

The regular monthly meeting of the Beverly Town Council was held June 3, 2019, at 6:30 pm in council chambers of the Beverly Town Hall. Mayor Cindy Karelis called the meeting to order. Council members present were recorder, Barbara Smith; council persons David Harper, Connie Pingley, Matt Lewis, Becky Weese and Rodney Cooper. Visitors included Randall Lewis and Eric Coberly from E.L. Robinson Engineers, Terry Miller, Kenny Weese, Cory Weese, Katie Whittaker, Dave Simmons, Donnie Pritt, Mark Scott, David Sturdivant and Robin Wilson.

The first order of business was the Source Water Protection Plan Hearing. Mayor Karelis stated this is a document done every three years and it is due July 1st of this year. She explained after the chemical spill which occurred in Charleston, the state now requires towns to prove they are taking necessary precautions to keep their town's water source and intakes safe. Council had the opportunity to offer suggestions and to ask questions. Cory Weese, chief water operator, said if the plant detected any problem it could shut off the tank and use another one and have water for a little while. If an alternate source of water is necessary, we could get water from Huttonsville or Midland. When Mr. Weese was asked if we could handle demand for water when the next 10 year census comes in, he answered we are getting by with 10 hours a day operation, but that can be increased, or another operator could be hired. More information was given and was informative to council. The town has two days of water supply in case of emergency. Mr. Weese said the 2016 information really had not changed too much. Mr. Weese asked for signatures of everyone present so he can submit them with the report, members of council signed the visitor's book, all signatures will be included with the report.

With copies of the May 13, 2019 minutes, being provided to council, a motion was made by Mrs. Pingley to suspend the reading of the minutes. Motion seconded by Mr. Harper. All in favor. A motion

to accept the minutes of May 13, 2019 were made by Mrs. Pingley and seconded by Mr. Harper, all in favor.

E.L. ROBINSON PROPOSAL

Our attorney, Rob Chenoweth, was sent the proposal agreement from E.L. Robinson for the sewer project. Mayor Karelis went over the proposal along with questions she had. Randall Lewis said the effective date of the agreement will be the date that it is signed. Mr. Lewis and Mr. Coberly stated consultants usually aren't called, only in case of an environmental issue, and mostly to protect the town. Everyone carries their own insurance, contractors will carry their own. When asked about the statement "suspend the project for 90 days", Mr. Coberly said this is standard language that every engineer uses. The standing water issue will probably be in phrase II and the firm will notify the town what they recommend. Mr. Coberly said a lot of the mysteries will be identified during the camera study and smoke testing. Mr. Coberly said there was a complaint form that you can fill out on the DOH website about issues regarding state property and the state has thirty days to respond. He said he knows from personal experience that using this website form helps. The project inspector will be here every day during the project to site inspections; this is the only hourly person the town will pay, others are fixed.

Mr. Lewis said he would like to have the application into USDA for funding by October. Salaries were discussed for the project engineer and others that will be involved in the project. Mr. Coberly stated that liability insurance is typically two million dollars. Mayor Karelis reminded everyone the next Water and Sewer Boards will meet Thursday, June 13th at 6:30.

MEMORIAL BENCH PLAQUES

Memorial bench plaques will be revisited.

IPMC REED MEDIATION

Mayor Karelis said the Reed mediation held on May 23rd was unsuccessful. Mr. Reed sent the message back to the town with the mediator that council wants to "rail-road" him out of town. Mr. Reed brought up that he was grandfathered in; the Mayor said that was not what we were here for, we were there to discuss the terms of the unlicensed cars. Mr. Reed said "absolutely not" and stormed out of the meeting. Summation judgement is set for June 26 at 10:00 in circuit court, all the information has been sent to Judge Wilmoth. The trial will be held on July 5, 2019.

SELECTION OF BID – SALE OF TOWN DUMP TRUCK

Five bids were received for the Town Dump Truck ranging from \$1600.00 to \$6150.00. All snow equipment has been removed from the truck. A motion by Mrs. Weese to accept the bid of \$6150.00 from Ernest Lewis, Jr. Mr. Harper seconded. All in favor. Insurance will be taken off tomorrow, a bill of sale needs to be signed and notarized before Mr. Lewis leaves with the truck.

