



City of Elkins

Regular Council Meeting

April 16, 2024
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 April 4, 2024
5. **Presentation**
 - a. Albert Hammon, Vandalia Health
6. **Councilor Reports**
7. **Staff reports**
 - a. Treasurer's report
8. **Approval of vendor invoice payments**
 - a. Vendor invoices presented for approval: April 1-12, 2024.

(Available for public review in the city clerk's office two business days before this meeting, as required by W. Va. Ethics Commission Open Meetings Advisory Opinion 2012-04.)
9. **New business**
 - a. Laying the FY 2025 levy
 - b. Ordinance 327: TIF Advisory Committee (final reading)
 - c. Resolution 1742: SUPPLEMENTAL RESOLUTION PROVIDING PARAMETERS AS TO THE PRINCIPAL AMOUNT, DATE, MATURITY DATE, INTEREST RATE, INTEREST AND PRINCIPAL PAYMENT DATES AND OTHER TERMS OF THE SEWER REVENUE BONDS, SERIES 2024 (BANK QUALIFIED), OF THE CITY OF ELKINS; AUTHORIZING AND APPROVING THE SALE AND DELIVERY OF SUCH BONDS PURSUANT TO A CERTIFICATE OF DETERMINATIONS; AND MAKING OTHER PROVISIONS AS TO THE SERIES 2024 BONDS.
 - d. Resolution 1747: Adopting the Region VII PDC Hazard Mitigation Plan Update
 - e. Resolution 1748: Adopting FY 2025 Landfill budget
 - f. Resolution 1749: Adopting FY 2025 Sanitation budget

- g. Resolution 1750: FY 2024 General Fund budget revisions 8 & 9
- h. Resolution 1751: Lease for Fraternal Order of Police lodge
- i. Attorney consultation on Whitmer water system

10. Mayor's comments

11. Adjournment



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	April 16, 2024
Section:	Minutes
Category:	Action Item
Agenda Item Name:	Proposed minutes for the meeting of April 4, 2024
Recommended By:	City Clerk
Summary:	Minutes proposed for the regular council meeting of April 4
Fiscal Impact:	n/a
Recommendation:	Consider for approval
Attachments:	1. city council - 2024_04_04 - minutes_proposed

Proposed Minutes

ELKINS COMMON COUNCIL REGULAR COUNCIL MEETING MINUTES

***401 Davis Avenue
Council Chamber, 2nd Floor
April 4, 2024
7:00 p.m.***

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

Councilors A.C. Carroll and E. L. Plishka and Operations Manager M. Kesecker were absent.

PUBLIC COMMENT

There was no public comment.

MINUTES

Chenoweth MOVED APPROVAL OF THE MINUTES OF THE MEETING OF MARCH 21, 2024. The motion carried.

APPROVAL OF VENDOR INVOICE PAYMENTS

XYZ 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 March 18-March 28.

NEW BUSINESS

Lowther MOVED APPROVAL OF ORDINANCE 327: TIF ADVISORY COMMITTEE (FIRST OF TWO READINGS). The motion carried.

Chenoweth MOVED APPROVAL OF RESCHEDULING THE APRIL 18 MEETING TO APRIL 16 (THIRD TUESDAY, FOR LAYING THE LEVY). The motion carried.

No action was taken on Resolution 1742: Consideration of supplemental resolution related to Sewer Revenue Bonds, Series 2024.

Proposed Minutes

Hinchman MOVED APPROVAL OF RESOLUTION 1743: AMENDING RULES OF THE POLICE CIVIL SERVICE COMMISSION CONCERNING ORDER OF EXAMINATIONS. The motion carried.

Chenoweth MOVED APPROVAL OF RESOLUTION 1744: ESTABLISH NEW HR DIRECTOR POSITION AND ADOPT NEW JOB DESCRIPTION. The motion carried.

Hinchman MOVED APPROVAL OF RESOLUTION 1745: RECLASSIFY COMMUNICATION SPECIALIST AS EXEMPT UNDER FLSA. The motion carried.

Lowther MOVED APPROVAL OF RESOLUTION 1746: REAPPOINT ROB NESTOR TO THE ELKINS PARKS & RECREATION COMMISSION (EPRC). The motion carried.

The meeting was adjourned at 7:27 p.m.

Attest: S.R. Stokes, City Clerk

Jerry A. Marco, Mayor



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	April 16, 2024
Section:	Staff reports
Category:	Presentation
Agenda Item Name:	Treasurer's report
Recommended By:	City Treasurer
Summary:	The attached report from the City Treasurer includes: • General Fund Revenue Detail report showing: most recent month's revenues, YTD revenues, and YTD actual revenues as percentage of budgeted revenues • Bank account balances • Budget control summary
Fiscal Impact:	n/a
Recommendation:	Review presented information
Attachments:	1. Treasurer's Report - 2024_04_16

General Fund Revenue Detail

	March Revenues	YTD Revenues	Percent of Revenues Collected Per Budget	Percent of Yr. Completed 75.00
Unassigned Fund Balance				384,359.00
County Tax	\$205,346.50	\$1,046,820.09	88.10%	1,188,238.00
B & O Tax	\$21,138.23	\$1,295,826.09	91.90%	1,410,000.00
Hotel/Motel Tax	\$13,774.97	\$188,055.17	96.44%	195,000.00
Gas & Oil Severance Tax	\$0.00	\$70,881.19	283.52%	25,000.00
2% City Utility Tax	\$9,642.97	\$66,125.56	94.47%	70,000.00
Utility Excise Tax	\$31,891.65	\$237,827.33	79.28%	300,000.00
Liquor Tax	\$0.00	\$64,934.40	70.58%	92,000.00
Police	\$849.00	\$6,710.09	27.96%	24,000.00
Municipal Court	\$2,780.01	\$21,908.05	35.34%	62,000.00
Code Enforcement	\$1,548.94	\$18,845.65	73.33%	25,700.00
Business License	\$315.00	\$10,885.00	37.53%	29,000.00
Intergovernmental	\$107,943.36	\$526,805.34	288.71%	182,471.00
Franchise/IRP Fees	\$3,800.28	\$93,867.41	67.05%	140,000.00
Phil Gainer Community Center	\$6,194.00	\$41,826.78	107.25%	39,000.00
Misc. Revenue	\$36,021.19	\$144,326.73	137.11%	105,260.00
Municipal Sales Tax	\$0.00	\$1,098,562.50	78.47%	1,400,000.00
TOTAL	\$441,246.10	\$4,934,207.38	86.99%	5,672,028.00

FY2024 Budget Control Summary

General Fund														YTD TOTALS
Revenues	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Revenues Over Expenses	
	\$854,865.33	\$331,004.66	\$543,271.68	\$1,092,594.27	\$306,583.17	\$156,087.15	\$893,452.94	\$315,102.08	\$441,246.10	\$0.00	\$0.00	\$0.00	\$890,789.50	\$4,934,207.38
Expenses	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun		
	\$443,738.72	\$412,809.63	\$403,761.70	\$535,055.34	\$475,531.75	\$509,387.32	\$442,145.26	\$407,714.95	\$413,273.21	\$0.00	\$0.00	\$0.00	#	\$4,043,417.88
Sanitation Fund														
Revenues	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Revenues Over Expenses	
	\$122,635.34	\$129,954.36	\$113,859.96	\$126,649.07	\$130,951.32	\$125,579.73	\$126,696.74	\$132,668.71	\$158,586.51	\$0.00	\$0.00	\$0.00	-\$620,992.32	\$1,167,581.74
Expenses	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun		
	\$375,747.22	\$112,032.55	\$128,365.08	\$150,347.04	\$120,339.07	\$142,634.08	\$220,489.53	\$115,359.94	\$423,259.55	\$0.00	\$0.00	\$0.00		\$1,788,574.06
Sewer Fund														
Revenues	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Revenues Over Expenses	
	\$216,491.85	\$207,080.31	\$217,303.75	\$243,124.25	\$248,104.41	\$215,658.94	\$206,231.45	\$275,589.81	\$294,543.49	\$0.00	\$0.00	\$0.00	-\$49,519.17	\$2,124,128.26
Expenses	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun		
	\$244,836.96	\$222,640.35	\$241,235.73	\$232,602.45	\$312,911.69	\$253,078.52	\$248,473.42	\$221,006.30	\$196,862.01	\$0.00	\$0.00	\$0.00		\$2,173,647.43
Water Fund														
Revenues	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Revenues Over Expenses	
	\$364,356.67	\$405,886.10	\$373,182.41	\$458,593.81	\$458,864.24	\$412,646.68	\$351,227.65	\$421,484.51	\$400,231.57	\$0.00	\$0.00	\$0.00	\$320,388.49	\$3,646,473.64
Expenses	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun		
	\$339,127.28	\$355,984.86	\$432,184.41	\$400,858.39	\$331,210.72	\$395,575.27	\$411,156.60	\$339,696.92	\$320,290.70	\$0.00	\$0.00	\$0.00		\$3,326,085.15
Fire Fund														
Revenues	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Revenues Over Expenses	
	\$38,221.11	\$80,333.83	\$155,574.44	\$50,400.39	\$79,747.35	\$77,057.58	\$43,824.70	\$101,945.26	\$117,882.94	\$0.00	\$0.00	\$0.00	-\$50,160.03	\$744,987.60
Expenses	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun		
	\$90,744.77	\$70,132.37	\$84,702.51	\$125,866.17	\$87,272.30	\$98,575.93	\$83,608.93	\$78,076.20	\$76,168.45	\$0.00	\$0.00	\$0.00		\$795,147.63
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	\$5,838.48	\$7,482.12	\$8,425.33	\$8,754.02	\$8,559.34	\$8,225.84	\$0.00	\$0.00	\$0.00	\$63,877.23	\$65,455.66
Expenses	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun		
	\$1,019.07	\$6.95	\$168.69	\$6.97	\$11.14	\$170.50	\$17.42	\$15.84	\$161.85	\$0.00	\$0.00	\$0.00		\$1,578.43

Bank Account Name	Balance as of 3/31/2024
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ARPA	\$682,635.40
Elkins Building Comm. Sinking Fund	\$0.00
Elkins Municipal Building Comm.	\$0.00
Financial Stabilization	\$940,667.18
Fire Pension Fund	\$2,780,796.46
Firemen's Pension & Relief Fund	\$0.00
Landfill Access Escrow	\$1,863,573.53
Landfill Post Closure	\$48,723.99
Opioid	\$21,836.75
Payroll	\$564.02
Police Forfeitures	\$1,851.52
Police Pension Fund	\$4,665,259.03
Police Seizures	\$26,662.36
Policemen's Pension & Relief Fund	\$0.00
Pooled Cash-Coal Severance Fund	\$178,576.05
Pooled Cash-Fire Fund	\$417,945.54
Pooled Cash-General Fund	\$1,883,396.10
Pooled Cash-Landfill Fund	\$127,107.78
Pooled Cash-Parks Fund	\$910,885.88
Pooled Cash-Sanitation Fund	\$660,665.14
Pooled Cash-Sewer Fund	\$81,967.32
Pooled Cash-Water Fund	\$415,882.26
Sewer Depreciation	\$224,548.95
Sewer O&M	\$459,154.19
Sewer Project	\$49.84
Water Depreciation	\$189,692.35
Water O&M	\$434,177.78



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	April 16, 2024
Section:	Approval of vendor invoice payments
Category:	Action Item
Agenda Item Name:	Vendor invoices presented for approval: April 1-12, 2024. <i>(Available for public review in the city clerk's office two business days before this meeting, as required by W. Va. Ethics Commission Open Meetings Advisory Opinion 2012-04.)</i>
Recommended By:	City Treasurer
Summary:	Accounts payable transactions in all funds.
Fiscal Impact:	Report details \$603,946.60 in transactions from all funds.
Recommendation:	Consider for approval
Attachments:	1. AP Check Report - 2024_04_16

