



City of Elkins

Regular Council Meeting

October 19, 2023
7:00 PM
401 Davis Avenue
Council Chamber, 2nd Floor

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 September 21, 2023

5. Committee Reports

6. Staff reports

- a. Treasurer's report

7. Approval of vendor invoice payments

(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.)

Vendor invoices presented for approval: September 18-October 13, 2023

8. New business

- a. Update on recycling
- b. Welcome to Elkins signs project update
- c. Resolution 1690: Authorizing Acceptance of U.S. Department of Justice Edward Byrne Memorial Justice Assistance Grant award for law enforcement technology upgrades
- d. Resolution 1691: Authorizing Acceptance of U.S. Department of Justice Edward Byrne Memorial Justice Assistance Grant direct funding for K9 unit
- e. Resolution 1692: General Fund Budget Revision SAO 2024-001-02
- f. Resolution 1693: Authorization to spend up to \$3,000 from City Hall Contracted Services for sidewalk improvements related to 2023 WV Division of Forestry Demonstration City Grant for tree planting downtown

9. Mayor's comments

10. Adjournment



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	October 19, 2023
Section:	Minutes
Category:	Action Item
Agenda Item Name:	Proposed minutes for the meeting of September 21, 2023
Recommended By:	Clerk
Summary:	Minutes proposed for your meeting of September 21, 2023
Fiscal Impact:	n/a
Recommendation:	Consider for approval
Attachments:	1. city council - 2023_09_21 - minutes_proposed

Proposed Minutes

ELKINS COMMON COUNCIL REGULAR COUNCIL MEETING MINUTES

***401 Davis Avenue
Council Chamber, 2nd Floor
September 21, 2023
7:00 p.m.***

Elkins Common Council met in regular session in the council chamber of city hall. Present were Mayor Jerry A. Marco; Councilpersons N.E. Bross-Fregonara, A.C. Carroll, R.C. Chenoweth, G.M. Hinchman, B.C. Kerns, C.C. Lowther, D.C. Parker, E. L. Plishka, L.S. Severino, and C.H. Thompson; City Treasurer T. Judy; Fire Chief S.D. Himes; Police Chief T. Bennett; Operations Manager M. Kesecker; City Attorney G. S. Roberts; and City Clerk S.R. Stokes (recording secretary).

PUBLIC COMMENT

There was no public comment.

MINUTES

Chenoweth MOVED APPROVAL OF THE MINUTES OF THE MEETING OF SEPTEMBER 7, 2021. The motion carried.

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 Sept. 4-15, 2023.

NEW BUSINESS

Chenoweth MOVED APPROVAL OF RESOLUTION 1686: ACCEPTING THE TERMS OF A SETTLEMENT AGREEMENT IN THE CITY OF ELKINS V. THOMAS HAMMER ET AL CIVIL ACTION AND AUTHORIZING MAYOR MARCO TO EXECUTE SAID SETTLEMENT AGREEMENT. The motion carried.

Carroll MOVED APPROVAL OF RESOLUTION 1687: RATIFYING AND APPROVING AGREEMENT WITH WV DEP FOR GRANT FUNDING DEMOLITIONS. The motion carried.

Proposed Minutes

Chenoweth MOVED APPROVAL OF RESOLUTION 1688: RATIFYING LEASE WITH WV DOH FOR ALL VETERANS MEMORIAL PROPERTY. The motion carried.

Lowther MOVED APPROVAL OF RESOLUTION 1689: AUTHORIZING THE CITY CLERK AND CITY ATTORNEY TO INITIATE THE PROCESS FOR A CHANGE TO THE ELKINS CITY CHARTER UNDER WEST VIRGINIA CODE §8-4-8. The motion carried.

Lowther MOVED APPROVAL OF ABCA FLOORPLAN EXTENSION ENDORSEMENT FOR EL GRAN SABOR DURING MOUNTAIN STATE FOREST FESTIVAL. The motion carried.

Hinchman MOVED APPROVAL OF ABCA FLOORPLAN EXTENSION FOR BIG TIMBER DURING MOUNTAIN STATE FOREST FESTIVAL. The motion carried.

Lowther MOVED APPROVAL OF PROPOSAL TO CANCEL OCTOBER 5 COUNCIL MEETING DUE TO THE MOUNTAIN STATE FOREST FESTIVAL. The motion carried.

The meeting was adjourned at 7:45 p.m.

*Approved by council at the meeting
of MONTH DAY, YEAR*

Jerry A. Marco, Mayor

Attest:

Sutton Stokes, City Clerk



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	October 19, 2023
Section:	Staff reports
Category:	Presentation
Agenda Item Name:	Treasurer's report
Recommended By:	Treasurer
Summary:	Treasurer's report consisting of the following sections: • General Fund Revenue Detail • Bank Account Balances • FY 2024 Budget Control Summary
Fiscal Impact:	n/a
Recommendation:	Review
Attachments:	1. Treasurer's Report - 2023_10_19

General Fund Revenue Detail

	September Revenues	YTD Revenues	Percent of Revenues Collected Per Budget	Percent of Yr. Completed 25.00
Unassigned Fund Balance				384,359.00
County Tax	\$422,451.58	\$587,095.43	49.41%	1,188,238.00
B & O Tax	\$5,937.10	\$383,866.23	27.22%	1,410,000.00
Hotel/Motel Tax	\$24,544.25	\$77,304.31	39.64%	195,000.00
Gas & Oil Severance Tax	\$0.00	\$0.00	0.00%	25,000.00
2% City Utility Tax	\$6,915.48	\$20,436.47	29.19%	70,000.00
Utility Excise Tax	\$16,654.81	\$53,679.12	17.89%	300,000.00
Liquor Tax	\$0.00	\$21,932.24	23.84%	92,000.00
Police	\$273.71	\$2,175.15	9.06%	24,000.00
Municipal Court	\$1,909.28	\$8,161.56	13.16%	62,000.00
Code Enforcement	\$2,467.11	\$7,931.98	30.86%	25,700.00
Business License	\$830.00	\$7,310.00	25.21%	29,000.00
Intergovernmental	\$20,035.69	\$92,851.21	50.89%	182,471.00
Franchise/IRP Fees	\$5,471.69	\$37,357.50	26.68%	140,000.00
Phil Gainer Community Center	\$5,732.00	\$16,432.00	42.13%	39,000.00
Misc. Revenue	\$29,998.98	\$72,376.96	68.76%	105,260.00
Municipal Sales Tax	\$0.00	\$340,178.03	24.30%	1,400,000.00
TOTAL	\$543,221.68	\$1,729,088.19	30.48%	5,672,028.00

Bank Account Name	Balance as of 9/30/2023
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ARPA	\$881,074.00
Elkins Building Comm. Sinking Fund	\$0.00
Elkins Municipal Building Comm.	\$0.00
Financial Stabilization	\$937,857.81
Fire Pension Fund	\$2,416,516.75
Firemen's Pension & Relief Fund	\$0.00
Landfill Access Escrow	\$1,819,305.08
Landfill Post Closure	\$48,699.70
Payroll	\$380.97
Police Forfeitures	\$1,849.20
Police Pension Fund	\$4,057,740.30
Police Seizures	\$26,589.16
Policemen's Pension & Relief Fund	\$0.00
Pooled Cash-Coal Severance Fund	\$159,712.44
Pooled Cash-Fire Fund	\$494,439.83
Pooled Cash-General Fund	\$1,529,542.98
Pooled Cash-Landfill Fund	\$124,499.11
Pooled Cash-Parks Fund	\$897,674.89
Pooled Cash-Sanitation Fund	\$1,034,472.10
Pooled Cash-Sewer Fund	\$60,406.32
Pooled Cash-Water Fund	\$228,190.87
Sewer Depreciation	\$234,903.32
Sewer O&M	\$379,720.27
Sewer Project-Phase II	\$49.84
Water Depreciation	\$137,063.87
Water O&M	\$356,270.55

FY2024 Budget Control Summary

														YTD TOTALS
General Fund														
Revenues	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Revenues Over Expenses	
	\$854,861.85	\$331,004.66	\$543,221.68	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$592,767.03	\$1,729,088.19
Expenses	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun		
	\$443,407.34	\$412,330.24	\$280,583.58	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		\$1,136,321.16
Sanitation Fund														
Revenues	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Revenues Over Expenses	
	\$122,586.66	\$129,954.36	\$112,998.62	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	-\$224,169.75	\$365,539.64
Expenses	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun		
	\$375,747.22	\$112,032.55	\$101,929.62	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		\$589,709.39
Sewer Fund														
Revenues	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Revenues Over Expenses	
	\$216,523.92	\$207,080.31	\$221,353.05	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	-\$184.77	\$644,957.28
Expenses	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun		
	\$244,836.96	\$218,863.56	\$181,441.53	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		\$2,139,198.04
Water Fund														
Revenues	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Revenues Over Expenses	
	\$364,376.76	\$405,886.10	\$375,098.65	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$149,029.35	\$1,145,361.51
Expenses	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun		
	\$335,401.84	\$343,075.33	\$317,854.99	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		\$996,332.16
Fire Fund														
Revenues	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Revenues Over Expenses	
	\$38,221.11	\$80,333.83	\$150,470.24	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$56,811.54	\$269,025.18
Expenses	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun		
	\$90,744.77	\$70,132.37	\$51,336.50	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		\$212,213.64
Landfill Fund														
Revenues	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Revenues Over Expenses	
	\$5,921.54	\$6,126.90	\$6,122.09	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$16,975.82	\$18,170.53
Expenses	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun		
	\$1,019.07	\$6.95	\$168.69	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		\$1,194.71



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	October 19, 2023
Section:	Approval of vendor invoice payments
Category:	Action Item
Agenda Item Name:	Vendor invoices presented for approval: September 18-October 13, 2023
Recommended By:	Treasurer
Summary:	Accounts payable check report for the period September 18-October 13, 2023.
Fiscal Impact:	During this period, total spending from the general fund was \$1,222,672 (including a \$3,000 ARPA disbursement to Elkins Little League)
Recommendation:	Consider for approval
Attachments:	1. AP Check Report - 2023_10_19

VENDOR SET: 01 Elkins

BANK: ARPA America Rescue Plan Act

DATE RANGE: 9/18/2023 THRU 10/13/2023

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
02170	Elkins Little League							
I-CkReq9/27/23	Bleacher construction	R	10/02/2023	3,000.00		000108		3,000.00

* * T O T A L S * *	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	1	3,000.00	0.00	3,000.00
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	0.00

TOTAL ERRORS: 0

	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
VENDOR SET: 01 BANK: ARPA TOTALS:	1	3,000.00	0.00	3,000.00
BANK: ARPA TOTALS:	1	3,000.00	0.00	3,000.00

VENDOR SET: 01 Elkins

BANK: Pool Pooled Cash

DATE RANGE: 9/18/2023 THRU 10/13/2023

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
00498	Naylor's Ace Hardware							
C-070123	Correction	N	10/02/2023	140.68CR		000000		
C-CREDIT Water TP	Credit Water Trmnt Plnt overpt	N	10/02/2023	24.80CR		000000		
C-Entry 07/01/2023	Correct vendor entry error	N	10/02/2023	104.68CR		000000		
D-Corr 070123 WTP	Corr Credit wrong vendor	N	10/02/2023	104.68		000000		
D-Corr amt	Correct amount proc 7/1/23	N	10/02/2023	140.68		000000		
D-Correction	correction	N	10/02/2023	24.80		000000		
00741	Great-West Trust Company LLC							
I-VF 202309191571	Voya	D	9/19/2023	665.00		005073		
I-VF2202309191571	Voya AT	D	9/19/2023	100.00		005073		765.00
00792	WV Consolidated Retirement Boa							
I-RTD202309051570	Retirement	D	9/19/2023	6,860.90		005074		
I-RTD202309191571	Retirement	D	9/19/2023	7,343.26		005074		14,204.16
00952	WV Consolidated Retirement Boa							
I-RTF202309051570	Retirement	D	9/19/2023	2,392.72		005075		
I-RTF202309191571	Retirement	D	9/19/2023	2,862.44		005075		
I-RTN202309051570	Retirement	D	9/19/2023	3,285.96		005075		
I-RTN202309191571	Retirement	D	9/19/2023	3,638.48		005075		12,179.60
00993	WV Consolidated Retirement Boa							
I-RT6202309051570	Retirement 6%	D	9/19/2023	8,134.84		005076		
I-RT6202309191571	Retirement 6%	D	9/19/2023	8,740.89		005076		
I-RT6202309191572	Retirement 6%	D	9/19/2023	116.84		005076		16,992.57
02417	US Bank Corporate Payment Syst							
I-Visa Fleet 083023	Visa Fleet Stmt Pmt 083023	D	9/22/2023	17,056.24		005086		17,056.24
02417	US Bank Corporate Payment Syst							
I-Visa NF Pmt 083023	Visa NonFleet Stmt Pmt 083023	D	9/26/2023	78,897.84		005163		78,897.84
00741	Great-West Trust Company LLC							
I-VF 202310021573	Voya	D	10/02/2023	640.00		005164		
I-VF2202310021573	Voya AT	D	10/02/2023	100.00		005164		740.00
00116	Child Support Enforcement							
I-CDS202309191571	Child Support	R	9/19/2023	571.48		014144		571.48
00121	Citizens Bank of WVFP							
I-FP 202309191571	Fire Pension	R	9/19/2023	564.36		014145		564.36

VENDOR SET: 01 Elkins

BANK: Pool Pooled Cash

DATE RANGE: 9/18/2023 THRU 10/13/2023

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
00122	Citizens Bank of WVPP							
I-PP 202309191571	Police Pension	R	9/19/2023	163.05		014146		
I-PPN202309191571	Police Pension-2010 Forward	R	9/19/2023	479.80		014146		642.85
00147	COE Misc							
I-MIS202309191571	Misc Reimbursements	R	9/19/2023	174.00		014147		174.00
00150	COE Payroll							
I-T1 202309191571	Federal Withholding	R	9/19/2023	13,214.54		014148		13,214.54
00151	COE Payroll							
I-T3 202309191571	FICA	R	9/19/2023	18,929.70		014149		
I-T4 202309191571	Medicare	R	9/19/2023	4,934.60		014149		23,864.30
00152	COE Payroll							
I-T2 202309191571	State Withholding	R	9/19/2023	5,656.00		014150		5,656.00
00203	Davis Trust Company							
I-CC 202309191571	Employee Christmas Club	R	9/19/2023	2,360.00		014151		2,360.00
00747	Washington National Insurance							
I-WN 202309191571	Washington National Insurance	R	9/19/2023	929.03		014152		929.03
00837	COE Payroll Reimbursement							
I-001202309191571	Payroll Reimbursement	R	9/19/2023	53,743.07		014153		
I-006202309191571	Payroll Reimbursement	R	9/19/2023	5,415.79		014153		
I-036202309191571	Payroll Reimbursement	R	9/19/2023	16,151.89		014153		
I-400202309191571	Payroll Reimbursement	R	9/19/2023	21,654.95		014153		
I-401202309191571	Payroll Reimbursement	R	9/19/2023	14,098.98		014153		
I-404202309191571	Payroll Reimbursement	R	9/19/2023	12,333.56		014153		123,398.24
01885	Colonial Life							
I-CL 202309191571	Colonial Life-AT	R	9/19/2023	112.10		014154		
I-CLP202309191571	Colonial Life-PT	R	9/19/2023	52.52		014154		164.62
00150	COE Payroll							
I-T1 202309191572	Federal Withholding	R	9/19/2023	16.30		014155		16.30
00151	COE Payroll							
I-T3 202309191572	FICA	R	9/19/2023	96.58		014156		
I-T4 202309191572	Medicare	R	9/19/2023	22.58		014156		119.16
00152	COE Payroll							
I-T2 202309191572	State Withholding	R	9/19/2023	20.00		014157		20.00

VENDOR SET: 01 Elkins

BANK: Pool Pooled Cash

DATE RANGE: 9/18/2023 THRU 10/13/2023

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
00837	COE Payroll Reimbursement							
I-006202309191572	Payroll Reimbursement	R	9/19/2023	636.32		014158		636.32
00006	AFLAC							
I-AF 202309051570	Aflac-After Tax Ins	R	9/19/2023	67.78		014159		
I-AF 202309191571	Aflac-After Tax Ins	R	9/19/2023	67.78		014159		
I-AFL202309051570	Aflac Insurance	R	9/19/2023	68.68		014159		
I-AFL202309191571	Aflac Insurance	R	9/19/2023	68.68		014159		272.92
00047	Truist Governmental Finance							
I-0004 092723	9948000234-04 092723	R	9/19/2023	2,257.21		014160		2,257.21
00075	Encova Insurance							
I-36609974	WCB1037869	R	9/19/2023	6,599.00		014161		
I-36614110	WCN6007129	R	9/19/2023	17,668.00		014161		24,267.00
00242	Elkins Professional Firefighte							
I-EPP202309051570	Elkins Professional FF	R	9/19/2023	90.00		014162		
I-EPP202309191571	Elkins Professional FF	R	9/19/2023	90.00		014162		180.00
00446	McCarty's Septic Service							
I-A-11968	Sludge August 2023	R	9/19/2023	9,090.00		014163		9,090.00
00483	Mountain Valley Bank							
I-1202553-21 092823	1202553-21 092823	R	9/19/2023	2,369.18		014164		2,369.18
00483	Mountain Valley Bank							
I-UCC 1202553-21	UCC Statement continuation	R	9/19/2023	23.00		014165		23.00
00591	Retiree Health Benefit Trust F							
I-RHBT 09/2023	Retirees 09/2023	R	9/19/2023	1,609.56		014166		1,609.56
00805	FBMC							
I-MFB202309051570	Mt. Flex Benefit	R	9/19/2023	1,856.37		014167		
I-MFB202309191571	Mt. Flex Benefit	R	9/19/2023	1,856.37		014167		
I-RChen 09/2023	RChenoweth 09/2023	R	9/19/2023	49.90		014167		3,762.64
00810	WV Public Employee Insurance A							
I-BL 202309191571	Basic Life Benefit	R	9/19/2023	178.20		014168		
I-BL1202309191571	Basic Life Benefit +	R	9/19/2023	1.98		014168		
I-DL 202309051570	Dependent Life	R	9/19/2023	84.70		014168		
I-DL 202309191571	Dependent Life	R	9/19/2023	84.70		014168		
I-HPA202309051570	Ins-Health Plan A	R	9/19/2023	949.00		014168		
I-HPA202309191571	Ins-Health Plan A	R	9/19/2023	949.00		014168		
I-HPB202309051570	Ins-Health Plan B	R	9/19/2023	627.50		014168		
I-HPB202309191571	Ins-Health Plan B	R	9/19/2023	627.50		014168		
I-ICA202309051570	Ins - Emp/Child-Plan A	R	9/19/2023	1,699.50		014168		
I-ICA202309191571	Ins - Emp/Child-Plan A	R	9/19/2023	1,699.50		014168		

VENDOR SET: 01 Elkins

BANK: Pool Pooled Cash

DATE RANGE: 9/18/2023 THRU 10/13/2023

VENDOR I.D.	NAME	STATUS	CHECK	INVOICE	DISCOUNT	CHECK	CHECK	CHECK
			DATE	AMOUNT		NO	STATUS	AMOUNT
I-ICB202309051570	Ins- Emp/child - Plan B	R	9/19/2023	494.50		014168		
I-ICB202309191571	Ins- Emp/child - Plan B	R	9/19/2023	494.50		014168		
I-IFA202309051570	Ins - Family - Plan A	R	9/19/2023	18,676.00		014168		
I-IFA202309191571	Ins - Family - Plan A	R	9/19/2023	18,676.00		014168		
I-IFB202309051570	Ins - Family - Plan B	R	9/19/2023	5,825.00		014168		
I-IFB202309191571	Ins - Family - Plan B	R	9/19/2023	5,825.00		014168		
I-IFD202309051570	Ins-Fam-Plan B - Post Tax	R	9/19/2023	582.50		014168		
I-IFD202309191571	Ins-Fam-Plan B - Post Tax	R	9/19/2023	582.50		014168		
I-ISA202309051570	Ins - Single - Plan A	R	9/19/2023	4,062.50		014168		
I-ISA202309191571	Ins - Single - Plan A	R	9/19/2023	4,062.50		014168		
I-ISB202309051570	Ins-Single - Plan B	R	9/19/2023	2,810.00		014168		
I-ISB202309191571	Ins-Single - Plan B	R	9/19/2023	2,810.00		014168		
I-OL 202309051570	Optional Life	R	9/19/2023	353.29		014168		
I-OL 202309191571	Optional Life	R	9/19/2023	351.69		014168		
I-RChen 09/2023	RChenoweth 09/2023	R	9/19/2023	1,335.98		014168		
I-TOF202309051570	Tobacco Surcharge Family	R	9/19/2023	350.00		014168		
I-TOF202309191571	Tobacco Surcharge Family	R	9/19/2023	350.00		014168		
I-TOS202309051570	Tobacco Surcharge Single	R	9/19/2023	137.50		014168		
I-TOS202309191571	Tobacco Surcharge Single	R	9/19/2023	137.50		014168		74,818.54
01125	Ferguson Ent dba Pollardwater							
I-0245209	Trash Pump	R	9/19/2023	675.18		014169		675.18
01159	State Chemical Solutions							
I-903035831	Grease/PenOil/Clear Out	R	9/19/2023	1,286.84		014170		1,286.84
01292	COE Sewer O & M Account							
I-Deposit 08/2023	Sewer O&M 08/2023	R	9/19/2023	13,153.88		014171		13,153.88
01390	Phoenix Solutions, LLC							
I-5459	Pumps-tubes-check valves	R	9/19/2023	14,925.00		014172		14,925.00
01594	Pace Analytical Services LLC							
I-2330467591	Lab Analysis 071923-081623	R	9/19/2023	4,379.00		014173		4,379.00
01651	Reclaim Company LLC							
I-2614	Demo/Dispos 521 Center St	R	9/19/2023	10,250.00		014174		10,250.00
01662	Varner Outdoor Power Equip							
I-023428	Zero Turn Mower	R	9/19/2023	15,979.00		014175		15,979.00
01681	HdL Companies							
I-08312023	BL Rev 08/2023	R	9/19/2023	2,506.75		014176		2,506.75

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01764	Marilynn Cuonzo							
I-Ck Req 091423	Volunteers Lunch/stakes	R	9/19/2023	72.94		014177		72.94
01765	See Excavating LLC							
I-202332	Hauled Excavator	R	9/19/2023	400.00		014178		400.00
01790	Crim Law Office PLLC							
I-365	WV DEP Grant 07/2023	R	9/19/2023	560.00		014179		560.00
02331	William Mallow							
I-Trvl 090723	Class III Cert Travel	R	9/19/2023	175.54		014180		175.54
02347	LEAF							
I-15251133 006	Toshiba/Lexmark 092423	R	9/19/2023	589.57		014181		589.57
02357	Owen Peet							
I-Travel 091823	Travel Reimb AmeriCorps Traing	R	9/19/2023	166.80		014182		166.80
02459	Applied Trails Research, LLC							
I-430	Project complete	R	9/19/2023	17,203.29		014183		17,203.29
02490	WVcorp							
I-107728	2nd Qtr Pkg	R	9/19/2023	49,807.00		014184		49,807.00
02492	Mike Hinchman							
I-CKReq 091223	WVML Conf/Hotel	R	9/19/2023	757.32		014185		757.32
02510	Master Built Courts							
I-2nd Pmt	2nd Pmt on Pickle Ball Ct	R	9/19/2023	7,496.25		014186		7,496.25
00810	WV Public Employee Insurance A							
I-Admin Fees 92023	Admin Fees 09/2023	R	9/25/2023	200.00		014187		200.00
00032	Absolute Assurance Drug Test L							
I-1840	Employment testing	R	9/27/2023	84.00		014188		84.00
00082	Builders Group, Inc.							
I-723564	Hose Kit/Plastic Sump Pump	R	9/27/2023	179.98		014189		179.98
00119	First-Citizens Bank & Trust Co							
I-43190006	Kyocera Copier	R	9/27/2023	52.50		014190		
I-43209799	KM Contract 10/08/23	R	9/27/2023	78.38		014190		130.88

