

**Approved Minutes**

**ELKINS COMMON COUNCIL  
REGULAR COUNCIL MEETING  
MINUTES**

**401 Davis Avenue  
Council Chamber, 2nd Floor  
August 15, 2013  
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. Marsteller, C. L. Metheny, E.R. Ochsendorf, L.E. Randall, J. J. Sabatino, M. D. Scott, and R. A. Woolwine; Operations Manager R.P. Pingley; Treasurer L. D. Daniels-Smith; Police Chief Captain H. R. White, Jr.; Fire Chief T. W. Meader; City Clerk S.R. Stokes (acting as recorder); City Attorney G. S. Roberts; and Inter-Mountain Reporter Brad Johnson.

**AGENDA ADJUSTMENTS**

- a. Attorney consultation regarding code enforcement.
- b. *Resolution 492*: Loan from general fund to landfill.
- c. *Resolution 493*: Purchase of a truck from Davis and Elkins College for the Street Department.
- d. *Resolution 494*: Authorization to purchase a leachate truck for the landfill.
- e. Travel requests:
  - i. Request from Police Department for A. Channell to attend Active Shooter Emergency Response training in Moundsville, May 27-30.
  - ii. Request from Operations Department for B. Pingley to attend Floodplain Management training at North Bend State Park, September 23-27. (State to cover costs.)

**PUBLIC COMMENT**

There was none.

**INFORMATIONAL PRESENTATIONS**

Heather Biola and Grace Sundelin previewed the Kump Education Center's Fair at the Crossroads, August 31.

Chelley Depp, President of the Randolph County Convention and Visitors Bureau (CVB), presented the CVB's reviewed financial statements and annual report for fiscal year 2013.

**CONSENT CALENDAR**

Cm. Metheny, seconded by Cm. Marsteller, **MOVED THAT COUNCIL APPROVE THE MINUTES OF THE REGULAR MEETING OF AUGUST 1, 2013. The motion carried.**

**NEW BUSINESS**

Cm. Scott, seconded by Cm. Sabatino, **MOVED THAT COUNCIL ADOPT RESOLUTION 489, IMPLEMENTING CHANGES TO THE CITY'S PREVIOUSLY ADOPTED EVENTS PROTOCOL. The motion carried.**

Cw. Cuonzo, seconded by Cm. Sabatino, **MOVED THAT COUNCIL ADOPT RESOLUTION 490, IMPLEMENTING A LEAK ADJUSTMENT POLICY FOR WATER CUSTOMERS. The motion carried.**

Cm. Woolwine, seconded by Cm. Marsteller, **MOVED THAT COUNCIL ADOPT RESOLUTION 491, IMPLEMENTING AN ACCOUNTING AND PAYROLL AGREEMENT WITH THE ELKINS PARKS AND RECREATION COMMISSION. The motion carried.**

**Approved Minutes**

Cm. Metheny, seconded by Cm. Woolwine, **MOVED THAT COUNCIL ADOPT RESOLUTION 492, AUTHORIZING A LOAN FROM THE GENERAL FUND TO THE LANDFILL.** The motion carried.

Cm. Woolwine, seconded by Cm. Ochsendorf, **MOVED THAT COUNCIL ADOPT RESOLUTION 493, AUTHORIZING THE PURCHASE OF A TRUCK FROM DAVIS AND ELKINS COLLEGE FOR THE STREET DEPARTMENT.** The motion carried.

Mayor Broughton ordered that agenda item "f" (Resolution 494, purchase of a leachate truck) be considered after the following two travel requests.

Cw. Cuonzo, seconded by Cm. Metheny, **MOVED THAT COUNCIL APPROVE A REQUEST FROM THE POLICE DEPARTMENT FOR A. CHANNELL TO ATTEND ACTIVE SHOOTER EMERGENCY RESPONSE TRAINING IN MOUNDSVILLE, MAY 27-30.** The motion carried.

Cm. Marstiller, seconded by Cm. Woolwine, **MOVED THAT COUNCIL APPROVE A REQUEST FROM THE OPERATIONS DEPARTMENT FOR B. PINGLEY TO ATTEND FLOODPLAIN MANAGEMENT TRAINING AT NORTH BEND STATE PARK, SEPTEMBER 23-27.** The motion carried.

Cm. Scott, seconded by Cm. Marstiller, **MOVED THAT COUNCIL ENTER EXECUTIVE SESSION FOR ATTORNEY CONSULTATIONS CONCERNING TWO AGENDA ITEMS.** The motion carried. The two agenda items to be considered in executive session were:

- Resolution 494 (leachate truck for the landfill)
- Legal matter concerning code enforcement

The executive session began at 7:50 p.m. and ended at 8:38 p.m. The mayor announced that no actions were taken and no decisions were made.

