

Town of Hillsboro

Meeting Minutes

May 12, 2009

Members Present: Sandy Gladwell, Jim Johnson, Janice Goode, Sandy Simmons, Anne Walker, and Richard Workman

Mayor Workman called the meeting to order at 7:35 pm.

The minutes from April 14 regular meeting were distributed and read. Jim Johnson moved to accept the minutes as written. Janice Goode seconded the motion. Motion carried.

The minutes from April 21 budget meeting were passed out and read. Jim Johnson moved to accept the minutes as written. Sandy Gladwell seconded the motion. Motion carried.

Sandy Simmons, Treasurer, passed out her report for the month of April. Jim Johnson moved to accept the treasurer's report as written. Janice Goode seconded the motion. Motion carried.

First on the agenda for the meeting was the discussion of the Phosphorus plant. Mayor Workman spoke with Ray Tilley, Roberts Engineering, who advised him that the best course of action concerning the phosphorus plant would be to legally challenge the WV DEP. Mr. Tilley also stated that a real engineering study concerning cost would need to be completed and he recommended that the town advertise for a study. Mayor Workman stated he would need to contact W.D. Smith with Region 4 concerning the study. Recorder Anne Walker inquired as to what the legal challenge would entail. Mayor Workman stated the town would need to find a law firm to represent the town. A possible defense for not building the plant would be difficulty and expense for the town citizens. Jim Johnson stated that he was able to speak to Nick Rahall concerning stimulus money offered by the federal government. Mayor Workman stated that before steps are made to secure monies for construction, a cost study would need to be completed. He went on to ask the council's thoughts concerning the legal challenge. Jim Johnson asked how much time the town had to file the challenge. Mayor Workman believed that it was anywhere from 30 to 60 days but was unsure. He also stated that the town may be able to file a joint challenge with other towns that are under the same requirement. Mayor Workman also stated that the town has six months to submit a plan of action and he assumed that the legal challenge would delay the 6 month timeline until legal action can be resolved. Sandy Simmons suggested that Mayor Workman have a lawyer come and meet with the council to discuss costs and legal strategy. Recorder Anne Walker stated a special meeting would need to be held due to the timeline. Mayor Workman then asked Sandy Simmons to go to the town office to retrieve the notification papers concerning the sewer permit for clarification on the time allotted to the town to challenge the phosphorus plant legally.

Mayor Workman then moved onto the hiring of a new sewer/water operator. He had previously spoke with the health department concerning Larry Simmons obtaining a waiver for his certification. The mayor found out that Larry would be unable to train a new person. Jim Johnson asked about hiring Josh Friel, who was the third person who applied

previously. He also asked about Josh's time at Watoga counting toward his certification with the town. Mayor Workman stated he believed it would count toward his certification. Jim Johnson suggested that if the council doesn't know of anyone to hire then advertise the position once again.

Sandy Simmons then returned with the papers concerning the sewer permit. Reading from the papers, the issue date of the permit was April 30, 2009 and the effective date was May 30, 2009. It was determined that the legal challenge would be started from the date of issue and date of receipt by the town, as it was sent certified mail. Mayor Workman determined the town has about 25 days to challenge the phosphorus plant. Sandy Simmons recommended the legal challenge but also to contact Region 4 concerning the study advertising in case the legal challenge fails. Jim Johnson moved to go ahead with the legal challenge. Janice Goode seconded the motion. Motion carried. Mayor Workman will contact White Sulphur Springs and their lawyer concerning the challenge. Janice Goode moved to proceed to contact Region 4 concerning the advertising for the cost study. Sandy Gladwell seconded the motion. Motion carried.

Moving back to the sewer/water operator position, Sandy Gladwell moved to advertise the opening in the Pocahontas Times. Janice Goode seconded the motion. Motion carried. Recorder Anne Walker is to take care of advertising with the help of Mayor Workman.

Next on the agenda was the sign post covers. Sandy Simmons updated the council. She stated the Lois Wilfong had called her inquiring about the length of the posts which are 10 feet in length. Lois stated that the covers were \$29 each. She was able to find the same covers at Lowe's in Beckley for \$19 each. Charlie Wilfong was to pick them up the day of the meeting. Mayor Workman asked if the covers come with caps. Sandy Simmons stated she would need to find out.

Natasha from WVMR was next on the meeting agenda. Natasha presented information concerning underwriting for the radio station. Because they are non-profit, they are unable to sell advertising time. However, in exchange for donations, they can advertise. She inquired if the council would be interested in making a donation to promote the town. The day trip package was \$100 for about 25 spots aired from Memorial Day to Labor Day. Jim Johnson moved to make a \$100 donation to the radio station. Janice Goode seconded the motion. Motion carried.

Sandy Simmons informed the council that Larry Simmons had sprayed the duckweed on the sewer pond this evening. The council has received no estimate from Rose's Excavating concerning duckweed spraying.

There was no further information to report concerning the Pearl Buck/Town Signs.

Sandy Simmons informed the council that she was planning to purchase envelopes that came pre-stamped and had the town return address on them as opposed to buying the windowed envelopes and stamps separately. She stated that the cost would be similar.

Recorder Anne Walker asked the council if they would like to receive the minutes to the meetings and treasurer's report via email to save the town money on papers and time during the meetings. All council members present agreed. Anne Walker and Sandy

Simmons are to email their reports out the council one week before the regular council meeting.

Mayor Workman stated that the water inspection by the state had been completed and everything was within limits. He went on to state that the painting of the inside of the water tank was to begin once grant money had been received.

Sandy Gladwell moved to adjourn the meeting. Janice Goode seconded the motion. Motion carried.

Date: _____ Time: _____
Richard Workman, Mayor

Anne Walker, Recorder Sandy Simmons, Treasurer

Council Members:

John Hill

Jim Johnson

Lois Wilfong

Janice Goode

Sandy Gladwell