

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

A regular meeting of the Buckhannon City Council was held on Thursday, February 4, 2021 at 7:00pm in City Hall. The following were in attendance (GTM - GoToMeeting):

Mayor	Robbie Skinner	Present
City Recorder	Randy Sanders	Present
Council Member	Mary Albaugh	Present - by phone
Council Member	Pam Buckle	Present - by phone
Council Member	Jack Reger	Absent
Council Member	CJ Rylands	Present
Council Member	David Thomas	Present - by phone
Assistant Recorder & Director of Finance	Amberle Jenkins	Present
City Attorney	Tom O'Neill	Present - by GTM
BFD	Chief JB Kimble	Present - by phone
Director of Public Works	Jerry Arnold	Present
Grants & Information Coordinator	Callie Cronin Sams	Present - by GTM
The Record Delta Newspaper	Macie Queen	Viewing Online
Channel 3	Dennis Cortes	Present
Channel 3	Rodney Irvin	Present
The Intermountain Newspaper	Amanda Hayes	Present
MyBuckhannon.com	Katie Kuba	Present

Guests: Jacob Garrison; Laura Ward, Country Roads Transit; Joseph Hughes, Raven Rock

***City Council of Buckhannon - 7:00 pm in Council Chambers
Meeting Agenda for Thursday, February 4, 2021***

*Channel 3 is Live Streaming our City Council Meetings here: <https://www.facebook.com/ch3buckhannon/>
Please send public comments to buckhannon@buckhannonwv.org via email or drop them in the mail, or dropbox
behind City Hall.*

- A. Call to Order**
 - A.1 Moment of Silence**
 - A.2 Pledge to the Flag of the United States of America**
 - A.3 Mayor's Greetings**
- B. Recognized Guests**
 - B.1 Jacob E Garrison-Official Oath Probationary Police Officer**
 - B.2 Laura Ward County Roads Transit Executive Director - Annual Report & Request Continued Funding**
- C. Department & Board Reports**
 - C.1 Information Coordinator/Grant Researcher- Callie Cronin Sams**
 - C.2 Public Works Director- Jerry Arnold**
 - C.3 Finance Director- Amberle Jenkins**
 - C.4 Fire Chief- JB Kimble**
 - C.5 City Attorney- Tom O'Neill**
- D. Correspondence & Information**
 - D.1 Notice Special City Council-Financial Budget Working Sessions-February 10 & February 16 at 2pm**
 - D.2 Application Denied-WVDEP 2020 AML Pilot Program RE: Riverwalk Trail & SYCC Trailhead Recreation Center Expansion**
 - D.3 FOIA-WV@Openthebooks.com RE: Employee Records for year of 2020**
 - D.4 FOIA-Partner Engineering & Science RE: Zoning Report on Cambridge Heights Apartments**
 - D.5 CityPR: BFD Commends All Involved in Lifesaving Response in December**
 - D.6 Letter of Intent to WV Department of Art, Culture & History RE: Grant Application FY2022 Cultural Facilities & Capitol Resources Program-Colonial Theatre Renovation Final Phase**
 - D.7 State Auditor's 2021 Budget Preparation Workshops via Microsoft Teams**
- E. Consent Agenda**
 - E.1 Approval of Minutes-Regular Meeting 01/21/2021**
 - E.2 Approval of Building and Wiring Permits**
 - E.3 Approval of Payment of the Bills**
 - E.4 Approval to Open Checking Account for Police Department Forfeiture Funds**
 - E.5 Approval Appointment - City's Representative to the Buckhannon-Upshur Airport Authority**
 - E.6 Approval Appointment - City's Representative to the UC Parks & Recreation Board**
- F. Strategic Issues for Discussion and/or Vote**
 - F.1 Approval Resolution 2021-02 Budget Revision #5 General Fund FY 2020/21**
 - F.2 Approval Ordinance No. 449 Sanitary Surcharge RT 33W Northside Sewer Extension Project-3rd/Final Reading**
 - F.3 Approval Colonial Theatre Governance-Memorandum of Understanding**
 - F.4 Approval to Purchase Phone System at the Public Works Facility 395 Mud Lick Road**

G. Comments and Announcements

- G.1 Mary Albaugh
- G.2 Pamela Bucklew
- G.3 C J Rylands
- G.4 David Thomas
- G.5 Jack Reger
- G.6 Randall Sanders

H. Mayor's Comments and Announcements

I. Executive Session Per WV Code § 6-9A-4- Personnel Matters

J. Adjournment

Posted 02/01/2021

Next Regular Scheduled City Council Meeting Thursday, February 18, 2021

A. Call to Order - Mayor Robbie Skinner called the meeting to order.

A.1 Moment of Silence – Mayor Skinner asked us to join him in a Moment of Silence keeping Council Members Mary Albaugh and Pam Bucklew in our thoughts and prayers as they continue to recover from health issues. He also asked that we keep Council Member Jack Reger, who is dealing with COVID-19, in our thoughts and prayers.

