



City of Elkins

Council Meeting

June 11, 2026

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 May 21, 2026
5. **Correspondence, Notifications, and Recognitions**
 - a. Mayor's Proclamations
 1. Migraine and Headache Awareness Month - June 2026
 - b. Approved Event Requests
 1. Beander's Boo Mile Run - October 22, 2026
 - c. Building Officer's report
6. **Councilor Reports**
7. **Officer Reports**
 - a. Treasurer's report
 - b. Operations Manager's report
 - c. Fire Chief's report
 - d. Police Chief's report
 - e. Chief Utility Operator's report
 - f. Clerk's report
8. **Approval of Vendor Invoice Payments**
 - a. Vendor invoices presented for approval: May 18 through June 5, 2026

(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. Resolution 1921: Authorizing execution of agreement with WV Tax Office concerning GIS sales tax map

- b. Resolution 1922: Appointing Ann Berlin as an alternate member of the Board of Zoning Appeals
- c. Resolution 1923: Adopting a policy requiring annual driving record check for employees authorized to operate City vehicles
- d. Resolution 1924: Authorizing the Operations Manager to sign checks on City bank accounts
- e. Resolution 1925: Designate S. Campbell as City benefits manager
- f. Resolution 1926: FY 2026 General Fund Budget Revision SAO 2026-001-04
- g. Resolution 1927: FY 2026 General Fund Budget Revisions 13 – 24
- h. Resolution 1928: FY 2026 Fire Fund Budget Revision 1
- i. Resolution 1929: FY 2026 Sanitation Fund Budget Revision 1
- j. Resolution 1930: Policy concerning ad hoc funding requests
- k. Resolution 1931: Accepting and approving a proposal from Mountain Valley Bank for financing of the City Hall renovation project
- l. Resolution 1932: Accepting and authorizing execution of an agreement with Hart OS for a multi-function copier for the Fire Department
- m. Resolution 1933: Accepting and authorizing execution of an agreement with the Mills Group to design wayfinding signs, authorizing the expenditure of TIF funds, and directing the Municipal Properties Committee to assist with the project
- n. Resolution 1934: Authorizing Execution and Implementation of Professional Archiving Services Agreement with Smarsh
- o. Discussion of proposed Council rules

10. Mayor's Comments

11. Adjournment



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	June 11, 2026
Section:	Minutes
Category:	Action Item
Agenda Item Name:	Proposed minutes for the meeting of May 21, 2026
Recommended By:	City Clerk
Summary:	Minutes proposed for the referenced meeting
Fiscal Impact:	n/a
Recommendation:	Consider for approval
Attachments:	1. city council - 2026_05_21 - minutes_proposed

Proposed Minutes

ELKINS COMMON COUNCIL MEETING MINUTES

***Phil Gainer Community Center
142 Robert E Lee Ave. Ext.
Elkins, WV 26241
May 21, 2026
7:00 p.m.***

Elkins Common Council met as above. Present were Mayor Jerry A. Marco; Councilors N.E. Bross-Fregonara, A.C. Carroll, R.C. Chenoweth, G.M. Hinchman, B.C. Kerns, C.C. Lowther, E. L. Plishka, L.S. Severino, C.H. Thompson, and B.A. Woods; Fire Chief S.D. Himes; Operations Manager M. Kesecker; Police Captain R. Belt; and City Clerk S.R. Stokes (recording secretary).

Attorney G. S. Roberts; City Treasurer T. Judy; and Police Chief T. Bennett were absent.

PUBLIC COMMENT

There was no public comment.

MINUTES

Woods **MOVED APPROVAL OF THE MINUTES FOR THE MEETING OF MAY 7, 2026.** The motion carried.

CORRESPONDENCE, NOTIFICATIONS, AND RECOGNITIONS

- a. Mayor's Proclamations
 - 1. Apraxia Awareness Day – May 14, 2026
 - 2. National Police Week - May 10-16, 2026 & Peace Officer Memorial Day - May 15, 2026
- b. Approved Event Requests
 - 1. Arts Center Annual Fundraiser Dinner – May 15, 2026

COUNCILOR REPORTS

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

STAFF REPORTS

- a. City Treasurer T. Judy provided a written report (attached).
- b. Operations Manager M. Kesecker provided a verbal report.
- 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 written report (attached).

Proposed Minutes

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 May 4 – May 15, 2026

NEW BUSINESS

- a. Resolution 1916: Authorizing Conditions of Contract between Mitchel Tree Care, LLC and Landscape Consulting LLC and the City of Elkins Authorizing Execution of Contract for FY 2027.**

Bross-Fregonara MOVED APPROVAL OF RESOLUTION 1916. The motion carried.

- b. Resolution 1917: Adoption of new organization chart restructuring the Human Resources Department.**

Thompson MOVED APPROVAL OF RESOLUTION 1917. Carroll MOVED TO AMEND THE RESOLUTION TO ADD AN EFFECTIVE DATE OF JUNE 6, 2026. The motion to amend carried.
The main motion carried.

- c. Resolution 1918: Accepting the terms of and authorizing the execution of a contract with USDA APHIS for FY 2027.**

Carroll MOVED APPROVAL OF RESOLUTION 1918. The motion carried.

- d. Resolution 1919: Authorizing advancement of Certain TIF District #1 Projects and Related Engineering and Procurement Actions.**

Bross-Fregonara MOVED APPROVAL OF RESOLUTION 1919. The motion carried.

- e. Resolution 1920: Approving a Memorandum of Understanding with Woodlands Development Group Concerning TIF District #1 Project Coordination Services**

Carroll MOVED APPROVAL OF RESOLUTION 1920. The motion carried.

The meeting was adjourned at 7:38 p.m.

Attest: S.R. Stokes, City Clerk

Jerry A. Marco, Mayor



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	June 11, 2026
Section:	Correspondence, Notifications, and Recognitions
Category:	Presentation
Agenda Item Name:	Migraine and Headache Awareness Month - June 2026
Recommended By:	
Summary:	
Fiscal Impact:	
Recommendation:	
Attachments:	None



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	June 11, 2026
Section:	Correspondence, Notifications, and Recognitions
Category:	Presentation
Agenda Item Name:	Beander's Boo Mile Run - October 22, 2026
Recommended By:	
Summary:	
Fiscal Impact:	
Recommendation:	
Attachments:	None



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	June 11, 2026
Section:	Correspondence, Notifications, and Recognitions
Category:	Presentation
Agenda Item Name:	Building Officer's report
Recommended By:	Building and Code Enforcement Officer
Summary:	The attached report shows building permits issued 05/05/2026-06/09/2026. There were 33 projects with a total valuation of \$454,706.00 Zoning permits show 1 new business There are currently 43 structures registered as vacant. A new cycle of billing has started and 9 have been billed with \$2200 collected.
Fiscal Impact:	See summary
Recommendation:	Review presented information
Attachments:	1. Building Permits - 2026-06-11

The attached report shows building permits issued 05/05/2026-06/09/2026. There were 33 projects with a total valuation of \$454,706.00

Zoning permits show 1 new business

There are currently 43 structures registered as vacant. A new cycle of billing has started and 9 have been billed with \$2200 collected.

BUILDING PERMITS

6/09/2026 12:36 PM PROJECT MASTER REPORT PAGE: 1
PROJECTS: THRU ZZZZZZZZZZ REPORT SEQUENCE: Project
PROJECT TYPE: Exclude: BPZONING CONTRACTOR CLASS: All - All Contractor Classes
CONTRACTORS: All
APPLIED DATES: 5/05/2026 THRU 6/09/2026 EXPIRE DATES: 0/00/0000 THRU 99/99/9999
STATUS INCLUDED: All ISSUED DATES: 0/00/0000 THRU 99/99/9999
=====

PROJECT: 240716 - RESIDENTIAL FENCE TYPE: FENCE-RES RESIDENTIAL FENCE
PROPERTY: 304 HINKLE ST
APPLIED DATE: 5/05/2026 ISSUED DATE: 5/05/2026 EXPIRATION DATE: 11/04/2026 COMPLETION DATE: 0/00/0000
CONTRACTOR: ISSUED TO: KYLE, KAREN
304 HINKLE ST
ELKINS, WV 26241
SQUARE FEET: 276
DWELLING TYPE: PRIVATE UNITS: 1
STATUS: OPEN BALANCE: 0.00

PROJECT: 240718 - COMMERCIAL REMODEL TYPE: BC-REM COMMERCIAL REMODEL
PROPERTY: 312 WILSON ST
APPLIED DATE: 5/05/2026 ISSUED DATE: 5/05/2026 EXPIRATION DATE: 11/04/2026 COMPLETION DATE: 0/00/0000
CONTRACTOR: CONSTRUCTI CONSTRUCTION BY RQ LLC ISSUED TO: GOOD SHEPHERD ASSEMBLY OF GOD
809 MAIN ST
BEVERLY, WV 26253 ELKINS, WV 26241
SQUARE FEET: 220
DWELLING TYPE: PRIVATE UNITS: 1
STATUS: OPEN BALANCE: 0.00

PROJECT: 240719 - RESIDENTIAL REMODEL TYPE: BR-REM RESIDENTIAL REMODEL
PROPERTY: 252 TERRACE AVE
APPLIED DATE: 5/05/2026 ISSUED DATE: 5/05/2026 EXPIRATION DATE: 11/04/2026 COMPLETION DATE: 0/00/0000
CONTRACTOR: BASEMENTA BASEMENT AUTHORITY OF WV ISSUED TO: MCCUTCHEON, ROBERT
132 ROCKY STEP RD
SCOTT DEPOT, WV 25560 ELKINS, WV 26241
SQUARE FEET: 51
DWELLING TYPE: PRIVATE UNITS: 1
STATUS: OPEN BALANCE: 0.00

PROJECT: 240720 - RESIDENTIAL FENCE TYPE: FENCE-RES RESIDENTIAL FENCE
PROPERTY: 104 WESTVIEW DR
APPLIED DATE: 5/05/2026 ISSUED DATE: 5/05/2026 EXPIRATION DATE: 11/04/2026 COMPLETION DATE: 0/00/0000
CONTRACTOR: ISSUED TO: NICHOLS, ALYSSA
104 WESTVIEW DR
ELKINS, WV 26241
SQUARE FEET: 1
DWELLING TYPE: PRIVATE UNITS: 1
STATUS: OPEN BALANCE: 0.00

PROJECT: 240722	- RESIDENTIAL WINDOWS	TYPE: WIND-RES	RESIDENTIAL WINDOWS
PROPERTY:	203 FERNDAL DR		
APPLIED DATE:	5/05/2026	ISSUED DATE:	5/05/2026
CONTRACTOR:		EXPIRATION DATE:	11/04/2026
		COMPLETION DATE:	0/00/0000
		ISSUED TO:	BURKE, DANA
			84 FALCOLM DR
			BOWDEN, WV 26254
SQUARE FEET:	1		
DWELLING TYPE:	PRIVATE	UNITS:	1
STATUS:	OPEN	BALANCE:	0.00
PROJECT: 240723	- RESIDENTIAL ROOFING	TYPE: ROOF-RES	RESIDENTIAL ROOFING
PROPERTY:	108 WHITE OAK LN		
APPLIED DATE:	5/07/2026	ISSUED DATE:	5/07/2026
CONTRACTOR:	J&D ROOF J&D ROOFING & CONSTRUCTION LLC	EXPIRATION DATE:	11/06/2026
	25 DORCEE LANE	COMPLETION DATE:	0/00/0000
	BEVERLY, WV 26253	ISSUED TO:	ZHAO, SAI HUI
			108 WHITE OAK LANE
			ELKINS, WV 26241
SQUARE FEET:	4,200		
DWELLING TYPE:	PRIVATE	UNITS:	1
STATUS:	OPEN	BALANCE:	0.00
PROJECT: 240724	- RESIDENTIAL ROOFING	TYPE: ROOF-RES	RESIDENTIAL ROOFING
PROPERTY:	793 N RANDOLPH AVE		
APPLIED DATE:	5/07/2026	ISSUED DATE:	5/07/2026
CONTRACTOR:		EXPIRATION DATE:	11/06/2026
		COMPLETION DATE:	0/00/0000
		ISSUED TO:	TINGLER, FREDDIE
			310 FINDLEY ST
			ELKINS, WV 26241
SQUARE FEET:	720		
DWELLING TYPE:	PRIVATE	UNITS:	1
STATUS:	OPEN	BALANCE:	46.60
PROJECT: 240725	- RESIDENTIAL ROOFING	TYPE: ROOF-RES	RESIDENTIAL ROOFING
PROPERTY:	26 PLEASANT AVE		
APPLIED DATE:	5/07/2026	ISSUED DATE:	5/07/2026
CONTRACTOR:		EXPIRATION DATE:	11/06/2026
		COMPLETION DATE:	0/00/0000
		ISSUED TO:	COFFMAN, STACY
			PO BOX 2087
			ELKINS, WV 26241
SQUARE FEET:	1,300		
DWELLING TYPE:	PRIVATE	UNITS:	1
STATUS:	OPEN	BALANCE:	0.00
PROJECT: 240726	- RESIDENTIAL ACCESSORY BUILDING	TYPE: BR-ACC	RESIDENTIAL ACCESSORY BLD
PROPERTY:	122 BRUCE ST		
APPLIED DATE:	5/07/2026	ISSUED DATE:	5/07/2026
CONTRACTOR:	MORGAN MORGAN ELECTRICAL MAINT LLC	EXPIRATION DATE:	11/06/2026
	131 VECTOR AVENUE	COMPLETION DATE:	0/00/0000
	ELKINS, WV 26241	ISSUED TO:	COOPER, TINA
			225 BRUCE ST
			ELKINS, WV 26241
SQUARE FEET:	448		
DWELLING TYPE:	PRIVATE	UNITS:	1
STATUS:	OPEN	BALANCE:	0.00
PROJECT: 240727	- RESIDENTIAL REMODEL	TYPE: BR-REM	RESIDENTIAL REMODEL
PROPERTY:	125 VECTOR AVE		
APPLIED DATE:	5/07/2026	ISSUED DATE:	5/07/2026
CONTRACTOR:		EXPIRATION DATE:	11/06/2026
		COMPLETION DATE:	0/00/0000
		ISSUED TO:	LOWTHER, ROBERT
			125 VECTOR AVE
			ELKINS, WV 26241
SQUARE FEET:	120		
DWELLING TYPE:	PRIVATE	UNITS:	2

STATUS: OPEN	BALANCE:	0.00		
PROJECT: 240728 - RESIDENTIAL ELECTRICAL TYPE: ELEC-RES RESIDENTIAL ELECTRICAL				
PROPERTY:	1004 COLE AVE			
APPLIED DATE:	5/13/2026	ISSUED DATE:	5/13/2026	EXPIRATION DATE: 11/12/2026 COMPLETION DATE: 0/00/0000
CONTRACTOR:	CRITSELEC CRITES ELECTRIC INC	ISSUED TO:	SPANITZ, CHARLES	
	50 S KANAWHA ST		PO BOX 625	
	BUCKHANNON, WV 26201		ELKINS, WV 26241	
SQUARE FEET:	1			
DWELLING TYPE:	PRIVATE	UNITS:	1	
STATUS: OPEN	BALANCE:	0.00		
PROJECT: 240729 - RESIDENTIAL REMODEL TYPE: BR-REM RESIDENTIAL REMODEL				
PROPERTY:	206 ALEXANDER AVE			
APPLIED DATE:	5/13/2026	ISSUED DATE:	5/13/2026	EXPIRATION DATE: 11/12/2026 COMPLETION DATE: 0/00/0000
CONTRACTOR:	ACCULEVEL ACCULEVEL, INC	ISSUED TO:	STIVERS, CHARLES H JR	
	8233 W STATE RD 26		206 ALEXANDER AVE	
	ROSSVILLE, IN 46065		ELKINS, WV 26241	
SQUARE FEET:	1,900			
DWELLING TYPE:	PRIVATE	UNITS:	1	
STATUS: OPEN	BALANCE:	0.00		
PROJECT: 240732 - SIGN TYPE: SIGN SIGN				
PROPERTY:	450 ELEVENTH ST			
APPLIED DATE:	5/13/2026	ISSUED DATE:	5/13/2026	EXPIRATION DATE: 11/12/2026 COMPLETION DATE: 0/00/0000
CONTRACTOR:	ATLAS ATLAS SIGN & LIGHTING LLC	ISSUED TO:	KROGER #730	
	168 SAINT IVES WAY		PO BOX 305103	
	ZELIENOPLE, PA 16063		NASHVILLE, TN 37230-5103	
SQUARE FEET:	206			
DWELLING TYPE:	PRIVATE	UNITS:	3	
STATUS: OPEN	BALANCE:	0.00		
PROJECT: 240733 - RESIDENTIAL DECK TYPE: DECK-RES RESIDENTIAL DECK				
PROPERTY:	103 1/2 FIRST ST			
APPLIED DATE:	5/13/2026	ISSUED DATE:	5/13/2026	EXPIRATION DATE: 11/12/2026 COMPLETION DATE: 0/00/0000
CONTRACTOR:		ISSUED TO:	MESSINGER, DAVID C III	
			103 1/2 FIRST ST	
			ELKINS, WV 26241	
SQUARE FEET:	264			
DWELLING TYPE:	PRIVATE	UNITS:	1	
STATUS: OPEN	BALANCE:	0.00		
PROJECT: 240735 - RESIDENTIAL ROOFING TYPE: ROOF-RES RESIDENTIAL ROOFING				
PROPERTY:	136 RIVERVIEW DR			
APPLIED DATE:	5/14/2026	ISSUED DATE:	5/14/2026	EXPIRATION DATE: 11/13/2026 COMPLETION DATE: 0/00/0000
CONTRACTOR:	MIDDLEMNT MIDDLE MOUNTAIN CONSTRUCTION	ISSUED TO:	VANNOY, HARRY & DIANE	
	14885 ALLEGHENY HYW		136 RIVERVIEW DR	
	BOWDEN, WV 26254		ELKINS, WV 26241	
SQUARE FEET:	1,200			
DWELLING TYPE:	PRIVATE	UNITS:	1	
STATUS: OPEN	BALANCE:	61.00		
PROJECT: 240736 - RESIDENTIAL FENCE TYPE: FENCE-RES RESIDENTIAL FENCE				
PROPERTY:	110 FIFTEENTH ST			
APPLIED DATE:	5/15/2026	ISSUED DATE:	5/15/2026	EXPIRATION DATE: 11/14/2026 COMPLETION DATE: 0/00/0000
CONTRACTOR:		ISSUED TO:	KING, SHERRY	
			110 FIFTEENTH ST	
			ELKINS, WV 26241	
SQUARE FEET:	38			

DWELLING TYPE: PRIVATE	UNITS: 1		
STATUS: OPEN	BALANCE:	0.00	
PROJECT: 240737 - RESIDENTIAL ELECTRICAL			
PROPERTY: 222 WORTH AVE		TYPE: ELEC-RES	RESIDENTIAL ELECTRICAL
APPLIED DATE: 5/20/2026	ISSUED DATE: 5/20/2026	EXPIRATION DATE: 11/19/2026	COMPLETION DATE: 0/00/0000
CONTRACTOR: DAVESMITHE DAVE-SMITH ELECTRIC		ISSUED TO: ROACH, TRACY	
PO BOX 232		40 CHERRY ST	
VALLEY BEND, WV 26293		ELKINS, WV 26241	
SQUARE FEET: 1			
DWELLING TYPE: PRIVATE	UNITS: 1		
STATUS: OPEN	BALANCE:	0.00	
PROJECT: 240738 - RESIDENTIAL ROOFING			
PROPERTY: 23 MOORE ST		TYPE: ROOF-RES	RESIDENTIAL ROOFING
APPLIED DATE: 5/22/2026	ISSUED DATE: 5/22/2026	EXPIRATION DATE: 11/21/2026	COMPLETION DATE: 0/00/0000
CONTRACTOR: ANDREW ANDREW'S METAL ROOFING LLC		ISSUED TO: LOCK, MICHAEL	
7800 MORGANTOWN PIKE		PO BOX 2364	
MONTROSE, WV 26241		ELKINS, WV 26241	
SQUARE FEET: 1,248			
DWELLING TYPE: PRIVATE	UNITS: 1		
STATUS: OPEN	BALANCE:	0.00	
PROJECT: 240739 - COMMERCIAL SIDEWALK/DRIVEWAY			
PROPERTY: 302 FIRST ST		TYPE: BC-SIDE	COM SIDEWALK/DRIVEWAY
APPLIED DATE: 5/26/2026	ISSUED DATE: 5/26/2026	EXPIRATION DATE: 6/01/2026	COMPLETION DATE: 0/00/0000
CONTRACTOR: CJ'SCONCRE CJ'S CONCRETE & CONSTRUCTION		ISSUED TO: HOLY TRINITY LUTHERAN CHURCH	
RT 3 BOX 75		302 FIRST ST	
BELINGTON, WV 26250		ELKINS, WV 26241	
SQUARE FEET: 1,000			
DWELLING TYPE: PRIVATE	UNITS: 1		
STATUS: OPEN	BALANCE:	0.00	
PROJECT: 240740 - RESIDENTIAL DEMOLITION			
PROPERTY: 119 HEAVNER AVE		TYPE: DEMO-RES	RESIDENTIAL DEMOLITION
APPLIED DATE: 5/26/2026	ISSUED DATE: 5/26/2026	EXPIRATION DATE: 11/25/2026	COMPLETION DATE: 0/00/0000
CONTRACTOR:		ISSUED TO: EARNHART, CHRISTINE & TIM	
		119 HEAVNER AVE	
		ELKINS, WV 26241	
SQUARE FEET: 1,000			
DWELLING TYPE: PRIVATE	UNITS: 1		
STATUS: OPEN	BALANCE:	0.00	
PROJECT: 240741 - COMMERCIAL REMODEL			
PROPERTY: 104 DAVIS AVE		TYPE: BC-REM	COMMERCIAL REMODEL
APPLIED DATE: 5/26/2026	ISSUED DATE: 5/26/2026	EXPIRATION DATE: 11/25/2026	COMPLETION DATE: 0/00/0000
CONTRACTOR: BURKHOLDER BURKHOLDER ENTERPRISE		ISSUED TO: SENECA MALL LLC	
5698 MORGANTOWN PIKE		108 THIRD ST	
BELINGTON, WV 26250		ELKINS, WV 26241	
SQUARE FEET: 3,092			
DWELLING TYPE: PRIVATE	UNITS: 5		
STATUS: OPEN	BALANCE:	534.20	
PROJECT: 240742 - RESIDENTIAL ROOFING			
PROPERTY: 1612 TAYLOR AVE		TYPE: ROOF-RES	RESIDENTIAL ROOFING
APPLIED DATE: 5/28/2026	ISSUED DATE: 5/28/2026	EXPIRATION DATE: 11/27/2026	COMPLETION DATE: 0/00/0000
CONTRACTOR: T-ROY T-ROY		ISSUED TO: LOTHES, JOHN	
6807 PARSONS ROAD		18 BOUNDARY AVE	
MONTROSE, WV 26283		ELKINS, WV 26241	

SQUARE FEET:	1,200				
DWELLING TYPE:	PRIVATE	UNITS:	1		
STATUS:	OPEN	BALANCE:		0.00	
PROJECT: 240743 - RESIDENTIAL PLUMBING TYPE: PLB-RES RESIDENTIAL PLUMBING					
PROPERTY:	131 VECTOR AVE				
APPLIED DATE:	5/28/2026	ISSUED DATE:	5/28/2026	EXPIRATION DATE:	11/27/2026 COMPLETION DATE: 0/00/0000
CONTRACTOR:				ISSUED TO:	MORGAN, RANDY A 131 VECTOR AVE ELKINS, WV 26241
SQUARE FEET:	400				
DWELLING TYPE:	PRIVATE	UNITS:	1		
STATUS:	OPEN	BALANCE:		0.00	
PROJECT: 240744 - RESIDENTIAL REMODEL TYPE: BR-REM RESIDENTIAL REMODEL					
PROPERTY:	246 DIAMOND ST				
APPLIED DATE:	5/28/2026	ISSUED DATE:	5/28/2026	EXPIRATION DATE:	11/27/2026 COMPLETION DATE: 0/00/0000
CONTRACTOR:				ISSUED TO:	LITTLE ACORN PROPERTIES LLC 242 DIAMOND STREET ELKINS, WV 26241
SQUARE FEET:	705				
DWELLING TYPE:	PRIVATE	UNITS:	1		
STATUS:	OPEN	BALANCE:		127.30	
PROJECT: 240746 - RESIDENTIAL ELECTRICAL TYPE: ELEC-RES RESIDENTIAL ELECTRICAL					
PROPERTY:	121 VALLEY CT				
APPLIED DATE:	6/03/2026	ISSUED DATE:	6/03/2026	EXPIRATION DATE:	12/04/2026 COMPLETION DATE: 0/00/0000
CONTRACTOR:	CRITSELEC CRITES ELECTRIC INC 50 S KANAWHA ST BUCKHANNON, WV 26201			ISSUED TO:	HARPER, PATRICIA & CHRI 121 VALLEY CT ELKINS, WV 26241
SQUARE FEET:	1				
DWELLING TYPE:	PRIVATE	UNITS:	1		
STATUS:	OPEN	BALANCE:		0.00	
PROJECT: 240747 - RESIDENTIAL ROOFING TYPE: ROOF-RES RESIDENTIAL ROOFING					
PROPERTY:	200 WILSON ST				
APPLIED DATE:	6/05/2026	ISSUED DATE:	6/05/2026	EXPIRATION DATE:	12/06/2026 COMPLETION DATE: 0/00/0000
CONTRACTOR:	BLACKMOUNT BLACK MOUNTAIN CONTRACTS 106 GILMORE STREET, APT G ELKINS, WV 26241			ISSUED TO:	ELZA, JOHN 200 WILSON ST ELKINS, WV 26241
SQUARE FEET:	796				
DWELLING TYPE:	PRIVATE	UNITS:	1		
STATUS:	OPEN	BALANCE:		0.00	
PROJECT: 240748 - RESIDENTIAL PLUMBING TYPE: PLB-RES RESIDENTIAL PLUMBING					
PROPERTY:	100 VERNON AVE				
APPLIED DATE:	6/05/2026	ISSUED DATE:	6/05/2026	EXPIRATION DATE:	12/06/2026 COMPLETION DATE: 0/00/0000
CONTRACTOR:	CONSTRUCTI CONSTRUCTION BY RQ LLC 809 MAIN ST BEVERLY, WV 26253			ISSUED TO:	BONNER, GENE & MADONNA 100 VERNON AVE ELKINS, WV 26241
SQUARE FEET:	4				
DWELLING TYPE:	PRIVATE	UNITS:	1		
STATUS:	OPEN	BALANCE:		0.00	
PROJECT: 240749 - RESIDENTIAL WINDOWS TYPE: WIND-RES RESIDENTIAL WINDOWS					
PROPERTY:	110 RIVERVIEW DR				
APPLIED DATE:	6/05/2026	ISSUED DATE:	6/05/2026	EXPIRATION DATE:	12/06/2026 COMPLETION DATE: 0/00/0000
CONTRACTOR:	HANSHAWENT HANSHAW ENTERPRISES INC 148 MIDDLETOWN RD			ISSUED TO:	ALIVETO, JOHN 110 RIVERVIEW DR

FAIRMONT, WV 26554	ELKINS, WV 26241
SQUARE FEET: 1	
DWELLING TYPE: PRIVATE UNITS: 1	
STATUS: OPEN BALANCE: 0.00	
PROJECT: 240750 - RESIDENTIAL ROOFING TYPE: ROOF-RES RESIDENTIAL ROOFING	
PROPERTY: 8 MOORE ST	
APPLIED DATE: 6/05/2026 ISSUED DATE: 6/05/2026	EXPIRATION DATE: 12/06/2026 COMPLETION DATE: 0/00/0000
CONTRACTOR: BTI BTI ENTERPRISE LLC	ISSUED TO: ANDREWS, HOWARD
1425 LAVALETTE AVENUE	8 MOORE ST
ELKINS, WV 26241	ELKINS, WV 26241
SQUARE FEET: 1,200	
DWELLING TYPE: PRIVATE UNITS: 1	
STATUS: OPEN BALANCE: 61.00	
PROJECT: 240751 - RESIDENTIAL FENCE TYPE: FENCE-RES RESIDENTIAL FENCE	
PROPERTY: 516 W MAIN ST	
APPLIED DATE: 6/08/2026 ISSUED DATE: 6/08/2026	EXPIRATION DATE: 12/09/2026 COMPLETION DATE: 0/00/0000
CONTRACTOR:	ISSUED TO: FERGUSON, JEFF & JULIE
	516 W MAIN ST
	ELKINS, WV 26241
SQUARE FEET: 1	
DWELLING TYPE: PRIVATE UNITS: 1	
STATUS: OPEN BALANCE: 0.00	
PROJECT: 240752 - RESIDENTIAL ROOFING TYPE: ROOF-RES RESIDENTIAL ROOFING	
PROPERTY: 246 TERRACE AVE	
APPLIED DATE: 6/08/2026 ISSUED DATE: 6/08/2026	EXPIRATION DATE: 12/09/2026 COMPLETION DATE: 0/00/0000
CONTRACTOR: T H ROOF TRIPLE H ROOFING LLC	ISSUED TO: COOK, NANCY
164 RED SHED LN	1103 E WILLIAMS CIRCLE
ELKINS, WV 26241	ELIZABETH CITY, NC 27909
SQUARE FEET: 1,300	
DWELLING TYPE: PRIVATE UNITS: 1	
STATUS: OPEN BALANCE: 64.00	
PROJECT: 240753 - COMMERCIAL REMODEL TYPE: BC-REM COMMERCIAL REMODEL	
PROPERTY: 4 RANDOLPH AVE	
APPLIED DATE: 6/08/2026 ISSUED DATE: 6/08/2026	EXPIRATION DATE: 12/09/2026 COMPLETION DATE: 0/00/0000
CONTRACTOR: WV013234 J C CONSTRUCTION LLC	ISSUED TO: RANDOLPH COUNTY COMMISSION
2327 BILLS CREEK ROAD	4 RANDOLPH AVE
BELINGTON, WV 26250	ELKINS, WV 26241
SQUARE FEET: 1	
DWELLING TYPE: PRIVATE UNITS: 1	
STATUS: OPEN BALANCE: 0.00	
PROJECT: 240754 - RESIDENTIAL REMODEL TYPE: BR-REM RESIDENTIAL REMODEL	
PROPERTY: 1516 TAYLOR AVE	
APPLIED DATE: 6/08/2026 ISSUED DATE: 6/08/2026	EXPIRATION DATE: 12/09/2026 COMPLETION DATE: 0/00/0000
CONTRACTOR: CONSTRUCTI CONSTRUCTION BY RQ LLC	ISSUED TO: NORWOOD, RICHARD
809 MAIN ST	1516 TAYLOR AVE
BEVERLY, WV 26253	ELKINS, WV 26241
SQUARE FEET: 24	
DWELLING TYPE: PRIVATE UNITS: 1	
STATUS: OPEN BALANCE: 25.72	

ZONING PERMITS

6/09/2026 12:43 PM PROJECT MASTER REPORT PAGE: 1
 PROJECTS: THRU ZZZZZZZZZZ REPORT SEQUENCE: Project
 PROJECT TYPE: Include: BPZONING CONTRACTOR CLASS: All - All Contractor Classes
 CONTRACTORS: All
 APPLIED DATES: 5/05/2026 THRU 6/09/2026 EXPIRE DATES: 0/00/0000 THRU 99/99/9999
 STATUS INCLUDED: All ISSUED DATES: 0/00/0000 THRU 99/99/9999
 =====

PROJECT: 240721 - ZONING PERMIT TYPE: BPZONING ZONING
 PROPERTY: 324 RANDOLPH AVE
 APPLIED DATE: 5/05/2026 ISSUED DATE: 5/05/2026 EXPIRATION DATE: 5/05/2027 COMPLETION DATE: 0/00/0000
 CONTRACTOR: ISSUED TO: LAMORA LAW PLLC
 324 RANDOLPH AVENUE
 ELKINS, WV 26241
 SQUARE FEET: 1
 DWELLING TYPE: PRIVATE UNITS: 1
 STATUS: OPEN BALANCE: 0.00

PROJECT: 240734 - ZONING PERMIT TYPE: BPZONING ZONING
 PROPERTY: 23 THIRD ST
 APPLIED DATE: 5/14/2026 ISSUED DATE: 5/14/2026 EXPIRATION DATE: 5/14/2027 COMPLETION DATE: 0/00/0000
 CONTRACTOR: ISSUED TO: ZOE'S CULINARY SERVICES
 23 3RD STREET
 ELKINS, WV 26241
 SQUARE FEET: 1
 DWELLING TYPE: PRIVATE UNITS: 1
 STATUS: OPEN BALANCE: 0.00

VACANT STRUCTURE FEES

6/09/2026 12:45 PM FEE CODE REPORT PAGE: 1
 LICENSES: THRU ZZZZZZZZZZ ORIGINATION DATE: 3/01/2026 THRU 6/09/2026
 LIC CODES: Include: CE-VAC EFFECTIVE DATE: 0/00/0000 THRU 99/99/9999
 LIC STATUS: Pending, Active EXPIRATION DATE: 0/00/0000 THRU 99/99/9999
 FEE CODES: All PRINT DATE: 0/00/0000 THRU 99/99/9999

FEE CODE: VACANT - VACANT PROPERTY FEE

LICENSE	PERIOD	LIC CODE	STATUS	REPORT	ISSUED TO	# of Years	CHARGES
24648	4/01/26 - 4/01/27	CE-VAC	Active	CODE	BARTON ROBER	3.0000	400.00
24649	4/01/26 - 4/01/27	CE-VAC	Pending	CODE	AUVIL BENJA	3.0000	400.00
24650	4/01/26 - 4/01/27	CE-VAC	Active	CODE	HIGGINS MARIE	4.0000	600.00
24651	4/01/26 - 4/01/27	CE-VAC	Pending	CODE	METHENY MICHE	3.0000	400.00
24665	4/23/26 - 4/24/27	CE-VAC	Active	CODE	MILLER LINDA	4.0000	600.00
24666	4/23/26 - 4/21/27	CE-VAC	Pending	CODE	HALLE SHANE	4.0000	600.00
24667	4/23/26 - 4/24/27	CE-VAC	Pending	CODE	LIN SHAN	4.0000	600.00
24668	4/23/26 - 4/24/27	CE-VAC	Active	CODE	WHITE DILLEY INVESTMENTS	4.0000	600.00
24679	5/20/26 - 5/06/27	CE-VAC	Pending	CODE	CORDER DEBOR	4.0000	600.00



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	June 11, 2026
Section:	Officer Reports
Category:	Presentation
Agenda Item Name:	Treasurer's report
Recommended By:	City Treasurer
Summary:	The Treasurer's Office reports that year-to-date General Fund revenues significantly exceed budget projections, driven in part by strong tax performance and project-related reimbursements, resulting in an overall positive financial position. The City maintains stable cash balances across major funds, though the Sanitation and Fire Funds continue to show operating deficits that will require monitoring. Financing options for the City Hall project have improved, with Mountain Valley Bank offering full project funding under terms comparable to USDA. Operationally, staff continue collections efforts, billing processes, and preparation of upcoming tax filings and business license renewals. Additionally, expanded use of digital payment systems presents an opportunity to improve efficiency and increase on-time collections.
Fiscal Impact:	n/a
Recommendation:	Review presented information
Attachments:	1. Treasurer report 6-11-2026 2. Treasurer's Report 2026_06_11

Office of the City Treasurer

Council Report

Date: June 8, 2026

Update since May 21, 2026, council meeting.

