

**ELKINS COMMON COUNCIL  
REGULAR COUNCIL MEETING  
MINUTES**

***401 Davis Avenue  
Council Chamber, 2nd Floor  
June 4, 2015  
7:00 p.m.***

Elkins Common Council met in regular session in the council chamber of city hall. Present were Mayor Van T. Broughton; Councilpersons J. S. Bibey, N. E. Bross-Fregonara, M. D. Cuonzo, M. L. Marstiller, C. L. Metheny, E.R. Ochsendorf, M. D. Scott, L.H. Vest and R. A. Woolwine; Police Chief C. Cross; City Treasurer T. Fox; Fire Chief T. W. Meader; Operations Manager R.P. Pingley; City Attorney G. S. Roberts; City Clerk S.R. Stokes (acting as recording secretary); and Inter-Mountain Reporter L. Setler.

**PUBLIC COMMENT**

Kevin Howell thanked council for listening to his concerns about Ordinance 194 (signs).

**MINUTES**

Cm. Marstiller, seconded by Cm. Metheny, **MOVED APPROVAL OF THE MINUTES OF THE MINUTES PROPOSED FOR THE REGULAR COUNCIL MEETING OF MAY 21, 2015.** The motion carried.

**NEW BUSINESS**

Cw. Bross-Fregonara, seconded by Cw. Cuonzo, **MOVED THAT COUNCIL APPROVE ORDINANCE 194, REGULATING SIGNS IN ELKINS, ON THE FIRST OF TWO READINGS.** The motion carried.

Cm. Scott, seconded by Cw. Bross-Fregonara, **MOVED THAT COUNCIL ENTER EXECUTIVE SESSION UNDER THE ATTORNEY-CLIENT EXEMPTION FOR THE AGENDA ITEM "ORDINANCE 194, REGULATING SIGNS IN ELKINS."** The motion carried. The executive session began at 7:15 p.m. and ended at 7:31 p.m. The mayor announced that no decisions were made and no actions were taken.

Cm. Marstiller, seconded by Cw. Bross-Fregonara, **MOVED THAT COUNCIL APPROVE ORDINANCE 195, AMENDING ORDINANCE 178 (REGARDING FIRE-SERVICE FEES) ON THE FIRST OF THREE READINGS.** The motion carried.

Cm. Marstiller, seconded by Cw. Cuonzo, **MOVED THAT COUNCIL ADOPT RESOLUTION 754, REAPPOINTING ROBERT WOOLWINE TO THE BOARD OF THE ELKINS-RANDOLPH COUNTY REGIONAL AIRPORT.** The motion carried.

Cw. Cuonzo, seconded by Cm. Ochsendorf, **MOVED THAT COUNCIL ADOPT RESOLUTION 755, AUTHORIZING REGULAR FULL-TIME STATUS AND CONFIRMING A WAGE FOR M. STALNAKER AS AN ACCOUNTING CLERK II.** The motion carried.

Cm. Woolwine, seconded by Cw. Cuonzo, **MOVED THAT COUNCIL ADOPT RESOLUTION 756, TRANSFERRING COAL SEVERANCE FUND TO MOUNTAIN VALLEY BANK.** The motion carried.

Cm. Woolwine, seconded by Cw. Cuonzo, **MOVED THAT COUNCIL ADOPT RESOLUTION 757, TRANSFERRING PAYROLL ACCOUNT TO DAVIS TRUST COMPANY.** The motion carried.

Cw. Cuonzo, seconded by Cw. Bross-Fregonara, **MOVED THAT COUNCIL ADOPT RESOLUTION 758, AUTHORIZING AND IMPLEMENTING A NEW NON-SUFFICIENT FUNDS POLICY.** The motion carried.

**Approved Minutes**

Cw. Cuonzo, seconded by Cw. Bross-Fregonara, **MOVED THAT COUNCIL ADOPT RESOLUTION 759, AUTHORIZING REGULAR FULL-TIME STATUS AND CONFIRMING A WAGE FOR T. LETAN AS ASSISTANT SUPERVISOR OF THE SANITATION DEPARTMENT.** The motion carried.

