

ELKINS COMMON COUNCIL REGULAR COUNCIL MEETING AGENDA

*401 Davis Avenue
Council Chamber, 2nd Floor
May 5, 2022
7:00 p.m.*

1. Invocation and Pledge of Allegiance

2. Call to order and roll call

3. Agenda adjustments

a. Presentations

- i. Addition of Elkins Landfill Leachate Treatment Project – Larry Riggleman

b. New business

- i. *Consideration of West Virginia First Memorandum of Understanding and Endo Settlement Terms changed to Resolution 1528: Accepting Conditions of West Virginia First Memorandum of Understanding between the State of West Virginia and the City of Elkins, and the Endo Settlement Terms, and Authorizing Execution Thereof*
- ii. *Resolution 1529: Authorizing Elkins Landfill Leachate Treatment Project*

4. Public comment

5. Minutes

- a. Minutes proposed for the regular council meeting of April 19, 2022.

6. Correspondence and Notifications

- a. Issued building permits
- b. Treasurer's report
- c. Events
- d. Minutes of committees, boards, and commissions

7. Presentations

- a. Randolph Ready HubCAP – Stacy Thomas and Anne Beardslee
- b. Elkins Landfill Leachate Treatment Project – Larry Riggleman

8. Committee Reports**9. Staff reports****10. Approval of vendor invoice payments**

Vendor invoices presented for approval:

- A/P History Check Report for the period April 18 – 29, 2022

(Available for public review in the city clerk's office two business days before this meeting, as required by W. Va. Ethics Commission Open Meetings Advisory Opinion 2012-04.)

11. New business

- Ordinance 298*: An Ordinance of the Common Council of the City of Elkins, West Virginia, Amending and Supplementing City Code Chapter 71: Stopping, Standing, and Parking Concerning Parking in Alleys (2nd and final reading)
- Resolution 1519*: Authorizing the Appointment of S. Severino to the Elkins Parks and Recreation Commission
- Resolution 1520*: Authorizing the Advertisement of a Request for Qualifications for Downtown Streetscape Design, and designating funding
- Resolution 1521*: General Fund Budget Revisions No. 13 through No. 24 for Fiscal Year 2022
- Resolution 1522*: Approval of Budget Revision 2022-001-05 For Fiscal Year 2022
- Resolution 1523*: Approval of Sanitation Fund Budget Revision No. 2 for Fiscal Year 2022
- Resolution 1524*: Approval of Fire Department Fund Budget for Fiscal Year 2023
- Resolution 1525*: Approval of Landfill Fund Budget for Fiscal Year 2023
- Resolution 1526*: Approval of Sanitation Fund Budget for Fiscal Year 2023
- Resolution 1527*: Accepting Bid from and Authorizing Execution of Agreement with Assured Partners of West Virginia, LLC, for General Liability Insurance
- Resolution 1528*: Accepting Conditions of West Virginia First Memorandum of Understanding between the State of West Virginia and the City of Elkins, and the Endo Settlement Terms, and Authorizing Execution Thereof
- Resolution 1529*: Authorizing Elkins Landfill Leachate Treatment Project

12. Mayor's comments**13. Adjournment**

Proposed Minutes

ELKINS COMMON COUNCIL SPECIAL COUNCIL MEETING MINUTES

***401 Davis Avenue
Council Chamber, 2nd Floor
April 19, 2022
7:00 p.m.***

Elkins Common Council met in special session in the council chamber of city hall. Present were Mayor Jerry A. Marco; Councilpersons N.E. Bross-Fregonara, R.C. Chenoweth, M. D. Cuonzo, G.M. Hinchman, C.C. Lowther, D.C. Parker, and L.H. Vest; City Treasurer T. Judy; Fire Chief S.D. Himes; Police Chief T. Bennett; Operations Manager J. Sanson; City Attorney G. S. Roberts; and City Clerk J.R. Sutton (acting as recording secretary).

Council persons C.H. Friddle, III, J.A. Guye, and C.J. Higgins were absent.

PUBLIC COMMENT

Dave Clark, Executive Director of Woodlands Development Lending spoke on behalf of the Tygart Hotel project. Financing closed about three weeks ago and construction has begun. The expected date of completion is summer 2023. The project funding does not allow for any off-site improvements, which is why the request was submitted for ARPA monies to be allocated or improvements to the Seneca Mall parking lot. Woodlands can provide design and administrative support.

MINUTES

Cm. Chenoweth, **MOVED APPROVAL OF THE MINUTES OF THE APRIL 7, 2022, MEETING. The motion carried.**

CORRESPONDENCE AND NOTIFICATIONS

Council received the following correspondence and notifications:

- Events

PRESENTATION

Madalyn Higgins, Elkins Main Street Executive Director, provided information on the organization's mission, accomplishments, and future goals. Mrs. Higgins shared that the EMS board consists of property owners, business operators, and community leaders who focus on downtown design, economic vitality and promotion. Future areas of focus include pedestrian improvements on Railroad Avenue; completion of the Elkins Tree Board downtown tree project; carrying the "Why Here? Why Now?" conversations through small group meetings; opportunity

Proposed Minutes

Tours; Elkins Farmer's market improvements; Art Walk in tune with the Elkins Jazz Walk; and sharing new branding materials with the community. EMS is thankful for their many partners.

COMMITTEE REPORTS provided by all committee chairs present.

STAFF REPORTS provided by all administrative officers and the chief wastewater operator.

APPROVAL OF VENDOR INVOICE PAYMENTS

Cm. Hinchman, **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:

- Accounts Payable check transactions for the period April 4 – 15, 2022.

NEW BUSINESS

Cm. Lowther, **MOVED APPROVAL OF RESOLUTION 1517: APPROVING THE PROMOTIONS OF AND CONFIRMING COMPENSATION LEVEL FOR H. CORCORAN AND J. JUDY. The motion carried.**

Cm. Chenoweth, **MOVED APPROVAL OF RESOLUTION 1518: APPROVING MEMORANDUM OF UNDERSTANDING BETWEEN REGIONAL LAW ENFORCEMENT AGENCIES AND THE ELKINS POLICE DEPARTMENT, AND AUTHORIZING EXECUTION THEREOF. The motion carried.**

Cw. Cuonzo, **MOVED APPROVAL OF THE LEVY ORDER AND RATE SHEET FOR FISCAL YEAR 2022-2023. The motion carried.**

Cw. Cuonzo, **MOVED APPROVAL OF ALLOCATING \$48,000 IN ARPA FUNDS TO THE IMPROVEMENT OF THE SENECA MALL PARKING LOT. Cm. Chenoweth, MOVED APPROVAL OF REFERRING CONSIDERATION OF THE \$48,000 REQUEST FOR FUNDING OF THE SENECA MALL PARKING LOT TO THE FINANCE COMMITTEE TO CONSIDER ALTERNATIVE SOURCES OF FUNDING OUTSIDE OF ARPA. The motion carried.**

Cm. Chenoweth, **MOVED APPROVAL OF ORDINANCE 298: AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF ELKINS, WEST VIRGINIA, AMENDING AND SUPPLEMENTING CITY CODE CHAPTER 71: STOPPING, STANDING AND PARKING CONCERNING PARKING IN ALLEYS (1ST OF TWO READINGS). The motion carried.**

MAYOR'S COMMENTS were provided.

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

The meeting adjourned at 8:04 p.m.

Proposed Minutes

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

Jerry A. Marco, Mayor

Attest:

Jessica R. Sutton, City Clerk

BUILDING PERMITS

Presented at council meeting of: May 5, 2022

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

ISSUED BUILDING PERMITS				
Permit	Applicant	Location	Description	Value
220078	Cunningham, Randall	212 Central St	Remodel	7,000.00
220079	Hutton, Bradford	12 Baxter St	Electrical Service	2,500.00
220080	Wood, Lacy	504 Central St	200 Amp Service Upgrade	5,000.00
220081	Hicks, Lynn & Jennifer	139 Elm St	Build 30 X 24 Garage and Covered Deck	60,000.00
220082	Holistic Industries LLC	100 Executive Office Plaza	Remodel	439,960.00
220083	Osborne, Matthew	118 Elm St	Remodel Bathroom	3,200.00
220084	Burke, Linda	107 Orchard St.	Upgrade Electric Service	1,200.00
220085	Tomblyn Funeral Home	117 Graham St	Fence	800.00
220086	Randolph Co Board of Education	101 Scott Ford Rd	Concrete Pad	7,400.00
220087	Kyle, George	1719 S Davis Ave	Build 10 X 14 Deck	1,200.00
220088	Woodlands Development Group	5 River St.	NEW house	137,000.00
220089	Poling, JoAnn	30 Pleasant Ave	Replace Roof Shingles	6,657.00
220090	Anger, Rachell	614 Yokum St	Repair Back Porch	2,000.00
220091	Holy Trinity Lutheran Church	302 First St	Replace Roof Shingles	2,000.00
220092	Nelling, Raymond	204 BridgewaterDr	Replace Roof Shingles	13,458.00
220093	Smith, Gregory	6 Goff St	Replace Roof Shingles	13,917.00
220094	Plauger, Indigo	203 Central St.	Fence	1,100.00
220095	Miller, Todd & Katherin	136 Buffalo St	Replace Roof Shingles	10,429.00
220096	Demotto, Jeremy	124 Riverview Dr.	Electral Service	1,800.00

MASTERCARD P-CARD QUARTERLY REBATES

	January	February	March		
General Fund	36,845.84	46,656.76	22,317.98	105,820.58	
Parks Fund	1,453.57	1,002.37	2,219.82	4,675.76	
Water Fund	7,629.85	6,995.30	6,363.36	20,988.51	
Sewer Fund	10,698.53	17,734.54	23,901.20	52,334.27	
Sanitation Fund	5,116.16	1,779.06	2,349.46	9,244.68	
Landfill Fund	-	-	-	-	
	61,743.95	74,168.03	57,151.82	193,063.80	
				193,063.80	2,996.23

0.015519378

General Fund - Rebates	1,642.27
Parks - Rebates	72.56
Water - Rebates	325.73
Sewer - Rebates	812.20
Sanitation - Rebates	143.47
Landfill Rebates	0.00

\$ 2,996.23

Jan-Mar 2022 MASTERCARD P-CARD REBATE

Monthly Report for FY2022

Month of April

Fund	Revenues	Expenditures
------	----------	--------------

General	\$934,836.30	\$362,104.34	Revenues Collected as per Budget
---------	--------------	--------------	----------------------------------

Percent of Yr. Completed
83.33

County Tax	\$84,628.70		93.23%	1,042,254.00
B & O Tax	\$292,385.50		109.43%	1,267,000.00
Hotel/Motel Tax	\$14,314.41		110.30%	141,000.00
Gas & Oil Severance Tax	\$0.00		116.30%	11,000.00
2% City Utility Tax	\$5,999.28		95.02%	65,000.00
Utility Excise Tax	\$25,977.94		96.36%	290,000.00
Liquor Tax	\$25,653.73		94.95%	102,000.00
Police	\$2,472.14		131.34%	19,200.00
Municipal Court	\$7,621.39		110.13%	48,726.00
Code Enforcement	\$931.80		91.40%	27,200.00
Fire Fees	\$39,102.45		73.39%	913,000.00
Business License	\$1,265.00		38.85%	26,500.00
Intergovernmental	\$29,212.05		125.65%	338,381.00
Franchise/IRP Fees	\$19,261.23		76.28%	155,000.00
Phil Gainer Community Center	\$4,010.00		279.51%	30,000.00
Misc. Revenue	\$9,447.78		283.15%	94,060.00
Municipal Sales Tax	\$372,552.90		122.63%	1,200,000.00
	\$934,836.30		105.23%	5,770,321.00

Sanitation	\$136,554.71	\$100,227.09	91.50%	1,382,100.00
Water	\$269,924.12	\$274,652.51	85.12%	3,464,400.00
Sewer	\$213,976.22	\$175,003.75	88.11%	2,360,650.00
Landfill	\$40.18	\$13.71	84.67%	5,500.00

Application to Use or Close City Streets and/or Sidewalks

Date(s) of Event 4/30/22 Times From: 4:00 pm To: 10:00 pm

Date of Street Closing Same Time of Street Closing Same

Date of Street Reopening 4/30/22 Time of Street Reopening 10:00 AM

Organization Name The Arts Center Address 2 Park Street

City/State/Zip Elkins, WV 26241 Fax N/A

Contact Kurt Barkley Telephone 304-704-4247 E-mail kurtbarkley@yahoo.com

2nd Contact _____ Telephone _____ E-mail _____

Does applicant have liability insurance that names the City as an additional insured? * Yes No (*A Certificate of Insurance may be required of the applicant for this event and must be submitted to the Mayor's Office upon request.)

