



City of Elkins

Personnel Committee Meeting

January 5, 2026

1:00 PM

Phil Gainer Community Center
142 Robert E. Lee Ave. Ext.

Charter Authority of the Personnel Committee: Review and propose to Council employment policies, including employee compensation and benefits and an employee handbook. Review applications for primary staff positions recommended by the Mayor and make hiring recommendations to Council.

AGENDA

1. **Call to Order and Roll Call**
2. **Public Comment**
3. **Minutes**
 - a. Proposed minutes for the meeting of December 1, 2025.
4. **Reports**
5. **New Business**
 - a. NeoGov update
 - b. HRIS withdrawals
 - c. Revise city policy concerning grievance process
 - d. City overtime
 - e. HR Director Vacancy
6. **Announcements**
7. **Adjournment**



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	January 5, 2026
Section:	Minutes
Category:	Action Item
Agenda Item Name:	Proposed minutes for the meeting of December 1, 2025.
Recommended By:	
Summary:	
Fiscal Impact:	
Recommendation:	
Attachments:	1. Personnel Committee - 2025_12_01 - minutes_proposed

PERSONNEL COMMITTEE MEETING MINUTES

*Phil Gainer Community Center
142 Robert E. Lee Ave. Ext.
December 1, 2025
1:00 p.m.*

Present were members: C. Kerns(acting chair) and L. Severino.

Councilor Thompson was absent.

Also present were Mike Kesecker (operations manager), Tracy Judy (treasurer), Steve Himes (fire chief), Travis Bennett (police chief), Joshua Martin (human resources), Wes Lambert (water chief operator), Sutton Stokes (city clerk), and Mikayla Goins (executive secretary).

MINUTES

Severino **MOVED APPROVAL OF THE MINUTES OF THE JOINT MEETING OF THE PERSONNEL AND FINANCE COMMITTEES OF NOVEMBER 17, 2025.** The motion carried.

NEW BUSINESS

a. Revise city policy concerning grievance process

The committee discussed amendments to the City Policy Concerning the grievance process.
No action taken.

b. Authorize posting of HR Director position

The Committee Discussed the posting of the HR Director position.

Severino **MOVED THAT THE HUMAN RESOURCES DIRECTOR POSITION BE POSTED INTERNALLY ON MONDAY, DECEMBER 8TH FOR 5 DAYS, WITH EXTERNAL POSTING TO FOLLOW IF THERE ARE NO APPLICANTS.** This would not preclude the Committee later ordering an external posting if needed. The motion carried.

Kerns **MOVED THAT AN UPDATED DRAFT OF THE HUMAN RESOURCES DIRECTOR JOB DESCRIPTION BE PREPARED INDICATING THE POSITION'S PLACE IN THE ORGANIZATIONAL CHART, THE FACT THAT IS REMOTE ELIGIBLE, AND THE FACT THAT IT IS SALARIED/EXEMPT, WITH PREFERENCE GIVEN TO CANDIDATES EXPERIENCED WITH HR AT PUBLIC AGENCIES, AND THAT THE UPDATED DRAFT BE CIRCULATED TO THE LEADERSHIP TEAM AND THE COMMITTEE.** The motion carried.

c. Review of overtime in city departments

The Committee moved discussion of item c. to the next meeting of the Personnel Committee.

The meeting adjourned at 2:00 p.m.

Name & Title

Signature



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	January 5, 2026
Section:	New Business
Category:	Presentation
Agenda Item Name:	NeoGov update
Recommended By:	HR Director
Summary:	The HR Director will update the committee concerning deployment of NeoGov HRIS
Fiscal Impact:	n/a
Recommendation:	Review presented information and consider next steps
Attachments:	None



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	January 5, 2026
Section:	New Business
Category:	Action Item
Agenda Item Name:	HRIS withdrawals
Recommended By:	City Treasurer
Summary:	<p>This item concerns NeoGov’s optional payroll payment service, which allows the vendor to initiate wire transfers for payroll taxes, garnishments, and related payments. Currently, these payments are processed in-house by the payroll clerk, requiring no third-party access to the City’s bank accounts. In working with NeoGov, the City Treasurer and HR Director have identified unanticipated banking fees and security risks associated with this NeoGov feature, including per-transaction charges and concerns expressed by the banks about providing access for third-party reverse wire drawdowns.</p> <p>The City Treasurer recommends not using this optional NeoGov service, continuing to process payroll payments in-house, and utilizing NeoGov for other HRIS functions.</p> <p>See attached memo from the City Treasurer.</p>
Fiscal Impact:	TBD
Recommendation:	No action needed unless to override the Treasurer's recommendation
Attachments:	1. Treasurer Memo 12-30-25



