

West Virginia Municipal Home Rule Program

Amendment Application of the City of Keyser

April 15, 2026

AGA
Charleston
Chapter

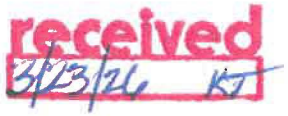


Table of Contents

Section I: Applicant Information *3*
General Information 3
Municipal Classification 3
Category of Issue to Be Addressed 3
Section II: Narrative *3*
Introduction and Executive Summary 3
Issue 1: Implementation of a 1% Municipal Sales and Use Tax with Alternative B&O Reduction Methods 4
Overview 4
Legal Barrier 4
Problem Created 5
Proposed Solution 5
Alternative A: Transaction-Level B&O Exclusion 5
Alternative B: Traditional Categorical B&O Reduction 6
Comparative Fiscal Summary 6
Requested Approval 7
Section III: Affidavits and Supporting Documents *8*

Section I: Applicant Information

General Information

Item	Information
Name of Municipality	City of Keyser
Certifying Official	Damon Tillman, Mayor
Contact Person	Jeff Broadwater, City Administrator
Address	111 North Davis Street
City, State, Zip	Keyser, WV 26726
Telephone	304-788-1511
Fax	304-788-0723
Email Address	jwbroadwater1@gmail.com
2020 Census Population	4,853
Keyser City Council	Jennifer Luther; Mike Ryan; Jim Hannas; David Shoemaker; Teddy Nester

Municipal Classification

Class III Municipality

Category of Issue to Be Addressed

Tax

Section II: Narrative

Introduction and Executive Summary

The City of Keyser respectfully submits this amendment application to the West Virginia Municipal Home Rule Board for consideration at its April 15, 2026 meeting. Keyser was admitted to the Municipal Home Rule Program on January 7, 2026 and now seeks approval for one additional component: implementation of a one percent municipal sales and use tax paired with a corresponding reduction in the City's Business and Occupation tax so that the City may modernize its local revenue structure while avoiding double taxation.

This amendment application intentionally presents only one issue. The City has narrowed its request so that the Board may consider a single tax proposal with two alternative compliance mechanisms. Alternative A is the same transaction-level B&O exclusion approach previously advanced by the City in its January submission. Alternative B is a more traditional category-based B&O reduction model derived from the City's updated March 2026 fiscal analysis. By presenting both alternatives within one issue, the City provides the Board with two legally supported pathways to approve the same underlying municipal sales-tax proposal.

Both alternatives are designed to satisfy the condition set forth in West Virginia Code section 8-1-5a(i)(14): if a municipality imposes a local sales tax under Home Rule, it must concurrently reduce or eliminate its B&O tax. Keyser's preferred approach remains Alternative A because it more precisely prevents overlap at the transaction level. Nevertheless, the City also submits Alternative B so that, if the Board prefers a more conventional rate-reduction model, the amendment may still move forward without further delay.

In either form, the amendment would diversify the City's revenue base, reduce structural dependence on existing B&O collections, and give the City an administratively workable method to capture municipal sales-tax revenue administered through the West Virginia State Tax Department. The proposal is supported by a March 4, 2026 attorney opinion, a March 4, 2026 amendment authorization ordinance, current publication and notice materials, and separate fiscal impact statements with CPA certifications for each alternative.

Issue 1: Implementation of a 1% Municipal Sales and Use Tax with Alternative B&O Reduction Methods

Overview

West Virginia Code section 8-1-5a(i)(14) authorizes a participating Home Rule municipality to impose a municipal sales and use tax of up to one percent, provided the municipality simultaneously reduces or eliminates its municipal Business and Occupation tax. The statutory purpose of that requirement is to avoid duplicative taxation and to ensure that a new municipal sales tax is accompanied by a meaningful offset in existing local business taxation.

The City of Keyser seeks authority to impose a one percent municipal sales and use tax that will apply to the same base, exemptions, and administrative procedures used by the State sales and use tax. The tax would be administered through the West Virginia State Tax Department and would

become effective on the earliest lawful implementation date following Board approval and local adoption.