Explain event or reason for request: _____

Streets you are requesting to use or close – identify specific block.			Barricade	Sidewalk
1.	from	to	Street	Usage
<u>Church Lane</u>	<u>1st Baptist Church</u>	<u>Park St</u>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
2.	from	to	_____	_____
3.	from	to	_____	_____
4.	from	to	_____	_____

Specific assistance needed from City (Parking, Police, Fire, etc.): _____

TCB / 4/19/2022 Police Chief Approval

JD / 4/21/22 Operations Mgr. Approval

_____/_____/____/____ Parks Dir. Approval (if necessary)

K. Kurt Barkley / 4/5/22
Signature of Applicant Date

[Signature] / 4/14/22 Fire Chief Approval

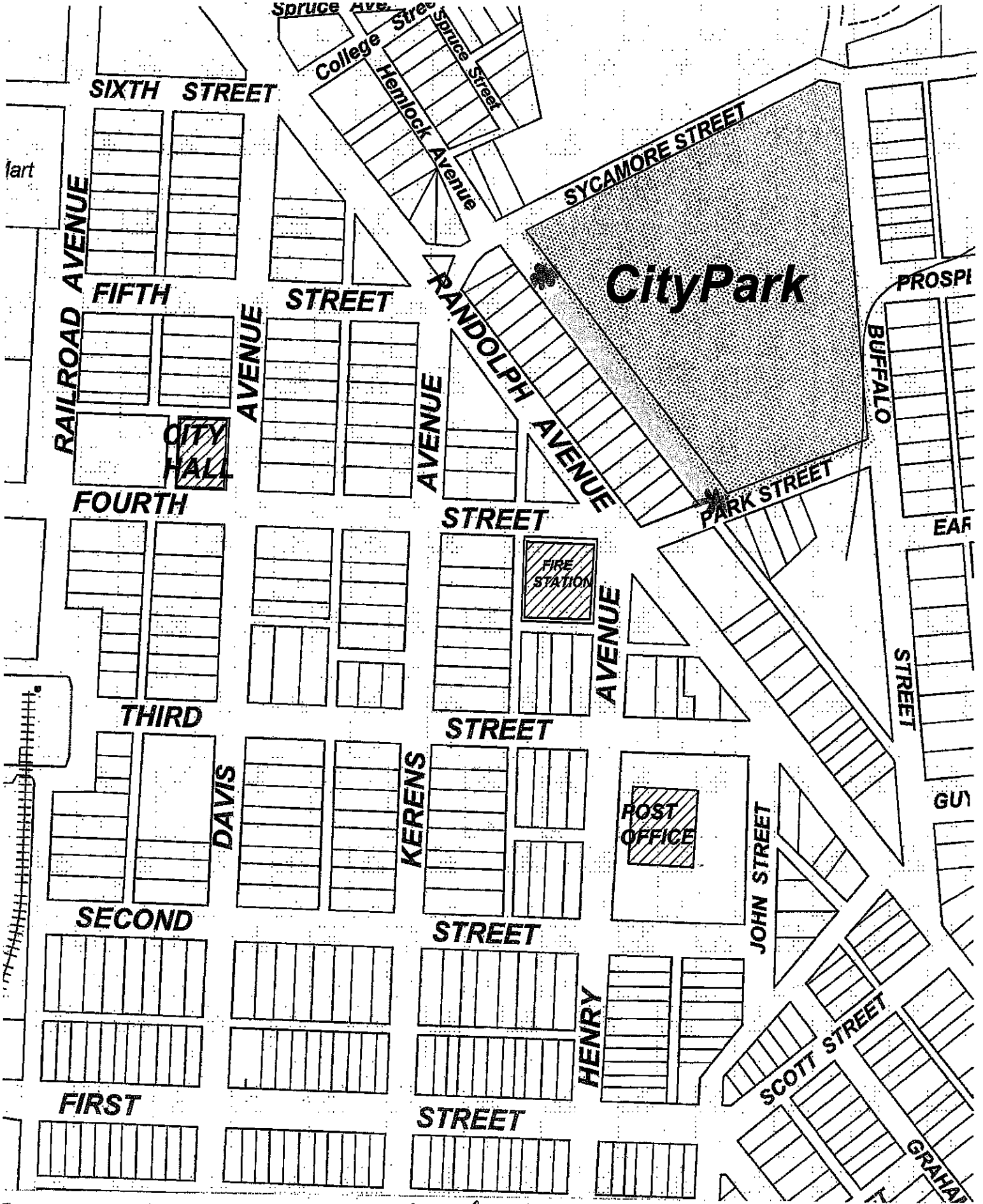
[Signature] / 4/21/22 City Clerk Approval

[Signature] / 4/21/2022
Mayor's Signature Date

Contingencies/Restrictions: _____

File this application at the Mayor's Office at least two months in advance of the requested event date to assure full consideration. Approval is subject to any restrictions or changes required by the City Administration, or if necessary for public safety reasons.

cc: Chief Travis Bennett, Police Department
Chief Steve Himes, Fire Department
Operations Manager Joshua Sanson
City Clerk Jessica Sutton
911 Center



Event name: The Arts Center Annual Gala

Streets:

Date/Time: 4/30/22, 4:00 PM - 10:00 PM

POLICE CIVIL SERVICE COMMISSION OF ELKINS MEETING MINUTES

*401 Davis Avenue
City Hall, Council Chambers
January 13, 2022
3:00 p.m.*

Present were Members: G. Worden, President; V. White, V.P.; and S. Marsteller

Also present: Mayor J. Marco and City Clerk J. Sutton

MINUTES

G. Worden **MOVED APPROVAL OF THE MINUTES OF THE NOVEMBER 9, 2021 MEETING.** The motion carried.

NEW BUSINESS

G. Worden **MOVED APPROVAL OF THE CERTIFIED LIST OF ELIGIBLES FOR ENTRY-LEVEL OFFICER.** The motion carried.

The City Clerk advised that with the current list having only two names and the Chief's intention to hire one officer, there will be only one candidate eligible. No testing will be scheduled at this time, but the Clerk and the Police Chief have been discussing ways in which to attract more applicants when it becomes necessary to test again.

ANNOUNCEMENTS

The clerk advised that it will be necessary for the commission to meet in April to approve the annual report. A meeting date and time is to be determined.

G. Worden **MOVED ADJOURNMENT.** The motion carried.

The meeting adjourned at 3:15 p.m.

The foregoing minutes were approved at the meeting of Apr. 19, 2022

G. Worden
Name & Title

G. Worden
Signature

ELKINS POLICE CIVIL SERVICE COMMISSION
ANNUAL REPORT FOR THE YEAR ENDING MARCH 31, 2022

During the year April 1, 2021 -March 31, 2022, the commission's actions were as follows:

April 9, 2021: The Commission approved the PCSC 2020-2021 annual report. The election of officers was postponed until the vacancy can be filled. Provisional appointment for H. Evans was approved upon receipt of the PCSC-1

April 15, 2021: Chief Bennett requested the reinstatement of R. Summerfield to the EPD. The Commission approved the request once the required medical examination was completed and satisfactory.

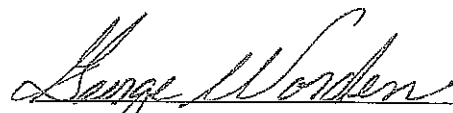
September 14, 2021: Two new members were appointed to the commission by City Council. The commission approved the promotion of S. Davis to Patrolman and R. Belt to Captain. The commission determined the list of eligible candidates for appointment as probationary patrolman has been exhausted and ordered the Clerk to begin the testing process.

November 9, 2021: Chief Bennett requested a list of eligible candidates for the rank of Sergeant. The clerk confirmed there is no current list and only one eligible candidate. C.G. Boatwright was approved for promotion to the rank of Sergeant effective November 5, 2021 with no additional testing required. The Chief then requested a list of eligible candidates for the rank of Corporal. A current list of two candidates was provided. The commission recommends the promotion of D. Sayre as the top candidate to the rank of Corporal effective November 5, 2021. The Clerk also reported that entry-level testing is scheduled for December.

January 13, 2022: The Commission approved the certified list of eligibles produced from the recent testing.

The Commission's current rules and regulations are those approved by council at the meeting of January 20, 2011 and most recently amended June 15, 2017. The city clerk's office holds the official copy of these rules and regulations; that office will also retain a copy of this report, where members of the public may inspect it.

At this time, the Commission has no recommendations concerning the more effectual accomplishment of the purposes of the Civil Service provisions of these Rules and Regulations.


George Worden, President

FIRE CIVIL SERVICE COMMISSION MEETING MINUTES

*401 Davis Avenue
City Hall, Room 212
November 12, 2021
9:00 a.m.*

Present were Members: J. Tribble, President; J. Wilson, V.P.; and J. Aliveto

Also present: City Clerk J. Sutton and Fire Chief S. Himes

MINUTES

J. Tribble **MOVED APPROVAL OF THE MINUTES OF THE SEPTEMBER 10, 2021, MEETING.** The motion carried.

OLD BUSINESS

The commission reviewed interview questions drafted by S. Himes and by J. Aliveto and discussed in depth what the key points to draw out from an applicant are. The Clerk will draft questions based on the discussion and provide them to the commission for review. They would like a total of ten questions with a ten-point value each.

ANNOUNCEMENTS

The commission will meet again in March 2022 to elect officers, submit an annual report and review the draft interview questions.

Chief Himes also requested the Clerk investigate if early promotions were permissible. The chief also asked if the commission was interested in developing better guidance and support for background checks, specifically professional references. Information will be provided at the next meeting for discussion.

J. Wilson **MOVED ADJOURNMENT.** The motion carried.

The meeting adjourned at 10:15 a.m.

The foregoing minutes were approved at the meeting of April 19, 2022

Jack Tribble, President Fire CSC
Name & Title

Sam R...
Signature

ELKINS FIRE CIVIL SERVICE COMMISSION
ANNUAL REPORT FOR THE YEAR ENDING MARCH 31, 2022

During the year April 1, 2021 -March 31, 2022, the commission's actions were as follows:

August 16, 2021: The Commission approved the 2020-2021 annual report as presented by the Clerk. The Commission conducted their annual election of officers resulting in the appointment of J. Tribble as President and J. Wilson as Vice President. The written and medical test requirements for the two applicants eligible for promotion to Captain were waived and approval of the promotions for S.D. Himes and J.W. Jones to Captain was granted.

