

November 7, 2016
Special Council Meeting
12191 Magnolia Springs Hwy.
Magnolia Springs, Al.

1. Call to Order

Mayor Underwood called the Special Council Meeting to order at 10:30 a.m.

2. Roll Call

Members present – Mayor Ken Underwood - Council Members: Jim May, Bob Holk, Donna Esslinger and Ben Dykema. Not present: Dotty Johnson. Also present: Town Clerk - Karen S. Biel and Legal Counsel – Brad Hicks

3. Pending Litigation – Gaines vs. Holk and Town of Magnolia Springs

Mayor Underwood stated that the Special Meeting was called to discuss the pending election contest.

Motion made by Councilmember Esslinger, 2nd by Councilmember Holk to go into executive session to discuss with the town attorney the legal ramifications of and legal options for pending litigation. Brad Hicks stated that he is an attorney licensed to practice law in the state of Alabama and this exception, Section 36-25A-7(a)(3) is applicable to the planned discussion.

Roll call vote: Councilmember May – Yea, Mayor Underwood – Yea, Councilmember Holk, Yea, Councilmember Esslinger-Yea and Councilmember Dykema– Yea. Mayor Underwood stated that the Council will reconvene the meeting after the executive session.

Council went into executive session at 10:32 a.m.


Council reconvened the meeting at 11:11 a.m.

Motion by Councilmember Holk, 2nd by Councilmember Esslinger to accept Gaines settlement offer and authorize the town attorney to draft and negotiate the appropriate documents to effect settlement. All in favor. Motion carried.

Motion by Councilmember May, 2nd by Councilmember Esslinger to adjourn the meeting.

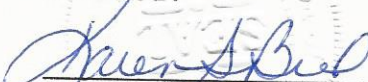
Special Council Meeting ended at 11:15 a.m.

Approved this the 13th day of December, 2016



Bob Holk – Mayor

ATTEST:



Karen S. Biel – Town Clerk