

**Special Council Meeting**

**Nutter Fort**

**June 16, 2014**

A special council meeting of Nutter Fort, was held, Monday, June 16, 2014, in council chambers with the following members present: William Benincosa, Donald Webster, Stephen Korn, Karen Phillips, Bruce Kidd, Mayor Nathan Rohrbough, and Recorder Sam Maxson. Also present were: Maintenance Supervisor Jim Wolfe, Treasurer Julia Foley, and Data Technician Leslie Cummings. Guests attending were: David Glover, Alden Butcher, Derrick W. Love, Jim Link, Charlotte Link, S. Sheets, K. Dowell, Jamie Trupo, Tammy Shaw, Harriet Thomas, Janet S. Sponaule, David L. Sponaule, Janet Conrad, Peg Holmes, Charlene Louk, Twyla Snodgrass, and Linda Griffith.

The meeting was called to order at 7:30PM by Mayor Rohrbough, with Councilor Benincosa asking prayer, followed by the pledge of allegiance.

Considerable discussion was held concerning the 2<sup>nd</sup> reading of the water and sewer rate increases. Attorney David Glover answered many questions and explained the reason these raises are necessary to maintain the financial stability of the town. It was explained that previously our rate increases have only been for operating expenses and bond payment and did not cover the raises to us by our supplier, the City of Clarksburg and this increase over the last few years. The proposed rates would be what the rates should have been, had we raised our rates as Clarksburg raised the rates to us over the last 4 years.

- Bruce Kidd motioned approval on the 2<sup>nd</sup> reading and public hearing, the water rate increase ordinance (attached). After a second by Sam Maxson, the motion was passed by majority vote, with 1 dissenting vote cast by Councilor Webster.
- The sewer rate increase ordinance (attached) was passed, by majority vote, on the 2<sup>nd</sup> reading and public hearing, after a motion by Bruce Kidd and a second by Stephen Korn with 1 dissenting vote cast by Councilor Webster.
- The employee wage increase ordinance (attached) was passed with 1 dissenting vote, cast by Donald Webster, on the first reading by unanimous vote after a motion by Bruce Kidd and a second by William Benincosa.
- Karen Phillips motioned at 8:31PM to go into executive session to discuss bid acceptance for the 1405 Buckhannon Pike property and to discuss a maintenance department personnel issue. The motion was approved by unanimous vote after a second by William Benincosa.
- The regular meeting was reconvened at 9:07PM after a motion by Bruce Kidd and a second by Karen Phillips.

The Mayor told those attending that no action on the items discussed in the executive session will be taken at this time.

The meeting was adjourned at 9:27PM after a motion by Bruce Kidd and a second by Karen Phillips.

\_\_\_\_\_  
(Mayor)

  
\_\_\_\_\_  
(Recorder)

AN ORDINANCE OF THE TOWN OF NUTTER FORT, WEST VIRGINIA, AMENDING THE SCHEDULE OF RATES AND CHARGES FOR THE SERVICES AND FACILITIES FURNISHED FOR THE CUSTOMERS OF THE WATER DISTRIBUTION SYSTEM OF THE TOWN OF NUTTER FORT BY INCREASING THE RATES AND CHARGES BY THE ESTABLISHMENT OF NEW RATES AND CHARGES

NOW, THEREFORE, BE IT HEREBY ENACTED BY THE TOWN COUNCIL OF NUTTER FORT, WEST VIRGINIA, AS FOLLOWS:

**WHEREAS**, Chapter 24, Article 2, Section 4b of the West Virginia State Code 1931, as amended, authorizes the fixing of all rates and charges of municipally operated utilities by the adoption of appropriate ordinances; and

**WHEREAS**, the Town of Nutter Fort provides potable water to its customers in the Town of Nutter Fort and to Greater Harrison Public Service District; and

**WHEREAS**, the present water rates or tariffs of the Town of Nutter Fort were established by that certain order of the Public Service Commission of West Virginia in P.S.C. W.VA. Tariff No. 25, issued by the Public Service Commission of West Virginia Tariff Office on October 1, 2010, for service rendered by the Town of Nutter Fort on or after October 1, 2010; and

