

NITRO CITY COUNCIL  
MINUTES  
TUESDAY, AUGUST 7, 2012

CALL TO ORDER: Mayor Dave Casebolt called the meeting to order at 7:00 pm in Council Chambers. Attending were Recorder Rita Cox, Ward 1 Councilman Al Walls, Ward 2 Councilman Bill Racer, Ward 3 Councilwoman Laurie Elkins, Ward 4 Councilman Andy Shamblin, Councilmen at Large Craig Matthews and Bill Javins, Councilwoman at Large Brenda Tyler, City Treasurer John Young and City Attorney Richie Robb.

INVOCATION/PLEDGE OF ALLEGIANCE: The Invocation was given by Councilman Andy Shamblin and the Pledge of Allegiance was led by Councilman Bill Racer.

FUTURE DATES OF COUNCIL: Mayor Dave Casebolt said the future dates of Council are August 21, September 4 and 18.

APPROVAL OF COUNCIL MINUTES: RECORDER RITA COX MOVED THE MINUTES OF THE JULY 17, 2012 MEETING OF COUNCIL BE APPROVED WITH A SECOND BY COUNCILMAN ANDY SHAMBLIN. VOTE WAS UNANIMOUS FOR THE MOTION.

OLD BUSINESS

CITY FINANCES/AUDIT EXIT INTERVIEW REPORT: John Young reported on the exit interview that was held earlier in the day. He said that the audit for fiscal year 2010-2011 was given a qualified rating. He said it was a generally good audit but among the negatives are problems with budget revisions which have currently been corrected, expenses in excess of the budgeted amount, segregation of duties, uniform payroll policy which would be helped by the use of time clocks, and support documentation for the expenditure of police funds. Mayor Casebolt said the auditor said the city was getting better and then opened the floor for questions and public comment concerning the audit.

RESOLUTION ESTABLISHMENT OF BOUNDARIES AND COVENANTS LAND AND WATER CONSERVATION FUND: RECORDER RITA COX MOVED COUNCIL PASS A RESOLUTION ESTABLISHING BOUNDARIES AND COVENANTS FOR THE LAND AND WATER CONSERVATION FUND GRANT. THE MOTION WAS SECONDED BY COUNCILMAN CRAIG MATTHEWS. Recorder Cox said this was to satisfy a requirement for moving forward on the work on shelter four at Ridenour Lake. Councilman Matthews said this covenant is so the city will not sell the property after money has been invested in making improvements. VOTE WAS UNANIMOUS FOR THE MOTION.

COMMITTEE APPOINTMENTS AND REASSIGNMENTS: Mayor Dave Casebolt said that Brian Oxley has been appointed Police Chief, Jack Jordan is the union representative to the Fire Civil Service Commission, Fred Bowen was added to the Brookhaven Committee, Jim McKay is removed from the Ordinance Committee, Hershel Facemyer is added to the Ordinance Committee, Bill Racer is removed from the CVB Board, and the Annexation Committee is to be chaired by Laurie Elkins and the other members are Brenda Tyler, Craig Matthews, and Bill Javins. COUNCILMAN CRAIG MATTHEWS MOVED THE APPOINTMENT OF BRIAN OXLEY AS POLICE CHIEF BE APPROVED BY COUNCIL WITH A SECOND BY COUNCILMAN BILL JAVINS. VOTE WAS UNANIMOUS FOR THE MOTION.

**BAYER ANNEXATION:** Mayor Casebolt said he had been made aware of some public concerns about the recent annexation around the Bayer area. He said the city had asked for the landfill to be included and this was done to protect Goff Mountain Road. He said the map was worked on three different times to get it done correctly. He opened the matter up for public input.

**PARKS AND RECREATION COMMITTEE REPORT:** Councilman Craig Matthews said the committee met on July 31 and updates on projects were addressed. He said the gazebo is slated to have seats in eight weeks, on August 4 the CVB led by Kelly Pruett will have the kick off for Adopt a Block and cleaning up the city, the 5k run was cancelled and a report was given by Mark Jarrett and a representative of Taylor Sports for options on playground equipment. He said the use of the hotel motel tax was addressed with the committee recommending funding for lighting at \$5000 and \$1200. **COUNCILMAN MATTHEWS MOVED COUNCIL APPROVE LIGHTING FUNDING AT \$6200 FOR RECREATIONAL FACILITIES WITH A SECOND BY COUNCILMAN AL WALLS.** Councilman Matthews said the work was beginning on a dog park to be placed at Ridenour Lake with most of the work done by city employees and could be funded by hotel motel tax money. Councilwoman Brenda Tyler said a skateboard park would be a good addition. Mayor Casebolt said the city will pay to put trout in Ridenour Lake in December and February and the state will pay to put it in in January and March. He said in April we will put in channel catfish. **VOTE WAS UNANIMOUS FOR THE MOTION TO APPROVE LIGHTING FUNDING.**

