

**MARLINTON TOWN COUNCIL**

July 6, 2020

Regular Meeting Minutes

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Location: Council Room, Marlinton Municipal Building, 709 Second Avenue  
Due to the Governor's Covid-19 Safer-at-Home Order the meeting was made available by telephone and Zoom. The public was invited to call in

Mayor Sam Felton called the meeting to order at 7:01 p.m.

The Recorder called the roll.

Present:	Sam Felton, <i>Mayor</i>	B.J. Gudmundsson, <i>Recorder</i> (remote)
	Scott Gibb	Chris Curry
	Joe Smith	Gail Hyer (remote)
	Bill McMann	

**Reading and Approval of Prior Council Meeting Minutes**

- Scott Gibb made a motion to approve the Minutes of the Regular Meeting on 06/01/2020 as presented; Joe Smith seconded. ***Motion carried.***

**Mayor's Report**

Mayor Felton reported that a \$55,000.00 grant has been awarded for the Overlook Trail. It will require a 20% match.

**Public Input**

Jona Irvin brought a complaint to Council regarding the conditions in Campbelltown, specifically junk cars and dilapidated buildings.

**Committee Reports**

Gail Hyer reported that the new web site is done. They are still waiting for hardware that will allow constituents to make payments online. She will send a dummy link to Council for reviewing the site.

Ian Galloway presented the monthly police report for June.

## UNFINISHED BUSINESS

### 1. Discuss and/or Act on First Reading of Amended Title IV Building Ordinance, Chapter 7 Dangerous or Unhealthy Structures

- Joe Smith moved to adopt Amended Title IV Building Ordinance, Chapter 7 Dangerous or Unhealthy Structures on First Reading as presented; Chris Curry seconded. ***Motion passed unanimously.***

### 2. Discuss and/or Act on First Reading of Amended Title IV Building Ordinance, Chapter 11 Vacant Structure Code

- Joe Smith moved to adopt Amended Title IV Building Ordinance, Chapter 11 Vacant Structure Code on First Reading as presented; Chris Curry seconded. ***Motion passed unanimously.***

### 3. Discuss and/or Act on Proposals for the H Building on Main Street

B. J. Gudmundsson made a motion to accept Ann Walker's proposal. Following discussion Gudmundsson withdrew her motion. Gail Hyer, Joe Smith and B. J. Gudmundsson were then assigned to review and report back to Council

No action - tabled to August meeting.

### 4. Discuss and/or Act on Selection of Bond Counsel - Sewer System Improvement Project

- B. J. Gudmundsson moved to accept White Law Office as Bond Counsel for the Sewer System Improvement Project - \$10,000 for design loan, \$13,500.00 for permanent financing totaling \$23,500; Joe Smith seconded. ***Motion passed unanimously.***

### 5. Discuss and/or Act on Selection of Legal Counsel for PSC and/or other "Local" Services - Sewer System Improvement Project

- Joe Smith moved to accept Spillman, Thomas and Battle's proposal for \$15,000 as Legal Counsel for the PSC services for the Sewer System Improvement Project; Scott Gibb seconded. ***Motion carried unanimously.***
- Scott Gibb moved to accept Dinsmore & Shohl as Legal Counsel for Local Services for the Sewer System Improvement Project at \$220.00 per hour; Joe Smith seconded. ***Motion carried unanimously.***

## NEW BUSINESS

### 1. Discuss and/or Act on Region IV Resolution #47 (to pay invoicing for construction, engineering and administrative invoices) - Water System Improvement Project

- Scott Gibb moved to approve Resolution #47 to pay invoices totaling \$8,090.99 as presented for the Water System Improvement Project; Gail Hyer seconded. ***Motion carried unanimously.***

## **2. Discuss and/or Act on Contract #1, Change Order # 9 - Water System Improvement Project**

- B. J. Gudmundsson moved to approve Change Order #9 in the amount of \$220,600.00 for the purchase of 529 water meters; Chris Curry seconded. ***Motion carried unanimously.***

## **3. Discuss and/or Act on Dennis Wilfong Request for a Block Party**

Dennis Wilfong, owner of S&D Diner, made a request to hold a community block party on Second Avenue between 8th and 9th Streets on August 15.

B. J. Gudmundsson spoke out against holding such an event in light of the current coronavirus pandemic.

- Scott Gibb moved to approve the block party on August 15; Bill McMann seconded.
- Joe Smith asked that the motion be amended to include "pending Department of Highways approval" considering that the State owns the street.
- The motion was amended. ***B. J. Gudmundsson, Gail Hyer and Joe Smith voted NO; Scott Gibb, Bill McMann and Chris Curry voted YES; Mayor Felton voted Yes to break the tie and the motion carried.***

The block party request and approval will be reviewed again at the August meeting.

## **4. Discuss and/or Act on Pocahontas County Board of Education Request for Donation toward Matching Support for a USDA Rural Development Grant entitled " Devices to Connect the Digital Divide."**

- Scott Gibb moved to donate \$500 to the BOE; B. J. Gudmundsson seconded. ***Scott Gibb and B. J. Gudmundsson voted YES; Bill McMann, Joe Smith and Chris Curry voted NO. Gail Hyer did not vote due to loss of remote connection. Motion failed 2 - 3.***

## **5. Discuss and/or Act on Beginning a Fiscal Investigation toward Total Acquisition and Operation of Existing Pocahontas Memorial Hospital / Beard Heights Water System**

- Scott Gibb made a motion to pursue gathering information on acquisition/operation of the water system on Beard Heights; Joe Smith seconded. ***Scott Gibb, Joe Smith, B. J. Gudmundsson voted YES; Chris Curry and Bill McMann voted NO. Gail Hyer was unable to vote. Motion carried 3 -2.***
- Following the vote, Gail Hyer established remote connection and rejoined the meeting. B. J. Gudmundsson requested that she be allowed to enter her votes for Items # 4 and 5. Mayor Felton denied the request.

## 6. Discuss and/or Act on Distributing Dog Tax Collections

Tabled to August meeting

## 7. Discuss and/or Act on Employee Pay Increases as Recommended by the Personnel Committee

- Joe Smith moved to go into Executive Session to discuss Employee Pay Increases; Gail Hyer seconded. Motion carried.

Council went into Executive Session at 9:00 p.m.

- Joe Smith moved to come out of Executive Session; Chris Curry seconded. Motion carried.

Executive Session ended at 9:13 p.m.

- Joe Smith moved to approve the Employee Pay Increases as recommended with the exception of one additional increase as agreed; Scott Gibb seconded. **Motion passed unanimously.**

## Approve Invoices/Payment of Bills

- Joe Smith moved to pay the bills as presented; Bill McMann seconded. **Motion passed.**

## Adjournment

- Joe Smith moved to adjourn; Chris Curry seconded.

**The meeting adjourned at 9:19 P.M.**

Respectfully Submitted:

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Sam Felton, Mayor

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B. J. Gudmundsson, Recorder