Council Meeting
Nutter Fort
June 10, 2014

The regular council of Nutter Fort, was held, Tuesday, June 10, 2014, in council chambers with the following members present: William Benincosa, Stephen Korn, Karen Phillips, Bruce Kidd, and Recorder Sam Maxson. Absent were Mayor Nathan Rohrbough and Councilor Donald Webster. Also present were Maintenance Supervisor Jim Wolfe, Treasurer Julia Foley and Fire Chief Jeremy Haddix. Guests were Jim Link, Charlotte Link, Jamie Pyle, Bertis McCarty and wife, Janet Conrad, Derrick Love, and Alden Butcher.

The meeting was called to order by Recorder Maxson, with Councilor Benincosa asking prayer, followed by the pledge of allegiance.

Agenda item #1 was to set a minimum bid acceptance for the property at 1405 Buckhannon Pike, to be sold at auction, June 11, 2014. The amount was previously set by council at the April 15, 2014 meeting by motion by Donald Webster and a second by Karen Phillips at $79,000 for the property and $1000 for the Dodge "water truck". Real estate broker, Derrick Love and Alden Butcher answered questions and were not sure if the minimum bid would be obtained for the property. Love told council that if that the minimum bid was not obtained, we could "hold" the highest bid and council could decide if that bid could be accepted.

Discussion was held concerning the possibility of "staggered" terms for official. The letter from the attorney (attached) regarding this and a possible street paving levy had been given to each member earlier. Staggering the terms would be a long process, according to Recorder Maxson. Council would need to pass an ordinance calling for this and then have the voters approve at the 2015 election. If approved, half of the members would be elected for 4 years and the other half elected to 2 year terms in the 2017 election. The in the 2019 election, the half elected for 2 year terms would run for a 4 year term. Julia will check for further clarification and prepare an ordinance for our consideration at a later meeting.

- The general account budget revision (attached) was approved by unanimous vote following a motion by Stephen Korn and a second by Bruce Kidd.
- The coal severance budget (attached) was approved by unanimous vote after a motion by Bruce Kidd and a second by Karen Phillips.
- Bruce Kidd motioned approval of the building permits (attached) and, after a second by Stephen Korn, they were approved by unanimous vote.
- The accounts payable (attached) were approved by unanimous vote following a motion by Karen Phillips and a second by Bruce Kidd.
- Stephen Korn motioned approval of both May 27, 2014 regular meeting minutes and the June 3, 2014 special meeting minutes. After a second by Karen Phillips, the motion was approved by unanimous vote.

Maintenance Supervisor's Report Supervisor Wolfe reported that Dodd Construction may begin our paving project the middle of next week and should complete it in 2 or 3 days. Notices will be posted a couple days in advance that no parking will be allowed on Ohio Ave due to paving.

Fire Chief's Report No Report

Police Chief's Report No Report

Treasurer's Report A reminder of the special meeting on Monday, June 16

Public's Comments Beautification Committee chairman Janet Conrad reported they will be planting flowers on the island.

Street Maintenance Levy

In accordance with the general authority of municipalities contained in *West Virginia Code §8-12-2(a)(6)* and *§8-12-5(1)* the Town has the ability to propose a levy for street maintenance purposes. Pursuant to *West Virginia Code §11-8-16*, the levy must be approved by sixty percent of the votes cast at the levy election. The election may take place during a primary, general or special election. The levy may continue for a maximum of five years before it is required to be resubmitted to the voters.

The levy rate is limited to $6.25 per $100 value for Class I property; $12.50 per $100 for Class II property; and $25.00 per $100 for Class III and IV property.

Prior to enacting the levy, the Town must pass an ordinance proposing the levy and select a date for the levy election. The ordinance should include the information contained in *West Virginia Code §11-8-16:*

(1) The purpose for which additional funds are needed;

(2) The amount for each purpose;

(3) The total amount needed;

(4) The separate and aggregate assessed valuation of each class of taxable property within its jurisdiction;

(5) The proposed additional rate of levy in cents on each class of property;

(6) The proposed number of years, not to exceed five, to which the additional levy applies;

(7) The fact that the local levying body will or will not issue bonds, as provided by this section, upon approval of the proposed increased levy.

