



City of Elkins

Finance Committee Meeting

June 5, 2023
10:00 AM
401 Davis Avenue
Council Chamber, 2nd Floor

AGENDA

1. **Call to order and roll call**
2. **Public comment**
3. **Minutes**
 - a. Proposed minutes for the meeting of May 1, 2023.
4. **Reports**
5. **New business**
 - a. Identification of funding source for EFD/EPD training site.
 - b. Funding request from Augusta Heritage Center, Inc. for acquisition and redevelopment of the Wilt Building
 - c. Proposed purchase of real property in Second Ward
 - d. Budget revisions for FY 2023.
 - e. Funding for city hall HVAC project.
 - f. FY 2024 liability and auto insurance.
 - g. Purchase of pick-up truck and garbage truck by Sanitation Department
6. **Announcements**
7. **Adjournment**



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	June 5, 2023
Section:	Minutes
Category:	Action Item
Agenda Item Name:	Proposed minutes for the meeting of May 1, 2023.
Recommended By:	
Summary:	
Fiscal Impact:	
Recommendation:	
Attachments:	1. Finance Committee - 2023_05_01 - minutes

FINANCE COMMITTEE REGULAR MEETING MINUTES

***401 Davis Avenue
City Hall, Council Chambers
May 1, 2023
10:00 AM***

Present were Committee Members: Michael Hinchman (Chair), Rob Chenoweth.

Also present were: Gerry Roberts (City Attorney), Tracy Judy (Treasurer), Steve Himes (Fire Chief), Travis Bennett (Police Chief), Sutton Stokes (City Clerk), Mike Kesecker (Operation Manager), Jerry Marco.

Cm. Lowther was absent.

PUBLIC COMMENT

Marilynn Cuonzo proposed alternatives for council PEIA benefits. Nanci Bross-Fregonara urged the committee to give the PEIA council benefit careful analysis.

MINUTES

Cm. Hinchman **MOVED APPROVAL OF THE MINUTES OF THE APRIL 2, 2023 MEETING.** The motion carried.

NEW BUSINESS

Cm. Chenoweth **MOVED RECOMMENDING COUNCIL APPROVE INTRADEPARTMENTAL BUDGET REVISIONS (GENERAL FUND #7-16 AND EFD #3).** The motion carried.

Cm. Chenoweth, **MOVED RECOMMENDING COUNCIL APPROVE INTER DEPARTMENTAL BUDGET REVISION (GENERAL FUND STATE BUDGET REVISION #3).** The motion carried.

Discussion of PEIA benefit for council members was pushed to the next agenda for lack of a quorum, due to Cm. Chenoweth's recusal.

ADJOURNMENT

Cm. Chenoweth, **MOVED ADJOURNMENT.** The motion carried.

The meeting adjourned at 10:16 p.m.

The foregoing minutes were approved at the meeting of _____, 2023.

Name & Title

Signature



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	June 5, 2023
Section:	New business
Category:	Action Item
Agenda Item Name:	Identification of funding source for EFD/EPD training site.
Recommended By:	Chief Himes, EFD
Summary:	To fund a joint training facility for Fire and Police Use.
Fiscal Impact:	Approximately \$50,000.
Recommendation:	
Attachments:	1. Training center mockup image. 2. Training center proposal





Elkins Fire Department

216 4th Street Elkins, WV 26241



TRAINING CENTER PROPOSAL

PURPOSE: The purpose of the proposed training center is to provide public safety resources with a location and facility to perform skills based and scenario-based training. No such facility exists on the local level.

STATEMENT OF BENEFIT: When firefighters receive their initial training certification, there are several job performance requirements that must be taught and evaluated. Many times, these skills may or may not be utilized ever again. Some examples of these are standpipe operations, forcible entry, victim rescue, downed firefighter removal, and vertical ventilation. For members of the fire department to keep these skills sharp and honed, some type of facility is necessary. This proposed facility can represent a building or structure that can be filled with non-toxic theatrical smoke and include necessary props to simulate these tasks. It can be used for team-based scenario training. Anytime we have a need for this type of facility, it requires members to travel thus removing them from the area and unavailable for emergency responses.

One gap in our last ISO evaluation was the lack of such a facility. With the addition of it, we can gain points in the next evaluation that will surely work toward lowering to the next protection class, saving every single property owner money in insurance premiums, and improve every member's capability in performance of their duties.

Additionally, we can share use of this facility with the police department for simulation of crime scene investigation and documentation, basic SWAT training, entry and room clearing.

The location is of benefit in that members on duty can respond to calls while using the facility, due to its proximity to the city. The implementation of this project can also be performed with a modular approach over time, making additions and improvements as funding is available to do so.

The non-monetary benefit is the creation of a project for the members of both departments to get involved in and provides a teamwork approach to ensure completion.

BUDGET AND COST BENEFIT: This project can be completed at a fraction of the cost of a purchased building. Many companies use these same proposed containers to construct training buildings for fire departments all over the country. We have the resources at the local level to do much of this work ourselves. There is zero cost in property acquisition. We can work with other entities such as the Mountain School, YouthBuild, or the Randolph County Technical Center for assistance with specific components such as interior walls, roof ventilation prop, bailout windows, etc. This will also encourage and create collaboration opportunities within other city departments.