Cm. Scott, seconded by Cm. Marstiller, **MOVED THAT, CONCERNING THE PURCHASE OF A LEACHATE TRUCK FOR THE LANDFILL, COUNCIL WAIVE THE CITY'S COMPETITIVE BIDDING REQUIREMENT FOR THE REASON "THAT OTHER CIRCUMSTANCES EXIST WHICH WOULD RENDER THE INTERESTS OF THE CITY BETTER SERVED BY NONCOMPLIANCE THAN BY COMPLIANCE" (ELKINS CITY CODE § 2-3(A)3).** The motion carried.

Cm. Scott, seconded by Cm. Marstiller, **MOVED THAT COUNCIL ADOPT RESOLUTION 494, RESCINDING RESOLUTION 486 AND AUTHORIZING THE PURCHASE OF A LEACHATE TRUCK FOR THE LANDFILL.** The motion carried.

**APPROVAL OF VENDOR INVOICE PAYMENTS**

Cm. Scott, seconded by Cm. Sabatino, **MOVED THAT COUNCIL APPROVE THE INVOICES PRESENTED.** The list of said invoices is attached and made part of this record. The motion carried.

**COMMITTEE REPORTS****Building Committee**

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

ISSUED BUILDING PERMITS				
Permit	Applicant	Location	Description	Value
1417	Rutherford, Breneda	Lot 86 Heavner Acres	Electrical service	\$1,000
1418	Thompson, Anita	106 Glendale Ave.	Replace shingles on garage	\$1,700
1419	Hillman, Janice	1021 S. Kerens Ave.	Install stand-by generator	\$2,200
1420	Gongola, Andrew	36 Factory St.	Asbestos abatement	\$1,500

**Approved Minutes**

1421	Baldassano, Janet	214 Evergreen Dr.	Install windows	\$2,546
1422	Lamb, Robert	115 Vector Ave.	Install central air	\$3,000
1423	Louther, Robert	125 Vector Ave.	12' x 23' carport	\$1,000
1424	Tinnell, Stephen	21 Third St.	Moving sewer pipes	\$800
1425	Hamer Pellet Fuel	46 Tom Waller Dr.	Install truck dumper electric	\$140,000
1426	Thompson, Lisa	87 Ward Ave.	Remodel bathroom	\$3,000
1427	Antoline. Mike & Lisa	202 Graham St	Install metal roof	\$5,872
1429	Swisher, Owen	251-1/2 Diamond St.	1456 sq. ft. Home	\$42,000
1430	Shepler, Bryan	1428 Cole Ave.	Refinish hardwood floors and install new kitchen cabinets, paint walls and ceilings	\$20,000
1431	McLaughlin, Francis	65 Thirteenth St.	Kitchen ceiling	\$1,500
1432	Lloyd, Kassen	15 Tenth St. Apt. 3	Enclose porch and siding on the back of the building	\$6,500

Cm. Randall also reported on a comparison he had performed of building permits issued in fiscal years 2012 and 2013, as follows:

- FY 2012: 381 permits issued; \$65,794.82 in permit fees collected.
- FY 2013: 315 permits issued; \$24,750.77 in permit fees collected.

**Sanitation and Landfill Committee**

No report.

**Water Committee**

No report.

**Parks Committee**

No report.

**Finance Committee**

No report.

**Street Committee**

No report.

**Rules and Ordinances Committee**

No report.

**Municipal Property Committee**

No report.

**Personnel Committee**

No report.

**Public Safety Committee**

No report.

**ADMINISTRATIVE OFFICER REPORTS****Operations Manager**

The Water Plant is again supplying water to Beverly while that city makes further repairs to its water plant, requiring about an extra hour of pumping per day. The recently concluded hydrant flushing has dramatically reduced water complaints. Last week, a storm produced about 2 inches of rain in 3 hours; this rate would once have generated significant standing water downtown, but

**Approved Minutes**

the stormwater separation project seems to have reduced such effects. The Rural Water Association has requested a copy of the city's safety policy for use as a model for other utilities.

**Treasurer**

The city began accepting credit cards for utility payments in February 2013. Since then, customers have used this option to make a total of \$11,738.20 in payments.

**Police Chief**

No report.

**Fire Chief**

No report.

