Town of Chesapeake
Special Session, Sanitary Board & Town Council
Meeting Minutes
October 28, 2024 at 5:00 pm
Dr. Lisa E. Curry Memorial Annex

Call to Order: Mayor Melissa Hill, Chair at 5:20 pm
Innovation: Dona Lacy
Pledge of Allegiance

Roll Call:
Sanitary Board:
Melissa Hill, Mayor and Chair – Present
Jason Bowen, Citizen Member – Present
Herb Shearer, Citizen Member – Absent

Town Council:
Melissa Hill, Mayor – Present
Robin Taylor, Recorder – Recorder
Ron Petty, Ward 1 – Present
Gary Davis, Ward 2 – Present
Craig Smith, Ward 3 – Absent
David Lloyd, Council-at-Large – Present
Dona Lacy, Ward 1 – Present
Wesley Dillard, Ward 2 – Absent
Katie Miller, Ward 3 – Present

Partner and Administrators Present Acknowledgement:
Andrew Roberts - Sanitation
Beth Minear, Counsel – Sanitary, Property, & Special Projects
Ralph Holbrook – Planning Commission

Mayor Announcements:
- Chesapeake Day will be November 5, 2024, Chief of Police swearing in will be at 6:00 pm that day.
- The Recorder is responsible for communication for the Town of Chesapeake and will Sanitary Board treasurer.
- November 10 is the day the Town of Chesapeake was incorporated.

Old Business:
- HR Training will be held during the Sanitary Board Meeting November 19, 2024 beginning at 6:00. Council is requested to attend the meeting.
    - Dona Lacy cannot make it due to of conflict in schedule.
    - Katie Miller cannot make it due to conflict of schedule.
    - Jason Bowen made a motion to attend HR training during the Sanitary Board Meeting November 19. Melissa Hill seconded. Motion carried.

- Acknowledge – The Town received notification that we received a "conditional" approval of our FY25 budget. Recorder Robin Taylor made the needed amendments and re-submitted.
- Acknowledge – MSP Permit – Application has been submitted by Laura Cox Planning
- Acknowledge – SSES was concluded with some exclusions including the businesses at the end of our town.
- Acknowledge – The Sanitary Board along with Ralph Holbrook, Craig Smith, Robin Taylor, and Brian Bowen reviewed and rated the Requests for Qualifications for the sewer project.
- Acknowledge – The CARES Act Funds have to be earmarked by the end of December.
- A motion was previously made and approved to renovate the basement. Vendor never replied once motion was approved. New vendor submitted a bid of $7400.
    - Motion to move forward with new vendor to repair basement not to exceed $8000 was made by Jason Bowen. Melissa Hill seconded. Motion carried.
- Motion was made to table the discussion for a Financial Management System due to the quotes not being "apples to apples" to allow for appropriate similar items in the quote by Jason Bowen. Melissa Hill seconded. Motion carried.

New Business:

- We are in RFQ Phase
    - Counsel Minear – The Town had a General Services contract with Chapman Technical. It included four work orders. These have now been completed. We are technically complete with our work with Chapman Technical.
    - Chapman Technical believes they have the entire contract for the continuation of work, but the contract had specific terms.
    - $5600 remaining in the account, but Chapman Technical states that we are paid in full. Working with Sandeep Agarwal to reconcile this.
- Regional Governmental Council administrated the SSES for us at no charge. We would like to work with them on the following projects:
    - Comprehensive Planning – Updating previous proposal
    - Stormwater Project – RFQ for Engineer
    - Energy Efficiency – Quotes – RIC submitted for multiple Towns
    - Homeland Security – Gathering requirements – February submission
        - Motion to approve RIC as a partner for grants was made by Jason Bowen. Melissa Hill seconded. Motion carried.

Agenda Item: Discussion of Potential Litigation – 1989 Sewer Agreement between Town of Marmet and Town of Chesapeake:

- Counsel Minear briefly explained the 1989 Agreeement. The Town of Chesapeake and the town of Marmet are currently facing potential litigation regarding the 1989 Sewer Agreement, which outlines the terms and conditions for shared sewer services between the two municipalities. Discrepancies or unresolved issues

regarding the financial responsibilities, maintenance, and operation of the sewer system have surfaced, and legal action may be initiated if these matters cannot be resolved through negotiation.