(1) MINIMUM CHARGE

No bill will be rendered for less than the following amounts, according to the size of the meter, to-wit:

5/8 x 3/4 inch meter	\$22.12 per month
3/4 inch meter	\$33.20 per month
1 inch meter	\$55.33 per month
1- 1/2 inch meter	\$110.63 per month
2 inch meter	\$176.99 per month
3 inch meter	\$331.88 per month
4 inch meter	\$553.12 per month
6 inch meter	\$1106.23 per month

(1) LEAK ADJUSTMENT

\$3.13 per 1,000 gallons is to be used where a bill reflects unusual consumption which can be attributed to eligible leakage on the customer's side of the meter. This rate shall be applied to all such consumption above the customer's historical average usage.

DELAYED PAYMENT PENALTY

The above schedule is net. On all accounts not paid in full when due, ten percent (10%) will be added to the net current amount unpaid. This delayed payment penalty is not interest and is to be collected only once for each bill where it is appropriate.

RECONNECTION

\$25.00

To be charged whenever the supply of water is turned off for violation of rules, non-payment of bills, or fraudulent use of water.

TAP FEE

The following charges are to be made whenever the utility installs a new tap to serve an applicant. A tap fee of \$500 or the actual cost of the tap (solely determined by the Town of Nutter Fort), whichever is greater, will be charged to all customers who apply for service outside a certificate proceeding before the Commission for each new tap to the system.

RETURNED CHECK CHARGE

A service charge equal to the actual bank assessed to the Utility or a maximum of \$25.00 will be imposed upon any customer whose check for payment of charges is returned by their bank due to insufficient funds.

SECURITY DEPOSITS

Customer deposits for municipalities are now \$50.00 or two months of average annual usage of applicant's specific customer class, whichever is greater. This deposit is returned after twelve (12) consecutive timely payments, provided that where the customer is a tenant, the municipality or governing body is not required to return the deposit until the time the tenant discontinues service with the municipality.

RESIDENT'S RESPONSIBILITY

A fee of \$50.00 will be charged to customers for call outs after working hours or on holidays for problems other than the Towns' responsibility. This charge will be assessed, if the problem is the residents and is so determined at the time of the call out by the maintenance department.

CONVENIENCE FEE

A fee of \$3.00 will be charged to customers that use a credit card (Mastercard or Visa) for payment of a bill.

(1) Indicates increase in rates

**SCHEDULE II**

APPLICABILITY

Applicable within the entire territory served.

AVAILABILITY

Available for resale customers.

(1) RATES

\$4.80 per 1,000 gallons used per month  
(includes \$0.465 per 1,000 gallons transportation charge)

(1) Indicates increase in rates

**SECTION TWO: EFFECTIVE DATE**

This Ordinance shall be effective forty five (45) days after final passage.

**SECTION THREE: SEPARABILITY; REPEAL OF CONFLICTING ORDINANCES**

The provisions of this ordinance are separable, and if any clause, provision or section hereof shall be held void or unenforceable by the Public Service Commission of West Virginia or any court of competent jurisdiction, such holding shall not affect the remainder of this Ordinance. Upon the effective date hereof, all ordinances, resolutions, orders or parts thereof in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed, and to the extent that the provisions of this Ordinance do not touch upon the provisions of prior ordinances, resolutions, orders or parts thereof, the same shall remain in full force and effect.

**SECTION FOUR: STATUTORY NOTICE AND PUBLIC HEARING**

Following the first passage of this Ordinance, the Town Clerk shall cause to be published a Notice of Proposed Ordinance and Public Hearing in the *Exponent-Telegram*, a qualified newspaper of general circulation in Harrison County, West Virginia, and said notice shall state that this Ordinance has been introduced, and that any person interested may appear before the City Council on Monday, June 16, 2014, at 7:30 p.m., which date is not less than five (5) days after the date of the publication of the Ordinance and notice, and present any comment or protest thereto, following which hearing, Council shall take such action as it shall deem proper. Copies of this Ordinance shall be available to the public for inspection at the office of the Town Clerk, Town of Nutter Fort, Nutter Fort, West Virginia.