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00468	Miss Utility of West Virginia,							
I-WV23-3671	Message Fees 08/2023	R	9/27/2023	88.40		014191		88.40
00471	Mon Power							
I-401 SRand 091223	0809-090823 401 S Rand	R	9/27/2023	35.49		014192		
I-90009264295	consumption/lighting 092123	R	9/27/2023	43,092.27		014192		
I-City Park 091323	0810-091123 City Park	R	9/27/2023	10.29		014192		
I-LT31Barron 092023	LT31 Barron 0816-091523	R	9/27/2023	11,910.19		014192		
I-Park St 091323	0810-091123 Park St	R	9/27/2023	10.68		014192		
I-Park St 996 091323	0810-091123 Park St 996	R	9/27/2023	5.80		014192		
I-RRave 091823	RR Ave 081523/091423	R	9/27/2023	42.81		014192		55,107.53
00479	Amtower Auto Supply, Inc.							
I-196968	15W40 2gal	R	9/27/2023	27.98		014193		
I-197245	Booster Cable	R	9/27/2023	136.07		014193		
I-198058	mirror glue	R	9/27/2023	20.00		014193		184.05
00491	Mufflers-Brakes & More Inc.							
I-05872	Front Brake Pds/Bearng Asbly	R	9/27/2023	441.46		014194		441.46
00498	Naylor's Ace Hardware							
I-458111	Plugs/Caps/Nozzle	R	9/27/2023	42.42		014195		
I-458151	Bee Spray/LED Linr Lmp	R	9/27/2023	82.93		014195		125.35
00500	Newlons International Sales, L							
I-01W1905	Labor/Parts 05 Int'l 4200	R	9/27/2023	7,990.01		014196		7,990.01
00568	Ralston Press, Inc.							
I-93899	Business Cards	R	9/27/2023	257.88		014197		257.88
00578	Randolph Elkins Health Departm							
I-08/2023	G Vance Hep AB	R	9/27/2023	174.50		014198		174.50
00701	Toshiba Financial Services							
I-510144207	Toshiba E4515AC 092723	R	9/27/2023	214.24		014199		
I-511292716	LEXC4150 Tosh E3005AC	R	9/27/2023	221.37		014199		435.61
00726	HD Supply Inc dba USA Blue Boo							
I-00127235	saddle for CIP tank	R	9/27/2023	241.78		014200		241.78
00884	Colonial Court Service Station							
I-582093	4 tires	R	9/27/2023	1,000.00		014201		
I-582195	8 tires	R	9/27/2023	1,576.00		014201		
I-582227	4 tires	R	9/27/2023	1,008.00		014201		3,584.00

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01066	Steve's Welding & Fabrication,							
I-SW4436	Push Pull Props FF Testing	R	9/27/2023	1,230.06		014202		1,230.06
01220	The Delmonte Market							
I-826	City Flowers	R	9/27/2023	4,559.16		014203		4,559.16
01390	Phoenix Solutions, LLC							
I-5467	chemicals	R	9/27/2023	3,635.44		014204		
I-5496	Chemicals	R	9/27/2023	8,967.75		014204		12,603.19
01500	Sheila Johnson							
I-Refund 091823	Refund pavilion reservation	R	9/27/2023	65.00		014205		65.00
01594	Pace Analytical Services LLC							
I-2330470902	lab analysis 0823-0923	R	9/27/2023	869.00		014206		869.00
01749	High Rocks Educational Corp							
I-23-24 membership	2023-2024 Americorps membership	R	9/27/2023	6,000.00		014207		6,000.00
01833	P3 Cost Analysts							
I-20282	Visa VUIRF 09/2023	R	9/27/2023	308.88		014208		308.88
02157	Jerry A Marco							
I-Reimb 09/20/23	Reimb travel-Mun Seminar	R	9/27/2023	72.05		014209		72.05
02310	Intact Insurance							
I-091323 791000687	Deductible Kokinda Claim	R	9/27/2023	2,500.00		014210		2,500.00
02347	LEAF							
I-15339258 101123	Toshiba E4515AC	R	9/27/2023	317.44		014211		
I-15339259	Toshiba ES4515AC 10/13/23	R	9/27/2023	136.72		014211		454.16
02431	Ferguson Waterworks #527							
I-0833165	Cplngs/BrassSdl/Comp90Blend	R	9/27/2023	552.40		014212		
I-0841965	PVC Pipe/Brs Sdl/TransGskt	R	9/27/2023	2,412.65		014212		2,965.05
02520	Jerry Heard Assoc							
I-1250	Green Check Stock	R	9/27/2023	633.99		014213		633.99
02521	Mike Carr							
I-203260	set beams at flood control	R	9/27/2023	600.00		014214		600.00
01957	Zoro Tools, Inc.							
I-13020948	transmitter	R	9/27/2023	289.00		014215		289.00

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VENDOR I.D.	NAME	STATUS	CHECK	INVOICE	DISCOUNT	CHECK	CHECK	CHECK
			DATE	AMOUNT		NO	STATUS	AMOUNT
02522	Dirt Logic LLC							
I-37709	Salt Spreader SS Flatbed	R	9/29/2023	8,913.00		014216		8,913.00
00116	Child Support Enforcement							
I-CDS202310021573	Child Support	R	10/02/2023	571.48		014217		571.48
00121	Citizens Bank of WVFP							
I-FP 202310021573	Fire Pension	R	10/02/2023	476.29		014218		476.29
00122	Citizens Bank of WVFP							
I-PP 202310021573	Police Pension	R	10/02/2023	184.32		014219		
I-PPN202310021573	Police Pension-2010 Forward	R	10/02/2023	378.10		014219		562.42
00147	COE Misc							
I-MIS202310021573	Misc Reimbursements	R	10/02/2023	163.89		014220		163.89
00150	COE Payroll							
I-T1 202310021573	Federal Withholding	R	10/02/2023	11,980.37		014221		11,980.37
00151	COE Payroll							
I-T3 202310021573	FICA	R	10/02/2023	18,044.30		014222		
I-T4 202310021573	Medicare	R	10/02/2023	4,653.02		014222		22,697.32
00152	COE Payroll							
I-T2 202310021573	State Withholding	R	10/02/2023	5,219.00		014223		5,219.00
00203	Davis Trust Company							
I-CC 202310021573	Employee Christmas Club	R	10/02/2023	2,900.00		014224		2,900.00
00747	Washington National Insurance							
I-WN 202310021573	Washington National Insurance	R	10/02/2023	640.91		014225		640.91
00837	COE Payroll Reimbursement							
I-001202310021573	Payroll Reimbursement	R	10/02/2023	46,285.68		014226		
I-006202310021573	Payroll Reimbursement	R	10/02/2023	5,799.19		014226		
I-036202310021573	Payroll Reimbursement	R	10/02/2023	16,168.46		014226		
I-400202310021573	Payroll Reimbursement	R	10/02/2023	22,514.40		014226		
I-401202310021573	Payroll Reimbursement	R	10/02/2023	13,221.47		014226		
I-404202310021573	Payroll Reimbursement	R	10/02/2023	12,184.03		014226		116,173.23
01885	Colonial Life							
I-CL 202310021573	Colonial Life-AT	R	10/02/2023	112.10		014227		
I-CLP202310021573	Colonial Life-PT	R	10/02/2023	52.52		014227		164.62

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00121	Citizens Bank of WVFP							
I-FP 202310021574	Fire Pension	R	10/02/2023	288.06		014228		288.06
00122	Citizens Bank of WVFP							
I-PP 202310021574	Police Pension	R	10/02/2023	35.00		014229		
I-PPN202310021574	Police Pension-2010 Forward	R	10/02/2023	95.00		014229		130.00
00150	COE Payroll							
I-T1 202310021574	Federal Withholding	R	10/02/2023	2,232.39		014230		2,232.39
00151	COE Payroll							
I-T3 202310021574	FICA	R	10/02/2023	5,285.50		014231		
I-T4 202310021574	Medicare	R	10/02/2023	1,399.06		014231		6,684.56
00152	COE Payroll							
I-T2 202310021574	State Withholding	R	10/02/2023	1,592.00		014232		1,592.00
00837	COE Payroll Reimbursement							
I-001202310021574	Payroll Reimbursement	R	10/02/2023	14,210.85		014233		
I-006202310021574	Payroll Reimbursement	R	10/02/2023	2,081.74		014233		
I-036202310021574	Payroll Reimbursement	R	10/02/2023	5,731.75		014233		
I-400202310021574	Payroll Reimbursement	R	10/02/2023	6,520.33		014233		
I-401202310021574	Payroll Reimbursement	R	10/02/2023	4,645.27		014233		
I-404202310021574	Payroll Reimbursement	R	10/02/2023	5,043.03		014233		38,232.97
00132	Clarksburg Water Board							
I-M90805 M90837	Compliance samples	R	10/03/2023	322.00		014234		322.00
00143	COE General Fund 2							
I-10/2023 Indirects	Monthly Indirects 10/2023	R	10/03/2023	12,955.92		014235		12,955.92
00149	COE Parks and Recreation							
I-10/2023 Support	Monthly Support 10/2023	R	10/03/2023	25,483.00		014236		25,483.00
00211	Elkins Depot Welcome Center							
I-H/M Coll 08/2023	Hotel/Motel Collection 08/2023	R	10/03/2023	12,272.13		014237		12,272.13
00235	Elkins Building Comm.							
I-10/2023 Payment	Monthly Payment 10/2023	R	10/03/2023	3,483.79		014238		3,483.79
00247	Elkins Truck Service, Inc							
I-154569	Fuel Tank Strap Kit	R	10/03/2023	225.19		014239		225.19

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00365	Hydro-Dyne Engineering, Inc.							
I-11261	Wiese Flow 50 pitch Chain Set	R	10/03/2023	714.29		014240		714.29
00381	Grover C Jackson Jr							
I-10/2023 Rent	Monthly Rent 10/2023	R	10/03/2023	1,800.00		014241		1,800.00
00525	Otis Elevator Co.							
I-NBK15560001	No Load Safety Test	R	10/03/2023	2,544.00		014242		2,544.00
00582	Region VII Plan. & Development							
I-520-1	Work 04/01/2023 to 06/30/2023	R	10/03/2023	1,677.50		014243		1,677.50
00726	HD Supply Inc dba USA Blue Boo							
I-129239 129288	saddles for pipe	R	10/03/2023	361.55		014244		361.55
00787	WV Bureau of Employment Progra							
I-SUV202310021573	State Unemployment-Vol Fire	R	10/03/2023	48.45		014245		48.45
00796	WV DEP Water & Waste Mgmt							
I-00481727	Groundwater Prot/WVNPDES	R	10/03/2023	550.00		014246		550.00
01790	Crim Law Office PLLC							
I-374	Atttny Services 08/2023	R	10/03/2023	6,200.00		014247		
I-375	Muni Court Matters 08/2023	R	10/03/2023	3,420.00		014247		
I-377	Water Bd Services	R	10/03/2023	1,560.00		014247		11,180.00
02220	Long Branch Equipment LLC							
I-LB319	work on Leaf Truck	R	10/03/2023	760.00		014248		760.00
02500	Custom Services Industries LLC							
I-2260	10 Bell Street	R	10/03/2023	500.00		014249		
I-2292	211 1st St	R	10/03/2023	840.00		014249		
I-2293	212 1st St	R	10/03/2023	1,090.00		014249		
I-2294	12 River St	R	10/03/2023	500.00		014249		
I-2295	201 Davis St	R	10/03/2023	1,570.00		014249		
I-2314	17 Davis Ave	R	10/03/2023	1,400.00		014249		5,900.00
00047	Truist Governmental Finance							
I-00005 102423	9948000234-05 102423	R	10/11/2023	2,596.05		014250		
I-00007 101923	9948000234-07 101923	R	10/11/2023	4,984.55		014250		7,580.60
00082	Builders Group, Inc.							
I-724831	Grinder/Sawzall/HexImpact/Dr1	R	10/11/2023	1,494.40		014251		1,494.40

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00154	COE Sanitation							
I-202310024963	Hauling Brush #96 Inv1296	R	10/11/2023	299.48		014252		299.48
00283	Frontier							
I-092023 Phones	08/20/23-09/19/23	R	10/11/2023	1,181.95		014253		1,181.95
00479	Amtower Auto Supply, Inc.							
I-197619 635 645 737	Paint/BatteryTestClp/ORings	R	10/11/2023	314.16		014254		
I-198090	Screwdrvr Sets/Pliers/BitSet	R	10/11/2023	678.83		014254		
I-198600	Duct Tape/CableTies/ElecTape	R	10/11/2023	101.32		014254		1,094.31
00483	Mountain Valley Bank							
I-1202553-22 100723	1202553-22 Int	R	10/11/2023	192.02		014255		192.02
00484	Mountaineer Gas Company							
I-092723 Kump	Nat'l Gas 081523-091423	R	10/11/2023	47.42		014256		47.42
00498	Naylor's Ace Hardware							
I-458185	Saw Blade 10inX60T	R	10/11/2023	29.99		014257		
I-458248	Tools	R	10/11/2023	3,460.00		014257		
I-458393	Chain/Scrapper/File	R	10/11/2023	137.92		014257		3,627.91
00540	Pitney Bowes Bank Inc							
I-PSTG ALLOC 9/23	Postage Allocation 09/2023	R	10/11/2023	965.99		014258		965.99
00568	Ralston Press, Inc.							
I-94077	Business Cards	R	10/11/2023	85.96		014259		85.96
00578	Randolph Elkins Health Departm							
I-09/2023	Hep AB - Vance G	R	10/11/2023	174.50		014260		174.50
00688	Terra Flora Landscaping							
I-0490	10 - 9in Mums	R	10/11/2023	125.00		014261		125.00
00701	Toshiba Financial Services							
I-512421835	Tosh E4515AC 102723	R	10/11/2023	235.66		014262		235.66
00711	Tygart Valley Transfer, Inc.							
I-00017508	Comm	R	10/11/2023	271.36		014263		
I-00017514	Comm	R	10/11/2023	405.13		014263		
I-00017526	Comm	R	10/11/2023	144.28		014263		
I-00017539	Comm	R	10/11/2023	894.35		014263		
I-00017540	Res	R	10/11/2023	677.45		014263		
I-00017541	Res	R	10/11/2023	537.95		014263		
I-00017572	Comm	R	10/11/2023	71.66		014263		
I-00017594	Res	R	10/11/2023	1,065.38		014263		
I-00017603	Comm	R	10/11/2023	214.03		014263		
I-00017605	Comm	R	10/11/2023	1,134.18		014263		

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I-00017609	Res	R	10/11/2023	1,011.87		014263		
I-00017631	Comm	R	10/11/2023	211.17		014263		
I-00017636	Comm	R	10/11/2023	202.57		014263		
I-00017637	Res	R	10/11/2023	834.15		014263		
I-00017649	Comm	R	10/11/2023	687.96		014263		
I-00017651	Res	R	10/11/2023	911.55		014263		
I-00017652	Res	R	10/11/2023	589.54		014263		
I-00017668	Comm	R	10/11/2023	380.29		014263		
I-00017671	Comm	R	10/11/2023	188.23		014263		
I-00017678	Comm	R	10/11/2023	603.88		014263		
I-00017694	Comm	R	10/11/2023	209.25		014263		
I-00017697	Comm	R	10/11/2023	515.97		014263		
I-00017700	Comm	R	10/11/2023	220.72		014263		
I-00017705	Res	R	10/11/2023	643.05		014263		
I-00017706	Res	R	10/11/2023	539.86		014263		
I-00017725	Comm	R	10/11/2023	401.31		014263		
I-00017736	Comm	R	10/11/2023	205.43		014263		
I-00017740	Res	R	10/11/2023	549.41		014263		
I-00017741	Comm	R	10/11/2023	640.19		014263		
I-00017746	Res	R	10/11/2023	603.88		014263		
I-00017777	Comm	R	10/11/2023	156.70		014263		
I-00017782	Comm	R	10/11/2023	219.77		014263		
I-00017794	Comm	R	10/11/2023	111.79		014263		
I-00017808	Comm	R	10/11/2023	948.81		014263		
I-00017810	Res	R	10/11/2023	644.96		014263		
I-00017812	Res	R	10/11/2023	1,048.18		014263		
I-00017831	Comm	R	10/11/2023	242.70		014263		
I-00017836	Comm	R	10/11/2023	186.32		014263		
I-00017852	Comm	R	10/11/2023	559.92		014263		
I-00017861	Res	R	10/11/2023	690.83		014263		
I-00017862	Res	R	10/11/2023	633.50		014263		
I-00017886	Comm	R	10/11/2023	318.18		014263		
I-00017888	Comm	R	10/11/2023	236.01		014263		
I-00017890	Comm	R	10/11/2023	472.97		014263		
I-00017903	Comm	R	10/11/2023	592.41		014263		
I-00017906	Res	R	10/11/2023	624.90		014263		
I-00017908	Res	R	10/11/2023	632.54		014263		
I-00017930	Comm	R	10/11/2023	39.18		014263		
I-00017943	Comm	R	10/11/2023	649.74		014263		
I-00017948	Res	R	10/11/2023	593.37		014263		
I-00017949	Res	R	10/11/2023	632.54		014263		
I-00017959	Comm	R	10/11/2023	362.13		014263		
I-00017961	Comm	R	10/11/2023	466.28		014263		
I-00017966	Comm	R	10/11/2023	140.46		014263		
I-00017976	Comm	R	10/11/2023	763.44		014263		
I-00017977	Res	R	10/11/2023	694.65		014263		
I-00017978	Res	R	10/11/2023	496.86		014263		
I-00017991	Comm	R	10/11/2023	326.78		014263		

VENDOR SET: 01 Elkins

BANK: Pool Pooled Cash

DATE RANGE: 9/18/2023 THRU 10/13/2023

VENDOR I.D.	NAME	STATUS	CHECK	INVOICE	DISCOUNT	CHECK	CHECK	CHECK
			DATE	AMOUNT		NO	STATUS	AMOUNT
I-00017992	Res	R	10/11/2023	126.13		014263		
I-00017997	Comm	R	10/11/2023	221.68		014263		
I-00018003	Comm	R	10/11/2023	135.68		014263		
I-00018017	Comm	R	10/11/2023	965.06		014263		
I-00018019	Res	R	10/11/2023	1,029.07		014263		
I-00018021	Res	R	10/11/2023	794.02		014263		
I-00018032	Comm	R	10/11/2023	154.79		014263		
I-00018034	Comm	R	10/11/2023	178.68		014263		
I-00018055	Res	R	10/11/2023	642.10		014263		
I-00018056	Res	R	10/11/2023	601.01		014263		
I-00018057	Comm	R	10/11/2023	466.28		014263		
I-00018076	Comm	R	10/11/2023	286.65		014263		
I-00018079	Res	R	10/11/2023	259.90		014263		
I-00018090	Comm	R	10/11/2023	912.50		014263		
I-00018092	Res	R	10/11/2023	178.68		014263		
I-00018101	Res	R	10/11/2023	595.28		014263		
I-00018102	Res	R	10/11/2023	528.39		014263		
I-00018122	Comm	R	10/11/2023	83.13		014263		
I-00018130	Comm	R	10/11/2023	659.30		014263		
I-00018137	Comm	R	10/11/2023	359.27		014263		
I-00018147	Res	R	10/11/2023	698.47		014263		
I-00018148	Res	R	10/11/2023	583.81		014263		
I-00018149	Comm	R	10/11/2023	560.88		014263		
I-00018163	Comm	R	10/11/2023	445.26		014263		
I-00018166	Res	R	10/11/2023	173.90		014263		
I-00018182	Comm	R	10/11/2023	762.49		014263		
I-00018186	Res	R	10/11/2023	639.23		014263		
I-00018187	Res	R	10/11/2023	466.28		014263		
I-00018205	Comm	R	10/11/2023	227.41		014263		
I-00018210	comm	R	10/11/2023	299.07		014263		
I-00018215	Comm	R	10/11/2023	156.70		014263		
I-00018221	Comm	R	10/11/2023	222.63		014263		
I-00018228	Res	R	10/11/2023	945.95		014263		
I-00018231	Res	R	10/11/2023	816.95		014263		
I-00018232	Comm	R	10/11/2023	934.48		014263		
I-00018250	Comm	R	10/11/2023	194.92		014263		
I-00018272	Res	R	10/11/2023	635.41		014263		
I-00018273	Res	R	10/11/2023	525.53		014263		
I-00018274	Comm	R	10/11/2023	371.69		014263		
I-00018275	Comm	R	10/11/2023	240.79		014263		
I-00018290	Comm	R	10/11/2023	365.00		014263		
I-00018295	Comm	R	10/11/2023	553.23		014263		
I-00018299	Comm	R	10/11/2023	76.44		014263		
I-00018308	Comm	R	10/11/2023	501.64		014263		
I-00018311	Res	R	10/11/2023	644.96		014263		
I-00018312	Res	R	10/11/2023	564.70		014263		
I-00018325	Comm	R	10/11/2023	361.18		014263		
I-00018331	Comm	R	10/11/2023	180.59		014263		

VENDOR SET: 01 Elkins

BANK: Pool Pooled Cash

DATE RANGE: 9/18/2023 THRU 10/13/2023

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
I-00018340	Comm	R	10/11/2023	294.29		014263		
I-00018341	Comm	R	10/11/2023	638.27		014263		
I-00018342	Res	R	10/11/2023	611.52		014263		
I-00018343	Res	R	10/11/2023	587.63		014263		
I-00018373	Res	R	10/11/2023	486.35		014263		
I-00018375	Comm	R	10/11/2023	747.20		014263		
I-00018376	Res	R	10/11/2023	675.54		014263		
I-0018100	Comm	R	10/11/2023	626.81		014263		56,046.77
00726	HD Supply Inc dba USA Blue Boo							
I-INV 00097620	Mixer	R	10/11/2023	566.18		014264		
I-INV 00101902	Tanks	R	10/11/2023	1,752.75		014264		
I-INV 00110830	Mixer	R	10/11/2023	374.95		014264		
I-INV 00111677	Mixer	R	10/11/2023	374.95		014264		
I-INV 00116511	Mixers	R	10/11/2023	1,874.75		014264		
I-INV 00137223	Tanks	R	10/11/2023	1,168.50		014264		
I-INV 00147057	Tank	R	10/11/2023	584.25		014264		6,696.33
00779	Woodford Oil Company							
I-309452	460 Gal Clear Diesel	R	10/11/2023	1,881.40		014265		1,881.40
00803	WV Division of Motor Vehicles							
I-092923	ID- M Washington	R	10/11/2023	25.00		014266		25.00
00812	WV Regional Jail and Correctio							
I-9123B49F	51 Inmate days TVRJ	R	10/11/2023	2,778.48		014267		2,778.48
00824	WV Tractor Company							
I-71220	Counter	R	10/11/2023	598.86		014268		598.86
00855	LMC & Associates							
I-3332	Consulting Aug 2023	R	10/11/2023	264.00		014269		264.00
00884	Colonial Court Service Station							
I-42936	Tow 21FD	R	10/11/2023	100.00		014270		
I-582320	4 Tires	R	10/11/2023	820.00		014270		
I-582845	4 Tires	R	10/11/2023	1,000.00		014270		1,920.00
00992	McNeil & Company							
I-4820207	Commercial Pkg 11/01/23	R	10/11/2023	3,096.25		014271		
I-4827207	Inland Marine 110123	R	10/11/2023	1,200.00		014271		
I-4833207	Umbrella - Comm	R	10/11/2023	438.75		014271		4,735.00

VENDOR SET: 01 Elkins

BANK: Pool Pooled Cash

DATE RANGE: 9/18/2023 THRU 10/13/2023

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
01125	Ferguson Ent dba Pollardwater							
I-0247143	2-24 Alum Pipe End Wrch	R	10/11/2023	389.13		014272		389.13
01313	COE Water O & M Account							
I-Deposit 09/2023	Water O/M Deposit 09/2023	R	10/11/2023	12,902.14		014273		12,902.14
01390	Phoenix Solutions, LLC							
I-5502	chemicals	R	10/11/2023	7,686.05		014274		
I-5528 5537	chemicals	R	10/11/2023	10,934.79		014274		18,620.84
01651	Reclaim Company LLC							
I-CKREQ 100923	3 day asbestos insp class	R	10/11/2023	600.00		014275		600.00
01681	HdL Companies							
I-09302023	Collections 09/2023	R	10/11/2023	113.50		014276		113.50
01727	Enterprise FM Trust							
I-FBN4867045	Fleet Leases 10/20/23	R	10/11/2023	17,807.65		014277		17,807.65
01790	Crim Law Office PLLC							
I-380	Municipal Ct Matters 09/2023	R	10/11/2023	3,820.00		014278		
I-383	09/01/23-10/07/23 WVDEP	R	10/11/2023	1,780.00		014278		5,600.00
01942	Elkins Municipal Building Comm							
I-1214756-11 101523	1214756-11 101523	R	10/11/2023	4,833.20		014279		4,833.20
02182	Ramon Goux							
I-Travel 1015-102123	Per Diem -Travel Clintwood VA	R	10/11/2023	1,025.50		014280		1,025.50
02220	Long Branch Equipment LLC							
I-LB333	Work on Vactor Tk/Leaf Tk	R	10/11/2023	760.00		014281		760.00
02277	Vigilant Custom Creations							
I-056	Radio	R	10/11/2023	2,500.00		014282		2,500.00
02322	Badger Meter							
I-80139512	September 2023	R	10/11/2023	211.40		014283		211.40
02347	LEAF							
I-15379949	Tosh E478S 101823	R	10/11/2023	96.74		014284		
I-15379950	Tosh E478S 101823	R	10/11/2023	96.74		014284		
I-15398442	Toshiba/Lexmark 102423	R	10/11/2023	609.40		014284		
I-15412340	Toshiba 478S 102523	R	10/11/2023	116.37		014284		
I-15412341	Toshiba E4515AC 102523	R	10/11/2023	181.37		014284		1,100.62

VENDOR SET: 01 Elkins

BANK: Pool Pooled Cash

DATE RANGE: 9/18/2023 THRU 10/13/2023

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
02389	Fire & Police Selection Inc							
I-21174	FACT/Booklets	R	10/11/2023	500.00		014285		500.00
02425	All American Uniform							
I-2984	Boots - Goux	R	10/11/2023	137.19		014286		137.19
02431	Ferguson Waterworks #527							
I-0840575	1/2x5 STL Coup	R	10/11/2023	309.12		014287		309.12
02501	Casto Technical Service							
I-266769	Boiler repairs	R	10/11/2023	535.00		014288		535.00
02510	Master Built Courts							
I-Final Pmt	Pickleball Ct -final pmt	R	10/11/2023	7,496.25		014289		7,496.25
02523	City of Belington							
I-CKREQ 100923 K9	K-9	R	10/11/2023	5,073.91		014290		5,073.91
02524	Signs Plus							
I-20680	Banners/Tent/Table Cover	R	10/11/2023	2,426.00		014291		2,426.00
02525	DTC Farms LLC							
I-001	Mini Excavator Rental	R	10/11/2023	275.00		014292		275.00
00122	Citizens Bank of WVFP							
I-PP 10/2023	Police Pension 10/2023	R	10/12/2023	24,686.00		014293		
I-PP 10/23	Police Pension	R	10/12/2023	3,035.63		014293		27,721.63
00121	Citizens Bank of WVFP							
I-FP 10/2023	Fire Pension Cont 10/23	R	10/12/2023	42,207.00		014294		42,207.00

* * T O T A L S * *	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	151	1,078,837.03	0.00	1,078,837.03
HAND CHECKS:	0	0.00	0.00	0.00
DRAFTS:	7	140,835.41	0.00	140,835.41
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	

TOTAL ERRORS: 0

VENDOR SET: 01 Elkins

BANK: Pool Pooled Cash

DATE RANGE: 9/18/2023 THRU 10/13/2023

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
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	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
VENDOR SET: 01 BANK: Pool TOTALS:	159	1,219,672.44	0.00	1,219,672.44
BANK: Pool TOTALS:	159	1,219,672.44	0.00	1,219,672.44
REPORT TOTALS:	160	1,222,672.44	0.00	1,222,672.44

SELECTION CRITERIA

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

CHECK SELECTION

CHECK RANGE: 000000 THRU 999999
DATE RANGE: 9/18/2023 THRU 10/13/2023
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:	October 19, 2023
Section:	New business
Category:	Action Item
Agenda Item Name:	Update on recycling
Recommended By:	Councilor Lowther
Summary:	Councilor Lowther will update council on research into the possibilities of contracting for public recycling services in Elkins
Fiscal Impact:	TBD
Recommendation:	Consider, discuss, and plan next steps
Attachments:	None



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	October 19, 2023
Section:	New business
Category:	Action Item
Agenda Item Name:	Welcome to Elkins signs project update
Recommended By:	City Clerk
Summary:	The Welcome to Elkins signs project is now at the point of needing to order the signs. Preliminary research indicates the needed amount will exceed the \$25,000 threshold requiring public bids.
Fiscal Impact:	TBD after public bids
Recommendation:	No action required, information only
Attachments:	1. motion adopting welcome sign design - 2022_06_02

In the Common Council of the City of Elkins, West Virginia:

**Cm. Lowther, MOVED APPROVAL OF WELCOME TO ELKINS SIGN DESIGN #2 AS
PRESENTED TO COUNCIL. The motion carried.**

I, Sutton R. Stokes, City Clerk for the City of Elkins, a West Virginia municipal corporation, certify that the foregoing text is a true, correct, and complete copy of a motion adopted by the Common Council of the City of Elkins at a regular meeting held at Elkins City Hall, a quorum being present, on June 2, 2022, as recorded in Minute Book 34. I further certify that the same has not been rescinded.