Cm. Woolwine, seconded by Cw. Bross-Fregonara, **MOVED THAT COUNCIL ADOPT RESOLUTION 760, AUTHORIZING DRAFT ON THE OHIO VALLEY BANK LINE-OF-CREDIT FOR THE WATER SYSTEM IMPROVEMENT PROJECT.** The motion carried.

Cm. Marstiller, seconded by Cw. Bross-Fregonara, **MOVED THAT COUNCIL ADOPT RESOLUTION 761, AUTHORIZING OPENING A LINE OF CREDIT FOR IMPROVEMENTS AND OTHER COSTS RELATED TO THE FORMER ELKINS NATIONAL GUARD ARMORY.** The motion carried.

Cm. Woolwine, seconded by Cw. Bross-Fregonara, **MOVED THAT COUNCIL ADOPT RESOLUTION 762, AUTHORIZING RENEWAL OF THE CITY'S LIABILITY AND WORKERS COMPENSATION INSURANCE POLICIES.** The motion carried.

Cm. Woolwine, seconded by Cw. Cuonzo, **MOVED THAT COUNCIL ADOPT RESOLUTION 763, END-OF-YEAR INTRADEPARTMENTAL BUDGET REVISIONS 29 (FIRE DEPARTMENT), 35 (POLICE DEPARTMENT), 38 (STREET DEPARTMENT), 39 (CUSTODIAL DEPARTMENT), AND 40 (CENTRAL GARAGE).** The motion carried.

Cm. Woolwine, seconded by Cw. Cuonzo, **MOVED THAT COUNCIL ADOPT RESOLUTION 764, TREASURER'S PROPOSAL TO SATISFY FY 2015 POLICE PENSION FUND CONTRIBUTION.** The motion carried.

Cm. Woolwine, seconded by Cm. Ochsendorf, **MOVED THAT COUNCIL ADOPT RESOLUTION 765 (BUDGET REVISION 28/SAO 001-10), A TRANSFER WITHIN THE MUNICIPAL COURT AND TO PARTIALLY FUND FY 2015 POLICE PENSION FUND CONTRIBUTION.** The motion carried.

Cm. Woolwine, seconded by Cm. Marstiller, **MOVED THAT COUNCIL ADOPT RESOLUTION 766 (BUDGET REVISION 30/SAO 001-11), A TRANSFER WITHIN COUNCIL AND TO PARTIALLY FUND FY 2015 POLICE PENSION FUND CONTRIBUTION.** The motion carried.

Cm. Woolwine, seconded by Cw. Cuonzo, **MOVED THAT COUNCIL ADOPT RESOLUTION 767 (BUDGET REVISION 31/SAO 001-12), A TRANSFER WITHIN MAYOR AND TO PARTIALLY FUND FY 2015 POLICE PENSION FUND CONTRIBUTION.** The motion carried.

Cm. Woolwine, seconded by Cw. Cuonzo, **MOVED THAT COUNCIL ADOPT RESOLUTION 768 (BUDGET REVISION 32/SAO 001-13), A TRANSFER FROM POLICE TO POLICE ADMINISTRATION.** The motion carried.

Cm. Woolwine, seconded by Cw. Cuonzo, **MOVED THAT COUNCIL ADOPT RESOLUTION 769 (BUDGET REVISION 33/SAO 001-14), A TRANSFER WITHIN TREASURER AND TO PARTIALLY FUND FY 2015 POLICE PENSION FUND CONTRIBUTION.** The motion carried.

Cm. Woolwine, seconded by Cm. Ochsendorf, **MOVED THAT COUNCIL ADOPT RESOLUTION 770 (BUDGET REVISION 34/SAO 001-15), A TRANSFER WITHIN CITY HALL ADMINISTRATION AND TO PARTIALLY FUND FY 2015 POLICE PENSION FUND CONTRIBUTION.** The motion carried.