Elkins Fire Department

216 4th Street Elkins, WV 26241



BUDGET AND COST BENEFIT (cont.)

With a theoretical budget of \$50,000, it is our belief that the following can be accomplished.

Site work and stone-\$5,000

3- 40-foot containers- \$12,000 (\$4,000 each)

Forcible entry door-\$12,000

Roof prop-\$4,000

Standpipe riser - \$500

Safety railing - \$2,500

Material cost can affect the budget, but we have a significant buffer to account for inflation, or to add items not yet identified.

Long-term goals could be to add a second floor.

Respectfully submitted,

Stephen Himes, BS, NRP

Fire Chief



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	June 5, 2023
Section:	New business
Category:	Resolution
Agenda Item Name:	Funding request from Augusta Heritage Center, Inc. for acquisition and redevelopment of the Wilt Building
Recommended By:	
Summary:	
Fiscal Impact:	
Recommendation:	
Attachments:	None



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	June 5, 2023
Section:	New business
Category:	Action Item
Agenda Item Name:	Proposed purchase of real property in Second Ward
Recommended By:	
Summary:	
Fiscal Impact:	
Recommendation:	
Attachments:	None



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	June 5, 2023
Section:	New business
Category:	Action Item
Agenda Item Name:	Budget revisions for FY 2023.
Recommended By:	City Treasurer
Summary:	Moves funds within and between departments.
Fiscal Impact:	These revisions move budgeted funds but do not increase the overall fiscal year 2023 budget
Recommendation:	Recommend the attached revisions to council for approval
Attachments:	1. State Budget Revision #4 2. Sanitation Budget Revision 3. Fire Budget Revision 4. General Fund Budget Revisions

Agenda Item Report

Meeting Date	June 5, 2023
Agenda Item Name	State Budget Revision Fund 001, #4
Recommended by	T. Judy
Summary	Excess B&O revenues of \$110,200 to various departments within the General Fund.
Fiscal Impact	\$110,200
Attachments	Revision #4
Recommendation	Recommend to Council

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 **2023**
Fund: **1**
Revision Number: **4**
Pages: **1 of 1**

City of Elkins
GOVERNMENT ENTITY

Person To Contact Regarding Request:

Name: **Tracy Judy**
Phone: **304-636-1414, ext 1317**
Fax: **304-635-7135**
Email: **tjudy@cityofelkinswv.com**

401 Davis Ave.
STREET OR PO BOX

Elkins 26241
CITY ZIP CODE

Municipality
Government Type

REVENUES: (net each acct.)

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUSLY APPROVED AMOUNT	(INCREASE)	(DECREASE)	REVISED AMOUNT
305	Business and Occupation Tax	1,521,201	110,200		1,631,401
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				

NET INCREASE/(DECREASE) Revenues (ALL PAGES)

110,200

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
409	Mayor's Office	35,334	5,000		40,334
413	Treasurer's Office	340,595	25,000		365,595
438	Elections	14,300	700		15,000
440	City Hall	600,875	20,000		620,875
571	Parking	500		500	
700	Police Department	1,409,510	32,000		1,441,510
704	Police-Special Duty	81,669	2,000		83,669
750	Streets and Highways	1,128,930	4,120		1,133,050
751	Street Lights	99,000	5,200		104,200
753	Snow Removal	25,000		9,320	15,680

NET INCREASE/(DECREASE) Expenditures

110,200

APPROVED BY THE STATE AUDITOR

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

AUTHORIZED SIGNATURE
OF ENTITY

APPROVAL
DATE

LGSD: BR

City of Elkins

CONTROL NUMBER:

2023

1

4

BUDGET REVISION REQUEST-SUPPLEMENT

FY

FUND

REV#

BUDGET REVISION REQUEST SUPPLEMENT					
ACCOUNT NUMBER	ACCOUNT CATEGORY	PREVIOUSLY APPROVED AMOUNT	INCREASE	DECREASE	REVISED AMOUNT
802	Recycling Center	7,000		4,000	3,000
901	Visitors Bureau	110,050	10,000		120,050
910	Civic Center - Municipal Auditorium	135,700	20,000		155,700
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
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	#N/A				
NET INCREASE/(DECREASE) Expenditures (this page)					26,000

Agenda Item Report

Meeting Date	June 5, 2023
Agenda Item Name	Intradepartmental Budget Revisions
Recommended by	Operation's Manager M. Kesecker
Summary	Increasing revenues, moving funds within sanitation departments.
Fiscal Impact	\$72,650
Attachments	Fund 404, #2 & #3
Recommendation	Recommend to Council