Given under my hand and seal this 6th day of October, 2023.

/s/ Sutton R. Stokes, City Clerk

BACK:

1.



2.



3.



4.



Icons are intended to be separate from sign background. They will attach/pop out from the front of the sign in a separate vertical plane, which should prevent the yellow and green from appearing to bleed into the sign background. White lines were added to #3 to emphasize the 3D design and would not actually be present on the sign.





CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	October 19, 2023
Section:	New business
Category:	Resolution
Agenda Item Name:	Resolution 1690: Authorizing Acceptance of U.S. Department of Justice Edward Byrne Memorial Justice Assistance Grant award for law enforcement technology upgrades
Recommended By:	Police Chief
Summary:	Council approval is requested to accept the terms and authorize agreement for U.S. Department of Justice Edward Byrne Memorial Justice Assistance Grant award of \$950,000, secured through Congressionally Directed Funding process. Council approved application for this grant by simple motion at its May 19, 2022 meeting. A description of the project to be funded by this award is below: The City of Elkins Police Department proposes to implement law enforcement technology upgrades. The purpose is to enhance public safety and protect life and property in the City of Elkins. Project activities include installing a street camera system with advanced license plate reader technology, a city-wide video management network to mesh technology functions for public safety, installation of in-vehicle camera systems with license plate reader technology, upgraded radar systems in police department vehicles, and enhanced communication systems that include patrol vehicle location and in-vehicle CAD system. Expected outcomes are increased public safety through the ability to quickly locate vehicles and persons suspected of criminal activity, increased case closure rates, increased resolution of traffic crash investigations, enhanced monitoring of roadway conditions, and increased officer safety. All residents and visitors of the City of Elkins, as well as the officers of the Elkins Police Department, are the expected beneficiaries of the project.



CITY OF ELKINS AGENDA ITEM REPORT

Fiscal Impact:	The grant awards \$950,000 in federal funds. The grant agreement does not require the expenditure of any non-federal funds.
Recommendation:	Consider for approval
Attachments:	1. R-1690 - accepting Byrne JAG funds for law enforcement technology 2. Award_Package_FAW-175144.pdf_technologygrant

IN THE COMMON COUNCIL OF THE CITY OF ELKINS, WV

A RESOLUTION OF COMMON COUNCIL

(#1690)
October 19, 2023

***Authorizing Acceptance of U.S. Department of Justice Edward Byrne Memorial
Justice Assistance Grant award for law enforcement technology upgrades***

WHEREAS, the Common Council (“Council”) of the City of Elkins, West Virginia (“City”) has, at its May 19, 2022 meeting, authorized application for U.S. Department of Justice Edward Byrne Memorial Justice Assistance Grant funding for law enforcement technology upgrades; and

WHEREAS, the U.S. Department of Justice has notified the City of a grant award of \$950,000 as a result of this application, contingent on the execution of the attached agreement; and,

WHEREAS, the Elkins Police Department recommends accepting this grant in order to further enhance public safety and the protection of life and property in the City of Elkins; and,

WHEREAS, upon the recommendation of the Elkins Police Department, Council believes it is in the best interest of the citizens of Elkins to accept this grant funding;

NOW, THEREFORE, BE IT RESOLVED THAT:

The Common Council hereby accepts the terms and authorizes execution of the attached agreement by the Mayor or his designee.

Jerry A. Marco, Mayor

Attest:

Sutton R. Stokes, City Clerk



Department of Justice (DOJ)

Office of Justice Programs

Bureau of Justice Assistance

Washington, D.C. 20531

Name and Address of Recipient:		CITY OF ELKINS 401 DAVIS AVE RM 102	
City, State and Zip:		ELKINS, WV 26241	
Recipient UEI:		HMLJSH9L8UC5	
Project Title: Law Enforcement Technology Upgrades		Award Number: 15PBJA-23-GG-00186-BRND	
Solicitation Title: BJA FY 23 Invited to Apply- Byrne Discretionary Community Project Funding/Byrne Discretionary Grants Program			
Federal Award Amount: \$950,000.00		Federal Award Date: 8/10/23	
Awarding Agency:		Office of Justice Programs Bureau of Justice Assistance	
Funding Instrument Type:		Grant	
Opportunity Category: E Assistance Listing: 16.753 - Congressionally Recommended Awards			
Project Period Start Date: 12/29/22		Project Period End Date: 11/30/24	
Budget Period Start Date: 12/29/22		Budget Period End Date: 11/30/24	
Project Description: The City of Elkins Police Department proposes to implement law enforcement technology upgrades. The purpose is to enhance public safety and protect life and property in the City of Elkins. Project activities include installing a street camera system with advanced license plate reader technology, a city-wide video management network to mesh technology functions for public safety, installation of in-vehicle camera systems with license plate reader technology, upgraded radar systems in police department vehicles, and enhanced communication systems that include patrol vehicle location and in-vehicle CAD system. Expected outcomes are increased public safety through the ability to quickly locate vehicles and persons suspected of criminal activity, increased case closure rates, increased resolution of traffic crash investigations, enhanced monitoring of roadway conditions, and increased officer safety. All residents and visitors of the City of Elkins, as well as the officers of the Elkins Police Department, are the expected beneficiaries of the project.			

Award Letter

August 10, 2023

Dear Jerry Marco,

On behalf of Attorney General Merrick B. Garland, it is my pleasure to inform you the Office of Justice Programs (OJP) has approved the application submitted by CITY OF ELKINS for an award under the funding opportunity entitled 2023 BJA FY 23 Invited to Apply- Byrne Discretionary Community Project Funding/Byrne Discretionary Grants Program. The approved award amount is \$950,000.

Review the Award Instrument below carefully and familiarize yourself with all conditions and requirements before accepting your award. The Award Instrument includes the Award Offer (Award Information, Project Information, Financial Information, and Award Conditions) and Award Acceptance. For COPS Office and OVW funding the Award Offer also includes any Other Award Documents.

Please note that award requirements include not only the conditions and limitations set forth in the Award Offer, but also compliance with assurances and certifications that relate to conduct during the period of performance for the award. These requirements encompass financial, administrative, and programmatic matters, as well as other important matters (e.g., specific restrictions on use of funds). Therefore, all key staff should receive the award conditions, the assurances and certifications, and the application as approved by OJP, so that they understand the award requirements. Information on all pertinent award requirements also must be provided to any subrecipient of the award.

Should you accept the award and then fail to comply with an award requirement, DOJ will pursue appropriate remedies for non-compliance, which may include termination of the award and/or a requirement to repay award funds.

Prior to accepting the award, your Entity Administrator must assign a Financial Manager, Grant Award Administrator, and Authorized Representative(s) in the Justice Grants System (JustGrants). The Entity Administrator will need to ensure the assigned Authorized Representative(s) is current and has the legal authority to accept awards and bind the entity to the award terms and conditions. To accept the award, the Authorized Representative(s) must accept all parts of the Award Offer in the Justice Grants System (JustGrants), including by executing the required declaration and certification, within 45 days from the award date.

To access your funds, you will need to enroll in the Automated Standard Application for Payments (ASAP) system, if you haven't already completed the enrollment process in ASAP. The Entity Administrator should have already received an email from ASAP to initiate this process.

Congratulations, and we look forward to working with you.

Maureen Henneberg
Deputy Assistant Attorney General
Office for Civil Rights Notice for All Recipients

The Office for Civil Rights (OCR), Office of Justice Programs (OJP), U.S. Department of Justice (DOJ) has been delegated the responsibility for ensuring that recipients of federal financial assistance from the OJP, the Office of Community Oriented Policing Services (COPS), and the Office on Violence Against Women (OVW) are not engaged in discrimination prohibited by law. Several federal civil rights laws, such as Title VI of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973, require recipients of federal financial assistance to give assurances that they will comply with those laws. Taken together, these civil rights laws prohibit recipients of federal financial assistance from DOJ from discriminating in services and employment because of race, color, national origin, religion, disability, sex, and, for grants authorized under the Violence Against Women Act, sexual orientation and gender identity. Recipients are also prohibited from discriminating in services because of age. For a complete review of these civil rights laws and nondiscrimination requirements, in connection with DOJ awards, see <https://ojp.gov/funding/Explore/LegalOverview/CivilRightsRequirements.htm>.

Under the delegation of authority, the OCR investigates allegations of discrimination against recipients from individuals, entities, or groups. In addition, the OCR conducts limited compliance reviews and audits based on regulatory criteria.

These reviews and audits permit the OCR to evaluate whether recipients of financial assistance from the Department are providing services in a nondiscriminatory manner to their service population or have employment practices that meet equal-opportunity standards.

If you are a recipient of grant awards under the Omnibus Crime Control and Safe Streets Act or the Juvenile Justice and Delinquency Prevention Act and your agency is part of a criminal justice system, there are two additional obligations that may apply in connection with the awards: (1) complying with the regulation relating to Equal Employment Opportunity Programs (EEOPs); and (2) submitting findings of discrimination to OCR. For additional information regarding the EEOP requirement, see 28 CFR Part 42, subpart E, and for additional information regarding requirements when there is an adverse finding, see 28 C.F.R. §§ 42.204(c), .205(c)(5).

The OCR is available to help you and your organization meet the civil rights requirements that are associated with DOJ grant funding. If you would like the OCR to assist you in fulfilling your organization's civil rights or nondiscrimination responsibilities as a recipient of federal financial assistance, please do not hesitate to contact the OCR at askOCR@ojp.usdoj.gov.

Memorandum Regarding NEPA

NEPA Letter Type

OJP - Additional Information Required

NEPA Letter

The scope or location or the proposed project is such that it may not qualify for a categorical exclusion as contained in Appendix D to Part 61 of Title 28 of the Code of Federal Regulations.

As such, prior to initiation of the project, the grantee may need to complete an Environmental Assessment (EA) and/or an Environmental Impact Statement (EIS).

Additional information is needed to determine if any of the following activities will be conducted as a result of this award, whether under the Office of Justice Programs federal action or a related third party action:

(1) New construction

(2) Any renovation or remodeling of a property located in an environmentally or historically sensitive area, including property (a) listed on or eligible for listing on the National Register of Historic Places, or (b) located within a 100-year flood plain, a wetland, or habitat for an endangered species

(3) A renovation that will change the basic prior use of a facility or significantly change its size

(4) Research and technology whose anticipated and future application could be expected to have an effect on the environment

(5) Implementation of a program involving the use of chemicals (including the identification, seizure, or closure of clandestine methamphetamine laboratories)

For more information about NEPA requirements, including which projects may qualify for categorical exclusions, and the preparation of an environmental review documents, please see

<https://bja.ojp.gov/national-environmental-policy-act-nepa-guidance>.

Questions about this determination may be directed to your grant manager or Orbin Terry, Environmental Coordinator for the Bureau of Justice Assistance.

NEPA Coordinator**First Name**

Terry

Middle Name**Last Name**

Orbin

Award Information

This award is offered subject to the conditions or limitations set forth in the Award Information, Project Information, Financial Information, and Award Conditions.

Recipient Information**Recipient Name**

CITY OF ELKINS

UEI

HMLJSH9L8UC5

Street 1

401 DAVIS AVE RM 102

Street 2**City**

ELKINS

State/U.S. Territory

West Virginia

Zip/Postal Code

26241

Country

United States

County/Parish**Province****Award Details****Federal Award Date**

8/10/23

Award Type

Initial

Award Number

15PBJA-23-GG-00186-BRND

Supplement Number

00

Federal Award Amount

\$950,000.00

Funding Instrument Type

Grant

**Assistance Listing
Number****Assistance Listings Program Title**

16.753

Congressionally Recommended Awards

Statutory Authority

Pub. L. No. 117-328, 136 Stat 4459, 4542-4543; 28 USC 530C

[X]

I have read and understand the information presented in this section of the Federal Award Instrument.

Project Information

This award is offered subject to the conditions or limitations set forth in the Award Information, Project Information, Financial Information, and Award Conditions.

Solicitation Title

2023 BJA FY 23 Invited to Apply- Byrne Discretionary
Community Project Funding/Byrne Discretionary Grants
Program

Awarding Agency

OJP

Program Office

BJA

Application Number

GRANT13825503

Grant Manager Name

Lauren Troy

Phone Number

[202-598-9472](tel:202-598-9472)

E-mail Address

Lauren.Troy@usdoj.gov

Project Title

Law Enforcement Technology Upgrades

Performance Period Start

Date

12/29/2022

Performance Period End Date

11/30/2024

Budget Period Start Date

12/29/2022

Budget Period End Date

11/30/2024

Project Description

The City of Elkins Police Department proposes to implement law enforcement technology upgrades. The purpose is to enhance public safety and protect life and property in the City of Elkins. Project activities include installing a street camera system with advanced license plate reader technology, a city-wide video management network to mesh technology functions for public safety, installation of in-vehicle camera systems with license plate reader technology, upgraded radar systems in police department vehicles, and enhanced communication systems that include patrol vehicle location and in-vehicle CAD system. Expected outcomes are increased public safety through the ability to quickly locate vehicles and persons suspected of criminal activity, increased case closure rates, increased resolution of traffic crash investigations, enhanced monitoring of roadway conditions, and increased officer safety. All residents and visitors of the City of Elkins, as well as the officers of the Elkins Police Department, are the expected beneficiaries of the project.

[X]

I have read and understand the information presented in this section of the Federal Award Instrument.

Financial Information

This award is offered subject to the conditions or limitations set forth in the Award Information, Project

Information, Financial Information, and Award Conditions.

A financial analysis of budgeted costs has been completed. Costs under this award appear reasonable, allowable, and consistent with existing guidelines. Exceptions / Adjustments are noted below.

sample text

Year 1	Total
Personnel	
\$0	\$0
Fringe Benefits	
\$0	\$0
Travel	
\$0	\$0
Equipment	
\$950,000	\$950,000
Supplies	
\$0	\$0
Construction	
\$0	\$0
SubAwards	
\$0	\$0
Procurement Contracts	
\$0	\$0
Other Costs	
\$0	\$0
Total Direct Costs	
\$950,000	\$950,000
Indirect Costs	
\$0	\$0

Total Project Costs

\$950,000

\$950,000

Federal

\$950,000

\$950,000

Non-Federal

\$0

\$0

Budget Totals

	Total	Percentage
Total Project Cost	\$950,000	
Federal Funds	\$950,000	100.00~symbolPlaceholder~
Non-Federal Amount	\$0	0.00~symbolPlaceholder~
Match Amount	\$0	0.00~symbolPlaceholder~
Program Income	\$ 0	

0.00~symbolPlaceholder~

Empty Space

Please note: After completing this budget detail summary, please confirm that the following final values entered in this section are identical to those entered in the corresponding estimated cost section of the Standard Applicant Information. Specifically, the following must be equivalent. If they are not, you will not be able to submit this application until they are updated to be equivalent.

Standard Applicant Information	Equals	Budget Summary
Total Estimated Funding	=	Total Project Costs
Federal Estimated Funding (federal share)	=	Federal Funds
Applicant Estimated Funding (non-federal share)	=	Match Amount
Program Income Estimated Funding	=	Program Income Amount

Budget Category

Personnel

Fringe Benefits

Travel

Equipment

Supplies

Construction

SubAwards

Procurement Contracts

Other Costs

Indirect Costs

[X]

I have read and understand the information presented in this section of the Federal Award Instrument.

Award Conditions

This award is offered subject to the conditions or limitations set forth in the Award Information, Project Information, Financial Information, and Award Conditions.

1

Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 38

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 38 (as may be applicable from time to time), specifically including any applicable requirements regarding written notice to program beneficiaries and prospective program beneficiaries.

Currently, among other things, 28 C.F.R. Part 38 includes rules that prohibit specific forms of discrimination on the basis of religion, a religious belief, a refusal to hold a religious belief, or refusal to attend or participate in a religious practice. Part 38, currently, also sets out rules and requirements that pertain to recipient and subrecipient ("subgrantee") organizations that engage in or conduct explicitly religious activities, as well as rules and requirements that pertain to recipients and subrecipients that are faith-based or religious organizations.

The text of 28 C.F.R. Part 38 is available via the Electronic Code of Federal Regulations (currently accessible at <https://www.ecfr.gov/cgi-bin/ECFR?page=browse>), by browsing to Title 28-Judicial Administration, Chapter 1, Part 38, under e-CFR "current" data.

2

Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 42

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 42, specifically including any applicable requirements in Subpart E of 28 C.F.R. Part 42 that relate to an equal employment opportunity program.

3

Applicability of Part 200 Uniform Requirements

The Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 C.F.R. Part 200, as adopted and supplemented by DOJ in 2 C.F.R. Part 2800 (together, the "Part 200 Uniform Requirements") apply to this FY 2022 award from OJP.

The Part 200 Uniform Requirements were first adopted by DOJ on December 26, 2014. If this FY 2022 award supplements funds previously awarded by OJP under the same award number (e.g., funds awarded during or before December 2014), the Part 200 Uniform Requirements apply with respect to all funds under that award number (regardless of the award date, and regardless of whether derived from the initial award or a supplemental award) that are obligated on or after the acceptance date of this FY 2022 award.

For more information and resources on the Part 200 Uniform Requirements as they relate to OJP awards and subawards ("subgrants"), see the OJP website at <https://ojp.gov/funding/Part200UniformRequirements.htm>.

Record retention and access: Records pertinent to the award that the recipient (and any subrecipient ("subgrantee") at any tier) must retain -- typically for a period of 3 years from the date of submission of the final expenditure report (SF 425), unless a different retention period applies -- and to which the recipient (and any subrecipient ("subgrantee") at any tier) must provide access, include performance measurement information, in addition to the financial records, supporting documents, statistical records, and other pertinent records indicated at 2 C.F.R. 200.334.

In the event that an award-related question arises from documents or other materials prepared or distributed by OJP that may appear to conflict with, or differ in some way from, the provisions of the Part 200 Uniform Requirements, the recipient is to contact OJP promptly for clarification.

4

Effect of failure to address audit issues

The recipient understands and agrees that the DOJ awarding agency (OJP or OVW, as appropriate) may withhold award funds, or may impose other related requirements, if (as determined by the DOJ awarding agency) the recipient does not satisfactorily and promptly address outstanding issues from audits required by the Part 200 Uniform Requirements (or by the terms of this award), or other outstanding issues that arise in connection with audits, investigations, or reviews of DOJ awards.

5

Requirements of the award; remedies for non-compliance or for materially false statements

The conditions of this award are material requirements of the award. Compliance with any assurances or certifications submitted by or on behalf of the recipient that relate to conduct during the period of performance also is a material requirement of this award.

Limited Exceptions. In certain special circumstances, the U.S. Department of Justice ("DOJ") may determine that it will not enforce, or enforce only in part, one or more requirements otherwise applicable to the award. Any such exceptions regarding enforcement, including any such exceptions made during the period of performance, are (or will be during the period of performance) set out through the Office of Justice Programs ("OJP") webpage entitled "Legal Notices: Special circumstances as to particular award conditions" (ojp.gov/funding/Explore/LegalNotices-AwardReqs.htm), and incorporated by reference into the award.

By signing and accepting this award on behalf of the recipient, the authorized recipient official accepts all material requirements of the award, and specifically adopts, as if personally executed by the authorized recipient official, all assurances or certifications submitted by or on behalf of the recipient that relate to conduct during the period of performance.

Failure to comply with one or more award requirements -- whether a condition set out in full below, a condition incorporated by reference below, or an assurance or certification related to conduct during the award period -- may result in OJP taking appropriate action with respect to the recipient and the award. Among other things, the OJP may withhold award funds, disallow costs, or suspend or terminate the award. DOJ, including OJP, also may take other legal action as appropriate.

Any materially false, fictitious, or fraudulent statement to the federal government related to this award (or concealment or omission of a material fact) may be the subject of criminal prosecution (including under 18 U.S.C. 1001 and/or 1621, and/or 34 U.S.C. 10271-10273), and also may lead to imposition of civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. 3729-3730 and 3801-3812).

Should any provision of a requirement of this award be held to be invalid or unenforceable by its terms, that provision shall first be applied with a limited construction so as to give it the maximum effect permitted by law. Should it be held, instead, that the provision is utterly invalid or -unenforceable, such provision shall be deemed severable from this award.

6

Employment eligibility verification for hiring under the award

1. The recipient (and any subrecipient at any tier) must--

A. Ensure that, as part of the hiring process for any position within the United States that is or will be funded (in whole or in part) with award funds, the recipient (or any subrecipient) properly verifies the employment eligibility of the individual who is being hired, consistent with the provisions of 8 U.S.C. 1324a(a)(1).

B. Notify all persons associated with the recipient (or any subrecipient) who are or will be involved in activities under this award of both--

(1) this award requirement for verification of employment eligibility, and

(2) the associated provisions in 8 U.S.C. 1324a(a)(1) that, generally speaking, make it unlawful, in the United States, to hire (or recruit for employment) certain aliens.

C. Provide training (to the extent necessary) to those persons required by this condition to be notified of the award requirement for employment eligibility verification and of the associated provisions of 8 U.S.C. 1324a(a)(1).

D. As part of the recordkeeping for the award (including pursuant to the Part 200 Uniform Requirements), maintain records of all employment eligibility verifications pertinent to compliance with this award condition in accordance with Form I-9 record retention requirements, as well as records of all pertinent notifications and trainings.

2. Monitoring

The recipient's monitoring responsibilities include monitoring of subrecipient compliance with this condition.

3. Allowable costs

To the extent that such costs are not reimbursed under any other federal program, award funds may be obligated for the reasonable, necessary, and allocable costs (if any) of actions designed to ensure compliance with this condition.

4. Rules of construction

A. Staff involved in the hiring process

For purposes of this condition, persons "who are or will be involved in activities under this award" specifically includes (without limitation) any and all recipient (or any subrecipient) officials or other staff who are or will be involved in the hiring process with respect to a position that is or will be funded (in whole or in part) with award funds.