BEVERLY HERITAGE DAYS SPONSORSHIP, PORTA JOHNS, TOWN SQUARE RESERVATION AND CLOSING OF WALNUT AVE. JULY 13-14

A motion was made by Mr. Lewis to sponsor Beverly Heritage Days in the amount of \$1000.00. Motion seconded by Mrs. Pingley, all in favor.

A motion was made by Mrs. Weese to pay for 3 porta johns for Beverly Heritage Days with the same porta johns being used again by the BVF for their festival. Motion seconded by Mr. Harper, all in favor.

A motion was made by Mrs. Pingley to approve Beverly Heritage Center reservation of the Town Square for July 13-14. Motion seconded by Mr. Cooper, all in favor.

A motion was made by Mr. Cooper to approve the closing of the south end of Walnut Ave. for the Beverly Heritage Center Heritage Days with the permission of the state DOH. Motion seconded by Mrs. Weese, all in favor.

BEVERLY WEEK DONATION TO FIRE DEPARTMENT

A motion was made by Mr. Lewis to give a donation to the Beverly Fire Department in the amount of \$2500.00 for the fireman's festival. Motion seconded by Mr. Harper, all in favor. Mrs. Weese reminded council that we also pay the cost of the 3 porta johns associated with Beverly Heritage Days.

TOWN WEB PAGE

Mayor Karelis said there has been interest shown for a Town Web Page to advise residents of boil water advisories and other general information. There will be no comments allowed on the web page, only information going out to the public. Ms. Wilson said if the town has a web page, we can incorporate a site where residents can pay their utility bill; reports (such as the CCR report) can be posted, saving cost to the town by not having to pay for ads in the newspaper. Mr. Harper said the water rates can be posted. Idea for a town web page was tabled until more information is gathered but interest was shown by all present.

IPMC – NEXT N.O.V.

Mayor Karelis suggested that the next N.O.V. be sent to Walter Bailey (the green house in the curve on Court St.). The property needs mowed, birds are getting in the house, down spouts are gone, etc. A motion was made by Mrs. Weese to have one of our building inspectors send a notice of violation to Mr. Bailey, seconded by Mr. Harper, all in favor. Several other properties were discussed. Mrs. Whittaker asked what we can do about the Barnes property to get it cleaned up. Mayor Karelis stated that the property is on the DOH right-a-way. Mr. Rossi stated they would look into it. There are many concerns regarding this property, and the Mayor asked each member to look at it.

3BG CHARGE ACCOUNT

Dave Harris requested a charge account be opened at 3BG (three bald guys). This company carries a bearing on a rotor for the clarifier used at the sewer plant that can only be found in one other place (California). He has replaced this bearing two times in the last year and half. He has used his own credit card to replace it and submits a request to be reimbursed. The company suggests the town open a charge account. The cost of the part is approximately \$400.00. When it goes out, it is needed immediately. A motion was made by Mrs. Pingley to open a 3BG charge account with a limit of \$1000.00. Motion was seconded by Mr. Cooper, all in favor.

BUSINESS LICENSE APPROVALS

A motion was made to accept the following business licenses applications: Bobbie's, RCHS-Museum, Cowger Auto Sales, Butler Electronics, Blossom Village, 1939 Legacy Rentals, LLC, Tygart Valley Industries (Laundromat), Lemuel Chenoweth Museum, Canaan Valley Gas Co., Dorwin Wolfe, Bennett's Appraisal Services, Cutlip Coins, Beverly Heritage Center, (contractor's license) Construction by RQ, Oglesby Construction by Mrs. Weese. Seconded by Mr. Cooper, all in favor.