Sanitation Budget Revision
Revision Number 2

Revenues

Fund	Department	Decrease	Amount
404			
TOTAL			\$0.00

Department	Increase	Amount
000-Revenues	302-0000 Penalties & Interest	\$1,000.00
	350-0003 Hauling fees Roll-off	\$30,000.00
	350-0004 Rental Fees Roll-off	\$4,500.00
	380-0000 Interest Earned	\$11,000.00
	381-0000 Reimbursements	\$1,150.00
	383-0000 Sale of Fixed Asset	\$25,000.00
		\$72,650.00

Expenses

Fund	Department	Transfer From/Description	Amount
404	802-Admin & General	230-0000 Contracted Services	\$64,600.00
TOTAL			\$64,600.00

Department	Transfer To/Description	Amount
800-Sanitation	213-0000 Utilities	\$4,000.00
	217-0000 Maint of Autos & Trucks	\$3,000.00
	341-0000 Supplies & Materials	\$1,500.00
	343-0000 Automotive Supplies	\$29,000.00
	345-0000 Uniforms	\$2,100.00
	459-0000 Capital Outlay Equipment	\$25,000.00
		\$64,600.00

Admin. Signature: Jul 4

Date: 5/30/23

Sanitation Budget Revision

Revision Number 3

Revenues

Fund	Department	Decrease	Amount
404			
TOTAL			\$0.00

Department	Increase	Amount
000-Revenues		
		\$0.00

Expenses

Fund	Department	Transfer From/Description	Amount
404	802-Admin & General	230-0000 Contracted Services	\$2,500.00
TOTAL			\$2,500.00

Department	Transfer To/Description	Amount
801-Utility Billing	103-0000 Salary & Wages	\$900.00
801-Utility Billing	106-0000 Retirement	\$200.00
802-Admin & General	460-0000 Sanitation Garage CIP	\$1,400.00
		\$2,500.00

Admin. Signature: 

Date: 5/30/23

Agenda Item Report

Meeting Date	June 5, 2023
Agenda Item Name	Intradepartmental Budget Revisions
Recommended by	Chief Himes
Summary	Adding revenues, transferring funds from EFVD Salary/Wages & FICA to pay for Fire Instructor 1 & 2 class, new air compressor, retirement, fleet insurance, contracted services.
Fiscal Impact	\$19,429.00
Attachments	Fund 036, #4
Recommendation	Recommend to Council

Interdepartmental Budget Revision

Revision Number 4

Revenues

Fund	Department	Current Budgeted Amount	Amount	Department	Increase Budget	Amount
036	000-Revenues	352-0001 Fire Protection Penalty	\$45,000.00	000-Revenues	352-0001 Fire Protection Penalty	\$8,600.00
		380-0000 Interest Earned	\$0.00		380-0000 Interest Earned	\$10,000.00
		381-0000 Reimbursements	\$0.00		381-0000 Reimbursements	\$485.00
		382-0000 Refunds & Rebates	\$0.00		382-0000 Refunds & Rebates	\$344.00
TOTAL			\$45,000.00			\$19,429.00

Expenses

Fund	Department	Transfer From/Description	Amount	Department	Transfer To/Description	Amount
036	706	103-0001 EVFD Salary & Wages	\$9,677.21	706	106-0000 Retirement	\$1,500.00
		104-0000 FICA Expense	\$4,800.00		221-0000 Training & Education	\$4,515.21
					223-0000 Professional Services	\$1,000.00
					226-0001 Fleet Insurance	\$1,800.00
					230-0000 Contracted Services	\$500.00
					457-0000 Capital Outlay Buildings	\$5,162.00
TOTAL			\$14,477.21			\$14,477.21

Admin. Signature: Stephen Hino

Date: 5/30/23

Agenda Item Report

Meeting Date	June 5, 2023
Agenda Item Name	Intradepartmental Budget Revisions
Recommended by	T. Judy, M. Kesecker, S. Stokes, T. Bennett, and B. Jones
Summary	Transferring funds within each respective department.
Fiscal Impact	\$0.00
Attachments	General Fund Budget Revisions #18 thru #25
Recommendation	Recommend to Council

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	416-Municipal Judge	103-0000 Salary & Wages	\$3,000.00
		105-0000 Group Insurance	\$2,700.00
		106-0000 Retirement	\$400.00
		108-0000 Overtime	\$530.00
		212-0000 Printing	\$60.00
		218-0000 Postage	\$500.00
		221-0000 Training & Education	\$850.00
		341-0000 Supplies & Materials	\$620.00
TOTAL			\$8,660.00

Department	Transfer To/Description	Amount
416-Municipal Judge	214-0000 Travel	\$60.00
	223-0000 Professional Services	\$6,000.00
	240-0000 Refunds & Reimbursements	\$2,000.00
	353-0000 Computer Software	\$600.00
		\$8,660.00

Admin. Signature: Bob Jones

Date: 5/31/23

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	436-Building Inspector	459-0000 Capital Outlay Equipment	\$1,350.00
TOTAL			\$1,350.00

Department	Transfer To/Description	Amount
436-Building Inspector	211-0000 Telephone	\$350.00
	341-0000 Supplies & Materials	\$1,000.00
		\$1,350.00

Admin. Signature: 