B. Employment eligibility confirmation with E-Verify

For purposes of satisfying the requirement of this condition regarding verification of employment eligibility, the recipient (or any subrecipient) may choose to participate in, and use, E-Verify (www.e-verify.gov), provided an appropriate person authorized to act on behalf of the recipient (or subrecipient) uses E-Verify (and follows the proper E-Verify procedures, including in the event of a "Tentative Nonconfirmation" or a "Final Nonconfirmation") to confirm employment eligibility for each hiring for a position in the United States that is or will be funded (in whole or in part) with award funds.

C. "United States" specifically includes the District of Columbia, Puerto Rico, Guam, the Virgin Islands of the United States, and the Commonwealth of the Northern Mariana Islands.

D. Nothing in this condition shall be understood to authorize or require any recipient, any subrecipient at any tier, or any person or other entity, to violate any federal law, including any applicable civil rights or nondiscrimination law.

E. Nothing in this condition, including in paragraph 4.B., shall be understood to relieve any recipient, any subrecipient at any tier, or any person or other entity, of any obligation otherwise imposed by law, including 8 U.S.C. 1324a(a)(1).

Questions about E-Verify should be directed to DHS. For more information about E-Verify visit the E-Verify website (<https://www.e-verify.gov/>) or email E-Verify at E-Verify@dhs.gov. E-Verify employer agents can email E-Verify at E-VerifyEmployerAgent@dhs.gov.

Questions about the meaning or scope of this condition should be directed to OJP, before award acceptance.

7

OJP Training Guiding Principles

Any training or training materials that the recipient -- or any subrecipient ("subgrantee") at any tier -- develops or delivers with OJP award funds must adhere to the OJP Training Guiding Principles for Grantees and Subgrantees, available at <https://www.ojp.gov/funding/implement/training-guiding-principles-grantees-and-subgrantees>.

8

Requirements related to "de minimis" indirect cost rate

A recipient that is eligible under the Part 200 Uniform Requirements and other applicable law to use the "de minimis" indirect cost rate described in 2 C.F.R. 200.414(f), and that elects to use the "de minimis" indirect cost rate, must advise OJP in writing of both its eligibility and its election, and must comply with all associated requirements in the Part 200 Uniform Requirements. The "de minimis" rate may be applied only to modified total direct costs (MTDC) as defined by the Part 200 Uniform Requirements.

9

Determination of suitability to interact with participating minors

SCOPE. This condition applies to this award if it is indicated -- in the application for the award (as approved by DOJ)(or in the application for any subaward, at any tier), the DOJ funding announcement (solicitation), or an associated federal statute -- that a purpose of some or all of the activities to be carried out under the award (whether by the recipient, or a subrecipient at any tier) is to benefit a set of individuals under 18 years of age.

The recipient, and any subrecipient at any tier, must make determinations of suitability before certain individuals may interact with participating minors. This requirement applies regardless of an individual's employment status.

The details of this requirement are posted on the OJP web site at <https://ojp.gov/funding/Explore/Interact-Minors.htm> (Award condition: Determination of suitability required, in advance, for certain individuals who may interact with participating minors), and are incorporated by reference here.

10

Compliance with general appropriations-law restrictions on the use of federal funds (FY 2022)

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable restrictions on the use of federal funds set out in federal appropriations statutes. Pertinent restrictions, including from various "general provisions" in the Consolidated Appropriations Act, 2022, are set out at <https://www.ojp.gov/funding/Explore/FY22AppropriationsRestrictions.htm>, and are incorporated by reference here.

Should a question arise as to whether a particular use of federal funds by a recipient (or a subrecipient) would or might fall within the scope of an appropriations-law restriction, the recipient is to contact OJP for guidance, and may not proceed without the express prior written approval of OJP.

11

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 54, which relates to nondiscrimination on the basis of sex in certain "education programs."

12

Potential imposition of additional requirements

The recipient agrees to comply with any additional requirements that may be imposed by the DOJ awarding agency (OJP or OVW, as appropriate) during the period of performance for this award, if the recipient is designated as "high-risk" for purposes of the DOJ high-risk grantee list.

13

Required training for Grant Award Administrator and Financial Manager

The Grant Award Administrator and all Financial Managers for this award must have successfully completed an "OJP financial management and grant administration training" by 120 days after the date of the recipient's acceptance of the award. Successful completion of such a training on or after October 15, 2020, will satisfy this condition.

In the event that either the Grant Award Administrator or a Financial Manager for this award changes during the period of performance, the new Grant Award Administrator or Financial Manager must have successfully completed an "OJP financial management and grant administration training" by 120 calendar days after the date the Entity Administrator enters updated Grant Award Administrator or Financial Manager information in JustGrants. Successful completion of such a training on or after October 15, 2020, will satisfy this condition.

A list of OJP trainings that OJP will consider "OJP financial management and grant administration training" for purposes of this condition is available at <https://onlinegfmt.training.ojp.gov/>. All trainings that satisfy this condition include a session on grant fraud prevention and detection.

The recipient should anticipate that OJP will immediately withhold ("freeze") award funds if the recipient fails to comply with this condition. The recipient's failure to comply also may lead OJP to impose additional appropriate conditions on this award.

14

Compliance with 41 U.S.C. 4712 (including prohibitions on reprisal; notice to employees)

The recipient (and any subrecipient at any tier) must comply with, and is subject to, all applicable provisions of 41 U.S.C. 4712, including all applicable provisions that prohibit, under specified circumstances, discrimination against an employee as reprisal for the employee's disclosure of information related to gross mismanagement of a federal grant, a gross waste of federal funds, an abuse of authority relating to a federal grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a federal grant.

The recipient also must inform its employees, in writing (and in the predominant native language of the workforce), of employee rights and remedies under 41 U.S.C. 4712.

Should a question arise as to the applicability of the provisions of 41 U.S.C. 4712 to this award, the recipient is to contact the DOJ awarding agency (OJP or OVW, as appropriate) for guidance.

15

Requirement to report actual or imminent breach of personally identifiable information (PII)

The recipient (and any "subrecipient" at any tier) must have written procedures in place to respond in the event of an actual or imminent "breach" (OMB M-17-12) if it (or a subrecipient) -- (1) creates, collects, uses, processes, stores, maintains, disseminates, discloses, or disposes of "Personally Identifiable Information (PII)" (2 CFR 200.1) within the scope of an OJP grant-funded program or activity, or (2) uses or operates a "Federal information system" (OMB Circular A-130). The recipient's breach procedures must include a requirement to report actual or imminent breach of PII to an OJP Program Manager no later than 24 hours after an occurrence of an actual breach, or the detection of an

imminent breach.

16

Compliance with applicable rules regarding approval, planning, and reporting of conferences, meetings, trainings, and other events

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable laws, regulations, policies, and official DOJ guidance (including specific cost limits, prior approval and reporting requirements, where applicable) governing the use of federal funds for expenses related to conferences (as that term is defined by DOJ), including the provision of food and/or beverages at such conferences, and costs of attendance at such conferences.

Information on the pertinent DOJ definition of conferences and the rules applicable to this award appears in the DOJ Grants Financial Guide (currently, as section 3.10 of "Postaward Requirements" in the "DOJ Grants Financial Guide").

17

Requirement for data on performance and effectiveness under the award

The recipient must collect and maintain data that measure the performance and effectiveness of work under this award. The data must be provided to OJP in the manner (including within the timeframes) specified by OJP in the program solicitation or other applicable written guidance. Data collection supports compliance with the Government Performance and Results Act (GPRA) and the GPRA Modernization Act of 2010, and other applicable laws.

18

Requirement to disclose whether recipient is designated "high risk" by a federal grant-making agency outside of DOJ

If the recipient is designated "high risk" by a federal grant-making agency outside of DOJ, currently or at any time during the course of the period of performance under this award, the recipient must disclose that fact and certain related information to OJP by email at OJP.ComplianceReporting@ojp.usdoj.gov. For purposes of this disclosure, high risk includes any status under which a federal awarding agency provides additional oversight due to the recipient's past performance, or other programmatic or financial concerns with the recipient. The recipient's disclosure must include the following: 1. The federal awarding agency that currently designates the recipient high risk, 2. The date the recipient was designated high risk, 3. The high-risk point of contact at that federal awarding agency (name, phone number, and email address), and 4. The reasons for the high-risk status, as set out by the federal awarding agency.

19

Compliance with DOJ Grants Financial Guide

References to the DOJ Grants Financial Guide are to the DOJ Grants Financial Guide as posted on the OJP website (currently, the "DOJ Grants Financial Guide" available at <https://ojp.gov/financialguide/DOJ/index.htm>), including any updated version that may be posted during the period of performance. The recipient agrees to comply with the DOJ Grants Financial Guide.

20

Encouragement of policies to ban text messaging while driving

Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), DOJ encourages recipients and subrecipients ("subgrantees") to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this award, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.

21

Restrictions and certifications regarding non-disclosure agreements and related matters

No recipient or subrecipient ("subgrantee") under this award, or entity that receives a procurement contract or

subcontract with any funds under this award, may require any employee or contractor to sign an internal confidentiality agreement or statement that prohibits or otherwise restricts, or purports to prohibit or restrict, the reporting (in accordance with law) of waste, fraud, or abuse to an investigative or law enforcement representative of a federal department or agency authorized to receive such information.

The foregoing is not intended, and shall not be understood by the agency making this award, to contravene requirements applicable to Standard Form 312 (which relates to classified information), Form 4414 (which relates to sensitive compartmented information), or any other form issued by a federal department or agency governing the nondisclosure of classified information.

1. In accepting this award, the recipient--

a. represents that it neither requires nor has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

b. certifies that, if it learns or is notified that it is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

2. If the recipient does or is authorized under this award to make subawards ("subgrants"), procurement contracts, or both--

a. it represents that--

(1) it has determined that no other entity that the recipient's application proposes may or will receive award funds (whether through a subaward ("subgrant"), procurement contract, or subcontract under a procurement contract) either requires or has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

(2) it has made appropriate inquiry, or otherwise has an adequate factual basis, to support this representation; and

b. it certifies that, if it learns or is notified that any subrecipient, contractor, or subcontractor entity that receives funds under this award is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds to or by that entity, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

22

Reclassification of various statutory provisions to a new Title 34 of the United States Code

On September 1, 2017, various statutory provisions previously codified elsewhere in the U.S. Code were editorially reclassified (that is, moved and renumbered) to a new Title 34, entitled "Crime Control and Law Enforcement." The reclassification encompassed a number of statutory provisions pertinent to OJP awards (that is, OJP grants and cooperative agreements), including many provisions previously codified in Title 42 of the U.S. Code.

Effective as of September 1, 2017, any reference in this award document to a statutory provision that has been reclassified to the new Title 34 of the U.S. Code is to be read as a reference to that statutory provision as reclassified to Title 34. This rule of construction specifically includes references set out in award conditions, references set out in material incorporated by reference through award conditions, and references set out in other award requirements.

23

Specific post-award approval required to use a noncompetitive approach in any procurement contract that would exceed \$250,000

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements to obtain specific advance approval to use a noncompetitive approach in any procurement contract that would exceed the Simplified Acquisition Threshold (currently, \$250,000). This condition applies to agreements that -- for purposes of federal grants administrative requirements -- OJP considers a procurement "contract" (and therefore does not consider a subaward).

The details of the requirement for advance approval to use a noncompetitive approach in a procurement contract under an OJP award are posted on the OJP web site at <https://ojp.gov/funding/Explore/NoncompetitiveProcurement.htm> (Award condition: Specific post-award approval required to use a noncompetitive approach in a procurement contract (if contract would exceed \$250,000)), and are incorporated by reference here.

24

Requirements pertaining to prohibited conduct related to trafficking in persons (including reporting requirements and OJP authority to terminate award)

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements (including requirements to report allegations) pertaining to prohibited conduct related to the trafficking of persons, whether on the part of recipients, subrecipients ("subgrantees"), or individuals defined (for purposes of this condition) as "employees" of the recipient or of any subrecipient.

The details of the recipient's obligations related to prohibited conduct related to trafficking in persons are posted on the OJP web site at <https://ojp.gov/funding/Explore/ProhibitedConduct-Trafficking.htm> (Award condition: Prohibited conduct by recipients and subrecipients related to trafficking in persons (including reporting requirements and OJP authority to terminate award)), and are incorporated by reference here.

25

Requirement to report potentially duplicative funding

If the recipient currently has other active awards of federal funds, or if the recipient receives any other award of federal funds during the period of performance for this award, the recipient promptly must determine whether funds from any of those other federal awards have been, are being, or are to be used (in whole or in part) for one or more of the identical cost items for which funds are provided under this award. If so, the recipient must promptly notify the DOJ awarding agency (OJP or OVW, as appropriate) in writing of the potential duplication, and, if so requested by the DOJ awarding agency, must seek a budget-modification or change-of-project-scope Grant Award Modification (GAM) to eliminate any inappropriate duplication of funding.

26

Reporting potential fraud, waste, and abuse, and similar misconduct

The recipient, and any subrecipients ("subgrantees") at any tier, must promptly refer to the DOJ Office of the Inspector General (OIG) any credible evidence that a principal, employee, agent, subrecipient, contractor, subcontractor, or other person has, in connection with funds under this award-- (1) submitted a claim that violates the False Claims Act; or (2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct.

Potential fraud, waste, abuse, or misconduct involving or relating to funds under this award should be reported to the OIG by--(1) online submission accessible via the OIG webpage at <https://oig.justice.gov/hotline/contact-grants.htm> (select "Submit Report Online"); (2) mail directed to: U.S. Department of Justice, Office of the Inspector General, Investigations Division, ATTN: Grantee Reporting, 950 Pennsylvania Ave., NW, Washington, DC 20530; and/or (3) by facsimile directed to the DOJ OIG Investigations Division (Attn: Grantee Reporting) at (202) 616-9881 (fax).

Additional information is available from the DOJ OIG website at <https://oig.justice.gov/hotline>.

27

All subawards ("subgrants") must have specific federal authorization

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements for authorization of any subaward. This condition applies to agreements that -- for purposes of federal grants administrative requirements -- OJP considers a "subaward" (and therefore does not consider a procurement "contract").

The details of the requirement for authorization of any subaward are posted on the OJP web site at <https://ojp.gov/funding/Explore/SubawardAuthorization.htm> (Award condition: All subawards ("subgrants") must have specific federal authorization), and are incorporated by reference here.

28

Requirements related to System for Award Management and Universal Identifier Requirements

The recipient must comply with applicable requirements regarding the System for Award Management (SAM), currently accessible at <https://www.sam.gov/>. This includes applicable requirements regarding registration with SAM, as well as maintaining the currency of information in SAM.

The recipient also must comply with applicable restrictions on subawards ("subgrants") to first-tier subrecipients (first-tier "subgrantees"), including restrictions on subawards to entities that do not acquire and provide (to the recipient) the unique entity identifier required for SAM registration.

The details of the recipient's obligations related to SAM and to unique entity identifiers are posted on the OJP web site at <https://ojp.gov/funding/Explore/SAM.htm> (Award condition: System for Award Management (SAM) and Universal Identifier Requirements), and are incorporated by reference here.

This condition does not apply to an award to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).

29

Restrictions on "lobbying"

In general, as a matter of federal law, federal funds awarded by OJP may not be used by the recipient, or any subrecipient ("subgrantee") at any tier, either directly or indirectly, to support or oppose the enactment, repeal, modification, or adoption of any law, regulation, or policy, at any level of government. See 18 U.S.C. 1913. (There may be exceptions if an applicable federal statute specifically authorizes certain activities that otherwise would be barred by law.)

Another federal law generally prohibits federal funds awarded by OJP from being used by the recipient, or any subrecipient at any tier, to pay any person to influence (or attempt to influence) a federal agency, a Member of Congress, or Congress (or an official or employee of any of them) with respect to the awarding of a federal grant or cooperative agreement, subgrant, contract, subcontract, or loan, or with respect to actions such as renewing, extending, or modifying any such award. See 31 U.S.C. 1352. Certain exceptions to this law apply, including an exception that applies to Indian tribes and tribal organizations.

Should any question arise as to whether a particular use of federal funds by a recipient (or subrecipient) would or might fall within the scope of these prohibitions, the recipient is to contact OJP for guidance, and may not proceed without the express prior written approval of OJP.

30

Compliance with restrictions on the use of federal funds--prohibited and controlled equipment under OJP awards

Consistent with Executive Order 14074, "Advancing Effective, Accountable Policing and Criminal Justice Practices To Enhance Public Trust and Public Safety," OJP has prohibited the use of federal funds under this award for purchases or transfers of specified equipment by law enforcement agencies. In addition, OJP requires the recipient, and any subrecipient ("subgrantee") at any tier, to put in place specified controls prior to using federal funds under this award to acquire or transfer any property identified on the "controlled equipment" list. The details of the requirement are posted on the OJP web site at <https://www.ojp.gov/funding/explore/prohibited-and-controlled-equipment> (Award condition: Compliance with restrictions on the use of federal funds--prohibited and controlled equipment under OJP awards), and

are incorporated by reference here.

31

The recipient understands that, in accepting this award, the Authorized Representative declares and certifies, among other things, that he or she possesses the requisite legal authority to accept the award on behalf of the recipient entity and, in so doing, accepts (or adopts) all material requirements that relate to conduct throughout the period of performance under this award. The recipient further understands, and agrees, that it will not assign anyone to the role of Authorized Representative during the period of performance under the award without first ensuring that the individual has the requisite legal authority.

32

Verification and updating of recipient contact information

The recipient must verify its Grant Award Administrator, Financial Manager, and Authorized Representative contact information in JustGrants, including telephone number and e-mail address. If any information is incorrect or has changed, the award recipient's Entity Administrator must make changes to contact information through DIAMD. Instructions on how to update contact information in JustGrants can be found at <https://justicegrants.usdoj.gov/training/training-entity-management>.

33

Compliance with 28 C.F.R. Part 23

With respect to any information technology system funded or supported by funds under this award, the recipient (and any subrecipient at any tier) must comply with 28 C.F.R. Part 23, Criminal Intelligence Systems Operating Policies, if OJP determines this regulation to be applicable. Should OJP determine 28 C.F.R. Part 23 to be applicable, OJP may, at its discretion, perform audits of the system, as per the regulation. Should any violation of 28 C.F.R. Part 23 occur, the recipient may be fined as per 34 U.S.C. 10231(c)-(d). The recipient may not satisfy such a fine with federal funds.

34

Protection of human research subjects

The recipient (and any subrecipient at any tier) must comply with the requirements of 28 C.F.R. Part 46 and all OJP policies and procedures regarding the protection of human research subjects, including obtainment of Institutional Review Board approval, if appropriate, and subject informed consent.

35

Confidentiality of data

The recipient (and any subrecipient at any tier) must comply with all confidentiality requirements of 34 U.S.C. 10231 and 28 C.F.R. Part 22 that are applicable to collection, use, and revelation of data or information. The recipient further agrees, as a condition of award approval, to submit a Privacy Certificate that is in accord with requirements of 28 C.F.R. Part 22 and, in particular, 28 C.F.R. 22.23.

36

Copyright; Data rights

The recipient acknowledges that OJP reserves a royalty-free, non-exclusive, and irrevocable license to reproduce, publish, or otherwise use, and authorize others to use (in whole or in part, including in connection with derivative works), for Federal purposes: (1) any work subject to copyright developed under an award or subaward (at any tier); and (2) any rights of copyright to which a recipient or subrecipient (at any tier) purchases ownership with Federal support.

The recipient acknowledges that OJP has the right to (1) obtain, reproduce, publish, or otherwise use the data first produced under any such award or subaward; and (2) authorize others to receive, reproduce, publish, or otherwise use such data for Federal purposes. "Data" includes data as defined in Federal Acquisition Regulation (FAR) provision

52.227-14 (Rights in Data - General).

It is the responsibility of the recipient (and of each subrecipient (at any tier), if applicable) to ensure that the provisions of this condition are included in any subaward (at any tier) under this award.

The recipient has the responsibility to obtain from subrecipients, contractors, and subcontractors (if any) all rights and data necessary to fulfill the recipient's obligations to the Government under this award. If a proposed subrecipient, contractor, or subcontractor refuses to accept terms affording the Government such rights, the recipient shall promptly bring such refusal to the attention of the OJP program manager for the award and not proceed with the agreement in question without further authorization from the OJP program office.

37

Justice Information Sharing

Information sharing projects funded under this award must comply with DOJ's Global Justice Information Sharing Initiative (Global) guidelines. The recipient (and any subrecipient at any tier) must conform to the Global Standards Package (GSP) and all constituent elements, where applicable, as described at: https://it.ojp.gov/gsp_grantcondition. The recipient (and any subrecipient at any tier) must document planned approaches to information sharing and describe compliance with the GSP and appropriate privacy policy that protects shared information, or provide detailed justification for why an alternative approach is recommended.

38

The recipient agrees that no funds under this grant award (including via subcontract or subaward, at any tier) may be used for unmanned aircraft systems (UAS), which includes unmanned aircraft vehicles (UAV), or for any accompanying accessories to support UAS.

39

Any Web site that is funded in whole or in part under this award must include the following statement on the home page, on all major entry pages (i.e., pages (exclusive of documents) whose primary purpose is to navigate the user to interior content), and on any pages from which a visitor may access or use a Web-based service, including any pages that provide results or outputs from the service: "This Web site is funded in whole or in part through a grant from the Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice. Neither the U.S. Department of Justice nor any of its components operate, control, are responsible for, or necessarily endorse, this Web site (including, without limitation, its content, technical infrastructure, and policies, and any services or tools provided)." The full text of the foregoing statement must be clearly visible on the home page. On other pages, the statement may be included through a link, entitled "Notice of Federal Funding and Federal Disclaimer," to the full text of the statement.

40

Any written, visual, or audio publications funded in whole or in part under this award, with the exception of press releases, shall contain the following statements: "This project was supported by Grant No. <AWARD_NUMBER> awarded by the Bureau of Justice Assistance. The Bureau of Justice Assistance is a component of the Department of Justice's Office of Justice Programs, which also includes the Bureau of Justice Statistics, the National Institute of Justice, the Office of Juvenile Justice and Delinquency Prevention, the Office for Victims of Crime, and the SMART Office. Points of view or opinions in this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice." The current edition of the DOJ Grants Financial Guide provides guidance on allowable printing and publication activities.

41

The recipient agrees to cooperate with any assessments, national evaluation efforts, or information or data collection requests, including, but not limited to, the provision of any information required for the assessment or evaluation of any activities within this project.

42

FFATA reporting: Subawards and executive compensation

The recipient must comply with applicable requirements to report first-tier subawards ("subgrants") of \$30,000 or more and, in certain circumstances, to report the names and total compensation of the five most highly compensated executives of the recipient and first-tier subrecipients (first-tier "subgrantees") of award funds. The details of recipient obligations, which derive from the Federal Funding Accountability and Transparency Act of 2006 (FFATA), are posted on the OJP web site at <https://ojp.gov/funding/Explore/FFATA.htm> (Award condition: Reporting Subawards and Executive Compensation), and are incorporated by reference here.

This condition, including its reporting requirement, does not apply to-- (1) an award of less than \$30,000, or (2) an award made to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).

43

The recipient agrees to comply with OJP grant monitoring guidelines, protocols, and procedures, and to cooperate with BJA and OCFO on all grant monitoring requests, including requests related to desk reviews, enhanced programmatic desk reviews, and/or site visits. The recipient agrees to provide to BJA and OCFO all documentation necessary to complete monitoring tasks, including documentation related to any subawards made under this award. Further, the recipient agrees to abide by reasonable deadlines set by BJA and OCFO for providing the requested documents. Failure to cooperate with BJA's/OCFO's grant monitoring activities may result in sanctions affecting the recipient's DOJ awards, including, but not limited to: withholdings and/or other restrictions on the recipient's access to grant funds; referral to the Office of the Inspector General for audit review; designation of the recipient as a DOJ High Risk grantee; or termination of an award(s).

44

Justification of consultant rate

Approval of this award does not indicate approval of any consultant rate in excess of \$650 per day. A detailed justification must be submitted to and approved by the OJP program office prior to obligation or expenditure of such funds.

45

The recipient shall submit semiannual performance reports. Performance reports shall be submitted within 30 days after the end of the reporting periods, which are June 30 and December 31, for the life of the award. These reports will be submitted to the Office of Justice Programs, on-line through the Internet at <https://justgrants.usdoj.gov>

46

The recipient agrees that it will submit quarterly financial status reports (the SF 425 Federal Financial Report) to OJP in JustGrants, no later than the deadlines set out in the DOJ Financial Guide and the JustGrants guidance (typically 30 days after the end of each calendar quarter). Delinquent reports may lead to funds being frozen and other remedies.

47

As of the first day of the period of performance for the award, the recipient may choose to incur project costs using non-federal funds, but any such project costs are incurred at the recipient's risk until, at a minimum, all applicable withholding conditions are removed by OJP (via an Award Condition Modification (ACM)).

Except to the extent (if any) that an award condition expressly precludes reimbursement of project costs incurred "at-risk," if and when the recipient makes a valid acceptance of this award and OJP removes each applicable withholding condition through an Award Condition Modification (ACM), the recipient is authorized to reimburse itself for project costs incurred "at-risk" earlier during the period of performance (such as project costs incurred prior to award acceptance or prior to removal of an applicable withholding condition), provided that those project costs otherwise are allowable costs under the award.

