

MARLINTON TOWN COUNCIL

September 12, 2022

Regular Meeting Minutes

Location: Municipal Building Auditorium with Zoom and call-in options.

Mayor Sam Felton called the meeting to order at 7:00 p.m.

The Recorder called the roll.

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

Reading and Approval of Prior Council Meeting Minutes

- Scott Gibb made a motion to approve the Minutes of the Regular Meeting on 08/01/22 as presented; Bill McMann seconded. ***Motion passed.***

Mayor's Report

Mayor Felton gave his monthly report which is attached at the end of the minutes.

Public Input

Andrew Bayar, PCMH, gave an update on the hospital expansion. Ground has been broken and they are waiting for supplies to start construction. He reported that Phase I which is the Rural Health Clinic is fully funded. However, Phase II which is the In-Patient Area has not yet been funded. Fundraising is in progress.

Peggy Owens, Pocahontas County Arts Council, presented a prospectus to expand visual art in our community. She requested being placed on the October meeting agenda.

Committee and Department Reports

B. J. Gudmundsson reported that the Ordinance Codification project is on schedule. The first draft of the Code Book and the report from American Legal Publishing has been received. A list of questions regarding changes to the code is being sent to the Town's legal counsel and the process will move forward from there. The answers are due back to ALP on or before November 7.

Gail Hyer reported that the Sign Committee has more work to do.

UNFINISHED BUSINESS

1. Discuss and/or Act on Request for 4-H Chicken Project in Town Limits

No Action

2. Discuss and/or Act on Cemetery Paving

No Action

NEW BUSINESS

1. Adopt - Municipal Adoption Resolution, acknowledges the requirements of Section 322 of DMA 2000 to have an approved Hazard Mitigation Plan as a prerequisite to receiving post-disaster Hazard Mitigation Grant Program funds

- Joe Smith moved to Adopt the Resolution as presented; Gail Hyer seconded. ***Motion passed unanimously.***

2. Discuss and/or Act on Region IV - Smoke Testing Project Resolution #12

- Joe Smith moved to approve Resolution 12 for Smoke Testing in the amount of \$15,989.57; Scott Gibb seconded. ***Motion passed unanimously.***

3. Discuss and/or Act on Region IV - Stormwater Project - Archaeological Consultant Selection

- B. J. Gudmundsson moved to approve the selection of Weller and Associates to conduct the archaeological survey for the Stormwater Project; Joe Smith seconded. ***Motion passed unanimously.***

4. Discuss and/or Act on Region IV - Water and Sewer Project - Project Discussion

Fred Hypes was present and announced that Dunn Engineering has consolidated with the Thrasher Group. He discussed the three projects that are being done simultaneously in the Town encompassing water line replacement, sewer line replacement and treatment plant upgrade, and storm sewer upgrade plus the road and street rebuild when the project is completed.

- Joe Smith made a motion to proceed with the water and sewer projects and to authorize Region IV to move forward; Scott Gibb seconded. ***Motion passed with Chris Curry abstaining.***

5. Discuss and/or Act on Region IV - Water and Sewer Project - Amended Professional Agreements

- Scott Gibb moved to approve the amended Professional Agreements for the Water and Sewer Project as presented; Joe Smith seconded. ***Motion carried.***

6. Discuss and/or Act on Region IV - Water Project - Funding Agency Required Forms (E- Vendor, A-1000 Form and Environmental Exclusion)

- Joe Smith moved to approve the funding agency required forms; Scott Gibb seconded. ***Motion passed unanimously.***

7. Discuss and/or Act on Improving Public Safety through Communication - Caroline Sharp

Town resident Caroline Sharp read a statement concerning a lack of communication between the Town and the people living in the community. She pointed specifically to a recent incident in which a training drill for the fire department was scheduled to take place at a vacant house across the street from her residence on 6th Street. According to Sharp, and verified by the Mayor and the Fire Chief, the residents of the neighborhood were not given notice of the drill in order to provide the "element of surprise" for the trainees. Ms. Sharp pointed out that the Town should make more of an effort to provide information to the public particularly when it could possibly concern public safety.

