City of Elkins

Council Meeting

July 10, 2025
7:00 PM
Phil Gainer Community Center
142 Robert E Lee Ave. Ext.

AGENDA

1. **Invocation and Pledge of Allegiance**
2. **Call to order and roll call**
3. **Public comment**
4. **Minutes**
   a. Proposed minutes for the meeting of June 26, 2025
5. **Correspondence, Notifications, and Recognitions**
   a. Building permits, zoning permits, and vacant property registrations
6. **Councilor Reports**
7. **Staff reports**
   a. Treasurer's report
8. **Approval of vendor invoice payments**
   a. Vendor invoices presented for approval: June 23-July 4, 2025

   (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.)
9. **New business**
   a. Ordinance 346: An ordinance authorizing the public sale and transfer by deed to the successful bidder of the parcel of 1464 sq.ft adjacent to the property owned by Legg Properties, LLC, formerly the Montgomery Ward building (final reading)
   b. Ordinance 347: Amending City Code, Chapter 152, Zoning, concerning conditional uses in City Residential (R-2) (first of two readings)
   c. Ordinance 348: Transferring the City Hall parking lot to the Building Commission for use as security for Mountain Valley Bank construction loan for City Hall repairs and renovation project (first of two readings)
   d. Resolution 1856: General Fund Budget Revision SAO 2026-001-01 (roll-call vote required per state auditor's office)
   e. Resolution 1857: General Fund Budget Revision SAO 2026-002-01 (roll-call vote required per state auditor's office)

f. Resolution 1858: Approving the nomination and confirming appointment of Susan Evick to an unexpired term on the Elkins Planning Commission

g. Resolution 1859: Approving and authorizing the execution of a Memorandum of Understanding Between Davis and Elkins College Campus Violence Prevention Project, Centers Against Violence, and the Elkins Police Department

10. Mayor’s comments

11. Adjournment

CITY OF ELKINS
AGENDA ITEM REPORT

Meeting Date:	July 10, 2025
Section:	Minutes
Category:	Action Item
Agenda Item Name:	Proposed minutes for the meeting of June 26, 2025
Recommended By:	City Cerk
Summary:	Minutes proposed for the regular council meeting of June 26, 2025
Fiscal Impact:	n/a
Recommendation:	Consider for approval
Attachments:	1. city council - 2025_06_26 - minutes_proposed

ELKINS COMMON COUNCIL
MEETING MINUTES

Phil Gainer Community Center
142 Robert E Lee Ave. Ext.
Elkins, WV 26241
June 26, 2025
7:00 p.m.

Elkins Common Council met as above. Present were Mayor Jerry A. Marco; Councilors A.C. Carroll, R.C. Chenoweth, G.M. Hinchman, B.C. Kerns, C.C. Lowther, D.C. Parker, E. L. Plishka, L.S. Severino, and C.H. Thompson; City Treasurer T. Judy; Fire Chief S.D. Himes; Police Chief T. Bennett; Operations Manager M. Kesecker; City Attorney G. S. Roberts; and City Clerk S.R. Stokes (recording secretary).

Councilors N.E. Bross-Fregonara and D.P. Parker was absent.

PUBLIC COMMENT

There was no public comment.

MINUTES

Chenoweth **MOVED APPROVAL OF THE MINUTES OF THE JUNE 12, 2025.** The motion carried.

Chenoweth **MOVED APPROVAL OF THE MINUTES OF THE JUNE 16, 2025 (CANVASS OF THE 2025 ELECTION).** The motion carried.

Chenoweth **MOVED APPROVAL OF THE MINUTES OF THE JUNE 18, 2025 (CERTIFICATION OF THE 2025 ELECTION).** The motion carried.

STAFF REPORTS

a. Operations Manager M. Kesecker provided a verbal report.
b. City Treasurer T. Judy provided a written report (attached).
c. Fire Chief S. Himes provided a verbal report.
d. Police Chief T. Bennett provided a verbal report.
e. City Clerk S. Stokes provided a verbal report.
f. City Attorney G. Roberts provided a verbal report.

COUNCILOR REPORTS

Councilors in attendance updated the body on committee, board, commission, and other official activities.

APPROVAL OF VENDOR INVOICE PAYMENTS

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 June 9-20, 2025.

NEW BUSINESS

Lowther **MOVED APPROVAL OF ORDINANCE 344: AMENDING §110.055 OF THE ELKINS CITY CODE TO INCORPORATE A DE MINIMIS EXEMPTION FOR CERTAIN SMALL BUSINESSES AND INDEPENDENT CONTRACTORS IN ACCORDANCE WITH HB 2451 (FINAL READING).** The motion carried.

Lowther **MOVED APPROVAL OF ORDINANCE 345: AMENDING CHAPTER 50 OF THE ELKINS CITY CODE TO ESTABLISH A LIMIT ON THE NUMBER OF BAGS COLLECTED THROUGH CITY SANITATION SERVICES (FINAL READING).** The motion carried.

Hinchman **MOVED APPROVAL OF ORDINANCE 346: AN ORDINANCE AUTHORIZING THE PUBLIC SALE AND TRANSFER BY DEED TO THE SUCCESSFUL BIDDER OF THE PARCEL OF 1464 SQ. FT ADJACENT TO THE PROPERTY OWNED BY LEGG PROPERTIES, LLC, FORMERLY THE MONTGOMERY WARD BUILDING (FIRST OF TWO READINGS).** The motion carried.

Chenoweth **MOVED APPROVAL OF RESOLUTION 1851: REVISION OF CITY PERSONNEL POLICY REGARDING MEAL BREAKS FOR FIELD EMPLOYEES.** The motion carried.

Lowther **MOVED APPROVAL OF RESOLUTION 1852: APPROVING TERMS AND EXECUTING LEASE FOR HR DEPARTMENT COPIER WITH HART OFFICE SOLUTIONS.** The motion carried.

Carroll **MOVED APPROVAL OF RESOLUTION 1853: REAPPOINTING JOHN ALIVETO TO THE ELKINS FIREFIGHTER CIVIL SERVICE COMMISSION.** The motion carried.

Lowther **MOVED APPROVAL OF RESOLUTION 1854: DONATION OF CITY OWNED SLR CAMERA TO ELKINS HIGH SCHOOL.** Carroll abstained from voting due to his employment by the Randolph County Board of Education. The motion carried.

Thompson **MOVED APPROVAL OF RESOLUTION 1855: APPROVING TERMS AND EXECUTING AGREEMENT WITH METHODIST CHURCH FOR PARKING SPACE RENTAL NEAR THE ELKINS FIRE DEPARTMENT.** The motion carried.

Carroll **MOVED POSTPONING THE JULY 17 MEETING TO JULY 24.** The motion carried.

The meeting adjourned at 7:30 p.m.

_____ _____

Attest: S.R. Stokes, City Clerk Jerry A. Marco, Mayor

CITY OF ELKINS
AGENDA ITEM REPORT

Meeting Date:	July 10, 2025
Section:	Correspondence, Notifications, and Recognitions
Category:	Presentation
Agenda Item Name:	Building permits, zoning permits, and vacant property registrations
Recommended By:	
Summary:	
Fiscal Impact:	
Recommendation:	
Attachments:	None

CITY OF ELKINS
AGENDA ITEM REPORT

Meeting Date:	July 10, 2025
Section:	Staff reports
Category:	Presentation
Agenda Item Name:	Treasurer's report
Recommended By:	Treasurer
Summary:	The attached report from the City Treasurer includes: • General Fund Revenue Detail report showing: most recent month's revenues, YTD revenues, and YTD actual revenues as percentage of budgeted revenues • Budget control summary • Bank account balances • InvoiceCloud report
Fiscal Impact:	
Recommendation:	
Attachments:	1. Treasurer Report

General Fund Revenue Detail

	June Revenues	YTD Revenues	Percent of Revenues Collected Per Budget	Percent of Yr. Completed 100
Unassigned Fund Balance				
County Tax	$15,802.94	$1,251,667.74	101.67%	1,231,105.00
B & O Tax	$31,898.36	$2,396,969.57	149.44%	1,604,000.00
Hotel/Motel Tax	$24,288.43	$292,055.21	145.88%	200,200.00
Gas & Oil Severance Tax	$0.00	$25,525.61	51.05%	50,000.00
2% City Utility Tax	$7,217.54	$97,601.70	114.83%	85,000.00
Utility Excise Tax	$914.93	$360,574.31	116.31%	310,000.00
Liquor Tax	$0.00	$88,114.56	95.78%	92,000.00
Police	$2,010.00	$15,473.83	96.71%	16,000.00
Municipal Court	$1,517.50	$19,790.60	47.18%	41,950.00
Code Enforcement	$1,988.79	$27,267.25	90.89%	30,000.00
Business License	$19,960.00	$31,594.15	114.89%	27,500.00
Intergovernmental	$17,728.30	$1,073,015.32	470.59%	228,017.00
Franchise/IRP Fees	$0.00	$124,501.45	98.03%	127,000.00
Phil Gainer Community Center	$3,195.00	$50,508.00	126.27%	40,000.00
Misc. Revenue	$15,673.30	$457,791.05	337.21%	135,760.00
Municipal Sales Tax	$0.00	$1,560,702.91	111.48%	1,400,000.00
TOTAL	**$142,195.09**	**$7,873,153.26**	**140.13%**	5,618,532.00

