



City of Elkins

Regular Council Meeting

February 16, 2023
7:00 PM
401 Davis Avenue
Council Chamber, 2nd Floor

AGENDA

1. **Invocation and Pledge of Allegiance**
2. **Call to order and roll call**
3. **Agenda adjustments**
 - a. *Ordinance 311*: An Ordinance to Amend the Official Zoning map, Chapter 152: Zoning, Elkins City Code - First Amendment (1st of two readings)
 - b. *Resolution 1616*: Accepting Conditions of Agreement with Sam & Sharon Enterprises, LLC and the City of Elkins, and Authorizing Execution of Agreement
 - c. *Resolution 1617*: Establishing New Compensation Level for Municipal Court Judge
 - d. PSC Order Concerning Whitmer Water Association, Inc.
4. **Public comment**
5. **Minutes**
 - a. Minutes proposed for the regular council meeting of February 2, 2023
6. **Correspondence and Notifications**
 - a. Approved minutes of committee, board and commission meetings
 - b. Building Permits
7. **Presentation**
 - a. Randolph County Development Authority
8. **Committee Reports**
9. **Staff reports**
 - a. Treasurer's report
10. **Approval of vendor invoice payments**

(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.)

Vendor invoices presented for approval:

 1. AP check report for the period of January 30 - February 10, 2023
11. **New business**
 - a. *Ordinance 311*: An Ordinance to Amend the Official Zoning map, Chapter 152: Zoning, Elkins City Code - First Amendment (1st of two readings)

- b. *Resolution 1615*: General Fund Budget Revisions No. 4 through No. 6 for FY23
- c. *Resolution 1616*: Accepting Conditions of Agreement with Sam & Sharon Enterprises, LLC and the City of Elkins, and Authorizing Execution of Agreement
- d. *Resolution 1617*: Establishing New Compensation Level for Municipal Court Judge
- e. PSC Order Concerning Whitmer Water Association, Inc.

12. Mayor's comments

13. Adjournment

Proposed Minutes

ELKINS COMMON COUNCIL REGULAR COUNCIL MEETING MINUTES

***401 Davis Avenue
Council Chamber, 2nd Floor
February 2, 2023
7:00 p.m.***

Elkins Common Council met in regular 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, C.R. Griggs, J.A. Guye, G.M. Hinchman, C.C. Lowther, D.C. Parker, L.S. Severino, and L.H. Vest; City Treasurer T. Judy; Fire Chief S.D. Himes; Police Chief T. Bennett; Operations Manager M. Kesecker; City Attorney G. S. Roberts; and City Clerk J.R. Sutton (acting as recording secretary).

MINUTES

Cm. Parker, **MOVED APPROVAL OF THE MINUTES OF THE JANUARY 19, 2023 MEETING.** Cm. Lowther, **MOVED APPROVAL OF AN AMENDMENT ELIMINATING THE WORD INTERIM FROM M. KESECKER'S TITLE.** The motion to amend carried. The motion to approve the amended minutes carried.

CORRESPONDENCE AND NOTIFICATIONS

Council received the following correspondence and notifications:

- Issued building permits
- Approved 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
230000	Higgins, Mary	134 Riverview Dr	Remodel Kitchen	10,000.00
230001	Smith, Harry	10 S Randolph Ave	Porches, HVAC & Remodel Interior	28,000.00
230002	White, Gloria	109 Knapp St	Demolition of House	5,200.00
230003	Johnson, Bill & Beverly	332 Randolph Ave	Install Metal Roof	23,000.00
230004	Fisher, Dora	119 Conway Dr	Replace Windows	2,500.00
230005	Hippie Chick Boutique	304 Railroad Ave	Window Sign	50.00
230006	Simon, Michael	1801 Livingston Ave	Replace Roof Shingles	8,797.00

Proposed Minutes

230007	Higgins, Mary	206 Hinkle St	Install Stand-by Generator	7,079.00
230008	Davis Trust Co.	227 Davis Ave	Replace Shingles	31,000.00
230009	Knutti, Emil	119 Grandview Ave	Remodel Bathroom	5,991.00
230010	Chewning, Amy	109 Evans Dr	Remodel Bathroom	7,200.00

PRESENTATION

Elkins Main Street Board of Directors President Scott Goddard outlined the organization's approach, the national criteria necessary, the service to the community and their strategic direction. Mr. Goddard also presented upcoming events and how the organization is working under each of the four pillars – organization & fundraising, economic vitality, promotions & marketing, and design.

Cw. Nanci Bross-Fregonara spoke on behalf of the Elkins Tree Board and presented their 2022 annual report detailing their activities and looking ahead to 2023.

COMMITTEE REPORTS provided by all committee chairs present.

STAFF REPORTS were provided by all administrative officers present. Also included:

- Elkins Police Department annual report
- Treasurer's report

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 January 16 – 27, 2023.

NEW BUSINESS

Cw. Cuonzo **,MOVED APPROVAL OF RESOLUTION 1614: AUTHORIZING ACCEPTANCE OF DEMONSTRATION CITY GRANT AWARD BY THE ELKINS TREE BOARD FROM THE WEST VIRGINIA DIVISION OF FORESTRY.** The motion carried.

MAYOR'S COMMENTS were provided. The mayor presented Sutton Stokes with a key to the city.

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

The meeting adjourned at 7:57 p.m.

Proposed Minutes

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

Jerry A. Marco, Mayor

Attest:

Jessica R. Sutton, City Clerk

PLANNING COMMISSION MEETING MINUTES

*401 Davis Avenue
City Hall, council chambers
January 18, 2023
5:00 p.m.*

Present were Members: N. Bross-Fregonara, President; D. Talbott, V.P.; P. Kolsun; J. Marco; K. Somers; and B. Woods

Also present: City Attorney G. Roberts and City Clerk J. Sutton

V. Jackson was absent.

MINUTES

P. Kolsun MOVED APPROVAL OF THE MINUTES OF THE SEPTEMBER 27, 2022, MEETING. The motion carried.

NEW BUSINESS

J. Marco MOVED APPROVAL OF A RECOMMENDATION TO COUNCIL TO CHANGE THE ZONING OF PARCELS OWNED BY DR. LAMMIE/ALL CREATURES GREAT AND SMALL ALONG N. RANDOLPH AVENUE FROM CITY RESIDENTIAL TO COMMERCIAL. The motion carried.

J. Marco MOVED APPROVAL OF A RECOMMENDATION TO COUNCIL TO CHANGE THE ZONING OF THE PARCEL LOCATED AT 105 SPRUCE STREET OWNED BY JUDITH SHELTON FROM SINGLE FAMILY RESIDENTIAL TO CENTRAL BUSINESS DISTRICT. The motion carried.

B. Woods MOVED THE NOMINATION AND ELECTION OF K. SOMERS AS PRESIDENT AND P. KOLSUN AS VICE PRESIDENT. The motion carried.

ANNOUNCEMENTS

Commission members agree on the need to meet monthly for the purpose of updating the comprehensive plan. The meetings will be set for the 2nd Thursday of each month at 3:30 p.m. beginning February 9, 2023.

P. Kolsun MOVED ADJOURNMENT. The motion carried.

The meeting adjourned at 5:52 p.m.

The foregoing minutes were approved at the meeting of Feb 9th, 2023

Kate Somers, President
Name & Title

Kate Somers
Signature

PERSONNEL COMMITTEE REGULAR MEETING MINUTES

*401 Davis Avenue
City Hall, Council Chambers
November 10, 2022
12:00 p.m.*

Present were Committee Members: R. Chenoweth, chair; C. Lowther; and L. Vest

Also present were: Mayor J. Marco; Chief Water Operator W. Lambert; Interim Operations Manager M. Himes, City Clerk J. Sutton; EPD Cpt. R. Belt; Fire Chief S. Himes; Treasurer T. Judy; and City Attorney G. Roberts.

MINUTES

Cm. Lowther, **MOVED APPROVAL OF THE MINUTES OF THE OCTOBER 13, 2022, MEETING.** The motion carried.

UNFINISHED BUSINESS

T. Judy presented information on the anticipated increases to PEIA health insurance premiums. They are expected to raise 9.7% in FY24 with additional increases in the following years. Mrs. Judy presented summaries of multiple scenarios including the city absorbing 100% of the increase, the city paying an across the board percentage of the total cost and the employee paying a percentage, and the city paying 100% of one plan and applying that amount to other plans with the employee paying the difference. The committee was asked to review the materials and discuss further at their next meeting. For budgeting purposes the treasurer asked that a decision be made no later than mid-January.

NEW BUSINESS

Cw. Vest, **MOVED APPROVAL OF TO ENTER IN TO EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSING THE REAPPOINTMENT OF CITY CLERK J. SUTTON.** The motion carried. The committee entered executive session at 12:25 and returned at 12:34. The chair announced no action was taken.

Cm. Lowther, **MOVED APPROVAL OF A RECOMMENDATION TO COUNCIL TO REAPPOINT J. SUTTON AS CITY CLERK.** The motion carried.

ANNOUNCEMENTS

Cm. Lowther asked the city clerk to look into social media training for all city employees. Mayor Marco reminded council members and admin to participate in the employee survey, which is ending next Wednesday.

The city clerk reported that we are still waiting on the return of the draft personnel manual from AlignHR.

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

The meeting adjourned at 12:36 p.m.

