

MAYOR
P. EDDIE HARDMAN

RECORDER
SHANNON FRAGMIN

COUNCIL
ANNA HARVEY
RANDY CRITCHFIELD
CHAD PALMER
KRISTINA PALMER
WENDY POSEY



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SEPTEMBER 8, 2015

MINUTES FOR REGULAR SESSION OF THE COUNCIL OF THE TOWN OF ANMOORE HELD **TUESDAY, SEPTEMBER 8, 2015** AT THE ANMOORE FIRE DEPARTMENT - COUNCIL CHAMBERS, 158 ASH STREET, ANMOORE, WEST VIRGINIA AT **7:00PM**

COUNCIL PRESENT

Recorder Shannon Fragmin
Anna Harvey
Chad Palmer
Kristina Palmer
Wendy Posey

COUNCIL ABSENT

Mayor P. Eddie Hardman
Randy Critchfield

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

Minutes from **REGULAR SESSION** of the Anmoore Town Council dated August 17, 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 20, 2015 were approved as written. **MOTION** by Councilmember K. Palmer, **SECONDED** by Councilmember Posey. **MOTION APPROVED UNANIMOUSLY**

CITIZENS BUSINESS

Recorder Fragmin called for petitions, communications and public hearings with the following individuals appearing therefor.

Marian Reed, Benedum Run Road: Presented to Council with continued complaints of a water issue. Mrs. Reed was also present at the Council meeting dated August 17, 2015 with the same complaints. Mrs. Reed would like to know what needs to be done in order for the Town to proceed with placing a water line in front of her residence. Mr. Shawn Spurlock, Maintenance Supervisor for the Town

of Anmoore, was present during this meeting was able to address these issues. It was noted the Town has a water line behind her residence on Smithfield Avenue. The Town has offered to allow her to tie into this line, which she chooses not to do because she would have to incur the cost. She is requesting that the Town run a line in front of her house so the cost is then incurred by the Town. The end result of this conversation provided two options for Mrs. Reed. First and the recommended option, she can either incur the cost of tying into Town's line behind her residence on Smithfield Avenue or she can incur the cost of running the mainline extension in front of her residence after which the Town would assume. The Town is not willing to incur the cost of running a new line when a line already exists for her to use. By running a mainline extension in front of her home she would have to get with the state in order to obtain permits. The Public Service Commission was contacted and consulted regarding this issue.

TELEMETRY SYSTEM PROPOSAL

Hays Shelton, Vice President of Extreme Endeavors: Addressed Council with a Supervisory Control and Data Acquisition (SCADA) proposal for the Town's Water Department. The proposal will be for a five-year period for a small monthly fee. An initial payment of \$1800 shall be paid upon signing of an Agreement of Services contract and then a monthly payment of \$565 shall be paid for the system and its upkeep. The system will enable the Town to monitor the water tank level and the pump status and control the pumps via an internet connection and smart phone. The system will also support historical data and the ability to send alarms. Extreme Endeavors will provide support and maintenance on the system at no extra cost. A proposal packet was provided to all Councilmember's. Although it would cut down on the number of times the maintenance department would have to come out on the weekends, they would still have to come out at least once per day to test the chlorine. Mr. Spurlock also stated we could look at the number of hours we're providing to employees on the weekends for that service. Mr. Shelton will provide us with a list of other Towns in our area that utilize the service.

REPORTS

POLICE: Written report given by Acting Chief Mike Corder

TOTAL CALLS: 95 TRAFFIC STOPS: 61 CITATIONS: 38 OTHER: 34

That is one citation for every 1.6 stops. About 62%. Other calls for service included traffic crashes, assaults, warrant service and assist other agencies (DOC), as well as civil service. Acting Chief Mike Corder working 40 hours, Ofc. Menendez, Ofc. Queen and Ofc. Cunningham approximately 12 hours, Ofc. Stout on Fridays. I expect to be returning to midnights as soon as Chief Quinn returns to working on days. Chief Don Quinn is still off. He has an expected return of the week of September 14, 2015. Purchased body armor for Chief Quinn. Also need mics for portables and tires for the Expedition. Acting Chief Mike Corder will order body armor for Ofc. Stout as soon as he gets his measurements. Patches will be placed on the polo shirts to make the officers appear more professional.