Intergovernmental increased revenues are due to 2 DOJ grant deposits (7/2/24 $158,074.82 & 8/1/24 $640,547.27)

FY2025 Budget Control Summary

														YTD TOTALS
General Fund														
Revenues	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Revenues Over Expenses	
	$1,137,821.06	$964,719.37	$441,018.70	$1,108,389.90	$574,598.67	$134,328.51	$928,740.60	$407,135.36	$494,202.50	$1,080,281.64	$459,721.86	$142,195.09	-$810,744.39	$7,873,153.26
Expenses	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun		
	$827,839.86	$1,338,151.18	$541,410.22	$555,484.27	$713,274.16	$626,643.43	$600,380.13	$433,633.39	$579,676.70	$472,727.28	$928,076.18	$1,066,600.85		$8,683,897.65
Sanitation Fund														
Revenues	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Revenues Over Expenses	
	$120,655.66	$125,941.58	$120,782.16	$130,050.87	$128,167.89	$115,470.37	$128,080.66	$123,641.98	$123,311.22	$129,669.71	$134,702.94	$127,062.09	-$103,938.10	$1,507,537.13
Expenses	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun		
	$145,484.16	$117,882.18	$126,414.32	$149,493.53	$138,141.77	$133,838.08	$124,487.09	$135,230.73	$133,909.67	$122,045.15	$153,470.92	$131,077.63		$1,611,475.23
Sewer Fund														
Revenues	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Revenues Over Expenses	
	$281,282.70	$262,501.09	$243,017.49	$280,557.99	$260,153.34	$273,468.41	$320,891.71	$232,252.96	$305,862.83	$251,547.05	$234,650.09	$276,380.82	$104,172.34	$3,222,566.48
Expenses	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun		
	$267,166.54	$246,266.86	$269,123.07	$238,704.73	$252,487.07	$263,395.26	$249,536.61	$262,314.52	$246,758.63	$218,366.86	$317,507.97	$286,766.02		$3,118,394.14
Water Fund														
Revenues	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Revenues Over Expenses	
	$416,358.35	$431,208.07	$363,353.18	$436,532.91	$457,019.76	$398,592.57	$371,623.09	$380,435.31	$462,602.44	$378,853.06	$364,458.50	$383,890.24	$160,414.22	$4,844,927.48
Expenses	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun		
	$452,928.21	$398,220.90	$414,455.87	$406,571.65	$401,673.57	$346,235.83	$381,683.79	$380,523.25	$416,175.69	$370,168.48	$418,038.97	$297,837.05		$4,684,513.26
Fire Fund														
Revenues	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Revenues Over Expenses	
	$53,724.01	$92,009.79	$63,995.73	$48,560.29	$79,721.81	$0.00	$136,562.30	$99,346.65	$85,069.28	$41,989.26	$89,440.33	$67,210.05	-$222,473.07	$857,629.50
Expenses	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun		
	$107,354.02	$83,438.32	$87,906.66	$82,554.88	$113,659.85	$85,115.28	$103,097.15	$78,037.15	$75,728.62	$75,295.61	$108,948.84	$78,966.19		$1,080,102.57
Landfill Fund														
Revenues	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Revenues Over Expenses	
	$566.80	$497.89	$515.81	$463.58	$453.90	$437.53	$377.30	$381.39	$0.00	$400.81	$436.36	$528.86	$4,261.03	$5,060.23
Expenses	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun		
	$174.31	$0.00	$183.37	$24.30	$0.00	$175.02	$13.02	$13.72	$174.86	$15.45	$25.15	$0.00		$799.20

Bank Account Name	Balance as of 6/30/2025
ARPA	$105,825.83
Elkins Municipal Building Comm.	$0.00
Financial Stabilization	$762,662.71
Fire Pension Fund	$3,059,539.63
Firemen's Pension & Relief Fund	$0.00
Grant Co Bank-Whitmer	$6,407.15
Landfill Access Escrow	$1,978,977.43
Landfill Post Closure	$48,785.17
Opioid	$29,342.55
Payroll	$13,162.26
Police Forfeitures	$17,168.55
Police Pension Fund	$5,031,465.10
Police Seizures	$23,505.65
Policemen's Pension & Relief Fund	$0.00
Pooled Cash-Coal Severance Fund	$83,841.98
Pooled Cash-Fire Fund	$176,769.50
Pooled Cash-General Fund	$917,306.29
Pooled Cash-Landfill Fund	$133,340.15
Pooled Cash-Parks Fund	$754,558.78
Pooled Cash-Sanitation Fund	$490,360.71
Pooled Cash-Sewer Fund	$314,723.15
Pooled Cash-Water Fund	$585,301.32
Sewer Depreciation	$189,108.91
Sewer O&M	$604,264.67
TIF District #1	$86,049.32
Water Depreciation	$203,740.34
Water O&M	$629,384.90

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City of Elkins WV:

Daily Management Report for 6/30/2025:

Invoice Type	YTD #	YTD $	MTD #	MTD $	Day #	Day $	Paperless #	AutoPay #
Utility	15,626	$1,953,507.93	2,651	$320,736.37	9	$977.72	2,697	900
Non Utility Payments	260	$52,747.09	89	$9,095.20	3	$67.00	864	0

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CITY OF ELKINS
AGENDA ITEM REPORT

Meeting Date:	July 10, 2025
Section:	Approval of vendor invoice payments
Category:	Action Item
Agenda Item Name:	Vendor invoices presented for approval: June 23-July 4, 2025 *(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.)*
Recommended By:	City Treasurer
Summary:	Accounts payable transactions in all funds June 23-July 4, 2025
Fiscal Impact:	Report details $1,399,726.16 in transactions from all funds.
Recommendation:	Review presented information
Attachments:	1. AP Check Report 6-23 thru 7-4-25

VENDOR SET: 01 Elkins
BANK: * ALL BANKS
DATE RANGE: 6/23/2025 THRU 7/04/2025

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
02830	Auto Wholesalers Truck & Equip							
C-CHECK	Auto Wholesalers Truck &VOIDED	V	6/23/2025			017336		7,000.00CR
00484	Mountaineer Gas Company							
C-CHECK	Mountaineer Gas Company VOIDED	V	6/24/2025			017344		661.03CR

* * T O T A L S * *	NO		INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	0		0.00	0.00	0.00
HAND CHECKS:	0		0.00	0.00	0.00
DRAFTS:	0		0.00	0.00	0.00
EFT:	0		0.00	0.00	0.00
NON CHECKS:	0		0.00	0.00	0.00
VOID CHECKS:	2	VOID DEBITS	0.00		
		VOID CREDITS	7,661.03CR	7,661.03CR	0.00

TOTAL ERRORS: 0

	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
VENDOR SET: 01 BANK: TOTALS:	2	7,661.03CR	0.00	0.00
BANK: TOTALS:	2	7,661.03CR	0.00	0.00

VENDOR SET: 01 Elkins
BANK: ARPA America Rescue Plan Act
DATE RANGE: 6/23/2025 THRU 7/04/2025

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
01782	Sierra Instruments Inc							
I-226014	Mass Air Flow Meter	R	6/30/2025	5,574.51		000127		5,574.51

* * T O T A L S * *	NO			INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	1			5,574.51	0.00	5,574.51
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:	1	5,574.51	0.00	5,574.51
BANK: ARPA TOTALS:	1	5,574.51	0.00	5,574.51

VENDOR SET: 01 Elkins
BANK: Pool Pooled Cash
DATE RANGE: 6/23/2025 THRU 7/04/2025