The City presents two alternative methods for satisfying the corresponding B&O reduction requirement. Alternative A excludes from B&O taxation all gross receipts that are subject to the municipal sales tax. Alternative B instead reduces B&O rates in selected categories traditionally used by Home Rule municipalities when implementing local sales taxes. Both approaches are supported by separate fiscal projections and CPA certifications.

Legal Barrier

Absent Home Rule authority, the City cannot adopt a municipal sales and use tax and cannot independently tailor its B&O tax structure to account for overlap between sales-taxed transactions and B&O-taxed receipts. West Virginia Code section 8-13-5 governs municipal B&O taxation, but it does not provide a mechanism for Keyser to create a transaction-level exclusion for receipts subject to municipal sales tax. Likewise, the City cannot implement a local sales tax without authorization under the Municipal Home Rule Program.

As a result, if Keyser wishes to modernize its revenue structure and use a municipal sales tax as part of that structure, it must obtain Home Rule approval for both the sales tax itself and the corresponding B&O reduction method.

Problem Created

Keyser's current local tax structure relies heavily on B&O tax collections. That structure does not allow the City to access municipal sales-tax revenue and therefore limits the City's flexibility in matching revenue growth to ongoing service demands. At the same time, if the City were to seek a sales tax without an appropriately designed B&O offset, businesses could face overlapping local taxation on the same underlying transactions.

The practical challenge is therefore twofold. First, the City needs a more modern and elastic revenue source. Second, the City needs a lawful and transparent method of reducing B&O taxes so that the sales-tax proposal does not create inequitable double taxation. Keyser's amendment application addresses both problems in a single, focused proposal.

Proposed Solution

The City of Keyser proposes to enact a one percent municipal sales and use tax and requests approval of either of the following B&O reduction methods:

Alternative A: Transaction-Level B&O Exclusion

Under Alternative A, Keyser would exclude from B&O taxation all sales, charges, or other gross receipts that are subject to the municipal sales and use tax. This is the same structural method advanced in the City's January 2026 submission. It operates at the transaction level rather than by broad business classification, meaning that if a transaction is subject to the municipal sales tax, that same transaction is not included in the City's B&O tax base.

Comparative Fiscal Summary

Measure	Alternative A	Alternative B
Current B&O Revenue (Two-Year Average)	$696,638.73	$696,638.73
Projected B&O Revenue After Adjustment	$597,295.28	$682,026.58
Projected Municipal Sales Tax Revenue	$358,889.23	$244,351.55
Total Projected Revenue	$956,184.51	$926,378.13
Projected Net Annual Increase	$259,545.78	$229,739.40

Both alternatives preserve the City's underlying request for authority to impose a one percent municipal sales and use tax. The difference lies only in how the City proposes to satisfy the related B&O reduction requirement. Alternative A offers the more exact anti-duplication mechanism and produces the higher projected net return. Alternative B offers a more conventional framework while still reducing B&O taxation and producing a substantial net increase.

Requested Approval

The City of Keyser respectfully requests approval of Alternative A as its preferred amendment. In the alternative, if the Board determines that a traditional categorical B&O reduction is more appropriate, the City requests approval of Alternative B without requiring a new filing cycle. In either event, the City requests authority to proceed with the same one percent municipal sales and use tax described in this application.

Note: ALTERNATIVE A WITHDRAWN BY CITY, ALTERNATIVE B APPROVED.

Ordinance No. 2026.2.1
City of Keyser
Home Rule Amendment Application Authorization Ordinance

An ORDINANCE pursuant to the provisions of W.Va. Code 8-1-5a, authorizing the City of Keyser to submit a written home rule amendment proposal to the Municipal Home Rule Board in order to permit additional participation by Keyser in the Municipal Home Rule Program.

Section 1: Authorization to Submit a Written Home Rule Amendment Proposal

WHEREAS, in 2007, the West Virginia Legislature enacted WV Code §8-1-5a, known as the Municipal Home Rule Pilot Program; and

WHEREAS, on January 7, 2026, the City of Keyser was admitted to participate in the Municipal Home Rule Program;

WHEREAS, the City of Keyser wishes to apply to amend its authorization Municipal Home Rule Program; and

WHEREAS, participation in the Home Rule Program under an amended application by the City of Keyser, a Class III municipality, would give the City increased flexibility to apply local solutions to local problems, benefitting the greater community, including residents, visitors, and businesses.