An estimate for the speaker mics were provided from Command Communications in the amount of \$101.25. Acting Chief Mike Corder also obtained an estimate for new tires for the Expedition in the amount of \$117 apiece. This includes mounting and balancing. The costs of the armor are approximately \$460 a piece, the vests are approximately \$84. This was approved by Mayor Eddie Hardman, recorder Shannon Fragmin approved Ofc. Stout's. Also asked council to consider paying for membership for the officers with the fraternal order of police. Membership is \$45 per officer. Membership with this organization is beneficial in many ways the example acting chief Mike Corder provided was discounts on body armor.

Council deviated from the agenda as a result of two citizens requesting to speak. They were not aware they needed to sign in.

Ray Ritch, Crisfield Street, Anmoore: Came into inquire about the issue regarding his hedges. Stated the Building Inspector presented to his residence informing him he was in violation of an ordinance. Mr. Smith, the Town's Building Inspector, was present for this issue and stated that there is a sidewalk located under where his hedges are growing, which is making it impossible for pedestrians to use. The ordinance states his bushes are growing on Town property and they need to be trimmed. Conversation continued for several minutes at which time several other residents in noncompliance with this ordinance was mentioned. The end result of this conversation was that the Town needs to follow the ordinance and the bushes need to be cut in order to allow access to the sidewalk.

Melanie Goode, AB Contracting Inc.: They are in contract with Mr. James Gootz at Sterling Ridge. Engineers project that they have enough space to build 26 townhomes and 484 apartments. They are wanting the Town to provide a sewer tap. Per Mr. Spurlock a flow study was completed back in April. Shawn Spurlock called Mr. Vincent with Stantec who will get some figures together regarding how much capacity we would have and provide that information to Mr. Spurlock. According to Mr. Spurlock we were only at 28-29% capacity. Mr. Spurlock reports that the flow study was completed for the entire system and will get Council a copy.

The company plans to close on October 20th, 2015 with plans to begin construction on October 21st, 2015. Council will have to obtain more information before a decision can be made. We will table this until the next meeting.

Council resumed back to following the agenda.

MAINTENANCE: Written report given by Shawn Spurlock, Maintenance Supervisor.

- Work orders and rereads were done.
- Fixed drain line behind Black Bear store. Mr. DeFazio said he would pay half the cost and he has been billed. They were also supposed to fix the back lot behind the Fire Department then next time they black topped. However they were not going to this year so Mr. Spurlock stated that the Town fixed it. It needed done, we could bill him for it.
- Met with Craig Taylor and Jared Knight from GrafTech on the tie-in and they said that they would like for the Town to take over their line. They said it was going to cost them or four hundred thousand dollars to reroute their waterlines due to the bridge project in East View. Mr. Spurlock does not see a problem with it as long as we keep their line separate from the town's line. Councilmember Harvey stated the Water Board met and does not want to take on that responsibility. Discussed how old their lines are and the Town's inability to assume the costs of replacing lines. Mr. Spurlock stated that Graf Tech representatives were going to do some research in order provide a history of line repairs. Mr. Spurlock further stated that Graf Tech would be willing to take care of the maintenance costs for the next ten years on that line. They would be responsible to assume the cost of fixing the line within that time frame.
- Grass cut and brush at various locations in the town. Councilmember Harvey asked about bushes on the upper end of North Ash Street. The bushes are hanging over into the road. Mr. Spurlock stated that the Maintenance Department can cut those bushes if they are hanging out into the road.
- Stairs to Recreation Hall have been scraped and painted.
- Mrs. Reed water line tie-in still has not been resolved.
- 23% water loss this month.
- The maintenance department needs tires for the inmate truck. Acting Chief Mike Corder stated he would get an estimate for the new tires.
- Blacktop to various locations including Transmission Drive, the back lot behind the Fire Department, and Ash Street. Also did Gary Riley's inside curb at driveway.
- State distributing would like a dumpster. The cost for a 6 yard dumpster is approximately \$1400. The Town has purchased these dumpsters in the past for businesses. Per Betsy Straley, trash comes from the General Fund. It was discussed that the Town would be willing to pay for the dumpster, but State Distributing would have to wait until we can afford it. If they would like it sooner, they could purchase it.
- Melanie from AB Contracting would like to put up to 500 apartments near Sterling Ridge and contacted Mr. Spurlock about the capacity of the sewer line. He is waiting on call back from Stantec about the flow study. Melanie presented this information above.
- John and Howard both took the inmate class and are now qualified to watch the inmates.
- Read meters and did rereads. Replace service for Reeds on Smithfield Avenue because it was leaking.

