12404 MacCorkle Avenue
Chesapeake, WV 25315
Phone: 304-949-1496
Email: townhall@chesapeakewv.gov
Website: https://chesapeake.wv.gov

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Town of Chesapeake, WV
Joint (Council, Sanitary Board, & Commission)
Special Session

Meeting Agenda

Day: Thursday, October 3, 2024

Time: 6:00 PM

Location: Dr. Lisa E. Curry Memorial Annex Building

Part One - Administrative Code – 111.07 – Robert's Rules of Order

In accordance with Robert's Rules of Order, the Town of Chesapeake Municipal Meeting is dedicated to addressing official town business and public concerns. Personal matters and individual business are not permitted to be discussed during the meeting to maintain focus on municipal issues and ensure efficient use of time.

Note: All participants are reminded to adhere to this guideline throughout the meeting. For any personal matters, please contact the appropriate town department outside of the meeting hours.

1. **Call to Order**
2. **Roll Call**
   - ☒ David Lloyd, Council-at-Large
   - ☒ Dona Lacy, Ward 1
   - ☒ Ron Petty, Ward 1
   - ☐ Wesley Dillard, Ward 2
   - ☒ Gary Davis, Ward 2
   - ☐ Katie Miller, Ward 3
   - ☐ Craig Smith, Ward 3
   - ☐ Debbie Hill, Recorder
   - ☒ Melissa Hill, Mayor

   ✓ Sanitary Board
   Jason Bowen
   Herb Shearer

   Acknowledge Administrators and Partners:
   - ☒ Courtney Spicer, Municipal Engagement Coordinator
   - ☒ Beth Minear, Counsel – Sanitary, Property, & Special Projects
3. **Prayer & Pledge of Allegiance**
4. **Approval of Agenda – Special Session – October 3, 2024**
5. **Acknowledge Resignation of Recorder**, Deborah Hill
6. **Motion – November ~~25~~, 2024 – Chesapeake WV Day – 10:00 AM – 4:00 PM**
   - Music, Fun, & Community
   - Citizen(s) of the Year Award
   - Rock the Vote!!! Get as many as possible to the poll to vote
   - Swearing-In Ceremony – Police Chief
7. **Discussion – Potential Sewer Litigation – Anticipated Executive Session**
   - **Purpose:** To discuss potential litigation related to sewer agreements and rate increases. The Council may need to consider confidential legal advice that could impact the Town
   - **Anticipated Executive Session:** The Council may vote to enter executive session as permitted under the West Virginia Open Meetings Act, specifically WV Code §6-9A-4(b)(9).

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This section allows the Council to discuss privileged matters in a closed session, including legal matters and potential litigation, which if discussed publicly could negatively impact.

- **Public Notice:** While this item may result in an executive session, any decisions made, or votes taken will occur in open session as required by law.
- **Council Motion will be required to enter executive session** to discuss legal matters involving potential sewer litigation under WV Code §6-9A-4(b)(9).

8. **Post-Executive Session Discussion – Potential Sewer Litigation**
9. **Discussion – HR Training for Council & Appointees and Related Legal Matters**
    - **Purpose:** To discuss potential litigation related to HR training, employee agreements, and compliance issues. The Council may need to review confidential legal advice regarding HR practices that could impact the Town's legal position.
    - **Anticipated Executive Session:** The Council may vote to enter executive session as permitted under the **West Virginia Open Meetings Act**, specifically **WV Code §6-9A-4(b)(9)**. This provision allows the Council to discuss privileged matters, including legal issues and potential litigation, in a closed session. Public discussion of these matters could adversely affect the Town's legal standing.
    - **Public Notice:** Although this item may lead to an executive session, all decisions made, or votes taken will be conducted in an open session as required by law.
    - **Action Required:** Council motion will be required to enter executive session to discuss legal matters involving potential HR litigation and agreements under WV Code §6-9A-4(b)(9).
10. **Post-Executive Session Discussion – HR Training for Council & Appointees and Related Legal Matters**
11. **Re-sign Resolution – FY 2021-2023 – Council, Board, & Administration included in official back audit documents**
12. Adjournment

10/1/2024 11:59:51 AM – Revision – date correction to 3 from 2
10/2/2024 – Revision in RED – Commission, 5, and Swearing-In Ceremony

Initials _____

Town of Chesapeake
Joint Council and Sanitary Board Meeting Minutes
October 3, 2024 at 6:00 pm
Dr. Lisa E. Curry Memorial Annex

Call to Order: Mayor Melissa Hill, Chair at 6:03 pm
Prayer and Pledge of Allegiance

Roll Call:

1. Quick overview of agenda items.
    a. Motion to approve agenda – Ron Petty, no second nor vote noted

2. Teri Kincaid (citizen) asked what time would the Chief's swearing in be?
    a. Answer was "don't know yet."

3. Acknowledge the resignation of Recorder Debbie Hill

4. Acknowledge the resignation of Board Secretary Jolinda Perdue

5. Election Day: Promote voting among citizens, welcome new Police Chief, fun community day combined; National Guard may come.

6. First Impression document from WVU beautification; DLAP program, need to revamp "downtown" Chesapeake

7. November 5, 2024 – Chesapeake Day

    a. Discussion:
        i. Dona Lacy asked who is doing the singing?
            1. Don't know their names but they have been coming to sing for seniors for quite some time.
        ii. Day may change depending on availability, time will be decided next council meeting
        iii. Shirley Clark asked if we could bring the Chick-Fil-A truck?
            1. Would love it/ open for anyone that would like to come and participate.

8. Please put concerns in GovPilot
    a. How do I get to GovPilot?
        i. Town of Chesapeake website
    b. If you have bulk items, how do you know what to put for the items?
        i. Form has items listed misc. section for items not listed.

9. Operation Clean Sweap – clearing of bulk items around town Friday, no charge at [?] dump this Friday.
    a. Should I put a couple things out tonight?
        i. Yes I will put a notice on the website.

10. Motion on November 5 day?
    a. David Lloyd made a motion, seconded by Dona Lacy, all in favor.
    b. Question by Shirley Clark – would 7:00 pm be too late?
        i. VFW meets that day, need to finish activities before they meet here.

11. Potential Sewer Litigation:
    a. Counsel Beth Minear gave an overview of 1989 Agreement; haven't been having meetings based on terms of agreement; 2008 bonds were not included in agreement with Marmet, yet we have been paying them; last time Marmet raised its tariff was 2009, Chesapeake has been raised multiple times; PSC required condition that new agreement be made between Chesapeake and Marmet – did not happen. We've been paying services that should not have been included (dry cleaning, etc.). Marmet has sued Chesapeake in 2015, 2018 for failure to pay bonds; PSC once again required submission of a new agreement; we have tried to contact multiple months for meetings to remake/renew agreement – we have been increased every year (rates) we have provided our demands for the agreement, Marmet has not.
    b. Asked about pump – Cory
        i. Belongs to KRT
    c. Man in back of room asked if there was a possible adjustment for citizens after being overcharged?
        i. Maybe a possibility, depends on how this process goes.

Council and Sanitary Board moved to Joint Executive Session as motioned by Dona Lacy and seconded by David Lloyd.

This was the conclusion of the notes presented by Courtney Spicer for the meeting held October 3, 2024.

*****These minutes were written by Courtney Spicer and typed by Robin Taylor, Recorder***