

Fayetteville Town Council met in Regular Session on April 7, 2022 at Town Hall.

Present were Recorder Zenda Vance, Council Members Brian Good, Lori Tabit, Okey Skidmore, and Stanley Boyd. Also present were Town Superintendent Matt Diederich, Chief of Police Glen Chapman, Town Attorney Carl Harris, Fire Chief John Vernon and Treasurer Kathy Williams. Mayor Cruikshank was not present due to knee surgery and Gabe Pena was not present

Due to a fire call Glenn Chapman, Police Chief and John Vernon, Fire Chief attended later in the meeting.

Prayer was offered by Stanley Boyd.

Recorder Zenda Vance called the meeting to order.

Pledge of Allegiance was led by Okey Skidmore..

Zenda Vance asked for a motion to approve the minutes from February 28, 2022. Lori Tabit moved to approve and Okey Skidmore seconded the motion. Stanley Boyd, and Brian Good approved the motion. Motion carries 4-0.:

Zenda Vance asked for a motion to approve the minutes from March 3, 2022. Stanley Boyd made a motion to approve and Lori Tabit seconded the motion. Okey Skidmore and Brian Good approved the motion. Motion carries 4-0.

Zenda Vance asked for a motion to approve the minutes from March 9, 2022. Lori Tabit moved to approve and Okey Skidmore seconded the motion. Brian Good and Stanley Boyd approved the motion. Motion carries 4-0.

Zenda Vance asked for a motion to approve the minutes from March 14, 2022. Lori Tabit moved to approve and Brian Good seconded the motion. Stanley Boyd and Okey Skidmore approved the motion. Motion carries 4-0.

Zenda Vance asked for a motion to approve the financial report. Lori Tabit moved to approve and Brian Good seconded the motion. Okey Skidmore and Stanley Boyd approved the motion. Motion carries 4-0

April 22 – 23 from 8 am – 3 pm we will be having the Electronic Recycle Event as well as the Community Spring Clean-up. Stanley asks about how we were getting the flyers out and Matt responded. Also the Sesquicentennial submissions are due in by June 1, 2022.

Council Comments: Okey wanted to remind everyone to come out and enjoy the Fayetteville Community Chorus performing the Easter Story at the Memorial Building this Sunday at 10:30. It is start up for baseball season 23rd is opening day then Monday at 6 pm for the rest of the season.

Lori spoke about the CVB update and reminded everyone to come out for the Annual Candlelight Memorial at Huse Cemetery. She is also happy to see Secret Sandwich Society started to build back. Carl commented they chose to build in Fayetteville instead of Charleston.

Zenda commented about the Memorial Day Parade. She mentioned she had calls regarding the walls that are deteriorated and Carl commented we are waiting on engineers.

Stanley spoke about the Historic Theater starting to perform and encouraged everyone to come and support them.

Brian comments how good the park looks. He mentions the reason Glenn Chapman and John Vernon is not here yet is they are responding to a house fire in Bridgeview and that just happens to be the house of one of the visitors speaking tonight and she will not be making it here. Brian also comments on what a good job the police department is doing. Everything in town looks great.

Recommendations for Town Planning Committee:

Longtime residents:

Daniel Carte - Lori Tabit moved to approve and Okey Skidmore seconded the motion. Brian Good and Stanley Boyd approved the motion. Motion carries 4-0.

George Tabit – Brian Good moved to approve and Okey Skidmore seconded the motion. Stanley Boyd approved the motion. Motion carries 3-0. Lori abstained)

New Residents:

Eric Hatsel - Brian Good moved to approve and Okey Skidmore seconded the motion. Stanley Boyd and Lori Tabit approved the motion. Motion carries 4-0

Hilary Nicolau - Lori Tabit moved to approve and Brian Good seconded the motion. Stanley Boyd and Okey Skidmore approved thee motion. Motion carries 4-0.