The foregoing minutes were approved at the meeting of _____, 2022

Robert Chinnoweth, Chair
Name & Title

Robert C. Chinnoweth
Signature

SPECIAL FINANCE AND PERSONNEL JOINT COMMITTEE SPECIAL CALL MEETING MINUTES

***401 Davis Avenue
Council Chambers
January 12, 2023
12:00 p.m.***

Present were Committee Members: R. Chenoweth, Chair; M. Hinchman; L. Vest; and C. Lowther.

Also present were: Mayor J. Marco; Treasurer T. Judy; Fire Chief S. Himes; Police Chief T. Bennett; Operations Manager M. Kesecker; Operations Assistant M. Himes; Attorney G. Roberts; Chief Water Operator W. Lambert; and Executive Secretary R. Wickham (acting as recording secretary).

NEW BUSINESS

Treasurer T. Judy reviewed information provided to the committee in the packet regarding the anticipated increases to the PEIA insurance premiums through 2027 and the potential scenarios moving forward. The committee discussed the city absorbing the increase for FY24 and assessing the situation after this legislative session to see if there are any changes. T. Judy suggested that no longer offering insurance reimbursements to new hires would be a potential way to cover the cost of the increase.

Cm. Lowther, MOVED APPROVAL OF A RECOMMENDATION TO COUNCIL THAT THE CITY ABSORB THE 9.7% INCREASE IN INSURANCE PREMIUMS IN FY2024. The motion carried.

Cm. Lowther, MOVED APPROVAL OF A RECOMMENDATION TO COUNCIL THAT THE CITY NO LONGER OFFER PAID REIMBURSEMENTS FOR NEW HIRES WHO OPT OUT OF THE CITY INSURANCE PLAN. The motion carried.

Cm. Chenoweth, MOVED APPROVAL OF RECOMMENDING TO COUCNIL THE FY23 INTERDEPARTMENTAL BUDGET REVISIONS PRESENTED BY THE TREASURER. The motion carried.

Cm. Lowther, MOVED APPROVAL OF THE RECOMMENDING TO COUNCIL THE FY23 STATE BUDGET REVISION PRESENTED BY THE TREASURER. The motion carried.

Cm. Lowther, MOVED APPROVAL OF A RECOMMENDATION TO COUNCIL TO TRANSFER \$11,000 FROM THE STABALIZATION FUND TO THE DEMOLITION FUND. The motion carried.

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

The meeting adjourned at 12:30 p.m.

The foregoing minutes were approved at the meeting of FEB 9, 2023.

Robert Charonets, Chair
Name & Title

Robert C. Charonets
Signature

**RULES AND ORDINANCE COMMITTEE
REGULAR MEETING
MINUTES**

***401 Davis Avenue
City Hall, Council Chambers
January 11, 2023
9:00 a.m.***

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

Also present were: City Clerk J. Sutton; City Attorney G. Roberts; Treasurer T. Judy; Operations Manager M. Kesecker; Operation Assistant M. Himes; and Police Chief T. Bennett

MINUTES

Cw. Cuonzo, **MOVED APPROVAL OF THE MINUTES OF THE DECEMBER 14, 2022, MEETING.** The motion carried.

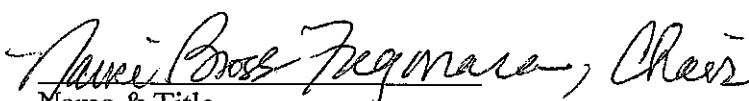
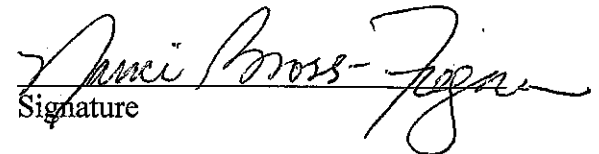
UNFINISHED BUSINESS

The committee continued review of City Code Section 90: Animals and made recommendations for changes. All references to "city humane officer" and "animal services officer" will be replaced with "enforcement officer". The committee is interested in creating an Animal Commission similar to Buckhannon and to understand the contract between the City of Buckhannon and Upshur County for the services of the Humane Officer. G. Roberts will reach out for information. After this time, the committee would like to meet with the county commission to discuss these services in Elkins.

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

The meeting adjourned at 10:12 a.m.

The foregoing minutes were approved at the meeting of Feb. 8, 202~~2~~³

	
Name & Title	Signature

MUNICIPAL PROPERTIES COMMITTEE REGULAR MEETING MINUTES

*401 Davis Avenue
City Hall, Council Chambers
January 18, 2023
9:00 a.m.*

Present were Committee Members: M. Cuonzo, M Hinchman, and J. Guye

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

PUBLIC COMMENT

Heather Biola presented the Kump Education Center 4th quarter 2022 report.

MINUTES

Cw. Guye ,**MOVED APPROVAL OF THE MINUTES OF THE DECEMBER 14, 2022, MEETING.** The motion carried.

REPORTS

Operations Manager M. Kesecker reported on his meeting with Bryson Van Nostrand about City Hall space and the HVAC plan. He also recently toured the Darden House and identified areas of concern that he will work with Municipal Properties, the EHLC and PAWV on addressing. The glass and yard waste recycling containers have been moved from the wastewater property to the Baxter Street property.

NEW BUSINESS

Mayor Marco has spoken with representatives from the National Fitness Campaign about creating a calisthenics area in Elkins. The total cost would be approximately \$200,000. The company offers a \$30,000 grant, but the remainder would have to be funded by the city. Councilor Cuonzo is not in favor of pursuing this. She believes the City should focus their efforts on projects that have already been supported by council such as the Riverfront Development and Streetscape. Councilor Hinchman sees no reason why the city can't pursue grants for the needed funding. City Clerk J. Sutton agrees with Cw. Cuonzo, and states that the Clerk's department does not have the resources to pursue this project. It was suggested to take the idea to the EPRC for consideration instead. No action was taken by the committee.

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

The meeting adjourned at 9:23 a.m.

The foregoing minutes were approved at the meeting of Feb. 8, 2023

Marilynn Cuonzo, Chair
Name & Title

[Signature]
Signature

SPECIAL FINANCE AND PERSONNEL JOINT COMMITTEE SPECIAL CALL MEETING MINUTES

*401 Davis Avenue
Council Chambers
January 12, 2023
12:00 p.m.*

Present were Committee Members: R. Chenoweth, Chair; M. Hinchman; L. Vest; and C. Lowther.

Also present were: Mayor J. Marco; Treasurer T. Judy; Fire Chief S. Himes; Police Chief T. Bennett; Operations Manager M. Kesecker; Operations Assistant M. Himes; Attorney G. Roberts; Chief Water Operator W. Lambert; and Executive Secretary R. Wickham (acting as recording secretary).

NEW BUSINESS

Treasurer T. Judy reviewed information provided to the committee in the packet regarding the anticipated increases to the PEIA insurance premiums through 2027 and the potential scenarios moving forward. The committee discussed the city absorbing the increase for FY24 and assessing the situation after this legislative session to see if there are any changes. T. Judy suggested that no longer offering insurance reimbursements to new hires would be a potential way to cover the cost of the increase.

Cm. Lowther, MOVED APPROVAL OF A RECOMMENDATION TO COUNCIL THAT THE CITY ABSORB THE 9.7% INCREASE IN INSURANCE PREMIUMS IN FY2024. The motion carried.

Cm. Lowther, MOVED APPROVAL OF A RECOMMENDATION TO COUNCIL THAT THE CITY NO LONGER OFFER PAID REIMBURSEMENTS FOR NEW HIRES WHO OPT OUT OF THE CITY INSURANCE PLAN. The motion carried.

Cm. Chenoweth, MOVED APPROVAL OF RECOMMENDING TO COUCNIL THE FY23 INTERDEPARTMENTAL BUDGET REVISIONS PRESENTED BY THE TREASURER. The motion carried.

Cm. Lowther, MOVED APPROVAL OF THE RECOMMENDING TO COUNCIL THE FY23 STATE BUDGET REVISION PRESENTED BY THE TREASURER. The motion carried.

Cm. Lowther, MOVED APPROVAL OF A RECOMMENDATION TO COUNCIL TO TRANSFER \$11,000 FROM THE STABALIZATION FUND TO THE DEMOLITION FUND. The motion carried.

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

The meeting adjourned at 12:30 p.m.

The foregoing minutes were approved at the meeting of Feb. 6, 2023.

Mr. Hinchman
Name & Title Chair

[Signature]
Signature

**FINANCE COMMITTEE
SPECIAL MEETING
MINUTES**

*401 Davis Avenue
City Hall, Council Chambers
December 6, 2022
1:00 p.m.*

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

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

MINUTES

Cm. Chenoweth, **MOVED APPROVAL OF THE MINUTES OF THE NOVEMBER 28, 2022, MEETING.**
The motion carried.

NEW BUSINESS

Cm. Chenoweth, **MOVED APPROVAL OF A RECOMMENDATION TO COUNCIL TO ENTER INTO CONTRACT WITH INVOICECLOUD FOR THE PURPOSE OF PROVIDING ONLINE PAYMENT SOFTWARE.** The motion carried.

Cm. Lowther, **MOVED APPROVAL OF A RECOMMENDATION TO COUNCIL TO USE COAL SEVERANCE FUNDS TO PAY FOR CITY HALL ELEVATOR REPAIRS.** The motion carried.