A.2 Pledge to the Flag of the United States of America - The Pledge was led by Jerry Arnold.

B. Recognized Guests

B.1 Jacob E Garrison-Official Oath Probationary Police Officer – The Mayor recognized Jacob E Garrison, who has been selected as the newest member of the BPD. The Mayor then administered Mr. Garrison the Official Oath for a Probationary Police Officer. Both Mr. Garrison and BPD Chief Gregory provided remarks and answered questions from Council and the media.

CITY OF BUCKHANNON

OFFICIAL OATH

State of West Virginia,
County of Upshur,
City of Buckhannon,

I, Jacob Emanuel Garrison, do solemnly affirm that I will support the Constitution of the United States, the Constitution of the State of West Virginia, the Charter and Ordinances of the City of Buckhannon, West Virginia, and faithfully discharge my duties as a Police Officer of the said City to the best of my ability, so help me God.

Signed 

Subscribed and sworn to before me this 4th day of February, 2021.

Mayor 

B.2 Laura Ward County Roads Transit Executive Director - Annual Report & Request Continued Funding – The Mayor recognized Laura Ward, the County Roads Transit Executive Director, who provided the Transit's annual report. Laura will be submitting a letter to Council, which will include the request for continued funding from the City, in the next day or so.



Notable transit progress in FY 2020

There is nothing more notable in FY2020 than the onset of the Covid pandemic. In order to stay healthy and comply with stay-at-home orders and social distancing recommendations, many folks travelled less during this pandemic, thus Country Roads Transit saw decrease in ridership this fiscal year. However, it is important to note that Country Roads did not miss a single day of service to the community. While the route services were suspended for a short period of time to work out the logistics of keeping our riders safe with greater numbers on the van, our demand response service was available every day. Continuation of service to the community required extra effort and expense to install barriers, for procurement and use of PPE, and to sanitize our vans to reduce the risk of possible exposure. We are proud that our staff, understanding the importance of transit to our riders, never complained once about the risk of exposure they experienced in providing service to our communities. And while the pandemic took much of our time and attention to manage, we were still hard at work to identify unmet transit needs in our community and committed to finding solutions.

We received approval from the Division of Public Transit to expand our services and begin a route to the Clarksburg area medical facilities, including both the VA Hospital and UHC. We are eagerly awaiting our expansion vehicle to begin those services that we feel will fill an important unmet need in the communities we serve.

We also met several times with the administration of St. Joseph's hospital to discuss the transit needs of their patients. They find that many of their patients were missing appointments due to lack of transportation. In an effort to ensure these patients would get the care they need, St. Joseph's will soon begin offering those folks transit vouchers to cover the cost of their fare. Country Roads transit will provide the ride to the patient with the voucher, and bill St. Joseph's monthly for the services provided. While it is a deviation from our normal procedure, we understand the importance of regular medical care and are committed to helping St. Joseph's meet the needs of these most vulnerable members of our community. We are extremely proud of our partnership, and grateful to St. Joseph's for their community minded approach to healthcare.



UPSHUR COUNTY FY 2020
(July 1, 2019 -- June 30, 2020)

RIDERSHIP

FULL YEAR

ROUTE	3,165
DEMAND RESPONSE	2,340
TOTAL NUMBER OF RIDERS	5,505
ELDERLY	3,298
WHEELCHAIR AND DISABLED	1,019

FY2020 was heavily impacted by the Covid pandemic. Our ridership numbers remained steady until March 2020, when they decreased significantly. The decrease resulted in an overall drop in ridership of 21% from the previous fiscal year. The decrease in ridership continues, although costs remain steady. Our hope is that vaccinations will be swift, bringing the end to the pandemic and a return of larger ridership numbers.

