

ELKINS COMMON COUNCIL REGULAR COUNCIL MEETING AGENDA

*401 Davis Avenue
Council Chamber, 2nd Floor
February 17, 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 regular council meeting of February 3, 2022.

5. Correspondence and Notifications

- a. Issued building permits
- b. Treasurer's report
- c. Events
- d. Elkins Tree Board annual report
- e. Tree City USA summary
- f. Approved minutes of council committees, boards, and commissions

6. Presentations

- a. Elkins Historic Landmarks Commission
- b. Elkins Tree Board

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 January 31 – February 11, 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. *Treasurer presentation of Retroactive Pay for Temporary Assignment*

11. New business

- a. *Ordinance 295: An Ordinance of the City of Elkins, West Virginia to Vacate, Abandon, and Close a Portion of those Certain Public Rights of Way of an Unopened Alley known as Coke Lane which lies behind the Randolph County Housing Authority owned property known as Riverside Place Apartments, formerly known as "Allegheny Apartments" located on S. Davis Avenue, Elkins, W.Va. (2nd and final reading)*
- b. *Ordinance 296: An Ordinance of the City of Elkins, West Virginia to Amend and Revise Elkins City Code Section 92.002 Fire Seasons: Outdoor Fires (1st of two readings)*
- c. *Resolution 1491: Authorizing Application for State Farm Neighborhood Assist grant by the Elkins Fire Department*
- d. *Resolution 1492: General Fund Budget Revisions No. 9 and 10 for FY22*
- e. *Resolution 1493: Approval of Budget Revision 2022-001-04 for Fiscal Year 2022*
- f. *Resolution 1494: Authorizing Closure of a Mountain Valley Bank Account used for the purpose of the Water Systems Improvement Project*
- g. *Resolution 1495: Approving "Full-Time Regular Employee" Status and Confirming Compensation Level for G. Hartley*
- h. *Resolution 1496: Accepting Conditions of Agreement between United States Department of Agriculture (USDA) Animal Plant Health Inspection Service (APHIS) Wildlife Services (WS) and the City of Elkins, and Authorizing Execution of Agreement*
- i. *Resolution 1497: Amending the City of Elkins Personnel Policy Ch. 4.G: Temporary Assignment*
- j. *Appointment of Operations Manager*
- k. *Streetscape Design discussion*
- l. *Allocation of increase in health care insurance premiums*

12. Mayor's comments

13. Adjournment

Proposed Minutes

ELKINS COMMON COUNCIL REGULAR COUNCIL MEETING MINUTES

***401 Davis Avenue
Council Chamber, 2nd Floor
February 3, 2022
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.H. Friddle, III, J.A. Guye, C.J. Higgins, G.M. Hinchman, C.C. Lowther, D.C. Parker, and L.H. Vest; City Treasurer T. Judy; Fire Chief S.D. Himes; Police Chief T. Bennett; Interim Operations Manager M. Himes; and City Clerk J.R. Sutton (acting as recording secretary).

City Attorney G. S. Roberts was absent.

MINUTES

Cw. Bross-Fregonara, **MOVED APPROVAL OF THE MINUTES OF THE JANUARY 20, 2022 MEETING.**
The motion carried.

CORRESPONDENCE AND NOTIFICATIONS

Council received the following correspondence and notifications:

- Issued building permits
- Treasurer's report

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

ISSUED BUILDING PERMITS				
Permit	Applicant	Location	Description	Value
220002	Coffman, Stacy	927 S Kerens Ave	Electrical Service Inspection	1,200.00
220003	Mahoney, Derek	213 Evergreen Dr.	Deck	24,800.00
220004	Fehrenbach, Tyler	406 Davis St	Upgrade Wiring, Fix Sewer Pipe & HVAC	25,000.00
220005	Harper, Gyvonne	111 Davis St	Roof	6,924.00
220006	HALL, Lorentz	852-858 W Central St	Remodel from Fire	150,000.00
220007	Campbell, Chris	203 Washington Ave.	Garage	20,000.00
220008	Hicks, Lynn & Jennifer	139 Elm St	Asbestos Removal	8,000.00

Proposed Minutes

220009	Aughtry, Marie	24 Fayette St	Windows & Drywall	12,560.00
220010	Hall, Carolyn	1711 S Davis Ave.	Electrical Service Upgrade	2,100.00
220011	Amendolia, Patrick	110 Harpertown Rd.	Install Bathroom in Master Bedroom	7,000.00
220012	Lamb, Vera	137 Riverview Dr	Replace Roof Shingles	19,000.00
220013	Busch Properties	104 Buffalo St	Replace Roof Shingles	12,565.00
220014	Whiteman, Gary & Rebecca	1217 S Henry Ave	Replace Roof Shingles	11,165.00
220015	City of Elkins	201 Graham St	Asbestos Removal & Demolition	13,700.00
220016	Hicks, Lynn & Jennifer	139 Elm St	Remodel	23,000.00
220017	Holland Investment Group	319 Center St	Roof	11,000.00
220018	Cutright, Robert	1 Cherokee St	Electric Service	500.00
220019	Terra Floral Landscaping Inc.	300 Ward Ave	Replace Roof and Build Two Green Houses	126,000.00
220020	Underwood, Ginny	953 S Kerens Ave	Install Metal Roof	6,000.00
220021	Corder, Jerry	33 Dowell St	Electric Service	500.00
220022	Elkins Metal Recycling	33 Factory St	Asbestos Removal & Demolition	1,000.00

PRESENTATIONS

Elkins-Randolph County Chamber of Commerce Director Lisa Wood presented to council the accomplishments of the organization over the last year. This included events hosted by the Chamber as well as promoted for their membership. Mrs. Woods noted that collaboration has significantly improved over the past several years for a number of reasons including the close proximity of the Chamber, Elkins Main Street, the Elkins-Randolph Tourism CVB marketing director, the RCDA and the United Way, all of which are housed in the Wood Tech Center. The mission of the Chamber is to advocate, educate and network to enhance business opportunities in our community. Very recently the Chamber released a new website with an enhanced member directory. Upcoming is the E3 – Elkins Entrepreneurs Expo – a co-sponsored event intended to increase and improve opportunities for economic growth. Mrs. Woods expressed her thanks to council for their continued support.

Jessica Sutton, City Clerk, provided an update of the City of Elkins 2018-2023 Strategic Plan. After three and a half years of this five-year plan, seventy-four percent of the items have been completed. Even through the pandemic council and staff continued to work through identified milestones. Ms. Sutton provided an overall view and highlighted items in each strategic area. The plan review will be made available to council and the public.

Proposed Minutes

COMMITTEE REPORTS were provided by all chairs.

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

APPROVAL OF VENDOR INVOICE PAYMENTS

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

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

- Accounts Payable check transactions for the period January 17 – 28, 2022

NEW BUSINESS

Cw. Guye, **MOVED APPROVAL OF ORDINANCE 295: AN ORDINANCE OF THE CITY OF ELKINS, WEST VIRGINIA TO VACATE, ABANDON AND CLOSE A PORTION OF THOSE CERTAIN RIGHTS OF WAY OF AN UNOPENED ALLEY KNOWN AS COKE LANE WHICH LIES BEHIND THE RANDOLPH COUNTY HOUSING AUTHORITY OWNED PROPERTY KNOWN AS RIVERSIDE PLACE APARTMENTS, FORMERLY KNOWN AS “ALLEGHENY APARTMENTS” LOCATED ON S. DAVIS AVENUE, ELKINS, W.VA. (1ST OF TWO READINGS).** The motion carried.

Cm. Chenoweth, **MOVED APPROVAL OF RESOLUTION 1487: AMENDING CITY OF ELKINS RULES OF COUNCIL.** The motion carried.

Cm. Higgins, **MOVED APPROVAL OF RESOLUTION 1488: AUTHORIZING ACCEPTANCE OF BODY WORN CAMERA GRANT AWARD FROM THE U.S. DEPARTMENT OF JUSTICE BUREAU OF JUSTICE ASSISTANCE, AND AUTHORIZING EXECUTION THEREOF.** In accordance with Resolution 924 and the amended City of Elkins Rules of Council the chair called for a roll call vote. The clerk called roll in random order. The motion carried. Council votes were as follows:

N. Bross-Fregonara	Yes	J. Guye	Yes	D. Parker	Yes
R. Chenoweth	Yes	C. Higgins	Yes	L. Vest	Yes
M. Cuonzo	Yes	M. Hinchman	Yes	Mayor J. Marco (in case of tie)	n/a
C. Friddle, III	No	C. Lowther	Yes		

Cm. Hinchman, **MOVED APPROVAL OF RESOLUTION 1489: RESOLUTION TO AUTHORIZE MAYOR TO EXECUTE AMENDED WAGER LINE RIGHT OF WAY AND EASEMENT FOR FIREFLY COMMONS LIMITED PARTNERSHIP PROPERTY.** The motion carried.

Cm. Lowther, **MOVED APPROVAL OF RESOLUTION 1490: APPROVING “FULL-TIME REGULAR” EMPLOYEE STATUS AND CONFIRMING COMPENSATION LEVEL FOR C. GOFF.** The motion carried.

Proposed Minutes

Cw. Bross-Fregonara, **MOVED APPROVAL OF TO ENTER INTO EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSING A PERSONNEL MATTER, SPECIFICALLY POTENTIAL APPLICANTS TO THE ELKINS PLANNING COMMISSION. The motion carried.** Council entered executive session at 8:41 p.m. and returned at 8:50 p.m. The chair announced that no action was taken.

Mayor J. Marco nominated Vance Jackson to be appointed to the Elkins Planning Commission.

Cw. Cuonzo, **MOVED APPROVAL OF THE APPOINTMENT OF VANCE JACKSON THE ELKINS PLANNING COMMISSION FOR A TERM EXPIRING **DECEMBER 31, 2024.** The motion carried.**

Cm. Chenoweth, **MOVED APPROVAL OF ENTERING INTO EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSING A PERSONNEL MATTER RELATED TO RETROACTIVE PAY FOR TEMPORARY ASSIGNMENT. The motion carried.** Council entered executive session at 8:51 p.m. and returned at 9:34 p.m. The chair announced that no action was taken.

MAYOR'S COMMENTS

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

The meeting adjourned at 9:37 p.m.

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

Jerry A. Marco, Mayor

Attest:

Jessica R. Sutton, City Clerk

BUILDING PERMITS

Presented at council meeting of: February 17, 2022

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

ISSUED BUILDING PERMITS				
Permit	Applicant	Location	Description	Value
220023	Jobe, Nancy	31 Cherry St	Replace Roof Shingles	11,000.00
220024	Epperson, Mark	39 Cherry St	Remodel Bath, Kitchen & Upgrade Electric	11,000.00
220025	Louk, Robert	220 Central St.	Electric Service	3,400.00
220026	Davis, Matt & Sherri	3/Guy St	Remodel Kitchen & 2 Baths	10,000.00
220027	Bialek, James	110 Evergreen Dr	Change Office into Bath	10,000.00
220028	Crider, Janet	116 Chestnut St	Repair Roof and Ceiling	6,900.00

Monthly Report for FY2022

Month of January

Fund	Revenues	Expenditures	Revenues Collected as per Budget	Percent of Yr. Completed
General	\$971,526.33	\$375,306.15		58.33
County Tax	\$26,590.76		69.73%	1,042,254.00
B & O Tax	\$310,209.55		78.16%	1,267,000.00
Hotel/Motel Tax	\$7,443.47		82.72%	141,000.00
Gas & Oil Severance Tax	\$0.00		116.30%	11,000.00
2% City Utility Tax	\$5,459.54		65.83%	65,000.00
Utility Excise Tax	\$24,864.77		56.76%	290,000.00
Liquor Tax	\$23,208.84		69.80%	102,000.00
Police	\$3,256.48		93.25%	19,200.00
Municipal Court	\$7,727.33		69.25%	48,726.00
Code Enforcement	\$2,580.80		57.93%	27,200.00
Fire Fees	\$49,079.94		49.18%	913,000.00
Business License	\$990.00		31.47%	26,500.00
Intergovernmental	\$100,792.92		95.98%	338,381.00
Franchise/IRP Fees	\$26,742.48		61.69%	155,000.00
Phil Gainer Community Center	\$3,035.00		236.95%	30,000.00
Misc. Revenue	\$6,270.71		50.21%	94,060.00
Municipal Sales Tax	\$373,273.74		91.58%	1,200,000.00
	\$971,526.33		73.85%	5,770,321.00
Sanitation	\$132,441.85	\$276,644.35	67.60%	1,382,100.00
Water	\$268,064.76	\$278,052.44	58.87%	3,464,400.00
Sewer	\$211,974.95	\$175,155.00	61.00%	2,360,650.00
Landfill	\$7.87	\$0.00	56.65%	5,500.00

