

**MAYOR**  
P. EDDIE HARDMAN

**RECORDER**  
SHANNON FRAGMIN

**COUNCIL**  
ANNA HARVEY  
RANDY CRITCHFIELD  
CHAD PALMER  
KRISTINA PALMER  
WENDY POSEY



# The Town of Anmoore

P.O. Box 178 Anmoore WV 26323 304.622.7431

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**AUGUST 17, 2015**

MINUTES FOR REGULAR SESSION OF THE COUNCIL OF THE TOWN OF ANMOORE HELD **MONDAY, AUGUST 17, 2015** AT THE ANMOORE FIRE DEPARTMENT - COUNCIL CHAMBERS, 158 ASH STREET, ANMOORE, WEST VIRGINIA AT **7:00PM**

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**COUNCIL PRESENT**

Mayor P. Eddie Hardman  
Recorder Shannon Fragmin  
Randy Critchfield (Arrived after roll call at 0702)  
Anna Harvey  
Chad Palmer  
Kristina Palmer  
Wendy Posey

After roll call the Council proceeded with the following:

The Pledge of Allegiance was said followed in prayer given by Councilmember Posey.

***APPROVAL OF MINUTES***

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Minutes from **REGULAR SESSION** of the Anmoore Town Council dated August 3, 2015 were approved as written. **MOTION** by Councilmember K. Palmer, **SECONDED** by Councilmember Posey. **MOTION APPROVED UNANIMOUSLY**

Minutes from **WORK SESSION** of the Anmoore Town Council dated August 6, 2015 were approved as written. **MOTION** by Councilmember Harvey, **SECONDED** by Councilmember C. Palmer. **MOTION APPROVED UNANIMOUSLY**

***CITIZENS BUSINESS***

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Mayor Hardman called for petitions, communications and public hearings with the following individuals appearing therefor.

**Travis Priester**: With Boy Scout Troop 16. Presented to Council with a request to build a 12 x 24 pavilion at the park located at Parkway Avenue in Anmoore as part of his project for Boy Scouts. Materials for the pavilion will be provided by the recreation committee of Anmoore. He would like to begin as soon as possible. A letter was provided giving him permission to do so.

**Jethro Wade, Walnut Street, Anmoore**: Presented to Council with complaints that his wife and granddaughter were walking to the park yesterday when a red civic ran them off the road and flipped them off. He has had trouble with these people in the past would like to have something done about it. This is occurring at Parkway Avenue. Stated he has put up with all their four wheelers and all the cars late at night. Usually has to go up there and run them off when they're parked on the hill. He is recommending that the gate be locked so they can no longer park on city property. Mr. Wade further stated that their porch was built on city property and possibly their building. He's trying to address this issue the correct way by presenting to Council. It (shutting the gate) was brought up in previous Council meetings (years ago) but nothing ever happened. Per Mr. Wade, their legal driveway is on the other side of the little red house according to documents he obtained from the courthouse.

Councilmember Randy Critchfield stated he believes there is an alleyway there. Per Mayor Eddie Hardman, we will go to the courthouse and verify where the city property is so we can look at closing the road off/closing the gate. We will also have Vince Smith check about the back porch and the building.

**John Reich, Parkway Avenue, Anmoore**: Presents to Council with the same complaint as Mr. Wade although stated there is more than one vehicle involved other than the red civic. There are also two white trucks. He has also had problems with them and their dogs. Both Mr. Reich and Mr. Wade feel that they are trying to intimidate people with their dogs. The problem continues to get worse and worse. He provided an example that one morning he was awakened around 3am with a big bang at his door. They woke up the next morning to find a huge hole in their door. The problems, he feels, are coming from the same people.

**Marian Reed, Benedum Run Rd.**: Discussed issue with Council about her well issues. She had the water tested at Sturm Environmental and it came back positive for E. coli and fecal matter. She stated someone's septic tank is leaking down in her yard. She has been working with Shawn Spurlock who continues to try to locate the problem. She presents to Council tonight seeking resolution for this issue, which is been going on for several months (since February). She states she has no water and she spends over \$638 in water each month. The water has been tested three times, each time testing positive for the same E. coli and fecal matter. She has poured 10 gallons of bleach down the line, but was only required to pour down one gallon. The health department has come to her house and put dye down the line and they stated it was a septic leak but not from her. She reports that she has spoken with her neighbors and learned that there is a septic tank nearby that was damaged and not properly fixed.

She stated she spent over \$3000 going to hotels so her children can shower. She stated welfare came to her house and informed her if she doesn't have to water by winter her children will be removed from the home.