Business Owners:

Becky Blankenship - Brian Good moved to approve and Okey Skidmore seconded the motion. Stanley Boyd approved the motion. Motion carries 3-0. Lori abstained

Jessica Money penny - Lori Tabit moved to approve and Brian Good seconded the motion. Stanley Boyd and Okey Skidmore approved the motion. Motion carries 4-0.

Department Reports

TOWN SUPERINTENDENT REPORT: See attachment.

VISITOR'S AGENDA

Claude Bess spoke regarding large sink hole in street at 144 Paris Place, which he bought 9/23/11. His deed shows that once the sub-division was complete the streets would be donated to the town to adopt, but the process of acceptance was never completed. He said the town has plowed and cindered the roads in the winter, and it was paved once (which the town reviewed paving invoices and Paris Place is not listed). He previously spoke with Carl regarding the deeds. He said he also met with a town Street Department employee, which the employee feeling it was cause from the gas utility repair work called them. Then after calling town hall regarding still having a problem with the road was told by the mayor, we have no records in the minutes of the town owning this street and will not be maintaining them. He is concerned that a time will come that emergency vehicles will not be able to enter this area when the road collapses. Carl commented the owner cannot build a sub-division street then give it to the town without the town's approval and the town has no record of adopting these streets. Brian asks Matt about options regarding the storm drains. Matt responded with the storm drains were not put in by the town and we cannot take on the responsibility of drains that we know nothing about. Zenda ask Mr. Bess if he came to council prior because she nor Carl remembers him bringing this problem to council. Brian offers that we look into it and see if there is a way of repairing. Zenda read the minutes for 2/5/09 regarding the street plowing and it stated we do not own this street. Alvin and Thelma Kincaid are of owners of the sub-division. Brian speaks regarding the sidewalks in that area, Zenda explains that the town cannot afford to take the stormwater problems, and all agree to put it on the next meeting agenda.

Katy Hall is next speaking for Erin Borgeson (since she can not attend due to house fire) She has lived in Fayetteville for eight years and currently lives in the New River Gorge Preserve. (12 acres) J. Emerald working for Appalachian Power Company contacted her about the Kincaid Transmission Project and the right-a-ways needed on to the Southwest tip of her property. She states it will take 75% of her property and destroy hundreds of trees taking the view that they paid a 4

premium to own. Also they had plans to build a larger home as well as a home for a relative, but this will change everything. Carl explains the power company is not controlled by the town but the state. He asks if she has signed anything, and she has not. Carl explained Eminent Domain process to her and said the power company could take this route. He said the National Park Service needs to get involved. The town could write a letter of support and all of council agrees to be supportive in her efforts, but that is about all the town can do.

Katy Hall making her statement – She is an engineer and has lived in Fayetteville for four years, in the New River Gorge Preserve for three years. She brings a map and displays it on screen showing the direction the power grid will take. The poles will be 85 feet tall and will require a 100-foot right-a-way. Plans are to remove 13-15 acres of trees. Matt brings Senator Jack Woodrum into the discussion by Zoom. He is requesting her to email him a copy of this map and he will call Appalachian Power Company Friday morning. Katy states this will impact all wooded area regarding animals, living near power lines are unsafe and unhealthy, property values will decrease etc. All residents in this affected area are hearing different stories and would like to hear confirmed information from the power company. Stanley commented that the owner of the vacant properties (Gary Driggs) should be concerned about the value decreasing, says they should also contact Mr. Driggs and get him involved.

Debbie (Blake) Hendrick – She came to introduce herself letting everyone know her experience in the Fayette County Circuit Court. She has been employed there since 1999 and is experienced in every aspect of the circuit court. She is seeking support in the upcoming election for Circuit Clerk.

David Laudig – Speaking about the location of the next Christmas tree for the town and his opinion of the kind of tree we should get. Zenda agrees they will visit areas around town that he recommends for location ideas and make a decision.

Dana Hatcher – Spoke about the sink hole in the street at Paris Place. She bought her home in 2019 and her yard is located on the side of the street with the huge hole. The hole is actually in her yard. Brian and Stanley have gone out to look at it and both agree the road is ready to collapse. One of the trash pickups companies have started sending a smaller truck to this area in fear of outcome of putting more weight on the street.