Date: 5/30/23

General Fund Budget Revision

Revision Number 20

Revenues

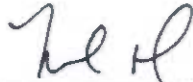
Fund	Department	Transfer From/Description	Amount
001	000-Revenues		
TOTAL			\$0.00

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

Expenses

Fund	Department	Transfer From/Description	Amount
001	754-Central Garage	226-0000 G/L Insurance & Bonds	\$1,000.00
		459-0000 Capital Outlay Equipment	\$3,600.00
TOTAL			\$4,600.00

Department	Transfer To/Description	Amount
754-Central Garage	103-0000 Salary & Wages	\$3,100.00
	211-0000 Telephone	\$500.00
	219-Buildings & Equipment & R	\$1,000.00
		\$4,600.00

Admin. Signature: 

Date: 5/30/23

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	415-City Clerk	105-0000 Group Insurance	\$200.00
TOTAL			\$200.00

Department	Transfer To/Description	Amount
415-City Clerk	214-0000 Travel	\$200.00
		\$200.00

Admin. Signature: _____

Date: _____

5-30-23

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	704-Police Admin	105-0000 Group Insurance	\$1,200.00
		108-0000 Overtime	\$1,500.00
		226-0000 G/L Insurance & Bonds	\$100.00
TOTAL			\$2,800.00

Department	Transfer To/Description	Amount
704-Police Admin	103-0000 Salary & Wages	\$2,650.00
	106-0000 Retirement	\$150.00
		\$2,800.00

Admin. Signature: ZCB

Date: 5/31/23

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	700-Police	105-0000 Group Insurance	\$900.00
		107-0000 Pensions Paid	\$3,475.00
		221-0000 Training & Education	\$5,000.00
		230-0000 Contracted Services	\$5,000.00
		345-0000 Uniforms	\$5,125.00
		353-0000 Computer Software	\$6,000.00
TOTAL			\$25,500.00

Department	Transfer To/Description	Amount
700-Police	106-0000 Retirement	\$2,000.00
	108-0000 Overtime	\$10,000.00
	214-0000 Travel	\$1,500.00
	343-0000 Automobile Supplies	\$10,000.00
	459-0000 Capital Outlay Equipment	\$2,000.00
		\$25,500.00

Admin. Signature: *JCR*

Date: 5/31/23

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	950-Beautification	341-0000 Supplies & Materials	\$4,000.00
TOTAL			\$4,000.00

Department	Transfer To/Description	Amount
950-Beautificatio	230-0000 Contracted Services	\$4,000.00
		\$4,000.00

Admin. Signature: Tracy Judy

Date: 5/30/23

General Fund Budget Revision

Revision Number 25

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	222-0000 Dues & Subscriptions	\$2,000.00
		223-0000 Professional Services	\$50,000.00
TOTAL			\$52,000.00

Department	Transfer To/Description	Amount
440-City Hall	213-0000 Utilities	\$5,000.00
	215-0000 Maint Bldgs/Grounds	\$2,000.00
	218-0000 Postage	\$2,500.00
	226-0000 G/L Insurance & Bonds	\$16,900.00
	230-0000 Contracted Services	\$20,000.00
	341-0000 Supplies & Materials	\$5,600.00
		\$52,000.00

Admin. Signature: *Tracy Rudy*

Date: 5/31/23



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	June 5, 2023
Section:	New business
Category:	Action Item
Agenda Item Name:	Funding for city hall HVAC project.
Recommended By:	City Treasurer
Summary:	City Treasurer will discuss options and issues related to the financing for the city hall HVAC project.
Fiscal Impact:	TBD
Recommendation:	For discussion and possible action
Attachments:	1. Truist Quote



Truist Financial Corporation

Governmental Finance

5130 Parkway Plaza Blvd.
Charlotte, North Carolina 28217
Phone (704) 954-1700

April 19, 2023

Tracy Judy
Treasurer
City of Elkins, WV
401 DAVIS AVE RM 102
ELKINS, West Virginia
262413899

Dear Ms. Judy:

Truist Bank ("Lender") is pleased to offer this proposal for the financing requested by the City of Elkins, WV ("Borrower").

PROJECT: HVAC Project for City Hall

AMOUNT: Up to \$1,100,000.00

TERM: a. 15 years
b. 20 years

INTEREST RATE: a. 4.59 %
b. 4.65 %

TAX STATUS: Tax Exempt, Bank Qualified

PAYMENTS: Interest: Monthly
Principal: Monthly

**INTEREST RATE
CALCULATION:** 30/360

SECURITY: HVAC system being financed with the proceeds

**PREPAYMENT
TERMS:** Prepayable in whole at any time with a one percent prepayment penalty. As an alternate redemption provision, the Borrower may elect for the transaction to be non-callable for the first half of the term and callable at par thereafter.

**RATE
EXPIRATION:** June 30, 2023

FUNDING: Proceeds will be deposited into an account held at Lender pending disbursement unless equipment is delivered prior to closing.

DOCUMENTATION: Lender proposes to use its standard form financing contracts and related documents for this installment financing. We shall provide a sample of those documents to you should Lender be the successful proposer.