VENDOR SET: 01 Elkins

BANK: Pool Pooled Cash

DATE RANGE: 4/01/2024 THRU 4/12/2024

VENDOR I.D.	NAME	STATUS	CHECK	INVOICE	DISCOUNT	CHECK	CHECK	CHECK
			DATE	AMOUNT		NO	STATUS	AMOUNT
00741	Great-West Trust Company LLC							
I-VF 202404021632	Voya	D	4/02/2024	595.00		005781		
I-VF2202404021632	Voya AT	D	4/02/2024	100.00		005781		695.00
02417	US Bank Corporate Payment Syst							
I-Visa Fleet 03/2024	Visa Fleet Stmt Pmt 03/2024	D	4/09/2024	15,945.52		005794		15,945.52
02417	US Bank Corporate Payment Syst							
I-Visa NFleet 3/24	Visa NonFleet Stmt Pmt 033124	D	4/11/2024	105,882.08		005886		105,882.08
00116	Child Support Enforcement							
I-CDS202404021632	Child Support	R	4/02/2024	690.10		015163		690.10
00121	Citizens Bank of WVFP							
I-FP 202404021632	Fire Pension	R	4/02/2024	536.61		015164		536.61
00122	Citizens Bank of WVFP							
I-PP 202404021632	Police Pension	R	4/02/2024	179.08		015165		
I-PPN202404021632	Police Pension-2010 Forward	R	4/02/2024	475.59		015165		654.67
00147	COE Misc							
I-MIS202404021632	Misc Reimbursements	R	4/02/2024	460.94		015166		460.94
00150	COE Payroll							
I-T1 202404021632	Federal Withholding	R	4/02/2024	12,913.49		015167		12,913.49
00151	COE Payroll							
I-T3 202404021632	FICA	R	4/02/2024	19,536.66		015168		
I-T4 202404021632	Medicare	R	4/02/2024	4,999.78		015168		24,536.44
00152	COE Payroll							
I-T2 202404021632	State Withholding	R	4/02/2024	5,728.00		015169		5,728.00
00203	Davis Trust Company							
I-CC 202404021632	Employee Christmas Club	R	4/02/2024	2,760.00		015170		2,760.00
00747	Washington National Insurance							
I-WN 202404021632	Washington National Insurance	R	4/02/2024	641.85		015171		641.85
00837	COE Payroll Reimbursement							
I-001202404021632	Payroll Reimbursement	R	4/02/2024	51,583.33		015172		
I-006202404021632	Payroll Reimbursement	R	4/02/2024	5,194.15		015172		
I-036202404021632	Payroll Reimbursement	R	4/02/2024	19,539.42		015172		
I-400202404021632	Payroll Reimbursement	R	4/02/2024	21,843.03		015172		
I-401202404021632	Payroll Reimbursement	R	4/02/2024	13,860.28		015172		
I-404202404021632	Payroll Reimbursement	R	4/02/2024	12,200.39		015172		124,220.60

VENDOR SET: 01 Elkins

BANK: Pool Pooled Cash

DATE RANGE: 4/01/2024 THRU 4/12/2024

VENDOR I.D.	NAME	STATUS	CHECK	INVOICE	DISCOUNT	CHECK	CHECK	CHECK
			DATE			NO	STATUS	AMOUNT
01885	Colonial Life							
I-CL 202404021632	Colonial Life-AT	R	4/02/2024	112.10		015173		
I-CLP202404021632	Colonial Life-PT	R	4/02/2024	52.52		015173		164.62
00150	COE Payroll							
I-T1 202404021633	Federal Withholding	R	4/02/2024	217.82		015174		217.82
00151	COE Payroll							
I-T3 202404021633	FICA	R	4/02/2024	376.02		015175		
I-T4 202404021633	Medicare	R	4/02/2024	87.94		015175		463.96
00152	COE Payroll							
I-T2 202404021633	State Withholding	R	4/02/2024	112.00		015176		112.00
00837	COE Payroll Reimbursement							
I-400202404021633	Payroll Reimbursement	R	4/02/2024	1,454.33		015177		
I-401202404021633	Payroll Reimbursement	R	4/02/2024	879.83		015177		2,334.16
00024	Appalachian Tire Products							
I-1300022371	Tires	R	4/03/2024	11,466.24		015178		11,466.24
00088	Busch, Zurbuch & Thompson, PLL							
I-12/21/23	Deed Prep 0.17 Acres	R	4/03/2024	250.00		015179		250.00
00126	City of Clarksburg							
I-202404029152	Compost Ticket 1419/1420	R	4/03/2024	251.00		015180		251.00
00132	Clarksburg Water Board							
I-M91487	Lab Analysis 03/2024	R	4/03/2024	230.00		015181		
I-M91493	Lab Analysis 03/2024	R	4/03/2024	23.00		015181		253.00
00140	City of Elkins							
I-CKREQ 040224	Whitmer Utility Pmts to Elkins	R	4/03/2024	2,345.56		015182		2,345.56
00149	COE Parks and Recreation							
I-04/2024 Support	04/2024 Support	R	4/03/2024	25,483.00		015183		25,483.00
00158	COE Water Depreciation Account							
I-03/2024 Water Depr	03/2024 Water Depreciation	R	4/03/2024	9,716.21		015184		9,716.21
00169	Assured Partners of West Virgi							
I-21617	Sched Position Bond Ren 4/24	R	4/03/2024	1,477.00		015185		1,477.00

VENDOR SET: 01 Elkins

BANK: Pool Pooled Cash

DATE RANGE: 4/01/2024 THRU 4/12/2024

VENDOR I.D.	NAME	STATUS	CHECK	INVOICE	DISCOUNT	CHECK	CHECK	CHECK
			DATE			NO	STATUS	AMOUNT
00211	Elkins Depot Welcome Center							
I-02/2024 H/M	Hotel/Motel Collection 2/2024	R	4/03/2024	6,887.49		015186		6,887.49
00231	EI Technical Services, Inc.							
I-03112401	Calibration of Lab Instruments	R	4/03/2024	752.00		015187		752.00
00235	Elkins Building Comm.							
I-04/2024 Pmt	04/2024 Payment	R	4/03/2024	3,483.79		015188		3,483.79
00243	Elkins Randolph County Chamber							
I-943	2024 Annual Awards Dinner Tbl	R	4/03/2024	810.00		015189		810.00
00320	Hach Company							
I-13890333	Ethernet Cable/Network Cables	R	4/03/2024	1,249.52		015190		
I-13902977	SC4500 Modbus TCP/IP Upgrade	R	4/03/2024	2,715.00		015190		3,964.52
00381	Grover C Jackson Jr							
I-04/2024 Rent	04/2024 Rent	R	4/03/2024	1,800.00		015191		1,800.00
00500	Newlons International Sales, L							
I-01P16773	Lock Dev/Adj Clutch	R	4/03/2024	146.12		015192		146.12
00540	Pitney Bowes Bank Inc							
I-Pstg Alloc 03/2024	Postage Allocation 03/2024	R	4/03/2024	878.22		015193		878.22
00550	Precision Pump & Valve Service							
I-0140061-IN	Floats	R	4/03/2024	984.00		015194		984.00
00803	WV Division of Motor Vehicles							
I-032224	6 IDs	R	4/03/2024	150.00		015195		150.00
00884	Colonial Court Service Station							
I-586387	Recharge AC	R	4/03/2024	99.95		015196		
I-586980	4 Tires	R	4/03/2024	1,032.00		015196		1,131.95
00992	McNeil & Company							
I-4835207	Inst 4 Renewal Premium	R	4/03/2024	4,735.00		015197		4,735.00
01313	COE Water O & M Account							
I-03/2024 Water O&M	03/2024 Water O&M	R	4/03/2024	12,902.14		015198		12,902.14
01416	Gerry Roberts							
I-CKREQ 032624	Darden House Deed Recording	R	4/03/2024	33.70		015199		33.70

VENDOR SET: 01 Elkins

BANK: Pool Pooled Cash

DATE RANGE: 4/01/2024 THRU 4/12/2024

VENDOR I.D.	NAME	STATUS	CHECK	INVOICE AMOUNT	DISCOUNT	CHECK	CHECK	CHECK
			DATE			NO	STATUS	AMOUNT
01790	Crim Law Office PLLC							
I-414	Municipal Ct Matters 02/2024	R	4/03/2024	2,810.00		015200		
I-416	Water Board 02/2024	R	4/03/2024	1,030.00		015200		3,840.00
02012	Appalachain Aggregates							
I-214478	Stone	R	4/03/2024	1,194.30		015201		1,194.30
02431	Ferguson Waterworks #527							
I-0833165-6	NL Coup/PJ Coup/Comp90Bend	R	4/03/2024	1,164.00		015202		
I-0833165-7	LF 1-1/4x1-1/2 NLCoup	R	4/03/2024	539.16		015202		
I-0861750-3	NLCoup/Comp90Bend/SDL DI/AC	R	4/03/2024	675.60		015202		
I-0871874	End Caps	R	4/03/2024	32.36		015202		
I-0877502	MLD w/Cable	R	4/03/2024	310.00		015202		2,721.12
02515	Urse							
I-2546115	Wheel Alum/Deposit	R	4/03/2024	1,337.50		015203		1,337.50
1	PARRACK, TWILDA							
I-000202404031634	US REFUND	R	4/04/2024	264.15		015204		264.15
1	KIMBLE PROPERTIES LL							
I-000202404041635	US REFUND	R	4/09/2024	249.00		015205		249.00
1	GRAY, ALLISON C							
I-000202404051636	US REFUND	R	4/09/2024	53.29		015206		53.29
1	DOERR DEVELOPMENT							
I-000202404081637	US REFUND	R	4/09/2024	82.89		015207		82.89
1	COBERLY, REBECCA A							
I-000202404081638	US REFUND	R	4/09/2024	95.04		015208		95.04
1	KIMBLE PROPERTIES LL							
I-000202404081639	US REFUND	R	4/09/2024	46.57		015209		46.57
00032	Absolute Assurance Drug Test L							
I-3678	Random Testing	R	4/09/2024	294.00		015210		294.00
00047	Truist Governmental Finance							
I-00007 041924	9948000234-07 041924	R	4/09/2024	4,984.55		015211		4,984.55
00075	Encova Insurance							
I-36743606	WC 030424-040124	R	4/09/2024	6,599.00		015212		6,599.00

VENDOR SET: 01 Elkins

BANK: Pool Pooled Cash

DATE RANGE: 4/01/2024 THRU 4/12/2024

VENDOR I.D.	NAME	STATUS	CHECK	INVOICE	DISCOUNT	CHECK	CHECK	CHECK
			DATE	AMOUNT		NO	STATUS	AMOUNT
00143	COE General Fund 2							
I-04/2024 Indirects	4/2024 Indirects	R	4/09/2024	12,955.92		015213		12,955.92
00156	COE Sewer Depreciation Account							
I-03/2024 Sewer Dep	03/2024 Sewer Depr Deposit	R	4/09/2024	7,298.08		015214		7,298.08
00283	Frontier							
I-032024	Landline 02/20/24-03/19/24	R	4/09/2024	1,286.79		015215		
I-032824 Whitmer	032824-042724	R	4/09/2024	190.98		015215		1,477.77
00471	Mon Power							
I-90009511049	consumption/lighting 032024	R	4/09/2024	46,924.75		015216		46,924.75
00484	Mountaineer Gas Company							
I-Bearhunter 032824	Bearhunter 021524-031524	R	4/09/2024	38.00		015217		
I-ScottFd 032824	Scott Fd Rd 03/28/24	R	4/09/2024	40.01		015217		78.01
00606	Steven C. Rodeheaver							
I-12163	brooms	R	4/09/2024	30.00		015218		30.00
00644	Smith Backhoe & Dozer Service,							
I-105085	Fork Lift Service	R	4/09/2024	467.50		015219		467.50
00688	Terra Flora Landscaping							
I-0801	mulch - City Park	R	4/09/2024	205.00		015220		
I-0809	Pruning/mulch/labor/fertilizer	R	4/09/2024	2,801.65		015220		3,006.65
00711	Tygart Valley Transfer, Inc.							
C-0022409 CR	Duplicate Inv 00022409	R	4/09/2024	728.09CR		015221		
I-00022199	Comm	R	4/09/2024	231.23		015221		
I-00022228	Res	R	4/09/2024	499.73		015221		
I-00022229	Res	R	4/09/2024	626.81		015221		
I-00022230	Comm	R	4/09/2024	803.58		015221		
I-00022252	Res	R	4/09/2024	227.41		015221		
I-00022262	Comm	R	4/09/2024	205.43		015221		
I-00022268	Res	R	4/09/2024	1,037.67		015221		
I-00022270	Res	R	4/09/2024	734.78		015221		
I-00022271	Comm	R	4/09/2024	1,000.41		015221		
I-00022292	Comm	R	4/09/2024	247.47		015221		
I-00022302	Comm	R	4/09/2024	224.54		015221		
I-00022324	Res	R	4/09/2024	602.92		015221		
I-00022325	Res	R	4/09/2024	621.08		015221		
I-00022326	Comm	R	4/09/2024	441.44		015221		
I-00022350	Comm	R	4/09/2024	174.86		015221		
I-00022359	Comm	R	4/09/2024	228.36		015221		
I-00022366	Comm	R	4/09/2024	342.07		015221		
I-00022376	Res	R	4/09/2024	536.99		015221		
I-00022377	Res	R	4/09/2024	579.99		015221		

