

From: [Austin Yow](#)
To: [Marvin NC Manager](#)
Subject: RE: Public Comment Misrepresented
Date: Thursday, April 23, 2026 9:24:00 AM
Attachments: [image001.png](#)

Good morning Christina,

I have been wrestling with this situation for the last few days, and to be honest, it has weighed on me heavily. I am not happy with how this transpired. Had I known at the time the full circumstances, I would not have taken the same course of action. Given the concerns raised by the Ms. Vandenberg and the procedural issues you noted, I am changing my position.

I recommend that the March 2 Council Regular Minutes be formally amended to restore the original summary I drafted. While the Village has provided general summaries of public comments since policies were amended in September 2024, it is now my opinion that the adopted version is insufficient to reflect the context the resident provided.

As noted, eScribe does not save iterative versions, but I believe the following is a close match of the original draft:

Kim Vandenberg (806 Capington Lane): Ms. Vandenberg thanked Council Member Ilarraza for calling her to express the Council's support in the ongoing litigation, noting that she did nothing wrong. She requested clarification on the process for receiving Council responses to public comments. She then expressed concerns regarding transparency related to the installation of trim lights at Village Hall and the decisions to not accept a portion of New Town Road. Finally, she requested that the April Regular Meeting be rescheduled to avoid a conflict with the Union County Public Schools spring break.

I appreciate your guidance and support as I've worked through this. My priority remains ensuring that our records are both accurate and transparent for the Council and the public. I am ready to proceed with the formal amendment process as you suggested.

Thanks,
Austin



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Publicity Committee Chair – NC Association of Municipal Clerks

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From: Marvin NC Manager <manager@marvinnc.gov>

Sent: Tuesday, April 21, 2026 3:45 PM

To: Austin Yow <clerk@marvinnc.gov>

Subject: RE: Public Comment Misrepresented

All (Council is BCCd here):

I have spent nearly all day on this matter and finally got a chance to speak to Chaplin while he is on vacation. There are several issues here, I will itemize below:

1. What happened? An agenda was published with draft minutes that accurately reflected the record to the best of the clerk's ability based as he does with all other minutes. At the time of publication this was the accurate reflection of the record. Later that weekend after publication, an individual councilmember reached out to Austin to make changes citing issues with detail and some of Council taking issue with comments. Austin subsequently changed the minutes to remove some of the detail. All versions posted below.
2. Issue: Moving forward, once minutes are proposed in a publication, they really need to be amended in a public meeting OR at least cause attention to what was removed during a weekend at the time of adoption so that ALL of council is aware of changes. In my questioning, it was noted no one made note of any changes during the meeting. Some Councilmembers read agenda packets early and these changes need to be made aware for all. It has also recently been brought to light that these changes were likely be communicated by a resident which does present a problem. I will have to send a separate email on that one tomorrow.
3. Next Steps: Austin stands that the adopted version is an accurate representation of minutes; however, arguably so was the first version. So, I am going to suggest you all may want to add this to your next agenda to consider any changes (see all the versions below) OR otherwise discuss how you want to address this one.

What was approved: Kim Vandenberg (806 Capington Lane): Ms. Vandenberg thanked Council Member Ilarraza for a recent phone call. She spoke regarding the ongoing litigation and requested clarification on the process for receiving Council responses to public comments. She then expressed concerns regarding transparency related to the installation of trim lights at Village Hall and the decisions to not accept a portion of New Town Road. Finally, she requested that the April Regular Meeting be rescheduled to avoid a conflict with the Union County Public Schools spring break.

Best recollection of what was originally published: Kim Vandenberg (806 Capington Lane): Ms. Vandenberg thanked Council Member Ilarraza for calling her to express the Council's support in the ongoing litigation, noting that she did nothing wrong. She requested clarification on the process for receiving Council responses to public comments. She then expressed concerns regarding transparency related to the installation of trim lights at Village Hall and the decisions to

not accept a portion of New Town Road. Finally, she requested that the April Regular Meeting be rescheduled to avoid a conflict with the Union County Public Schools spring break.