REPORTING REQUIREMENTS: Lender will require financial statements to be delivered within 270 days after the conclusion of each fiscal year-end throughout the term of the financing.

Should we become the successful proposer, we have attached the form of a resolution that your governing board can use to award the financing to Lender. If your board adopts this resolution, then Lender shall not require any further board action prior to closing the transaction.

Lender shall have the right to cancel this offer by notifying the Borrower of its election to do so (whether this offer has previously been accepted by the Borrower) if at any time prior to the closing there is a material adverse change in the Borrower's financial condition, if we discover adverse circumstances of which we are currently unaware, if we are unable to agree on acceptable documentation with the Borrower or if there is a change in law (or proposed change in law) that changes the economic effect of this financing to Lender.

Costs of counsel for the Borrower and any other costs will be the responsibility of the Borrower.

The stated interest rate assumes that the Borrower expects to borrow no more than \$10,000,000 in the current calendar year and that the financing will qualify as qualified tax-exempt financing under the Internal Revenue Code. Lender reserves the right to terminate this bid or to negotiate a mutually acceptable interest rate if the financing is not qualified tax-exempt financing.

We appreciate the opportunity to offer this financing proposal. Please email me at Ben.Teague@Truist.com with your questions and comments. We look forward to hearing from you.

Sincerely,

Truist Bank

Resolution Approving Financing Terms

WHEREAS: The CITY OF ELKINS WV ("Borrower") has previously determined to undertake a project for the financing of HVAC System (the "Project"), and the Finance Officer has now presented a proposal for the financing of such Project.

BE IT THEREFORE RESOLVED, as follows:

1. The Borrower hereby determines to finance the Project through Truist Bank ("Lender") in accordance with the proposal dated April 19, 2023. The amount financed shall not exceed \$1,100,000.00 the annual interest rate (in the absence of default or change in tax status) shall not exceed _____%, and the financing term shall not exceed _____ (#) years from closing.

2. All financing contracts and all related documents for the closing of the financing (the "Financing Documents") shall be consistent with the foregoing terms. All officers and employees of the Borrower are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution.

3. The Finance Officer is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Finance Officer is authorized to approve changes to any Financing Documents previously signed by Borrower officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Officer shall approve, with the Finance Officer's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.

4. The Borrower shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The Borrower hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax-exempt obligations" for the purpose of Internal Revenue Code Section 265(b)(3).

5. The Borrower intends that the adoption of this resolution will be a declaration of the Borrower's official intent to reimburse expenditures for the Project that are to be financed from the proceeds of the Lender financing described above. The Borrower intends that funds that have been advanced, or that may be advanced, from the Borrower's general fund or any other Borrower fund related to the Project, for project costs may be reimbursed from the financing proceeds.

6. All prior actions of Borrower officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

Approved this _____ day of _____, 20__

By: _____

By: _____

Title: _____

Title: _____

SEAL



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	June 5, 2023
Section:	New business
Category:	Action Item
Agenda Item Name:	FY 2024 liability and auto insurance.
Recommended By:	City Treasurer
Summary:	For consideration, the City Treasurer has attached a quote for FY 24 liability and auto insurance.
Fiscal Impact:	See attached.
Recommendation:	Review for possible recommendation to council
Attachments:	1. Insurance Proposal

AN INSURANCE PROPOSAL

Designed Especially For

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

Presented By:

**Samuel L. Trip King III, CLCS, CWCC
Executive Vice President, Commercial Lines Consultant
AssuredPartners of West Virginia**

**340 MacCorkle Avenue, S. E.
Charleston, WV 25314
(304) 345-8000
AssuredPartnersWV.com**

**James Powell
President
Loudin Insurance Agency**

**207 South Kanawha Street
Buckhannon, WV 26201
(304) 472-1532**

Policy Term:

07/01/23 - 07/01/24

DISCLAIMER: The abbreviated outlines of coverages used throughout this proposal are not intended to express any legal opinion as to the nature of coverage. They are only visuals to a basic understanding of coverages. Please read your policy for specific details of coverages. If there is any conflict between the coverage statements within this proposal and the actual insurance policy, the policy provisions will prevail.

Any reference to "broker" should be disregarded as West Virginia is an agency state and AssuredPartners of WV is an independent insurance agency.

About Your Carrier(s)

Financial Strength

Independent Financial Ratings

Carrier	A.M. Best Rating	As Of:
WVcorp	A	05/30/23
Encova Insurance Company	A	05/30/23

'A' and 'A-' (Excellent)

Assigned to companies that have, in the opinion of A.M. Best, an excellent ability to meet their ongoing obligations to policyholders.