FINANCIAL: Written reports given by Betsy Straley Office Manager

Mrs. Straley reports that there are three people on Council who have not returned part of their employee packets, including the I-9 Forms. These members include Councilmember Harvey, Councilmember Critchfield, and Mayor Eddie Hardeman.

Thursday, September 17, 2015 the auditor from Travelers is coming to review our records, employment records and payroll so they can do next year's Worker's Comp. premiums.

Letters addressing Town Employees regarding ADP have been drafted. These letters were included in the packet Mrs. Straley provided to Council for review. Direct deposit forms will also be included in these letters if they would like to have this.

Councilmember Harvey had some questions regarding income and expenses. Councilmember Harvey noted that we were \$6000 short in the General Fund. These bills were discussed with Terry Sue Allen on which needed to come out of the General fund and which needed to come out of the Special Revenue. In an October Fire Department is due to get more funds in the special revenue. They get these funds every quarter. Terry Sue Allen stated they do not need budget statements before they get that money.

Councilmember Harvey stated that it would be nice when Council is reviewing the income/expenses, if they could be separated out into categories such as EMS, Fire Department etc. Bills should also be categorized under each of these departments and then what is in their accounts. Same with the Town. Mrs. Straley stated she would start doing this.

Received a letter from Time Warner Cable regarding certain channels. They were notifying the Town that changes in our service are possible although there are no changes planned at this time.

We are still working with ADP to get up and running. Betsy Straley does not have copies of the checks that were written. She does not have the payroll amount yet from ADP so she can't balance a checkbook. ADP is still working on it from their end. Councilmember Harvey suggested that we call ADP and have them send a representative down in order to walk us through the process. Ms. Straley stated she spoke with April who said she would call every day and walk her through any issues. Nutter Fort utilizes the same service and stated that they received training, we will look into this.

Councilmember Harvey questioned about the Electronic Signature Form with ADP. We can set up the EMS account this way but will have to wait until the Town's accounts are set up in order for us to utilize the service.

BUILDING INSPECTOR:

Two building permits were given in August. He has been dealing with some high grass issues. Howard McGary is cleaning up his property. A lot of the equipment has been cleaned off of the right away in that area.

Mr. Smith notes that he has to keep going back to repeat offenders. He made note that he and one of the officers will be going to one such property tomorrow morning to issue a ticket. They have been back to this property 6 to 7 times.

Mr. Fanjul has not been compliant with anything that we sent him. A time line was issued to Mr. Fanjul on which properties needed to be cleaned and by when, but this is not followed. An injunction will be filed this Friday by the attorney.

Genteel property was discussed. We are currently dumping road water onto the Genteel property and it's running through the middle of it. Mr. Smith feels we have two options. The Town can put a pipe in down through their property to prevent their property from becoming flooded or we can do an open ditch along our right away through there. A map was provided by Vince Smith. Will table this until the next Council Meeting.

