Town of Davis
Council Meeting Minutes

Meeting: Regular Council Meeting
Date: March 23rd, 2022
Place: Davis Town Hall

Mayor Al 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 (via speakerphone) and Recorder Jennie Helmick.

Pledge of Allegiance

Guests: Betsy Whitehair, Douglas Martin, Cheryl Ball, Jim & Terry Hull, Gary Luzier, Ray & Louise Ball, Craig O'Connor, Jessica Waldo, Karen & Bill Peterson and Tim Hague.

Mayor Al Tomson presented the Minutes for the Work Session March 8th, 2022 and Council Meeting March 9th, 2022.
***Motion to approve all minutes as read made by *Councilwoman Jeannette Ware,* Second by *Councilman John Felton,* all in favor. Motion carried.**

***Motion to dispense with the regular order of business to hear from guests made by *Councilwoman Charlotte Wales,* Second by *Kevin Flanagan,* all in favor. Motion carried.**

Guest Bill Peterson asked what the status was in regards to Police Protection. ***Mayor Al Tomson*** stated that it would have to go before the County Commission for a vote. Bill asked why and was told that since the County's money is used for the vehicles, maintenance and insurance, that they have a say in the matter. **Guest Karen Peterson** asked if they should attend a Commissioners Meeting and ***Mayor Tomson*** said that they could do that and may want to speak with **Commissioner Lowell Moore.**
Guest Craig O'Connor spoke about the new storm drain in Henry & Thomas alley, doesn't appear that any hookups have been done, being storm drains removed from sewer drains. Also informed the **Town** that he realized that AirBnB was withholding 14% taxes from his rentals but could only vouch for 12% of it. **Guest Jessica Waldo** from the **TCCVB** stated that she was made aware from them that only the Host can request this information. ***Mayor Tomson*** stated that the **Town** has tried to get verification of revenues and taxes paid (hotel-motel) without any luck.

Guest Cheryl Ball and **Guest Betsy Whitehair** stated that they have finished up with the opinion poll. Had a total of 181 signatures, 170 stating No to Short-term rentals and 11 Yes-with Regulations. Asked that this list be attached to the **Town's** Minutes. Copy also furnished to the **Davis Planning Commission** for the upcoming **Comprehensive Plan.**

***Motion to return to Regular Order of Business made by *Councilman Kevin Flanagan,* Second by *Councilman John Felton,* all in favor. Motion carried.**

Committee Reports:

Finance: ***Mayor Tomson*** presented the Accounts Payable.
***Motion to pay the bills made by *Councilwoman Charlotte Wales*, Second by *Councilwoman Jeannette Ware,* all in favor. Motion carried.**

***Motion for Sewer Resolution Requisition #4 in the amount of $12,000 to be approved for release of funds made by *Councilwoman Charlotte Wales,* Second by *Councilman Kevin Flanagan,* all in favor. Motion carried.**

Sewer Project and Rate Ordinance. Plans are to use existing sewer system for storm water collection and build a new sewer system for sewer collection. An **Ordinance** will be drawn up to incorporate new sewer rates to $21.40 per 3,000 gallons minimum, being ratified May 11th, 2022 and becoming effective July 1st, 2022. **Guest Gary Luzier** asked if existing sewer system is to be used for stormwater, if residents still need to disconnect drains. **Guest Doug Martin** stated that to his understanding, new sewer lines won't be replaced or the Town's main lines with new sewer system. ***Mayor Tomson*** stated he would have to check into this.

2022-2023 General Fund and Coal Severance Fund Budgets presented to **Council** for approval.
***Motion to approve both budgets made by *Councilman John Felton,* Second by *Councilwoman Charlotte Wales,* all in favor. Motion carried.**

Streets, Alleys and Water Works:
Mayor Tomson spoke with employees about grounding Black Truck until driver's door could be replaced. ***Mayor*** Informed **Council** that a door has been found.

Personnel: None

Ordinance/Resolutions: None

Cemetery: None

Parks & Recreation: None

Planning Commission: Public Meeting for the Comprehensive Plan will be April 23rd, 2022 from 2 p.m. till 4 p.m. at the Davis Fire Hall.

Old Business:
Mayor Updates: 2002 Ford Dump Truck is still at the garage. Latest news, felt a new wiring harness needed but not sure if that would fix the problem. Also, they are no longer being made for that truck. We have replaced 2 transmissions, steering wheel, etc. Consensus of **Council** not to put any more money into it. Too late to put in with bid items this time. ***Councilman John Felton*** suggested that the **Town** try to look for another vehicle to replace this one.

