

The regular monthly meeting of the Beverly Town Council was held Tuesday, April 16, 2019, at 6:30 pm in the council chambers of the Beverly Town Hall. The Monday night meeting was not held because Laying the Levy was scheduled for this meeting. The meeting was called to order by Mayor Cindy Karelis. Those present were Recorder Barbara Smith, council members Connie Pingley, Matt Lewis, Becky Weese and Rodney Cooper. Visitors included Blaine Emery- AHF Products, Robbie Morris-RCDA, Jarrod Phillips, Troy Ware, Carol Bush-US Census Bureau, Nina and Becky Arbogast, Barbara McCreary, Katie Whittaker, Judi Rose, Brett McClain, Debbie Stalnaker, Kenny Weese, Donnie Pritt, Robin Wilson, David Harper, Mark Scott, David Sturdivant, Dave Simmons, Linda Peterson, and Brooke Binns.

Barbara McCreary, from the Beverly Design Committee, told council the committee has decided to turn the purchase and decorating of the Christmas tree over to the town. ONTRAC had requested \$800.00 for the tree and summer flowers. Council did not approve the lump sum payment; however ONTRAC can continue to submit receipts for payments.

Troy Ware asked to be put on the agenda for May meeting.

Carol Cain Bush in Partnership with the 2020 Census shared a lot of information about the Census. The Census count affects housing, education, how tax dollars are spent, your representation in government, and so much more. Ms. Bush stated the Census wants to get the information out now so everyone will be prepared. A meeting is planned for May 1st.

Chris Mielke, AmeriCorps rep, said a new exhibit is being put in the Beverly Courthouse, believed to be the third oldest courthouse in the state. With it, come historical items from local residents! Items are placed in a loan agreement for a period of one year with precautions taken to keep these items safe. Anyone interested in placing items in the display should get ahold of Mr. Mielke.

Minutes from the meetings of March 11, March 25, and April 1st were not read aloud, they had been e-mailed to all members before the meeting. Mrs. Pingley stated that she did not say in the March 25th meeting motion made by her, "...have the respective ordinances amended to show the *person* may reside", she said what she said was "...the *resident* may reside ...".

A motion was made by Mr. Lewis to adopt the minutes as corrected without reading, seconded by Mrs. Weese. All in favor. Mrs. Pingley asked that tonight's agenda be changed to read that the April 1st meeting was called as an emergency meeting and not a special meeting.

WATER & SEWER BOARD MODIFIED ORDINANCES – 1ST READING

Mrs. Pingley read the modified version of the water ordinance providing for the Creation of a Water Board that she drafted. The modification states as follows: There is hereby

created a water board of the Town, which shall be composed of the mayor and two persons appointed by the common council who shall be residents in the area serviced by the Town's water utility. During any construction phase, one of the appointed members shall be a professional engineer, only when a licensed professional engineer is not under contract on a project. A motion was made by Mrs. Weese to adopt the modified version Mrs. Pingley drafted and read. Motion seconded to adopt by Mr. Cooper, all in favor. Mayor Karelis wanted minutes to show moving forward with ordinance without consulting town attorney.

Mrs. Pingley read the modified version of the sewer ordinance providing for the Creation of a Sanitary Board that she drafted. The modification states as follows: There is hereby created a sanitary board of the Town, which shall be composed of the mayor and two persons appointed by the common council who shall be residents in the area serviced by the Town's sanitary utility. During any construction phase, one of the appointed members shall be a professional engineer, only when a licensed professional engineer is not under contract for a project. Mrs. Pingley stated the wording she used was drafted from the Municipal Sewer Statue that John Stump, of Steptoe and Johnson, used in his reply to our letter. A motion was made by Mr. Cooper to adopt Mrs. Pingley's version as the first reading of the modified ordinance providing for the Creation of a Sanitary Board. Motion seconded to adopt by Mrs. Weese with all in favor. Mayor Karelis wanted minutes to show moving forward with ordinance without consulting town attorney.

Mrs. Pingley stated other town ordinances in the book were adopted without being written by an attorney.

PERSONNEL BOARD ORDINANCE -1ST READING

The Personnel Board Ordinance was tabled until next month.

PLANNING COMMISSION ORDINANCE -2ND AND FINAL READING

A motion was made by Mr. Lewis to adopt the 2nd and final reading of the Planning Commission Ordinance. Motion seconded by Mrs. Daniels, with all in favor. When asked about this ordinance, the Mayor explained that it needed done so action can be taken on the Comprehensive Plan for the town and to zone the Beverly Manor.