Mrs. Reed would like for the town to install a 2 inch or 4 inch water line in front of her current residence so she can have city water. She was told she could run a temporary tap from her old property across the creek and across her yard, but she stated she can't do that because it floods up there. Councilmember Critchfield stated that there is a water line by her house, but Mrs. Reed stated that she was told there was not. She further stated that she went to the water board and they could not provide any assistance since the maps were lost in the flood. Mayor Eddie Hardman confirmed our waterlines go to Normandy Estates. Mrs. Reed stated she was informed it stops at Crystal Lane.

Mrs. Reed doesn't want to tap into the water line behind her old property because she stated she would have to go over 900 feet across the creek and Environmental would not give permission to do that. She also stated if she did do that, the pressure wouldn't be very good. She provided examples of her neighbors not having good pressure.

Shawn Spurlock has been attempting to get the maps in that area. We'll have Shawn Spurlock get with Councilmember Critchfield to verify the waterlines in that area. This is the first time old or new counsel has heard of this issue. We will attempt to obtain all information surrounding this issue in an attempt to reach a resolution.

She also had complaints about a ditch in front of her house. Apparently the line was, at one time was broken off and not repaired correctly. As a result when it rains, the water comes into her home. She stated Shawn Spurlock has come out and cleaned the ditch for her. However, she continues to have problems from it. She stated she has hardwood floors that have been ruined twice. She stated the health department was supposed to get a hold of Mr. Spurlock because he cleaned it out, but needed to come back and do more. Mayor Eddie Hardman stated she needed to contact the state road because if that is water running off the road they would be responsible. She stated she had contacted the state road who informed her it was the homeowner's responsibility.

## ***REPORTS***

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### **FINANCIAL: Written report given by Betsy Straley Office Manager**

Councilmember Harvey stated the representatives from the State Auditor's Office are ready to do an exit interview. He would like to do it Thursday morning around 10 o'clock. The whole council does not have to be present, but he would like to have a couple members. Mayor Eddie Hardman would like it to be recorded for those members who cannot attend.

Leslie Cumming's submitted another bill for two hours. A total of \$50. Councilmember Harvey will contact her to find out how far along we are with setting up the accounts. She will get with her this week.

Bills were submitted.

### **MAINTENANCE: Written report given by Shawn Spurlock, Maintenance Supervisor for past two weeks.**

Work orders and rereads were done.

Playground equipment is complete. Waiting for Bill Renzelli to see about mulch for it. Councilmember Harvey stated that she has another boy in Boy Scouts who is looking for a project to do. He may put boarder around the playground.

Met with Rod Kidd from MSES Engineers that is working for GRAFTECH on the tie-in. He said they would contract the job out so that our guys would not be tied up. Mr. Spurlock stated he saw the rough draft of the tie-in and it looks just how he envisioned it. His thoughts are that it is just for an emergency and he didn't see it being a bad idea since factory is in our town.

Cut grass and brush at various locations in town.

Shirts are ordered.

Mrs. Reed that lives at the beginning of Benedum Run Road would like for us to install a 2 inch or 4 inch water line in front of her residence so she can have city water.

The blacktop plant was not supplying to anyone last week because of the 279 blacktop project. This is why they haven't patched.

Councilmember Harvey also stated they went up to the park on Parkway Avenue, staked out the area and leveled off where the pavilion will be going.

Recorder Fragmin stated that it was her understanding the Graph Tech water line proposal was brought before the previous council and was never voted on. Mayor Hardman stated that the Town Attorney is supposed to be working on the agreement. Recorder Fragmin stated that she emailed the Town Attorney, but received an automatic reply stating he was out of the country until August 24, 2015.

Councilmember Harvey stated before any agreements were finalized, previous council had required an engineer report be submitted by GRAF TECH. At this time, council has not been presented with this information and the tie-in will not proceed until all information is obtained and the report is reviewed indicating whether the Town's water lines could handle their waterlines/need. Recorder Shannon Fragmin spoke with Shawn Spurlock on the phone today, it is his belief they do have an engineer looking at it.

**POLICE:**

Total calls: 71 Traffic stops: 42 Citations: 29 Other: 29

That is one citation for every 1.4 stops. About 69%.

Other calls for service included narcotics and domestics, as well as civil service.

Acting Chief M. Corder is working 40 hours, Officer Menendez, Queen and Cunningham are working approximately 12 hours and Officer Stout is on call.

Don Quinn is still off. He has an expected return of the week of September 15, 2015.

Cameras have been delivered and are in service.