- **Council Reports & Attachments**

- General Fund Revenue Detail
- General Fund Revenue Trends
- FY2026 Budget Control Summary
- Bank Balances as of May 31, 2026
- Invoice Cloud Management Report
- Invoice Cloud Scorecard

- **Projects & Financing**

- Mountain Valley Bank, N.A. has offered financing for the entire City Hall Project at the same rate and terms as USDA. USDA would not commit to financing the entire project.
- Continued discussions regarding State Historic Tax Credits.

- **Treasurer Staff**

- 37 utility accounts are scheduled for shutoff on June 9th due to nonpayment of past due bills. Shutoffs were delayed in June by 5 days.
- Continue to set up payment plans for past due First Due Fire Fee accounts.
- Preparing 2026 2nd Quarter B&O returns that will be mailed out the last week of June.
- Processing FY2027 business license renewals.

- **Treasurer**

- Continuing to prepare list to submit to WV State Treasurer Unclaimed Property.
- Finalized FY2027 water budget with Wes Lambert.
- Worked with the HR Department on new timekeeping software.
- Met with Mike Kesecker and Bryson VanNostrand to go over punch list at the renovated Treasurer's Office at city hall.
- Attended Teams meeting with HR and NeoGov.
- Worked with Chief Bennett and Captain Belt on furniture for the police department by requesting quotes and placing orders.
- Sent out PSC documents to Wes Lambert and Whitney Hymes to gather information for the 2026 annual reports.

General Fund Revenue Detail

	May Revenues	YTD Revenues	Percent of Revenues Collected Per Budget	Percent of Yr. Completed 91.67
County Tax	\$45,569.23	\$1,242,257.44	99.51%	1,248,359.00
B & O Tax	\$69,162.22	\$2,398,207.52	132.86%	1,805,000.00
Hotel/Motel Tax	\$22,805.30	\$291,953.29	112.07%	260,500.00
Gas & Oil Severance Tax	\$0.00	\$17,287.38	69.15%	25,000.00
2% City Utility Tax	\$7,647.53	\$85,401.38	88.96%	96,000.00
Utility Excise Tax	\$37,837.94	\$378,628.49	114.74%	330,000.00
Liquor Tax	\$0.00	\$90,952.03	105.76%	86,000.00
Police	\$265.00	\$13,022.03	109.43%	11,900.00
Municipal Court	\$879.00	\$19,920.72	78.12%	25,500.00
Code Enforcement	\$3,121.49	\$28,824.55	82.59%	34,900.00
Business License	\$7,280.00	\$18,595.00	64.12%	29,000.00
Intergovernmental	\$60,374.94	\$377,692.68	161.82%	233,398.00
Franchise/IRP Fees	\$26,439.01	\$121,857.50	93.74%	130,000.00
Phil Gainer Community Center	\$3,975.00	\$50,771.00	101.54%	50,000.00
Misc. Revenue	\$469,858.28	\$2,989,660.40	1395.99%	214,160.00
Municipal Sales Tax	\$0.00	\$1,700,491.98	113.37%	1,500,000.00
TOTAL	\$755,214.94	\$9,825,523.39	161.61%	6,079,717.00

*****Miscellaneous revenue includes \$2,349,368.53 from Mountain Valley Bank for reimbursement of payments made from General Fund for City Hall & HVAC projects.*****

General Fund Revenue Trends

Fiscal Year	County Taxes	Gas & Oil Tax	Utility Excise Tax	2% City Utility Tax	B&Os	Liquor Tax	Hotel Tax	Sales Tax	Court Fines, Admin, Bonds	Police Equipment Fees	Parking	Licenses	Bld Permit	Franchise Fees	IRP Fees	PGCC Rents
2015	\$902,479.70	\$12,893.41	\$216,776.50	\$53,863.96	\$1,153,555.40	\$119,813.87	\$174,417.95	\$0.00	\$68,405.91	\$24,435.82	\$11,089.00	\$22,051.04	\$18,579.27	\$94,138.56	\$29,276.53	\$0.00
2016	\$967,373.43	\$25,080.54	\$326,396.20	\$51,819.80	\$1,153,521.44	\$119,145.08	\$187,257.19	\$0.00	\$58,673.50	\$18,220.50	\$6,250.00	\$9,040.00	\$21,771.59	\$97,317.42	\$47,791.40	\$4,375.00
2017	\$1,031,512.84	\$0.00	\$355,212.99	\$53,344.19	\$1,225,653.40	\$154,534.11	\$199,467.96	\$0.00	\$79,179.00	\$28,141.75	\$8,594.00	\$39,760.00	\$28,982.64	\$119,066.93	\$46,761.54	\$30,235.00
2018	\$938,105.79	\$9,308.61	\$350,505.81	\$59,761.99	\$1,349,507.00	\$120,248.05	\$191,508.65	\$0.00	\$72,302.70	\$23,985.25	\$13,861.00	\$22,767.18	\$30,496.55	\$93,607.15	\$75,668.74	\$29,625.18
2019	\$1,012,440.62	\$14,900.98	\$364,463.55	\$66,112.60	\$1,548,092.99	\$150,015.75	\$215,828.64	\$1,063,508.58	\$78,183.43	\$20,146.00	\$5,850.50	\$32,765.00	\$27,173.63	\$92,587.58	\$91,843.23	\$38,665.30
2020	\$984,846.27	\$16,857.75	\$282,602.19	\$58,992.41	\$1,392,751.11	\$101,501.56	\$166,565.19	\$1,131,217.46	\$84,390.82	\$20,075.38	\$949.00	\$30,620.00	\$28,798.62	\$88,668.89	\$94,967.40	\$36,456.00
2021	\$1,049,392.10	\$11,324.73	\$321,403.79	\$71,585.64	\$1,351,775.52	\$101,433.04	\$132,928.43	\$1,296,032.28	\$48,847.08	\$15,012.84	\$7,750.23	\$33,335.00	\$25,543.25	\$85,141.02	\$61,343.19	\$16,380.00
2022	\$1,040,566.71	\$12,793.05	\$322,127.84	\$74,116.04	\$1,452,717.75	\$96,851.16	\$187,146.83	\$1,471,556.01	\$50,276.32	\$14,935.40	\$12,009.79	\$29,540.00	\$28,120.75	\$78,675.36	\$63,884.41	\$37,629.00
2023	\$1,099,937.44	\$40,323.89	\$331,912.54	\$76,801.57	\$1,706,913.64	\$93,429.26	\$220,334.99	\$1,466,879.11	\$56,343.59	\$16,271.88	\$8,152.77	\$30,120.00	\$32,931.05	\$73,618.52	\$61,697.10	\$59,733.25
2024	\$1,219,144.29	\$70,881.19	\$330,202.62	\$87,336.54	\$1,764,284.46	\$87,360.62	\$246,536.29	\$1,503,742.08	\$24,424.63	\$6,135.12	\$4,796.78	\$30,200.00	\$30,818.40	\$66,273.67	\$67,381.72	\$61,740.00
2025	\$1,251,667.74	\$25,525.61	\$359,303.29	\$97,484.84	\$2,398,240.59	\$88,114.56	\$292,055.21	\$1,560,702.91	\$18,606.28	\$2,678.83	\$10,710.00	\$31,594.15	\$21,869.75	\$60,706.17	\$63,795.28	\$50,508.00
2026 thru May 31st	\$1,242,257.44	\$17,287.38	\$378,628.49	\$85,401.38	\$2,398,207.52	\$90,952.03	\$291,953.29	\$1,700,491.98	\$19,920.72	\$5,707.00	\$6,407.50	\$18,595.00	\$19,385.05	\$55,089.02	\$66,768.48	\$50,271.00

Trending Upward

Trending Downward

FY2026 Budget Control Summary

General Fund													YTD TOTALS	
Revenues	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Revenues Over Expenses	
	\$989,637.10	\$668,164.14	\$535,168.74	\$1,333,873.17	\$1,109,792.36	\$522,873.07	\$1,232,652.79	\$649,880.11	\$605,758.44	\$1,422,508.53	\$755,214.94	\$0.00	\$738,563.17	\$9,825,523.39
Expenses	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun		
	\$788,887.90	\$1,023,632.16	\$1,008,811.73	\$870,154.84	\$490,473.82	\$856,221.05	\$830,484.77	\$655,970.01	\$725,870.47	\$884,992.66	\$951,460.81	\$0.00		\$9,086,960.22
Sanitation Fund														
Revenues	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Revenues Over Expenses	
	\$142,546.84	\$134,981.63	\$150,220.49	\$133,884.66	\$129,169.38	\$129,751.55	\$129,922.60	\$113,162.96	\$130,812.46	\$129,840.84	\$118,183.50	\$0.00	-\$155,864.13	\$1,442,476.91
Expenses	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun		
	\$168,517.89	\$142,348.97	\$150,496.05	\$167,320.42	\$122,001.57	\$153,800.79	\$135,879.29	\$123,874.21	\$158,483.70	\$145,523.39	\$130,094.76	\$0.00		\$1,598,341.04
Sewer Fund														
Revenues	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Revenues Over Expenses	
	\$277,067.46	\$258,059.28	\$281,895.75	\$262,247.89	\$271,902.38	\$256,510.96	\$261,610.57	\$271,628.47	\$267,209.58	\$231,818.13	\$286,302.78	\$0.00	\$144,130.02	\$2,926,253.25
Expenses	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun		
	\$252,283.78	\$275,161.48	\$274,693.86	\$274,846.36	\$221,808.23	\$277,311.92	\$213,821.52	\$259,974.46	\$272,330.31	\$254,518.91	\$205,372.40	\$0.00		\$2,782,123.23
Water Fund														
Revenues	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Revenues Over Expenses	
	\$447,734.01	\$355,174.15	\$451,688.93	\$413,596.56	\$439,176.46	\$407,929.42	\$404,447.75	\$431,159.30	\$396,031.19	\$379,212.74	\$426,142.10	\$0.00	\$83,628.14	\$4,552,292.61
Expenses	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun		
	\$461,096.44	\$376,876.32	\$415,137.21	\$441,737.04	\$376,590.23	\$416,190.71	\$391,980.74	\$430,072.56	\$428,157.13	\$389,759.54	\$341,066.55	\$0.00		\$4,468,664.47
Fire Fund														
Revenues	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Revenues Over Expenses	
	\$44,065.19	\$75,501.80	\$75,647.18	\$46,726.73	\$70,186.87	\$126,458.96	\$46,269.86	\$92,664.75	\$187,583.05	\$203,644.43	\$88,269.41	\$0.00	-\$8,957.71	\$1,057,018.23
Expenses	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun		
	\$128,682.85	\$83,969.17	\$83,651.35	\$113,888.43	\$88,532.01	\$86,581.00	\$101,286.63	\$91,753.47	\$91,823.32	\$84,509.35	\$111,298.36	\$0.00		\$1,065,975.94
Landfill Fund														
Revenues	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Revenues Over Expenses	
	\$400.93	\$404.89	\$502.56	\$303.78	\$304.76	\$360.36	\$228.10	\$241.38	\$265.05	\$246.90	\$280.44	\$0.00	\$3,149.01	\$3,539.15
Expenses	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun		
	\$74.64	\$24.00	\$74.18	\$12.29	\$13.31	\$75.48	\$13.12	\$14.98	\$77.44	\$10.70	\$0.00	\$0.00		\$390.14

Bank Account Name	Balance as of 5/31/2026
--------------------------	------------------------------------

Elkins Municipal Building Comm.	\$0.00
Financial Stabilization	\$776,133.94
Fire Pension Fund	\$3,413,692.59
Firemen's Pension & Relief Fund	\$0.00
Grant Co Bank-Whitmer	\$6,920.19
Landfill Access Escrow	\$2,052,659.97
Landfill Post Closure	\$48,829.68
Opioid	\$25,757.27
Payroll-DTC	\$63,009.08
Payroll-MVB	\$25.00
Police Forfeitures	\$24,722.15
Police Pension Fund	\$5,588,506.15
Police Seizures	\$20,121.96
Policemen's Pension & Relief Fund	\$0.00
Pooled Cash-Coal Severance Fund	\$45,066.60
Pooled Cash-Fire Fund	\$161,839.64
Pooled Cash-General Fund	\$1,532,819.88
Pooled Cash-Landfill Fund	\$135,597.42
Pooled Cash-Parks Fund	\$822,746.55
Pooled Cash-Sanitation Fund	\$307,922.49
Pooled Cash-Sewer Fund	\$381,908.11
Pooled Cash-Water Fund	\$523,935.06
Sewer Depreciation	\$245,740.37
Sewer O&M	\$756,479.49
TIF District #1	\$216,136.22
Water Depreciation	\$115,893.53
Water O&M	\$657,240.72

Tracy Judy

From: no-reply=invoicecloud.com@mg.invoicecloud.com on behalf of InvoiceCloud <no-reply@invoicecloud.com>
Sent: Sunday, May 31, 2026 10:13 AM
To: Tracy Judy
Subject: InvoiceCloud Daily Management Report

CAUTION: This email originated from outside the organization. Do not click links or open attachments or reply unless you recognize the sender and know the content is safe. Contact Help Desk for assistance.



City of Elkins WV:

Daily Management Report for 5/31/2026:

Invoice Type	YTD #	YTD \$	MTD #	MTD \$	Day #	Day \$	Paperless #	AutoPay #
Utility	14,281	\$1,922,053.62	2,998	\$397,529.42	36	\$3,176.16	3,521	1,298
Non Utility Payments	184	\$39,496.30	47	\$4,065.75	0	\$0.00	854	0



Please consider the environment before printing this email

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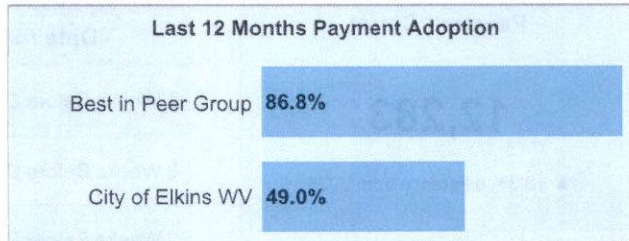
InvoiceCloud Scorecard for City of Elkins WV



Payment Adoption

Your Score:

**Room to
Grow**



Save an additional

\$22K

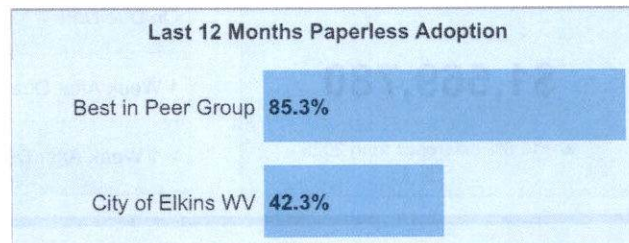
annually by increasing digital payment adoption to match the top peers in your industry

Payment adoption is the percent of invoices sent that are paid through InvoiceCloud.

Paperless Adoption

Your Score:

**Making
Strides**



Save an additional

\$18K

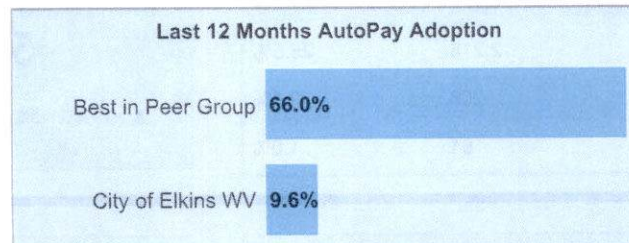
annually by increasing paperless adoption to match the top peers in your industry

Paperless adoption is the percent of invoices sent that are delivered paperlessly.

AutoPay Adoption

Your Score:

**Room to
Grow**



Collect an additional

\$5M

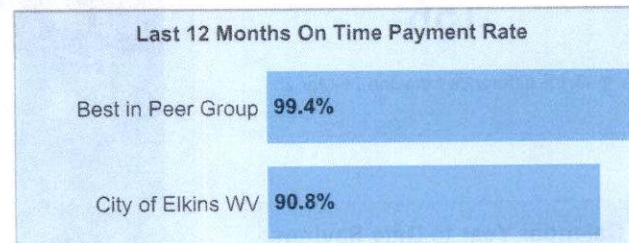
annual volume automatically by increasing AutoPay adoption to match the top peers in your industry

Autopay adoption is the percent of invoices sent that get paid with autopay.

On Time Payment Rate

Your Score:

**Room to
Grow**



Collect an additional

\$363K

annual volume paid on time by increasing your on time payment rate to match the top peers in your industry

Of all invoices paid via InvoiceCloud, the percent of which were paid on or before the invoice due date.

To evaluate your performance, we compare your data to that of the highest performer in your peer group (i.e. same vertical, pricing model, size) using data from the last 12 complete months.

Leading the Pack	90 - 100th percentile of billers
Making Strides	50 - 90th percentile of billers
Room to Grow	10 - 50th percentile of billers
Falling Behind	0 - 10th percentile of billers

Data as of



InvoiceCloud Data Report for City of Elkins WV



Jan 26-Mar 26 Payment Count

8,688

▲ +6.9% difference from Jan 25-Mar 25

Calendar Year to Date Payment Count

12,283

▲ +8.3% difference from 2025

Invoices Paid in Relation to Due Date for Jan 26-Mar 26

4 Weeks Before Due Date	0.4%
3 Weeks Before Due Date	27.6%
2 Weeks Before Due Date	17.0%
1 Week Before Due Date	21.5%
On Due Date	26.6%
1 Week After Due Date	5.3%
> 1 Week After Due Date	1.8%

Jan 26-Mar 26 Payment Volume

\$1,179,413

▲ +10.9% difference from Jan 25-Mar 25

Calendar Year to Date Payment Volume

\$1,669,780

▲ +13.8% difference from 2025

Payments by Type for Jan 26-Mar 26

	Volume	Count	% of Total Count
Credit Card	\$713,706	6,171	71.0%
EFT (Check)	\$435,403	2,218	25.5%
PayPal Brands	\$22,748	208	2.4%
Online Bank Direct	\$7,555	91	1.0%

Calendar Year to Date Payment Adoption

50.9%

▲ +11.4% difference from previous year

Jan 26-Mar 26 New Autopay Signups

169

▲ +38.5% difference from Jan 25-Mar 25

Jan 26-Mar 26 New Paperless Signups

156

▼ -3.1% difference from Jan 25-Mar 25

Calendar Year to Date Autopay Adoption

11.3%

▲ +82.8% difference from 2025

Calendar Year to Date Savings from Paperless

\$6,856

▼ -8.4% difference from 2025

Paperless Invoices by Type



■ Paperless Invoices
■ Electronic Invoices
■ Remaining Invoices

Data as of 2026-05-06



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	June 11, 2026
Section:	Officer Reports
Category:	Presentation
Agenda Item Name:	Clerk's report
Recommended By:	City Clerk
Summary:	Report on Clerk's Department activities since the last Council meeting
Fiscal Impact:	n/a
Recommendation:	Review presented information
Attachments:	1. City Clerk Report - 2026_06_11

OFFICE OF THE CITY CLERK

COUNCIL REPORT

June 11, 2026

Summary

Since the last meeting, Clerk's Department activity has focused on governance modernization, implementation planning for major projects, records-management systems, and policy development. Work continues concerning the proposed deployment of an electronic communications archiving and search system, including policy development, interdepartmental review and coordination, contract review for municipal requirements, consultation with the City of Tampa which is currently using the platform, and preparation for Council consideration.

Additional areas of focus have included coordination of the Comprehensive Plan adoption process, development of governance and administrative procedures related to FOIA and electronic communications, implementation planning for TIF-related projects, continued exploration of health insurance cost-management strategies, and work related to zoning interpretation, annexation, infrastructure coordination, and organizational continuity planning.

1. Major Projects & Planning

TIF Projects, City Hall, and Infrastructure Planning

- Worked with Woodlands Development & Lending on structure and wording for proposed resolution initiating engineering procurement process under West Virginia Code §5G and related coordination for TIF projects. (SP 3.2: TIF Revenues)
- Met with prospective local technical advisor concerning downtown audio system planning, discussed possible engagement structure, reviewed preliminary concepts, and conducted field review of downtown infrastructure and power locations. (SP 3.1: Businesses & Downtown)
- Continued planning for downtown wayfinding, event-support infrastructure, and related improvements. (SP 3.1: Businesses & Downtown; SP 3.2: TIF Revenues)

Comprehensive Plan & Development Issues

- Continued coordination of Comprehensive Plan adoption process, including organization of public input, coordination with WVU Law Clinic consultant, scheduling of hearings and legal notices, and procedural planning.

- Reviewed zoning treatment of modular housing and related interpretation issues involving modular and factory-built housing classifications. *(SP 3.4: Housing & Home Ownership)*
- Continued work concerning municipal addressing and boundary issues, including recommendation advancing North Lincoln Avenue addressing clarification to Council consideration and coordination related to State Tax Department GIS mapping tools. *(SP 1.3: Emergency Response)*

2. Governance, Records Management & Administrative Systems

- Continued work concerning proposed electronic communications archiving and search system, including consultation with the City of Tampa regarding its experience using the platform for approximately 2,500 devices, refinement of implementation proposal, and circulation of updated policy and procedural drafts prior to Council consideration. *(SP 2.1: Digital Data & IT; SP 4.2: Public-Facing Process Modernization)*
- Revised and circulated draft Communications and Devices Policy, including updates addressing operational and confidentiality concerns raised by law-enforcement personnel. *(SP 2.1: Digital Data & IT)*
- Drafted and circulated proposed FOIA protocol for electronic communications requests, including procedures intended to accommodate law-enforcement records while protecting sensitive investigative methods and information. *(SP 4.1: Transparency & Public Awareness; SP 4.2: Public-Facing Process Modernization)*
- Worked with City Attorney and Police Chief regarding response to broad FOIA requests involving historical police records and related materials.
- Provided Water Board with information concerning development of independent FOIA procedures and records-management processes. *(SP 2.1: Digital Data & IT; SP 4.2: Public-Facing Process Modernization)*
- Continued review of municipal contract language and administrative considerations related to proposed electronic records-management systems.
- Reviewed updated City GIS applications being converted to current ArcGIS platform standards and provided feedback to Region VII GIS consultant concerning functionality and usability. *(SP 2.1: Digital Data & IT)*

3. Financial Sustainability & Organizational Support

- Continued coordination with HR, Treasurer, and outside consultants concerning evaluation of self-funded and partially self-funded health insurance options and related cost-management strategies involving employee benefit structures and plan administration. *(SP 2.2: Financial Stability; SP 5.1: Recruitment & Retention)*

- Continued development of FY 2027 “budget snapshot” intended to improve public understanding of City and utility finances and infrastructure needs. (*SP 2.3: Stakeholder Participation in Budgeting; SP 4.1: Transparency & Public Awareness*)
- Initiated discussion concerning possible updates to internal financial controls and procedures related to check issuance and approval processes. (*SP 2.2: Financial Stability*)
- Continued cross-training and continuity planning with Executive Secretary in preparation for planned summer absence. (*SP 5.2: Employee Training & Development*)

4. Governance, Committees & Community Coordination

- Drafted proposed administrative guidance for Finance Committee consideration concerning handling of ad hoc outside funding requests in order to preserve meeting time and improve consistency of response procedures.
- Supported committee action adopting policy direction concerning handling of donation and sponsorship requests.
- Recruited applicant to fill current vacancy on Board of Zoning Appeals.
- Continued coordination with statewide clerks and recorders concerning planning for the 2027 IIMC Region II conference and related WVML activities. (*SP 6.1: Collaboration with Governments; SP 6.4: State & Federal Relationships*)

5. Standing Projects & Ongoing Work

Not updated every report unless material changes occur.

- Council Rules of Procedure: Draft under Council review; proposed adoption schedule circulated.
- Message Archiving & Electronic Communications Governance: Continued development of policy and technology framework for electronic communications retention, retrieval, and FOIA compliance. (*SP 2.1: Digital Data & IT; SP 4.2: Public-Facing Process Modernization*)
- FOIA Procedures & Electronic Records Requests: Continued development of updated procedures for handling FOIA requests involving electronic communications and law-enforcement records, including review protocols intended to protect sensitive investigative information while improving consistency and defensibility of responses. (*SP 4.1: Transparency & Public Awareness; SP 4.2: Public-Facing Process Modernization*)

6. Ongoing Support to Boards, Commissions & Committees

The Clerk's Department provides ongoing administrative, procedural, records-management, policy, and coordination support to Council and numerous boards, commissions, and committees, including Finance, Rules & Ordinances, Municipal Properties, Personnel, Planning Commission, Board of Zoning Appeals, Building Commission, Civil Service Commissions, TIF Advisory Committee, Leadership Team, and related bodies.



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	June 11, 2026
Section:	Approval of Vendor Invoice Payments
Category:	Action Item
Agenda Item Name:	Vendor invoices presented for approval: May 18 through June 5, 2026 <i>(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.)</i>
Recommended By:	City Treasurer
Summary:	Accounts payable transactions in all funds for the referenced period
Fiscal Impact:	Report details \$734,229.29 in transactions from all funds.
Recommendation:	Consider for approval
Attachments:	1. AP Check Report 5-18 thru 6-5-26

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
02979	Hyre's Well & Pump Service LLC							
B-CHECK	Hyre's Well & Pump Servi	VOIDED	V 5/26/2026			009327		3,250.00CR

* * 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:	1 VOID DEBITS	0.00		
	VOID CREDITS	3,250.00CR	3,250.00CR	0.00

TOTAL ERRORS: 0

VENDOR SET: 01	BANK:	TOTALS:	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
			1	3,250.00CR	0.00	0.00
BANK:		TOTALS:	1	3,250.00CR	0.00	0.00

VENDOR SET: 01 Elkins
BANK: GCBAN Grant Co Bank-Whitmer
DATE RANGE: 5/18/2026 THRU 6/05/2026

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
00140	City of Elkins							
I-CKREQ 040626 MAR	Service Invoice 03/2026	R	5/26/2026	4,082.18		000083		4,082.18
01390	Phoenix Solutions, LLC							
I-42926	Chemicals	R	5/26/2026	119.89		000084		119.89
01594	Pace Analytical Services LLC							
I-2630679470	Analytical Serv Proj 30866022	R	5/26/2026	134.00		000085		134.00
00140	City of Elkins							
I-Ckrequest5-26-26	Reimb COE water for pcard pmt	R	5/27/2026	3,250.00		000086		3,250.00
00283	Frontier							
I-042826 3042279917	Phone/Internet 0428-052726	D	5/21/2026	139.99		009228		139.99
02417	US Bank Corporate Payment Syst							
I-04/2026 Visa Pmt	Visa Stmt Pmt-Whitmer 043026	D	5/26/2026	3,250.00		009328		3,250.00
00471	FirstEnergy MP/PE							
I-051126 Whitmer	Whitmer 040726-050526	D	6/04/2026	997.28		009394		997.28

* * T O T A L S * *	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	4	7,586.07	0.00	7,586.07
HAND CHECKS:	0	0.00	0.00	0.00
DRAFTS:	3	4,387.27	0.00	4,387.27
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	

TOTAL ERRORS: 0

	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
VENDOR SET: 01 BANK: GCBANTOTALS:	7	11,973.34	0.00	11,973.34
BANK: GCBAN TOTALS:	7	11,973.34	0.00	11,973.34

VENDOR SET: 01 Elkins
BANK: PCGRN PCARD GRANT IMPORT
DATE RANGE: 5/18/2026 THRU 6/05/2026

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
02979 I-4012026	Hyre's Well & Pump Service LLC Hyre's Well & Pump Service LLC	V	5/26/2026	3,250.00		009327		3,250.00
02979 I-040126	Hyre's Well & Pump Service LLC Hyre's Well & Pump Service LLC	D	5/26/2026	3,250.00		009345		3,250.00

* * 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:	1	6,500.00	0.00	3,250.00
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	

TOTAL ERRORS: 0

	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
VENDOR SET: 01 BANK: PCGRNTOTALS:	1	6,500.00	0.00	3,250.00
BANK: PCGRN TOTALS:	1	6,500.00	0.00	3,250.00

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
02215	Tucker County Solid Waste Auth							
C-09/16/25 Credit	Credit 09/16/25 WolfeCk	N	6/02/2026	694.50CR		000000		
D-Overpayment 091625	refund on o/pay Wolfe Creek	N	6/02/2026	378.43		000000		
I-162673	Sewer Plant Grindings 10/21	N	6/02/2026	316.07		000000		
00047	Truist Governmental Finance							
I-000007 051926	9948000234-07 051926	D	5/21/2026	4,984.55		009216		4,984.55
00075	Encova Insurance							
I-37260284	WCN6010582 0402-050326	D	5/21/2026	6,725.00		009217		6,725.00
00385	John Deere Financial							
I-3155410	0300078263 052026	D	5/21/2026	1,697.03		009218		1,697.03
00471	FirstEnergy MP/PE							
I-043026 Teaberry	Teaberry Hills 033126-042826	D	5/21/2026	52.04		009219		52.04
00471	FirstEnergy MP/PE							
I-050126 ElkinsComm	Elkins Comm Lts 050126	D	5/21/2026	10,335.74		009220		10,335.74
00484	Mountaineer Gas Company							
I-050126 Bearhunter	Bearhunter 031926-042126	D	5/21/2026	50.75		009221		50.75
00484	Mountaineer Gas Company							
I-050126 Scott Fd	Scott Fd Rd 032026-042226	D	5/21/2026	40.01		009222		40.01
02347	LEAF							
I-20194439	Toshiba E478S 051826	D	5/21/2026	85.00		009223		85.00
02347	LEAF							
I-20194440	Toshiba E478S 051826	D	5/21/2026	85.00		009224		85.00
02347	LEAF							
I-20224990	Toshiba/Lex 052426	D	5/21/2026	629.69		009225		629.69
02347	LEAF							
I-20230734	Toshiba E4515AC 052526	D	5/21/2026	205.62		009226		205.62
02347	LEAF							
I-20230735	Toshiba E3025AC	D	5/21/2026	492.47		009227		492.47
02417	US Bank Corporate Payment Syst							
I-04/26 Visa Pmt	Visa NonFleet Payment 04/30/26	D	5/21/2026	104,131.10		009317		104,131.10

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
02417	US Bank Corporate Payment Syst							
I-043026 Visa Fleet	Visa Fleet Payment 043026	D	5/21/2026	22,543.09		009326		22,543.09
01727	Enterprise FM Trust							
I-578571-050526	Fleet Leases 05/2026	D	5/26/2026	21,375.63		009329		21,375.63
00337	Hart Office Solutions							
C-374408 040326	Correct bank	D	5/26/2026	9.16CR		009330		
C-374710 0402	Correct bank	D	5/26/2026	220.00CR		009330		
C-Overpmt	credit for overpayment	D	5/26/2026	11.53CR		009330		
D-040226	correct bank	D	5/26/2026	11.53		009330		
I-374697	Tosh ES4525AC 030726	D	5/26/2026	9.16		009330		
I-374710	Service on Lex 020226	D	5/26/2026	220.00		009330		
00422	Leslie Equipment Co.							
C-1282006	CREDIT MEMO -RETURN	D	5/26/2026	46.23CR		009331		
D-1282006	Correct credit 121625	D	5/26/2026	46.23		009331		
00841	Amazon							
C-0690647	Rtn Portable Generator	D	5/26/2026	369.99CR		009332		
C-7724265CR	Hose Fitting/Elbow/Camlock	D	5/26/2026	104.50CR		009332		
D-Correct 0690647	Correct entry bank	D	5/26/2026	369.99		009332		
D-Correct 7724265	Correct entry bank	D	5/26/2026	104.50		009332		
02164	Marriott Hotels							
C-041326 #1	Wrong card inadvertently used	D	5/26/2026	110.00CR		009333		
C-041326 #2	Wrong card inadvertently used	D	5/26/2026	110.00CR		009333		
D-Correct 41326	Correct entry bank	D	5/26/2026	220.00		009333		
02788	Scribe							
C-1E8F2E98-0013 CR	Refund	D	5/26/2026	25.20CR		009334		
D-Correct 0013	correct entry bank	D	5/26/2026	25.20		009334		
02685	Selective Insurance Company of							
I-2026.0525 S2660422	Quarterly Inst 052526	D	5/26/2026	6,443.00		009335		6,443.00
00471	FirstEnergy MP/PE							
I-050826 192 High	192 High St 040926-050826	D	5/27/2026	8,703.08		009336		8,703.08
00471	FirstEnergy MP/PE							
I-050826 High St	High St 040926-050526	D	5/27/2026	23.74		009337		23.74
00741	Great-West Trust Company LLC							
I-VF 202605262619	Voya	D	5/27/2026	830.00		009338		
I-VF2202605262619	Voya AT	D	5/27/2026	120.00		009338		950.00