48

Limit on use of grant funds for grantees' employees' salaries

With respect to this award, federal funds may not be used to pay cash compensation (salary plus bonuses) to any

employee of the award recipient at a rate that exceeds 110% of the maximum annual salary payable to a member of the federal government's Senior Executive Service (SES) at an agency with a Certified SES Performance Appraisal System for that year. (An award recipient may compensate an employee at a higher rate, provided the amount in excess of this compensation limitation is paid with non-federal funds.)

This limitation on compensation rates allowable under this award may be waived on an individual basis at the discretion of the OJP official indicated in the program announcement under which this award is made.

49

Recipient integrity and performance matters: Requirement to report information on certain civil, criminal, and administrative proceedings to SAM and FAPIIS

The recipient must comply with any and all applicable requirements regarding reporting of information on civil, criminal, and administrative proceedings connected with (or connected to the performance of) either this OJP award or any other grant, cooperative agreement, or procurement contract from the federal government. Under certain circumstances, recipients of OJP awards are required to report information about such proceedings, through the federal System for Award Management (known as "SAM"), to the designated federal integrity and performance system (currently, "FAPIIS").

The details of recipient obligations regarding the required reporting (and updating) of information on certain civil, criminal, and administrative proceedings to the federal designated integrity and performance system (currently, "FAPIIS") within SAM are posted on the OJP web site at <https://ojp.gov/funding/FAPIIS.htm> (Award condition: Recipient Integrity and Performance Matters, including Recipient Reporting to FAPIIS), and are incorporated by reference here.

50

The recipient may not expend or draw down funds until the Office of the Chief Financial Officer (OCFO) has approved the budget and budget narrative and an Award Condition Modification (ACM) has been issued to remove this award condition.

51

The recipient may not expend or draw down any award funds until—

(1) OJP determines that the recipient's Grant Award Administrator and all Financial Manager for this award have successfully completed an "OJP financial management and grant administration training" on or after October 15, 2020, and

(2) OJP issues an Award Condition Modification (ACM) to modify or remove this condition. Once both the Grant Award Administrator and Financial Manager have successfully completed the training required by this condition, the recipient may contact the designated grant manager for the award to request initiation of an ACM to remove this condition.

A list of the OJP trainings that OJP will consider an "OJP financial management and grant administration training" for purposes of this condition is available at <https://onlinegfmt.training.ojp.gov/>. All trainings that satisfy this condition include a session on grant fraud prevention and detection.

52

The recipient agrees to promptly provide, upon request, financial or programmatic-related documentation related to this award, including documentation of expenditures and achievements. The recipient understands that it will be subject to additional financial and programmatic in-depth or on-site monitoring, which may be on short notice, and agrees that it will cooperate with any such monitoring. The recipient agrees to develop or maintain effective internal controls to manage federal awards (see 2 C.F.R. 200.303) and effective financial management policies and procedures to manage federal awards (see 2 C.F.R. 200.302).

53

The recipient agrees to comply with all Federal, State, and local environmental laws and regulations applicable to the development and implementation of the activities to be funded under this award.

Environmental Assessment (EA): The recipient agrees and understands that funded activities (whether conducted by the recipient or subrecipients or contractors) may require the preparation of an EA as defined by the Council on Environmental Quality's Regulations for implementing the Procedural Provisions of the National Environmental Policy Act (NEPA), found at 40 CFR Part 1500. An EA is a concise public document that briefly provides sufficient analysis for determining whether to prepare an environmental impact statement (EIS) or a finding of no significant impact for the proposed activity. If in completing an EA for a proposed activity, potential adverse environmental impacts are identified, the EA will serve as a vehicle for developing either alternative approaches or mitigation measures for avoiding or reducing the identified adverse environmental impacts.

Modifications: Throughout the term of this award, the recipient agrees that for any activity that is the subject of a completed EA, it will inform BJA of-- (1) any change(s) that it is considering making to the previously assessed activity that may be relevant to environmental impact; or (2) any proposed new activities or changed circumstances that may require assessment as to environmental impact, such as new activities that involve the use of chemicals or involve construction or major renovation. The recipient will not implement a proposed change or new activity until BJA, with the assistance of the recipient, has determined whether the proposed change or activity (or changed circumstances) will require additional review under NEPA. Approval for implementation will not be unreasonably withheld as long as any requested modification(s) is consistent with eligible program purposes and found acceptable under a BJA-conducted environmental impact review process.

54

The recipient agrees not to expend or draw down any award funds until the program office has verified that the recipient has submitted all necessary documentation required to comply with the Department of Justice Procedures for Implementing the National Environmental Policy Act found at 28 CFR Part 61 and an Award Condition Modification (ACM) has been issued removing this condition.

55

The recipient may not expend, or drawdown funds under this award until: (1) it has submitted to the grant manager for this OJP award, for review and approval, a revised budget narrative, and (2) OJP has issued an Award Condition Modification (ACM) to remove this award condition.

[X]

I have read and understand the information presented in this section of the Federal Award Instrument.

Award Acceptance

Declaration and Certification to the U.S. Department of Justice as to Acceptance

By checking the declaration and certification box below, I--

A. Declare to the U.S. Department of Justice (DOJ), under penalty of perjury, that I have authority to make this declaration and certification on behalf of the applicant.

B. Certify to DOJ, under penalty of perjury, on behalf of myself and the applicant, to the best of my knowledge and belief, that the following are true as of the date of this award acceptance: (1) I have conducted or there was conducted (including by applicant's legal counsel as appropriate and made available to me) a diligent review of all terms and conditions of, and all supporting materials submitted in connection with, this award, including any assurances and certifications (including anything submitted in connection therewith by a person on behalf of the applicant before, after, or at the time of the application submission and any materials that accompany this acceptance and certification); and (2) I have the legal authority to accept this award on behalf of the applicant.

C. Accept this award on behalf of the applicant.

D. Declare the following to DOJ, under penalty of perjury, on behalf of myself and the applicant: (1) I understand

that, in taking (or not taking) any action pursuant to this declaration and certification, DOJ will rely upon this declaration and certification as a material representation; and (2) I understand that any materially false, fictitious, or fraudulent information or statement in this declaration and certification (or concealment or omission of a material fact as to either) may be the subject of criminal prosecution (including under 18 U.S.C. §§ 1001 and/or 1621, and/or 34 U.S.C. §§ 10271-10273), and also may subject me and the applicant to civil penalties and administrative remedies under the federal False Claims Act (including under 31 U.S.C. §§ 3729-3730 and/or §§ 3801-3812) or otherwise.

Agency Approval

Title of Approving Official	Name of Approving Official	Signed Date And Time
Deputy Assistant Attorney General	Maureen Henneberg	7/27/23 9:00 PM

Authorized Representative

Declaration and Certification

Entity Acceptance

Title of Authorized Entity Official
Mayor

Name of Authorized Entity Official
Jerry Marco

Signed Date And Time
9/19/2023 5:31 PM



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	October 19, 2023
Section:	New business
Category:	Resolution
Agenda Item Name:	Resolution 1691: Authorizing Acceptance of U.S. Department of Justice Edward Byrne Memorial Justice Assistance Grant direct funding for K9 unit
Recommended By:	Police Chief
Summary:	This is not a traditional competitive grant, instead it is a special category of U.S. Department of Justice Edward Byrne Memorial Justice Assistance Grant (JAG). Funds are a direct allocation awarded by DOJ on the basis of statistical analysis after application of a formula. For this program, EPD was notified of the availability of \$10,346 for certain allowed law enforcement purposes. EPD proposes to use these funds to help with establishing a second K-9 unit (one of the allowed categories).
Fiscal Impact:	Award of \$10,346. EPD is in the process of establishing two K-9 units. Total setup costs for both are approximately \$36,000 (including acquisition of animals, setup of patrol cars, and related equipment and supplies). In addition to this DOJ JAG funding, EPD has secured an additional \$7,500 through a program available to suppliers of K9 dogs and is seeking \$5,000 through the Walmart Community Grant program. The department is also accepting a \$5,000 contribution offered by a private donor. No budget revisions are being requested for the remaining amount of about \$8,000, which EPD can cover using allocated FY 2024 budget funds.
Recommendation:	Consider for approval and acceptance of funds
Attachments:	1. R-1691 - accepting Byrne JAG direct funding for K9 unit 2. FY23 WV JAG allocations 3. Award_Package_FAW-178923

IN THE COMMON COUNCIL OF THE CITY OF ELKINS, WV

A RESOLUTION OF COMMON COUNCIL

(#1691)
October 19, 2023

***Authorizing acceptance of U.S. Department of Justice Edward Byrne Memorial
Justice Assistance Grant Program direct funding for EPD K9 unit***

WHEREAS, the Common Council (“Council”) of the City of Elkins, West Virginia (“City”) has been notified by the U.S. Department of Justice (DOJ) of its eligibility to receive \$10,346 in direct funding through the Edward Byrne Memorial Justice Assistance Grant Program, as shown in the attached agreement; and,

WHEREAS, the Elkins Police Department proposes to use these funds to contribute to the establishment of a K9 unit; and,

WHEREAS, upon the recommendation of the Elkins Police Department, Council believes it is in the best interest of the citizens of Elkins to accept this funding;

NOW, THEREFORE, BE IT RESOLVED THAT:

The Common Council hereby accepts the terms and authorizes execution of the attached agreement by the Mayor or his designee.

Jerry A. Marco, Mayor

Attest:

Sutton R. Stokes, City Clerk

2023 West Virginia Local JAG Allocation

Listed below are all jurisdictions in the state that are eligible for FY 2023 JAG funding, as determined by the JAG formula. For additional details regarding the JAG formula and award calculation process, with examples, please refer to the JAG Technical report here: <https://bjs.ojp.gov/library/publications/justice-assistance-grant-jag-program-2021> and current JAG Frequently Asked Questions here: <https://bja.ojp.gov/program/jag/frequently-asked-questions>.

Finding your jurisdiction:

- (1) Disparate jurisdictions are listed in shaded groups below, in alphabetic order by county.
- (2) Direct allocations are listed alphabetically below the shaded, disparate groupings.
- (3) Counties that have an asterisk (*) under the "Direct Allocation" column did not submit the level of violent crime data to qualify for a direct award from BJA, but are in the disparate grouping indicated by the shaded area. The JAG legislation requires these counties to remain a partner with the local jurisdictions receiving funds and must be a signatory on the required Memorandum of Understanding (MOU). A sample MOU is provided online at: <https://www.bja.gov/Funding/JAGMOU.pdf>. Disparate jurisdictions do not need to abide by the listed individual allocations, which are provided for information only. Jurisdictions in a funding disparity are responsible for determining individual amounts within the Eligible Joint Allocation and for documenting individual allocations in the MOU.

State	Jurisdiction	Government Type	Direct Allocation	Joint Allocation
WV	CABELL COUNTY	County	*	
WV	HUNTINGTON CITY	Municipal	\$64,955	\$64,955
WV	HARRISON COUNTY	County	*	
WV	CLARKSBURG CITY	Municipal	\$15,650	\$15,650
WV	OHIO COUNTY	County	\$10,869	
WV	WHEELING CITY	Municipal	\$57,555	\$68,424
WV	WOOD COUNTY	County	\$16,304	
WV	PARKERSBURG CITY	Municipal	\$27,632	\$43,936
WV	BECKLEY CITY	Municipal	\$21,936	
WV	BERKELEY COUNTY	County	\$15,257	
WV	BLUEFIELD CITY	Municipal	\$19,251	
WV	CHARLESTON CITY	Municipal	\$73,924	
WV	DUNBAR CITY	Municipal	\$11,918	
WV	ELKINS CITY	Municipal	\$10,346	
WV	FAIRMONT CITY	Municipal	\$15,125	
WV	FAYETTE COUNTY	County	\$12,311	
WV	KANAWHA COUNTY	County	\$81,127	
WV	LOGAN COUNTY	County	\$23,376	
WV	MARION COUNTY	County	\$13,358	
WV	MARTINSBURG CITY	Municipal	\$11,132	
WV	MERCER COUNTY	County	\$16,565	
WV	MONONGALIA COUNTY	County	\$16,304	
WV	MORGANTOWN CITY	Municipal	\$14,536	
WV	NICHOLAS COUNTY	County	\$30,251	
WV	PUTNAM COUNTY	County	\$33,133	
WV	RALEIGH COUNTY	County	\$22,065	
WV	RANDOLPH COUNTY	County	\$15,650	
WV	WYOMING COUNTY	County	\$16,829	



Department of Justice (DOJ)

Office of Justice Programs

Bureau of Justice Assistance

Washington, D.C. 20531

Name and Address of Recipient:	CITY OF ELKINS 401 DAVIS AVE RM 102
City, State and Zip:	ELKINS, WV 26241
Recipient UEI:	HMLJSH9L8UC5
Project Title: BJA FY 23 Edward Byrne Memorial Justice Assistance Grant (JAG) Program - Local Solicitation-Police K9-Purchase	Award Number: 15PBJA-23-GG-03942-JAGX
Solicitation Title: BJA FY 23 Edward Byrne Memorial Justice Assistance Grant (JAG) Program - Local Solicitation	
Federal Award Amount: \$10,346.00	Federal Award Date: 9/26/23
Awarding Agency:	Office of Justice Programs Bureau of Justice Assistance
Funding Instrument Type:	Grant
Opportunity Category: D	
Assistance Listing: 16.738 - Edward Byrne Memorial Justice Assistance Grant Program	
Project Period Start Date: 10/1/22	Project Period End Date: 9/30/24
Budget Period Start Date: 10/1/22	Budget Period End Date: 9/30/24
Project Description: The City of Elkins will use JAG funds to purchase a K9 capable of detecting controlled illicit substances to help combat the effects of illegal drug trafficking in the area.	

Award Letter

September 26, 2023

Dear Jerry Marco,

On behalf of Attorney General Merrick B. Garland, it is my pleasure to inform you the Office of Justice Programs (OJP) has approved the application submitted by CITY OF ELKINS for an award under the funding opportunity entitled 2023 BJA FY 23 Edward Byrne Memorial Justice Assistance Grant (JAG) Program - Local Solicitation. The approved award amount is \$10,346.

Review the Award Instrument below carefully and familiarize yourself with all conditions and requirements before accepting your award. The Award Instrument includes the Award Offer (Award Information, Project Information, Financial Information, and Award Conditions) and Award Acceptance. For COPS Office and OVW funding the Award Offer also includes any Other Award Documents.

Please note that award requirements include not only the conditions and limitations set forth in the Award Offer, but also compliance with assurances and certifications that relate to conduct during the period of performance for the award. These requirements encompass financial, administrative, and programmatic matters, as well as other important matters (e.g., specific restrictions on use of funds). Therefore, all key staff should receive the award conditions, the assurances and certifications, and the application as approved by OJP, so that they understand the award requirements. Information on all pertinent award requirements also must be provided to any subrecipient of the award.

Should you accept the award and then fail to comply with an award requirement, DOJ will pursue appropriate remedies for non-compliance, which may include termination of the award and/or a requirement to repay award funds.

Prior to accepting the award, your Entity Administrator must assign a Financial Manager, Grant Award Administrator, and Authorized Representative(s) in the Justice Grants System (JustGrants). The Entity Administrator will need to ensure the assigned Authorized Representative(s) is current and has the legal authority to accept awards and bind the entity to the award terms and conditions. To accept the award, the Authorized Representative(s) must accept all parts of the Award Offer in the Justice Grants System (JustGrants), including by executing the required declaration and certification, within 45 days from the award date.

To access your funds, you will need to enroll in the Automated Standard Application for Payments (ASAP) system, if you haven't already completed the enrollment process in ASAP. The Entity Administrator should have already received an email from ASAP to initiate this process.

Congratulations, and we look forward to working with you.

Maureen Henneberg
Deputy Assistant Attorney General
Office for Civil Rights Notice for All Recipients

The Office for Civil Rights (OCR), Office of Justice Programs (OJP), U.S. Department of Justice (DOJ) has been delegated the responsibility for ensuring that recipients of federal financial assistance from the OJP, the Office of Community Oriented Policing Services (COPS), and the Office on Violence Against Women (OVW) are not engaged in discrimination prohibited by law. Several federal civil rights laws, such as Title VI of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973, require recipients of federal financial assistance to give assurances that they will comply with those laws. Taken together, these civil rights laws prohibit recipients of federal financial assistance from DOJ from discriminating in services and employment because of race, color, national origin, religion, disability, sex, and, for grants authorized under the Violence Against Women Act, sexual orientation and gender identity. Recipients are also prohibited from discriminating in services because of age. For a complete review of these civil rights laws and nondiscrimination requirements, in connection with DOJ awards, see <https://ojp.gov/funding/Explore/LegalOverview/CivilRightsRequirements.htm>.

Under the delegation of authority, the OCR investigates allegations of discrimination against recipients from individuals, entities, or groups. In addition, the OCR conducts limited compliance reviews and audits based on regulatory criteria.

These reviews and audits permit the OCR to evaluate whether recipients of financial assistance from the Department are providing services in a nondiscriminatory manner to their service population or have employment practices that meet equal-opportunity standards.

If you are a recipient of grant awards under the Omnibus Crime Control and Safe Streets Act or the Juvenile Justice and Delinquency Prevention Act and your agency is part of a criminal justice system, there are two additional obligations that may apply in connection with the awards: (1) complying with the regulation relating to Equal Employment Opportunity Programs (EEOPs); and (2) submitting findings of discrimination to OCR. For additional information regarding the EEOP requirement, see 28 CFR Part 42, subpart E, and for additional information regarding requirements when there is an adverse finding, see 28 C.F.R. §§ 42.204(c), .205(c)(5).

The OCR is available to help you and your organization meet the civil rights requirements that are associated with DOJ grant funding. If you would like the OCR to assist you in fulfilling your organization's civil rights or nondiscrimination responsibilities as a recipient of federal financial assistance, please do not hesitate to contact the OCR at askOCR@ojp.usdoj.gov.

Memorandum Regarding NEPA

NEPA Letter Type

OJP - Ongoing NEPA Compliance Incorporated into Further Developmental Stages

NEPA Letter

The Edward Byrne Memorial Justice Assistance Grant Program (JAG) allows states and local governments to support a broad range of activities to prevent and control crime and to improve the criminal justice system, some of which could have environmental impacts. All recipients of JAG funding must assist BJA in complying with NEPA and other related federal environmental impact analyses requirements in the use of grant funds, whether the funds are used directly by the grantee or by a subgrantee or third party. Accordingly, prior to obligating funds for any of the specified activities, the grantee must first determine if any of the specified activities will be funded by the grant.

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The specified activities requiring environmental analysis are:

- a. New construction;
- b. Any renovation or remodeling of a property located in an environmentally or historically sensitive area, including properties located within a 100-year flood plain, a wetland, or habitat for endangered species, or a property listed on or eligible for listing on the National Register of Historic Places;
- c. A renovation, lease, or any proposed use of a building or facility that will either (a) result in a change in its basic prior use or (b) significantly change its size;
- d. Implementation of a new program involving the use of chemicals other than chemicals that are (a) purchased as an incidental component of a funded activity and (b) traditionally used, for example, in office, household, recreational, or education environments; and
- e. Implementation of a program relating to clandestine methamphetamine laboratory operations, including the identification, seizure, or closure of clandestine methamphetamine laboratories.

Complying with NEPA may require the preparation of an Environmental Assessment and/or an Environmental Impact Statement, as directed by BJA. Further, for programs relating to methamphetamine laboratory operations, the preparation of a detailed Mitigation Plan will be required. For more information about Mitigation Plan requirements, please see <https://www.bja.gov/Funding/nepa.html> .

NEPA Coordinator

First Name	Middle Name	Last Name
Orbin		Terry

Award Information

This award is offered subject to the conditions or limitations set forth in the Award Information, Project Information, Financial Information, and Award Conditions.

Recipient Information

Recipient Name
CITY OF ELKINS

UEI
HMLJSH9L8UC5

Street 1	Street 2
401 DAVIS AVE RM 102	

City	State/U.S. Territory
ELKINS	West Virginia

Zip/Postal Code	Country
26241	United States

County/Parish	Province

Award Details

Federal Award Date	Award Type
9/26/23	Initial

Award Number	Supplement Number
15PBJA-23-GG-03942-JAGX	00

Federal Award Amount	Funding Instrument Type
\$10,346.00	Grant

Assistance Listing Number	Assistance Listings Program Title
16.738	Edward Byrne Memorial Justice Assistance Grant Program
Statutory Authority	
Title I of Public Law 90-351 (generally codified at 34 U.S.C. 10101-10726), including subpart 1 of part E (codified at 34 U.S.C. 10151-10158); see also 28 U.S.C. 530C(a)	
I have read and understand the information presented in this section of the Federal Award Instrument.	
Project Information	
This award is offered subject to the conditions or limitations set forth in the Award Information, Project Information, Financial Information, and Award Conditions.	
Solicitation Title	Awarding Agency
2023 BJA FY 23 Edward Byrne Memorial Justice Assistance Grant (JAG) Program - Local Solicitation	OJP
Application Number	Program Office
GRANT13953644	BJA
Grant Manager Name	
Shaketta Cunningham	
Phone Number	
202-514-4493	
E-mail Address	
Shaketta.Cunningham@usdoj.gov	
Project Title	
BJA FY 23 Edward Byrne Memorial Justice Assistance Grant (JAG) Program - Local Solicitation-Police K9-Purchase	
Performance Period Start Date	
10/01/2022	Performance Period End Date
	09/30/2024
Budget Period Start Date	Budget Period End Date
10/01/2022	09/30/2024
Project Description	
The City of Elkins will use JAG funds to purchase a K9 capable of detecting controlled illicit substances to help combat the effects of illegal drug trafficking in the area.	
I have read and understand the information presented in this section of the Federal Award Instrument.	

Financial Information

This award is offered subject to the conditions or limitations set forth in the Award Information, Project Information, Financial Information, and Award Conditions.

[]

I have read and understand the information presented in this section of the Federal Award Instrument.

Award Conditions

This award is offered subject to the conditions or limitations set forth in the Award Information, Project Information, Financial Information, and Award Conditions.

1

Compliance with restrictions on the use of federal funds--prohibited and controlled equipment under OJP awards

Consistent with Executive Order 14074, "Advancing Effective, Accountable Policing and Criminal Justice Practices To Enhance Public Trust and Public Safety," OJP has prohibited the use of federal funds under this award for purchases or transfers of specified equipment by law enforcement agencies. In addition, OJP requires the recipient, and any subrecipient ("subgrantee") at any tier, to put in place specified controls prior to using federal funds under this award to acquire or transfer any property identified on the "controlled equipment" list. The details of the requirement are posted on the OJP web site at <https://www.ojp.gov/funding/explore/prohibited-and-controlled-equipment> (Award condition: Compliance with restrictions on the use of federal funds--prohibited and controlled equipment under OJP awards), and are incorporated by reference here.

2

Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 54

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 54, which relates to nondiscrimination on the basis of sex in certain "education programs."

3

Compliance with 41 U.S.C. 4712 (including prohibitions on reprisal; notice to employees)

The recipient (and any subrecipient at any tier) must comply with, and is subject to, all applicable provisions of 41 U.S.C. 4712, including all applicable provisions that prohibit, under specified circumstances, discrimination against an employee as reprisal for the employee's disclosure of information related to gross mismanagement of a federal grant, a gross waste of federal funds, an abuse of authority relating to a federal grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a federal grant.

The recipient also must inform its employees, in writing (and in the predominant native language of the workforce), of employee rights and remedies under 41 U.S.C. 4712.

Should a question arise as to the applicability of the provisions of 41 U.S.C. 4712 to this award, the recipient is to contact the DOJ awarding agency (OJP or OVW, as appropriate) for guidance.

4

Applicability of Part 200 Uniform Requirements

The Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 C.F.R. Part 200, as adopted and supplemented by DOJ in 2 C.F.R. Part 2800 (together, the "Part 200 Uniform Requirements") apply to this FY 2022 award from OJP.

The Part 200 Uniform Requirements were first adopted by DOJ on December 26, 2014. If this FY 2022 award supplements funds previously awarded by OJP under the same award number (e.g., funds awarded during or before December 2014), the Part 200 Uniform Requirements apply with respect to all funds under that award number (regardless of the award date, and regardless of whether derived from the initial award or a supplemental award) that are obligated on or after the acceptance date of this FY 2022 award.

For more information and resources on the Part 200 Uniform Requirements as they relate to OJP awards and subawards ("subgrants"), see the OJP website at <https://ojp.gov/funding/Part200UniformRequirements.htm>.

Record retention and access: Records pertinent to the award that the recipient (and any subrecipient ("subgrantee") at any tier) must retain -- typically for a period of 3 years from the date of submission of the final expenditure report (SF 425), unless a different retention period applies -- and to which the recipient (and any subrecipient ("subgrantee") at any tier) must provide access, include performance measurement information, in addition to the financial records, supporting documents, statistical records, and other pertinent records indicated at 2 C.F.R. 200.334.

In the event that an award-related question arises from documents or other materials prepared or distributed by OJP that may appear to conflict with, or differ in some way from, the provisions of the Part 200 Uniform Requirements, the recipient is to contact OJP promptly for clarification.