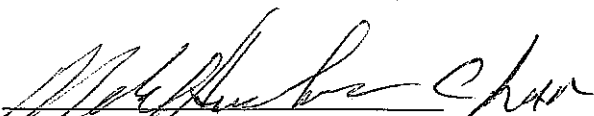
Cm. Chenoweth, **MOVED APPROVAL OF ENTERING INTO EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSING A PERSONNEL MATTER.** The motion carried. The committee entered executive session at 1:35 p.m. and returned at 2:10 p.m. The chair announced that no action was taken.

Cm. Chenoweth, **MOVED APPROVAL OF INCREASING THE NEGOTIABLE LIMIT FOR THE OPERATIONS MANAGER POSITION SALARY TO \$75,000.** The motion carried.

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

The meeting adjourned at 2:11 p.m.

The foregoing minutes were approved at the meeting of Feb. 6, 2023


Name & Title


Signature

ELKINS TREE BOARD

MEETING MINUTES

Darden House, Davis Ave.
January 3, 2023 • 5:30 p.m.

Present: Marilyn Cuonzo, Chair; Nanci Bross-Fregonara, Secretary; Linda Burke, Vice Chair; Linda Silva, Treasurer; and members Aira Burkhart and Sam Golston. Angela Daniels was absent.

PUBLIC COMMENT

No public comment.

MINUTES

BROSS-FREGONARA MOVED APPROVAL OF THE MINUTES OF THE NOVEMBER 29, 2022, MEETING. MOTION CARRIED.

BUDGET REPORT

Silva reported the current ETB budget balance is: \$3,813.58. Same as previous month. Upcoming purchases will be the Musser Tree order, additional equipment, lock box, and grant related items (tree protectors) that will be part of the match but cannot be purchased until grant approval is received.

UNFINISHED BUSINESS

ADDITIONAL BOARD MEMBER/OFFICERS: Iris Allen of D&E was proposed as a new board member. Bross-Fregonara to reach out to her and ensure the nomination is on the council agenda ASAP. New officer slate proposed: Aira Burkhart, Chair; Linda Burke, Vice Chair; Angela Daniels, Secretary; Linda Silva, Treasurer. **SILVA MOVED TO APPROVE THE SLATE OF OFFICERS. MOTION CARRIED.**

DOF GRANT: Schedule progressing. Bross-Fregonara/Cuonzo to meet with new operations manager. Final decisions for tree placement will be made with David Mitchell. New grant protocol to be followed, paperwork to be submitted ASAP.

DATES FOR UPCOMING EVENTS: Winter walk, Saturday, Feb. 18 10 a.m. at Glendale; Sprout into Spring Atrium event, Saturday, March 18 at the Seneca Mall, 11 a.m.-2 p.m. followed by Grafting/Pruning workshop at KEC with Dave Proudfoot (Cuonzo to confirm) at 2:30. Earth Day, Saturday, April 22, noon -2 p.m. at City Park.

NEW BUSINESS

POST-HOLIDAY CLEAN-UP: Set for before next meeting, 5 p.m.

MUSSER TREE ORDER: Approved the list. Cuonzo to submit.

ANNOUNCEMENTS

Additional expense items to be considered: Signage at KEC for Tree Nursery, interpretive signage for apple orchard. Additional project to consider: Cleaning up KEC barn. Bross-Fregonara to reach out to Heather Biola.

The next regular meeting of the Tree Board is set for **Tuesday, February 7 at 5:30 p.m.** We will convene at 5 p.m. to put away Christmas decorations. The meeting was adjourned at 7 p.m.

The foregoing minutes were approved at the meeting of February 7, 2023.

Aira Burkhart, Chair

Name & Title

Aira Burkhart

Signature

PUBLIC SAFETY COMMITTEE REGULAR MEETING MINUTES

*401 Davis Avenue
City Hall, Council Chambers
January 9, 2023
10:00 a.m.*

Present were Committee Members: D. Parker and L. Severino

Also present were: Mayor J. Marco; Operations Manager M. Kesecker; Operations Assistant M. Himes; City Clerk J. Sutton; Code Enforcement Officer P. Isner; Police Chief T. Bennett; Fire Chief S. Himes; Treasurer T. Judy; and City Attorney G. Roberts.

J. Guye was absent

MINUTES

Cw. Severino, **MOVED APPROVAL OF THE MINUTES OF THE DECEMBER 12, 2022, MEETING.** The motion carried.

REPORTS

Police – Chief Bennett scheduled the body worn camera fielding for March 23 and 24. The Chief will be providing his annual report to council soon but gave a review to the committee. The Chief also reported the EPD purchased de-escalation and intervention training which all members will complete in the next 30 days. He is still two officers short, but hopes to hold entry-level testing once the promotional video is completed and playing in theaters. The Chief also reports that the MRSRT has had several successful missions recently and is being asked to expand from four counties to eight. Cm. Parker requested data on overdoses. Chief Bennett will contact the Randolph County EMS for data.

Fire – Chief Himes will present his annual report to council on January 19, 2023. The EFD is scheduling public CPR training as well as in-house training in coordination with the installation of AED units several city buildings. The Chief also reported he is working through some issues with the OEM regarding the response to cold temperatures and the need for warming stations and emergency shelters.

Code Enforcement – P. Isner provided a printed 2022 annual report reporting over 1500 actions taken. Mr. Isner reported that the Tygart Hotel project has taken significant attention, but that the Firefly Commons and Riverview Place are now complete. Mr. Isner in coordination with M.

Himes, S. Himes and G. Roberts applied for additional DEP funds for the demolition of five more condemned properties.

Mayor's Task Force – Cm. Parker reported they are all set to reimburse state-certified peer recovery support specialists for liability insurance they are required to purchase. They also continue to discuss the possibility of an MOU with the Elkins-Randolph Health Department for administration of drug company settlement funds the city is expecting to receive. City Attorney G. Roberts reports that she has reached out to the WV Assistant Attorney General for guidance on if this would be permissible and when funds may be received. She has received no answer yet. Mr. Parker advises that when the monies are received their first priority is the establishment of a sober transitional living facility to be managed by an outside party. Finally on January 18, representatives of WVU Medicine will visit to discuss clinical support options with the Task Force.

ANNOUNCEMENTS

The city clerk provided a design document from Davis Health Center showing upcoming changes to Gorman Avenue and their parking area.

Cm. Parker requested that staff be mindful of the correlation between dilapidated properties and other city projects such as the riverfront redevelopment.

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

The meeting adjourned at 10:48 a.m.

The foregoing minutes were approved at the meeting of February 13, 2023 *mae*

Davis C. Parker,
Name & Title
Chair

[Signature]
Signature

BUILDING PERMITS

Presented at council meeting of: February 16, 2023

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

[illegible]

General Fund Revenue Detail

	January Revenues	YTD Revenues	Percent of Revenues Collected Per Budget	Percent of Yr. Completed 58.33
Unassigned Fund Balance				270,054.00
County Tax	\$19,542.12	\$754,093.68	68.90%	1,094,407.00
B & O Tax	\$390,692.12	\$1,190,318.67	91.21%	1,305,000.00
Hotel/Motel Tax	\$12,499.14	\$148,262.06	92.61%	160,100.00
Gas & Oil Severance Tax	\$0.00	\$40,323.89	336.03%	12,000.00
2% City Utility Tax	\$5,840.94	\$41,114.13	61.36%	67,000.00
Utility Excise Tax	\$25,776.06	\$161,991.20	55.86%	290,000.00
Liquor Tax	\$23,111.88	\$67,351.48	70.90%	95,000.00
Police	\$1,826.23	\$16,237.20	70.29%	23,100.00
Municipal Court	\$7,779.77	\$48,094.26	100.40%	47,800.00
Code Enforcement	\$1,414.38	\$17,742.27	57.79%	30,700.00
Business License	\$1,670.00	\$10,670.00	36.79%	29,000.00
Intergovernmental	\$44,252.85	\$223,808.42	69.83%	320,503.00
Franchise/IRP Fees	\$18,177.46	\$86,297.21	64.40%	134,000.00
Phil Gainer Community Center	\$6,973.00	\$36,141.25	120.47%	30,000.00
Misc. Revenue	\$29,224.36	\$199,242.78	276.50%	72,060.00
Municipal Sales Tax	\$375,747.57	\$1,113,805.97	79.56%	1,400,000.00
TOTAL	\$964,527.88	\$4,155,494.47	77.23%	5,380,724.00

FY2023 Budget Control Summary

General Fund													
Revenues	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Revenues Over Expenses
	\$789,524.48	\$344,994.76	\$557,718.83	\$1,160,897.12	\$213,049.39	\$124,782.01	\$964,527.88						\$824,534.59
Expenses	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	
	\$538,455.71	\$710,849.32	\$424,092.94	\$455,332.03	\$385,836.87	\$504,507.54	\$311,885.47						

Sanitation Fund													
Revenues	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Revenues Over Expenses
	\$120,625.91	\$119,372.54	\$133,307.40	\$141,334.45	\$122,103.24	\$128,929.99	\$115,832.53						-\$3,684.88
Expenses	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	
	\$136,876.45	\$120,282.93	\$123,237.98	\$120,910.12	\$132,789.29	\$137,600.87	\$113,493.30						