City of Elkins

Ph. 304-636-1414ext. 1317 Fax: 304-635-7135

401 Davis Avenue, Elkins, WV 26241

City Treasurer – Tracy R. Judy

MEMO

December 30, 2025

Some payroll services with NeoGov are causing concerns for our banks and me. Davis Trust Company, our payroll bank, states for every reverse wire drawdown for taxes, etc., there will be a \$25.00 fee per draw. Mountain Valley Bank would have payments taken for child/spousal support etc. Mountain Valley Banks Operations Manager does not feel comfortable allowing a third party to initiate the reverse wire drawn down from our bank account which has a fee of \$20.00 per draw. Mountain Valley Bank states that if the third party initiates the wire transfer and something goes wrong; the third party could wipe our account completely out with no way to recover the funds. I have asked about an ACH debit which would not cost the city anything, but I have not had a response.

One option to avoid the additional fees which were not included in the original cost, is to have the payroll clerk continue to process payments in house. The project manager for HRIS states that 25% of businesses handle their own payments.

If the committee wants to pay the additional fees and have NeoGov initiate the wire transfers, then I would recommend it go to council for approval with the understanding that there is a risk involved.



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	January 5, 2026
Section:	New Business
Category:	Action Item
Agenda Item Name:	Revise city policy concerning grievance process
Recommended By:	City Clerk
Summary:	<p>The Personnel Committee is asked to review and consider recommending the updated Employee Grievance Policy for council approval. The revisions clarify the distinction between informal concerns and formal grievances, establish a clear submission and review process, and align roles with City Code.</p> <p>Key points include:</p> <ul style="list-style-type: none"> • Grievances are formal requests; informal concerns may be discussed with supervisors. • The HR Director’s role is advisory and procedural; cannot compel actions by Administrative Officers except as authorized by law or Council. • Administrative Officers retain ultimate authority over their departments. • Mayor review is limited to grievances involving the HR Director or Administrative Officers, with Personnel Committee oversight as needed. • Updated grievance form and procedures ensure compliance with employment laws and safeguard employee rights. <p>This version will require review and approval by the HR Director, which has not yet occurred.</p>
Fiscal Impact:	n/a
Recommendation:	Consider for recommendation to council
Attachments:	<ol style="list-style-type: none"> 1. COE Memo - Grievance policy draft - 2025_11_25 2. Grievance policy draft - 2025_11_25

Memo

To: Personnel Committee

From: Sutton Stokes, City Clerk

Date: November 25, 2025

Re: Proposed revisions to Grievance Policy

On the agenda for your December 1 meeting, an item is docketed concerning needed updates to the Grievance Policy. Although at first it seemed that the update might be relatively simple, and consist mainly of substituting “HR Director” for “Mayor” in several places, in fact it was necessary to make extensive revisions.

These revisions are required both to clarify certain intended steps as well as to address the actual lines of authority over city employees. (In essence, under city code, it is not possible to assign authority over the actions of the Administrative Officers to either the HR Director or the Mayor.)

Here is a summary of the changes in the attached draft.

1. Grievances vs. Informal Concerns

- **Current Version:** No clear distinction; grievances could be formal or informal.
- **Proposed Revisions:** Grievances are **formal requests**. Employees may air concerns to supervisors informally without triggering the formal process.

2. Role of HR Director

- **Current Version:** HR Director appears to have authority to review/resolve grievances.
- **Proposed Revisions:** HR Director’s role is **advisory, compliance-focused, procedural**; cannot compel actions by other Administrative Officers. May issue temporary directives to ensure legal compliance and notify Council if needed.

3. Role of Mayor

- **Current Version:** Mayor reviews grievances as a standard step.