**POLICE AND FIRE COMMITTEE REPORT:** Councilman Craig Matthews said the committee met July 23 and discussed emergency shelters. Suggested were Nitro High School, Twin City Church, St. Paul's Methodist and Holy Trinity Catholic Church. He said up to two tow behind generators would need to be funded and a command post would need to be established in case of emergency. He said Captain Elkins of the Nitro Fire Department had made emergency ID's for Council. A cell phone plan should be established with the phones being passed from shift to shift for first responders. Also the rank structure may need to be addressed according to Chief Oxley. Mayor Casebolt said he appreciated the work Councilman Matthews has done on the Police and Fire Committee and the work on the emergency plan. Councilwoman Brenda Tyler asked about the possibility of obtaining grants for some of the needs.

**PROPERTY MAINTENANCE BOARD REPORT:** Mayor Casebolt said the board met recently and are looking at five commercial properties that are in particular need of work. He said the Building Department has issued 41 residential violations and approximately 20 towing notices.

#### **NEW BUSINESS**

**RESOLUTION APPROVING CHANGE OF CONTROL OF CABLE TELEVISION FRANCHISE: RECORDER RITA COX MOVED COUNCIL PASS A RESOLUTION APPROVING THE CHANGE OF CONTROL OF THE CABLE TELEVISION FRANCHISE. THE MOTION WAS SECONDED BY COUNCILMAN CRAIG MATTHEWS.** Richie Robb said Suddenlink Communications was to be the new owner of the cable system in Nitro. **VOTE WAS UNANIMOUS FOR THE MOTION.**

**KRT APPOINTMENT:** Mayor Dave Casebolt said he would like for his appointment to serve on the KRT Board of Directors to be Nitro resident Sharon Fridley. **RECORDER RITA COX MOVED SHARON FRIDLEY BE APPOINTED TO SERVE ON THE KRT BOARD OF DIRECTORS WITH A SECOND BY COUNCILWOMAN LAURIE ELKINS. VOTE WAS UNANIMOUS FOR THE MOTION.**

**TREASURER REPORT:** John Young said he has a bill for the final Streetscape payment for \$12,827.72 and he would like to take it out of the hotel motel tax. **COUNCILMAN CRAIG MATTHEWS MOVED THE FINAL**

STREETSCAPE PAYMENT OF \$12,827.72 BE PAID FROM THE HOTEL MOTEL TAX WITH A SECOND BY COUNCILMAN ANDY SHAMBLIN. VOTE WAS UNANIMOUS FOR THE MOTION TO CARRY.

MAYOR COMMENT: Mayor Casebolt said he is meeting with Huntington Banks to see if the city can have ACH withdrawals for municipal bills and he is meeting with the Army Corps of Engineers about the backwater in the 500 and 600 block of Kanawha Ave.

#### COUNCIL COMMENT

Councilman Andy Shamblin thanked John Young and his work that helped us have a good audit.

Councilwoman Laurie Elkins said she hopes the unlicensed cars will be a part of the clean up program.

Councilman Bill Racer congratulated Brian Oxley on his appointment as Police Chief and thanked John Young for the good audit.

Councilman Al Walls congratulated Chief Oxley.

Recorder Rita Cox said she would be attending the Municipal League Annual Conference with Robin Smith at Snowshoe.

Councilman Craig Matthews congratulated Chief Oxley and said he was happy we had a good report from the audit. He said we had come a long way from not being able to find a checkbook for an audit in his first years on Council.

Councilman Bill Javins thanked John Young for his work on finances. COUNCILMAN JAVINS MOVED THE MINUTES OF THE JULY MEETING OF THE CVB BE MADE A PART OF COUNCIL MINUTES WITH A SECOND BY RECORDER COX. VOTE WAS UNANIMOUS FOR THE MOTION.

Councilwoman Brenda Tyler congratulated Brian Oxley as the new Chief of Police.

#### PUBLIC COMMENT

Bob Schamber said the bingo was doing well financially. There is to be a western dance August 25 and a senior trip on October 7.

Hershel Facemyre said he had the annual report of the NDA. RECORDER COX MOVED THE ANNUAL REPORT OF THE NDA BE MADE A PART OF THE MINUTES WITH A SECOND BY COUNCILMAN MATTHEWS. VOTE WAS UNANIMOUS FOR THE MOTION.

Karen Boggess said the parking lot at the library will have to be addressed because it is shared by so many different groups.

Leonard Womble said Nitro is moving forward.

Tifnety Franks said it is good to see the city moving forward.

ADJOURMENT: COUNCILMAN MATTHEWS MOVED THE MEETING BE ADJOURNED. THE MOTION WAS SECONDED BY RECORDER COX. VOTE WAS UNANIMOUS FOR THE MOTION.

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MAYOR DAVE CASEBOLT

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RECORDER RITA COX