Sewer Fund													
Revenues	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Revenues Over Expenses
	\$146,766.31	\$204,689.11	\$201,750.37	\$211,507.19	\$201,442.20	\$200,168.64	\$172,852.20						-\$368,947.67
Expenses	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	
	\$230,600.11	\$261,413.64	\$235,426.57	\$269,300.47	\$235,245.13	\$258,723.18	\$217,414.59						

Water Fund													
Revenues	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Revenues Over Expenses
	\$240,116.13	\$321,352.17	\$291,325.28	\$351,391.12	\$398,778.11	\$414,032.60	\$406,374.32						\$84,444.84
Expenses	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	
	\$344,166.21	\$321,974.85	\$336,644.58	\$363,566.81	\$290,508.07	\$351,295.84	\$330,768.53						

Fire Fund													
Revenues	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Revenues Over Expenses
	\$171,528.99	\$97,323.88	\$89,552.05	\$50,255.73	\$82,767.87	\$79,181.94	\$28,988.72						-\$24,652.23
Expenses	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	
	\$108,586.69	\$73,773.16	\$79,332.40	\$84,690.06	\$97,422.80	\$107,454.67	\$72,991.63						

Landfill Fund													
Revenues	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Revenues Over Expenses
	\$13.19	\$30.78	\$12.15	\$25.29	\$29.75	\$379.95	\$379.16						-\$3,961.56
Expenses	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	
	\$2,152.54	\$12.33	\$1,315.71	\$12.46	\$11.22	\$1,327.57	\$0.00						

Bank Account Name	Balance as of 1/31/2023
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ARPA	\$1,196,085.26
Elkins Building Comm. Sinking Fund	\$0.00
Elkins Municipal Building Comm.	\$0.00
Financial Stabilization	\$1,333,411.89
Fire Pension Fund	\$2,354,422.72
Firemen's Pension & Relief Fund	\$0.00
Landfill Access Escrow	\$48,667.56
Landfill Post Closure	\$1,775,749.01
Payroll	\$14,882.30
Police Forfeitures	\$12,119.47
Police Pension Fund	\$4,113,408.97
Police Seizures	\$26,543.58
Policemen's Pension & Relief Fund	\$0.00
Pooled Cash-Coal Severance Fund	\$169,882.42
Pooled Cash-Fire Fund	\$531,827.17
Pooled Cash-General Fund	\$1,641,503.65
Pooled Cash-Landfill Fund	\$123,430.27
Pooled Cash-Parks Fund	\$961,308.74
Pooled Cash-Sanitation Fund	\$1,204,421.21
Pooled Cash-Sewer Fund	\$382,712.51
Pooled Cash-Water Fund	\$128,394.56
Sewer Depreciation	\$256,852.25
Sewer O&M	\$273,947.02
Sewer Project-Phase II	\$49.26
Water Depreciation	\$70,642.07
Water O&M	\$239,649.24

VENDOR SET: 01 Elkins
BANK: * ALL BANKS

DATE RANGE: 1/30/2023 THRU 2/10/2023

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
02398	Delainey Briske							
C-CHECK	Delainey Brake	VOIDED V	2/01/2023			012915		50.00CR

* * T O T A L S * *	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	0	0.00	0.00	0.00
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:	1 VOID DEBITS	0.00		
	VOID CREDITS	50.00CR	50.00CR	0.00

TOTAL ERRORS: 0

	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
VENDOR SET: 01 BANK: TOTALS:	1	50.00CR	0.00	0.00
BANK: TOTALS:	1	50.00CR	0.00	0.00

VENDOR SET: 01 Elkins

BANK: Pool Pooled Cash

DATE RANGE: 1/30/2023 THRU 2/10/2023

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
00741	Great-West Trust Company LLC							
I-VF 202302071371	Voya	D	2/07/2023	355.00		004394		
I-VF2202302071371	Voya AT	D	2/07/2023	50.00		004394		405.00
00079	Broughton Sports							
I-2256	name plates	R	2/01/2023	24.00		012894		24.00
00119	CIT Technology Finance Serv, I							
I-41591708	9000310588-000 2/6/23	R	2/01/2023	52.50		012895		
I-41597639	9000321255-000 020823	R	2/01/2023	55.00		012895		107.50
00149	COE Parks and Recreation							
I-02/2023 Support	Monthly Support 02/2023	R	2/01/2023	25,483.00		012896		25,483.00
00235	Elkins Building Comm.							
I-02/2023	02/2023 monthly payment	R	2/01/2023	3,483.79		012897		3,483.79
00243	Elkins Randolph County Chamber							
I-010923 Workshop	Social Media Workshop 2/9	R	2/01/2023	25.00		012898		25.00
00287	Garrett Equipment Rentals, LLC							
I-63695 737 738	Western Striker Elec/spreader	R	2/01/2023	11,512.15		012899		11,512.15
00369	The Inter-Mountain							
I-75521	Public Hearing Notice (TIF)	R	2/01/2023	426.21		012900		426.21
00381	Grover C Jackson Jr							
I-02/2023 Rent	Rent 02/2023	R	2/01/2023	1,800.00		012901		1,800.00
00471	Mon Power							
I-012023 Lt31Barron	Lt 31 Barron 121422-011423	R	2/01/2023	12,472.06		012902		12,472.06
00483	Mountain Valley Bank							
I-1202553-22 020723	1202553-22 020723	R	2/01/2023	192.65		012903		192.65
00568	Ralston Press, Inc.							
I-92694	Business Cards M Kescker	R	2/01/2023	65.74		012904		65.74
00628	Seneca Designs							
I-44718	screen printintg	R	2/01/2023	96.00		012905		96.00
00701	Toshiba Financial Services							
I-492091574	Lex M5255/T E4515AC	R	2/01/2023	636.07		012906		
I-492316526	LexC4150/T-E3005AC	R	2/01/2023	221.37		012906		
I-492557210	Tosh E4515AC 0115-021523	R	2/01/2023	125.59		012906		
I-492705306	XM 3250 021323	R	2/01/2023	69.00		012906		1,052.03

VENDOR SET: 01 Elkins

BANK: Pool Pooled Cash

DATE RANGE: 1/30/2023 THRU 2/10/2023

VENDOR I.D.	NAME	STATUS	CHECK	INVOICE	DISCOUNT	CHECK	CHECK	CHECK
			DATE	AMOUNT		NO	STATUS	AMOUNT
00730	Valley Steel							
I-16727	1/4x2 flat 80in	R	2/01/2023	20.01		012907		20.01
00732	Vance Outdoors Inc							
I-3976030	Tactical Pants/Shirts	R	2/01/2023	1,880.00		012908		1,880.00
00820	WV State Rail Authority							
I-2023-27	Rent	R	2/01/2023	260.00		012909		260.00
01392	William Butcher							
I-Travel 2/5-2/10	Travel for training	R	2/01/2023	814.50		012910		814.50
01427	K&K Collision & Towing							
I-5185	21 Police Interceptor	R	2/01/2023	1,000.00		012911		1,000.00
02347	LEAF							
I-14225102	T E4515AC 021123	R	2/01/2023	317.44		012912		
I-14263225	T E478S 021823	R	2/01/2023	96.74		012912		
I-14263226	T E478S Insurance	R	2/01/2023	11.74		012912		425.92
02393	Spilman Thomas & Battle PLLC							
I-5483130	TIF Redev Dist No 1	R	2/01/2023	1,127.00		012913		1,127.00
02397	Nathan Yocum							
I-REIM CDL	Reimb CDL Test-License	R	2/01/2023	153.75		012914		153.75
02398	Delainey Briske							
I-cancellation 1/23	cancellation 01/21/2023	V	2/01/2023	50.00		012915		50.00
02398	Delainey Briske							
M-CHECK	Delainey Brake	VOIDED	V	2/01/2023		012915		50.00CR
02400	Robert Gilmore							
I-Refund 012523	Refund-Meter test	R	2/01/2023	45.00		012916		45.00
02398	Delainey Briske							
I-Cancellation 1/23	cancellation 1/21/2023	R	2/01/2023	50.00		012917		50.00
00116	Child Support Enforcement							
I-CDS202302071371	Child Support	R	2/07/2023	528.00		012918		528.00
00121	Citizens Bank of WVFP							
I-FP 202302071371	Fire Pension	R	2/07/2023	484.32		012919		484.32

