

**Council Meeting  
Nutter Fort  
December 11, 2012**

The regular meeting of Nutter Fort Council, was held, Tuesday, December 11, 2012, in council chambers with the following members present: Stephen Korn, William Benincosa, Robin Newhouse, Mayor Nathan Rohrbough, and Recorder Sam Maxson. Absent were Councilors Barbara Gorby and Karen Phillips. Also present were Police Chief Ron Godwin, Supervisor Jim Wolfe, Treasurer Julia Foley, and Data Technician Leslie Holbert. Absent was Fire Chief Jeremy Haddix who was out on a call. Guests were Jim Link, Charlotte Link, and Jenalda Heflin.

The meeting was called to order at 7:30PM by Mayor Rohrbough, with Councilor Newhouse asking prayer followed by the pledge of allegiance.

- William Benincosa motioned we grant the 2 part time employees a \$75 Christmas bonus. After a second by Robin Newhouse, the motion was passed by unanimous vote.

A decision on the request for a handicapped parking space at 506 Indiana Ave was postponed until the Police Chief inspects the site. If he recommends the request be granted, council members will be polled via phone for their approval.

Discussion was held about the sink hole at 411 Buckhannon Pike. (see minutes from November 27, 2012 and attached e-mail from our attorney concerning this matter)). Supervisor Wolfe spoke with David Glover, the attorney for the earlier sewer project and Mr. Glover was to research the matter further and report back.

A bath salt ordinance will be presented to council for the next meeting for council's consideration.

Recorder Maxson discussed the upcoming municipal election. He asked that we amend our ordinance and pay our poll workers the same rates as paid by Harrison County, \$150 plus \$20 for attending the training. He reports that Harrison County Clerk Thomas has asked that each municipality use poll books in place of the poll slips used in the past. There would only be a minimal cost for the paper.

- The building permits (attached), were approved by unanimous after a motion by Robin Newhouse and a second by Stephen Korn.
- The bills (attached) were approved by unanimous vote after a motion by William Benincosa and a second by Robin Newhouse.
- Minutes of the November 27, 2012 meeting were approved following a motion by Robin Newhouse and a second by Stephen Korn.

**Old Business** None

**New Business** Robin Newhouse stated that we will need to replace Curtis Harris on the board of zoning appeals as he has moved out of state.

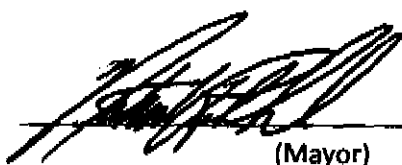
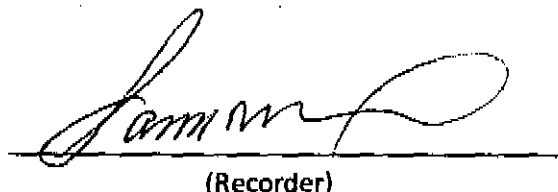
**Police Chief's Report** None

**Fire Chief's Report** None

**Maintenance Supervisor's Report** None

**Treasurer's Report** None

The meeting was adjourned at 7:51PM after a motion by Robin Newhouse and a second by William Benincosa.

  
(Mayor)  
(Recorder)

**Julia Foley**

**From:** damcmunn@aol.com  
**Sent:** Monday, December 03, 2012 10:39 AM  
**To:** jfoley@townofnutterfort.com  
**Subject:** Re: 411 Buckhannon Pike

Julia,  
Because Dave Glover has handled the water and sewer projects for Nutter Fort, I asked him to look at his files and to check the courthouse out about Mr. Steele's issue. Dave advises that Mr. Steele signed a ROW for water on 12/11/01 that is recorded at DB 1335, page 291 and a ROW for sewer on that same date which is recorded at 1335, page 289. Dave also advised that the old storm water drainage system in NF was terrible and that was the driving force for the new sewer project because storm water was connected to sewer lines many years ago which meant that Clarksburg was charging NF for treating rain water. If the sink hole is caused by the old storm system, it is not surprising because that system was terribly designed and vastly inoperable. Often times, there were no signed ROW's for that system either, so it was hard to tell where all the lines were and where they were coming from. If the sink hole is near the new water or sewer line, then there are additional concerns about why that is happening. He would suggest running a camera in the line to figure that out. With regard to the new ROW's for water and sewer, NF has the obligation to keep the ROW in good working order. Same goes for the old Storm system even though there were no ROW's signed. I would suggest looking into why this is happening and to properly addressing it. Let me know if you need me to do anything else on this.

Andy

-----Original Message-----

**From:** Julia Foley <jfoley@townofnutterfort.com>  
**To:** damcmunn <damcmunn@aol.com>  
**Sent:** Wed, Nov 28, 2012 10:47 am  
**Subject:** RE: 411 Buckhannon Pike

Andy,

Edward Steel was at council meeting again last night. Were you able to determine any further information in regard to the sink hole?

Thanks,

Julia

**From:** damcmunn@aol.com [mailto:damcmunn@aol.com]  
**Sent:** Monday, November 05, 2012 12:59 PM  
**To:** jfoley@townofnutterfort.com  
**Subject:** Re: 411 Buckhannon Pike

I got it. Ok. I'll take a look.

Andy

-----Original Message-----

**From:** Julia Foley <jfoley@townofnutterfort.com>  
**To:** damcmunn <damcmunn@aol.com>  
**Sent:** Mon, Nov 5, 2012 11:48 am  
**Subject:** RE: 411 Buckhannon Pike

I believe that their first intentions were to investigate the R-O-W's on file at the court house and determine if the Town had a storm drain located on that tract of land. If no obligations fell back on the Town, then it would be considered Mr. Steele's responsibility to retain a person specialized in that field to investigate.

Julia

**From:** damcmunn@aol.com [mailto:damcmunn@aol.com]  
**Sent:** Monday, November 05, 2012 9:45 AM

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**Approval of building permits:**

Owner	Location	Description of work	Contractor (if applicable)	Estimated Cost	Notes
Karen Phillips	400 WV Ave.	Rubber roofing on porches	Griffith Roofing	\$400.00	