VENDOR	I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
00484		Mountaineer Gas Company							
	I-401Davis Final	401 Davis Ave 0409-052025	D	6/24/2025	661.03		007332		661.03
00385		Deere Credit Inc							
	I-3044863 062025	0300078263-000 062025	D	6/24/2025	1,697.03		007333		1,697.03
00385		Deere Credit Inc							
	I-3048881 063025	0300078289-000 063025	D	6/24/2025	2,252.66		007334		2,252.66
02417		US Bank Corporate Payment Syst							
	I-VisaFleet 053025	Visa Fleet ACH Pmt 053025	D	6/24/2025	16,825.31		007348		16,825.31
00741		Great-West Trust Company LLC							
	I-VF 202506242528	Voya	D	6/24/2025	630.00		007349		
	I-VF2202506242528	Voya AT	D	6/24/2025	120.00		007349		750.00
00792		WV Consolidated Retirement Boa							
	I-RTD202506102526	Retirement	D	6/24/2025	7,160.76		007350		
	I-RTD202506102527	Retirement	D	6/24/2025	66.13		007350		
	I-RTD202506242528	Retirement	D	6/24/2025	7,914.80		007350		15,141.69
00952		WV Consolidated Retirement Boa							
	I-RTF202506102526	Retirement	D	6/24/2025	3,579.06		007351		
	I-RTF202506242528	Retirement	D	6/24/2025	3,550.06		007351		
	I-RTN202506102526	Retirement	D	6/24/2025	5,795.92		007351		
	I-RTN202506242528	Retirement	D	6/24/2025	5,219.30		007351		18,144.34
00993		WV Consolidated Retirement Boa							
	I-RT6202506102526	Retirement 6%	D	6/24/2025	9,876.95		007352		
	I-RT6202506102527	Retirement 6%	D	6/24/2025	483.84		007352		
	I-RT6202506242528	Retirement 6%	D	6/24/2025	10,590.90		007352		20,951.69
02667		Health Equity							
	I-HSA202506242528	Health Savings	D	6/24/2025	1,116.54		007353		1,116.54
02417		US Bank Corporate Payment Syst							
	C-HOLIDAYINN BELT	Credit to wrong card 050825	D	6/26/2025	453.15CR		007441		
	I-VisaNonFleet053025	Visa NonFleet Pmt ACH 053025	D	6/26/2025	125,454.69		007441		125,001.54
00471		FirstEnergy MP/PE							
	I-Whitmer 061025	Whitmer 050625-060525	D	6/27/2025	917.13		007442		917.13
02830		Auto Wholesalers Truck & Equip							
	I-06192025	2000 IHC Flatbed Truck	V	6/23/2025	7,000.00		017336		7,000.00

VENDOR SET: 01 Elkins
BANK: Pool Pooled Cash
DATE RANGE: 6/23/2025 THRU 7/04/2025

VENDOR	I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
02830		Auto Wholesalers Truck & Equip							
	M-CHECK	Auto Wholesalers Truck &VOIDED	V	6/23/2025			017336		7,000.00CR
02830		Auto Wholesalers Truck & Equip							
	I-061925	2000 IHC Flatbed Truck	R	6/23/2025	7,200.00		017337		7,200.00
00047		Truist Governmental Finance							
	I-00006 0627	9948000234-06 062725	R	6/24/2025	2,643.26		017338		2,643.26
00154		COE Sanitation							
	I-202506237678	Hauling Fee Construction	R	6/24/2025	299.48		017339		299.48
00211		Elkins Depot Welcome Center							
	I-03/25 Hotel/Motel	Hotel/Motel Coll 03/25	R	6/24/2025	9,901.45		017340		9,901.45
00303		Carolyn S. Gola							
	I-Poll Worker 2025	Poll Worker 2025	R	6/24/2025	300.00		017341		300.00
00447		Linda L. McCauley							
	I-Poll Worker 2025	Poll Worker 2025	R	6/24/2025	314.20		017342		314.20
00457		Metalworks, Inc.							
	I-13726	Mfc 4 riser blocks	R	6/24/2025	140.00		017343		140.00
00484		Mountaineer Gas Company							
	I-401Davis Final0625	Gas 401 Davis Final	V	6/24/2025	661.03		017344		661.03
00484		Mountaineer Gas Company							
	M-CHECK	Mountaineer Gas Company VOIDED	V	6/24/2025			017344		661.03CR
00500		Newlons International Sales, L							
	I-01P29703	Tensioner Belt/VBelt/PulleyKit	R	6/24/2025	433.98		017345		
	I-01P29835	Jack for shop	R	6/24/2025	1,183.40		017345		
	I-01W4187	Nitrogen oxide Sensor Truck 6	R	6/24/2025	1,196.86		017345		2,814.24
00640		Veronica Sue Siler							
	I-Poll Worker 2025	2025 Poll Worker	R	6/24/2025	504.60		017346		504.60
00643		Jeffrey G. Skidmore							
	I-Poll Worker 2025	Poll Worker 2025	R	6/24/2025	312.10		017347		312.10
00886		Bucks Fabricating - A Diest In							
	I-65539	Roll-offs	R	6/24/2025	13,020.00		017348		13,020.00

VENDOR SET: 01 Elkins
BANK: Pool Pooled Cash
DATE RANGE: 6/23/2025 THRU 7/04/2025

VENDOR	I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
00927		Interstate Battery System of S							
	I-51017295	Batteries	R	6/24/2025	321.90		017349		321.90
01154		Crazy Harry's Greenhouse LLC							
	I-5003 041925	17 trees	R	6/24/2025	611.24		017350		611.24
01361		Alice F. Lothes							
	I-Poll Worker 2025	Poll Worker 2025	R	6/24/2025	312.10		017351		312.10
01364		Debra M Riddlebarger							
	I-Poll Worker 2025	Poll Worker 2025	R	6/24/2025	300.00		017352		300.00
01445		Linda Silva							
	I-Poll Worker 2025	Poll Worker 2025	R	6/24/2025	399.00		017353		399.00
01547		Richard F Humphrey							
	I-Poll Worker 2025	Poll Worker 2025	R	6/24/2025	767.50		017354		767.50
01770		Corina D Belan							
	I-Poll Worker 2025	Emergency Poll Worker 2025	R	6/24/2025	125.00		017355		125.00
02109		Glenda Helmick							
	I-Poll Worker 2025	Poll Worker 2025	R	6/24/2025	300.00		017356		300.00
02110		Mary L Richards							
	I-Poll Worker 2025	Poll Worker 2025	R	6/24/2025	968.70		017357		968.70
02111		Lynn C Proudfoot							
	I-Poll Worker 2025	Poll Worker 2025	R	6/24/2025	314.20		017358		314.20
02113		Cathy Michelle Slawter							
	I-Poll Worker 2025	Poll Worker 2025	R	6/24/2025	300.00		017359		300.00
02143		Wholesale Tires & Auto							
	I-1219098	Tires - courser trail	R	6/24/2025	960.00		017360		
	I-1219118	tires	R	6/24/2025	1,732.50		017360		
	I-1219172	Tires/Wheel	R	6/24/2025	1,308.78		017360		4,001.28
02309		Twin A Equipment Repair LLC							
	I-1310	Engine Repairs	R	6/24/2025	576.50		017361		576.50
02347		LEAF							
	I-18554648	Toshiba 4525AC 071025	R	6/24/2025	395.37		017362		
	I-18571683	Toshiba 071325	R	6/24/2025	128.29		017362		523.66

VENDOR SET: 01 Elkins
BANK: Pool Pooled Cash
DATE RANGE: 6/23/2025 THRU 7/04/2025

VENDOR	I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
02473		Stanley K Taylor							
	I-Poll Worker 2025	Poll Worker 2025	R	6/24/2025	492.50		017363		492.50
02474		Sara Rose Ratley							
	I-Poll Worker 2025	Poll Worker 2025	R	6/24/2025	312.10		017364		312.10
02475		Tina Marie Corcoran							
	I-Poll Worker 2025	Emergency Poll Worker 2025	R	6/24/2025	125.00		017365		125.00
02480		Elizabeth B Roberts							
	I-Poll Worker 2025	Poll Worker 2025	R	6/24/2025	314.20		017366		314.20
02580		Mountain Motorworks							
	I-061625	Ranger-Nissan Oil Changes	R	6/24/2025	1,900.54		017367		1,900.54
02819		Andrea Brandon							
	I-Poll Worker 2025	Alternate Poll Worker 2025	R	6/24/2025	125.00		017368		125.00
02831		Suzannah Bailey							
	I-Poll Worker 2025	Poll Worker 2025	R	6/24/2025	300.00		017369		300.00
02832		Alexandra Bryce Koukopoulos							
	I-Poll Worker 2025	Poll Worker 2025	R	6/24/2025	312.10		017370		312.10
02833		Paula D Stevens							
	I-Poll Worker 2025	Poll Worker 2025	R	6/24/2025	501.20		017371		501.20
02834		Richard Moxley							
	I-Poll Worker 2025	Poll Worker 2025	R	6/24/2025	399.00		017372		399.00
02835		Jean Snedegar							
	I-Poll Worker 2025	Alternate Poll Worker 2025	R	6/24/2025	125.00		017373		125.00
02836		Kristopher Hennig							
	I-Poll Worker 2025	Poll Worker 2025	R	6/24/2025	300.00		017374		300.00
02671		CP&H Inc dba City Plumbing & H							
	I-Appl #9	contracted services	R	6/24/2025	174,888.00		017375		174,888.00
00116		Child Support Enforcement							
	I-CDS202506242528	Child Support	R	6/24/2025	453.40		017376		453.40
00121		Citizens Bank of WVFP							
	I-FP 202506242528	Fire Pension	R	6/24/2025	337.77		017377		337.77

VENDOR SET: 01 Elkins
BANK: Pool Pooled Cash
DATE RANGE: 6/23/2025 THRU 7/04/2025