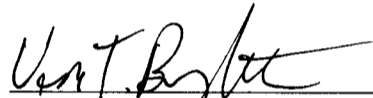
**MAYOR'S COMMENTS**

The mayor reported on his attendance at a townhall event given by Senator Joe Manchin and a public forum hosted by the Governor's Blue Ribbon Commission on Highways.

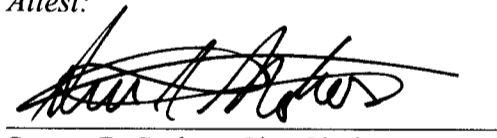
Cm. Metheny, seconded by Cm. Marsteller, moved that council adjourn the meeting. The motion carried.

The meeting adjourned at 9:15 p.m.

*Approved by council at the meeting  
of September 5, 2013*

  
\_\_\_\_\_  
Van T. Broughton, Mayor  
9/6/13  
\_\_\_\_\_  
Date

Attest:

  
\_\_\_\_\_  
Sutton R. Stokes, City Clerk  
Sept. 6, 2013  
\_\_\_\_\_  
Date

City of Elkins, WV  
User: Tracyf

Accounts Payable  
Checks by Date - Summary by Check Number

Printed: 08/14/2013 12:38  
Summary

<u>Check Number</u>	<u>Vendor No</u>	<u>Vendor Name</u>	<u>Check Date</u>	<u>Check Amount</u>
181	99	COE Disbursement Account	07/30/2013	50,377.62
182	99	COE Disbursement Account	07/31/2013	8,487.48
183	Payroll	COE Payroll	08/06/2013	38,005.93
184	Payroll	COE Payroll	08/06/2013	20,044.94
185	99	COE Disbursement Account	08/06/2013	8,509.47
186	99	COE Disbursement Account	08/07/2013	17,927.11
187	99	COE Disbursement Account	08/12/2013	18,715.24
1827	99	COE Disbursement Account	07/30/2013	242.37
1828	99	COE Disbursement Account	08/01/2013	40.00
1829	Payroll	COE Payroll	08/06/2013	6,408.02
1830	99	COE Disbursement Account	08/06/2013	1,134.11
1831	99	COE Disbursement Account	08/07/2013	1,735.74
1832	99	COE Disbursement Account	08/12/2013	3,833.25
1942	99	COE Disbursement Account	07/30/2013	2,984.79
1943	Payroll	COE Payroll	08/06/2013	1,554.50
1944	99	COE Disbursement Account	08/06/2013	2,874.17
1945	99	COE Disbursement Account	08/07/2013	385.83
2062	99	COE Disbursement Account	07/30/2013	7,542.90
2063	99	COE Disbursement Account	07/31/2013	233.54
2064	Payroll	COE Payroll	08/06/2013	10,145.39
2065	99	COE Disbursement Account	08/06/2013	1,976.47
2066	99	COE Disbursement Account	08/07/2013	3,853.07
2067	99	COE Disbursement Account	08/12/2013	15,903.48
2075	99	COE Disbursement Account	07/30/2013	13,038.74
2076	99	COE Disbursement Account	08/01/2013	45.59
2077	Payroll	COE Payroll	08/06/2013	13,275.71
2078	99	COE Disbursement Account	08/06/2013	3,386.01
2079	99	COE Disbursement Account	08/07/2013	4,934.92
2080	99	COE Disbursement Account	08/12/2013	21,245.45
2158	99	COE Disbursement Account	07/30/2013	5,239.64
2159	Payroll	COE Payroll	08/06/2013	6,181.31
2160	99	COE Disbursement Account	08/06/2013	3,783.78
2161	99	COE Disbursement Account	08/07/2013	2,045.44
2162	99	COE Disbursement Account	08/12/2013	48,263.74
23295	CoeGen2	COE General Fund	07/30/2013	8,288.15
23296	CoeSana	COE Sanitation	07/30/2013	257.37
23297	CoeSewe	COE Sewer	07/30/2013	1,355.82
23298	COEWate	COE Water Fund	07/30/2013	1,387.00
23299	CoeGen2	COE General Fund	07/31/2013	26,389.55
23300	CoeSana	COE Sanitation	07/31/2013	910.94
23301	CoeSewe	COE Sewer	07/31/2013	3,276.46
23302	COEWate	COE Water Fund	07/31/2013	2,245.05
23303	CoeGen2	COE General Fund	08/01/2013	23,813.38
23304	CoePark	COE Parks and Recreation	08/01/2013	16,666.67
23305	CoeSana	COE Sanitation	08/01/2013	2,159.97
23306	CoeSewe	COE Sewer	08/01/2013	4,748.66
23307	COEWate	COE Water Fund	08/01/2013	3,792.34
23308	CoeGen2	COE General Fund	08/02/2013	16,326.57
23309	CoeSana	COE Sanitation	08/02/2013	4,942.39
23310	CoeSewe	COE Sewer	08/02/2013	9,538.69
23311	COEWate	COE Water Fund	08/02/2013	7,507.32
23312	CoeGen2	COE General Fund	08/05/2013	11,524.53
23313	CoeSana	COE Sanitation	08/05/2013	10,968.08
23314	CoeSewe	COE Sewer	08/05/2013	13,690.40
23315	COEWate	COE Water Fund	08/05/2013	10,791.70
23316	CoeGen2	COE General Fund	08/06/2013	4,002.63
23317	CoePark	COE Parks and Recreation	08/06/2013	1,035.00
23318	CoeSana	COE Sanitation	08/06/2013	7,867.52
23319	CoeSewe	COE Sewer	08/06/2013	17,189.69
23320	COEWate	COE Water Fund	08/06/2013	7,955.19
23321	CoeSana	COE Sanitation	08/06/2013	0.02
23322	CoeGen2	COE General Fund	08/07/2013	20,249.51