September 10, 2021: The Commission reviewed section 4.04 of the FCSC Rules and Regulations and moved to amend this section to eliminate the residency requirement. The Commission also reviewed sections 6.08 (c) and 10.05 (b) regarding scoring for promotions and finally approved amendments for both sections to reflect the written exam constitute 60%, seniority constitute 25% and department evaluation constitute 15%. The Commission reviewed the current rank structure of the department and at the recommendation of Chief Himes made no changes. Finally, the commission recommended the promotion of O. Poe and T. Harris to Firefighter III effective August 4, 2021. A list of eligible candidates was provided to Chief Himes per his announcement of a vacancy.

November 12, 2021: The Commission reviewed the interview questions used for probationary firefighter examination and made changes.

The city clerk's office holds the official copy of the Fire Civil Service rules and regulations; that office will also retain a copy of this report, where members of the public may inspect it.

At this time, the Commission has no recommendations concerning the more effectual accomplishment of the purposes of the Civil Service provisions of these Rules and Regulations.



Jack Tribble
President of Commission

**MUNICIPAL PROPERTIES COMMITTEE
REGULAR MEETING
MINUTES**

*401 Davis Avenue
City Hall, Council Chambers
March 30, 2022
9:00 a.m.*

Present were Committee Members: M. Cuonzo, Chair; C. Friddle; and J. Guye

Also present were: Mayor J. Marco; Operations Manager J. Sanson; Operations Assistant M. Himes; Fire Chief S. Himes; and City Attorney G. Roberts

PUBLIC COMMENT

None.

MINUTES

Cw. Guye, **MOVED APPROVAL OF THE MINUTES OF THE FEBRUARY 16, 2022, MEETING.** The motion carried.

Cm. Friddle, **MOVED APPROVAL OF THE MINUTES OF THE FEBRUARY 23, 2022, MEETING.** The motion carried.

PRESENTATIONS

None.

REPORTS

Madalyn Higgins reported for Elkins Main Street. M. Higgins and D. Cutlip met with M. Himes and J. Sanson to discuss and prioritize streetscape projects as follows: tree grate purchases; standard drawing for sidewalks; test block expansion; solar panel crosswalk placement at Railroad Ave. and Third St.

J. Sanson reported on the City Hall projects approved for ARPA funding. He will meet with Bryson VanNostrand soon to discuss the progress and will report back to the committee. Cm. Friddle mentioned the pipes leaking in the walls in the office utilized by the City Attorney. Mr. Friddle requested that the Operations Manager, Building Maintenance Supervisor, and the

Committee members walk through City Hall prior to the next meeting to look at maintenance issues.

UNFINISHED BUSINESS

J. Sanson reported on the new sanitation garage and expressed his support in moving forward with designing and building the new garage. G. Roberts reported that property for the new structure was purchased in 2018. Cm. Friddle suggested to make sure the plan is right and then move forward due to concerns that other departments have inadequate space. The suggestion was made to assess a multiuse building.

J. Sanson reported that the RFQ for engineering assessment on S. Davis Ave. bridge would be advertised along with the RFP for engineering assessment of the City Hall HVAC system in late April.

NEW BUSINESS

The Darden House was discussed by the Committee members. Cw. Cuonzo recommended postponing the discussion until all could review the MOU between the City and EHLC. J. Sanson asked the Committee what the access, storage and event requirements would be for EHLC and the current tenants. Cm. Friddle recommended the rental agreements with current tenants be reviewed monthly and tenants pay rent at current rate until further notice. G. Roberts recommended having some type of agreement and access stipulations due to the liability to the city. The Committee agreed that EHLC could work with Operations to utilize the space until further review.

ANNOUNCEMENTS

Mayor Marco reported that he and admin officers met with the Municipal League. City Attorney G. Roberts announced she had been in contact with the property owner that purchased an Odd Fellows parcel. G. Roberts requested a railroad ROW discussion be on the next agenda.

Cw. Guye, **MOVED ADJOURNMENT.** The motion carried.

The meeting adjourned at 10:40 a.m.

The foregoing minutes were approved at the meeting of April 20, 2022

Marilynn Cuonzo, Chair
Name & Title

[Handwritten Signature]
Signature

AD-HOC COMMITTEE ON BOARDS AND COMMISSIONS MEETING MINUTES

*401 Davis Avenue
City Hall, Council Chambers
January 26, 2022
9:00 a.m.*

Present were Committee Members: M. Cuonzo, chair; C. Friddle; D. Parker and M. Hinchman

Also present were: Mayor J. Marco; City Attorney G. Roberts; and City Clerk J. Sutton

MINUTES

Cm. Friddle, **MOVED APPROVAL OF THE MINUTES OF THE SEPTEMBER 22, 2021, MEETING.** The motion carried.

NEW BUSINESS

The committee discussed the following boards and commissions:

- a. Elkins-Randolph County Regional Airport Authority – there was some discussion of a discrepancy between the City Code and the current structure of the authority regarding membership. After further discussion it was determined that at the time of a land transfer, the Randolph County Commission and the City agreed to share ownership of the land and also appointment to the authority. This is reflected in a resolution passed by the Commission in 1972 and in the bylaws of the Airport Authority last updated in 2011. Bob Woolwine, city appointee to the authority was also in attendance and answered questions from the committee.
- b. Elkins Parks and Recreation Commission – this is a city appointed body with longstanding and trustworthy membership. The committee felt there was no need of further discussion.
- c. Elkins Tree Board – Cm. Friddle raised a concern related to this board and others about councilors serving as chair. While there is no question of legality, he is concerned about appearance and perceived authority. Cw. Cuonzo understands, but also believes there are benefits such as continuity and connection. Members agreed to discuss this further at a future meeting.
- d. Board of Trustees of the Elkins-Randolph County Library – The Elkins City Code provides for the creation and membership of a Board; however current membership is comprised of city and county appointees. The City Attorney and City Clerk will research further to see when this change occurred and recommend any actions that may need to be taken by this committee or council.

ANNOUNCEMENTS

The next quarterly meeting of the committee will be scheduled for April 27, 2022. At that time the committee plans to discuss the Library Board, the Water Board and suggestions from the Clerk regarding assignment of councilors to attend meetings of boards and/or commissions on which no member of council sits.

Cw. Cuonzo, **MOVED ADJOURNMENT.** The motion carried.

The meeting adjourned at 10:08 a.m.

The foregoing minutes were approved at the meeting of Apr. 27, 2022

Mariyuu Cuonzo, Chair
Name & Title

[Handwritten Signature]
Signature

**FINANCE COMMITTEE
REGULAR MEETING
MINUTES**

*401 Davis Avenue
City Hall, Council Chambers
April 4, 2022
10:00 a.m.*

Present were Committee Members: M. Hinchman, C. Lowther and R. Chenoweth

Also present were: Police Chief T. Bennett; Fire Chief S. Himes; Treasurer T. Judy; and City Clerk J. Sutton

MINUTES

Cm. Lowther, **MOVED APPROVAL OF THE MINUTES OF THE MARCH 14, 2022, SPECIAL CALL MEETING. The motion carried.**

NEW BUSINESS

Cm. Chenoweth, **MOVED APPROVAL OF FY22 GENERAL FUND BUDGET REVISION NO. 11. The motion carried.**

Cm. Lowther, **MOVED APPROVAL OF FY22 GENERAL FUND BUDGET REVISION NO. 12. The motion carried.**

Cm. Chenoweth, **MOVED APPROVAL OF A RECOMMENDATION TO COUNCIL FOR AN APPLICATION FOR A FIREHOUSE SUBS FOUNDATION GRANT BY THE ELKINS FIRE DEPARTMENT TO PURCHASE ROPE RESCUE EQUIPMENT. The motion carried.**

Cm. Lowther, **MOVED APPROVAL OF A RECOMMENDATION TO COUNCIL FOR A LEARY FIREFIGHTER FOUNDATION GRANT FOR THE PURCHASE OF HIGH-PRESSURE, BATTERY-POWERED HYDRAULIC TOOLS. The motion carried.**

ANNOUNCEMENTS

Chief T. Bennett reported that the EPD proposals for Homeland Security grant dollars have been submitted to the State for review.

Treasurer T. Judy reported an opportunity from the WV DHHR to become a participating vendor in an emergency water and sewer utility payment program. This will be taken to council for approval.

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

The meeting adjourned at 10:14 a.m.

The foregoing minutes were approved at the meeting of May 2, 2022

M. R. Huchman
Name & Title
CHAIR

[Signature]
Signature

VENDOR SET: 01 Elkins
 BANK: ARPA Amercia Rescue Plan Act
 DATE RANGE: 4/18/2022 THRU 4/29/2022

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
00082	Builders Group, Inc.							
I-689567	hammerdrill, grinder, discs	R	4/29/2022	881.60		000037		881.60
00334	Core & Main LP							
I-Q613526	Hymax socket set	R	4/29/2022	280.00		000038		
I-Q613540	Hymax socket set	R	4/29/2022	280.00		000038		560.00
00726	USA Blue Book							
I-872125	carrying cases, valve keys	R	4/29/2022	414.67		000039		
I-942330	wrench set	R	4/29/2022	555.90		000039		970.57
01155	Vannostrand Architects, PLLC							
I-21110534-1	Emergency generator bid	R	4/29/2022	9,600.00		000040		9,600.00
02296	CITCO Water							
I-S100170661.001	chlorine test kits	R	4/29/2022	2,805.53		000041		2,805.53

* * T O T A L S * *

	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	5	14,817.70	0.00	14,817.70
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		
	VOID DEBITS	0.00		
	VOID CREDITS	0.00	0.00	0.00

TOTAL ERRORS: 0

	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
VENDOR SET: 01 BANK: ARPA TOTALS:	5	14,817.70	0.00	14,817.70
BANK: ARPA TOTALS:	5	14,817.70	0.00	14,817.70

VENDOR SET: 01 Elkins
 BANK: Pool Pooled Cash
 DATE RANGE: 4/18/2022 THRU 4/29/2022

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
01313	COE Water O & M Account							
	C-Correct entry 0228 Correct Water O/M Dep 022822	N	4/27/2022	7,821.29CR		000000		
	I-WTR DEPR 022822 Water Deprec Deposit 022822	N	4/27/2022	7,821.29		000000		
00741	Great-West Trust Company LLC							
	I-VF 202204191306 Voya	D	4/19/2022	405.00		003571		
	I-VF202204191306 Voya AT	D	4/19/2022	50.00		003571		455.00
00116	Child Support Enforcement							
	I-CDS202204191306 Child Support	R	4/19/2022	528.00		011497		528.00
00121	Citizens Bank of WVFP							
	I-FP 202204191306 Fire Pension	R	4/19/2022	551.92		011498		551.92
00122	Citizens Bank of WVFP							
	I-PP 202204191306 Police Pension	R	4/19/2022	165.84		011499		
	I-PPN202204191306 Police Pension-2010 Forward	R	4/19/2022	397.90		011499		563.74
00147	COE Misc							
	I-MIS202204191306 Misc Reimbursements	R	4/19/2022	192.00		011500		192.00
00150	COE Payroll							
	I-T1 202204191306 Federal Withholding	R	4/19/2022	12,497.39		011501		12,497.39
00151	COE Payroll							
	I-T3 202204191306 FICA	R	4/19/2022	12,903.66		011502		
	I-T4 202204191306 Medicare	R	4/19/2022	4,462.30		011502		17,365.96
00152	COE Payroll							
	I-T2 202204191306 State Withholding	R	4/19/2022	6,152.00		011503		6,152.00
00203	Davis Trust Company							
	I-CC 202204191306 Employee Christmas Club	R	4/19/2022	1,800.00		011504		1,800.00
00747	Washington National Insurance							
	I-WN 202204191306 Washington National Insurance	R	4/19/2022	810.06		011505		810.06
00837	COE Payroll Reimbursement							
	I-001202204191306 Payroll Reimbursement	R	4/19/2022	66,321.77		011506		
	I-006202204191306 Payroll Reimbursement	R	4/19/2022	5,263.62		011506		
	I-400202204191306 Payroll Reimbursement	R	4/19/2022	17,918.02		011506		
	I-401202204191306 Payroll Reimbursement	R	4/19/2022	13,798.42		011506		
	I-404202204191306 Payroll Reimbursement	R	4/19/2022	8,973.26		011506		112,275.09