Summary of Online Payments

Calendar Year	Number of transactions	Total Payments
2016	9780	\$776,133.98
2017	11471	\$891,409.86
2018	13180	\$1,199,735.87
2019	16326	\$1,495,524.70
2020	20776	\$2,106,156.21
2021	23997	\$2,468,482.83

American Rescue Plan Act Reporting

Revenue Received 7/22/21	Date Paid	Vendor	Revenue	Expenditure	Amount	Balance Available	ARPA Category	Fund/Dept. Usage
\$1,542,466.71	7/22/2021		Deposit		\$1,542,466.71	\$1,542,466.71	N/A	N/A
	9/30/2021	Ogden Enterprise		tandem trailer	\$19,600.00	\$1,522,866.71		Water Dist
	9/30/2021	Leslie Equipment		light plant	\$9,750.00	\$1,513,116.71		Water Dist
	9/30/2021	Mountain Valley Bank	Interest	n/a	\$152.13	\$1,513,268.84	N/A	N/A
	10/5/2021	CR Environmental		replacement bearing, labor	\$1,400.00	\$1,511,868.84		Water Trt
	10/7/2021	Steve's Electrical		floc bearing replacement	\$900.00	\$1,510,968.84		Water Trt
	10/8/2021	Elkins Fordland		2015 Ford 150	\$20,875.00	\$1,490,093.84		Water Dist
	10/18/2021	CivicPlus		website agenda management	\$8,708.00	\$1,481,385.84	DWSRF	General/Clerk
	10/18/2021	Power Equipment		2 trash pumps	\$3,527.98	\$1,477,857.86		Water Trt
	10/20/2021	C-Com		gate pedestal	\$1,779.96	\$1,476,077.90		Water Trt
	10/21/2021	Hack Company		panel, channel, software	\$24,750.87	\$1,451,327.03		Water Trt
	10/21/2021	Steve's Electrical		labor for trash pumps	\$900.00	\$1,450,427.03		Water Trt
	10/21/2021	Zoro		4-bearings	\$1,944.00	\$1,448,483.03		Water Trt
	10/21/2021	Carniblock Direct		4" camblock hoses	\$2,739.68	\$1,445,743.35		Water Trt
	10/21/2021	C-Com		computer, scada, drives, labor	\$11,000.00	\$1,434,743.35		Water Trt
	10/26/2021	Steve's Electrical	Deposit	sludge removal equipment	\$800.00	\$1,433,943.35		Water Trt
	10/27/2021	ARPA-Additional Funds			\$2,454.82	\$1,436,398.17	N/A	N/A
	10/31/2021	Mountain Valley Bank	Interest	n/a	\$143.58	\$1,436,541.75	N/A	N/A
	11/18/2021	Power Equipment		water pumps, couplings	\$479.94	\$1,436,061.81		Water Trt
	11/30/2021	Mountain Valley Bank	Interest	n/a	\$151.27	\$1,436,213.08	N/A	N/A
	12/1/2021	Southern States		stihl chain saw	\$1,629.99	\$1,434,583.09		Water Dist
	12/3/2022	USA Blue Book		pump, wrenches, tapping kit	\$7,371.51	\$1,427,211.58		Water Dist
	12/15/2021	Snap-On		wrench, ratchet & socket set	\$3,495.00	\$1,423,716.58		Water Dist
	12/15/2021	Snap-On		pick set, sharpener, service set	\$788.50	\$1,424,928.08		Water Dist
	12/15/2022	C-Com		Scada computer, printer, labor	\$3,841.99	\$1,423,086.09		Water Trt
	12/20/2021	Ilderton Dodge		2021 Ram 5500	\$77,312.00	\$1,345,774.09		Water Dist
	12/28/2021	Leslie Equipment		light plant	\$10,000.00	\$1,335,774.09		Water Dist
	12/28/2021	Cybertech		SCADA upgrade servers	\$20,000.00	\$1,315,774.09		Water Trt
	12/28/2021	Cybertech		SCADA upgrade Unit A	\$20,000.00	\$1,295,774.09		Water Trt
	12/31/2021	Mountain Valley Bank	Interest	n/a	\$143.49	\$1,295,917.58	N/A	N/A
	1/4/2022	State Electric		pvc conduit, fittings, wire	\$1,815.58	\$1,294,102.00		Water Trt
	1/5/2022	Cleveland Brothers		CAT 420 XE	\$121,913.00	\$1,172,189.00		Water Dist
	1/12/2022	Hach Company		modify raw water analyzers	\$18,538.55	\$1,153,650.45		Water Trt
	1/12/2022	Hach Company		clearwell analyzers	\$17,547.23	\$1,136,103.22		Water Trt
	1/31/2022	Mountain Valley Bank	Interest	n/a	\$133.43	\$1,136,236.65	N/A	N/A
	2/1/2022	Hach Company		SCADA implementation	\$24,900.00	\$1,111,336.65		Water Trt
	2/1/2022	Hach Company		flow meters	\$154,380.20	\$956,956.45		Sewer Collection
	2/9/2022	Cybertech		firewall upgrade	\$4,562.96	\$952,393.49		Water Trt
	2/9/2022	Weimer Ford		2012 Nissan Titan	\$23,472.46	\$928,921.03		Water Dist
	2/9/2022	Water Pump Direct		trash pump, couplings	\$2,144.17	\$926,776.86		Water Dist
	2/9/2022	Adkins Home Center		generator, cover	\$901.99	\$925,874.87		Water Dist
					\$622,949.28			

Definitions:
 EPA-Environmental Protection Agency
 CWSRF-Clean Water State Revolving Fund
 DWSRF-Drinking Water State Revolving Fund

American Rescue Plan Act Reporting

Water Distribution	Date Paid	Vendor	Expenditure	Amount	Balance Available	ARPA Category
\$389,775.00	9/30/2021	Ogden Enterprise	tandem trailer	\$19,600.00	\$370,175.00	
	9/30/2021	Leslie Equipment	light plant	\$9,750.00	\$360,425.00	
	10/8/2021	Elkins Fordland	2015 F150	\$20,875.00	\$339,550.00	
	12/1/2021	Southern States	stihl chain saw	\$1,629.99	\$337,920.01	
	12/3/2022	USA Blue Book	pump, wrenches, tapping kit	\$7,371.51	\$330,548.50	
	12/15/2021	Snap-On	wrench, ratchet & socket set	\$1,495.00	\$329,053.50	
	12/15/2021	Snap-On	pick set, sharpener, service set	\$788.50	\$328,265.00	
	12/16/2022	Cleveland Bros	CAT 420 XE	\$121,913.00	\$206,352.00	
	12/20/2021	Ilderton Dodge	2021 Ram 5500	\$77,312.00	\$129,040.00	
	12/28/2021	Leslie Equipment	light plant	\$10,000.00	\$119,040.00	
	2/9/2022	Weimer Ford	2012 Nissan Titan	\$23,472.46	\$95,567.54	
	2/9/2022	Water Pump Direct	trash pump, couplings	\$2,144.17	\$93,423.37	
	2/9/2022	Adkins Home Center	generator, cover	\$901.11	\$92,522.26	
				\$297,252.74		

Water Treatment	Date Paid	Vendor	Expenditure	Amount	Balance Available	ARPA Category
\$261,000.00	10/5/2021	CR Environmental	replacement bearing, labor	\$1,400.00	\$259,600.00	
	10/7/2021	Steve's Electrical	floc bearing replacement	\$900.00	\$258,700.00	
	10/18/2021	Power Equipment	2 trash pumps	\$3,527.98	\$255,172.02	
	10/20/2021	C-Corn	gate pedestal	\$1,779.96	\$253,392.06	
	10/21/2021	Hack Company	panel, channel, software	\$24,750.87	\$228,641.19	
	10/21/2021	Steve's Electrical	labor for trash pumps	\$900.00	\$227,741.19	
	10/21/2021	Zoro	4-bearings	\$1,944.00	\$225,797.19	
	10/21/2021	Camlock Direct	4" camlock hoses	\$2,739.68	\$223,057.51	
	10/21/2021	C-Corn	computer, scada, drives, labor	\$11,000.00	\$212,057.51	
	10/26/2021	Steve's Electrical	sludge removal equipment	\$800.00	\$211,257.51	
	11/18/2021	Power Equipment	water pumps, couplings	\$479.94	\$210,777.57	
	12/15/2021	C-Corn	scada computer, printer, install	\$1,841.99	\$208,935.58	
	12/28/2021	Cybertech	SCADA upgrade servers	\$20,000.00	\$188,935.58	
	12/28/2021	Cybertech	SCADA upgrade Unit A	\$20,000.00	\$168,935.58	
	1/4/2022	State Electric	pvc conduit, fittings, wire	\$1,815.58	\$167,120.00	
	1/12/2022	Hack Company	modify raw water analyzers	\$18,538.55	\$148,581.45	
	1/12/2022	Hack Company	clearwell analyzers	\$17,547.23	\$131,034.22	
	2/1/2022	Cybertech	SCADA implementation	\$24,900.00	\$106,134.22	
	2/9/2022	Cybertech	firewall upgrade	\$4,562.96	\$101,571.26	
				\$159,428.74		

American Rescue Plan Act Reporting

Sewer Collection	Date Paid	Vendor	Expenditure	Amount	Balance Available	ARPA Category
\$157,000.00					\$157,000.00	
	2/1/2022	Hach Company	flow meters	\$154,380.20	\$2,619.80	
				\$154,380.20		

Sewer Treatment	Date Paid	Vendor	Expenditure	Amount	Balance Available	ARPA Category
				\$0.00		

American Rescue Plan Act Reporting

Clerk's Office	Date Paid	Vendor	Expenditure	Amount	Balance Available	ARPA Category
\$31,350.00	10/18/2021	CivicPlus	website agenda management	\$8,708.00	\$22,642.00	DWSRF
				\$8,708.00		

City Hall	Date Paid	Vendor	Expenditure	Amount	Balance Available	ARPA Category
\$450,000.00					\$450,000.00	
				\$0.00		

Addiction & Homelessness	Date Paid	Vendor	Expenditure	Amount	Balance Available	ARPA Category
\$5,000.00					\$5,000.00	
				\$0.00		

Community Request	Date Paid	Vendor	Expenditure	Amount	Balance Available	ARPA Category
\$154,246.00					\$154,246.00	
				\$0.00		

CITY OF ELKINS

Van T. Broughton
Mayor

Application to Use or Close City Streets and/or Sidewalks

401 Davis Avenue
Elkins, West Virginia 26241

Date(s) of Event March 20 + 30 days Time: From: _____ To: _____

Date of Street Closing X Time of Street Closing X

Date of Street Reopening X Time of Street Reopening X

Organization Name Our Town, Inc Address Delmonte Mt, 344 Railroad Ave
City/State/Zip Elkins, WV 26241 Fax _____

Contact Tammy Dolly Telephone 304 940 3158 E-mail ourtownelkins@gmail.com
2nd Contact Bobbi Trimboli Telephone 304-636-0415 E-mail trimboli.bh@gmail.com
304-621-8148

Does applicant have liability insurance that names the City as an additional insured?* X 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: Wish to place 4' painted wooden tulips on poles approved by the City of Elkins to remain for 30 days from

Streets you are requesting to use or close - identify specific block.

