

**ELKINS COMMON COUNCIL
REGULAR COUNCIL MEETING
AGENDA**

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

- 1. Invocation and Pledge of Allegiance**
- 2. Call to order and roll call**
- 3. Public comment**
- 4. Minutes**
 - a. Minutes proposed for the special council meeting of June 14, 2022
- 5. Correspondence and Notifications**
 - a. Issued building permits
 - b. Events
 - c. Minutes of committee, board, and commission meetings
- 6. Presentation (IF NO PRESENTATION, ERASE THIS)**
 - a. Fire Chief S. Himes – ISO evaluation and rating
- 7. Committee Reports**
- 8. Staff reports**
- 9. Approval of vendor invoice payments**

Vendor invoices presented for approval:

- A/P History Check Report for the period June 13 – July 1, 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.)

10. Unfinished business

- a. *Resolution 1539*: Authorizing Application to West Virginia Covid-19 Pandemic DR-4517-WV Grant Funding by the Elkins Sanitary Board

11. New business

- a. *Ordinance 299*: An Ordinance of the Common Council of the City of Elkins, West Virginia, Amending Chapter 150.035, Regarding the Version of the International Building Code Adopted as the State Building Code (1st of two readings)
- b. *Ordinance 300*: An Ordinance of the Common Council of the City of Elkins, West Virginia, Revising Chapter 93: Streets, Sidewalks, and Public Places of the City Code to Establish Rules and Regulations for Outdoor Dining in Public Spaces (1st of two readings)
- c. *Resolution 1541*: Appointment of Building Inspector and Code Enforcement Officer as City Zoning Officer
- d. *Resolution 1542*: Appointment of J. Sutton as Mon Forest Towns Partnership Board of Directors Elkins Representative
- e. *Resolution 1543*: Appointment of A. Burkhart to Elkins Tree Board
- f. *Resolution 1544*: Appointment of Second Ward Councilor to Unexpired Term
- g. *Resolution 1545*: Approving "Full-time Regular Employee" Status and Confirming a Compensation Level for T. Bareuther
- h. *Resolution 1546*: Approval of Coal Severance Budget Revision 2023-002-01 for Fiscal Year 2023
- i. *Resolution 1547*: Approving Transfer of Funds from the Financial Stabilization Account
- j. *Resolution 1548*: Authorizing Closure of City Hall Parking Lot Project Bank Account
- k. *Resolution 1549*: Approving Amendments to the City of Elkins Grants Protocol
- l. *Approval of template lease for Darden House tenants*
- m. *Request by Smoker Friendly for ABCA Special Licensure*

12. Mayor's comments

13. Adjournment

Proposed Minutes

**ELKINS COMMON COUNCIL
SPECIAL COUNCIL MEETING
MINUTES**

***401 Davis Avenue
Council Chamber, 2nd Floor
June 14, 2022
7:00 p.m.***

Elkins Common Council met in special session in the council chamber of city hall. Present were City Clerk J.R. Sutton (acting as mayor); N.E. Bross-Fregonara, M.D. Cuonzo, J.A. Guye, C.J. Higgins, G.M. Hinchman, and D.C. Parker; City Treasurer T. Judy; Fire Chief S.D. Himes; Sergeant C. Boatwright; Executive Secretary R.A. Wickham (acting as recording secretary); and Inter-Mountain Reporter B. Johnson.

Mayor Jerry A. Marco; Councilpersons R.C. Chenoweth, L.H. Vest, and C.C. Lowther; Police Chief T. Bennett; Operations Manager J. Sanson; and City Attorney G. S. Roberts were absent.

PUBLIC COMMENT

Robert Grandusky, a resident of Elkins Manor at 100 Tallman Avenue spoke before council to voice his concern about the removal of the handicap parking spaces in front of the American Legion on Railroad Avenue in 2019. Robert stated that there are several members of the Legion who are handicapped and are no longer able to enter the facility safely. Robert asked council to reconsider the removal of the spaces.

MINUTES

Cm. Parker, **MOVED APPROVAL OF THE MINUTES OF THE JUNE 2, 2022 MEETING.** The motion carried.

CORRESPONDENCE AND NOTIFICATIONS

Council received the following correspondence and notifications:

- Issued building permits
- Treasurer's report
- Minutes of committees, boards, and commissions

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

ISSUED BUILDING PERMITS				
Permit	Applicant	Location	Description	Value
220112	Dilly, Shawn	1312 S Henry Ave	Install Metal Roof	4,500.00

Proposed Minutes

220113	USDA Forest Service	730 Yokum St	Replace Roof Shingles	20,000.00
220114	Sutton, Jessica	107 Elm St.	Replace Shingles on Shed	2,500.00
220115	Leary, Billy	39 Vine St.	New Panel Inside of Houce	4,500.00
220116	Martin, Cindy	408 Tenth St	Privacy Fence	4,527.00
22117	Stewart, Margaret	101 Evans Dr	New Windows	8,400.00
22118	Myers, Toni	1212 S Kerens Ave.	Replace Vinyl Siding	3,200.00
220119	Sharp, Dennis & Heather	1008 S Henry Ave	Replace Roof Shingles	9,000.00
220120	Dilly, Shawn	1312 S Henry Ave	Install Metal Roof	4,500.00
220121	Shiflett, Edward	1519 Taylor Ave	Upgrade Electric	800.00
220122	Byrds House of Donuts	224 Davis Ave.	Remodel Store Front	400.00
220123	Wilson, Shelby & Craig	517 Central St	Replace Roof Shingles	9,819.00
220124	Biller, Terry	1013 N Randolph Ave.	Replace Roof Shingles	3,600.00
220125	Sumerfield, Amy	926 S Henry Ave	Install Metal Roof	8,879.00
220126	Stover, Shawn	254 Terrace Ave	Roof Shingles	2,800.00
220127	Randolph Co Housing Authority	17 Grace Circle	New House	21,000,000.00
220128	Lockhart, Robert	113 Sixteenth St.	Replace Roof Shingles	7,923.00
220129	Stottlemyer, Robert	15 Locust St	Replace Tub & Shower	1,000.00
220130	Okernick, David	1108 S Kerens Ave	Electricial Upgrade	10,000.00

PRESENTATION

Coaches Stephen Belan and Travis Fletcher presented certificates to the U-12 Girls and Boys soccer teams for their Open Cup championship wins.

Seth Young, Executive Director of the Augusta Heritage Center provided information about upcoming developments within the organization. Seth shared that the Augusta Heritage Center has restructured its partnership with Davis and Elkins College. They are now a separate 501(c)3 organization with a separate board. They recently signed a purchase agreement for the Wilt Building in Downtown Elkins and are looking to include retail spaces, event spaces, classroom spaces, and residential spaces to the building. Seth stated that the organization has gained support from several state and government agencies and is looking for support in advocacy from the city. Seth invited everyone to attend the Augusta Festival in the Elkins City Park on July 30th.

Proposed Minutes

COMMITTEE REPORTS provided by all committee chairs present.

STAFF REPORTS were provided by all administrative officers present.

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 May 31 – June 10, 2022.

NEW BUSINESS

Cw. Guye, **MOVED APPROVAL OF RESOLUTION 1534: GRANT REQUEST OF RANDOLPH COUNTY DEVELOPMENT AUTHORITY FOR THE CITY TO AGREE TO TRANSFER OF RESPONSIBILITY FOR PORTIONS OF INDUSTRIAL PARK ROAD AND RIVERBEND PARK ROAD TO THE WEST VIRGINIA DIVISION OF HIGHWAYS.** The motion carried.

Cw. Cuonzo, **MOVED APPROVAL OF RESOLUTION 1535: GRANT REQUEST OF WOODLANDS DEVELOPMENT GROUP FOR PERMISSION TO USE A SPACE IN THE SENECA MALL PARKING LOT FOR THE PLACEMENT OF A GENERATOR AND TRANSFORMER FOR THE TYGART HOTEL.** The motion carried.

Cm. Hinchman, **MOVED APPROVAL OF RESOLUTION 1536: GENERAL FUND FISCAL YEAR 22 FINAL BUDGET REVISIONS.** The motion carried.

Cm. Parker, **MOVED APPROVAL OF RESOLUTION 1537: SANITATION FUND FISCAL YEAR 22 FINAL BUDGET REVISIONS.** The motion carried.

Cm. Higgins, **MOVED APPROVAL OF RESOLUTION 1538: APPROVAL OF BUDGET REVISION 2022-001-06 FOR FISCAL YEAR 2022.** In accordance with the requirements of the state auditor’s office for interdepartmental budget revisions, the chair ordered a roll-call vote. The recording secretary called roll in random order. The motion carried. Council votes were as follows:

L.H. Vest	Absent	C.J. Higgins	Yes	Vacant	
G.M. Hinchman	Yes	C.C. Lowther	Absent	R.C. Chenoweth	Absent
M.D. Cuonzo	Yes	D.C. Parker	Yes	Jessica Sutton (in case of tie)	n/a
J.A. Guye	Yes	N.E. Bross-Fregonara	Yes		

Item f on the agenda was postponed until the next council meeting on July 7, 2022.

Proposed Minutes

Cw. Cuonzo, MOVED APPROVAL OF RESOLUTION 1540: REAUTHORIZING CONDITIONS OF CONTRACT BETWEEN MITCHELL TREE CARE, LLC AND LANDSCAPING CONSULTING, LLC AND THE CITY OF ELKINS, AND AUTHORIZING EXECUTION OF CONTRACT. The motion carried.

MAYOR'S COMMENTS were not provided.

Cm. Parker, MOVED ADJOURNMENT. The motion carried.

The meeting adjourned at 8:17 p.m.

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

Jerry A. Marco, Mayor

Attest:

Jessica R. Sutton, City Clerk

**Application to Use or Close City
Streets and/or Sidewalks**

Date(s) of Event JULY 1, 2, 3 2022 Times From: 7-1 4pm - 7-1 8pm
7-2 7am To: 7-2 4pm
7-3 7am 7-3 2pm

Date of Street Closing JULY 1, 2, 3 Time of Street Closing JULY 1-4pm JULY 2-3 7am

Date of Street Reopening JULY 1, 2, 3 Time of Street Reopening JULY 1-8pm JULY 2-4pm
JULY 3-2 pm

Organization Name OUR TOWN INC. Address 316 Railroad Ave
 City/State/Zip ELKINS, WV 26241 Fax _____
 Contact TAMMY DOLY Telephone 304.940.3158 E-mail ourtownelkenc@gmail.com
 2nd Contact Bobby Hart Telephone 304.704.0393 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
			Street	Usage
1. Railroad Ave.	from Second St.	to Fourth St.	yes.	
2. Third St.	from Railroad Ave	to Henry Ave	yes.	
3. Fourth St.	from Railroad Ave.	to Kerens Ave	yes.	
4. Church Lane	from Sycamore	to Park St.	yes.	
DAVIS ST	SECOND	FOURTH	FROM	12-5 JULY 2 + 6am-2pm JULY 3

Specific assistance needed from City (Parking, Police, Fire, etc.):
Fourth St. From Davis to Kerens as a last resort due to emergency vehicle access from FD

TCB 1/6/22/22 Police Chief Approval
 Initials / Date
(TS) 1/6/22/22 Operations Mgr. Approval
 Initials / Date
 _____ Parks Dir. Approval
 Initials / Date (if necessary)

Tammy Doly _____
 Signature of Applicant Date

SPH 6/17/22 Fire Chief Approval
 Initials / Date
(JD) 1/6/22/22 City Clerk Approval
 Initials / Date

Jerry A. Hancock 6/22/2022
 Mayor's Signature Date

Contingencies/Restrictions: _____

File this application IN PERSON at the Mayor's Office at least two months in advance of the requested date of street closure 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 Glenn Galloway, Police Department
 Chief Tom Meader, Fire Department
 Operations Manager Bob Pingley
 City Clerk Jessica Sutton
 911 Center

* DAVIS AVE. AND KERENS AVE. TO
 REMAIN OPEN TO TRAFFIC
 MAINTAINING A 10 FT FIRE LANE ON ALL STREETS

CHURCH LANE -
 BARRICADES AT
 BOTH ENDS
 STREET (70')

5TH STREET (70')

DAVIS AVENUE (70')

AVENUE (70')

KERENS AVENUE (70')

HEWY AVE.