REVENUE

FULL YEAR FARE REVENUE	\$4,699.81
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LOCAL MATCH RECEIVED

UPSHUR COUNTY SENIOR CTR.	\$26,500.00
UPSHUR COUNTY COMMISSION	\$10,000.00
BUCKHANNON CITY COUNCIL	\$10,000.00
LOCAL TOTAL MATCH	\$46,500.00
FEDERAL FUNDING (50% MATCH REQUIRED)	\$46,500.00
TOTAL REVENUE	\$93,000.00

EXPENSES

TOTAL UPSHUR EXPENSES	\$122,187.88
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C. Department & Board Reports

C. 1 Information Coordinator/Grant Researcher- Callie Cronin-Sams – February 04, 2021
– Callie presented the following report:

Information Coordinator & Grant Researcher Report – Callie Cronin Sams – February 4,

2021 – City Council

Published	Post
01/29/2021 3:30 PM	A part of North Spring Street will be closed Monday, February 1, for a
01/28/2021 3:40 PM	Hi, B-U Kids! Help us promote tobacco-free living by submitting
01/28/2021 3:11 PM	Just two more weekends to check out this amazing exhibit at the
01/27/2021 1:17 PM	Vaccine Update from the Upshur-Buckhannon Health Department:
01/25/2021 3:50 PM	Vaccine Clinic in Elkins this Thursday, January 28:
01/22/2021 1:11 PM	Vaccine update from the Upshur County Commission:
01/21/2021 7:01 PM	City Council Meeting Jan 21:
01/21/2021 4:42 PM	Our thoughts go out to the affected families. The most recent update
01/21/2021 2:42 PM	Great work, Instructor Joey Baxa and the Buckhannon Fire
01/21/2021 2:29 PM	Information about upcoming COVID-19 vaccination clinics from

PR, Website, & Social Media:

Meeting with Randy on GoToMeeting on Tuesday to go over protocols for adding info to the City's website, social media, and creating/running GoToMeetings for Council, Board, and Committee meetings.

Reminder: Check out Deanna Gillum's art at the Colonial Theatre Gallery--this Friday and Saturday are the last chance!

Grants:

- NEA Grants for Arts Projects for WAMSB
- Passing WalMart Grant to Fire Dept for submission.

LED -- Buckhannon 1816

Callie also announced to Council that she has submitted her resignation so that she can accept a position with the WV Dept. of Environmental Protection as the statewide coordinator of the WV Save Our Streams program. Callie stated, "While I am excited about this opportunity, I will miss my friends here at the City of Buckhannon. I have learned so much and have had great support from all City staff and members of the City Council. My departure is not a reflection of dissatisfaction with my position here; instead, I am just excited for the chance to lead a statewide program that promotes the beautiful streams, rivers, and watersheds around the state. I want to thank each of you for granting me this opportunity to work with the City and see our community improve thanks to our efforts. I think you are doing great work and your passion for the City is inspiring. I will miss working together."

Callie has been working on step-by-step instructions for adding minutes and agendas to the website, updating the Google calendar that is embedded in our homepage, and making news posts. I will make Robbie (Mayor Skinner) and Randy (Sanders) admins on our Facebook pages.

Council Members expressed their good wishes to Callie and their appreciation for her hard work throughout her time with the City

C.2 Public Works Director- Jerry Arnold – Mr. Arnold also wished Callie well with her new position. He then provided Council an overview of the following report.

**Buckhannon City Council
Public Works Director Report
February 04, 2021**

Director:

- I have been working on getting internet and telephone installed at the new building.
- I am working on a new volunteer overtime program for city employees from all departments to be able to volunteer to assist with street projects. I will be sending out a questionnaire to all departments to gauge the interest in participation.
- Virgil LaRosa called me and is wanting to know if the city would give him a letter of support to construct a tower on the ridge beside his house on Deer Creek. We would be interested in space on the tower to complete the city's private intranet and to install an antenna for radio communications in our public works departments. The radios could reduce the cell phone costs significantly within the city. - *A Q&A with Council Members, Joseph Hughes of Raven Rock, Amby Jenkins, and Jerry Arnold took place concerning the proposed tower on Deer Creek.*
- I will begin work on the new access road for the UCDA next week.
- We will begin Geotech investigation of N. Spring Street next week with Potesta Engineering drilling several bore holes to establish underlying soil conditions.

Street:

- Continue to move into the new building.
- Paused on GWW until the WVDOH completes culvert repairs.
- We will begin sidewalks on N. Kanawha St. as soon as weather clears.

