



**Acts of
City Council of Hinton
Regular Meeting
Tuesday August, 14 2012
7:00 p.m. -- Hinton City Hall**

1. Call to order/Roll Call – Mayor Blankenship called the meeting to order and the record showed that Councilman Meador, Councilman Oxley, Councilman Jordan, and Councilman Basham were all present. City Manager Cris Meadows, Police Chief Derek Snavelly, and City Attorney Richard Gunnoe were also in attendance.
2. Invocation / Pledge of Allegiance – Cris Meadows led the prayer and the pledge of allegiance.
3. Approval of Agenda – Councilman Basham moved to approve the agenda. Councilman Meador seconded the motion and the motion passed on a vote of 4-0.
4. Approval of Minutes- Councilman Oxley moved to approve the minutes of the July 17 2012 council meeting. Councilman Jordan seconded the motion and the motion passed on a vote of 4-0.
5. Approval of Paid Invoices – Councilman Jordan moved to approve the paid invoices. Councilman Basham seconded the motion and the motion passed on a vote of 4-0.
6. Approval of Financial Report July 2012 – Councilman Meador moved to approve the financial report July 2012. Councilman Oxley seconded the motion and the motion passed on a vote of 4-0.
7. Approval of Building permits – Councilman Jordan moved to approve the building permits. Councilman Basham seconded the motion and the motion passed on a vote of 4-0.
8. To consider on third reading and act upon a proposed bond ordinance providing for the issuance of its Sewer Revenue Bonds series 2012A and Sewer revenue bonds 2012B. The proceeds of the bonds will be used to pay the costs of acquisition and construction of certain additions, betterments and improvements to the existing public sewerage system of the issuer.

Thereupon, the Mayor stated that the proposed Bond Ordinance heretofore passed on first and second readings would be subject to protests and suggestions from any interested person at this time in accordance with the publication of an abstract of said Bond Ordinance and a Notice of Hearing, which publication has been duly made, and the Mayor called for protests and suggestions as to said Bond Ordinance and all persons desiring to protest the said Bond Ordinance or to make any suggestions with reference thereto were heard.

There being no protests or suggestions made as to said Bond Ordinance, the Mayor thereupon stated that it would be in order to consider the said Bond Ordinance for final enactment and the Mayor caused the said Bond Ordinance to be read as follows:

ORDINANCE AUTHORIZING THE ACQUISITION AND CONSTRUCTION OF CERTAIN EXTENSIONS, ADDITIONS, BETTERMENTS AND IMPROVEMENTS TO THE EXISTING PUBLIC SEWERAGE SYSTEM OF THE CITY OF HINTON AND THE FINANCING OF THE COST THEREOF, NOT OTHERWISE PROVIDED, THROUGH THE ISSUANCE BY THE CITY OF HINTON OF NOT MORE THAN \$1,228,000 IN ORIGINAL AGGREGATE PRINCIPAL AMOUNT OF SEWER REVENUE BONDS, SERIES 2012 A (WEST VIRGINIA SRF PROGRAM), AND NOT MORE THAN \$1,000,000 IN ORIGINAL AGGREGATE PRINCIPAL AMOUNT OF SEWER REVENUE BONDS, SERIES 2012 B (WEST VIRGINIA SRF PROGRAM); PROVIDING FOR THE RIGHTS AND REMEDIES OF AND SECURITY FOR THE REGISTERED OWNERS OF SUCH BONDS; AUTHORIZING EXECUTION AND DELIVERY OF ALL DOCUMENTS RELATING TO THE ISSUANCE OF SUCH BONDS; APPROVING, RATIFYING AND CONFIRMING A BOND PURCHASE AGREEMENT RELATING TO SUCH BONDS; AUTHORIZING THE SALE AND PROVIDING FOR THE TERMS AND PROVISIONS OF SUCH BONDS AND ADOPTING OTHER PROVISIONS RELATING THERETO.

And caused the same to be read and there was discussion. Thereupon, upon motion duly made by Larry Meador and seconded by Robert Basham it was unanimously ordered that the said Bond Ordinance be adopted and be in full force and effect on and from the date hereof.

9. Discussion and or action regarding Supplemental Resolution to authorize the bonds - Thereupon, the Mayor then presented a proposed Supplemental Resolution in writing entitled:

SUPPLEMENTAL RESOLUTION PROVIDING AS TO PRINCIPAL AMOUNTS, DATES, MATURITY DATES, REDEMPTION PROVISIONS, INTEREST RATES, INTEREST AND PRINCIPAL PAYMENT DATES, SALE PRICES AND OTHER TERMS OF THE SEWER REVENUE BONDS, SERIES 2012 A (WEST VIRGINIA SRF PROGRAM) AND SEWER REVENUE BONDS, SERIES 2012 B (WEST VIRGINIA SRF PROGRAM) OF THE CITY OF HINTON; APPROVING AND RATIFYING THE BOND PURCHASE AGREEMENT RELATING TO SUCH BONDS AND THE SALE AND DELIVERY OF SUCH BONDS TO THE WEST VIRGINIA WATER DEVELOPMENT AUTHORITY; DESIGNATING A REGISTRAR, PAYING AGENT AND DEPOSITORY BANK; AND MAKING OTHER PROVISIONS AS TO THE BONDS.

and caused the same to be read and there was discussion. Thereupon, upon motion duly made by Larry Meador and seconded by Pat Jordon it was unanimously ordered that the said Supplemental Resolution be adopted and be in full force and effect on and from the date hereof.