4TH STREET (70')


STREET (70')

3RD STREET (70')

MTN STATE STREET C

SECOND ST

MACHINES
 JULY 04 ± 02 ± 2022

3				Drawn		Checked		 Kelley Gidley Blair & Wolfe	Consulting Engineers 550 Egan Street Charleston, West Virginia 25301 <small>Charleston Huntington Parkersburg Duchesne WV</small>	Owner CIT RANDOLPH
2			Drawn		Approved					
1			Scale	1"=50'	Date	11-1992				
Rev.	Date	By	Description							

DAVIS FROM 2ND - 4TH ST closed 12-5pm July 2 + 6am - 2pm July 3

**FINANCE COMMITTEE
REGULAR MEETING
MINUTES**

*401 Davis Avenue
City Hall, Council Chambers
June 13, 2022
11:00 a.m.*

Present were Committee Members: M. Hinchman and C. Lowther

Also present were: Treasurer T. Judy; City Clerk J. Sutton; Operations Manager J. Sanson; Fire Chief S. Himes; and External Affairs Specialist S. Stokes

R. Chenoweth was absent

MINUTES

Cm. Lowther, **MOVED APPROVAL OF THE MINUTES OF THE MAY 2, 2022, MEETING. The motion carried.**

NEW BUSINESS

Cm. Lowther, **MOVED APPROVAL OF A RECOMMENDATION TO COUNCIL OF FY22 GENERAL FUND BUDGET REVISIONS NO. 25 THROUGH NO. 34. The motion carried.**

Cm. Lowther, **MOVED APPROVAL OF A RECOMMENDATION TO COUNCIL OF FY22 SANITATION FUND BUDGET REVISION NO. 3. The motion carried.**

Cm. Lowther, **MOVED APPROVAL OF A RECOMMENDATION TO COUNCIL OF FY22 GENERAL FUND STATE BUDGET REVISION 2022-001-06. The motion carried.**

Cm. Lowther, **MOVED APPROVAL OF A REVISION TO THE PREVIOUS RECOMMENDATION TO COUNCIL OF FY22 GENERAL FUND BUDGET REVISIONS NO 25 THROUGH NO 34 TO INCLUDE REVISION NO. 35. The motion carried.**

Treasurer T. Judy advised council that she would like to postpone the discussion of Invoice Cloud to allow time to gather more information and make comparisons with other service providers.

ANNOUNCEMENTS

The next regular committee meeting falls on the July 4th holiday. The committee agreed to move the meeting to Tuesday, July 5th at 1:00 p.m.

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

The meeting adjourned at 11:30 a.m.

The foregoing minutes were approved at the meeting of July 5, 2022

Mike Hinchman
Name & Title
Chair

Mike Hinchman
Signature

**RULES AND ORDINANCE COMMITTEE
REGULAR MEETING
MINUTES**

*401 Davis Avenue
City Hall, Council Chambers
June 8, 2022
9:00 a.m.*

Present were Committee Members: N. Bross-Fregonara; M. Cuonzo; and C. Higgins

Also present were: Mayor J. Marco; City Clerk J. Sutton; Treasurer T. Judy; City Attorney G. Roberts; and External Affairs Specialist S. Stokes

MINUTES

Cw. Cuonzo, **MOVED APPROVAL OF THE MINUTES OF THE MAY 25, 2022, MEETING.** The motion carried.

REPORTS

City Attorney G. Roberts advised that an opinion was issued from the WV Attorney's General's Office regarding the proposed Home Rule Amendment application imposing and raising municipal court fees. In response, the Home Rule Board met with representatives of the City on June 2, 2022, and approved the two pending requests. This approval finalizes their action. The committee is in favor of pursuing all three of the authorities by ordinance and asked the city attorney to have drafts available at the next regular meeting.

UNFINISHED BUSINESS

City Attorney G. Roberts presented a draft ordinance for outdoor dining and related rules. The committee and administration reviewed and offered suggested amendments. Ms. Roberts will update the draft, share it with the committee, administrators and other staff, in preparation for discussion at a later date.

Agenda item "deer population control" was postponed to a later meeting.

NEW BUSINESS

City Attorney G. Roberts inquired about the committee's interest in the passage of a rule concerning the confidentiality of executive sessions. The committee requested this be pursued and asked Ms. Roberts to bring a draft to the next regular meeting.

ANNOUNCEMENTS

The committee will hold a special call meeting on June 23, 2022, at 8:30 a.m. for the purpose of reviewing the updated outdoor dining ordinance.

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

The meeting adjourned at 10:51 a.m.

The foregoing minutes were approved at the meeting of June 8, 2022

Nanci Bross-Fregosara, Chair
Name & Title

Nanci Bross-Fregosara
Signature

AD-HOC ORGANIZATIONAL AUDIT COMMITTEE MEETING MINUTES

*401 Davis Avenue
City Hall, Council Chambers
May 24, 2022
1:00 p.m.*

Present were Committee Members: L. Vest, chair; M. Hinchman, D. Parker, and J. Marco

Also present were: Operations Manager J. Sanson; City Clerk J. Sutton; Police Chief T. Bennett; Fire Chief S. Himes; Treasurer T. Judy; City Attorney G. Roberts; and External Affairs Specialist S. Stokes

NEW BUSINESS

Mayor Marco described the impetus behind his creation of this ad-hoc committee and his desire for the committee to work closely with the administrative officers in their review. Mayor Marco asked each administrative officer, committee member, the city attorney and the external affairs specialist to state what they would like to get out of this committee. The consensus primarily was to evaluate organizational structure, staffing, internal and interdepartmental communication, ways to be more efficient and the vision for the future.

The discussion on procedures and scope of work resulted in a request to each administrative officer to present the above information to the committee in the form of a report at their next regular meeting.

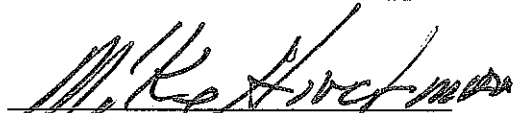
ANNOUNCEMENTS


The next meeting of the committee is scheduled for June 21 @ 1:00 p.m.

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

The meeting adjourned at 1:38 p.m.

The foregoing minutes were approved at the meeting of June 22, 2022


Name & Title


Signature

**PUBLIC SAFETY COMMITTEE
REGULAR MEETING
MINUTES**

*401 Davis Avenue
City Hall, Council Chambers
May 9, 2022
10:00 a.m.*

Present were Committee Members: D. Parker, chair; M. Hinchman; and J. Guye

Also present were: Mayor J. Marco; Operations Manager J. Sanson; City Clerk J. Sutton; Police Chief T. Bennett; Fire Chief S. Himes; Treasurer T. Judy; and City Attorney G. Roberts

MINUTES

Cm. Hinchman, **MOVED APPROVAL OF THE MINUTES OF THE APRIL 11, 2022, MEETING.** The motion carried.

REPORTS

Fire – Chief Himes reports hose testing is underway. The department is also continuing to review the recent ISO report and develop steps for improvement. They are also updating their reporting software.

Police – Chief Bennett report that the computers for the cruisers are expected today. The entire department will be at the firing range tomorrow for recertification. They are also looking into new reporting software options. The Chief requests that consideration be given to making modifications to or moving the evidence room. A recent sewer pipe failure caused significant damage and they must be sure that doesn't happen again. He will work with J. Sanson on a solution.

Code Enforcement – Mr. Isner was not present at the meeting but provided a written report of activities from April 11 – May 9. Cw. Guye questioned why Mr. Isner was pursuing action with properties on Bell Street. City Attorney G. Roberts reports that with the removal of one of the properties previously prioritized for demolition being purchased for rehab by a private owner, there were funds remaining for this fiscal year. She and Mr. Isner were looking at options to expend these funds before June 30, 2022. The committee determined that no action should be taken beyond what the committee previously approved.

NEW BUSINESS

By unanimous consent of the committee, item b was moved up on the agenda.

Jennifer Griggs, employee of the Randolph County Housing Authority and member of the Mayor's Task Force on Addiction and Homeless Resources, provided information on the DOJ Comprehensive Opioid, Stimulant, and Substance Abuse Site-based Program. The application

deadline is June 13 with a \$1 million set amount being requested. If awarded, the start date would be October 1, 2022, to be used within 36 months. The request is for the city to make the application and act as the fiscal agent, with administrative help (for a fee) from FAHE. The money could be used for education and diversion programs; transitional and recovery housing; peer support; first responder programs; or court enhancement.

Cm. Hinchman, **MOVED APPROVAL OF A RECOMMENDATION TO COUNCIL TO CONSIDER, AT THEIR NEXT MEETING, PARTICIPATION IN THE DOJ OPIOID PROGRAM GRANT. The motion carried.**

Chief Bennett advised the committee that because the department doesn't have a lot of personnel, they are looking to leverage technology to increase efficiency. He would like committee and council approval to apply for the DOJ JAG Byrne Grant for the purchase of citywide cameras and license plate reader technology. The grant could provide \$950,000 for the purchase of around 70-75 cameras and video management system installation.

Cm. Hinchman, **MOVED APPROVAL OF A RECOMMENDATION TO COUNCIL TO CONSIDER, AT THEIR NEXT MEETING, PARTICIPATION IN THE DOJ BYRNE GRANT. The motion carried.**

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

The meeting adjourned at 11:34 a.m.

The foregoing minutes were approved at the meeting of June 13, 2022

David C. Parker, chair
Name & Title

[Signature]
Signature

**FINANCE COMMITTEE
REGULAR MEETING
MINUTES**

*401 Davis Avenue
City Hall, Council Chambers
May 2, 2022
10:00 a.m.*

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

Also present were: City Attorney G. Roberts; Treasurer T. Judy; Fire Chief S. Himes; Police Chief T. Bennett; Operations Manager J. Sanson; City Clerk J. Sutton; and External Affairs Specialist S. Stokes.

MINUTES

Cm. Chenoweth, **MOVED APPROVAL OF THE MINUTES OF THE APRIL 4, 2022, MEETING. The motion carried.**

NEW BUSINESS

Agenda item c was moved up by unanimous approval of the committee.