Purchased body armor for Acting Chief M. Corder and duty gear items for Officer Cunningham.

**BUILDING INSPECTOR:**

NONE

***UNFINISHED BUSINESS***

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ADP- copies were provided by Councilmember Harvey. Payroll recommendation and price proposals were reviewed.

Three different quotes: For the eight employees who get paid monthly, the total cost per payroll would be \$95.30. If we wanted to add the HR component, the total cost per payroll would be \$171.69. The only time there would be anything added extra to that would be at the end of the year for the W-2s

For the 12 employees who get paid biweekly, the total cost per payroll would be \$105.10

For the 22 employees who get paid biweekly it would be \$110.16 per payroll

There is a \$200 setup fee. We would have three accounts. At the end of six months, we would get \$200 cashback for each account, which would be a total of \$600 and that would be added back into our bank account automatically.

Councilmember Harvey stated if we do decide to go with ADP, she feels EMS should be responsible for paying for their employees.

ADP takes responsibility if there's any errors and they file all reports. Currently, we pay an accounting firm over \$600 a quarter, which is every three months and all they do is file the quarterlies and they are not responsible for any errors.

Employees will have online access they will have direct deposit. There's a lot more benefits that we could be getting from ADP compared to our current accounting firm. We will have a better sense of security with ADP. The longer you're with ADP the more perks you get.

Accounting firm – we will take care of under new business.

GRAF TECH waterline tie-in – Councilmember Harvey moved to table this issue until we get an engineer report from GRAF TECH. Will place on the agenda for the next council meeting. Will make a motion under new business.

Genteel Agreement – Vicki Kerns emailed the Genteel agreement to all members on Council for review. Councilmember Harvey read the agreement out loud. Mayor Hardman stated he was unsure what culvert they are going to tie into because there is no culvert there. Councilmember Critchfield agreed. Councilmember Harvey attempted to clarify that this is the agreement stating once we went in there and fixed it we would never go back. However, she also stated once we touch it, it will be our responsibility in the future. Councilmember Harvey recommended that we investigate further before making a decision. Per Mayor Hardman, there is no culvert on the Genteel property, the culvert lies on the Wetzal property. Council will get with Vince Smith, Building Inspector for further information. Will move to table this issue under new business.

Playground update – the new playground equipment for Parkway Avenue is installed. Still needs mulch.

Streetlight at Barkers – still not working. Will get with police as this was their responsibility. Will place on agenda for the next Council Meeting.

Stone across from Chuck Riley's – has not been done. Will place on agenda for the next Council Meeting.

Permission to read meters from Greater Harrison at the apartments – resolution unknown. Will place on agenda for the next Council Meeting.

Letters and emails sent to external departments updating them of the correct address and where future correspondences can be sent to- Was to be completed by Office Manager Betsy Straley, unknown if this was done. Will place on agenda for the next Council Meeting.

Black Bear – fixing line and back lot - resolution unknown. Will place on agenda for the next Council Meeting.

Purchasing of security cameras – Shawn Spurlock was to get prices on cameras. This is not been done to date. Will place on agenda for the next Council Meeting.

Councilmember Critchfield deviated from the agenda to ask if he could donate \$1500 to the Town of Anmoore for the purchase of a tractor from the State. However, he stated he would allow the Town of Anmoore to use the tractor for one year, at which time the Town of Anmoore would turn over the tractor to him. Councilmember Harvey stated we would have to ask the Town Attorney about the legality of this, as she believes in order to purchase from the State you have to be a municipal entity. Granted, a municipal entity will be purchasing the tractor at first, but then it will be turned over to an individual after one year. Will have to inquire further before this can be done. Sale won't be until October 2015 so we have plenty of time to decide.

Councilmember C. Palmer deviated from the agenda to inform Council and the public that there had been a prowler/break-in in Anmoore. He made note of crime in the area related to drugs and stated that we would have more break-ins because people are stealing things in order to support their drug habit. He had concerns with the times Anmoore does not have an officer on duty Councilmember Harvey stated she believed Chief Quinn had someone else who is interested in part-time work, but was unsure if this is still a possibility.