RE-APPOINTMENT OF SEWER BOARD MEMBERS

Two sewer board members, David Sturdivant and Donnie Pritt, are due for re-appointment. The Mayor requested someone make a motion for executive session. Mrs. Pingley inquired why executive session was needed. The Mayor responded that she wanted to discuss something that she had been informed of. Donnie Pritt asked for it to be discussed publicly. County Commissioner Scott advised if the person that was to be discussed asked for it to heard publicly,

then you don't have a right to go into executive session. The Mayor inquired of her right to take council into executive session. Scott again advised once the person demands to have it discussed in public, you have no right to hold executive session. Mr. Harper asked if she was talking about personnel business or the appointment of these two members. Mayor Karelis said both would be best discussed in executive session. Mayor Karelis asked both Mr. Pritt and Mr. Sturdivant if they objected to council going into executive session and they both replied they wanted it heard publicly. Mayor Karelis stated that she had been informed by someone else to inform the council of this information. The Mayor said it was not a rumor or information from an attorney. She said she had been asked not to share it with the public, only the council. Mayor Karelis asked Mr. Pritt and Mr. Sturdivant if the utility board held a meeting by e-mail, received pay, and no minutes were kept of the meeting, no public notice on door; if a utility meeting was held twice a month, with the second meeting be executive members only, with no minutes kept, no posting, finances being discussed without the public; sometimes being paid twice in one day for meetings. They both said they couldn't remember receiving any e-mails. The Mayor showed records to Mr. Pritt and Mr. Sturdivant showing payment of \$20.00 for these meetings. They could not explain why and said that was a long time ago and they got paid once a quarter. She said this took place between 2014 and 2016. They responded that was a long time ago to remember. Mr. Scott said this was a civil matter since it went back that far.

Mr. Lewis brought to everyone's attention that we were off the subject of appointing the board members. Mrs. Pingley made the motion to close discussion and appoint Donnie Pritt and David Sturdivant as sewer board members. Seconded by Mrs. Weese, all in favor.
(In a text sent to the recorder on Thursday June 6, Mayor Karelis requested that the minutes reflect the following: The mayor questioned the two Sanitary Board members up for reappointment – Donnie Pruitt and David Sturdivant – about their participation in meetings closed to the public under the Harper administration – which they admitted to – and Council still voted to reappoint them.)

It was discussed how many members and who would be on the personnel committee. Mrs. Pingley said at the last meeting it was stated that the Mayor would be in charge of the personal Board. She said a personnel committee puts the Mayor in charge, and a personnel board chooses its chairperson. The mayor said it has always been called committee. Hopefully two council members, one each from each utility board will serve. Discussion was back and forth and the Mayor asked council to pick one water and one sewer member so the committee can do the evaluations on the employees so they can get their yearly raise the first of July. Arguments erupted and Mrs. Weese made a motion to table the discussion till the first of July. Motion seconded by Mr. Harper with all in favor. (In a text sent to the recorder on Thursday June 6, Mayor Karelis requested that the minutes reflect the following: That the mayor strongly urged Council not to deprive the employees of their promised review/raise in June, yet Council voted to delay anyway. Thank you for making sure this is in the minutes. I am covering myself for what's coming.) More discussion was held regarding what to do. Mr. Cooper said the raise procedure was a complicated deal and things had changed. Mr. Simmons said he would like to see changes. Ms. Wilson read the minutes from the May meeting: Matt Lewis was appointed to

take Tena Pritt's place and it was agreed to table the discussion until the new council was sworn in. The Mayor asked if we could use the original committee and do the interviews/evaluations. No agreement was made regarding the Mayor's request because of the motion made at the May meeting.

FINANCIAL REVIEWS

APPROVAL OF VENDOR INVOICES

A motion was made by Mr. Lewis to pay the invoices in the amount of \$5,795.01. Motion seconded by Mrs. Weese, all in favor.

A motion was made by Mr. Harper to go into executive session with the utility boards, mayor and council. Motion was seconded by Mrs. Pingley. A motion was made by Mr. Cooper and seconded by Mr. Lewis to leave executive session.

A motion was made to adjourn by Mrs. Weese, seconded by Mr. Harper. Meeting adjourned at 9:34 pm.

Mayor:


MAYOR: CINDY KARELIS



RECORDER: BARBARA SMITH