Cm. Lowther, **MOVED APPROVAL OF TRANSFERRING FUNDS FROM THE STREET DEPARTMENT CAPITAL OUTLAY BUDGET (750) TO OTHER BUILDINGS (441) IN THE AMOUNT OF \$7000 FOR THE PURCHASE AND INSTALLATION OF A PAVILION AT THE KUMP HOUSE. The motion carried.**

Cm. Chenoweth, **MOVED APPROVAL OF A RECOMMENDATION TO COUNCIL TO AUTHORIZE GENERAL FUND BUDGET REVISION 2022-001-05. The motion carried.**

Cm. Lowther, **MOVED APPROVAL OF A RECOMMENDATION TO COUNCIL TO AUTHORIZE GENERAL FUND BUDGET REVISIONS NO. 13 THROUGH 24 FOR FY22. The motion carried.**

Cm. Lowther, **MOVED APPROVAL OF THE APPROPRIATION OF FY23 FUNDS IN THE AMOUNT OF \$48,000 TO SUPPORT IMPROVEMENTS TO THE SENECA MALL PARKING LOT. The motion carried.**
The City Treasurer was granted discretion over drawing funds from FY22 carryover or financial stabilization.

Cm. Chenoweth, **MOVED APPROVAL OF PROCEEDING WITH THE BID AND PURCHASE OF A NEW SANITATION TRUCK. The motion carried.**

Cm. Lowther, **MOVED APPROVAL OF A RECOMMENDATION TO COUNCIL FOR APPROVAL OF THE FY23 FIRE DEPARTMENT BUDGET. The motion carried.**

Cm. Chenoweth, MOVED APPROVAL OF A RECOMMENDATION TO COUNCIL FOR APPROVAL OF THE FY23 LANDFILL DEPARTMENT BUDGET. The motion carried.

Cm. Chenoweth, MOVED APPROVAL OF A RECOMMENDATION TO COUNCIL FOR APPROVAL OF THE FY23 SANITATION DEPARTMENT BUDGET. The motion carried.

Cm. Lowther, MOVED APPROVAL OF A RECOMMENDATION TO COUNCIL TO ACCEPT THE GENERAL LIABILITY INSURANCE BID SUBMITTED BY ASSURED PARTNERS. The motion carried.

Cm. Chenoweth recused himself due to his law firm's representation of one of the companies who submitted a bid for consideration.

ANNOUNCEMENTS

The Treasurer reported that she will present a revision to the FY22 Sanitation Department budget directly to council as it was not included on this committee agenda.

Cm. Lowther, MOVED ADJOURNMENT. The motion carried.

The meeting adjourned at 11:08 a.m.

The foregoing minutes were approved at the meeting of June 13, 2022

Michael Harchmar
Name & Title
CHAIR

Michael Harchmar
Signature

VENDOR SET: 01 Elkins
 BANK: ARPA Amercia Rescue Plan Act
 DATE RANGE: 6/13/2022 THRU 7/01/2022

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
00085	Burgess & Niple, Inc.							
I-1028982	professional services	R	6/29/2022	5,478.00		000051		5,478.00
00140	City of Elkins							
I-Transfer ARPA Dep	transfer APRA deposit	R	6/29/2022	1,544,921.53		000052		1,544,921.53
00479	Amtower Auto Supply, Inc.							
I-314-169966	assorted tools	R	6/29/2022	7,580.53		000053		7,580.53
01623	Randolph County Community Arts							
I-Commrequest/ARPA	paint, piano, restroom upgrade	R	6/29/2022	5,000.00		000054		5,000.00

* * T O T A L S * *

	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	4	1,562,980.06	0.00	1,562,980.06
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: ARPA TOTALS:	4	1,562,980.06	0.00	1,562,980.06
BANK: ARPA TOTALS:	4	1,562,980.06	0.00	1,562,980.06

VENDOR SET: 01 Elkins
 BANK: Pool Pooled Cash
 DATE RANGE: 6/13/2022 THRU 7/01/2022

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
00741	Great-West Trust Company LLC							
I-VF 202206141323	Voya	D	6/14/2022	405.00		003746		
I-VF202206141323	Voya AT	D	6/14/2022	50.00		003746		455.00
00741	Great-West Trust Company LLC							
I-VF 202206281326	Voya	D	6/28/2022	405.00		003748		
I-VF202206281326	Voya AT	D	6/28/2022	50.00		003748		455.00
00483	Mountain Valley Bank							
I-Sewer PJ Transfer	Sewer Wire Transfer	R	6/13/2022	49,515.00		011771		49,515.00
01753	Fifth Third Bank							
C-KOMATSU CR053122	Komatsu Credit-parts returned	R	6/14/2022	138.18CR		011772		
I-MCard 053122	MasterCard Stmt Pmt 053122	R	6/14/2022	74,926.27		011772		74,788.09
00116	Child Support Enforcement							
I-CDS202206141323	Child Support	R	6/14/2022	528.00		011773		528.00
00121	Citizens Bank of WVFP							
I-FP 202206141323	Fire Pension	R	6/14/2022	556.71		011774		556.71
00122	Citizens Bank of WVFP							
I-PP 202206141323	Police Pension	R	6/14/2022	165.84		011775		
I-PPN202206141323	Police Pension-2010 Forward	R	6/14/2022	423.29		011775		589.13
00147	COE Misc							
I-MIS202206141323	Misc Reimbursements	R	6/14/2022	132.72		011776		132.72
00150	COE Payroll							
I-T1 202206141323	Federal Withholding	R	6/14/2022	11,957.17		011777		11,957.17
00151	COE Payroll							
I-T3 202206141323	FICA	R	6/14/2022	12,324.40		011778		
I-T4 202206141323	Medicare	R	6/14/2022	4,335.90		011778		16,660.30
00152	COE Payroll							
I-T2 202206141323	State Withholding	R	6/14/2022	5,975.00		011779		5,975.00
00203	Davis Trust Company							
I-CC 202206141323	Employee Christmas Club	R	6/14/2022	1,680.00		011780		1,680.00
00747	Washington National Insurance							
I-WN 202206141323	Washington National Insurance	R	6/14/2022	781.08		011781		781.08

VENDOR SET: 01 Elkins

BANK: Pool Pooled Cash

DATE RANGE: 6/13/2022 THRU 7/01/2022

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
00837	COE Payroll Reimbursement							
I-001202206141323	Payroll Reimbursement	R	6/14/2022	65,900.25		011782		
I-006202206141323	Payroll Reimbursement	R	6/14/2022	6,466.74		011782		
I-400202206141323	Payroll Reimbursement	R	6/14/2022	16,255.92		011782		
I-401202206141323	Payroll Reimbursement	R	6/14/2022	12,746.53		011782		
I-404202206141323	Payroll Reimbursement	R	6/14/2022	7,795.01		011782		109,164.45
01328	PA SCDU							
I-CSM202206141323	Maryland Child Support	R	6/14/2022	250.24		011783		250.24
01885	Colonial Life							
I-CL 202206141323	Colonial Life-AT	R	6/14/2022	85.92		011784		
I-CLP202206141323	Colonial Life-PT	R	6/14/2022	52.52		011784		138.44
00150	COE Payroll							
I-T1 202206141324	Federal Withholding	R	6/14/2022	120.77		011785		120.77
00151	COE Payroll							
I-T3 202206141324	FICA	R	6/14/2022	160.96		011786		
I-T4 202206141324	Medicare	R	6/14/2022	37.64		011786		198.60
00152	COE Payroll							
I-T2 202206141324	State Withholding	R	6/14/2022	67.00		011787		67.00
00837	COE Payroll Reimbursement							
I-001202206141324	Payroll Reimbursement	R	6/14/2022	952.52		011788		952.52
1	WENDCLARK CORPORATIO							
I-000202206031321	US REFUND	R	6/14/2022	39.92		011789		39.92
1	BATCHELOR, ALAN D							
I-000202206031322	US REFUND	R	6/14/2022	1,615.35		011790		1,615.35
00047	Truist Governmental Finance							
I-00004 062722	9948000234-04 062722	R	6/15/2022	2,256.75		011791		
I-00005 062422	9948000234-05 062422	R	6/15/2022	2,596.05		011791		
I-00006 062722	9948000234-06 062722	R	6/15/2022	2,643.26		011791		7,496.06
00082	Builders Group, Inc.							
I-686411	SD Sinkers	R	6/15/2022	25.94		011792		25.94
00126	City of Clarksburg							
I-BRUSH88 9130	Compost/Brush #88	R	6/15/2022	169.00		011793		169.00

VENDOR SET: 01 Elkins
 BANK: Pool Pooled Cash
 DATE RANGE: 6/13/2022 THRU 7/01/2022

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
00211	Elkins Depot Welcome Center							
I-H/M April 2022	H/M Collection April 2022	R	6/15/2022	7,075.73		011794		7,075.73
00250	Elkins-Randolph County Regiona							
I-ALLEGH INS 060922	Insurance Renewal 1/2	R	6/15/2022	15,325.63		011795		15,325.63
00334	Core & Main LP							
I-Q806437	Washers/Gaskets	R	6/15/2022	34.00		011796		34.00
00457	Metalworks, Inc.							
I-11668	Mfg Alumn Waste Basket	R	6/15/2022	1,446.00		011797		1,446.00
00471	Mon Power							
I-PARK 051022-060822	City Park 051022-060822	R	6/15/2022	5.82		011798		5.82
00483	Mountain Valley Bank							
I-1202553-21 062822	1202553-21 062822	R	6/15/2022	2,369.18		011799		2,369.18
00688	Terra Flora Landscaping							
I-5365	summer color at parking sign	R	6/15/2022	177.00		011800		177.00
00701	Toshiba Financial Services							
I-473969152	E4515AC 052722-062722	R	6/15/2022	209.59		011801		209.59
00779	Woodford Oil Company							
I-4324619	CHV HYD OIL/DELO 400	R	6/15/2022	890.50		011802		890.50
00803	WV Division of Motor Vehicles							
I-053122	ID - Noah Elbon	R	6/15/2022	25.00		011803		25.00
00884	Colonial Court Service Station							
I-42241	towing 22 F150 ford TK	R	6/15/2022	85.00		011804		85.00
00990	Cleveland Brothers							
I-2949636	CAT430D Backhoe Service	R	6/15/2022	3,926.79		011805		3,926.79
01331	TimeClock Plus							
I-00190932	Semi-Annual Clockable Emp Lic	R	6/15/2022	2,670.00		011806		2,670.00
01594	Pace Analytical Services LLC							
I-2230359278	May 2022 Bulk Invoicing	R	6/15/2022	534.00		011807		534.00
01681	DataMax Corporation							
I-05312022	Collections May 2022	R	6/15/2022	779.28		011808		779.28

VENDOR SET: 01 Elkins
 BANK: Pool Pooled Cash
 DATE RANGE: 6/13/2022 THRU 7/01/2022