VENDOR SET: 01 Elkins
 BANK: Pool Pooled Cash
 DATE RANGE: 4/18/2022 THRU 4/29/2022

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
01885	Colonial Life							
	I-CL 202204191306 Colonial Life-AT	R	4/19/2022	122.06		011507		
	I-CLP202204191306 Colonial Life-PT	R	4/19/2022	52.52		011507		174.58
00006	AFLAC							
	I-AF 202204041305 Aflac-After Tax Ins	R	4/20/2022	51.48		011508		
	I-AF 202204191306 Aflac-After Tax Ins	R	4/20/2022	51.48		011508		
	I-AFL202204041305 Aflac Insurance	R	4/20/2022	99.30		011508		
	I-AFL202204191306 Aflac Insurance	R	4/20/2022	99.30		011508		301.56
00047	Truist Governmental Finance							
	I-00004 042722 99448000234-04 042722	R	4/20/2022	2,256.75		011509		2,256.75
00085	Burgess & Niple, Inc.							
	I-1006827 Prep Docs Sylvester Dr Alt2	R	4/20/2022	11,340.00		011510		
	I-1014418 Post Constrctn services	R	4/20/2022	855.00		011510		
	I-1018863 Initial install flow meters	R	4/20/2022	273.00		011510		12,468.00
00199	Davis & Elkins College							
	I-MAR22-01 Microsoft Excel Training	R	4/20/2022	360.00		011511		360.00
00202	Davis Trust Company							
	I-12755 042222 3113776-12755 042222	R	4/20/2022	4,256.84		011512		4,256.84
00242	Elkins Professional Firefighte							
	I-EPF202204041305 Elkins Professional FF	R	4/20/2022	90.00		011513		
	I-EPF202204191306 Elkins Professional FF	R	4/20/2022	90.00		011513		180.00
00243	Elkins Randolph County Chamber							
	I-520 2022 Annual Dinner Table of 8	R	4/20/2022	550.00		011514		550.00
00314	Guttman Energy, Inc.							
	I-F61836890 Fleet Fuel 032122-032722	R	4/20/2022	4,888.66		011515		
	I-F61908282 Fleet Fuel 032822-040322	R	4/20/2022	3,493.25		011515		8,381.91
00334	Core & Main LP							
	I-Q561272 2PVC SDR21 PR200 Pipe	R	4/20/2022	420.00		011516		420.00
00465	Steve's Electrical Service LLC							
	I-202188 Maintenance 0321-032422	R	4/20/2022	1,500.00		011517		
	I-202190 Maint 032421-033122	R	4/20/2022	1,450.00		011517		2,950.00
00471	Mon Power							
	I-041222 City Park 031022-040822 City Park	R	4/20/2022	5.80		011518		
	I-041522 RR Ave 031522-041322 RR Ave	R	4/20/2022	7.22		011518		13.02

VENDOR SET: 01 Elkins
 BANK: Pool Pooled Cash
 DATE RANGE: 4/18/2022 THRU 4/29/2022

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
00483	Mountain Valley Bank							
I-1202553-21 042822	1202553-21 43/84 042822	R	4/20/2022	2,369.18		011519		2,369.18
00591	Retiree Health Benefit Trust F							
I-APR 2022 Retirees	April 2022 RHBT	R	4/20/2022	2,176.80		011520		
I-RChenoweth 04/22	Chenoweth R-April 2022 pmt	R	4/20/2022	48.00		011520		
I-RHB202204191306	Retiree Health Benefit Trust	R	4/20/2022	3,312.00		011520		5,536.80
00671	Sutton Stokes							
I-CKREQ 041222	Reimb for materials	R	4/20/2022	3,028.31		011521		3,028.31
00701	Toshiba Financial Services							
I-470078338	M5255/E4515AC	R	4/20/2022	557.93		011522		557.93
00779	Woodford Oil Company							
I-82231	361 Gal Diesel Fuel	R	4/20/2022	1,620.89		011523		1,620.89
00792	WV Consolidated Retirement Boa							
I-RTD202204041305	Retirement	R	4/20/2022	6,132.45		011524		
I-RTD202204191306	Retirement	R	4/20/2022	6,527.96		011524		12,660.41
00805	FBMC							
I-ChenowethR 04/22	Chenoweth R- 04/2022	R	4/20/2022	55.60		011525		
I-MFB202204041305	Mt. Flex Benefit	R	4/20/2022	1,641.43		011525		
I-MFB202204191306	Mt. Flex Benefit	R	4/20/2022	1,641.43		011525		3,338.46
00810	WV Public Employee Insurance A							
I-AdmnFee-Rosier	Admn Fee - Rosier	R	4/20/2022	50.00		011526		
I-BL 202204191306	Basic Life Benefit	R	4/20/2022	184.00		011526		
I-BL1202204191306	Basic Life Benefit +	R	4/20/2022	1.30		011526		
I-ChenowethR 04/22	RChenoweth Health/Life	R	4/20/2022	1,196.10		011526		
I-DL 202204041305	Dependent Life	R	4/20/2022	83.27		011526		
I-DL 202204191306	Dependent Life	R	4/20/2022	83.27		011526		
I-HPA202204041305	Ins-Health Plan A	R	4/20/2022	719.00		011526		
I-HPA202204191306	Ins-Health Plan A	R	4/20/2022	719.00		011526		
I-ICA202204041305	Ins - Emp/Child-Plan A	R	4/20/2022	901.00		011526		
I-ICA202204191306	Ins - Emp/Child-Plan A	R	4/20/2022	901.00		011526		
I-ICB202204041305	Ins- Emp/child - Plan B	R	4/20/2022	792.00		011526		
I-ICB202204191306	Ins- Emp/child - Plan B	R	4/20/2022	792.00		011526		
I-IFA202204041305	Ins - Family - Plan A	R	4/20/2022	11,948.50		011526		
I-IFA202204191306	Ins - Family - Plan A	R	4/20/2022	11,948.50		011526		
I-IFB202204041305	Ins - Family - Plan B	R	4/20/2022	6,318.50		011526		
I-IFB202204191306	Ins - Family - Plan B	R	4/20/2022	6,318.50		011526		
I-IFD202204041305	Ins-Fam-Plan B - Post Tax	R	4/20/2022	450.50		011526		
I-IFD202204191306	Ins-Fam-Plan B - Post Tax	R	4/20/2022	450.50		011526		
I-ISA202204041305	Ins - Single - Plan A	R	4/20/2022	3,510.00		011526		
I-ISA202204191306	Ins - Single - Plan A	R	4/20/2022	3,510.00		011526		
I-ISB202204041305	Ins-Single - Plan B	R	4/20/2022	2,304.50		011526		

VENDOR SET: 01 Elkins
 BANK: Pool Pooled Cash
 DATE RANGE: 4/18/2022 THRU 4/29/2022

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
	I-ISB202204191306	Ins-Single - Plan B	R 4/20/2022	2,304.50		011526		
	I-OL 202204041305	Optional Life	R 4/20/2022	308.55		011526		
	I-OL 202204191306	Optional Life	R 4/20/2022	308.55		011526		
	I-TOF202204041305	Tobacco Surcharge Family	R 4/20/2022	325.00		011526		
	I-TOF202204191306	Tobacco Surcharge Family	R 4/20/2022	325.00		011526		
	I-TOS202204041305	Tobacco Surcharge Single	R 4/20/2022	150.00		011526		
	I-TOS202204191306	Tobacco Surcharge Single	R 4/20/2022	150.00		011526		57,053.04
00884	Colonial Court Service Station							
	I-568352	4 LT265/70/17 Tires	R 4/20/2022	808.00		011527		808.00
00952	WV Consolidated Retirement Boa							
	I-RTF202204041305	Retirement	R 4/20/2022	2,260.42		011528		
	I-RTF202204191306	Retirement	R 4/20/2022	2,700.64		011528		
	I-RTN202204041305	Retirement	R 4/20/2022	3,304.52		011528		
	I-RTN202204191306	Retirement	R 4/20/2022	3,618.16		011528		11,883.74
00993	WV Consolidated Retirement Boa							
	I-RT6202204041305	Retirement 6%	R 4/20/2022	8,087.81		011529		
	I-RT6202204191306	Retirement 6%	R 4/20/2022	8,601.07		011529		16,688.88
01390	Phoenix Solutions, LLC							
	I-3946	Chemicals	R 4/20/2022	7,240.50		011530		
	I-3965	chemicals	R 4/20/2022	5,936.37		011530		
	I-3988	Chemicals	R 4/20/2022	8,101.50		011530		21,278.37
01563	BHM CPA Group, Inc							
	I-AUDIT 063021	June 30 2021 Single Audit Rpt	R 4/20/2022	15,000.00		011531		15,000.00
01697	C-Com LLC							
	I-654134	Maint/Repair -Laptop case	R 4/20/2022	1,299.00		011532		
	I-654135	Maint 032122-032522	R 4/20/2022	2,475.00		011532		3,774.00
01731	Bradish Glass Inc							
	I-3075	Cullet PU 040822 6.03tins	R 4/20/2022	250.00		011533		250.00
01790	Crim Law Office PLLC							
	I-269 Wtr Board	Attny Services 12/2021	R 4/20/2022	300.00		011534		
	I-273 Wtr Bd	Attny Services 01/2022	R 4/20/2022	890.00		011534		1,190.00
02220	Long Branch Equipment LLC							
	I-LB163	Parts/Serv CAT D5G Bulldozer	R 4/20/2022	2,912.00		011535		2,912.00

VENDOR SET: 01 Elkins
 BANK: Pool Pooled Cash
 DATE RANGE: 4/18/2022 THRU 4/29/2022

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
02249	CITCO Water							
I-S100170970.001	Insta-Valve body/cartridge/lbr	R	4/20/2022	11,527.83		011536		11,527.83
02290	Circuit Clerk of Randolph Coun							
I-943SDavis 041922	Process Fee 943 S Davis	R	4/20/2022	20.00		011537		20.00
02290	Circuit Clerk of Randolph Coun							
I-943SDavis Filing	943 S Davis Ave - Filing Fee	R	4/20/2022	230.00		011538		230.00
00032	Absolute Assurance Drug Test L							
I-4570A	Pre-Employ Johnson/Lloyd	R	4/27/2022	78.00		011539		78.00
00119	CIT Technology Finance Serv, I							
I-39820365	Kyocera Contract 050622	R	4/27/2022	52.50		011540		
I-39838219	Konica Contract 050822	R	4/27/2022	55.00		011540		107.50
00169	Assured Partners of West Virgi							
I-19110	Add Backhoe #3057 041322	R	4/27/2022	55.30		011541		55.30
00267	Fastenal Company							
I-168012	Eyewear/ICWB Cautn Blue	R	4/27/2022	223.55		011542		223.55
00314	Guttman Energy, Inc.							
I-F61955786	Fleet Fuel 040422-041022	R	4/27/2022	5,449.34		011543		5,449.34
00430	Jonathan Distefano dba Mainten							
I-1031	Rekey Darden House	R	4/27/2022	105.00		011544		105.00
00468	Miss Utility of West Virginia,							
I-WV22-1069	March 2022 Message Fees	R	4/27/2022	146.15		011545		146.15
00569	Randolph County Clerk							
I-Lien 201Graham	Lien Filing 201 Graham (Shank)	R	4/27/2022	11.00		011546		11.00
00578	Randolph Elkins Health Departm							
I-040122	Food Serv permit	R	4/27/2022	50.00		011547		50.00
00688	Terra Flora Landscaping							
I-5187	City Parking Lot Maint/labor	R	4/27/2022	182.50		011548		182.50
00855	LMC & Associates							
I-2788	03/22 Qtrly WordPress/Patching	R	4/27/2022	201.25		011549		201.25