VENDOR	I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
00122		Citizens Bank of WVPP							
	I-PP 202506242528	Police Pension	R	6/24/2025	194.14		017378		
	I-PPN202506242528	Police Pension-2010 Forward	R	6/24/2025	271.70		017378		465.84
00147		COE Misc							
	I-MIS202506242528	Misc Reimbursements	R	6/24/2025	439.00		017379		439.00
00150		COE Payroll							
	I-T1 202506242528	Federal Withholding	R	6/24/2025	15,683.84		017380		15,683.84
00151		COE Payroll							
	I-T3 202506242528	FICA	R	6/24/2025	24,199.38		017381		
	I-T4 202506242528	Medicare	R	6/24/2025	5,953.96		017381		30,153.34
00152		COE Payroll							
	I-T2 202506242528	State Withholding	R	6/24/2025	6,616.00		017382		6,616.00
00203		Davis Trust Company							
	I-CC 202506242528	Employee Christmas Club	R	6/24/2025	2,330.00		017383		2,330.00
00747		Washington National Insurance							
	I-WN 202506242528	Washington National Insurance	R	6/24/2025	574.13		017384		574.13
00837		COE Payroll Reimbursement							
	I-001202506242528	Payroll Reimbursement	R	6/24/2025	64,205.87		017385		
	I-006202506242528	Payroll Reimbursement	R	6/24/2025	12,835.80		017385		
	I-036202506242528	Payroll Reimbursement	R	6/24/2025	17,026.53		017385		
	I-400202506242528	Payroll Reimbursement	R	6/24/2025	27,759.26		017385		
	I-401202506242528	Payroll Reimbursement	R	6/24/2025	15,109.55		017385		
	I-404202506242528	Payroll Reimbursement	R	6/24/2025	12,723.50		017385		149,660.51
01885		Colonial Life							
	I-CL 202506242528	Colionial Life-AT	R	6/24/2025	112.10		017386		
	I-CLP202506242528	Colonial Life-PT	R	6/24/2025	52.52		017386		164.62
00006		AFLAC							
	I-AF 202506102526	Aflac-After Tax Ins	R	6/24/2025	547.19		017387		
	I-AF 202506242528	Aflac-After Tax Ins	R	6/24/2025	547.19		017387		
	I-AFL202506102526	Aflac Insurance	R	6/24/2025	271.52		017387		
	I-AFL202506242528	Aflac Insurance	R	6/24/2025	271.52		017387		1,637.42
00242		Elkins Professional Firefighte							
	I-EPF202506102526	Elkins Professional FF	R	6/24/2025	135.00		017388		
	I-EPF202506242528	Elkins Professional FF	R	6/24/2025	135.00		017388		270.00

VENDOR SET: 01 Elkins
BANK: Pool Pooled Cash
DATE RANGE: 6/23/2025 THRU 7/04/2025

VENDOR	I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
00471		FirstEnergy MP/PE							
	I-142 RELee 061625	142 RELee 051425-061225	R	6/24/2025	1,247.17		017389		
	I-15thSt 061625	15th St LS9 051425-061225	R	6/24/2025	55.91		017389		
	I-192 High 0611	192 High 050825-060925	R	6/24/2025	9,992.32		017389		
	I-1Baxter CG 061625	1Baxter CG 051425-061225	R	6/24/2025	346.02		017389		
	I-1Baxter St 061625	1Baxter St 051425-061225	R	6/24/2025	329.88		017389		
	I-1Baxter WD 061625	1 Baxter WD 051425-061225	R	6/24/2025	848.67		017389		
	I-31Jones 061625	31 Jones Dr 051425-061225	R	6/24/2025	216.82		017389		
	I-31JonesDr 061625	31 Jones Dr 051425-061225	R	6/24/2025	237.11		017389		
	I-3rd 061625	3rd St 051425-061225	R	6/24/2025	69.02		017389		
	I-Davis/1st 061625	DavisAve/1st 051425-061225	R	6/24/2025	46.33		017389		
	I-Davis/2nd 061625	Davis/2nd 051425-061225	R	6/24/2025	65.96		017389		
	I-FloodCtl 061625	Flood Ctl LS1 051425-061225	R	6/24/2025	1,343.72		017389		
	I-Glendale 061625	516 Glendale Ave 051425-061225	R	6/24/2025	65.29		017389		
	I-GlendaleAve 061625	Glendale Ave 051425-061225	R	6/24/2025	47.69		017389		
	I-GlendaleDr 061625	Glendale Dr 051425-061225	R	6/24/2025	2,408.79		017389		
	I-Harrison 061625	Harrison Ave 051425-061225	R	6/24/2025	32.04		017389		
	I-HighSt 061025	High St 050825-060625	R	6/24/2025	51.89		017389		
	I-OakGrv 061625	Oak Grove	R	6/24/2025	376.52		017389		
	I-Park St 061125	Park St 050925-060925	R	6/24/2025	145.88		017389		
	I-ParkPav 061125	Park Pavilion 050925-060925	R	6/24/2025	44.12		017389		
	I-Reservior 061125	Reservior Hill 050925-060925	R	6/24/2025	10.31		017389		
	I-Riverbend 061625	Riverbend Ln 051425-061225	R	6/24/2025	40.30		017389		
	I-RiverbendPk 061625	Riverbend Pk 051425-061225	R	6/24/2025	12,494.43		017389		
	I-Riverview 061625	Riverview Dr 051425-061225	R	6/24/2025	53.98		017389		
	I-SDavis11 061625	SDavis/11th 051425-061225	R	6/24/2025	46.63		017389		
	I-Sycamore 061125	Sycamore 050925-060925	R	6/24/2025	12.48		017389		
	I-WilsonLn 061625	Wilson Ln LS5 051425-061225	R	6/24/2025	533.74		017389		31,163.02
00591		Retiree Health Benefit Trust F							
	I-06/25	RChenoweth/LSeverino 06/25	R	6/24/2025	68.00		017390		
	I-RHB202506242528	Retiree Health Benefit Trust	R	6/24/2025	2,686.00		017390		2,754.00
00805		WV FBMC							
	I-ChenR 06/25	RChenoweth 06/25	R	6/24/2025	102.84		017391		
	I-MFB202506102526	Mt. Flex Benefit	R	6/24/2025	1,883.90		017391		
	I-MFB202506242528	Mt. Flex Benefit	R	6/24/2025	1,943.36		017391		3,930.10
00810		WV Public Employee Insurance A							
	I-06/25 Severino	Life/Health L Severino 6/25	R	6/24/2025	413.98		017392		
	I-BL 202506242528	Basic Life Benefit	R	6/24/2025	190.08		017392		
	I-CEC202506102526	Plan C E/C	R	6/24/2025	1,268.00		017392		
	I-CEC202506242528	Plan C E/C	R	6/24/2025	1,268.00		017392		
	I-CF 202506102526	Plan C Family	R	6/24/2025	19,168.00		017392		
	I-CF 202506242528	Plan C Family	R	6/24/2025	18,690.00		017392		
	I-CKREQ 061725	Admn Fees	R	6/24/2025	150.00		017392		
	I-CS 202506102526	Plan C Single	R	6/24/2025	6,798.00		017392		
	I-CS 202506242528	Plan C Single	R	6/24/2025	6,592.00		017392		

VENDOR SET: 01 Elkins
BANK: Pool Pooled Cash
DATE RANGE: 6/23/2025 THRU 7/04/2025

VENDOR	I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
	I-ChenR 06/25	RChenoweth Life/Health 0625	R	6/24/2025	891.98		017392		
	I-DL 202506102526	Dependent Life	R	6/24/2025	124.05		017392		
	I-DL 202506242528	Dependent Life	R	6/24/2025	124.05		017392		
	I-IFA202506102526	Ins - Family - Plan A	R	6/24/2025	747.00		017392		
	I-IFA202506242528	Ins - Family - Plan A	R	6/24/2025	747.00		017392		
	I-OL 202506102526	Optional Life	R	6/24/2025	431.01		017392		
	I-OL 202506242528	Optional Life	R	6/24/2025	431.01		017392		
	I-TOF202506102526	Tobacco Surcharge Family	R	6/24/2025	425.00		017392		
	I-TOF202506242528	Tobacco Surcharge Family	R	6/24/2025	425.00		017392		
	I-TOS202506102526	Tobacco Surcharge Single	R	6/24/2025	137.50		017392		
	I-TOS202506242528	Tobacco Surcharge Single	R	6/24/2025	125.00		017392		59,146.66
02755		Citizens Bank of WV							
	I-GAR202506102526	Case #: CC-42-2023-C-79	R	6/24/2025	182.44		017393		
	I-GAR202506242528	Case #: CC-42-2023-C-79	R	6/24/2025	182.44		017393		364.88
02837		Five-O Training							
	I-06242025	2 officers training	R	6/24/2025	100.00		017394		100.00
00032		Absolute Assurance Drug Test L							
	I-7951	Random/Emp Testing	R	6/30/2025	336.00		017395		336.00
00057		BFMC, Inc.							
	I-29841	Main Water Bill	R	6/30/2025	3,458.76		017396		
	I-29842	Pressure Seal Bills	R	6/30/2025	2,838.90		017396		6,297.66
00140		City of Elkins							
	I-CKREQ 062525	Tfr to Financial Stabilization	R	6/30/2025	515,248.00		017397		515,248.00
00140		City of Elkins							
	I-MonPwr Whitmer	Whitmer Mon Power	R	6/30/2025	917.13		017398		917.13
00369		The Inter-Mountain							
	I-76678 IME0025368	Legal Notices 5/2/25 5/20/25	R	6/30/2025	283.16		017399		283.16
00471		FirstEnergy MP/PE							
	I-11th 219 061325	11th St Rt 219 051325-061125	R	6/30/2025	50.23		017400		
	I-11th St 061325	11th St 051325-061125	R	6/30/2025	10.31		017400		
	I-216 4th 061325	216 4th 051325-061125	R	6/30/2025	1,332.70		017400		
	I-401 Davis 061325	401 Davis 051325-061125	R	6/30/2025	1,184.28		017400		
	I-4th/Kerens 061325	4th St Kerens 051325-061125	R	6/30/2025	11.34		017400		
	I-8CherokeeLS2 0613	8 Cherokee LS2 051325-061125	R	6/30/2025	1,543.53		017400		
	I-Barron 061325	Barron 051325-061125	R	6/30/2025	601.86		017400		
	I-NRand 061325	NRandolph 051325-061125	R	6/30/2025	120.00		017400		
	I-RRAve 0161325	RR Twn Sq 051625-061625	R	6/30/2025	838.68		017400		
	I-Rand/3rd 061325	Randoph/Third 051325-061125	R	6/30/2025	32.64		017400		
	I-Rand/Davis 061325	Randolph/Davis 051325-061125	R	6/30/2025	27.66		017400		
	I-Randolph 061325	Randolph Ave 051325-061125	R	6/30/2025	104.65		017400		