VENDOR SET: 01 Elkins

BANK: Pool Pooled Cash

DATE RANGE: 1/30/2023 THRU 2/10/2023

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
00122	Citizens Bank of WV Pp							
I-PP 202302071371	Police Pension	R	2/07/2023	140.34		012920		
I-PPN202302071371	Police Pension-2010 Forward	R	2/07/2023	434.67		012920		575.01
00147	COE Misc							
I-MIS202302071371	Misc Reimbursements	R	2/07/2023	649.91		012921		649.91
00150	COE Payroll							
I-T1 202302071371	Federal Withholding	R	2/07/2023	11,138.62		012922		11,138.62
00151	COE Payroll							
I-T3 202302071371	FICA	R	2/07/2023	12,622.30		012923		
I-T4 202302071371	Medicare	R	2/07/2023	4,290.96		012923		16,913.26
00152	COE Payroll							
I-T2 202302071371	State Withholding	R	2/07/2023	5,886.00		012924		5,886.00
00203	Davis Trust Company							
I-CC 202302071371	Employee Christmas Club	R	2/07/2023	2,520.00		012925		2,520.00
00747	Washington National Insurance							
I-WN 202302071371	Washington National Insurance	R	2/07/2023	438.31		012926		438.31
00837	COE Payroll Reimbursement							
I-001202302071371	Payroll Reimbursement	R	2/07/2023	46,965.00		012927		
I-006202302071371	Payroll Reimbursement	R	2/07/2023	5,026.72		012927		
I-036202302071371	Payroll Reimbursement	R	2/07/2023	14,073.67		012927		
I-400202302071371	Payroll Reimbursement	R	2/07/2023	19,166.04		012927		
I-401202302071371	Payroll Reimbursement	R	2/07/2023	14,357.34		012927		
I-404202302071371	Payroll Reimbursement	R	2/07/2023	10,529.49		012927		110,118.26
01885	Colonial Life							
I-CL 202302071371	Colonial Life-AT	R	2/07/2023	112.10		012928		
I-CLP202302071371	Colonial Life-PT	R	2/07/2023	52.52		012928		164.62
00150	COE Payroll							
I-T1 202302071372	Federal Withholding	R	2/07/2023	244.29		012929		244.29
00151	COE Payroll							
I-T3 202302071372	FICA	R	2/07/2023	362.12		012930		
I-T4 202302071372	Medicare	R	2/07/2023	84.70		012930		446.82
00152	COE Payroll							
I-T2 202302071372	State Withholding	R	2/07/2023	149.00		012931		149.00

VENDOR SET: 01 Elkins

BANK: Pool Pooled Cash

DATE RANGE: 1/30/2023 THRU 2/10/2023

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
00837	COE Payroll Reimbursement							
I-001202302071372	Payroll Reimbursement	R	2/07/2023	1,962.97		012932		
I-400202302071372	Payroll Reimbursement	R	2/07/2023	315.97		012932		2,278.94
01753	Fifth Third Bank							
I-MCFleet 123122	MCard Fleet Pmt 123122	R	2/07/2023	689.53		012933		689.53
01753	Fifth Third Bank							
I-MCard Pmt 123122	MCard Stmt Pmt 123122	R	2/07/2023	728.99		012934		728.99
00525	Otis Elevator Co.							
I-NBK16054001	replace rectifier	R	2/07/2023	10,000.00		012935		10,000.00
1	SUMMERFIELD ASSET MG							
I-000202302031369	US REFUND	R	2/08/2023	39.06		012936		39.06
1	MARY'S GREENHOUSE							
I-000202302031370	US REFUND	R	2/08/2023	114.91		012937		114.91
00047	Truist Governmental Finance							
I-00007 021923	9948000234-07 021923	R	2/08/2023	4,984.55		012938		4,984.55
00057	BFMC, Inc.							
I-25785	Main Water Bills	R	2/08/2023	5,020.45		012939		
I-25808	Delinq Notices	R	2/08/2023	1,506.12		012939		6,526.57
00085	Burgess & Niple, Inc.							
I-1062534	110122-123122 LT Control Plan	R	2/08/2023	505.00		012940		505.00
00201	Davis Electrical Svc. Inc							
I-263424	lt connect/hole straps/lin LT	R	2/08/2023	118.11		012941		118.11
00211	Elkins Depot Welcome Center							
I-H/M 12/2022	H/M Collection 12/2022	R	2/08/2023	6,249.57		012942		6,249.57
00280	Tracy R Judy							
I-WVSAO travel 1/30	WVSAO training travel reimb	R	2/08/2023	74.67		012943		74.67
00471	Mon Power							
I-90008930890	012022 Master billing	R	2/08/2023	47,066.52		012944		47,066.52
00484	Mountaineer Gas Company							
I-Nat'l Gas 012723	Nat'l Gas 012723	R	2/08/2023	15,888.68		012945		15,888.68

VENDOR SET: 01 Elkins

BANK: Pool Pooled Cash

DATE RANGE: 1/30/2023 THRU 2/10/2023

VENDOR I.D.	NAME	STATUS	CHECK	INVOICE	DISCOUNT	CHECK	CHECK	CHECK
			DATE			NO	STATUS	AMOUNT
00498	Naylor's Ace Hardware							
I-456231	Clamp/Hose/adaptors	R	2/08/2023	64.90		012946		64.90
00665	State Electric Supply Company							
I-16433637-00	18/4 sheilded wire	R	2/08/2023	63.75		012947		63.75
00711	Tygart Valley Transfer, Inc.							
I-00010062	Res	R	2/08/2023	904.42		012948		
I-00010063	Res	R	2/08/2023	781.05		012948		
I-00010065	Comm	R	2/08/2023	769.76		012948		
I-00010071	Comm	R	2/08/2023	145.09		012948		
I-00010080	Comm	R	2/08/2023	145.09		012948		
I-00010097	Res	R	2/08/2023	60.82		012948		
I-00010098	Res	R	2/08/2023	693.30		012948		
I-00010099	Comm	R	2/08/2023	899.21		012948		
I-00010104	Res	R	2/08/2023	396.17		012948		
I-00010106	Comm	R	2/08/2023	399.65		012948		
I-00010129	Comm	R	2/08/2023	239.79		012948		
I-00010145	Res	R	2/08/2023	650.73		012948		
I-00010152	Comm	R	2/08/2023	610.77		012948		
I-00010153	Res	R	2/08/2023	622.93		012948		
I-00010167	Comm	R	2/08/2023	159.86		012948		
I-00010178	Comm	R	2/08/2023	111.21		012948		
I-00010183	10 yrd High St Final	R	2/08/2023	125.98		012948		
I-00010189	Res	R	2/08/2023	728.05		012948		
I-00010193	Res	R	2/08/2023	496.08		012948		
I-00010198	Comm	R	2/08/2023	463.94		012948		
I-00010227	Comm	R	2/08/2023	219.81		012948		
I-00010228	Res	R	2/08/2023	588.18		012948		
I-00010234	Res	R	2/08/2023	621.19		012948		
I-00010235	Comm	R	2/08/2023	212.86		012948		
I-00010239	Comm	R	2/08/2023	713.28		012948		
I-00010259	Comm	R	2/08/2023	149.43		012948		
I-00010262	Comm	R	2/08/2023	192.00		012948		
I-00010277	Res	R	2/08/2023	749.77		012948		
I-00010279	Comm	R	2/08/2023	683.75		012948		
I-00010282	Res	R	2/08/2023	856.64		012948		
I-00010297	Comm	R	2/08/2023	178.97		012948		
I-00010310	Res	R	2/08/2023	556.90		012948		
I-00010315	Comm	R	2/08/2023	302.34		012948		
I-00010316	Res	R	2/08/2023	342.31		012948		
I-00010333	Comm	R	2/08/2023	206.77		012948		
I-00010341	Res	R	2/08/2023	558.64		012948		
I-00010345	Res	R	2/08/2023	508.25		012948		
I-00010346	Comm	R	2/08/2023	504.77		012948		
I-00010365	Res	R	2/08/2023	64.29		012948		
I-00010383	Res	R	2/08/2023	507.38		012948		
I-00010386	Res	R	2/08/2023	582.10		012948		

VENDOR SET: 01 Elkins

BANK: Pool Pooled Cash

DATE RANGE: 1/30/2023 THRU 2/10/2023

VENDOR I.D.	NAME	STATUS	CHECK	INVOICE	DISCOUNT	CHECK	CHECK	CHECK
			DATE	AMOUNT		NO	STATUS	AMOUNT
I-00010387	Res	R	2/08/2023	114.68		012948		
I-00010388	Comm	R	2/08/2023	181.58		012948		
I-00010403	Comm	R	2/08/2023	201.56		012948		
I-00010415	Res	R	2/08/2023	519.54		012948		
I-00010418	Res	R	2/08/2023	629.88		012948		
I-00010420	Res	R	2/08/2023	541.26		012948		
I-00010431	Comm	R	2/08/2023	258.03		012948		
I-00010434	Comm	R	2/08/2023	107.73		012948		
I-00010439	Res	R	2/08/2023	96.44		012948		
I-00010440	Res	R	2/08/2023	534.31		012948		
I-00010441	Comm	R	2/08/2023	838.39		012948		
I-00010444	Res	R	2/08/2023	678.53		012948		
I-00010460	Comm	R	2/08/2023	152.04		012948		
I-00010462	Comm	R	2/08/2023	476.10		012948		
I-00010464	Res	R	2/08/2023	611.64		012948		
I-00010468	Comm	R	2/08/2023	385.75		012948		
I-00010469	Comm	R	2/08/2023	414.42		012948		
I-00010480	Res	R	2/08/2023	364.90		012948		
I-00010482	Comm	R	2/08/2023	189.40		012948		
I-00010494	Comm	R	2/08/2023	149.43		012948		
I-00010503	Res	R	2/08/2023	24.33		012948		
I-00010505	Res	R	2/08/2023	608.16		012948		
I-00010506	Res	R	2/08/2023	632.49		012948		
I-00010507	Comm	R	2/08/2023	119.89		012948		
I-00010509	Comm	R	2/08/2023	711.55		012948		
I-00010528	Comm	R	2/08/2023	1,046.90		012948		
I-00010530	Res	R	2/08/2023	44.31		012948		
I-00010535	Comm	R	2/08/2023	196.35		012948		
I-00010543	Res	R	2/08/2023	554.29		012948		
I-00010546	Comm	R	2/08/2023	513.46		012948		
I-00010552	Comm	R	2/08/2023	217.20		012948		
I-00010557	Comm	R	2/08/2023	130.32		012948		
I-00010575	Res	R	2/08/2023	511.72		012948		
I-00010578	Comm	R	2/08/2023	646.39		012948		
I-00010580	Res	R	2/08/2023	678.53		012948		
I-00010594	Comm	R	2/08/2023	132.93		012948		
I-00010598	Res	R	2/08/2023	686.35		012948		
I-00010605	Comm	R	2/08/2023	788.00		012948		
I-00010607	Res	R	2/08/2023	799.30		012948		
I-00010620	Comm	R	2/08/2023	229.36		012948		
I-00010629	Res	R	2/08/2023	496.08		012948		
I-00010631	Res	R	2/08/2023	337.09		012948		
I-00010633	Comm	R	2/08/2023	398.78		012948		
I-00010646	Comm	R	2/08/2023	523.89		012948		
I-00010648	Comm	R	2/08/2023	139.88		012948		
I-00010654	Res	R	2/08/2023	497.82		012948		
I-00010657	Res	R	2/08/2023	469.15		012948		
I-00010658	Comm	R	2/08/2023	474.36		012948		