VENDOR SET: 01 Elkins
 BANK: Pool Pooled Cash
 DATE RANGE: 4/18/2022 THRU 4/29/2022

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
01594	Pace Analytical Services LLC							
I-WWTP 040822	Multi-Invoices	R	4/27/2022	585.00		011550		585.00
01824	Xerox Financial Services							
I-3181970	Lease Pmt 033022-042922	R	4/27/2022	315.00		011551		315.00
01989	Mitchell Tree Care LLC							
I-1349	cable install in Norway Maple	R	4/27/2022	900.00		011552		900.00
02098	Skasiks Quality Cleaners LLC							
I-5971-72 5974-77	Alterations	R	4/27/2022	366.30		011553		366.30
02220	Long Branch Equipment LLC							
I-LB167	Sanitation Trailer repairs	R	4/27/2022	2,850.00		011554		2,850.00
02249	CITCO Water							
I-S100179733.001	200ft HD Poly Tubing	R	4/27/2022	450.00		011555		450.00
02293	Crystal Barcus							
I-BND Rfnd 042122	Bond Refund-S Barnheart	R	4/27/2022	243.00		011556		243.00

*** TOTALS ***

	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	60	369,095.55	0.00	369,095.55
HAND CHECKS:	0	0.00	0.00	0.00
DRAFTS:	1	455.00	0.00	455.00
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 0.00	0.00	0.00

TOTAL ERRORS: 0

	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
VENDOR SET: 01 BANK: Pool TOTALS:	62	369,550.55	0.00	369,550.55
BANK: Pool TOTALS:	62	369,550.55	0.00	369,550.55

VENDOR SET: 01 Elkins
 BANK: SEWDP Sewer Depreciation
 DATE RANGE: 4/18/2022 THRU 4/29/2022

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
00457	Metalworks, Inc.							
I-11535	spiral staircase	R	4/29/2022	12,500.00		000034		12,500.00

** T O T A L S **

	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	1	12,500.00	0.00	12,500.00
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	0.00	0.00

TOTAL ERRORS: 0

	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
VENDOR SET: 01 BANK: SEWDP TOTALS:	1	12,500.00	0.00	12,500.00
BANK: SEWDP TOTALS:	1	12,500.00	0.00	12,500.00
REPORT TOTALS:	68	396,868.25	0.00	396,868.25

SELECTION CRITERIA

VENDOR SET: 01-Elkins
VENDOR: ALL
BANK CODES: Exclude: PCARD
FUNDS: All

CHECK SELECTION

CHECK RANGE: 000000 THRU 999999
DATE RANGE: 4/18/2022 THRU 4/29/2022
CHECK AMOUNT RANGE: 0.00 THRU 999,999,999.99
INCLUDE ALL VOIDS: YES

PRINT OPTIONS

SEQUENCE: CHECK NUMBER

PRINT TRANSACTIONS: YES
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

ORDINANCE 298

**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF
ELKINS, WEST VIRGINIA, AMENDING AND SUPPLEMENTING
CITY CODE CHAPTER 71: STOPPING, STANDING AND PARKING
CONCERNING PARKING IN ALLEYS**

WHEREAS, the Common Council of the City of Elkins, West Virginia previously adopted City Code Chapter 71: Stopping, Standing and Parking; and

WHEREAS, the Common Council has determined that it is in the best interest of the citizens that Chapter 71: Stopping, Standing and Parking should be amended and supplemented to address the issue of parking vehicles in alleys; and

WHEREAS, pursuant to WV Code §17C-2-8-(a) (1), municipalities are given the special authority to regulate the standing or parking of vehicles within their jurisdiction.

NOW, THEREFORE, be it Ordained and Enacted by the Common Council of the City of Elkins that Chapter 71: Stopping, Standing and Parking be amended and supplemented by adding the following sections:

§71.52 Parking in Alleys

No person shall park any vehicle, whether occupied or not, within an alley in such manner or under such conditions as to leave available less than ten feet width of the roadway for the free movement of vehicular traffic.

§71.53 Parking in Downtown Alleys

No person shall park a vehicle within an alley as shown on the map contained herein, except when actually loading or unloading goods, wares or merchandise and then for a period not to exceed thirty minutes.

§71.99(F) Parking Tickets.

Any person who violates the parking provisions of this Chapter shall be subject to fines and penalties in an amount to be set by the Common Council from time to time for each offense.

This Ordinance shall become effective upon passage.

If any portion of this Ordinance shall, for any reason, be declared invalid by any court of competent jurisdiction, such invalidity shall not affect the remaining provisions hereof and Common Council determines that it would have adopted this Ordinance without the invalid provision.

PASSED AND APPROVED ON FIRST READING: April 19, 2022.

PASSED AND APPROVED ON SECOND AND FINAL READING THE _____ DAY
OF _____, 2022.

CITY OF ELKINS, WEST VIRGINIA

Jessica R. Sutton, Acting Mayor

Attest:

Rachel Wickham, Recording Secretary

IN THE COMMON COUNCIL OF THE CITY OF ELKINS, WV

A RESOLUTION OF COMMON COUNCIL

(#1519)
May 5, 2022

***Authorizing the Appointment of S. Severino to the
Elkins Parks and Recreation Commission***

WHEREAS, Elkins Parks and Recreation Commission (“EPRC”) has announced a vacancy; and,

WHEREAS, applications were solicited and provided to the current EPRC membership for review; and,

WHEREAS, the EPRC recommends the appointment of Sam Severino to the vacant seat for the six (6) year term ending February 28, 2028.

NOW, THEREFORE, BE IT RESOLVED, THAT:

The Elkins Common Council hereby appoints Sam Severino to the Elkins Parks and Recreation Commission with a term ending February 28, 2028.

Jessica R. Sutton, Acting Mayor

Attest:

Rachel Wickham, Recording Secretary

IN THE COMMON COUNCIL OF THE CITY OF ELKINS, WV

A RESOLUTION OF COMMON COUNCIL

(#1520)
May 5, 2022

***Authorizing the Advertisement of a Request for Qualifications for
Downtown Streetscape Design, and designating funding***

WHEREAS, the City of Elkins, West Virginia (“City”) has, per Resolution #1036, adopted the Elkins Main Street Streetscape Vision to promote and support beautification of the downtown; and,

WHEREAS, the City of Elkins, West Virginia (“City”) has, per Resolution #1154, adopted the 2018 – 2023 Strategic Plan, including milestones and deadlines to serve as a guide in decision-making and resource assignment for the City; and,

WHEREAS, under Strategic Area #1, item C, the City identifies Implementation of the Main Street Streetscape Plan as a goal; and,

WHEREAS, Elkins City Code §4.04 authorizes the contracting for and expenditure of public funds for the purpose of providing public improvement projects; and,

WHEREAS, the Municipal Properties and Rules and Ordinances Committees recommend pursuit of conceptual design services from a qualified landscape architect, design, and/or engineering firm to accomplish this goal; and,

WHEREAS, it appears that the advertisement of a Request for Qualifications, followed by review, ranking, and selection of a professional design firm is in the best interests of the citizens of the City of Elkins;

NOW, THEREFORE, BE IT RESOLVED, THAT:

The Elkins Common Council hereby approves the drafting and advertisement of a request for qualifications to solicit statements of interest from qualified professionals to complete a conceptual design for downtown streetscape and authorizes the expenditure of public funds as recommended by the City Treasurer for this purpose.

Jessica R. Sutton, Acting Mayor

Attest:

Rachel Wickham, Recording Secretary

**NOTICE OF REQUEST FOR QUALIFICATIONS
DESIGN SERVICES
CITY OF ELKINS, WEST VIRGINIA
DOWNTOWN STREETScape PROJECT**

The City of Elkins, partnering with Elkins Main Street, is currently soliciting statements of interest and qualification from qualified landscape architecture, design, and/or engineering firms to secure a contractor to complete a conceptual design for downtown streetscape in Elkins, West Virginia. Statements of interest and qualification will be received until 2 P.M. EST, on Tuesday, June 7, 2022.

The Background and Scope of Work is as described as follows:

The Downtown Streetscape project formally began with the adoption of the Elkins Main Street Streetscape Vision in June 2017 by City Council and was further solidified by the inclusion of several streetscape related goals within the City of Elkins 2018 – 2023 Strategic Plan. Stakeholders and residents have expressed interest in improvements and consistency for the city's downtown for many years. Some proposed components of the development plan as envisioned will include building facades, sidewalks, lighting, streets, pedestrian safety features, and landscaping. This Request for Qualifications (RFQ) is meant to identify a design firm to work with the City and Elkins Main Street to create and finalize a conceptual site development plan for the downtown streetscape with associated project phasing and initial cost estimates. Please see the attached map of the proposed site for reference. The design work will be substantially completed within 90 days after the date of an agreed upon executed contract.

Statements of Interest and Qualification should include:

- 1) Expression of interest
- 2) Statement of qualifications
- 3) Performance data and examples of previous relevant work
- 4) Anticipated concepts and proposed methods of approach to the project.
- 5) List of examples of costs for similar activities from past work
- 6) Contact information

Additionally, Statements of Interest and Qualification should reflect the capacity to:

- 1) Assess and analyze the project site;
- 2) Design initial layout and conceptual design for the project site.

Statements of Interest and Qualification in electronic PDF form will be considered through Tuesday, June 7, 2022, at 2 P.M. EST, and should be emailed and directed to:

Joshua Sanson
Operations Manager
City of Elkins
jsanson@cityofelkinswv.com

Submissions will not be accepted after the stated closing date and time. The City of Elkins reserves the right to (1) Reject and or all submissions deemed incomplete or unsuitable for the City's needs after the review process is complete, (2) select the proposal which is deemed to be in the best interest of the City and its budget, timeline, and other factors, and to (3) negotiate with the selected firm the exact terms and conditions of the contract. Small, minority, and women-owned businesses are encouraged to submit a proposal.

IN THE COMMON COUNCIL OF THE CITY OF ELKINS, WV

A RESOLUTION OF COMMON COUNCIL

(#1521)
May 5, 2022

General Fund Budget Revisions No. 13 through No. 24 for Fiscal Year 2022

WHEREAS, the City of Elkins has previously prepared and submitted its General Fund Budget for the Fiscal Year 2022; and,

WHEREAS, it has become necessary to make revisions to said Budget; and,

WHEREAS, Budget Revisions No. 13 through No. 24 for FY2022 (copy attached) transfer funds as shown;

NOW, THEREFORE, BE IT RESOLVED, THAT:

The Common Council of the City of Elkins hereby approves General Fund Budget Revisions No. 3 through No. 24 for Fiscal Year 2022.