Sewer:

- Nothing new to report

Water:

- The plant had some electrical issues a couple weekend in a row. They have them repaired but are continuing to investigate the cause.
- Made a repair on an 8" line on the Old Weston Rd. that the WVDOH hit while making culvert repairs.
- N. Spring St. water portion of the project is 95% complete.

Waste:

- Purchased a used road tractor.

Engineer:

- Nothing new to report.

C.3 Finance Director- Amberle Jenkins – Amby Jenkins provided the following report:

Amby Council report 2-4-21

Balances January, 2021

General Fund mm checking	\$1,119,836	CD \$85,911
Historic Landmark savings	\$3,025	
Fire truck savings	\$38,348	
Stockert Youth Center Capitol Campaign	\$428,053	+ 12,000 pledge = \$440,053
Coal Tax	\$55,918	
Municipal Stabilization Fund	\$814,615	
Flood Control Acct	\$9,390	
Consolidated Public Works Board	\$193,711	
Sales Tax	\$1,325,421	

Finished the Affordable Care Act reports.

Waste Collection purchased a 2006 International tractor trailer for \$20,000.

Continue to work with supervisor to present draft General Fund budgets to City Council for review and discussion. The first working session will be held February 10th at 2pm.

The State Auditor's Office sent out information about training workshops for municipal officials on the budgeting process. (In your packets) They are virtual this year. If any Council members wish to participate the registration form needs to be submitted to the Auditor's office.

Was notified that we need to do a presentation for the 2021 Leadership Academy on Feb 10th, and getting information together for that.

Amby also wished Callie well and thanked her for her service to the City.

Council Member Thomas had a follow-up question regarding the payment to Datamax for B&O Tax Collections, which Amby explained.

The Mayor moved F.1 Approval Resolution 2021-02 Budget Revision #5 General Fund FY 2020/21 to the table and ask that Amby review it with Council. Amby provided an overview to the Council Members.

Motion to approve Resolution 2021-02 Budget Revision #5 General Fund FY 2020/21 was made by Sanders/Rylands. Motion carried.

Roll call for the approval was taken with the following results:

Mary Albaugh - Yes
Pamela Bucklew - Yes
C J Rylands - Yes
David Thomas - Yes

Jack Reger - Absent
Randall Sanders - Yes
Mayor Robbie Skinner - Yes

RESOLUTION 2021-02

At a regular session of the municipal council, held February 4, 2021 the following order was made and entered:

SUBJECT: The revision of the Levy Estimate (GENERAL FUND) of the City of Buckhannon. The following resolution was offered:

RESOLVED: That subject to approval of the State Auditor as ex officio chief inspector of public offices the municipal council does hereby direct the budget be revised PRIOR TO THE EXPENDITURE OR OBLIGATION OF FUNDS FOR WHICH NO APPROPRIATION OR INSUFFICIENT APPROPRIATION CURRENTLY EXISTS, as shown on budget revision number #5, a copy of which is entered as part of this record.

The adoption of the foregoing resolution having been moved by Randall Sanders, and duly seconded by C.J. Rylands the vote thereon was as follows:

MARY ALBAUGH Yes or No
PAMELA BUCKLEW Yes or No
JACK REGER Absent
C.J. RYLANDS Yes or No
DAVID THOMAS Yes or No
RANDALL SANDERS Yes or No
ROBERT N. SKINNEN Yes or No

WHEREUPON, RECORDER-RANDALL SANDERS, declared said resolution duly adopted, and it is therefore ADJUDGED and ORDERED that said resolution be, and the same is, hereby adopted as so stated above, and the RECORDER is authorized to fix his signature on the attached "Request for Revision to Approved Budget" to be sent to the State Auditor for approval.

Form containing 'REQUEST FOR REVISION TO APPROVED BUDGET' and 'REVENUES/EXPENDITURES' tables. Includes fields for city name, amount, and various account numbers.

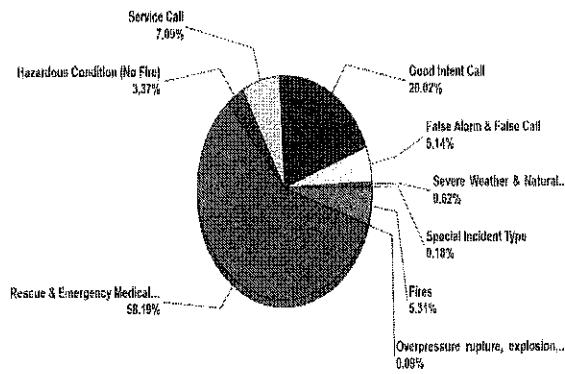
Table titled 'GF BUDGET REVISION #5' showing budget changes for 'Miscellaneous' and 'Theatre Building' categories.