## **BILLINGS AND COLLECTIONS**

The sewerage service charges, surcharges and fees shall be billed and collected for the Sanitary Board by the Water Board. Billing and collections shall be made pursuant to such terms, arrangements or agreements for the reimbursement of cost and agreements as may be determined by contract between the Sanitary Board and the Water Board. All sewage charges collected by the Water Board shall be accounted for monthly and paid to the Sanitary Board. All money received by the Sanitary Board shall be deposited to its credit and shall be paid out on order of the Sanitary Board for such purposes as may be allowed by law.

## **BILLINGS AND COLLECTIONS (Continued)**

In the event of default in the payment of any sewerage service charges billed as provided herein, and such default shall continue for a period of thirty-two days after the same has become due, the Water Board shall proceed to give the user of such service notice that unless such account has been paid in full within the time provided by law and by the regulations of the Public Service Commission of the State of West Virginia that water service will be discontinued at such location until all water and sewerage service charges have been paid in full. If the user of such service has not brought all payments up to date by the time stated in such notice, then the Water Board shall forthwith discontinue water service to that address until all payments for water and sewerage services at such location have been fully paid.

## **SEWERS AND SEWAGE DISPOSAL**

It shall be the responsibility of the property owner and/or contractor to assure all construction projects related directly or indirectly to the Town of Nutter Fort Sanitary Sewer System are in compliance with codes found in Article 145 Sanitary Board. Failure to be in compliance may result in the workmanship failing to pass inspection and possible civil and/or criminal penalties being enforced.

## **SEWER USE ORDINANCE ADOPTED BY THE TOWN OF CLARKSBURG**

(a) The Town of Nutter Fort resolves to adopt, in whole, the City of Clarksburg's Industrial Sewer Use Ordinance, as approved and amended by the City of Clarksburg and the State of West Virginia Department of Environmental Protection, as the Ordinance governing non-domestic wastewater discharges within the political boundaries of the Town of Nutter Fort.

(b) The Town of Nutter Fort has the understanding that under this Ordinance, no person shall contribute, cause to be contributed or discharge any non-domestic wastes to the public sanitary sewage facilities of the Town of Nutter Fort, except in accordance with the Industrial Sewer Use Ordinance as adopted and amended.

(c) The Town of Nutter Fort has the understanding that under this Ordinance, non-domestic facilities discharging or contributing wastewater to the public sanitary sewage system will be under a permit with specific limitations issued, enforced, and maintained by the Clarksburg Sanitary Board. (Passed 3-24-98)

## **RECONNECTION SERVICE CHARGE - ADMINISTRATIVE FEE**

There shall be a reconnection charge of \$25.00, which shall be paid prior to restoration of water service previously disconnected for non-payment of sewer charges in the event the delinquent sewer bill is collected by the City/Town in the field, an administrative fee of \$25.00 shall be charged.

## **SECURITY DEPOSITS**

Customer deposits for municipalities are now \$50.00 or two months of average annual usage of the applicant's specific customer class, whichever is greater. This deposit is returned after 12 consecutive timely payments, provided that where the customer is a tenant, the municipality or

governing body is not required to return the deposit until the time the tenant discontinues service with the municipality.

## **SECTION TWO: EFFECTIVE DATE**

This Ordinance shall be effective forty five (45) days after final passage.

## **SECTION THREE: SEPARABILITY; REPEAL OF CONFLICTING ORDINANCES**

The provisions of this ordinance are separable, and if any clause, provision or section hereof shall be held void or unenforceable by the Public Service Commission of West Virginia or any court of competent jurisdiction, such holding shall not affect the remainder of this Ordinance. Upon the effective date here to all ordinances, resolutions, orders or parts thereof in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed, and to the extent that the provisions of this Ordinance do not touch upon the provisions of prior ordinances, resolutions, orders or parts there to the same shall remain in full force and effect.

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Passed by Council of the Town of Nutter Fort on FIRST READING on the 3rd day of June, 2014.