Jessica R. Sutton, Acting Mayor

Attest:

Rachel Wickham, Recording Secretary

BUDGET REVISION #13 FY2022

Increase		AMOUNT	Decrease		AMOUNT
001-409-105-0000	Group Health Insurance	\$6,504.00	001-409-103-0000	Salary & Wages	\$8,263.00
001-409-211-0000	Telephone	\$800.00	001-409-108-0000	Overtime/Etra Help	\$120.00
001-409-222-0000	Dues & Subscriptions	\$404.00			
001-409-230-0000	Contracted Services	\$175.00			
001-409-341-0000	Supplies & Materials	\$380.00			
001-409-214-0000	Travel	\$120.00			
TOTAL		\$8,383.00			\$8,383.00

Mayor

JS 4/26/22



BUDGET REVISION #14 FY2022

Increase		AMOUNT	Decrease	AMOUNT
001-410-222-0000	Dues & Subscriptions	\$990.00	001-410-211-0000 Telephone	\$990.00

TOTAL		\$990.00		\$990.00
--------------	--	-----------------	--	-----------------

Council

JS 4/26/22



BUDGET REVISION #15 FY2022

Increase		AMOUNT	Decrease		AMOUNT
001-415-103-0000	Salary & Wages	\$1,700.00	001-415-230-0000	Contracted Services	\$8,485.00
001-415-105-0000	Group Health Insurance	\$530.00			
001-415-106-0000	Retirement	\$70.00			
001-415-211-0000	Telephone	\$185.00			
001-415-341-0000	Supplies & Materials	\$6,000.00			
TOTAL		\$8,485.00			\$8,485.00

City Clerk

JS 4/26/22



BUDGET REVISION #16 FY2022

Increase		AMOUNT	Decrease		AMOUNT
001-413-103-0000	Salary & Wages	\$6,000.00	001-413-214-0000	Travel	\$348.00
001-413-106-0000	Retirement	\$600.00	001-413-216-0000	Maint of Equipment	\$1,000.00
001-413-222-0000	Dues & Subscriptions	\$1,675.00	001-413-218-0000	Postage	\$4,900.00
			001-413-220-0000	Advertising	\$400.00
			001-413-223-0000	Professional Services	\$659.00
			001-413-229-0000	Court Costs & Damages	\$468.00
			001-413-459-0000	Capital Outlay	\$500.00
TOTAL		\$8,275.00			\$8,275.00

Treasurer

TJ 4/26/22

BUDGET REVISION #17 FY2022

Increase		AMOUNT	Decrease	AMOUNT	
001-950-230-0000	Contracted Services	\$5,000.00	001-950-341-0000	Supplies & Materials	\$5,000.00

TOTAL		\$5,000.00			\$5,000.00
--------------	--	-------------------	--	--	-------------------

Beautlffication

TI 4/26/22

BUDGET REVISION #18 FY2022

Increase		AMOUNT	Decrease		AMOUNT
001-416-211-0000	Telephone	\$250.00	001-416-105-0000	Group Health Insurance	\$2,250.00
001-416-222-0000	Dues & Subscriptions	\$100.00			
001-416-353-0000	Computer Software	\$1,900.00			
TOTAL		\$2,250.00			\$2,250.00

Police Judge

BJ 4/27/22



BUDGET REVISION #19 FY2022

Increase		AMOUNT	Decrease		AMOUNT
001-706-103-0001	EVFD Salary & Wages	\$11,352.00	001-706-217-0000	Maint. Of Autos & Trucks	\$23,648.00
001-706-216-0000	Maint. Of Equipment	\$3,268.00			
001-706-222-0000	Dues & Subscriptions	\$1,093.00			
001-706-341-0000	Supplies & Materials	\$2,769.00			
001-706-343-0000	Automobile Supplies	\$3,423.00			
001-706-345-0000	Uniforms	\$1,743.00			
TOTAL		\$23,648.00			\$23,648.00

Fire

SH 4/29/22

BUDGET REVISION #20 FY2022

Increase		AMOUNT	Decrease	AMOUNT
001-436-211-0000 Telephone		\$300.00	001-436-230-0000 Contracted Services	\$300.00

TOTAL		\$300.00		\$300.00
--------------	--	-----------------	--	-----------------

Building Inspector

JS 4/29/22

BUDGET REVISION #21 FY2022

Increase		AMOUNT	Decrease		AMOUNT
001-566-104-0000	FICA Expense	\$2,000.00	001-566-105-0000	Group Health Insurance	\$3,200.00
001-566-108-0000	Overtime/Extra Help	\$500.00	001-566-459-0000	Capital Outlay	\$800.00
001-566-211-0000	Telephone	\$1,500.00			
TOTAL		\$4,000.00			\$4,000.00

Public Works

IS 4/29/22

BUDGET REVISION #22 FY2022

Increase		AMOUNT	Decrease		AMOUNT
001-750-108-0000	Overtime/Extra Help	\$5,000.00	001-750-459-0000	Capital Outlay Equipment	\$14,000.00
001-750-343-0000	Automobile Supplies	\$9,000.00			

TOTAL **\$14,000.00** **\$14,000.00**

Streets

JS 4/29/22

BUDGET REVISION #23 FY2022

Increase		AMOUNT	Decrease		AMOUNT
001-754-221-0000	Training & Education	\$30.00	001-754-459-0000	Capital Outlay Equipment	\$4,430.00
001-754-222-0000	Dues & Subscriptions	\$400.00			
001-754-343-0000	Automobile Supplies	\$4,000.00			

TOTAL **\$4,430.00** **\$4,430.00**

Central Garage

JS 4/29/22

BUDGET REVISION #24 FY2022

Increase		AMOUNT	Decrease		AMOUNT
001-700-107-0000	Pensions Paid	\$11,250.00	001-700-104-0000	FICA Expense	\$4,000.00
001-700-108-0000	Overtime/Extra Help	\$30,000.00	001-700-217-0000	Maint of Autos & Trucks	\$18,000.00
001-700-211-0000	Telephone	\$4,500.00	001-700-221-0000	Training & Education	\$8,576.00
001-700-218-0000	Postage	\$50.00	001-700-230-0000	Contracted Services	\$20,000.00
001-700-222-0000	Dues & Subscriptions	\$1,800.00	001-700-239-0000	Ins Prem for Retirees	\$14,024.00
001-700-343-0000	Automobile Supplies	\$12,000.00			
001-700-345-0000	Uniforms	\$5,000.00			
TOTAL		\$64,600.00			\$64,600.00

Police

TB 4/29/22

IN THE COMMON COUNCIL OF THE CITY OF ELKINS, WV
A RESOLUTION OF COMMON COUNCIL

(#1522)
 May 5, 2022

Approval of Budget Revision 2022-001-05 for Fiscal Year 2022

At a regular session of the Elkins Common Council, held May 5, 2022, the following order was made and entered:

SUBJECT: The revision of the Levy Estimate (Budget) of the City of Elkins. The following resolution was offered:

RESOLVED: That subject to approval of the State Auditor as ex officio chief inspector of public offices the Elkins Common Council does hereby direct the budget be revised PRIOR TO THE EXPENDITURE OR OBLIGATION OF FUNDS FOR WHICH NO APPROPRIATION OR INSUFFICIENT APPROPRIATION CURRENTLY EXISTS, as shown on State Auditor Budget Revision 5 (City Budget Revision 5), copies of which are entered as part of this record.

The adoption of the foregoing resolution having been moved by _____; the vote thereon was as follows:

N. Bross-Fregonara		J. Guye		D. Parker	
R. Chenoweth		C. Higgins		L. Vest	
M. Cuonzo		M. Hinchman		Acting Mayor J. Sutton (in case of tie)	
C. Friddle, III		C. Lowther			

WHEREUPON: Mayor Marco declared said resolution duly adopted, and it is therefore ADJUDGED and ORDERED that said resolution be, and the same is, hereby adopted as so stated above, and the Elkins City Clerk is authorized to fix her signature on the attached "Request for Revision to Approved Budget" to be sent to the State Auditor for approval.

 Jessica R. Sutton, Acting Mayor

Attest:

 Rachel Wickham, Recording Secretary

Ora Ash, Deputy State Auditor
 West Virginia State Auditor's Office
 200 West Main Street
 Clarksburg, WV 26301
 Phone: 627-2415 ext. 5114
 Fax: 304-340-5090
 Email: lgs@wvsao.gov

REQUEST FOR REVISION TO APPROVED BUDGET

Subject to approval of the state auditor, the governing body requests that the budget be revised prior to the expenditure or obligation of funds for which no appropriation or insufficient appropriation currently exists. (§ 11-8-26a)

CONTROL NUMBER
 Fiscal Year Ending: **2022**
 Fund: **1**
 Revision Number: **5**
 Pages: **1 of 1**

City of Elkins
 GOVERNMENT ENTITY

Person To Contact Regarding Request:
 Name: **Tracy Judy**
 Phone: **304-636-1414, ext 1317**
 Fax: **304-635-7135**
 Email: **tjudy@cityofelkinswv.com**

401 Davis Ave.
 STREET OR PO BOX
 Elkins CITY 26241
 ZIP CODE

Municipality
 Government Type

REVENUES: (net each acct.)

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUSLY APPROVED AMOUNT	(INCREASE)	(DECREASE)	REVISED AMOUNT
308	Hotel Occupancy Tax	141,000	14,000		155,000
314	Sale Tax	1,200,000	161,000		1,361,000
	#N/A				
	#N/A				
	#N/A				
	#N/A				

NET INCREASE/(DECREASE) Revenues (ALL PAGES) **175,000**

Explanation for Account # 378, Municipal Specific:
 Explanation for Account # 369, Contributions from Other Funds:

EXPENDITURES: (net each account category)

(WV CODE 7-1-9)

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUSLY APPROVED AMOUNT	(INCREASE)	(DECREASE)	REVISED AMOUNT
413	Treasurer's Office	293,050	30,000		323,050
440	City Hall	402,637	125,000		527,637
415	City Clerk	164,498		1,350	163,148
441	Other buildings		7,000		7,000
750	Streets and Highways	1,212,991		7,000	1,205,991
752	Signs and Signals	24,500	3,000		27,500
753	Snow Removal	25,000		3,000	22,000
802	Recycling Center	1,750	1,350		3,100
901	Visitors Bureau	70,500	20,000		90,500
	#N/A				

NET INCREASE/(DECREASE) Expenditures **175,000**

APPROVED BY THE STATE AUDITOR
 BY:
 Deputy State Auditor, Local Government Services Division Date

AUTHORIZED SIGNATURE OF ENTITY APPROVAL DATE

IN THE COMMON COUNCIL OF THE CITY OF ELKINS, WV

A RESOLUTION OF COMMON COUNCIL

(#1523)
May 5, 2022

***Approval of Sanitation Fund Budget Revision No. 2
For Fiscal Year 2022***

WHEREAS, the City of Elkins has previously prepared and submitted its Sanitation Fund Budget for the Fiscal Year 2022; and,

WHEREAS, it has become necessary to make a revision to said Budget; and,

WHEREAS, Budget Revision No. 2 for FY2022 (copy attached) transfer funds as shown;

NOW, THEREFORE, BE IT RESOLVED, THAT:

The Common Council of the City of Elkins hereby approves Sanitation Fund Budget Revision No. 2 for Fiscal Year 2022.