		Barricade Street	Sidewalk Usage
1.	from _____ to _____	_____	_____
2.	from _____ to _____	_____	_____
3.	from _____ to _____	_____	_____
4.	from _____ to _____	_____	_____

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

_____/_____/_____
Initials / Date
msa / 2/10/22
Operations Mgr. Approval

_____/_____/_____
Initials / Date
[Signature] / 2/10/22
City Clerk Approval

_____/_____/_____
Initials / Date
Parks Dir. Approval
(if necessary)

Bobbi Trimboli / 1/10/22
Signature of Applicant Date

[Signature] / 2/11/2022
Mayor's Signature Date

Contingencies—Restrictions:

* parking poles can be used so long as 3hr. parking stickers are not covered.
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



2021 ANNUAL REPORT

Elkins Tree Board Members

Marilyn Cuonzo (Chair); Linda Burke (Vice Chair); Nanci Bross-Fregonara (Secretary); Linda Silva (Treasurer); Members: Sam Golston, Angela Daniels, Ryan LaBrozzi and AmeriCorps member Haley Shreve

Despite Covid, the Elkins Tree Board (ETB) planted 55 trees throughout the city, began new projects and provided assistance to residents and businesses needing tree advice. The ETB also increased the distribution of tree information on social media, encouraged participation in Zoom workshops and worked more collaboratively with other civic non-profits, such as the Emma Scott Garden Club and Our Town, which expanded our volunteer efforts. Support from the City of Elkins, especially the Street and Operations departments and Parks and Recreation; the West Virginia Division of Forestry; and the community, has been inspiring.

Actions and Accomplishments 2021

January 2021

- Tree City Recertification and Growth Award applications submitted to WV Division of Forestry (WV DOF). Both were successfully received.

February 2021

- The Outdoor Classroom Groves project plans at Glendale Park were finalized by AmeriCorps member Eric Schwartz and 14 trees ordered. The project received a \$300 donation from Dominion Energy to help purchase the trees. The ETB funded the rest of the project.

March 2021

- Work begins on the second Demonstration City Grant with the City of Elkins Street Department removing more tree boxes and trees at 11 locations and preparing for the installation of the decorative grates.
- Installation of trees begins by city arborist David Mitchell. The trees were a minimum of 2" caliber of various species determined by ETB members and arborist to be the most appropriate.
- ETB members prepared the Darden Gardens for spring with a volunteer workday assisted by numerous AmeriCorps members.
- Trees for Glendale project delivered and planted with a crew of over 20 volunteers, Parks & Rec staff and Dominion Energy volunteers.
- Held annual *Fear of Pruning* workshop with DOF urban forester at Glendale Park

April 2021

- Had one of the most successful Arbor Day celebrations as a result of working with the Randolph County Democratic Womens Club's Earth Day celebration and the Emma Scott Garden Club's tree planting at the Davis Street Park. The event at Glendale Park and MC'd by the Mayor was one of the best attended on record, with extensive media coverage and support from Friends of Trees and private citizens. ►



Public pruning workshop



Work on the Outdoor Classroom groves at Glendale Park



Darden Gardens Spring Clean-up



Arbor Day commemorations

May 2021

- Work began to repurpose a damaged White Oak in City Park for use in the Glendale outdoor learning spaces as child-friendly benches.

June 2021

- Friends of Trees (FOT) rejuvenated by the addition of a Volunteer Coordinator.
- Application prepared for jointly shared AmeriCorps position between the ETB and AFNHA Pollinator Initiative. Application was successfully accepted. New member to begin in August.

July 2021

- FOT/ETB volunteers work with YMCA campers at Tree-mendous Day at the Kump Education Center.
- Mission campers with YIELD complete two volunteer projects at the Tree Nursery and the City Hall gardens.

September 2021

- Adopt-A-Tree program returns with 8 trees donated to homeowners and businesses to help green the City.
- City passes resolution to become a Pollinator Partner with the Appalachian Forest National Heritage Area.

October 2020

- The ETB with Friends of Trees plant 15 sycamore trees at the Kump Education Center to assist with wetland drainage issues.
- Tree tags designed for Glendale Park to enhance interpretative opportunities.

November 2021

- Third WV DOF Demonstration City Grant applied for that includes replacing 11 more trees in expanded tree beds in the downtown corridor.
- Participated in the Rosie Tree ceremony planted collaboratively near the Depot. Great example of AFNHA, Friends of Trees and Our Town working together.
- Memorial tree planted at Glendale Park.

December 2021

- Initial meeting held to design a tree restoration project in Elkins City Park. This will be a collaborative project with the ETB, AFNHA AmeriCorps, Elkins Park and Rec and the DOF urban forestry division.

LOOKING AHEAD FOR 2022

- Working on Elkins' Urban Forest Management Plan, which includes City Park Project and forest canopy analysis
- Expanding collaborative projects to increase public education
- Improving tree inventories



55
trees planted

More than
1,000
volunteer hours
donated



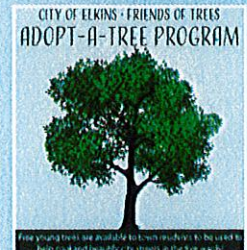
White oak at City Park



YIELD volunteers assist with projects



YMCA Tree-mendous Day at KEC



Poster for Adopt-A-Tree program



Pollinator interpretive sign at Glendale installed



Sycamores planted at KEC



Rosie Tree planting near Depot



TREE CITY USA
An Arbor Day Foundation Program

WEST VIRGINIA

2020

BY THE NUMBERS

16
TREE CITY USA
COMMUNITIES
0 NEW

8.92%
OF STATE
LIVES IN A TREE CITY
USA COMMUNITY

LONGEST-RUNNING
ACTIVE TREE CITY USA
COMMUNITY:
Williamstown
37 YEARS

100.00% RECERTIFICATION RATE



REPORTED NUMBER OF
TREES PLANTED 514

\$819,150

SPENT ON
URBAN FORESTRY
MANAGEMENT



\$5.13
average per capita

LARGEST

Huntington
POPULATION 48,116

SMALLEST

Harpers Ferry
POPULATION 287



1 Growth Award
Recipients

LONGEST ACTIVE GROWTH AWARD

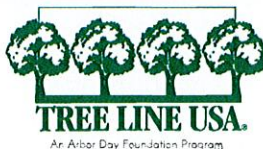
Elkins
2 YEARS

0 NEW Growth
Award Recipients

BEYOND TREE CITY USA



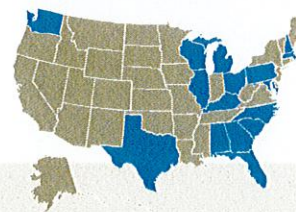
3 Recognized
West Virginia
Schools
0 NEWLY
Recognized Schools



1 Tree Line USA
Utilities
LONGEST ACTIVE UTILITY:
**First Energy - Potomac Edison &
Mon Power**
3 YEARS



Recognized Healthcare Facilities:



**SPECIAL HIRING COMMITTEE
MEETING MINUTES**

*401 Davis Avenue
City Hall, Council Chambers
January 18, 2022
10:00 a.m.*

Present were Committee Members: C. Friddle, Chair; D. Parker, J. Marco, and J. Sutton

Also present were: City Attorney G. Roberts

MINUTES

Cm. Parker, **MOVED APPROVAL OF THE MINUTES OF THE JANUARY 5, 2022, MEETING.** The motion carried.

NEW BUSINESS

By unanimous consent, new business was moved up in the order of business. The committee reviewed interview questions provided by AlignHR representative L. Hannigan. Ten questions were chosen. The committee also reviewed the proposed interview scoring sheet and agreed to its use. The interview process was discussed, and roles were assigned.

UNFINISHED BUSINESS

J. MARCO **MOVED APPROVAL TO ENTER INTO EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSING PROSPECTIVE PERSONNEL.** The motion carried. The committee entered executive session at 10:36 a.m. and returned at 11:00 a.m. The Chair announced that no action was taken.

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

The meeting adjourned at 11:01 a.m.

The foregoing minutes were approved at the meeting of Feb. 3, 2021

Charles H. Friddle, III
Name & Title CHAIRMAN

Charles H. Friddle III
Signature

**FINANCE COMMITTEE
REGULAR MEETING
MINUTES**

*401 Davis Avenue
City Hall, Council Chambers
January 3, 2022
10:00 a.m.*

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

Also present were: Interim Operations Manager M. Himes; Police Chief T. Bennett; Fire Chief S. Himes; Treasurer T. Judy; Street Department Supervisor S. Akers; and City Clerk J. Sutton

MINUTES

Cm. Lowther, **MOVED APPROVAL OF THE MINUTES OF THE DECEMBER 6, 2021, MEETING.** The motion carried.

NEW BUSINESS

Cm. Lowther, **MOVED APPROVAL OF ALLOCATING UP TO \$10,000 TO THE PHIL GAINER COMMUNITY CENTER FOR THE PURCHASE OF AN AERIAL PLATFORM FROM THE FINANCIAL STABILIZATION ACCOUNT.** The motion carried.

Cm. Chenoweth, **MOVED A RECOMMENDATION TO COUNCIL FOR THE PURCHASE OF A STREET-LEGAL SPECIAL PURPOSE BOBCAT UW56 AND HOPPER/SPREADER ATTACHMENT IN AN AMOUNT NOT TO EXCEED \$62,000 FOR THE STREET DEPARTMENT WITHOUT COMPLETING THE COMPETITIVE BID PROCESS PER ELKINS CITY CODE §30.20(B)(D).** The motion carried.

Cm. Chenoweth, **MOVED APPROVAL OF TRANSFERRING \$29,686.35 FROM THE FINANCIAL STABILIZATION ACCOUNT TO THE CITY HALL PARKING LOT PROJECT FUND.** The motion carried.

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

The meeting adjourned at 10:24 a.m.

The foregoing minutes were approved at the meeting of Feb. 7, 2022

G. Michael Hinchman Chair
Name & Title

[Signature]
Signature

**FINANCE COMMITTEE
SPECIAL CALL MEETING
MINUTES**

*401 Davis Avenue
City Hall, Council Chambers
January 27, 2022
2:30 p.m.*

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

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

NEW BUSINESS

Chief Bennett requests permission from the committee to accept a U.S. Department of Justice grant in the amount of \$30,000 for the purchase of body worn cameras. There is a \$30,000 match required, the funds for which are not available in the current EPD budget. Chief Bennett reports that 966 applications were submitted and 258 were approved, only 4 of which are in WV. The grant will reimburse purchases of body worn camera equipment only and requires the agency to have a written policy on use and to submit monthly reports.

Chief Bennett has been investigating body worn and vehicle camera packages. This grant would not cover the full cost of what he would like to purchase, but will help reach that goal.

Cm. Chenoweth, MOVED APPROVAL OF A RECOMMENDATION TO COUNCIL THAT THE EPD BE GRANTED PERMISSION TO ACCEPT THE D.O.J. GRANT AND THAT THE \$30,000 MATCHING FUNDS BE TAKEN FROM FINANCIAL STABILIZATION IF NEEDED. The motion carried.

Cm. Lowther, MOVED ADJOURNMENT. The motion carried.

The meeting adjourned at 2:50 p.m.

The foregoing minutes were approved at the meeting of Feb. 7, 2022

C. Michael Hinchman Chair
Name & Title

[Signature]
Signature

PUBLIC SAFETY COMMITTEE REGULAR MEETING MINUTES

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

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

Also present were: Mayor J. Marco; Attorney G. Roberts; Fire Chief S. Himes; Police Captain R. Belt; Code Enforcement Officer P. Isner; and Executive Secretary R.A. Wickham.

MINUTES

Cm. Hinchman, **MOVED APPROVAL OF THE MINUTES OF THE NOVEMBER 17, 2021 MEETING.**
The motion carried.

OLD BUSINESS

Mayor Marco announced that the EPD had been approved for a grant for the body and vehicle cameras. The grant amounted to about \$34,000. This was all the information he had at the time.

The committee discussed demolition quotes received for the three priority properties. They are currently waiting on one more quote which should be received by the end of business today. The committee plans to move forward on the 201 Graham St. property using the quote of \$13,700.00 from Reclaim Company LLC unless the additional quote received is lower or not received by Friday. D. Parker directed P. Isner to start testing for the asbestos at 211 1st St. so they can move forward with quotes when they are ready. 221 1st St. is part of Phase II of the FY22 Dilapidated Properties Demolition.