Passed by Council of the Town of Nutter Fort on SECOND and FINAL READING on this 16th day of June, 2014.

**Council Meeting  
Nutter Fort  
June 24, 2014**

The regular council meeting of Nutter Fort was held, Tuesday, June 24, 2014, in council chambers with the following members present: William Benincosa, Stephen Korn, Donald Webster, Karen Phillips, Bruce Kidd, Mayor Nathan Rohrbough, and Recorder Sam Maxson. Also present were; Maintenance Supervisor Jim Wolfe, Police Chief Ron Godwin, Fire Chief Jeremy Haddix, and Treasurer Julia Foley. Guests attending were; Barbara Gorby, Jim Link, Charlotte Link, Dave Garvin, Janet Conrad, Peg Holmes, Dennis Dutchess, Mark Conrad, Kathy Paeal, and Shirley Sheets.

The meeting was called to order at 7:30PM by Mayor Rohrbough, with Councilor Benincosa asking prayer, followed by the pledge of allegiance.

The yard of the month award was presented to Shirley Sheets for her outstanding performance in the upkeep of her property. Assisting the Mayor in the presentation were beautification committee members, Janet Conrad, Peg Holmes, and Barbara Gorby.

- William Benincosa motioned approval, on the 2<sup>nd</sup> reading, which would grant an employee wage increase, effective June 30, 2014. After a second by Donald Webster, the motion was approved by unanimous vote.
- The building permits (attached) were passed by unanimous vote following a motion by Donald Webster and a second by Karen Phillips.
- The accounts receivable (bills) were approved after a motion by Karen Phillips, a second by Bruce Kidd and a unanimous vote.
- Karen Phillips motioned approval of the minutes from the June 10 2014 and the June 16, 2014 meetings. After a second by Stephen Korn, the motion was approved by unanimous vote.

**Old Business** The mayor told council there will be no 4<sup>th</sup> of July fireworks in the park this year. An agreement could not be reached with the Clarksburg Park Board.

The mayor will ask the code enforcement officer to attend the next meeting to make his report and to answer questions.

**New Business** A business license application was approved for Joy Missions International after it was explained by Treasurer Foley, who talked with Joy Missions, that they provide musical instruction and these instructions are mainly held in churches. The license was approved by unanimous vote, after a motion by William Benincosa and a second by Karen Phillips.

**Police Chief's Report** Chief Godwin reported training has been completed by the officers that is due in July. He also reported that new officers Golden and Bartlett will be attending the police academy in September.

**Fire Chief's Report** Chief Haddix told council he has had several complaints of brush burning. He said most of the complaints come from burning in the Route 98 area. He said as long as permits are obtained and rules are followed, this burning is legal.

**Maintenance Supervisor's Report** Supervisor Wolfe reports that the annual paving project is nearly 50% completed.

**Treasurer's Report** Treasurer Foley reports that administrative assistant, Tyler McHenry, has submitted her resignation, effective August 8, 2014. She plans to return to school. She has offered to work part time as her schedule allows.

**Public's Comments** Dennis Dutchess complained of extremely high grass around a garage at 314 Ohio Ave. He also stated the garage is leaning and the metal roof on the house's back porch is loose and

Does your business pay franchise fees, royalties or management fees? Yes \_\_\_ No X

If yes, complete the following:

Fees paid to: \_\_\_\_\_

Business address: \_\_\_\_\_

Contact person & telephone #: \_\_\_\_\_

Amount of fee: \$ \_\_\_\_\_

k. If nonprofit, do you have a 501 C exemption status from the IRS? If yes, attach copy. Yes \_\_\_ No X Not yet

l. Has your business ever been licensed under a different name? Yes \_\_\_ No X

If yes, please furnish the name of the previous business: \_\_\_\_\_

Since all municipal licenses expire on June 30th of each year, it is imperative that all questions on this form be answered in order to properly classify your business activities and determine the proper license fees. You must provide a copy of your WV State issued license. Incomplete forms will delay processing of your application. An application must be completed for each business located in the Corporate limits of Nutter Fort. Failure to complete this application in its entirety will result in its return to you and a possible penalty for late filing.