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
00792	I-RTD202605262619	WV Consolidated Retirement Boa Retirement	D 5/27/2026	7,571.02		009339		7,571.02
00952	I-RTF202605262619	WV Consolidated Retirement Boa Retirement	D 5/27/2026	3,763.34		009340		
	I-RTN202605262619	Retirement	D 5/27/2026	5,307.16		009340		9,070.50
00993	I-RT6202605262619	WV Consolidated Retirement Boa Retirement 6%	D 5/27/2026	10,893.36		009341		10,893.36
00047	I-052726 00006	Truist Governmental Finance 9948000234-06 052726	D 5/27/2026	2,643.26		009342		2,643.26
00283	I-050526 3045910915	Frontier Bus Fiber Int 050526-060426	D 5/28/2026	144.99		009343		144.99
00385	I-3158346	John Deere Financial 0300078289-000 JD CTLD	D 6/02/2026	2,252.66		009346		2,252.66
00471	I-051126 Bearhunter	FirstEnergy MP/PE Bearhunter 040926-050726	D 6/02/2026	119.98		009347		119.98
00471	I-051226 ECPark	FirstEnergy MP/PE Elkins City Pk 041026-050826	D 6/02/2026	12.58		009348		12.58
00471	I-051226 Park 465	FirstEnergy MP/PE Park St 465 041026-050826	D 6/02/2026	17.23		009349		17.23
00471	I-051226 Park 883	FirstEnergy MP/PE Park St 883 041026-050826	D 6/02/2026	84.18		009350		84.18
00471	I-051226 Park St 996	FirstEnergy MP/PE Park St 996 041026-050826	D 6/02/2026	11.25		009351		11.25
00471	I-051226 Park Street	FirstEnergy MP/PE Park St 095 041026-050826	D 6/02/2026	10.80		009352		10.80
00471	I-051226 Pk Pavilion	FirstEnergy MP/PE Park St Pavilion 041026-050826	D 6/02/2026	10.42		009353		10.42
00471	I-051226 Reservoir	FirstEnergy MP/PE Reservoir Hill 041026-050826	D 6/02/2026	10.31		009354		10.31

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
00471 I-051226 Sycamore	FirstEnergy MP/PE Sycamore 041026-050826	D	6/02/2026	11.11		009355		11.11
00450 I-24AR3498351 I-49135902	Visual Edge IT Konica Minolta 050426 Konica 060226	D D	6/02/2026 6/02/2026	48.92 57.00		009356 009356		105.92
00471 I-051426 11th 219	FirstEnergy MP/PE 11th St 219 041426-051226	D	6/02/2026	49.88		009357		49.88
00471 I-051426 11th St	FirstEnergy MP/PE 11th St 041426-051226	D	6/02/2026	10.31		009358		10.31
00471 I-051426 216 4th	FirstEnergy MP/PE 216 4th 041426-051226	D	6/02/2026	1,425.38		009359		1,425.38
00471 I-051426 401 Davis	FirstEnergy MP/PE 401 Davis 041426-051226	D	6/02/2026	2,755.17		009360		2,755.17
00471 I-051426 4th/Kerens	FirstEnergy MP/PE 4th/Kerens 041426-051226	D	6/02/2026	11.48		009361		11.48
00471 I-051426 8 Cherokee	FirstEnergy MP/PE 8 Cherokee 041426-051226	D	6/02/2026	734.70		009362		734.70
00471 I-051426 Barron	FirstEnergy MP/PE Barron 041426-051226	D	6/02/2026	344.91		009363		344.91
00471 I-051426 Lights Rand	FirstEnergy MP/PE Randolph/3rd lgts	D	6/02/2026	31.63		009364		31.63
00471 I-051426 N Rand	FirstEnergy MP/PE N Randolph 041426-051226	D	6/02/2026	104.95		009365		104.95
00471 I-051426 Railroad	FirstEnergy MP/PE Railroad Lighting 051426	D	6/02/2026	416.48		009366		416.48
00471 I-051426 Rand	FirstEnergy MP/PE Randolph Ave 041426-051226	D	6/02/2026	26.86		009367		26.86
00471 I-051426 Randolph	FirstEnergy MP/PE Randolph Ave 041426-051226	D	6/02/2026	106.25		009368		106.25

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
00471 I-051426 Stewart	FirstEnergy MP/PE Stewart St 041426-051226	D	6/02/2026	1,389.25		009369		1,389.25
00471 I-051426 Whiteman	FirstEnergy MP/PE Whiteman 041426-051226	D	6/02/2026	110.24		009370		110.24
00471 I-051526 1 Bax WD	FirstEnergy MP/PE 1 Baxter WD 041526-051326	D	6/03/2026	636.93		009371		636.93
00471 I-051526 1 Baxter St	FirstEnergy MP/PE 1 Baxter Street 041526-051326	D	6/03/2026	315.44		009372		315.44
00471 I-051526 15th St	FirstEnergy MP/PE 15th St 041526-051326	D	6/03/2026	30.57		009373		30.57
00471 I-051526 1Bax CG	FirstEnergy MP/PE 1 Baxter CG 041526-051326	D	6/03/2026	315.71		009374		315.71
00471 I-051526 31 Jones	FirstEnergy MP/PE 31 Jones 041526-051326	D	6/03/2026	192.29		009375		192.29
00471 I-051526 31 Jones Dr	FirstEnergy MP/PE 31 Jones Dr 041526-051326	D	6/03/2026	225.23		009376		225.23
00471 I-051526 3rd St	FirstEnergy MP/PE 3rd St 041526-051326	D	6/03/2026	68.72		009377		68.72
00471 I-051526 5 Baxter	FirstEnergy MP/PE 5 Baxter 041526-051326	D	6/03/2026	224.17		009378		224.17
00471 I-051526 516 Glendal	FirstEnergy MP/PE 516 Glendale 041526-051326	D	6/03/2026	49.92		009379		49.92
00471 I-051526 Davis 1st	FirstEnergy MP/PE Davis Ave 1st 041526-051326	D	6/03/2026	45.15		009380		45.15
00471 I-051526 Davis/2nd	FirstEnergy MP/PE Davis and 2nd 041526-051326	D	6/03/2026	58.85		009381		58.85
00471 I-051526 Flood Ctl R	FirstEnergy MP/PE Flood Control Rd 041526-051326	D	6/03/2026	476.85		009382		476.85
00471 I-051526 Glendale	FirstEnergy MP/PE Glendale 041526-051326	D	6/03/2026	2,023.86		009383		2,023.86

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
00471	I-051526 GlendaleAve							
	FirstEnergy MP/PE Glendale Office 041526-051326	D	6/03/2026	74.26		009384		74.26
00471	I-051526 Harrison							
	FirstEnergy MP/PE Harrison 041526-051326	D	6/03/2026	31.04		009385		31.04
00471	I-051526 Oak Grv							
	FirstEnergy MP/PE Oak Grove Addn 041526-051326	D	6/03/2026	208.43		009386		208.43
00471	I-051526 RELee Ext							
	FirstEnergy MP/PE Robert E Lee 041526-051326	D	6/03/2026	1,081.97		009387		1,081.97
00471	I-051526 RR Ave BLK							
	FirstEnergy MP/PE RR Ave BLK LT0 041526-051326	D	6/03/2026	171.25		009388		171.25
00471	I-051526 Rbend Ln							
	FirstEnergy MP/PE Riverbend Ln 041526-051326	D	6/03/2026	32.38		009389		32.38
00471	I-051526 Riverbend							
	FirstEnergy MP/PE Riverbend 041526-051326	D	6/03/2026	16,949.87		009390		16,949.87
00471	I-051526 Riverview							
	FirstEnergy MP/PE Riverview 041526-051326	D	6/03/2026	15.69		009391		15.69
00471	I-051526 SDavis/11th							
	FirstEnergy MP/PE S Davis and 11th 041526-051326	D	6/03/2026	97.29		009392		97.29
00471	I-051526 Wilson							
	FirstEnergy MP/PE Wilson 041526-051326	D	6/03/2026	503.78		009393		503.78
00471	I-051526 Haddix Rd							
	FirstEnergy MP/PE Haddix Rd 041526-051326	D	6/04/2026	48.90		009395		48.90
00079	I-30172							
	Broughton Sports Jerseys	R	5/26/2026	251.02		018810		251.02
00250	I-042226 Insurance							
	Elkins-Randolph County Regiona 1/2 Insurance Pkg	R	5/26/2026	18,306.40		018811		18,306.40
00468	I-WV26-7502							
	Miss Utility of West Virginia, Message Fees April 2026	R	5/26/2026	244.95		018812		244.95
00500	I-01W5492							
	Newlons International Sales, L Fixed Oil Leak 21 Int HX620	R	5/26/2026	188.94		018813		188.94

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
00517	Ohio Valley Bank							
I-060126 6300002950	P&I Payment 060126	R	5/26/2026	8,166.47		018814		8,166.47
00582	Region VII Plan. & Development							
I-520-30	GIS Services 03/2026	R	5/26/2026	1,725.00		018815		1,725.00
00839	Motorola Solutions, Inc.							
I-1411249634	In-Car Video Sys/Mng 0626-0627	R	5/26/2026	28,215.00		018816		28,215.00
01390	Phoenix Solutions, LLC							
I-42925	Chemicals	R	5/26/2026	2,634.00		018817		2,634.00
01445	Linda Silva							
I-CKREQ 051426	Reimb Mulch -Kump House	R	5/26/2026	175.00		018818		
I-CKREQ 052626	Reimb Mesh Protector Guards	R	5/26/2026	120.69		018818		295.69
01559	Ryan Summerfield							
I-06/26 Travel	Travel Exp 0608-061226	R	5/26/2026	238.00		018819		238.00
01594	Pace Analytical Services LLC							
I-2630677581	04/26 Contract Lab Analysis	R	5/26/2026	3,817.90		018820		3,817.90
01745	Cummins Sales and Service							
I-R3-260153397	Coolant Leak-Hose chg	R	5/26/2026	80.46		018821		
I-R3-260455006	Unit in Fault	R	5/26/2026	844.73		018821		
I-R3-260455376	Control Board repairs	R	5/26/2026	1,693.61		018821		2,618.80
02157	Jerry A Marco							
I-Travel 0513-051526	Travel Exp Spring Bd Mtg	R	5/26/2026	435.65		018822		435.65
02431	Fel-Ferguson Waterworks #527							
I-1009467	Hymax Grip Coupling	R	5/26/2026	2,629.40		018823		2,629.40
02443	USDA APHIS WS							
I-2672549138-RA	Annual Wildlife Mgmt 05/26	R	5/26/2026	4,200.00		018824		4,200.00
02462	Charleston Fleet Services							
I-19309	Crane Cable	R	5/26/2026	442.35		018825		442.35
02608	Zinn's R Us Inc							
I-5241	4 Septic Holding Tanks	R	5/26/2026	400.00		018826		
I-5361	4 Septic Holding Tanks	R	5/26/2026	400.00		018826		
I-5601	4 Septic Holding Tanks	R	5/26/2026	400.00		018826		
I-5602	4 Septic Holding Tanks	R	5/26/2026	400.00		018826		1,600.00

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
02611	Steve Miller							
I-051326 Travel	Travel to Flatwoods	R	5/26/2026	101.50		018827		101.50
02689	A & J Hauling LLC							
I-050826	Repairs 2017 Fd F550	R	5/26/2026	6,444.71		018828		
I-050826 Topsoil	Load of Top Soil	R	5/26/2026	300.00		018828		6,744.71
02965	MP Excavation LLC							
I-56082	Storage Container	R	5/26/2026	4,000.00		018829		4,000.00
02985	Samantha Kyle							
I-051526 Travel	Travel Exp PSC Utility Trng	R	5/26/2026	330.90		018830		330.90
1	KING, LINTON B & KAY							
I-000202605222618	US REFUND	R	5/26/2026	100.00		018831		100.00
00116	Child Support Enforcement							
I-CDS202605262619	Child Support	R	5/27/2026	453.40		018832		453.40
00121	Citizens Bank of WVFP							
I-FP 202605262619	Fire Pension	R	5/27/2026	464.43		018833		464.43
00122	Citizens Bank of WVFP							
I-PP 202605262619	Police Pension	R	5/27/2026	180.10		018834		
I-PPN202605262619	Police Pension-2010 Forward	R	5/27/2026	272.15		018834		452.25
00147	COE Misc							
I-MIS202605262619	Misc Reimbursements	R	5/27/2026	437.00		018835		437.00
00150	COE Payroll							
I-T1 202605262619	Federal Withholding	R	5/27/2026	15,720.70		018836		15,720.70
00151	COE Payroll							
I-T3 202605262619	FICA	R	5/27/2026	23,150.06		018837		
I-T4 202605262619	Medicare	R	5/27/2026	5,761.72		018837		28,911.78
00152	COE Payroll							
I-T2 202605262619	State Withholding	R	5/27/2026	6,316.00		018838		6,316.00
00203	Davis Trust Company							
I-CC 202605262619	Employee Christmas Club	R	5/27/2026	2,950.00		018839		2,950.00
00747	Washington National Insurance							
I-WN 202605262619	Washington National Insurance	R	5/27/2026	574.13		018840		574.13

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
00837	COE Payroll Reimbursement							
I-001202605262619	Payroll Reimbursement	R	5/27/2026	60,791.44		018841		
I-006202605262619	Payroll Reimbursement	R	5/27/2026	7,665.12		018841		
I-036202605262619	Payroll Reimbursement	R	5/27/2026	19,413.80		018841		
I-400202605262619	Payroll Reimbursement	R	5/27/2026	26,463.69		018841		
I-401202605262619	Payroll Reimbursement	R	5/27/2026	15,869.64		018841		
I-404202605262619	Payroll Reimbursement	R	5/27/2026	14,631.83		018841		144,835.52
01885	Colonial Life							
I-CL 202605262619	Colonial Life-AT	R	5/27/2026	91.03		018842		
I-CLP202605262619	Colonial Life-PT	R	5/27/2026	52.52		018842		143.55
00132	Clarksburg Water Board							
I-M94671	Compliance Samples	R	5/27/2026	23.00		018843		23.00
00582	Region VII Plan. & Development							
I-520-31	GIS Services 04/3026	R	5/27/2026	825.00		018844		825.00
00591	Retiree Health Benefit Trust F							
I-05/26 Chen/Sev	Chenoweth/Severino 05/26	R	5/27/2026	24.00		018845		24.00
00779	Woodford Oil Company							
I-3094727	Diesel 400 Gallon	R	5/27/2026	2,215.99		018846		2,215.99
00805	WV FBMC							
I-05/26 RChenoweth	R Chenoweth 3 pays 154.26	R	5/27/2026	154.26		018847		
I-FB2202604272610	Mt. Flex Benefits Post Tax	R	5/27/2026	3.00		018847		
I-FB2202605112615	Mt. Flex Benefits Post Tax	R	5/27/2026	3.00		018847		
I-FB2202605262619	Mt. Flex Benefits Post Tax	R	5/27/2026	3.00		018847		
I-MFB202604272610	Mt. Flex Benefit	R	5/27/2026	2,069.12		018847		
I-MFB202604272611	Mt. Flex Benefit	R	5/27/2026	51.42		018847		
I-MFB202605112615	Mt. Flex Benefit	R	5/27/2026	2,163.22		018847		
I-MFB202605262619	Mt. Flex Benefit	R	5/27/2026	2,163.22		018847		6,610.24
00810	WV Public Employee Insurance A							
I-05/26 Campbell S	S Campbell 1st pay May 2026	R	5/27/2026	52.50		018848		
I-05/26 Chenoweth R	RChenoweth Health/Life 05/26	R	5/27/2026	1,079.98		018848		
I-05/26 Severino L	LSeverino Health/Life 05/26	R	5/27/2026	514.98		018848		
I-05/26 Williams W	Health Ins May 2026 Williams	R	5/27/2026	256.50		018848		1,903.96
00855	Agency LMC							
I-4292	04/26 Website Maint	R	5/27/2026	206.06		018849		206.06

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
01390	Phoenix Solutions, LLC							
I-42966	chemicals	R	5/27/2026	4,480.33		018850		
I-42988	Chemicals	R	5/27/2026	8,962.71		018850		13,443.04
01594	Pace Analytical Services LLC							
I-2630679786	Analytical Serv Proj 30866024	R	5/27/2026	63.00		018851		
I-2630680722	Analytical Serv Project 308660	R	5/27/2026	131.60		018851		194.60
01751	COE WWTP							
I-202605149348	Backwash 04/2026	R	5/27/2026	1,060.28		018852		1,060.28
02755	Citizens Bank of WV							
I-GAR202605262619	Case #: CC-42-2023-C-79	R	5/27/2026	182.44		018853		182.44
02984	Circul-Air Corp International							
I-CAC-SP26-033	Fan Blade	R	5/27/2026	92.00		018854		92.00
00054	Ronald Belt, Jr.							
I-CKREQ 05/29/26	Reimb on OOP Exp Gatlinburg	R	6/02/2026	340.14		018855		340.14
00057	BFMC, Inc.							
I-30612	Delinq Notices	R	6/02/2026	893.68		018856		893.68
00126	City of Clarksburg							
I-202605265850	Yard Waste 052226 2361	R	6/02/2026	147.00		018857		147.00
00140	City of Elkins							
I-CKREQ 052926	Whitmer Utility Pmts to Elkins	R	6/02/2026	3,876.76		018858		3,876.76
00143	COE General Fund 2							
I-06/26 Indirects	Monthly Indirects 06/26	R	6/02/2026	16,824.83		018859		16,824.83
00149	COE Parks and Recreation							
I-06/2026 Support	Monthly Support 06/26	R	6/02/2026	25,483.00		018860		25,483.00
00154	COE Sanitation							
I-202605269388	Hauling/Tipping Fees CH	R	6/02/2026	605.30		018861		
I-202605289419	Yard Waste 2361 Brush 123	R	6/02/2026	299.48		018861		904.78
00156	COE Sewer Depreciation Account							
I-05/2026 Deprec	Sewer Deprec Deposit 05/2026	R	6/02/2026	7,092.07		018862		7,092.07
00158	COE Water Depreciation Account							
I-05/2026 Deprec	Water Deprec Deposit 05/2026	R	6/02/2026	10,363.97		018863		10,363.97

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
00202	Davis Trust Company							
I-052726 DD Fees	Direct Deposit Fees	R	6/02/2026	150.00		018864		150.00
00483	Mountain Valley Bank							
I-1202553-24 061526	1202553-24 061526	R	6/02/2026	6,518.78		018865		6,518.78
00573	Randolph County Development Au							
I-06/2026 Rent	Rent 06/26	R	6/02/2026	800.00		018866		800.00
01292	COE Sewer O & M Account							
I-05/2026 O&M Dep	Sewer O&M Deposit 05/2026	R	6/02/2026	13,527.27		018867		13,527.27
01313	COE Water O & M Account							
I-05/26 Water O&M	Water O&M Deposit 05/2026	R	6/02/2026	21,676.42		018868		21,676.42
01594	Pace Analytical Services LLC							
I-2630682860	05/26 Contract Anaylsis	R	6/02/2026	2,453.00		018869		2,453.00
01833	P3 Cost Analysts							
I-35184	Visa VUIRF Program 05/2026	R	6/02/2026	308.30		018870		308.30
01942	Elkins Municipal Building Comm							
I-1214756-11 061526	1214756-11 061526	R	6/02/2026	4,833.20		018871		
I-1214756-12 060126	1214756-12 060126	R	6/02/2026	4,509.60		018871		9,342.80
02157	Jerry A Marco							
I-Travel 052626	Travel-Game Chgs Conference	R	6/02/2026	302.95		018872		302.95
02217	Steve Hannan Construction							
I-201	Repairs/Install Garage Door	R	6/02/2026	5,028.71		018873		5,028.71
02322	Badger Meter							
I-80237997	Hosting Services 05/2026	R	6/02/2026	302.05		018874		302.05
02769	BCN Telecom Inc TBS							
I-6504534	Street Cameras	R	6/02/2026	1,811.86		018875		1,811.86
02848	First United Methodist Church							
I-06/26 Rent	4 Parking Rentals 06/26	R	6/02/2026	80.00		018876		80.00
01992	United Sound & Electronics LLC							
I-Appl #1	contracted services	R	6/02/2026	13,323.89		018877		13,323.89

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
* * T O T A L S * *								
		NO		INVOICE AMOUNT		DISCOUNTS		CHECK AMOUNT
	REGULAR CHECKS:	68		456,878.31		0.00		456,878.31
	HAND CHECKS:	0		0.00		0.00		0.00
	DRAFTS:	78		253,918.15		0.00		253,918.15
	EFT:	0		0.00		0.00		0.00
	NON CHECKS:	1		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: Pool	TOTALS:	147	710,796.46		0.00		710,796.46
BANK: Pool		TOTALS:	147	710,796.46		0.00		710,796.46

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
02393	Spilman Thomas & Battle PLLC							
I-5561535	TIF Redev Matters	R	5/26/2026	1,120.00		000008		1,120.00

* * T O T A L S * *	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	1	1,120.00	0.00	1,120.00
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:	0 VOID DEBITS	0.00		
	VOID CREDITS	0.00	0.00	

TOTAL ERRORS: 0

	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
VENDOR SET: 01 BANK: TIF TOTALS:	1	1,120.00	0.00	1,120.00
BANK: TIF TOTALS:	1	1,120.00	0.00	1,120.00

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
02316	FilmTec Corporation							
I-952636328	membrane repair module tube	R	5/26/2026	3,467.00		000094		3,467.00
02322	Badger Meter							
I-1799117	Equipment repairs	R	5/26/2026	372.49		000095		372.49

* * T O T A L S * *		NO		INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:		2		3,839.49	0.00	3,839.49
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	

TOTAL ERRORS: 0

	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
VENDOR SET: 01 BANK: WATDP TOTALS:	2	3,839.49	0.00	3,839.49
BANK: WATDP TOTALS:	2	3,839.49	0.00	3,839.49
REPORT TOTALS:	158	734,229.29	0.00	730,979.29

SELECTION CRITERIA

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

CHECK SELECTION

CHECK RANGE: 000000 THRU 999999
DATE RANGE: 5/18/2026 THRU 6/05/2026
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:	June 11, 2026
Section:	New Business
Category:	Resolution
Agenda Item Name:	Resolution 1921: Authorizing execution of agreement with WV Tax Office concerning GIS sales tax map
Recommended By:	City Clerk
Summary:	Approves the City's GIS sales tax boundary mapping, address dataset, and related materials for submission and use by the WV State Tax Division as part of the State's GIS-based municipal sales tax lookup system replacing the older and less accurate ZIP+4 list approach. Authorizes the Mayor and Clerk to electronically execute related agreements, certifications, approvals, and administrative documents, and authorizes ongoing cooperation with the State concerning future boundary updates or corrections.
Fiscal Impact:	n/a
Recommendation:	Consider for approval
Attachments:	1. R-1921 - authorizing agreement for GIS sales tax tool

IN THE COMMON COUNCIL OF THE CITY OF ELKINS, WV

A RESOLUTION OF COMMON COUNCIL

(#1921)

June 11, 2026

Approving Municipal GIS Boundary Mapping Submission and Authorizing Electronic Execution of Related Documents with the West Virginia State Tax Division

WHEREAS, the West Virginia State Tax Division now administers municipal sales and use tax collection programs utilizing Geographic Information Systems (GIS) boundary mapping and related address datasets; and,

WHEREAS, the City of Elkins, with assistance from the Region VII Planning & Development Council, previously submitted GIS datasets including the municipal boundaries and addresses located therein for use by the West Virginia State Tax Division as part of this program; and,

WHEREAS, the West Virginia State Tax Division has now requested review and final approval to proceed with using the previously submitted GIS datasets as the basis for administering sales and use tax collection for the City of Elkins; and,

WHEREAS, the West Virginia State Tax Division has also provided related agreements, certifications, acknowledgments, and electronic signature documents concerning the use and administration of such GIS mapping and data; and,

WHEREAS, the Common Council of the City of Elkins finds it appropriate to approve the submission of such mapping and related materials and to authorize execution of the associated documents electronically;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF ELKINS THAT:

Section 1.

Council hereby approves the municipal GIS boundary mapping, address dataset, and related materials submitted or to be submitted to the West Virginia State Tax Division for purposes of municipal sales and use tax administration.

Section 2.

Council hereby approves the form of agreements, certifications, acknowledgments, and related documents presented by the West Virginia State Tax Division in connection with such GIS mapping and dataset administration.

Section 3.

The Mayor and City Clerk are hereby authorized and directed to electronically execute on behalf of the City any agreements, approvals, certifications, acknowledgments, maps, or related documents required by the West Virginia State Tax Division in connection with the City's GIS mapping and municipal sales tax administration.

Section 4.

The Mayor and City Clerk are further authorized to electronically transmit such executed documents and to provide any related confirmations, corrections, communications, or administrative submissions reasonably necessary to carry out the intent of this resolution.

Section 5.

City officials are authorized and directed to cooperate with the West Virginia State Tax Division concerning future review, correction, maintenance, or updating of municipal GIS boundary information and related address data, including notification of annexations, de-annexations, or other boundary modifications as required by law or administrative procedure.

Section 6.

This resolution shall take effect immediately upon adoption.

Jerry A. Marco, Mayor

Attest:

Sutton R. Stokes, City Clerk

WEST VIRGINIA STATE TAX DIVISION
APPROVAL OF MUNICIPAL
GEOGRAPHIC INFORMATION SYSTEMS (GIS) MAPPING
FOR
Reedsville

(MUNICIPALITY / TOWN)

The undersigned acknowledge and agree that they have reviewed and approve the accuracy of the GIS boundary map identified as Sales Tax Reedsville Boundary and Addressing for use by the WV State Tax Division as a “rate lookup tool.” A true and exact copy of said map is attached and initialed by the undersigned.

It is acknowledged and agree that the municipality will notify the WV State Tax Division within five (5) business days following any action by the municipality of annexation; de-annexation; or any other action by the municipality that changes or modifies the municipality’s boundaries as established on the attached map. This notice requirement also extends to court ordered changes to boundaries; contractual changes to boundaries; or, changes resulting from litigation, the settlement of which includes any changes to the municipality’s boundaries as established on the attached map.

Any revision of a previously approved boundary map will require the execution of a new approval form.

The undersigned further agrees on behalf of the municipality to cooperate with the WV State Tax Division to annually review the boundary map for accuracy. This annual review will be initiated by the WV State Tax Division by April 1st of each year. It is also the time for you to review your zip code +4 file to ensure that it is accurate. Any discrepancies or changes should be reported to the WV Tax Division at once.

The undersigned acknowledge and affirm that all municipal governmental processes and procedures established by municipal statute or ordinance have been followed and that they have authority to sign on behalf of the municipality in their respective position or role.

Mayor / Manager / Counsel Member

Office/Title

Date

Mayor, Manager, Counsel Member

Officer/Title

Date

GIS Representative

Date

Tax Account Administration Supervisor / AD

Date



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	June 11, 2026
Section:	New Business
Category:	Resolution
Agenda Item Name:	Resolution 1922: Appointing Ann Berlin as an alternate member of the Board of Zoning Appeals
Recommended By:	City Clerk
Summary:	Appointing A. Berlin to alternate position for a term beginning July 1, 2026, ending June 30, 2029.
Fiscal Impact:	n/a
Recommendation:	Consider for approval
Attachments:	1. R-1922 - appointing Berlin to BZA

IN THE COMMON COUNCIL OF THE CITY OF ELKINS, WV

A RESOLUTION OF COMMON COUNCIL

(#1922)
June 11, 2026

Appointment to the Elkins Board of Zoning Appeals

WHEREAS, the City of Elkins has established a Municipal Board of Zoning Appeals pursuant to City Code; and,

WHEREAS, Elkins City Code § 152.025 provides that members of the Municipal Board of Zoning Appeals are appointed by Council for terms of three years; and,

WHEREAS, a vacancy exists for an alternate position on said Board;

NOW, THEREFORE, BE IT RESOLVED, THAT:

Amm Berlin is hereby appointed to the Elkins Municipal Board of Zoning appeals to fill an alternate position for a term beginning July 1, 2026 ending June 30, 2029.

Jerry A. Marco, Mayor

Attest:

Sutton R. Stokes, City Clerk



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	June 11, 2026
Section:	New Business
Category:	Resolution
Agenda Item Name:	Resolution 1923: Adopting a policy requiring annual driving record check for employees authorized to operate City vehicles
Recommended By:	Personnel Committee
Summary:	Resolution adopting the City of Elkins Background Check: Motor Vehicle Record (MVR) Review Policy, which establishes requirements for reviewing the driving records of employees authorized to operate City-owned, leased, or rented vehicles, as well as employees who use personal vehicles for City business. The policy is intended to promote safe vehicle operation and reduce liability risks to the City, its employees, and the public by ensuring that all authorized drivers maintain acceptable driving records and meet established safety standards. Key Provisions • Requires motor vehicle record (MVR) checks upon conditional offer of employment and annually thereafter for covered employees. • Establishes driver eligibility classifications (Satisfactory, Probationary, and Unacceptable) to guide driving privileges and employment decisions. • Assigns responsibility to the Police Department to run MVR checks and maintain records with Human Resources. • Provides for disciplinary action, including loss of driving privileges or termination, for employees who fail to meet standards where driving is an essential function of the position. • Requires employees to report license suspensions, DUIs, or other changes affecting their driving status. • Ensures confidentiality of MVR information for employment and risk management purposes. Effective Date: July 1, 2026



CITY OF ELKINS AGENDA ITEM REPORT

Fiscal Impact:	Administrative costs associated with conducting annual MVR checks are expected to be absorbed within existing departmental budgets.
Recommendation:	Consider for approval
Attachments:	1. R-1923 - adopting annual driving record check

IN THE COMMON COUNCIL OF THE CITY OF ELKINS, WV

A RESOLUTION OF COMMON COUNCIL

(#1923)
June 11, 2026

Adopting a policy requiring annual driving record check for employees authorized to operate City vehicles

WHEREAS, the City of Elkins seeks to promote safe vehicle operation and reduce risk to the City, its employees, and the public; and

WHEREAS, certain City employees operate City-owned, leased, or rented vehicles, or operate personal vehicles on behalf of the City as part of their job duties; and

WHEREAS, it is necessary and appropriate to ensure that such employees maintain acceptable driving records and meet established safety standards; and

WHEREAS, the City has developed a *Motor Vehicle Record Review Policy* establishing requirements for pre-employment and annual motor vehicle record checks, driver classification standards, and procedures for monitoring and enforcement;

NOW, THEREFORE, BE IT RESOLVED THAT:

Council hereby adopts the *Motor Vehicle Record Review Policy*, attached hereto and incorporated herein by reference as if fully set forth. This policy shall apply to all employees who are authorized to operate City-owned, leased, or rented vehicles, or who operate personal vehicles on behalf of the City. The Human Resources Department is hereby authorized and directed to implement, administer, and enforce the provisions of the policy, with the full cooperation of all city administrators, supervisors, and other personnel.

This Resolution shall take effect July 1, 2026.

Attest: Sutton R. Stokes, City Clerk

Jerry A. Marco, Mayor

City of Elkins

Background Check: Motor Vehicle Record (MVR) Review Policy

Purpose

To promote safe vehicle operation and reduce risk to the City, its employees, and the public by ensuring that all personnel authorized to operate City vehicles maintain acceptable driving records.

Policy

Following a conditional offer of employment, all employees who will be authorized to operate City-owned, leased, or rented vehicles, or who operate personal vehicles on behalf of the City, are required to provide written consent for a motor vehicle record (MVR) check. After the initial record check, employees are subject to an annual review of their MVR.

The City of Elkins will review the applicant/employee's driving record and decide as to the driver's status for applicants and employees according to the classification system below. The City of Elkins Police Department will run all employee MVR reviews and file them with Human Resources.

Driver Status:

- I. **Satisfactory:** The individual is eligible to drive while conducting company business. The individual's driving record indicates not more than one moving violation in the past 12 months.
- II. **Probationary:** The individual is eligible to drive while conducting company business with the stipulation that the individual's motor vehicle record will be checked periodically over a period of probation, no less than 60 days or more than 6 months. The individual's driving record indicates more than one moving violation in the past 12 months but no more than two moving violations in the past 24 months. Any violations during the probationary period may result in termination of employment or other disciplinary action.
- III. **Unacceptable:** The individual is not eligible for employment due to an unsatisfactory driving record. Examples of unacceptable infractions include but are not limited to:
 - Suspended or revoked license
 - Three or more moving violations in the past 36 months
 - Any violations involving drugs, alcohol, controlled substances, etc., within the past 24 months
 - Leaving the scene of an accident within the past 24 months
 - Reckless driving within the past 24 months

- At fault in an accident resulting in fatality or serious injury within the past 5 years

Procedures for:

1. Annual Review Requirement

All employees authorized to operate City-owned, leased, rented vehicles, or who operate their personal vehicles on behalf of the City, will have their MVR check re-run annually on the month of their initial hire. (i.e. An employee starting 05.27.2026 would have their record checked annually in May).

2. Authorization and Consent

Employees must provide written authorization for the City to obtain their MVR as a condition of being approved to operate a vehicle on City business. For individual's who drive a City vehicle as part of their primary job responsibilities, consent must be provided as part of their conditional job offer.

3. Disqualification or Restrictions

Employees whose driving records do not meet established standards may be:

- o Disqualified from operating City vehicles
- o Subject to restrictions on driving duties
- o Subject to disciplinary action, up to and including termination, where driving is an essential function of the position

4. Ongoing Duty to Report

Employees must promptly report any of the following to their supervisor:

- o Suspension or revocation of their driver's license
- o Any DUI or similar charge
- o Any change that materially affects their ability to legally operate a vehicle

5. Confidentiality

MVR information shall be treated as confidential and used solely for employment and risk management purposes.

Employee Acknowledgement and Authorization

I acknowledge that I have read and understand the City of Elkins Background Check: Motor Vehicle Record (MVR) Review Policy.

I understand that if I am authorized to operate a City vehicle or operate a personal vehicle on behalf of the City, I am required to maintain an acceptable driving record and comply with all reporting requirements.

I hereby authorize the City of Elkins, or its designated agent, to obtain my motor vehicle record at the time of hire (if applicable) and annually thereafter, as long as I am authorized to operate a vehicle on City business.

I understand that failure to maintain an acceptable driving record or to comply with this policy may result in loss of driving privileges and/or disciplinary action.