Sharp, at various times in the discussion, stated that she supports the fire department and does not have an issue with their training. She said that she would only like to see more direct communication between the Town and its citizens. In addition, she raised questions about the process used by the Town in condemning and purchasing property. Council member Gail Hyer excused herself and left the meeting. At that point, the Mayor and the Council thanked Ms. Sharp for sharing her concerns and said they would attempt to do a better job at communicating with the public.

No official action was taken.

8. Discuss and/or Act on Home Rule Ordinance

Tabled to the October Regular Meeting.

9. Discuss and/or Act on Ordinance to Increase Rate and Move to Monthly Billing (water/Sewer)

The Mayor will ask for documents and schedules to bring to the October meeting.

10. Discuss and/or Act on Setting Date and Time for Halloween Trick-or-Treat

- Joe Smith moved to set Trick-Or-Treat in the Town of Marlinton for October 31 from 5:00 - 7:00 p.m.; Chris Curry seconded. ***Motion passed unanimously.***

11. Discuss and/or Act on Support of Rite Aid Settlement Terms and Agreement

- B. J. Gudmundsson moved to support West Virginia's Rite Aid Settlement Terms and Agreement as presented; Joe Smith seconded. ***Motion carried with Chris Curry abstaining.***

Approve Invoices/Payment of Bills

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

Adjournment

Per motion properly made and seconded, ***the meeting adjourned at 9:05 P.M.***

Respectfully Submitted:

Sam Felton, Mayor

B. J. Gudmundsson, Recorder

MAYORS REPORT FOR SEPTEMBER 2022 MTC Meeting:

August 2022 MTC activity Report.

8/1 – complete Mayors Corner, Time with Vista quarterly, prep for MTC Meeting,

8/2 - attend county commission before leaving for Morgantown Conference

8/3 - Day 1 of Municipal League Conference. Opening session, Employment Law, Earmarks, Dilapidated properties/Land Bank options/Land Reuse, New Tax Sale process

8/4 - Day 2 of Municipal League Conference. Funding steps water sewer, USDA Rural Dev

8/5 – Day 3, Broadband financing & Historic Tax Credits , before returning to 1st Friday event

8/8 – MFT Executive Committee Zoom, DG construction site,

8/9 – County commission flood meeting, State Revolving Fund update, Sewer conference call

8/10 – JP about hydrant testing, Communications continue between Dollar Store Contractor

8/11 – Vista scheduling, Peggy Owens in office, Linda's Retirement Dinner, Broadband Zoom

8/12 – Roundtable w/Congress-lady Miller (who managed to get a release on Overlook Funding

8/15 – Region 4 Brownfields Assessment, working with FRN on projects,

8/16 - Pocahontas County Housing Task Force meeting, Regional Communications,

8/17 – MFT Grants Committee Meeting,

8/18 – Vista Scheduling, Lagoon and gate locks, SHARC Meeting,

8/19 – J. Brown on cemetery paving, PCC

8/22 – MFT Exec. mtn, sewer call, DG calls/assessor, Tzvi Ben ancestry request, 1st Ave tree cut

8/23 – Working with Scott & Brad, Meet Laura Young at mini-park, Marlinton bike plan Zoom

8/24 – Meeting with Chad Riley w/Thrasher, Kristen Beverage WV Business Womens group,

8/25 – Provide State surplus with information, R.Moeller call, PC Broadband Meeting

8/26 – Scott & I traveled to State Surplus to look at potential cruisers.

8/29 – DG follow-up, More conversation with VISTA, Eric.Pories & TA, Helmick/DEP rep,

8/30 – ARPA/Reg4 Mtn, Chaired Engineering Select Committee for State-wide BroadBnd Study

8/31 – Shultz Group on DG sewer cost-share, discuss DataMax Contract, Special MTC/backhoe