

STATE OF WEST VIRGINIA, COUNTY OF UPSHUR, CITY OF BUCKHANNON, TO-WIT:

A special meeting of the Buckhannon City Council was held September 20, 2016 at 4:15 p.m. at City Hall with the following in attendance:

Mayor	David McCauley	Present
Council Member	Pam Cuppari	Present
Council Member	David Thomas	Present
Council Member	CJ Rylands	Present
Council Member	Robbie Skinner	Present
Council Member	Mary Albaugh	Absent
Assistant Recorder	Amberle Jenkins	Absent
Office Staff	Barbara Hinkle	Present

- **Notice of Special Meetings Posted 08-23-16**

**NOTICE OF SPECIAL MEETINGS
OF THE BUCKHANNON CITY COUNCIL**

**BUCKHANNON CITY COUNCIL HAS SCHEDULED THE FOLLOWING SPECIAL MEETINGS AT
CITY HALL**

- **Tuesday, September 20, 2016 at 4:15 p.m.**

The purpose of the meeting is to review all applications regarding the **Notice of Position of City Attorney** and to determine applicants to be interviewed. The meeting will be called to order and Council will Motion to adjourn into executive session per WV Code 6-9a-4

- **Tuesday, September 27, 2016 at 6:00 p.m.**

The purpose of the meeting is to interview candidates for the **Position of City Attorney**. The meeting will be called to order and Council will Motion to adjourn into executive session per WV Code 6-9a-4

- **Thursday, September 29, 2016 at 4:15 p.m.**

The purpose of the meeting is to select and announce the **New City Attorney**. The meeting will be called to order and Council will Motion to adjourn into executive session per WV Code 6-9a-4 before the open session.

POSTED 08-23-16

The purpose of the meeting is to review all applications regarding the Notice of Position of City Attorney and to determine applicants to be interviewed. The meeting will be called to order and Council will Motion to adjourn into executive session per WV Code 6-9a-4.

- **Notice of Position of City Attorney:** The following notice was published in the local newspapers.

**City of Buckhannon
Notice of Position of City Attorney**

The City of Buckhannon will receive letters of interest and curriculum vitae from attorneys licensed to practice law in West Virginia to provide legal services and serve as the chief legal advisor and counselor to the City Council, the City's Utility Boards, and all appointed officers of the City.

Information to be provided shall include: (1) letter of interest highlighting education, experience, and professional qualifications and accomplishments; (2) professional resume; (3) proof of current West Virginia Bar membership including Bar number; (4) proof of current, malpractice insurance; and (5) list of professional references.

The City Attorney represents the City in all litigation and administrative proceedings in which the City, or any City officer or employee in their municipal capacity is a party. The City Attorney shall perform such legal duties incidental to the office as may be directed by the Mayor or City Council. The City Attorney shall serve the Council, officers, and Boards of the City as chief legal counsel. The City Attorney shall receive such regular compensation as

agreed upon with the City Council. No person shall be eligible for appointment to the office of City Attorney who is not an attorney-at-law duly admitted to practice in the State of West Virginia, and shall be a licensed and active member currently in good standing with the West Virginia Bar Association.

Duties and Responsibilities of the City Attorney include, but are not limited to the following:

- Prosecute or defend all suits on behalf of or against the City
- Review or prepare all contracts, deeds, bonds, and other legal documents for the City
- Serve as prosecutor of the Municipal Court
- Attend all regular and special meetings of the City Council advising the mayor and council on legal questions arising, and further shall upon request attend Utility Board meetings
- Advise the City in the preparation of resolutions and ordinances and perform such other legal services as may be required by City Council
- Perform all other duties and functions associated with the office of City Attorney as prescribed by the WV Code, the City Charter, ordinances and resolutions, or as directed by the Mayor, City Council, and/or the Boards and Commissions of the City.

The City Attorney is appointed by the Mayor and City Council and serves at the will and pleasure of the City Council. This position is an at-will one without benefits. The City further may terminate the City Attorney for misfeasance, nonfeasance, and malfeasance at any time.

All interested attorneys shall submit the requested information hand delivered or postmarked by midnight on Saturday, September 17, 2016 to:

David W. McCauley, Mayor
City Hall
70 East Main Street
Buckhannon, WV 26201

Reference: Position of City Attorney

The City Council shall consider the above materials as submitted by applicants and then determine during a special meeting to be held on Tuesday, September 20 those attorneys who will be interviewed by the Council for the position on or about September 27. The City Council will meet specially on Thursday, September 29 to deliberate and announce the successful candidate who will commence their service as City Attorney on October 1.

Applicants are subject to a criminal identification bureau investigation, and agree to execute such release to permit such investigation.

The City shall consider all application materials without regard to any applicant's race, national origin, ethnicity, gender, religion, age, handicap, familial status, sexual orientation, or any other protected class status in the appointment of the City Attorney.

David W. McCauley, Mayor

City of Buckhannon
70 E Main Street
Buckhannon, WV 26201
304-472-1651

August 23, 2016

Record-Delta
PO Box 550
Buckhannon, WV 26201

Fax: 304-472-0537

To Whom It May Concern:

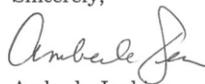
Please publish the attached notice, accepting application/ qualification for a City Attorney as a Class II legal ad:

Friday - August 26, 2016
~~Wed.~~ - August 31, 2016

Please send invoice to City Hall – 70 East Main Street, Buckhannon, WV 26201.

If you have any questions, please contact my office at 472-1651.

Sincerely,



Amberle Jenkins
Assistant Recorder
City of Buckhannon

- **Timetable for Hiring New City Attorney:**

CITY OF BUCKHANNON –TIME TABLE FOR HIRING NEW CITY ATTORNEY – August 23, 2016

- (1) Deliver Notice of Position to Record Delta, InterMountain, & Weston newspapers – August 23, 2016
- (2) Advertise as Class II legal ad, on August 26 and September 2
- (3) Deadline for application materials is Saturday, September 17
- (4) Special Council meeting to review all applications on Tuesday, September 20 at 4:15 p.m. & determine applicants to be interviewed – executive session
- (5) Special Council meeting on Tuesday, September 27 at 6:00 p.m.to conduct interviews – executive session
- (6) Special Council meeting on Thursday, September 29 at 4:15 p.m. to select & announce new City Attorney – possible executive session before open session
- (7) Saturday, October 1 – new City Attorney begins service
- (8) Thursday, October 6 – first Council meeting for new City Attorney

The meeting was called to order followed by a moment of silence and pledge of the flag.

Motion Mayor to Adjourn into Executive Session per WV Code 6-9a-4 to Review Applications for City Attorney. Motion Carried.

Motion Thomas/Cuppari Council Reconvened at 4:55 p.m. into Regular Session. Motion Carried.

Council held discussions regarding the two applications received for City Attorney and agreed to interview both applicants. Interviews will be held on Tuesday, September 27, 2016 beginning at 6:00 pm with half hour interviews. A letter to be sent to the applicants regarding the date and time of the interview.

A special meeting will be held Thursday September 29, 2016 at 4:15 p.m to select and announce the new City Attorney.

There being no further business to be transacted meeting adjourned at 5:00 p.m.

Mayor David McCauley _____

Assistant Recorder Amberle Jenkins _____