

***Proposed Minutes***

**ELKINS COMMON COUNCIL  
REGULAR COUNCIL MEETING  
MINUTES**

***Virtual  
July 16, 2020  
7:00 p.m.***

Elkins Common Council met in regular session virtually. Present were Mayor Van T. Broughton; Councilpersons R.C. Chenoweth, M. D. Cuonzo, C.H. Friddle, III, J.A. Guye, G.M. Hinchman, C.C. Lowther, C. L. Metheny, D.C. Parker, L.H. Vest, and K.L. Wilmoth; City Treasurer T. Judy; Fire Chief T. W. Meader; Police Chief T. Bennett; Operations Manager R.P. Pingley; City Attorney G. S. Roberts; City Clerk J.R. Sutton (acting as recording secretary); and Inter-Mountain Reporter A. Gaynor.

**PRESENTATION**

Katy McClane and Logan Smith gave a presentation on behalf of Elkins Make It Quiet. The organization provided a petition signed by nearly 200 residents from throughout the city stating that “We, the undersigned, believe that the constant machine noise – 24 hours a day, six days a week- emanating from Hamer Pellet Fuel mill in Elkins, West Virginia, is unacceptable noise pollution, and a public nuisance. It is diminishing the quality of life, health and property values of the surrounding community and businesses. We respectfully request Hamer’s urgent action to be a good neighbor: enclose the offending machinery or use absorptive noise barriers to contain the noise within Hamer’s property.” EMIQ also provided six written testimonials and audio samples to council. The group, which formed in 2019, is asking the city to intervene in any way they can to help abate the noise and air pollution and protect the rights of its citizens.

**For the purpose of clarity during this audio-only virtual meeting the Clerk was directed to conduct a roll call vote for every matter of business a vote was called for.**

**MINUTES**

**Cm. Chenoweth, MOVED APPROVAL OF THE MINUTES OF THE JULY 2, 2020 MEETING. The motion carried.**

R. Chenoweth	Yes	M. Hinchman	Yes	L. Vest	Yes
M. Cuonzo	Yes	C. Lowther	Yes	K. Wilmoth	Yes
C. Friddle, III	Yes	C. Metheny	Yes	Mayor V. Broughton (in case of tie)	n/a
J. Guye	Yes	D. Parker	Yes		

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**NEW BUSINESS**

**Cm. Metheny, MOVED APPROVAL OF ORDINANCE 272: AN ORDINANCE AMENDING ORDINANCE 109 AND CITY CODE SECTION 11-5, IMPLEMENTING FEES AND PROCEDURES FOR MUNICIPAL COURT PURSUANT TO W.V. CODE § 8-10-2A, 2B (2<sup>ND</sup> OF THREE READINGS). The motion carried.**

R. Chenoweth	Yes	M. Hinchman	Yes	L. Vest	Yes
M. Cuonzo	Yes	C. Lowther	Yes	K. Wilmoth	Yes
C. Friddle, III	Yes	C. Metheny	Yes	Mayor V. Broughton (in case of tie)	n/a
J. Guye	Yes	D. Parker	Yes		

**Cw. Cuonzo, MOVED APPROVAL OF ORDINANCE 273: ORDINANCE AUTHORIZING THE ACQUISITION AND CONSTRUCTION OF CERTAIN EXTENSIONS, ADDITIONS, BETTERMENTS AND IMPROVEMENTS TO THE EXISTING PUBLIC SEWERAGE SYSTEM OF THE CITY OF ELKINS AND THE FINANCING OF THE COST THEREOF, NOT OTHERWISE PROVIDED, THROUGH THE ISSUANCE BY THE CITY OF ELKINS OF NOT MORE THAN \$4,964,800 IN ORIGINAL AGGREGATE PRINCIPAL AMOUNT OF SEWER REVENUE BONDS, SERIES 2020 A (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 A LOAN AGREEMENT RELATING TO SUCH BONDS; AUTHORIZING THE SALE AND PROVIDING FOR THE TERMS AND PROVISIONS OF SUCH BONDS AND ADOPTING OTHER PROVISIONS RELATING THERETO (1<sup>ST</sup> OF THREE READINGS). The motion carried.**

R. Chenoweth	Yes	M. Hinchman	Yes	L. Vest	Yes
M. Cuonzo	Yes	C. Lowther	Yes	K. Wilmoth	Yes
C. Friddle, III	Yes	C. Metheny	Yes	Mayor V. Broughton (in case of tie)	n/a
J. Guye	Yes	D. Parker	Yes		