VENDOR SET: 01 Elkins

BANK: Pool Pooled Cash

DATE RANGE: 4/01/2024 THRU 4/12/2024

VENDOR I.D.	NAME	STATUS	CHECK	INVOICE	DISCOUNT	CHECK	CHECK	CHECK
			DATE			NO	STATUS	AMOUNT
I-00022379	Comm	R	4/09/2024	625.85		015221		
I-00022396	Res	R	4/09/2024	119.44		015221		
I-00022409	Res	R	4/09/2024	728.09		015221		
I-00022410	Res	R	4/09/2024	700.38		015221		
I-00022411	Comm	R	4/09/2024	526.48		015221		
I-00022443	Comm	R	4/09/2024	213.08		015221		
I-00022447	Res	R	4/09/2024	598.14		015221		
I-00022448	Comm	R	4/09/2024	656.43		015221		
I-00022449	Res	R	4/09/2024	509.28		015221		
I-00022461	Comm	R	4/09/2024	699.43		015221		
I-00022464	Res	R	4/09/2024	143.33		015221		
I-00022472	Comm	R	4/09/2024	158.61		015221		
I-00022477	Comm	R	4/09/2024	897.21		015221		
I-00022482	Res	R	4/09/2024	665.98		015221		
I-00022484	Res	R	4/09/2024	946.90		015221		
I-00022500	Comm	R	4/09/2024	242.70		015221		
I-00022503	Comm	R	4/09/2024	234.10		015221		
I-00022520	Res	R	4/09/2024	538.90		015221		
I-00022523	Res	R	4/09/2024	631.59		015221		
I-00022524	Comm	R	4/09/2024	482.53		015221		
I-00022550	Res	R	4/09/2024	155.75		015221		
I-00022554	Comm	R	4/09/2024	258.94		015221		
I-00022570	Res	R	4/09/2024	631.59		015221		
I-00022572	Comm	R	4/09/2024	565.66		015221		
I-00022573	Res	R	4/09/2024	494.95		015221		
I-00022574	Comm	R	4/09/2024	270.41		015221		
I-00022609	Comm	R	4/09/2024	536.04		015221		
I-00022610	Res	R	4/09/2024	636.36		015221		
I-00022633	Comm	R	4/09/2024	248.43		015221		
I-00022644	Res	R	4/09/2024	641.14		015221		
I-00022646	Res	R	4/09/2024	558.01		015221		
I-00022647	Comm	R	4/09/2024	784.47		015221		
I-00022673	Res	R	4/09/2024	160.52		015221		
I-00022682	Res	R	4/09/2024	996.59		015221		
I-00022683	Res	R	4/09/2024	772.04		015221		
I-00022684	Comm	R	4/09/2024	918.24		015221		
I-00022706	Comm	R	4/09/2024	267.54		015221		
I-00022720	Res	R	4/09/2024	582.86		015221		
I-00022721	Comm	R	4/09/2024	451.95		015221		
I-00022722	Res	R	4/09/2024	574.26		015221		
I-00022736	Comm	R	4/09/2024	467.24		015221		
I-00022748	Res	R	4/09/2024	525.53		015221		
I-00022749	Res	R	4/09/2024	598.14		015221		
I-00022750	Comm	R	4/09/2024	572.34		015221		
I-00022778	Comm	R	4/09/2024	20.00		015221		
I-00022780	Comm	R	4/09/2024	243.65		015221		
I-00022790	Comm	R	4/09/2024	491.13		015221		
I-00022791	Res	R	4/09/2024	595.28		015221		

VENDOR SET: 01 Elkins

BANK: Pool Pooled Cash

DATE RANGE: 4/01/2024 THRU 4/12/2024

			CHECK	INVOICE		CHECK	CHECK	CHECK
VENDOR I.D.	NAME	STATUS	DATE	AMOUNT	DISCOUNT	NO	STATUS	AMOUNT
I-00022793	Res	R	4/09/2024	558.01		015221		
I-00022809	Comm	R	4/09/2024	519.79		015221		
I-00022813	Res	R	4/09/2024	214.99		015221		
I-00022818	Comm	R	4/09/2024	290.47		015221		
I-00022835	Res	R	4/09/2024	604.83		015221		
I-00022836	Res	R	4/09/2024	441.44		015221		
I-00022837	Comm	R	4/09/2024	736.69		015221		
I-00022850	Comm	R	4/09/2024	214.03		015221		
I-00022857	Comm	R	4/09/2024	166.26		015221		
I-00022862	Comm	R	4/09/2024	289.52		015221		
I-00022869	Res	R	4/09/2024	950.72		015221		
I-00022872	Comm	R	4/09/2024	857.08		015221		
I-00022896	Res -Bulk PUP	R	4/09/2024	324.87		015221		
I-00022912	Comm	R	4/09/2024	432.84		015221		
I-00022913	Res	R	4/09/2024	507.37		015221		
I-00022915	Res	R	4/09/2024	687.00		015221		
I-00022932	Comm	R	4/09/2024	288.56		015221		
I-00022948	Res	R	4/09/2024	622.03		015221		
I-00022950	Res	R	4/09/2024	632.54		015221		
I-00022951	Comm	R	4/09/2024	604.83		015221		
I-00022975	Comm	R	4/09/2024	553.23		015221		
I-00022991	Comm	R	4/09/2024	197.79		015221		
I-00022997	Res	R	4/09/2024	598.14		015221		
I-00022998	Res	R	4/09/2024	960.91		015221		
I-00022999	Res	R	4/09/2024	300.98		015221		
I-0022409	Res	R	4/09/2024	728.09		015221		
I-0022608	Res	R	4/09/2024	713.76		015221		
I-0023001	Comm	R	4/09/2024	727.14		015221		
I-22854	Res-Bulk PUP	R	4/09/2024	176.77		015221		
I-22870	Res	R	4/09/2024	773.00		015221		48,549.87
00712	Tyler Technologies, Inc.							
C-025-454408	Prorated License Fees Executim	R	4/09/2024	3,602.24CR		015222		
C-025-456809	Basic Network Support Service	R	4/09/2024	33,560.30CR		015222		
I-025-456720	Incode Annual Saas Fees	R	4/09/2024	61,546.00		015222		24,383.46
01292	COE Sewer O & M Account							
I-03/2024 Sewer O&M	03/2024 Sewer O&M	R	4/09/2024	13,153.88		015223		13,153.88
01449	Dodson Pest Control							
I-231731020342 24	Pest Control Serv 032124	R	4/09/2024	60.00		015224		60.00
01499	Magnum Electronics, Inc.							
I-S0110682	Motorolaa Antenna/BatteryChgrs	R	4/09/2024	2,434.65		015225		2,434.65

VENDOR SET: 01 Elkins

BANK: Pool Pooled Cash

DATE RANGE: 4/01/2024 THRU 4/12/2024

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
01727	Enterprise FM Trust							
I-FBN5015545	Lease Pmts 04/2024	R	4/09/2024	18,533.39		015226		18,533.39
01790	Crim Law Office PLLC							
I-420	Attnty Services 03/2024	R	4/09/2024	7,060.00		015227		
I-421	Municipal Ct 03/2024	R	4/09/2024	3,350.00		015227		
I-424	WV DEP Grant Attnty Serv	R	4/09/2024	120.00		015227		10,530.00
02347	LEAF							
I-16271447	Tosh 478S 041824	R	4/09/2024	96.74		015228		
I-16271448	Tosh E478S 041824	R	4/09/2024	96.74		015228		
I-16311728	Tosh/Lex 042424	R	4/09/2024	570.83		015228		
I-16311729	Tosh 478S 042524	R	4/09/2024	109.47		015228		
I-16311730	Tosh E4515AC	R	4/09/2024	180.03		015228		1,053.81
02424	Willquip LLC							
I-IN-001102	Garbage Bags/Rags/Tape	R	4/09/2024	445.80		015229		
I-IN-001193	Electrical Tape/First Aid Kits	R	4/09/2024	980.32		015229		1,426.12
02577	Teemu Johannes							
I-EPRC BBall Johanne	EPRC BBall Referee 2 games	R	4/09/2024	50.00		015230		50.00
02632	B-U Chamber of Commerce							
I-2024254	2024 State of the Corridor Tbl	R	4/09/2024	200.00		015231		200.00
02633	Gary Bonnell Jr							
I-CK REQ 040424	Reimb for CDLS	R	4/09/2024	236.25		015232		236.25
02634	Discount Communications and El							
I-3543	Radio Key/Keyloader Cable	R	4/09/2024	476.28		015233		476.28

* * T O T A L S * *

	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	71	481,424.00	0.00	481,424.00
HAND CHECKS:	0	0.00	0.00	0.00
DRAFTS:	3	122,522.60	0.00	122,522.60
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

VENDOR SET: 01 Elkins
BANK: Pool Pooled Cash
DATE RANGE: 4/01/2024 THRU 4/12/2024

VENDOR I.D.	NAME	STATUS	CHECK	INVOICE	DISCOUNT	CHECK	CHECK	CHECK
			DATE	AMOUNT		NO	STATUS	AMOUNT

		NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
VENDOR SET: 01	BANK: Pool TOTALS:	74	603,946.60	0.00	603,946.60
BANK: Pool	TOTALS:	74	603,946.60	0.00	603,946.60
REPORT TOTALS:		74	603,946.60	0.00	603,946.60

SELECTION CRITERIA

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

CHECK SELECTION

CHECK RANGE: 000000 THRU 999999
DATE RANGE: 4/01/2024 THRU 4/12/2024
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:	April 16, 2024
Section:	New business
Category:	Action Item
Agenda Item Name:	Laying the FY 2025 levy
Recommended By:	City Treasurer
Summary:	All West Virginia cities and counties must meet on the third Tuesday in April to "lay the levy," the final step in the process of establishing the budget for the fiscal year beginning July 1 (FY 2025). The city's FY 2025 budget, which council initially adopted in March, has now been approved by the state auditor. At tonight's meeting, it remains to take the final step to finalize this budget, including setting the in-city FY2025 property tax rate, which is to remain unchanged from past years.
Fiscal Impact:	The proposed FY 2025 \$6,266,793 budget is a \$594,765 increase from the FY 2025 budget, including a projected carryover amount of \$648,261. For more information about the FY 2025 budget, see this post on the city's news blog: Fiscal Year 2025 Budget Information.
Recommendation:	Lay the levy
Attachments:	1. FY 2025 levy

MUNICIPALITY OF ELKINS, WEST VIRGINIA

LEVY ORDER AND RATE SHEET

2024 - 2025

**The following is a true copy from the record of orders entered by this entity
on the 16 day of April, 2024.**

SIGNATURE: _____

Municipal Clerk or Recorder

		Column E	
		Certificate of Valuation	Levy
Current Year	Assessed Value for Tax Purposes	Rate/\$100	Taxes Levied
Class I			
Personal Property	\$ 0	12.500	\$ 0
Public Utility	0		0
Total Class I	\$ 0		\$ 0
Class II			
Real Estate	\$ 139,437,070	25.000	\$ 348,593
Personal Property	796,482		1,991
Total Class II	\$ 140,233,552		\$ 350,584
Class IV			
Real Estate	\$ 115,972,130	50.000	\$ 579,861
Personal Property	70,798,996		353,995
Public Utility	16,098,362		80,492
Total Class IV	\$ 202,869,488		\$ 1,014,348
Total Value & Projected Revenue	\$ 343,103,040		\$ 1,364,932
Less Delinquencies, Exonerations & Uncollectable Taxes		5.00%	68,247
Less Tax Discounts		2.00%	25,934
Less Allowance for Tax Increment Financing - see worksheet (Subtracted from regular current expense taxes levied only)			25,236
Total Projected Property Tax Collection			1,245,515
Less Assessor Valuation Fund (Subtracted from regular current expense taxes levied only)		2.00%	24,910
Net Amount to be Raised by Levy of Property Taxes For Budget Purposes			\$ 1,220,605



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	April 16, 2024
Section:	New business
Category:	Ordinance
Agenda Item Name:	Ordinance 327: TIF Advisory Committee (final reading)
Recommended By:	Municipal Properties Committee; Rules & Ordinances Committee; City Clerk and Operations Manager
Summary:	Establishes a non-governing-body advisory committee to assist council in evaluating and prioritizing projects proposed for funding through proceeds of the city's Tax Increment Financing district. City Council will retain final approval authority over all TIF spending decisions; this committee is advisory only.
Fiscal Impact:	None
Recommendation:	Consider for approval
Attachments:	1. O-327 - Ordinance Creating TIF District (Creating TIF Advisory Committee)