REPORTS

Fire- S. Himes reported that the brush truck is now in service and had been used. The rest of the equipment for the truck has arrived. The new breathing air compressor was delivered in December and will be installed soon. The owner of the property fire on W. Central St. met with Chief Himes, the fire marshall, and P. Isner to discuss recommendations for repair. He welcomed all the advice and has filed for a building permit with the city to make repairs.

Police- R. Belt reported that Patrolman N. Elbon went to the academy this morning. He had not heard a report back yet.

Code Enforcement- Report for 11/17/2021-1/10/2022 was provided to the committee. Any questions can be directed to Code Enforcement Officer Phil Isner.

Mayor's Task Force- D. Parker reported that the task force toured a structure on Thursday and will be doing an informed assessment of the property before taking any action. The group will meet on Friday via Zoom to discuss the property. They will be looking at other structures in the future as well. They will be reaching out to community partners soon to see who is serious about providing services to the task force. The group is also going to Charleston on Wednesday the 12th to meet with legislators to discuss their plans.

ANNOUNCEMENTS

Mayor Marco announced that they have been testing a Verkara street camera in the police station for potential use throughout the city in the future. Mayor Marco is looking into potential funding and will report back with any information. They are also looking to partner with the schools so that if there were ever an incident at the school, the police dept. would be able to see what was going on before they arrived on the scene.

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

The meeting adjourned at 11:13 a.m.

The foregoing minutes were approved at the meeting of Feb. 14, 2022

David C. Parker, Chair
Name & Title

[Handwritten Signature]
Signature

RULES AND ORDINANCE COMMITTEE

REGULAR MEETING

MINUTES

*401 Davis Avenue
City Hall, Council Chambers
January 12, 2022
9:00 a.m.*

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

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

MINUTES

Cm. Higgins, **MOVED APPROVAL OF THE MINUTES OF THE NOVEMBER 10, 2021. The motion carried.**

OLD BUSINESS

Cw. Bross-Fregonara asked for the item regarding sidewalks to be discussed by this committee in response to concerns she has about what is happening in the downtown. In theory a property owner is supposed to obtain permits for changes to the sidewalk or infrastructure access, however this has not been enforced. She would like to see a more formal process of approval to protect the integrity of the downtown, for sidewalks and other features such as lamp posts, trees and flag poles. Cw. Cuonzo agrees but acknowledges that the City has adopted the Elkins Main Street Streetscape Plan and believes that the Municipal Properties Committee should work with them to flesh out what the ultimate goal is. Cm. Higgins agrees that uniformity is nice, but that it shouldn't come at the cost of individual expression. We should collaborate with property owners to allow some freedom within the guidelines.

After further discussion the committee agreed on some next steps. Cw. Bross-Fregonara will talk with the EMS Design Committee about developing a more formal plan with specific features for the downtown area. Once this is complete, it will be presented to the Municipal Properties Committee for review. From there the committees will decide if action needs to be taken by Council or the Planning Commission to institute new regulations.

The committee revisited the discussion of parking in alleys. They request that City Attorney G. Roberts draft an ordinance that meets the needs of the city's public safety officials for presentation at the next committee meeting.

NEW BUSINESS

Fire Chief S. Himes requested amendments to the City of Elkins Fire Prevention code. The committee discussed and agreed with his recommendations.

Cw. Cuonzo, **MOVED APPROVAL OF A RECOMMENDATION TO COUNCIL FOR APPROVAL OF AN ORDINANCE TO BE DRAFTED BY CITY ATTORNEY G. ROBERTS WHICH REFLECTS THE LANGUAGE PRESENTED BY FIRE CHIEF S. HIMES.** The motion carried.

ANNOUNCEMENTS

The next regular meeting of the committee is scheduled for February 9, 2022, at 9:00 a.m.

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

The meeting adjourned at 10:02 a.m.

The foregoing minutes were approved at the meeting of Jan. 12, 2022

Nanci Bross-Fregonara, Chair
Name & Title

Nanci Bross-Fregonara
Signature

ELKINS PLANNING COMMISSION MEETING MINUTES

Virtual

January 10, 2022

1:00 p.m.

Present were Members: N. Bross-Fregonara, chair; K. Somers; B. Woods, D. Talbott; P. Kolsun

Also present: City Attorney G. Roberts; City Clerk J. Sutton; WVU LUSD Clinic representatives J. Richardson and C. DeMuth; and GIS Technician B. Martin

Mayor J. Marco was absent.

PUBLIC COMMENT

Hoy Ferguson submitted the following comment electronically, which was read aloud by the City Clerk:

In discussions with Mark Doak regarding zoning, it has come to my attention that proposed zoning may prevent certain businesses in certain areas. In particular, not allowing the sale of wine, beer or liquor in the retail district. As you are aware boutique wine and craft beer shops as well as craft distilleries and cideries are rapidly growing industries which attract individuals to downtowns. These industries are growing rapidly in our area as well (think Hawk Knob, Still Hollow, Mancave and New Heritage) . The way the proposed zoning law reads, according to my interpretation, these industries could not sell their product. Distilleries in the state of West Virginia cannot sell their product via a bar setting. They may have tasting rooms, but rely on bottled sales for income. If the distillery chooses to do only point of sale rather than distribution, there would be no source of revenue. Additionally, most "quaint" cities have either a boutique wine shop or craft beer shop (I visited one last week in Washington, PA while I was there). I am unsure, as the zoning laws are proposed, that we could have this type of retail shop in our down town. Just a small piece of information that may help in this decision making.

Also, it appears that bank/financial services could not be considered for an industrial area. One of the growing trends in the financial industries are going to call centers for teller services. A customer comes through the drive thru or to an ITM and interfaces with the teller at a remote location, often a centralized call center for services. MVB in Fairmont already utilizes this technology. The current zoning, as I interpret it, would not allow for such services in an industrial area. For example, Davis Trust Company wants to open a new call center in the new IOOF industrial park, proposed zoning would not allow this.

Thank you for consideration of my input and please do not hesitate to contact me with questions or concerns.

Drew Stalnaker submitted the following comment electronically, which was read aloud by the City Clerk:

The Warfield house LLC, purchased 318 Buffalo st with the intent of continuing the previous business operations that have served the area for many years. We understand the need for updating city ordinances and would very much like to be apart of the process. Thank you for your time and considerations.

MINUTES

D. Talbott **MOVED APPROVAL OF THE MINUTES OF THE DECEMBER 15, 2021 MEETING.** The motion carried.

NEW BUSINESS

The commission continued consideration of changes to the draft ordinance in response to public comments received during and since the open house. Jesse Richardson was present and provided input on several of the changes being discussed including short-term rentals/Bed and Breakfasts and accessory structures.

Short-term rentals/bed and breakfast – hearing input from J. Richardson and C. DeMuth and following discussion by the commission,

K. Somers **MOVED APPROVAL TO INCLUDE A DEFINITION OF BED AND BREAKFAST III ALLOWING OVERNIGHT ACCOMMODATIONS AT A PRIVATE RESIDENCE FOR NOT MORE THAN EIGHT GUESTS IN UP TO FOUR BEDROOMS FOR NOT MORE THAN 90 DAYS WITH NO REQUIREMENT THE RESIDENCE BE OWNER OCCUPIED AND ONLY PERMISSIBLE IN THE CENTRAL BUSINESS DISTRICT.** The motion carried.

Accessory structures – discussion continued on section 21-02(d). C. Demuth suggests eliminating the current language and replacing it with one of two options the Clinic drafted.

P. Kolsun **MOVED APPROVAL TO AMEND SEC. 21-102(D) TO REFLECT A MAXIMUM HEIGHT ALLOWANCE OF 18 FEET, EXCEPT FOR AGRICULTURAL BUILDINGS AND IN THE INDUSTRIAL ZONE.** The motion carried.

Robbie Morris, Executive Director of the Randolph County Development Authority, was invited by the committee to speak regarding his request to zone the parcel of property recently purchased by the RCDA from the IOOF as industrial instead of agricultural in the propose zoning map. The section of the property inside the city limits is currently zoned industrial and it is the intention of the RCDA to utilize the property for this purpose. Mr. Morris also advised that upon finalization of the purchase and the approval of the RCDA board, he anticipates petitioning the city for the remaining section of the property to be annexed.

P. Kolsun **MOVED APPROVAL TO AMEND THE PROPOSED ZONING MAP TO REFLECT THE RCDA PROPERTY AS AN INDUSTRIAL ZONE.** The motion carried.

With this action there no longer remains any parcel in the proposed map zoned as agriculture. If none is identified, all references to the agricultural zone will need to be removed. The commission discussed other possible parcels that would fit the agricultural zone requirements. N.

Bross-Fregonara will talk to Dr. Biola of the Kump Education Center regarding possibly zoning this city-owned parcel as agricultural.

C. Demuth will also review the proposed changes to the 2015 Comprehensive Plan to be sure they are aligned with the changes to the proposed zoning ordinance and map.

ANNOUNCEMENTS

The next meeting of the Planning Commission will be held January 24, 2022 at 1:00 p.m.

B. Woods **MOVED ADJOURNMENT.** The motion carried.

The meeting adjourned at 3:15 p.m.

The foregoing minutes were approved at the meeting of 1/24, 2022

Nanci Bross-Fregonara, Chair
Name & Title

Nanci Bross-Fregonara
Signature

PERSONNEL COMMITTEE REGULAR MEETING MINUTES

*401 Davis Avenue
City Hall, Council Chambers
January 13, 2022
12:00 p.m.*

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

Also present were: Mayor J. Marco; Police Chief T. Bennett; Fire Chief S. Himes; Treasurer T. Judy; Interim Operations Manager M. Himes; City Attorney G. Roberts; City Clerk J. Sutton; External Affairs Specialist S. Stokes; and Align HR representative L. Hannigan.

Cm. C. Lowther was absent

MINUTES

Cw. Vest, **MOVED APPROVAL OF THE MINUTES OF THE DECEMBER 9, 2021 MEETING.** The motion carried.

NEW BUSINESS

The committee again reviewed Ch. 4.G. of the Personnel Manual regarding temporary assignment of duties. A question was raised by Treasurer T. Judy following the last committee and council action to amend this policy regarding the application of the pay increase. Mrs. Judy reports that in the past the payroll clerk has only applied the increase for temporary assignment to the hours work, and no other category of compensation. No documentation was provided in support of this action. The committee, with the assistance of the City Clerk, City Attorney and Lenny Hannigan of AlignHR, discussed interpretation of the current policy, and agreed that there is no language that supports only applying an increase to certain categories of compensation. The Treasurer was directed to calculate wages for any employee serving in a temporary assignment from January 1, 2021 to the present and process any necessary supplemental pay. The Treasurer will also present this information to council once prepared.

The committee further debated if there was a desire to change the policy. They determined there was not, but that language should be added to clarify that the pay increase is applicable to all forms of compensation for an employee meeting the terms of temporary assignment. Further, they requested language be added to formalize the procedure by which an employee is assigned job duties temporarily and thereby eligible for an increase in pay.

These policy amendments will be brought back to the committee for review.

The item of longevity pay for all employees was discussed. J. Sutton advised that given the Auditor's longstanding stance and recent communication advising the city against issuing annual holiday pay by resolution that if the committee and council desire to provide additional compensation to employees this should be adopted as a recurring policy. The WV DOP policy was explained to committee members as well as the current EPD longevity pay program. The Clerk also advised the committee to consider any actions related to this in conjunction with the ongoing compensation study the city is undertaking.

The committee is interested in pursuing a policy that allocates a similar amount to employees that has been given in the past. Treasurer T. Judy advised that she has been discussing this with Finance Chair M. Hinchman and will provide the committee and administrators with their proposals. This item will be brought back for further discussion.

City Attorney G. Roberts advised the committee of litigation occurring in other WV cities regarding holiday compensation for firefighters. Chief Himes and Ms. Roberts have discussed this and believe the current Personnel Policy is close to accurate but does need some adjustment to be in line with State Code. Ms. Roberts will provide this same information to council at their next meeting and if directed will then draft an agreement between the city and current paid firefighters regarding the correction of this policy. A policy amendment will also be pursued by the Personnel Committee.

ANNOUNCEMENTS

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

The meeting adjourned at 1:30 p.m.

