

Town of Davis

Council Meeting Minutes

Meeting: Regular Council Meeting

Date: January 26th, 2022

Place: Davis Town Hall

Mayor Tomson called the meeting to order at 6:30 p.m.

Roll Call by Recorder Jennie Helmick; Mayor Al Tomson, Council John Felton, Charlotte Wales, Jeannette Ware, Kevin Flanagan, Ron Hollis and Recorder Jennie Helmick.

Pledge of Allegiance

Guests: Robert McClung, Joe Holmes, Erin Duckworth, Kathy Thomas, Craig O'Connor, Andrew Snyder, Nancy Luscombe, Danielle Luscombe, Jessica Waldo and Karen & Bill Peterson.

Mayor Tomson presented the Council Meeting Minutes of January 12th, 2022 for approval. **Motion to approve minutes as read by Councilman John Felton, Second by Councilman Kevin Flanagan, all in favor, Motion carried.**

Motion to dispense with the Regular Order of Business to hear from guests was made by Councilwoman Jeannette Ware, Second by Councilman Ron Hollis, all in favor, Motion carried.

Mayor Tomson stated that we would be running future meetings according to the **Open Governmental Meetings Act**. Comment period would be allowed at beginning of meeting. Once we return to the regular order of business, interruptions wouldn't be allowed so that we could conduct **Town** business as per the Agenda.

Guest Craig O'Connor inquired about a business license for a short-term rental he applied for and hadn't received a response. **Mayor Tomson** informed him that the **Town** isn't issuing any Short-Term licenses during our **Moratorium**. Mr. O'Connor feels he should be grandfathered in since he already had another Short-term rental property. Mr. O'Connor wasn't in operation with the additional property before the **Moratorium** was passed and licenses are required for each property.

Guest Danielle Luscombe commented on **Mr. Whitehair's building permit**, requesting additional criteria be met to ensure potential damage to adjacent buildings as well as any drainage issues is addressed before he is allowed to move forward. Also believes that the structure he wishes to build doesn't align with the two historic buildings that are adjacent to his property.

Guest Nancy Luscombe commented about when someone needs a building permit or not. Feels we need to preserve older buildings in town.

Guest Robert McClung commented that his job was to bring people into **Town** to stay and visit. Wanted to know how **Town** came to a 30 STR limit? If more housing was built, could limit be more than 30? Can see concern about regulating number of STR Businesses in the residential areas, as he lives here with his family.

Guest Jessica Waldo with the **TC Convention & Visitors Bureau** commented that she felt the **Town** was on the right track. Doesn't feel we should cut ourselves out by regulating STR to 30. There is a future in Long-Term housing projected in **Thomas** and on **Western Pocahontas Properties**.

Guest Joe Holmes commented that he is ready to start his STRentals and wants to do everything right. Feels that blighted areas, vacant lots and new residential structures, if included in **Ordinance** as per suggestion by **Mayor Tomson** would be a boost to STR owners.

Guest Nancy Luscombe commented that she felt that STR-2nd home owners, offer something to the **Town**.

Comment period closed by **Mayor Tomson**. **Motion to return to regular order of business was made by Councilman John Felton, Second by Councilman Kevin Flanagan, all in favor, Motion carried.**

COMMITTEE REPORTS-

Finance: **Mayor Tomson** presented the accounts payable. **Motion to pay the bills presented made by Councilman Ron Hollis, Second by Councilwoman Jeannette Ware, all in favor, Motion carried.**

Streets, Alleys and Waterworks: List of jobs performed by Shop Staff and Water/ Sewer report of work done at the Water and Sewer Plants.

Sewer Project: Representatives from **RK&K, DEP, Clean Water, Potesta, Development Authority, City of Thomas and Doug Martin** met this week. **Davis & Thomas** need to work on I & I to improve their Sewer Systems. **RK&K preliminary study;** build whole new system, abandon old one and turn it into a storm water system. Estimated cost 5.8 million dollars for Davis- Goal to complete in three years but in all actuality, it would take 4-5 years. PSD plans to combine sewer systems including **Davis, Thomas, Tuscan Ridge, Industrial Park, TC Landfill** and any other development; estimate 18-19 million. Due to **Hyperloop, the State of WV and Department of Commerce** are trying to help **Davis** find money. Rate increase for sewer needed to just break even. This is plan for future rate increases. Can't borrow money unless rates are 1 to 1 ½ total of medium housing income. Will publish, make known for **Town** to understand. Phase I- separating storm water from sewer. If it doesn't work, we would have to go to Phase II. **DEP** can adjust our permit, percentage lower due to storm water- 80% to 60% lower so we wouldn't be fined. Wouldn't be detrimental to **Blackwater River**. Discharge amount being raised from 120,000 gpd to 300,000 gpd.