C.4 Buckhannon Fire Department Chief JB Kimble - Chief Kimble opened by saying the Department has been keeping Council Members Jack Reger, Mary Albaugh and Pam Bucklew all in their thoughts and prayers. He also wished Callie the best in her new career.

The Chief then reviewed the following from the BFD Report with Council:

- Monthly activity
Year-end activity
2-year response percentage for all departments
Honoring first responders from an incident on Dec 19, 2020
Budget
Review of response criteria that council had approved in 2019, Services offered, Standards of coverage and NFPA 1720
Quality Improvement through accreditation class is still available. Nobody has shown any interest yet.
BVFD is working with JH consulting on a Self-contained breathing apparatus (SCBA) grant. We were denied last year. Cost of 30 (SCBA) is around \$230,000

The Chief also commended Captain Joey Baxa who recently had an article published in a national magazine.



MAJOR INCIDENT TYPE	# INCIDENTS	% of TOTAL
Fires	60	5.31%
Overpressure rupture, explosion, overhead - no fire	1	0.06%
Rescue & Emergency Medical Service	667	58.19%
Hazardous Condition (No Fire)	36	3.37%
Service Call	80	7.09%
Good Intent Call	226	20.02%
False Alarm & False Call	58	5.14%
Severe Weather & Natural Disaster	7	0.62%
Special Incident Type	2	0.18%
TOTAL	1129	100%

ZONE	NUMBER OF CALLS
Adrian - Mutual Aid - Adrian	26
Banks Dist. - Mutual Aid - Banks District	5
Belington - Mutual Aid - Belington	5
City Limits - City Limits	713
Elkins - Mutual Aid - Elkins	3
Ellamore - Mutual Aid - Ellamore	20
First Due - First Due Response Area	287
Selbyville - Mutual Aid - Selbyville	1
Warren Dist. - Mutual Aid - Warren District	45
Wash. Dist. - Mutual Aid - Washington District	11
Weston - Mutual Aid - Weston	13
TOTAL	1129

C.5 City Attorney- Tom O'Neill – Mr. O'Neill deferred to the Strategic Issues for Discussion and/or Vote section of the meeting.

D. Correspondence & Information – The Mayor reviewed the following with Council:

- D.1 Notice Special City Council-Financial Budget Working Sessions-February 10 & February 16 at 2pm**
- D.2 Application Denied-WVDEP 2020 AML Pilot Program RE: Riverwalk Trail & SYCC Trailhead Recreation Center Expansion**



west virginia department of environmental protection

Office of Abandoned Mine Lands & Reclamation
601 57th Street, SE
Charleston, WV 25304-2345
Phone 304-926-0485/Fax 304-926-0458

Harold D. Ward, Cabinet Secretary
dep.wv.gov

January 22, 2021

Buckhannon Riverwalk Trail & Trailhead Recreation Center
c/o Callie Cronin Sams
70 East Main Street
Buckhannon, WV 25813-9475
callie.csams@buckhannonwv.org

VIA EMAIL

Dear AML Pilot Applicant:

We regret to inform you that your project was not selected to receive AML Pilot funding. A total of 54 project applications were received for 2020 with a requested total in excess of \$208,000,000. Selecting which of those to receive a share of the \$25 million Pilot funds was not an easy task in large part because each proposal, including yours, has merit and represents a valid need and/or opportunity for West Virginia.

On behalf of the selection committee, we wish you success in funding your project and thank you for your application.

Best Regards,

Rob Rice, Director
Division of Land Restoration

cc: Travis Parsons
Nancy Hunt

D.3 FOIA-WV@Openthebooks.com RE: Employee Records for year of 2020



Amberle Jenkins <amberle.jenkins@buckhannonwv.org>

New Freedom of Information Act - City of Buckhannon submitted on 01/18/2021

7 messages

WestVirginia@Openthebooks.com <WestVirginia@Openthebooks.com>
To: foia@buckhannonwv.org

Mon, Jan 18, 2021 at 7:14 AM

01/18/2021

Pursuant to the Freedom of Information Act, this is a request for a copy of the following records. An electronic copy of any and all employees for year of 2020, (fiscal or calendar year). Each employee record should contain the employer name, employer zip code, year of compensation, first name, middle initial, last name, title code (mm-ll-yyyy), base salary amount, bonus amount, overtime amount, gross annual wages and position title. This data should be broken down by employer, employee and year.