Verbatim:

“Good Evening Mayor/Council. Umm. First, I want to start with thanking Councilman Ilarraza for calling me. Umm. I really do appreciate the phone call you gave me confirming Council’s support of me. Umm. In the matters that are currently in the Court system and the lawsuits that have been referenced. While I’ve not done anything wrong, and would expect that support, I really do appreciate that confirmation, so thank you for making that phone call to me and giving me that reassurance so thank you for that. Umm. My public comments are not or have even been connected to any lawsuit. My concerns are raised solely as a constitute and property owner seeking accountability. It is reasonable to expect responses to public comments and questions submitted to Council. To date, I have received none. I wanna know how this will change and will previously unanswered comments now be addressed. Transparency and responsiveness are not optional, they are foundational to public trust. I wanna revisit the roughly \$17,000 spent on decorative lighting. At the same time Council applies rigor ad nauseum and hesitation to other expenditures particularly safety, Village equipment, infrastructure, and trails. It is entirely appropriate to demand justification for discretionary aesthetic spending. What was the formal cost benefit analysis? What alternatives were evaluated? For example, if safety was a concern, why not leave the existing lights in place? I received a couple of phone calls from residents who viewed the Valentine's installation as (their words, not mine) “tacky.” Whether one agrees is beside the point; aesthetic projects are inherently subjective which makes physical discipline even more critical. From the outside, it appears to be a pet project. By contrast, Council declined the opportunity to assume a section of New Town Road, a proposal supported by the experienced Councilmembers on Council with multiple articulated benefits. Traffic and safety are consistently cited in surveys and public comments as a top concern. Taking over a short stretch presented a low-cost opportunity to mitigate issues and said Council rejected it citing costs without disclosing the amount or without providing meaningful discussion. I know the cost and it was not substantial. That decision lacked transparency; a decision that you can now own and in my opinion was a missed opportunity and mistake. The issue is consistency; this Council is not demonstrating it. If detail, justification is required for safety, equipment, and infrastructure, trail spending, that same standard must apply monuments, decorative lighting, and wayfinding. This core responsibility must be uniform and not select. My requests are straightforward: Respond to constitute questions consistently going forward and retroactively where responses have not been provided; apply uniform fiscal standards across all discretionary spending; clearly articulate the framework used to prioritize town resources with open discussion. That clarity is currently absent. Respectful engagement and consistent governance builds trust; many of you campaigned on that transparency and accountability and I have not yet seen that demonstrated. I am also concerned about the April meeting being during spring break. If you. It doesn’t look like you want participation so I am respectfully requesting it to be moved to the next Monday so it is not during spring break. Thank you.”



**Christina Amos | MPA | ICMA-Credentialed Manager
Village Manager**

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From: Kim Vandenberg <kbvandenberg@yahoo.com>

Sent: Monday, April 20, 2026 5:56:42 PM

To: Marvin NC Manager <manager@marvinnc.gov>

Subject: Public Comment Misrepresented

Christina...I made a public comment thanking all of Council for their support in the ongoing litigation. The minutes are misrepresented and I would like them accurately reflected. These are my words, nit Lauren Thomas'. I have seen the text messages that she doesn't want my words accurately reflected in the meeting minutes. This is highly inappropriate. This is what was approved by Council:

UBLIC COMMENT PERIOD Kim Vandenberg (806 Capington Lane): Ms. Vandenberg thanked Council Member Ilarraza for a recent phone call. She spoke regarding the ongoing litigation and requested clarification on the process for receiving Council responses to public comments. She then expressed concerns regarding transparency related to the installation of trim lights at Village Hall and the decisions to not accept a portion of New Town Road. Finally, she requested that the April Regular Meeting be rescheduled to avoid a conflict with the Union County Public Schools spring break.

Please get this reflected accurately. Thank you.

Kim Vandenberg
704-208-7119