5

Compliance with applicable rules regarding approval, planning, and reporting of conferences, meetings, trainings, and other events

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable laws, regulations, policies, and official DOJ guidance (including specific cost limits, prior approval and reporting requirements, where applicable) governing the use of federal funds for expenses related to conferences (as that term is defined by DOJ), including the provision of food and/or beverages at such conferences, and costs of attendance at such conferences.

Information on the pertinent DOJ definition of conferences and the rules applicable to this award appears in the DOJ Grants Financial Guide (currently, as section 3.10 of "Postaward Requirements" in the "DOJ Grants Financial Guide").

6

Requirement for data on performance and effectiveness under the award

The recipient must collect and maintain data that measure the performance and effectiveness of work under this award. The data must be provided to OJP in the manner (including within the timeframes) specified by OJP in the program solicitation or other applicable written guidance. Data collection supports compliance with the Government Performance and Results Act (GPRA) and the GPRA Modernization Act of 2010, and other applicable laws.

7

Compliance with DOJ Grants Financial Guide

References to the DOJ Grants Financial Guide are to the DOJ Grants Financial Guide as posted on the OJP website (currently, the "DOJ Grants Financial Guide" available at <https://ojp.gov/financialguide/DOJ/index.htm>), including any updated version that may be posted during the period of performance. The recipient agrees to comply with the DOJ Grants Financial Guide.

8

Compliance with general appropriations-law restrictions on the use of federal funds (FY 2022)

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable restrictions on the use of federal funds set out in federal appropriations statutes. Pertinent restrictions, including from various "general provisions" in the Consolidated Appropriations Act, 2022, are set out at <https://www.ojp.gov/funding/Explore/FY22AppropriationsRestrictions.htm>, and are incorporated by reference here.

Should a question arise as to whether a particular use of federal funds by a recipient (or a subrecipient) would or might fall within the scope of an appropriations-law restriction, the recipient is to contact OJP for guidance, and may not

proceed without the express prior written approval of OJP.

9

Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 38

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 38 (as may be applicable from time to time), specifically including any applicable requirements regarding written notice to program beneficiaries and prospective program beneficiaries.

Currently, among other things, 28 C.F.R. Part 38 includes rules that prohibit specific forms of discrimination on the basis of religion, a religious belief, a refusal to hold a religious belief, or refusal to attend or participate in a religious practice. Part 38, currently, also sets out rules and requirements that pertain to recipient and subrecipient ("subgrantee") organizations that engage in or conduct explicitly religious activities, as well as rules and requirements that pertain to recipients and subrecipients that are faith-based or religious organizations.

The text of 28 C.F.R. Part 38 is available via the Electronic Code of Federal Regulations (currently accessible at <https://www.ecfr.gov/cgi-bin/ECFR?page=browse>), by browsing to Title 28-Judicial Administration, Chapter 1, Part 38, under e-CFR "current" data.

10

Effect of failure to address audit issues

The recipient understands and agrees that the DOJ awarding agency (OJP or OVW, as appropriate) may withhold award funds, or may impose other related requirements, if (as determined by the DOJ awarding agency) the recipient does not satisfactorily and promptly address outstanding issues from audits required by the Part 200 Uniform Requirements (or by the terms of this award), or other outstanding issues that arise in connection with audits, investigations, or reviews of DOJ awards.

11

Requirements of the award; remedies for non-compliance or for materially false statements

The conditions of this award are material requirements of the award. Compliance with any assurances or certifications submitted by or on behalf of the recipient that relate to conduct during the period of performance also is a material requirement of this award.

Limited Exceptions. In certain special circumstances, the U.S. Department of Justice ("DOJ") may determine that it will not enforce, or enforce only in part, one or more requirements otherwise applicable to the award. Any such exceptions regarding enforcement, including any such exceptions made during the period of performance, are (or will be during the period of performance) set out through the Office of Justice Programs ("OJP") webpage entitled "Legal Notices: Special circumstances as to particular award conditions" (ojp.gov/funding/Explore/LegalNotices-AwardReqs.htm), and incorporated by reference into the award.

By signing and accepting this award on behalf of the recipient, the authorized recipient official accepts all material requirements of the award, and specifically adopts, as if personally executed by the authorized recipient official, all assurances or certifications submitted by or on behalf of the recipient that relate to conduct during the period of performance.

Failure to comply with one or more award requirements -- whether a condition set out in full below, a condition incorporated by reference below, or an assurance or certification related to conduct during the award period -- may result in OJP taking appropriate action with respect to the recipient and the award. Among other things, the OJP may withhold award funds, disallow costs, or suspend or terminate the award. DOJ, including OJP, also may take other legal action as appropriate.

Any materially false, fictitious, or fraudulent statement to the federal government related to this award (or concealment or omission of a material fact) may be the subject of criminal prosecution (including under 18 U.S.C. 1001 and/or 1621, and/or 34 U.S.C. 10271-10273), and also may lead to imposition of civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. 3729-3730 and 3801-3812).

Should any provision of a requirement of this award be held to be invalid or unenforceable by its terms, that provision shall first be applied with a limited construction so as to give it the maximum effect permitted by law. Should it be held, instead, that the provision is utterly invalid or -unenforceable, such provision shall be deemed severable from this award.

12

Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 42

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 42, specifically including any applicable requirements in Subpart E of 28 C.F.R. Part 42 that relate to an equal employment opportunity program.

13

Requirements related to "de minimis" indirect cost rate

A recipient that is eligible under the Part 200 Uniform Requirements and other applicable law to use the "de minimis" indirect cost rate described in 2 C.F.R. 200.414(f), and that elects to use the "de minimis" indirect cost rate, must advise OJP in writing of both its eligibility and its election, and must comply with all associated requirements in the Part 200 Uniform Requirements. The "de minimis" rate may be applied only to modified total direct costs (MTDC) as defined by the Part 200 Uniform Requirements.

14

Employment eligibility verification for hiring under the award

1. The recipient (and any subrecipient at any tier) must--

A. Ensure that, as part of the hiring process for any position within the United States that is or will be funded (in whole or in part) with award funds, the recipient (or any subrecipient) properly verifies the employment eligibility of the individual who is being hired, consistent with the provisions of 8 U.S.C. 1324a(a)(1).

B. Notify all persons associated with the recipient (or any subrecipient) who are or will be involved in activities under this award of both--

(1) this award requirement for verification of employment eligibility, and

(2) the associated provisions in 8 U.S.C. 1324a(a)(1) that, generally speaking, make it unlawful, in the United States, to hire (or recruit for employment) certain aliens.

C. Provide training (to the extent necessary) to those persons required by this condition to be notified of the award requirement for employment eligibility verification and of the associated provisions of 8 U.S.C. 1324a(a)(1).

D. As part of the recordkeeping for the award (including pursuant to the Part 200 Uniform Requirements), maintain records of all employment eligibility verifications pertinent to compliance with this award condition in accordance with Form I-9 record retention requirements, as well as records of all pertinent notifications and trainings.

2. Monitoring

The recipient's monitoring responsibilities include monitoring of subrecipient compliance with this condition.

3. Allowable costs

To the extent that such costs are not reimbursed under any other federal program, award funds may be obligated for the reasonable, necessary, and allocable costs (if any) of actions designed to ensure compliance with this condition.

4. Rules of construction

A. Staff involved in the hiring process

For purposes of this condition, persons "who are or will be involved in activities under this award" specifically includes (without limitation) any and all recipient (or any subrecipient) officials or other staff who are or will be involved in the hiring process with respect to a position that is or will be funded (in whole or in part) with award funds.

B. Employment eligibility confirmation with E-Verify

For purposes of satisfying the requirement of this condition regarding verification of employment eligibility, the recipient (or any subrecipient) may choose to participate in, and use, E-Verify (www.e-verify.gov), provided an appropriate person authorized to act on behalf of the recipient (or subrecipient) uses E-Verify (and follows the proper E-Verify procedures, including in the event of a "Tentative Nonconfirmation" or a "Final Nonconfirmation") to confirm employment eligibility for each hiring for a position in the United States that is or will be funded (in whole or in part) with award funds.

C. "United States" specifically includes the District of Columbia, Puerto Rico, Guam, the Virgin Islands of the United States, and the Commonwealth of the Northern Mariana Islands.

D. Nothing in this condition shall be understood to authorize or require any recipient, any subrecipient at any tier, or any person or other entity, to violate any federal law, including any applicable civil rights or nondiscrimination law.

E. Nothing in this condition, including in paragraph 4.B., shall be understood to relieve any recipient, any subrecipient at any tier, or any person or other entity, of any obligation otherwise imposed by law, including 8 U.S.C. 1324a(a)(1).

Questions about E-Verify should be directed to DHS. For more information about E-Verify visit the E-Verify website (<https://www.e-verify.gov/>) or email E-Verify at E-Verify@dhs.gov. E-Verify employer agents can email E-Verify at E-VerifyEmployerAgent@dhs.gov.

Questions about the meaning or scope of this condition should be directed to OJP, before award acceptance.

15

OJP Training Guiding Principles

Any training or training materials that the recipient -- or any subrecipient ("subgrantee") at any tier -- develops or delivers with OJP award funds must adhere to the OJP Training Guiding Principles for Grantees and Subgrantees, available at <https://www.ojp.gov/funding/implement/training-guiding-principles-grantees-and-subgrantees>.

16

Determination of suitability to interact with participating minors

SCOPE. This condition applies to this award if it is indicated -- in the application for the award (as approved by DOJ)(or in the application for any subaward, at any tier), the DOJ funding announcement (solicitation), or an associated federal statute -- that a purpose of some or all of the activities to be carried out under the award (whether by the recipient, or a subrecipient at any tier) is to benefit a set of individuals under 18 years of age.

The recipient, and any subrecipient at any tier, must make determinations of suitability before certain individuals may interact with participating minors. This requirement applies regardless of an individual's employment status.

The details of this requirement are posted on the OJP web site at <https://ojp.gov/funding/Explore/Interact-Minors.htm> (Award condition: Determination of suitability required, in advance, for certain individuals who may interact with participating minors), and are incorporated by reference here.

17

Potential imposition of additional requirements

The recipient agrees to comply with any additional requirements that may be imposed by the DOJ awarding agency (OJP or OVW, as appropriate) during the period of performance for this award, if the recipient is designated as "high-

risk" for purposes of the DOJ high-risk grantee list.

18

Required training for Grant Award Administrator and Financial Manager

The Grant Award Administrator and all Financial Managers for this award must have successfully completed an "OJP financial management and grant administration training" by 120 days after the date of the recipient's acceptance of the award. Successful completion of such a training on or after October 15, 2020, will satisfy this condition.

In the event that either the Grant Award Administrator or a Financial Manager for this award changes during the period of performance, the new Grant Award Administrator or Financial Manager must have successfully completed an "OJP financial management and grant administration training" by 120 calendar days after the date the Entity Administrator enters updated Grant Award Administrator or Financial Manager information in JustGrants. Successful completion of such a training on or after October 15, 2020, will satisfy this condition.

A list of OJP trainings that OJP will consider "OJP financial management and grant administration training" for purposes of this condition is available at <https://onlinegfmt.training.ojp.gov/>. All trainings that satisfy this condition include a session on grant fraud prevention and detection.

The recipient should anticipate that OJP will immediately withhold ("freeze") award funds if the recipient fails to comply with this condition. The recipient's failure to comply also may lead OJP to impose additional appropriate conditions on this award.

19

Restrictions and certifications regarding non-disclosure agreements and related matters

No recipient or subrecipient ("subgrantee") under this award, or entity that receives a procurement contract or subcontract with any funds under this award, may require any employee or contractor to sign an internal confidentiality agreement or statement that prohibits or otherwise restricts, or purports to prohibit or restrict, the reporting (in accordance with law) of waste, fraud, or abuse to an investigative or law enforcement representative of a federal department or agency authorized to receive such information.

The foregoing is not intended, and shall not be understood by the agency making this award, to contravene requirements applicable to Standard Form 312 (which relates to classified information), Form 4414 (which relates to sensitive compartmented information), or any other form issued by a federal department or agency governing the nondisclosure of classified information.

1. In accepting this award, the recipient--

a. represents that it neither requires nor has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

b. certifies that, if it learns or is notified that it is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

2. If the recipient does or is authorized under this award to make subawards ("subgrants"), procurement contracts, or both--

a. it represents that--

(1) it has determined that no other entity that the recipient's application proposes may or will receive award funds (whether through a subaward ("subgrant"), procurement contract, or subcontract under a procurement contract) either requires or has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste,

fraud, or abuse as described above; and

(2) it has made appropriate inquiry, or otherwise has an adequate factual basis, to support this representation; and

b. it certifies that, if it learns or is notified that any subrecipient, contractor, or subcontractor entity that receives funds under this award is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds to or by that entity, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

20

Reclassification of various statutory provisions to a new Title 34 of the United States Code

On September 1, 2017, various statutory provisions previously codified elsewhere in the U.S. Code were editorially reclassified (that is, moved and renumbered) to a new Title 34, entitled "Crime Control and Law Enforcement." The reclassification encompassed a number of statutory provisions pertinent to OJP awards (that is, OJP grants and cooperative agreements), including many provisions previously codified in Title 42 of the U.S. Code.

Effective as of September 1, 2017, any reference in this award document to a statutory provision that has been reclassified to the new Title 34 of the U.S. Code is to be read as a reference to that statutory provision as reclassified to Title 34. This rule of construction specifically includes references set out in award conditions, references set out in material incorporated by reference through award conditions, and references set out in other award requirements.

21

Requirement to report actual or imminent breach of personally identifiable information (PII)

The recipient (and any "subrecipient" at any tier) must have written procedures in place to respond in the event of an actual or imminent "breach" (OMB M-17-12) if it (or a subrecipient) -- (1) creates, collects, uses, processes, stores, maintains, disseminates, discloses, or disposes of "Personally Identifiable Information (PII)" (2 CFR 200.1) within the scope of an OJP grant-funded program or activity, or (2) uses or operates a "Federal information system" (OMB Circular A-130). The recipient's breach procedures must include a requirement to report actual or imminent breach of PII to an OJP Program Manager no later than 24 hours after an occurrence of an actual breach, or the detection of an imminent breach.

22

Requirement to disclose whether recipient is designated "high risk" by a federal grant-making agency outside of DOJ

If the recipient is designated "high risk" by a federal grant-making agency outside of DOJ, currently or at any time during the course of the period of performance under this award, the recipient must disclose that fact and certain related information to OJP by email at OJP.ComplianceReporting@ojp.usdoj.gov. For purposes of this disclosure, high risk includes any status under which a federal awarding agency provides additional oversight due to the recipient's past performance, or other programmatic or financial concerns with the recipient. The recipient's disclosure must include the following: 1. The federal awarding agency that currently designates the recipient high risk, 2. The date the recipient was designated high risk, 3. The high-risk point of contact at that federal awarding agency (name, phone number, and email address), and 4. The reasons for the high-risk status, as set out by the federal awarding agency.

23

Encouragement of policies to ban text messaging while driving

Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), DOJ encourages recipients and subrecipients ("subgrantees") to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this award, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.

24

All subawards ("subgrants") must have specific federal authorization

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements for authorization of any subaward. This condition applies to agreements that -- for purposes of federal grants administrative requirements -- OJP considers a "subaward" (and therefore does not consider a procurement "contract").

The details of the requirement for authorization of any subaward are posted on the OJP web site at <https://ojp.gov/funding/Explore/SubawardAuthorization.htm> (Award condition: All subawards ("subgrants") must have specific federal authorization), and are incorporated by reference here.

25

Specific post-award approval required to use a noncompetitive approach in any procurement contract that would exceed \$250,000

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements to obtain specific advance approval to use a noncompetitive approach in any procurement contract that would exceed the Simplified Acquisition Threshold (currently, \$250,000). This condition applies to agreements that -- for purposes of federal grants administrative requirements -- OJP considers a procurement "contract" (and therefore does not consider a subaward).

The details of the requirement for advance approval to use a noncompetitive approach in a procurement contract under an OJP award are posted on the OJP web site at <https://ojp.gov/funding/Explore/NoncompetitiveProcurement.htm> (Award condition: Specific post-award approval required to use a noncompetitive approach in a procurement contract (if contract would exceed \$250,000)), and are incorporated by reference here.

26

Requirements pertaining to prohibited conduct related to trafficking in persons (including reporting requirements and OJP authority to terminate award)

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements (including requirements to report allegations) pertaining to prohibited conduct related to the trafficking of persons, whether on the part of recipients, subrecipients ("subgrantees"), or individuals defined (for purposes of this condition) as "employees" of the recipient or of any subrecipient.

The details of the recipient's obligations related to prohibited conduct related to trafficking in persons are posted on the OJP web site at <https://ojp.gov/funding/Explore/ProhibitedConduct-Trafficking.htm> (Award condition: Prohibited conduct by recipients and subrecipients related to trafficking in persons (including reporting requirements and OJP authority to terminate award)), and are incorporated by reference here.

27

Requirement to report potentially duplicative funding

If the recipient currently has other active awards of federal funds, or if the recipient receives any other award of federal funds during the period of performance for this award, the recipient promptly must determine whether funds from any of those other federal awards have been, are being, or are to be used (in whole or in part) for one or more of the identical cost items for which funds are provided under this award. If so, the recipient must promptly notify the DOJ awarding agency (OJP or OVW, as appropriate) in writing of the potential duplication, and, if so requested by the DOJ awarding agency, must seek a budget-modification or change-of-project-scope Grant Award Modification (GAM) to eliminate any inappropriate duplication of funding.

28

Reporting potential fraud, waste, and abuse, and similar misconduct

The recipient, and any subrecipients ("subgrantees") at any tier, must promptly refer to the DOJ Office of the Inspector General (OIG) any credible evidence that a principal, employee, agent, subrecipient, contractor, subcontractor, or other

person has, in connection with funds under this award-- (1) submitted a claim that violates the False Claims Act; or (2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct.

Potential fraud, waste, abuse, or misconduct involving or relating to funds under this award should be reported to the OIG by--(1) online submission accessible via the OIG webpage at <https://oig.justice.gov/hotline/contact-grants.htm> (select "Submit Report Online"); (2) mail directed to: U.S. Department of Justice, Office of the Inspector General, Investigations Division, ATTN: Grantee Reporting, 950 Pennsylvania Ave., NW, Washington, DC 20530; and/or (3) by facsimile directed to the DOJ OIG Investigations Division (Attn: Grantee Reporting) at (202) 616-9881 (fax).

Additional information is available from the DOJ OIG website at <https://oig.justice.gov/hotline>.

29

Requirements related to System for Award Management and Universal Identifier Requirements

The recipient must comply with applicable requirements regarding the System for Award Management (SAM), currently accessible at <https://www.sam.gov/>. This includes applicable requirements regarding registration with SAM, as well as maintaining the currency of information in SAM.

The recipient also must comply with applicable restrictions on subawards ("subgrants") to first-tier subrecipients (first-tier "subgrantees"), including restrictions on subawards to entities that do not acquire and provide (to the recipient) the unique entity identifier required for SAM registration.

The details of the recipient's obligations related to SAM and to unique entity identifiers are posted on the OJP web site at <https://ojp.gov/funding/Explore/SAM.htm> (Award condition: System for Award Management (SAM) and Universal Identifier Requirements), and are incorporated by reference here.

This condition does not apply to an award to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).

30

Restrictions on "lobbying"

In general, as a matter of federal law, federal funds awarded by OJP may not be used by the recipient, or any subrecipient ("subgrantee") at any tier, either directly or indirectly, to support or oppose the enactment, repeal, modification, or adoption of any law, regulation, or policy, at any level of government. See 18 U.S.C. 1913. (There may be exceptions if an applicable federal statute specifically authorizes certain activities that otherwise would be barred by law.)

Another federal law generally prohibits federal funds awarded by OJP from being used by the recipient, or any subrecipient at any tier, to pay any person to influence (or attempt to influence) a federal agency, a Member of Congress, or Congress (or an official or employee of any of them) with respect to the awarding of a federal grant or cooperative agreement, subgrant, contract, subcontract, or loan, or with respect to actions such as renewing, extending, or modifying any such award. See 31 U.S.C. 1352. Certain exceptions to this law apply, including an exception that applies to Indian tribes and tribal organizations.

Should any question arise as to whether a particular use of federal funds by a recipient (or subrecipient) would or might fall within the scope of these prohibitions, the recipient is to contact OJP for guidance, and may not proceed without the express prior written approval of OJP.

31

Justice Information Sharing

Information sharing projects funded under this award must comply with DOJ's Global Justice Information Sharing Initiative (Global) guidelines. The recipient (and any subrecipient at any tier) must conform to the Global Standards Package (GSP) and all constituent elements, where applicable, as described at: https://it.ojp.gov/gsp_grantcondition. The recipient (and any subrecipient at any tier) must document planned approaches to information sharing and

describe compliance with the GSP and appropriate privacy policy that protects shared information, or provide detailed justification for why an alternative approach is recommended.

32

Avoidance of duplication of networks

To avoid duplicating existing networks or IT systems in any initiatives funded by BJA for law enforcement information sharing systems which involve interstate connectivity between jurisdictions, such systems shall employ, to the extent possible, existing networks as the communication backbone to achieve interstate connectivity, unless the recipient can demonstrate to the satisfaction of BJA that this requirement would not be cost effective or would impair the functionality of an existing or proposed IT system.

33

Law enforcement task forces - required training

Within 120 days of award acceptance, each current member of a law enforcement task force funded with award funds who is a task force commander, agency executive, task force officer, or other task force member of equivalent rank, must complete required online (internet-based) task force training. Additionally, all future task force members must complete this training once during the period of performance for this award, or once every four years if multiple OJP awards include this requirement.

The required training is available free of charge online through the BJA-funded Center for Task Force Integrity and Leadership (www.ctfli.org). The training addresses task force effectiveness, as well as other key issues including privacy and civil liberties/rights, task force performance measurement, personnel selection, and task force oversight and accountability. If award funds are used to support a task force, the recipient must compile and maintain a task force personnel roster, along with course completion certificates.

Additional information regarding the training is available through BJA's web site and the Center for Task Force Integrity and Leadership (www.ctfli.org).

34

Required monitoring of subawards

The recipient must monitor subawards under this award in accordance with all applicable statutes, regulations, award conditions, and the DOJ Grants Financial Guide, and must include the applicable conditions of this award in any subaward. Among other things, the recipient is responsible for oversight of subrecipient spending and monitoring of specific outcomes and benefits attributable to use of award funds by subrecipients. The recipient agrees to submit, upon request, documentation of its policies and procedures for monitoring of subawards under this award.

35

Any written, visual, or audio publications funded in whole or in part under this award, with the exception of press releases, shall contain the following statements: "This project was supported by Grant No. <AWARD_NUMBER> awarded by the Bureau of Justice Assistance. The Bureau of Justice Assistance is a component of the Department of Justice's Office of Justice Programs, which also includes the Bureau of Justice Statistics, the National Institute of Justice, the Office of Juvenile Justice and Delinquency Prevention, the Office for Victims of Crime, and the SMART Office. Points of view or opinions in this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice." The current edition of the DOJ Grants Financial Guide provides guidance on allowable printing and publication activities.

36

Any Web site that is funded in whole or in part under this award must include the following statement on the home page, on all major entry pages (i.e., pages (exclusive of documents) whose primary purpose is to navigate the user to interior content), and on any pages from which a visitor may access or use a Web-based service, including any pages that provide results or outputs from the service: "This Web site is funded in whole or in part through a grant from the Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice. Neither the U.S. Department of Justice nor any of its components operate, control, are responsible for, or necessarily endorse, this Web site (including,

without limitation, its content, technical infrastructure, and policies, and any services or tools provided)." The full text of the foregoing statement must be clearly visible on the home page. On other pages, the statement may be included through a link, entitled "Notice of Federal Funding and Federal Disclaimer," to the full text of the statement.

37

Verification and updating of recipient contact information

The recipient must verify its Grant Award Administrator, Financial Manager, and Authorized Representative contact information in JustGrants, including telephone number and e-mail address. If any information is incorrect or has changed, the award recipient's Entity Administrator must make changes to contact information through DIAMD. Instructions on how to update contact information in JustGrants can be found at <https://justicegrants.usdoj.gov/training/training-entity-management>.

38

Compliance with National Environmental Policy Act and related statutes

Upon request, the recipient (and any subrecipient at any tier) must assist BJA in complying with the National Environmental Policy Act (NEPA), the National Historic Preservation Act, and other related federal environmental impact analyses requirements in the use of these award funds, either directly by the recipient or by a subrecipient. Accordingly, the recipient agrees to first determine if any of the following activities will be funded by the grant, prior to obligating funds for any of these purposes. If it is determined that any of the following activities will be funded by the award, the recipient agrees to contact BJA.

The recipient understands that this condition applies to new activities as set out below, whether or not they are being specifically funded with these award funds. That is, as long as the activity is being conducted by the recipient, a subrecipient, or any third party, and the activity needs to be undertaken in order to use these award funds, this condition must first be met. The activities covered by this condition are:

- a. New construction;
- b. Minor renovation or remodeling of a property located in an environmentally or historically sensitive area, including properties located within a 100-year flood plain, a wetland, or habitat for endangered species, or a property listed on or eligible for listing on the National Register of Historic Places;
- c. A renovation, lease, or any proposed use of a building or facility that will either (a) result in a change in its basic prior use or (b) significantly change its size;
- d. Implementation of a new program involving the use of chemicals other than chemicals that are (a) purchased as an incidental component of a funded activity and (b) traditionally used, for example, in office, household, recreational, or education environments; and
- e. Implementation of a program relating to clandestine methamphetamine laboratory operations, including the identification, seizure, or closure of clandestine methamphetamine laboratories.