Premium Comparison

Insured: City of Elkins
Policy Term: 07/01/23 - 07/01/24
Carrier: WVcorp

Coverage	Expiring Premium	Renewal Premium
Commercial Package		
Property	\$172,175.00	\$164,339.00
Business Income	Included	Included
Inland Marine	Included	Included
Commercial Crime	Included	Included
Equipment Breakdown	Included	Included
General Liability	Included	Included
Law Enforcement Liability	Included	Included
Public Officials E & O Liability	\$16,723.00	\$16,364.00
Employment Practices Liability	Included	Included
Business Auto	Included	Included
Excess Liability	\$13,035.00	\$18,525.00
Cyber Liability	Included	Included
West Virginia Surcharge	\$1,101.36	Included
Risk Management Fee	\$250.00	N/A
TOTAL	\$203,284.36	\$199,228.00

Premium Comparison

WORKERS' COMPENSATION

Insured: City of Elkins
Policy Term: 07/01/23 – 07/01/24
Carrier: Encova Insurance Company

Coverage	Expiring Premium	Renewal Premium
Workers' Compensation	\$70,366.00	\$77,269.00
TOTAL	\$70,366.00	\$77,269.00

Note: Premiums shown include all Taxes and Surcharges.

Total Premium Comparison

PACKAGE / WORKERS' COMPENSATION

Insured: City of Elkins
Policy Term: 07/01/19 – 07/01/20
Carriers: Atlantic Specialty Insurance Company

Coverage	Expiring Premium	Renewal Premium
Commercial Package	\$203,284.36	\$199,228.00
Workers' Compensation	\$70,366.00	\$77,629.00
TOTAL	\$273,650.36	\$276,857.00

Note: Premiums shown include all Taxes and Surcharges.

Premium Payment Summary

Total Annual Package Premium

\$199,228.00

PAYMENT OPTIONS

☐ Paid in Full

☐ Quarterly Pay Plan of 25% Down Payment with 3 installments of 25% each is available.

Total Annual Workers' Compensation Premium

\$77,629.00

PAYMENT OPTIONS

☐ Paid in Full

☐ Payment Terms _____

Minimum Earned Premium: Yes ☐ No ☐

Note:

Premium shown includes Annual Premium and .55% West Virginia Surcharge.

INSURED: City of Elkins
401 Davis Avenue
Elkins, WV 26241

INSURED SIGNATURE: _____

DATED: ____ / ____ / ____.

05/30/23

Marketing Summary

Company	Quoted / Declined	Notes
WVcorp (Rated 'A' by A.M. Best)	Quoted	See Proposal for Details.

A.M. Best Rating

A and A- (Excellent)

Proposal Information / Disclaimers

- All coverage quotes are for the July 1, 2023 effective date.
- This proposal is based upon the values and information you provided. Please review it for accuracy and adequacy. If you believe there is unprotected property, other operations, or any other exposure to loss not listed, please advise us so we can discuss the implications and possible alternatives to protect your financial interests.
- Higher limits of liability may be available. Please advise us of your interest in pursuing a quote for this additional coverage.
- **Important Notice:** Most insurance policies exclude losses due to flood and earthquake. **Flood is not covered under your policy, unless you have applied for and received Federal Flood Insurance.** Many people in West Virginia need the coverage. Please don't find out that you need it, when you have an uncovered claim. Ask your Sales Executive or Account Executive to talk to you about this coverage.
- This proposal is subject to an exclusion with respect to Asbestos Liability and Pollution Liability.
- Any losses as a result of any Computer Software, Hardware and Embedded Software Chips failure, malfunction or inability to recognize, distinguish or interpret the year 2000 and beyond are not covered under your insurance policies.
- **Important Notice:** A War, Military Action, or Terrorism Exclusion may be attached to your policies. Please refer to all of your policy terms and conditions for specifications.
- **Important Notice:** A Mold, Fungus, Yeast, Mildew, Microbe, or Bacteria Exclusion Endorsement may be attached to your policies. Please refer to all of your policy terms and conditions for specifications.
- We suggest all contracts be reviewed by an attorney prior to signing since the contract requirements may not match the insurance policy. AssuredPartners of WV would be happy to review any contract as it pertains solely to the insurance provisions but will not negotiate any contract provision since our role is an independent insurance agency, not a law firm.
- Please understand that no insurance has yet been procured. All coverage summaries are for proposal purposes only. Coverage is subject to the declarations, conditions, insuring agreements and exclusions of carrier policy forms. Please read your policy for specific details of coverages.
- AssuredPartners agencies are licensed as insurance producers by the various states where we are transacting insurance, which includes the sale, solicitation, and servicing of insurance business, as well as advising on the relative benefits of certain insurance policies and risk management programs. Our agencies typically receive compensation from insurers in the form of commissions paid as a percentage of the premiums due the applicable insurance companies. Commissions can vary by insurance company, by volume of business placed with that company or the profitability thereof, and other factors. In other cases and depending on various state laws and the capacity in which our agency is acting, our agencies may receive other forms of compensation from insurers, insurance intermediaries, premium finance companies, and other vendors; such as contingents, overrides, profit-sharing, premium finance fees, expense reimbursements, producer subsidies, award trips, meetings, and other incentives. We also earn interest on premiums we hold until it is time to pay the applicable insurance companies. Our overriding desire is to provide great customer service, having you, the customer, believe we have earned our compensation. We believe in full disclosure of our compensation. Accordingly, if you have any questions about the compensation we receive from your policies (including policies we propose to you), please just ask your account representative, who will gladly provide you a summary of our compensation arising from your policies (some estimation may be necessary, for example where contingents are involved). We thank you for the opportunity to service and appreciate your interest.
- Any reference to "broker" should be disregarded as West Virginia is an agency state and AssuredPartners of WV is an independent insurance agency.