IN THE COMMON COUNCIL OF THE CITY OF ELKINS, WV
AN ORDINANCE OF COMMON COUNCIL

(#327)

**AN ORDINANCE APPROVING AND CREATING A TAX INCREMENT
FINANCING ADVISORY COMMITTEE TO ADVISE THE CITY OF ELKINS
ON THE PRIORITY OF PROJECTS AND USE OF FUNDS IN CONNECTION
WITH THE “THE CITY OF ELKINS REDEVELOPMENT DISTRICT NO. 1”;
AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH**

WHEREAS, The City of Elkins, West Virginia (the “City”) is authorized by the West Virginia Tax Increment Financing Act, Chapter 7, Article 11B of the Code of West Virginia 1931, as amended (the “Act”) to create tax increment financing districts, approve project plans, issue tax increment financing obligations and take such other actions as necessary or desirable to facilitate the orderly development and economic stability of the City, all as more fully set forth in the Act;

WHEREAS, by Ordinance enacted on May 18, 2023 (the “TIF Ordinance”), the City authorized and created a redevelopment district designated as “The City of Elkins Redevelopment District No. 1”, the boundaries of which are more fully described in **Exhibit A** hereto (the “TIF District”), and approved a redevelopment project plan designated as “Project Plan No. 1”, as more fully described in **Exhibit B** hereto (the “Project Plan”), all in accordance with the applicable provisions of the Act;

WHEREAS, the TIF Ordinance established a tax increment financing fund from which the City is authorized to issue tax increment finance obligations or expend tax increment revenues on a pay as you go basis, all in order to finance the costs of planning, acquiring, constructing and equipping the Project Plan, being necessary public infrastructure and related improvements within the TIF District;

WHEREAS, to meet the objectives of the Project Plan, the Common Council of the City (“Council”) finds it appropriate to establish an advisory committee for the purpose of rating and prioritizing projects within the Project Plan (the “TIF Advisory Committee”);

WHEREAS, the Council has determined to enact this Ordinance that approves and creates the TIF Advisory Committee.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF ELKINS, AS FOLLOWS:

1. TIF Advisory Committee.

(a) The Council hereby creates an advisory committee to be known as “The TIF Advisory Committee” which shall consist of the City Clerk, the Operations Manager, the Executive Director of the Randolph County Development Authority, and the Executive Director of Woodlands Development Group, Inc.

(b) The purposes of the Committee are as follows:

i. to create a system of objective criteria for rating and prioritizing development or redevelopment projects as described in the Project Plan to foster economic development in the TIF District;

ii. to adopt and establish rules and regulations and develop forms as it deems necessary so as to fulfill the purposes for which the Committee has been established; and

iii. to recommend to the Council, prior to the tax increment financing fund being used to pay or support costs of any development or redevelopment project, including any debt service on any TIF obligations issued from the TIF District, that

(A) all requirements of any applicable law, rule or regulation and all due process requirements have been satisfied; and

(B) the particular project for which proceeds from the TIF Fund will be expended meets one of the following objectives: (1) eliminates a public health or safety hazard; (2) provides an economic or community development benefit; or (3) will result in a beautification impact to the TIF District and the City of Elkins.

(c) Unless sooner dissolved by subsequent action of the Council, the Committee shall be dissolved, without any action by the Council, upon having fulfilled the purpose for which it is created or upon expiration of the TIF District.

(d) It is the express intent of the Council that the Committee is an ad hoc advisory committee for the limited purposes herein stated, and this Ordinance should not be construed to create a permanent or temporary municipal department, office, board or agency.

2. Severability of Invalid Provisions. If any section, paragraph, clause or provision of this Ordinance should be held invalid by any court of competent jurisdiction, the invalidity of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.

3. Headings, Etc. The headings and catch lines of the articles, sections and subsections hereof are for convenience of reference only, and shall not affect in any way the meaning or interpretation of any provision hereof.

4. Conflicting Provision Repealed. All ordinances, resolutions, indentures or orders, or parts thereof, that conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed with respect to the subject matter of this Ordinance.

5. Effective Date. This Ordinance shall take effect immediately upon enactment.

First Reading April 4, 2024

Second Reading April __, 2024

[Signature Page Follows]

Adopted this _____, 2023.

THE CITY OF ELKINS

By: _____
Its Mayor

ATTEST:

By: _____
City Clerk

CERTIFICATION

The undersigned, being the duly qualified, elected and acting Clerk of The City of Elkins, does hereby certify that the foregoing Ordinance was duly adopted by the Common Council of The City of Elkins at regular meetings duly held, pursuant to proper notice thereof, on April ___, 2024 and April ___, 2024, a quorum being present and acting throughout, and which Ordinance has not been modified, amended or revoked and is a true, correct and complete copy thereof as of this ___ day of _____ 2024.

By: _____
City Clerk

Exhibit A**TIF District Boundaries**

The TIF District is located in the City of Elkins, West Virginia, and includes approximately 437 acres of contiguous real property located in Elkins Corporation property tax district, as set forth on the map below, including the specifically delineated TIF District boundary.

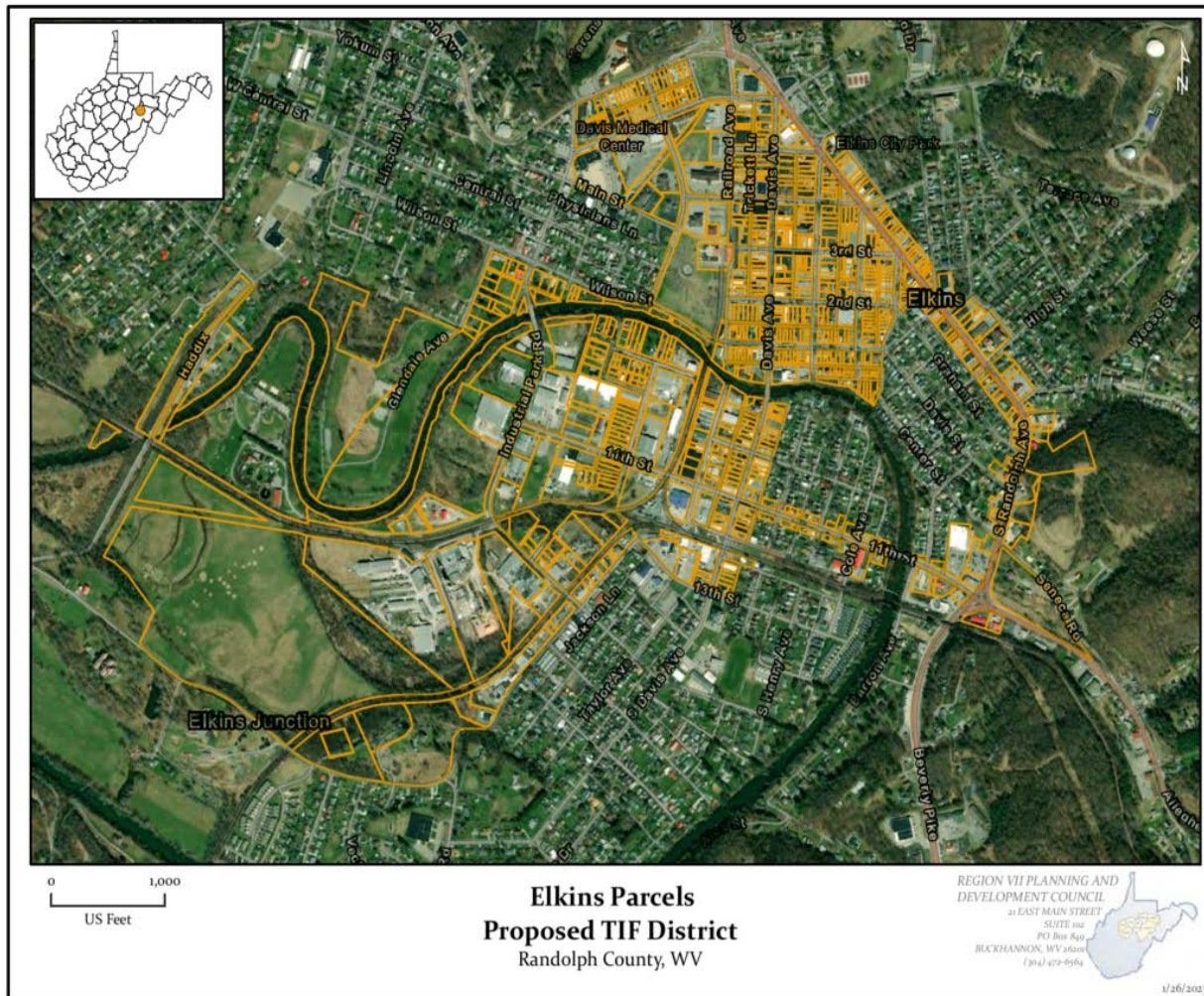


Exhibit B

Project Plan

(attached hereto)

SECTION II.**PROJECT INFORMATION****A. DETAILED DESCRIPTION OF PROJECT**

Include a description of how the project fits with the overall development plans for the Redevelopment District or the overall development plans of the city, county, or region.

The TIF District

The City of Elkins (the “City”) is proposing the creation of the “City of Elkins Redevelopment District No. 1” (the “TIF District”). The proposed TIF District includes approximately 437 acres of contiguous real property located in Elkins Corporation property tax district. A map of the TIF District boundaries is provided in **Attachment 1**. The proposed TIF District is comprised of parts of the downtown business district, the Industrial Park managed by the Randolph County Development Authority, and the Elkins Railyard. The proposed TIF District is generally bounded to the north by Seneca Trail, to the east by Randolph Avenue and Livingston Avenue, to the south by Georgetown Road and to the west by portions of Haddix Road and is bisected by the Tygart Valley River. The TIF District is being created by the City for the purposes of facilitating the planning, design, acquisition, construction and equipping of capital improvements within the TIF District or on land not in the TIF District that is contiguous to the TIF District and which contains infrastructure or other facilities which serve the TIF District.

The TIF Projects

The City proposes to develop certain capital improvements within or which serve the TIF District and include the design, permitting, acquisition, construction and equipping of site, infrastructure and other improvements, both public and private, that will facilitate development within, or for the benefit of, the TIF District (collectively, the “TIF Projects”), including, but not limited to, the following:

- Waterlines, waterworks facilities, sanitary sewer lines, sewerage facilities, stormwater facilities, telecommunications, cable, fiber optic, electric, natural gas and related public infrastructure improvements and relocations;
- Construction of roads, sidewalks, street lighting, traffic signals and other roadway and streetscape improvements and related appurtenances including curbing and gutters;
- Acquisition of land within the TIF District or outside of the TIF District which contains or will contain infrastructure or other facilities which serve the TIF District;
- Demolition, site preparation and excavation and other earthwork necessary for and incidental to the construction and installation of infrastructure and other improvements;
- Other related improvements, extensions, renovations and additions; and
- All professional service fees and consultant fees in connection with the foregoing, including but not limited to engineering and other design fees, legal fees, fees of property tax revenue consultants, property tax consultants, trustees, continuing disclosure agents and all fees and costs incurred in connection with the preparation and approval of the Project Plan.

The TIF Projects are expected to include, but not be limited to, (i) riverfront development and beautification along the Tygart Valley River; (ii) recreational trail system improvements throughout the proposed TIF District; (iii) streetscaping, wayfinding, lighting, and sidewalk improvements in the downtown business district; (iv) improvements to the Elkins Railyard, including the Roundhouse Plaza and construction of a new event center; and (v) improvements to the Randolph County Industrial Park.

The TIF Projects which are currently contemplated for the TIF District are more particularly indicated on the maps provided in **Attachment 2**. The proposed TIF Projects and the capital improvements and expenditures currently contemplated pursuant to such phases are presented by way of example only and the actual capital improvements and expenditures for each phase or project may differ substantially from those described herein so long as such improvements and expenditures are included within the description of the TIF Projects described herein.

Tax Increment Financing Obligations

To finance all or portions of the TIF Projects, the City proposes to issue tax increment revenue bonds or other obligations (the “TIF Obligations”) in an estimated amount not to exceed \$25,000,000, with maturities not to exceed 30 years from the date of the creation of the TIF District. Such TIF Obligations may be issued from time to time in one or more series. Proceeds of the TIF Obligations are generally planned to be used to (i) finance costs of the TIF Projects, including architectural, engineering, legal and other professional fees and expenses; (ii) finance costs of creating the TIF District and obtaining approval of the TIF Projects; (iii) fund reserves for the TIF Obligations, as necessary; (iv) fund capitalized interest on the TIF Obligations, as necessary; and (v) pay costs of issuance of the TIF Obligations and related costs. To the extent that surplus tax increment funds are available, portions of the TIF Projects may be financed directly with such surplus on a pay-as-you-go basis. See **Section II.E** for more detailed Financing information and **Section II.G** for additional information on the proposed TIF Obligations.

