

MAYOR
P. EDDIE HARDMAN

RECORDER
SHANNON FRAGMIN

COUNCIL
ANNA HARVEY
RANDY CRITCHFIELD
CHAD PALMER
KRISTINA PALMER
WENDY POSEY



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NOVEMBER 21, 2016

MINUTES FOR REGULAR SESSION OF THE COUNCIL OF THE TOWN OF ANMOORE HELD MONDAY,
NOVEMBER 21, 2016 AT THE ANMOORE FIRE DEPARTMENT - COUNCIL CHAMBERS, 158 ASH
STREET, ANMOORE, WEST VIRGINIA AT 7:00PM

COUNCIL PRESENT

Anna Harvey
Recorder Shannon Fragmin
Kristina Palmer
Wendy Posey
Chad Palmer

COUNCIL ABSENT

Randy Critchfield
Mayor P. Eddie Hardman

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

After roll call the Council proceeded with the following:

APPROVAL OF MINUTES

Minutes from REGULAR SESSION of the Anmoore Town Council dated November 7, 2016 MOTION by Councilmember Posey,
SECONDED by Councilmember K. Palmer MOTION APPROVED UNANIMOUSLY

CITIZENS BUSINESS

Amanda Cahill, Roger, Darlene, Alred Kooken , Anmoore: Presented before Council wanting to know the Town's plans regarding Lamm Lane. Recorder Fragmin stated at this time the Town planned on opening it. Mrs. Cahill questioned whether or not there had been an environmental survey done. Recorder Fragmin stated to her knowledge there are currently several residents on that street utilizing the Lane and per Mr. Kooken, the area he is requesting to open is approximately 50 (fifty) feet. Recorder Fragmin stated since everyone else is using it, we can't say Mr. Kooken can't. Councilmember Harvey intervened and stated that Alfred's property is not near that alley. Recorder Fragmin stated she has not seen the alley. Council reviewed maps during the meeting. Mrs. Cahill stated that it would directly affects from her house down and they have eliminated a lot of the water by placing French drains but they still have water issues. The Lane ends at the Cahill property. It was determined that the area in question Mr. Kooken is wanting to open is more than 50 (fifty) feet as he previously stated. Council continued to discuss this issue with Mr. Kooken and concerned residents.

Mrs. Cahill questioned who would be responsible for the alley and the drainage. Recorder Fragmin informed her the Town would ultimately be responsible. Mr. Kooken stated he is willing to help the city and properly angle the alley so water does not dump onto their property. There was concern from residents that Mr. Kooken is not properly licensed and bonded to do that work. Councilmember Harvey stated again that the town would be responsible for that and further stated that the town cannot afford to open that alley. We could not legally allow Mr. Kooken to perform that work. Mr. Kooken asked if he could record the session, he was granted permission.

Recorder Fragmin began to give some background history in regards to this issue to those present at this Council meeting. Recorder Fragmin stopped the meeting (7:12 pm) to go look at Lamm Lane. (Individuals that went were: Amanda Cahill, Alfred Kooken, Chief Don Qinn, and Vince Smith)

Upon return, Councilmember Harvey stated she would consider abandoning that alley. Property owners on each side will get half the alley, then it will no longer be an alley. Mrs. Cahill stated there's no snow removal on that alley during the wintertime. She stated that her husband clears it off with his four wheeler and plow. Recorder Fragmin stated at the last Council meeting they were informed that our Maintenance Department did remove the snow. Mrs. Cahill stated they can't use that alley during the winter.

Recorder Fragmin stated that up to this point she has been under the impression that Mr. Kooken has been driving that alley. After viewing that alley personally it was determined that it is not drivable past Mrs. Cahill's property. In light of this new information, recorder Fragmin does not believe that it is in the Town's best interest to open the alley. There is already water issues which you can tell as soon as you go up there. There are drainage ditches in the side of the hill where water is running off. If the Town were to open that, we would be responsible and it would make the water worse which we would be responsible for. The Town does not have the money to open that, although it was nice of him to offer I'm sure he does not want to be sued when those residents have water issues in their house.

Vince Smith was present during this meeting and he stated that he and Mr. Kooken had spoken in regards to this issue. The Town would have to ditch the upper side of the road and brought the alley down your to collect all the water from the hill that's going to really accumulate where we already have water issues. The Town would have to go over the hill, to the road down, probably cut through it or bore under it to the interstate to get rid of the water. The Town would have to secure right-of-ways.

Mr. Kooken stated that he has a second option he can utilize. He stated that he is willing to step up and help them with their water issues but if they want to snowball him that he will use his second route. Recorder Fragmin stated she didn't think that they were snowballing him, but they had legitimate concerns. She also questioned Mr. Kooken, if he were to start working on that alley and water was to go into their homes than what. She stated he would not be responsible but the Town would be. Vince stated right now, it is natural drainage and if we were to disturb it, the Town would be liable.

Because it was passed at the previous council meeting Councilmember Harvey stated somebody you have to resend that motion.

MOTION made by Councilmember K. Palmer and **SECONDED** by Councilmember C. Palmer to rescind opening Lamm Lane roll call vote: Eddie Hardman: absent, Anna Harvey: yes, Randy Critchfield: absent, Chad Palmer: yes, Kristina Palmer: yes, Wendy Posey: yes, Shannon Fragmin: yes, **MOTION APPROVED UNANIMOUSLY**

MOTION made by Councilmember Harvey and **SECONDED** by Councilmember C. Palmer to consult the attorney over this issue to see what our legal options are, even if we abandon it. **MOTION APPROVED UNANIMOUSLY**

DEPARTMENT REPORTS

POLICE: Verbal Report by Chief Quinn

138 calls to service that both proactive and reactive.