The foregoing minutes were approved at the meeting of Feb 10, 2022

Robert Chumath, Chair
Name & Title

[Handwritten Signature]
Signature

ELKINS TREE BOARD MEETING MINUTES

Darden House, Davis Ave.

January 11, 2022 • 5:30 p.m.

Present: Marilyn Cuonzo, Chair; Nanci Bross-Fregonara, Secretary; Linda Silva, Treasurer; and members Linda Burke, Ryan LaBrozzi and Angela Daniels. AmeriCorps member Haley Shreve was also present. Golston was not in attendance.

PUBLIC COMMENT

No public comment.

MINUTES

DANIELS MOVED APPROVAL OF THE MINUTES OF THE NOVEMBER 2, 2021, MEETING. MOTION CARRIED.

BUDGET REPORT

Silva reported the ETB budget balance is: \$3,320.75. **BURKE MOVED APPROVAL OF THE BUDGET REPORT. MOTION CARRIED.**

OLD BUSINESS

CITY PARK UNDERSTORY PROGRAM: Sam Adams, Tom Tesar, Marilyn Cuonzo, Haley Shreve and Linda Burke met at City Park to discuss the project. Another meeting to mark available trees at the tree nursery and plot out tree placement at the park will be Friday, 1/14 starting at the Kump House. Three additional pollinator gardens and landscaping will be added to the park as part of Shreve's final AmeriCorps project. It was recommended that Shreve reach out to FOT Coordinator McClane to ensure everyone is onboard.

DOWNTOWN TREE GRANT UPDATE: Cuonzo reported that the tree grate costs have gone up significantly. The Kelly Foundry, Elkins, is making grates for others so there may be able to make them. She will investigate.

2022 PRIORITIES DISCUSSION: Among the priorities for this year are:

- 1) Pursue the position of city landscaper
- 2) Renew the stock in the Tree Nursery
- 3) Increase Educational Outreach
 - a) Complete Toumayan Trail Interpretive Trunks and Outdoor Classroom project (5/2022)
 - b) Work with library with potential tree-centered readings and activities
 - c) Pruning Workshop
 - d) Heirloom Workshop
 - e) Install tree tags at Glendale and create "scavenger hunt"
 - f) Complete Burke's tree identification book project
 - g) Work with Democratic Women/Jane Birdsong regarding combined event again. Have a date that would allow for greater turn-out and free trees arriving in time.

NEW BUSINESS

ELECTION OF OFFICERS: DANIELS MOVED FOR THE APPROVAL OF THE 2022 SLATE OF OFFICERS TO INCLUDE MARILYNN CUONZO, CHAIR; LINDA BURKE, VICE-CHAIR; LINDA SILVA, TREASURER; NANCI BROSS-FREGONARA, SECRETARY. MOTION CARRIED.

In addition, Daniels will serve as Educational Outreach Coordinator.

The next regular meeting of the Tree Board is set for **Tuesday, February 1 at 5:30 p.m.** The meeting was adjourned at 6:30 p.m.

The foregoing minutes were approved at the meeting of _____
2021.

2/1/2022

Marilynn Cuonzo
Name & Title

Marilynn Cuonzo
(Signature)

VENDOR SET: 01 Elkins
 BANK: ARPA Amercia Rescue Plan Act
 DATE RANGE: 1/31/2022 THRU 2/11/2022

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
02047	Cybertech Automation USA Inc							
I-11672	SCADA implementation	R	2/01/2022	24,900.00		000025		24,900.00
02047	Cybertech Automation USA Inc							
I-11677	firewall upgrade	R	2/09/2022	4,562.96		000026		4,562.96
02266	Weimer Ford Inc							
I-11896	2012 Nissan Titan	R	2/09/2022	23,472.46		000027		23,472.46
02268	Water Pumps Direct							
I-WPD3092186	Water Pumps Direct	R	2/09/2022	2,144.17		000028		2,144.17
01489	Adkins Home Center, Inc.							
I-2/9/22	generator, cover	R	2/09/2022	901.99		000029		901.99

* * T O T A L S * *	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	5	55,981.58	0.00	55,981.58
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:	5	55,981.58	0.00	55,981.58
BANK: ARPA TOTALS:	5	55,981.58	0.00	55,981.58

VENDOR SET: 01 Elkins
 BANK: Pool Pooled Cash
 DATE RANGE: 1/31/2022 THRU 2/11/2022

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
00741	Great-West Trust Company LLC							
I-VF 202202081298	Voya	D	2/08/2022	420.00		003330		
I-VF2202202081298	Voya AT	D	2/08/2022	50.00		003330		470.00
00001	A & A Safety, Inc.							
I-181816	Radarsign/Software/StrobeAlert	R	2/01/2022	3,260.00		011155		3,260.00
00119	CIT Technology Finance Serv, I							
I-39265452	Kyocera 02/06/2022	R	2/01/2022	52.50		011156		
I-39271164	KM Printer 020822	R	2/01/2022	55.00		011156		107.50
00143	COE General Fund 2							
I-Feb 2022 Indirects	Monthly Indirects Feb 2022	R	2/01/2022	28,198.40		011157		28,198.40
00149	COE Parks and Recreation							
I-02/22 Support	Monthly Support Feb 2022	R	2/01/2022	25,483.00		011158		25,483.00
00154	COE Sanitation							
I-202201191608	Hauling Fee - MW #8941	R	2/01/2022	299.48		011159		299.48
00156	COE Sewer Depreciation Account							
I-SWR DEPR 013122	Swr Depr Deposit 013122	R	2/01/2022	5,298.08		011160		5,298.08
00218	Division of Justice and Commun							
I-Elbon- 02012022	Basic Trng N Elbon 0110-040122	R	2/01/2022	1,500.00		011161		1,500.00
00235	Elkins Building Comm.							
I-02/22 Bond Pmt	Monthly Bond pmt 02/22	R	2/01/2022	3,483.79		011162		3,483.79
00243	Elkins Randolph County Chamber							
I-294	Membership Dues	R	2/01/2022	250.00		011163		250.00
00381	Grover C Jackson Jr							
I-Rent 02/22	Rent 02/22	R	2/01/2022	1,800.00		011164		1,800.00
00465	Steve's Electrical Service LLC							
I-202173	Inlet/Outlet USArmyCorps list	R	2/01/2022	600.00		011165		600.00
00471	Mon Power							
I-90008414541	MasterBilling 12/21-01/22	R	2/01/2022	44,158.38		011166		
I-Barron 012022	Barron Ave 121521-011422	R	2/01/2022	10,701.63		011166		
I-SW RMorris 011922	SWMorris RRAve 121421-011322	R	2/01/2022	8.04		011166		54,868.05

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00691	The Inter-Mountain							
I-001ELK4010 2022	52 Wks subscription-Mayor	R	2/01/2022	205.60		011167		205.60
00701	Toshiba Financial Services							
I-462951294	M5255/E4515AC 020922	R	2/01/2022	560.80		011168		
I-463112128	LEXC4150/TE30045AC	R	2/01/2022	221.37		011168		
I-463501742	Lex XM3250 021322	R	2/01/2022	69.00		011168		
I-463501965	Tosh E4515AC 011522-021522	R	2/01/2022	121.35		011168		972.52
00712	Tyler Technologies, Inc.							
I-025-364285	Maint Incode Fin Mar22-Jan23	R	2/01/2022	727.65		011169		727.65
00779	Woodford Oil Company							
I-4270810	Grease	R	2/01/2022	476.00		011170		476.00
00820	WV State Rail Authority							
I-2022-27	WVC070-WVC228 Rent 2022	R	2/01/2022	130.00		011171		130.00
01447	Heritage Fire Equipment							
I-4828	Switch Jake On-Off-Rocker	R	2/01/2022	68.18		011172		68.18
01594	Pace Analytical Services LLC							
I-227385274	Nov 2021 Lab Services	R	2/01/2022	468.67		011173		468.67
01635	Triangle Heating and Cooling I							
I-4213-15103 Darden	Labor/Inducer - Darden House	R	2/01/2022	640.00		011174		640.00
01790	Crim Law Office PLLC							
I-255	Attorney Services October 2021	R	2/01/2022	7,240.00		011175		
I-256	Attny Srvs-Muni Ct 10/2021	R	2/01/2022	2,160.00		011175		9,400.00
01824	Xerox Financial Services							
I-3013826	Lease Pmt 12/30/21-01/29/22	R	2/01/2022	315.00		011176		315.00
02132	American Airworks							
I-240289	Hose/Elbow	R	2/01/2022	189.58		011177		189.58
02261	Hunter Corcoran							
I-Reimb uniform	Reim uniform items	R	2/01/2022	165.88		011178		165.88
1	HOWELL, BRUCE K							
I-000202202011290	US REFUND	R	2/02/2022	2,402.79		011179		2,402.79

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1	THOMPSON, BRANDON S							
I-000202202031291	US REFUND	R	2/03/2022	95.47		011180		95.47
1	OLDAKER, GREGORY D							
I-000202202031292	US REFUND	R	2/03/2022	5.98		011181		5.98
1	BUSCH, MARY							
I-000202202031293	US REFUND	R	2/03/2022	75.00		011182		75.00
1	EFAN, HAROLD & ALTA							
I-000202202031294	US REFUND	R	2/03/2022	25.00		011183		25.00
1	MCCLURG, PAMELA R &							
I-000202202031295	US REFUND	R	2/03/2022	22.50		011184		22.50
1	SMITH, PATRICK							
I-000202202031296	US REFUND	R	2/03/2022	2.50		011185		2.50
1	SNYDER, ERIC & ANN							
I-000202202031297	US REFUND	R	2/03/2022	25.20		011186		25.20
00116	Child Support Enforcement							
I-CDS202202081298	Child Support	R	2/08/2022	528.00		011187		528.00
00121	Citizens Bank of WVFP							
I-FP 202202081298	Fire Pension	R	2/08/2022	481.14		011188		481.14
00122	Citizens Bank of WVFP							
I-PP 202202081298	Police Pension	R	2/08/2022	158.88		011189		
I-PPN202202081298	Police Pension-2010 Forward	R	2/08/2022	371.55		011189		530.43
00147	COE Misc							
I-MIS202202081298	Misc Reimbursements	R	2/08/2022	153.00		011190		153.00
00150	COE Payroll							
I-T1 202202081298	Federal Withholding	R	2/08/2022	10,634.59		011191		10,634.59
00151	COE Payroll							
I-T3 202202081298	FICA	R	2/08/2022	11,717.74		011192		
I-T4 202202081298	Medicare	R	2/08/2022	3,986.36		011192		15,704.10
00152	COE Payroll							
I-T2 202202081298	State Withholding	R	2/08/2022	5,303.00		011193		5,303.00

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00203	Davis Trust Company							
I-CC 202202081298	Employee Christmas Club	R	2/08/2022	1,840.00		011194		1,840.00
00747	Washington National Insurance							
I-WN 202202081298	Washington National Insurance	R	2/08/2022	591.35		011195		591.35
00837	COE Payroll Reimbursement							
I-001202202081298	Payroll Reimbursement	R	2/08/2022	58,332.20		011196		
I-006202202081298	Payroll Reimbursement	R	2/08/2022	4,484.76		011196		
I-400202202081298	Payroll Reimbursement	R	2/08/2022	18,573.41		011196		
I-401202202081298	Payroll Reimbursement	R	2/08/2022	11,878.33		011196		
I-404202202081298	Payroll Reimbursement	R	2/08/2022	7,136.25		011196		100,404.95
01885	Colonial Life							
I-CL 202202081298	Colonial Life-AT	R	2/08/2022	122.06		011197		
I-CLP202202081298	Colonial Life-PT	R	2/08/2022	52.52		011197		174.58
00023	Appalachian Forest Heritage Ar							
I-3rd Qtr Cont 2022	3rd Qtr Contribution FY 21-22	R	2/08/2022	1,500.00		011198		1,500.00
00182	Country Roads Transit							
I-3rd Qtr Cont 2022	3rd Qtr Contribution FY 21-22	R	2/08/2022	3,500.00		011199		3,500.00
00239	Elkins Historic Landmark Commi							
I-3rd Qtr Cont 2022	3rd Qtr Contribution FY 21-22	R	2/08/2022	1,000.00		011200		1,000.00
00241	Elkins Main Street, Inc.							
I-3rd Qtr Cont 2022	3rd Qtr Contribution FY 21-22	R	2/08/2022	5,000.00		011201		5,000.00
00243	Elkins Randolph County Chamber							
I-3rd Qtr Cont 2022	3rd Qtr Contribution FY 21-22	R	2/08/2022	1,500.00		011202		1,500.00
00250	Elkins-Randolph County Regiona							
I-3rd QTR Cont 2022	3rd Qtr Contribution FY 21-22	R	2/08/2022	4,750.00		011203		4,750.00
00251	Elkins-Randolph County Public							
I-3rd Qtr Cont 2022	3rd Qtr Contribution FY 21-22	R	2/08/2022	5,625.00		011204		5,625.00
00314	Guttman Energy, Inc.							
I-F61467552	Fleet Fuel 011722-012322	R	2/08/2022	2,808.66		011205		2,808.66
00407	Kump House Trust Endowment							
I-3rd Qtr Cont 2022	3rd Qtr Contribution FY 21-22	R	2/08/2022	1,500.00		011206		1,500.00

