

**MARLINTON TOWN COUNCIL**

October 5, 2020

Regular Meeting Minutes

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Location: Auditorium, 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>
	Chris Curry	Bill McMann
	Joe Smith	Gail Hyer

Absent: Scott Gibb

Recorder B. J. Gudmundsson raised concerns about the inability to hear the meeting for participants calling in. She questioned the Town's compliance with the Open Governmental Meetings Act and requested that the problem be addressed and solved before the next meeting.

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

- Joe Smith made a motion to approve the Minutes of the Regular Meeting on 09/14/20 as presented; Bill McMann seconded. ***Motion carried unanimously.***

**Mayor's Report**

Mayor Felton's report will be attached to these minutes.

**Public Input**

None

**Committee Reports**

None

## Police Report

Police Chief Ian Galloway gave the Police Report for September.

## Cara Rose - CVB Annual Report

Cara Rose called in to present a recap of the Annual Report from the Pocahontas Co. Convention and Visitors Bureau. She will forward the entire report to the Council.

## UNFINISHED BUSINESS

### 1. Discuss and/or Act on Setting Halloween Trick-or-Treat

Moved to later in the meeting

## NEW BUSINESS

### 1. Discuss and/or Act on Region IV Resolution #50 (to pay invoicing for construction, engineering and administrative invoices) - Water System Improvement Project

- Joe Smith moved to approve Resolution #50 to pay invoices totaling \$64,404.55 as presented for the Water System Improvement Project; Bill McMann seconded. ***Motion carried unanimously.***

### 2. Discuss and/or Act Approval to Open Bank Account for the Sewer System Improvement Project

- Joe Smith moved to open a bank account for the Marlinton Sewer System Improvement Project and that the bank be designated by the Treasurer with the same signers as the water project; Bill McMann seconded. ***Motion carried unanimously.***

Wayne Hypes, Dunn Engineering, gave a progress report on the Water System Improvement Project.

### 3. Discuss and/or Act on HubCAP IV which provides technical assistance training to rural communities in the Mon National Forest footprint. Eric Pories

Eric Pories, Marlinton's community coach, gave an update of the HubCAP IV program. He said that he will be providing quarterly updates to Council.

- Joe Smith moved that the Town support the Planning Commission's decisions to work with HubCAP; B. J. Gudmundsson seconded. ***Joe Smith and B. J. Gudmundsson voted YES, Chris Curry and Bill McMann voted NO, Gail Hyer did not vote and Mayor Felton voted YES to break the tie. Motion carried 3 - 2.***

#### 4. Discuss and/or Act on Donation to McClintic Public Library

- Joe Smith moved to donate \$500.00 to the McClintic Public Library; Chris Curry seconded. ***Motion passed.***

#### 5. Discuss and/or Act on Floodplain Compliance Issues with Crystal Dean Structure Built at 624 First Avenue

Crystal Deal appeared before Council to lodge a complaint that construction had been halted on a second cabin being built on her property at 624 First Avenue due to non-compliance with the Floodplain Ordinance.

During the discussion Recorder Gudmundsson and Council members Gail Hyer and Chris Curry complained that they could not hear what was being said in the room.

Before action was taken Gail Hyer, who was participating remotely, left the meeting and did not return.

- Joe Smith moved to lift the stop order on the 2nd cabin in the Floodplain rather than the Floodway at 624 First Avenue; Chris Curry seconded. ***Chris Curry, Joe Smith and Bill McMann voted YES, B.J. Gudmundsson voted NO. Motion carried 3 - 1.***

#### 6. Discuss and/or Act on Old Mountain Tavern Request to Serve Alcoholic Beverages on their Front Deck

No Action

#### Unfinished Business #1. Discuss and/or Act on Setting Halloween Trick-or-Treat

- Chris Curry moved to set Halloween Trick-or-Treat for October 31st from 5:00 to 7:00 p.m.; Joe Smith seconded. ***Chris Curry and Joe Smith voted YES; Bill McMann voted NO, B.J. Gudmundsson did not vote. Motion carried 2 - 1.***

Joe Smith suggested a set of Covid-related guidelines which will be made available to the public.