Workers' Compensation Policy Outline

Coverage Detail

Description	Limits
Employers Liability: Each Accident*	\$500,000
Employers Liability: Disease – Policy Limit*	\$500,000
Employers Liability: Disease – Each Employee*	\$500,000
Broad Form (Mandolidis Coverage**)	Included
Federal Black Lung	Excluded
USL&H	Excluded
Foreign Coverage	Excluded
Deductible Plan	
Deductible	N/A
Collateral	N/A

*Increased Limits may be available upon request.

**** Employers Liability – Broad Form West Virginia Code § 23-4-2 (“Mandolidis Coverage”)**

In 1978 the West Virginia Supreme Court of Appeals issued its *Mandolidis vs. Elkins Industries, Inc.* decision. This case greatly expanded the opportunity for injured workers to sue their employers for damages in addition to benefits provided by the Workers' Compensation system. In 1983 the West Virginia Legislature, in House Bill 1201, redefined the situations in which an employee may sue his employer for additional benefits. There are two general situations where an employee may obtain more than normal Workers' Compensation benefits: (1) where the employer deliberately intends to cause injury or death to his employee; or (2) when the employer intentionally exposes an employee to an unsafe working condition that is a violation of state or federal safety requirements or industry safety standards and the employee's injury is caused by the unsafe working condition.

EXPIRING INFORMATION – TOTAL PAYROLL = \$3,721,391

State	Code	Description	Estimated Annual Payroll	Base Rate
Loc #:1		401 Davis Ave. • Elkins, WV 26241		
WV	9102	Park NOC	\$170,964	\$1.75
WV	9402	Street Cleaning & Drivers	\$286,862	\$2.86
WV	9403	Garbage, Ashes or Refuse Collection & Drivers	\$278,008	\$5.96
WV	9410	Municipal, Town, County or State Employee	\$52,981	\$2.03
WV	7520	Waterworks Operation & Drivers	\$427,783	\$1.93
WV	7580	Sewage Disposal Plant & Drivers	\$483,191	\$1.81
WV	7710	Firefighters & Drivers	\$496,742	\$2.05
WV	7711	Volunteer Firefighters & Drivers	\$13,000	\$7.73
WV	7720	Police Officers & Drivers	\$716,958	\$1.83
WV	8380	Automobile Service or Repair Center & Drivers	\$78,464	\$1.41
WV	8810	Clerical Office Employees	\$653,513	\$0.13
WV	9015	Buildings or Property Management	\$62,925	\$2.12
WV	6217	Excavation & Drivers	\$0	\$2.40
West Virginia				
EXPERIENCE MODIFICATION FACTOR			0.89	

RENEWAL INFORMATION – TOTAL PAYROLL = \$4,438,759

State	Code	Description	Estimated Annual Payroll	Base Rate
Loc #: 1		401 Davis Ave. • Elkins, WV 26241		
WV	9102	Park NOC	\$210,811	\$1.35
WV	9402	Street Cleaning & Drivers	\$318,846	\$2.00
WV	9403	Garbage, Ashes or Refuse Collection & Drivers	\$310,788	\$4.60
WV	9410	Municipal, Town, County or State Employee	\$80,748	\$1.59
WV	7520	Waterworks Operation & Drivers	\$798,287	\$1.50
WV	7580	Sewage Disposal Plant & Drivers	\$500,456	\$1.47
WV	7710	Firefighters & Drivers	\$575,230	\$1.58
WV	7711	Volunteer Firefighters & Drivers	\$12,000	\$6.41
WV	7720	Police Officers & Drivers	\$813,371	\$1.34
WV	8380	Automobile Service or Repair Center & Drivers	\$73,482	\$1.09
WV	8810	Clerical Office Employees	\$672,373	\$0.09
WV	9015	Buildings or Property Management	\$72,367	\$1.58
WV	6217	Excavation & Drivers	\$0	\$1.73
West Virginia				
EXPERIENCE MODIFICATION FACTOR			1.08	

Billing / Audit Information

Description	Selection
Billing Plan	11 Installments
Down Payment Percentage	15%
Audit Interval	Annually - At Expiration

Included / Excluded Individuals

Name	Included / Excluded
David Parker	Excluded
Marilynn Cuonzo	Excluded
Robert Chenoweth	Excluded
Christopher Lowther	Excluded
Randall Biller	Excluded
Linda Vest	Excluded
George Hinchman	Excluded
Judith Guye	Excluded
Clint Higgins	Excluded
Victor White	Excluded
Nanci Bross-Fregonara	Excluded
Carol Bush	Excluded
Chuck Preusch	Excluded
Mitchum Marstillier	Excluded
Shawn Bennett	Excluded

Please note that this quote is an indication of what is covered under Workers' Compensation Coverage. For details and full disclosure of coverage, please refer to your policy.