Employee Name: _____

Signature: _____

Date: _____

Driver's License Number: _____

State of Issue: _____



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	June 11, 2026
Section:	New Business
Category:	Resolution
Agenda Item Name:	Resolution 1924: Authorizing the Operations Manager to sign checks on City bank accounts
Recommended By:	City Treasurer
Summary:	Updates and confirms authorized signatories on City bank accounts. Retains Mayor Jerry Marco, Treasurer Tracy Judy, and City Clerk Sutton Stokes as primary signatories, while adding Operations Manager Mike Kesecker as an additional authorized signer primarily to maintain continuity when another signer is unavailable. Reaffirms the existing requirement that checks bear two authorized signatures.
Fiscal Impact:	n/a
Recommendation:	Consider for approval
Attachments:	1. R-1924 - adding Operations Manager as check signer

IN THE COMMON COUNCIL OF THE CITY OF ELKINS, WV

A RESOLUTION OF COMMON COUNCIL

(#1924)
June 11, 2026

***Adding the Operations Manager as an
Authorized Signatory for City Bank Accounts***

WHEREAS, pursuant to Section 5 of the Charter of the City of Elkins, all corporate powers of the City are exercised by or under the authority of the Common Council of the City of Elkins (“Council”), except as otherwise provided; and,

WHEREAS, Council maintains checking and other banking accounts at various financial institutions for the conduct of municipal business; and,

WHEREAS, Council previously designated Jerry A. Marco (Mayor), Tracy Judy (City Treasurer), and Sutton Stokes (City Clerk), in their respective official capacities, as authorized signatories on such accounts; and,

WHEREAS, current city policy and practice require that no check be issued except over the signatures of two individuals authorized by Council as signatories; and,

WHEREAS, Council finds it advisable to additionally authorize Operations Manager Mike Kesecker as a signatory for purposes of maintaining operational continuity in circumstances where one of the other authorized signatories is unavailable;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF ELKINS THAT:

Section 1.

Council hereby confirms and designates the following individuals, in their respective official capacities, as authorized signatories on the various bank accounts of the City of Elkins:

Jerry A. Marco
Tracy Judy
Sutton Stokes
Mike Kesecker

Section 2.

Council hereby confirms that, in accordance with current city policy and practice, all checks issued by the City shall bear the signatures of two authorized signatories.

Section 3.

It is the intent of Council that Mike Kesecker serve as an additional authorized signatory to facilitate continuity of operations in circumstances where one of the other authorized signatories is unavailable.

Section 4.

All prior resolutions or portions thereof inconsistent with this resolution are hereby superseded to the extent of such inconsistency.

Section 5.

This resolution shall take effect immediately upon adoption.

Jerry A. Marco, Mayor

Attest:

Sutton R. Stokes, City Clerk



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	June 11, 2026
Section:	New Business
Category:	Resolution
Agenda Item Name:	Resolution 1925: Designate S. Campbell as City benefits manager
Recommended By:	Human Resources
Summary:	The attached resolution would formally appoint Sarah Campbell, Human Resources Generalist and Human Resources Department Lead, as the City's designated PEIA Benefits Coordinator and PEIA Web Contributions Coordinator. PEIA requires participating employers to designate individuals responsible for administration and coordination of employee insurance and benefits functions, including enrollment, reporting, payroll contribution coordination, and related communications with the Public Employees Insurance Agency.
Fiscal Impact:	n/a
Recommendation:	Consider for approval
Attachments:	1. R-1925 - Campbell as benefits coordinator

IN THE COMMON COUNCIL OF THE CITY OF ELKINS, WV

A RESOLUTION OF COMMON COUNCIL

(#1925)
June 11, 2026

***Appointing Sarah Campbell as PEIA Benefits Coordinator and
Web Contributions Coordinator***

WHEREAS, Elkins City Code, §30.02 provides Council the authority to prescribe and set forth compensation paid in the annual budget or through other ordinance; and,

WHEREAS, as part of its compensation package, City employees have access to various benefits administered by the West Virginia Public Employees Insurance Agency (PEIA); and,

WHEREAS, PEIA requires that participating agencies designate both a Web Contributions Coordinator and a Benefit Coordinator; and,

WHEREAS, Sarah Campbell serves the City of Elkins as Human Resources Generalist and Human Resources Department Lead;

NOW, THEREFORE, BE IT RESOLVED, THAT:

The Common Council of the City of Elkins hereby appoints Sarah Campbell as both PEIA Web Contributions Coordinator and PEIA Benefit Coordinator on the City's behalf.

Jerry A. Marco, Mayor

Attest:

Sutton R. Stokes, City Clerk



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	June 11, 2026
Section:	New Business
Category:	Resolution
Agenda Item Name:	Resolution 1926: FY 2026 General Fund Budget Revision SAO 2026-001-04
Recommended By:	Finance Committee
Summary:	The City of Elkins must revise its Fiscal Year 2026 budget to authorize expenditures or obligations for which no appropriation or an insufficient appropriation currently exists. Budget Revision SAO-2026-001-04 (attached) details the necessary adjustments.
Fiscal Impact:	See attached.
Recommendation:	Consider for approval
Attachments:	1. R-1926 - FY 2026 SAO budget revision 2026-001-04

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

(#1926)
June 11, 2026

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-2026-001-04, 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



City of Elkins

401 Davis Avenue, Elkins, WV 26241

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

City Treasurer – Tracy R. Judy

June 5, 2026

RE: State Budget Revision #4 Details

Revenues:

Decrease account 303 (Gas & Oil Severance) by \$7,713
Increase account 304 (Excise Tax on Utilities) by \$53,938
Increase account 305 (Business & Occupation Tax) by \$595,675
Increase account 306 (Wine & Liquor Tax) by \$4,952
Increase account 308 (Hotel Occupancy Tax) by \$31,484
Increase account 314 (Sales Tax) by \$200,492
Increase account 343 (Off Street Parking) by \$6,548
Decrease account 345 (Rents, Royalties & Concessions) by \$6,729
Increase account 361 (Charges for Services) by \$1,095
Increase account 366 (State Grants) by \$39,999
Increase account 371 (Payment in Lieu of Taxes) by \$2,107
Decrease account 380 (Interest Earned on Investments) by \$50,000
Increase account 381 (Reimbursements) by \$1,459,772
Increase account 386 (Insurance Claims) by \$3,200
Increase account 399 (Miscellaneous) by \$1,654

Expenditures:

Account 404-State Grants, increase by \$50,000 for demolition expenses.
Account 409-Mayor's Office, increase by \$20,000 for IT wages, benefits, telephone, training & education.
Account 410-City Council, decrease by \$5,000 for insurance change.
Account 413-Treasurer's Office, increase by \$23,000 for wages, benefits, travel, postage, contracted services.
Account 415-City Clerk, increase by \$8,400 for wages, benefits, telephone.
Account 416-Police Judge's Office, increase by \$12,000 for benefits, contracted services.
Account 417-City Attorney, decrease by \$35,000 for professional services.
Account 424-Authorities/Entities, decrease by \$1,000 due to no contribution made to Refinery Church.
Account 440-City Hall, increase by \$1,865,443 for City Hall construction loan, telephone, utilities, insurance, furniture.
Account 444-Cont/Transfer to Other Funds, increase by \$125,760 parks contribution, reimb. water for IT wages & benefits.
Account 566-Public Works, increase by \$20,000 for wages & benefits.
Account 700-Police Department, increase by \$200,000 for computer software, capital outlay equipment.
Account 704-Police-Special Duty, increase by \$5,000 for FICA & overtime.
Account 754-Central Garage, increase by \$15,000 for wages, benefits, maint. of autos & trucks.
Account 900-Parks & Recreation, decrease by \$40,000 budget correction.
Account 901-Visitors Bureau, increase by \$27,871 from hotel tax revenues.
Account 910-PGCC, increase by \$20,000 for contracted services.
Account 955-Human Resources, increase \$25,000 for wages, benefits, telephone, dues & subscriptions.

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: **1**Revision Number: **4**Pages: **1 of 3**

City of Elkins

GOVERNMENT ENTITY

401 Davis Ave.

STREET OR PO BOX

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**

Elkins

26241

CITY

ZIP CODE

REVENUES: (net each acct.)

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUSLY APPROVED AMOUNT	(INCREASE)	(DECREASE)	REVISED AMOUNT
303	Gas and Oil Severance Tax	25,000		7,713	17,287
304	Excise Tax on Utilities	426,000	53,938		479,938
305	Business and Occupation Tax	1,805,000	595,675		2,400,675
306	Wine & Liquor Tax	86,000	4,952		90,952
308	Hotel Occupancy Tax	260,500	31,484		291,984
314	Sale Tax	1,500,000	200,492		1,700,492
NET INCREASE/(DECREASE) Revenues (ALL PAGES)			2,336,474		

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
404	State Grants	30,000	50,000		80,000
409	Mayor's Office	50,730	20,000		70,730
410	City Council	98,000		5,000	93,000
413	Treasurer's Office	325,700	23,000		348,700
415	City Clerk	251,700	8,400		260,100
416	Police Judge's Office	114,400	12,000		126,400
417	City Attorney	95,000		35,000	60,000
424	Contributions to Comms/Authorities	56,674		1,000	55,674
440	City Hall	2,023,584	1,865,443		3,889,027
444	Contributions / Transfers to Other Funds	150,000	125,760		275,760
NET INCREASE/(DECREASE) Expenditures			2,336,474		

APPROVED BY THE STATE AUDITOR

BY:

Deputy State Auditor, Local Government Services Division Date

AUTHORIZED SIGNATURE
OF ENTITYAPPROVAL
DATE

REVENUES (CONT)

City of Elkins

LGSD: BR

City of Elkins

CONTROL NUMBER:

2026

1

4

BUDGET REVISION REQUEST-SUPPLEMENT

FY

FUND

REV #

ACCOUNT NUMBER	ACCOUNT CATEGORY	PREVIOUSLY APPROVED AMOUNT	INCREASE	DECREASE	REVISED AMOUNT
343	Off Street Parking		6,548		6,548
345	Rents/Royalties and Concessions	57,000		6,729	50,271
361	Charges for Services		1,095		1,095
366	State Government Grants	40,000	39,999		79,999
371	Payment in Lieu of Taxes	21,000	2,107		23,107
380	Interest Earned on Investments	85,000		50,000	35,000
381	Reimbursements	1,692,388	1,459,772		3,152,160
386	Insurance Claims	14,693	3,200		17,893
399	Miscellaneous Revenues	61,218	1,654		62,872
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				

NET INCREASE/(DECREASE) Revenues (THIS PAGE)

1,457,646

Explanation for Account # 378, Municipal Specific:

Explanation for Account #369, Contributions from Other Funds:

EXPENDITURES (CONT'D)

LGSD: BR

City of Elkins

City of Elkins

CONTROL NUMBER:

2026

1

4

BUDGET REVISION REQUEST-SUPPLEMENT

FY

FUND

REV#

ACCOUNT	ACCOUNT	PREVIOUSLY			REVISED
NUMBER	CATEGORY	APPROVED AMOUNT	INCREASE	DECREASE	AMOUNT
566	Public Work	173,475	20,000		193,475
700	Police Department	1,954,169	200,000		2,154,169
704	Police-Special Duty	90,087	5,000		95,087
754	Central Garage	172,831	15,000		187,831
900	Parks & Recreation	345,796		40,000	305,796
901	Visitors Bureau	134,231	27,871		162,102
910	Civic Center - Municipal Auditorium	140,600	20,000		160,600
955	Human Resources	217,400	25,000		242,400
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
NET INCREASE/(DECREASE) Expenditures (this page)					272,871



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	June 11, 2026
Section:	New Business
Category:	Resolution
Agenda Item Name:	Resolution 1927: FY 2026 General Fund Budget Revisions 13 – 24
Recommended By:	Finance Committee
Summary:	The City of Elkins previously submitted its Fiscal Year 2026 budget. During the fiscal year, certain adjustments have become necessary to reflect updated funding needs. FY 2026 General Fund Budget Revisions 13-24 (attached) detail the transfers of funds between accounts to address these adjustments.
Fiscal Impact:	See attached transfers of already budgeted funds within departments.
Recommendation:	Consider for approval
Attachments:	1. R-1927 - FY 2026 General Fund Budget Revisions 13-24

IN THE COMMON COUNCIL OF THE CITY OF ELKINS, WV

A RESOLUTION OF COMMON COUNCIL

(#1927)
June 11, 2026

Resolution to Approve FY 2026 General Fund Budget Revisions 13-24

WHEREAS, the City of Elkins has previously prepared and submitted its Budget for the Fiscal Year 2026; and,

WHEREAS, it has become necessary to make a revision to said Budget; and,

WHEREAS, FY 2026 General Fund Budget Revisions 13-24 (copy attached) transfer funds as shown;

NOW, THEREFORE, BE IT RESOLVED, THAT:

The Common Council of the City of Elkins hereby approves FY 2026 General Fund Budget Revisions 13-24.

Jerry Marco, Mayor

Attest:

Sutton R. Stokes, City Clerk

General Fund Budget Revision

Revision Number 13

Revenues

Fund	Department	Transfer From/Description	Amount
001	000-Revenues		
TOTAL			\$0.00

Department	Transfer To/Description	Amount
000-Revenues		
		\$0.00

Expenses

Fund	Department	Transfer From/Description	Amount
001	436-Building Inspector	108-0000 Overtime	\$1,000.00
		221-0000 Training & Education	\$2,000.00
		230-0000 Contracted Services	\$1,000.00
		459-0000 Capital Outlay Equipment	\$2,000.00
TOTAL			\$6,000.00

Department	Transfer To/Description	Amount
436-Building Inspector	103-0000 Salary & Wages	\$2,000.00
	104-0000 FICA Expense	\$200.00
	106-0000 Retirement	\$100.00
	220-0000 Advertising	\$200.00
	223-0000 Professional Services	\$1,500.00
	341-0000 Supplies & Materials	\$2,000.00
		\$6,000.00

General Fund Budget Revision

Revision Number 14

Revenues

Fund	Department	Transfer From/Description	Amount
001	000-Revenues		
TOTAL			\$0.00

Department	Transfer To/Description	Amount
000-Revenues		
		\$0.00

Expenses

Fund	Department	Transfer From/Description	Amount
001	754-Central Garage	105-0000 Group Insurance	\$700.00
		216-0000 Maint of Equipment	\$1,500.00
		343-0000 Automobile Supplies	\$1,500.00
		459-0000 Capital Outlay Equipment	\$1,800.00
TOTAL			\$5,500.00

Department	Transfer To/Description	Amount
754-Central Garage	108-0000 Overtime	\$1,000.00
	213-0000 Utilities	\$3,000.00
	219-0000 Bldgs & Equipment & Rents	\$250.00
	341-0000 Supplies & Materials	\$1,250.00
		\$5,500.00

General Fund Budget Revision

Revision Number 15

Revenues

Fund	Department	Transfer From/Description	Amount
001	000-Revenues		
TOTAL			\$0.00

Department	Transfer To/Description	Amount
000-Revenues		
		\$0.00

Expenses

Fund	Department	Transfer From/Description	Amount
001	750-Streets	230-0000 Contracted Services	\$18,800.00
TOTAL			\$18,800.00

Department	Transfer To/Description	Amount
750-Streets	103-0000 Salary & Wages	\$5,000.00
	211-0000 Telephone	\$1,000.00
	215-0000 Maint Bldgs/Grounds	\$5,000.00
	216-0000 Maint of Equipment	\$7,000.00
	222-0000 Dues & Subscriptions	\$500.00
	353-0000 Computer Software	\$300.00
		\$18,800.00

General Fund Budget Revision

Revision Number 16

Revenues

Fund	Department	Transfer From/Description	Amount
001	000-Revenues		
TOTAL			\$0.00

Department	Transfer To/Description	Amount
000-Revenues		
		\$0.00

Expenses

Fund	Department	Transfer From/Description	Amount
001	700-Police	103-0000 Salary & Wages	\$40,000.00
		105-0000 Group Insurance	\$2,500.00
		107-0000 Pensions Paid	\$7,433.00
		216-0000 Maint of Equipment	\$1,500.00
		220-0000 Advertising	\$3,000.00
		223-0000 Professional Services	\$5,000.00
		341-0001 Tactical Supplies & Materials	\$12,000.00
		343-0000 Automobile Supplies	\$5,000.00
		459-0001 Street Cameras	\$10,000.00
TOTAL			\$86,433.00

Department	Transfer To/Description	Amount
700-Police	106-0000 Retirement	\$2,000.00
	108-0000 Overtime	\$50,000.00
	211-0000 Telephone	\$10,000.00
	214-0000 Travel	\$1,000.00
	217-0000 Maint of Autos & Trucks	\$1,000.00
	222-0000 Dues & Subscriptions	\$2,500.00
	230-0000 Contracted Services	\$17,000.00
	353-0000 Computer Software	\$2,933.00
		\$86,433.00

General Fund Budget Revision

Revision Number 17

Revenues

Fund	Department	Transfer From/Description	Amount
001	000-Revenues		
TOTAL			\$0.00

Department	Transfer To/Description	Amount
000-Revenues		
		\$0.00

Expenses

Fund	Department	Transfer From/Description	Amount
001	440-City Hall	218-0000 Postage	\$1,000.00
		222-0000 Dues & Subscriptions	\$1,500.00
		223-0000 Professional Services	\$4,000.00
		457-0000 HVAC	\$6,600.00
		457-0001 City Hall Reno	\$25,000.00
TOTAL			\$38,100.00

Department	Transfer To/Description	Amount
440-City Hall	211-0000 Telephone	\$1,700.00
	213-0000 Utilities	\$6,600.00
	215-0000 Maint Bldgs/Grounds	\$3,600.00
	219-Buildings & Equipment & Rents	\$1,600.00
	222-0000 Dues & Subscriptions	\$1,000.00
	226-0000 G/L Insurance & Bonds	\$23,600.00
		\$38,100.00

Joey Judy
6/4/26

General Fund Budget Revision

Revision Number 18

Revenues

Fund	Department	Transfer From/Description	Amount
001	000-Revenues		
TOTAL			\$0.00

Department	Transfer To/Description	Amount
000-Revenues		
		\$0.00

Expenses

Fund	Department	Transfer From/Description	Amount
001	410-Council	214-0000 Travel	\$500.00
		221-0000 Training & Education	\$265.00
TOTAL			\$765.00

Department	Transfer To/Description	Amount
410-Council	222-0000 Dues & Subscriptions	\$765.00
		\$765.00

General Fund Budget Revision

Revision Number 19

Revenues

Fund	Department	Transfer From/Description	Amount
001	000-Revenues		
TOTAL			\$0.00

Department	Transfer To/Description	Amount
000-Revenues		
		\$0.00

Expenses

Fund	Department	Transfer From/Description	Amount
001	413-Treasurer	105-0000 Group Insurance	\$1,595.00
		108-0000 Overtime	\$2,000.00
		221-0000 Training & Education	\$1,000.00
TOTAL			\$4,595.00

Department	Transfer To/Description	Amount
413-Treasurer	104-0000 FICA Expense	\$800.00
	106-0000 Retirement	\$800.00
	214-0000 Travel	\$245.00
	222-0000 Dues & Subscriptions	\$750.00
	341-0000 Supplies & Materials	\$2,000.00
		\$4,595.00

Tracy Fudy
6/3/26

General Fund Budget Revision

Revision Number 20

Revenues

Fund	Department	Transfer From/Description	Amount
001	000-Revenues		
TOTAL			\$0.00

Department	Transfer To/Description	Amount
000-Revenues		
		\$0.00

Expenses

Fund	Department	Transfer From/Description	Amount
001	416-Municipal Judge	214-0000 Travel	\$104.00
		223-0000 Professional Services	\$20,000.00
		353-0000 Computer Software	\$780.00
TOTAL			\$20,884.00

Department	Transfer To/Description	Amount
416-Municipal Judge	103-0000 Salary & Wages	\$15,074.00
	104-0000 FICA Expense	\$1,200.00
	106-0000 Retirement	\$1,100.00
	108-0000 Overtime	\$500.00
	211-0000 Telephone	\$800.00
	221-0000 Training & Education	\$210.00
	235-0000 Remittance Fee Collected	\$2,000.00
		\$20,884.00

General Fund Budget Revision

Revision Number 21

Revenues

Fund	Department	Transfer From/Description	Amount
001	000-Revenues		
TOTAL			\$0.00

Department	Transfer To/Description	Amount
000-Revenues		
		\$0.00

Expenses

Fund	Department	Transfer From/Description	Amount
001	433-Custodial	105-0000 Group Insurance	\$4,300.00
TOTAL			\$4,300.00

Department	Transfer To/Description	Amount
433-Custodial	103-0000 Salary & Wages	\$3,000.00
	104-0000 FICA Expense	\$200.00
	106-0000 Retirement	\$700.00
	211-0000 Telephone	\$100.00
	222-0000 Dues & Subscriptions	\$100.00
	345-0000 Uniforms	\$200.00
		\$4,300.00

General Fund Budget Revision

Revision Number 22

Revenues

Fund	Department	Transfer From/Description	Amount
001	000-Revenues		
TOTAL			\$0.00

Department	Transfer To/Description	Amount
000-Revenues		
		\$0.00

Expenses

Fund	Department	Transfer From/Description	Amount
001	910-PGCC	215-0000 Maint Bldgs/Grounds	\$2,000.00
		222-0000 Dues & Subscriptions	\$1,000.00
TOTAL			\$3,000.00

Department	Transfer To/Description	Amount
910-PGCC	211-0000 Telephone	\$125.00
	213-0000 Utilities	\$2,275.00
	218-0000 Postage	\$100.00
	240-0000 Refunds & Reimbursements	\$500.00
		\$3,000.00

Lacey Judy
6/4/26

General Fund Budget Revision

Revision Number 23

Revenues

Fund	Department	Transfer From/Description	Amount
001	000-Revenues		
TOTAL			\$0.00

Department	Transfer To/Description	Amount
000-Revenues		
		\$0.00

Expenses

Fund	Department	Transfer From/Description	Amount
001	415-City Clerk	222-0000 Dues & Subscriptions	\$3,200.00
		214-0000 Travel	\$500.00
TOTAL			\$3,700.00

Department	Transfer To/Description	Amount
415-City Clerk	230-0000 Contracted Services	\$3,200.00
	221-0000 Training & Education	\$500.00
		\$3,700.00

General Fund Budget Revision

Revision Number 24

Revenues

Fund	Department	Transfer From/Description	Amount
001	000-Revenues		
TOTAL			\$0.00

Department	Transfer To/Description	Amount
000-Revenues		
		\$0.00

Expenses

Fund	Department	Transfer From/Description	Amount
001	955-Human Resources	214-0000 Travel	\$800.00
TOTAL			\$800.00

Department	Transfer To/Description	Amount
955-Human Resources	211-0000 Telephone	\$300.00
	222-0000 Dues & Subscriptions	\$500.00
		\$800.00

Sarah K Campbell
HR Director



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	June 11, 2026
Section:	New Business
Category:	Resolution
Agenda Item Name:	Resolution 1928: FY 2026 Fire Fund Budget Revision 1
Recommended By:	Finance Committee
Summary:	The City of Elkins previously submitted its Fiscal Year 2026 Fire Fund budget. During the fiscal year, certain adjustments have become necessary to reflect updated funding needs. FY 2026 Fire Fund Budget Revision 1 (attached) detail the transfers of funds between accounts to address these adjustments.
Fiscal Impact:	See attached transfers of already budgeted fund.
Recommendation:	Consider for approval
Attachments:	1. R-1928 - FY 2026 Fire Fund Budget Revisions 1

IN THE COMMON COUNCIL OF THE CITY OF ELKINS, WV

A RESOLUTION OF COMMON COUNCIL

(#1927)
June 11, 2026

Resolution to Approve FY 2026 Fire Fund Budget Revision 1

WHEREAS, the City of Elkins has previously prepared and submitted its Budget for the Fiscal Year 2026; and,

WHEREAS, it has become necessary to make a revision to said Budget; and,

WHEREAS, FY 2026 Fire Fund Budget Revision 1 (copy attached) transfer funds as shown;

NOW, THEREFORE, BE IT RESOLVED, THAT:

The Common Council of the City of Elkins hereby approves FY 2026 Fire Fund Budget Revision 1.

Jerry Marco, Mayor

Attest:

Sutton R. Stokes, City Clerk

Fire Fund Budget Revision

Revision Number 1



Revenues

Fund	Department	Transfer From/Description	Amount
036	000-Revenues		
TOTAL			\$0.00

Department	Transfer To/Description	Amount
000-Revenues	369-0000 Contributions for Other Funds	\$300,000.00
		\$300,000.00

Expenses

Fund	Department	Transfer From/Description	Amount
036	706-Fire		
TOTAL			\$0.00

Department	Transfer To/Description	Amount
706-Fire	103-0000 Salary & Wages	\$70,000.00
	105-0000 Group Insurance	\$800.00
	106-0000 Retirement	\$2,500.00
	108-0000 Overtime	\$175,000.00
	211-0000 Telephone	\$300.00
	213-0000 Utilities	\$13,675.00
	214-0000 Travel	\$1,000.00
	215-0000 Maint Bldgs/Grounds	\$1,000.00
	217-0000 Maint of Autos & Trucks	\$10,000.00
	218-0000 Postage	\$3,000.00
	222-0000 Dues & Subscriptions	\$1,200.00
	226-0000 Insurance & Bonds	\$3,500.00
	226-0001 W/C Insurance	\$4,000.00
	230-0000 Contracted Services	\$7,000.00
	232-0000 Bank Charges	\$25.00
	353-0000 Computer Software	\$7,000.00
		\$300,000.00



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	June 11, 2026
Section:	New Business
Category:	Resolution
Agenda Item Name:	Resolution 1929: FY 2026 Sanitation Fund Budget Revision 1
Recommended By:	Finance Committee
Summary:	The City of Elkins previously submitted its Fiscal Year 2026 Sanitation Fund budget. During the fiscal year, certain adjustments have become necessary to reflect updated funding needs. FY 2026 Sanitation Fund Budget Revision 1 (attached) detail the transfers of funds between accounts to address these adjustments.
Fiscal Impact:	See attached transfers of already budgeted funds.
Recommendation:	Consider for approval
Attachments:	1. R-1929 - FY 2026 Sanitation Fund Budget Revisions 1

IN THE COMMON COUNCIL OF THE CITY OF ELKINS, WV

A RESOLUTION OF COMMON COUNCIL

(#1927)
June 11, 2026

Resolution to Approve FY 2026 Sanitation Fund Budget Revision 1

WHEREAS, the City of Elkins has previously prepared and submitted its Budget for the Fiscal Year 2026; and,

WHEREAS, it has become necessary to make a revision to said Budget; and,

WHEREAS, FY 2026 Sanitation Fund Budget Revision 1 (copy attached) transfer funds as shown;

NOW, THEREFORE, BE IT RESOLVED, THAT:

The Common Council of the City of Elkins hereby approves FY 2026 Sanitation Fund Budget Revision 1.

Jerry Marco, Mayor

Attest:

Sutton R. Stokes, City Clerk

Sanitation Fund Budget Revision

Revision Number	1
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Revenues

Fund	Department	Transfer From/Description	Amount
404	000-Revenues		
TOTAL			\$0.00

Expenses

Fund	Department	Transfer From/Description	Amount
404	800-Sanitation	106-0000 Retirement	\$1,500.00
		214-0000 Travel	\$200.00
		220-0000 Advertising	\$500.00
		221-0000 Training & Education	\$500.00
		457-0000 Capital Outlay Buildings	\$30,000.00
		670-0000 Other Interest & Penalties	\$1,200.00
	801-Utility Billing	105-0000 Group Insurance	\$1,500.00
TOTAL			\$35,400.00

Department	Transfer To/Description	Amount
000-Revenues		
		\$0.00

Department	Transfer To/Description	Amount
800-Sanitation	105-0000 Group Insurance	\$29,925.00
	213-0000 Utilities	\$5,475.00
		\$35,400.00

MLH



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	June 11, 2026
Section:	New Business
Category:	Resolution
Agenda Item Name:	Resolution 1930: Policy concerning ad hoc funding requests
Recommended By:	Finance Committee
Summary:	Resolution adopting the City of Elkins Policy Regarding Outside Contributions, Sponsorships, and Solicitation Requests, establishing a consistent administrative framework for handling unsolicited requests for donations, sponsorships, and other financial contributions from outside organizations. The policy addresses the increasing number of requests for financial support from external organizations and the need for a clear, transparent, and consistent process. It ensures that public funds are used appropriately for municipal purposes and reduces administrative burden on Council and staff. Key Provisions: • Establishes that ad hoc funding requests outside the annual budget process are generally discouraged. • Directs that outside funding requests should typically be considered during the City's regular budget process. • Authorizes staff to respond administratively to unsolicited requests and, in most cases, not advance them for Council or Committee agenda consideration. • Requires that requests seeking agenda placement demonstrate a clear municipal partnership or substantial City interest. • Establishes guiding principles including public purpose, equity and neutrality, fiscal responsibility, accountability, and administrative efficiency. • Provides exceptions for previously approved funding relationships, City programs, grants, contractual obligations, and Council-approved appropriations.



CITY OF ELKINS AGENDA ITEM REPORT

Fiscal Impact:	n/a
Recommendation:	Consider for approval
Attachments:	1. R-1930 - policy concerning ad hoc funding requests

IN THE COMMON COUNCIL OF THE CITY OF ELKINS, WV

A RESOLUTION OF COMMON COUNCIL

(#1930)
June 11, 2026

Policy Concerning Ad Hoc Funding Requests

WHEREAS, the City of Elkins periodically receives requests from outside organizations seeking donations, sponsorships, advertising purchases, and other forms of financial support; and

WHEREAS, the increasing frequency of such requests, particularly those involving small or unbudgeted amounts, has created a need for a consistent and transparent administrative approach; and

WHEREAS, the City must ensure that public funds are used primarily for governmental purposes and core municipal services, and that decisions regarding outside funding are made in an equitable, accountable, and fiscally responsible manner; and

WHEREAS, the West Virginia State Auditor's Office requires municipalities to maintain policies and procedures governing contributions to outside organizations, including requirements related to budgeting, documentation, and accountability; and

WHEREAS, the City Council finds it in the best interest of the City to adopt a uniform policy establishing procedures for handling unsolicited requests for outside financial support and clarifying when such requests may be considered by Council;

NOW, THEREFORE, BE IT RESOLVED THAT:

The City Council hereby adopts the *City of Elkins Policy Regarding Outside Contributions, Sponsorships, and Solicitation Requests*, attached hereto and incorporated herein by reference as if fully set forth.

Jerry A. Marco, Mayor

Attest:

Sutton R. Stokes, City Clerk

CITY OF ELKINS

POLICY REGARDING OUTSIDE CONTRIBUTION, SPONSORSHIP, AND SOLICITATION REQUESTS

Section 1. Purpose

The City of Elkins periodically receives requests from outside organizations seeking donations, sponsorships, advertising purchases, program support, or other financial contributions. Such requests may originate from youth athletic organizations, schools, charitable organizations, civic associations, festivals, arts organizations, and similar community initiatives.

While many such organizations provide meaningful benefits to the community, the increasing frequency of unsolicited requests, together with accompanying requests for presentations or agenda consideration concerning relatively small or unbudgeted amounts, has created a need for a more consistent administrative approach.

The purpose of this policy is to establish a uniform framework for the handling of unsolicited requests for outside financial support and to clarify the circumstances under which such requests may or may not be advanced for Committee or Council consideration.

Section 2. Policy Principles

In administering this policy, the City shall be guided by the following principles:

A. Public Purpose

City funds are collected through taxes, fees, and other governmental revenues for the purpose of carrying out municipal functions and providing public services. While outside organizations may provide valuable community benefits, public funds are not discretionary in the same manner as private charitable contributions.

B. Equity and Neutrality

Because many organizations and causes serving the community may be equally worthwhile, the City seeks to avoid making ad hoc discretionary distinctions among competing requests for financial support.

C. Fiscal Responsibility

The City must prioritize core governmental services and obligations, including infrastructure, utilities, public safety, personnel, parks, maintenance, and other municipal responsibilities.

D. Accountability and Oversight

The West Virginia State Auditor's Office requires municipalities to maintain policies and procedures governing contributions to outside organizations, including requirements relating to budgeting, documentation, reimbursement, nonprofit status where applicable, and accountability for the expenditure of public funds. Informal sponsorship or donation requests frequently do not fit within these established procedures and oversight requirements.

E. Budget Process

Requests for outside funding are generally most appropriately considered during the City's regular annual budget process, where proposed expenditures may be evaluated collectively and in the context of overall financial conditions, competing priorities, and established financial controls.

F. Administrative Efficiency

The City seeks to preserve Committee and Council meeting time for core municipal business and to ensure that outside funding requests are handled consistently and fairly.

Section 3. General Administrative Procedures

A. General Requests

City staff are authorized to respond administratively to unsolicited requests for donations, sponsorships, advertising purchases, program advertisements, or similar outside contributions by explaining that:

1. Ad hoc donation or sponsorship requests outside the regular budget process are generally discouraged;
2. Public funds are primarily reserved for governmental purposes and core municipal services; and
3. The City seeks to maintain a consistent and equitable approach toward the many outside organizations and causes serving the community.

Unless otherwise directed by Council or a Committee of Council, such requests ordinarily shall not be referred for Committee presentation or agenda consideration.

B. Requests for Agenda Consideration

Where an organization specifically requests Committee or Council agenda consideration, staff may advise that:

1. Additional outside appropriations or contributions during the fiscal year are generally discouraged;
2. Such requests ordinarily are considered, if at all, during the annual budget process;
3. Sponsorship or donation requests ordinarily will not be scheduled absent a demonstrated municipal partnership, operational nexus, or other substantial municipal interest; and
4. Organizations remain welcome to submit requests during the City's regular annual budget development process.

Section 4. Exceptions

Nothing in this policy shall prohibit or otherwise limit:

1. Funding relationships previously established by Council policy, agreement, or appropriation;
2. Expenditures associated with City programs, facilities, events, or joint governmental functions;
3. Grants or pass-through funds administered pursuant to specific legal authority;
4. Contractual obligations of the City; or
5. Appropriations otherwise specifically approved by Council.

Section 5. Administrative Templates

The City Clerk is authorized to develop and utilize standardized administrative response templates consistent with this policy for responding to outside contribution and sponsorship requests.

Section 6. Effective Date

This policy shall take effect immediately upon adoption by Common Council.