Cm. Woolwine, seconded by Cw. Cuonzo, **MOVED THAT COUNCIL ADOPT RESOLUTION 771 (BUDGET REVISION 36/SAO 001-16), A TRANSFER FROM CONTINGENCIES TO PARTIALLY FUND FY 2015 POLICE PENSION FUND CONTRIBUTION.** The motion carried.

Cm. Woolwine, seconded by Cw. Cuonzo, **MOVED THAT COUNCIL ADOPT RESOLUTION 772 (BUDGET REVISION 37/SAO 001-17), A TRANSFER BETWEEN ELECTIONS AND CLERK.** The motion carried.

**Approved Minutes**

Cm. Woolwine, seconded by Cm. Ochsendorf, **MOVED THAT COUNCIL ENTER EXECUTIVE SESSION FOR THE NEXT THREE AGENDA ITEMS**, as follows:

- For the agenda item “First Ward vacancy,” under the personnel exemption.
- For the agenda item “attorney-client discussion of a matter involving the water project,” under the attorney-client exemption.
- For the agenda item “compensation consideration request in the Operations department,” under the personnel exemption.

The motion carried. The executive session began at 7:42 p.m. and ended at 9:02 p.m. The mayor announced that no decisions were made and no actions were taken.

Cm. Woolwine, seconded by Cm. Scott, **MOVED THAT RHETT DUSENBURY BE APPOINTED TO THE VACANT FIRST WARD SEAT.** The motion carried.

Council next considered four requests to use or close city streets for special events that had been approved by the appropriate administrative officers per the city’s Events Protocol. Cm. Metheny, seconded by Cw. Bross-Fregonara, **MOVED APPROVAL OF ALL FOUR.** The motion carried. The approved events were as follows:

- Relay for Life, affecting Railroad Avenue and Third Street, June 6-7.
- Relay for Life 5K run/walk, affecting streets as shown on attached map, June 6.
- Elkins First Church of Christ Vacation Bible School, affecting Main Street, June 14-19.
- Elkins Main Street community celebration, affecting Railroad Avenue, June 23.

Council reached consensus to dissolve the ad hoc Armory Committee and to assign its duties to the Municipal Properties Committee.

Council reached consensus to hold a special meeting Friday, June 12, at 7:00 p.m.

**APPROVAL OF VENDOR INVOICE PAYMENTS**

Cm. Scott, seconded by Cm. Ochsendorf, **MOVED APPROVAL OF THE INVOICES PRESENTED.** The motion carried.

The invoices in question were as specified on the following list, which is attached and made part of this record:

- A/P History Check Report for the period May 19-31, 2015.

**CORRESPONDENCE AND NOTIFICATIONS**

Council received the following correspondence and notifications:

- Building permits 151998-152004.
- New “Cat License Application” form.
- New “Application for a Municipal Business License” form.
- New “Business Registration” (business license) form.

The following building permits have been issued since the previous regular council meeting.

<b>ISSUED BUILDING PERMITS</b>				
<b>Permit</b>	<b>Applicant</b>	<b>Location</b>	<b>Description</b>	<b>Value</b>
151998	Jackson, Tim	128 Guy St.	Re-roof 15 square shingles	\$8,225
151999	Williamson, Rose	124 Sunset Dr.	Install bath fan, smoke det. and fan on the back porch	\$1,280

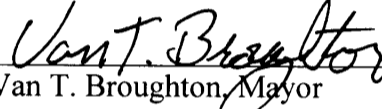
**Approved Minutes**

152000	Armentrout, Mark	1722 S. Davis Ave.	Electrical service	\$1,000
152001	Roberts, Jessie	25 Key St.	Replace windows and two storm doors	\$10,208
152002	Cooper, Rhonda	125 Wilson St.	6' x 20 deck	\$500
152003	Talbott, John	4 Elm St.	Repair floor and replace the end of the porch	\$3,000
152004	Staud, Thomas & Paula	131 Elm St	Screened in back porch	\$12,000

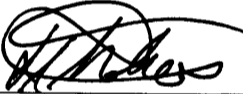
Cm. Metheny, seconded by Cm. Ochsendorf, moved that council adjourn the meeting. The motion carried.