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00483	Mountain Valley Bank							
I-1202553-14 021122	1202553-14 021122	R	2/08/2022	406.14		011207		
I-1202553-17 021222	1202553-17 021222 52/60	R	2/08/2022	447.24		011207		
I-1202553-19 020422	1202553-19 020422 50/60	R	2/08/2022	655.53		011207		
I-1202553-22 020722	1202553-22 020722	R	2/08/2022	98.97		011207		1,607.88
00484	Mountaineer Gas Company							
I-153BH 012722	BearHntr 121521-011422	R	2/08/2022	11.25		011208		
I-Nat Gas 012722	Nat'l Gas 122321-011722	R	2/08/2022	6,453.21		011208		
I-ScottFd 012722	Scott Fd 121621-011422	R	2/08/2022	33.70		011208		6,498.16
00570	Randolph County Commission							
I-3rd Qtr Cont 2022	3rd Qtr Contribution FY 21-22	R	2/08/2022	1,750.00		011209		1,750.00
00573	Randolph County Development A							
I-3rd Qtr Cont 2022	3rd Qtr Contribution FY 21-22	R	2/08/2022	3,375.00		011210		3,375.00
00578	Randolph Elkins Health Departm							
I-3rd Qtr Cont 2022	3rd Qtr Contribution FY 21-22	R	2/08/2022	1,000.00		011211		1,000.00
00579	Randolph-Tucker Children's Adv							
I-3rd Qtr Cont 2022	3rd Qtr Contribution FY 21-22	R	2/08/2022	750.00		011212		750.00
00711	Tygart Valley Transfer, Inc.							
I-00000004	Commercial	R	2/08/2022	112.08		011213		
I-00000028	Residential	R	2/08/2022	880.09		011213		
I-00000030	Residential	R	2/08/2022	978.27		011213		
I-00000031	Commercial	R	2/08/2022	873.14		011213		
I-00000052	Residential	R	2/08/2022	560.38		011213		
I-00000058	Commercial	R	2/08/2022	220.68		011213		
I-00000061	Residential	R	2/08/2022	503.04		011213		
I-00000063	Commercial	R	2/08/2022	516.07		011213		
I-00000066	Commercial	R	2/08/2022	182.45		011213		
I-00000082	Commercial	R	2/08/2022	259.77		011213		
I-00000089	Commercial	R	2/08/2022	191.14		011213		
I-00000092	Commercial	R	2/08/2022	130.32		011213		
I-00000104	Commercial	R	2/08/2022	146.83		011213		
I-00000109	Residential	R	2/08/2022	591.65		011213		
I-00000110	Residential	R	2/08/2022	546.48		011213		
I-00000111	Commercial	R	2/08/2022	548.21		011213		
I-00000129	Commercial	R	2/08/2022	209.38		011213		
I-00000136	Residential	R	2/08/2022	39.10		011213		
I-00000141	Commercial	R	2/08/2022	148.56		011213		
I-00000147	Commercial	R	2/08/2022	262.38		011213		
I-00000156	Residential	R	2/08/2022	470.02		011213		
I-00000157	Residential	R	2/08/2022	586.44		011213		
I-00000158	Commercial	R	2/08/2022	206.77		011213		
I-00000159	Commercial	R	2/08/2022	472.63		011213		

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I-00000169	Commercial	R	2/08/2022	544.74		011213		
I-00000170	Residential	R	2/08/2022	499.56		011213		
I-00000171	Residential	R	2/08/2022	441.35		011213		
I-00000176	Commercial	R	2/08/2022	148.56		011213		
I-00000179	Commercial/Clean Out	R	2/08/2022	266.31		011213		
I-00000182	Residential	R	2/08/2022	20.00		011213		
I-00000185	Comemrcial/cleanout	R	2/08/2022	248.94		011213		
I-00000190	commercial/cleanout	R	2/08/2022	171.61		011213		
I-00000194	Commercial	R	2/08/2022	768.02		011213		
I-00000195	Residential	R	2/08/2022	642.91		011213		
I-00000196	Residential	R	2/08/2022	786.26		011213		
I-00000211	Residential	R	2/08/2022	53.87		011213		
I-00000212	Residential	R	2/08/2022	53.87		011213		
I-00000214	Commercial	R	2/08/2022	76.45		011213		
I-00000218	Residential	R	2/08/2022	448.30		011213		
I-00000221	Commercial	R	2/08/2022	436.14		011213		
I-00000222	Residential	R	2/08/2022	414.42		011213		
I-00000231	Commercial	R	2/08/2022	233.71		011213		
I-00000234	Commercial	R	2/08/2022	139.01		011213		
I-00000239	Commercial	R	2/08/2022	211.99		011213		
I-00000247	Residential	R	2/08/2022	528.23		011213		
I-00000248	Residential	R	2/08/2022	450.04		011213		
I-00000250	Commercial	R	2/08/2022	493.48		011213		
I-00000264	Commercial	R	2/08/2022	481.32		011213		
I-00000275	Commercial/Clean out	R	2/08/2022	133.39		011213		
I-00000279	Residential	R	2/08/2022	429.19		011213		
I-00000280	Residential	R	2/08/2022	496.95		011213		
I-00000281	Commercial	R	2/08/2022	417.89		011213		
I-00000298	Comm-Greenfields	R	2/08/2022	279.75		011213		
I-00000302	Commercial-CM Compactor	R	2/08/2022	137.27		011213		
I-00000323	Commercial	R	2/08/2022	774.10		011213		
I-00000324	Residential	R	2/08/2022	637.70		011213		
I-00000325	Residential	R	2/08/2022	548.21		011213		
I-00000339	Commercial	R	2/08/2022	122.50		011213		
I-00000342	Commercial	R	2/08/2022	116.42		011213		
I-00000345	Commercial	R	2/08/2022	206.77		011213		
I-00000347	Residential	R	2/08/2022	515.20		011213		
I-00000348	Residential	R	2/08/2022	36.49		011213		
I-00000351	Residential	R	2/08/2022	463.07		011213		
I-00000352	Commercial	R	2/08/2022	317.11		011213		
I-00000367	Commerical and cleanout	R	2/08/2022	195.07		011213		
I-00000370	Commercial and cleanout	R	2/08/2022	235.91		011213		
I-00000374	Residential	R	2/08/2022	460.46		011213		
I-00000375	Commercial	R	2/08/2022	503.04		011213		
I-00000376	Residential	R	2/08/2022	371.85		011213		
I-00000385	Commercial and cleanout	R	2/08/2022	140.34		011213		
I-00000388	Commercial	R	2/08/2022	58.21		011213		
I-00000398	Residential	R	2/08/2022	364.03		011213		

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I-00000399	Residential	R	2/08/2022	432.66		011213		
I-00000401	Commercial	R	2/08/2022	460.46		011213		
I-00000414	Commercial/Clean out	R	2/08/2022	554.76		011213		
I-00000417	Commercial	R	2/08/2022	132.06		011213		
I-00000423	Commercial/clean out	R	2/08/2022	142.94		011213		
I-00000427	Commercial	R	2/08/2022	226.76		011213		
I-00000429	Residential	R	2/08/2022	715.89		011213		
I-00000430	Residential	R	2/08/2022	627.27		011213		
I-00000436	Commercial	R	2/08/2022	633.36		011213		
I-00000450	Commercial/clean out	R	2/08/2022	251.54		011213		
I-00000454	Commercial	R	2/08/2022	468.28		011213		
I-00000461	Residential	R	2/08/2022	509.99		011213		
I-00000464	Residential	R	2/08/2022	377.06		011213		
I-00000465	Commercial	R	2/08/2022	439.61		011213		
I-00000472	Residential	R	2/08/2022	22.59		011213		
I-00000473	Commercial	R	2/08/2022	90.36		011213		
I-00000479	Residential	R	2/08/2022	455.25		011213		
I-00000480	Residential	R	2/08/2022	362.29		011213		
I-00000482	Commercial	R	2/08/2022	370.98		011213		
I-00000483	Commercial/Clean out	R	2/08/2022	243.72		011213		
I-00000503	Residential	R	2/08/2022	496.08		011213		
I-00000504	Residential	R	2/08/2022	309.29		011213		
I-00000505	Commercial	R	2/08/2022	345.78		011213		
I-00000516	Commercial-Greenfields	R	2/08/2022	196.35		011213		
I-00000519	Commercial-DM	R	2/08/2022	134.66		011213		
I-00000523	Residential	R	2/08/2022	467.41		011213		
I-00000524	Commercial-Housing Auth	R	2/08/2022	376.19		011213		
I-00000527	Residential	R	2/08/2022	487.40		011213		
I-00000529	Commercial Lynn Hicks	R	2/08/2022	323.19		011213		
I-00000531	Commercial	R	2/08/2022	551.69		011213		
I-00000539	Commercial	R	2/08/2022	126.84		011213		
I-00000544	Commercial/ Clean out	R	2/08/2022	170.75		011213		
I-00000548	Residential	R	2/08/2022	635.96		011213		
I-00000549	Commercial/Clean out	R	2/08/2022	239.38		011213		
I-00000550	Commercial	R	2/08/2022	570.80		011213		
I-00000552	Residential	R	2/08/2022	617.72		011213		
I-111851	Commercial	R	2/08/2022	130.32		011213		
I-111856	Commercial	R	2/08/2022	101.65		011213		
I-111857	Commercial	R	2/08/2022	627.27		011213		
I-111858	Residential	R	2/08/2022	682.01		011213		
I-111859	Commercial	R	2/08/2022	210.25		011213		
I-111860	Residential	R	2/08/2022	602.08		011213		
I-111871	Commercial	R	2/08/2022	382.27		011213		
I-111872	Residential	R	2/08/2022	455.25		011213		
I-111873	Residential	R	2/08/2022	497.82		011213		43,412.13

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00812	WV Regional Jail and Correctio							
I-1122ea86	23 Days Inmates Housed TVRJ	R	2/08/2022	1,109.75		011214		1,109.75
00884	Colonial Court Service Station							
I-566606	4 tires Bobcat	R	2/08/2022	684.00		011215		684.00
01445	Linda Silva							
I-CKREQ 020222	Reimb Arbor Day Fndtn Mmbrshp	R	2/08/2022	30.00		011216		30.00
01623	Randolph County Community Arts							
I-3rd Qtr Cont 2022	3rd Qtr Contribution FY 21-22	R	2/08/2022	1,250.00		011217		1,250.00
01727	Enterprise FM Trust							
I-FBN4403484	Fleet Leases 020322	R	2/08/2022	15,711.38		011218		15,711.38
01859	JustTech LLC							
I-79055	January usage	R	2/08/2022	58.90		011219		58.90
01942	Elkins Municipal Building Comm							
I-1214756-11 021522	1214756-11 #6 021522	R	2/08/2022	4,833.20		011220		4,833.20
02065	AlignHR LLC							
I-6981	HR Services 020122	R	2/08/2022	2,500.00		011221		2,500.00
02122	Burke, Linda							
I-CK Req 020322	Reimb for Trees	R	2/08/2022	395.79		011222		395.79
02265	Brian Jenkins							
I-Reimb Trvl 020222	WVRWA Class Travel Reimb	R	2/08/2022	78.16		011223		78.16