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
01790	Crim Law Office PLLC							
I-279 03/2022	Attny Services March 2022	R	6/15/2022	7,780.00		011809		
I-280	Mun Ct Services 03/2022	R	6/15/2022	3,370.00		011809		11,150.00
02027	WV Paving Inc							
I-223021-1	Paving	R	6/15/2022	266,555.94		011810		266,555.94
02306	Thelma Flynn							
I-CKREQ Refund 0622	pavilion reservation cancelled	R	6/15/2022	65.00		011811		65.00
02308	Sheriff of Randolph County							
I-CK REQ 062122	Fee for Accident Report	R	6/21/2022	20.00		011812		20.00
00151	COE Payroll							
I-T3 202206211325	FICA	R	6/21/2022	25.88		011813		
I-T4 202206211325	Medicare	R	6/21/2022	6.04		011813		31.92
00152	COE Payroll							
I-T2 202206211325	State Withholding	R	6/21/2022	6.00		011814		6.00
00837	COE Payroll Reimbursement							
I-001202206211325	Payroll Reimbursement	R	6/21/2022	26.57		011815		
I-401202206211325	Payroll Reimbursement	R	6/21/2022	149.78		011815		176.35
01753	Fifth Third Bank							
I-MC Fleet 053122	MCard Fleet Stmt Pmt 053122	R	6/21/2022	2,337.84		011816		2,337.84
00006	AFLAC							
I-AF 202206011317	Aflac-After Tax Ins	R	6/22/2022	85.21		011817		
I-AF 202206141323	Aflac-After Tax Ins	R	6/22/2022	85.21		011817		
I-AFL202206011317	Aflac Insurance	R	6/22/2022	131.72		011817		
I-AFL202206141323	Aflac Insurance	R	6/22/2022	131.72		011817		433.86
00078	Nanci Bross-Fregonara							
I-CKREQ WVML	WVML Annual Conf Registration	R	6/22/2022	300.00		011818		300.00
00132	Clarksburg Water Board							
I-053122 Samples	M88971/M89062/M89164	R	6/22/2022	92.00		011819		92.00
00154	COE Sanitation							
I-202206142505 BR88	Hauling WWC Brush 88	R	6/22/2022	299.48		011820		299.48
00201	Davis Electrical Svc. Inc							
I-259193 259222	AC Pump and Labor Compressor	R	6/22/2022	2,372.00		011821		2,372.00

VENDOR SET: 01 Elkins
 BANK: Pool Pooled Cash
 DATE RANGE: 6/13/2022 THRU 7/01/2022

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
00242	Elkins Professional Firefighte							
I-EPF202206011317	Elkins Professional FF	R	6/22/2022	90.00		011822		
I-EPF202206141323	Elkins Professional FF	R	6/22/2022	90.00		011822		180.00
00314	Guttman Energy, Inc.							
I-F62206664	Fleet fuel 052322-052922	R	6/22/2022	4,743.69		011823		
I-F62284725	Fleet fuel 053022-060522	R	6/22/2022	3,999.89		011823		
I-F62327380	Fleet Fuel 060622-061222	R	6/22/2022	332.36		011823		9,075.94
00465	Steve's Electrical Service LLC							
I-202102	Finish monthly maint 0516-0526	R	6/22/2022	800.00		011824		
I-202107	Fencing at BH Booster Station	R	6/22/2022	12,000.00		011824		12,800.00
00468	Miss Utility of West Virginia,							
I-WV22-2061	Message Fees May 2022	R	6/22/2022	136.90		011825		136.90
00471	Mon Power							
I-421DAVIS 061422	421 Davis Ave 051222-061022	R	6/22/2022	25.52		011826		
I-RR AVE 061522	RR Ave 051322-061322	R	6/22/2022	7.20		011826		32.72
00591	Retiree Health Benefit Trust F							
I-RChen RHBT 06/22	RChenoweth RHBT June 2022	R	6/22/2022	48.00		011827		
I-RHB202206141323	Retiree Health Benefit Trust	R	6/22/2022	3,216.00		011827		3,264.00
00779	Woodford Oil Company							
I-4327264	CHV DELO 400SDE 15W40	R	6/22/2022	125.00		011828		125.00
00792	WV Consolidated Retirement Boa							
I-RTD202206011317	Retirement	R	6/22/2022	6,174.06		011829		
I-RTD202206011318	Retirement	R	6/22/2022	188.21		011829		
I-RTD202206141323	Retirement	R	6/22/2022	6,166.14		011829		
I-RTD202206141324	Retirement	R	6/22/2022	188.21		011829		
I-RTD202206211325	Retirement	R	6/22/2022	19.27		011829		12,735.89
00805	FBMC							
I-MFB202206011317	Mt. Flex Benefit	R	6/22/2022	1,651.89		011830		
I-MFB202206141323	Mt. Flex Benefit	R	6/22/2022	1,623.65		011830		
I-RChenoweth 6/2022	RChenoweth June 2022	R	6/22/2022	55.60		011830		3,331.14
00810	WV Public Employee Insurance A							
I-ADMN Fees 06/22	Haden/Johnson/Lloyd/Harsh	R	6/22/2022	200.00		011831		
I-BL 202206141323	Basic Life Benefit	R	6/22/2022	180.00		011831		
I-DL 202206011317	Dependent Life	R	6/22/2022	84.50		011831		
I-DL 202206141323	Dependent Life	R	6/22/2022	84.50		011831		
I-HPA202206011317	Ins-Health Plan A	R	6/22/2022	719.00		011831		
I-HPA202206141323	Ins-Health Plan A	R	6/22/2022	719.00		011831		
I-ICA202206011317	Ins - Emp/Child-Plan A	R	6/22/2022	901.00		011831		
I-ICA202206141323	Ins - Emp/Child-Plan A	R	6/22/2022	901.00		011831		

VENDOR SET: 01 Elkins
 BANK: Pool Pooled Cash
 DATE RANGE: 6/13/2022 THRU 7/01/2022

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
I-ICB202206011317	Ins- Emp/child - Plan B	R	6/22/2022	1,188.00		011831		
I-ICB202206141323	Ins- Emp/child - Plan B	R	6/22/2022	1,188.00		011831		
I-IFA202206011317	Ins - Family - Plan A	R	6/22/2022	10,909.50		011831		
I-IFA202206141323	Ins - Family - Plan A	R	6/22/2022	11,429.00		011831		
I-IFB202206011317	Ins - Family - Plan B	R	6/22/2022	6,769.00		011831		
I-IFB202206141323	Ins - Family - Plan B	R	6/22/2022	6,318.50		011831		
I-IFD202206011317	Ins-Fam-Plan B - Post Tax	R	6/22/2022	450.50		011831		
I-IFD202206141323	Ins-Fam-Plan B - Post Tax	R	6/22/2022	450.50		011831		
I-ISA202206011317	Ins - Single - Plan A	R	6/22/2022	3,510.00		011831		
I-ISA202206141323	Ins - Single - Plan A	R	6/22/2022	3,510.00		011831		
I-ISB202206011317	Ins-Single - Plan B	R	6/22/2022	1,885.50		011831		
I-ISB202206141323	Ins-Single - Plan B	R	6/22/2022	1,854.00		011831		
I-OL 202206011317	Optional Life	R	6/22/2022	302.55		011831		
I-OL 202206141323	Optional Life	R	6/22/2022	302.55		011831		
I-RCHEN 06/2022	RChenowath Health/Life	R	6/22/2022	1,196.10		011831		
I-TOF202206011317	Tobacco Surcharge Family	R	6/22/2022	375.00		011831		
I-TOF202206141323	Tobacco Surcharge Family	R	6/22/2022	450.00		011831		
I-TOS202206011317	Tobacco Surcharge Single	R	6/22/2022	137.50		011831		
I-TOS202206141323	Tobacco Surcharge Single	R	6/22/2022	137.50		011831		56,152.70
00952	WV Consolidated Retirement Boa							
I-RTF202206011317	Retirement	R	6/22/2022	2,076.18		011832		
I-RTF202206141323	Retirement	R	6/22/2022	2,552.08		011832		
I-RTN202206011317	Retirement	R	6/22/2022	3,102.30		011832		
I-RTN202206141323	Retirement	R	6/22/2022	3,731.98		011832		11,462.54
00993	WV Consolidated Retirement Boa							
I-RT6202206011317	Retirement 6%	R	6/22/2022	7,666.58		011833		
I-RT6202206141323	Retirement 6%	R	6/22/2022	7,994.55		011833		
I-RT6202206211325	Retirement 6%	R	6/22/2022	12.16		011833		15,673.29
01132	Catholic Charities West Virgin							
I-CKREQ 060622	Hardship Exemption Services	R	6/22/2022	1,000.00		011834		1,000.00
00591	Retiree Health Benefit Trust F							
I-RHBT June 2022	RHBT June 2022 Retirees	R	6/22/2022	2,176.80		011835		2,176.80
00116	Child Support Enforcement							
I-CDS202206281326	Child Support	R	6/28/2022	528.00		011836		528.00
00121	Citizens Bank of WVP							
I-FP 202206281326	Fire Pension	R	6/28/2022	517.26		011837		517.26

VENDOR SET: 01 Elkins
 BANK: Pool Pooled Cash
 DATE RANGE: 6/13/2022 THRU 7/01/2022

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
00122	Citizens Bank of WVpp							
I-PP 202206281326	Police Pension	R	6/28/2022	146.20		011838		
I-PPN202206281326	Police Pension-2010 Forward	R	6/28/2022	412.13		011838		558.33
00147	COE Misc							
I-MIS202206281326	Misc Reimbursements	R	6/28/2022	134.00		011839		134.00
00150	COE Payroll							
I-T1 202206281326	Federal Withholding	R	6/28/2022	11,689.03		011840		11,689.03
00151	COE Payroll							
I-T3 202206281326	FICA	R	6/28/2022	12,337.44		011841		
I-T4 202206281326	Medicare	R	6/28/2022	4,310.36		011841		16,647.80
00152	COE Payroll							
I-T2 202206281326	State Withholding	R	6/28/2022	5,835.00		011842		5,835.00
00203	Davis Trust Company							
I-CC 202206281326	Employee Christmas Club	R	6/28/2022	1,680.00		011843		1,680.00
00747	Washington National Insurance							
I-WN 202206281326	Washington National Insurance	R	6/28/2022	492.96		011844		492.96
00837	COE Payroll Reimbursement							
I-001202206281326	Payroll Reimbursement	R	6/28/2022	60,659.85		011845		
I-006202206281326	Payroll Reimbursement	R	6/28/2022	8,954.28		011845		
I-400202206281326	Payroll Reimbursement	R	6/28/2022	16,986.16		011845		
I-401202206281326	Payroll Reimbursement	R	6/28/2022	12,872.33		011845		
I-404202206281326	Payroll Reimbursement	R	6/28/2022	9,452.77		011845		108,925.39
01328	PA SCUDU							
I-CSM202206281326	Maryland Child Support	R	6/28/2022	189.69		011846		189.69
01885	Colonial Life							
I-CL 202206281326	Colonial Life-AT	R	6/28/2022	85.92		011847		
I-CLP202206281326	Colonial Life-PT	R	6/28/2022	52.52		011847		138.44
1	WV TITLE EXPRESS LLC							
I-000202206281327	ST REFUND	R	6/29/2022	2,339.02		011848		2,339.02
00140	City of Elkins							
I-Transfer Sewer PJ	transfer Sewer Project deposit	R	6/29/2022	1,890.00		011849		1,890.00

VENDOR SET: 01 Elkins
 BANK: Pool Pooled Cash
 DATE RANGE: 6/13/2022 THRU 7/01/2022