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CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	June 11, 2026
Section:	New Business
Category:	Resolution
Agenda Item Name:	Resolution 1931: Accepting and approving a proposal from Mountain Valley Bank for financing of the City Hall renovation project
Recommended By:	Finance Committee
Summary:	Resolution approving and accepting a financing proposal from Mountain Valley Bank, N.A. for permanent financing of the City Hall renovation project. This proposal provides a permanent financing option with fixed, predictable terms. Key Provisions • Approves a loan in the amount of \$4,108,000. • Establishes a 32-year term with a fixed interest rate of 4.75%. • Secures the loan with first deeds of trust on City-owned properties located at: ○ 401 Davis Avenue ○ 142 Robert E. Lee Avenue ○ 216 Fourth Street • Authorizes the Mayor, City Clerk, City Treasurer, and appropriate officials to execute all necessary documents and complete the financing process. • Allows for standard closing costs and related requirements.
Fiscal Impact:	Estimated annual debt service is approximately \$250,000 over a 32-year term, subject to final financing terms and closing costs.
Recommendation:	Consider for approval
Attachments:	1. R-1931 - Accepting MVB proposal for financing of City Hall Renovation project

IN THE COMMON COUNCIL OF THE CITY OF ELKINS, WV

A RESOLUTION OF COMMON COUNCIL

(#1931)
June 11, 2026

Accepting and approving a proposal from Mountain Valley Bank for financing of the City Hall renovation project

WHEREAS, The City of Elkins is undertaking the renovation and improvement of the Elkins City Hall facility located at 401 Davis Avenue; and

WHEREAS, The City has evaluated financing options for permanent funding of the City Hall renovation project; and

WHEREAS, Mountain Valley Bank, N.A. has submitted a proposal dated June 3, 2026, offering to provide permanent financing for the project; and

WHEREAS, The proposed financing includes a principal amount of \$4,108,000, a term of thirty-two (32) years, and a fixed interest rate of 4.75 percent; and

WHEREAS, The loan will be secured by first deeds of trust on City-owned real properties located at 401 Davis Avenue, 142 Robert E. Lee Avenue, and 216 Fourth Street in Elkins; and

WHEREAS, The City Council finds that the terms of the financing proposal are reasonable, competitive, and in the best interest of the City and its residents;

NOW, THEREFORE, BE IT RESOLVED THAT:

The City Council hereby accepts and approves the financing proposal submitted by Mountain Valley Bank, N.A., dated June 3, 2026, for permanent financing of the City Hall renovation project, in substantial conformity with the terms presented.

The approved financing shall include:

Principal Amount: \$4,108,000

Term: 32 years

Interest Rate: Fixed at 4.75% for the full term

The loan shall be secured by first deeds of trust on City-owned real property located at:

401 Davis Avenue
142 Robert E. Lee Avenue
216 Fourth Street

The Mayor, City Clerk, City Treasurer, and any other appropriate City officials are hereby authorized and directed to execute all documents, agreements, deeds of trust, and related instruments necessary to finalize the financing, consistent with this Resolution. City officials are authorized to proceed with closing subject to standard closing requirements, including appraisal and recording costs, and any other customary terms consistent with the proposal. The appropriate City officials are authorized to take all additional actions necessary or desirable to carry out the intent and purposes of this Resolution.

Jerry A. Marco, Mayor

Attest:

Sutton R. Stokes, City Clerk



MOUNTAIN VALLEY BANK, N.A.

317 Davis Ave., P.O. Box 1969, Elkins, WV 26241 (304) 637-2265

June 3, 2026

Ms. Tracy R. Judy
Elkins City Treasurer
401 Davis Ave.
Elkins, WV 26241

Subject: Elkins City Hall Permanent Financing Commitment

Dear Ms. Judy:

We are very pleased to serve as a partner with the City of Elkins on multiple financing projects and deposit relationships. The city continues to be a valuable customer of Mountain Valley Bank and we remain committed to providing premier customer service and value added solutions for all the city's banking needs.

Based on our recent conversations regarding the permanent financing options for Elkins City Hall, we would like to offer substantially identical financing arrangements that have been offered by the United States Department of Agriculture (USDA). Mountain Valley Bank, N.A. commits to the following:

Amount of permanent financing: \$4,108,000.00

Loan term: 32 years

Fixed interest rate: 4.75%

Collateral: 1st Deed of Trust on real estate located at 401 Davis Ave., Elkins

1st Deed of Trust on real estate located at 142 Robert E. Lee Ave., Elkins

1st Deed of Trust on real estate located at 216 4th Street Elkins

The above stated interest rate will be fixed for the full term of the loan. Estimated closing costs for this loan will include the cost of appraisals for the properties at Robert E. Lee Ave. and 216 4th Street of approximately \$4,000.00 plus any applicable recording fees. Mountain Valley Bank will waive the typical requirement for title insurance. Please don't hesitate to contact me at any time should you have questions or need additional information.

Thank you for doing business with Mountain Valley Bank, and we look forward to continuing our financial partnership.

Sincerely,

Douglas K. Weese
President and CEO

ELKINS OFFICE

1955 Beverly Pike

P.O. Box 1969

PARSONS OFFICE

401 First Street

P.O. Box 383

MILL CREEK OFFICE

9896 Seneca Trail

P.O. Box 10



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	June 11, 2026
Section:	New Business
Category:	Resolution
Agenda Item Name:	Resolution 1932: Accepting and authorizing execution of an agreement with Hart OS for a multi-function copier for the Fire Department
Recommended By:	Finance Committee
Summary:	This resolution authorizes the approval and execution of a lease and maintenance agreement between the City of Elkins and Hart Office Solutions, LLC for a multifunction copier/printer system to be used by the Elkins Fire Department.
Fiscal Impact:	Monthly lease/maintenance payment of approximately \$60, for 66 months.
Recommendation:	Consider for approval
Attachments:	1. R-1932 - Hart Office agreement for copier for EFD

IN THE COMMON COUNCIL OF THE CITY OF ELKINS, WV

A RESOLUTION OF COMMON COUNCIL

(#1932)
June 11, 2026

***Authorizing Conditions of Lease and Maintenance Agreement between
Hart Office Solutions and the City of Elkins (Fire Department)***

WHEREAS, the City of Elkins, West Virginia (“City”) has determined to obtain equipment and services for a Toshiba e-Studio 330AC Color System multifunction printer and copier in the Fire Department; and,

WHEREAS, the City has received a proposed Agreement with Hart Office Solutions, LLC (copy attached) for the provision of such equipment and services; and,

WHEREAS, it appears that contracting for this service is in the best interests of the citizens of the City of Elkins;

NOW, THEREFORE, BE IT RESOLVED THAT,

The Elkins Common Council approves this Agreement and authorizes execution of this Agreement by the Mayor, or his designee, on behalf of the City of Elkins.

Jerry A. Marco, Mayor

Attest:

Sutton R. Stokes, City Clerk

LEASE AGREEMENT

1720A Crete Street, Moberly, MO 65270
Phone: 800-662-3759, Fax: 800-426-2626

LESSEE LEGAL NAME: City Of Elkins		Telephone No: 3046363433	
Billing Address: 401 Davis Ave, Elkins, WV 26241		Equipment Location (if other than Billing Address): 216 Fourth Street, Elkins, WV 26241	
EQUIPMENT DESCRIPTION: (indicate quantity, new or used and include make, model, serial # and all attachments – see below and/or attached Schedule A)			
Unit Quantity	Description of Equipment Leased	Make and Type	Model Number
1	Toshiba 330AC		330AC
Serial Number			
BASE TERM IN MONTHS <u>66</u>	TOTAL NUMBER OF LEASE PAYMENTS <u>3 @ \$0.00</u> followed by <u>63 @ \$59.50</u> (plus taxes)	END OF LEASE PURCHASE OPTION ☒ Fair market value, plus taxes ☐ 10% of Equipment cost, plus taxes ☐ \$1.00, plus taxes (FMV unless another option is selected. You may not exercise a purchase option if you are in default. If you exercise a purchase option we will convey all of our right, title and interest in such Equipment to you on an AS-IS WHERE IS without warranty.)	
		(a) Advance Payment: \$0.00	
		(b) Security Deposit: \$0.00	
		(c) Documentation Fee: \$95.00	
		Total due a + b + c =: \$95.00	
**If more than one lease payment is required as an Advance Payment, the balance will be applied to lease payments in inverse order, starting with the last lease payment. Your obligation to pay all amounts and perform all other obligations is non-cancellable, absolute, unconditional and not subject to abatement, set-off or defense.			

In this agreement ("Lease"), "we," "our," and "us" refers to **LEAF Capital Funding, LLC** as Lessor and "you" and "your" refer to the Lessee. You agree to lease the Equipment upon the following terms and conditions:

1. LEASE PAYMENTS AND TERM: The Lease is enforceable on you upon your execution. The term of the Lease shall commence on the date the Equipment is delivered to you ("Lease Commencement Date"). The first Lease Payment shall be due on the date we specify in the month following the Lease Commencement Date as set forth in our invoice, and the remaining Lease Payments will be due on the same day of each subsequent month (each, a "Payment Date") until paid in full. The Base Term shall commence on the date one month prior to the first Payment Date. We may charge you a portion of one Lease Payment for the period from the Lease Commencement Date until the first day of the Base Term ("Interim Rent"). The Interim Rent shall be due as invoiced. We may adjust the Lease Payments up to 15% if the actual costs are different than the estimate used to calculate the Lease Payments. **On an annual basis, the Monthly Payment may be increased by a maximum of 15% of the amount previously then in effect.**

2. DELIVERY, ACCEPTANCE, USE AND REPAIR: You are responsible for Equipment delivery and installation. You unconditionally accept the Equipment upon the earlier of (a) your oral or written acceptance of the Equipment, or (b) 10 days after delivery of the Equipment. You authorize us to fill in the Lease Commencement Date, serial numbers and other information. **You will not move the Equipment from the above location without our written consent and are responsible for maintaining the Equipment in good repair.** We are not responsible for Equipment or vendor failures.

3. INDEMNIFICATION: You agree to indemnify, defend and hold us harmless from and against any losses, damages, penalties, claims and suits, including attorneys' fees and expenses related to the ordering, manufacture, installation, ownership, condition, use, lease, possession, delivery or return of Equipment.

4. LEASE EXPIRATION, RENEWAL: Unless you notify us at least 90 days prior to the expiration of the Lease of your election to return or purchase the Equipment, this Lease will renew on a month-to-month basis at the same monthly Lease Payment until you either exercise the purchase option or provide us with at least 90 days notice and return the Equipment. If you return the Equipment, (i) it must be to the location we designate and you are responsible for all return costs and we may charge a Restocking Fee equal to one Lease Payment, and (ii) you must securely remove all data from any and all disk drives or magnetic media prior to returning the Equipment (and you are solely responsible for selecting an appropriate removal standard that meets your business needs and complies with applicable laws). You will pay us for any loss in value resulting from failure to maintain the Equipment in accordance with this Lease or for damages incurred in shipping and handling. If you exercise a purchase option we will convey all of our interest in such Equipment to you on an AS-IS WHERE IS basis without representation or warranty.

5. LATE FEES AND CHARGES: If any amount is not paid within three (3) days of when due, you agree to pay us a late charge equal to the lesser of 10% of the amount past due or the maximum legal amount. Amounts which are not paid within 30 days of when due shall accrue interest at 1.5% per month (or if less, the maximum legal rate) until paid. You agree to pay \$25 for each pay by phone and \$35 for each returned payment.

6. NO WARRANTY: We do not manufacture the Equipment and you have selected the Equipment and the supplier. **WE MAKE NO EXPRESS OR IMPLIED WARRANTIES, INCLUDING THOSE OF MERCHANTABILITY OR FITNESS FOR A PURPOSE AND ARE NOT RESPONSIBLE FOR CONSEQUENTIAL OR INCIDENTAL DAMAGES.**

7. INSURANCE, RISK OF LOSS: You bear all risk of loss or damage to the Equipment from its order until it is returned in the required condition or purchased by you ("Risk Period"). During the Risk Period you will maintain property and liability insurance on the Equipment acceptable to us, naming us loss payee and additional insured. If you do not provide us with proof of such insurance, we may secure insurance on the Equipment to cover

our interests (and only our interests). If we obtain such insurance, you will pay us an additional amount for the cost of it and an administrative fee, the cost of which may be more than the cost to obtain your own insurance and on which we may make a profit.

8. OWNERSHIP AND TAXES: We own the Equipment (excluding licensed software). If you are deemed to own it, you grant us a security interest in the Equipment. You authorize us to file UCC financing statements to confirm our interest. You will pay, when due, all taxes, fines and penalties relating to the purchase, use, leasing and/or ownership of the Equipment. If we pay any taxes, (including property tax), fees or penalties on your behalf, you will pay us the amount we paid plus an administrative fee. You agree to pay us the documentation fee specified above or if not so specified, the greater of either \$125 or 0.5% of the Equipment cost. If we require an Equipment site inspection, or you request administrative services, you agree to reimburse our costs.

9. DEFAULT: If you or any guarantor do not pay us any amount within ten (10) days of its due date, or breach any terms of this Lease, any guaranty or any license relating to the Equipment, you will be in default. If you default, we may require you to do any combination of the following: (a) immediately pay all amounts then due, plus the present value of the remaining Lease Payments, Interim Rent and residual value of the Equipment, as determined by us, discounted at an annual rate of 3%; (b) return all of the Equipment; (c) allow us to repossess the Equipment; or (d) use any and all remedies available to us under applicable law. If you default, you agree to pay the cost of repossession and our attorney's fees and costs. In addition to all other charges and as reimbursement for expenses incurred and not as a penalty, we may require you to reimburse us for the phone calls, letters, and any additional expense incurred in the collection or servicing of this Lease for you. If we take possession of the Equipment, we may sell or otherwise dispose of it with or without notice, at a public or private sale, and apply the net proceeds (after we have deducted all costs related to the sale or disposition of the Equipment) to the amounts that you owe us. You agree that if notice of sale is required by law, 10 days' notice shall constitute reasonable notice. You remain responsible for any amounts that are due after we have applied such net proceeds. We may apply any security deposits to your obligations and if you do not default, the balance will be refunded without interest.

10. ASSIGNMENT: You have no right to sell or assign the Equipment or Lease. We may sell or assign our rights in the Lease and/or Equipment and the new owner will have all our rights but will not be subject to any claim or defense you have against us.

11. ARTICLE 2A: You agree this Lease is a "finance lease" as defined in Article 2A of the Uniform Commercial Code. **You waive all rights and remedies conferred upon a lessee by Article 2A (508-522) of the UCC.** You have received a copy of the Supply Contract or been informed of the identity of the Supplier and you may have rights under the Supply Contract and may contact the Supplier for a description of those rights.

12. CREDIT INFORMATION: You authorize us or any of our affiliates to obtain credit bureau reports, and make other credit inquiries that we deem necessary.

13. CHOICE OF LAW: THIS LEASE WILL BE GOVERNED BY PENNSYLVANIA LAW. YOU CONSENT TO JURISDICTION IN THE STATE OR FEDERAL COURTS IN PENNSYLVANIA AND WAIVE ANY RIGHT TO A TRIAL BY JURY.

14. MISCELLANEOUS: This Lease is the parties' entire agreement and can be amended only in writing signed by both parties. This Lease may be executed in counterparts (manually or by electronic means) and, when transmitted to us shall be binding upon you for all purposes. This Lease is not binding on us until we sign it. You agree not to raise as a defense to the enforcement of this Lease that it was executed or transmitted to us by electronic means. You will use the Equipment only for business purposes and not for personal, family or household use. The USA PATRIOT Act requires us to obtain, verify, and record information that identifies you thus we ask for your name, address and other information or documents that substantiate your identity.

ACCEPTED BY LESSEE: City Of Elkins		Print Name: _____	Title: _____
X _____		E-Mail Address: _____	Date: _____
Lessee Authorized Signature		Tax ID Number: _____	

PERSONAL GUARANTY: Undersigned guarantees that Lessee will make all payments and perform all other obligations under the Lease when due. Undersigned agrees that this is a guaranty of payment and not of collection, and that we can proceed directly against undersigned without first proceeding against Lessee or the Equipment. Undersigned also waives all suretyship defenses and notification if the Lessee is in default and consents to any extensions or modifications granted to Lessee. Undersigned will pay us all expenses (including attorneys' fees) we incur in enforcing our rights against undersigned or Lessee. If more than one person signs this guaranty, each agrees that his/her liability is joint and several. Undersigned authorizes us and our affiliates to obtain credit bureau reports and make inquiries regarding undersigned's personal credit. **You consent to jurisdiction in the State or Federal courts in Pennsylvania and expressly waive any right to a trial by jury.**

SIGNED X _____ Print Name: _____ E-Mail Address: _____

Accepted by:
LEAF Capital Funding, LLC By: _____ Title: _____ Date: _____

State and Local Government Addendum

Reference: **Application No. 1132977**

This State and Local Government Addendum (this "Addendum") is made part of the Agreement related to the above referenced application number ("Agreement") between **LEAF Capital Funding, LLC** ("we" "us" and "ours") and **City Of Elkins** ("you" and "your"). Capitalized terms used but not defined will have the meaning given to them in the Agreement. If there is any conflict between the terms of this Addendum and the terms of the Agreement, the terms of this Addendum will control and prevail. The parties hereby agree as follows:

1. Funding Intent. You reasonably believe that funds can be obtained sufficient to make all Payments set forth in the Agreement and any other amounts owed during the term of the Agreement. You agree that your chief executive or administrative officer (or your administrative office that has the responsibility of preparing the budget submitted to your governing body, as applicable) will provide for funding for such payments in your annual budget request submitted to your governing body. You covenant that you will do all things lawfully within your power to obtain, maintain and properly request and pursue funds from which the Payments may be made, including making provisions for such payments to the extent necessary in each budget submitted for the purpose of obtaining funding, using your best efforts to have such portion of the budget approved and exhausting all available administrative reviews and appeals in the event such portion of the budget is not approved. If your governing body chooses not to appropriate funds for such payments, you agree that your governing body will evidence such nonappropriation by omitting funds for such payments due during the applicable fiscal period from the budget that it adopts. You and we agree that your obligation to make payments under the Agreement will be your current expense and will not be interpreted to be a debt in violation of applicable law or constitutional limitations or requirements. Nothing contained in the Agreement will be interpreted as a pledge of your general tax revenues, funds or moneys.

2. Nonappropriation of Funds. If (a) sufficient funds are not appropriated and budgeted by your governing body in any fiscal period for Payments set forth in the Agreement or any other amounts owed to us and (b) you have exhausted all funds legally available for such payments due under the Agreement (together, a "Non-Appropriation Event"), then you will give us not less than ninety (90) days written notice (a "Termination Notice") and the Agreement will terminate as of the last day of your fiscal period for which funds for such payments are available ("Termination Date"). Such termination is without any expense or penalty, except for the portions of such payments and those expenses associated with your return of the Equipment in accordance with the Agreement for which funds have been budgeted or appropriated or are otherwise legally available. You agree that, to the extent permitted by law, you will not terminate the Agreement if any funds are appropriated by you or to you for the acquisition or use of equipment or services performing functions similar to the Equipment during your fiscal period in which such termination would occur. You shall (i) on or before the Termination Date, return the Equipment in accordance with the return requirements set forth in the Agreement, (ii) provide in the Termination Notice a certification of a responsible official that a Non-Appropriation Event has occurred, (iii) deliver to us, upon our request, an opinion of your counsel (addressed to us) verifying that the Non-Appropriation Event as set forth in the Termination Notice has occurred, and (iv) pay us all sums payable to us under the Agreement up to and including the Termination Date. You acknowledge and agree that, in the event of the termination of the Agreement and the return of the Equipment as provided for herein, you shall have no interest whatsoever in the Equipment or proceeds thereof and we shall be entitled to retain for our own account the proceeds resulting from any disposition or releasing of the Equipment along with any advance rentals, security deposits or other sums previously paid by you pursuant to the terms of the Agreement.

3. Authority and Authorization. You represent and agree that: (a) you are a state or a political subdivision or agency of a state; (b) the entering into and performance of the Agreement is authorized under your state laws and Constitution and does not violate or contradict any judgment, law, order, or regulation, or cause any default under any agreement to which you are party; (c) you have complied with all bidding requirements and, where necessary, have properly presented the Agreement for approval and adoption as a valid obligation on your part; and (d) you have sufficient appropriated funds or other moneys available to pay all amounts due under the Agreement for your current fiscal period. Upon our request, you agree to provide us with an opinion of counsel as to clauses (a) through (d) above, an incumbency certificate, and other documents that we request, with all such documents being in a form satisfactory to us.

4. **Government Use.** You agree that (a) you will comply with all information reporting requirements of the Internal Revenue Code of 1986, as amended, including but not limited to the execution and delivery to us of information statements requested by us, and (b) the use of the Equipment is essential for your proper, efficient and economic operation, you will be the only entity to use the Equipment during the term of the Agreement and you will use the Equipment only for your governmental purposes. Upon our request you will provide us with an essential use letter in a form satisfactory to us as to clause (b) above.

5. **Insurance.** You agree to provide and maintain at your own expense (a) property insurance against the loss, theft, destruction of, or damage to, the Equipment for its full replacement value, naming us as loss payee, and (b) public liability and third party property insurance, naming us as an additional insured. You will give us certificates or other evidence of such insurance on the Equipment at such times as we request. All insurance obtained from a third party insurer will be in a form, amount and with companies acceptable to us, and will provide that we will be given 30 days' advance notice of any cancellation or material change of such insurance. If you do not provide us with proof of such insurance, we may secure insurance on the Equipment to cover our interests (and only our interests). If we obtain such insurance, you will pay us an additional amount for the cost of such insurance and an administrative fee, the cost of which may be more than the cost to obtain your own insurance and on which we may make a profit.

6. **Indemnification.** With respect to any claims, actions, or suits that are made against us as a result of your actions, omissions, negligence or willful misconduct ("Claims"), to the extent permitted by law, you agree to reimburse us for, and if we request, defend us against, any such Claims.

7. **Choice of Law.** Regardless of any conflicting provision in the Agreement, **THE AGREEMENT WILL BE GOVERNED BY THE LAWS OF THE STATE IN WHICH YOU ARE LOCATED.**

8. This Addendum supplements and amends the Agreement only to the extent and in the manner set forth, and in all other respects, the Agreement will remain in full force and effect.

IN WITNESS WHEREOF the parties hereto, by their authorized signatories, have executed this Addendum at the date set forth below their respective signatures.

CUSTOMER: City Of Elkins	LEAF CAPITAL FUNDING, LLC
By: _____	By: _____
Print _____	Print _____
Name: _____	Name: _____
Title: _____	Title: _____
Date: _____	Date: _____



Toshiba MFP Maintenance Agreement

May 28, 2026

City of Elkins (Fire Chief)
216 Fourth Street
Elkins, WV 26241
304-636-3433

Maintenance Description for (1) Lightly ~~Used Toshiba e-330AC~~ Color System

- Service and supplies are included in the monthly lease payment for up to 750 black & white clicks and for up to 200 color clicks per month.
- Excess b&w billed monthly at \$.01 per click. • Excess color billed monthly at \$.05 per click. • All toner, parts, and labor included.

TERMS AND CONDITIONS OF YOUR MAINTENANCE AGREEMENT

For the purpose of maintaining the equipment covered by this agreement in good operating condition within manufacturer's specifications, Hart Office Solutions agrees to perform maintenance service in accordance with the following terms and conditions.

Hart Office Solutions is not responsible for any damages for loss of use is unable of the to Toshiba/Lexmark print because of digital a Toshiba/Lexmark copier. Such excluded digital copier damages network would connection include, but breakdown. not limited to, a customer paying a third party to print documents or if customer

Other exclusions include, but are not limited to, customer credits or reimbursements for poor quality or wasted prints and/or credits or reimbursements for wasted paper due to poor quality prints or due to misfeeds.

The term of this agreement is based upon the anticipated customer usage as shown in the maintenance description listed above. Allowed clicks are accumulated from the meter reading on the M.A. (Maintenance Agreement) start date. Should the number of allowed clicks be exceeded, customer agrees to pay the current excess click charge for each click in excess of allowed clicks. Invoices for excess click charges will be tendered at the time Of service, and shall be payable by the customer upon receipt.

Excessive toner fill usage and scans may result in additional charges above the normal CPC rate / Maintenance charge. Supplies will also be provided based on the manufacturer's listed usage rate.

Hart Office Solutions reserves the right to terminate this agreement.

This agreement covers all routine, remedial and preventative maintenance service so long as this type of coverage was purchased.

With the exception of consumable parts, all parts are included under this agreement (so long as this type of agreement was purchased).

Consumable supplies are not included under this agreement unless specified as such under the "Maintenance Description" area of this agreement.

Electrical work external to the equipment and equipment line cord is not covered by this agreement.

The initial term of the agreement shall commence on the date this agreement is signed. This agreement shall automatically renew annually, at Hart Office Solutions maintenance rates in effect at the time of renewal. Hart Office Solutions reserves the right to increase the maintenance agreement and/or overage click rates on an annual basis by an amount not to exceed 15%.

This agreement does not cover service necessitated by malfunction of parts, attachments, or supplies of non-Toshiba/Lexmark manufacture.

Any customer changes, alterations, or attachments may require a change in the maintenance charge set forth herein. Hart Office Solutions also reserves the right to terminate this agreement in the event that it shall determine that such changes, alterations, or attachments make it impractical for Hart Office Solutions to continue to service the equipment.

This agreement will not apply to any equipment lost or damaged through accident, abuse, misuse, theft, neglect, acts of third parties, fire, water, casualty or any other natural force. Any loss or damage occurring from any of the foregoing is specifically excluded from this agreement.

In the event that any equipment is moved from the location set forth on the reverse side hereof, Hart Office Solutions, may terminate and/or subject the copier to additional service charges.

This agreement is not assignable or transferable by customer without prior written consent of Hart Office Solutions.

Customer agrees OEM parts and supplies are not required provided the parts or supplies meet or exceed manufacturer's specification.

Invoice pursuant to this agreement will be tendered at the outset of each term. All charges for service and parts hereunder and all maintenance changes shall be payable by the customer immediately upon receipt Of invoice. Hart Office Solutions reserves the right to withhold service and product if Customer fails to make any payment due under the terms and conditions of this Agreement.

Cancellation at the conclusion of the initial term or any renewal term may be accomplished by either party giving written notice of such cancellation to the other party no later than thirty (30) days prior to the expiration of the term then in effect. In addition, Hart Office Solutions may cancel this agreement, in whole or in part, at any time upon seven (7) days written notice, or without notice in the thirty (30) day period prior to the renewal date, if customer at any time is in breach of any term or condition herein contained.

This Maintenance Agreement shall be for a twelve (12) month period beginning upon installation of the new or used system or upon the signing of this agreement, whichever comes first. This non-cancelable agreement shall automatically be renewed annually at the then prevailing rates for a successive one-year term unless terminated by either party by providing written notice no less than 30 days prior to the upcoming annual term.

Supplies: All supplies and parts ordered, accepted, and received by the customer remain under the ownership Of Hart Office Solutions until consumed.

Limited Remedies: At no time shall Hart Office Solutions be held liable for any damages to the network, network server or workstations. In no event shall Hart Office Solutions be liable for special, consequential, exemplary, indirect or incidental damages beyond the cost to repair or replace a defective part and maintenance service. While Hart Office Solutions endeavors to promptly address any emergency and maintain the Toshiba/Lexmark digital copier which is the subject of this agreement, Hart Office Solutions shall not be liable for any damages for any alleged failure to make repairs and/or maintain the copier including any claim that the repair or maintenance was not timely. For example, but not by the way of limitation, Hart Office Solutions is not responsible for any damages for loss of use of the Toshiba/Lexmark digital copier. Such excluded damages would include, but not limited to, a customer paying a third party to print documents or if customer is unable to print because of a Toshiba/Lexmark digital copier network connection breakdown.

Miscellaneous: This Agreement constitutes the final, complete and exclusive statement of the terms of the Agreement between the parties pertaining to maintenance of the Toshiba/Lexmark digital copier network connection and supersedes all prior and contemporaneous understandings or agreements of the parties. A signed facsimile or copy of the Agreement shall be deemed as effective as an original.

Connections to computer/networks: Connections will be performed by a Hart Office Solutions technician in conjunction with customers IT support personnel. Customer shall first provide all necessary cabling, network connections and electrical requirements for the installation. If the equipment cannot be installed and connected because of some condition within the customer's reasonable control, then a reinstallation charge shall apply. The engineer performing the installation will configure up to 5 workstations. Additional workstations will be configured at an additional charge at the prevailing rate.

Connection Waiver: If Hart Office Solutions performs the installation/connection, the customer agrees that Hart Office Solutions is responsible only for completing the installation and setup of the equipment purchased through Hart Office Solutions. Hart Office Solutions is not responsible for any changes, failures, downtime or consequential losses of the customer's network, software or computers during or after the installation.

Acceptance: Your signature will indicate your acceptance of these terms and conditions.

Customer Name (printed): City of Elkins (Fire Chief)

Date:

Customer Signature (acceptance):

Printed Name:

Title:



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	June 11, 2026
Section:	New Business
Category:	Resolution
Agenda Item Name:	Resolution 1933: Accepting and authorizing execution of an agreement with the Mills Group to design wayfinding signs, authorizing the expenditure of TIF funds, and directing the Municipal Properties Committee to assist with the project
Recommended By:	Municipal Properties Committee
Summary:	The attached resolution would accept a proposal from Mills Group for professional services relating to the conceptual design and graphic development of downtown wayfinding signage at four key gateway locations within the City. The proposal includes mapping and cataloging coordination, conceptual signage graphics, photo simulations, and related client review meetings and deliverables. The project is intended to support downtown revitalization, visitor orientation, placemaking, and broader Tax Increment Financing District No. 1 development objectives. The proposed resolution would: • accept and authorize execution of the Mills Group agreement, • authorize expenditure of TIF funds for the project, • direct participation by the Municipal Properties Committee in review and development of concepts and locations, • and authorize related administrative implementation actions. Fabrication and installation of the signs would be a separate contract and might require public bidding, to be determined later.
Fiscal Impact:	\$7,500 lump-sum professional services fee, plus limited reimbursable expenses as provided in the agreement, to be paid from Tax Increment Financing District No. 1 funds.
Recommendation:	Consider for approval
Attachments:	1. R-1933 - Mills Group wayfinding signs

IN THE COMMON COUNCIL OF THE CITY OF ELKINS, WV

A RESOLUTION OF COMMON COUNCIL

(#1933)

June 11, 2026

Accepting and Authorizing Execution of an Agreement with Mills Group for Wayfinding Sign Design Services, Authorizing Expenditure of TIF Funds, and Directing Participation by the Municipal Properties Committee

WHEREAS, the Common Council of the City of Elkins has identified downtown wayfinding and gateway signage as an important component of downtown revitalization, visitor orientation, placemaking, and economic development efforts within Tax Increment Financing District No. 1; and,

WHEREAS, Mills Group has submitted a proposal dated May 5, 2026, to provide conceptual graphic design and related professional services for downtown wayfinding signage at four key locations within the City; and,

WHEREAS, the proposal generally includes existing mapping and cataloging coordination, conceptual graphic design, photo simulations, client review meetings, and related deliverables associated with the development of downtown wayfinding sign concepts; and,

WHEREAS, the proposal establishes a lump-sum professional services fee of Seven Thousand Five Hundred Dollars (\$7,500), together with limited reimbursable expenses as described therein; and,

WHEREAS, the Common Council finds that such services are consistent with the purposes of Tax Increment Financing District No. 1 and will assist the City in advancing downtown revitalization, visitor accessibility, and related public improvement planning efforts;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF ELKINS THAT:

Section 1.

Council hereby accepts and approves the proposal and agreement submitted by Mills Group dated May 5, 2026, substantially in the form presented to

Council, for professional services relating to downtown wayfinding signage design.

Section 2.

The Mayor and City Clerk are hereby authorized and directed to execute the agreement and any related documents necessary to implement the approved services, subject to review by the City Attorney as appropriate.

Section 3.

Council hereby authorizes expenditure of Tax Increment Financing District No. 1 funds for payment of the professional services fees and authorized reimbursable expenses associated with the agreement.

Section 4.

The Municipal Properties Committee is hereby directed to assist with and provide input concerning the project, including review of proposed sign locations, design concepts, aesthetics, messaging, and related wayfinding considerations, in coordination with City staff, Mills Group, and community stakeholders.

Section 5.

The Mayor, City Clerk, Treasurer, Operations Manager, and other appropriate officials and staff are authorized to take such administrative actions as may reasonably be necessary to implement the intent of this resolution and the approved project.

Section 6.

This resolution shall take effect immediately upon adoption.

Jerry A. Marco, Mayor

Attest:

Sutton R. Stokes, City Clerk

May 05, 2026

City Council of Elkins, WV
401 Davis Avenue
Elkins, WV 26241

Subject: Wayfinding Signage Design

Dear City Council,

We are pleased to provide the design and graphics for wayfinding signage at four (4) key locations in Elkins, WV (Randolph County) to direct motorists to the Downtown Historic District. It is the understanding of Mills Group that examples of signage were provided as part of the streetscape design, but no graphics have been developed or signage specified. Mills Group will provide a completed concept design package along with graphics for review by the Client. These designs will be superimposed and "simulated" into existing site photographs (at locations agreed upon by the Client) to show how they might appear once installed.

This letter of agreement defines the responsibilities of the parties bound by this agreement. Mills Group, LLC, is referred to herein as "Design Professional."

City Council is representing the Client, the City of Elkins, for the project and Client of Mills Group; they are referred to herein as "Owner or Client."

SCOPE OF DESIGN SERVICES

The project explained here will be completed through three steps:

- 1. Existing Mapping & Cataloging**
- 2. Graphic Design**
- 3. Client Review & Design Alterations (if needed)**

Included in this scope of work are a maximum of three (3) client meetings.

1. The first will be considered "Kick-Off" and will be organized to allow the Client to discuss important information and details of the graphic design to Mills Group. This meeting will occur at the outset of the design process.
2. The second will occur following the completion of the graphic design process. It will be considered "Interim" and will allow the Client to provide feedback on the prepared package

M I L L S G R O U P O N L I N E . C O M

88 HIGH STREET
MORGANTOWN, WV 26505
304-296-1010

53 14TH STREET, SUITE 607
WHEELING, WV 26003
304-233-0048

122 E GERMAN STREET
SHEPHERDSTOWN, WV 25443
681-240-1010

102 THIRD STREET
ELKINS, WV 26241
681-264-8045

for revisions.

3. The third will be considered "Final" and will consist of the revised package being delivered to the Client. This meeting will also finalize the responsibilities listed herein between the Client and Mills Group.

EXISTING MAPPING & CATALOGING

This phase is the process of coordinating with the Client to create an accurate listing of existing businesses, features, parks, etc. that the Client wants illustrated on their wayfinding signs. This listing of all items shown on the signs are the responsibility of the Client to provide to Mills Group.

There is no site visit or coordination of existing utilities included in this scope. Any utility information pertinent to the planned location of signage shall be provided to Mills Group by the Owner.