NOW, THEREFORE, BE IT ENACTED BY THE CITY OF KEYSER THAT
the Mayor is hereby authorized and directed to submit a home rule amendment proposal to the Municipal Home Rule Board on April 15, 2026, in accordance with WV Code §8-1-5a in order for the City of Keyser to be considered for authorization to participate in the Municipal Home Rule program.

Section 2: EFFECTIVE DATE
This ordinance shall become effective upon passage after second reading.

1st Reading: February 25, 2026
Public Hearing: March 4, 2026
2nd and Final Reading: March 4, 2026

Attested: _____

Recorder.

Upon the motion duly made and seconded, the regular rules were suspended by the City of Keyser Council members and the above ordinance having been read a first and second was passed to be effective from this date.

As adopted this date ____Day of March 4, 2026, by the vote of the City Council of Keyser, WV.

Members	1st Reading	2nd and Final Reading
Jennifer Luther, Councilwoman	YEA	YEA
Mike Ryan, Councilman	YEA	YEA
Jim Hannas, Councilman	YEA	YEA
David Shoemaker, Councilman	ABSENT	YEA
Teddy Nester, Councilman	YEA	YEA
Mayor Damon Tillman		

Approval with majority vote only.

Signed:
Damon Tillman, Mayor

Signed:
Mike Ryan, Councilman

Signed:
David Shoemaker, Councilman

Signed:
Jennifer Luther, Councilwoman

Signed:
Jim Hannas, Councilman

Signed:
Teddy Nester, Councilman

Date: March 4, 2026

City of Keyser Council Meeting
March 4, 2026
6:00 PM

PRESENT:
Councilman Hannas, Councilwoman Luther, Mayor Tillman, Councilman Shoemaker, Councilman Nester, Councilman Ryan, City Administrator Broadwater, Liz Beavers, David Mays, and Ezekial Houdersheldt.

Mayor Tillman called the meeting to order. All stood for the Pledge of Allegiance.

Councilman Nester made a motion to accept the minutes of the previous meeting. Councilman Hannas seconded the motion.
VOTE 5-0 (YEA)

Councilman Ryan made a motion to accept the check distribution. Councilman Shoemaker seconded the motion.
VOTE 5-0 (YEA)

OLD BUSINESS:

NEW BUSINESS:

Home Rule Amendment Application Authorization Public Hearing and Ordinance 2nd Reading:
City Administrator Broadwater opened the public hearing for comments. No members of the public wished to make any comments. Having received no comments, City Administrator Broadwater closed the public hearing. City Administrator Broadwater read the 2nd Reading of the City of Keyser Home Rule Amendment Application Authorization Ordinance. Councilman Shoemaker made a motion to approve the 2nd reading of the Ordinance as presented. Councilman Ryan seconded the motion.
VOTE 5-0 (YEA)

COUNCIL MEMBER REPORTS:

Councilman Hannas provided a report of ongoing operations in the Water and Sewer Departments.

Councilwoman Junkins provided a report of ongoing operations in the Streets Department.

Councilman Nester provided a report of ongoing operations in the Parks and Recreation Department.

City Administrator Broadwater provided a report of ongoing operations within the city.

FINANCE REPORT – Presented by Councilman Ryan

- General Fund Cash $439,854

- Pool Improvements $93,872
- Coal Severance Fund Cash $13,721
- Street Excess Fund Cash $66,800
- Rainy Day Fund Cash $461,070
- American Recovery Funds $228,290
- Water Fund Cash $15,469
- Sewer Fund Cash $29,318

Councilman Nester made a motion to adjourn the meeting. Councilman Ryan seconded the motion.

