

AGENDA  
NITRO CITY COUNCIL  
DECEMBER 1, 2020

CALL TO ORDER: Mayor Dave Casebolt  
Ward 1 Councilwoman Donna Boggs  
Ward 3 Councilman Joe Murphy  
Councilwoman at Large Emily Barr  
Councilman at Large Andy Shamblin

Recorder Rita Cox  
Ward 2 Councilwoman Cynthia Rice  
Ward 4 Councilman Michael Hill  
Councilman at Large Bill Javins

INVOCATION/PLEDGE OF ALLEGIANCE

FUTURE DATES OF COUNCIL: December 15, January 5 and 19

APPROVAL OF COUNCIL MINUTES: October 20, November 17

OLD BUSINESS

BUDGET REVISION: John Young

NEW BUSINESS

ONE TIME TEMPORARY SALARY ENHANCEMENT FOR CITY EMPLOYEES: Mayor  
Dave Casebolt

OPEN BIDS FOOD PANTRY: Recorder Rita Cox

ATTORNEY REPORT

TREASURER REPORT

MAYOR COMMENTS

COUNCIL COMMENTS

PUBLIC COMMENTS

ADJOURNMENT

NITRO CITY COUNCIL  
MINUTES  
OCTOBER 20, 2020

**DRAFT COPY**

**CALL TO ORDER:** Mayor Dave Casebolt called the meeting to order at 7:00 pm in Nitro Church of Christ. Attending with Mayor Casebolt were Recorder Rita Cox, Ward 1 Councilwoman Donna Boggs, Ward 2 Councilwoman Cynthia Rice, Ward 3 Councilman Joe Murphy, Ward 4 Councilman Michael Hill, Councilwoman at Large Emily Barr, Councilmen at Large Bill Javins and Andy Shamblin, City Attorney Johnnie Brown, and City Treasurer John Young.

**INVOCATION/PLEDGE OF ALLEGIANCE:** The Invocation was given by Councilman Shamblin and the Pledge of Allegiance was led by Larry Pack.

**FUTURE DATES OF COUNCIL:** Mayor Casebolt said the future dates of Council are November 17 and December 1 and 15.

**APPROVAL OF COUNCIL MINUTES:** RECORDER COX MADE THE MOTION TO APPROVE THE MINUTES OF SEPTEMBER 15, 2020 WITH A SECOND BY COUNCILMAN JAVINS. VOTE WAS FOR THE MOTION.

**OLD BUSINESS**

**RECOMMENDATION OF THE COMMITTEE FOR THE CHILDREN'S PARK PURCHASE:** COUNCILWOMAN DONNA BOGGS MADE THE MOTION THAT COUNCIL ACCEPT THE BID BY RSG FOR \$17,004.01 FOR CHILDREN'S PARK PURCHASE. THERE WAS A SECOND BY COUNCILWOMAN EMILY BARR AND A UNANIMOUS VOTE FOR THE MOTION.

**FIRST AVENUE DEVELOPMENT PROGRESS REPORT:** Mayor Casebolt said the proposed sale of the 2207 1<sup>st</sup> Avenue property is still on track as well as some other projects

**LAND REUSE AGENCY:** Councilman Murphy said that the LRA would like to consider retaining the profits of the sale of the property at 2207 1<sup>st</sup> Avenue to be used in the development of other property. Johnnie Brown recommended that this item be addressed at a future meeting when it is designated more definitively on the agenda.

**NEW BUSINESS**

**FIRST READING AN ORDINANCE TO ADJUST NITRO REGIONAL WASTEWATER UTILITIES RATES:** RECORDER RITA COX MADE THE MOTION TO PASS ON FIRST READING AN ORDINANCE TO AMEND SECTION 915.14, ARTICLE 915 RELATING TO THE RATES AND CHARGES FOR SERVICES RENDERED BY THE NITRO REGIONAL WASTERWATER UTILITY. THERE WAS A SECOND BY COUNCILMAN BILL JAVINS. Attorney Steve Chambers representing NRWU said the rate increase is necessary to meeting the bond coverage and to cover the projects that are proposed. VOTE WAS UNANIMOUS FOR THE MOTION.

**PURCHASING SKID STEER AND BRUSH HOG STATE CONTRACT:** COUNCILWOMAN EMILY BARR MADE THE MOTION TO PURCHASE A SKID STEER AND BRUSH HOG THAT ARE ON THE WV STATE CONTRACT FOR \$61,000 WITH A SECOND BY COUNCILWOMAN DONNA BOGGS. Public Works Director A. J. Hill said there is a need for this item. VOTE WAS UNANIMOUS FOR THE MOTION.