- Question, Ralph Holbrook: Would us not contesting until we see I tariff is passed considered complacent?
  - No (Counsel Minear)
- Question, Teri Hammond: Do we partner with Marmet on sewer?
  - Marmet owns processing plant.
- Question, Mrs. Miller: Can we vote as "customers" of Marmet?
  - No. We are customers of Chesapeake. Chesapeake is the customer of Marmet.

Jason Bowen made a motion to adjourn. Melissa Hill seconded. Motion carried.

Next Meeting:
November 19, 2024 @ 6:00pm
Dr. Lisa E. Curry Memorial Annex

Town of Chesapeake
Chesapeake Town Council
Meeting Minutes
October 28, 2024 at 6:00 pm
Dr. Lisa E. Curry Memorial Annex

Call to Order: Mayor Melissa Hill, Chair at 6:30 pm
Innovation: Dona Lacy
Pledge of Allegiance

Roll Call:

Town Council:
Melissa Hill, Mayor – Present
Robin Taylor, Recorder – Recorder
Ron Petty, Ward 1 – Present
Gary Davis, Ward 2 – Present
Craig Smith, Ward 3 – Absent
David Lloyd, Council-at-Large – Present
Dona Lacy, Ward 1 – Present
Wesley Dillard, Ward 2 – Absent
Katie Miller, Ward 3 – Present

Sanitary Board:
Jason Bowen, Citizen Member – Present

Partner and Administrators Present Acknowledgement:
Andrew Roberts - Sanitation
Beth Minear, Counsel – Sanitary, Property, & Special Projects
Ralph Holbrook – Planning Commission
Brian Bowen – Audit Committee

Old Business:

- **Motion to Add – November 5, 2024 as Inaugural Chesapeake WV Day – Noon to 7:00 pm.**
    - Event budget approval – not to exceed $3000
    - Engage Community
    - Citizens of the Year
    - Chief Quesenberry Swearing-in Ceremony at 6:00 pm.
        - Motion was made by David Lloyd and seconded by Gary Davis to approval November 5 as our inaugural Chesapeake WV and the items listed to be included. All approved, motion carried.
- **Motion: HR Training for ALL at the upcoming Sanitary Board Meeting on November 19, 2024 at 6:00 pm**
    - Council is the governing body of this meeting. None of our departments have ever come together. Now we have everyone at the table.

    - Lacy and Miller will not be able to attend due to schedule conflicts. The Mayor will make arrangements for a makeup.
        - Motion was made to approve the training during the Sanitary Board Meeting on November 19, 2024 by Ron Petty, seconded by Dona Lacy. All approved, motion carried.
- Acknowledge – The Town received notification that we received a "conditional" approval of our FY25 budget. Recorder Robin Taylor made the needed amendments and re-submitted.
- Acknowledge – MSP Permit – Application has been submitted by Laura Cox Planning
- Acknowlede – Transportation Alternative Grant for sidewalks planning grant has been submitted by Laura Cox Planning
- Acknowledge – SSES was concluded with some exclusions including the businesses at the end of our town.
- Acknowledge – Rodent problem in Town Hall. Terminex resolved the issues at the cost of $1800. Because of this, Senior were able to move back over to the Senior Center.
- A motion was previously made and approved to renovate the basement. Vendor never replied once motion was approved. New vendor submitted a bid of $7400.
    - Motion to move forward with new vendor to repair basement not to exceed $8000 was made by Ron Petty, Katie Miller seconded. Motion carried.
- Motion was made to table the discussion for a Financial Management System due to the quotes not being "apples to apples" to allow for appropriate similar items in the quote by David Lloyd. Katie Miller seconded. Motion carried.