VOTE 5-0 (YEA)

Jeff Broadwater, City Administrator

Damon Tillman, Mayor

City of Keyser

111 North Davis Street, Keyser, WV 26726
Phone: (304)-788-1511 Fax: (304)-788-0723

Affidavit of Mailing of Notice of Public Hearing

Affidavit of City Administrator – Notice to Municipal Home Rule Board and Cabinet Secretaries

STATE OF WEST VIRGINIA
COUNTY OF MINERAL, CITY OF KEYSER

I, Jeff Broadwater, being first duly sworn, do hereby state as follows:

1. I am the City Administrator for the City of Keyser, West Virginia, and in that capacity am responsible for coordinating legal notices and maintaining official records.
2. I am familiar with the requirements of W. Va. Code § 8-1-5a(g)(2) regarding notice of public hearing for municipal home rule plans.
3. On or about January 26, 2026, I caused a written Notice of Public Hearing regarding the City of Keyser's proposed Municipal Home Rule Amendment Application to be sent by certified mail, return receipt requested, to:
   - The West Virginia Municipal Home Rule Board, and
   - The Cabinet Secretary of each executive department of state government, as listed on the model notice attached hereto.
4. The Notice advised that the Keyser City Council would conduct a public hearing on the proposed Municipal Home Rule Amendment Application on March 4, 2026, at 6:00 p.m. in the Council Chambers at City Hall, and that the proposed plan would be available for public inspection beginning February 1, 2026.
5. A true copy of the Notice that was mailed is attached as incorporated herein.
6. The foregoing statements are true to the best of my knowledge, information, and belief.

Jeff Broadwater

Jeff Broadwater
City Administrator
City of Keyser, West Virginia

NOTARY ACKNOWLEDGMENT

STATE OF WEST VIRGINIA, COUNTY OF MINERAL, TO-WIT:

The forgoing instrument was acknowledged before me this 10 day of March, 2026, by Jeff Broadwater.

Notary Public Bonnie Hannas

My commission expires: Sep. 9, 2029

NOTARY PUBLIC OFFICIAL SEAL
Bonnie Hannas
State of West Virginia
My Commission Expires
September 09, 2029
CITY OF KEYSER
111 N. DAVIS ST.
KEYSER, WV 26726

City of Keyser

111 North Davis Street, Keyser, WV 26726
Phone: (304)-788-1511 Fax: (304)-788-0723

Affidavit of No Outstanding State Fees

Affidavit of City Administrator – State Fees and Obligations

STATE OF WEST VIRGINIA
COUNTY OF MINERAL, CITY OF KEYSER

I, Jeff Broadwater, being first duly sworn, do hereby state as follows:

1. I am the City Administrator for the City of Keyser, West Virginia. In that role, I am familiar with the City's financial records and its payment history with respect to state taxes, fees, and assessments.
2. I have reviewed the City's records and relevant correspondence from the West Virginia State Tax Department and other state agencies.
3. Based upon my review of City records, and my knowledge of the City's financial affairs, it is my opinion that, as of the date of this Affidavit, the City of Keyser does not owe any outstanding state fees, taxes, or other obligations to the State of West Virginia or its agencies.
4. I make this Affidavit in support of the City of Keyser's Municipal Home Rule Amendment Application and to satisfy the requirement that the applicant municipality verify that it has no outstanding state fees.

Jeff Broadwater
City Administrator
City of Keyser, West Virginia

NOTARY ACKNOWLEDGMENT

STATE OF WEST VIRGINIA, COUNTY OF MINERAL, TO-WIT:

The forgoing instrument was acknowledged before me this 10 day of March, 2026, by Jeff Broadwater.

Notary Public Bonnie Hannas

My commission expires: Sep. 9, 2029

NOTARY PUBLIC OFFICIAL SEAL
Bonnie Hannas
State of West Virginia
My Commission Expires
September 09, 2029
CITY OF KEYSER
111 N. DAVIS ST.
KEYSER, WV 26726

Fiscal Impact Statement – City of Keyser Municipal Sales and Use Tax with B&O Offset

Overview

This fiscal impact statement supports the City of Keyser's proposal to implement a 1% municipal sales and use tax pursuant to W. Va. Code § 8-1-5a(i)(14), with a concurrent reduction in Business and Occupation (B&O) tax accomplished through exclusion of gross receipts subject to the sales tax from B&O taxation. This method ensures compliance with statutory mandates while preventing double taxation to the individual transaction level of analysis.