A second map was provided by Vince Smith regarding the White property there is a structure located on the Towns property. Mr. Smith is recommending the Town have that property surveyed. To our knowledge that building is fairly new. The road used as an access to the ball field has a gate at the beginning of it, which can be closed this would not land lock that property. There driveway is in the front of the residence. The Town wouldn't have to survey the entire thing, just what was needed in order to have the building removed from the right away.

WATER BOARD:

A Water Board meeting was held Tuesday, September 1, 2015. The Water Board expresses concern that Anmoore continues to have water loss due to employees inattention to duty and recommends action be taken by Council to prevent further water loss in the future from the overfilling of the tank. The Water Board recommends that Council look into an ordinance for a Public Utility Board, which would specify membership and outline duties of said board. The Water Board also recommends the expired East View agreement be reviewed by the Town's Attorney and it needs to be brought up to date. This will probably need to be in conjunction with the new East View Board and their attorney. The Water Board discussed having finances of water and sewer funds available to them. The board would also like to know what the progress is on the Agreement with Greater Harrison at Sterling Ridge. Will need to contact the Town's Attorney for an update on this.

RECREATION COMMITTEE:

Materials for shelter were purchased and work will begin within the next week. It was discussed the area that was for parking about baseball field be cleaned up. The Recreation Committee would also like input from Council on a Halloween party. Councilmember Harvey stated she was going to donate her next two Council checks to go towards the Halloween party.

ANMOORE EMS:

As of September 8, 2015 there have been 38 EMS calls, 11 of them have been non-emergency transports. We have recently signed a contract with Amedisys Hospice Care to handle all of their transports, and have been taking two transports a day on average out of the Meadowview Manor in Bridgeport.

Payroll: There is only one employee with over time on the upcoming payroll. She stayed over to handle two emergency calls and came into cover three transports. Tuesday, September 1, 2015 EMS had three units on the road at the same time covering calls for Harrison County EMS and one long-distance transport of our own.

Miscellaneous: The damage to Ambulance 18 is being fixed at T Body, it will be of no cost to us due to Nutter Fort Fire Department paying for it.

UNFINISHED BUSINESS

ADP/ACCOUNTING FIRM: ADP has started. Betsy has the letters informing the employees about ADP and the pay date. The contract with the accounting firm has been canceled.

SEIZURE ACCOUNT: Will wait until Chief Don Quinn returns before we start the seizure account as one of the officers needs to be on this account. Will table until the next Council meeting.

KEYS: Mr. Spurlock will get with Mayor Eddie Hardeman regarding the master set of keys. He will also check with him about the keys to the front door of Council Chambers.

GRAF TECH: They would still like the tie-in, but they would like the Town to take over their lines. Council will table this subject until the next Council meeting. Council would like to see the engineering report. Per Mr. Spurlock, they are gathering their information and will present a Council at the next meeting.

GENTEEL AGREEMENT: Has already been discussed this session. Will table until the next Council meeting.

PURCHASING OF TRACTOR: Recorder Fragmin contacted the Town's Attorney in regards to this issue. Councilmember Critchfield would like to purchase a tractor from the state auction. He would allow the Town use of the tractor for one year at which time the Town would return the tractor to him. Per the Town's Attorney it is improper for municipalities to borrow money via loan from an individual or otherwise. "See West Virginia code 8 – 13 – 12. Borrowing power." Every municipality shall have plenary power and authority to borrow money on the general faith and credit of the municipality for any municipal purpose, in the manner and subject to the limitations provided by law for the issuance of general obligation bonds." It would be an actual/appearance of impropriety in such a transaction between the Town and the Councilmember which could severely damage the Town, both in the public's eye and otherwise. This cannot be done.

PLAYGROUND MULCH/LOCKING: The mulch will be completed by one of the Boy Scouts as a project. Nobody opens the gate to the playground. The gate to the playground will continue to be locked because it is not a road and if someone goes up there and slides over the hill, the Town will be responsible for any injuries or damage.

