



## Town of Nutter Fort Minutes Council Meeting – June 11<sup>th</sup>, 2024

### **Called to order at 6:30 pm by Mayor Sam Maxson.**

Attendance – Mayor Sam Maxson, Councilor Rick Lafferty, Councilor Bryan Gonzalez, Councilor Jim Link  
Absent: Councilor Karen Phillips, Councilor Charlene Louk, Recorder Natalie Haddix

Department Heads – Treasurer Leslie Cummings, Fire Chief Jeremy Haddix

Guests – Shirley Sheets, Kathy Powell, Mark Hays, Jennifer Robinson, Kenneth Johnson, John Stump, Esq  
(Steptoe & Johnson)

### **Minutes:**

- Approval of minutes 5/28/2024 Council Meeting – Meeting minutes for the 5/28/2024 Council Meeting were approved by unanimous vote after Bryan Gonzalez moved to approve the minutes and the motion was seconded by Rick Lafferty.

### **Treasurer's Report:**

- Received a notification from Senator Manchin's office on 6/7/2024 that at least one of the two Fiscal Year 2025 Congressionally Directed Spending applications completed for Fire/EMS and Police was sent to the Senate Appropriations Committee for its consideration. Notification does not state which one.
- Previously reported in April that discussions concerning wages vs. benefits were taking place between supervisors. A proposed ordinance is being prepared on this to try with EMS personnel retainage.
- Working with the West Virginia Municipal League and West Virginia State Tax Department on our municipal boundaries and files on GIS. They are creating a sales/use tax boundary map to ensure reporting accuracy.
- The treasurer along with Taylor Keith have a meeting with West Virginia Rural Water representative Cory Weese 6/13/2024 concerning a possible water and wastewater apprenticeship program for local high school students.

### **Approval of Accounts Payable:**

- Accounts payable items were presented via handout (attached) and were approved by unanimous vote after Bryan Gonzalez moved to approve the accounts payable items and the motion was seconded by Jim Link.

### **Public Hearing:**

- *To conduct a public hearing regarding a proposed Ordinance 2024-06 related to the Funding Assistance, Series 2024.*- Hearing was opened and questioned were entertained. It was noted that there was no new rate increase included with this, as the increase had already been included in previous rates. Hearing was closed after all questions were answered satisfactorily.

### **Unfinished Business:**

- *To consider on third reading and act upon proposed 2024-06 Ordinance entitled:*  
ORDINANCE AUTHORIZING THE ACQUISITION AND CONSTRUCTION OF CERTAIN IMPROVEMENTS AND EXTENSIONS TO THE EXISTING PUBLIC WASTEWATER FACILITIES OF THE TOWN OF NUTTER FORT, AND THE FINANCING OF THE COST THEREOF, NOT OTHERWISE PROVIDED, THROUGH THE ACCEPTANCE BY THE TOWN OF FUNDING ASSISTANCE, SERIES 2024 IN THE AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$1,500,000 THROUGH THE WEST VIRGINIA SRF PROGRAM; AUTHORIZING EXECUTION AND DELIVERY OF ALL DOCUMENTS RELATING TO ACCEPTANCE OF SUCH

FUNDING; APPROVING, RATIFYING AND CONFIRMING THE FUNDING ASSISTANCE AGREEMENT RELATING TO SUCH FUNDING ASSISTANCE, SERIES 2024.

- Take necessary action related to the foregoing. – Motion to accept proposed 2024-06 Ordinance on the third reading was made by Rick Lafferty and seconded by Bryan Gonzalez. Motion carried after unanimous vote.