* * T O T A L S * *	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	69	390,134.97	0.00	390,134.97
HAND CHECKS:	0	0.00	0.00	0.00
DRAFTS:	1	470.00	0.00	470.00
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:	70	390,604.97	0.00	390,604.97
BANK: Pool TOTALS:	70	390,604.97	0.00	390,604.97

VENDOR SET: 01 Elkins
 BANK: SEWDP Sewer Depreciation
 DATE RANGE: 1/31/2022 THRU 2/11/2022

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
00320	Hach Company							
I-100728013v2	sewer flow meters	R	2/01/2022	154,380.20		000033		154,380.20

*** TOTALS ***

	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	1	154,380.20	0.00	154,380.20
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: SEWDPTOTALS:	1	154,380.20	0.00	154,380.20
BANK: SEWDP TOTALS:	1	154,380.20	0.00	154,380.20

VENDOR SET: 01 Elkins
 BANK: WATDP Water Depreciation
 DATE RANGE: 1/31/2022 THRU 2/11/2022

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
00378	J F Allen Co.							
I-15667353	gabion stone	R	2/01/2022	460.20		000035		
I-15667365	gabion stone	R	2/01/2022	468.60		000035		
I-55319952	#57 stone	R	2/01/2022	423.55		000035		
I-55319953	#57 stone	R	2/01/2022	418.87		000035		
I-55319954	#57 stone	R	2/01/2022	420.84		000035		
I-55319958	2 3/4 crsuher run	R	2/01/2022	325.79		000035		2,517.85
00900	National Road Utility Supply,							
I-332509	2-5 1/4 alpha connections	R	2/01/2022	6,609.24		000036		6,609.24
02249	CITCO Water							
I-S100172632.001	54 repair clamps	R	2/01/2022	4,364.00		000037		4,364.00
00900	National Road Utility Supply,							
I-332598	housing liners	R	2/09/2022	206.00		000038		
I-332599	housing gaskets	R	2/09/2022	326.50		000038		
I-332600	18" cap	R	2/09/2022	1,300.00		000038		
I-332601	12" tee, 12" packaging kit	R	2/09/2022	1,177.98		000038		
I-332602	12" couplings	R	2/09/2022	2,200.00		000038		
I-332603	tees, fittings, setter, vault	R	2/09/2022	5,414.84		000038		10,625.32
02249	CITCO Water							
I-S100172632.002	repair clamp	R	2/09/2022	540.00		000039		540.00

*** TOTALS ***

	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	5	24,656.41	0.00	24,656.41
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:	5	24,656.41	0.00	24,656.41
BANK: WATDP TOTALS:	5	24,656.41	0.00	24,656.41
REPORT TOTALS:	81	625,623.16	0.00	625,623.16

SELECTION CRITERIA

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

CHECK SELECTION

CHECK RANGE: 000000 THRU 999999
DATE RANGE: 1/31/2022 THRU 2/11/2022
CHECK AMOUNT RANGE: 0.00 THRU 999,999,999.99
INCLUDE ALL VOIDS: YES

PRINT OPTIONS

SEQUENCE: CHECK NUMBER

PRINT TRANSACTIONS: YES
PRINT G/L: NO
UNPOSTED ONLY: NO
EXCLUDE UNPOSTED: NO
MANUAL ONLY: NO
STUB COMMENTS: NO
REPORT FOOTER: NO
CHECK STATUS: NO
PRINT STATUS: * - All

ORDINANCE 295

AN ORDINANCE OF THE CITY OF ELKINS, WEST VIRGINIA TO VACATE, ABANDON AND CLOSE A PORTION OF THOSE CERTAIN PUBLIC RIGHTS OF WAY OF AN UNOPENED ALLEY KNOWN AS COKE LANE WHICH LIES BEHIND THE RANDOLPH COUNTY HOUSING AUTHORITY OWNED PROPERTY KNOWN AS RIVERSIDE PLACE APARTMENTS, FORMERLY KNOWN AS "ALLEGHENY APARTMENTS," LOCATED ON S. DAVIS AVENUE, ELKINS, WEST VIRGINIA

WHEREAS, the City of Elkins has received a petition from the Randolph County Housing Authority ("Petitioner") requesting the vacation, abandonment and closure of a portion of an unopened alley known as Coke Alley as shown on the attached plat; and

WHEREAS, the Petitioner has complied with the abandonment procedures adopted by the Common Council; and

WHEREAS, on January 19, 2022, the Municipal Properties Committee conducted a public hearing on said petition and found that the portion of the unopened alley is of no benefit to the general traveling public, serves no public purpose and is not necessary for the public use or good; and

WHEREAS the interest of the City and its residents will be best served by vacating and abandoning a portion of an unopened alley known as Coke Alley; and

WHEREAS it appearing that the owner of the property abutting this portion of the unopened alley has been notified of the hearing and has no objection to the petition and it further appearing that property or interest of no person, firm or corporation will be damaged or injured by said abandonment; and

WHEREAS the Common Council deems it to be in the public interest that said right of way being a portion of an unopened alley known as Coke Alley as shown on the attached plat be vacated, abandoned and closed as not necessary for the public use or good.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF ELKINS THAT:

1. The public right of way being a portion of an unopened alley known as Coke Alley as shown on the attached plat be and hereby vacated, abandoned, and closed, and that from and after the final adoption of this Ordinance, the same shall cease to be public roads or ways.

2. A public hearing with regard to the proposed vacation, abandonment and closure was held before the Municipal Properties Committee pursuant to Notice of Hearing published in The Inter-Mountain.

3. Upon final adoption of this Ordinance, a quitclaim deed reserving all necessary water, sewer and other utility easements, shall be executed by the Mayor to the Petitioner, namely Randolph County Housing Authority.

4. The quitclaim deed and a duly certified copy of this Ordinance shall be recorded in the Office of the Clerk of the County Commission of Randolph County, West Virginia.

This Ordinance shall become effective upon the date of its final adoption.

PASSED AND APPROVED ON THE FIRST READING: February 3, 2022.

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

Jerry A. Marco, Mayor

Attest:

Jessica R. Sutton, City Clerk

ORDINANCE 296

**AN ORDINANCE OF THE CITY OF ELKINS, WEST VIRGINIA TO AMEND
AND REVISE ELKINS CITY CODE SECTION 92.002 FIRE SEASONS:
OUTDOOR FIRES**

WHEREAS, the Common Council of the City of Elkins, West Virginia has previously determined that the adoption of the West Virginia State Fire Code is in the best interest of the citizens and residents of the City of Elkins by safeguarding the life and property of such citizens and residents from the hazards of fire and explosion within the corporate limits of the City of Elkins; as authorized by W.Va. Code §8-12-5(15) and W.Va. Code §8-11-4; and

WHEREAS, the Common Council has determined that it is in the best interests of its citizens and residents to amend Elkins City Code §92.002 Fire Seasons: Outdoor Fires and to repeal and rescind two other Sections in the same Chapter that are no longer necessary in light of the amended Section; and

NOW THEREFORE, BE IT ORDAINED and ENACTED by the Common Council of the City of Elkins, West Virginia that (1) Elkins City Code §92.002 Fire Seasons: Outdoor Fires shall be amended as follows and (2) Elkins City Code §92.003 Burning Paper, Refuse, and the Like; In Streets and §92.018 Amendments shall be repealed and rescinded as no longer necessary:

§92.002 – Outdoor Fire: Burning for Disposal

(A) Fires to dispose of natural, untreated, and unprocessed materials (such as tree trimmings, grass, leaves, and similar garden waste) are permitted inside the City limits on the following days and times:

- 5 p.m. Thursdays to 7 a.m. Fridays
- 5 p.m. Fridays to 7 a.m. Saturdays
- 5 p.m. Saturdays to 7 a.m. Sundays

All such fires are to be fully extinguished by 7 a.m.

- (1) Prior to such fires, a permit must be applied for and received from the Chief of the Elkins Fire Department or a designee thereof. The Fire Chief shall have discretion in issuing these permits and may require changes to the proposed burning plan as necessary to reduce the risk of harm to life and property.
 - (2) Before such fires are ignited, the area immediately surrounding the material to be burned shall be cleared of other flammable material for a distance sufficient to ensure that the fire will be contained. This safety strip shall in no event measure less than 10 feet from all sides of the material to be burned.
 - (3) Fires shall be attended at all times. The issuance of permits does not relieve holders thereof from their responsibility to monitor wind and other conditions that may necessitate the cancelling or early extinguishing of otherwise permitted fires. Elkins Fire Department personnel also have the authority to order the extinguishing of any fire, permitted or not, when in their judgment it poses a risk to life or property.
- (B) Fires to dispose of non-natural materials, including but not limited to paper, garbage, lumber and other construction debris, and other refuse, are prohibited, even if contained in a “burn barrel” or similar container.
- (C) Fires to clear grasslands or forests are prohibited.
- (D) Small fires set for the purpose of food preparation or for providing light or warmth, the area around which has been cleared of flammable materials in the manner described above, are allowed whenever wind and other conditions do not render them unsafe.
- (E) Any person who sets or causes to be set any fire in violation of this section is guilty of a misdemeanor and, upon conviction thereof, shall be fined an amount set forth by Council from time to time.

(F) Any person who sets or causes to be set any fire that escaped the safety strip and causes damage to the lands or property of another is guilty of a misdemeanor and, upon conviction thereof, shall be fined an amount set forth by Council from time to time.

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 FIRST READING: _____,
2022.

PASSED AND APPROVED ON SECOND AND FINAL READING THE _____
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

(#1491)
February 17, 2022

***Authorizing Application for State Farm Neighborhood Assist grant
By the Elkins Fire Department***

WHEREAS, State Farm has made available funding through its Neighborhood Assist program to support 40 causes across the United States that help improve neighborhoods; and,

WHEREAS, the Elkins Fire Department believes this grant funding will help promote their mission to safeguard the lives and property of the inhabitant of our jurisdiction; and,

WHEREAS, if successful, the Elkins Fire Department will use the \$25,000 grant award to purchase and distribute smoke detectors to those in need; and,

WHEREAS, upon the recommendation of the Finance and Public Safety Committees, the Common Council believes it is in the best interest of the citizens of Elkins to apply for this grant.

NOW, THEREFORE, BE IT RESOLVED THAT:

The Common Council hereby endorses and supports the neighborhood Assist Grant application, and hereby authorizes Mayor Jerry A. Marco, or his designee, to enter into a contractual agreement with State Farm to receive and administer grant funds pursuant to provisions of the Neighborhood Assist Grant program, if awarded.

Jerry A. Marco, Mayor

Attest:

Jessica R. Sutton, City Clerk

State Farm Neighborhood Assist[®]

State Farm[®] is celebrating its 100th anniversary in 2022 by building State Farm Neighborhood Assist bigger. That means more submissions, more grants and spreading good to more communities.

For more information, please visit: neighborhoodassist.com

You help decide where the money goes!

We will accept **4,000 submissions** and narrow down to **200 finalists**.

Then a public vote will decide which **100 community causes** will win the **\$25,000 grants**.

Submit a Cause

Submit a cause **starting February 16** for a chance to win a **\$25,000 State Farm Neighborhood Assist grant**.



Submission Phase

Starts February 16 at 1 p.m. ET and ends when **4,000 submissions** are reached.



Voting Phase

April 27-May 6



Winners Announced

June 7

#SFNeighborhoodAssist



IN THE COMMON COUNCIL OF THE CITY OF ELKINS, WV

A RESOLUTION OF COMMON COUNCIL

(#1492)
February 17, 2022

General Fund Budget Revisions No. 9 and 10 for FY22

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

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

WHEREAS, Budget Revisions No. 9 and No. 10 for FY2022 (copy attached) transfer funds as shown;

NOW, THEREFORE, BE IT RESOLVED, THAT:

The Common Council of the City of Elkins hereby approves General Fund Budget Revisions No. 9 and No. 10 for Fiscal Year 2022.