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
00032	Absolute Assurance Drug Test L							
I-5022A	testing	R	6/29/2022	273.00		011850		273.00
00119	CIT Technology Finance Serv, I							
I-40215537	Kyocera 070622	R	6/29/2022	52.50		011851		
I-40218755	Konica 070822	R	6/29/2022	55.00		011851		107.50
00140	City of Elkins							
I-202206222545	317 BW Copies	R	6/29/2022	19.02		011852		19.02
00156	COE Sewer Depreciation Account							
I-SwrDep 033122	Swr Deprec Deposit 033122	R	6/29/2022	6,113.61		011853		6,113.61
00211	Elkins Depot Welcome Center							
I-Refund Req 062222	Pavilion reservation cancelled	R	6/29/2022	50.00		011854		50.00
00396	Kay Casto & Chaney PLLC							
I-138490	PSC Invest Suddenlink	R	6/29/2022	121.50		011855		121.50
00457	Metalworks, Inc.							
I-11749	Manufactured Groundhog grds	R	6/29/2022	365.00		011856		
I-11758	Repair Bell Press Air Cylinder	R	6/29/2022	168.00		011856		533.00
01220	The Delmonte Market							
I-118723247	Flowers	R	6/29/2022	4,559.16		011857		4,559.16
01220	The Delmonte Market							
I-118723398	Flowers	R	6/29/2022	4,559.16		011858		4,559.16
01731	Bradish Glass Inc							
I-3240	cullet PU 6/2/22 6.63 tn	R	6/29/2022	250.00		011859		250.00
01824	Xerox Financial Services							
I-3296372	053022-062922 Lease Pmt	R	6/29/2022	315.00		011860		315.00
02054	Middle Fork Builders							
I-06192022	Labor/Materials	R	6/29/2022	6,981.64		011861		6,981.64
02309	Twin A Equipment Repair LLC							
D-193	Reair CAT 430D Backhoe	R	6/29/2022	1,607.15		011862		1,607.15
02310	Intact Insurance							
I-060622	JL Isner 070119-070120	R	6/29/2022	2,500.00		011863		2,500.00

VENDOR SET: 01 Elkins

BANK: Pool Pooled Cash

DATE RANGE: 6/13/2022 THRU 7/01/2022

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
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*** T O T A L S ***

	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	93	910,496.98	0.00	910,496.98
HAND CHECKS:	0	0.00	0.00	0.00
DRAFTS:	2	910.00	0.00	910.00
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: Pool TOTALS:	95	911,406.98	0.00	911,406.98
BANK: Pool TOTALS:	95	911,406.98	0.00	911,406.98

VENDOR SET: 01 Elkins

BANK: SEWPU Sewer Project

DATE RANGE: 6/13/2022 THRU 7/01/2022

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
00085	Burgess & Niple, Inc.							
I-1006539	contracted services	R	6/13/2022	42,361.96		000083		
I-1011007	contracted services	R	6/13/2022	765.00		000083		
I-1012440	contracted services	R	6/13/2022	1,607.13		000083		
I-1018425	contracted services	R	6/13/2022	747.00		000083		45,481.09
00140	City of Elkins							
I-1014418	Reimb COE Pd 4-20-22	R	6/13/2022	855.00		000084		
I-Bear Wage Reimb	Reimburse wages-Bear repairs	R	6/13/2022	3,178.85		000084		4,033.85
00085	Burgess & Niple, Inc.							
I-1019424	contracted services	R	6/29/2022	1,710.00		000085		
I-1023997	contracted services	R	6/29/2022	180.00		000085		1,890.00

* * T O T A L S * *

	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	3	51,404.94	0.00	51,404.94
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: SEWPU TOTALS:	3	51,404.94	0.00	51,404.94
BANK: SEWPU TOTALS:	3	51,404.94	0.00	51,404.94

VENDOR SET: 01 Elkins
 BANK: WATDP Water Depreciation
 DATE RANGE: 6/13/2022 THRU 7/01/2022

VENDOR I.D.	NAME	CHECK STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
02316	FilmTec Corporation							
I-950582487	membrane process audit	R	6/29/2022	8,650.00		000044		8,650.00

* * T O T A L S * *

	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	1	8,650.00	0.00	8,650.00
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: WATDP TOTALS:	1	8,650.00	0.00	8,650.00
BANK: WATDP TOTALS:	1	8,650.00	0.00	8,650.00
REPORT TOTALS:	103	2,534,441.98	0.00	2,534,441.98

SELECTION CRITERIA

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

CHECK SELECTION

CHECK RANGE: 000000 THRU 999999
DATE RANGE: 6/13/2022 THRU 7/01/2022
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

IN THE COMMON COUNCIL OF THE CITY OF ELKINS, WV

A RESOLUTION OF COMMON COUNCIL

(#1539)
July 7, 2022

***Authorizing Application to West Virginia Covid-19 Pandemic DR-4517-WV Grant Funding
By the Elkins Sanitary Board***

WHEREAS, the Common Council of the City of Elkins ("Council") recognizes the need to provide adequate and effective sanitary services to its citizens; and,

WHEREAS, the City of Elkins wishes to submit an application to the State of West Virginia Office of Emergency Service Hazard Mitigation Grant program to request funding for the City of Elkins Emergency Generator Project, and,

WHEREAS, the City of Elkins must give assurance that the Office of Emergency Services Hazard Mitigation Grant Program regulations related to grant administration, civil rights, and other applicable State and Federal Laws will be followed, and,

WHEREAS, the City of Elkins must designate an official representative to act on its behalf in connection with the application and execute all necessary program documents.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City of Elkins authorized the submission of an application with the State of West Virginia Office of Emergency Services Hazard Mitigation Grant Program for the City of Elkins Emergency Generator Project.
2. The City of Elkins will comply with all laws and regulations pertaining to the program.
3. Whitney L. Hymes, Wastewater Superintendent/Chief Operator, is designated as the authorized official to act in connection with the application.

Jerry Marco/City of Elkins Mayor

I, Jessica Sutton, City Clerk, certify that the above is a true copy of a Resolution adopted the 7th day of July 2022 at a meeting of the City of Elkins. I further certify that a quorum was present, and a majority of its members voted affirmatively for this Resolution.

Jessica Sutton/City of Elkins City Clerk

ORDINANCE 299

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF ELKINS, WEST VIRGINIA, AMENDING AND SUPPLEMENTING THAT PORTION OF CITY ORDINANCE NO. 271, WHICH IS CODIFIED AS SECTION 150.035 OF THE CITY CODE TO PROVIDE FOR A CERTAIN REVISION TO THE STATE BUILDING CODE PROMULGATED BY THE WEST VIRGINIA STATE FIRE COMMISSION AND ESTABLISHED BY LEGISLATIVE RULE, TITLE 87, SERIES 4, TO BE EFFECTIVE AUGUST 1, 2022

WHEREAS, pursuant to the provisions of West Virginia Code §8-12-13, the City of Elkins by Ordinance No. 271 has duly adopted the lawfully enacted the State Building Code which consists of the standards and requirements as set out and published by the International Code Council and American Standards Institute and adopted by the State of West Virginia Legislature and codified as Title 87 Series 4 of the Code of State Regulations.

WHEREAS, the State Fire Marshal's Office has notified the City of Elkins of a certain change to said Title 87 Series 4 which will take effect on August 1, 2022, and has directed the City of Elkins to adopt said change as part of its Building and Housing Code

NOW, THEREFORE, be it ordained and enacted by the Common Council of the City of Elkins that Ordinance No. 271 and Section 150.035 of the City Code be and the same is hereby amended and supplemented only as follows:

Section 150.035 of the City Code be and is hereby amended as follows:

The State Building Code be and is hereby reenacted and adopted as promulgated by the West Virginia State Fire Commission, Title No. 87, Series 4 "State Building Code" as approved by the West Virginia Legislature, by Legislative Rule filed January 7, 2022 and effective August 1, 2022 as amended, and which establishes the standards and requirements as set out and as published in 2018 by the International Code Council and American Standards Institute, and the following codes, as promulgated, be and the same are incorporated by reference as if fully set out verbatim herein:

- 2018 International Building Code, as modified or amended, to include Section 4.1.g. The ANSI/ASHRAE/IESNA Standard 90.1 2013 Edition for commercial buildings, as excepted, modified or amended;
- 2018 International Residential Code, as excepted, modified or amended;
- 2018 International Existing Building Code, as excepted, modified or amended;
- 2018 International Plumbing Code, as excepted, modified or amended;
- 2018 International Mechanical Code, as excepted, modified or amended;
- 2018 International Fuel Gas Code, as excepted, modified or amended;

2018 International Property Maintenance Code, as excepted, modified or amended;
NFPA Life Safety Code 2021 Edition;
2020 Edition of the National Electric Code NFPA 70, as excepted, modified or amended;
2017 ICC/ANSI A117.1 Accessible and Usable Buildings and Facilities Code, as excepted, modified or amended;
2018 International Swimming Pool and Spa Code, as excepted, modified or amended;
2015 International Energy Conservation Code – for Residential Dwellings, as excepted, modified or amended, all of which will have an effective date of August 1, 2022.

Section 3. SAVINGS: Nothing in this Ordinance shall be construed to affect any suit or proceeding pending in any court, or rights acquired or liability incurred, or any cause or causes under any act or ordinance repealed; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance; and to that end the provisions of any prior enactment are hereby saved; provided however, that all building codes previously adopted by the City of Elkins and inconsistent with the State Building Code then in effect are null and void.

Section 4. CONFLICTING ORDINANCES: A. Any existing municipal ordinance that is more stringent or imposes a higher standard than is required by the above referenced codes shall govern, provided such ordinance is consistent with the laws of the State of West Virginia and are not contrary to recognized standards and good engineering practices.

B. Any existing municipal ordinance that is less stringent or imposes a lesser standard than is required by the above-referenced codes is hereby amended to comply therewith.

Section 5. SEVERABILITY: If any section, sentence, clause or phrase of this ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this ordinance which shall continue in full force and effect, and to this end the provisions of this ordinance are hereby declared severable.

Section 6: ENFORCEMENT: A. In addition to any other City personnel, officer, or official authorized to investigate and enforce the provisions of this article, the City's Building Inspector, and Code Enforcement Officer shall have authority to enforce the provisions of this ordinance.

Section 7. A certified copy of this Ordinance shall be filed with the West Virginia State Fire Commission Office of the State Fire Marshal.

This Ordinance shall become effective thirty (30) days after final adoption.

PASSED AND APPROVED ON FIRST READING: ____ day of _____, 2022.

PASSED AND APPROVED ON SECOND AND FINAL READING THE ____ day of _____, 2022.

CITY OF ELKINS, WEST VIRGINIA

Jerry A. Marco, Mayor

Attest:

Jessica Sutton, City Clerk

ORDINANCE 300

An Ordinance of the Common Council of the City of Elkins, West Virginia,
Revising Chapter 93: Streets, Sidewalks, and Public Places of the City Code
to Establish Rules and Regulations for Outdoor Dining in Public Spaces

WHEREAS, The Common Council of the City of Elkins, West Virginia, recognizes the positive nature of extending dining options to create an active streetscape and to encourage pedestrian and retail friendly traffic to the downtown area of the City; and

WHEREAS, the purpose of this Ordinance is to establish regulations for the facilitation of outdoor dining as a safe use of the public right of way; and

WHEREAS, it is in the best interests of the citizens of the City to provide an additional safe and appealing option for dining outdoors.