Jessica R. Sutton, Acting Mayor

Attest:

Rachel Wickham, Recording Secretary

FY2022 Sanitation Budget Revision #2

Account Number	Description	Previously Approved	Increase/Decrease	Revised Amount
404-000-299-0000	Unassigned Fund Balance			
404-000-399-0000	Miscellaneous Revenues			
NET INCREASE/DECREASE				
\$0.00				

Account Number	Description	Previously Approved	Increase	Decrease	Revised Amount
404-800-343-0000	Automotive Supplies	\$65,000.00	\$15,000.00		\$80,000.00
404-800-459-0000	Capital Outlay Equipment	\$427,603.00	\$75,900.00		\$503,503.00
404-800-103-0000	Salary & Wages	\$260,000.00		\$4,468.00	\$255,532.00
404-800-105-0000	Group Health Insurance	\$68,000.00		\$13,000.00	\$55,000.00
404-800-457-0000	Capital Outlay Buildings	\$73,432.00		\$73,432.00	\$0.00
404-802-103-0000	Salary & Wages	\$0.00	\$7,000.00		\$7,000.00
404-800-215-0000	Maint of Bldgs & Grounds	\$8,000.00		\$7,000.00	\$1,000.00
NET INCREASE/DECREASE					
\$0.00					

IN THE COMMON COUNCIL OF THE CITY OF ELKINS, WV

A RESOLUTION OF COMMON COUNCIL

(#1524)
May 5, 2022

Approval of Fire Department Fund Budget for Fiscal Year 2023

WHEREAS, the Common Council of the City of Elkins, per adoption of Resolution #1507, on March 17, 2022, created Fund 036 for the administration of revenues and expenditures of the Elkins Fire Department; and,

WHEREAS, the Fire Chief and Treasurer have jointly presented a proposed Fire Department Fund Budget for the Fiscal Year 2023 (copy attached and made part of this record); and,

WHEREAS, the Finance Committee of the Elkins Common Council has reviewed and recommends adoption of the same; and,

WHEREAS, Council finds that is in the best interests of the City of Elkins to approve and adopt the Fire Department Fund Budget for the Fiscal Year 2023; now ***therefore be it***

RESOLVED, that the Common Council of the City of Elkins hereby approves and adopts the Fire Department Fund Budget for the Fiscal Year 2023 as presented.

Jessica R. Sutton, Acting Mayor

Attest:

Rachel Wickham, Recording Secretary

BUDGET : 23-2022-2023 Budget
FUND : 036 FIRE DEPARTMENT
ITEMS PRINTED: ANNUAL BUDGET AMOUNTS

ACCOUNT NO#	===== ACCOUNT NAME =====	ANNUAL BUDGET
036-000-352-0000	Fire Protection Fees	871,093.00CR
036-000-352-0001	Fire Protection Fee Penalty	45,000.00CR
036-000-699-0000	Contingencies	500,000.00CR
	PAGE TOTAL:	1,416,093.00CR
	TOTAL REVENUES:	1,416,093.00CR

BUDGET : 23-2022-2023 Budget
 FUND : 036 FIRE DEPARTMENT
 ITEMS PRINTED: ANNUAL BUDGET AMOUNTS

ACCOUNT NO#	===== ACCOUNT NAME =====	ANNUAL BUDGET
036-706-103-0000	Salary & Wages	333,700.00
036-706-103-0001	EVPD Salary & Wages	20,000.00
036-706-104-0000	FICA Expense	24,512.00
036-706-105-0000	Group Health Insurance	60,000.00
036-706-106-0000	Retirement	32,042.00
036-706-107-0000	Pensions Paid	50,000.00
036-706-108-0000	Overtime/Extra Help	162,739.00
036-706-211-0000	Telephone	2,000.00
036-706-212-0000	Printing	600.00
036-706-213-0000	Utilities	20,000.00
036-706-214-0000	Travel	500.00
036-706-215-0000	Maint of Bldgs & Grounds	4,500.00
036-706-216-0000	Maint of Equipment	10,000.00
036-706-217-0000	Maint of Autos & Trucks	10,000.00
036-706-218-0000	Postage	7,000.00
036-706-220-0000	Advertising	0.00
036-706-221-0000	Training & Education	5,000.00
036-706-222-0000	Dues & Subscriptions	4,500.00
036-706-223-0000	Professional Services	2,500.00
036-706-226-0000	Insurance & Bonds	12,000.00
036-706-226-0001	Insurance & Bonds Fleet	16,000.00
036-706-226-0002	Insurance & Bonds GL	12,000.00
036-706-229-0000	Court Costs & Damages	1,000.00
036-706-230-0000	Contracted Services	35,000.00
036-706-341-0000	Supplies & Materials	10,000.00
036-706-343-0000	Automobile Supplies	10,000.00
036-706-345-0000	Uniforms	5,500.00
036-706-457-0000	Capital Outlay Buildings	5,000.00
036-706-459-0000	Capital Outlay Equipment	560,000.00

PAGE TOTAL: 1,416,093.00

TOTAL EXPENDITURES: 1,416,093.00

NET REVENUES/EXPENDITURES: 0.00

IN THE COMMON COUNCIL OF THE CITY OF ELKINS, WV

A RESOLUTION OF COMMON COUNCIL

(#1525)
May 5, 2022

Approval of Landfill Fund Budget for Fiscal Year 2023

WHEREAS, the City of Elkins Common Council has previously adopted a Protocol for the Adoption and Revision of Water, Sanitation, and Landfill Fund Budgets, via Resolution 598, on June 5, 2014; and,

WHEREAS, the Operations Manager and Treasurer have jointly presented a proposed Landfill Fund Budget for the Fiscal Year 2023 (copy attached and made part of this record); and,

WHEREAS, the Finance Committee of the Elkins Common Council has reviewed and recommends adoption of the same; and,

WHEREAS, the Protocol requires that Council adopts a Landfill Fund Budget; and,

WHEREAS, Council finds that it is in the best interests of the City of Elkins to approve and adopt the Landfill Fund Budget for the Fiscal Year 2023; now ***therefore be it***

RESOLVED, that the Common Council of the City of Elkins hereby approves and adopts the Landfill Fund Budget for the Fiscal Year 2023 as presented.

Jessica R. Sutton, Acting Mayor

Attest:

Rachel Wickham, Recording Secretary

ACCOUNT NO#	===== ACCOUNT NAME =====	ANNUAL BUDGET
684-000-302-0000	Penalties	0.00
684-000-344-0000	Collection of Delinquent Accts	0.00
684-000-380-0000	Interest Earned On Investments	5,500.00CR
684-000-381-0000	Reimbursements	0.00
684-000-383-0000	Sale of Fixed Asset	0.00
684-000-399-0000	Miscellaneous Revenue	0.00
684-000-699-0000	Contingencies	115,000.00CR
	PAGE TOTAL:	120,500.00CR
	TOTAL REVENUES:	120,500.00CR

BUDGET : 23-2022-2023 Budget
FUND : 684 LANDFILL FUND
ITEMS PRINTED: ANNUAL BUDGET AMOUNTS

ACCOUNT NO#	ACCOUNT NAME	ANNUAL BUDGET
684-801-213-0000	Utilities	500.00
684-801-220-0000	Advertising	0.00
684-801-223-0000	Professional Services	113,800.00
684-801-226-0000	Insurances & Bonds	6,200.00
684-801-230-0000	Contracted Services	0.00
684-801-465-0000	Depreciation Expense	0.00
	PAGE TOTAL:	120,500.00
	TOTAL EXPENDITURES:	120,500.00
	NET REVENUES/EXPENDITURES:	0.00

IN THE COMMON COUNCIL OF THE CITY OF ELKINS, WV

A RESOLUTION OF COMMON COUNCIL

(#1526)
May 5, 2022

Approval of Sanitation Fund Budget for Fiscal Year 2023

WHEREAS, the City of Elkins Common Council has previously adopted a Protocol for the Adoption and Revision of Water, Sanitation, and Landfill Fund Budgets, via Resolution 598, on June 5, 2014; and,

WHEREAS, the Operations Manager and Treasurer have jointly presented a proposed Sanitation Fund Budget for the Fiscal Year 2023 (copy attached and made part of this record); and,

WHEREAS, the Finance Committee of the Elkins Common Council has reviewed and recommends adoption of the same; and,

WHEREAS, the Protocol requires that Council adopts a Sanitation Fund Budget; and,

WHEREAS, Council finds that is in the best interests of the City of Elkins to approve and adopt the Sanitation Fund Budget for the Fiscal Year 2023; now ***therefore be it***

RESOLVED, that the Common Council of the City of Elkins hereby approves and adopts the Sanitation Fund Budget for the Fiscal Year 2023 as presented.

Jessica R. Sutton, Acting Mayor

Attest:

Rachel Wickham, Recording Secretary

BUDGET : 23-2022-2023 Budget
 FUND : 404 SANITATION FUND
 ITEMS PRINTED: ANNUAL BUDGET AMOUNTS

ACCOUNT NO#	===== ACCOUNT NAME =====	ANNUAL BUDGET
404-000-302-0000	Penalties & Interest	14,500.00CR
404-000-344-0000	Collection of Delinquent Accts	0.00
404-000-350-0000	Refuse Collection Residential	710,000.00CR
404-000-350-0001	Refuse Coll Special Pick Up	8,000.00CR
404-000-350-0002	Refuse Collection Comm	550,000.00CR
404-000-350-0003	Hauling Fees Roll-Off	120,000.00CR
404-000-350-0004	Rental Fees Roll-Off	14,000.00CR
404-000-380-0000	Interest Earned	1,120.00CR
404-000-381-0000	Reimbursements	2,500.00CR
404-000-382-0000	Refunds & Rebates	400.00CR
404-000-383-0000	Sale of Fixed Assets	0.00
404-000-399-0000	Miscellaneous Revenues	1,000.00CR
404-000-699-0000	Contingencies	1,000,000.00CR
	PAGE TOTAL:	2,421,520.00CR
	TOTAL:	2,421,520.00CR
	TOTAL REVENUES:	2,421,520.00CR

ACCOUNT NO#	ACCOUNT NAME	ANNUAL BUDGET
DEPT NO: 800	SANITATION	
404-800-103-0000	Salary & Wages	337,000.00
404-800-104-0000	FICA Expense	27,000.00
404-800-105-0000	Group Health Insurance	70,000.00
404-800-106-0000	Retirement	32,000.00
404-800-108-0000	Overtime/Extra Help	18,000.00
404-800-211-0000	Telephone	1,800.00
404-800-213-0000	Utilities	8,000.00
404-800-214-0000	Travel	400.00
404-800-215-0000	Maint Bldgs & Grounds	8,000.00
404-800-216-0000	Maint of Equipment	10,000.00
404-800-217-0000	Maint of Autos & Trucks	14,000.00
404-800-217-0001	Maint of Roll-Off	8,000.00
404-800-219-0000	Bldgs, Equipment & Rents	21,600.00
404-800-220-0000	Advertising & Legal Publicatio	400.00
404-800-221-0000	Training & Education	500.00
404-800-222-0000	Dues & Subscriptions	100.00
404-800-226-0000	Insurance & Bonds	0.00
404-800-226-0001	Insurance & Bonds GL	0.00
404-800-230-0000	Contracted Services	600,000.00
404-800-233-0000	Refunds & Reimbursements	0.00
404-800-341-0000	Supplies & Materials	7,000.00
404-800-341-0001	Supplies & Materials UB	0.00
404-800-343-0000	Automotive Supplies	65,000.00
404-800-343-0001	Automotive Supplies-Roll-Off	3,000.00
404-800-345-0000	Uniforms	7,500.00
404-800-348-0000	Chrgs By Other Funds	74,523.00
404-800-353-0000	Computer Software	0.00
404-800-457-0000	Capital Outlay - Buildings	73,432.00
404-800-459-0000	Capital Outlay - Equipment	125,000.00
404-800-568-0000	Non-Operating Expenses	0.00
404-800-670-0000	Other Interest & Penalties	4,100.00

PAGE TOTAL: 1,516,355.00
 DEPT TOTAL: 1,516,355.00

ACCOUNT NO#	===== ACCOUNT NAME =====	ANNUAL BUDGET
DEPT NO: 801	UTILITY BILLING	
404-801-103-0000	Salaries & Wages	16,904.00
404-801-104-0000	FICA Tax	1,315.00
404-801-105-0000	Group Health Insurance	3,122.00
404-801-106-0000	Retirement	1,547.00
404-801-108-0000	Overtime/Extra Help	280.00
404-801-341-0000	Supplies & Materials	4,000.00
	PAGE TOTAL:	27,168.00
	DEPT TOTAL:	27,168.00