City of Elkins, WV  
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23323	CoeSana	COE Sanitation	08/07/2013	5,493.99
23324	CoeSewe	COE Sewer	08/07/2013	7,842.76
23325	COEWate	COE Water Fund	08/07/2013	4,260.59
23326	CoeGen2	COE General Fund	08/08/2013	2,157.04
23327	CoeSana	COE Sanitation	08/08/2013	4,609.73
23328	CoeSewe	COE Sewer	08/08/2013	5,311.99
23329	COEWate	COE Water Fund	08/08/2013	4,644.00
23330	CoeGen2	COE General Fund	08/09/2013	3,330.61
23331	CoeSana	COE Sanitation	08/09/2013	5,602.48
23332	CoeSewe	COE Sewer	08/09/2013	5,179.03
23333	COEWate	COE Water Fund	08/09/2013	4,228.80
23334	CoeGen2	COE General Fund	08/12/2013	114,005.92
23335	CoeSana	COE Sanitation	08/12/2013	10,945.35
23336	CoeSewe	COE Sewer	08/12/2013	17,676.24
23337	COEWate	COE Water Fund	08/12/2013	10,709.50
59625	BendePa	Paul Bender	07/30/2013	850.00
59626	CbvvFp	Citizens Bank of WV	07/30/2013	4,833.33
59627	CbvvPp	Citizens Bank of WV	07/30/2013	21,683.33
59628	CoePark	COE Parks and Recreation	07/30/2013	16,666.67
59629	CoeSewd	COE Sewer Depreciation Account	07/30/2013	4,923.92
59630	CoeSewe	COE Sewer	07/30/2013	0.58
59631	ElkBuil	Elkins Building Comm.	07/30/2013	3,861.46
59632	ElzasCy	Elza's Cycle & ATV	07/30/2013	551.20
59633	GuttmFl	Guttman Fleet Fueling	07/30/2013	3,809.14
59634	HymesWh	Whitney Hymes	07/30/2013	181.63
59635	JacksGr	Grover C. Jackson, Jr.	07/30/2013	1,800.00
59636	Mvb	Monongahela Valley Bank	07/30/2013	1,520.92
59637	ProgrBa	Progressive Bank	07/30/2013	9,877.03
59638	RCHealt	Rand-Elkins Health Dept.	07/30/2013	125.00
59639	UnitedBa	United Bank Loan Processing Ce	07/30/2013	357.07
59640	USPostm	US Postmaster	07/30/2013	1,756.53
59641	WolfeMi	Michael Wolfe	07/30/2013	44.89
59642	WVPeia	WV Public Employee Insurance A	07/30/2013	4,100.00
59643	WVTreas2	WV State Treasurer's Office/ M	07/30/2013	2,483.36
59644	ChildSu	Child Support Enforcement	07/31/2013	233.54
59645	ElzasCy	Elza's Cycle & ATV	07/31/2013	670.97
59646	RCCvb	Rand Co CVB	07/31/2013	7,062.31
59647	RetirHe	Retiree Health Benefit Trust F	07/31/2013	754.20
59648	SrnskBr	Brian Srnsky	08/01/2013	40.00
59649	VandePa	Paul Vandevender	08/01/2013	45.59
59650	Chase	Chase Equipment Finance	08/06/2013	2,874.17
59651	ClarkCi	City of Clarksburg	08/06/2013	479.60
59652	CrossCr	Craig Cross	08/06/2013	15.11
59653	ElkCham	Elkins Randolph County Chamber	08/06/2013	3,500.00
59654	GuttmFl	Guttman Fleet Fueling	08/06/2013	3,335.58
59655	HarriDa	Danny Harris	08/06/2013	250.00
59656	MonPowe	Mon Power	08/06/2013	568.70
59657	MountGa	Mountaineer Gas Company	08/06/2013	1,576.33
59658	OVb	Ohio Valley Bank	08/06/2013	1,831.93
59659	ProfeNu	Professional Nursing Serv	08/06/2013	232.00
59660	ReliaLa	Reliance Laboratories Inc	08/06/2013	2,875.00
59661	ResaV	RESA V	08/06/2013	190.00
59662	TrickHa	Trickett Hardware	08/06/2013	100.13
59663	USBank	U.S. Bank Equipment Finance	08/06/2013	70.00
59664	Walgr	Walgreens	08/06/2013	50.00
59665	WhislDo	Donna Whisler	08/06/2013	1.00
59666	WVBure2	Unemployment Compensation Divi	08/06/2013	773.46
59667	WVDmv	WV Division of Motor Vehicles	08/06/2013	10.00
59668	WVPagin	WV Paging	08/06/2013	10.00
59669	WVTreas	WV State Treasurer's Office	08/06/2013	2,921.00
59670	ChildSu	Child Support Enforcement	08/07/2013	249.80
59671	CoeFed	COE Payroll	08/07/2013	14,432.56