B(1):	ESTIMATES
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Projected increases in Assessed Values of the TIF District:

Please see the attachments to **Section II.G Tax Increment Financing Obligations** herein for the Preliminary Development Schedule prepared by the City, and the Projection of Net Property Tax Increment, which includes projected increases in assessed values of the TIF district.

B(2):	ESTIMATES
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Number of jobs to be created by this project in the TIF District. Estimated jobs are as follows:

Estimated Job Creation within the TIF District

Job Category: Professional

Wages:	\$75,000 - \$150,000
Benefits:	Industry Standard
Number of Construction Jobs:	3
Number of Permanent Jobs:	15

Job Category: Clerical and Admin

Wages:	\$25,000 - \$75,000
Benefits:	Industry Standard
Number of Construction Jobs:	2
Number of Permanent Jobs:	20

Job Category: Skilled

Wages:	\$40,000 - \$75,000
Benefits:	Industry Standard
Number of Construction Jobs:	60
Number of Permanent Jobs:	26

Job Category: Semi-Skilled

Wages:	\$20,000 - \$40,000
Benefits:	Industry Standard
Number of Construction Jobs:	40
Number of Permanent Jobs:	27

Job Category: Unskilled

Wages:	\$20,000 - \$40,000
Benefits:	Industry Standard
Number of Construction Jobs:	38
Number of Permanent Jobs:	49

Total Estimated Number of Construction Jobs:	153
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Total Estimated Number of Permanent Jobs:	137
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C. CAPITAL IMPROVEMENTS

The City proposes to develop certain capital improvements within or which serve the TIF District and include the design, permitting, acquisition, construction and equipping of site, infrastructure and other improvements, both public and private, that will facilitate development within, or for the benefit of, the TIF District (collectively, the “TIF Projects”), including, but not limited to, the following:

- Waterlines, waterworks facilities, sanitary sewer lines, sewerage facilities, stormwater facilities, telecommunications, cable, fiber optic, electric, natural gas and related public infrastructure improvements and relocations;
- Construction of roads, sidewalks, street lighting, traffic signals and other roadway and streetscape improvements and related appurtenances including curbing and gutters;
- Acquisition of land within the TIF District or outside of the TIF District which contains or will contain infrastructure or other facilities which serve the TIF District;
- Demolition, site preparation and excavation and other earthwork necessary for and incidental to the construction and installation of infrastructure and other improvements;
- Other related improvements, extensions, renovations and additions; and
- All professional service fees and consultant fees in connection with the foregoing, including but not limited to engineering and other design fees, legal fees, fees of property tax revenue consultants, property tax consultants, trustees, continuing disclosure agents and all fees and costs incurred in connection with the preparation and approval of the Project Plan.

The TIF Projects are expected to include, but not be limited to, (i) riverfront development and beautification along the Tygart Valley River; (ii) recreational trail system improvements throughout the proposed TIF District; (iii) streetscaping, wayfinding, lighting, and sidewalk improvements in the downtown business district; (iv) improvements to the Elkins Railyard, including the Roundhouse Plaza and construction of a new event center; and (v) improvements to the Randolph County Industrial Park. The TIF Projects which are currently contemplated for the TIF District are more particularly indicated on the maps provided in **Attachment 2**. The TIF Projects and the capital improvements and expenditures currently contemplated pursuant to such phases are presented by way of example only.

The City has prepared preliminary cost estimates for the TIF Projects, as summarized in the following table and described on the following page:

Type of Improvements	Estimated Cost*
Riverfront Development	\$3,300,000
Recreational Trails	\$3,000,000
Streetscaping	\$1,800,000
Railyard	\$3,600,000
Industrial Park	<u>\$3,000,000</u>
Total:	\$14,700,000*

* Assumes the maximum estimated cost.

1. Riverfront Development and Related Improvements

There has been a dismissive or negative attitude surrounding the section of the Tygart Valley River that flows through the heart of Elkins for many years. Past efforts to change this perception and revitalize the river were recently stimulated by the rehabilitation of the Tygart Hotel and the community's participation in HubCAP. As a result, the Elkins Riverfront Development plan was created by GAI Consultants. The cost of this design work was paid for by the City and HubCAP. The plan provides a vision to restore ecological function, provide safe alternative transportation routes, and incorporate recreational opportunities. Projected costs as part of the design work are estimated to cost between \$2,400,000 to \$3,300,000 to implement.

2. EAST Trail Design and Related Improvements

The City is uniquely situated to access unparalleled recreational opportunities in the eastern United States, including whitewater runs, climbing routes, and down-hill/cross country ski resorts, all within an hour and half. However, the City itself lacks high-quality, purpose-built, accessible trails. To address this limitation, the City has partnered with Elkins Area Shared Trails (EAST), a collaborative organization that brings together land managers, trail development and design experts, community development organizations, and civic leaders to improve trail systems within the City. To facilitate trail master planning in the area, EAST has been awarded \$80,000 in grant funding from two sources, to be matched by over \$23,000 of in-kind partner-based support and \$30,000 cash. Current cost estimates for construction are between \$1,300,000 to \$3,000,000.

3. Streetscaping and Related Improvements

In 2016, the Design Committee of Elkins Main Street, Inc. prepared the Elkins Streetscape Vision to provide a framework to advance streetscape improvements in downtown. In 2017, the Common Council adopted its 2018-2023 Strategic Plan which emphasizes improvements to downtown streetscapes, signage, lighting, and sidewalks. The City has engaged an architectural and engineering firm to produce design plans and standard drawings suitable for plan implementation. The cost of design is \$30,000 and implementation costs are estimated at \$200,000 to \$300,000 per block, with a total estimated cost of \$1,200,000 to \$1,800,000 (based on 6 blocks).

4. Elkins Railyard and Related Improvements

The City intends to facilitate the development of the Elkins Railyard, including roadways, the construction of a new public events center, development of the Roundhouse Plaza, and public infrastructure improvements. The City estimates the total cost of these projects at \$3,600,000.

5. Industrial Park Property Development and Related Improvements

The City intends to make necessary investments in the Randolph County Industrial Park to include site preparation, sidewalks, lighting and other infrastructure improvements at an estimated cost of \$2,000,000 to \$3,000,000.

D. ESTIMATED BREAKDOWN OF PROJECT COSTS*

The below preliminary breakdown of estimated costs of the TIF Project is anticipated to be fully financed from TIF Obligations and/or from Pay-As-You-Go funds from the TIF Fund. See **Section II.G – Tax Increment Financing Obligations** and **Section II.E – Financing** for more detailed information. The Costs of the TIF Projects set forth on this and the prior pages are based on the best available information at the time of this Application. Some of these costs are based on conceptual layouts using a cost per linear foot and other costs are based on allocated budgets to the anticipated scope of the work. All indicated costs are estimates only and are subject to change and the actual costs will likely differ from the amounts stated herein.

	TOTAL*	<u>Proposed Financing Method</u>
1. Capital Costs	\$ (see 8 below)	
2. Estimated Financing Costs	\$ 423,514	TIF Obligations
3. Professional Services	\$ (see footnote)	
4. Land	\$ unknown	
5. Relocation Costs	\$ -0-	
6. Environmental Impact Studies	\$ -0-	
7. Public Information	\$ -0-	
8. Construction of Capital Improvements	\$7,000,000	TIF Obligations
9. Costs of the sale/lease of County property that results in a loss to County	\$ -0-	
10. Capitalized Interest Fund	\$ 462,786	TIF Obligations
11. Reserve Fund	\$ 570,700	TIF Obligations
Total Project Cost:	\$8,457,000	TIF Obligations
12. Additional Capital Improvements	\$7,700,000	TIF Obligations/Pay-As-You-Go

***Notes to Items 1 through 12:**

- 2) Estimated Financing Costs for the TIF Obligations are provided in **Section II.G.**
- 3) Estimated Professional Services costs are included in Construction of Capital Improvements.
- 6) Estimated Environmental Impact Studies costs are included in Construction of Capital Improvements.
- 8) See **Section II.C** for estimated breakdown of costs.
- 10) Estimated capitalized interest are provided in **Section II.G.**
- 11) Estimated Reserve Fund for the TIF Obligations are provided in **Section II.G.**



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	April 16, 2024
Section:	New business
Category:	Resolution
Agenda Item Name:	Resolution 1742: SUPPLEMENTAL RESOLUTION PROVIDING PARAMETERS AS TO THE PRINCIPAL AMOUNT, DATE, MATURITY DATE, INTEREST RATE, INTEREST AND PRINCIPAL PAYMENT DATES AND OTHER TERMS OF THE SEWER REVENUE BONDS, SERIES 2024 (BANK QUALIFIED), OF THE CITY OF ELKINS; AUTHORIZING AND APPROVING THE SALE AND DELIVERY OF SUCH BONDS PURSUANT TO A CERTIFICATE OF DETERMINATIONS; AND MAKING OTHER PROVISIONS AS TO THE SERIES 2024 BONDS.
Recommended By:	Steptoe & Johnson, bond counsel
Summary:	This resolution is connected to the bond issuance authorized by Ordinance 320. For a bond issue, a supplemental resolution supplies certain details that could not have been provided in the original ordinance, such as finance institution that has been selected to receive the bonds and the format of various associated agreements.
Fiscal Impact:	This is an additional step in the process of issuing as much as \$250,000 in sewer revenue bonds, for the construction of a new garage building at the city's wastewater treatment plant.
Recommendation:	Consider for approval
Attachments:	1. R-1742 - SUPPLEMENTAL PARAMETERS RESOLUTION for Sewer Revenue Bonds Series 2024

Resolution 1742

THE CITY OF ELKINS

Sewer Revenue Bonds, Series 2024 (Bank Qualified)

SUPPLEMENTAL PARAMETERS RESOLUTION

SUPPLEMENTAL RESOLUTION PROVIDING PARAMETERS AS TO THE PRINCIPAL AMOUNT, DATE, MATURITY DATE, INTEREST RATE, INTEREST AND PRINCIPAL PAYMENT DATES AND OTHER TERMS OF THE SEWER REVENUE BONDS, SERIES 2024 (BANK QUALIFIED), OF THE CITY OF ELKINS; AUTHORIZING AND APPROVING THE SALE AND DELIVERY OF SUCH BONDS PURSUANT TO A CERTIFICATE OF DETERMINATIONS; AND MAKING OTHER PROVISIONS AS TO THE SERIES 2024 BONDS.

WHEREAS, The City of Elkins (the "Issuer") in the County of Randolph, State of West Virginia, is a municipality and political subdivision of said State, the governing body of which is its Council (the "Governing Body");

WHEREAS, the Governing Body has duly and officially enacted on March 21, 2024, an Ordinance (the "Ordinance") entitled:

ORDINANCE AUTHORIZING THE DESIGN, ACQUISITION, CONSTRUCTION AND EQUIPPING OF CERTAIN EXTENSIONS, ADDITIONS, BETTERMENTS AND IMPROVEMENTS TO THE EXISTING PUBLIC SEWERAGE SYSTEM OF THE CITY OF ELKINS AND THE FINANCING OF THE COST THEREOF, NOT OTHERWISE PROVIDED, THROUGH THE ISSUANCE BY THE CITY OF ELKINS OF NOT MORE THAN \$250,000 IN ORIGINAL AGGREGATE PRINCIPAL AMOUNT OF SEWER REVENUE BONDS, SERIES 2024 (BANK QUALIFIED); PROVIDING FOR THE RIGHTS AND REMEDIES OF AND SECURITY FOR THE REGISTERED OWNERS OF SUCH BONDS; AUTHORIZING EXECUTION AND DELIVERY OF ALL DOCUMENTS RELATING TO THE ISSUANCE OF SUCH BONDS; AUTHORIZING THE SALE AND PROVIDING FOR THE TERMS AND PROVISIONS OF SUCH BONDS AND ADOPTING OTHER PROVISIONS RELATING THERETO.