At this stage, it is also anticipated that the Client will provide Mills Group with photo-references and/or documentation of preferred design aesthetics, sizes, materials, etc. that may be of assistance in drafting the design. In addition, the Client will provide a cursory review of the WVDOH easements and/or restrictions that could be pertinent to the design and share those with Mills Group.

GRAPHIC DESIGN

This phase is the process of designing four (4) wayfinding signs at key locations in the City of Elkins as outlined by the Client in the "Kick-Off" meeting. The signs are estimated to be approximately 11'-0" high by 4'-0" wide in size with best practice standards of graphic design for site and visibility metrics. The desired text and imagery on the sign will also be discussed between the Client and Mills Group during the initial "Kick-Off" meeting. Mills Group will create a concept of signage graphics and structural layout, but final installation and fabrication details may be created and shared by a third-party sign fabricator, to be determined at a later time (Not in this Scope).

It is understood that the goal of this design is to create a visually appealing and attention-grabbing design layout that can orient motorists to local attractions and other Client-directed points of interest.

***KEY UNDERSTANDING NOTES:**

- The architect excludes any general or structural engineering of signage at this point.
- Construction Documents, details, and specifications are not included in this scope of work. If more subsidiary work is needed to gather site information outside the data gathering listed here, it will be billed as additional services and/or written as a separate scope. Note: deliverables will not be for permitting or construction.
- Important DOH easements/restrictions will be conveyed to Mills Group by the Client

DELIVERABLES:

The deliverable materials to be provided in this scope of work are considered presentation quality "conceptual graphic design" that will consist of, but may not be limited by:

1. 1x – Proportionally scaled, and full-color rendered signage design (content modified per each signage location). This design will include all the necessary text required by the Client and may include graphic design and/or other appropriate text that will help to support the wayfinding and graphic initiative of the Client
2. 4x – Photo-simulations showing the signage design overlaid onto photos of the chosen locations in the proper orientation and scale as desired by the Client. These photo-simulations are intended to give an approximate visual aid as to how the signs may appear if fabricated and installed. They are not meant to be a final construction document.

Task	Description	
Existing Mapping & Cataloging	• 1x – Coordination with Client on business & attraction listing • 1x – Owner Kick-Off Meeting	
Graphic Design	• 1x – Conceptual Signage Design for Each Location • 4x – Photo-simulations • 1x – Owner Interim Review • 1x – Post-Review design edits (if necessary) • 1x – Owner Final Review • 1x – Set of final full-color renderings/imagery (11"x17" PDF's)	

BUDGET AND SCHEDULE:

The budget and delivery methods have not been determined at this time. The timeline has not been defined for final submission of project package, but the project will progress in a timely manner.

PROFESSIONAL FEES:

Design Fees and payments are as follows:

A lump sum contract of **\$7,500** for professional consulting fees with all project expenses such as mileage, postage, and printing billed directly to the owner with a markup of 10% for administrative costs. The project shall be billed on a monthly schedule based upon a percentage complete for this phase. A retainer of 10% of the contract value (**\$750**) is required on the date of signature of this letter agreement.

Reimbursable Expenses

Printing/Copying	Style	Format	Price
22 x 34	Color	Plot	\$4.00
22 x 34	Black & White	Plot	\$3.00
11 x 17	Color	Plot	\$2.00
11 x 17	Black & White	Plot	\$0.60
8 ½ x 11	Color	Print	\$1.25
8 ½ x 11	Black & White	Print	\$0.20
Other Costs			
USB Drive			\$5.00
Mileage			\$0.58/mile
Scanner Rental			\$200/Day
Drone Mapping	Color & Model		\$250/Day

TERMS AND CONDITIONS OF THIS AGREEMENT

Standard of Care

In providing services under this agreement, the Design Professional will endeavor to perform in a manner consistent with that degree of care and skill ordinarily exercised by members of the same profession currently practicing under similar circumstances. Design Professional will perform its services as expeditiously as is consistent with professional skill and care and the orderly progress of Design Professional's part of the Project. Regardless of any other term or condition of this Agreement, Design Professional makes no express or implied warranty of any sort. All warranties, including warranty of merchantability or warranty of fitness for a particular purpose, are expressly disclaimed.

Consequential Damages

Notwithstanding any other provision to the contrary, and to the fullest extent permitted by law, neither the Client nor the Design Professional shall be liable to the other for any incidental, indirect or consequential damages arising out of or connected in any way to the Project or this Agreement. This mutual waiver of consequential damages shall include, but not be limited to, loss of use, loss of profit, loss of business or income or any other consequential damages that either party may have incurred from any cause of action whatsoever. The limit of the liability shall not exceed the fee paid to the architect as noted in this agreement.

Hazardous Materials/Mold

The Design Professional shall have no responsibility for the discovery, presence, handling, removal, disposal or exposure of persons to hazardous materials of any form including mold. The existing or constructed building may, as a result of post-construction, use, maintenance, operation or occupation, contain or be caused to contain mold substances which can present health hazards and result in bodily injury, property damage and/or necessary remedial measures and costs for which the Design Professional shall have no responsibility.

Risk Allocation

In recognition of the relative risks and benefits of the project to both the Client and the Design Professional, the Client agrees, to the fullest extent permitted by law, to limit the Design Professional's total liability to the Client or anyone making claims through the client, for any and all damages or claim expenses (including attorney's fees) arising out of this Agreement, from any and all causes, to the total amount of the Design Professional's fee or another amount agreed upon when added under Special Conditions.

Termination of Services

This agreement may be terminated upon 10 days written notice by either party should the other fail to perform their obligations hereunder. In the event of termination, the Client shall pay the Design Professional for all services rendered to the date of termination, all reimbursable expenses, and reasonable termination expenses.

Ownership of Documents

All documents produced by the Design Professional under this agreement, including electronic files, shall remain the property of the Design Professional and may not be used by this Client for any other purpose without the written consent of the Design Professional. Any such use or reuse shall be at the sole risk of Client who shall defend, indemnify and hold Design Professional and its subconsultants harmless from any and all claims and/or damages arising therefrom. Electronic files are not contract documents and cannot be relied upon as identical to contract documents because of changes or errors induced by translation, transmission, or alterations while under the control of others. Use of information contained in the electronic files is at the user's sole risk and without liability to Design Professional and its consultants.

Defects in Service

The Client shall promptly report to the Design Professional any defects or suspected defects in the Consultant's services. The Client further agrees to impose a similar notification requirement on all contractors in its Client/Contractor contract and shall require all subcontracts at any level to contain a like agreement.

Construction Activities

The Design Professional shall not be responsible for the acts or omissions of any person performing any of the Work or for instructions given by the Client or its representatives to anyone performing any of the Work, nor for means and methods or job-site safety.

Dispute Resolution

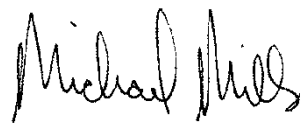
The laws of the State of West Virginia shall govern this Agreement for all purposes. The courts of West Virginia shall have exclusive jurisdiction with regard to any disputes in connection herewith.

Relationship of the Parties

All services provided by Design Professional are for the sole use and benefit of the Client. Nothing in this Agreement shall create a contractual relationship with or a cause of action in favor of a third party against either the Client or the Design Professional.

If this letter of agreement is acceptable, please sign in the space below and return one fully executed copy to Mills Group.

Sincerely,



Michael J. Mills, Architect, AIA
Mills Group, LLC

Accepted by: _____
(Printed Name) _____
Date: _____



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	June 11, 2026
Section:	New Business
Category:	Resolution
Agenda Item Name:	Resolution 1934: Authorizing Execution and Implementation of Professional Archiving Services Agreement with Smarsh
Recommended By:	City Clerk
Summary:	Approves the June 5, 2026 Smarsh order form and attached municipal addendum for electronic communications archiving services, including email, text message, social media, and website archiving. Authorizes the City Clerk to execute the agreement and related implementation documents and to take administrative steps necessary to implement the system, including onboarding, configuration, and related records-retention compliance activities. Reaffirms that continuation beyond the current fiscal year remains subject to appropriation under the addendum's nonappropriation clause.
Fiscal Impact:	Approximately \$12,339.50 annually in recurring service fees for a three-year term beginning July 1, 2026, plus approximately \$2,369.80 in one-time onboarding and implementation costs, subject to annual appropriation.
Recommendation:	Consider for approval
Attachments:	1. Memo - Smarsh etc - 2026_06_10 2. R-1934 - Smarsh agreement for archiving

MEMORANDUM

To: Common Council

From: Sutton Stokes, City Clerk

Date: June 11, 2026

Re: Smarsh Electronic Communications Archiving Agreement

As Council is aware, the City has been evaluating electronic communications archiving and retention solutions in response to growing operational, legal, records-management, and Freedom of Information Act (FOIA) compliance needs involving email, text messaging, social media, and related digital communications.

Importantly, these obligations increasingly extend beyond traditional email systems. Communications occurring through SMS/text messaging, social media platforms, and similar technologies clearly constitute public records subject to retention and retrieval requirements under applicable law. Like all organizations, certain of these communications would also be subject to discovery in legal proceedings. At present, the City's capabilities in this area are fragmented and limited.

The proposed Smarsh system is intended to establish a centralized records-retention and retrieval platform capable of capturing and retaining designated electronic communications in a searchable and administratively manageable format. The system is primarily a records-management and compliance tool. It is **not** intended as a productivity-monitoring system, employee surveillance platform, or police evidence-management system.

The proposed action before Council authorizes execution of the Smarsh agreement and associated implementation documents. However, actual deployment and operational use of the system will occur in stages and will require additional policy and administrative actions before implementation is finalized, some requiring additional approval by Council.

Those additional actions are expected to include:

- Adoption of updated policies concerning use of City-issued devices and approved electronic communications platforms;
- Formalization of related FOIA procedures and records-retrieval protocols, including coordination with departments handling law enforcement and sensitive records;
- Identification of retention standards, administrative roles, and access procedures;
- Employee training concerning permitted and prohibited communications practices;

- Employee acknowledgment and acceptance documentation confirming understanding of applicable policies and retention requirements;
- Technical implementation and onboarding activities necessary to configure capture and retention systems appropriately.

Accordingly, approval of the agreement presented at your June 11 meeting should not be viewed as immediate operational deployment of all contemplated archiving functions. Rather, this action primarily secures the contractual framework and pricing necessary to proceed with implementation planning and phased deployment.

Timing is nevertheless important. The pricing negotiated with Smarsh is substantially more favorable than earlier proposals and allows the City to consolidate several retention and archiving functions into a single platform. In particular, proceeding at this time is expected to allow the City to transition away from its current standalone social media archiving service before renewal costs are incurred for that separate system (i.e., avoiding an unnecessary cost of about \$8,000).

For these reasons, it seems prudent to secure the agreement and pricing now while continuing to develop the related policies, procedures, training, and implementation framework necessary for responsible deployment.

##

IN THE COMMON COUNCIL OF THE CITY OF ELKINS, WV

A RESOLUTION OF COMMON COUNCIL

(#1934)
June 11, 2026

***Authorizing Execution and Implementation of a
Smarsh Professional Archive Services Agreement***

WHEREAS, the City of Elkins has evaluated records retention, electronic communications archiving, and public records compliance needs relating to email, text messaging, social media, and related electronic communications; and,

WHEREAS, the Common Council of the City of Elkins has reviewed a proposed Smarsh Order Form dated June 5, 2026, concerning professional archive, mobile message capture, email archive, social media archive, and web archive services, which has been reviewed by the City Attorney; and,

WHEREAS, Council has further reviewed a proposed municipal addendum, recommended by the City Attorney, containing provisions concerning governing law, indemnification, limitation of liability, fiscal year funding, termination, and related municipal contract requirements; and,

WHEREAS, Council finds that implementation of such services will assist the City in records retention, retrieval, continuity, and Freedom of Information Act compliance efforts;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF ELKINS THAT:

Section 1.

Council hereby approves the Smarsh Order Form dated June 5, 2026, together with the attached municipal addendum, substantially in the form presented to Council.

Section 2.

The City Clerk is hereby authorized and directed to execute the approved Order

Form, addendum, and related implementation documents on behalf of the City of Elkins, provided that any non-substantive modifications deemed necessary for processing or implementation may be approved administratively.

Section 3.

The City Clerk is further authorized to execute or approve related onboarding materials, implementation forms, service configuration documents, user setup documents, retention configuration materials, capture authorizations, technical setup forms, and other ancillary documents reasonably necessary to implement and operationalize the approved services.

Section 4.

The City Clerk, in coordination with other officials and staff as appropriate, is authorized to take such additional administrative actions as may reasonably be necessary to implement the approved services and associated records retention and electronic communications compliance processes.

Section 5.

Continuation of the agreement and services beyond the current fiscal year shall remain subject to annual appropriation and availability of funds in accordance with the attached addendum.

Section 6.

This resolution shall take effect immediately upon adoption.

Jerry A. Marco, Mayor

Attest:

Sutton R. Stokes, City Clerk

CITY OF ELKINS, W. VA.
AGREEMENT ADDENDUM

INCORPORATION AND ORDER OF PRECEDENCE – This Addendum is attached to and incorporated into Smarsh Order Form #Q-133412 and shall apply to and govern the Order Form, the Smarsh Service Agreement, all Service Specific Terms, all exhibits, attachments, onboarding terms, renewal terms, online terms, click-through terms, usage terms, policies, and any other documents or terms incorporated by reference therein or associated with the services provided to the City of Elkins, whether existing now or adopted later during the term of the agreement.

In the event of any conflict between this Addendum and any Order Form, online agreement, Service Specific Terms, click-through agreement, website terms, policy, exhibit, attachment, renewal document, or other incorporated terms, this Addendum shall control.

1. DISPUTES - Any references in the agreement to arbitration or to jurisdiction of any court other than the Circuit Court of Randolph County in which the City of Elkins is located are hereby deleted. The parties may agree to nonbinding mediation prior to litigation.
2. GOVERNING LAW -The agreement shall be governed by the laws of the State of West Virginia. This provision replaces any references to any other State's governing law.
3. TAXES - Provisions in the agreement requiring the City of Elkins to pay taxes are deleted. As a political subdivision of the State of West Virginia, the City of Elkins is generally exempt from Federal, State, and local taxes and will not pay taxes for any Vendor including individuals, nor will the City of Elkins file any tax returns or reports on behalf of Vendor or any other party.
4. FISCAL YEAR FUNDING - Service performed under the agreement may be continued in succeeding fiscal years for the term of the agreement, contingent upon funds being appropriated by City Council or otherwise being available for this service. In the event funds are not appropriated or otherwise available for this service, the agreement shall terminate without penalty on June 30. After that date, the agreement becomes of no effect and is null and void. However, the City of Elkins agrees to use its best efforts to

have the amounts contemplated under the agreement included in its budget. Non-appropriation or non-funding shall not be considered an event of default.

5. **RIGHT TO TERMINATE** – The City of Elkins shall have the right to terminate the agreement upon no more than ninety (90) days written notice to Vendor. The City of Elkins agrees to pay Vendor for services rendered or goods received prior to the effective date of termination. In such an event, the City of Elkins will not be entitled to a refund of any software license, subscription or maintenance fees paid.

The City of Elkins, West Virginia

By: _____

Name: _____

Title: Mayor

Date: _____

Smarsh, Inc.

By: _____

Name: _____

Title: _____

Date: _____

ATTEST:

By: _____

Name: _____

Title: Clerk

Date: _____

ATTEST:

By: _____

Name: _____

Title: _____

Date: _____

Order Form - City of Elkins, WV

Account Rep	Dean Rasmussen	Customer	City of Elkins, WV
Email	dean.rasmussen@smarsh.com	Service Address	401 Davis Ave Elkins, West Virginia 26241-3899
Company	Smarsh Inc.	Billing Contact	Sutton Stokes
Prepared on	5-Jun-2026	Contact Phone	304-636-1414
Valid until	03-Jul-2026	Contact Email	suttonstokes@cityofelkinswv.gov
Start Date	01-Jul-2026	Technical Contact	Sutton Stokes
Renewal Date	01-Jul-2029		
Billing Frequency	Annual		
Order Type	Order Form		

Services	Unit Price	Minimum Quantity	Minimum Commitment
Unified			
Platform - Professional Archive - SMG	\$765.00	1	\$765.00
AT&T Mobile Message - Professional Archive Capture	\$51.00	70	\$3,570.00
Email - Professional Archive Capture	\$41.00	160	\$6,560.00
Facebook - Professional Archive Capture		2	
Instagram - Professional Archive Capture		2	
LinkedIn - Professional Archive Capture		2	
Platform - Web Archive	\$245.00	1	\$245.00
Web Archive - Site	\$765.00	1	\$765.00
Onboarding - Professional Archive - Standard		6	\$1,969.80
Onboarding - Professional Archive - Web Archive		1	\$400.00
Smarsh University			
Smarsh U - SMB - Web Access	\$434.50	1	\$434.50
Smarsh Support			
Professional Support - Basic		1	
Annual Recurring Service Fees Subtotal			\$12,339.50
One-Time Fees Subtotal			\$2,369.80
Contract Total			\$39,388.30

Notes All prices quoted are before tax. Applicable taxes will be added at time of invoicing. If you are tax exempt, please send a current copy of your tax-exempt certificate to accounting@smarsh.com.

Terms & Conditions

The Services are subject to the terms and conditions of this Order Form and (i) the Smarsh Service Agreement available at www.smarsh.com/legal/ServiceAgreement (ii) the Service Specific Terms referenced in or attached to this Order Form, and (iii) any exhibits or attachments to this Order Form that may amend, supersede, or append the terms referenced herein (collectively "Agreement"):

SERVICE SPECIFIC TERMS

- The Professional Archive Service Specific Terms available at <https://www.smarsh.com/legal/SSTProfessionalCloud>;
- Mobile Channels Service Specific Terms available at <https://www.smarsh.com/legal/SSTMobileChannels>;
- Smarsh U Service Specific Terms available at: <https://www.smarsh.com/legal/SSTSmarshUniversity>;
- Web Archive Services Specific Terms available at: <https://www.smarsh.com/legal/SSTWebArchive>;
- The applicable Professional Archive Onboarding package features described in more detail at <https://www.smarsh.com/legal/OnboardingServices-ProArchive>;

TERM

The Term of the Services will begin on the Start Date set forth the on the first page of this Order Form, or if no Start Date is stated, the execution date of this Order Form, and will continue for the Subscription Term specified on the first page of this Order Form. For Services added during Client's existing Term, the Term of the Services will sync to and co-terminate upon Client's Renewal Date set forth above. Renewal of the Services is subject to the terms of the Agreement.

INVOICING

The Recurring Service Fees and One-Time Fees ("Fees") will be invoiced at the billing frequency set forth on the first page of this Order Form. For usage overages, Smarsh will invoice Client for any usage over the minimum quantities at the same per unit rate as indicated in the first page of this Order Form on a regular basis in arrears. Client agrees that the Recurring Services Fees set forth in this Order Form are Client's minimum commitment for the Term.

DATA MANAGEMENT FEES – PROFESSIONAL ARCHIVE

If not priced above or set forth on a separate Order Form between Smarsh and the Client for the applicable data management services requested by the Client, the following standard data import, conversion (if applicable), and storage Fees for data imports Client's Professional Archive shall apply to data imports during the Client's term:

Data Imports - One-time Fee (25 GB Minimum)	\$10.00/GB
Import Data Conversion Fee (25 GB Minimum)	\$3.00/GB
Data Storage – Annual	\$2.50/GB

Purchase Order Information

Client to Complete:

Is a Purchase Order (PO) required for the purchase of the Services on this Order Form?

☐ No

☐ Yes

Upon signature by Client and submission to Company, this Order Form shall become legally binding unless Company rejects this Order Form for any of the following reasons: (i) changes have been made to this Order Form (other than completion of the purchase order information and the signature block); or (ii) the requested purchase order information or signature is incomplete; or (iii) the signatory does not have authority to bind Client to this Order Form.

Client authorized signature

By _____ Name: _____

Date: _____ Title: _____



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	June 11, 2026
Section:	New Business
Category:	Presentation
Agenda Item Name:	Discussion of proposed Council rules
Recommended By:	City Clerk
Summary:	Council will conduct a discussion and feedback session concerning the proposed revised Rules of Council previously circulated with explanatory memorandum. The draft is intended to comprehensively reorganize, clarify, and modernize Council procedural rules and related practices. Provisions highlighted in green identify proposed numerical thresholds, deadlines, limits, or similar procedural standards that may warrant focused policy discussion. No final action is proposed at this meeting. The June 11 discussion is intended to gather Council feedback and identify potential revisions prior to preparation of a revised draft. Current anticipated schedule: • June 11, 2026: Council discussion and feedback session • Following June 11 meeting: Revisions prepared and recirculated as appropriate • July 23, 2026: Proposed Council action on adoption • September 1, 2026: Proposed effective date
Fiscal Impact:	n/a
Recommendation:	Provide input and suggested changes on the proposed Council Rules
Attachments:	1. Memo - new council rules - 2026_05_21 2. Draft_Rules_of_Procedure - 2026_02_23 - appendices - committee rec

MEMORANDUM

To: Common Council

From: City Clerk

Re: Proposed Update to Rules of Parliamentary Procedure

Date: May 21, 2026

Council is asked to consider adoption of an updated set of Rules of Parliamentary Procedure, as recommended by the Rules & Ordinances Committee. The proposed Rules are presented now for review, with action to adopt occurring no earlier than July 23.

As Council may recall, this process began last fall with a review of our existing rules and identification of several areas where they were unclear, inconsistent, or incomplete. Those concerns were reinforced through discussion at the West Virginia Municipal League conference, where municipal officials were reminded that clear and consistent parliamentary rules are essential to maintaining fair, transparent, and legally sound governance.

Since that time, the Rules & Ordinances Committee has worked through a comprehensive update to the City's rules, drawing on:

- The existing Council rules;
- Model frameworks prepared by WVML counsel; and
- Practical experience from recent Council and Committee meetings.

The attached draft, recommended by the Committee, represents a full reorganization and modernization of Council's Rules of Parliamentary Procedure. It is intended to provide clearer structure, improve consistency with state law, and better reflect how Council conducts its business in practice.

Overview of Key Changes

The proposed rules do not fundamentally change Council's role or authority. Instead, they focus on clarifying processes, resolving ambiguities, and providing a more consistent framework for meetings and decision-making.

1. *Reorganization and Clarity*

The rules have been reorganized into a more logical structure, with defined sections covering meetings, agenda control, motions, public comment, executive sessions, and decorum. Definitions and appendices have been added to make the rules easier to understand and apply in real time.

2. *Alignment with Charter and State Law*

Redundant restatements of Charter provisions have been removed, and provisions have been aligned even more closely with:

- The Open Meetings Act
- Applicable sections of West Virginia Code
- Current City practices

This reduces the risk of internal inconsistencies and helps ensure legal compliance.

3. *Agenda-Setting Authority*

The rules clarify and formalize how items reach the Council agenda. In general:

- Items are generally expected to move through Committees before reaching Council
- Agenda placement is limited to:
 - o The Mayor
 - o Council Committees
 - o Three Councilmembers acting together

This is intended to ensure that items are sufficiently developed before Council consideration and to provide a clear, consistent process.

4. *Motions, Debate, and Voting Procedures*

The draft restores and clarifies core parliamentary practices, including:

- Requirement of a second before debate
- Recognition by the Presiding Officer prior to speaking
- Clear procedures for motions, amendments, and voting

Appendices provide practical guidance and examples to support consistent application.

5. *Public Comment Framework*

The rules provide a more structured but flexible approach to public comment by:

- Establishing baseline procedures in the Rules rather than rigid Code provisions
- Allowing Council to adjust time limits and scope as needed
- Clarifying who may speak and under what conditions

This approach balances public access with the need to conduct business efficiently.

Importantly, this change will require a corresponding amendment to City Code, which currently prescribes more specific and inflexible public comment procedures. Under

the proposed framework, those detailed provisions would be removed from Code and replaced with a more general authorization, allowing Council to govern public comment through its adopted Rules of Procedure. This ensures both legal consistency and the flexibility needed to respond to varying meeting circumstances.

6. *Remote Participation*

The rules formalize expectations for remote attendance, including:

- Advance notice requirements
- Annual limits on remote participation (with flexibility for Council to approve exceptions)
- Clear standards for participation and voting

These provisions are intended to promote fairness and consistency while preserving flexibility when needed.

7. *Executive Sessions*

The draft reorganizes and clarifies procedures for executive sessions, including:

- Required motion content and statutory citations
- Who may attend
- Limits on discussion and required adherence to stated purpose
- Recordkeeping requirements and confidentiality expectations

These updates are designed to reduce legal risk and improve compliance with the Open Meetings Act and Council's adopted rule concerning executive session confidentiality.

8. *Decorum and Conduct*

The rules more clearly define expectations for:

- Member conduct and debate
- Role of the Presiding Officer
- Handling of disorderly conduct
- Conflicts of interest and recusal

This provides a clearer framework for maintaining orderly and respectful meetings.

Committee Recommendation

The Rules & Ordinances Committee has reviewed the draft over multiple meetings and recommends its adoption by Council.

Proposed Adoption Schedule

The following schedule is proposed to allow additional review and discussion prior to final adoption:

- May 21, 2026: Circulation of proposed Rules to Council
- June 11, 2026: Council discussion and feedback session
- Following June 11 meeting: Revisions made as necessary and recirculated to Council
- July 23, 2026: Proposed Council action to adopt Rules
- September 1, 2026: Proposed effective date

Outcome and Related Steps

If adopted, these Rules will replace the current Rules of Parliamentary Procedure and serve as the governing framework for Council and Committee meetings going forward. In conjunction with adoption, Council will also need to consider a companion amendment to City Code to align public comment provisions with the updated Rules.

##

Elkins Council

Rules of Proceedings

Contents

ARTICLE I – GENERAL PROVISIONS.....	5
Section 1.1: Purpose and Scope	5
Section 1.2: Definitions.....	5
Section 1.3: Meetings.....	6
Section 1.4: Attendance and Participation	7
Section 1.5: Oath of Office	8
ARTICLE II – MEETING PROCEDURES.....	9
Section 2.1: Preparation and Distribution of Agendas	9
Section 2.2: Minutes.....	9
Section 2.3: Order of Business.....	10
Section 2.4: Recess, Continuance, and Adjournment.....	10
ARTICLE III – LEGISLATIVE INSTRUMENTS AND AGENDA CONTROL.....	12
Section 3.1: Forms of Action.....	12
Section 3.2: Introduction of Legislation (Ordinances)	13
Section 3.3: Resolutions.....	13
Section 3.4: Direct Action Motions	14
Section 3.5: Agenda Control and Disputes	14
Section 3.7: Withdrawal and Substitutes.....	16
ARTICLE IV – MOTIONS AND VOTING.....	17
Section 4.1: Motions Generally.....	17
Section 4.2: Types of Motions.....	17
Section 4.3: Debate and Decorum.....	17
Section 4.4: Voting and Majority Requirements	17
Section 4.5: Appeal of a Decision of the Presiding Officer	18
ARTICLE V – PUBLIC COMMENTS, PUBLIC HEARINGS, AND EXECUTIVE SESSIONS.....	19
Section 5.1: Public Comment	19
Section 5.2: Conduct of Public Comment.....	19
Section 5.3: Public Hearings.....	20
Section 5.4: Conduct of Public Hearings.....	20
Section 5.5: Written Comments	21
Section 5.6: Executive Sessions (Closed Meetings)	21

Section 5.7: Confidentiality and Disclosure	23
Section 5.8: Prohibited Actions in Executive Session	24
ARTICLE VI – CONDUCT, DECORUM, AND DEBATE	25
Section 6.1: Standards of Conduct	25
Section 6.2: Decorum in Debate.....	25
Section 6.3: Disorderly Conduct.....	26
Section 6.4: Conflicts of Interest and Recusal.....	26
Section 6.5: Public Communication and Representation	27
Section 6.6: Duties of the Presiding Officer.....	27
Section 6.7: Question of Privilege	27
ARTICLE VII – AMENDMENTS, AUTHORITY, AND INTERPRETATION	29
Section 7.1: Amendment of Rules	29
Section 7.2: Parliamentary Authority.....	29
Section 7.3: Interpretation.....	29
Section 7.4: Suspension and Noncompliance.....	29
APPENDIX A: GLOSSARY OF PARLIAMENTARY TERMS.....	31
APPENDIX B: Guide to Motion Practice and Procedure	33
Sec. B-1. Generally.	33
Sec. B-2. Addressing the Presiding Officer.	33
Sec. B-3. Recognition by the Presiding Officer.....	33
Sec. B-4. Form of Motions.....	34
Sec. B-5. Second to the Motion	34
Sec. B-6. Stating the motion by the Presiding Officer.	34
Sec. B-7. Debate and Discussion.	35
Sec. B-8 Voting on motion.	35
Sec. B-9. Precedence and classification.	35
Sec. B-10. Reconsideration	39
Sec. B-11. Main Motion	40
Sec. B-12. Motion to Amend	40
Sec. B-13. Postpone to a Time Certain	41
Sec. B-14. Previous Question.....	41
Sec. B-15. Motion to Lay on the Table/ Take from the Table	41
Sec. B-16. Point of Order	42

Sec. B-17. Questions of Privilege – Examples.....	42
Sec. B-20. Call for the Orders of the Day.....	43
APPENDIX C: Presiding Officer Scripts & Speaking Guide.....	44
Appendix D: Committee Role Descriptions.....	50
Finance Committee	50
Rules and Ordinances Committee.....	51
Municipal Properties Committee	52
Public Safety Committee.....	53
Personnel Committee.....	54
Appendix E: City Council Rule On Executive Sessions	55

ARTICLE I – GENERAL PROVISIONS

Section 1.1: Purpose and Scope

These Rules of Procedure (“Rules”) govern the conduct of meetings and legislative actions of the Governing Body (“Council”) of the City of Elkins, West Virginia (“City”), and its Committees. The intention of these Rules is to provide structure, ensure lawful compliance, and promote orderly and efficient deliberation.

Note concerning meetings of Council Committees

Committee proceedings are less formal than those of Council while still maintaining orderly deliberation and decision-making. Consistent with Robert’s Rules of Order for Small Boards, and unlike meetings of the full Council:

- No second is required for a motion;
- Members may discuss an item before any motion is offered; and
- The floor is generally open for conversational discussion among committee members and city officials without the need for formal recognition by the chairperson.

The Chairperson may, however, require formal recognition when necessary to maintain order. Although members of the public more frequently address Committees than the full Council, they must nonetheless seek formal recognition before addressing a Committee.

Any ambiguity arising from the differences between Council and Committee procedures shall be resolved in the manner that best promotes good order and the efficient conduct of Committee business, and not in any way that unnecessarily impedes a Committee’s ability to advance the public good.

Section 1.2: Definitions

Administrative Officers: The City Clerk, City Treasurer, Fire Chief, Operations Manager, and Police Chief, as defined in City Code §32.02.

City Clerk, or Clerk: The person appointed to the office established in §3.06 of the City Charter.

Committees: Standing committees of Council established by the City Charter—Finance, Municipal Properties, Personnel, Public Safety, and Rules & Ordinances Committees—and any ad hoc Committees. Committee membership and chairpersons are designated by the Mayor. Standing and ad hoc committees shall consist of no fewer than three and no more than five members.

Council: The governing body, including the Mayor. The terms “City Council” and “Common Council” are interchangeable.

Ethics Act: The West Virginia Governmental Ethics Act, W. Va. Code §6B, which establishes ethical standards for public officers and employees and governs conflicts of interest, financial disclosure,

use of public office for private gain, and related requirements enforced by the West Virginia Ethics Commission.

Governing Body: The Council or, as applicable, any of its standing or ad hoc Committees.

Meeting: The convening of a Governing Body for which a Quorum is required to make a decision or deliberate toward a decision resulting in an official action, as defined in W. Va. Code §6-9A-2(5). Meetings of the Elkins Common Council must also comply with City Code §31.02. Meetings may occur in person or by telephone conference or other electronic means.

Open Meetings Act: The West Virginia Open Governmental Proceedings Act, W. Va. Code §6-9A, which requires that meetings of governing bodies be conducted openly, with advance notice, public access, proper agendas, and limited use of executive sessions as authorized by law.

Order of Business: The standard order of agenda sections for Council and Committee meetings.

Quorum: A majority of the sitting members of a Governing Body present at a Meeting where such attendance is required for the transaction of business. In Elkins, the Mayor is not counted toward Quorum under City Charter §2.08.

Presiding Officer: The person charged with conducting Meetings. For Council, the Presiding Officer is the Mayor or, in the Mayor's absence, the City Clerk or a member selected by a majority of those present. For Committees, the Presiding Officer is the chairperson designated by the Mayor or, in the chairperson's absence, a member selected by a majority of those present.

Recording Secretary: The official responsible for keeping minutes of a Governing Body's proceedings. For Council and its Committees, this is the City Clerk or the City Clerk's designee. The City Clerk remains ultimately responsible for the accuracy, form, and preservation of the official minutes.

Unanimous Consent: A procedure for approving minor or procedural actions when no member objects. The Presiding Officer proposes the action "if there is no objection," after which any objection requires the action to be moved, seconded, and approved by majority vote.

Note on Defined Terms: For clarity, defined terms such as "City Clerk," "Councilmember," "Presiding Officer," and "Open Meetings Act" are capitalized throughout these Rules.

See also Appendix A – Glossary of Parliamentary Terms for additional definitions used in Council procedure.

Section 1.3: Meetings

All meetings of Council shall comply with the Open Meetings Act, the City Charter, and City Code §31.02.

Types of Meetings include:

- *Regular Meetings:* Held at intervals established in City Code.

- *Special Meetings:* Called by Council at times other than those established for Regular Meetings.
- *Special-Called Meetings:* Called by the Mayor or any two Councilmembers; the written call must state the purpose and proposed action items.
- *Emergency Meetings:* Convened only when immediate action is necessary. The existence of emergency circumstances alone does not justify an Emergency Meeting; there must be both an emergency and an articulable necessity for prompt action by the Governing Body. Notice requirements are suspended only to the extent necessary, and notice must still be posted as soon as practicable. Actions taken at an Emergency Meeting should ordinarily be docketed for reconsideration, discussion, or ratification at the next Regular Meeting.

Notification of the time, date, location, and agenda of Special, Special-Called, or Emergency Meetings shall be provided in the same manner as for Regular Meetings. When usual notification methods are insufficient, reasonable alternate methods should be used. Except under unusual circumstances, all staff who customarily attend meetings shall be notified of every meeting in the same manner as Councilmembers.