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APPOINTMENT OF CHRIS FLEMING AS NITRO POLICE CHIEF FOLLOWING BOBBIE EGGLETON: Mayor Dave Casebolt said that with the election of Bobbie Eggleton as sheriff in Putnam County to take effect January 1, 2021 he is appointing Nitro Police Officer Chris Fleming as Police Chief to take effect December 18, 2020.

OPEN BIDS NITRO POLICE DEPARTMENT EXERCISE EQUIPMENT: RECORDER COX MADE THE MOTION TO APPROVE A COMMITTEE CONSISTING OF RECORDER COX, COUNCILWOMAN BARR, AND OFFICERS FLEMING AND GARVIN TO CONSIDER AND MAKE A DECISION ON THE FOLLOWING BIDS: FRAY FITNESS AT \$9119.73, SPECIALTY FITNESS AT \$19400.18, FITNESS LIFESTYLES AT \$13054.50, G&G AT \$7864.00, AND G&G AT \$9201.65. Chief Eggleton said the equipment is to be paid from Federal MDent funds. VOTE WAS UNANIMOUS FOR THE MOTION.

ATTORNEY REPORT: Johnnie Brown did not have a report to present.

TREASURER REPORT: COUNCILWOMAN BARR MADE THE MOTION TO ACCEPT THE REPORT FROM THE TREASURER WITH A SECOND BY COUNCILMAN JAVINS. THE MOTION CARRIED.

MAYOR COMMENTS: Mayor Casebolt said the future plans for the pool area are coming together. He also said the plans for selling the property on First Avenue to Taco Bell are still progressing.

COUNCIL COMMENTS: There were no comments.

PUBLIC COMMENTS: There were no comments.

ADJOURNMENT: COUNCILMAN JAVINS MADE THE MOTION TO ADJOURN WITH A SECOND BY COUNCILMAN HILL. THE MOTION CARRIED.

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DAVE CASEBOLT, MAYOR

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RITA COX, RECORDER

NITRO CITY COUNCIL  
MINUTES  
NOVEMBER 17, 2020

DRAFT COPY

CALL TO ORDER: Mayor Dave Casebolt called the meeting to order at 7:00 pm in Nitro Church of Christ with the following present: Recorder Rita Cox, Ward 1 Councilwoman Donna Boggs, Ward 2 Councilwoman Cynthia Rice, Ward 3 Councilman Joe Murphy, Ward 4 Councilman Michael Hill by telephone, Councilwoman at Large Emily Barr, Councilmen at Large Bill Javins and Andy Shamblin, City Attorney Johnnie Brown and City Treasurer John Young.

INVOCATION PLEDGE OF ALLEGIANCE: The Invocation was delivered by Councilman Shamblin and the Pledge of Allegiance was led by John Montgomery.

FUTURE DATES OF COUNCIL: Mayor Casebolt said the future dates of Council are December 1 and 15.

APPROVAL OF COUNCIL MINUTES: RECORDER COX MADE THE MOTION TO APPROVE THE MINUTES OF OCTOBER 6, 2020 AND COUNCILMAN JAVINS MADE THE SECOND WITH THE MOTION BEING APPROVED.

PUBLIC HEARING ON A PROPOSED ORDINANCE OF THE CITY OF NITRO, WV TO INCREASE SEWER RATES TO AMEND SECTION 915.14, ARTICLE 915 OF THE CODIFIED ORDINANCES OF THE CITY OF NITRO, AS AMENDED, RELATING TO THE RATES AND CHARGES FOR SERVICES RENDERED BY THE NRWU: COUNCILMAN ANDY SHAMBLIN MADE THE MOTION TO OPEN THE PUBLIC HEARING FOR THE PROPOSED ORDINANCE INCREASING THE SEWER RATE FOR THE NRWU. THERE WAS A SECOND BY COUNCILWOMAN EMILY BARR AND THE MOTION CARRIED. Attorney Stephen Chambers said the rate increase is necessary to meet bond payment requirements and to complete the commitments to upgrade services. COUNCILMAN SHAMBLIN MADE THE MOTION TO CLOSE THE PUBLIC HEARING WITH COUNCILWOMAN BARR MAKING THE SECOND. THE MOTION CARRIED.