VENDOR SET: 01 Elkins

BANK: Pool Pooled Cash

DATE RANGE: 1/30/2023 THRU 2/10/2023

VENDOR I.D.	NAME	STATUS	CHECK	INVOICE	DISCOUNT	CHECK	CHECK	CHECK
			DATE	AMOUNT		NO	STATUS	AMOUNT
I-00010673	Comm	R	2/08/2023	280.62		012948		
I-00010676	Res	R	2/08/2023	68.64		012948		
I-00010679	Res	R	2/08/2023	519.54		012948		
I-00010683	Res	R	2/08/2023	516.94		012948		
I-00010684	Comm	R	2/08/2023	500.43		012948		
I-00010691	Comm	R	2/08/2023	146.83		012948		
I-00010694	Comm	R	2/08/2023	112.08		012948		
I-00010697	Comm	R	2/08/2023	183.32		012948		
I-00010702	Res	R	2/08/2023	440.48		012948		
I-00010704	Comm	R	2/08/2023	533.44		012948		
I-00010705	Res	R	2/08/2023	350.13		012948		
I-00010715	Comm	R	2/08/2023	351.00		012948		
I-00010717	Comm	R	2/08/2023	118.16		012948		
I-00010726	Comm	R	2/08/2023	243.26		012948		
I-00010735	Comm	R	2/08/2023	760.20		012948		
I-00010736	Res	R	2/08/2023	668.11		012948		
I-00010739	Res	R	2/08/2023	660.29		012948		
I-00010767	Res	R	2/08/2023	210.25		012948		
I-00010768	Comm	R	2/08/2023	264.12		012948		
I-00010775	Res	R	2/08/2023	366.63		012948		
I-00010776	Res	R	2/08/2023	569.93		012948		
I-00010777	Comm	R	2/08/2023	439.61		012948		47,062.03

01259 Ware's Glass & Awning LLC

I-33677 Service Call adj lobby door R 2/08/2023 300.00 012949 300.00

01563 BHM CPA Group, Inc

I-FS 063022 Compiled 063022 Fin Stmts R 2/08/2023 9,000.00 012950

I-SWR 063022 Com/Filed 063022 Swr PSC Rpt R 2/08/2023 5,000.00 012950

I-Water 063022 PSC Com/Filed 063022 Wtr PSC Rpt R 2/08/2023 5,000.00 012950 19,000.00

01854 Mission Communications LLC

I-1072288 Service Pkg M110 Series 1 R 2/08/2023 359.40 012951 359.40

02157 Jerry A Marco

I-WVSAO travel 1/30 WVSAO training travel reimb R 2/08/2023 74.67 012952 74.67

* * T O T A L S * *

NO INVOICE AMOUNT DISCOUNTS CHECK AMOUNT

REGULAR CHECKS: 58 375,012.58 0.00 374,962.58

HAND CHECKS: 0 0.00 0.00 0.00

DRAFTS: 1 405.00 0.00 405.00

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 50.00CR 50.00CR 0.00

TOTAL ERRORS: 0

NO INVOICE AMOUNT DISCOUNTS CHECK AMOUNT

VENDOR SET: 01 BANK: Pool TOTALS: 59 375,367.58 0.00 375,367.58

BANK: Pool TOTALS: 59 375,367.58 0.00 375,367.58

VENDOR SET: 01 Elkins
 BANK: SEWDP Sewer Depreciation
 DATE RANGE: 1/30/2023 THRU 2/10/2023

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
01492	MasterFlo Pump, Inc.							
I-18022	Moyno 2000 Series Gil Pump	R	2/01/2023	13,091.30		000036		13,091.30

* * T O T A L S * *	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	1	13,091.30	0.00	13,091.30
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	13,091.30	0.00	13,091.30
BANK: SEWDP TOTALS:	1	13,091.30	0.00	13,091.30
REPORT TOTALS:	60	388,458.88	0.00	388,458.88

SELECTION CRITERIA

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

CHECK SELECTION

CHECK RANGE: 000000 THRU 999999
DATE RANGE: 1/30/2023 THRU 2/10/2023
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



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	February 16, 2023
Section:	New business
Category:	Ordinance
Agenda Item Name:	<i>Ordinance 311: An Ordinance to Amend the Official Zoning map, Chapter 152: Zoning, Elkins City Code - First Amendment (1st of two readings)</i>
Recommended By:	Elkins Planning Commission
Summary:	The Planning Commission heard requests from two separate property owners for changes in the zoning of parcels they own within city limits. The EPC recommends the changes as requested and detailed in the ordinance.
Fiscal Impact:	n/a
Recommendation:	Approval of ordinance 311 on first reading
Attachments:	1. O 311 Attachements 2. O 311

December 12, 2022

Dear Mr. Marco,

Previously we spoke about obtaining a change of zoning status for 801 North Randolph Avenue and adjacent lots associated with All Creatures Great and Small Veterinary Practice.

When opening the practice in 2007, I was told by the City that because this property was used as the Rivers Coalition office and before that used as a Doctor's office I was grandfathered in as a business at that site.

In the last year, I became aware that it would be more appropriate and thorough to officially change the zoning of the property to commercial zoning.

In many ways the zoning change makes sense. First, I have operated a successful business paying city taxes and employing up to ten (10) local residents since 2007. Second, there is a history of business use on this property as I mentioned earlier. Third, I have tried to improve the premises by tearing down two condemned buildings and landscaping those lots. I have tried to leave people with a positive impression as they pass this business along Highway Rte 219 from Corridor H into the City of Elkins.

Hopefully, you will agree that the zoning should be officially changed for this property.

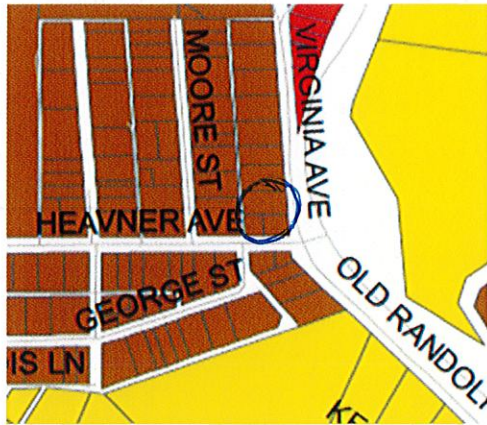
I request that that the Planning Commission and Elkins City Council address this issue as soon as possible.

Sincerely,

Eileen J. Lammie VMD



All Creatures Great and Small Veterinary Practice
801 North Randolph Avenue
Elkins, WV 26241
304-637-2400



Uses	Telecommunications Overlay	Single Family Residential	City Residential	Recreational	Central Business District	Commercial	Educational	Industrial
Adult Business								C
Amphitheater				P	P		P	
Animal Hospital/ Veterinary Office					P	P		P

