

OFFICIAL BALLOT
GENERAL ELECTION

City of Salem, West Virginia
June 6, 2023

To vote for a candidate mark an "X" in the square opposite to and at the left of the name.

In order to cast a WRITE-IN vote, you may write the name and office of the candidate in any location on the front side of this ballot.

FOR CITY COUNCIL – WARD 1
(Vote For ONE)

VALERIE LANE
106 EAST MAIN STREET

SHAWNETTE M. STOUT
180 EAST MAIN STREET

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FOR CITY COUNCIL – WARD 2
(Vote For ONE)

BRANDIE GARNER
151 VALLEY STREET

JOE HOF
189 WEST MAIN STREET

TIM JAMISON
RANDOLPH TERRACE APT A 103

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FOR CITY COUNCIL – WARD 3
(Vote For ONE)

RICHARD GIBSON
119 STATE STREET

FOR CITY COUNCIL – WARD 3
2 YEAR UNEXPIRED TERM
(Vote For ONE)

OFFICIAL BALLOT
CHANGES TO CITY ORDINANCE ELECTION
City of Salem, West Virginia
June 6, 2023

"Shall the City of Salem adopt the "Requirements to be a City Manager Ordinance," which require the following:

The Requirements to be a City Manager Ordinance
(421.01 Requirements to be a City Manager)

A minimum of five years work experience in executive and business administration preferably in local government.

A Bachelor's degree in political science, business administration, or public administration. A Master's degree is preferred.

Must possess good character and integrity and professional communication skills.

Shall sit on every City of Salem committee or board i.e., Parks and Recreation, Economical Development Authority, Planning and Zoning, Chamber of Commerce.

Must dress professionally.

Be considerate & respectful of Salem's citizens and Salem City Business Owners' rights and value their opinions and suggestions.

Proactively plan for and evaluate the homeless and addicted population of the City of Salem.

- FOR the Ordinance
- AGAINST the Ordinance

INSTRUCTIONS: Those for the Ordinance, place an (X) in the square before "FOR the Ordinance," those against the Ordinance place an (X) in the square before "AGAINST the Ordinance."

OFFICIAL BALLOT
CHANGES TO CITY ORDINANCE
City of Salem, West Virginia
June 6, 2023

"Shall the City of Salem adopt the save the Greenbrier Billy Davis Barn Ordinance, which stops the destruction of the Greenbrier Billy Davis Barn and requires the barn to be kept in a neat and attractive manner at all times as agreed upon in the lease."

The Save The Greenbrier Billy Davis Barn Ordinance
(420.01 The Greenbrier Billy Davis Barn)

Our historical Salem Park (The Greenbrier Billy Davis Barn) is in jeopardy of being torn down. This building has played an important and significant role in our community for over a century.

- 1) It first served as a barn for the Salem Industrial Home for girls gardening in 1899. And it was dedicated by the Daughter of the American Revolution.
- 2) It was dedicated by the Salem Bicentennial Committee as the " Greenbrier Billy Davis Barn " on June 20, 1976, and would serve as a "lasting memorial " to Salem's First Revolutionary War Veterans. William Davis "Greenbrier Billy" after the threat of Indian attacks ceased William moved his family to a farm on Greenbrier Run near Salem. Thus acquiring the name Greenbrier Billy Davis. The original sandstone marker still stands to mark the final resting place in the Salem Seventh Day Baptist Cemetery.
- 3) Severability. The sections of the amendment are severable. The invalidity of a section shall not affect the validity of the remaining sections. Any section ruled invalid by a court shall be revised to the minimum extent necessary to maintain validity and enforceability and kept in effect if a revision can be made.

- FOR the Ordinance
- AGAINST the Ordinance

INSTRUCTIONS: Those for the Ordinance, place an (X) in the square before "FOR the Ordinance," those against the Ordinance place an (X) in the square before "AGAINST the Ordinance."

OFFICIAL BALLOT
CHANGES TO CITY ORDINANCE ELECTION
City of Salem, West Virginia
June 6, 2023

"Shall the City of Salem adopt the Initiative, Referendum, and Recall, which grants the constitutional rights back to the citizens, puts restriction on the City Council, and reigns in corruption and illegal acts done by our City Council. It puts checks and balances back in place for future City Council Members."

The Initiative Referendum and Recall Ordinance
(422.01 Initiative Referendum and Recall)

Initiative Referendum and Recall is our constitutional right to "PEACEFUL GRIEVANCE AGAINST OUR GOVERNMENT"

- 1) Initiative Referendum and Recall is allowed on the City and County levels in West Virginia but not on the State level.
- 2) The State of West Virginia has never recognized Initiative Referendum and Recall and by doing so we have been denied and or limited on what constitutional rights we actually have in West Virginia.
- 3) The City of Salem has also denied us our constitutional rights, due process, removed us from the ballot, and denied us ballot access. Without our consent and knowingly the City of Salem did these things that were illegal to the citizens without ever addressing the issues that denied us our constitutional rights.
- 4) We are forced to solve these issues with this petition, which grants us our constitutional rights back and puts restrictions on the City Council meant to be there to control our city.