BUDGET : 23-2022-2023 Budget
FUND : 404 SANITATION FUND
ITEMS PRINTED: ANNUAL BUDGET AMOUNTS

ACCOUNT NO#	ACCOUNT NAME	ANNUAL BUDGET
DEPT NO: 802	ADMIN & GENERAL	
404-802-103-0000	Salaries & Wages	10,500.00
404-802-104-0000	FICA Expense	1,000.00
404-802-105-0000	Group Health Insurance	20.00
404-802-106-0000	Retirement	980.00
404-802-108-0000	Overtime/Extra Help	500.00
404-802-218-0000	Postage	6,000.00
404-802-223-0000	Professional Services	1,000.00
404-802-226-0000	Insurance & Bonds	18,000.00
404-802-226-0001	Insurance & Bonds GL	21,000.00
404-802-230-0000	Contracted Services	809,497.00
404-802-232-0000	Bank Charges	0.00
404-802-341-0000	Supplies & Materials	500.00
404-802-353-0000	Computer Software	9,000.00
404-802-460-0000	Sanitation Garage CIP	0.00
	PAGE TOTAL:	877,997.00
	DEPT TOTAL:	877,997.00
	TOTAL EXPENDITURES:	2,421,520.00
	NET REVENUES/EXPENDITURES:	0.00

IN THE COMMON COUNCIL OF THE CITY OF ELKINS, WV

A RESOLUTION OF COMMON COUNCIL

(#1527)
May 5, 2022

***Accepting Bid from and Authorizing Execution of Agreement with Assured Partners of
West Virginia, LLC, for General Liability Insurance***

WHEREAS, Elkins City Code §30.05 authorizes the contracting and expenditure of public funds for the purpose of providing public liability insurance; and,

WHEREAS, the City has advertised for and received two bids from companies qualified to and interested in providing such services (see attached bid summary, which is made part of this record); and,

WHEREAS, the Finance Committee, on the advice of the City Treasurer and City Attorney, recommends the City accept the proposed terms for General Liability Insurance with/through Assured Partners of West Virginia, LLC for the upcoming fiscal year; and,

WHEREAS, it appears that securing General Liability Insurance with/through Assured Partners of West Virginia, LLC on the basis of these terms is in the best interests of the citizens of the City of Elkins;

NOW, THEREFORE, BE IT RESOLVED, THAT:

The Elkins Common Council hereby accepts the proposed terms and authorizes the Treasurer to secure General Liability Insurance through Assured Partners of West Virginia, LCC, beginning July 1, 2022.

Jessica R. Sutton, Acting Mayor

Attest:

Rachel Wickham, Recording Secretary



ZURICH[®]

**MUNIPLUS™ PROPOSAL
PACKAGE/PROFESSIONAL/UMBRELLA
CITY OF ELKINS**

ISSUE DATE: 4/13/2022
VALID THROUGH: 6/30/2022
INSURED: City of Elkins
TERM: 7/1/2022 to 7/1/2023

UNDERWRITING COMPANY:

Primary Package (Property, Crime, Inland Marine, General Liability, Auto) American Zurich Insurance Company (Admitted Paper) AM Best Rating A+ XV
Primary Professional Liability (Public Officials, Law Enforcement, EPL, Cyber): Zurich American Insurance Company (Admitted Paper) AM Best Rating: A+ XV
Umbrella: American Guarantee and Liability Insurance Company (Admitted Paper) AM Best Rating: A+ XV

PREMIUM AND PAYMENT TERMS:**

Package Premium: **	\$171,127.00
Professional Premium:	\$16,723.00
Umbrella Premium:	\$13,319.00
Subtotal Premium without TRIA:	<u>\$201,169.00</u>

Property TRIA Premium:	\$557.00
Inland Marine TRIA Premium:	\$109.00
Liability TRIA Premium:	\$1,652.00
Umbrella TRIA Premium:	\$133.00

WV Surcharges - Package	\$953.95
WV Surcharges - Professional	\$91.98
WV Surcharges - Umbrella	\$73.99
Electronic Data Management Fee	\$250.00

TOTAL PREMIUM (Incl. TRIA/Fees)	<u>\$204,989.92</u>
--	----------------------------

LIMITS and DEDUCTIBLES: See attached schedules

Note re: Mine Subsidence: **\$4,208 is included in above Package Premium

***Premium is due at inception. Any state surcharges and fees are in addition to and not considered premium.*



WVcorp

Contribution Summary Form

Coverage	Deductible	Contribution
Property : Special Form; Replacement Cost (or stated otherwise); No Coinsurance; Blanket	See Schedule	\$39,185
Inland Marine : Replacement Cost if Scheduled, otherwise Actual Cash Value	See Schedule	\$2,126
Equipment Breakdown	\$1,000	\$4,275
General Liability : \$1,000,000 Combined Single Limit; Occurrence Form; No Annual Aggregate; Non-Audited	None	\$39,741
Law Enforcement Liability : \$1,000,000 Limit	\$2,500	Included
Public Officials Liability : \$1,000,000 Limit Each Wrongful Act	\$2,500	\$15,585
Automobile : \$1,000,000 Liability for Owned Autos; Coverage Level per Schedule; Automatic Coverage for Additions; Non-Audited	See Schedule	\$72,437
Crime : Blanket \$250,000 Faithful Performance; In/Out Robbery; Counterfeit; Forgery; Computer Fraud; Telephone Toll Fraud \$25,000 sublimit	\$250	\$950
Excess Liability : Refer to the proposal page for limit information. Underlying limits must be exhausted before excess liability is available for losses.	None	\$21,388
Environmental Liability : \$500,000 Limit	\$25,000	Included
Cyber Risk : \$1,000,000 Limit	None	\$3,000
Grand Total Annual Contribution		\$198,687
	Total Contribution Due	\$198,687

Any additions or deletions made after the proposal and initial billing effective up to and including July 1st will result in an endorsement and contribution adjustment.

In order to be eligible for WVcorp membership, the following coverages must be selected: Property (where applicable), General Liability, Business Auto (where applicable), and Crime. To be eligible for Workers' Compensation coverage, Property & Casualty must be in effect with WVcorp.



RESPONSE NEEDED - If electing option(s) below, please indicate on Coverage Intent Form form. Otherwise, coverage will be based upon current coverage as you do not wish to select proposed option(s) below.

**2022 - 2023 Quote Options for
City of Elkins**

OPTION 1 : Cyber Risk - Increased Liability

WVcorp provides members an opportunity to increase Cyber Risk coverage. The purchased limit is your own limit, which is outside of the WVcorp pooled limit for other members. Cyber Risk Liability provides coverage due to network security breaches (including hacking and viruses) and online privacy matters (including identity theft). Coverage also includes Crisis Management, Remediation and Notification Expense coverage for public relations services, expense to determine scope of breach, and notification expense required by law, including mailings and monitoring up to the purchased limit.

Limit	Deductible	Annual Contribution
\$1,000,000	\$0	Included in Proposal
\$2,000,000	\$0	\$4,500
\$3,000,000	\$0	\$6,000

\$5,000,000 limit option is available upon request

IN THE COMMON COUNCIL OF THE CITY OF ELKINS, WV

A RESOLUTION OF COMMON COUNCIL

(#1528)
May 5, 2022

***Accepting Conditions of West Virginia's First Memorandum of Understanding
between the State of West Virginia and the City of Elkins, and the Endo
Settlement Terms, and Authorizing Execution Thereof***

WHEREAS, the State of West Virginia and its many communities have unfortunately become the epicenter of a national opioid crisis for over the last two decades or more; and

WHEREAS, numerous lawsuits have been filed by local governments and the State against many companies in the opioid supply chain; and

WHEREAS, the City of Elkins, West Virginia has received a request from the Office of the West Virginia Attorney General to consider accepting the terms of the West Virginia First Memorandum of Understanding ("MOU"), which sets out how opioid settlement and judgment dollars from an opioid supply chain participant will be allocated between the State and its local governments; and

WHEREAS, as a result of one of the lawsuits filed by the State, the State has reached a \$26 million statewide settlement with the opioid manufacturers Endo Health Solutions and Par Pharmaceuticals ("Endo Settlement"); and

WHEREAS, under the terms of the Endo Settlement, 24.5% or \$5,860,400 will go to local governments for assistance in combatting the opioid crisis in their community; and

WHEREAS, under the terms of the MOU and the Endo Settlement, the local governments that want to be considered for the distribution of the settlement proceeds are required to approve the terms of the MOU and the West Virginia Local Government Election and Release Form; and

WHEREAS, approving the terms of the MOU and the West Virginia Local Government Election and Release Form would be in the best interests of the citizens of the City of Elkins.

NOW, THEREFORE, BE IT RESOLVED, THAT:

The Common Council approves the terms of the MOU, the Endo Settlement, and the West Virginia Local Government Election and Release Form, as set forth in the attached

documents, authorizes Mayor Marco to execute the MOU signature page and the West Virginia Local Government Election and Release Form on behalf of the City and directs the City Clerk to submit the signed documents along with a copy of this Resolution to the Office of the West Virginia Attorney General.

Jessica R. Sutton, Acting Mayor

Attest:

Rachel Wickham, Recording Secretary

IN THE COMMON COUNCIL OF THE CITY OF ELKINS, WV

A RESOLUTION OF COMMON COUNCIL

(#1529)
May 5, 2022

Authorizing Elkins Landfill Leachate Project

WHEREAS, the City of Elkins, West Virginia (“City”) and the Elkins-Randolph County Landfill, the City’s closed solid waste facility, was accepted for inclusion in the Landfill Closure Assistance Program (“LCAP”) by the West Virginia Department of Environmental Protection (“WVDEP”), pursuant to West Virginia Code § 22-16-1, *et seq*; and,

WHEREAS, the City will continue to maintain its valid permit, to continue leachate hauling and to continue groundwater monitoring until such time when the WVDEP can modify their monitoring contract; and,

WHEREAS, per Resolution #628, adopted July 17, 2014, the Elkins Common Council (“Council”) agreed to the assumption of responsibility of the landfill maintenance and monitoring by the LCAP; and,

WHEREAS, LCAP representatives has presented the City with a proposed new leachate treatment project, including a schedule of action items (attached for inclusion in the record); and,

WHEREAS, it appears that providing the permission and authority to LCAP to proceed with the proposed leachate treatment project at the Landfill is in the best interests of the citizens of the City of Elkins;

NOW, THEREFORE, BE IT RESOLVED, THAT:

The Elkins Common Council hereby accepts the proposed terms and authorizes the Operations Manager to work directly with LCAP in the administration of this project, effective immediately.

Jessica R. Sutton, Acting Mayor

Attest:

Rachel Wickham, Recording Secretary

Elkins Landfill Leachate Treatment Project
Schedule of Action Items

1. Sample the raw leachate entering the leachate pond to determine current constituents in the leachate.
2. Complete a Waste Load Allocation Form and submit to the WVDEP for the determination of discharge requirements into the receiving stream. (i.e., Tygart's Valley River). This form needs to be completed in the City of Elkins' name, due to the Landfill Permit is in the City of Elkins' name.
3. Evaluate the raw leachate data and the discharge requirements to determine if onsite treatment is possible, and if so, is it efficient?
4. If Action Item 3 is yes, determine if securing Right of Ways or Easements to the receiving are possible.
5. Permit Modification or Memorandum of Understanding with the City of Elkins for future of Permit Modification for Leachate Treatment System.
6. Design a pilot leachate treatment system. System will treat a small portion of leachate flow, with the treated leachate entering the existing leachate pond.
7. The pilot system will be evaluated after a minimum of 1 year of operation. This allows for treatment of wet and dry weather flows.
8. The evaluation will determine if additional monitoring is required or proceed with the full-scale design.
9. Purchase Right of Ways or Easements.
10. Complete Design.
11. Project Construction
12. Project Complete and System Operating.