

NORTHERN PANHANDLE CONSERVATION DISTRICT
SPECIAL MEETING
VIA TELECONFERENCE
March 15, 2023
2:00 p.m.

Supervisors Present

Jim Anderson, Hancock County, Vice-Chairman
Chuck Glenn, Hancock County, Treasurer
Steve Paull, Brooke County
Robert Luchetti, Jr., Ohio County
David McCardle, Marshall County
Mark Fitzsimmons, Marshall County, Chairman

Supervisors Absent

Amy Wade, Ohio County, Secretary
Eric Freeland, Brooke County

Others Present

Veronica Gibson, Administrative Specialist, WVCA

Chairman Mark Fitzsimmons called the meeting to order on Wednesday, March 15, 2023, at 2:00 p.m. via teleconference.

Upper Grave Creek Undermining – Legal Counsel

- American Consolidated Natural Resources (ACNR) wants to undermine at Upper Grave Creek sites 7, 8, & 9. Each of these dams is considered a high hazard dam. Legal counsel has been sought through Bailey & Wyant, PLLC. Mark Fitzsimmons stated that attorneys Jason Pockl and Tom Buck said that a contract of representation would be needed due to the scale of the issue. **Robert Luchetti, Jr. made a motion to engage Bailey & Wyant, PLLC, to protect Upper Grave Creek sites 7, 8, and 9 against undermining/long wall mining. Seconded by David McCardle. Motion passed.**
- There was a discussion regarding the confidentiality agreement that ACNR wants the district to sign before ACNR will give any information regarding their plans to the district. Once received, the agreement will be reviewed by Bailey and Wyant, PLLC.

Rain Barrels

- There was a discussion regarding the purchase of rain barrels. This topic will appear on the agenda of the special meeting scheduled for March 24 at 10:00 am.

There being no further business, the meeting was adjourned at 2:30 p.m.

Mark Fitzsimmons, Chairman

Amy Wade, Secretary

Minutes submitted by Veronica Gibson