Our Initiative Referendum and Recall proposal is as follows:

ARTICLE 422

Initiative Referendum and Recall

Council shall make regulations which are considered useful or desirable, not inconsistent with this Charter, for the proper conduct of municipal elections and for the prevention of fraud in such elections.

SECTION 422.01 INITIATIVE

Qualified electors of the City shall have power to propose ordinances to the City and the City must adopt this initiative without change of substance, and if the City fails to adopt an ordinance so proposed without any change in substance, to adopt or reject it at a City election; provided, however, these powers shall extend to the budget, capital program, or any ordinance relating to appropriation of money, levy of taxes, or salaries of City officers or employees.

SECTION 422.02 REFERENDUM

Qualified electors of the city shall have power to require reconsideration by the City of any adopted ordinance and if the City fails to repeal an ordinance so reconsidered, to approve or reject as a City election; provided, however, these powers shall extend to the budget, capital program or any ordinance relating to the appropriation of money, levy of taxes or salaries of City officers or employees.

SECTION 422.03 PETITIONS

Initiative and referendum petitions must be signed by qualified electors of the City, equal to the number of at least ten percent (10%) of the total number of qualified electors who voted at the last City election. All papers of a petition shall be uniform in size and style and shall be assembled as one instrument for the filing. Each signature shall be executed in ink or indelible pencil in the handwriting of the signer and shall be followed by the address of the person signing. Petitions shall contain, or have attached thereto, throughout their circulation, the full text of the ordinance proposed, and shall cite by title, the ordinance sought to be reconsidered. Each paper of a petition shall have affixed in his or her presence that he or she believes them to be genuine signatures of the persons whose names they are supposed to be, and that each signer had an opportunity before signing to read the full text of the ordinance proposed or sought to be reconsidered. Except may be otherwise provided by general law, referendum petitions must be filed within one hundred twenty (120) days after adoption the City of the ordinance sought to be reconsidered.

SECTION 422.04 PROCEDURE

There shall appear on all petitions the names and addresses of one qualified elector, who, as circulator of the petition shall be regarded as responsible for the circulation and filing of the petition. Any one of the qualified electors or attorney at law on their behalf, may file such petitions by delivering the assembled instrument to the City Clerk together with a designation of one address of one such elector or the attorney-at-law, to which all notices are to be sent, and setting out in full the proposed initiative ordinance or citing by title the ordinance sought to be reconsidered. Within twenty (20) days after the petition is filed, the City Clerk shall complete a certificate as to its sufficiency, specifying, if it is insufficient, the particulars wherein it is defective, and shall promptly send a copy of the certificate to the petitioner at the address so provided, by certified mail. A petition certified insufficient may be amended twice if the petitioner files a notice of intention to amend with the City Clerk within two (2) weeks after receiving the copy of his or her certificate, and files a supplemental petition upon additional papers within sixty (60) days after receiving the copy of such certificate. Such supplemental petition shall comply with the requirements of Section_ and within five (5) days after it is filed, the City Clerk shall complete a certificate as to the sufficiency of the petition as amended and promptly send a copy of such certificate to the designated individual by certified mail as in the case of the original petition. If a petition or amended petition is certified sufficient, or if a petition or amended petition is certified insufficient, and the petitioner does not elect to amend or request a City review under this section within the time required, the City Clerk shall promptly present his or her certificate to the City Council and the certificate shall then be a final determination as to the sufficiency of the petition. If a petition has been certified insufficient and the petitioner does not file notice of intention to amend or if amended petition has been certified insufficient the petitioner may, within ten (10) days after receiving the copy of such certificate, file with the City Clerk a request that it be reviewed by the City. The City shall review the certificate at its next meeting following the filing of such request and approve or disapprove it, and the City's determination shall then be a final determination as to the sufficiency of the petition. A final determination as to the sufficiency of a petition shall nevertheless be subject to judicial review, shall not prejudice the filing of a new petition for the same purpose, except in the case of referendum when the applicable time limit has expired.

OFFICIAL BALLOT
CHANGES TO CITY ORDINANCE ELECTION
City of Salem, West Virginia
June 6, 2023

"Shall the City of Salem Adopt the "Stop the excessive water/sewage increase" ordinance, which stops excessive water/sewage increases, stops additional financial hardships from being put on fixed income and financially burdened families, ask for an investigation into all aspects of PCS including all monies to determine the causes of such a massive increase (80%) in the water/sewage bill. This will allow the voters to decide if they want a rate increase or not."

