



ACTS OF HINTON CITY COUNCIL
Regular Meeting
Tuesday, February 17, 2009
6:30 p.m. Hinton Technology Center

I. Call to Order/Roll Call

Mayor Mathews called the regular meeting of the Hinton City Council to order at 6:30 p.m. Council President Larry Meador, Councilman Oxley, Councilman Bob Basham, Councilman Pat Jordan; City Manager Cris Meadows, and City Attorney Mike Froble were present.

II. Devotions/Pledge of Allegiance

Lynn Maddy led the devotions and Council led the Pledge of Allegiance.

III. Approval of the Minutes

Councilman Meador moved to table the 2009 January regular meeting minutes, Councilman Jordan seconded the motion and the motion passed by unanimous consent.

IV. Old Business

Kenny Perdue of HRDE addressed council regarding the Ewart Miller Building collapse. He stated they have hired a contractor to demolish the building. They haven't filed a permit with the HHLC yet and still have asbestos to deal with. Mr. Perdue asked council for help with funding the demolition. Council discussed the situation with Mr. Perdue but stated that they were not in a position to provide monetary support but may be able to help with in-kind. Council stressed to Mr. Perdue the need to repair the roof on the McCreery Hotel to insure that something like this does not happen to it also. Mr. Perdue stated the bid to tear down the Ewart Miller building was \$330,000.00.

A. Public Hearing – Lease with ACWP

Councilman Meador discussed the benefits and the need for the lease with the public in attendance. Anna Ziegler spoke on behalf of the organization explaining the need and the intentions of the ACWP. Several people in the audience said they thought it was a good idea and were in favor of the project to build an animal shelter on the island beside the sewer plant. Councilman Basham made a motion to approve the lease between the Hinton Building Commission and the ACWP for property next to the sewer plant to construct and operate a animal shelter. Councilman Jordan seconded the motion and the motion passed on a vote of all ayes.

B. Spay – Neuter Clinic

Councilman Basham spoke of the Spay-Neuter Clinic and a representative of the clinic spoke about how many animals they were able service at the clinic. Councilman Basham moved to provide \$1,000.00 in financial support to the clinic to be paid in quarterly installments. Councilman Jordan seconded the motion and the motion passed on a vote of all ayes.

C. Investment Policy

Cris Meadows presented the investment policy with the revisions that council asked for. Council discussed that the policy was not changing current procedure but we now have a written policy. Councilman Meador moved to approve the policy as presented and that council receive a monthly report on the investment activity. Councilman Oxley seconded the motion and the motion passed on a vote of all ayes.

INVESTMENT POLICY AND GUIDELINES
PLAN FOR: CITY OF HINTON GENERAL FUND AND SPECIAL REVENUE
FUNDS
Effective February 17, 2009

I.
The City of Hinton General and Special Revenue Funds' assets will be invested with the principal objective of maximizing long-term total return without exposing the plan's assets to undue risk. Assets

will be invested in the state investment pool with the State Treasurer's office. The City of Hinton intends to adhere to West Virginia Code § 8-13-22a and § 8-13-22c regarding investment of municipal funds and further defines its investment plan in this Policy. To the extent that this policy may be deemed in conflict with the provisions of the aforementioned section of West Virginia Code, the provision of this policy shall be deemed to conform thereto.

II.

This policy shall govern the investment of municipal funds which shall not be governed by other provisions of West Virginia Code, not required for the payment of current obligations, and not otherwise prohibited by some other provision, rule, law, or contractual agreement.

III.

The City shall keep as an available sum for the purpose of making operating expense payments and administrative expense payments an amount estimated to meet such payments for a minimum period of thirty days. The City shall establish a Financial Stabilization, "Rainy Day" Fund and set aside and invest funds in excess of this amount.

IV.

The Council for the City of Hinton shall, by adoption of this policy, designate the City Manager to have investment authority over these funds and day to day responsibility for their prudent management and to report to the City Council on a monthly basis the balances of cash on hand and value of investments

V.