- **Proposed Revisions:** Mayor reviews grievances **only if they involve HR or an Administrative Officer**. Cannot compel departmental action; Personnel Committee review is advisory or for Council referral.

4. Grievance Process

- **Current Version:** Distinguishes “initial presentation” from “formal filing” (steps a–f).
- **Proposed Revisions:** All grievances **follow the formal process**. Clear submission → supervisor → Administrative Officer (or HR Director for HR grievances) → Mayor if applicable.

5. Authority Clarifications

- **Current Version:** Implies Mayor/HR Director can direct action.
- **Proposed Revisions: Administrative Officers have ultimate authority** over their departments. HR Director and Mayor may advise or investigate, but cannot compel action outside their authority. Consequences exist for failure to comply with employment law.

6. Civil Service Employees

- **Current Version:** Only mentions Civil Service Commission review if disagreement with Mayor.
- **Proposed Revisions:** Clarifies police/fire civil-service employees follow state rules; City Clerk can provide guidance.

7. Records & Form

- **Proposed Revision:** Form updated to reflect HR Director’s advisory role, Mayor involvement, and employee consultation rights. Emphasizes that neither HR Director nor Mayor can compel action by an Administrative Officer.

Overall:

Version 2 is **clearer, legally precise, and consistent** with City Code: it distinguishes informal concerns from formal grievances, clarifies authority limits, streamlines the process, and aligns the grievance form with updated roles.

##

CITY OF ELKINS

EMPLOYEE GRIEVANCE PROCEDURE

A **grievance** is a formal request by an employee or group of employees for personal relief in a matter subject to the control of the municipal government. It may include any dispute or disagreement about any term or condition of employment including safety on the job.

Employees may also air concerns or complaints to their supervisor for information, clarification, or informal discussion. This should usually be considered the first step in seeking relief concerning any workplace dispute or disagreement. At this initial, informal level, such communications do not constitute a formal grievance and do not trigger the formal grievance review process.

All employees have the right to ask questions, share concerns, or present a grievance without fear of reprisal or interference; the right to represent themselves or to be represented by a co-worker; and the right to have a reasonable amount of time to pursue the grievance.

Nothing in this policy is intended to limit or restrict the ability of any employee to consult with the HR Director for advice, information, or assistance. However, because City Code §32.02 assigns ultimate administrative authority over each department to the appropriate Administrative Officer, the HR Director does not have authority to compel actions by Administrative Officer, except as separately provided under law or by Council resolution, as appropriate.

As stated in Section 1.B of this manual, in circumstances where a grievance involves a potential violation of local, state, or federal employment law, the HR Director is authorized to override city personnel policies to ensure compliance, with prompt notice to Council of any such action.

1. General Provisions

All grievances should be settled at the lowest organizational level and in the shortest amount of time possible. The routing of formal grievances will generally follow this chain:

- Direct supervisor
- Departmental Administrative Officer

(In some departments, the Administrative Officer is also the direct supervisor. Also, the HR Director is assigned to the same level as Administrative Officers in the city's organizational chart, that is, as a direct report to Council. Therefore, for the purpose of grievances within the HR Department, the HR Director's role is equivalent to the role of Administrative Officers concerning grievances originating within their departments.)

City Code §32.02 assigns ultimate administrative authority over each department to its respective Administrative Officer, so the HR Director's role is advisory, compliance-focused, and procedural, rather than authoritative over non-HR departments. In general, neither the HR

Director nor the Mayor may compel an Administrative Officer to take action in response to a grievance.

However, in cases in which the HR Director has identified a violation of employment law that an Administrative Officer declines to correct, the HR Director shall immediately notify Council. Nothing in this policy relieves an Administrative Officer of consequences, including but not limited to legal liability and/or sanction or termination by Council, for failing to comply with relevant employment laws and regulations.

If an Administrative Officer or the HR Director is the subject of a grievance, the grievance shall be routed to the Mayor for review and possible referral to Council. Also as per City Code §32.02, the Mayor's ability to compel action by the HR Director or any Administrative Officer is extremely limited.

2. Formal Grievance Process

All grievances, regardless of where they originate, shall follow the **formal grievance process**:

1. Submission

Complete a City Grievance Form including all relevant facts, dates, times, names of witnesses, and other information bearing on the grievance. Indicate any actions or recommendations already made by the supervisor and why they are not adequate. Submit the completed form to the direct supervisor within five (5) days of the event or discovery of the grievance.