Revenue Impact

Based on these percentages, the City calculated the adjusted B&O and projected sales tax revenue as follows:

Current B&O Tax Revenue (2-year average)	
Business Category	Average B&O FY23-24
Manufacturing	$25.02
Retail	$190,896.14
Wholesale	$54,938.59
Power Dom/Com	$139,254.26
Power Other	$61,033.13
Natural Gas	$59,942.25
Contracting	$79,998.64
Loans	$1,407.29
Amusements	$72.08
Service/Business	$74,565.26
Rentals	$29,127.20
Banking	$5,378.88
Total	**$696,638.73**

Proposed B&O + Sales Tax Revenue		
Business Category	B&O Est.	Sales Tax Est.
Manufacturing	$25.02	$00.00
Retail	$114,537.68	$305,433.82
Wholesale	$54,938.59	$0.00
Power Dom/Com	$139,254.26	$0.00
Power Other	$61,033.13	$0.00
Natural Gas	$59,942.25	$0.00
Contracting	$71,998.77	$10,666.48
Loans	$1,407.29	$0.00
Amusements	$0.00	$180.21
Service/Business	$59,652.21	$42,608.72
Rentals	$29,127.20	$0.00
Banking	$5,378.88	$0.00
Total	**$597,295.28**	**$358,889.23**

Total New Business Tax Collection (est.)	**$956,184.51**
Difference from 2 year average Collection	**$259,545.78**

Methodology

The City of Keyser performed a detailed analysis of B&O revenue by business classification based on fiscal years 2023 and 2024, and cross-referenced anticipated taxable sales categories aligned with the State's municipal sales tax rules (W. Va. Code §§ 11-15-1 et seq. and 11-15A-1 et seq.).

The City used industry-specific estimates of the percentage of gross receipts within each category expected to be subject to municipal sales tax based on prior research of West Virginia sales tax applicability. These assumptions are reflected below:

Estimated Percentage of Gross Receipts Subject to Municipal Sales Tax by Category

Category	Estimated % Subject to Sales Tax	Category	Estimated % Subject to Sales Tax
Manufacturing	0%	Loan Companies	0%
Retail	40%	Amusements	100%
Wholesale	0%	Service/Other Business	20%
Power/Communications	0%	Rentals/Royalties	~0%
Natural Gas	0%	Banking	0%
Contracting	10%		

These estimates were derived from available research assessing the types of transactions typically subject to sales tax in West Virginia, aligning with guidance from the West Virginia State Tax Department and typical sales tax structures adopted by peer cities under the Home Rule program.

Summary and Compliance

The proposed approach satisfies the reduction requirement under W. Va. Code § 8-1-5a(i)(14) by eliminating B&O tax on all transactions subject to municipal sales tax, rather than reducing rates by category. This model better avoids overlapping taxation and promotes transparency and compliance. The projected financial impact shows revenue neutrality with a positive margin, confirming the policy's fiscal viability.

A certified public accountant has reviewed and confirmed the methodology and projections as required.

CERTIFIED PUBLIC ACCOUNTANT AFFIDAVIT AND CERTIFICATION OF FISCAL IMPACT
City of Keyser – Municipal Sales and Use Tax with B&O Offset
Pursuant to W. Va. Code § 8-1-5a(i)(14)

I, the undersigned, being first duly sworn, depose and state as follows:

1. **Professional Qualifications:**
   I am a Certified Public Accountant (CPA), duly licensed to practice in the State of West Virginia and in good standing with the West Virginia Board of Accountancy. I have been retained by the City of Keyser to assist in evaluating the fiscal impact of the City's proposed implementation of a 1% municipal sales and use tax with a corresponding exclusion of gross receipts subject to sales tax from the municipal Business and Occupation (B&O) tax base, and to provide a fiscal impact certification based solely on information supplied by the City.
2. **Scope of Review:**
   I have relied solely on the financial information provided to me by the City of Keyser, including files summarizing B&O collections for fiscal years 2023 through 2025 and the City's estimates of taxable sales derived from internal revenue reports and sales tax applicability data by business category. I did not audit, examine, verify, or independently confirm the origin of this information. My work consisted of performing a general analysis of the information provided, including checking mathematical accuracy and assessing whether the assumptions used were reasonable for planning and policy purposes. I have also examined the City's proposed ordinance and fiscal methodology for excluding gross receipts subject to municipal sales tax from the B&O tax base for the purpose of understanding the assumptions used in the City's fiscal projections, as authorized under W. Va. Code § 8-1-5a(i)(14). The City of Keyser is solely responsible for the accuracy, completeness, and reliability of all financial information and assumptions furnished to me.
3. **Methodology:**
   The fiscal projections rely on category-specific estimates of the percentage of gross receipts anticipated to be subject to municipal sales tax. These estimates are based on authoritative state tax guidance and comparative municipal practices. I have evaluated that the methodology used to adjust the B&O tax base and project sales tax revenue is mathematically consistent with the assumptions provided by the City.
4. **Findings:**
   Based on the data reviewed and assumptions applied, I find the following fiscal projections to be reasonable for the purposes of the City's Home Rule application:
   - Current two year average B&O Tax Revenue (Pre-Adjustment): $696,638.73
   - Projected B&O Tax Revenue (Post-Exclusion): $597,295.28
   - Projected Municipal Sales Tax Revenue (1% rate): $358,889.23
   - Total Projected Revenue: $956,184.51
   - Net Annual Revenue Increase: $259,545.78
5. **Certification:**
   I hereby affirm that the fiscal projections presented by the City of Keyser are accurate to the best of my professional knowledge and that the proposed tax structure, if implemented, is fiscally viable, compliant with statutory requirements, and based on sound accounting and economic assumptions.

Executed this 1 **day of** December**, 2025.**

Lynn Flint Lynn Flint
Certified Public Accountant
WV CPA License No. WV004734
Firm: The Rodeheaver Group, PC
Contact: 304-777-4272

NOTARY PUBLIC OFFICIAL SEAL
Asheley Mousadis
State of West Virginia
My Commission Expires
March 07, 2028
THE RODEHEAVER GROUP, P.C.
3214 EARL L. CORE ROAD, STE. 200
MORGANTOWN, WV 26508

NOTARY ACKNOWLEDGMENT
State of West Virginia
County of Monongalia, to-wit:

Subscribed and sworn to before me this 1st day of December, 2025, by Asheley Mousadis.

My commission expires: March 7, 2028

Notary Public Signature
Notary Seal

City of Keyser – Traditional B&O Reduction Option
Fiscal Impact Statement and CPA Certification Draft

Fiscal Impact Statement
Subject: Implementation of 1% Municipal Sales and Use Tax with Concurrent B&O Rate Reductions
Authority: W. Va. Code § 8-1-5a(i)(14) (Home Rule – municipal sales tax conditioned on B&O reduction).

Overview
This Fiscal Impact Statement supports the City of Keyser's proposed Home Rule amendment request to implement a 1% municipal consumers' sales and service tax and a 1% municipal use tax, administered through the West Virginia State Tax Department. Consistent with Home Rule requirements, Keyser proposes to reduce its municipal Business and Occupation ("B&O") tax by adopting targeted B&O rate reductions by classification that take effect concurrently with the sales and use tax.

Proposed B&O Rate Reductions
Under the traditional reduction model, the City proposes the following B&O rate changes (all other categories unchanged):

- Manufacturing: reduce from 0.20 to 0.10
- Amusements: reduce from 0.40 to 0.20
- Rentals/Royalties: reduce from 0.40 to 0.20

Note: A prior concept referenced an across-the-board $10,000 exemption; that exemption has been removed from this proposal and is not reflected in the fiscal worksheet or projections below.

