al 18-CVS-1853 in the amount of \$75,000 with terms of settlement language and releases presented with addition of adding signatures line of Councilman Robert Epps and requirement of notary upon execution and authorize Village Administrator to execute agreement on behalf of the Council and issue payment upon appropriation and Village approval of the invoices by Village Attorney.

TIME STAMP: 00:59 (R-2)

Further Discussion:

Mayor Pollino stated for the record that he was against settlement. He stated that he was confident the Village did nothing wrong. He stated that he was against signing the new revision. He was concerned about some of the language written by opposing Counsel that Council is about to vote on and how it still involve the Village and put the Village at risk.

Councilwoman Vandenberg stated that she voted no the first time and voted no again. She also stated, "We did nothing wrong." She disagreed with the new reversion. There are two contradictory sections in the agreement that she was uncomfortable with and there has been influence on the processes.

Councilman Epps stated the settlement was in the best interest of Village. Village spent over \$100,000 in legal fees and maybe responsible for more if the Village loses including additional attorney fees. He was fine with Councilwoman Vandenberg and Mayor Pollino opposing the settlement.

TIME STAMP: 3:12 (R-2)

VOTE: The motion passed with a 2-1 vote. Mayor Pro Tem Dispenziere and Councilman Epps voting in the affirmative and Councilwoman Vandenberg voting in opposition.

Power outage occurred during the meeting at 12:56 p.m. and the agreement could not be printed for signatures.

Council agreed to come back later in the day to sign the settlement agreement prior to sending it to opposing Counsel.

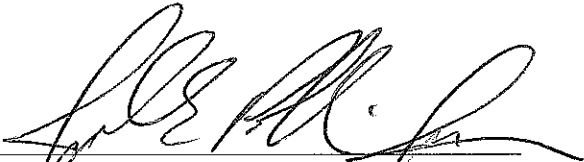
ADJOURNMENT

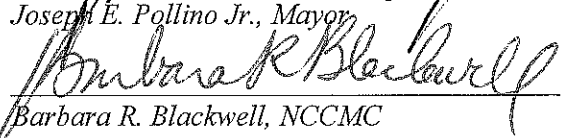
TIME STAMP: 5:03

MOTION: Mayor Pro Tem Dispenziere made a motion to adjourn the meeting at 1:05 p.m.

VOTE: The motion passed with a 3-0 vote.

Adopted: 9/10/19



Joseph E. Pollino Jr., Mayor


Barbara R. Blackwell, NCCMC
Clerk, Village of Marvin