January 4, 2023

To Whom It May Concern

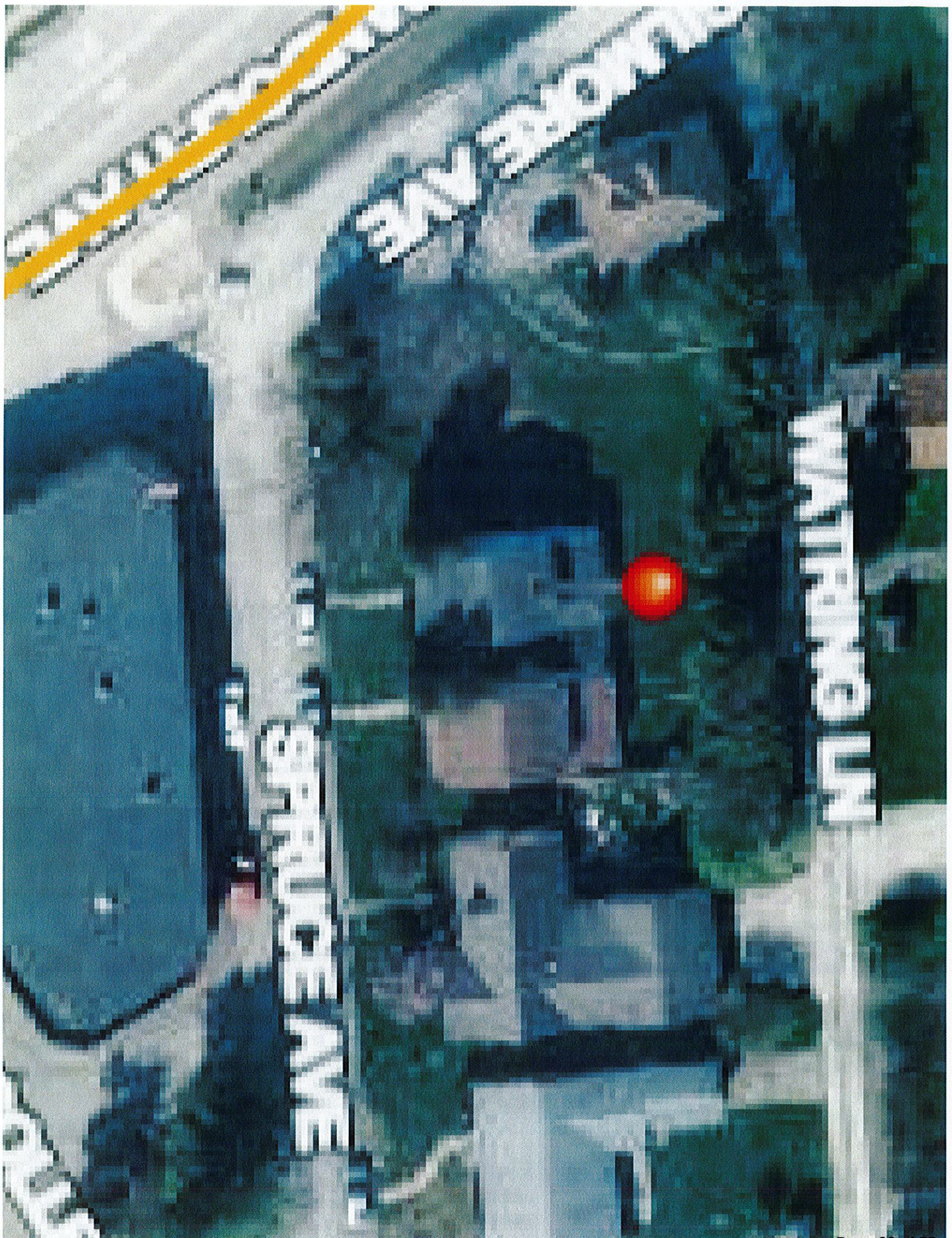
I am the owner of Lot 32 Graceland, 105 Spruce Street

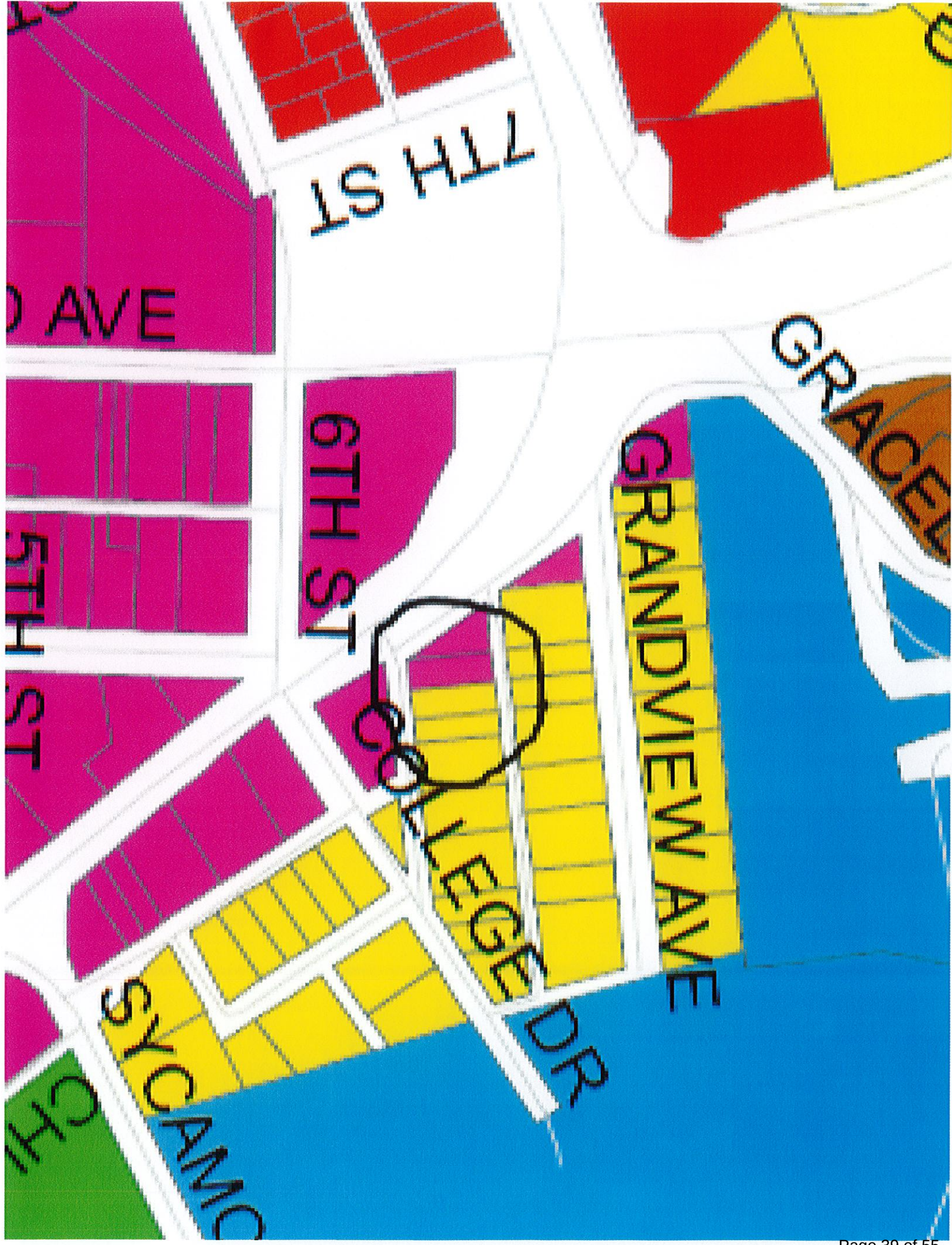
Recently, the lots adjacent to me were rezoned commercial "C" and I would like to change the zoning on my Lot 32 Graceland at 105 Spruce Street also to Commercial "C".

Respectfully submitted,

A handwritten signature in black ink that reads "Judith L. Shelton". The script is cursive and fluid, with the first letters of each word being capitalized and prominent.

Judith Lynn Shelton





ORDINANCE 311

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP, CHAPTER 152: ZONING, ELKINS CITY CODE – FIRST AMENDMENT

WHEREAS, the Common Council of the City of Elkins has previously adopted Ordinance 301, Chapter 152: Zoning, Elkins City Code ; and

WHEREAS, as part of Ordinance 301, Chapter 152: Zoning Elkins City Code, an Official Zoning Map accompanied it showing all of the property and its designated zoning district within the City; and

WHEREAS Eileen J. Lammie, VMD, is the owner of certain property located at 801 North Randolph Avenue, identified as Map 2, Parcels 83, 84, and 85, Elkins Corp District where the All Creatures Great and Small Veterinary Practice is located; and

WHEREAS, Dr. Lammie has requested that said parcels described above be rezoned from Residential to Commercial; and

WHEREAS Judith L. Shelton is the owner of certain property located at 105 Spruce Avenue, identified as Map 13, Parcel 10, Elkins Corp. District; and

WHEREAS, Ms. Shelton has requested that said parcel described about be rezoned from Single Family Residential to Central Business District as an adjoining property has been designated ; and

WHEREAS, these two requests were directed to the Planning Commission which is authorized to consider such rezoning requests and make recommendations to Council ; and

WHEREAS, the Planning Commission met on January 18, 2023, heard these two requests and voted to recommend to Council that said parcels owned by Dr. Lammie and Ms. Shelton, as described above, be rezoned as requested;

NOW THEREFORE, BE IT ORDAINED and ENACTED by the Common Council of the City of Elkins that the Official Zoning Map be amended as follows:

1. The property owned by Eileen J. Lammie, VMD, identified as Map 2, Parcels 83, 84 and 85, Elkins Corp. District be rezoned as Commercial.
2. The property owned by Judith L. Shelton, identified as Map 13, Parcel 10, Elkins Corp. be rezoned as Central Business District.

The Official Zoning Map shall be changed to reflect these rezoned parcels.

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.

This Ordinance shall become effective upon passage.

PASSED AND APPROVED ON THE FIRST READING: _____,
2023.

PASSED AND APPROVED ON THE SECOND AND FINAL READING:
_____, 2023.

CITY OF ELKINS, WEST VIRGINIA

Jerry A. Marco, Mayor

Attest:

Jessica Sutton, City Clerk



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	February 16, 2023
Section:	New business
Category:	Action Item
Agenda Item Name:	<i>Resolution 1615:</i> General Fund Budget Revisions No. 4 through No. 6 for FY23
Recommended By:	Finance Committee and Operations Manager
Summary:	budget revisions for Street, Public Works and Custodial departments
Fiscal Impact:	see attached General Fund revisions
Recommendation:	approval of budget revisions
Attachments:	1. R-1615 2. R-1615 attachments

IN THE COMMON COUNCIL OF THE CITY OF ELKINS, WV

A RESOLUTION OF COMMON COUNCIL

(#1615)

February 16, 2023

General Fund Budget Revisions No. 4 through No. 6 for FY23

WHEREAS, the City of Elkins has previously prepared and submitted its General Fund Budget for the Fiscal Year 2023; and,

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

WHEREAS, Budget Revisions No. 4 through No. 6 for FY2023 (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. 4 through No. 6 for Fiscal Year 2023.