The meeting adjourned at 9:15.

*Approved by council at the meeting  
of June 18, 2015*

  
\_\_\_\_\_  
Van T. Broughton, Mayor

*Attest:*



\_\_\_\_\_  
Sutton R. Stokes, City Clerk

VENDOR SET: 01 ELVIES  
 BANK: \* AU  
 DATE RANGE: 5/19/2015 THRU 5/31/2015

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
00934	United Bank							
00934	United Bank							
C-CHECK	United Bank	VOIDED	5/27/2015			000606		107,378.98CR

NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
0	0.00	0.00	0.00
0	0.00	0.00	0.00
0	0.00	0.00	0.00
0	0.00	0.00	0.00
0	0.00	0.00	0.00

VOID CHECKS: 1 VOID DEBITS 0.00  
 VOID CREDITS 107,378.98CR 107,378.98CR

TOTAL ERRORS: 0

NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
1	107,378.98CR	0.00	0.00
TOTALS:	107,378.98CR	0.00	0.00

BANK: \* TOTALS: 1 107,378.98CR 0.00 0.00

VENDOR SET: 01 Elkins  
 BANK: Pool Pooled Cash  
 DATE RANGE: 5/19/2015 THRU 5/31/2015

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
00857	Randolph County Circuit Clerk	N	5/28/2015			000000		
00023	Appalachian Forest Heritage Ar	R	5/22/2015			000542		1,250.00
00047	BB&T Governmental Finance	R	5/22/2015			000543		2,722.68
00048	BB&T2 Governmental Finance	R	5/22/2015			000544		2,286.67
00055	Bender, Paul	R	5/22/2015			000545		850.00
00132	Clarksburg Water Board	R	5/22/2015			000546		420.00
00143	COE General Fund 2	R	5/22/2015			000547		34,300.37
00148	COE OPEB Escrow Account	R	5/22/2015			000548		158.00
00149	COE Parks and Recreation	R	5/22/2015			000549		16,666.74
00160	COE/Davis Trust Company	R	5/22/2015			000550		5,625.00
00182	Country Roads Transit	R	5/22/2015			000551		2,875.00
00235	Elkins Building Comm.	R	5/22/2015			000552		3,861.46
00236	Elkins Distributing Co., Inc.	R	5/22/2015			000553		11.50
00239	Elkins His. Landmark Com.	R	5/22/2015			000554		875.00
00243	Elkins Randolph County Chamber	R	5/22/2015			000555		875.00
00250	Elkins-Randolph Co. Airport Au	R	5/22/2015			000556		5,000.00
00251	Elkins-Randolph Co. Public Lib	R	5/22/2015			000557		4,000.00
00937	Mark Godwin	R	5/22/2015			000558		182.00
00361	Jackson, Jr., Grover C.	R	5/22/2015			000559		1,800.00
00407	Kump House Endowment Trust	R	5/22/2015			000560		663.00