John Vernon spoke about the fireworks display planned for the Fourth of July confirming we were able to purchase them. He said we will have the same show just not at the same price.

Chief of Police Report – (see written report)

Kathy presented General Fund Budget Revision #10 asking if any questions, there were none. Lori moved to approve and Brian Good seconded the motion. Stanley Boyd and Okey Skidmore approved the motion. Motion carries 4-0.

Discuss and Act on Second reading of amendment for Articles 1121.99 penalty,
_____ made motion, second by _____

Discuss and Act on Chapter 3, Article 111.01 meetings.... Zenda read first reading on having two regular council meetings per month and Carl explained why it was necessary. Shall be held on the first and third Thursday of each month at Town Hall, 125 North Court Street at 6 pm. Lori moved to approve and Brian Good seconded the motion. Stanley Boyd and Okey Skidmore approved the motion. Motion carries 4-0.

Discuss and Act on first reading to Amend Chapter 3, Article 171.08 Municipal Court Costsagreeing to add \$5.00 to local court cost fees to support Teen Court, Lori moved to approve and Brian Good seconded the motion. Stanley Boyd and Okey Skidmore approved the motion. Motion carries 4-0.

Discuss and Act on the request for the Town Street Department shop addition (15 ft x 60 ft) estimated to be \$10,000 will be moved to the 2023 budget in July due to unexpected plow truck transmission repairs. Mark Reed suggests we wait until the new budget to do the addition.

Discuss and Act on Fiscal Partnership in the GigReady Incentive Broadband Grant with Fayette County. Carl said the request they mailed us does not state a requested amount or how it will benefit the residents of Fayetteville. Item was tabled.

Discuss and Act on granting Employee Holiday for December 30, 2022, due to New Year's Eve falls on a Saturday. Brian moved to approve and Okey Skidmore seconded the motion. Lori Tabit and Stanley Boyd approved the motion. Motion carries 4-0.

Discuss and Act on the purchase of new Police Department cruiser, 2022 Ford Police Interceptor from Mid-State Ford for \$33,306.80. This vehicle is budgeted in the 2023 budget but needs to be ordered now to receive in the new budget. Okey Skidmore moved to approve and Brian Good seconded the motion. Lori Tabit and Stanley Boyd approved the motion. Motion carries 4-0.

Discuss and Act on direct pricing/sale K9 insert (removed from cruiser) selling to another government agency, Brian Good moved to approve and Lori Tabit seconded the motion. Stanley Boyd and Okey Skidmore approved the motion. Motion carries 4-0.

Discuss and Act on Hiring Police Clerk with a starting date of July 5, 2022. Brian Good moved to approve Okey Skidmore seconded the motion. Stanley Boyd and Lori Tabit approved the motion. Motion carries 4-0.

Discuss and Act on Approval to purchase a non-police vehicle for the Police Department (\$25,000 limit) Cost to be split between General Fund and asset forfeiture fundWent into Executive Session at 7:35 pm to discuss and answer questions. Council returned from Executive Session at 7:47 pm with no decisions

rendered. Lori Tabit moved to approve the purchase of a non-police vehicle and Stanley Boyd seconded the motion. Brian Good and Okey Skidmore approved the motion. Motion carries 4-0

Carl spoke about the TIF district stating that the next step is to decide the area boundaries. He said it would be improvements to sidewalks, roads, landscaping and includes improvements to the football field. He mentions something to consider....if the boundary would include the Memorial Building and the county would agree improvements could be made there as well. If the New River Clinic buildings are purchased by the town it could be included in the boundary too for improvements. Carl stated Jackson and Kelly would be handling the TIF District process and Matt would be working with them.

Lori made a motion to adjourn and second by Stanley.

Meeting adjourned at 7:49pm

Mayor Sharon Cruikshank

Recorder Zenda L Vance