WHEREAS, capitalized terms used herein and not otherwise defined herein shall have the same meaning set forth in the Ordinance when used herein;

WHEREAS, the Ordinance provides for the issuance by the Issuer of its Sewer Revenue Bonds, Series 2024 (Bank Qualified), in one or more series, in the aggregate principal amount not to

exceed \$250,000, all in accordance with Chapter 16, Article 13, of the West Virginia Code of 1931, as amended (the "Act");

WHEREAS, it is deemed necessary for the Issuer to issue an initial series of its Sewer Revenue Bonds, Series 2024 (Bank Qualified) (the "Series 2024 Bonds"), in an aggregate principal amount of not more than \$250,0000, to (i) permanently finance a portion of the costs of design, acquisition, construction and equipping of the Project and (ii) pay costs of issuance of the Series 2024 Bonds;

WHEREAS, in the Ordinance, it is provided that the exact principal amount, date, maturity date, interest rate, interest and principal payment dates and other terms of the Series 2024 Bonds should be established by a supplemental resolution and that other matters relating to the Series 2024 Bonds be provided for therein; and

WHEREAS, the Governing Body deems it essential and desirable that this supplemental resolution (the "Supplemental Resolution") be adopted, that the principal amount, date, maturity date, interest rate, interest and principal payment dates and other terms of the Series 2024 Bonds be fixed hereby in the manner stated herein, and that other matters relating to the Series 2024 Bonds be herein provided for.

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

Section 1. For the purposes to fund the design, acquisition, construction and equipping of certain additions, betterments and improvements to the existing public sewerage system of the Issuer, consisting of a garage structure for storage of rolling stock, together with all appurtenant facilities (collectively, the "Project"), the Issuer hereby authorizes the issuance of the Series 2024 Bonds in an aggregate principal amount not to exceed \$250,000.

Section 2. The Series 2024 Bonds shall be sold to Davis Trust Company, Elkins, West Virginia (the "Lender"), and shall be registered in the name of such bank pursuant to the terms of the commitment letter dated February 27, 2024. The price of the Series 2024 Bonds shall be 100% of par value, there being no interest accrued thereon.

Section 3. The Issuer hereby appoints and designates Davis Trust Company, Elkins, West Virginia, as the Registrar and the West Virginia Municipal Bond Commission, Charleston, West Virginia as the Paying Agent.

Section 4. Pursuant to the Ordinance and the Act, this Supplemental Parameters Resolution is adopted and there are hereby authorized and ordered to be issued the Series 2024 Bonds. The Series 2024 Bonds shall be issued in the aggregate principal amount not to exceed \$250,000, bear interest at a rate not to exceed 6.5%, and shall mature fifteen years from the date of closing, all as shall subsequently be approved by the Mayor pursuant to the execution and delivery by the Mayor of a Certificate of Determinations with respect to the Series 2024 Bonds, dated the date of Closing, the form of which is attached hereto as EXHIBIT A and approved hereby (the "Certificate of Determinations"); provided however, that the specific terms of the Series 2024 Bonds shall be as determined by the Mayor and as approved by the Mayor in the Certificate of Determinations.

Section 5. All other provisions of the Series 2024 Bonds and the text of the Series 2024 Bonds shall be in substantially the form provided in the Ordinance.

Section 6. The Mayor and City Clerk are hereby authorized and directed to execute and deliver the Series 2024 Bonds and such other documents and certificates required or desirable in connection with the Series 2024 Bonds hereby and by the Ordinance approved and provided for, with such amendments and modifications as approved by the Mayor, and the signature of the Mayor shall be conclusive evidence of the approval of such amendments and modifications.

Section 7. The Issuer designated the Series 2024 Bonds as a "Qualified Tax-Exempt Obligation" for purposes of Section 265(b)(3) of the Code and did not issue more than \$10,000,000 in aggregate principal amount of obligations, including the Series 2024 Bonds, the interest on which was excludable (under Section 103(a) of the Code) from gross income for federal income tax purposes (excluding, however, obligations described in Section 265(b)(3)(C)(ii) of the Code), during the calendar year 2024, all as determined in accordance with the Code. The Series 2024 Bonds are "designated" pursuant to Section 265(b) of the Internal Revenue Code of 1986, as amended, and regulations thereunder (collectively, the "Code").

Section 8. The issuance of the Series 2024 Bonds and the design, acquisition, construction and equipping of the Project are in the public interest, serves a public purpose of the Issuer and will promote the health, welfare, and safety of the residents of the Issuer.

Section 9. The firm of Steptoe & Johnson PLLC, Charleston, West Virginia, is hereby appointed bond counsel to the Issuer in connection with the issuance of the Series 2024 Bonds.

Section 10. The Tax Compliance Policy attached hereto as Exhibit B is hereby approved.

Section 11. The Mayor and City Clerk, and all other appropriate officers and employees of the Issuer are hereby authorized, empowered and directed to do any and all things proper and necessary to cause the Series 2024 Bonds to be duly and properly issued by the Issuer and delivered to the Lender as herein authorized and to otherwise facilitate the transaction contemplated by this Supplemental Parameters Resolution, and no further authority shall be necessary to authorize any such officers or employees to give such further assurance and do such further acts as may be legally required.

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Section 12. This Supplemental Resolution shall be effective immediately following adoption hereof.

Adopted this 16th day of April, 2024.

THE CITY OF ELKINS

Mayor

CERTIFICATION

Certified a true copy of a Supplemental Parameters Resolution duly adopted by the Council of The City of Elkins on April 16, 2024.

Dated: April 16, 2024.

[SEAL]

City Clerk

Exhibit A

Form of Certificate of Determinations

THE CITY OF ELKINS

Sewer Revenue Bonds, Series 2024 (Bank Qualified)

CERTIFICATE OF DETERMINATIONS

The undersigned, _____, Mayor of The City of Elkins (the "Issuer"), in accordance with the Supplemental Parameters Resolution adopted by the Governing Body of the Issuer on _____, 2024 (the "Supplemental Parameters Resolution"), with respect to the Issuer's Sewer Revenue Bonds, Series 2024 (the "Series 2024 Bonds"), hereby finds and determines this ____ day of _____, 2024, as follows:

1. Pursuant to the Supplemental Resolution the Sewer Revenue Bonds, Series 2024 of the Issuer, initially represented by a single Bond, numbered R-1, in the principal amount of \$250,000. The Series 2024 Bonds shall be dated on or about _____, 2024, and shall finally mature on _____, 20____, at which time the entire principal amount, and all accrued interest, is due. Interest shall commence on the date of closing on the outstanding principal amount and interest only payments shall be payable monthly on the 1st day of each month at the rate of ____% per annum (the "Tax-Exempt Rate") beginning _____ 1, 2024, to and including _____ 1, 2024; provided, that in the event that the interest on the Series 2024 Bonds is determined to be subject to federal income taxation by the Internal Revenue Service, such interest shall be _____% per annum from the date of such determination of taxability. The Series 2024 Bonds shall be subject to prepayment of principal balance in whole, but not in part, on any scheduled payment date without a prepayment premium. The entire outstanding principal amount shall be due on the date of maturity.

The undersigned hereby certifies that the foregoing terms and conditions of the Series 2024 Bonds are within the parameters prescribed by the Supplemental Parameters Resolution, and the Series 2024 Bonds may be issued with such terms and conditions as authorized by the Supplemental Parameters Resolution.

WITNESS my signature the day and year first written above.

THE CITY OF ELKINS

By: _____
Its: Mayor

EXHIBIT B
Tax Compliance Policy

TAX COMPLIANCE POLICIES

The City of Elkins

Purpose

Issuers of tax-exempt bonds must comply with federal tax rules pertaining to expenditure of proceeds for qualified costs, rate of expenditure, use of bond financed property, investment of proceeds in compliance with arbitrage rules, and retention of records. The following policies are intended to establish compliance by The City of Elkins (the “*Issuer*”) with these rules in connection with the issuance of the Issuer’s Sewer Revenue Bonds, Series 2024 (Bank Qualified) (the “*Tax-Exempt Bonds*”).

Tax Requirements Associated with Sale and Issuance of Bonds

Review and retention of tax documents related to the sale and issuance of Bonds will be supervised by the Mayor of the Issuer or his/her designee (the “*Oversight Officer*”).

- Form 8038-G (tax exempt bonds) will be reviewed and filed not later than the 15th day of the 2nd calendar month following the quarter in which the bonds were issued. Filing of appropriate version or versions of Form 8038-G will be confirmed with bond counsel.

Expenditure of Proceeds for Qualified Costs

Expenditure of bond proceeds will be reviewed by the Oversight Officer.

- Bond proceeds will be disbursed pursuant to an approved form of requisition stating the date, amount and purpose of the disbursement.
- Requisitions must identify the financed property and certify as to the character and average economic life of the bond-financed property.
- Requisitions for costs that were paid prior to the issuance of the bonds are, in general, limited to costs paid subsequent to, or not more than 60 days prior to, the date a “declaration of intent” to reimburse the costs was adopted by the Issuer. If proceeds are used for reimbursement, a copy of the declaration will be obtained and included in the records for the Tax-Exempt Bonds, if not already part of the Bond transcript.

- Requisitions will be summarized in a “final allocation” of proceeds to uses not later than 18 months after the in-service date of the financed property (and in any event not later than 5 years and 60 days after the issuance of the Tax-Exempt Bonds).
- Expenditure of proceeds will be monitored against the expectations to spend or commit 5% of net sale proceeds within 6 months, to spend 85% of net sale proceeds within 3 years, and to proceed with due diligence to complete the project and fully spend the net sale proceeds. Expected expenditure schedules, project timelines, and plans and specifications will be maintained to support expectations. Reasons for failure to meet the expected schedule will be documented and retained in the records for the Tax-Exempt Bonds.
- If the 18-month spending exception to rebate applies, expenditure of gross proceeds will be monitored against the following schedule for the arbitrage rebate exception for the issue, if applicable:
 - 15% within 6 months
 - 60% within 12 months
 - 100% within 18 months
- If the 2-year spending exception to rebate applies, expenditure of “available proceeds” will be monitored against the following schedule for the arbitrage rebate exception for construction issues if applicable:
 - 10% within 6 months
 - 45% within 12 months
 - 75% within 18 months
 - 100% within 24 months

Expenditure of Proceeds

In addition to the general review of expenditures described above, expenditure of proceeds of the Tax-Exempt Bonds will be reviewed by the Oversight Officer.

- Only a small portion (5%) of the proceeds of Tax-Exempt Bonds can be used for operating expenses or other “working capital” costs. Requisitions for costs of the Project will accordingly be monitored to confirm that they are for capital costs of the Project.
- Investment earnings on sale proceeds of the Tax-Exempt Bonds will be tracked and will be requisitioned only for appropriate expenditures.

Use of Bond-Financed Property

Use of bond-financed property when completed and placed in service will be reviewed by the Oversight Officer.

- Average nonexempt use of bond-financed property over the life of the issue cannot exceed 10% of the proceeds.
- Agreements with business users or non-profit organizations for lease or management or services contracts, sponsored research, naming rights or any other potential nonexempt use of bond-financed property will be reviewed prior to execution of any contract to determine if property is bond-financed.
- Agreements with business users or other non-profit organizations for lease or management or services contracts or other private business use involving bond-financed property will be tracked and aggregated with other private business uses for compliance with the 10% limit.
- No item of bond-financed property will be sold or transferred to a nonexempt party without advance arrangement of a “remedial action” under the applicable Income Tax Regulations.

Investments and IRS Filings

Investment of bond proceeds in compliance with the arbitrage bond rules and rebate of arbitrage will be supervised by the Oversight Officer.

- Guaranteed investment contracts (“GIC”) will be purchased only using the three-bid “safe harbor” of applicable Income Tax Regulations, in compliance with fee limitations on GIC brokers in the Income Tax Regulations.
- Other investments will be purchased only in market transactions.
- Calculations of rebate liability will be performed annually by outside consultants.
- Rebate payments will be made with Form 8038-T no later than 60 days after (a) each fifth anniversary of the date of issuance and (b) the final retirement of the issue. Compliance with rebate requirements will be reported to the bond trustee and the issuer.
- Identify date for first rebate payment at time of issuance. Enter in records for the issue.

Records

Management and retention of records related to tax-exempt bond issues will be supervised by the Oversight Officer.

- Records will be retained for the life of the bonds plus any refunding bonds plus three years. Records may be in the form of documents or electronic copies of documents, appropriately indexed to specific bond issues and compliance functions.
- Retainable records pertaining to the Tax-Exempt Bonds include transcript of documents executed in connection with the issuance of the bonds (including authorizing resolutions, and Form 8038-G) and any amendments, and copies of rebate calculations and records of payments, including Forms 8038-T.
- Retainable records pertaining to expenditures of bond proceeds include requisitions, trustee statements and final allocation of proceeds.
- Retainable records pertaining to use of property include all agreements reviewed for nonexempt use.
- Retainable records pertaining to investments include GIC documents under the Income Tax Regulations, records of purchase and sale of other investments, and records of investment activity sufficient to permit calculation of arbitrage rebate or demonstration that no rebate is due.