Jerry A. Marco, Mayor

Attest:

Jessica R. Sutton, City Clerk

**001-566 Public Works Department
Budget Revision #4 FY2023**

TRANSFER FROM		AMOUNT	TRANSFER TO	AMOUNT
001-566-103-0000	Salary and Wages	\$8,000.00	001-566-353-0000	Computer Software \$3,119.18
			001-566-222-0000	Dues and Subscriptions \$500.00
			001-566-211-0000	Telephones \$4,380.82
TOTAL		\$8,000.00		\$8,000.00

**001-433 Custodial Department
Budget Revision #5 FY2023**

TRANSFER FROM		AMOUNT	TRANSFER TO		AMOUNT
001-433-459-0000	Capital Outlay	\$4,000.00	001-433-215-0000	Maint of Bldgs & Grounds	\$2,000.00
			001-433-216-0000	Maint of Equipment	\$2,000.00
TOTAL		\$4,000.00			\$4,000.00

**001-750 Street Department
Budget Revision #6 FY2023**

TRANSFER FROM		AMOUNT	TRANSFER TO	AMOUNT
001-750-213-0000	Utilities	\$10,000.00	011-750-343-0000 Automobile Supplies	\$10,000.00
TOTAL		\$10,000.00		\$10,000.00



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	February 16, 2023
Section:	New business
Category:	Resolution
Agenda Item Name:	<i>Resolution 1616: Accepting Conditions of Agreement with Sam & Sharon Enterprises, LLC and the City of Elkins, and Authorizing Execution of Agreement</i>
Recommended By:	Operations Manager and Municipal Properties Committee
Summary:	The Operations Manager would like to enter into a contract with Sam Muncy to assist in reviewing the landfill permit and to monitor compliance with WVDEP.
Fiscal Impact:	\$850.00 from Landfill Fund
Recommendation:	Approval of the resolution
Attachments:	1. R-1616 2. R-1616 attachment

IN THE COMMON COUNCIL OF THE CITY OF ELKINS, WV

A RESOLUTION OF COMMON COUNCIL

(#1616)

February 16, 2023

***Accepting Conditions of Agreement with Sam & Sharon Enterprise, LLC, and
The City of Elkins, and Authorizing Execution of Agreement***

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 NPDES 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, the City received a proposal from Sam Muncy of Sam & Sharon Enterprises, LLC (“SSE”) (attached as part of the record) to assist the City in reviewing and requesting modifications to the current NPDES permit and to maintain compliance with the WVDEP; and,

WHEREAS, it appears that accepting the proposal, including a scope of work and budget, from SSE and entering into an agreement 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 SSE in the administration of this project, effective immediately.

Jerry A. Marco, Mayor

Attest:

Jessica R. Sutton, City Clerk

January 26, 2023

Project SSE1034
Transmitted Electronically

Mr. Mike Kesecker
Operations Manager
City of Elkins
401 Davis Ave
Elkins, WV 26241

Re: Elkins Randolph County Landfill
Subject: Review of Landfill Operations Permit No. SWC-2071/WV0109525

:

Sam and Sharon Enterprises (SSE) is pleased to have this opportunity to submit this proposal to perform a review of the recent landfill operating permit SWC-2071/WV0109525. Thank you for the invitation. This proposal is based on:

- Your verbal request January 26, 2023.
- As principal owner for SSE, I will be the primary manager responsible to the City of Elkins for all tasks.
- Thirty-eight (38) years of experience as a registered professional engineer working within the West Virginia Solid Waste Management Rules promulgated by West Virginia Department of Environmental Protection (WVDEP).
- Preparation and submittal of over 300 WVDEP Municipal Solid Waste projects and reports of which 78 were permit applications, permit modifications and permit reviews.
- Direct permitting, operations, environmental monitoring and design experience with the Elkins Randolph County Landfill beginning in 1995.
- On-going responsibility for solid waste landfill closures as assigned by the WVDEP Landfill Closure Assistance Program (LCAP).
- Management of the Elkins Randolph County Landfill Closure Cap Construction Quality Assurance (CQA) and compliance with the landfill's WVDEP Operating Permit and Closure Rules.
- cursory review of the current permit that indicates some minor modifications are needed.

SSE is very anxious to provide technical services, and we believe the following attributes qualify us for this project:

- SSE principal owner has been the Engineer of Record for 12 West Virginia landfills since 1988.
- SSE's capabilities, similar project experience, and support facilities.
- SSE's past and present WVDEP projects developed an excellent working relationship with the WVDEP Division of Water and Waste Management (DWWM).

Following are discussions of the scope of work, project organization, and budget. These discussions are typically directed to the specifics of this project in order to begin the clear, unambiguous exchange of information with the City of Elkins that will carry through this project.

SCOPE OF WORK

This scope of work is developed to provide a description of basic tasks expected to support the City of Elkins and any City of Elkins in completion of an operating permit review. This proposal is based on the past discussions and interactions as requested by current City of Elkins personnel and the experience of SSE with the Elkins Randolph County Landfill.

The following items of work will be performed:

- Review State of WV Code of State Regulations Title 33 Series 1 Solid Waste Management Rule
- Correspondence with City of Elkins personnel
- Correspondence with WVDEP DWWWM permit writer
- Correspondence with Environmental Enforcement Office (EEO)
- Review current landfill operating permit
- Compose a draft letter report of permit review findings and recommendations
- Present report to the City of Elkins
- Revise report if necessary to clarify City of Elkins comments
- Submit the permit review report to WVDEP DWWWM requesting comments regarding modification of the permit.

PROJECT ORGANIZATION

Mr. Charles H. "Sam" Muncy, Jr. MSCE, PE, PS, will manage and perform all engineering tasks and will be responsible to the City of Elkins for the quality of work, schedule, and budget. A copy of Mr. Muncy's Professional Vitae is attached.

BUDGET

No services will be performed by SSE unless specifically requested by the City of Elkins. Should occasion require services beyond the budget, then the City of Elkins will be informed with a description of services and a budget of cost and no work will be performed without approval. All requested documentation will be provided electronically.

Operating Permit Review Budget-----\$850.00

If accepted to provide technical services, SSE is anxious and prepared to respond in accordance with this proposal.

Your consideration of our proposal is most appreciated. We respectfully request the opportunity to clarify any aspect of this proposal or questions that you may have on our proposal. We look forward to providing our professional services to the City of Elkins.

Sincerely,

A handwritten signature in blue ink, appearing to read "Charles H. Muncy, Jr.", is positioned above the printed name.

Charles H. "Sam" Muncy, Jr., MSCE, PE, PS
Principal

SM/SARC



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	February 16, 2023
Section:	New business
Category:	Resolution
Agenda Item Name:	<i>Resolution 1617:</i> Establishing New Compensation Level for Municipal Court Judge
Recommended By:	Personnel Committee
Summary:	B. Jones requests an increase in annual salary from \$18,199 to \$20,000
Fiscal Impact:	Municipal Court Fund increase in expenses for Personnel
Recommendation:	approval of resolution
Attachments:	1. R-1617

IN THE COMMON COUNCIL OF THE CITY OF ELKINS, WV

A RESOLUTION OF COMMON COUNCIL

(#1617)

February 16, 2023

Establishing New Compensation Level for Municipal Court Judge

WHEREAS, the City of Elkins, W. Va. (“the City”) operates a Municipal Court (“the Court”) under authority granted to it by West Virginia Code §8-10-2(a), which states in pertinent part that “any city may provide by charter provision and any municipality may provide by ordinance for the creation and maintenance of a municipal court [and] for the appointment or election of an officer to be known as municipal court judge and for his or her compensation”; and,

WHEREAS, the Elkins City Code, §37, provides for the creation of a Municipal Court and the appointment of a qualified individual to act as Municipal Court Judge; and,

WHEREAS, effective June 19, 2014, per Resolution #626, the Elkins Common Council approved the appointment of Bob Jones to preside over the Court; and,

WHEREAS, the Personnel Committee recommends an increase in the salary of the Municipal Judge from \$18,199 to \$20,000 annually; and,

WHEREAS, Elkins City Code, §2-2 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 or will be made available within the Municipal Court account of the current fiscal year’s General Fund budget; ***now, therefore, be it***

RESOLVED AND ORDAINED by the Common Council of the City of Elkins that the annual salary of Municipal Court Judge Bob Jones be raised to \$20,000, effective Sunday, February 26, 2026.

Jerry A. Marco, Mayor

Attest:

Jessica R. Sutton, City Clerk



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	February 16, 2023
Section:	New business
Category:	Action Item
Agenda Item Name:	PSC Order Concerning Whitmer Water Association, Inc.
Recommended By:	City Attorney G. Roberts
Summary:	discussion of recently issued PSC order regarding Whitmer Water Association
Fiscal Impact:	unknown
Recommendation:	discussion only
Attachments:	None