NOW THEREFORE, be it ordained and enacted by the Common Council of the City of Elkins, West Virginia that Chapter 93: Street, Sidewalks, and Public Places be amended and supplemented by adding the following sections: **OUTDOOR DINING IN PUBLIC PLACES**

Sec. 93.115 - Outdoor dining rules and regulations

The City of Elkins Zoning Officer is hereby authorized to promulgate reasonable rules and regulations regarding the administration of the requirements of this article, to review all Outdoor Dining Area permit applications and to either grant or deny such permits under this article. Copies of such regulations, as amended from time to time, shall be maintained by the Zoning Officer, posted on the City's website and filed in the City Clerk's office, and shall be available to interested parties at all reasonable times.

Sec. 93.116 - Compliance with federal, state, and local laws and regulations

(a) The operation of an Outdoor Dining Area pursuant to a permit granted under this article shall comply with the Americans with Disabilities Act, all provisions of state and local building and fire codes, as well as all state and local health laws and regulations regarding the service and preparation of food. The operations of an Outdoor Dining Area shall also be conducted in accordance with the code provisions and regulations of the West Virginia Alcoholic Beverage Control Administration (WVABCA). Nothing in this article shall be intended to alter or abridge any applicable federal, state, and local laws or the Operator's responsibility to comply with all code provisions and regulations of the WVABCA.

(b) Nothing in this article shall be intended to alter or abridge the prohibition of service of alcoholic beverages or possession thereof on public property in the City, except that any permitted Outdoor Dining Area Operator and patrons of permitted Operator's Outdoor Dining Area shall be deemed to be exempt from said prohibition during the hours of operation of the Outdoor Dining Area and only within the confines of said area.

Sec. 93.117 - Definitions

(a) *Operator* shall mean a person, organization, proprietorship, corporation, or other similar entity lawfully operating a business located in the City of Elkins', that possesses a valid State of West Virginia food vendor's permit and has been issued an Outdoor Dining Area permit.

(b) *Outdoor Dining Area* shall mean a confined area of the public sidewalk designated by a site plan approved by the City through its Zoning Officer, and which area is adjacent to Operator's building/permanent structure, where patrons may sit at tables while consuming food and beverages, which may include any beverage regulated by the WVABCA contingent on proper licensure by the WVABCA.

Sec. 93.118 - Permit Process

(a) An applicant for an Outdoor Dining Area permit shall file an application with the City of Elkins Zoning Officer. An application for an Outdoor Dining Area permit shall be accompanied by a \$25 annual permit fee, valid through June 30, for an outdoor dining area, and shall include: a site plan, drawn to scale showing the layout for the Outdoor Dining Area which accurately depicts the existing sidewalk conditions, including sidewalk width from building face to curb; location and dimensions of tree wells; locations of lamp posts, traffic and parking signs, signal poles, trash receptacles, benches, and other sidewalk features or obstructions; as well as design, location, size and space of the dining area, chairs, tables, aisles between tables; and if applicable, enclosures; routes of ingress and egress; clearances between the seating area and the curb; and any such additional requirements of the Zoning Officer with respect to type, style, or specifications of the Outdoor Dining Area, including those requirements subject to the approval of the WVABCA.

(b) After reviewing the application and site plan, the Zoning Officer shall determine if the proposed Outdoor Dining Area, consistent with the requirements of this article, is reasonable, promotes safe pedestrian and retail friendly vitality, and that there is adequate space remaining within the public right-of-way to facilitate safe circulation of pedestrian traffic, while promoting the overall public health, safety and welfare. Thereafter, the Zoning Officer may approve, approve with conditions, or deny an application. The approved plan and permit shall be posted at the Operator's premises, visible to customers and the public. No material change

to the approved plan shall be made without prior written approval by the Zoning Officer.

(c) The Outdoor Dining Area permit term shall be for one year to coincide with the city's fiscal year (July 1 – June 30), unless revoked prior to expiration, and may be renewed on an annual basis. An annual permit fee of \$25 shall be assessed for renewal of an existing Outdoor Dining Area permit.

(d) Any Operator holding a valid existing permit for a particular Outdoor Dining Area that continues to utilize that Outdoor Dining Area, shall be deemed to have re-applied for permission to use the same space for a succeeding permit term. Such Operator shall pay the applicable annual renewal permit fee, complete all renewal paperwork and comply with any other renewal requirements of the Zoning Officer, on or before June 30. If the Operator fails to meet all renewal requirements, then the Operator's permit shall be deemed to have expired.

(e) The issuance of an Outdoor Dining Area permit does not grant or imply vested rights to use of the area by the Operator, but instead is a privilege granted to the Operator. The City retains the right to deny the issuance of a permit or the renewal of a permit for any lawful reason. The City shall have broad discretion to grant or revoke permits issued pursuant to this article in the interests of promoting pedestrian and retail friendly vitality, and improving the overall public health, safety, and welfare.

Sec. 93.119 - Standards for outdoor dining areas

(a) The Outdoor Dining Area shall be located adjacent to the property of an existing and lawful establishment of a permitted Operator and shall be under the responsible direction and control of that Operator.

(b) The Outdoor Dining Area may be open to patrons between the hours of 6:00 a.m. and 11:00 p.m. daily. In the event a permitted Operator intends to serve any beverage regulated by the WVABCA in an Outdoor Dining Area, all code provisions and regulations of the WVABCA regarding permitted days and hours of service shall be followed.

(c) All furniture or other personal property located on the public sidewalk/right-of-way by Operator must be readily removable without damage to the surface of public sidewalk/right-of-way. Penetrations into or permanent fixtures placed upon the public sidewalk/right-of-way by Operator are strictly prohibited.

(d) The Zoning Officer shall have the authority to determine when furniture, personal property and associated enclosures must be removed from the public sidewalk/right-of-way.

(e) At least 42 inches of unobstructed corridor space must be maintained between the outer dimension of the Outside Dining Area and the curb or nearest obstruction, in order to ensure a clear pedestrian passageway along the sidewalk. In order to achieve a continuous pedestrian walkway, the pedestrian passageway shall be a straight line, parallel to the building face or curb line, for the entire length of the Outdoor Dining Area.

(f) An unobstructed clearance of 42 inches, must be maintained between a fire hydrant and any furniture or enclosures of an Outdoor Dining Area.

(g) The Outdoor Dining Area must be kept sanitary, neat, and clean at all times and shall be free from the accumulation of food and litter.

(h) In order to control litter, the use of disposable plates and utensils is discouraged.

(i) Noise from an Outdoor Dining Area which unreasonably disturbs neighboring commercial or residential occupants is prohibited.

(j) In order to serve any beverage regulated by the WVABCA in an Outdoor Dining Area, the designated area must be included in the floor plan for the licensed premises as approved by the WVABCA. Any beverage regulated by the WVABCA shall be served and consumed only on the enclosed or bounded portion of the public sidewalk designated and permitted by the City as an Outdoor Dining Area. Patrons are not permitted to carry any beverage regulated by the WVABCA out of the Outdoor Dining Area.

Sec. 93.120 - Additional Requirements

(a) Prior to the issuance of a permit, the applicant must agree, in writing, that it shall indemnify, defend, and save harmless the City, its officers, agents, and employees, from and against all liability, claims, suits, damages, losses, costs, attorneys' fees and expenses of any or all types arising out of, or related in any way to, the permitted Outdoor Dining Area.

(b) The applicant shall maintain such general liability insurance with at least \$1,000,000 coverage per each occurrence and shall the name as additional insured the City of Elkins, its agents, officers, directors and employees. A copy of said insurance policy shall be furnished to the City of Elkins.

(c) The authorization and privilege granted by a permit approved under this section shall be terminated due to the Operator's failure to comply with any federal, state or local laws, any unabated nuisances or whenever the City desires to use the affected public right-of-way for

any public purpose. In the event the City shall have a public need for use of the right-of-way, or the property affected by the right-of-way, the City may terminate the use of such right-of-way by written notification to the applicant for the removal of any encroachments, and the Operator shall cease use of the right-of-way unless and until such time the City has no public need for use of the right-of-way. Said removal shall be completed by the date specified in the notice and shall be accomplished by the applicant without cost to the City. If the applicant fails or neglects to remove the encroachment within the time specified, the City shall have the right to remove the encroachment, at the expense of the Operator, and shall not be liable to the Operator for any loss, financial or otherwise, or damage to the encroachment or personal property within the encroachment area.

Sec.93.121– Denial or Revocation of Permit

(a) An Outdoor Dining Area permit is a privilege granted to the Operator that may be revoked by the City upon finding by the Zoning Officer that the Operator has violated any federal, state or City law applicable to the Outdoor Dining Area or the operation thereof, including but not limited to, compliance with all code provisions and regulations of the WVABCA; that the continued operation of the Outdoor Dining Area poses a threat to the health, safety or welfare of the public, or that the Outdoor Dining Area constitutes a public nuisance.

(b) An applicant who has been denied a permit, or an Operator whose permit has been revoked may appeal the denial or revocation to the City of Elkins ~~Charleston~~ Board of Zoning Appeals (BZA). The provisions of Chapter 152 of the City of Elkins ~~Charleston~~ Zoning Ordinance shall apply. Such appeal may be made in writing within thirty (30) days following the decision appealed from, on forms available at the Zoning Officer, and shall set forth the basis on which the person contests the decision. Within ten (10) days of receipt of the appeal by the BZA, the BZA shall set a date and time for a public hearing. The public hearing shall be held within forty-five (45) days of receipt of the appeal to the BZA. The BZA shall conduct a public hearing on the appeal and may: deny the appeal and uphold the original order, requirement, decision or determination; grant the appeal and overturn the original order, requirement, decision or determination; or, issue an order which denies part of the appeal and grants part of the appeal. The BZA shall make written findings of fact and conclusions of law on which the BZA based its decision. The decision of the BZA may be appealed by either party, within thirty (30) days, to the ~~Kanawha~~ Kanawha County Circuit Court, as set forth in WV Code §8A-9-1, et seq.

Sec. 93.122 – Penalty

Any Operator who violates any provision of this article shall, upon conviction, be fined up to \$100 per day. Each day any violation of this article shall continue shall constitute a separate 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 determinations that it would have adopted this Ordinance without the invalid provision.

PASSED AND APPROVED ON FIRST READING _____, 2022.

**PASSED AND APPROVED ON SECOND AND FINAL READING THIS _____ DAY
OF _____, 2022**

CITY OF ELKINS, WEST VIRGINIA

Jerry A. Marco, Mayor

Attest:

Jessica R. Sutton, City Clerk

IN THE COMMON COUNCIL OF THE CITY OF ELKINS, WV

A RESOLUTION OF COMMON COUNCIL

(#1542)
July 7, 2022

***Appointment of J. Sutton as Mon Forest Towns Partnership
Board of Directors Elkins Representative***

WHEREAS, the City of Elkins, West Virginia (“City”) has, per Resolution #12997, adopted January 16, 2020, the City accepted and executed a Memorandum of Understanding (“MOU”) with the Monongahela National Forest (“MNF”), for the purpose of participating in the Mon Forest Towns Partnership (“MFTP”) meant to diversify economic development and enhance the quality of life for residents and visitors; and,

WHEREAS, the MOU requires that each participating community appointed a representative to the Board of Directors; and,

WHEREAS, Taira Gainer has resigned her position as the City of Elkins representative effective July 13, 2022; and,

WHEREAS, Jessica Sutton has been nominated to replace Ms. Gainer in this role; and,

WHEREAS, it appears that this appointment is in the best interest of the citizens of the City of Elkins;

NOW, THEREFORE, BE IT RESOLVED, THAT:

The Elkins Common Council hereby appoints Jessica Sutton to the Mon Forest Towns Partnership Board of Directors as representative for the City of Elkins effective July 13, 2022.