**New Business:**

- *To consider and act upon a proposed Supplemental Resolution relating to the Funding Assistance, Series 2024 entitled:*  
SUPPLEMENTAL RESOLUTION PROVIDING AS TO PRINCIPAL AMOUNT, DATE, MATURITY DATE AND OTHER TERMS OF THE FUNDING ASSISTANCE SERIES 2024 (WEST VIRGINIA SRF PROGRAM) OF THE TOWN OF NUTTER FORT; APPROVING AND RATIFYING THE FUNDING ASSISTANCE AGREEMENT; DESIGNATING A DEPOSITORY BANK; AND MAKING OTHER PROVISIONS AS TO THE FUNDING ASSISTANCE.
  - Discussion held with John Stump, Esquire, counsel for Town of Nutter Fort on the projects, answering any questions regarding these resolutions. Motion to accept Supplemental Resolution relating to the Funding Assistance, Series 2024 was made by Bryan Gonzalez and seconded by Jim Link. Motion carried after unanimous vote.
- *To consider and act upon a proposed Second Supplemental Resolution relating to the Funding Assistance, Series 2022 entitled:*  
SECOND SUPPLEMENTAL RESOLUTION INCREASING THE PRINCIPAL AMOUNT OF THE FUNDING ASSISTANCE SERIES 2022 (WEST VIRGINIA SRF PROGRAM) OF THE TOWN OF NUTTER FORT; AND MAKING OTHER PROVISIONS AS TO SUCH ADDITIONAL FUNDING ASSISTANCE
  - Discussion held with John Stump, Esquire, counsel for Town of Nutter Fort on the projects, answering any questions regarding these resolutions. Motion to accept Supplemental Resolution relating to the Funding Assistance, Series 2022 was made by Bryan Gonzalez and seconded by Rick Lafferty. Motion carried after unanimous vote.
- *To consider and act upon a proposed Draw Resolution for the Funding Assistance, Series 2024 for the payment of invoices from the proceeds of the Funding Assistance, Series 2024.* – Discussion held with John Stump, Esquire, counsel for Town of Nutter Fort on the projects, answering any questions regarding the requisition of \$247,875.92 for the upcoming project. Motion to accept the Draw Resolution for the Funding Assistance, Series 2024 was made by Rick Lafferty and seconded by Jim Link. Motion carried after unanimous vote.
- *To consider and act upon a proposed Draw Resolution for the Funding Assistance, Series 2022 for the payment of invoices from the proceeds of the Funding Assistance, Series 2022.* - Discussion held with John Stump, Esquire, counsel for Town of Nutter Fort on the projects, answering any questions regarding the requisition of \$84,476.00 for the upcoming project. Motion to accept the Draw Resolution for the Funding Assistance, Series 2024 was made by Jim Link and seconded by Rick Lafferty. Motion carried after unanimous vote.
- *Take necessary action related to the foregoing.* – see above
- *Review-Discuss-Consider – Ordinance 2024-07 – An Ordinance of the Town of Nutter Fort, West Virginia, Amending the Schedule of Rates and Charges for the Services and Facilities Furnished for the Customers of the Sewerage System of the Town of Nutter Fort by Increasing the Rates and Charges by the Establishment of New Rates and Charges* – This ordinance pertains to the sewage rates for the “Chub Run Project”. They will not take effect for a few years but must have ordinance in place prior to funding. Bryan Gonzalez moved to approve Ordinance 2024-07 with a second on the motion by Rick Lafferty. Motion carried after unanimous vote.
- *Review-Discuss-Consider – Employee Wage Charts Effective Pay Ending June 30, 2024* – Per the Treasurer, this was the 3% salary increase discussed during budget meetings. Bryan Gonzalez moved to approve the Employee Wage Charts Effective Pay Ending June 30, 2024, with a second on the motion by Rick Lafferty. Motion carried after unanimous vote.
- *Review-Discuss-Consider – FY 2023/2024 General Budget Revision #3* - Rick Lafferty moved to approve the General Budget Revision #3 with a second on the motion by Bryan Gonzalez. Motion carried after unanimous vote.

- *Review-Discuss-Consider – FY 2023/2024 Coal Severance Budget Revision #2* – Bryan Gonzalez moved to approve the Coal Severance Revision #2 with a second on the motion by Jim Link. Motion carried after unanimous vote.

**Committee Reports:**

- Chief of Police Report: n/a
- Fire Chief Report: Nutter Fort Fire Department Ultimate Giveaway will be held on November 9, 2024.
- EMS/Ambulance Report: 95 incidents from 6/1/2024 –3 ALS Transports, 61 BLS Transports, and 95 Emergency Calls. There was a 9-day delay for June’s billing due to switching billing companies. (via written report).
- Public Works Supervisor Report: n/a
- Engineer Report: n/a
- Code Enforcement Report: n/a

**Public Comment:**

- Resident Jennifer Robinson:
  - Congratulations to NFPD on a good traffic stop that led to confiscation of a large amount of drugs.
  - In re: Ordinance 2024-07 – asked about the identification of the ordinance in relation to Chub Run. Treasurer clarified that the language in the Ordinance describes the Ordinance.
  - Asked about the utility bill increase present on the last bill and wanted to know which increase it pertained to. Treasurer noted that the increase was related to the waste rate increase.
  - Shared that her Master Meter app is working after she called Wendy at the Town of Nutter Fort and Wendy deleted her account. She then signed up again and now it is working. Treasurer added if you can’t login, contact the Town of Nutter Fort. This issue was the result of the conversion to the new billing system.

**The meeting adjourned by acclamation at 7:01pm.**

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Natalie K. Haddix, Recorder

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Sam Maxson, Mayor