As the proposed levy ordinance would be for the purpose of raising revenue for the Town, notice must be published as a Class I legal ad prior to final adoption of the ordinance.

The Town is required to publish notice of the election as a Class II-0 legal ad (published once a week for two successive weeks) within fourteen days prior to the election. A separate ballot shall be used if the levy election is held in connection with any other election. The ballot must contain the purpose of the levy, the date the Town passed the levy and the levy rates on the various classes of property. These requirements are found in *West Virginia Code §11-8-17.*

I have included a document compiled by the Secretary of State's Office "*Best Practices Guide to Special Levy and Bond Elections.*" Pages 18 to 44 of that document contains a section from the State Auditor's Office titled "*Excess Levy Guideline*" which includes several forms to use. As you will note, there is also contact information for the Local Government Services Staff at the Auditor's office if additional assistance is needed.

I hope you will find this information helpful as the Town considers these issues. If you have any questions, please do not hesitate to call at any time.

Sincerely,

J. M. Harlan

LGSD BR (Ver. 2014)

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

Person To Contact Regarding Request:
Name: Julia Foley
Phone: 304-622-7713
Fax: 304-623-0288

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)

Town of Nutter Fort
GOVERNMENT ENTITY

1415 Buckhannon Pike
STREET OR PO BOX

Nutter Fort — CITY
26301 — ZIP CODE

CONTROL NUMBER
FY: 2013/2014
Fund: 1
Rev. No. 4
Pg. at No. 1 of 2

Municipality
Government Type

REVENUES: (net each acct.)

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUSLY APPROVED AMOUNT	(INCREASE)	(DECREASE)	REVISED AMOUNT
301-06	Supplemental Taxes	6,000	150		6,150
304	Excise Tax on Utilities	70,000	5,000		75,000
305	Business and Occupation Tax	530,000	4,000		534,000
306	Wine & Liquor Tax	70,000	20,000		90,000
320	Fines, Fees & Court Costs	34,100	23,000		57,100
325	Licenses	10,500	6,500		17,000
NET INCREASE/(DECREASE) Revenues (ALL PAGES)			71,550		

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
416	Police Judge's Office	3,800	500		4,300
418	City Auditor	5,200	3,000		8,200
444	Contributions / Transfers to Other Funds	63,785	68,050		131,835
	#N/A				
	#N/A				
	#N/A				

Approval of building permits:

Owner	Location	Description of work	Contractor (if applicable)	Estimated Cost	Notes
B. J. Benincosa	304 Maryland Avenue	Replace Spouting		$600.00	
Wolfe Rentals, LLC	503 ½ Maryland Avenue	Remodel Apt. #13		$3,500.00	
Karen Phillips	400 ½ WV Avenue	Replace Roof	Griffith Roofing	$4,700.00	
John D. Carter	204 Burton Avenue	Replace siding	Will's Construction	$5,000.00	
Naomi Eagle	315 Ohio Avenue	Re-roof house & porch		$1,500.00	
Bertha Snyder	611 Kentucky Avenue	Gas line repair	Bombardiere Plumbing & Heating	$500.00	
Shirley Sheets	Corner of Burton Avenue	Trim Trees	WV Contracting	$1,200.00	
Connie Hawkins	319 Ohio Avenue	Repair storage building & fence		$800.00	
James Leary	809 Indiana Avenue	Replace Roof		$2,000.00	
Dominion Hope	Maryland Avenue	Gas line repair	D&M Contracting	$15,000.00	
Beth Brandli	412 Maryland Avenue	Reside garage		$900.00	
Joe Defazio	304 Pennsylvania Avenue	Replace portion of gutter		$50.00	

6/6/14 at 12:58:28.25

General Revenue Account
Purchase Journal
For the Period From May 24, 2014 to Jun 6, 2014

Filter Criteria includes: 1) Includes Drop Shipments. Report order is by Date. Report is printed in Detail Format.