#### OLD BUSINESS

SECOND READING AN ORDINANCE TO AMEND SECTION 915.14, ARTICLE 915 OF THE CODIFIED ORDINANCES OF THE CITY OF NITRO, WV, AS AMENDED, RELATING TO THE RATES AND CHARGES FOR SERVICES RENDERED BY THE NITRO REGIONAL WASTEWATER UTILITY: COUNCILWOMAN BARR MADE THE MOTION TO PASS ON SECOND READING THE ORDINANCE RELATING TO THE RATES AND CHARGES FOR SERVICES RENDERED BY THE NRWU. THERE WAS A SECOND BY COUNCILMAN JAVINS. Councilman Shamblin asked if of the increase would be done in phases or would be put into effect all at one time. Stephen Chambers said the rate increase will take effect January 1, 2021. VOTE WAS UNANIMOUS FOR THE MOTION.

REQUEST TO TRANSFER RECEIPTS FROM THE SALE OF 2207 1<sup>ST</sup> AVENUE, FORMERLY ANTIQUES ON THE AVENUE PROPERTY, FROM THE CITY OF NITRO TO THE LAND REUSE AGENCY (LRA): COUNCILMAN JOE MURPHY MADE THE MOTION TO PERMIT THE RECEIPTS FROM THE SALE OF THE ANTIQUES ON THE AVENUE PROPERTY TO BE TRANSFERRED TO THE LRA TO CONTINUE IMPROVEMENTS PROPOSED BY THE AGENCY. THERE WAS A SECOND BY RECORDER RITA COX. Councilman Murphy said the LRA members have a vision for the property extending down First Avenue and the funds could be used for that as well as other projects. VOTE WAS UNANIMOUS FOR THE MOTION.



REQUEST FOR REVISION TO THE REGULATION OF POLICE CIVIL SERVICE COMMISSION: Johnnie Brown said he had looked at the revisions for the Police Civil Service Commission and his recommendation is to reject the revisions as presented. COUNCILMAN ANDY SHAMBLIN MADE THE MOTION TO NOT APPROVE THE POLICE CIVIL SERVICE RECOMMENDATIONS AS PRESENTED. THERE WAS A SECOND BY COUNCILWOMAN BARR AND A UNANIMOUS VOTE FOR THE MOTION.

#### NEW BUSINESS

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RESOLUTION SUPPORTING LAND AND WATER CONSERVATION FUND APPLICATION FOR CITY POOL UPGRADES IN THE AMOUNT OF \$210,000: COUNCILMAN JAVINS MADE THE MOTION TO APPROVE THE RESOLUTION SUPPORTING THE LAND AND WATER CONSERVATION FUND APPLICATION FOR THE CITY POOL UPGRADES IN THE AMOUNT OF \$210,000. THERE WAS A SECOND BY COUNCILMAN MURPHY. Grant writer Laura Cox said that a splash pad is being included in the plan and the work of city employees can be considered part of the city contribution. COUNCIL VOTED UNANIMOUSLY FOR THE MOTION.

COUNCIL SUPPORT OF FEMA BUYOUT OF 1320 VALENTINE CIRCLE: COUNCILMAN SHAMBLIN MADE THE MOTION TO SO ENDORSE AND SUPPORT THE FEMA BUYOUT OF 1320 VALENTINE CIRCLE BECAUSE OF THE EROSION BELONGING TO THE GIVENS FAMILY. THERE WAS A SECOND BY COUNCILWOMAN BARR AND VOTE WAS UNANIMOUS FOR THE MOTION.

PROPOSAL BY NETRANOM TO PURCHASE KEY CARD ACCESS AND CAMERAS FOR CITY FACILITIES: COUNCILWOMAN DONNA BOGGS MADE THE MOTION TO APPROVE THE PROPOSAL BY NETRANOM FOR \$109,891.35 FOR KEY CARD ACCESS AND CAMERAS FOR CITY FACILITIES PENDING THE DETERMINATION AS A PROFESSIONAL SERVICE. THERE WAS A SEONCD BY COUNCILMAN JAVINS AND A UNANIMOUS VOTE FOR THE MOTION.

PURCHASE RECLINERS FOR FIRE DEPARTMENT: COUNCILMAN JOE MURPHY MADE THE MOTION TO PURCHASE FIVE RECLINERS FOR NITRO FIRE DEPARTMENT FOR \$3417.55. THERE WAS A SECOND BY COUNCILMAN JAVINS AND THE MOTION CARRIED.