10. Discussion and or action regarding Draw Resolution to authorize payment of the bonds
Next, the Mayor presented a proposed Draw Resolution for the approval of invoices. Thereupon, on motion duly made by Pat Jordon and seconded by Robert Basham, it was unanimously ordered that the said Draw Resolution be adopted.
11. Discussion and or action regarding Sweep resolution to authorize payment of invoices
Next, the Mayor presented a proposed Sweep Resolution for the authorization of electronic monthly debt service and reserve fund payments to the Municipal Bond Commission. Thereupon, on motion duly made by Pat Jordon and seconded by Robert Basham, it was unanimously ordered that the said Sweep Resolution be adopted.
12. Discussion and or action regarding first reading of GAN ordinance-

Thereupon, the Mayor then presented a proposed Not Ordinance for first reading relating TO THE Gold Coast Sewer Project in writing entitled:

ORDINANCE AUTHORIZING THE ACQUISITION AND CONSTRUCTION OF CERTAIN EXTENSIONS, ADDITIONS, BETTERMENTS AND IMPROVEMENTS TO THE PUBLIC SEWERAGE FACILITIES OF CITY OF HINTON AND THE FINANCING OF THE COST THEREOF, NOT OTHERWISE PROVIDED, THROUGH THE ISSUANCE BY THE CITY OF HINTON OF NOT MORE THAN \$1,000,000 IN ORIGINAL AGGREGATE PRINCIPAL AMOUNT OF THE SEWER GRANT ANTICIPATION NOTE, SERIES 2012 (WEST VIRGINIA WATER DEVELOPMENT AUTHORITY), PROVIDING FOR THE RIGHTS AND REMEDIES OF AND SECURITY FOR THE REGISTERED OWNERS OF SUCH NOTES; AUTHORIZING EXECUTION AND DELIVERY OF ALL DOCUMENTS RELATING TO THE ISSUANCE OF SUCH NOTE; APPROVING, RATIFYING AND CONFIRMING A LOAN AGREEMENT RELATING TO SUCH NOTE; AUTHORIZING THE SALE AND PROVIDING FOR THE TERMS AND PROVISIONS OF SUCH NOTES AND ADOPTING OTHER PROVISIONS RELATING THERETO.

And caused the same to be read and there was discussion. Thereupon, upon motion duly made by Larry Meador and seconded by Pat Jordon it was unanimously ordered that the Note Ordinance pass on first reading.

David Cole appeared before council and asked for approval of A/E amendment #17 on the Goldcoast project which would allow the pipeline to be fixed with the changes to the line. Council discussed the issues with the line and their displeasure with the project and their worries with getting the actual grant to pay for the remedies. Councilman Meador then moved to approve the A/E amendment #17 for up to \$70,000.00. Councilman Basham seconded the motion and the motion passed on a vote of 3-1 with Councilman Oxley voting no because he is unsure we will get any grant money. Mayor Blankenship then asked for a motion to approve payment of the invoices to Kanawha Stone. Councilman Oxley moved to approve the invoices being paid. Councilman Jordan seconded the motion and the motion passed on a vote of 3-1 with Councilman Oxley voting no due to the fact he is unsure about the grant money. Councilman Meador then moved to pay the rest of the invoices minus the \$1.00 hold out per Region One. Councilman Basham seconded the motion and the motion passed on a vote of 3-1 with Councilman Oxley voting no due to his worries about a grant being awarded.

13. Appearance of Citizens – Christine Stump from Barry Bruce’s office spoke about the City License application for Danny’s Pool Hall Inc. She stated they wanted to change the application to Danny’s Pool Hall from Danny’s Place. She also stated that they wanted to be heard in open session and not have their case discussed in an executive session.
14. Discussion and or action regarding Fire Station Construction- Nothing
15. Discussion and or action regarding license for Danny’s Place and or Discussion and or action regarding legal matters related to Danny’s Place. – Mayor Blankenship discussed the problems with the application for Danny’s Place/Danny’s Pool Hall Inc. Councilman Oxley moved to grant a city business license to Danny’s Pool Hall Inc. without having any pool tables on the premise. The council discussed what the license application said and what the court decision actually was and that Mr. Foster has been operating his business against the court order. The Mayor then asked for a second to the motion and after the third request Mayor Blankenship stated the motion died due to lack of a second.
16. Adjournment – Councilman Basham moved to adjourn the meeting. Councilman Jordan seconded the motion and the motion passed on a vote of 4-0.

Cris C. Meadows/ City Manager

Joseph Blankenship/ Mayor