

**Council Meeting Town of Nutter Fort**  
**July 28<sup>th</sup>, 2015**

The meeting was called to order at 7:30pm by Mayor Sam Maxson in council chambers with Councilor Benincosa asking prayer, followed by the Pledge of Allegiance. In attendance: Mayor Sam Maxson, Recorder Charlene Louk, Councilors William Benincosa, Natalie Haddix, Bruce Kidd, Karen Phillips and Ryan Roberts. Also present: Police Chief Ron Godwin, Fire Chief Jeremy Haddix, Maintenance Supervisor Jim Wolfe and Code Enforcement Officer Warren Gregory.  
Guests: James L. Lyons, Linda Blake, Betty Brandli, Donald L. Sinclair, Dave Garvin, Bertis M. McCarty, Charlotte A. Link, Jim Link.

- A presentation was made to Betty Brandli of 412 Maryland Ave for July “Yard of the Month”.
- Discussion was held regarding services of Cohen Law Group in regard to the Time Warner (TW) Charter Franchise Transfer Process. See attached email. Councilor Kidd noted that Cohen research determines if the town is getting franchise fees from all registered TW customers. Cohen’s last customer audit fee was \$1000. They were very thorough, got the town \$750.00 in revenue and also got TW to pay court costs. A motion was made by Bruce Kidd, second by Karen Phillips to continue using Cohen Law Group to look at the TW Franchise agreement. Motion passed by unanimous vote.
- Library funding-Council met at 6:30pm with Dottie White, Librarian, Denver Atkinson, Treasurer, and Kandy Atkinson to discuss their request of an additional \$250.00 per quarter from The Town of Nutter Fort. Financial statement attached. Council will review the information and discuss at the next meeting.
- Mayor Maxson provided an update that Larry McClain completed the appraisal of 1405 Buckhannon Pike at the appraised amount of \$82,000.00. The fee was \$400.00. There was discussion of whether a deed is required and if a minimum selling price can be set before turning the property over to the Harrison County Commission. A motion was made by Ryan Roberts, second by Bruce Kidd to table the issue pending our attorney’s review and recommendations. Passed by unanimous vote.
- Mayor Maxson recommended JoAnn Davis to the Building Commission to replace Deborah Johnson who is now deceased. Recommendation accepted by unanimous vote after a motion by Bruce Kidd, second by Karen Phillips.
- A motion to approve the building permits was made by William Benincosa, second by Ryan Roberts. Approved by unanimous vote.
- Accounts payable were approved by unanimous vote after a motion by Karen Phillips, second by Ryan Roberts.
- Minutes of the 7/14/15 meeting were accepted by unanimous vote following a motion by Karen Phillips, second by Natalie Haddix.

**Old Business:** Jim Wolfe reported that the drainage issue at Maryland Ave. and Buckhannon Pike has been resolved by tying into an old existing 10” drain. This was done jointly between Nutter Fort Street Dept. and the state.

**New Business:** A business license has been requested for Body Mind Massage located at 424 Buckhannon Pike. This location is zoned business and is already occupied with a similar profession. License approved by unanimous vote after a motion by Ryan Roberts, second by Natalie Haddix.

Mayor Maxson reported set up for this weekend’s Blackberry Festival is going well. Volunteers are welcome tomorrow to assist with set-up. There’s a good entertainment line-up.

**Police Dept.:** No report

**Fire Dept. Report:** The ladder truck failed it’s pump test. This will cost five to \$6000.00 to replace. 10 air bottles also failed testing. Replacement cost is approximately \$1000.00 each.

**Maintenance Dept. Report:** Leland has returned to work 6 months during the summer. He will help cover vacations and help with extra summer workload.

**Treasurer’s Report:** Ms Foley asked Mayor Maxson to remind council that anyone wishing to attend this year’s WV Municipal League Conference should register ASAP. The Mayor encouraged attendance saying that the conference provides valuable information and networking.

**Code Enforcement Report:** Warren Gregory provided a written report to council. He answered questions from council members and guests regarding some vacant properties in the town.

- A motion was made by Bruce Kidd, second by Karen Phillips for Jim Lyons to address council about his property on Rt. 98 in executive session due to confidentiality. Motion passed by unanimous vote.

Meeting adjourned at 0825 after a motion by Bruce Kidd, second by Ryan Roberts.

Respectfully submitted,

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Charlene Louk, Recorder

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Sam Maxson, Mayor