Sales-Taxable Percentage Assumptions (by B&O category)

B&O Category	Estimated % Subject to Municipal Sales Tax
Manufacturing	0%
Retail	25%
Wholesale	0%
Power/Communications (Dom/Com)	0%
Power (Other)	0%
Natural Gas	0%
Contracting	10%
Loan Companies	0%
Amusements	100%
Service/Other Business	20%
Rentals/Royalties	Approx. 0%
Banking/Financial	0%

Fiscal Impact Summary

Item	Amount
Current B&O Revenue (Two-Year Average)	$696,638.73
Projected B&O Revenue (After Rate Reductions)	$682,026.58
Projected Municipal Sales Tax Revenue (1%)	$244,351.55
Total Projected Revenue (B&O + Sales Tax)	$926,378.13
Projected Net Increase	$229,739.40

Projected Revenue by Category (Traditional Reduction Model)

Category	Current B&O (2-yr avg.)	Proj. B&O	Proj. Sales Tax (1%)	Total Proj.	Net Change
Manufacturing	$25.02	$12.51	$0.00	$12.51	$-12.51
Retail	$190,896.14	$190,896.14	$190,896.14	$381,792.27	$190,896.14
Wholesale	$54,938.59	$54,938.59	$0.00	$54,938.59	$-0.00
Power Dom/Com	$139,254.26	$139,254.26	$0.00	$139,254.26	$0.00
Power Other	$61,033.13	$61,033.13	$0.00	$61,033.13	$0.00
Natural Gas	$59,942.25	$59,942.25	$0.00	$59,942.25	$-0.00
Contracting	$79,998.64	$79,998.64	$10,666.48	$90,665.12	$10,666.48
Loans	$1,407.29	$1,407.29	$0.00	$1,407.29	$-0.00
Amusements	$72.08	$36.04	$180.21	$216.25	$144.16
Service/Business	$74,565.26	$74,565.26	$42,608.72	$117,173.99	$42,608.72
Rentals	$29,127.20	$14,563.60	$0.00	$14,563.60	$-14,563.60
Banking	$5,378.88	$5,378.88	$0.00	$5,378.88	$0.00
TOTAL	$696,638.73	$682,026.58	$244,351.55	$926,378.13	$229,739.40

Methodology (brief)

Baseline B&O revenues are calculated as the two-year average by category. Projected sales tax revenues are calculated by applying a 1% rate to estimated taxable receipts by category. Projected B&O revenues are calculated by applying the proposed B&O rates to the same two-year average gross receipts by category. The net change equals total projected revenue minus current B&O revenue.

CPA Affidavit and Certification of Fiscal Impact

This impact statement has been reviewed and executed by a Certified Public Accountant as part of the City's Home Rule submission.

CERTIFIED PUBLIC ACCOUNTANT AFFIDAVIT AND CERTIFICATION OF FISCAL IMPACT

City of Keyser – 1% Municipal Sales and Use Tax with Concurrent B&O Rate Reductions
(W. Va. Code § 8-1-5a(i)(14))

I, **Michael D. Griffith, CPA**, being duly sworn, depose and state:

1. I am a Certified Public Accountant licensed in the State of West Virginia.
2. I reviewed the City's fiscal worksheet and fiscal impact statement for the traditional B&O reduction model.
3. I relied on financial information provided by the City (including two-year average B&O collections by category and the City's taxable-sales percentage assumptions). I did not perform an audit.
4. Based on this review, the following projections are mathematically consistent with the City's stated assumptions:
   - Current B&O Revenue (Two-Year Average): $696,638.73
   - Projected B&O Revenue (After Rate Reductions): $682,026.58
   - Projected Municipal Sales Tax Revenue (1%): $244,351.55
   - Total Projected Revenue (B&O + Sales Tax): $926,378.13
   - Projected Net Increase: $229,739.40
5. I hereby certify and affirm that the fiscal projections presented by the City of Keyser are accurate to the best of my professional knowledge and that the proposed tax structure, if implemented, is fiscally viable, compliant with statutory requirements, and based on sound accounting and economic assumptions.

Executed this *9th* day of ***March, 2026***.

Michael D. Griffith, CPA

Michael D. Griffith, CPA
WV CPA License No. **WV003909**
Firm: ***Griffith & Associates PLLC***

NOTARY ACKNOWLEDGMENT

State of West Virginia, County of **Lincoln**, to-wit:
Subscribed and sworn to before me this ***9th*** day of ***March, 2026***.