**Cm. Friddle, MOVED APPROVAL OF RESOLUTION 1327: APPROVING FY20 WATER FUND BUDGET REVISIONS 8 THROUGH 12. The motion carried.**

R. Chenoweth	Yes	M. Hinchman	Yes	L. Vest	Yes
M. Cuonzo	Yes	C. Lowther	Yes	K. Wilmoth	Yes
C. Friddle, III	Yes	C. Metheny	Yes	Mayor V. Broughton (in case of tie)	n/a
J. Guye	Yes	D. Parker	Yes		

**Cm. Friddle, MOVED APPROVAL OF RESOLUTION 1328: APPROVING FY20 SANITATION FUND BUDGET REVISIONS 5 THROUGH 7. The motion carried.**

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R. Chenoweth	Yes	M. Hinchman	Yes	L. Vest	Yes
M. Cuonzo	Yes	C. Lowther	Yes	K. Wilmoth	Yes
C. Friddle, III	Yes	C. Metheny	Yes	Mayor V. Broughton (in case of tie)	n/a
J. Guye	Yes	D. Parker	Yes		

**Cm. Friddle, MOVED APPROVAL OF RESOLUTION 1329: APPROVAL OF BUDGET REVISION 2021-002-01 FOR FISCAL YEAR 2021. The motion carried.**

R. Chenoweth	Yes	M. Hinchman	Yes	L. Vest	Yes
M. Cuonzo	Yes	C. Lowther	Yes	K. Wilmoth	Yes
C. Friddle, III	Yes	C. Metheny	Yes	Mayor V. Broughton (in case of tie)	n/a
J. Guye	Yes	D. Parker	Yes		

**Cm. Friddle, MOVED APPROVAL OF RESOLUTION 1330: APPROVAL OF BUDGET REVISION 2021-001-01 FOR FISCAL YEAR 2021. The motion carried.**

R. Chenoweth	Yes	M. Hinchman	Yes	L. Vest	Yes
M. Cuonzo	Yes	C. Lowther	Yes	K. Wilmoth	Yes
C. Friddle, III	Yes	C. Metheny	Yes	Mayor V. Broughton (in case of tie)	n/a
J. Guye	Yes	D. Parker	Yes		

**Cm. Parker, MOVED APPROVAL OF RESOLUTION 1331: AUTHORIZING CONDITIONS OF AGREEMENT BETWEEN HART OFFICE SOLUTIONS, LLC AND THE CITY OF ELKINS, AND AUTHORIZING EXECUTION OF AGREEMENT. The motion carried.**

R. Chenoweth	Yes	M. Hinchman	Yes	L. Vest	Yes
M. Cuonzo	Yes	C. Lowther	Yes	K. Wilmoth	Yes
C. Friddle, III	Yes	C. Metheny	Yes	Mayor V. Broughton (in case of tie)	n/a
J. Guye	Yes	D. Parker	Yes		

**Cw. Cuonzo, MOVED APPROVAL OF RESOLUTION 1332: APPROVING INVOICES RELATING TO THE WATER SYSTEM IMPROVEMENT PROJECT AND AUTHORIZING PAYMENT THEREOF. The motion carried.**

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R. Chenoweth	Yes	M. Hinchman	Yes	L. Vest	Yes
M. Cuonzo	Yes	C. Lowther	Yes	K. Wilmoth	Yes
C. Friddle, III	Yes	C. Metheny	Yes	Mayor V. Broughton (in case of tie)	n/a
J. Guye	Yes	D. Parker	Yes		

**APPROVAL OF VENDOR INVOICE PAYMENTS**

Cm. Metheny, **MOVED APPROVAL OF THE INVOICES PRESENTED.** The motion carried.

R. Chenoweth	Yes	M. Hinchman	Yes	L. Vest	Yes
M. Cuonzo	Yes	C. Lowther	Yes	K. Wilmoth	Yes
C. Friddle, III	Yes	C. Metheny	Yes	Mayor V. Broughton (in case of tie)	n/a
J. Guye	Yes	D. Parker	Yes		

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

- Accounts Payable check transactions for the period July 1 – 10, 2020

**CORRESPONDENCE AND NOTIFICATIONS**

Council received the following correspondence and notifications:

- Treasurer’s report

Cm. Lowther, **MOVED ADJOURNMENT.** The motion carried.

The meeting adjourned at 8:07 p.m.

*Approved by council at the meeting  
of MONTH DAY, YEAR*

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Van T. Broughton, Mayor

Attest:

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Jessica R. Sutton, City Clerk