It shall be the responsibility of each applicant upon initial application for a municipal license to first ascertain that the address at which the proposed business, activity, trade or employment is permitted by the Municipal Zoning Ordinance and all other ordinances of the Town of Nutter Fort. Zoning information is available by accessing our website at www.townofnutterfort.com, or by calling Town Hall at 304-622-7713.

Signature below certifies that the information contained in this application is true and accurate to the best of his/her knowledge.

[Signature] Signature of Owner or Authorized Agent      Fred Locasto Printed name of person signing      President Title      APR 22<sup>nd</sup> 2014 Date

Did you remember to enclose your vendor list??  
Did you remember to enclose a copy of your WV State issued license??

OFFICE USE ONLY  
APPROVED BY COUNCIL:  YES  NO  
APPROVAL DATE: \_\_\_\_\_

In order to protect your business, please provide the following emergency contact information. This section will be provided to our Police and Fire Departments.

Business Name: Joy Missions International Street Address: 603 1/2 Maryland Ave  
City, State, Zip: Nutter Fort WV 26301  
Primary Contact Name: Fred Locasto Telephone: 615-772-120 Alt. Telephone: 304-695-3044  
Secondary Contacts:  
Name: De Ann Locasto Telephone: 308-258-3648 Alt. Telephone: X

**AN ORDINANCE CREATING AND ESTABLISHING AND PROVIDING FOR A RAISE TO THE EMPLOYEES OF THE TOWN OF NUTTER FORT, WEST VIRGINIA, HARRISON COUNTY; AMENDING AND RE-ENACTING THE PERSONNEL POLICY, ADDRESSING WAGES AND BENEFITS.**

Be it ordained by the Council of the Town of Nutter Fort, Harrison County, West Virginia.

A wage increase will be granted effective on June 30, 2014 to all permanent full-time employees of the Town of Nutter Fort. The wage increase will be granted in the following manner:

- Department Supervisors (with the exception of the Police Chief) will receive a 7% (seven percent) increase.
- Assistant Department Supervisors (with the exception of the Police Department) will receive a 6% (six percent) increase.
- All other permanent full-time employees (with the exception of the Police Department) will receive a 5% (five percent) increase.
- Each employee of the Police Department will receive a 2% (two percent) increase.

\*Each increase will be in addition to their present wage rates.

PASSED on the first reading this 10<sup>th</sup> day of June, 2014.

PASSED on the second and final reading this 24<sup>th</sup> day of June, 2014.