Chief Quinn thanked the Town for buying lunch for everyone the other day.

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

- Work orders done.
- Picked up trash
- Cut grass at the GrafTech lot in Philippi Pike.
- Installed new radiator in garbage truck.
- Clean shop and vehicles.
- Put salt spreader and plow on dump truck.
- Got a load of salt.
- Delivered 10 tons of gravel to Hilver's on Ash Street.
- Installed new meter well at Hilvers.
- Fixed light on telephone pole in front of fire department.
- Installed a sewer tap for Hathaway on Logan Lane.
- Ordered a water pump for the garbage truck.
- Obtained a quote from CI Thornburg for a startup touch read meter program - attached to his report. The amount of the quote was for \$16,500 (sixteen thousand five hundred dollars)
- Still waiting on HD Supply to submit their quote.
- Ron Lane is wanting to do a main water line extension of Parkway in East view and Thrasher is needing a letter from our attorney stating that we will take over and maintain the line once it is completed. They need a letter to obtain their permits from the health department. They will tie all existing service lines into the new line. All costs are to be covered by Ron Lane.
- Jessica Morris never showed up for her community service.

Councilmember C. Palmer stated he didn't know how this was going to work considering we've applied for a grant for a whole new water system and you have people that live down there in Eastview who are not even in Anmoore, getting the best stuff, while the rest of get...

Recorder Fragmin agreed with everything he said.

BUILDING INSPECTOR: Vince Smith was present to answer questions.

FINANCIAL: Written report given by Vickie Kerns, Clerk

Bills were submitted to Council.

A spreadsheet was provided to Council members showing account balances.

Audit – a statement to come this week.

EMS – IRS paid in full.

Billing system – needs upgraded. No quotes obtained yet due to possible addition of new meter reading system.

Requesting to go into Executive Session for employee issues.

New business is wanting to be set up in the Town of Anmoore. We are waiting on them to obtain a letter from Black Bear stating that they can set up in their lot.

EMS: report submitted by Kris Barron

Kris Barron stated our ISO rating came back. We were a Class 5 we are now a Class 3 this is good news as it means that homeowners insurance should drop. Vince Smith stated this is excellent because by Cannon just got a Class 4.

Recorder Fragmin informed those present at this Council meeting about the issues with the fire hydrants. The Town is currently looking to replace some of them.

Life packs- **MOTION** made by Councilmember Harvey to have a contract with biomed for our life packs in the amount of \$460 (four hundred and sixty dollars) plus parts **SECONDED** by Councilmember K. Palmer **MOTION APPROVED UNANIMOUSLY**

BOARDS AND COMMITTEE REPORTS

Water Board: maintenance department has had less rereads.

Recreation Committee: employee lunch was last week. They had a good turnout. Next will be the fruit baskets for the elderly and the Christmas party.

UNFINISHED BUSINESS

LAMM LANE: as discussed above

EASTVIEW AGREEMENT: need to discuss at the next water board meeting

WATER CERTIFICATION:

NEW BUSINESS

EASTVIEW WATERLINES: as discussed above

The contractors keep hitting our water lines down there so the water board was wanting to know if the contractors had any type of insurance so we could recoup some of the money we've lost because of their project. Ms. Kerns stated there's an issue with not having maps showing where our utilities are. Unfortunately, the line that they hit is not on the map so it's going to be our loss.

BILLS

Bills were submitted

MOTION made by Councilmember K. Palmer to pay the bills **SECONDED** by Councilmember Harvey **MOTION APPROVED UNANIMOUSLY**

COUNCIL COMMUNICATIONS

None

EXECUTIVE SESSION

MOTION made by Councilmember K. Palmer and SECONDED by Councilmember Harvey to go into EXECUTIVE Session at 7:44 PM
MOTION APPROVED UNANIMOUSLY.

MOTION made by Councilmember Harvey and SECONDED by Councilmember Posey to go into REGULAR Session at 8:26PM
MOTION APPROVED UNANIMOUSLY.

Discussed in EXECUTIVE Session was Employee Issues and possible lawsuit.

Moment of silence for Betty Benda.

MOTION made by Councilmember Harvey and SECONDED by Councilmember C. Palmer to hire part-time office clerk Kristina Kesling at \$9.50 per/hr (nine dollars and fifty cents) part-time with no benefits REGULAR Session at 8:26PM MOTION APPROVED UNANIMOUSLY.

MOTION made by Councilmember Harvey and SECONDED by Councilmember C. Palmer to hire part-time office clerk Kristina Kesling at \$9.50 per/hr (nine dollars and fifty cents) part-time with no benefits REGULAR Session at 8:26PM MOTION APPROVED UNANIMOUSLY.

MOTION made by Councilmember Harvey and SECONDED by Councilmember Posey to hotel and mileage for Mel Koffindaffer and mileage for Ed Martin for the meeting that they attended in Charleston REGULAR Session at 8:26PM MOTION APPROVED UNANIMOUSLY.

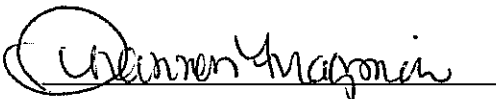
MOTION made by Councilmember Harvey and SECONDED by Councilmember K. Palmer to purchase class B uniform shirts in the amount of \$1725 (one thousand seven hundred and twenty five dollars) MOTION APPROVED UNANIMOUSLY.

ADJOURNMENT

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



P. Eddie Hardman, Mayor



Shannon Fragmin, Recorder

APPROVED ON: DECEMBER 5, 2016