TOWN OF MARLINTON

Marlinton Town Council
May 19, 2025
Special 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 Mayor led the Council and the audience in the Pledge of Allegiance.

The Recorder called the roll.

Present:	Sam Felton, Mayor	Mary K. Clendenen, Recorder
	Tina Barkley	Tom Miller
	Olivia Dean (via Zoom)	Joe Smith
	Scott Gibb	
Absent:	None	

Discuss and or Act upon Resolution Authorizing Wastewater Improvements Project – Cassandra Lawson (Region 4 Planning and Development Council)

Cassandra Lawson presented the resolution for approval via Zoom.

- Scott Gibb moved to approve this resolution and to authorize the Mayor to sign the required document with the correction of the date. Joe Smith seconded the motion. **The motion passed unanimously.**

Discuss and/or Act upon Second Reading of Changes to Garbage Ordinance Concerning Monthly Billing

Mary Clendenen stated that the monthly fees shown in this ordinance are half the amount previously charged on a bi-monthly basis. Fees that were odd amounts were rounded down to avoid exceeding the amounts previously reported to the Public Service Commission.

- Joe Smith moved to approve the second reading of the changes to the Garbage Ordinance. Scott Gibb seconded the motion**. The motion passed unanimously.**

Discuss and/or Act upon First Reading of Changes to Cemetery Ordinance and Fees

The councilmembers reviewed proposed changes to the ordinance presented by Mary Clendenen. Joe Smith said he would like to rewrite the ordinance with additional definitions and to make it more uniform prior to the next reading. Mary Clendenen suggested the change of fees for plots to $350 per plot plus $200 perpetual care per plot. Fees for preparing and recording the deed need to be updated according to current costs. There was also discussion that some plots are not of adequate size to accommodate a vault, so that needs to be addressed in the ordinance.

- Joe Smith moved to approve the first reading of the ordinance, with the suggested changes. Tom Miller seconded the motion. **The motion passed unanimously.**

Discuss and/or Act upon Potential Transfer of Ownership of County Water and Wastewater System at Beard Heights

Mayor Felton said the Public Service District is not interested in operating the water or wastewater systems at Beard Heights, which serve the Hospital, Marlinton Middle School, and the immediate area surrounding those facilities. There has been an ongoing discussion between the County Commission, Pocahontas Memorial Hospital and the Mayor for many months, concerning who will keep them in operation. John Tuggle attended via Zoom, and stated the West Virginia Infrastructure and Jobs Development Council would need a commitment of ownership and operation by an existing utility before moving forward with the project. Fred Hypes was present at this meeting, and he said time is of the essence because we need to get started as soon as possible to get the project completed prior to the end of 2026.

The Mayor said the Town's legal counsel would need to be involved to be sure that several prerequisites are met before the Town takes ownership of these systems. The immediate focus will be on the wastewater system. We need to be sure this will not involve any cost to the Town and that we will have ownership of the land on which the systems are located. Assurances of DEP permitting and commitment of County Commission ARPA funds will also need to be obtained.

Olivia Dean expressed concern about the condition of those systems. The Mayor said they are in good condition, but there needs to be some assurance from the County Commission that they would pay for any needed repairs for a reasonable period of time after the Town takes ownership. Ms. Dean was also concerned about insurance costs.

Joe Smith said he felt there were still too many questions to be answered before the Town takes ownership. He was concerned that the existing customers could not financially support the system.

- Scott Gibb moved that the Council move forward with the transfer of ownership from the county only if all stated conditions are met. Tina Barkley seconded the motion. **The motion passed by a vote of 4-0, with Olivia Dean and Joe Smith abstaining.**

Adjournment: As there was no further business, Mayor Felton adjourned the meeting at 8:16 p.m.

Sam Felton
Sam Felton, Mayor

Mary K. Clendenen
Mary K. Clendenen, Recorder