My commission expires: December 11, 2028

Mary Napier

Notary Public (Seal)



NOTICE OF PUBLIC HEARING & CITY COUNCIL MEETING CITY OF KEYSER MUNICIPAL HOME RULE PROGRAM PLAN APPLICATION

Notice is hereby given by the City Council of Keyser, West Virginia, that it will conduct a public hearing to discuss the City's proposed written plan for participation in the West Virginia Municipal Home Rule Program.

Information from the hearing will be used by Council in preparing its initial application for acceptance into the West Virginia Municipal Home Rule Program, established by § 8-1-5a of the West Virginia Code, as amended.

The public hearing on the plan and the final reading of an ordinance authorizing the Mayor to make application to the Municipal Home Rule Program shall take place on March 4, 2026 at 6:00 p.m. in the Keyser City Hall, 111 North Davis Street, Keyser, West Virginia 26726. Any interested party may appear before Council during the hearing to be heard with respect to the proposed plan and ordinance.

The proposed Home Rule Plan for the City of Keyser will be available for public inspection beginning February 1st at Keyser City Hall during regularly posted business hours.

Written comments may be addressed to: City of Keyser, 111 North Davis Street, Keyser, WV 26726.

Ad#1498393

PUBLISHER'S CERTIFICATE

I, Rebekah Holmes,
Classified Manager of THE MINERAL NEWS, a newspaper of general circulation published in the city of Keyser, County and state aforesaid, do hereby certify that the annexed:

NOTICE OF PUBLIC HEARING & CITY COUNCIL MEETING CITY OF KEYSER MUNICIPAL HOME RULE PROGRAM PLAN APPLICATION

Ad# 1498393

was published in THE MINERAL NEWS 1 time(s) commencing on 01/29/2026 and ending on 01/29/2026 at the request of

CITY OF KEYSER.

Given under my hand this 01/29/2026.

The publisher's fee for said publication is: $27.09.

Rebekah Holmes
Classified Manager of
THE MINERAL NEWS

Subscribed to and sworn to before me this 01/29/2026

Notary Public in and for Mineral County, WV

My commission expires on

The 29 day of December 20 30

OFFICIAL SEAL
NOTARY PUBLIC
STATE OF WEST VIRGINIA
Carole Wilkinson
211 6th St
Point Pleasant WV 25550
My Commission Expires December 29, 2030

CAPON BRIDGE LEGAL PLLC
PO Box 32 · Capon Bridge, WV

Attorney Opinion
City of Keyser 2026 Home Rule Application

March 4, 2026
West Virginia Municipal Home Rule Board
West Virginia Development Office
West Virginia Department of Commerce
Capitol Complex, Building 6, Room 525
Charleston, WV 25305-0311

Re: Amendment Application of the City of Keyser to the Municipal Home Rule Program

Dear Home Rule Board Members,

As legal counsel for the City of Keyser, I have reviewed the City's 2026 Home Rule amendment application, including all supporting ordinances and impact statements, and evaluated them under West Virginia Code § 8-1-5a and the relevant program guidance.

Keyser's application seeks authority to adopt a 1% municipal sales and use tax and has provided two alternatives: one with a corresponding exclusion of overlapping B&O tax liability to avoid double taxation, and one with a traditional B&O categorical Reduction. These proposals reflect the City's goal to modernize its revenue systems in a legally sound and balanced manner.

Having conducted a full review, it is my opinion that the City's proposed ordinances are in substantial compliance with all legal requirements and do not conflict with the Constitution or general laws of the State. In particular, the proposed sales tax and B&O exclusion framework satisfies the requirements of W. Va. Code § 8-1-5a(i)(14), and the City's process adheres to all procedural mandates for Home Rule amendments.

Therefore, I conclude that the City of Keyser's application and ordinances are legally appropriate for submission and consideration by the Municipal Home Rule Board.

J. Logan Mantz
WV Bar ID 13901
lmantz@caponbridgelegal.com
Counsel for the City of Keyser