The principal purpose of this is to make this information more accessible to the public and to access and disseminate information regarding the health, safety, and welfare of the general public. This request is not primarily for personal or commercial benefit. Our agency is just exercising the general rights of the public. For these reasons, we are requesting a waiver of fees. If there is a charge for this service, please obtain my approval in writing prior to proceeding with request.

All documents can be e-mailed to WestVirginia@Openthebooks.com or mailed in electronic format (preferred format would be .pdf or .doc). If any documents are not provided in the format specified, please provide the state or federal statutes relied upon for that decision. If any record or portion of a record responsive to this request is contained in a record or portion of a record deemed unresponsive to the request, I would like to inspect the entire document. Under the Open Records Act/Freedom of Information Act, all non-exempt portions of any partially exempt documents must be disclosed. If any records or portions of records are withheld, please state the exemption on which you rely, the basis on which the exemption is invoked, and the name of the individual responsible for the decision.

Thank you for your prompt consideration of my request. If you have any questions, or if I can be of any assistance, please e-mail me at WestVirginia@Openthebooks.com.

Sincerely,

Alexis Patton
American Transparency
P.O. Box 970529
Boca Raton, FL 33497-0529

Amberle Jenkins <amberle.jenkins@buckhannonwv.org>
Draft To: West Virginia <WestVirginia@Openthebooks.com>
Bcc: Tom O'Neill <tom.o'Neill@buckhannonwv.org>

Thu, Jan 21, 2021 at 2:16 PM

I am in receipt of your email dated January 19th. Our system generates reports in .pdf file format. None of the generated reports contain all the information as you requested. I have attached a report of employees paid from our various departments for the street, police, fire, youth center, water, sewer, parks and garbage departments. I did not include sick, vacation personnel, funeral home.

Unsubstantiated

Amberle Jenkins
Assistant Recorder, Director of Finance and Administration
City of Buckhannon
304-492-1881 ext. 1016

D.4 FOIA-Partner Engineering & Science RE: Zoning Report on Cambridge Heights Apartments



1/26/2021

City of Buckhannon
City Recorder
FOIA Request- City Hall
70 E. Main St.
Buckhannon, WV 26201

FOIA Record Request

Project Name: Cambridge Heights Apartments
Property Address: 1 Cambridge Heights Dr., Buckhannon, WV 26201
Project Number: 21-305298.1

To Whom It May Concern,

My company is performing a Zoning Report on the above referenced property. Under the Freedom of Information Act, I am requesting records on the following information:

Copy of the Certificate(s) of Occupancy and/or Building Permits -- If there are no CO(s) due to archiving procedures, age of property, etc; please state whether this is or is not a code compliance issue. If this is a code violation, does the owner need to apply for CO(s)?

- | | | |
|--------------------------|-------------------------------------|---|
| YES | NO | |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Open Building Code Enforcement / Notices-of-Violation |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Current Notices-To-Comply (NTCs) |
| YES | NO | |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Open Fire Code Violations / Notices-of-Violation |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Current Notices-To-Comply (NTCs) |

Information on any Planned Roadwork -- roadway expansions, easements, right-of-way and/or planned encroachments. If there is no activity or expected future activity, please just comment none. None

Upon completion, please email a copy to me at ross@partneresi.com

If you have any questions or concerns, please do not hesitate to contact me.

THANK YOU --
Raeanna Ross
Raeanna Ross
Zoning Specialist

D.5 CityPR: BFD Commends All Involved in Lifesaving Response in December

January 26, 2021

BUCKHANNON, WV: On Friday, the Buckhannon Fire Department led by Chief JB Kimble thanked and recognized several firefighters, EMS responders, and eleven-year-old Serenity Farrabee, who all aided in the successful response and resuscitation of an individual in cardiac arrest.

The Buckhannon Fire Department and Upshur County EMS' swift response further led to a positive outcome for Posey. The individuals involved, Captain Brian Elmore, Firefighter John Brugnoli, Paramedics Michele and Brian Shreves, and Dispatcher Brandi Walton were all recognized during Friday's event and received commendation by the Mayor of Buckhannon, Robbie Skinner.