Nathan Rohrbough – Mayor

Attest: \_\_\_\_\_

Sam Maxson - Recorder

		Waste Account - 15% of monthly water and sewer service for all departments City of Nutter Fort	14.49	14.49
6/13/14	City of Nutter Fort	Waste Account - 15% of monthly water and sewer service for all departments City of Nutter Fort	31.52	31.52
6/15/14	Clarksburg Asphalt Compa	6.00 tons of wearing 1 asphalt at \$71/ton Clarksburg Asphalt Company	426.00	426.00
6/16/14	Waste Management	68.68 tons of waste @ \$45.35 per ton disposed for service period of 6/1/2014-6/15/2014. Waste Management	3,114.67	3,114.67
6/16/14	Nutter Fort Payroll Account	Bi-weekly Treasurer Office wages Bi-weekly Police Department wages Bi-weekly Street Department wages	2,834.96 7,572.06 4,280.23	
		Bi-weekly Recycle Department wages Treasurer's office Ins Opt out Police Dept. ins opt out Code Official's bi-weekly wages Fire Chief bi-weekly wages & Ins. Opt Out Fire Chief Insurance Opt Out Nutter Fort Payroll Account	412.40 250.00 250.00 370.46 1,103.46 125.00	17,198.57
6/16/14	Advance Auto Parts	Flasher for garbage truck Advance Auto Parts	3.87	3.87
6/16/14	Nutter Fort Payroll Account	Bi-weekly waste wages Nutter Fort Payroll Account	3,062.78	3,062.78
6/16/14	Nutter Fort Payroll	Treasurer's Office bi-weekly FICA/Medicare Tax Police Dept. bi-weekly FICA/Medicare Tax Fire Dept. bi-weekly FICA/Medicare Tax Street Dept. bi-weekly FICA/Medicare Tax Recycle Dept. bi-weekly FICA/Medicare Tax  Code Enforcement bi-weekly FICA/Medicare Tax Nutter Fort Payroll	233.25 591.43 92.88 323.64 31.19  28.01	1,300.40
6/16/14	Nutter Fort Payroll	Waste account's bi-weekly FICA/Medicare Tax Nutter Fort Payroll	231.56	231.56
6/17/14	MCM Business Systems	No parking signs MCM Business Systems	75.00	75.00
6/17/14	Amtower Auto Supply, Inc.	Alternator belt for old garbage truck Amtower Auto Supply, Inc.	46.73	46.73
6/17/14	Advance Auto Parts	Antifreeze Advance Auto Parts	68.94	68.94
6/18/14	WV Chiefs of Police Assoc	7/1/14-6/30/15 Annual Membership - Chief Ronald Godwin WV Chiefs of Police Association	50.00	50.00
6/18/14	Sandy's Hardware	Pruners Sandy's Hardware	29.98	29.98
6/18/14	Quill Corporation	Adding machine tape, scotch tape, tape dispenser, paper clips Quill Corporation	87.41	87.41
			<u>38,231.46</u>	<u>38,231.46</u>

6/19/14 at 10:53:34.10

### Water Board Account Purchase Journal

For the Period From Jun 7, 2014 to Jun 20, 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
6/7/14	Airgas-Mid America	1/4 cost of monthly cylinder rentals Airgas-Mid America	41.57	41.57
6/7/14	A Hughes Supply Compa	(3) Clamps for water break on WV & Franklin A Hughes Supply Company	280.19	280.19
6/7/14	Miss Utility of West Virgi	Monthly fax service notification Miss Utility of West Virginia	26.00	26.00
6/8/14	WV Municipal Bond Com	Monthly water bond revenue obligation WV Municipal Bond Commission Revenue	3,928.67	3,928.67
6/9/14	Nutter Fort Payroll Accou	Water account's expense for employees monthly dental insurance Nutter Fort Payroll Account	330.71	330.71
6/9/14	Clarksburg Water Board	Monthly bacteriological exam report for PWSID #3301717 Clarksburg Water Board	42.00	42.00
6/9/14	SuperAmerica Group	1/3 of cost for fuel - Jerry Riley 1/3 of cost for fuel - James Wolfe Water truck fuel SuperAmerica Group	144.03 46.42 435.65	626.10
6/10/14	Payroll Account of Nutter	Employer share of monthly Pension Payroll Account of Nutter Fort	809.97	809.97
6/13/14	City of Nutter Fort	15% charge for monthly water and sewer service for all departments City of Nutter Fort	31.52	31.52
6/16/14	Nutter Fort Payroll Accou	Bi-weekly Oper. labor Bi-weekly transmission line repair Bi-weekly meter reading labor Bi-weekly customer collection labor Nutter Fort Payroll Account	943.19 351.47 223.20 705.62	2,223.48
6/16/14	Nutter Fort Payroll Accou	Bi-weekly FICA/Medicare Tax Nutter Fort Payroll Account	168.12	168.12
			<u>8,508.33</u>	<u>8,508.33</u>

**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.

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

LRSD BR (Ver. 2014)

Ora Ash, Deputy State Auditor  
West Virginia State Auditor's Office  
200 West Main Street  
Clarksburg, WV 26301  
Phone: 827-2415 ext. 5114  
Fax: 827-2417

**REQUEST FOR REVISION TO APPROVED BUDGET**

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

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

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

Town of Nutter Fort  
GOVERNMENT ENTITY  
1415 Buckhannon Pike  
STREET OR PO BOX  
Nutter Fort 26301  
CITY ZIP CODE