STOP THE EXCESSIVE WATER AND SEWAGE RATE INCREASES
(423.01 STOP THE EXCESSIVE WATER AND SEWAGE RATE INCREASES)

1. A combined water/sewage rate increase of (eighty) 80% on one bill.
 - a. Water rate increase is insane at 55 % (fifty five)
 - b. Sewage rate increase is insane at 25% (twenty five)
2. Increased rates will be impossible for citizens who are on a fixed income and are struggling to pay their bills now.
 - a. Most of the citizens in the City of Salem are senior citizens and working class families. Neither have the extra finances to pay the increases in the water/sewage bill
3. We the voters ask for an investigation into all aspects of the PSC (Public Service Commission) and all monies to determine the causes of such a massive increase (80%) in the water/sewage bill.
 - a. We are also concerned about the increase because the rest of Harrison County is showing a decline in water/sewage bill.
4. The voters of Salem request with this petition that the water/sewage increase be placed on the ballot for a decision by the voters.
5. Severability. The sections of the amendment are severable. The invalidity of a section shall not affect the validity of the remaining sections. Any section ruled invalid by a court shall be revised to the minimum extent necessary to maintain validity and enforceability and kept in effect if a revision can be made.

- FOR the Ordinance
- AGAINST the Ordinance

INSTRUCTIONS: Those for the Ordinance, place an (X) in the square before "FOR the Ordinance," those against the Ordinance place an (X) in the square before "AGAINST the Ordinance."

The Initiative Referendum and Recall Ordinance Page 2

SECTION REFERENDUM PETITIONS: SUSPENSION OF EFFECT OF ORDINANCE

When a referendum petition is timely filed with the City Clerk, the ordinance sought to be reconsidered shall be suspended from taking effect. Such suspension shall terminate when there is a final determination of insufficiency of the petition, the petitioner withdraws the petition, the City repeals the ordinance or upon final certification of the results of the City election favoring the ordinance sought to be repealed.

SECTION ACTIONS ON PETITIONS

When an initiative or referendum petition has been finally determined sufficient, the City shall promptly consider the proposed initiative ordinance in the manner provided for the enactment of ordinances or reconsider the referred ordinance by voting its repeal. If the City fails to adopt a proposed initiative ordinance without any change in substance within sixty (60) days or fails to repeal the referred ordinance within thirty (30) days after the date the petition was finally determined sufficient, it shall submit the proposed or referred ordinance to the electors of the City. The election of a proposed or referred ordinance shall be held not less than thirty (30) days not more than ninety (90) days from the date of the final City vote thereon. If no regular City election is held within the period described in this section, the City shall provide for a special election. Otherwise, the vote shall be held at the same time as such regular election, except that the City may provide for a special election at an earlier date within the prescribed period. Copies of the proposed or referred ordinance shall be made available at the polls.

SECTION 422.05 RESULTS OF ELECTIONS

If the majority of the qualified electors voting on a proposal initiative ordinance vote in is favor, it shall be considered adopted upon certification of the election results and shall be treated in all respects in the same manner as ordinances adopted by the City. If conflicting ordinances are approved, at the same election, the one receiving the greatest number of affirmative votes shall prevail to the extent of such conflict. If the majority of the qualified electors voting on a referred ordinance vote against it, it shall be considered repealed upon certification of election results.

SECTION 422.06 POWER OF RECALL

Qualified electors, authorized to vote for a particular office, shall have the power to recall any City official, the Mayor, any member of City Council, or other executive, whether elected by popular vote, appointed by City Council, or selected to fill a vacancy, and may exercise such power by filing with the City Clerk a petition, signed by qualified electors authorized to vote for a particular office, equal in number to at least ten percent (10%) of the total number of qualified electors, who voted for that particular office at the City election. The petition shall meet the applicable sections of the Charter and contain a demand for removal of the subject officer or officers and shall contain a general statement of the reasons for which the removal is sought. The three-judge panel is eliminated and the decisions of recall is decided by the voters according to election laws laid out below.

SECTION 422.07 ELECTION UNDER RECALL PETITION

If the petition is certified sufficient in accordance with the applicable requirements set out in the Charter, the City Council shall cause a special election to be held not less than thirty (30) days not more than sixty (60) days from the date of such certification, unless a City election shall occur within ninety (90) days from such date. The published notice of such election shall contain the reason for demanding the recall in not more than two-hundred (200) words and a justification by the subject officer within the same limits; provided, however, if the petition seeks to recall more than one officer, each may provide a justification of not more than two-hundred (200) words. Ballots shall be in the following form:

Shall _____ be removed from office
_____ (title of City official) of the City of _____
County of _____ State of West Virginia.

When a vacancy occurs as the result of a recall election or when an officer resigns after a recall petition certified by the City Clerk to be sufficient is presented to City Council, the vacancy shall be filled in accordance with the provisions of this Charter relating to the filling of vacancies in the respective office involved.

SECTION LIMITATION OF RECALL

No recall petition shall be filed against any officer, elected or appointed, within three (3) months after he or she takes office nor within three (3) months prior to the end of his or her term. No elected officer shall be subjected to more than one (1) recall election during a particular term in office. No appointed official shall be subjected to more than one (1) recall election in a two (2) year period, from the date of the filing of the previous recall petition.

- FOR the Ordinance
- AGAINST the Ordinance

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