## ***NEW BUSINESS***

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**MOTION** made by the Councilmember Harvey and **SECONDED** by Councilmember K. Palmer to hire ADP for the payroll only package and EMS being responsible for their own employees. **Roll call vote:** Anna Harvey: yes, Randy Critchfield: yes, Chad Palmer: yes, Kristina Palmer: yes, Wendy Posey: yes Shannon Fragmin: yes. **MOTION APPROVED UNANIMOUSLY**

**MOTION** made by Councilmember K. Palmer and **SECONDED** by Councilmember Posey to end our contract with the accounting firm. **Roll call vote:** Anna Harvey: yes, Randy Critchfield: yes, Chad Palmer: yes, Kristina Palmer: yes, Wendy Posey: yes Shannon Fragmin: yes. **MOTION APPROVED UNANIMOUSLY**

**MOTION** made by Councilmember Harvey and **SECONDED** by Councilmember K. Palmer to table the GRAFTECH waterline tie in until we have more information, an engineering report and speak with the Town Attorney. **MOTION APPROVED UNANIMOUSLY**

**MOTION** made by Councilmember Harvey and **SECONDED** by Councilmember Posey to table decision on Genteel agreement until more information is obtained from Vince Smith, Building Inspector. **MOTION APPROVED UNANIMOUSLY**

Open Governmental Proceedings Act- (Fire/EMS) - This was added to the agenda because it was brought up by one of the employees from the State Auditor's Office. Any public entity is supposed to follow the same principles that Council does. Agendas should be posted 72 hours prior for any meetings and they should be open to public. Terry Sue Allen stated that they do tell people and they are open to the public. Councilmember Harvey stated there has to be an agenda posted in two places. Recorder Shannon Fragmin stated she doesn't know when the meetings are. Terry Sue Allen stated she's told everybody repeatedly that it's the second Monday of every month at 7 PM. Councilmember Harvey stated the water board has to post an agenda as well because it's also a public entity.

Minutes from Fire Department/EMS meetings: a question was asked if minutes were done for the department meetings. Terry Sue Allen stated that they do and the minutes are hanging in the fire department.

Fire department/EMS Board – Council is requesting better communication between the Fire Department/EMS and Council. Just as Council gets reports from the city building, maintenance, the police department and the building inspector we would also like to get monthly reports from the Fire Department/EMS. Council recommends that a representative from both the Fire Department and the EMS present at the second Council meeting every month to give a brief overview of what is going on, spending, hiring, overtime. They can also bring copies of their minutes from each of their meetings. The Town of Anmoore Council is ultimately responsible for each entity within the Town and Council is ultimately the Board over each of those entities, but Council would also like to have representatives (1) from each of those entities to be a part of the Board. Each entity will also have an alternative.

Mayor Eddie Hardeman questioned the Board over the Fire Department citing they are volunteers and you can't tell volunteers what to do or they are going to leave. Councilmember Harvey further clarified that the Board is interested in what's going on with the Fire Department, what purchases they need, what issues they may be having, more so than telling volunteers what they have to do. Council supports both the Fire Department and EMS we just want more and better communication.

Emergency Services Ordinance (ESO) – this ordinance was reviewed at a work session. The town doesn't have anything set up like this. We were informed that by having this ordinance established within our town if we were to experience a catastrophic event will be more likely to get government funds. Mayor Eddie Hardeman stated we already have an ESO countywide. Recorder Fragmin questioned if it would hurt if we had our own even though there is one countywide. Mayor Hardman stated that we can adopt it. Councilmember Harvey recommended that we read it and think about it. Will place on the agenda for the next Council meeting. Mayor Hardman will also look into it further.

**MOTION** made by Councilmember Harvey and **SECONDED** by Councilmember C. Palmer to table the Emergency Service Ordinance until next meeting. **MOTION APPROVED UNANIMOUSLY**

## ***BILLS***

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**MOTION** made by Councilmember Harvey to pay the bills and the bill submitted by Leslie Cummings **SECONDED** by Councilmember Critchfield. **MOTION APPROVED UNANIMOUSLY**

## *COUNCIL COMMUNICATIONS*

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Recorder Shannon Fragmin: Mentioned the Vendor Blender – A benefit for Health Access. Will be at the Clarksburg Senior Center on August 29<sup>th</sup>, 2015 from 8AM to 12PM. Flyer available.

Also mentioned free eye screening at Health Access on Thursday August 20, 2000 and Friday, August 20 from 9 AM to 3 PM Flyer available

Councilmember Harvey states that the metal roof on the pavilion needed to be chosen. She recommended green. Council and 4 representatives from the Anmoore Recreation Committee were present and chose green as the final color for the tin roof.

## *AJOURNMENT*

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There being no further business to come before Council, **MOTION MADE** by Councilmember K. Palmer and **SECONDED** by Councilmember Critchfield to adjourn. **MOTION APPROVED UNANIMOUSLY**

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P. Eddie Hardman, Mayor

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Shannon Fragmin, Recorder

APPROVED ON: SEPTEMBER 8, 2015