2. Supervisor Review

The supervisor shall immediately notify the appropriate Administrative Officer of the grievance and provide a copy of the form. Within two working days, the supervisor shall review the grievance with the employee, provide a written response to the grievance, and submit all documentation to the Administrative Officer.

3. Administrative Officer Review

The Administrative Officer shall review the grievance in person with the employee, may conduct or assign an investigation, and shall provide a written response to the employee within five (5) days of receipt of the grievance documentation. (For grievances originating in the HR Department, this stage of review will be performed by the HR Director.)

HR Director Involvement

Employees may consult the HR Director for guidance or assistance in preparing or understanding a grievance or its response. The HR Director may also issue temporary interpretations or directives when necessary to ensure compliance with employment law but cannot compel actions by Administrative Officers except as separately authorized by Council or law, with due consideration of City Code §32.02.

3. Grievances Involving an Administrative Officer or the HR Director

The Mayor shall review any grievance filed by or against the HR Director or any Administrative Officer. For such grievances, it may be necessary for the Mayor to consult with the HR Director (unless the HR Director is the subject of the grievance) and/or the City Attorney for guidance.

If the grievance concerns both the HR Director and the Mayor, or if the Mayor has a conflict of interest, the matter shall be reviewed by the City Attorney before being reviewed by **Council's Personnel Committee**. Although the Personnel Committee can require that the subject of the grievance appear before it to discuss same, it is limited in its ability to act or require action except for referring the matter to Council as a whole.

4. Civil Service Employees

Civil-service employees of the police and fire departments are subject to an entirely different set of rules and procedures regarding grievances as stipulated in state code and adopted in the rules of their respective civil-service commissions. Civil-service employees should consult those rules, not this policy, for guidance on the applicable grievance procedures. The City Clerk, as clerk to both the Police and Firefighters Civil Service Commissions, can provide copies of the relevant rules.

5. Records and Non-Retaliation

All records—including investigation reports, grievance forms, memoranda, and actions taken on each official grievance—will be maintained in the employee's personnel record. The fact that an employee filed a grievance will not be considered in future personnel actions.

##

CITY OF ELKINS – GRIEVANCE FORM

Name of employee filing this form:

Name of supervisor:

Date of this filing:

Date of incident:

Witnesses, if any:

Names of other employees involved:

Details of grievance:

(Use back if necessary)

Signature of employee: _____

Date filed with supervisor or Human Resources: _____

Supervisor's Section

Supervisor's response, including any solution, recommendations, suggestions, and the employee's reaction:

(Use back if necessary)

Supervisor's signature: _____

Date (within two days of filing): _____

Employee Review Following Supervisor Response

If you do not agree with the action taken by your supervisor, explain below:

(Use back if necessary)

I want this grievance formally reviewed under the City of Elkins Grievance Procedure.

Note: In all circumstances, employees may consult with the HR Director for guidance or assistance in preparing a grievance. If the grievance concerns HR personnel, this form will be routed to the Mayor in accordance with policy. Neither the HR Director nor the Mayor may compel an Administrative Officer to take action outside the scope of their departmental authority.

Sign/date here: _____

(Must be submitted within 5 days of supervisor's response)

Action by HR Director or Mayor (as applicable)

Action taken (required within 5 days of receipt):

(Use back if necessary)

Reviewer's signature (HR Director or Mayor): _____

Date of action: _____



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	January 5, 2026
Section:	New Business
Category:	Presentation
Agenda Item Name:	City overtime
Recommended By:	City Treasurer
Summary:	The Treasurer will present information about utilization of and trends in departmental overtime costs.
Fiscal Impact:	n/a
Recommendation:	Review presented information and consider next steps
Attachments:	None



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	January 5, 2026
Section:	New Business
Category:	Presentation
Agenda Item Name:	HR Director Vacancy
Recommended By:	Admin Team
Summary:	This agenda item was docketed to allow discussion and action concerning the HR Director vacancy.
Fiscal Impact:	TBD
Recommendation:	Review presented information and consider next steps
Attachments:	None