Chief Kimble noted that CPR instruction in the public school system had been instrumental in Posey's survival until first responders' arrived, as his granddaughter knew how to perform CPR and was able to use those lifesaving skills to help save a family member's life.

Thank you to all our first responders, to teachers who teach CPR as part of health education classes, and especially to Serenity Farrabee, a hero for bravely utilizing the skills she learned in school that day.

**D.6 Letter of Intent to WV Department of Art, Culture & History RE: Grant
Application FY2022 Cultural Facilities & Capitol Resources Program-Colonial
Theatre Renovation Final**

RE: 2022 Cultural Facilities & Capitol Resources Grant

Ms. Jenna Green (Jenna.R.Green@wv.gov)
West Virginia Department of Arts, Culture and History
The Culture Center
1900 Kanawha Boulevard, East
Charleston, WV 25305-0300


January 29, 2021

Dear Ms. Green,

Please accept this letter as our Expression of Intent to submit a grant application for the FY2022 Cultural Facilities & Capitol Resources program. We plan to apply for the final phase of renovations at the Colonial Theater/Cinema V, located at 48 East Main Street, in Buckhannon. We are continuing to partner with ART26201 and Buckhannon Community Theatre to develop our operational framework and long-term plans for our arts facility. This project will conclude our multi-year rehabilitation effort, with the preliminary costs estimated to be approximately \$100,000. For the current grant cycle, we anticipate a Level 3 request of approximately \$50,000.

We deeply appreciate this grant opportunity, and are eager to continue working with the WVDACH to bring the Colonial Theatre/Cinema V back into service for our community and region!

Warm regards,


Robert Neal Skinner, 111, Mayor

Cc: Jerry Arnold, Director of Public Works
Amby Jenkins, Director of Finance
Members of City Council

**D.7 State Auditor's 2021 Budget Preparation Workshops via Microsoft Teams-
February 11, 18, 23, & 25, 2021**

E. Consent Agenda - The Mayor reviewed the following with Council:

E.1 Approval of Minutes-Regular Meeting 01/21/2021

E.2 Approval of Building and Wiring Permits

Permit Number	Submitted By and Location	Contractor	Description of Work to be Performed	Building Value	Electrical Code	Total Electrical Fees Paid	Total Building Fees Paid	Zoning	Asbestos	Flood Zone	Elev. Certificate	Non Conversion Use	Historic District
74991	Randy Sanders 40 S Florida St Apt 4	Corey Rozelle Tradework	Interior Renovation	\$40,000.00			\$300.00						X
74992	Martin Tenney 38 Leonard St	Self	16'x16' Addition	\$5,000.00	B2	\$100.00	\$85.00	X					
74993	Margaret Kelley 121 E Main St	Powers Construction	8'x10' Rear Porch w/ Roof	\$20,000.00			\$180.00	X					X
74994	Sonny Matthews 19 Park St	Crites Electric, Inc	Generator Install on 3'x4' Concrete Pad	\$6,913.00	B2	\$100.00	\$76.05	X					
74995	WV Hospice 21 E Main St Ste 301 Innovation Center	JD Signs Inc	Signage	\$3,000.00	A	\$100.00	\$28.50	X					X
74996	Doug Spears 123 S Kanawha St	Sunnyside Construction	Hardwood Flooring	\$5,800.00			\$55.10						X
74997	Rx Remedies Inc 29 Armory Rd	City Window Construction	Demolition & Temporary Construction Fence	\$250,000.00			\$1,375.00	X	X				
74998	Bryson VanNostrand 33 E Main St	Self	Interior Renovation	\$10,000.00	A	\$100.00	\$85.00						X
74999	Heather Rymer 27 Pinnell St	Self	Electrial Reconnect Inspection		B2	\$100.00							
75000	James Valenson 89 Elm St	Let There Be Light	Circuit Breaker Box Replacement		B2	\$100.00							X
75001	Jean Barnett 30 Boggess St	Alco Fence	Chainlink Fence 5ft	\$5,420.00			\$59.62	X					
75002	Haley Hinkle 13 E Lincoln St	Basement Systems of WV	Install Push Piers for foundation repair	\$8,880.00			\$97.68						X
TOTAL				\$355,013.00		\$600.00	\$2,311.95						

E.3 Approval of Payment of the Bills

\$60,000.00 CPWB - 2020-21 FY Budget
 \$3,712.21 - Central Supply- Concrete Gateway West Project
 \$9,084.01 - Datamax - Dec Bldg Tax & City License Collections