The recipient understands and agrees that complying with NEPA may require the preparation of an Environmental Assessment and/or an Environmental Impact Statement, as directed by BJA. The recipient further understands and agrees to the requirements for implementation of a Mitigation Plan, as detailed at <https://bja.gov/Funding/nepa.html>, for programs relating to methamphetamine laboratory operations.

Application of This Condition to Recipient's Existing Programs or Activities: For any of the recipient's or its subrecipients' existing programs or activities that will be funded by these award funds, the recipient, upon specific request from BJA, agrees to cooperate with BJA in any preparation by BJA of a national or program environmental assessment of that funded program or activity.

39

Recipients utilizing award funds for forensic genealogy testing must adhere to the United States Department of Justice Interim Policy Forensic Genealogical DNA Analysis and Searching (<https://www.justice.gov/olp/page/file/1204386/>)

download), and must collect and report the metrics identified in Section IX of that document to BJA.

40

Establishment of trust fund

If award funds are being drawn down in advance, the recipient (or a subrecipient, with respect to a subaward) is required to establish a trust fund account. Recipients (and subrecipients) must maintain advance payments of federal awards in interest-bearing accounts, unless regulatory exclusions apply (2 C.F.R. 200.305(b)(8)). The trust fund, including any interest, may not be used to pay debts or expenses incurred by other activities beyond the scope of the Edward Byrne Memorial Justice Assistance Grant Program (JAG). The recipient also agrees to obligate the award funds in the trust fund (including any interest earned) during the period of performance for the award and expend within 90 days thereafter. Any unobligated or unexpended funds, including interest earned, must be returned to OJP at the time of closeout.

41

All State and Local JAG recipients must submit quarterly Federal Financial Reports (SF-425). Additionally, State JAG and Local JAG Category Two (\$25K or more) must submit semi-annual performance reports through JustGrants and Local JAG Category One (Less than \$25K) must submit annual performance reports through JustGrants. Consistent with the Department's responsibilities under the Government Performance and Results Act (GPRA) and the GPRA Modernization Act of 2010, the recipient must provide data that measure the results of its work. The recipient must submit quarterly performance metrics reports through BJA's Performance Measurement Tool (PMT) website: <https://bjapmt.ojp.gov/>. For more detailed information on reporting and other JAG requirements, refer to the JAG reporting requirements webpage (<https://bjapmt.ojp.gov/help/jagdocs.html>). Failure to submit required JAG reports by established deadlines may result in the freezing of grant funds and future High Risk designation.

42

Required data on law enforcement agency training

Any law enforcement agency receiving direct or sub-awarded funding from this JAG award must submit quarterly accountability metrics data related to training that officers have received on the use of force, racial and ethnic bias, de-escalation of conflict, and constructive engagement with the public.

43

Authorization to obligate (federal) award funds to reimburse certain project costs incurred on or after October 1, 2022

The recipient may obligate (federal) award funds only after the recipient makes a valid acceptance of the award. As of the first day of the period of performance for the award (October 1, 2022), however, the recipient may choose to incur project costs using non-federal funds, but any such project costs are incurred at the recipient's risk until, at a minimum - (1) the recipient makes a valid acceptance of the award, and (2) all applicable withholding conditions are removed by OJP (via an Award Condition Modification (ACM)). (A withholding condition is a condition in the award document that precludes the recipient from obligating, expending, or drawing down all or a portion of the award funds until the condition is removed.)

Except to the extent (if any) that an award condition expressly precludes reimbursement of project costs incurred "at-risk," if and when the recipient makes a valid acceptance of this award and OJP removes each applicable withholding condition through an Award Condition Modification (ACM), the recipient is authorized to obligate (federal) award funds to reimburse itself for project costs incurred "at-risk" earlier during the period of performance (such as project costs incurred prior to award acceptance or prior to removal of an applicable withholding condition), provided that those project costs otherwise are allowable costs under the award.

44

If award funds are used for DNA testing of evidentiary materials, any resulting eligible DNA profiles must be uploaded to the Combined DNA Index System ("CODIS," the DNA database operated by the FBI) by a government DNA laboratory with access to CODIS. With the exception of Forensic Genetic Genealogy, no profiles generated under this award may be entered or uploaded into any non-governmental DNA database without prior express written approval from BJA. Award funds may not be used for the purchase of DNA equipment and supplies unless the resulting DNA

profiles may be accepted for entry into CODIS. Booking agencies should work with their state CODIS agency to ensure all requirements are met for participation in Rapid DNA (see National Rapid DNA Booking Operational Procedures Manual).

45

Submission of eligible records relevant to the National Instant Background Check System

Consonant with federal statutes that pertain to firearms and background checks -- including 18 U.S.C. 922 and 34 U.S.C. ch. 409 -- if the recipient (or any subrecipient at any tier) uses this award to fund (in whole or in part) a specific project or program (such as a law enforcement, prosecution, or court program) that results in any court dispositions, information, or other records that are "eligible records" (under federal or State law) relevant to the National Instant Background Check System (NICS), or that has as one of its purposes the establishment or improvement of records systems that contain any court dispositions, information, or other records that are "eligible records" (under federal or State law) relevant to the NICS, the recipient (or subrecipient, if applicable) must ensure that all such court dispositions, information, or other records that are "eligible records" (under federal or State law) relevant to the NICS are promptly made available to the NICS or to the "State" repository/database that is electronically available to (and accessed by) the NICS, and -- when appropriate -- promptly must update, correct, modify, or remove such NICS-relevant "eligible records".

In the event of minor and transitory non-compliance, the recipient may submit evidence to demonstrate diligent monitoring of compliance with this condition (including subrecipient compliance). DOJ will give great weight to any such evidence in any express written determination regarding this condition.

46

Prohibition on use of award funds for match under BVP program

JAG funds may not be used as the 50% match for purposes of the DOJ Bulletproof Vest Partnership (BVP) program.

47

Certification of body armor "mandatory wear" policies, and compliance with NIJ standards

If recipient uses funds under this award to purchase body armor, the recipient must submit a signed certification that each law enforcement agency receiving body armor purchased with funds from this award has a written "mandatory wear" policy in effect. The recipient must keep signed certifications on file for any subrecipients planning to utilize funds from this award for ballistic-resistant and stab-resistant body armor purchases. This policy must be in place for at least all uniformed officers before any funds from this award may be used by an agency for body armor. There are no requirements regarding the nature of the policy other than it be a mandatory wear policy for all uniformed officers while on duty.

Ballistic-resistant and stab-resistant body armor purchased with award funds may be purchased at any threat level, make or model, from any distributor or manufacturer, as long as the body armor has been tested and found to comply with applicable National Institute of Justice ballistic or stab standards, and is listed on the NIJ Compliant Body Armor Model List. In addition, ballistic-resistant and stab-resistant body armor purchased must be made in the United States and must be uniquely fitted, as set forth in 34 U.S.C. 10202(c)(1)(A). The latest NIJ standard information and the NIJ Compliant Body Armor List may be found by following the links located on the NIJ Body Armor page: <https://nij.ojp.gov/topics/equipment-and-technology/body-armor>

48

Extreme risk protection programs funded by JAG must include, at a minimum: pre-deprivation and post-deprivation due process rights that prevent any violation or infringement of the Constitution of the United States, including but not limited to the Bill of Rights, and the substantive or procedural due process rights guaranteed under the Fifth and Fourteenth Amendments to the Constitution of the United States, as applied to the States, and as interpreted by State courts and United States courts (including the Supreme Court of the United States). Such programs must include, at the appropriate phase to prevent any violation of constitutional rights, at minimum, notice, the right to an in-person hearing, an unbiased adjudicator, the right to know opposing evidence, the right to present evidence, and the right to confront adverse witnesses; the right to be represented by counsel at no expense to the government; pre-deprivation and post-deprivation heightened evidentiary standards and proof which mean not less than the protections afforded to

a similarly situated litigant in Federal court or promulgated by the State's evidentiary body, and sufficient to ensure the full protections of the Constitution of the United States, including but not limited to the Bill of Rights, and the substantive and procedural due process rights guaranteed under the Fifth and Fourteenth Amendments to the Constitution of the United States, as applied to the States, and as interpreted by State courts and United States courts (including the Supreme Court of the United States). The heightened evidentiary standards and proof under such programs must, at all appropriate phases to prevent any violation of any constitutional right, at minimum, prevent reliance upon evidence that is unsworn or unaffirmed, irrelevant, based on inadmissible hearsay, unreliable, vague, speculative, and lacking a foundation; and penalties for abuse of the program.

49

Expenditures prohibited without waiver

No funds under this award may be expended on the purchase of items prohibited by the JAG program statute, unless, as set forth at 34 U.S.C. 10152, the BJA Director certifies that extraordinary and exigent circumstances exist, making such expenditures essential to the maintenance of public safety and good order.

50

FFATA reporting: Subawards and executive compensation

The recipient must comply with applicable requirements to report first-tier subawards ("subgrants") of \$30,000 or more and, in certain circumstances, to report the names and total compensation of the five most highly compensated executives of the recipient and first-tier subrecipients (first-tier "subgrantees") of award funds. The details of recipient obligations, which derive from the Federal Funding Accountability and Transparency Act of 2006 (FFATA), are posted on the OJP web site at <https://ojp.gov/funding/Explore/FFATA.htm> (Award condition: Reporting Subawards and Executive Compensation), and are incorporated by reference here.

This condition, including its reporting requirement, does not apply to-- (1) an award of less than \$30,000, or (2) an award made to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).

51

Exceptions regarding Prohibited and Controlled Equipment under OJP awards

Notwithstanding any provision to the contrary in the other terms and conditions of this award, including in the condition regarding "Compliance with restrictions on the use of federal funds--prohibited and controlled equipment under OJP awards," the requirements for the "Transfer/Sale of Award-Funded Controlled Equipment to Other LEAs" and the requirements for the "Transfer/Sale of Award-Funded Controlled Equipment to NON-LEAs" do not apply to this award.

52

The recipient agrees that no funds under this grant award (including via subcontract or subaward, at any tier) may be used for unmanned aircraft systems (UAS), which includes unmanned aircraft vehicles (UAV), or for any accompanying accessories to support UAS.

53

Initial period of performance; requests for extension.

The recipient understands that for award amounts of less than \$25,000 under JAG (Category 1), the initial period of performance of the award is two years. The recipient further understands that any requests for an extension of the period of performance for an award of less than \$25,000 will be approved automatically for up to a total of two additional years, pursuant to 34 U.S.C. 10152(f) and in accordance with the program solicitation associated with this award.

Any request for an extension of the period of performance beyond a four-year award period will require approval, and the approval (if any) will be at the discretion of the Director of BJA.

54

Applicants must ensure that Limited English Proficiency persons have meaningful access to the services under this program(s). National origin discrimination includes discrimination on the basis of limited English proficiency (LEP). To ensure compliance with Title VI and the Safe Streets Act, recipients are required to take reasonable steps to ensure that LEP persons have meaningful access to their programs. Meaningful access may entail providing language assistance services, including oral and written translation when necessary. The U.S. Department of Justice has issued guidance for grantees to help them comply with Title VI requirements. The guidance document can be accessed on the Internet at www.lep.gov.

55

Cooperating with OJP Monitoring

The recipient agrees to cooperate with OJP monitoring of this award pursuant to OJP's guidelines, protocols, and procedures, and to cooperate with OJP (including the grant manager for this award and the Office of Chief Financial Officer (OCFO)) requests related to such monitoring, including requests related to desk reviews and/or site visits. The recipient agrees to provide to OJP all documentation necessary for OJP to complete its monitoring tasks, including documentation related to any subawards made under this award. Further, the recipient agrees to abide by reasonable deadlines set by OJP for providing the requested documents. Failure to cooperate with OJP's monitoring activities may result in actions that affect the recipient's DOJ awards, including, but not limited to: withholdings and/or other restrictions on the recipient's access to award funds; referral to the DOJ OIG for audit review; designation of the recipient as a DOJ High Risk grantee; or termination of an award(s).

56

Use of program income

Program income (as defined in the Part 200 Uniform Requirements) must be used in accordance with the provisions of the Part 200 Uniform Requirements. Program income earnings and expenditures both must be reported on the quarterly Federal Financial Report, SF 425.

57

Compliance with 28 C.F.R. Part 23

With respect to any information technology system funded or supported by funds under this award, the recipient (and any subrecipient at any tier) must comply with 28 C.F.R. Part 23, Criminal Intelligence Systems Operating Policies, if OJP determines this regulation to be applicable. Should OJP determine 28 C.F.R. Part 23 to be applicable, OJP may, at its discretion, perform audits of the system, as per the regulation. Should any violation of 28 C.F.R. Part 23 occur, the recipient may be fined as per 34 U.S.C. 10231(c)-(d). The recipient may not satisfy such a fine with federal funds.

58

Protection of human research subjects

The recipient (and any subrecipient at any tier) must comply with the requirements of 28 C.F.R. Part 46 and all OJP policies and procedures regarding the protection of human research subjects, including obtainment of Institutional Review Board approval, if appropriate, and subject informed consent.

59

Confidentiality of data

The recipient (and any subrecipient at any tier) must comply with all confidentiality requirements of 34 U.S.C. 10231 and 28 C.F.R. Part 22 that are applicable to collection, use, and revelation of data or information. The recipient further agrees, as a condition of award approval, to submit a Privacy Certificate that is in accord with requirements of 28 C.F.R. Part 22 and, in particular, 28 C.F.R. 22.23.

60

The recipient agrees to cooperate with any assessments, national evaluation efforts, or information or data collection requests, including, but not limited to, the provision of any information required for the assessment or evaluation of any

activities within this project.

61

The recipient understands that, in accepting this award, the Authorized Representative declares and certifies, among other things, that he or she possesses the requisite legal authority to accept the award on behalf of the recipient entity and, in so doing, accepts (or adopts) all material requirements that relate to conduct throughout the period of performance under this award. The recipient further understands, and agrees, that it will not assign anyone to the role of Authorized Representative during the period of performance under the award without first ensuring that the individual has the requisite legal authority.

62

In accepting this award, the recipient agrees that grant funds cannot be used for Facial Recognition Technology (FRT) unless the recipient has policies and procedures in place to ensure that the FRT will be utilized in an appropriate and responsible manner that promotes public safety, and protects privacy, civil rights, and civil liberties and complies with all applicable provisions of the U.S. Constitution, including the Fourth Amendment's protection against unreasonable searches and seizures and the First Amendment's freedom of association and speech, as well as other laws and regulations. Recipients utilizing funds for FRT must make such policies and procedures available to DOJ upon request.

63

Withholding of funds for Required certification from the chief executive of the applicant government

The recipient may not expend or draw down any award funds until the recipient submits the required "Certifications and Assurances by the Chief Executive of the Applicant Government," properly-executed (as determined by OJP), and an Award Condition Modification has been issued to remove this condition.

[]

I have read and understand the information presented in this section of the Federal Award Instrument.

Award Acceptance

Declaration and Certification to the U.S. Department of Justice as to Acceptance

By checking the declaration and certification box below, I--

- A. Declare to the U.S. Department of Justice (DOJ), under penalty of perjury, that I have authority to make this declaration and certification on behalf of the applicant.
- B. Certify to DOJ, under penalty of perjury, on behalf of myself and the applicant, to the best of my knowledge and belief, that the following are true as of the date of this award acceptance: (1) I have conducted or there was conducted (including by applicant's legal counsel as appropriate and made available to me) a diligent review of all terms and conditions of, and all supporting materials submitted in connection with, this award, including any assurances and certifications (including anything submitted in connection therewith by a person on behalf of the applicant before, after, or at the time of the application submission and any materials that accompany this acceptance and certification); and (2) I have the legal authority to accept this award on behalf of the applicant.
- C. Accept this award on behalf of the applicant.
- D. Declare the following to DOJ, under penalty of perjury, on behalf of myself and the applicant: (1) I understand that, in taking (or not taking) any action pursuant to this declaration and certification, DOJ will rely upon this declaration and certification as a material representation; and (2) I understand that any materially false, fictitious, or fraudulent information or statement in this declaration and certification (or concealment or omission of a material fact as to either) may be the subject of criminal prosecution (including under 18 U.S.C. §§ 1001 and/or 1621, and/or 34 U.S.C. §§ 10271-10273), and also may subject me and the applicant to civil penalties and administrative remedies under the federal False Claims Act (including under 31 U.S.C. §§ 3729-3730 and/or §§ 3801-3812) or otherwise.

Agency Approval

Title of Approving Official	Name of Approving Official	Signed Date And Time
Deputy Assistant Attorney General	Maureen Henneberg	9/22/23 2:25 AM

Authorized Representative

Entity Acceptance

Title of Authorized Entity Official
Mayor

Signed Date And Time



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	October 19, 2023
Section:	New business
Category:	Resolution
Agenda Item Name:	Resolution 1692: General Fund Budget Revision SAO 2024-001-02
Recommended By:	Treasurer
Summary:	The second FY 2024 interdepartmental budget revision shifts funds between various departments. As a result, this budget revision requires a roll-call vote and must be approved by the West Virginia State Auditor.
Fiscal Impact:	• Dept. 440 City Hall: The carryover amount of \$464,211 was put in City Hall contracted services by the earlier SAO 2024-001-01 budget revision. This revision decreases the City Hall account by \$405,386 to cover the following increases: ○ Dept. 415 City Clerk Increasing by \$500 for a printer for the communication specialist. ○ Dept. 437 Planning & Zoning Increasing by \$15,000 for the first year of the Planning Commission's work for updating the comprehensive plan. ○ Dept. 699 Contingencies Increasing by \$378,586. With the recent wage increases, I would like to leave this amount in this department until we have a full month or two to see the additional costs for specific departments. A budget revision will then be made to those departments. ○ Dept. 955 Human Resources Increasing by \$11,300 for wages/benefits for payroll clerk, copier/scanner for HR suite, and supplies/materials. • In addition, funds from Dept. 440 City Hall are being used directly as follows: \$4,120 for council chamber speakers, \$825 for the first year of WENS mass notification system, \$5,000 for online forms, and \$50,000 for City of Elkins signs used.
Recommendation:	Consider for approval



CITY OF ELKINS AGENDA ITEM REPORT

Attachments:	1. Revised SAO 2024-001-02
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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: **2024**Fund: **1**Revision Number: **2**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

Municipality

Government Type

Elkins

CITY

26241

ZIP CODE

REVENUES: (net each acct.)

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUSLY APPROVED AMOUNT	(INCREASE)	(DECREASE)	REVISED AMOUNT
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				

NET INCREASE/(DECREASE) Revenues (ALL PAGES)**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
415	City Clerk	194,323	500		194,823
437	Planning & Zoning		15,000		15,000
440	City Hall	917,411		405,386	512,025
699	Contingencies*		378,586		378,586
955	Human Resources	111,085	11,300		122,385
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				

NET INCREASE/(DECREASE) Expenditures**APPROVED BY THE STATE AUDITOR**

BY:

Deputy State Auditor, Local Government Services Division Date

AUTHORIZED SIGNATURE
OF ENTITYAPPROVAL
DATE



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	October 19, 2023
Section:	New business
Category:	Action Item
Agenda Item Name:	Resolution 1693: Authorization to spend up to \$3,000 from City Hall Contracted Services for sidewalk improvements related to 2023 WV Division of Forestry Demonstration City Grant for tree planting downtown
Recommended By:	Municipal Properties Committee, Elkins Tree Board
Summary:	Through an oversight, incomplete information was presented to the Finance Committee on October 9 concerning a request for \$3,000 for sidewalk improvements related to downtown tree planting work under a Demonstration City grant received from the W. Va. Division of Forestry. This request was not forwarded to council by the committee at that meeting, but is being presented to council tonight for reasons explained below. If approved, the attached resolution would authorize expenditure of \$3,000 from the City Hall Contracted Services line for the sidewalk improvements. Background and context for this request: • Since 2019, the Tree Board has been receiving annual Demonstration City grant awards from the Division of Forestry to fund the planting of trees downtown. The usual pattern is that grants are awarded in the early part of each year, intended to fund work/procurement completed by December 31 of that same year. The money that was requested on Monday is connected to one of these grants, awarded in March 2023. • Because these grants have typically not required cash matches from the city, but instead in-kind matches of services and supplies, these applications have not been brought before council for prior approval. (This complies with council's Grants Protocol, which currently only requires council preapproval when there are funding obligations that would require a budget revision.) • As required by the Grants Protocol, each of these annual grant awards was presented to council for approval before being accepted. The most recent of these grant awards was presented to council in March of 2023. It was accepted by



CITY OF ELKINS AGENDA ITEM REPORT

council via Resolution 1614 and the agreement was signed by the mayor. As stated in the agreement that council approved, that award was to provide around \$13,000 in state funds for tree procurement and planting services, matched in-kind by various services of both the Operations Department and the Tree Board. Also as usual, these funds need to be expended/obligated by the end of 2023.

- This summer's unforeseen personnel shortage in the Street Department resulted in the Operations Department lacking the personnel to provide the pledged in-kind match of services. Therefore, the Tree Board is requesting funding it had not previously anticipated needing to outsource the work that was going to be provided by the Operations Department. To comply with the terms of the grant agreement and maintain access to the full \$13,000 or so in state funds for tree procurement and planting services, the Tree Board needs the requested budget revision of \$3,000 to outsource the necessary concrete work and comply with the agreement approved via Resolution 1614 in February.
- Some of the confusion about this request arose from the fact that a separate round of concrete work, connected to the prior year's grant award, seems to have been delayed until early 2023. Because of this, there was a misunderstanding that the in-kind work pledged under the 2023 grant had already been completed and that the current request of \$3,000 was therefore new and unplanned for.
- In fact, as noted above, although the requirement to spend \$3,000 (as opposed to providing an in-kind match) was not contemplated in either the grant application or the agreement council reviewed and approved in March, these funds are being requested as an essential prerequisite to accessing the full 2023 grant award of around \$13,000.

Per Councilor Bross-Fregonara:

If this funding request is not granted it would mean that the City may not be able to receive the full grant amount grant and would be in violation of the terms that council agreed to earlier this year. According to the letter from DOF the expenditures should closely follow the project described in the grant application. For the past



CITY OF ELKINS AGENDA ITEM REPORT

	several years, we have kept our promised in-kind commitments to the Demonstration City grant. This revision would allow us to remain in good standing with this agency. The Tree Board will be applying for a 2023 grant in the next few months that requires no match, neither financial or in-kind, on the part of the City. Therefore, it would be beneficial to remain in good standing so that we can take advantage of this match-free grant opportunity. This requested revision would also move this multi-year project closer to completed status category.
Fiscal Impact:	\$3,000 as part of local match to receive around \$13,000 in state funds for tree procurement and planting services
Recommendation:	Consider for approval
Attachments:	1. R-1693 - authorizing expenditure for 2023 Demonstration City grant 2. R-1614 Demonstration City grant Award by Elkins Tree Board

IN THE COMMON COUNCIL OF THE CITY OF ELKINS, WV

A RESOLUTION OF COMMON COUNCIL

(#1693)

October 19, 2023

Authorizing Expenditure Related to a W. Va. Division of Forestry Demonstration City Grant

WHEREAS, the Common Council (“Council”) of the City of Elkins, West Virginia (“City”) has, per Resolution 1619, approved and authorized the Mayor to execute an agreement to receive \$13,508 awarded by the West Virginia Division of Forestry (WVDOF) under its Demonstration City Grant Program; and,

WHEREAS, that agreement stipulated a local match of \$13,508, to be provided through the in-kind services of the City of Elkins Operations Department and the Elkins Tree Board; and,

WHEREAS, unforeseen personnel shortages in the Operations Department have made it impossible to provide some of the pledged in-kind services, that is, sidewalk improvements; and,

WHEREAS, the failure of the City to provide the full pledged local match would violate the terms of the agreement authorized by Resolution 1619 and imperil the City’s receipt of the full grant award; and,

WHEREAS, these sidewalk improvement services can be contracted for without imperiling the City’s receipt of the full grant award; and,

WHEREAS, Council finds it in the best interests of the citizens of Elkins to authorize contracting for these sidewalk improvement services so as to be able to receive the full \$13,508 in awarded funds;

NOW, THEREFORE, BE IT RESOLVED THAT:

Council hereby authorizes the expenditure of up to \$3,000 from the City Hall Contracted Services account for sidewalk improvements previously pledged to be performed as in-kind services under the terms of the 2023 WVDOF Demonstration City Grant accepted via Resolution 1614.