IPMC ORDINANCE – 2ND AND FINAL READING

A motion was made by Mr. Cooper to accept the 2nd and final reading of the new version of the IPMC Ordinance/Amendment so the town can remain under the 2015 State Building code. Motion seconded by Mrs. Weese with all in favor.

ARMSTRONG/BRUCE HARDWOOD REIMBURSEMENT

Robbie Morris, RCDA, explained to those present that the reimbursement of \$18,850 to the Randolph County Development Authority, and not to Armstrong Flooring, was due to the fact

that they are acting as the fiscal agent for the project. The Mayor stated WV Code 12-3-18 that says "It shall be unlawful for any county court, board of education or the council of a municipal corporation, or anybody charged with the administration of the fiscal affairs of any county to pay any claim for services rendered or materials furnished unless an itemized account therefor is filed by the claimant covering the claim." Mr. Morris provided a billing from Mountaineer Infrastructure Water Line Changes in the amount of \$18,850 with description of job cost. He said Beverly benefited from the change, to help Scott's Lake residents as well as Armstrong if the water would need shut off on either side. Mr. Lewis made a recommendation to the Town Water Board to pay the \$18,850 to RCDA. Mrs. Weese seconded, with all in favor. The Water Board is expected to meet May 16th.

APPOINTMENT OF NEW COUNCIL MEMBER

With two months left before the new term start and the resignation of Tena Pritt, council was asked to appoint someone to fill her vacancy. Mrs. Pingley said she was not in favor of appointing someone who is on the ballot with the election only month away. She felt it would be unfair to everyone else on the ballot if someone was appointed who was running for a council seat. Discussion was heard and Judi Rose spoke that the public protested the fact that the seat had not been filled. After more discussion, Mrs. Pingley retracted her motion to wait. A motion was made by Mrs. Weese to appoint David Harper for the two remaining months to fill Mrs. Pritt's seat. Seconded by Mr. Cooper with all in favor.

2019-2020 LAYING OF THE LEVY

A motion was made by Mrs. Pingley to accept the following levy rates:

CLASS II 16.58
CLASS IV 33.16

Motion seconded by Mr. Lewis to accept levy rates with all in favor.

BUSINESS/BUILDING LICENSE – PERMIT FEES ORDINANCE 2011

Town clerk, Robin Wilson, discovered that the town has not been charging correct fees for business/building license. The last time fees were looked into, council was told they could not raise the rates. Since that time, the fees were raised by the state, but the town did not become aware of it. Ms. Wilson said she needed clarification for the fees. Council looked over the increase and felt that the fees needed brought up to date. A motion was made by Mrs. Weese to adjust the necessary fees to the state's manifest. Mrs. Pingley seconded the motion, with all in favor.

POLL WORK COMPENSATION

A motion was made by Mr. Lewis to pay the following amounts to poll workers: \$25.00 for training, \$100 on day of election, and \$50.00 to two workers who would work the polls on Saturday for early voting. Motion second by Mrs. Weese, with all in favor.

CHILD ABUSE AWARENESS PINWHEELS IN TOWN SQUARE

A request was made by Angie Goff to place pinwheels in town square for Child Abuse Awareness. A motion to grant the placement of pinwheels was made by Mr. Lewis and seconded by Mr. Cooper, all in favor.

REIMBURSE UTILITIES FOR TOWN HALL WORK

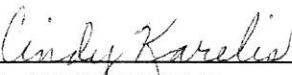
During the floor and carpet installation at Town Hall, two town employees moved furniture, hung doors and replaced trim at a total of 42 hours. A motion was made by Mr. Cooper for the town to repay the Utility Boards for the labor cost of these two employees. Motion seconded by Mr. Lewis, with all in favor.

INVOICES

A motion was made by Mrs. Pingley to pay the invoices totaling \$6,953.38. Motion seconded by Mrs. Weese. All in favor.

Council was provided with the water and sewer budgets, utility board meeting minutes and plant operator's reports. An update on the Reed trial was given. A date of July 5th is set for trial if the summary agreement is not met.

A motion was made for adjournment by Mr. Lewis, seconded by Mrs. Weese. Meeting adjourned at 8:14 p.m.


MAYOR: CINDY KARELIS


RECORDER: BARBARA SMITH