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Overall Responsibility

Overall administration and coordination of this policy is the responsibility of the Oversight Officer.

THE CITY OF ELKINS

By:
Title:

Date: _____, 2024



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	April 16, 2024
Section:	New business
Category:	Resolution
Agenda Item Name:	Resolution 1747: Adopting the Region VII PDC Hazard Mitigation Plan Update
Recommended By:	Operations Manager
Summary:	Under the authority of 44 CFR Part 201.6: Local Mitigation Plans. With adoption of this plan, Elkins remains eligible for funding from the Hazard Mitigation Grant Program (HMGP), Building Resilient Infrastructure in Communities (BRIC) program, Flood Mitigation Assistance (FMA) program, and the High-Hazard Potential Dam (HHPD) program. See attached letter and fact sheet.
Fiscal Impact:	Adoption incurs no cost for the city and retains eligibility for various categories of federal aid and assistance.
Recommendation:	Consider for approval
Attachments:	1. Randolph County_Elkens_Cover Letter for Resolution 2. Adoption Requirement Fact Sheet 3. R-1747 - Region VII hazard mitigation plan adoption



21 East Main Street, Suite 102 | PO Box 849
Buckhannon, WV 26201

April 1, 2024

City of Elkins
Jerry Marco
401 Davis Avenue
Elkins, WV 26241

RE: Region VII Multi-Jurisdictional Hazard Mitigation Plan

Dear Mayor Marco:

As you probably know, Region VII PDC has been updating its Multi-Jurisdictional Hazard Mitigation Plan over the last year. We recently completed the plan and provided a copy to FEMA for their review and approval. This week, we received approval from FEMA, pending adoption of the plan by each of our local governments.

In order to finalize the review and approval of the multi-jurisdictional hazard mitigation plan, we need the City of Elkins to formally adopt the plan at their next regularly scheduled meeting. To make it easier, we have attached a draft of a resolution for your use. Please approve and sign the resolution and provide us with an executed copy as soon as you possibly can.

If you should have any questions or comments regarding this matter, please feel free to contact us.

Thanks

Shane Whitehair
Executive Director

Enclosure

REGION VII PLANNING & DEVELOPMENT COUNCIL

www.regionvii.com | O: 304.472.6564 | F: 304.472.6590

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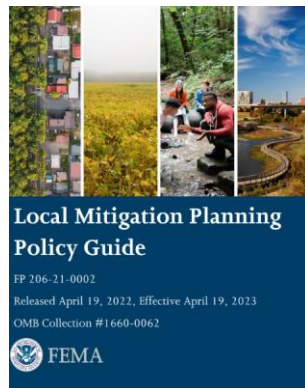
Why is it important to adopt your hazard mitigation plan?

You've done the hard work, now it's time to adopt! To be eligible for certain FEMA grant funding programs, all participating jurisdictions and special districts need to adopt the plan within one year of FEMA approval.

How do you adopt? It's easy! Documentation may be sent in the form of meeting minutes, resolutions, or signed letters. Documentation must show that the participant has officially adopted the plan. A sample adoption resolution is available in Appendix B of FEMA's [Local Mitigation Planning Policy Guide](#).

What if you do not adopt within one year? Participants that adopt the plan more than one year after Approval Pending Adoption status has been issued must either:

- Validate that their information in the plan remains current with respect to both the risk assessment (no recent hazard events; no changes in development) and their mitigation strategy (no changes needed), or
- Make the needed updates before submitting adoption documentation to FEMA.



Don't delay, adopt today! Visit section F2.A of FEMA's [Local Mitigation Planning Policy Guide](#) to learn more.



FEMA

IN THE COMMON COUNCIL OF THE CITY OF ELKINS, WV

A RESOLUTION OF COMMON COUNCIL

(#1747)
April 16, 2024

***A RESOLUTION OF ELKINS CITY COUNCIL ADOPTING THE REGION VII PLANNING AND
DEVELOPMENT COUNCIL HAZARD MITIGATION PLAN, UPDATED 2023***

WHEREAS, the Common Council (“Council”) of the City of Elkins, West Virginia (“City”) recognizes the threat that natural hazards pose to people and property within Randolph County (“County”); and

WHEREAS, the County has prepared a multi-hazard mitigation plan, hereby known as the Region VII PDC Hazard Mitigation Plan, updated 2023, in accordance with federal laws, including the Robert T. Stafford Disaster Relief and Emergency Act, as amended; the National Flood Insurance Act of 1968, as amended; and the National Dam Safety Program Act, as amended; and

WHEREAS, the mitigation plan identifies mitigation goals and actions to reduce or eliminate long-term risk to people and property in the county from the impacts of future hazards and disasters; and

WHEREAS, adoption by the Council demonstrates its commitment to hazard mitigation and achieving the goals outlined in the Region VII PDC Mitigation Plan, updated 2023;

NOW, THEREFORE, BE IT RESOLVED, THAT:

Council formally adopts the Region VII Planning and Development Council Hazard Mitigation Plan, updated 2023. While the content related to the city may require revisions to meet the plan approval requirements, changes occurring after adoption will not require the Council to re-adopt any further iterations of the plan. Subsequent plan updates following the approval period for this plan will require separate adoption resolutions.

ADOPTED by a vote of _____ in favor and _____ against (with _____ abstaining), this _____ day of _____, 2024.

Attest: Sutton R. Stokes, City Clerk

Jerry A. Marco, Mayor



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	April 16, 2024
Section:	New business
Category:	Resolution
Agenda Item Name:	Resolution 1748: Adopting FY 2025 Landfill budget
Recommended By:	Finance Committee
Summary:	Although the landfill is closed and DEP has taken over the project of capping it, the city bears certain ongoing expenses.
Fiscal Impact:	The attached proposed FY2025 budget is balanced at \$6,500 in revenues and expenditures.
Recommendation:	Consider for approval
Attachments:	1. R-1748 - Landfill Fund Budget FY25

IN THE COMMON COUNCIL OF THE CITY OF ELKINS, WV

A RESOLUTION OF COMMON COUNCIL

(#1748)
April 16, 2024

Fiscal Year 2025 Landfill Budget

WHEREAS, the City of Elkins Common Council has previously adopted a Protocol for the Adoption and Revision of Water, Sanitation, and Landfill Fund Budgets, via Resolution 598, on June 5, 2014; and,

WHEREAS, the Operations Manager and Treasurer have jointly presented a proposed Landfill Fund Budget for the Fiscal Year 2025 (copy attached and made part of this record); and,

WHEREAS, the Finance Committee of the Elkins Common Council has reviewed and recommends adoption of the same; and,

WHEREAS, the Protocol requires that Council adopts a Landfill Fund Budget; and,

WHEREAS, Council finds that is in the best interests of the City of Elkins to approve and adopt the Landfill Fund Budget for the Fiscal Year 2025; now ***therefore be it***

RESOLVED, that the Common Council of the City of Elkins hereby approves and adopts the Landfill Fund Budget for the Fiscal Year 2025 as presented.

Jerry A. Marco, Mayor

Attest:

Sutton R. Stokes, City Clerk

BUDGET : 25-2024-2025 Budget
FUND : 684 LANDFILL FUND
ITEMS PRINTED: ANNUAL BUDGET AMOUNTS

PAGE: 2

ACCOUNT NO#	===== ACCOUNT NAME =====	ANNUAL BUDGET
684-801-213-0000	Utilities	250.00
684-801-220-0000	Advertising	0.00
684-801-223-0000	Professional Services	2,000.00
684-801-226-0000	Insurances & Bonds	4,250.00
684-801-230-0000	Contracted Services	0.00
	PAGE TOTAL:	6,500.00
	TOTAL EXPENDITURES:	6,500.00
	NET REVENUES/EXPENDITURES:	0.00

BUDGET : 25-2024-2025 Budget

FUND : 684 LANDFILL FUND

ITEMS PRINTED: ANNUAL BUDGET AMOUNTS

PAGE: 1

ACCOUNT NO#	===== ACCOUNT NAME =====	ANNUAL BUDGET
684-000-302-0000	Penalties	0.00
684-000-380-0000	Interest Earned On Investments	6,500.00CR
684-000-383-0000	Sale of Fixed Asset	0.00
684-000-399-0000	Miscellaneous Revenue	0.00
	PAGE TOTAL:	6,500.00CR
	TOTAL REVENUES:	6,500.00CR



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	April 16, 2024
Section:	New business
Category:	Resolution
Agenda Item Name:	Resolution 1749: Adopting FY 2025 Sanitation budget
Recommended By:	Finance Committee
Summary:	The Sanitation Fund is an enterprise fund under the control of city council. It pays for the city's trash collection and disposal service.
Fiscal Impact:	The proposed attached FY2025 Sanitation Fund budget is balanced with \$1,614,600 in revenues and expenditures.
Recommendation:	Consider for recommendation to council
Attachments:	1. R-1749 - Sanitation Fund Budget FY25

IN THE COMMON COUNCIL OF THE CITY OF ELKINS, WV

A RESOLUTION OF COMMON COUNCIL

(#1749)
April 16, 2024

Fiscal Year 2025 Sanitation Budget

WHEREAS, the City of Elkins Common Council has previously adopted a Protocol for the Adoption and Revision of Water, Sanitation, and Landfill Fund Budgets, via Resolution 598, on June 5, 2014; and,

WHEREAS, the Operations Manager and Treasurer have jointly presented a proposed Sanitation Fund Budget for the Fiscal Year 2025 (copy attached and made part of this record); and,

WHEREAS, the Finance Committee of the Elkins Common Council has reviewed and recommends adoption of the same; and,

WHEREAS, the Protocol requires that Council adopt a Sanitation Fund Budget; and,

WHEREAS, Council finds that is in the best interests of the City of Elkins to approve and adopt the Sanitation Fund Budget for the Fiscal Year 2025; now ***therefore be it***

RESOLVED, that the Common Council of the City of Elkins hereby approves and adopts the Sanitation Fund Budget for the Fiscal Year 2025 as presented.

Jerry A. Marco, Mayor

Attest:

Sutton R. Stokes, City Clerk

3-28-24 3:02 PM G/L BUDGET REPORT
BUDGET : 25-2024-2025 Budget
FUND : 404 SANITATION FUND
ITEMS PRINTED: ANNUAL BUDGET AMOUNTS

PAGE: 1

ACCOUNT NO#	===== ACCOUNT NAME =====	ANNUAL BUDGET
404-000-302-0000	Penalties & Interest	14,500.00CR
404-000-350-0000	Refuse Collection Residential	732,100.00CR
404-000-350-0002	Refuse Collection Comm	625,000.00CR
404-000-350-0003	Hauling Fees Roll-Off	160,000.00CR
404-000-350-0004	Rental Fees Roll-Off	30,000.00CR
404-000-380-0000	Interest Earned	40,000.00CR
404-000-381-0000	Reimbursements	10,000.00CR
404-000-382-0000	Refunds & Rebates	3,000.00CR
404-000-383-0000	Sale of Fixed Assets	0.00
404-000-399-0000	Miscellaneous Revenues	0.00

PAGE TOTAL: 1,614,600.00CR

TOTAL: 1,614,600.00CR

TOTAL REVENUES: 1,614,600.00CR

BUDGET : 25-2024-2025 Budget
 FUND : 404 SANITATION FUND
 ITEMS PRINTED: ANNUAL BUDGET AMOUNTS

PAGE: 2

ACCOUNT NO#	===== ACCOUNT NAME =====	ANNUAL BUDGET
DEPT NO: 800	SANITATION	

404-800-103-0000	Salary & Wages	402,000.00
404-800-104-0000	FICA Expense	31,000.00
404-800-105-0000	Group Health Insurance	67,000.00
404-800-106-0000	Retirement	36,500.00
404-800-108-0000	Overtime/Extra Help	18,000.00
404-800-211-0000	Telephone	1,300.00
404-800-213-0000	Utilities	9,000.00
404-800-214-0000	Travel	200.00
404-800-215-0000	Maint Bldgs & Grounds	2,000.00
404-800-216-0000	Maint of Equipment	5,000.00
404-800-217-0000	Maint of Autos & Trucks	7,500.00
404-800-217-0001	Maint of Roll-Off	5,000.00
404-800-219-0000	Bldgs, Equipment & Rents	25,000.00
404-800-220-0000	Advertising & Legal Publicatio	500.00
404-800-221-0000	Training & Education	500.00
404-800-222-0000	Dues & Subscriptions	100.00
404-800-230-0000	Contracted Services	626,000.00
404-800-341-0000	Supplies & Materials	7,500.00
404-800-343-0000	Automotive Supplies	80,000.00
404-800-343-0001	Automotive Supplies-Roll-Off	3,000.00
404-800-345-0000	Uniforms	10,000.00
404-800-348-0000	Chrgs By Other Funds	39,000.00
404-800-457-0000	Capital Outlay - Buildings	35,000.00
404-800-459-0000	Capital Outlay - Equipment	70,000.00
404-800-459-0001	Sanitation Garage	3,000.00
404-800-670-0000	Other Interest & Penalties	0.00