VENDOR SET: 01 Elkins
BANK: Pool Pooled Cash
DATE RANGE: 6/23/2025 THRU 7/04/2025

VENDOR	I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
	I-Stewart LS4 061325	Stewart LS4 051325-061125	R	6/30/2025	1,958.88		017400		
	I-WhitemanLS8 061325	Whiteman LS 8 051325-061125	R	6/30/2025	146.93		017400		7,963.69
00517		Ohio Valley Bank							
	I-6300002950 070125	6300002950 070125	R	6/30/2025	8,166.47		017401		8,166.47
00578		Randolph Elkins Health Departm							
	I-PGCC Annual	PGCC Annual Food Handlers	R	6/30/2025	50.00		017402		50.00
00628		Seneca Designs							
	I-47821	TShirts for Summer Staff	R	6/30/2025	139.56		017403		139.56
00803		WV Division of Motor Vehicles							
	I-CITELKINS 061825	ID-Brandon Tice	R	6/30/2025	25.00		017404		25.00
00808		WV Municipal League							
	I-062425	WVML Conference-Hinchman	R	6/30/2025	300.00		017405		300.00
01076		Morgantown Security & Fire							
	I-22271	Quarterly Monitoring	R	6/30/2025	74.95		017406		74.95
01185		InfoUSA Marketing Inc							
	I-10004325576	Polk City Directory	R	6/30/2025	185.00		017407		185.00
01445		Linda Silva							
	I-175.00	Eco Plates	R	6/30/2025	175.00		017408		175.00
01764		Marilynn Cuonzo							
	I-CKREQ 063025	donuts for volunteers	R	6/30/2025	17.74		017409		17.74
01833		P3 Cost Analysts							
	I-30070	VISA VUIRF program	R	6/30/2025	590.31		017410		590.31
01942		Elkins Municipal Building Comm							
	I-1214756-12 070125	Int Pmt 1214756-12 070125	R	6/30/2025	1,562.98		017411		1,562.98
02157		Jerry A Marco							
	I-Travel 062525	Travel Exp CIT Summit	R	6/30/2025	431.20		017412		431.20
02322		Badger Meter							
	I-80199769	Services for June 2025	R	6/30/2025	258.42		017413		258.42
02356		Leon G. Mallow Surveying, Inc.							
	I-CITYELKINS 25-01	Work on Baxter St Property	R	6/30/2025	720.00		017414		720.00

VENDOR SET: 01 Elkins
BANK: Pool Pooled Cash
DATE RANGE: 6/23/2025 THRU 7/04/2025

VENDOR	I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
02431		Ferguson Waterworks #527							
	C-16485 Ovrpmt	Overpayment ck 16485 01/02/25	R	6/30/2025	447.21CR		017415		
	I-09688806	Clamps/Stfnr/HDL Key/Pipe	R	6/30/2025	1,897.86		017415		1,450.65
02802		Ringer's Inc							
	I-21296	Excavator line repair	R	6/30/2025	1,485.00		017416		1,485.00
00047		Truist Governmental Finance							
	I-00007 062425	9948000234-07 071925	R	7/01/2025	4,984.55		017417		4,984.55
00143		COE General Fund 2							
	I-07/25 Indirects	Monthly Indirects 07/2025	R	7/01/2025	16,824.83		017418		16,824.83
00149		COE Parks and Recreation							
	I-07/25 Support	Support 07/2025	R	7/01/2025	25,483.00		017419		25,483.00
00202		Davis Trust Company							
	I-35239 070125	3113776-35239 070125	R	7/01/2025	1,425.22		017420		1,425.22
00808		WV Municipal League							
	I-FY 2025-2026	Annual Dues	R	7/01/2025	2,496.24		017421		2,496.24
02347		LEAF							
	I-18544566	Tosh 5525AC 070825	R	7/01/2025	270.25		017422		
	I-18598032	Tosh E478S 071825	R	7/01/2025	85.00		017422		
	I-18598033	Toshiba E478S 071825	R	7/01/2025	85.00		017422		440.25
02490		WVCorp							
	I-113316	1st Qtrly Package	R	7/01/2025	57,713.00		017423		57,713.00

* * T O T A L S * *	NO		INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	86		1,197,315.62	0.00	1,189,654.59
HAND CHECKS:	0		0.00	0.00	0.00
DRAFTS:	11		203,458.96	0.00	203,458.96
EFT:	0		0.00	0.00	0.00
NON CHECKS:	0		0.00	0.00	0.00
VOID CHECKS:	2	VOID DEBITS	0.00		
		VOID CREDITS	7,661.03CR	7,661.03CR	0.00

TOTAL ERRORS: 0

	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
VENDOR SET: 01 BANK: Pool TOTALS:	99	1,393,113.55	0.00	1,393,113.55
BANK: Pool TOTALS:	99	1,393,113.55	0.00	1,393,113.55

VENDOR SET: 01 Elkins
BANK: TIF TIF District #1
DATE RANGE: 6/23/2025 THRU 7/04/2025

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
02393	Spilman Thomas & Battle PLLC							
I-5539806	Tif Redev Admn Matters 05/25	R	6/24/2025	1,038.10		000004		1,038.10

* * T O T A L S * *	NO			INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	1			1,038.10	0.00	1,038.10
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: TIF TOTALS:	1	1,038.10	0.00	1,038.10
BANK: TIF TOTALS:	1	1,038.10	0.00	1,038.10
REPORT TOTALS:	101	1,399,726.16	0.00	1,399,726.16

SELECTION CRITERIA

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

CHECK SELECTION

CHECK RANGE: 000000 THRU 999999
DATE RANGE: 6/23/2025 THRU 7/04/2025
CHECK AMOUNT RANGE: 0.00 THRU 999,999,999.99
INCLUDE ALL VOIDS: YES

PRINT OPTIONS
SEQUENCE: CHECK NUMBER

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

CITY OF ELKINS
AGENDA ITEM REPORT

Meeting Date:	July 10, 2025
Section:	New business
Category:	Ordinance
Agenda Item Name:	Ordinance 346: An ordinance authorizing the public sale and transfer by deed to the successful bidder of the parcel of 1464 sq.ft adjacent to the property owned by Legg Properties, LLC, formerly the Montgomery Ward building (final reading)
Recommended By:	City Attorney
Summary:	As authorized by council via Resolution 1810, on January 23, 2025, a piece of city real property was auctioned on the steps of City Hall on June 18, 2025. The attached ordinance authorizes the finalization of the sale.
Fiscal Impact:	The high bid was $12,950. This was the starting bid, which was established to cover the appraised value and the cost of the appraisal.
Recommendation:	Consider for approval on final reading
Attachments:	1. O-346 - authorizing sale of real property to MegaCorp

ORDINANCE 346

AN ORDINANCE AUTHORIZING THE PUBLIC SALE AND TRANSFER BY DEED TO THE SUCCESSFUL BIDDER OF THE PARCEL OF 1464 SQ. FT ADJACENT TO THE PROPERTY OWNED BY LEGG PROPERTIES, LLC FORMERLY THE MONTGOMERY WARD BUILDING

WHEREAS, pursuant to the statutory provisions of West Virginia Code §8-12-18(b), the City of Elkins gave public notice of the sale of a lot or parcel of property described as a parcel of 1,464 square feet adjacent to the property owned by Legg Properties, LLC, formerly the Montgomery Ward building; and

WHEREAS, the public sale was published in The Inter Mountain as a Class II legal advertisement scheduling the public sale of said property on June 18,2025 at 11:30 a.m. at City Hall (see attached notice); and

WHEREAS, the successful bidder, MegaCorp by its agent Lanny Propst , has agreed to purchase said property for the consideration of Twelve Thousand Nine Hundred, Fifty Dollars ($12,950) which needs to be confirmed by an ordinance enacted by the Common Council pursuant to the statutory provisions of West Virginia Code §8-11-3(6); and

WHEREAS, the Common Council finds and determines that it would be in the best interest of the City and its citizens to approve and confirm this public sale of said property; and

NOW, THEREFORE, be it ORDAINED and ENACTED that the public of a lot or parcel of property described as a parcel of 1,464 square feet adjacent to the property owned by Legg Properties, LLC, formerly the Montgomery Ward building, in the City of Elkins to MegaCorp , by its agent Lanny Propst, for the consideration of Twelve Thousand Nine Hundred

Fifty Dollars ($12,950) be confirmed and that Mayor Marco be authorized to execute the quitclaim deed transferring said property to the successful bidder as set forth in this Ordinance.