The City Manager in acquiring, investing, reinvesting, exchanging, retaining, selling and managing property for the benefit of the City shall exercise judgment and care which persons of experience, prudence, discretion and intelligence exercise in the management of financial affairs, considering the probable income as well as the probable security of the investment and with regard to the permanent disposition of the City. Within the limitations of the foregoing standard, the City Manager is authorized in his/her sole discretion to invest and reinvest any funds received in the following:

1. Negotiable certificates of deposit issued by any bank, trust company, national banking association or savings institution which mature in less than one year and are fully collateralized;
2. Interest earnings deposits including certificates of deposit, with any duly designated state depository, which deposits are fully secured by a collaterally secured bond as provided in §12-1-4 of West Virginia Code: Provided that a banking institution is not required to provide this collaterally secured bond, or other security in lieu of a bond, if the deposits accepted are placed in certificates of deposit meeting the following requirements: (A) the funds are invested through a designated state depository selected by the City of Hinton; (B) the selected depository arranges for the deposit of the funds in certificates of deposit in one or more banks or savings and loan associations wherever located in the United States, for the account of the City of Hinton; (C) the full amount of principal and accrued interest of each certificate of deposit is insured by the Federal Deposit Insurance Corporation; (D) the selected depository acts as custodian for the municipality with respect to such certificates of deposit issued for the City of Hinton's account; and (E) as the same time that the City of Hinton's funds are deposited and the certificates of deposit are issued, the selected depository receives an amount of deposits from customers of other financial institutions wherever located in the United States equal to or greater than the amount of the funds invested by the City of Hinton through the selected depository.

VI.

The guidelines and objectives set forth in this Policy are of a long term time frame with performance monitored on a regular basis. This Policy will be modified as new legislation is enacted which modifies referenced West Virginia Code and as seen fit by Council for the City of Hinton.

Approved by:

Date

By:

Mayor Cleo Mathews

Councilman Jordan

Council President Larry Meador

Councilman Oxley

Councilman Basham

V. New Business

A. Approval of Building/ Sign Permits

Council discussed the building permits then Councilman Jordan made a motion to approve the building permits. Councilman Basham seconded the motion and the motion passed on a vote of all ayes.

B. Approval of Paid Invoices

Councilman Jordan made a motion to approve the paid invoices; Councilman Meador seconded the motion. The motion passed by a vote of all ayes.

C. Approval of Financial Report

Council discussed the financial report and Councilman Jordan moved to approve the report as presented. Councilman Basham seconded the motion and the motion passed on a vote of all ayes.

D. Approval of unpaid invoices

Councilman Meador moved to approve the unpaid invoices. Councilman Basham seconded the motion and the motion passed on a vote of all ayes.

E. Fire Insurance Proceeds Ordinance- First Reading

Council discussed the proposed ordinance with Mike Froble and decided that pending legislation will make this ordinance void and therefore tabled the ordinance on a motion by Councilman Oxley being seconded by Councilman Jordan and passing by unanimous consent.

F. Franchise Authority-

Steve Garner of Ntelos presented council with a proposal for placement of fiber optic lines through the city right of ways. City Attorney Froble presented a resolution to approve the franchise agreement with Ntelos. Councilman Meador moved to sign a letter of intent to sign the agreement. Councilman Oxley seconded the motion and the motion passed by unanimous consent.

VI. Reports

A. Legal Notices, Clean-Up, Community Development

Mayor Mathews stated that she would like to move forward with the skate park and asked council where to put it. After discussion with the public it was decided to have a public hearing at the next council meeting to determine the location.

B. Department Heads/Action as Needed

1. **Police Department-** reported that they are currently testing for new officers.
2. **Public Works-** reported on the progress of the culvert repairs.
3. **Fire Department-** Chief Pivont asked to hire Scott Bradley as paid call member.
4. **Municipal Judge-** nothing
5. **City Manager-** reported on an invoice for brochures from Fox Photo. Council stated to pay the invoice.

VII. Personnel-

Councilman Oxley moved to go into executive session to discuss personnel. Councilman Meador seconded the motion and the motion passed on a vote of all ayes.

Council returned from executive session on a motion by Councilman Basham seconded by Councilman Jordan and approved by unanimous consent.

VIII. Delegations/Public Input-

Mary Rudge discussed her disappointment in the tree board removing a tree that was on her block. Councilman Basham stated that the tree was diseased and had to be removed.

IX. Mayor and Council Reports-

Councilman Basham reported on a truck being hauled off of private property and the owner stated they were going to sue unless they tow bill was paid.

The meeting adjourned on unanimous consent no time was noted.

X. Date of the next meeting is set for March 17, 2009

Mayor/Cleo Mathews

City Manager/Cris Meadows