#### 7. Discuss and/or Act on Reinstating Pause on Water Cut-offs and Late Fees due to Expire on November 1, 2020

- Bill McMann moved to draft a letter to water customers recommending they make payment arrangements and that the pause on water cut-offs and late fees be extended to January 1, 2021; Chris Curry seconded. ***Motion passed.***

## 8. Discuss and/or Act on Marlin Run Maintenance Agreement

- Joe Smith moved to authorized the Mayor to sign the Marlin Run Maintenance Agreement with payment of fees; Bill McMann seconded. **Motion passed.**

## 9. Discuss and/or Act on Personnel Committee Recommendation for Hiring a Code Enforcement Officer/Building Inspector/Flood Plain Coordinator

- Joe Smith moved to go into Executive Session to discuss a personnel matter; B. J. Gudmundsson seconded. **Motion carried unanimously.**

Council went into Executive Session at 9:10 p.m.

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

Council came out of Executive Session at 9:21 p.m.

- Joe Smith moved to hire Daniel McGee II for the position of Code Enforcement Officer/Building Inspector/Flood Plain Coordinator at a starting salary of \$32,500.00; raised to \$33,500.00 at the end of the 90-day probationary period; raised to \$35,000.00 upon receipt of all required certifications; with benefits to begin at the end of the 90-day probationary period. Chris Curry seconded. **Motion carried unanimously.**

## Approve Invoices/Payment of Bills

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

## Adjournment

- Joe Smith moved to adjourn. **The meeting adjourned at 9:28 P.M.**

Respectfully Submitted:

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Sam Felton, Mayor

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B. J. Gudmundsson, Recorder

MAYORS REPORT FOR October 2020 MTC Meeting:  
September 2020 MTC activity Report.

9/1- attended County Commission Meeting. Notified of Fire Hydrant on Hamilton Hill and one in brush country. Plan repair for south tank overflow. Worked on First Energy Grant. Confirm signage measurements and numbers.

9/2 - Order new signage. Sewer meeting conference call. Special MTC Meeting.

9/3 – Have graffiti cleaned up in various locations. Meet county flood-plain Mgr. Bi-Cenn Zoom.

9/4 – Communicate with CVB. Follow up on plan w/State DEMO program. Trash at Fran-Manor

9/5 – completed pre-congratulation video for an IMBA post-Silver status announcement.

9/7 – Labor Day – (completed Mayor's Corner).

9/8 – Add TO-DO work-list for Josh. Filing. Return calls and reply to emails.

9/9 - Filing. Return calls and reply to emails. (Unable to attend Risk Map webinar).

9/10 – Meet with Securi-Tech for placement of Cameras. Prepare 9-11. Day Report Meeting.

9/11 – Planning commission zoom. Water issues. 9-11 Remembrance/retire flags. (Never Forget)

9/14 - Return calls and reply to emails. Scheduling & re-scheduling of meetings & jobs. MTC.

9/15 – Visit Lake St. complaint. Bills to Linda for mailing. Communicate decisions from MTC. Communicate with Mountaineer Computer. Attended County Commission Meeting via Zoom.

9/16 – Remove trash from DJ stage. (update this report). FEMA webinar. Intake job follow up. Conduct Region 4 Executive Meeting.

9/17 - Request letter to allow/assist Tom Smith to accumulate hours at WP. Susan Riggs/PSC LEPC on Zoom

9/18 – Water plant – 2nd Day of Internet issues. took afternoon off to mow grass

9/21 – after ending week with internet problems, returned to 588 emails this morning. Personnel

9/22 – (personal day)

9/23 – Discussed Twin Creeks/MWP Agreement. Visit property owners. MFTP zoom meeting.

9/24 – Communications with Town Attorney, Feamster, Motor Inn, other,

9/25 – Community Leaders Zoom Meeting, ESRI Program,

9/28 – Work on First Energy Grant, Sewer Conference call, Communicate with Town Counsel,

9/29 – Prepare for Hamilton Hill Fire Hydrant Repair or Replace, FEMA webinar info,

9/30 – DOH, 9th Avenue & Intake project, Regional Optical Communications Zoom Meeting

CEO Interview