Jerry A. Marco, Mayor

Attest:

Jessica R. Sutton, City Clerk

BUDGET REVISION #9 FY2022

Increase	AMOUNT	Decrease	AMOUNT
001-910-240-0000 Refunds & reimbursements	\$600.00	001-910-223-0000 Professional Services	\$1,207.00
001-910-670-0000 Other Interest & Penalties	\$607.00		

TOTAL \$1,207.00 \$1,207.00

PGCC

TJ 2/4/22

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

(#1493)
 February 17, 2022

Approval of Budget Revision 2022-001-04 for Fiscal Year 2022

At a regular session of the Elkins Common Council, held February 17, 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 4 (City Budget Revision 4), 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)	
C. Friddle, III		C. Lowther			

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

 Jerry A. Marco, Mayor

Attest:

 Jessica R. Sutton, City Clerk

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

REQUEST FOR REVISION TO APPROVED BUDGET

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

CONTROL NUMBER
 Fiscal Year Ending: **2022**
 Fund: **1**
 Revision Number: **4**
 Pages: **1 of 1**

Person To Contact Regarding Request:

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

City of Elkins
 GOVERNMENT ENTITY
 401 Davis Ave.
 STREET OR PO BOX
 Elkins 26241
 CITY ZIP CODE

Municipality
 Government Type

REVENUES: (net each acct.)

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUSLY APPROVED AMOUNT	(INCREASE)	(DECREASE)	REVISED AMOUNT
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				

NET INCREASE/(DECREASE) Revenues (ALL PAGES)

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

EXPENDITURES: (net each account category)

(WV CODE 7-1-9)

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUSLY APPROVED AMOUNT	(INCREASE)	(DECREASE)	REVISED AMOUNT
413	Treasurer's Office	294,650		1,600	293,050
409	Mayor's Office	67,469	1,600		69,069
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				

NET INCREASE/(DECREASE) Expenditures

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

AUTHORIZED SIGNATURE
 OF ENTITY

APPROVAL
 DATE

IN THE COMMON COUNCIL OF THE CITY OF ELKINS, WV

A RESOLUTION OF COMMON COUNCIL

(#1494)

February 17, 2022

***Authorizing Closure of a Mountain Valley Bank Account
Used for the purpose of the Water System Improvement Project***

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 bank account with Mountain Valley Bank of Elkins, W.Va. was opened on September 25, 2015 for use in administering the Water System Improvement Project; and,

WHEREAS, the Water System Improvement Project has been completed; now, ***therefore, be it***

RESOLVED, that the Treasurer is authorized to close the aforementioned bank account with Mountain Valley Bank 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

(#1495)
February 17, 2022

***Approving "Full-Time Regular Employee" Status and
Confirming Compensation Level for G. Hartley***

WHEREAS, as of January 2, 2022, Gary Hartley has completed his 90-day probationary period as a Street Worker II; and,

WHEREAS, the wage associated with this position is \$10.39 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 Gary Hartley as a Street Worker II and, as of January 2, 2022, accords him the status of full-time regular employee; and,

FURTHER, confirms that his compensation in that position is \$10.39 per hour.

Jerry A. Marco, Mayor

Attest:

Jessica R. Sutton, City Clerk

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

Name of Employee: Gary Hartley

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: Shawn Akers

Effective date of personnel action: 1/2/2022

Employee's title/dept. after action:

Street Worker II

Employee's current Grade: 3 and Step: 1 Wage: \$ 10.39

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

Administrative Officer's signature:  Date: 2/3/2022

****Route to Mayor****

Mayor's initials: 

IN THE COMMON COUNCIL OF THE CITY OF ELKINS, WV

A RESOLUTION OF COMMON COUNCIL

(#1496)
February 17, 2022

***Accepting Conditions of Agreement between United States Department of Agriculture (USDA)
Animal Plant Health Inspection Service (APHIS)
Wildlife Services (WS)
and the City of Elkins, and Authorizing Execution of Agreement***

WHEREAS, The City of Elkins, West Virginia (“City”) has previously entered into an agreement with the USDA APHIS WS to obtain services for feral pigeon management; and,

WHEREAS, The City has determined to restore these services from the same vendor; and,

WHEREAS, the City has received a proposed Agreement with USDA APHIS WS (copy attached) for the provision of such services not to exceed \$2,500; and,

WHEREAS, it appears that contracting for these goods and services is in the best interests of the citizens of the City of Elkins; ***now, therefore, be it***

RESOLVED, that the Elkins Common Council accepts the terms of and authorizes execution of this Agreement with USDA APHIS WS by the Mayor on behalf of the City of Elkins.

Jerry A. Marco, Mayor

Attest:

Jessica R. Sutton, City Clerk

COOPERATIVE SERVICE AGREEMENT
between
CITY OF ELKINS (Cooperator)
and
UNITED STATES DEPARTMENT OF AGRICULTURE
ANIMAL AND PLANT HEALTH INSPECTION SERVICE (APHIS)
WILDLIFE SERVICES (WS)

ARTICLE 1

The purpose of this agreement is to cooperate in a wildlife damage management project as described in the attached Work Plan.

ARTICLE 2

APHIS-WS has statutory authority under the Acts of March 2, 1931, 46 Stat. 1468-69, 7 U.S.C. §§ 8351-8352, as amended, and December 22, 1987, Public Law No. 100-202, § 101(k), 101 Stat. 1329-331, 7 U.S.C. § 8353, to cooperate with States, local jurisdictions, individuals, public and private agencies, organizations, and institutions while conducting a program of wildlife services involving mammal and bird species that are reservoirs for zoonotic diseases, or animal species that are injurious and/or a nuisance to, among other things, agriculture, horticulture, forestry, animal husbandry, wildlife, and human health and safety.

ARTICLE 3

APHIS-WS and the Cooperator agree:

1. The Cooperator will provide payment upon receipt of quarterly bill to "USDA, APHIS". The combined total for this agreement is not to exceed **\$2,500**.
2. The performance of wildlife damage management actions by APHIS-WS under this agreement is contingent upon a determination by APHIS-WS that such actions are in compliance with the National Environmental Policy Act, Endangered Species Act, and any other applicable federal statutes. APHIS-WS will not make a final decision to conduct requested wildlife damage management actions until it has made the determination of such compliance.
3. Nothing in this agreement shall prevent APHIS-WS from entering into separate agreements with any other organization or individual for the purpose of providing wildlife damage management services exclusive of those provided for under this agreement.
4. The Cooperator certifies that APHIS-WS has advised the Cooperator there may be private sector service providers available to provide wildlife damage management services that the Cooperator is seeking from APHIS-WS.
5. The cooperating parties agree to coordinate with each other before responding to media requests on work associated with this project.

ARTICLE 4

This agreement is contingent upon the passage by Congress of an appropriation from which expenditures may be legally met and shall not obligate APHIS-WS upon failure of Congress to so appropriate. This agreement also may be reduced or terminated if Congress only provides APHIS-WS funds for a finite period under a Continuing Resolution.

ARTICLE 5

Pursuant to Section 22, Title 41, United States Code, no member of or delegate to Congress shall be admitted to any share or part of this agreement or to any benefit to arise there from.

ARTICLE 6

APHIS-WS assumes no liability for any actions or activities conducted under this agreement except to the extent that recourse or remedies are provided by Congress under the Federal Tort Claims Act (28 USC 1346(b), 2401(b), 2671-2680).

This agreement is not a procurement contract (31 U.S.C. 6303), nor is it considered a grant (31 U.S.C. 6304). In this agreement, APHIS-WS provides goods or services on a cost recovery basis to nonfederal recipients, in accordance with all applicable laws, regulations and policies.

This agreement shall become effective February 21, 2022 and shall continue until February 20, 2023. This agreement may be amended or terminated at any time by mutual agreement of the parties in writing. Further, in the event the Cooperator does not, for any reason, provide necessary funds, APHIS-WS is relieved of the obligation to provide services under this agreement.

As required by Debt Collection Improvement Act of 1996:

Cooperator's Tax ID No.: 55-6000170

APHIS-WS's Tax ID: 41-0696271

City of Elkins
Jerry Marco, Mayor
401 Davis Avenue
Elkins, WV. 26241
(304) 636-1414

USDA-APHIS-Wildlife Services
John Forbes, State Director
730 Yokum Street
Elkins, WV 26241
(304) 636-1785

Cooperator's Signature Date

APHIS-WS State Director's Signature Date

WORK PLAN

Wildlife Species: Feral pigeons

Description of Damage: Human health and safety, property damage due to feral pigeon droppings.

Location: Elkins, Randolph County, West Virginia

Services Provided: WS will provide a feral pigeon damage management program to minimize the damage to property and reduce the risk to human health and safety created by pigeons. WS will use decoy traps and the restricted use avicide, DRC-1339 Concentrate to minimize the pigeon population. WS will recover all carcasses following an application of DRC-1339 prior to sunrise the following morning. Traps will be monitored regularly to ensure humane treatment of all captive pigeons. All recovered carcasses will be removed from the site and disposed of via deep burial. The above WS activities will be fully coordinated and approved by the West Virginia Division of Natural Resources prior to any operational activities.

FINANCIAL PLAN

Cost Element	Full Cost
Personnel Compensation	\$ 1,731
Vehicles	\$ 114
Supplies and Equipment	\$ 121
Subtotal (Direct Charges)	\$ 1,966
Pooled Job Costs	\$ 216
Indirect Costs	\$ 318
Agreement Total	\$ 2,500
The distribution of the budget from this Financial Plan may vary as necessary to accomplish the purpose of this agreement, but may not exceed: \$2,500	

Financial Point of Contact/Billing Address:

Melody Himes, Operations Assistant

City of Elkins
 401 Davis Avenue
 Elkins, WV 26505

mhimes@cityofelkinswv.com
 (304) 636-1414 ext. 1433

Lisa Layne, Budget Analyst

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IN THE COMMON COUNCIL OF THE CITY OF ELKINS, WV

A RESOLUTION OF COMMON COUNCIL

(#1497)

February 17, 2022

Amending the City of Elkins Personnel Policy Ch. 4.G: Temporary Assignment

WHEREAS, the Common Council of the City of Elkins (“Council”) has previously adopted a Personnel Manual, on October 21, 2010; and,

WHEREAS, per Resolution #1475, adopted on November 18, 2021, Council adopted changes to the personnel manual’s policies in Chapter 4.G, regarding the definition of and compensation for temporary work assignments with immediate effect; and,

WHEREAS, on December 16, 2021, Council amended Resolution #1475 to be applied retroactively to January 1, 2021; and,

WHEREAS, Council’s Personnel Committee, after consultation with Administrative Officers and Align HR, has recommended additional changes to the manual’s policies in Chapter 4.G, to clarify the intent of the policy; and,

WHEREAS, Council finds that it is in the best interests of the City of Elkins to adopt and implement these changes; *now, therefore, be it*

RESOLVED, that the Elkins Common Council hereby adopts and implements the recommended changes to the City of Elkins Personnel Manual’s policies in Chapter 4.G, with immediate effect.

Jerry A. Marco, Mayor

Attest:

Jessica R. Sutton, City Clerk

Existing: The pay-rate for the temporary assignment will be the greater of a five percent (5%) increase or the increase of 75% the percentage difference between the midpoints of the paygrades of the higher-level position and the employee's current position.

Proposed: The pay-rate for the temporary assignment will be the greater of a five percent (5%) increase or the increase of 75% the percentage difference between the midpoints of the paygrades of the higher-level position and the employee's current position. The new calculated wage will be the employee's wage for time worked, and for any paid-time-off during the temporary assignment. The employee's overtime rate, when applicable, will be the product of the new calculated wage and 1.5 (i.e., time and one-half). The wage increase will not apply to ancillary fixed pay categories, including but not limited to, "Health Insurance Reimbursement Incentive", "Longevity Pay", and/or wages paid for participating on certain boards and committees. The calculation and award of the new wage will be documented with the "Wage Adjustment Form", which will be acknowledged by the employee, by the applicable administrative officer or official body, and by the payroll and benefits coordinator to show the transaction was handled correctly and filed appropriately. The "Wage Adjustment Form" will be filed in the employee's personnel file.

The completion of the temporary assignment will be documented with the "Wage Adjustment Form", which will be acknowledged by the employee, by the applicable administrative officer or official body, and by the payroll and benefits coordinator. The "Wage Adjustment Form" will be filed in the employee's personnel file.