Date	Name	Line Description	Debit Amount	Credit Amount
5/24/14	Gall's Inc.	Police uniforms for Officer Jeffery Bartlett	230.85	
		Gall's Inc.		230.85
5/24/14	Jim's Service Center	(2) state inspections on street trucks	24.00	
		Jim's Service Center		24.00
5/24/14	Frontier	55% of monthly telephone service for all departments.	120.53	
		Frontier		120.53
5/24/14	Janet Conrad	2 flats of flowers	23.27	
		Janet Conrad		23.27
5/24/14	NTelos	Monthly Cell Phone - Mayor	47.78	
		Monthly Cell Phone - Police	264.63	
		Monthly Cell Phone - Street	143.34	
		Monthly Cell Phone - Fire	47.78	
		NTelos		503.53
5/24/14	IPMA - HR	(2) Sergeants tests	120.00	
		IPMA - HR		120.00
5/24/14	Rush Tire	Dump truck tire repair	25.00	
		Rush Tire		25.00
5/24/14	Brickstreet Mutual Insuran	Worker's Compensation Installation FY 14/15 - Police	722.96	
		Worker's Compensation Installation FY 14/15 - Maintenance	249.80	
		Worker's Compensation Installation FY 14/15 - Treasurer	287.28	
		Worker's Compensation Installation FY 14/15 - Recycle	24.96	
		Brickstreet Mutual Insurance Co.		1,285.00
5/24/14	Frontier	Waste Account's 15% of monthly telephone service for all departments.	32.86	
		Frontier		32.86
5/24/14	Brickstreet Mutual Insuran	Worker's Compensation Installation FY 14/15 - Waste	1,285.00	
		Brickstreet Mutual Insurance Co.		1,285.00
		street		
		1/2 of cost for truck lettering on bucket truck - fire	242.50	
		Showstopper Graphics		485.00
5/30/14	Sandy's Hardware	Line trimmer	54.95	
		Sandy's Hardware		54.95
5/30/14	R.D. Wilson-Sons & Comp	Gloves & hard hats	118.58	
		R.D. Wilson-Sons & Company		118.58
5/31/14	Clarksburg Exponent/Tele	Advertisement for bids - removal of asphalt & resurfacing of streets	152.84	
		Advertisement for bids - 2014 Crew Cab - police	113.02	
		Clarksburg Exponent/Telegram		265.86
5/31/14	Harrison Co. Recycling Ce	Monthly recycling fees - May 2014	37.50	
		Harrison Co. Recycling Center		37.50
6/1/14	Waste Management	80.59 tons of waste @ $45.35 per ton disposed for service period of 5/16/14-5/31/14.	3,654.78	
		Waste Management		3,654.78
6/2/14	Center for Criminal Justice	Interviewing & Interrogations class for Chief Godwin & Officer Shingleton	174.00	
		Center for Criminal Justice Studies		174.00
6/2/14	Sandy's Hardware	Threadlocker & hardware for Police Dept	6.58	
		Sandy's Hardware		6.58

6/6/14	Jeffrey A. Bartlett	Employee loan for the purchase of a 223 caliber semi-automatic rifle. Re-payment will occur through payroll deduction.	1,500.00	
		Jeffrey A. Bartlett		1,500.00
6/6/14	Frank Mano Jr.	1/4 cost of oil - General	87.45	
		Frank Mano Jr.		87.45
6/6/14	State Treasurer's Office	Monthly CVRF Collections	178.84	
		Monthly LETF Collections	46.75	
		Monthly Regional Jail Fee Collections	721.92	
		Monthly Community Corrections Collections	226.57	
		State Treasurer's Office		1,174.08
6/6/14	Frank Mano Jr.	1/4 cost of oil - Waste	87.45	
		Frank Mano Jr.		87.45
			44,157.65	44,157.65

6/6/14 at 12:58:16.41

Water Board Account
Purchase Journal
For the Period From May 24, 2014 to Jun 6, 2014

Filter Criteria includes: 1) Includes Drop Shipments. Report order is by Date. Report is printed in Detail Format.