City of Elkins, WV  
User: Tracyf

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59672	CoeFica	COE Payroll	08/07/2013	13,906.78
59673	CoeMisc	COE Misc	08/07/2013	1,002.93
59674	Conseco	Washington National Insurance	08/07/2013	318.04
59675	DtcXmas	Davis Trust Company	08/07/2013	870.00
59676	Ing	ING National Trust	08/07/2013	87.00
59677	LiveUn	Live United	08/07/2013	15.00
59678	BureauPH	Bureau for Public Health	08/12/2013	250.00
59679	CiticVe	CIT Technology Finance Serv, I	08/12/2013	88.89
59680	ClarkWa	Clarksburg Water Board	08/12/2013	210.00
59681	CoeGen1	COE General Fund	08/12/2013	27,467.25
59682	CoeUtil	COE Utilities	08/12/2013	4,163.06
59683	CooperRh	Rhonda Cooper	08/12/2013	45.00
59684	Dtc	Davis Trust Company	08/12/2013	4,230.75
59685	ElkDist	Elkins Distributing Co., Inc.	08/12/2013	28.75
59686	ElkTruc	Elkins Truck Service, Inc	08/12/2013	38.89
59687	GuttmFl	Guttman Fleet Fueling	08/12/2013	2,622.21
59688	HarpeH1	Howard Harper	08/12/2013	2,850.00
59689	HealtFa	Health Facilities, Inc.	08/12/2013	100.00
59690	HerroSu	Susan Herron	08/12/2013	632.00
59691	McMilJe	Jenna McMillan	08/12/2013	332.00
59692	MercuOn	Mercury One LTD	08/12/2013	150.00
59693	MonPowe	Mon Power	08/12/2013	140.88
59694	Mvb	Monongahela Valley Bank	08/12/2013	2,309.93
59695	NortoHa	Norton Harding Jimtown	08/12/2013	36.36
59696	PiercCh	Chenoa Pierce	08/12/2013	150.00
59697	ResaV	RESA V	08/12/2013	65.00
59698	RodecRo	Robert R. Rodecker	08/12/2013	1,332.37
59699	SteveEl	Steven Miller	08/12/2013	1,630.00
59700	SummiCo	Summit Community Bank	08/12/2013	1,227.30
59701	TetriBa	Tetrick & Bartlett & Co.	08/12/2013	10,000.00
59702	TygartVa	Tygart's Valley Transfer, Inc.	08/12/2013	42,482.59
59703	WerniRG	Richard Wernicke	08/12/2013	744.00
59704	WoodcKe	Kevin Woodcock	08/12/2013	332.00
59705	WoodfOi	Woodford Oil Company	08/12/2013	4,301.93

Report Total: 1,037,974.33

These invoices were approved by council at the meeting of Aug. 15, 2013.

Attest:

Van T. Broughton  
Van T. Broughton, Mayor

9/6/13  
Date

Sutton R. Stokes  
Sutton R. Stokes, City Clerk

Sept. 6, 2013  
Date

0700