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 June 26, 2025.

PASSED AND APPROVED ON FINAL READING July 10, 2025.

CITY OF ELKINS, WEST VIRGINIA

_____

Jerry A. Marco, Mayor

Attest:

_____

Sutton Stokes, City Clerk

CITY OF ELKINS
AGENDA ITEM REPORT

Meeting Date:	July 10, 2025
Section:	New business
Category:	Ordinance
Agenda Item Name:	Ordinance 347: Amending City Code, Chapter 152, Zoning, concerning conditional uses in City Residential (R-2) (first of two readings)
Recommended By:	Planning Commission
Summary:	This proposed ordinance is a result of a recommendation from the Planning Commission meeting of June 26,2025.Rivers of Living Waters Ministries, the owner of the property located at 503 Lincoln Avenue, requested that a Child day care facility, Class 1 be permitted in the City Residential(R-2) zoning district. Currently, Class 1 facilities are only permitted by right in the Central Business (CB) and Commercial (C) zones. Class 1 and 2 facilities are not currently permitted either by right or conditionally in any residential zone, including City Residential (R-2). This proposed ordinance , if passed by Council, will permit the a Child day care facility, Class 1 conditionally in the City Residential (R-2) zoning district.
Fiscal Impact:	n/a
Recommendation:	Consider for approval
Attachments:	1. Memo - Concerning Daycares in City Residential - 2025_07_02 2. City Code Sec. 152.024 3. Ordinance 347

Memo

To: Elkins Common Council

From: Sutton Stokes

Date: July 2, 2025

Re: Planning Commission recommendation to Amend §152.090 to Allow Class 1 & 2 Daycares in the City Residential (R-2) District

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Background
This item arises from an inquiry regarding the potential operation of a Class 1 daycare facility at 503 Lincoln Avenue, a property currently located in the City Residential (R-2) zoning district. Under the current zoning code, adopted in 2022, Class 1 daycares are permitted by right only in the Central Business (CB) and Commercial (C) zones. Class 1 and Class 2 daycares are not currently permitted either by right or conditionally in any residential zone, including City Residential.

Zoning History
Prior to 2022, the property was zoned "B – Unrestricted Residential," under which daycares were also not an explicitly allowed use. Although zoning enforcement may have varied historically, there is no evidence that a Class 1 daycare has ever been a legally permitted use at this location under either the current or previous zoning code.

The current City Residential district does allow other types of daycares by right, including:

- **Class 3**: care for 4–6 children under age six, in the provider's residence; and
- **Class 4**: care for up to 3 children under age six, also in the provider's residence.

Planning Commission Recommendation
After reviewing the request and considering relevant planning and land use factors—including neighborhood compatibility, traffic and parking, and consistency with the Elkins Comprehensive Plan—the Planning Commission voted to recommend a zoning text amendment that would **add "Class 1 Daycare" and "Class 2 Daycare" to the list of *conditional uses* allowed in the City Residential (R-2) zoning district**.

Next Steps
Because the zoning code is adopted by ordinance, this recommended amendment must now be

considered by Council. A zoning text amendment requires two readings at separate Council meetings. If approved, the change would modify the zoning code to permit Class 1 and 2 Daycares as conditional uses in the City Residential zone.

Any application to operate a Class 1 daycare in a City Residential district would then be subject to **Board of Zoning Appeals (BZA)** review and approval through the conditional use permitting process. When considering a conditional use application, the BZA must consider a range of factors. The conditional use application, attached, lists these factors.

Council Action
Council will now consider the ordinance to implement the Planning Commission's recommendation. If approved, this change would:

- Allow Class 1 and 2 daycare facilities to be applied for in R-2 areas;
- Require each such facility to obtain a conditional use permit from the BZA;
- Leave unchanged all existing local, state, and federal permitting and regulatory requirements applicable to daycare facilities.

References

- Current (2022) Zoning Code: https://codelibrary.amlegal.com/codes/elkinswv/latest/elkins_wv/0-0-0-12652
- Current (2022) Zoning Map: https://coewv.maps.arcgis.com/apps/instant/lookup/index.html?appid=7e6637ee56764f2586f04a83fd5ec36a

APPLICATION FOR **CONDITIONAL USE PERMIT**

BOARD OF ZONING APPEALS

Version adopted April 4, 2024

Name of Applicant: _____ Are you the property owner? YES NO

Applicant Address: _____

Applicant Phone No: _____ Applicant Email: _____

Name of Property Owner if Different from Applicant: _____

Address of Structure: _____ Zoning District: _____

Proposed Use: _____

Was the existing structure originally used as a Permitted Use in the district? YES NO

In order for the Conditional Use Permit to be granted, the applicant must demonstrate to the Board that all standards described on the back of this application will be met.

In addition to this form, the following shall be submitted prior to review by the City of Elkins:

1. Application for Certificate of Zoning Compliance showing denial
2. A plan drawn to scale which shall depict the overall site layout including building location, parking area, circulation, setbacks, lighting, landscaping, screening, signage, and building location on adjacent parcels.
3. The preliminary building plans and elevations illustrating modifications and alterations including an indication of exterior materials, textures, and colors being used on the project.
4. A letter summarizing the request along with any other information deemed helpful by the applicant or necessary by the Board to explain the nature of the proposed use and its consistency with the standards outlined on the back of this application.
5. Legal Description (may be found in deed)
6. Application Fee of $100. You will be billed separately for the cost of legal advertisement and notification posters.

I certify under penalty of perjury that the information contained in this application and its supplements are true and correct.

_____ _____

Applicant Signature Date

_____ _____

Owner Signature Date

The BZA shall approve an application for a conditional use permit, subject to such reasonable conditions and restrictions as are directly related to and incidental to the proposed conditional use permit, if it finds that the following general standards have been met:

1. The use is consistent with the policies and intent of the corresponding purpose for the zoning district in which it lies and the City's comprehensive plan.

2. The use is physically and operationally compatible with the surrounding neighborhood and surrounding existing uses.

3. The use will be designed, constructed, operated, and maintained so that it does not cause substantial injury to adjoining property.

4. The use will be adequately served by public facilities and services which include but are not limited to water, sewer, electric, schools, streets, fire and police protection, storm drainage, public transit, and public parks and trails.

5. Adequate off-street parking will be provided on the same property as the proposed conditional use as well as adequate ingress and egress to the property in compliance with the standards set forth in this code.

6. Any storage of hazardous material will comply with all state, federal, and local regulations, and all such material will be listed and made known to the Chief of the City of Elkins Fire Department.

7. The use will not endanger public health or safety or constitute a public nuisance.

8. The use will not conduct operations in connection with the use which are offensive, dangerous, or destructive of the environment.

Conditions may be imposed on a proposed conditional use to ensure that potential significant adverse impacts on surrounding uses will be reduced to the maximum extent feasible, including but not limited to conditions or measures addressing:

1. Location on a site of activities that generate potential adverse impacts such as noise and glare;

2. Hours of operation and deliveries;

3. Location of loading space and delivery zones;

4. Light intensity and hours of full illumination;

5. Placement of outdoor vending machines;

6. Loitering;

7. Litter control;

8. Placement of trash receptacles;

9. On-site parking configuration and facilities;

10. On-site circulation; and

11. Privacy concerns of adjacent uses.

##

§ 152.024 AMENDMENTS TO THIS CHAPTER.

The City Council may amend this chapter. Before amending this chapter, the City Council with the advice of the Planning Commission, must find that the amendment is consistent with the adopted comprehensive plan. If the amendment is inconsistent, then the governing body with the advice of the Planning Commission, must find that there have been major changes of an economic, physical, or social nature within the area involved which were not anticipated when the comprehensive plan was adopted and those changes have substantially altered the basic characteristics of the area.