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
<b>NET INCREASE/(DECREASE) Revenues (ALL PAGES)</b>			<b>71,550</b>		

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

**EXPENDITURES: (net each account category)**

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				

(WV CODE 7-1-9)



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 1/2 Maryland Avenue	Remodel Apt. #13		\$3,500.00	
Karen Phillips	400 1/2 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	

5/5/14 at 12:58:28.25

General Revenue Account  
Purchase Journal

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

5/20/14	Jeffrey A. Bartlett	Employee loan for the purchase of a 223 caliber semi-automatic rifle. Re-payment will occur through payroll deduction. Jeffrey A. Bartlett	1,500.00		1,500.00
6/6/14	Frank Mano Jr.	1/4 cost of oil - General Frank Mano Jr.	87.45		87.45
6/6/14	State Treasurer's Office	Monthly CVRF Collections Monthly LETF Collections Monthly Regional Jail Fee Collections Monthly Community Corrections Collections  State Treasurer's Office	178.84 46.75 721.92 226.57		1,174.08
6/6/14	Frank Mano Jr.	1/4 cost of oil - Waste Frank Mano Jr.	87.45		87.45
					<u>44,157.65</u>
					<u>44,157.65</u>

6/6/14 at 12:58:16.41

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**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. Frontier	32.87	32.87
5/24/14	City of Stonewood	8 hrs of payroll @ \$16.50/hour for Taylor Keith's help during a water break City of Stonewood	132.00	132.00
5/24/14	J.F. Allen Company	25.30 tons of gravel for a water line break J.F. Allen Company	651.48	651.48
5/24/14	Sandy's Hardware	Chopsaw wheel, metal blades Sandy's Hardware	29.93	29.93
5/24/14	A Hughes Supply Compa	(2) 6" top bolts for water break on WV Avenue A Hughes Supply Company	456.66	456.66
5/24/14	Clarksburg Water Board	Bacteriological exam reports for PWSID #3301717 for water breaks Clarksburg Water Board	84.00	84.00
5/24/14	Brickstreet Mutual Insura	Worker's Compensation Installation FY 14/15 - Water Brickstreet Mutual Insurance Co.	1,285.00	1,285.00
5/27/14	Clarksburg Water Board	Monthly bacteriological exam report for PWSID #3301717 Clarksburg Water Board	42.00	42.00
5/29/14	A Hughes Supply Compa	4" meter & flanges A Hughes Supply Company	3,008.30	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 Clarksburg Water Board	29,576.44	29,576.44
6/1/14	Kansas State Bank	Monthly payment on water truck Kansas State Bank	544.89	544.89
6/2/14	Nutter Fort Payroll Accou	Bi-weekly Oper. labor Bi-weekly transmission line repair Bi-weekly customer collection labor Nutter Fort Payroll Account	2,019.68 512.71 773.19	3,305.58
6/2/14	Nutter Fort Payroll Accou	Bi-weekly FICA/Medicare Tax  Nutter Fort Payroll Account	250.16	250.16
6/2/14	Nutter Fort Payroll Accou	Mayors Monthly FICA/Medicare Expense Nutter Fort Payroll Account	11.47	11.47
6/2/14	Water Renewal & Replac	Monthly required 2.5% deposit to the Water R&R account Water Renewal & Replacement	451.56	451.56
6/2/14	Nutter Fort Payroll Accou	Mayor's monthly salary expense Nutter Fort Payroll Account	150.00	150.00
6/4/14	Quill Corporation	1/4 cost of clasp envelopes, toner cartridges, pens, & correction tape Quill Corporation	258.72	258.72
6/5/14	MonPower	15% of electric bill for all buildings MonPower	122.62	122.62
6/5/14	First State Bank 10000	Backhoe Payment #31 First State Bank 10000	1,020.62	1,020.62
6/6/14	Frank Mano Jr.	1/4 cost of oil Frank Mano Jr.	87.45	87.45
			<u>41,503.75</u>	<u>41,503.75</u>

**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 Bill Bailey Insurance Agency	7,039.00	7,039.00
				<u>7,039.00</u>	<u>7,039.00</u>