Section 1.4: Attendance and Participation

Councilmembers are expected to attend all meetings. No official action may occur unless a Quorum is present. Before calling a meeting to order, the Presiding Officer must be reasonably certain that a Quorum exists.

Members are expected to attend meetings in person. In-person attendance supports transparency and accountability and helps ensure clear, efficient discussion and effective action.

City Code §31.02 allows members for whom in-person attendance is difficult or impossible to participate in otherwise in-person meetings by telephone or other electronic means, as permitted by Council. Except in fully remote meetings, the Presiding Officer must be physically present unless an emergency prevents it. A Councilmember is considered present for Quorum purposes under the following conditions:

Physical Presence: The member is physically at the meeting site.

Remote Participation: The member attends by telephone or electronic means, provided:

- The participant is clearly identifiable;
- All participants can hear and be heard in real time; and
- Members of the public can hear all participants in real time.

Members participating remotely may engage fully in discussion, debate, and voting, subject to:

- Notice Requirement: **At least six (6) hours' written notice** to the City Clerk prior to remote participation to allow adequate technical preparation.

- Annual Limit: A member may not attend **more than three Regular Meetings** remotely per calendar year unless additional remote participation is approved by majority vote of Council.

Remote participants shall identify themselves before speaking; recognition by the Presiding Officer satisfies this requirement.

Council may elect to meet entirely by electronic means under special circumstances such as health or safety emergencies, provided public access is maintained in real time. All remote participation must comply with W. Va. Code §6-9A.

Section 1.5: Oath of Office

At the first meeting involving any newly elected or appointed Mayor or Councilmember, the first order of business shall be administration and subscription of the Oath of Office in accordance with state law.

The oath shall be administered by the Mayor, City Clerk, or another official authorized to administer oaths, and shall substantially conform to the language prescribed in the West Virginia Constitution and W. Va. Code §6-1-3:

I, [insert member's name], do solemnly swear that I will support the Constitution of the United States and the Constitution of this State and that I will faithfully discharge the duties of [Mayor or City Councilor] to the best of my skill and judgment, so long as I may continue therein.

The subscribed oath shall be recorded in the minutes, and a signed copy retained by the City Clerk in the official municipal records.

No Councilmember may vote, make motions, or otherwise participate in the formal actions of Council until the oath has been taken and recorded.

[The rest of this page is intentionally left blank.]

ARTICLE II – MEETING PROCEDURES

Section 2.1: Preparation and Distribution of Agendas

The City Clerk shall coordinate the preparation and distribution of meeting agendas in compliance with the Open Meetings Act. Responsibilities include:

- Compiling items approved for inclusion.
- Preparing meeting packets and distributing agendas and supporting materials to each Councilmember prior to the meeting.
- Confirming that scheduled public hearings are duly advertised.
- Ensuring that meeting notices and agendas are posted as required by law.

Agenda Packets:

Agenda packets shall be prepared for all meetings of Council and its Committees. Packets shall be distributed as soon as practicable in advance of each meeting, generally at least one day prior. Council and its Committees ordinarily require that each agenda item be accompanied by a memorandum or other written summary, together with any supporting documentation (e.g., invoices, contracts, draft policies, or similar materials) sufficient to explain the action requested and the reasons for it. Council or its Committees may decline to consider agenda items for which the required information has not been submitted in advance of the meeting.

Section 2.2: Minutes

The City Clerk shall prepare official minutes that include:

- Date, time, and location of the meeting;
- Names of members present and absent;
- Motions made, including the names of the movant and seconder;
- The result of each vote, including, when applicable, how each member voted.

The City Clerk shall also serve as the official timekeeper for portions of the meeting in which debate, Council remarks, or public testimony is subject to time limits, unless the Presiding Officer appoints another timekeeper.

Corrections

Approved minutes may be corrected by the City Clerk at any time that a non-substantive error or omission is discovered. Substantive corrections may be proposed by the Mayor, any Councilmember, or the City Clerk, reviewed for accuracy, and approved by a majority vote of Council. Substantive corrections shall be noted in the minutes of the meeting at which they are approved, and the original minutes shall be clearly marked to indicate that a correction was made, including the date of correction.

Section 2.3: Order of Business

The standard order of business for Council and Committee agendas shall be as follows. Both Council and its Committees may omit sections as appropriate to the purpose and scope of the meeting.

Committee agendas shall follow the same order but may omit items as appropriate to their scope.

1. *Invocation and Pledge.*
2. *Call to Order.* The Presiding Officer shall call the meeting to order at the appointed hour.
3. *Roll Call.* The City Clerk shall call the roll, or the Presiding Officer may note attendance verbally.
4. *Public Hearings* (if scheduled).
5. *Public Comments.* City residents or taxpayers may address the Governing Body for no longer than five minutes concerning agenda items, or, upon an affirmative motion duly made and approved by Council, other matters, subject to such rules as Council may impose from time to time. This is not a question-and-answer period, nor are these remarks subject for debate.
6. *Approval of Minutes.*
7. *Correspondence, Notifications, and Recognitions.* Includes non-action informational items and recognitions, citations, or awards.
8. *Councilor Reports & Comments.* Councilmembers may present Committee reports or address the body. These remarks are not subject for debate.
9. *Officer Reports.* Administrative Officers, the City Attorney, and the Chief Operators of the Public Wastewater and Water Systems shall provide informational reports. These remarks are not subject for debate.
10. *Unfinished Business.* Items left pending at the previous meeting, including postponed items or business not reached due to early adjournment.
11. *New Business.* New items presented for action or deliberation.
12. *Mayor's Comments.* The Mayor may offer information or updates. These remarks are not subject for debate.
13. *Adjournment.* Adjournment is automatic once all agenda items have been addressed. A motion to adjourn is only required to end a meeting prior to completing the agenda.

The Order of Business may be altered by Unanimous Consent or by a motion approved by a majority of Councilmembers present. To obtain Unanimous Consent, the Presiding Officer proposes the change and proceeds if no member objects.

Section 2.4: Recess, Continuance, and Adjournment

Council may recess and reconvene a meeting at a later time and place if members wish to end a meeting before completing all agenda business. The time, date, and location of reconvening must be announced on the record, with public notice provided as required by the Open Meetings Act.

Adjournment ends the meeting, and no business may be conducted afterward. Adjournment is automatic once the agenda is completed. A motion is only required when ending the meeting before all agenda items have been addressed.

A meeting may be continued only to address items already appearing on the original agenda.

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ARTICLE III – LEGISLATIVE INSTRUMENTS AND AGENDA CONTROL

Section 3.1: Forms of Action

Council may take legislative action via ordinance or resolution, depending on the subject matter and applicable law. From time to time, substantive action may be taken via motion, although this is not preferred. This section provides a general overview; each form is treated in more detail in the sections that follow.

Ordinances

An ordinance is required where formal legislation is mandated by statute, charter, or case law. Under W. Va. Code §8-11-3, Council action must be by ordinance in the following cases (unless otherwise provided by law):

- Levying taxes or establishing fees;
- Requiring a business license;
- Establishing offenses and penalties;
- Authorizing bonds or indebtedness;
- Approving public improvements;
- Purchasing or selling municipal property;
- Laying out or vacating streets, alleys, or public ways;
- Enacting planning or zoning measures;
- Granting public utility franchises;
- Any other matter required by the City Charter or West Virginia Code to be enacted by ordinance.

Although State law generally requires intergovernmental contracts or agreements to be approved by ordinance, the City of Elkins has been granted Home Rule authority to approve such agreements by resolution.

Ordinances must be introduced, read, and adopted in accordance with W. Va. Code §8-11-4. This typically requires:

- Reading the proposed ordinance by title at two separate meetings at least one week apart, unless full reading is demanded; and
- Additional procedural requirements for revenue-raising ordinances and certain technical codes.

An ordinance may be amended after introduction; however, substantive amendments require restarting the full reading process, as if introducing a new ordinance.

Resolutions

A resolution is used for administrative, ceremonial, or policy decisions not requiring an ordinance. Resolutions are adopted by motion and majority vote and may:

- Approve certain contracts;
- Set internal policies or procedures;
- Make appointments or authorizations;
- Express the Council's intent or opinion.

Motion

A motion is a procedural tool used to propose and adopt action within a meeting. When passed, it becomes a formal act of Council.

Section 3.2: Introduction of Legislation (Ordinances)

Except upon a finding by Council that circumstances are so urgent as to brook no delay, **proposed ordinances must be referred to Council by:**

- **The Rules & Ordinances Committee,** or
- A City board or commission acting within the authority granted to it by State or City Code.

The City Attorney shall prepare and must approve the final form of all ordinances. The City Clerk shall assign a number to each ordinance.

A referring body (Rules & Ordinances Committee or the originating board/commission) may forgo reviewing an ordinance after it has been drafted by the City Attorney.

An ordinance is considered introduced before Council when the Presiding Officer reads its title aloud from the meeting agenda.

An ordinance that is approved on one reading shall be docketed for its next reading on the agenda of the next Regular or Special Council meeting, in accordance with W. Va. Code §8-11-4.

If an ordinance fails on any required reading, it may be reintroduced only after subsequent review and recommendation by the Rules & Ordinances Committee or, if appropriate, the originating board or commission. A substantively revised ordinance may need to be introduced, read, and adopted anew in accordance with all applicable requirements, including public notice or hearing.

Section 3.3: Resolutions

Actions not requiring an ordinance shall generally be presented as resolutions, referred to Council by an appropriate Committee.

The text of a resolution may be amended at the meeting where it is introduced; however, significant amendments may warrant postponement to allow review.

The City Clerk or City Attorney will prepare and approve the final form of resolutions they have drafted. The City Clerk shall assign a number to each resolution. Any revision to a resolution prepared by the City Attorney must be approved by the City Attorney.

If the vote to adopt a resolution fails, an identical or substantively similar resolution may be reintroduced only after subsequent review and recommendation by its originating Committee, if applicable.

Section 3.4: Direct Action Motions

The preceding sections describe legislative actions taken through written instruments such as ordinances or resolutions. Less often, the motion itself constitutes the action. Direct Action Motions are typically used for procedural matters, including but not limited to:

- Approval of minutes or vendor invoices;
- Scheduling special meetings;
- Referral of items to committees;
- Suspending these rules;
- Limiting debate or public comment;
- Other administrative or non-legislative matters.

Such motions should be stated clearly and read back by the City Clerk before the vote is taken so that members understand what they are voting on and the resulting action is unambiguous in the minutes.

When a Direct Action Motion is likely to be of continuing or longstanding interest, the City Clerk may place the action into the form of a simple resolution (a resolution without preamble paragraphs), assign a resolution number, and add it to the City's resolution record. The Clerk shall note this action in the minutes of the meeting where the motion was approved.

Section 3.5: Agenda Control and Disputes

Agenda Authority

To ensure that items brought before Council are ripe for consideration, the standard practice is to present matters first to the relevant Council Committee. Council will generally not entertain requests for items to be placed on its agenda without prior Committee review. The City Clerk, in consultation with Committee Chairpersons and relevant staff, will assist staff and the public in navigating this process.

Individuals proposing new or amended laws must submit written application to and may be required to appear before the Rules & Ordinances Committee.

The following items shall be docketed on the Council agenda without need for further review or approval, usually on the next Regular or Special Meeting agenda unless additional preparation time is required:

- Items referred to Council by action of a standing or ad hoc Committee acting within their authority under the Charter or, in the case of ad hoc committees, within the authority described in the order establishing them;
- Items referred by City boards or commissions acting within their lawful authority;

- Items referred by the written request of three or more Councilmembers.

All other proposed items may be docketed only upon approval of the Mayor.

Once agenda items are read aloud from the agenda by the Presiding Officer, they are in the possession of the body and may not be removed without the consent of Council.

Items proposed for Committee agendas may be docketed only with the approval of the relevant Committee Chairperson or by written request of at least two other members of the Committee.

Role of Officers

City officers have the following roles in agenda preparation:

- *Administrative Officers and Other Council Appointees:* May recommend agenda items to the Mayor or to Committee Chairpersons, particularly for administrative or operational matters.
- *City Clerk:* Compiles, publishes, and distributes the agenda and supporting packet to all Governing Body members, Administrative Officers, and other appropriate staff; ensures compliance with the notice requirements of the Open Meetings Act.

Section 3.6: Hierarchy and Characteristics of Legislative Act

City Charter – Highest Local Authority

The Charter is the City’s foundational governing document, comparable to a constitution. It defines the structure, powers, and procedures of City government. All ordinances and resolutions must conform to the Charter.

Ordinance – Subordinate to the Charter; Superior to Resolution

An ordinance is a legislative act with the force of law. It is used for matters of general application, including:

- adoption of permanent rules;
- establishment of penalties;
- levying of taxes;
- regulation of public or private conduct.

Resolution – Lowest in Hierarchy

A resolution expresses the Council’s will, intent, or internal policy and may be used to:

- Approve contracts not requiring an ordinance;
- Make appointments;
- Set internal rules;
- Convey opinions or intentions.

Resolutions may not conflict with or override ordinances, the Charter, or State law. Substantive amendments may warrant deferral to a later meeting.

In the context of this hierarchy, motions are equivalent to resolutions, because any resolution may be revised or overturned by a motion and vice versa.

Section 3.7: Withdrawal and Substitutes

Withdrawal

Once read aloud by title at a Council Meeting, an ordinance or resolution is in the possession of Council and may be withdrawn only with Council's consent. This action can be taken by Unanimous Consent, but if anyone objects, a motion must be made, seconded, and voted on.

Substitutes for Ordinances and Resolutions

A Councilmember may propose that Council substitute an entire ordinance or resolution with new language, provided:

- The substitute remains germane to the title and subject matter listed in that meeting's agenda;
- The proposal complies with the rules for amendments and debate;
- The substitute does not violate notice requirements.

A substitution that materially changes the purpose or scope of an ordinance on second reading requires reintroduction and republication to meet due process and statutory notice requirements. Any substitute ordinance must be reviewed by the City Attorney prior to final adoption.

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ARTICLE IV – MOTIONS AND VOTING

Section 4.1: Motions Generally

Council action is taken through motions, which must be clearly stated and seconded, except when action is taken by Unanimous Consent. Unanimous Consent may not be used when State law requires passage of an ordinance, resolution, or motion by recorded vote of each member in the official minutes.

The Presiding Officer shall restate each motion prior to debate and shall call for a vote once discussion has concluded.

Section 4.2: Types of Motions

Common motions include:

- To adopt (e.g., to pass an ordinance or resolution);
- To amend (propose changes to a pending motion);
- To table (postpone temporarily to address an issue interrupting or impeding the meeting);
- To postpone (defer action to a later meeting to permit further research or review);
- To reconsider (review and potentially reverse a prior vote);
- To adjourn (end the meeting before completing the agenda);
- To call the question (end debate and proceed to a vote).

The Presiding Officer may reject dilatory, redundant, or obstructive motions.

For a step-by-step overview of how motions are introduced, seconded, debated, amended, and voted upon, see Appendix B: Guide to Motion Practice. This reference provides practical examples and clarifications to assist Councilmembers and the Presiding Officer in applying these rules consistently.

Section 4.3: Debate and Decorum

Debate must be directed to the Presiding Officer and confined to the merits of the pending motion.

Councilmembers shall not engage in personal attacks, challenge one another, interrupt, or speak without recognition. The Presiding Officer may rule on questions of decorum and has authority to warn, silence, or eject disorderly speakers.

Section 4.4: Voting and Majority Requirements

Unless otherwise required:

- A motion passes with a majority of votes cast, provided a Quorum is present.
- A tie vote fails.

Each member present shall vote unless excused due to a disclosed conflict of interest or other recognized abstention.

Councilmembers shall not explain or justify their vote during the act of voting; such statements are considered debate and must occur before the vote is called.

The Mayor has both the right and the duty to vote in the event of a tie. The Mayor otherwise does not vote.

Votes may be taken by voice vote, show of hands, or roll call, if requested by the Presiding Officer or any member. When any Councilmember participates remotely, voting shall be conducted by roll call to ensure that each member is identified and their vote is publicly observable and recorded, except that actions adopted by consensus without objection need not be taken by roll call.

Abstentions shall be noted in the minutes but do not count as votes for or against the motion. A member who abstains due to a conflict of interest is still counted present for purposes of Quorum.

Section 4.5: Appeal of a Decision of the Presiding Officer

Any Councilmember may appeal a decision of the Presiding Officer, including rulings on points of order or decorum. An appeal must be made promptly, before other debate or business intervenes.

When an appeal is made, the Presiding Officer shall clearly state the decision being appealed and may briefly provide reasons for that decision. The body may debate the appeal, but debate shall be confined to the merits of the appeal itself, not the underlying question or motion.

When debate, if any, is concluded, the Presiding Officer shall put the question to Council: "Shall the decision of the Presiding Officer be sustained?" A majority affirmative vote of those present sustains the decision.

The right to appeal does not apply to procedural questions not squarely presented in the proceedings or to purely factual determinations.

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ARTICLE V – PUBLIC COMMENTS, PUBLIC HEARINGS, AND EXECUTIVE SESSIONS

Section 5.1: Public Comment

Public Comment allows city residents and taxpayers to speak to Council or a committee about agenda items, issues of general community interest, or related announcements. Because Council and committee meetings are primarily for conducting the City's business, reasonable limits may be placed on Public Comment to ensure meetings stay focused and proceed efficiently.

Individuals who are not city residents or taxpayers may not address Council during Public Comment. Taxpayers who are not residents include owners of rental properties or businesses located inside city limits. According to the West Virginia Supreme Court, the Fire & Rescue Service Fee is not a tax. However, comments from Fire & Rescue Service Fee payers will be allowed when items regarding this Fee appear on the agenda of Council meetings or hearings.

Members of the public may always share concerns with elected officials outside of meetings, either directly using contact information available on the City's website or by requesting to address the appropriate Committee. The City Clerk serves as a liaison between Council and the public and will assist in facilitating such requests.

The minutes shall, at a minimum, list all persons providing spoken or written Public Comment and briefly summarize the position taken (e.g., spoke in support, spoke in opposition, recommended an amendment, etc.).

Section 5.2: Conduct of Public Comment

City residents and taxpayers wishing to speak during Public Comment must sign up by name and topic, clearly specifying whether their remarks will address an item appearing on that meeting's agenda, no later than five minutes before the meeting begins.

At the designated point in the Order of Business, the Presiding Officer shall open Public Comment and recognize speakers in the order in which their names appear on the list, subject to the rules below. After the final listed speaker has been heard, the Presiding Officer shall close Public Comment. Once closed, Public Comment will not be reopened, and members of the public will not ordinarily be given the floor at any other point during the meeting.

The following rules apply:

- Any citizen or taxpayer of the City may speak on any item appearing on that meeting's agenda.
- Any citizen or taxpayer of the City may speak on matters not appearing on that meeting's agenda only upon a motion duly made, seconded, and approved by Council. Absent such a motion and approval, no such comments shall be heard.
- Remarks are limited to five minutes, except upon a motion duly made, seconded, and approved by Council.

- An individual may speak only once on the same subject at a meeting, except upon a motion duly made, seconded, and approved by Council.

Speakers must provide their name and address, address remarks to the Presiding Officer, and remain at the podium or designated area while speaking. For safety and decorum, speakers shall not approach Council. Any handouts for Councilmembers will be distributed by City staff.

To maintain fairness and efficiency, Council may impose additional restrictions on comments concerning non-agenda items, including:

- Disallowing all such comments at a given meeting;
- Requiring that a large group designate one or more spokespersons;
- Reducing individual or overall time limits.

Section 5.3: Public Hearings

Public Hearings provide a formal opportunity for public comment on specific legislative, zoning, budgetary, or other matters. Council shall hold Public Hearings when required by:

- West Virginia Code;
- The City Charter or ordinance; or
- Council action, when deemed appropriate.

Public Hearings may be:

- Held during a Regular or Special Meeting;
- Delegated to staff or subcommittees when legally permissible;
- Conducted at City Hall or another accessible public location within City limits or elsewhere in the county when necessary.

Section 5.4: Conduct of Public Hearings

Members of the public wishing to speak at a Public Hearing must sign up by name no later than five minutes before the meeting begins.

At the appropriate point in the Order of Business, the Presiding Officer shall open the Public Hearing and recognize speakers in the order in which they signed up. Speakers are limited to five minutes unless Council waives or modifies the limit at the beginning of the hearing. Speakers who raise topics other than the matter that is the subject of the hearing will be declared out of order.

After all speakers have been heard, the Presiding Officer shall close the Public Hearing.

The written record of the hearing shall list all persons providing spoken or written comment and briefly summarize the position taken (e.g., support, opposition, proposed amendment).

Section 5.5: Written Comments

Written comments submitted in connection with Public Comment or a Public Hearing must comply with the same standards of relevance, decorum, and civility as spoken comments. All written submissions become public records subject to the West Virginia Freedom of Information Act (FOIA) and will be preserved by the City Clerk as part of the official record without need for separate Council action.

Written comments submitted at or before a meeting or hearing form part of the official record but need not be read aloud. The City Clerk shall provide a list of persons submitting written comments and a brief summary of their positions and ensure the materials are available for public inspection as required by law.

Exception – Nonstandard, Unmanageable, Repetitive, or Published Submissions

Submissions that consist of oversized materials, physical exhibits, or media other than standard documents (e.g., videos, physical objects, digital storage devices) that cannot reasonably be reproduced or archived using City equipment shall not be retained unless:

- Required by the Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA);
- Required by another applicable statute; or
- The Council votes to accept the materials as part of the record.

When such materials are excluded, the City Clerk shall summarize the nature of the excluded materials in the minutes and retain any component that can reasonably be accommodated.

The City Clerk may also summarize and otherwise omit from the record:

- Lengthy published materials readily available elsewhere;
- Multiple copies of substantively identical form letters (retaining one example copy for the record);
- Other excessive or repetitive submissions.

Section 5.6: Executive Sessions (Closed Meetings)

Authority

A Governing Body may enter Executive Session and exclude the public only under the circumstances expressly authorized in the Open Meetings Act (§6-9A-4). Members are encouraged to familiarize themselves with this section of State law, which sets forth the exclusive statutory grounds for entering Executive Session.

Procedure for Entering Executive Session

1. Motion Requirements

To enter Executive Session:

- A member must move to do so;
- The motion must state the agenda item and the statutory authority relied upon (see W. Va. Code §6-9A-4);
- The motion must identify any non-members invited into the session; and
- The motion must be approved by a majority of the members present.

2. *Multiple Authorities*

Although it is permitted to move to enter Executive Session on more than one agenda item or to cite multiple statutory authorities, doing so is generally discouraged where it may cause confusion or ambiguity for members or the public.

3. *Specificity of Agenda Items*

A Governing Body cannot predetermine that a particular item will be discussed in Executive Session. As with any agenda item, the description of a potential Executive Session must be as specific as reasonably possible, balanced against legitimate confidentiality or sensitivity concerns.

Participants in Executive Sessions

An Executive Session includes all eligible members of the Governing Body, including the Mayor, and any additional persons the Governing Body elects to include. No individual who is not an eligible member has a right to attend and may be included only by invitation of the Governing Body as a whole. Unless the nature of the matter under discussion clearly requires otherwise, it shall be presumed that the City Attorney and the Administrative Officers described in City Code §32.02 will be invited to attend Executive Sessions, in keeping with their assigned role in the conduct and management of the affairs of the City on behalf of Council.

A person who is the subject of an Executive Session may, in certain circumstances, have the right to require that the discussion occur publicly rather than in Executive Session, depending on the statutory authority relied upon. The Governing Body is not required to notify an individual that they are the subject of an Executive Session.

Compliance With the Open Meetings Act

1. *Staying Within the Stated Purpose*

To ensure transparency and compliance with the Open Meetings Act, members must make a good-faith effort to ensure that discussion in Executive Session does not stray from the topic or statutory authority stated in the motion.

For example, although Executive Session may properly be used to obtain privileged legal counsel on an aspect of an agenda item, this does not authorize discussion of unrelated aspects of the item that are not subject to privilege. The presence of legal counsel in Executive Session does not, by itself, transform the discussion into a privileged consultation or justify exclusion of the public absent another statutory basis.

2. *Member Responsibility*

Any member present who believes that discussion has strayed beyond the permitted scope must promptly advise the body and either request a return to the stated purpose or move to exit Executive Session.

Executive Sessions believed to violate the Open Meetings Act should be reported to the City Attorney, notwithstanding Council's adopted local rule concerning confidentiality of Executive Session discussions (see Section 5.7).

Recordkeeping for Executive Sessions

No minutes or other records of the Executive Session may be created, and recordings are prohibited.

The Presiding Officer must ensure the following are recorded in the public minutes:

- The motion to enter Executive Session;
- The statutory authority cited;
- The time the session began and ended;
- The time the public meeting resumed;
- The Presiding Officer's report that no decisions were made and no actions were taken;
- Any non-members invited into the session, whether named in the original motion or added after entering the Session.

Section 5.7: Confidentiality and Disclosure

Executive Sessions often concern matters protected by State or federal law, including but not limited to:

- Taxpayer information;
- Personally identifiable information (PII);
- Protected health information (HIPAA);
- Security plans or sensitive safety information;
- Criminal investigations; or
- Attorney-client privileged communications.

Unauthorized disclosure of legally protected or privileged information may:

- Violate federal or State law (including laws outside the Open Meetings Act);
- Constitute a breach of fiduciary duties;
- Expose the disclosing party to civil or criminal penalties;
- Constitute a violation of the West Virginia Ethics Act.

Council has also adopted a local rule (Resolution 1551) requiring all participants in Executive Sessions to maintain the confidentiality of matters discussed, except when disclosure is expressly

authorized by the Governing Body or required by law. This rule prohibits the creation of any record of Executive Session discussions, including recordings (see Appendix C).

In addition to statutory penalties, breaches of confidentiality may be grounds for censure or other Council action under these Rules. Attorney-client communications must remain confidential unless Council votes to waive the privilege. Members have a duty to safeguard all confidential or privileged information.

Section 5.8: Prohibited Actions in Executive Session

No action may be taken in Executive Session unless expressly authorized by law. All final votes or decisions must occur in open session.

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ARTICLE VI – CONDUCT, DECORUM, AND DEBATE

Section 6.1: Standards of Conduct

Elected officials are expected to conduct themselves with dignity, respect, and courtesy toward one another, the public, and staff. This includes:

- Listening attentively;
- Speaking respectfully;
- Avoiding personal attacks or inflammatory language;
- Refraining from interrupting others except as permitted by parliamentary procedure.

Elected officials are public fiduciaries and must act in the best interests of the City and its residents.

Section 6.2: Decorum in Debate

Debate must be germane to the question under discussion and directed to the Presiding Officer. The Presiding Officer may:

- Recognize speakers in order;
- Limit repetitive or irrelevant comments;
- Declare a speaker out of order;
- Enforce time limits adopted by rule or consent.

The Presiding Officer may call any member to order. A member called to order must cease speaking until the question of order is resolved.

The Presiding Officer may direct any Councilmember to discontinue remarks that are persistently irrelevant, repetitious, or otherwise in violation of these Rules. Members shall not engage in side conversations or other distracting conduct. Side conversations or electronic communications between members may violate the Open Meetings Act, and electronic communications among members during meetings may be subject to FOIA.

All remarks must be addressed to the Presiding Officer. Members shall confine their comments to the pending question and avoid personal attacks or accusations.

- *Speaking Order:* The member who introduces a motion has the first opportunity to speak to it. No member may speak a second time on the same matter until all members wishing to speak have had the opportunity to do so once.
- *Balanced Debate:* When feasible, the Presiding Officer should alternate recognition between members with differing viewpoints to ensure balanced consideration.
- *Timekeeper:* When debate or public comment is subject to time limits, the City Clerk shall serve as timekeeper unless otherwise designated by the Presiding Officer.

Section 6.3: Disorderly Conduct

Any person—member, staff, or attendee—who disrupts the meeting may be warned, silenced, or removed by order of the Presiding Officer.

Disorderly conduct includes:

- Interrupting speakers;
- Shouting or cursing;
- Making threats;
- Displaying signs that obstruct views or endanger safety;
- Refusing to yield the floor after time has expired.

Any removal must comply with First Amendment protections and be narrowly tailored to preserve order rather than suppress a viewpoint.

If a Councilmember continues to violate decorum after a warning, the Presiding Officer may formally “name” the member, which shall be recorded in the minutes as a step toward potential censure or other disciplinary action consistent with these Rules.

Signs, banners, or displays that obstruct views, endanger safety, or distract from the orderly conduct of the meeting may be limited or removed at the Presiding Officer’s discretion, solely to preserve decorum.

If necessary to address disorderly conduct or safety concerns, the Presiding Officer may briefly order a recess without a motion or vote.

Section 6.4: Conflicts of Interest and Recusal

Councilmembers must disclose any conflict or potential conflict of interest on matters before the body. Disclosures must comply with the West Virginia Ethics Act (W. Va. Code §6B-2-5), including subsection (j) (Limitations on Voting). Members are advised to review the Ethics Act regularly.

The following guidelines apply:

- Members with a direct financial or personal interest must recuse themselves from discussion and voting.
- Recused members shall leave the chamber during debate and vote; recusal is recorded in the minutes only if the member leaves.
- For matters involving a nonprofit organization, members who are uncompensated officers or board members shall disclose the relationship but are not required to recuse themselves; compensated officers or board members must recuse.
- For matters involving a City board, commission, or authority, members who serve on that body shall disclose the relationship but are not required to recuse.

All disclosures and recusals shall be entered in the minutes.

Section 6.5: Public Communication and Representation

In all dealings with the public, elected officials shall make clear that they speak only for themselves unless expressly authorized by a majority vote of Council to speak on behalf of Council or the City.

Elected officials shall not negotiate the terms of or enter into contracts, agreements, or commitments on behalf of the City unless specifically authorized by Council.

Members shall refrain from abusive conduct or personal attacks on other members, City officers or employees, members of City boards or commissions, and members of the public.

Section 6.6: Duties of the Presiding Officer

During meetings, the Presiding Officer shall:

- Preserve order and decorum and exercise general supervision over the proceedings;
- Guide and direct the meeting in accordance with these rules;
- Recognize members entitled to the floor and rule on procedural questions;
- Decide all points of order, subject to appeal;
- Put to a vote all questions that are properly moved or that otherwise arise.

The Presiding Officer may participate in debate without relinquishing the chair.

Section 6.7: Question of Privilege

A Question of Privilege allows a council member to raise an urgent matter that affects the rights, reputation, dignity, or comfort of the Council or its members. The purpose of this motion is that it essentially permits an “interruption” that would not otherwise be allowed under parliamentary rules—for example, when a member has already spoken the maximum number of times, when another member has the floor, when a motion would normally require recognition, or when a rule gives another member priority to speak.

A Question of Privilege may be raised at any time, except while a vote is in progress. The Presiding Officer will determine whether the issue meets this standard and whether it should be addressed immediately before returning to the pending business.

Here are some examples of situations that might justify raising a Question of Privilege:

- **Rights:** A member states that they cannot hear the discussion because the microphone is off, or that meeting rules (such as time limits) are not being applied consistently.
- **Reputation:** A member asserts that an inaccurate or personally damaging statement has just been made about them and needs to be corrected immediately for the record.
- **Dignity:** A member objects to disorderly conduct, disrespectful language, or personal attacks occurring in the chamber.

- **Comfort:** A member notes that the room temperature is uncomfortable, that noise outside the chamber is preventing members from hearing proceedings, or that a physical accessibility issue needs immediate correction.

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ARTICLE VII – AMENDMENTS, AUTHORITY, AND INTERPRETATION

Section 7.1: Amendment of Rules

These Rules may be amended, repealed, or supplemented by Council using the same procedure required for adopting resolutions. (See Section 7.4 for procedures concerning temporary suspension of the Rules.)

Any proposed amendment must be introduced in writing and placed on the agenda in accordance with rules governing legislative action.

Section 7.2: Parliamentary Authority

Where these Rules are silent, Council shall refer to the adopted parliamentary authority.

Unless otherwise designated by ordinance or resolution, the default authority is:

Robert's Rules of Order, Newly Revised (latest edition)

The Presiding Officer may consult the parliamentary authority and issue a ruling, which is subject to appeal and may be overturned by majority vote.

Section 7.3: Interpretation

In the event of ambiguity or conflict within these Rules, interpretation shall follow the hierarchy below:

- The Constitution and statutes of the United States;
- The Constitution and statutes of West Virginia;
- The municipal Charter;
- Adopted ordinances of the municipality;
- Adopted resolutions of the municipality;
- These Rules of Procedure;
- The parliamentary authority designated in Section 7.2.

Nothing in these Rules may be construed to supersede Federal law, State law, court rulings, or binding interpretations issued by the West Virginia Ethics Commission.

Section 7.4: Suspension and Noncompliance

These Rules, or any portion thereof, may be temporarily suspended by majority vote, provided the suspension does not violate any statutory requirement, Charter provision, or ordinance.

If the Presiding Officer proposes to suspend a rule and no member objects, the Presiding Officer may declare the rule suspended.

A suspension applies only to the matter under immediate consideration and does not extend to other agenda items unless explicitly stated.

A violation of these Rules does not, by itself, invalidate Council action unless the violation also constitutes a breach of City, State, or Federal law, City Charter requirements, or due process rights.

Nothing in this section excuses noncompliance with the Open Meetings Act or other mandatory legal standards.

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APPENDIX A: GLOSSARY OF PARLIAMENTARY TERMS

Adjourn – To terminate a meeting officially.

Adopt – To approve or give effect to an item, such as a motion or ordinance.

Adopt a report – To formally accept a report. Adoption commits the Council to everything included in the report.

Affirmative vote – A “yes” vote to a question before the Council. Signifies agreement to its acceptance.

Agenda – The official list of business to be considered at a meeting.

Amend – To change a motion or document by adding, deleting, or substituting words or provisions.

Annul – To void or cancel an action previously taken.

Appeal – A request that a ruling of the Presiding Officer be submitted to Council for a vote.

Debatable – Capable of being discussed.

Division of the Body – A request for a more precise count of votes when the outcome of a voice vote is unclear. Often done by show of hands.

Division of Question – Separation of a motion into parts that may each be voted on independently.

Unanimous Consent – A method of passing routine or favored items without objection. Also called “general consent.”

Incidental motions – Motions related to procedure, order, or questions arising out of other motions.

Lay on the Table – To postpone a motion temporarily, with the intent to resume later during the same meeting.

Limit Debate – To restrict the time or number of speakers on a motion.