(Ord. 301, passed 8-18-2022)

ORDINANCE 347

AN ORDINANCE OF THE COMMON COUNCIL OF ELKINS, WEST VIRGINIA AMENDING CITY CODE CHAPTER 152: ZONING CONCERNING CONDITIONAL USES IN CITY RESIDENTIAL (R-2)

WHEREAS, the Common Council of Elkins, West Virginia previously adopted a zoning ordinance which is codified in City Code Chapter 152: Zoning; and

WHEREAS, following the enactment of the zoning ordinance, a citizen request has been made by the Rivers of Living Water Ministries, the owner of a church property located at 503 Lincoln Avenue to include and to allow Child Day Care facility, Class 1 in City Residential (R-2) zoning district ; and

WHEREAS, the Planning Commission has met and reviewed the citizen request, the current zoning permitted uses in City Residential (R-2), by right or conditionally, and finds, pursuant to City Code §52.024, Amendments to This Chapter, that the proposed amendment is consistent with the adopted comprehensive plan ; and

WHEREAS, the Planning Commission recommends to the Common Council that City Code §152.092 Conditional Uses in City Residential (R-2) District be amended to allow a child day care facility, Class 1 in City Residential (R-2) as a conditional use; and

WHEREAS, the Common Council has determined that by accepting the recommendation of the Planning Commission, it is in the best interests of the citizens of the City and further finds that the amendment is consistent with the adopted comprehensive plan.

NOW, THEREFORE, be it ORDAINED and ENACTED by the Common Council that City Code Chapter 152: Zoning, specifically City Code §152.092 Conditional Uses in Residential (R-2) District be amended as follows:

§ 152.090 CITY RESIDENTIAL (R-2) DISTRICT.

The purpose of the City Residential (R-2) District is to encourage a wider variety of housing and allow that housing at a higher density than in R-l. The R-2 District also allows limited low-impact commercial, community, and recreational facilities, provided that these are suitable for operation in close proximity to housing.

(Ord. 301, passed 8-18-2022)

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§ 152.092 CONDITIONAL USES IN THE CITY RESIDENTIAL (R-2) DISTRICT.

The following shall be conditional uses in the City Residential (R-2) District:

Bakery
Brewery pub
Community facility
Child day care facility, Class 1
Dwelling, conversion apartment
Dwelling, multi-family
Emergency shelter
Event, mass gathering
Governmental operation
Home-based business (low impact)
Museum
Parking lot
Places of worship/religious institution
Reception facility
Recreation, municipal
School, preK-12
Senior independent housing

The change to Chapter 152: Zoning is only to the Section referred to herein and all other Sections of said Chapter shall remail in full force and effect.

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 _____day of _____, 2025.

PASSED AND APPROVED ON THE SECOND AND FINAL READING THIS ____ DAY OF _____, 2025.

CITY OF ELKINS, WEST VIRGINIA

_____

Jerry A. Marco, Mayor

Attest:

_____
Sutton Stokes, City Clerk

CITY OF ELKINS
AGENDA ITEM REPORT

Meeting Date:	July 10, 2025
Section:	New business
Category:	Ordinance
Agenda Item Name:	Ordinance 348: Transferring the City Hall parking lot to the Building Commission for use as security for Mountain Valley Bank construction loan for City Hall repairs and renovation project (first of two readings)
Recommended By:	
Summary:	Awaiting Appraisal from Mountain Valley Bank. This Ordinance will be taken up at the 7/24 Council meeting.
Fiscal Impact:	
Recommendation:	
Attachments:	None

CITY OF ELKINS
AGENDA ITEM REPORT

Meeting Date:	July 10, 2025
Section:	New business
Category:	Resolution
Agenda Item Name:	Resolution 1856: General Fund Budget Revision SAO 2026-001-01 (roll-call vote required per state auditor's office)
Recommended By:	City Treasurer
Summary:	Revises the FY 2026 General Fund's Unassigned Fund ("carryover") balance.
Fiscal Impact:	See memo
Recommendation:	Consider for approval
Attachments:	1. Resolution 1856 General Fund Budget Revision SAO 2026-001-01

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

(#1856)
July 10, 2025

Resolution to Approve Budget Revision for Fiscal Year 2026

At a regular session of the Elkins Common Council, held this date, 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 Budget Revision SAO-2026-001-01, a copy of which is 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		C. Kerns		L. Severino	
A. Carroll		C. Lowther		C. Thompson	
R. Chenoweth		D. Parker		Mayor J. Marco (in case of tie)	
M. Hinchman		E. Plishka			

WHEREUPON: The Mayor 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 City Clerk is authorized to fix his signature on the attached "Request for Revision to Approved Budget" to be sent to the State Auditor for approval.

_____
Jerry Marco, Mayor

Attest:

_____
Sutton R. Stokes, City Clerk

LGSD BR (Ver. 2020)

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

Person To Contact Regarding Request:
Name: Tracy Judy
Phone: 304-636-1414, ext 1317
Fax: 304-635-7135
Email: tjudy@cityofelkinswv.com

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)

City of Elkins
GOVERNMENT ENTITY

401 Davis Ave.
STREET OR PO BOX

Elkins — CITY
26241 — ZIP CODE

CONTROL NUMBER
Fiscal Year Ending: 2026
Fund: 1
Revision Number: 1
Pages: 1 of 1

Municipality
Government Type

REVENUES: (net each acct.)

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUSLY APPROVED AMOUNT	(INCREASE)	(DECREASE)	REVISED AMOUNT
299	Unassigned Fund Balance	511,595	389,778		901,373
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				

NET INCREASE/(DECREASE) Revenues (ALL PAGES) 389,778

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
424	Contributions to Comms/Authorities	54,700	474		55,174
440	City Hall	700,350	385,323		1,085,673
901	Visitors Bureau	130,250	3,981		134,231
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				

NET INCREASE/(DECREASE) Expenditures 389,778

APPROVED BY THE STATE AUDITOR

BY:
Deputy State Auditor, Local Government Services Division **Date**

AUTHORIZED SIGNATURE OF ENTITY

APPROVAL DATE

CITY OF ELKINS
AGENDA ITEM REPORT

Meeting Date:	July 10, 2025
Section:	New business
Category:	Resolution
Agenda Item Name:	Resolution 1857: General Fund Budget Revision SAO 2026-002-01 (roll-call vote required per state auditor's office)
Recommended By:	City Treasurer
Summary:	Transfers funds between departments as shown in the attached memo.
Fiscal Impact:	See memo
Recommendation:	Consider for approval
Attachments:	1. Resolution 1857 General Fund Budget Revision SAO 2026-002-01

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

(#1857)
July 10, 2025

Resolution to Approve Budget Revision for Fiscal Year 202

At a regular session of the Elkins Common Council, held this date, 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 Budget Revision SAO-2026-002-01, a copy of which is 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		C. Kerns		L. Severino	
A. Carroll		C. Lowther		C. Thompson	
R. Chenoweth		D. Parker		Mayor J. Marco (in case of tie)	
M. Hinchman		E. Plishka			

WHEREUPON: The Mayor 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 City Clerk is authorized to fix his signature on the attached "Request for Revision to Approved Budget" to be sent to the State Auditor for approval.

_____
Jerry Marco, Mayor

Attest:

_____
Sutton R. Stokes, City Clerk

LGSD BR (Ver. 2020)

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: 2026
Fund: 2
Revision Number: 1
Pages: 1 of 1

City of Elkins
GOVERNMENT ENTITY

401 Davis Ave.
STREET OR PO BOX

Elkins — CITY
26241 — ZIP CODE

Municipality
Government Type

Person To Contact Regarding Request:
Name: Tracy Judy
Phone: 304-636-1414, ext 1317
Fax: 304-635-7135
Email: tjudy@cityofelkinswv.com

REVENUES: (net each acct.)

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUSLY APPROVED AMOUNT	(INCREASE)	(DECREASE)	REVISED AMOUNT
298	Assigned Fund Balance	75,000	8,842		83,842
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				

NET INCREASE/(DECREASE) Revenues (ALL PAGES) 8,842

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
440	City Hall	105,000	8,842		113,842
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				

NET INCREASE/(DECREASE) Expenditures 8,842

APPROVED BY THE STATE AUDITOR

BY:
Deputy State Auditor, Local Government Services Division — Date

AUTHORIZED SIGNATURE OF ENTITY

APPROVAL DATE

CITY OF ELKINS
AGENDA ITEM REPORT

Meeting Date:	July 10, 2025
Section:	New business
Category:	Resolution
Agenda Item Name:	Resolution 1858: Approving the nomination and confirming appointment of Susan Evick to an unexpired term on the Elkins Planning Commission
Recommended By:	Mayor
Summary:	The attached resolution appoints Susan Evick to the Elkins Planning Commission for an unexpired term ending December 31, 2025. The vacancy arose due to the resignation of Burley Woods after his election to council. There is already one council member on the commission (Carroll), and city code does not allow more than one to serve simultaneously.
Fiscal Impact:	n/a
Recommendation:	Consider for approval
Attachments:	1. R-1858 - appointing Evick to Planning Commission

IN THE COMMON COUNCIL OF THE CITY OF ELKINS, WV

A RESOLUTION OF COMMON COUNCIL

(#1858)
July 10, 2025

Appointment of Susan Evick to the Elkins Planning Commission

WHEREAS, the Common Council ("Council") of the City of Elkins, W. Va. ("the City") has created a Planning Commission, pursuant to West Virginia State Code § 8A-2-1 et seq. and Elkins City Code § 33.030 et seq.; and

WHEREAS, as constituted under State and City Code, the membership of the Elkins Planning Commission ("the Commission") is to include five resident freeholders, all of whom have been residents of the City for at least three years prior to nomination and appointment, who are to be nominated by the Mayor and appointed by Council; and

WHEREAS, the resignation of B. Woods has created a vacancy in a seat on the Commission for a term expiring December 31, 2025; and

WHEREAS, an application for appointment to the Commission has been received from Susan Evick; and,

WHEREAS, the Mayor, having reviewed the application, has nominated Ms. Evick for Council appointment to fill this unexpired term; and

WHEREAS, Council finds that Ms. Evick possesses the required qualifications to serve on said Commission and has agreed to do so;

NOW, THEREFORE, BE IT RESOLVED, THAT:

The Elkins Common Council hereby appoints Susan Evick to the Elkins Planning Commission effective immediately for an unexpired term ending December 31, 2025.