New Business:

- Acknowledge the resignation of Courtney Spicer
- Acknowledge sewer rehabilitation RFQ phase. All three companies will present to council then we will do an RFP.
- Motion to accept conditional budget update presented by recorder Robin Taylor was made by Gary Davis, seconded that Dona Lacy. All approved, motion carried.
- Regional Governmental Council administrated the SSES for us at no charge. We would like to work with them on the following projects:
    - Comprehensive Planning – Updating previous proposal
    - Stormwater Project – RFQ for Engineer
    - Energy Efficiency – Quotes – RIC submitted for multiple Towns
    - Homeland Security – Gathering requirements – February submission
        - Motion to approve RIC as a partner for grants was made by Gary Davis, Ron Petty seconded. All approved, motion carried.
- FY25 Public Safety Grant Application for Law Enforcement – Town of Chesapeake PD - $38,533 for Communication Equipment
    - Motion was made by David Lloyd and seconded by Katie Miller to approve grant submission. All approved, motion carried.
- Motion – Discussion on Renting Out Trucks and Building

- Requesting by David Lloyd, Council-at-Large, and Dona Lacy, Ward 1 Council Member
- Discussion:
    - Are we ever going to be able to rent the dump trucks or building?
        - Counsel Minear volunteered to write a memo about the liabilities involved.
        - Brian Bowen spoke about how the town was losing money by offering these services. The Town's insurance will not cover it either,
        - Ralph Holbrook commented this service was a blessing and asked is there would be a general waiver that citizens could sign.
            - Someone responded that citizens would still sue.
        - Waste Management will rent small dumpsters to citizens
        - W
        - We have an ordinance that states no one outside of the town can pick up our trash
        - Question was asked do we offer quarterly cleanups?
            - We do not currently.
        - We only have our permit for residential waste
        - Counsel Minear will check the ordinance to make sure
            - David Lloyd made a motion to allow Counsel Beth Minear permission to research and provide memo to the council, Gary Davis seconded. All approved, motion carried.
    - Dr. Lisa E. Curry Memorial Annex
        - Our insurance, West Virginia Corp, highly recommends a $75 insurance policy be signed and paid about every renter.
        - Counsel Minear spoke about the Town of Parsons renting their community building. They use a keypad for entrance instead of having to have a staff member come unlock and relock before and after events.
        - We would need a janitor as we cannot always rely on renters actually cleaning after their event.
        - Question: Is Saturdays the only time we could rent the building?

Discussion and Potential Executive Session – Discussion of Legal Matters

- **Subject: Potential Litigation:** Edward Hamilton v. Melissa Hill, Mayor
    - Mr. Hamilton has filed an ethics violation complaint against Mayor Melissa Hill alleging that as Mayor of Chesapeake, she denied his request for a building permit to add steps to his house. The complaint also states that she allegedly denied his permit request for a dumpster on his property. His complaint also stated that the Mayor did all of this because she wanted to

buy this property for herself. This complaint listed four witnesses to the alleged misconduct.
    - Once the complaint was filed, during the time given for the Mayor to respond, Mr. Hamilton proceeded in building his steps without permit.
    - Question: What happens if you build without a permit?
        - Answer: The citizen should be fined.
    - Question: Is the town wanting to buy tha property?
        - Answer: No
    - Missy Clark, wh spoke and said she contacted the WV Ethics Commission to let them know she wanted no part of this complaint.
    - Both Dona Lacy and David Lloyd stated that Mr. Hamilton had contacted them. They both told him he would have to work it out with the Mayor.
    - Hamilton also filed a complaint against Beth Minear with the WV Bar Association.
    - Any complaints like this always go through our Chief of Police along with Special Counsel.
- **Subject: Potential HR Litigation:** Rocky Hager v Toiwn of Chesapeake – HR Litigation for $98.50
    - Rocky Hager is asking for payment of $98.50 because he was promised $14.00 per hour and was only paid at $13.50 per hour while employed. His attorney stated that he will waive all legal fees if we settle.
        - Motion was made by David Lloyd and seconded by Ron Petty to settle with Rocky Hager in the amount of $98.50. All approved, motion carried.

Citizen Questions

- **Missy Clark –** Will the Christmas parade be discussed?
    - The Volunteer Fire Department is in charge of the Christmas Parade and has been planned for December 20.
- **Teri Hammond -** Is there supposed to be someone from the Fire Department at every meeting?
    - We have never required attendance from them. They are now a part of our general fund and will be submitting monthly reports to justify the money coming from our budget, but attendance is not a stipulation.

General Reminders

- Use GovPilot for concerns
- Call 9-1-1 for any and all emergencies

Dona Lacy made a motion to adjourn. Gary Davis seconded. All approved, motion carried.

Next Meeting:
November 25, 2024 @ 6:00pm
Dr. Lisa E. Curry Memorial Annex