Letter from **WV DHHR** in regards to new Lead and Copper Rule Revisions. **Town** must have a sample plan completed, submitted to **OEHS** for review for approval prior to next scheduled compliance sampling for lead and copper. If not required to sample in 2022, plan must be submitted no later than December 31, 2022.

Corridor H: ***Mayor Tomson*** attended the Mayors Only Meeting with DOH in Elkins and asked that they attend our meeting April 27th, 2022 and give a presentation of preferred proposed route. ***Councilman Kevin Flanagan*** felt that those who sent letters to the **Town** in support of the alternate route be invited to the meeting. **City of Thomas Mayor** will be there as well.

Mayor Tomson informed **Council** that **Town Employees** reason for not using the garbage truck was because it was slower using it than using the dump truck. This issue arose when our Water Operator (CDL licensed driver) was sited driving the dump truck instead of the garbage truck. Due to the cost of the garbage truck, the **Town** wants it utilized as much as possible, providing our CDL licensed driver is available.

Emergency /On Call Phone Number: ***Mayor Tomson*** stated that after discussion at **Work Session**, he would implement a schedule for evenings and weekends for the ***Mayor, Council and Recorder,*** phone furnished for this. This way we have the decision on whether it is an emergency and call out the proper employees.

Work Order Software Program: After discussion at **Work Session,** it was the consensus of all to proceed.
***Motion was made by *Councilman Kevin Flanagan* to purchase Nova's Software, Second by *Councilman John Felton*, all in favor. Motion carried.** The **Town** will need to purchase 2 tablets for the employees to enter information. This will improve efficiency and accountability.

New Business:
Re-appoint Members to the Davis Planning Commission:
***Motion to re-appoint the following members; Charlotte Wales, Jeannette Ware, Brian Sarfino, Judy Cronauer, Samantha Gravelle, and Nancy Luscombe made by *Councilman Kevin Flanagan*, Second by *Councilman Ron Hollis,* all in favor. Motion carried.**

Lay The Levy to be held April 19th, 2022 at 6:00 p.m. at Davis Town Hall. Date set by State.

Guest Jessica Waldo, from the **Tucker County CVB,** gave a summary of their Annual Report. Required by law to furnish copies to all those that contribute (hotel-motel taxes). Advertisement of 3 Ski Areas, multiple events, Points of interest, providing visitors guide, pocket guides (to use while out and about), brochures, held scavenger hunts in 5 different areas, concentrated advertisement efforts to different areas. Promoting **Canaan Valley/ Blackwater Falls/Tucker County** area as a premier vacation, meeting and special event destination thereby enhancing the tourism economy in **Tucker County.** Interviewed frequent visitors (video) for their take on our area. **WV** was shown to be most visited by West Virginians, who are traveling in state. Statistics showing increase of revenues, especially in 2021. Their main source of funding comes from 50% of the hotel/motel tax collected throughout Tucker County. ***Mayor and Council*** thanked Jessica for her presentation.

Helmick Construction Mowing Contract for the Cemetery and Riverfront Park: ***Mayor & Council*** feel due to the amount of jobs that are going to need to be done, felt in the best interest of all to contract all of the mowing, including the Cemetery (Cemetery Fund), Riverfront Park, Davis Ball-field & Community Center (Hotel/Motel Tax).
***Motion to Approve Contract Mowing with Helmick Construction made by *Councilman John Felton,* Second by *Councilman Kevin Flanagan,* all in favor. Motion carried. Quoted prices for each area/mowing every two weeks accepted are Cemetery- $700, Davis Ballfield Area- $250.00, Davis Community Center- $140.00 and Riverfront Park- $225.00.**

Building Permits:
*Phillip Crossland-storage shed. Tabled for lack of required documentation.
*Paul & Molly Magness-16'x12' deck. Tabled for lack of required documentation.
*Josiah Leisher- Roof. ***Motion to approve permit made by *Councilwoman Jeannette Ware,* Second by *Councilman John Felton,* all in favor. Motion carried.**

Business License: None

Correspondence:
Tucker Community Foundation-Support for Run For It Race. Requested a letter of support for them to have Run For It within the **Town of Davis.** Approval by all (via email) for letter of support sent to **TC Foundation.**

***Motion to Adjourn made by *Councilman Kevin Flanagan,* Second by *Councilwoman Jeannette Ware,* all in favor. Motion carried. Time of adjournment was 7:32 p.m.**

Date of approval: April 13th, 2022
As read: _____
As corrected: _____

Jessica Helmick, Acting Mayor
Alan Tomson, Mayor

Jeannette M. Ware Acting Recorder
Jennie Helmick, Recorder