_____ _____

Attest: Sutton R. Stokes, City Clerk Jerry A. Marco, Mayor

CITY OF ELKINS
AGENDA ITEM REPORT

Meeting Date:	July 10, 2025
Section:	New business
Category:	Resolution
Agenda Item Name:	Resolution 1859: Approving and authorizing the execution of a Memorandum of Understanding Between Davis and Elkins College Campus Violence Prevention Project, Centers Against Violence, and the Elkins Police Department
Recommended By:	City Attorney
Summary:	Davis & Elkins College is applying for an Office on Violence Against Women (OVW) Campus Program Grant to implement a Campus Violence Prevention Project. As part of the grant requirements, the college must enter into a Memorandum of Understanding (MOU) with a local victim services provider and law enforcement agency. This MOU outlines roles and commitments among Davis & Elkins College, Centers Against Violence, and the Elkins Police Department. The Elkins Police Department would receive a reimbursable subaward of $8,000 to support staff training, participation in the college's Coordinated Community Response Team, and coordination of victim referrals. This resolution authorizes the Mayor to sign the MOU on behalf of the City of Elkins.
Fiscal Impact:	See above
Recommendation:	Consider for approval
Attachments:	1. R-1859 - approving MOU with D&E for campus violence prevention program

IN THE COMMON COUNCIL OF THE CITY OF ELKINS, WV

A RESOLUTION OF COMMON COUNCIL

(#1859)
July 10, 2025

Authorizing the Mayor to Sign a Memorandum of Understanding Between Davis & Elkins College Campus Violence Prevention Project, Centers Against Violence, and the Elkins Police Department

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WHEREAS, Davis & Elkins College intends to apply for a grant from the U.S. Department of Justice's Office on Violence Against Women (OVW) under the OVW Campus Program; and

WHEREAS, the grant would fund a Campus Violence Prevention Project aimed at addressing domestic violence, dating violence, sexual assault, and stalking involving students, faculty, and staff at Davis & Elkins College; and

WHEREAS, a core requirement of the OVW Campus Program is the establishment and strengthening of partnerships between the college, victim services providers, and local law enforcement; and

WHEREAS, Davis & Elkins College has requested that the Elkins Police Department participate in this partnership and in the implementation of the Campus Violence Prevention Project; and

WHEREAS, the attached Memorandum of Understanding describes a reimbursable subaward of $8,000 to the Elkins Police Department to support participation in training, case coordination, and membership on the Coordinated Community Response Team;

NOW, THEREFORE, BE IT RESOLVED, THAT:

The Elkins Common Council hereby authorizes the Mayor to sign the attached Memorandum of Understanding between Davis & Elkins College, Centers Against Violence, and the Elkins Police Department, substantially in the form presented, and to take any further administrative steps necessary to implement the agreement.

_____
Jerry A. Marco, Mayor

Attest:

_____
Sutton R. Stokes, City Clerk

Memorandum of Understanding

Between Davis and Elkins College Campus Violence Prevention Project,

Centers Against Violence, and the Elkins Police Department.

Davis and Elkins College (D&E) is a private college of liberal arts and professional studies located in rural Elkins, West Virginia. The D&E will lead the Campus Violence Prevention Project (CVPP) and direct an initiative to:

1. strengthen the Coordinated Community Response Team in relation to domestic violence, dating violence, sexual assault and stalking involving students or staff of the college.
2. provide personnel, training, technical assistance, data collection, and other equipment with respect to the increased apprehension, investigation, and adjudication of persons committing domestic violence, dating violence, sexual assault, and stalking on campus.
3. develop, strengthen, and implement campus policies, protocols, and services that more effectively identify and respond to the crimes of domestic violence, dating violence, sexual assault, and stalking.
4. provide prevention and education programming about domestic violence, dating violence, sexual assault, and stalking, including technological abuse and reproductive and sexual coercion, that is age-appropriate, culturally relevant, ongoing, delivered in multiple venues on campus, accessible, promotes respectful nonviolent behavior as a norm, and engages men and boys.
5. strengthen victim services programs including programs providing access to legal, medical, or psychological counseling, for victims of domestic violence, dating violence, sexual assault, and stalking, and to improve delivery of victim assistance on campus.
6. provide capital improvements (including improved security cameras and door locking systems) on campuses to address the crimes of domestic violence, dating violence, sexual assault, and stalking.
7. support improved coordination among campus administrators, campus security personnel, and local law enforcement to reduce domestic violence, dating violence, sexual assault, and stalking on campus.
8. train campus personnel in how to use a victim-centered, trauma-informed interview technique, which means asking questions of a student or a campus employee who is reported to be a victim of sexual assault, domestic violence, dating violence, or stalking, in a manner that is focused on the experience of the reported victim, that does not judge or blame the reported victim for the alleged crime, and that is informed by evidence-based research on trauma response.

If D&E is awarded an OVW Campus Program Grant, the signatories below will work in close conjunction with the proposed project and its staff in any manner that will help ensure its effective implementation throughout all relevant areas of campus life and activities.

They agree to:

- follow mutually agreed-upon protocols responding to victims of dating violence, sexual assault, domestic violence, and stalking, who are students, staff, or faculty of D&E.
- commit to working together to ensure the success of the project.
- actively participate in the first-year development phase attending meetings and

training and technical assistance sessions provided by the Office of Violence Against Women (travel and training costs covered by prime grant award through D&E)

The Centers Against Violence (CAV) is a non-profit non-governmental victim services organization that has statutory privilege within West Virginia therefore no survivor information can be disclosed to any entity without the survivor's consent. CAV was established in 1979 as a private, non-profit corporation to provide comprehensive services to victims of domestic violence, sexual assault, and stalking, in a six-county area. Centers Against Violence is a member of the West Virginia Coalition Against Domestic Violence, one of fourteen licensed domestic violence programs in West Virginia as well as a member of the West Virginia Foundation for Rape Information and Services (FRIS) and one of nine such centers throughout the state providing services to victims of sexual assault. Services are available to all regardless of race, sex, color, religion, disability, economic status, sexual orientation, or national origin.

CAV has collaborated with D&E for over 25 years in community-based efforts. Through this agreement, CAV and D&E CVPP are committed to working together to ensure seamless service delivery to victims who live on- or off campus. They are committed to working toward identifying areas for improvement that limit victims from rural communities in obtaining assistance. Through this subcontract, CAV will work with D&E to ensure that victims receive comprehensive assistance. **CAV will receive a reimbursable subaward totaling $85,000 (anticipated October 2025-September 2028) to:**

1. provide 24-hour accessibility to direct victim services, including referrals and follow up for legal assistance, medical attention, or psychological counseling.

2. coordinate and provide training to the campus and law enforcement community.

3. offer cross-consultation, pertinent information, statistics, and educational materials to the program through serving on the Coordinated Community Response (CCR) team.

The Elkins Police Department's mission is to provide public safety and maintain order while upholding the United States Constitution and the West Virginia Constitution. The department consists of a police chief, fourteen sworn law enforcement officers, and two non-sworn administrative personnel. D&E does not have a campus police department; therefore, the Elkins Police Department has worked collaboratively with D&E public safety officers since its inception. Through this agreement, **the Police Department will receive a reimbursable subaward of $8,000 (anticipated October 2025-September 2028) to cover staff and travel costs associated with:**

1. participating in professional training regarding sexual assault and relationship violence

2. refer sexual assault, dating violence, domestic violence, and stalking victims who are students or staff of the college to D&E CVPP/CAV for crisis intervention and advocacy.

3. share pertinent information and statistics regarding cases involving D&E students and staff.

4. provide consultation with D&E CVPP while serving on the Coordinated Community Response (CCR) team.

Members of this coordinated community response to violence against women are dedicated to an ongoing evaluation of services and to expanding membership to include representatives from constituency groups that work to provide services to underrepresented communities. Representatives of each group met to discuss each entity's goals in the development of this project and the mechanism for reimbursing each partner that is being compensated by the grant funding. All signatories have reviewed and approved of the proposed budget.

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President, Davis & Elkins College **Date**

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Executive Director, Centers Against Violence **Date**

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Elkins Police Department **Date**