PAGE TOTAL: 1,484,100.00

DEPT TOTAL: 1,484,100.00

BUDGET : 25-2024-2025 Budget

FUND : 404 SANITATION FUND

ITEMS PRINTED: ANNUAL BUDGET AMOUNTS

PAGE: 3

ACCOUNT NO#	===== ACCOUNT NAME =====	ANNUAL BUDGET
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DEPT NO: 801	UTILITY BILLING	
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404-801-103-0000	Salaries & Wages	20,000.00
404-801-104-0000	FICA Tax	2,000.00
404-801-105-0000	Group Health Insurance	4,500.00
404-801-106-0000	Retirement	2,000.00
404-801-108-0000	Overtime/Extra Help	200.00
404-801-341-0000	Supplies & Materials	3,000.00

PAGE TOTAL:	31,700.00
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DEPT TOTAL:	31,700.00
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BUDGET : 25-2024-2025 Budget
FUND : 404 SANITATION FUND
ITEMS PRINTED: ANNUAL BUDGET AMOUNTS

PAGE: 4

ACCOUNT NO#	===== ACCOUNT NAME =====	ANNUAL BUDGET
DEPT NO: 802	ADMIN & GENERAL	
404-802-103-0000	Salaries & Wages	38,200.00
404-802-104-0000	FICA Expense	1,800.00
404-802-105-0000	Group Health Insurance	3,700.00
404-802-106-0000	Retirement	2,000.00
404-802-108-0000	Overtime/Extra Help	0.00
404-802-218-0000	Postage	6,500.00
404-802-223-0000	Professional Services	3,500.00
404-802-226-0000	Insurance & Bonds	15,000.00
404-802-226-0001	Insurance & Bonds GL	19,000.00
404-802-230-0000	Contracted Services	2,000.00
404-802-232-0000	Bank Charges	100.00
404-802-341-0000	Supplies & Materials	500.00
404-802-353-0000	Computer Software	5,000.00
404-802-460-0000	Sanitation Garage CIP	1,500.00
	PAGE TOTAL:	98,800.00
	DEPT TOTAL:	98,800.00
	TOTAL EXPENDITURES:	1,614,600.00
	NET REVENUES/EXPENDITURES:	0.00



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	April 16, 2024
Section:	New business
Category:	Resolution
Agenda Item Name:	Resolution 1750: FY 2024 General Fund budget revisions 8 & 9
Recommended By:	Finance Committee
Summary:	• Proposed revision in the City Hall budget to secure \$3,500 for fabrication and installation of acoustic panels to improve sound quality in the Council Chamber. • Proposed revision in the Phil Gainer Community Center budget moving \$5,000 from Maintenance of Buildings and Grounds to Contracted Services.
Fiscal Impact:	Shifts already budgeted funds within departments.
Recommendation:	Consider for approval
Attachments:	1. R-1750 - FY2024 General Fund budget revisions 8-9

IN THE COMMON COUNCIL OF THE CITY OF ELKINS, WV

A RESOLUTION OF COMMON COUNCIL

(#1750)
April 16, 2024

***Resolution to Approve FY 2024 Budget Revisions
(General Fund #8-9)***

WHEREAS, the City of Elkins has previously prepared and submitted its General Fund Budget for the Fiscal Year 2024; and,

WHEREAS, it has become necessary to revise said Budget; and,

WHEREAS, the attached Budget Revisions transfer funds as shown;

NOW, THEREFORE, BE IT RESOLVED, THAT:

The Common Council of the City of Elkins hereby approves the attached FY 2024 Budget Revision (General Fund #8-9).

Jerry Marco, Mayor

Attest:

Sutton R. Stokes, City Clerk

General Fund Budget Revision

Revision Number 8

Revenues

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

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

Expenses

Fund	Department	Transfer From/Description	Amount
001	910-PGCC	215-0000 Maint Bldgs/Grounds	\$5,000.00
TOTAL			\$5,000.00

Department	Transfer To/Description	Amount
910-PGCC	230-0000 Contracted Services	\$5,000.00
		\$5,000.00

General Fund Budget Revision

Revision Number 9

Revenues

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

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

Expenses

Fund	Department	Transfer From/Description	Amount
001	440-City Hall	459-0000 Capital Outlay Equipmen	\$4,200.00
TOTAL			\$4,200.00

Department	Transfer To/Description	Amount
440-City Hall	341-0000 Supplies & Materials	\$4,200.00
		\$4,200.00



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	April 16, 2024
Section:	New business
Category:	Resolution
Agenda Item Name:	Resolution 1751: Lease for Fraternal Order of Police lodge
Recommended By:	City Attorney
Summary:	The Seneca Trail Lodge 104 of the Fraternal Order of Police rents a building owned by the City of Elkins near the intersection of Andrews Street and the Flood Control Road. The current lease is expiring and the Lodge proposes to renew.
Fiscal Impact:	\$1/year for 99 years. The city may terminate the lease upon payment to the Lodge of the fair market value of the improvements erected upon the leased premises.
Recommendation:	Consider approval
Attachments:	1. R-1751 - Lease with Fraternal Order of Police for lodge building

IN THE COMMON COUNCIL OF THE CITY OF ELKINS, WV

A RESOLUTION OF COMMON COUNCIL

(#1751)
April 16, 2024

Accepting Conditions of Lease between the Seneca Trail Lodge 104 of the Fraternal Order of Police and the City of Elkins, and Authorizing Execution of Agreement

WHEREAS, The City of Elkins, West Virginia (“City”) is the owner of a property at the intersection of Andrews Street and the Flood Control Road; and,

WHEREAS, the Seneca Trail Lodge 104 of the Fraternal Order of Police is the current Lessee of this property; and,

WHEREAS, the current Lease will soon expire and the City has prepared a proposed renewal Lease (copy attached) with the Seneca Trail Lodge 104 of the Fraternal Order of Police for the continued use of the property; and,

WHEREAS, it appears that entering into this Lease is in the best interests of the citizens of the City of Elkins;

NOW, THEREFORE, BE IT RESOLVED, THAT:

The Elkins Common Council hereby accepts the terms of and authorizes execution of this Lease with the Seneca Trail Lodge 104 of the Fraternal Order of Police by the Mayor on behalf of the City of Elkins.

Jerry A. Marco, Mayor

Attest:

Sutton R. Stokes, City Clerk

LEASE

THIS LEASE, Made and entered into in duplicate this ____ day of _____, 2024 by and between **THE CITY OF ELKINS**, a West Virginia municipal corporation (“Lessor”), and **SENECA TRAIL LODGE 104, FRATERNAL ORDER OF POLICE**, a fraternal organization (“Lessee”),

WITNESSETH: That, subject to the terms and conditions hereinafter set out, Lessor hereby lets and leases unto Lessee, for the purpose of permitting Lessee to maintain a lodge building thereon, the following real estate (the “leased premises”): a tract of real estate situate in the City of Elkins and lying on the northwest side of the Flood Control Road, fronting on Andrews Street (for approximately 120 feet), and extending back from Andrews Street for approximately 350 feet (containing approximately one [1] acre, this being, however a lease by the boundary and not by the acre), being part of Parcel 163, Map 28, on the tax maps of the Assessor of Randolph County, West Virginia.

1. **TERMS AND RENTAL.** The term of this lease shall be ninety-nine (99) years from the date hereof, at an annual rental of One Dollar (\$1.00), payable upon the execution hereof and upon each anniversary of this date. The entire lease payment for the term of the lease may be made at one time. This lease shall be automatically renewed for an additional ninety-nine (99) year term, if no breach of the lease exists at the end of the primary term.

2. **COVENANTS OF LESSEE.** Lessee hereby covenants and agrees:

a. That it will continue to landscape the premises in an attractive manner, consistent with the neighborhood adjacent to the leased premises.

b. Lessee may construct additions to said building with Lessor’s approval.

c. That it will promptly pay all gas, electric, water, telephone, sewage, garbage, and fire fees which may become payable during the term of this lease for services consumed on or rendered to the leased premises.

d. That it will maintain the building and grounds of the leased premises in a good and sightly manner.

e. That it will not assign, sublet or part with the possession of all or any part of the leased premises without the written consent of Lessor; without such consent, only Lessee may use or occupy the leased premises.

f. That it will save harmless and indemnify Lessor from and against all loss, liability or expense that may be incurred by reason of the claim arising out of or in connection with Lessee’s occupancy and use of the leases premises, including (without limiting the generality of the foregoing) any accident with appliances and fixtures installed by Lessee, if any, or the gas, water or other pipes, or from any damage or neglect arising from or in any way connected with the use, misuse or abuse of city water or from any neglect in not removing snow and ice from sidewalks. Lessee shall maintain liability insurance, naming Lessor as an insured, in such amounts, and in such form, as are acceptable to Lessor with minimum coverage of one-million dollars (\$1,000,000.00).

g. That the leased premises, and all property thereon, shall be at the sole risk of Lessee, and that Lessor shall not be liable to Lessee or to any other person for any injury, loss or damage to property or to any person on the premises.

h. That it will use the premises for the sole purpose set forth above and will not make, or allow to be made, any improper or offensive use of the premises which would be injurious to any person or property, or which would violate the laws of the State of West Virginia or of the United States, or any ordinance of the City of Elkins.

i. That no assent, expressed or implied, by the Lessor to any breach of any of Lessee's covenants shall be deemed to be a waiver of any succeeding breach of the same covenant or of any other covenant herein.

j. That Lessee will not obtain any retail liquor or beer license during the term of this lease or the renewal period provided herein.

3. FIRE OR OTHER CASUALTY. In case the premises or any part thereof shall at any time during the term of this lease be destroyed or damaged by fire or other unavoidable casualty so as to be unfit for occupancy and use, this lease shall terminate unless Lessee shall promptly and effectively repair the damage.

4. USE OF PREMISES. If Lessee shall, at any time, fail to exist as a Chapter of the Fraternal Order of Police, or if the premises are not used as a fraternal lodge, the premises shall automatically revert back to the Lessor.

5. TERMINATION BY LESSOR. If Lessor, for any reason, wishes to terminate this lease, it may do so upon payment to Lessee of the fair market value of the improvements erected upon the leased premises, such fair market value to be determined by a certified real estate appraiser selected by agreement of the parties.

6. LESSOR'S PARKING RIGHTS. Lessor, at all times, shall have the right to use the leased premises for public parking, except with Lessee is conducting a function or activity upon the premises; if Lessee is conducting a function or activity, Lessee may restrict public parking by the use of appropriate barriers, etc.

7. RIGHT OF REENTRY. If Lessee shall neglect or fail to perform any of its covenants, Lessor may, immediately or at any time thereafter, enter into the premises and repossess the same as of its former estate and expel Lessee, but without prejudice to any remedies which might otherwise be used by Lessor for or any breach of Lessee's covenants. It is understood, however, that Lessor has no right of access to the leased premises (except for parking, as stated above), during Lessee's lawful possession of the leased premises pursuant to this lease.

8. NOTICE. Whenever notice is required hereunder, it shall be sent by certified mail and addressed as follows, until written notice of change of address is given to the other party:

Lessor: Mayor, City of Elkins, City Hall, 400 Davis Avenue, Elkins, WV 26241

Lessee: President, Seneca Trail Lodge 104, Fraternal Order of Police, P.O. Box
506, Elkins, WV 26241

IN WITNESS WHEREOF, Lessor and Lessee have set their hands and seals the day and year first above written.

CITY OF ELKINS, a West Virginia
municipal corporation,

By_____

Its _____

SENECA TRAIL LODGE, 104
FRATERNAL ORDER OF POLICE

By_____

Its _____



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	April 16, 2024
Section:	New business
Category:	Action Item
Agenda Item Name:	Attorney consultation on Whitmer water system
Recommended By:	City attorney
Summary:	Legal counsel advising the Elkins Water Board and City of Elkins concerning the PSC-ordered takeover by Elkins of the Whitmer water system will brief council on the latest concerning this situation.
Fiscal Impact:	n/a
Recommendation:	Consider entering executive session under the attorney-client consultation exemption
Attachments:	None