STREET LIGHT AT BARKERS: Acting Chief Mike Corder was supposed to take care of this it is unknown at this time if he has.

STONE ACROSS FROM CHUCK RILEYS: This has been completed.

GREATER HARRISON PERMISSION TO READ METERS AT APARTMENTS: We will not have permission to read the meters at the apartments from Greater Harrison in order to avoid under billing again.

EMAILS/LETTERS UPDATEING EXTERNAL DEPARTMENTS OF THE APPROPRIATE ADDRESS: Recorder Fragmin spoke with Office Manager Betsy Straley. She has completed this.

BLACK BEAR/FIXING LINE AND BACK LOT: This issue was already addressed above.

PURCHASING SECURITY CAMERAS: Per Mr. Shawn Spurlock, to purchase additional cameras would be approximately \$400.

EMERGENCY SERVICE ORDINANCE: Will be tabled until the next Council meeting.

GATE: Will be tabled until the next Council meeting.

NEW BUSINESS

MOTION made by the Councilmember Harvey and **SECONDED** by Councilmember C. Palmer to pay for all the police officers to have membership with the Fraternal Order of Police. **MOTION APPROVED UNANIMOUSLY**

MOTION made by the Councilmember Harvey and **SECONDED** by Councilmember K. Palmer to buy tires for the Expedition at \$117.44 apiece. **MOTION APPROVED UNANIMOUSLY**

MOTION made by the Councilmember Harvey and **SECONDED** by Councilmember C. Palmer purchased vests for the three officers. **MOTION APPROVED UNANIMOUSLY**

MOTION made by the Councilmember Harvey and **SECONDED** by Councilmember K. Palmer to accept the letters drafted by Office Manager Betsy Straley to the EMS and Town Employees regarding ADP and payroll. EMS there are no changes. The Town Employees there payroll will continue to stop on Thursdays, but they will not be paid until the following Tuesday **MOTION APPROVED UNANIMOUSLY**

BILLS

MOTION made by Councilmember Harvey to pay the bills and the bill submitted by Leslie Cummings of \$125.00 **SECONDED** by Councilmember Posey. **MOTION APPROVED UNANIMOUSLY**

COUNCIL COMMUNICATIONS

Councilmember Harvey wanted to update everyone on the State Auditor's exit interview. Per Councilmember Harvey the findings were similar to the last audit only because we were still cleaning up the mess. Instead of 21 findings we were cited for 19. Each citation was addressed individually at that meeting as well as ways to improve it. The state auditor felt that at our next audit we will be much better.

Councilmember Harvey also mentioned the training seminar for municipalities. It is currently scheduled for October 1 and October 2, 2015. It is recommended that Vickie Kerns attend the Friday, October 2, 2015 meeting.

MOTION made by the Councilmember Harvey and **SECONDED** by Councilmember Posey to go into Executive Session. **MOTION APPROVED UNANIMOUSLY**

EXECUTIVE SESSION

Entered into Executive Session at: 9:11PM Returned into regular session at: 9:43PM

MOTION made by the Councilmember Harvey and **SECONDED** by Councilmember C. Palmer to go back into Regular Session. **MOTION APPROVED UNANIMOUSLY**

Upon return to regular session it was noted that employee issues were discussed in Executive Session.

MOTION made by Councilmember Harvey and **SECONDED** by Councilmember K. Palmer to contact the Towns Attorney to get the appropriate procedure for an employee write up. **Roll call vote:** Anna Harvey: yes, Chad Palmer: yes, Kristina Palmer: yes, Wendy Posey: yes Shannon Fragmin: yes. **MOTION APPROVED UNANIMOUSLY**

AJOURNMENT

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

P. Eddie Hardman, Mayor

Shannon Fragmin, Recorder

APPROVED ON: SEPTEMBER 21, 2015