Jerry A. Marco, Mayor

Attest:

Jessica R. Sutton, City Clerk



The rural communities within and adjacent to the Monongahela National Forest (MNF) are working to diversify economic development and to enhance quality of life for residents and visitors. These communities act as gateways to the forest and provide numerous benefits. Growing and maintaining a healthy recreation sector requires stakeholder engagement to develop a strong plan for the region's future. These efforts present economic opportunities – to work together on sustainable trail and recreation infrastructure development, workforce development, business and entrepreneurial development, branding and marketing, event and volunteer coordination, and health and wellness.

The board of the Mon Forest Town Partnership is comprised of representatives from Cowen, Davis, Durbin, Elkins, Franklin, Marlinton, Parsons, Petersburg, Richwood, Seneca Rocks, Thomas, and White Sulphur Springs.

Mon Forest Town Board of Director Requirements:

- Occasional travel to attend Board of Directors meetings that take place in rotation of each Mon Forest Town (meetings are also offered via zoom)
- Consistently attend quarterly board meetings
 - 4 meetings in a year
 - Must attend at least two meetings per year
- Have authority to act on behalf of community they will represent
- MFT Board comprised of 1 voting member from each town
- Town will also appoint alternate representative
 - Mark Doak, emarkdoak@gmail.com, is designated alternate Elkins representative
 - Alternate representative does not have power to commit or act on behalf of municipality without specific approval from municipal governing body
- Keep council informed of progress and updates from MFTP

Elkins Top Projects

- Elkins Area Shared Trails – Elkins Area Shared Trails is an initiative to develop shared trail use near Elkins (within 10 minutes)
- Riverfront Development – This is a HubCAP project and is a project to connect downtown Elkins to Riverbend & Glendale Parks with a riverfront walkway/path.

Next MFTP meeting will take place on July 13, 2022 at the Wood Technology Center on 10 11th Street, in Elkins, West Virginia.

IN THE COMMON COUNCIL OF THE CITY OF ELKINS, WV

A RESOLUTION OF COMMON COUNCIL

(#1543)
July 7, 2022

Appointment of A. Burkhart to the Elkins Tree Board

WHEREAS, the Elkins Common Council, upon final reading July 1, 2021, adopted Ordinance 284 allowing the Elkins Tree Board to maintain a board of no less than six and no more than eight members; and,

WHEREAS, R. LaBrozzi has resigned from the Elkins Tree Board, leaving only six members; and

WHEREAS, at the Board's recommendation, the mayor has nominated Aira Burkhart to fill the unexpired term ending December 31, 2023;

NOW, THEREFORE, BE IT RESOLVED, THAT:

The Elkins Common Council hereby appoints Aira Burkhart to the Elkins Tree Board with a term ending December 31, 2023.

Jerry A. Marco, Mayor

Attest:

Jessica R. Sutton City Clerk

IN THE COMMON COUNCIL OF THE CITY OF ELKINS, WV

A RESOLUTION OF COMMON COUNCIL

(#1544)
July 7, 2022

Appointment of L. Severino to Unexpired Second Ward Council Seat

WHEREAS, on May 19, 2022, Charles H. Friddle, III resigned from the Elkins Common Council, leaving vacant a council seat in the Second Ward of the City of Elkins; and,

WHEREAS, West Virginia Code §8-5-10 provides that whenever a vacancy shall occur from any cause in any municipal elective office, the vacancy, until the next succeeding regular municipal election and until the qualification of an elected successor, shall be filled by appointment by the governing body; and,

WHEREAS, §2.02 of the Charter of the City of Elkins provides Council with the authority to appoint a qualified person by a majority vote of those present; and,

WHEREAS, the Elkins Common Council adopted a Council Vacancy Protocol on December 1, 2016 to be used henceforth in any appointment to a vacant council seat; and,

WHEREAS, having followed the Council Vacancy Protocol, the Elkins Common Council recommends the appointment of Lisa Severino, to the unexpired term of Second Ward Council Member; and,

NOW, THEREFORE, BE IT RESOLVED, THAT:

The Common Council of the City of Elkins hereby appoints Lisa Severino as Second Ward Council Member effective upon her swearing of the oath of office and until such time as the next succeeding regular municipal election and the qualification of an elected successor may occur.

Jerry A. Marco, Mayor

Attest:

Jessica R. Sutton City Clerk

IN THE COMMON COUNCIL OF THE CITY OF ELKINS, WV

A RESOLUTION OF COMMON COUNCIL

(#1545)
July 7, 2022

***Approving "Full-Time Regular Employee" Status and
Confirming Compensation Level for [REDACTED]***

WHEREAS, as of June 1, 2022, [REDACTED] will have completed his 90-day probationary period as a Sanitation Driver; and,

WHEREAS, the wage associated with this position is \$11.68 per hour; and,

WHEREAS, Elkins City Code, §30.02 provides Council with the power to prescribe and set forth compensation paid in the annual budget or through other ordinance; and,

WHEREAS, West Virginia Code, §8-5-12 provides that every municipality shall by ordinance or budget fix or cause to be fixed the salary or compensation of every municipal officer and employee; and,

WHEREAS, sufficient funds are available within the appropriate accounts;

NOW, THEREFORE, BE IT RESOLVED, THAT:

The Common Council of the City of Elkins hereby confirms [REDACTED] as a Sanitation Driver and, as of June 1, 2022, accords him the status of full-time regular employee; and,

FURTHER, confirms that his compensation in that position is \$11.68 per hour.

Jerry A. Marco, Mayor

Attest:

Jessica R. Sutton, City Clerk

**Elkins Common Council: Agenda Item Request
Personnel Action**

Name of Employee: _____

Requesting Administrative Officer (circle one):

Clerk Fire Chief Operations Manager Police Chief Treasurer

Requested Personnel Action (check one):

- New employee has completed probationary period and is recommended for full-time regular status
- Promoted/transferred employee has completed probationary period and is recommended for confirmation in new position
- Other (please describe in detail):

Employee's Direct Supervisor: Tim Harper

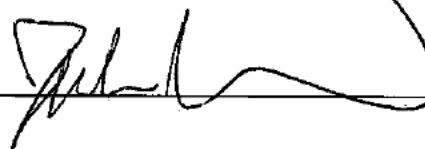
Effective date of personnel action: 6/1/2022

Employee's title/dept. after action:

Sanitation Driver

Employee's current Grade: 5 and Step: 1 Wage: \$

Employee's new Grade: _____ and Step: _____ Wage: \$ _____

Administrative Officer's signature:  Date: 6/27/22

****Route to Mayor****

Mayor's initials: _____

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

(#1546)
 July 7, 2022

Approval of Budget Revision 2023-002-01 for Fiscal Year 2023

At a regular session of the Elkins Common Council, held July 7, 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 I (City Budget Revision 1), 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		Mayor J. Marco (in case of tie)	
(vacant)		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.

 Jerry A. Marco, Mayor

Attest:

 Jessica R. Sutton, City Clerk

Ora Ash, Director
 West Virginia State Auditor's Office
 200 West Main Street
 Clarksburg, WV 26301
 Phone: 627-2415 ext. 5114
 Fax: 627-2417

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. (§ 1-1-8-26a)

CONTROL NUMBER

2023

FY

2

FUND

1

REV. NO.

1

PG. OF NO.

Municipality

Government Type

Person To Contact Regarding

Budget Revision: **Tracy Judy**

Phone: **304-636-1414 Ext 1317**

Fax: **304-635-7135**

City of Elkins

GOVERNMENT ENTITY

401 Davis Ave

STREET OR PO BOX

Elkins

CITY

26241

ZIP CODE

REVENUES: (net each acct.)

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUSLY APPROVED AMOUNT	(INCREASE)	(DECREASE)	REVISED AMOUNT
298	Assigned Fund Balance	144,660	7,396		152,056
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				

NET INCREASE/(DECREASE) Revenues (ALL PAGES)

7,396

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
440	City Hall	159,660	7,396		167,056
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				

NET INCREASE/(DECREASE) Expenditures

7,396

APPROVED BY THE STATE AUDITOR

BY:

Director, 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**

(#1547)
July 7, 2022

Approving Transfer of Funds from the Financial Stabilization Account

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

WHEREAS, included in the budget is Fund 003 (Financial Stabilization); and

WHEREAS, the Finance Committee has recommended revisions to said Budget as shown;

Amount	From Fund No.	Fund Name	To Fund No. Account No.	Fund Name
\$1,182.25	003	Fin. Stabilization	254	Capitol Reserve City Hall Parking Lot Project

NOW, THEREFORE, BE IT RESOLVED, THAT:

The Common Council of the City of Elkins hereby approves the transfer of funds from the Financial Stabilization Account (003) to other funds as indicated above.

Jerry A. Marco, Mayor

Attest:

Jessica R. Sutton, City Clerk

IN THE COMMON COUNCIL OF THE CITY OF ELKINS, WV

A RESOLUTION OF COMMON COUNCIL

(#1548)
July 7, 2022

Authorizing Closure of City Hall Parking Lot Project Bank Account

WHEREAS, the Treasurer of the City of Elkins is required by City Code to administer the funds of the City held for various purposes in accounts established at financial institutions; and,

WHEREAS, a Capitol Reserve bank account was opened for use in administering the City Hall Parking Lot Project; and,

WHEREAS, the City Hall Parking Lot Project has been completed; now, ***therefore, be it***

RESOLVED, that the Treasurer is authorized to close the aforementioned bank account for the City of Elkins.

Jerry A. Marco, Mayor

Attest:

Jessica R. Sutton, City Clerk

IN THE COMMON COUNCIL OF THE CITY OF ELKINS, WV

A RESOLUTION OF COMMON COUNCIL

(#1549)
July 7, 2022

Approving Amendments to the City of Elkins Grants Protocol

WHEREAS, On June 18, 2009, the City of Elkins Common Council adopted a Grants Protocol supporting efforts to seek and identify potential revenue from external funding sources to benefit the city; and,

WHEREAS, this protocol was updated on December 15, 2011, per Resolution #287; and,

WHEREAS, after application and review, the protocol has been revised to reflect the current organizational structure and needs (copy attached); and;

WHEREAS, the objective remains to employ an efficient and effective policy that allows flexibility to take advantage of grant opportunities, but still maintains council oversight; and,

WHEREAS, it appears that amending the Grants Protocol 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 amendments to the City of Elkins Grants Protocol effective immediately.

Jerry A. Marco, Mayor

Attest:

Jessica R. Sutton, City Clerk

Grant Application Protocol

Grants can be a welcome source of funding for projects, activities, and purchases that City of Elkins might not otherwise be able to afford. Grants can also require significant staff time to prepare and administer and can incur costs that may not be immediately obvious without careful analysis. Council's goal in designing this protocol is to provide enough flexibility to take advantage of grant opportunities while maintaining sufficient oversight to ensure alignment with policy goals and avoid the inadvertent obligation of unbudgeted funds, unsupportable amounts of force-account labor, or other unanticipated costs and responsibilities.

Decisions about whether to pursue specific grants shall be left to the appropriate administrative officers or chief utility operators. Non-utility boards and commissions may also pursue grant opportunities following the steps in this checklist, but only after their governing body has taken official action to approve application.