Date	Name	Line Description	Debit Amount	Credit Amount
5/24/14	Frontier	15% of monthly telephone service for all departments.	32.87	
		Frontier		32.87
5/24/14	City of Stonewood	8 hrs of payroll @ $16.50/hour for Taylor Keith's help during a water break	132.00	
		City of Stonewood		132.00
5/24/14	J.F. Allen Company	25.30 tons of gravel for a water line break	651.48	
		J.F. Allen Company		651.48
5/24/14	Sandy's Hardware	Chopsaw wheel, metal blades	29.93	
		Sandy's Hardware		29.93
5/24/14	A Hughes Supply Compa	(2) 6" top bolts for water break on WV Avenue	456.66	
		A Hughes Supply Company		456.66
5/24/14	Clarksburg Water Board	Bacteriological exam reports for PWSID #3301717 for water breaks	84.00	
		Clarksburg Water Board		84.00
5/24/14	Brickstreet Mutual Insura	Worker's Compensation Installation FY 14/15 - Water	1,285.00	
		Brickstreet Mutual Insurance Co.		1,285.00
5/27/14	Clarksburg Water Board	Monthly bacteriological exam report for PWSID #3301717	42.00	
		Clarksburg Water Board		42.00
5/29/14	A Hughes Supply Compa	4" meter & flanges	3,008.30	
		A Hughes Supply Company		3,008.30
5/30/14	Clarksburg Water Board	Water purchased monthly - 9,453,000 gallons @ $3.129 per thousand purchased from 4/30/2014-5/29/2014	29,578.44	
		Clarksburg Water Board		29,578.44
6/1/14	Kansas State Bank	Monthly payment on water truck	544.89	
		Kansas State Bank		544.89
6/2/14	Nutter Fort Payroll Accou	Bi-weekly Oper. labor	2,019.68	
		Bi-weekly transmission line repair	512.71	
		Bi-weekly customer collection labor	773.19	
		Nutter Fort Payroll Account		3,305.58
6/2/14	Nutter Fort Payroll Accou	Bi-weekly FICA/Medicare Tax	250.16	
		Nutter Fort Payroll Account		250.16
6/2/14	Nutter Fort Payroll Accou	Mayors Monthly FICA/Medicare Expense	11.47	
		Nutter Fort Payroll Account		11.47
6/2/14	Water Renewal & Replac	Monthly required 2.5% deposit to the Water R&R account	451.56	
		Water Renewal & Replacement		451.56
6/2/14	Nutter Fort Payroll Accou	Mayor's monthly salary expense	150.00	
		Nutter Fort Payroll Account		150.00
6/4/14	Quill Corporation	1/4 cost of clasp envelopes, toner cartridges, pens, & correction tape	258.72	
		Quill Corporation		258.72
6/5/14	MonPower	15% of electric bill for all buildings	122.62	
		MonPower		122.62
6/5/14	First State Bank 10000	Backhoe Payment #31	1,020.62	
		First State Bank 10000		1,020.62
6/6/14	Frank Mano Jr.	1/4 cost of oil	87.45	
		Frank Mano Jr.		87.45
			41,503.75	41,503.75

Special Fire Levy Account
Purchase Journal
For the Period From May 24, 2014 to Jun 6, 2014

Date	Account ID Account Descrip	Invoice/C	Line Description	Debit Amount	Credit Amount
5/24/14	706-26 Fire - Bonds & In Cash Basis	64324/643	1/1/2014-1/1/2015 Insurance Policy Renewal Quarterly Installment	7,039.00	
			Bill Bailey Insurance Agency		7,039.00
				7,039.00	7,039.00