Main Motion – A principal proposal for Council to debate and decide.

New Business – Items introduced for consideration that are not left-over from a prior meeting.

Object to Consideration – A motion to prevent debate or vote on a main motion.

Order of Business – The sequence in which agenda items are considered.

Orders of the Day – The agreed-upon agenda or order of business. A member may “Call for the Orders of the Day” to require the Council to return to the set agenda if debate has strayed.

Ordinance – A law adopted by the municipal governing body.

Pending Question – A motion or issue currently under consideration but not yet decided.

Postpone to a Time Certain – To defer consideration of a motion to a specific later date or time.

Postpone Indefinitely – To kill a motion without a direct vote on its content.

Postpone Temporarily – See “Lay on the Table.”

Precedence – The established priority among types of motions when multiple motions are on the floor.

Presiding Officer – The individual charged with conducting the meeting, usually the Mayor.

Privileged Motions – High-priority motions that must be addressed before others (e.g., to adjourn or raise a question of privilege).

Question of Privilege – A request or motion relating to the comfort, dignity, or rights of Council or individual members.

Reconsider – A motion to revisit and potentially reverse a previously decided motion.

Refer to Committee – To delegate a matter to a group for investigation or recommendation.

Resume Consideration – To return to a motion that was previously laid on the table.

Ad-Hoc or Special Committee – A temporary committee formed for a specific task or issue.

Special Meeting – A non-regular meeting convened for a specific agenda item(s) stated in advance.

Standing Committee – A permanent committee with continuing responsibility for certain matters.

Unfinished Business – Items from a prior meeting that were postponed or not resolved.

Viva Voce Vote – A voice vote, with decisions based on the volume of “ayes” and “noes.”

Previous Question (Call the Question) – A motion to close debate and proceed to an immediate vote.

Withdraw – A request by the maker of a motion to remove it from consideration.

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APPENDIX B: Guide to Motion Practice and Procedure

This Appendix provides a practical reference for Councilmembers and the Presiding Officer in handling motions.

Sec. B-1. Generally.

- (a) The business of a meeting is carried on by means of motions. In a broad sense a motion is a formal statement of a proposal for the Council to consider and vote upon.
- (b) It is well to become familiar with the steps of handling a motion and with their phraseology. Only after these mechanics of a motion become second nature, can a person concentrate on the content of the motion.
- (c) The following are the steps in handling a motion:
 - 1. A member seeks recognition from the Presiding Officer.
 - 2. The Presiding Officer recognizes the member.
 - 3. The member makes the motion.
 - 4. Another member seconds the motion, without the need to be recognized.
 - 5. Presiding Officer states the motion to the Council in the exact form as made by the moving member.
 - 6. Members may discuss the motion, if debatable. Debate normally begins with the maker of the motion.
 - 7. The Presiding Officer puts the motion to a vote.
 - 8. The Presiding Officer announces the result.

Sec. B-2. Addressing the Presiding Officer.

Any member of the Council may propose a motion. The member may do this at any appropriate time whenever there is no person actively engaged in speaking. In most cases, it is out of order to interrupt a speaker. To present a motion, a member first addresses the presiding officer by official title. Addressing the chair is equivalent to requesting permission to present a motion or to discuss a motion already presented.

Sec. B-3. Recognition by the Presiding Officer.

The Presiding Officer recognizes a member by calling the member by name, or by nodding to the member, or by designating the member in some other way. As soon as the Presiding Officer recognizes a member, that member is entitled to the undivided attention of the body while the member proposes or discusses a motion.

Sec. B-4. Form of Motions.

A motion is a proposal that the Council take certain action or express certain sentiments. It is always stated in the form: “*I move ...*,” followed by the proposal to be considered. Motions should always be worded in the affirmative, to avoid confusion. An occasional brief remark may introduce the motion, but no discussion or debate is in order until the motion has been seconded and stated by the Presiding Officer.

If discussion is needed before a motion can be formulated, a member may move that the subject be discussed informally.

Sec. B-5. Second to the Motion

- (a) After a member has proposed a motion, it is then in order for another member to *Second the Motion*. The member seconding the motion may, without the need to be recognized by the Presiding Officer say: “I second the motion.” If the Presiding Officer does not hear a second to a motion, the Presiding Officer should ask, “Is there a second to the motion that ...” and repeat the motion, since it may be that some of the members have not understood its meaning. If no second is forthcoming, the Presiding Officer declares the motion “lost for want of a second.”
- (b) Seconding a motion simply means that the seconder wishes to have the motion presented to the Council for consideration. It does not necessarily imply that the seconder favors the motion or intends to vote for it. The requirement of a motion and a second is based on the belief that at least two (2) members should be interested in the discussion of a proposition before a motion is presented to the body.
- (c) Routine motions, such as approving the Minutes, are frequently stated by the Presiding Officer without waiting for a second, unless some member objects. This is a form of *Unanimous Consent*. If any member objects, the Presiding Officer must call for a second. Note: Unanimous Consent must not be used when state law requires a recorded vote of each member to be entered in the minutes.

Sec. B-6. Stating the motion by the Presiding Officer.

- (a) As soon as a motion has been properly moved and seconded, it is the duty of the Presiding Officer to state the motion promptly to the body. The Presiding Officer must state the motion in the exact form that was used by the maker of the motion. Until the Presiding Officer has stated the motion, the motion is under the control of its maker and can be withdrawn or modified by the maker as the maker wishes. Once the motion has been stated to the Council, it is in the possession of the body to do with it as it chooses.
- (b) If a motion is proposed in a form which is misleading, vague, or overly complicated, it is the duty of the Presiding Officer to request the member to rephrase the motion or to assist the member in making the motion clearer. If the Presiding Officer assists in rephrasing the motion, the Presiding Officer should make sure that the meaning of the motion is not changed. The Presiding Officer should ask the member whether the rephrased motion, as stated to the body, expresses the proposal correctly.
- (c) If a motion proposes action which is contrary to law, or ordinance, or if it is obviously dilatory (that is, made for the purpose of delaying business) or is completely unsuitable for the consideration of the body, the Presiding Officer should rule it out of order. The Presiding Officer may say, “The chair rules your motion out of order,” and state the reason for so doing.

Sec. B-7. Debate and Discussion.

The Councilor making a motion shall be recognized first in debate and shall have the privilege of closing debate unless debate is closed earlier by the motion *Previous Question*. A member obtains the floor to debate a motion in the same manner as the member does to propose a motion. Once a member has been recognized for the purpose of debating a motion, the member must be protected in the member's right to speak, so long as the member observes the rules of decorum and confines remarks to the subject of the motion. A Councilor having been recognized shall not be interrupted except to call the Councilor to order. If called to order, the Councilor shall cease speaking until the *Point of Order* is decided, after which debate may proceed. Debate is restricted to the measure under consideration and neither its proposer nor the proposer's motives can be discussed. The rules of debate require that all discussion be impersonal and that it be addressed through the presiding officer.

Sec. B-8 Voting on motion.

When it appears that all members who wish to discuss the question have done so the Presiding Officer may inquire: "Is there any further discussion?" or, "Are you ready for the vote?" This query gives notice that debate is about to close and that if any member wishes to claim the floor, the member should so do immediately. If no one claims the floor, the Presiding Officer, after a pause, puts the question to a vote in its final form after any adopted amendments have been incorporated into the motion. The Presiding Officer will then conduct the vote. The announcement of the vote by the Presiding Officer is the last step in the production line which has carried the motion from its introduction by an individual member to its disposal by vote of the Council.

Sec. B-9. Precedence and classification.

- (a) The rank of motions, which is called "precedence," keeps the business of the meeting going with easy efficiency, and every motion is attended to in its proper turn. The order of precedence of motions is based on the degree of their urgency, and it is logical and easy to understand. The following is a list of the more important motions, arranged in descending order of precedence:
 - a. *Adjourn.*
 - b. *Recess.*
 - c. *Question of Privilege.*
 - d. *Lay on the Table.* ("Postpone temporarily".)
 - e. *Previous Question.* ("Vote immediately".)
 - f. *Limit or Extend Debate.*
 - g. *Postpone to a Time Certain.*
 - h. *Refer to Committee.*
 - i. *Amend.*
 - j. *Postpone Indefinitely.*
 - k. *The Main Motion.*
- (b) Motions are classified as follows:

- (1) Main motions. This group is made up of motions which bring subjects (as contrasted with procedural questions) before the body for decision. These motions constitute the principal business of a meeting. They are the most important of all motions because once adopted, they become the official statements of the Council.
- (2) Subsidiary motions. This group is made up of seven (7) motions which are alternative methods of changing or disposing of the main motion. Their name derives from the fact that they are subsidiary to the main motion, and, therefore, can be proposed only when a main motion is before the Council. If a main motion is pending and some members do not wish to vote on it directly at the time, they have several choices as to how the motion may be modified or resolved. For example, a member may believe that it is an unsuitable motion for the body to consider and may move to object to consideration of the question. Another may think that the motion should be changed so that it conforms more nearly to the ideas of the body and may move to amend it. The recognized subsidiary motions are:

- a. *Lay on the Table.*
- b. *The Previous Question.*
- c. *Limit or Extend the Limit for Debate.*
- d. *Postpone to a Time Certain.*
- e. *Commit or Refer.*
- f. *Amend.*
- g. *Postpone Indefinitely.*

- (3) Incidental motions. The motions of this group arise incidentally out of the business which is before the body. In general, they are concerned with the rights and privileges of members and procedures of the Council. They have only a few characteristics in common. The purpose of this group of motions is to handle procedural problems which arise out of the consideration of other questions. These problems, naturally, must be settled before consideration can be given to the question out of which they arise.

Incidental motions are not included in the list of precedence because they may be proposed at any time and must be decided whenever they arise. Therefore, they present no problem of precedence. The important incidental motions are:

- h. *Appeal.*
- i. *Point of Order.*
- j. *Parliamentary Inquiry.*
- k. *Suspend the Rules.*
- l. *Withdraw a Motion.*
- m. *Object to Consideration.*
- n. *Division of a Question.*
- o. *Division of the Body.*

These are just some examples. Many additional motions may arise incidentally during the discussion of another motion.

(4) Privileged motions. This small group is composed of motions which are so important that they are given privileges not accorded to other motions. They are, in effect, main motions which, because of their urgency, must be decided before the pending question. They relate to the members and to the board rather than to the main motion. Privileged Motions include:

- a. *Fix the Time to which the Body shall Adjourn.*
- b. *Adjourn.*
- c. *Take a Recess.*
- d. *Raise a Question of Privilege.*
- e. *Call for the Orders of the Day.*

(c) The chief purpose of dividing motions into four (4) groups is to determine their rank or precedence. This rank is fixed and definite and is based on logical reasoning. There are two (2) important rules of precedence:

1. When a motion is pending, any motion of a higher rank may be proposed, but no motion of lower rank is in order. The motion to adjourn has the highest rank, and a main motion has the lowest. If a main motion is pending, any motion of higher rank can be proposed. If a motion to refer to committee is pending, the motions listed in paragraphs (a)(1) through (a)(7) of this section can all be proposed, but a motion to amend or to postpone indefinitely cannot.
2. Motions are considered and voted upon in inverse order to the order of their proposal, the last one proposed being considered and disposed of first.

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This quick-reference chart is provided for convenience and summarizes common motions under Rules and Robert's Rules of Order. In case of conflict, these rules and their adopted parliamentary authority control.

To Do this:	You Say This...	May You Interrupt the speaker?	Needs Second?	Is it Debatable?	Is it Amendable?	Vote Required	Can it be Reconsidered?
Adjourn the meeting	"I move to adjourn."	No	Yes	No	No	Majority	No
Take a short break	"I move to recess for [time]."	No	Yes	No	Yes	Majority	No
Complain about heat or noise	"I rise to a question of privilege."	Yes	No	No	No	No vote	No
Temporarily set aside business	"I move to lay the matter on the table."	No	Yes	No	No	Majority	No
End debate and vote now	"I move the previous question."	No	Yes	No	No	2/3	Yes
Limit or extend debate	"I move to limit [or extend] debate to..."	No	Yes	No	Yes	2/3	Yes
Postpone to a later time	"I move to postpone the matter to ____"	No	Yes	Yes	Yes	Majority	Yes
Refer to a committee	"I move to refer the matter to the Committee"	No	Yes	Yes	Yes	Majority	Yes
Change the wording of a motion	"I move to amend the motion by..."	No	Yes	Yes	Yes	Majority	Yes
Kill the motion without direct vote	I move to postpone the matter indefinitely.	No	Yes	Yes	No	Majority	Yes
General Motion for Business	"I move that..."	No	Yes	Yes	Yes	Majority	Yes
Motions Listed Above are in Order of Precedence							
Point out a rule breach	"Point of order!"	Yes	No	No	No	Chair rules	No
Appeal a ruling by the chair	"I appeal the decision of the chair."	Yes	Yes	Yes	No	Majority	Yes
Ask about procedure	"Parliamentary inquiry!"	Yes	No	No	No	No vote	No
Suspend a rule	"I move to suspend the rules so that..."	No	Yes	No	No	2/3	No
Withdraw your motion	"I wish to withdraw my motion."	No	No	No	No	Majority	No
Object to something improper	"I object to consideration of this motion."	Yes	No	No	No	2/3	Yes
Split a motion into parts	"I move to divide the question."	No	Yes	No	No	Majority	No
Require a counted vote	"I call for a division of the body."	Yes	No	No	No	Chair counts	No
Return to the agenda	"I call for the Orders of the Day."	Yes	No	No	No	No vote	No
Set a time to adjourn	"I move to fix the time to which to adjourn."	No	Yes	No	Yes	Majority	Yes
Take up an item tabled earlier	"I move to take [item] from the table."	No	Yes	No	No	Majority	No

Sec. B-10. Reconsideration

The purpose is to permit the Governing Body to reconsider a vote on previous action. The reconsideration of a negative vote on final action is as proper as reconsideration of a favorable vote. Here are some general considerations about this motion.

- a. The motion to *Reconsider* may be made at the same meeting or a subsequent meeting. However, certain rules apply as appropriate under the circumstances.
- b. The motion to *Reconsider* must be made by a member who voted on the prevailing side.
- c. The motion to *Reconsider* is inappropriate after the action taken has gone into effect or after it is too late for any reason, to reverse the action taken.
- d. Whether a measure is reconsidered depends on whether the motion to *Reconsider* passes or fails.
- e. Should the motion to *Reconsider* pass, the item is immediately before the Governing Body to be acted upon or scheduled for hearing at a subsequent meeting.
- f. Should the motion to *Reconsider* fail, the item remains as adopted.
- g. Either the motion to *Reconsider* or notice of intent to reconsider must be made not later than the next regular meeting. A member of the Governing Body may indicate notice of intent to propose reconsideration either orally or in writing.

Effect of Reconsideration.

The effect of making the motion to *Reconsider*, or of giving notice of the motion, is to suspend all action on the subject of the motion until the reconsideration is acted upon.

Reconsideration at a subsequent meeting.

When notice is required for a question, the Governing Body shall comply with all rules requiring public notice.

If reconsideration will be taken up at a subsequent meeting, notice of intent will be placed on the agenda. The determination of reconsideration is dependent on the passage or failure of the motion to *Reconsider*.

Debate of Motion.

Debate on the motion to *Reconsider* will be limited to the merits of the reconsideration and not the merits of the question to be reconsidered.

Vote.

The passage of the motion to *Reconsider* requires a majority vote, even if the measure to be reconsidered requires a two-thirds vote.

Sec. B-11. Main Motion

A *Main Motion* presents an ordinance, resolution, or other proposition for passage, adoption, approval, or rejection. The question is usually stated in the positive form, “to pass”, “to adopt”, “to approve” “to confirm”, “to concur.”

A *Main Motion* must be seconded before debate can take place and only one *Main Motion* may be on the floor at a time. A Councilor may give brief explanatory comments before making the motion but must refrain from debate until the motion has been seconded and the member assigned the floor for debate by the Presiding Officer.. In the absence of a *Second*, the motion fails. *Main Motions* are debatable, amendable, and can be reconsidered after adoption.

Main Motions become the official recorded statement of an action taken by the Governing Body. A *Main Motion* should therefore be worded in a concise, unambiguous, and complete form appropriate to such a purpose.

A *Main Motion* should not be offered if its only effect is to propose that the body refrain from doing something since the same result can be accomplished by no motion at all.

Sec. B-12. Motion to Amend

Every amendment proposed must be relevant to the subject of the proposition.

1. A *Motion to Amend* takes precedence over the original *Main Motion* out of which it arises and must be voted upon before the original *Main Motion*.
2. After an amendment is adopted, the question as amended must be put to a vote.
3. Rejection of a *Motion to Amend* leaves the *Main Motion* worded as it was before the amendment was offered.
4. Form of amendments
 - i. Amendments should be offered in a concise, unambiguous and in a complete form of a motion.
 - ii. In form, amendments may be divided into the following types:
 - a. To add (that is to place at the end)
 - b. To insert
 - c. To strike out
 - d. To strike out and insert
5. Decision on amendments
 - i. An amendment, once adopted, may not thereafter at the same meeting be changed or modified, except upon *Reconsideration* of the vote by which it was adopted or by way of the *Motion to Amend Something Previously Adopted*.
 - ii. When a proposed amendment has been defeated, the same amendment may not be proposed again without first Reconsidering the vote by which the amendment was lost.
6. The Presiding Officer may require amendments to be submitted in writing.
7. Withdrawing Amendments and Accepting Modifications

- i. Amendments may be withdrawn by the maker before being seconded and stated by the Presiding Officer. After an amendment is seconded and stated by the Presiding Officer, it is in the possession of the Governing Body and be withdrawn only with the consent of the Governing Body.
 - ii. The maker of an amendment may modify an amendment before it is seconded and stated by the Presiding Officer. After it is seconded and stated, it is in the possession of the Governing Body and can be modified only with the consent of the body. The Presiding Officer may put the question of modification without waiting for a motion, if there is no objection.
8. There is no such thing as a “Friendly Amendment.” So called “Friendly Amendments” are handled just like any other amendment.

Sec. B-13. Postpone to a Time Certain

The *Motion to Postpone To a Time Certain* defers action on a pending question to some definite, time, day, or meeting. When a question has been postponed to a certain time, it becomes an order of the day for that time. When the time to which a question has been postponed arrives and the question is taken up, it can be postponed again if the additional delay will not interfere with the proper handling of the postponed question. The *Motion to Postpone to a Time Certain* is debatable, amendable, and may be reconsidered.

Sec. B-14. Previous Question

Debate may be closed immediately by the motion *Previous Question*. The motion *Previous Question* may motivate *Unanimous Consent* to ending debate. Before *Previous Question* has been seconded, the Presiding Officer may ask if there is any objection to closing debate. If there is no objection, the Presiding Officer shall immediately call the question and order a vote on the matter as it currently stands with the Governing Body. If one member objects, the Presiding Officer shall ask if there is a second to the motion. If there is a second to the call, the Presiding Officer must immediately take a vote on whether to order the call for the question. The call for the question requires a 2/3 majority vote before the vote on the question to which applied. The *Previous Question* is neither amendable nor debatable and can be reconsidered.

Sec. B-15. Motion to Lay on the Table/ Take from the Table

Any measure before the Governing Body may be set aside temporarily when something else of immediate urgency has arisen or when something else needs to be addressed before consideration of the pending question. The *Motion to Lay on the Table* is not debatable, not amendable, and cannot be reconsidered.

A motion that has been laid on the table must be taken from the table and acted upon by the end of the next regular meeting; otherwise, the measure is considered lost and must be reintroduced if further action is desired.

The *Motion to Take from the Table* is to bring back before the Governing Body a question that has previously been laid on the table. The *Motion to Take from the Table* is not debatable, not amendable and cannot be reconsidered.

Sec. B-16. Point of Order

Any Councilor or the Presiding Officer may call attention to violations of the rules or a mistake in procedure by rising to a *Point of Order*. The Presiding Officer may permit a brief explanation from the member raising the Point of Order before ruling on the claim and may submit the question to the Governing Body for decision by a majority vote. The Presiding Officer is not required to decide any *Point of Order* not directly presented in the proceedings of the body. Such an assertion does not require a second, is not debatable nor amendable and cannot be reconsidered. Every member of the Governing Body has a responsibility to require adherence to these rules by fellow governing body members.

Sec. B-17. Questions of Privilege – Examples

Example 1 – Comfort:

A Councilmember raises a Question of Privilege to request that the chamber air conditioning be adjusted because the room temperature is too high for comfort.

Example 2 – Noise Disruption:

A Councilmember raises a Question of Privilege to ask the Presiding Officer to close the door to the meeting room because hallway noise is disrupting debate.

Example 3 – Protection of Reputation:

A Councilmember may raise a Question of Privilege if personal comments made during debate unfairly attack their motives or integrity. The Presiding Officer may require the remarks to be withdrawn.

Example 4 – Audio Clarity:

A Councilmember raises a Question of Privilege to ask that a speaker repeat their remarks more clearly or speak into the microphone so everyone can hear.

Sec. B-18. Division of the Question

When a motion contains two or more independent parts that can stand alone, any member may move to divide the question so that each part may be considered and voted on separately.

Key points:

- Must be seconded.
- Not debatable or amendable.
- The Presiding Officer decides if division is appropriate.

Example:

“Madam Mayor, I move to divide the question so that the funding proposal is voted on separately from the policy statement.”

Sec. B-19. Division of the Body

If the result of a voice vote is unclear, any member may call for a “Division of the Body” to require a counted vote by show of hands.

Example:

“Madam Mayor, I call for a division.”

The Presiding Officer then directs members to stand or raise hands for an accurate count.

Sec. B-20. Call for the Orders of the Day

Any member may interrupt proceedings to demand that the Council return to the approved agenda if debate has strayed.

Example:

“Mr. Mayor, I call for the Orders of the Day.”

If there is no objection, the Council resumes the next item in the order of business.

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APPENDIX C: Presiding Officer Scripts & Speaking Guide

Purpose and Importance

Addressing all remarks through the Presiding Officer (typically the Mayor) is a fundamental rule of order in public meetings. This standard promotes civility, fairness, and professionalism by preventing direct, personal exchanges between members. It ensures that discussion is issue-focused, not personality-driven, and helps avoid disruption, disorder, or confrontational debate.

This practice:

- Prevents personal attacks by requiring all remarks to flow through the chair,
- Maintains structure by giving the Presiding Officer control over who speaks and when,
- Encourages mutual respect even in disagreement,
- Protects impartiality of the debate process.

By following this simple principle—always direct your comments to the Presiding Officer - members help uphold the dignity and order of the council.

The examples that follow illustrate how the Presiding Officer may handle common and less common motions under these Rules, including requests for Unanimous Consent and procedural corrections that may arise during debate.

Common Examples

1. Approving Minutes

“Mr. Mayor, I move to approve the minutes of the June 15 meeting.”

2. Adjourning the Meeting

“Madam Mayor, I move to adjourn.”

3. Responding to a Colleague’s Comment (Indirectly)

“Mr. Mayor, I’d like to respond to the concerns raised by the Councilmember from Ward 4.”

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4. Seeking Clarification from Staff

“Madam Mayor, could we ask the Public Works Director to clarify the current status of the project timeline?”

5. Moving to Amend a Motion

“Mr. Mayor, I move to amend the motion by changing the implementation date to October 1.”

6. Calling the Question (Ending Debate)

“Madam Mayor, I move the previous question.”

(This is a motion to end debate and proceed to vote.)

7. Raising a Point of Order

“Mr. Mayor, point of order: discussion is currently off-topic and should be confined to the motion on the floor.”

Example Script: Mayor Calling A Member To Order

If a member speaks out of turn, makes personal remarks, or fails to address the Presiding Officer, the Presiding Officer should act promptly but respectfully to restore order. Here’s a sample script:

Councilmember (interrupting or speaking directly to another member):

“You always block projects like this, and you’re doing it again!”

Mayor:

“Councilmember, you are out of order. All remarks must be addressed through the Chair. Please direct your comments to me and refrain from personal remarks.”

(If behavior continues, the Presiding Officer may issue a warning or call for a motion to censure.)

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Example Script: Presiding Officer Addressing a Speaker Who Exceeds Time or Becomes Disruptive

Member of the Public (after 5 minutes):

“And why haven’t any of you done anything about this yet? Are you even listening? What are you hiding?”

Mayor:

“Sir/Ma’am, your five minutes have expired.”

(If the speaker does not yield the floor)

Mayor (firm tone):

“I’m going to remind you that public comment is limited to five minutes. This is not a question-and-answer session. If you have additional comments, you may submit them in writing to the Clerk. Please return to your seat so we may proceed with the meeting.”

(If the speaker continues to interrupt or refuse to stop)

Mayor:

“You are now out of order. If you do not yield the floor, you may be asked to leave. We value public input, but we must maintain respectful and orderly proceedings.”

(If the behavior escalates further, the Mayor may call a recess or direct security, if applicable.)

At the beginning of public comment period, the Mayor may also state:

“Each speaker is allotted five minutes. Please direct your comments to the Council as a whole through the Chair, and note that this is not a time for back-and-forth dialogue. We welcome your input, and we ask that all speakers respect the time limit and decorum of this meeting.”

Example Script: Motion To Limit Debate

Context: Council is discussing a proposed ordinance, and discussion is dragging on. A Councilmember wants to limit debate to 10 minutes total, with no member speaking more than once for 2 minutes.

Councilmember 1:

“Mr. Mayor, I move to limit debate on the pending motion to ten (10) minutes total, with each member limited to one (1) two-minute comment.”

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Councilmember 2:

“I second the motion.”

Mayor:

“There’s a motion to limit debate to ten minutes total, and to limit each member to one two-minute comment. This motion is not debatable. All those in favor, say ‘Aye.’

[Pause for vote]

All those opposed, say ‘No.’”

[If motion passes:]

Mayor:

“The motion to limit debate is adopted. Total debate time is now limited to 10 minutes, and each Councilmember may speak once for up to 2 minutes.”

[If motion fails:]

Mayor:

“The motion to limit debate has failed. We return to regular discussion on the main motion.”

Notes:

- This is a subsidiary motion (it modifies the rules for the main motion on the floor).
- Not debatable—goes straight to a vote.

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Example Script – Division of the Question

Councilmember:

“Mr. Mayor, I move to divide the question so the funding proposal and the policy statement are voted on separately.”

Mayor:

“There is a motion to divide the question. Is there a second? [Pause]

Hearing a second, I find the parts are sufficiently distinct and will be handled separately. Debate will proceed on Part One first.”

Example Script – Division of the Body

Councilmember:

“Madam Mayor, I call for a division of the body.”

Mayor:

“Division of the body has been requested.

All those in favor, please raise your hand.”

[Count]

“All those opposed, please raise your hand.

The vote is __ in favor, __ opposed.”

Example Script – Call for the Orders of the Day

Councilmember:

“Mr. Mayor, I call for the Orders of the Day.”

Mayor:

“The Orders of the Day have been called.

Without objection, we will return to the agenda.

[Pause for objection]

Hearing none, we will proceed to the next scheduled item, which is ____.”

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(If there is an objection, the Mayor should note that a 2/3 vote is required to set aside the agenda.)

Example Script: Using Unanimous Consent

Unanimous Consent is a quick way to handle routine or noncontroversial actions without a formal motion or vote, if no one objects.

Example 1 – Approving Minutes Quickly

Mayor:

“Are there any objections to approving the minutes as distributed? [Pause]

Hearing none, the minutes are approved.”

Example 2 – Changing the Order of Business

Mayor:

“Without objection, we will move Item 8 ahead of Item 7 to accommodate the presenter’s schedule. Is there any objection? [Pause]

Hearing none, we will proceed with Item 8 next.”

Example 3 – Adopting a Routine Consent Calendar

Mayor:

“If there is no objection, the Consent Calendar will be adopted as presented. [Pause]

Hearing none, the Consent Calendar is adopted.”

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Appendix D: Standing Committees Role Descriptions

Finance Committee

Charter authority: “Recommend an annual budget to Council. Supervise budget management and make reports to Council. Review and propose to Council municipal debt instruments and grants. Make fiscal forecasts and report same to Council.”

Core Role

Fiscal stewardship of the City. The Finance Committee focuses on **money, funding mechanisms, and financial sustainability**, not programs and policy except as it affects finances.

Instruments That Should Originate Here

- **Budgets** (annual and amended) and **budget revisions**
- **Legislative actions** authorizing:
 - o Municipal debt (bonds, notes, leases)
 - o Grant applications and grant acceptances
 - o Funding requests
- **Financial policies**, including:
 - o Reserve policies
 - o Debt management policies
 - o Investment policies
- **Reports and forecasts** transmitted to Council

Examples

- Annual General Fund budget
- Grant acceptance resolutions
- Building Commission financing resolutions
- Multi-year financial forecasts

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Rules and Ordinances Committee

Charter authority: Consider and propose to Council new and amended ordinances, rules, and policies.

Core Role

Custodian of the City's **legislative code and governing rules**. This committee focuses on matters that require **formal lawmaking**, significant policies, or other changes to the legal framework under which the City operates.

Instruments That Should Originate Here

- **Ordinances**, including:
 - o New ordinances
 - o Amendments to the City Code
- **Resolutions** that:
 - o Adopt internal rules and policies (other than financial or personnel policies)
 - o Establish procedures or regulatory frameworks
- **Public-facing policies** intended to have general applicability (e.g., parking rules for city-owned public parking)

Examples

- Changes or additions to city laws
- Ethics policies, procurement policies, fee schedules
- Council rules

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Municipal Properties Committee

Charter authority: Monitor and report to Council on the condition of and proposed plans for city buildings, real estate, and rights-of-way. Review and propose to Council capital investment in buildings, real estate, and associated infrastructure.

Core Role

Oversight of the City's **physical assets and public realm**. This committee is strategic and prospective, focusing on **planning, condition, and capital investment**, rather than regulatory rules.

Instruments That Should Originate Here

- **Resolutions** related to:
 - o Capital projects
 - o Master plans or studies
 - o Use or disposition of City property
- **Policy recommendations** related to:
 - o Asset management
 - o Facilities planning
 - o Utilization of public spaces
- **Requests for studies or professional services** tied to infrastructure or public space
- [City Code §93.070](#) also assigns specific duties to the Municipal Properties Committee concerning requests to abandon and vacate unopened streets and alleys.

Examples

- Streetscape improvement plans
- Parking or traffic studies
- Sidewalk, road, or right-of-way improvement initiatives
- Building renovation plans
- Long-range facilities planning

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Public Safety Committee

Charter authority: Monitor and report to council on the activities of, condition of and proposed plans for municipal public safety assets, including police, fire, and emergency services. Review and propose to Council capital investment in public safety equipment and infrastructure.

Core Role

Oversight of **operational readiness, policy direction, and capital needs** of police, fire, and emergency services.

Instruments That Should Originate Here

- **Resolutions** authorizing:
 - o Capital purchases for public safety
 - o Mutual aid agreements
 - o Public safety grants
- **Policy recommendations** related to:
 - o Public safety operations
 - o Emergency response frameworks
- **Reports** to Council on departmental condition and needs

Examples

- Police vehicle or equipment purchases
- Fire station or apparatus investments
- Emergency management planning initiatives

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Personnel Committee

Charter authority: 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.

Core Role

Governance of the City as an employer. Focuses on **workforce policy, structure, and senior staffing**.

Instruments That Should Originate Here

- **Resolutions** adopting or amending:
 - o Compensation plans
 - o Benefits structures
 - o Personnel policies
- **Policy documents**, including:
 - o Employee handbook
 - o HR policies
- **Hiring recommendations** to Council for primary staff positions

Examples

- Classification and compensation plans
- Health insurance plan changes
- HR policy revisions
- Appointment of administrative officers

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Appendix E: City Council Rule On Executive Sessions

The Elkins City Council adopted the following rule via Resolution 1551, on July 28, 2022.

Introduction

The Common Council of the City of Elkins (“City Council”) and its Standing and Ad Hoc Committees (“Committees”) conduct public meetings pursuant to the West Virginia Open Governmental Proceedings Act, as codified at *W.Va Code §6-9A-1 et seq.* (“OGPA”), including by holding portions of such meetings in executive session closed to the public pursuant to *W.Va. Code §6-9A-4*. This City Council Policy (the “Policy”) establishes the rules for conducting executive sessions of the meetings of City Council and Committees.

Rule

1. *Scope and application.* This Rule applies to public meetings held by City Council and Committees and to any and all executive sessions held within such meetings. This Rule is adopted in accordance with OGPA and consistent with Open Meetings Advisory Opinion 2022-01, adopted by the Open Governmental Meetings Committee of the West Virginia Ethics Commission on March 3, 2022. This Rule will be interpreted to be consistent with OGPA and applicable decisions of courts having jurisdiction over related matters. To the extent there is a conflict, or apparent conflict, between the provisions of this Rule and OGPA or binding judicial precedent, OGPA and the decisional law shall prevail over the provisions of this Policy.
2. *Definitions.* Terms used in this Rule, unless specifically defined otherwise in the Rule, have the meanings supplied OGPA.
3. *Executive Session Procedures.* City Council and Committees will conduct executive sessions in accordance with the following procedures:
 - a. Any matter on the public meeting agenda may be considered in executive session if permissible to do so under OGPA.
 - b. City Council and Committees will move into executive session only by majority vote of its members present at any public meeting.
 - c. The motion to enter executive session will identify the authority under OGPA for the executive session. This identification may be made by describing the purpose of the executive session – e.g., to consider matters affecting the acquisition or development of real estate – or by citing the specific portion of OGPA authorizing the executive session.
 - d. The executive session for City Council will include all members of City Council present except any member who is disqualified from participating by law or applicable rule or regulation, and any other persons City Council determines appropriate. The executive session for Committees will include

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only the members of the respective Committee present except any member who is disqualified from participating by law or applicable rule or regulation, and any other persons the Committees deem appropriate.

- e. No minutes nor any other record of the executive session will be made.
- f. Each person present in the executive session shall have a duty to maintain as confidential all matters discussed in the executive session, and no such person may disclose, or allow to be disclosed, the information addressed in executive session. Disclosure of the matters discussed in executive session may be made only in the following instances: (1) when City Council or Committees affirmatively act to permit such disclosure, and then only to the extent permitted by the City Council's or Committees' action and applicable law; and (2) when required by law.
- g. City Council or Committees will exit executive session by majority vote of the members present.
- h. The presiding officer of the City Council or the Committees shall record the motion and votes to enter and exit executive session, noting the time of each and the majority vote.

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