It is inappropriate for elected officials to advocate or assist in applying for specific grant programs, as this creates conflicts when council is considering requests to accept awards.

Application Process

1. Consider the following questions. *If no to all three questions, skip to step 4.*
 - a. Would the grant impose financial obligations, such as through a matching-funds requirement and/or recurring personnel or other costs, that are outside your current budget or would occur beyond the current fiscal year?
 - b. Would execution of the grant-funded project require assistance from another department?
 - c. Would execution of the grant-funded project affect another department and/or outside agencies?
2. If the grant would result in unbudgeted financial obligations (yes to "a"), you must seek approval from the Finance Committee before submitting your application. (Contact the city clerk for assistance.)
3. If executing a grant-funded project would require assistance from or affect another department (yes to "b" and/or "c"), you must obtain written consent from the appropriate administrative officer or agency representative before submitting your application.
4. Make application. Notify the executive secretary and council of your application. Upon notification of non-award, notify the executive secretary. If notified of award, follow steps below.

Post-Award Process

No one may execute grant acceptance documents without council's approval, even if council approval is not required by the granting agency. Before requesting that the city clerk add your pending grant award to a council agenda, you must:

1. Examine documents carefully to identify any special requirements imposed by the granting agency, such as specific wording required for a resolution, required signatures, the need for a standalone bank account, etc. Consult with city clerk, city treasurer, and/or other city staff as necessary to plan compliance.
2. Provide the city attorney with acceptance documents for review.

After completing these steps, and to request that your pending grant award be added to a council agenda, submit the following to the city clerk, no later than three business days prior to the meeting:

- Award agreement and conditions
- Project budget
- Detailed project narrative
- Explanation of the presence/absence of match, in-kind, or similar requirements
- MOU with or written consent from other departments (if applicable)
- Any other information council may need to evaluate your request

Accept/decline grant as council directs. Route copies of executed documents to executive secretary.

LEASE

THIS LEASE, made and entered into in duplicate this 1st day of July 1, 2022, by and between the CITY OF ELKINS, a West Virginia municipal corporation, ("Lessor"), and _____ ("Lessee").

WITNESSETH: That, subject to the terms and conditions hereinafter set out, Lessor hereby lets and leases unto Lessee a part of the premises and the real property located at 421 Davis Avenue, Elkins, West Virginia, known as _____

1. TERMS AND RENTAL. The term of this Lease shall be until December 31, 2022, at a monthly rental of _____ payable upon the execution of this Lease and payable on the 1st of each month thereafter.

2. COVENANTS OF LESSEE. The Lessee hereby covenants and agrees:

a. TO KEEP IN REPAIR AND IN GOOD CONDITION. That it will keep the leased premises, excluding the walls, roof and other structural members of the building, in such repair as the same are at the commencement of said term, reasonable wear and tear and damage by fire or other unavoidable casualty excepted.

b. NOT TO INJURE OR DEFACE. That it will not injure, overload or deface, or allow to be injured or defaced, the premises or any part thereof.

c. NOT TO MAKE UNLAWFUL USE, ETC. That it will use the premises for the sole purpose set forth above and will not make, or allow to be made, any improper or offensive use of the premises which would be injurious to any person or property, or which would violate the laws of the State of West Virginia or of the United States, or any ordinance of the City of Elkins, or which would affect or endanger any insurance coverage on the building situate on the premises or increase the premium thereof.

d. NOT TO MAKE ALTERATIONS. That it will not make any alterations or additions in and to the premises without the written consent of Lessor. Any alterations or additions so made shall be considered part of the real estate and shall belong to Lessor upon the conclusion of this Lease.

e. LESSOR TO ENTER. That it will allow Lessor, at all reasonable times, to enter and view the premises and to make any repairs which it may see fit to make.

f. TO YIELD UP PREMISES. That at the expiration of the term of this Lease, it will peaceably yield the premises up to Lessor, in good repair in all respects, reasonable use and wear and damage by fire and other unavoidable casualties excepted.

g. TO INDEMNIFY AGAINST ACCIDENTS AND NEGLIGENCE. That it will save harmless and indemnify Lessor from and against all loss, liability or expense that may be incurred by reason of any

claim arising out of or in connection with Lessee's occupancy and use of the leased premises. Lessee shall maintain liability insurance coverage, naming Lessor as an additional insured, with a limit of not less than \$1,000,000.00 each occurrence and \$2,000,000.00 aggregate. Lessee's insurance policy shall apply as primary insurance with respect to any other insurance maintained by the Lessor.

h. **TO BEAR RISK FOR CONTENTS.** That all property of any kind that may be on the premises during the term of this Lease shall be at the sole risk of Lessee, and that Lessor shall not be liable to Lessee or any other person for any injury, loss or damage to property or to any person on the premises.

i. **NO WAIVER.** That no assent, expressed or implied, by Lessor to any breach of any of Lessee's covenants shall be deemed to be a waiver of any succeeding breach of the same covenant or of any other covenant herein.

3. **COVENANT OF LESSOR.** The Lessor hereby covenants and agrees that it will provide fire and hazard insurance on the leased premises but not the contents therein.

4. **FIRE OR OTHER UNAVOIDABLE CASUALTY.** In case the premises or any part thereof shall at any time during the term of this Lease be destroyed or damaged by fire or other unavoidable casualty so as to be unfit for occupancy and use, this Lease shall terminate.

5. RIGHT OF REENTRY. If Lessee shall neglect or fail to perform any of its covenants, Lessor may, immediately or at any time, thereafter, enter into the premises and repossess the same as of its former state and expel Lessee, but without prejudice to any remedies which might otherwise be used by Lessor for any breach of Lessee's covenants. ,

6.. NOTICE. Whenever notice is required hereunder, it shall be addressed as follows until written notice of change of address is given to the other party:

LESSOR: Mayor of the City of Elkins, City Hall,
401 Davis Avenue, Elkins, WV 26241

LESSEE: _____

In Witness Whereof, Lessor and Lessee have set their hands and seals the day and year first written above.

CITY OF ELKINS,
a municipal corporation,

By: _____
Its Mayor

By: _____
Its: _____



To the City of Elkins and the City Council,

I am Chastity Watson, the Store Manager of Smoker Friendly #23 located at 317 Randolph Ave in Elkins, WV. I speak for my Company and am asking if we can, again this year, set up our Beer tent in our parking lot during the Forest Festival. We would operate it with our staff and staff from our other Smoker Friendly store locations. The hours would be Friday and Saturday October 7th and 8th from noon until 10:00 pm. We will be serving draft beers and requiring ID checks of customers during the event. Attached is a basic lay out as we had it set up during the last Forest Festival event.

We appreciate your consideration and enjoy being a part of this city's great events. You can contact me at the store phone number 304-637-5966 and my cell phone number is 304-517-3331.

Thank You,

Chastity Watson
Store Manager
Smoker Friendly #23
317 Randolph Ave
Elkins WV. 26241
Ph: 304-637-5966
Fax: 304-637-5969
Store23@smokerfriendlywv.com
www.smokerfriendlywv.com

West Virginia Alcohol Beverage Control Administration Floor Plan

License period: _____

Applicant Entity Name: _____

Doing Business As (DBA) Name: _____

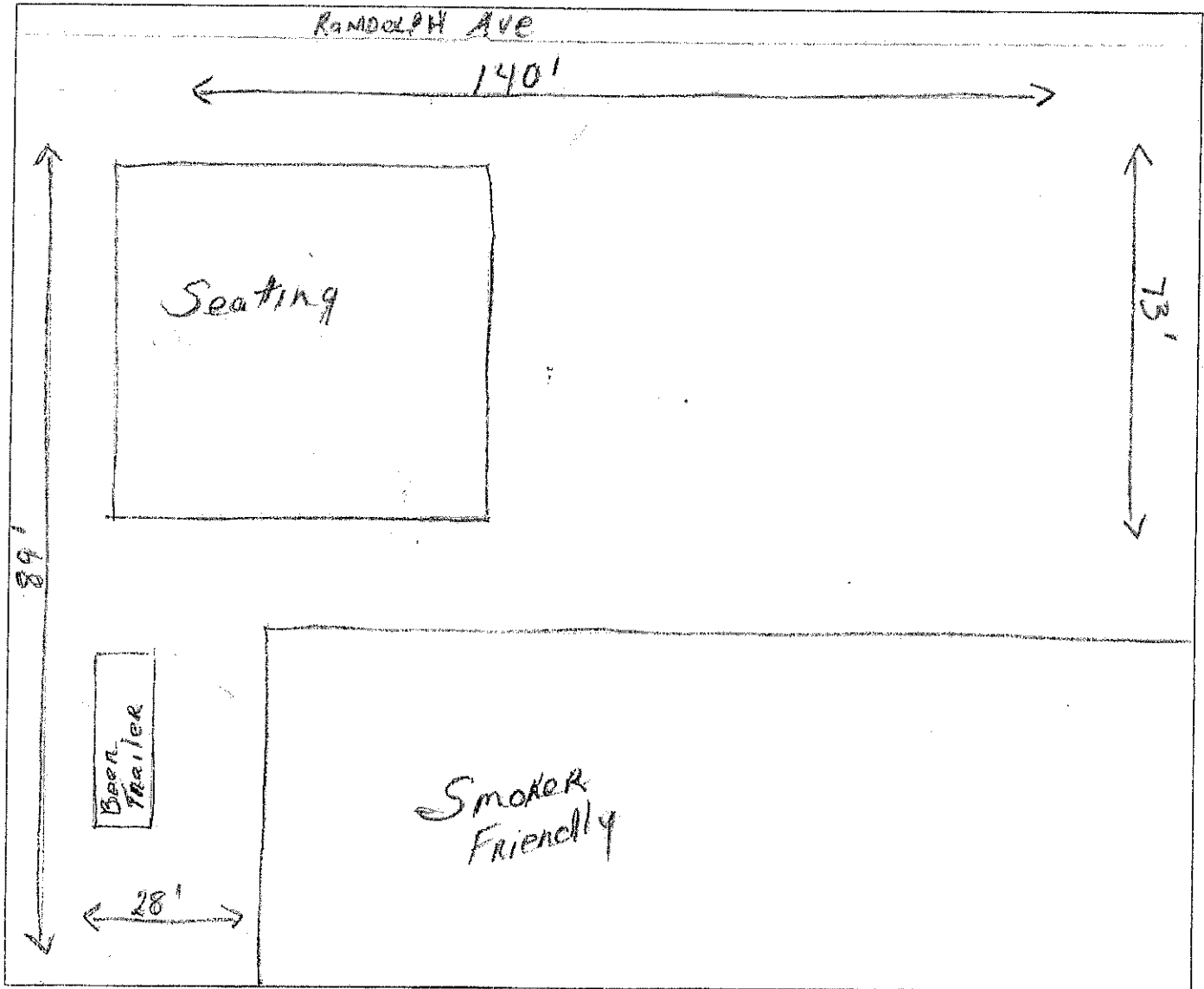
County: _____

Floor plan **must** include **all areas under the control or lease of the applicant** where alcohol is to be stored, sold or consumed. All areas under control or lease of the licensee must be licensed.

Submit (1) copy to ABCA.

(Give Dimensions)

Keep (1) copy at licensed premises.



*If there are attached drawings please check: _____ (additional drawings must be signed).

*Complete information on reverse side of form.