Personnel: Vacation policy. Currently must be taken in five-day increments. **Mayor Tomson** suggests changing it to eight-hour increments. **Motion to approve vacation usage to eight-hour increments and providing schedule allows it, made by Councilman Kevin Flanagan, Second by Councilman John Felton, all in favor, Motion carried.**

Cemetery: None

Parks & Recreation: None

Planning Commission: **Councilwoman Charlotte Wales** stated the **Comprehensive Plan** draft is now online and available to public. Public meeting that was scheduled for Saturday, February 12th has been dismissed. Future meeting TBD.

Old Business: Mayor Updates: **Councilman Kevin Flanagan** suggested the **Town** get strobe lights for the new Ford Explorer. **Mayor Tomson** stated that it would be wise to get for all of the **Towns** trucks. **Councilman John Felton** recommended the magnetic type.

Corridor H- Routes were to be discussed tonight as **City of Thomas Mayor Jody Flanagan** was concerned about suggested route which would go through their City's Park. **Mayor Flanagan** had a family emergency and wasn't able to attend this meeting. Will discuss at next meeting.

Guest Andy Snyder-MFT representative for the Town of Davis, informed the **Council** that the **Town** hosted their meeting at **Davis Town Hall** two weeks ago and was greatly appreciated. Ten towns in MFT groups envious of our problems. Each Town has a representative. **Former Councilwoman Cindy Robeson** was the **Town's** alternate but unable to continue as such. **Davis Planning Commission President Brian Sarfino** is currently the **Town's** alternate but no longer wishes to do it. Due to health reasons, Andy can no longer represent the **Town** and is asking for someone to take his place. Stated that it didn't have to be someone from the governing body to represent us. Would be more than willing to go over what is required. One sign with replacement stickers has been put up at the kiosk at **Blackwater Bikes**. Second one-Fish and Wildlife, near Dollar General. Big signage near Corridor on back burner for now. Next meeting in Franklin on April 6th, 2022. **Mayor Tomson** stated that he would be out of the country and if anyone was interested attending with Andy, to let him know. **Councilman Kevin Flanagan** stated that he would. Couldn't be representative but maybe alternate. **Town** requirement would be whoever does it to be a resident of the **Town**. Commitment; bulk of organizing done, subcommittees doing the work. Four meetings per year. Different entities could go together on a project for grants.

Emergency/After Hours Number: **Mayor Tomson** stated that he doesn't have enough information in regards for payment of on call employees to discuss now.

Post Office Parking Signs: **Councilman Ron Hollis** wanted to know what the status was. **Mayor Tomson** stated that the **State** will get signs up when weather permits. **Councilwoman Charlotte Wales** stated that the parking width seems to be off. **Mayor Tomson** stated he would contact **State** about this.

New Business: Local Government Purchasing Card; **Town Clerk Joni Felton** went over everything at the **Towns Work Session** on Tuesday, January 11th, 2022. **Mayor Tomson** asked if there were any questions. **Motion to approve the Town entering into a contract with the State in regards to the purchasing cards was Made by Councilwoman Charlotte Wales, Second by Councilwoman Jeannette Ware, all in favor, Motion carried.**

Snow removal during major storms: **Councilwoman Jeannette Ware** had repeated conversation with resident **Kim Dement** about snow pushed up behind her car. Showed pictures to **Council** to review. **Mayor**

Tomson, Councilwoman Jeannette Ware and **Recorder Jennie Helmick** checked out complaint. **Councilman Kevin Flanagan** spoke with **Town Employees**. There wasn't any ill intent. When a lot of snow needs removed, it becomes a problem on where to put it. Also, when snow plow blade gets full, snow rolls off it. The **Town of Davis** had received over 2 feet of snow in a short period of time and Employees had a hard time keeping up and did the best that they could.

Vehicles parking in street/intersections during snowstorms: Complaints from local residents about vehicles parking in intersections or leaving them stuck during snowstorms. Can have **Sheriff** come up, put a sticker on car, give party two days to move it or be towed.


Open Governmental Meetings Act: **Mayor Tomson** addressed this at the beginning of the meeting but asked if **Recorder Helmick** wished to add anything more. **Recorder Helmick** stated that we were implementing it due to hour long interruptions from guests during last meeting which was preventing the **Town** from deliberations and decisions about issues on the agenda.

Building permits: **Ronald Whitehair**, tabled due to fact that Mr. Whitehair wasn't there to discuss it. **Motion to table building permit made by Councilman Kevin Flanagan, Second by Councilwoman Charlotte Wales, all in favor, Motion carried.**

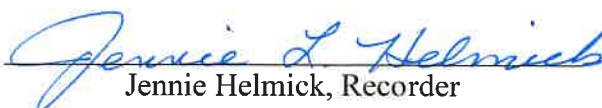
Business Licenses: None

Motion to adjourn made by Councilwoman Jeannette Ware, Second by Councilman Kevin Flanagan, all in favor, Motion carried. Time of adjournment was 7:50 p.m.

Date of approval 2/9/2022
As read _____
As corrected _____



Alan Tomson, Mayor



Jennie Helmick, Recorder