OPEN CALENDAR BIDS: RECORDER COX MADE THE MOTION THAT THE ONE BID RECEIVED FROM DUNBAR PRINTING FOR \$3900.00 BE APPROVED TO PRINT THE 2021 CALENDAR WITH A SECOND BY COUNCILMAN JAVINS AND A UNANIMOUS VOTE BY COUNCIL TO APPROVE THE MOTION.

BUDGET REVISION AND RESOLUTION: COUNCILWOMAN EMILY BARR MADE THE MOTION TO APPROVE THE RESOLUTION SUPPORTING THE BUDGET REVISION AND THERE WAS A SECOND BY COUNCILMAN ANDY SHAMBLIN. THE MOTION CARRIED.

PROPOSAL TO WAIVE MUNICIPAL SERVICE FEE FOR DECEMBER, 2020: COUNCILWOMAN DONNA BOGGS MADE THE MOTION TO WAIVE THE MUNICIPAL SERVICE FEE FOR ALL ACCOUNTS FOR THE MONTH OF DECEMBER. THERE WAS A SECOND BY COUNCILWOMAN EMILY BARR AND THE MOTION PASSED WITH ALL OF COUNCIL VOTING IN FAVOR.

PROPOSAL TO CREDIT B&O 4<sup>TH</sup> QUARTER 2020 PAYMENTS UP TO \$500: COUNCILMAN JAVINS MADE THE MOTION TO CREDIT B&O 4<sup>TH</sup> QUARTER PAYMENTS UP TO \$500 WITH A SECOND BY COUNCILMAN MURPHY. VOTE WAS UNANIMOUS FOR THE MOTION.

TREASURER REPORT: COUNCILMAN JAVINS MADE THE MOTION TO ACCEPT THE TREASURER REPORT. COUNCILWOMAN BOGGS MADE THE SECOND AND THE MOTION CARRIED.

ATTORNEY REPORT: Johnnie Brown did not have a report to present.

MAYOR COMMENTS: Mayor Casebolt said the city has excellent employees and volunteers and they did a great job putting up the Christmas decorations. He thanked them all.

COUNCIL COMMENTS: Councilman Javins thanked the employees and volunteers and said he appreciates the decorations and the work that went into them. He said Ridenour Lake will be stocked with trout this week.

Councilwoman Rice said the new trail from 18<sup>th</sup> Street to Ridenour Lake has been finished and she thanked everyone for their work.

PUBLIC COMMENTS: Joe Stevens said the sound system was installed today in Council Chambers.

ADJOURNMENT: COUNCILWOMAN EMILY BARR MADE THE MOTION TO ADJOURN WITH A SECOND BY COUNCILMAN BILL JAVINS AND THE MOTION CARRIED.

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DAVE CASEBOLT, MAYOR

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RITA COX, RECORDER

## David Casebolt

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**From:** Tim Sweeney <tim.sweeney@aterrasolutions.com>  
**Sent:** Sunday, November 29, 2020 8:23 PM  
**To:** Blakes Creek - Armour Creek Site 7 Sponsors  
**Cc:** Tim Sweeney  
**Subject:** POW and Scoping Topics to be used during Scoping  
**Attachments:** POW\_Blakes-Armour\_Cr\_Plan-EA\_11-20-2020.pdf; Ecosystem Services Scoping Chart.docx; Scoping Summary Chart\_TS.docx

I have attached the approved POW for the project for your information. I have also attached the files with Scoping topics that will be used. One of the main goals of a Scoping meeting is to identify social and environmental resources that may be impacted by the project and would have bearing on alternative decisions. The highlighted concerns in the Scoping table are required to be investigated and analyzed for project consequences. An "X" is placed in the "Yes" column for resource concerns that will likely be impacted by project action or are required by law or executive order to evaluate. You and the public can add concerns to this list that are significant to the community and likely to be impacted by project action. A reason must be provided on the form, for each concern that is or is not to be investigated during planning. Please review and edit the form as you feel necessary and return it me by December 14<sup>th</sup>. It should be noted that Ecosystem Services form does not have to be updated because we have already identified the ecosystem services that are likely to be impacted via dam rehabilitation projects. However if you see a service category that you feel is relevant to project impacts mark it with an "S" so it can be discussed. I plan to provide these same list of scoping issues to David Casebolt so they can be posted on the Nitro website prior to the Scoping meeting on December 17<sup>th</sup>.

Thanks for your assistance,  
TIM SWEENEY, Task Manager

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December 17<sup>th</sup> 7P~