Workers' Compensation Definitions

Workers' Compensation Insurance

This coverage agreement obligates the insurer to pay all compensation and other benefits required of the insured by the workers' compensation law or occupational disease law of any state listed in the policy. The coverage applies to bodily injury by accident and by disease.

Coverage (A) shows no dollar limit for the benefits provided since any applicable limits would be those established within the law. Benefits under coverage (A) are paid to the employee without regard to fault.

Other States Insurance

This provides workers' compensation coverages if the insured expands operations into other states not declared at the time the policy is issued or renewed. If the insured elects this coverage and operations begin in a state listed under other states, the insurer provides the same coverage as if the state was declared in the policy at the time of policy issuance.

Voluntary Compensation Endorsement

Workers' compensation laws of most states exempt some types of employment from workers' compensation benefits. This endorsement amends the standard policy to provide coverage for employees with exempted occupations from the workers' compensation act. When the endorsement is added it does not make employees subject to the workers' compensation law, but it obligates the insurance company to pay on behalf of the insured, an amount equal to the compensation benefits that would be payable to those employees if they were subject to the workers' compensation law of that state.

United States Longshore & Harbor Workers' Endorsement (USL&HW)

This is a federal act which is similar to the state workers' compensation act. The federal act was designed to provide workers' compensation benefits to employees who work in maritime employment upon the navigable waters of the United States and who are usually considered outside the scope of state workers' compensation laws. When the USL&HWA endorsement is added to the standard policy it applies to work done in the states scheduled on the policy and extends the definition of the workers' compensation law to include the USL&HWCA.

Executive Officers, Partners Exclusion Endorsement

In some states, workers' compensation law allows an insured to include or exclude Executive Officers and Partners, or both, from coverage. Adding this endorsement can designate the individuals not covered under the policy.

Experience Modification

This is a factor that deals with the rating of the policy. The Experience Modification figure is based on the insured's loss experience. The factor is used to increase or decrease the manual rates of insurance.

Monopolistic States

There are four states that require all workers' compensation insurance to be placed with their state fund. No private insurer is allowed to write Workers' Compensation Coverage in the four states. The states are North Dakota, Ohio, Washington, and Wyoming.



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	June 5, 2023
Section:	New business
Category:	Action Item
Agenda Item Name:	Purchase of pick-up truck and garbage truck by Sanitation Department
Recommended By:	Mike Kesecker
Summary:	Sanitation department sold a truck to Sanitary Board for use in the wastewater department. The truck being purchased is smaller and will replace the one sold. New garbage truck will arrive in June or July. Recommend purchasing from Sanitation Fund and not financing either vehicle.
Fiscal Impact:	\$25,000.00 and \$220,294
Recommendation:	Approval to purchase truck
Attachments:	1. Sanitation Account

POOLED CASH REPORT (FUND 998)

AS OF: MAY 31ST, 2023

FUND ACCOUNT#	ACCOUNT NAME	BEGINNING BALANCE	CURRENT ACTIVITY	CURRENT BALANCE	(PROTECTED)
<u>CLAIM ON CASH</u>					
001-000-101-0098	Cash in Bank	1,791,252.87 (	177,428.43)	1,613,824.44	P
002-000-101-0098	Cash in Bank	148,693.65	0.00	148,693.65	P
006-000-101-0098	Cash in Bank	1,009,804.80 (	13,326.27)	996,478.53	P
036-000-101-0098	Cash In Bank	518,412.56 (	26,993.21)	491,419.35	
400-000-101-0098	Cash in Bank	108,965.26	5,642.13	114,607.39	P
401-000-101-0098	Cash in Bank	259,940.85 (	70,037.94)	189,902.91	P
404-000-101-0098	Cash in Bank	1,222,642.56	47,086.48	1,269,729.04	P
684-000-101-0098	Cash in Bank	123,234.63	13.94	123,248.57	P
TOTAL CLAIM ON CASH		5,182,947.18 (	235,043.30)	4,947,903.88	

CASH IN BANK - POOLED CASH

998-000-101-0098	Pooled Cash in Bank	5,182,657.98 (	235,043.30)	4,947,614.68	
SUBTOTAL CASH IN BANK - POOLED CASH		5,182,657.98 (	235,043.30)	4,947,614.68	

PCARD PAYABLE

998-000-022-0001	Purchasing Card Liability	(289.20)	0.00 (	289.20)	
SUBTOTAL PCARD PAYABLE		(289.20)	0.00 (	289.20)	

TOTAL CASH IN BANK - POOLED CASH		5,182,947.18 (	235,043.30)	4,947,903.88	
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DUE TO OTHER FUNDS - POOLED CASH

998-000-215-0001	Due to Other Funds - Pool	5,182,947.18 (	235,043.30)	4,947,903.88	
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TOTAL DUE TO OTHER FUNDS		5,182,947.18 (	235,043.30)	4,947,903.88	
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New garbage truck - \$220,294
 "Pay total from Sanitation Fund"
 No Lease