VENDOR SET: 01 Elvins  
 BANK: Foo1 PO 3  
 DATE RANGE: 5/19/2015 THRU 5/31/2015

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
00468	Miss Utility of WV	R	5/22/2015			000563		72.90
00471	Mon Power	R	5/22/2015			000564		13,444.62
00472	Monongahela Valley Bank	R	5/22/2015			000565		1,520.92
00484	Mountaineer Gas Company	R	5/22/2015			000566		32.00
00570	Rand Co Commission	R	5/22/2015			000567		2,000.00
00571	Rand Co Community Arts Center	R	5/22/2015			000568		625.00
00573	Rand Co Development Auth	R	5/22/2015			000569		1,250.00
00578	Rand-Elkins Health Dept.	R	5/22/2015			000570		1,250.00
00579	Randolph County Children's Adv	R	5/22/2015			000571		500.00
00591	Retiree Health Benefit Trust F	R	5/22/2015			000572		328.00
00662	Stalnaker, Melissa	R	5/22/2015			000573		10.26
00741	Voya Financial	R	5/22/2015			000574		107.00
00779	Woodford Oil Company	R	5/22/2015			000575		327.60
00805	WV FBMC	R	5/22/2015			000576		6.72
00810	WV Public Employee Insurance A	R	5/22/2015			000577		1,188.00
00116	Child Support Enforcement	R	5/27/2015			000578		432.98
00147	COE Misc	R	5/27/2015			000579		453.00
00150	COE Payroll	R	5/27/2015			000580		10,123.94
00151	COE Payroll	R	5/27/2015			000581		12,555.96
00152	COE Payroll	R	5/27/2015			000582		3,833.00

VENDOR SET: 01 Elkins  
 BANK: Pool Pooled Cash  
 DATE RANGE: 5/19/2015 THRU 5/31/2015

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
00721	United, Live	R	5/27/2015			000585		15.00
00741	Voya Financial	R	5/27/2015			000586		107.00
00747	Washington National Insurance	R	5/27/2015			000587		255.30
00032	Absolute Assurance Drug Testin	R	5/27/2015			000588		104.00
00038	Avaya Financial Services	R	5/27/2015			000589		663.13
00040	Michael Baker Jr, Inc.	R	5/27/2015			000590		2,500.00
00063	Biser, Theodore R	R	5/27/2015			000591		608.00
00110	Chase Equipment Finance-Dept.	R	5/27/2015			000592		2,874.17
00121	Citizens Bank of WVFP	R	5/27/2015			000593		464.42
00122	Citizens Bank of WVFP	R	5/27/2015			000594		1,074.23
00126	City of Clarksburg	R	5/27/2015			000595		587.00
00154	COE Sanitation	R	5/27/2015			000596		1,796.88
00202	Davis Trust Company	R	5/27/2015			000597		1,002.46
00471	Mon Power	R	5/27/2015			000598		19,073.09
00484	Mountaineer Gas Company	R	5/27/2015			000599		1,912.21
00574	Rand Co Homeless Shelter	R	5/27/2015			000600		6,260.89
00591	Retiree Health Benefit Trust F	R	5/27/2015			000601		2,381.90
00673	Summit Community Bank	R	5/27/2015			000602		1,227.30
00701	Toshiba Financial Services	R	5/27/2015			000603		89.00
00707	Trickett Hardware	R	5/27/2015			000604		175.61



VENDOR SET: 01 ELLIOTT  
 BANK: Pool PO  
 DATE RANGE: 5/19/2015 THRU 5/31/2015

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
00934	United Bank							
00934	United Bank							
M-CHECK	United Bank	VOIDED	5/27/2015			000606	107,378.98CR	
00777	Womens Aid in Crisis	R	5/27/2015			000607	2,817.34	
00792	WV Consolidated Retirement Boa	R	5/27/2015			000608	42,079.78	
00905	WV FBMC	R	5/27/2015			000609	572.80	
00807	WV Municipal Judges Association	R	5/27/2015			000610	50.00	
00122	Citizens Bank of WVPp	R	5/28/2015			000611	45,288.98	
00371	Isner, Diana	R	5/28/2015			000612	282.00	
00939	Delsey Kniley	R	5/28/2015			000613	74.00	
00572	Rand Co CVB	R	5/28/2015			000614	6,099.67	
00938	Resa 7	R	5/28/2015			000615	105.00	
00693	Justin Thorne	R	5/28/2015			000616	642.82	
00590	Reserve Account - Pitney Bowes	R	5/28/2015			000617	1,876.54	