Attest:

Jerry A. Marco, Mayor

Sutton R. Stokes, City Clerk

IN THE COMMON COUNCIL OF THE CITY OF ELKINS, WV

A RESOLUTION OF COMMON COUNCIL

(#1614)
February 2, 2023

***Authorizing Acceptance of Demonstration City Grant Award by the Elkins Tree Board
from the West Virginia Division of Forestry***

WHEREAS, the City of Elkins, West Virginia ("City") has, per Resolution #1154, adopted the 2018 – 2023 Strategic Plan, including milestones and deadlines to serve as a guide in decision-making and resource assignment for the City; and,

WHEREAS, Strategic Focus Area #1, Section B, identifies public landscaping and education as a goal; and,

WHEREAS, the West Virginia Division of Forestry (WVDOF) has made available funding to assist in the enhancement of urban forestry efforts; and,

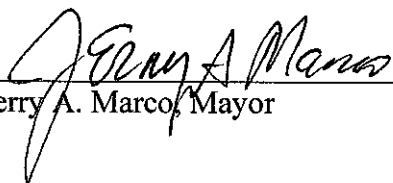
WHEREAS, the Elkins Tree Board believes this grant funding will help promote their mission and maintain Elkins' status as a Tree City USA and therefore submitted an application for funding; and,

WHEREAS, the WVDOF has approved funding in the amount of \$13,508.00 with an in-kind match of \$13,508.00 provided by the Elkins Tree Board and City of Elkins Operations Department; and,

WHEREAS, upon the recommendation of the Elkins Tree Board, the Common Council believes it is in the best interest of the citizens of Elkins to accept this grant funding.

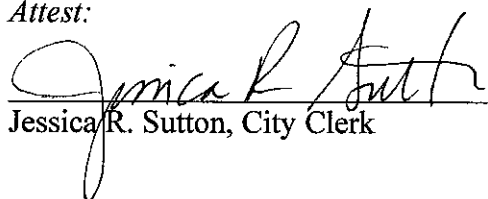
NOW, THEREFORE, BE IT RESOLVED THAT:

The Common Council hereby endorses and supports acceptance of the Demonstration City Grant award, and hereby authorizes Mayor Jerry A. Marco, or his designee, to enter into a contractual agreement with the WVDOF to receive and administer grant funds pursuant to provisions of the Demonstration City Grant program.



Jerry A. Marco, Mayor

Attest:



Jessica R. Sutton, City Clerk

DEMONSTRATION CITY GRANT APPLICATION

GENERAL INFORMATION SECTION

Group Name Elkins Tree Board of the City of Elkins

Federal Employment Identification Number (FEIN) 55—6000170

Project Location Downtown Elkins, WV and Elkins City Park

Address 401 Davis St.

City Elkins State WV Zip 26241

Contact Information for individual responsible for completion of project

Name Marilynn Cuonzo, President, ETB and City of Elkins Councilor

Phone Number 304.636.5900 Email mcuonzo@cityofelkinswv.com

Please review and check the following



Acknowledgment that the project will be completed and that paid invoices will be submitted no later than one month after the end date on the agreement



Acknowledgment that you are a vendor of the state of WV or have applied to become a vendor



Acknowledgment that no portion of the grant will be used for administrative costs, staff salaries of any type, construction, equipment, and purchasing land or land charges



Acknowledgement that the applicant will comply with Section 889 of the 2019 National Defense Authorization Act which prohibits grant recipients from procuring or using certain "covered telecommunication equipment or services" <https://www.ndia.org/policy/section-889>



Acknowledgement that the applicant will comply with the Trafficking Victims Protection Reauthorization Act and the National Security Presidential Directive (NSPD) 22 which provides "zero tolerance policy" regarding trafficking in persons <https://www.acquisition.gov/far/22.1703>

Submit Application to:

Robert Hannah
West Virginia Division of Forestry
P.O. Box 40
Farmington, WV 26571

or

robert.l.hannah@wv.gov

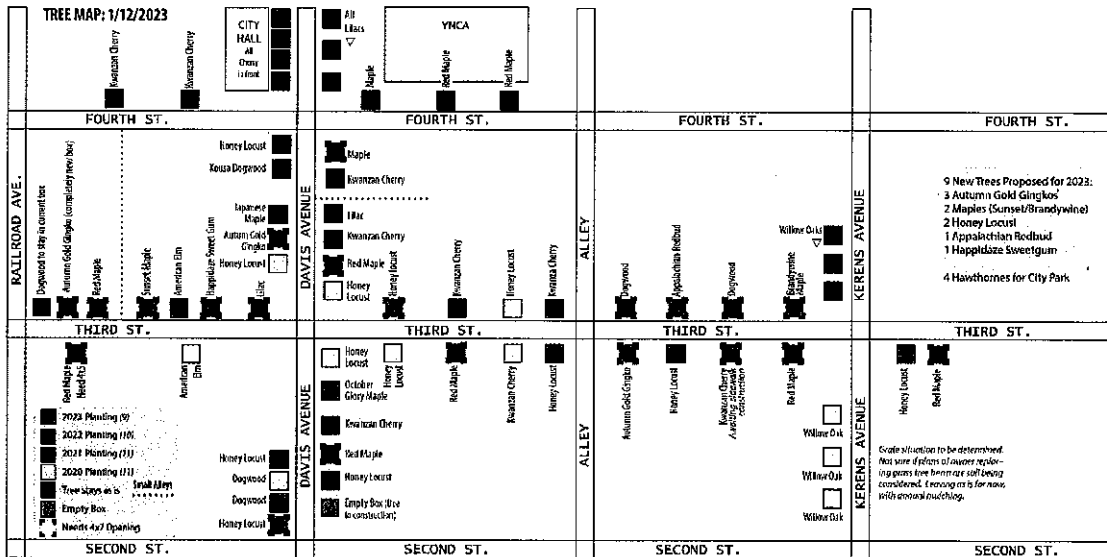
TECHNICAL PROPOSAL

A Technical Proposal shall be responsive to the following criteria. Also see Section VI of the Guide, Rating Criteria. The Technical Proposal is in essay form and should clearly describe the project and contain the relevant items from the following.

- a. **Describe the location(s) where the project will take place. See attached street grid.**

Please note: The location and species of the 2023 planting are indicated in orange.

- b. **Describe the overall goal of the project.** How will this project address needs and enhance urban forestry efforts in your community? What problems or issues will be addressed?



The City of Elkins proposes to complete the four-year tree replacement project within the Main Street area of downtown Elkins which is resulting in a unified, well-planned tree landscape. The main site is on the main corridors of the historic district. The 2022 grant will provide funding to remove the last tree boxes and expand the sidewalk cuts to the appropriate size for future installation of grates and replace tree species that are inappropriate for urban environments.

This final plan is to remove the tree boxes indicated on map in orange, remove the unhealthy/inappropriate trees and replace them in March, 2023 with 9 trees that would

flourish in an urban setting. Last year the demonstration grant provided funding to replace 10 trees downtown and all are thriving.

The city arborist and contractor for this project has chosen species of trees that would have the least negative impact on businesses and most positive impact on creating an inviting environment for residents and visitors. In choosing tree species that are easy to maintain, clean and allow for visibility, the City of Elkins would improve downtown for everyone. Part of the grant funds the pruning services of a certified arborist. His work has been essential to maintain our downtown treescape. Our ETB president has discussed this project with downtown merchants.

This grant funding allows for planting/replacing the downtown trees and maintaining them with the expertise of the city's arborist and the Elkins Tree Board. We will continue to use the small signs which encourage residents and visitors to respect the trees.

By improving the downtown tree canopy, the shaded sidewalks will mitigate temperature extremes, reduce energy consumption, and create a healthier, more inviting environment for our citizens and visitors. Our plans, once project is completed, is to create an opportunity to educate residents and visitors on urban forest species with accessible information.



An additional 4 Hawthorn trees (noted in white) will be planted in Elkins City Park as part of a significant long-term project to protect the canopy and species variation of this 100-year-old park.

c. For projects that involve tree plantings, provide the following information:

1. Number of trees by species for each planting site.
2. Certify that planting stock and planting methods will meet WV DOF standards for Nursery Stock (see Appendix 1 of the guide)
3. Caliper size of hardwoods or height of conifers.

4. Describe any site preparations.
5. Include a vicinity map of the planting location(s). (A map from Google can be copied into a word document and then tree planting locations can be applied using the "paint" function.) Maps must include the location of any overhead utility lines.
6. Is there a budget to maintain and replace trees for at least three years?

All the trees, fulfilling the tree establishment specifications, will be planted in the designated locations. A Google map is attached to show the location of the Hawthorn's which will replace seedling that were not successful. The downtown location involves both the removal of unhealthy and inappropriate trees by the COE Street Department, and the removal of tree boxes to allow for inground planting by Mitchell Tree Care. The sites will also be enlarged by cutting the sidewalks in a similar fashion as last year. Fortunately, utility lines are placed in the rear of downtown buildings and therefore do not interfere with our plantings. There are no utility line issues for the City Park plantings.

The Elkins Tree Board will follow the recommendations of arborist David Mitchell of Mitchell Tree Care, LLC. His recommendations are included in the estimate. We have increased the pruning portion of the grant to allow for increased professional care for our trees.

The trees will be planted in the Spring 2023 in properly prepared beds. The contractor will amend the soil appropriately. By utilizing self-watering bags and/or watering system provided by the Tree Board and watered by volunteers as appropriate, the trees will have an optimal chance of survival. It should be noted that all the previously planted trees have successfully adapted to the streetscape.

The contractor for the purchase of the trees and the planting is David Mitchell of Mitchell Tree Care, LLC. Signed agreements and background materials are attached

The Elkins Tree Board has a tree purchasing budget which will allow for replacing any trees after the first year. We also maintain a tree nursery for possible replacements and have the ability to apply for additional grants if necessary.

Each newly planted tree will also be marked with a small ground level sign. As part of the volunteer match element, the ETB, Elkins Friends of Trees and other volunteers annually mulch the trees, clean tree beds, prune and water when appropriate.

Information included in attachments (estimate) and technical description in Section b.

- d. For other projects that involve assessments and/or inventories,** provide the following information:
1. Describe project and scope. What will be done and why.
 2. Describe materials and methods needed to implement the project.
 3. Describe products and results such as reducing storm water runoff and setting tree canopy cover goals.

Not applicable.

- e. For projects involving contracting with landscapers, consultants, or other entities,** provide the following information:

1. Identify the firm(s) that will perform the project.
2. Specify their qualifications and experience with similar projects.
3. Identify the scope of the services they will provide.

See attached estimate and resume for Mitchell Tree Care, LLC

COST PROPOSAL WORKSHEET 1 – EXPENDITURE OF GRANT FUNDS

Table A: Cost of trees and planting materials

Description	Material Provider	Quantity	Unit Price (\$)	Total Price (\$)
2' and 2.5" caliper balled and burlapped stock as listed		13	Varies, see invoice	\$2,933.02
Total Cost of Materials (\$)				\$2,933.02

Table B: Cost of professional/contractual services

Description	Service Provider	Quantity	Unit Price (\$)	Total Price (\$)
Tree Installation, delivery, mulching	Mitchell Tree Care	13	Varies, see invoice	\$6,966.98
Professional pruning	Mitchell Tree Care			\$3,500
Total Cost of Services (\$)				\$10,466.98

Table C: Additional costs

Description	Source	Quantity	Unit Price (\$)	Total Price (\$)
Tree Protectors: Vogland/ Mesh 36"- 5 pack	Amazon	1	\$37 plus tax	\$39
Tree Protectors: Vogland/ Mesh 48"-5 pack	Amazon	1	\$40 plus tax	\$42
Tree Protectors: Andwarmth-6-pack	Amazon	1	\$25 plus tax	\$27
Total Cost of Additional Costs				\$108

Total Grant Funds Requested (Table A + Table B + Table C) = \$13,508

COST PROPOSAL WORKSHEET 2 – MATCHING FUNDS

Table D: Cash match

Description	Material Provider	Quantity	Unit Price (\$)	Total Price (\$)
Total Cost of Materials (\$)				

Table E: In-kind match (paid labor and equipment provided by applicant)

Description	Service Provider	Quantity	Unit Price (\$)	Total Price (\$)
Removal of 9 designated trees and tree boxes/sidewalk cutting - Labor	City of Elkins			\$6,193.12
Removal of designated 9 trees & boxes, - Equipment	City of Elkins			\$2,870.80
Leaf disposal budget (partial)	City of Elkins			\$3,944.08
Total Cost of Services (\$)				\$13,008

Table F: Volunteer and donation match (donated labor and equipment)

Description	Source	Quantity	Unit Price (\$)	Total Price (\$)
Mulching, maintaining, pruning trees on an annual basis	Elkins Tree Board	50 hours	\$10/hour	\$500
Total Additional Donations (\$)				\$500

Total Matching Funds Provided (Table D + Table E + Table F) = 13,508.00

Appendix 1

Tree Establishment Specifications

This section must be returned with any application for tree planting.

I. Stock Specifications

All trees planted must meet the following specifications and need to be inspected prior to planting.

- A. Main Trunk - Trees will have a single trunk with the lower 3 feet clear of branches (unless previously approved) and be at least 1 ½" in caliper.
- B. Health - Trees will be healthy, vigorous and well-grown, showing evidence of proper root and shoot pruning. Trees will be free from significant mechanical injury to the trunk, root ball and branches. Trees will also be free of any insect or disease problems.
- C. Form - Trees will have been properly pruned to removed narrow branch angles, included bark, broken and crossing branches. Trees will have been pruned to establish a central trunk and to eliminate co-dominate branching. Previous pruning should not include excessive heading or topping cuts (rounding-over) to reduce the overall height of the tree.
- D. Root Ball - Root balls will have a flattened top with good root flare. Broken or damaged roots more than 1/4" in diameter should be pruned with a clean cut.
- E. Substitutions - Substitutions may only be made with express consent from the Community representative.
- F. Stock Inspections - The Community Representative reserves the right to inspect trees prior to planting and to reject any trees not meeting the specifications described herein.

II. Planting Specifications

All planting activities must be approved by the individual responsible for implementing the grant.

- A. Planting Location - All planting sites will be identified and marked by the Community Representative and indicated to the Contractor. Express permission from the Community Representative is required to change any planting location. All trees will be centered between curb and sidewalk unless otherwise specified. Contractor will be responsible for notifying any appropriate utility authority prior to digging and be responsible for any damage to utilities.
- B. Temporary Storage - Root balls, of trees not immediately planted after delivery, must be adequately protected by mulching and watering until

planting occurs. Contractor assumes all risk and expense of temporary storage.

- C. Planting Holes - Planting holes may be dug by hand, backhoe, tree spade or other approved equipment. An auger is not considered approved equipment. The top diameter of the planting hole shall be two times that of root ball. The bottom of the hole shall be flat and deep enough to have the tree at its original planting depth or slightly higher. Holes should be dug on day tree is planted.
- D. Planting Depth - Trees will be planted at the same depth they were growing in the nursery or up to two inches higher than that level. The root collar must be at or slightly above ground line. **Contractor will be required to replant any trees, at their expense, that are planted too deeply.**
- E. Wire Baskets & Burlap - **Wire baskets should be completely removed when possible or at a minimum removed from the top half of the root ball. Contractor will be required to replant any tree, at their expense, when a portion of the wire basket can be found from minor excavation.** All burlap and twine will be removed from the upper half of the root ball and any remaining burlap must be untreated.
- F. Backfilling - Planting is only allowed when soil is not frozen and temperatures are above 30 degrees. Backfilling shall occur with quality topsoil. Soil will be adequately tamped as to eliminate air pockets during backfilling. All trees will be planted as straight as possible.
- G. Surplus Excavation - Any surplus soil will be removed and disposed of by the Contractor. Surplus soil shall not be mounded around trunk above ground level.
- H. Staking and Guying - Only trees prone to leaning or in areas exposed to high wind should be staked and guyed. If staking is necessary for support, two stakes on opposite sides on the trunk shall be used with a wide, belt-like, tie material to hold the tree upright. **Wire in a garden hose or any other rigid material shall not be used to guy trees. All trunk wrap, twine and other material shall be removed at the time planting.**
- I. Mulching - All trees will be mulched at the time of planting with wood or bark chips. Mulch shall be 2" to 3" deep and at least 18" in diameter or cover the entire planting hole. Mulch should not be in direct contact with the trunk and a mulch-free area on 2" around the trunk should be maintained.

- J. Watering - Trees will be thoroughly watered to settle backfill when half of backfill is in place and again after all backfill is placed.
- K. Fertilization - Trees shall not be fertilized at the time of planting, unless previously specified.
- L. Pruning - All dead, broken, or damaged branches, and sprouts should be removed at the time of planting. All pruning will be with a clean cut outside the branch collar. Excessive pruning and heading (rounding-over) is not acceptable. Only individuals knowledgeable of proper pruning techniques shall prune trees.

Acceptance of the Tree Planting Specifications

These specifications will be followed for all trees planted with funds provided by this Demonstration City Grant for the City/Town of Elkins.

The undersigned Contractor agrees to provide and/or plant trees to meet all requirements in the above Tree Planting Specifications. My signature indicates that I have read and understand all specifications.

Company Name: Mitchell Tree Care LLC

Contractor Signature: [Signature]

Date: 1-4-23

Witnessed by: [Signature]

Title: Tree Bd Chair

Date: 1/4/23

Appendix 2

MAINTENANCE PLAN

This section must be returned with any application for tree planting.

Newly planted trees require special attention to maintenance practices during the first three growing seasons following planting. All trees shall receive at least the following maintenance practices for a three-year period:

1. **WATERING:** Ample soil moisture shall be maintained following planting. A thorough watering each five to seven days, depending on drainage and precipitation, is usually adequate during the growing season. A thorough watering allows moisture to reach the deepest roots. **How will watering be accomplished and who will be responsible?**

Thanks to funds provided in past Demonstration City grants, the ETB has access to watering tanks and self-watering bags that can be used to ensure the vitality of the trees during dry periods. Volunteers will monitor the health of the trees at all times and take necessary steps to water the trees when appropriate.

2. **FERTILIZATION:** Trees shall not be fertilized at the time of planting. Fertilizer can kill young roots very rapidly. If fertilizer is not applied wisely, it may not benefit the tree at all and may even adversely affect the tree. Soil conditions, especially pH and organic matter content, vary greatly making the proper use and selection of fertilizer a complex process. Any fertilization should be based on a soil test. Soil Conservation Districts can provide tests and advice on application rates, timing, and fertilizer selection. **Under what circumstances (if any) will trees be fertilized and who will be responsible?**

N/A

3. **MULCHING:** Mulching provides trees with a stable root environment that is cooler and contains more moisture than surrounding soil. Mulch can also prevent mechanical damage by keeping lawn mowers and weed whips away from the thin bark. Trees must be mulched at the time of planting and every consecutive spring. Mulch should only be **two to three** inches deep (do not mound) and cover the entire root system. Mulch should not contact the trunk; a mulch-free area of one to two inches around the trunk should be maintained. **How will trees be mulched and who will be responsible for re-mulching each year?**

The Elkins Tree Board mulches the downtown tree annually where the tree grates allow.

4. **PRUNING:** Excessive pruning at the time of planting should be avoided. During the first two years, only dead, broken, or injured branches, and sprouts shall be removed. Trees will never be topped or rounded-over. Pruning during the third year can begin to improve structure and encourage sturdy crotch development. Structural pruning advice is available through the Urban Forestry Coordinator. **Describe pruning methods, both short and long term, and who will be responsible?**

Mitchell Tree Care, ETB and Friends of Trees volunteers will continue to prune the trees in the proper methods demonstrated by DOF personnel. We have a long history of successful pruning and maintenance of our urban trees.

5. **STAKING AND GUYING:** Often it is not necessary to stake and guy quality nursery stock that has been properly planted. Studies have shown that trees will establish more quickly and develop stronger trunks and root systems if not staked at the time of planting. If staking is necessary for support, two stakes used in conjunction with a wide flexible tie material will hold the tree upright, provide flexibility, and minimize injury to the trunk. Do not use wire in a garden hose or any other in-flexible, narrow material. All guy and support material must be removed after the first growing season. **Will trees be staked and guyed? What material will be used and who will be responsible for the removal?**

Mitchell Tree Care will assess each tree planting and provide appropriate measures to ensure a tree's success.

6. **PROVIDE ADDITIONAL MAINTENANCE INFORMATION:**

The ETB is working with the city to purchase cigarette bins and create a Butts in the Bins campaign to remove cigarette butts from the tree areas.

Community or Organization: City of Elkins and the Elkins Tree Board

Signature: Marilynn Cuonzo

Print Name: Marilynn Cuonzo

Job Title: Chair, Elkins Tree Board

Date: 1/9/2023



MITCHELL TREE CARE, LLC

ESTIMATE

David K Mitchell
ISA Certified Arborist*, MA-5607A
WV #057177
WV Licensed Pesticide Applicator, Cat. 4a

Customer: City of Elkins

Date: January 7, 2023

Location of work: Downtown Elkins

Description of work items and price per item:

- Prune recently planted street trees to encourage proper growth and good clearance on buildings, roads, signage and sidewalks. Some existing Maple trees will need root pruning to prevent girdling roots. Prune about 35 street trees, mostly Red Maple, along Martin Ave and 4th St
- Plant 9 trees in established tree pits in downtown Elkins trees described below:
 - Three 2" caliper 'Autumn Gold' Ginkgo
 - One 2" caliper 'Red Sunset' Red Maple
 - One 2" caliper 'Brandywine' Red Maple
 - One 2" caliper 'Happidaze' Sweetgum
 - One 2" caliper 'Appalachian Red' Redbud
 - Two 2" caliper 'Skyline' Honey Locust
- Plant four, 2" caliper 'Winter King' Hawthorn trees in the Elkins City Park
- Install trees according to the Ansi A300 Part 6.
- Tree installation priced as follows: Wholesale tree cost + 6% sales tax + twice wholesale cost for install + \$110 shipping, handling, delivery; rounded to the nearest \$10.

Cost:

• Pruning, lump sum				\$3500.00
• Trees, installed	<u>Species (wholesale cost)</u>	<u>Price per tree</u>	<u># trees</u>	<u>Total</u>
○	'Autumn Gold' Ginkgo (\$259)	\$900.00	3	\$2700.00
○	'Red Sunset' Maple (\$199)	\$720.00	1	\$720.00
○	'Brandywine' Maple (\$199)	\$720.00	1	\$720.00
○	'Happidaze' Sweetgum (\$199)	\$720.00	1	\$720.00
○	'Appalachian Red' Redbud (\$219)	\$780.00	1	\$780.00
○	'Skyline' Honey Locust 2" (\$189)	\$690.00	2	\$1380.00
○	'Winter King' Hawthorn (\$199)	\$720.00	4	\$2880.00
Sub-Total				\$13400.00

6% WV Sales Tax:

EXEMPT

Total:

\$13400.00

I, _____ (client) agree that Mitchell Tree Care, LLC, its employees and subcontractors, will perform the work on my property described above at the price quoted on this form. Any change in described work or pricing must be agreed upon by the client and Mitchell Tree Care, LLC in writing prior to implementing the change. Payment by the client is due and payable within 30 days of receipt of our invoice. If payment is not received within said 30-day period, client will be assessed a late charge equal to 5% of the unpaid amount.

Handwritten signature of client
Client signature _____ Date 1/8/23

Handwritten signature of David K Mitchell
David K Mitchell 1-7-23

Mitchell Tree Care Signature Date



MITCHELL TREE CARE, LLC

Company Biography

Mitchell Tree Care is a tree care company that works in both residential and commercial settings. We are a licensed contractor in the state of West Virginia, WV# 057177. The company works with clients to ensure the best outcomes possible for properties, utilizing trees to maximize their potential for ecosystem services and aesthetic contributions to the landscape. Mitchell Tree Care was founded in 2014 by owner operator David Mitchell. David Mitchell is an ISA Certified Arborist® # MA 5607-A, and has held this certification since May of 2014. David has a BS in Horticulture from West Virginia University, and an MS in Forestry from Virginia Tech. During the MS program, he focused on urban soils and trees, and their role in stormwater management.

Mitchell Tree Care works on preservation and removal of trees in and around Morgantown, WV. For example, we removed 45 Ash trees killed by Emerald Ash Borer at Camp Muffly park, a facility operated by Monongalia County. We have worked for the WVU Core Arboretum to preserve American Elm trees threatened by Dutch Elm Disease, and have removed hazardous trees over the trails at that facility. We take pride in helping to preserve Ash trees by treating with a systemic pesticide to prevent infestation by Emerald Ash Borer, this work has mostly been for residential clients, though the company maintains a stand of ash for the City of Morgantown as well. We also preserve trees through risk assessment and structural support services.

Mitchell Tree Care plants trees to help restore canopy cover where trees must be removed due to damage from invasive pests or poor pruning in the past. During planting we strive to select optimal trees for the sites, using large maturing trees when the site is large enough, trying to select native trees particularly for flowering options, and encouraging care of trees early in their life to ensure lower maintenance in the long term.



January 12, 2023

Re: West Virginia Division of Forestry Demonstration City Grant

To Whom It May Concern:

The Operations Divisions agrees to provide support for the West Virginia Division of Forestry Demonstration City Grant submitted by the Elkins Tree Board.

We agree to provide this support in the form of an in-kind commitment should the proposal be awarded.

The in-kind support provided by our department includes labor and equipment costs for removing nine (9) street trees and cutting the concrete tree openings for future plantings and tree grate installation. The value of our contribution is totaling approximately \$9,063.

We look forward to working with you on this project.

Sincerely,

Mike Kesecker
Operations Manager