* * T O T A L S * *	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	75	461,862.61	0.00	354,483.63
HAND CHECKS:	0	0.00	0.00	0.00
DRAFTS:	0	0.00	0.00	0.00
EFT:	0	0.00	0.00	0.00
NON CHECKS:	1	0.00	0.00	0.00
VOID CHECKS:	0	VOID DEBITS	0.00	
		VOID CREDITS	107,378.98CR	
			0.00	

TOTAL ERRORS: 0

VENDOR SET: 01 Elkins  
 BANK: SEWPJ Sewer Project  
 DATE RANGE: 5/19/2015 THRU 5/31/2015

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
00085	Burgess & Niple, Inc.	R	5/28/2015			000003		12,578.63
00396	Kay Casto & Chaney PLLC	R	5/28/2015			000004		18.00
00453	McNeer, Highland, McMunn and V	R	5/28/2015			000005		750.00

* * T O T A L S * *	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	3	13,346.63	0.00	13,346.63
HAND CHECKS:	0	0.00	0.00	0.00
DRAFTS:	0	0.00	0.00	0.00
EFT:	0	0.00	0.00	0.00
NON CHECKS:	0	0.00	0.00	0.00

VOID CHECKS:	0	VOID DEBITS	0.00
		VOID CREDITS	0.00

TOTAL ERRORS: 0

VENDOR SET: 01 BANK: SEWPJTOTALS:	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
	3	13,346.63	0.00	13,346.63
BANK: SEWPJ TOTALS:	3	13,346.63	0.00	13,346.63

VENDOR SET: 01  
 BANK: WATBN  
 DATE RANGE: 5/19/2015 THRU 5/31/2015

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
00107	Chapman Technical Group	R	5/28/2015			000010		9,219.75
00109	Charleston Newspapers	R	5/28/2015			000011		587.63
00369	Inter-Mountain Co.	R	5/28/2015			000012		842.78
00453	McNeer, Highland, McMunn and V	R	5/28/2015			000013		1,650.98
00941	Randolph County Sheriff	R	5/29/2015			000014		350.33

*** T O T A L S ***	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	5	12,650.47	0.00	12,650.47
HAND CHECKS:	0	0.00	0.00	0.00
DRAFTS:	0	0.00	0.00	0.00
EFT:	0	0.00	0.00	0.00
NON CHECKS:	0	0.00	0.00	0.00
VOID CHECKS:	0	0.00	0.00	0.00
VOID DEBITS:	0	0.00	0.00	0.00
VOID CREDITS:	0	0.00	0.00	0.00

TOTAL ERRORS:	0
VENDOR SET: 01	NO
BANK: WATBN TOTALS:	5
	INVOICE AMOUNT
	12,650.47
	DISCOUNTS
	0.00
	CHECK AMOUNT
	12,650.47
BANK: WATBN TOTALS:	5
	INVOICE AMOUNT
	12,650.47
	DISCOUNTS
	0.00
	CHECK AMOUNT
	12,650.47
REPORT TOTALS:	85
	INVOICE AMOUNT
	273,101.75
	DISCOUNTS
	0.00
	CHECK AMOUNT
	380,480.73

SELECTION CRITERIA

VENDOR SET: 01-Elkins  
VENDOR: ALL  
BANK CODES: ALL  
FUNDS: ALL

CHECK SELECTION

CHECK RANGE: 000000 THRU 999999  
DATE RANGE: 5/19/2015 THRU 5/31/2015  
CHECK AMOUNT RANGE: 0.00 THRU 999,999,999.99  
INCLUDE ALL VOIDS: YES

PRINT OPTIONS

SEQUENCE: CHECK NUMBER

PRINT TRANSACTIONS: NO  
PRINT G/L: NO  
UNPOSTED ONLY: NO  
EXCLUDE UNPOSTED: NO  
MANUAL ONLY: NO  
STUB COMMENTS: NO  
REPORT FOOTER: NO  
CHECK STATUS: NO  
PRINT STATUS: \* - All