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FUND: GENERAL FUND					
DEPARTMENT	VENDOR NAME	GL ACCOUNT	ACCOUNT DESCRIPTION	DESCRIPTION	AMOUNT
MAYOR'S OFFICE	FITNEY BOWES INC	409-219-00	MAYOR'S POSTAGE	FEB 2021 PERMIT POSTAGE	521.53
	WV STATE AUDITOR'S OFFICE ED	409-341-00	MAYOR'S SUPPLIES & M	39 BEDFORD ST TAX SALE	42.75
		409-341-00	MAYOR'S SUPPLIES & M	Personal Process Cynthia Fel	42.75
		409-341-00	MAYOR'S SUPPLIES & M	Personal Process Gary Felt	42.75
		409-341-00	MAYOR'S SUPPLIES & M	Personal Process Gary Felt	42.75
		409-341-00	MAYOR'S SUPPLIES & M	Personal Process Cynthia Fel	42.75
	WV PUBLIC EMPLOYEES RETIREME	409-106-00	MAYOR'S RETIREMENT	WV RETIREMENT CONTRIBUTION	75.75
		409-106-00	MAYOR'S RETIREMENT	WV RETIREMENT CONTRIBUTION	75.04
	TOSHIBA FINANCIAL SERVICES	409-341-00	MAYOR'S SUPPLIES & M	CITY HALL COPIER LEASE	129.03
	US CELLULAR	409-211-00	MAYOR'S TELEPHONE	642-1651 613-0113 0002	50.72
	BAZEIK PRINTING SERVICE, INC	409-341-00	MAYOR'S SUPPLIES & M	W2,1099, ENVELOPES	132.35
	INTERNAL REVENUE SERVICE	409-104-00	MAYOR'S F.I.C.A.	FICA WITHHELD AND MATCHED	68.30
		409-104-00	MAYOR'S F.I.C.A.	MEDICARE WITHHELD & MATCHE	15.99
	DATAMAX CORPORATION	409-341-00	MAYOR'S SUPPLIES & M	DEC 2020 COLLECTIONS	9,084.01
	AT&T MOBILITY	409-211-00	MAYOR'S TELEPHONE	304-704-8355 PARKING ENFOR	52.68
	ROSSMAN & CO/PCB CORP	409-341-00	MAYOR'S SUPPLIES & M	DEBT COLLECTION	0.00
	FRONTIER	409-211-00	MAYOR'S TELEPHONE	472-1651-101515-4 CITY HAL	64.80
		409-211-00	MAYOR'S TELEPHONE	304-003-2273-060600-4	24.18
	**PAYROLL EXPENSES			1/21/2021 - 1/31/2021	1,167.47
				TOTAL:	11,625.60
COUNCIL	WV PUBLIC EMPLOYEES RETIREME	410-106-00	COUNCIL'S RETIREMENT	WV RETIREMENT CONTRIBUTION	20.00
	INTERNAL REVENUE SERVICE	410-104-00	COUNCIL'S F.I.C.A.	FICA WITHHELD AND MATCHED	62.00
		410-104-00	COUNCIL'S F.I.C.A.	MEDICARE WITHHELD & MATCHE	14.50
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FUND: GENERAL FUND					
DEPARTMENT	VENDOR NAME	GL ACCOUNT	ACCOUNT DESCRIPTION	DESCRIPTION	AMOUNT
	**PAYROLL EXPENSES			1/21/2021 - 1/31/2021	1,090.00
				TOTAL:	1,096.50
RECORDER	WV PUBLIC EMPLOYEES RETIREME	411-106-00	RECORDER'S RETIREMENT	WV RETIRE TIER2 CONTRIBUTI	50.00
	INTERNAL REVENUE SERVICE	411-104-00	RECORDER'S F.I.C.A.	FICA WITHHELD AND MATCHED	31.00
		411-104-00	RECORDER'S F.I.C.A.	MEDICARE WITHHELD & MATCHE	7.25
	**PAYROLL EXPENSES			1/21/2021 - 1/31/2021	500.00
				TOTAL:	585.25
TREASURER	WV PUBLIC EMPLOYEES RETIREME	413-106-00	TREASURER'S RETIREME	WV RETIREMENT CONTRIBUTION	31.00
		413-106-00	TREASURER'S RETIREME	WV RETIREMENT CONTRIBUTION	31.00
	INTERNAL REVENUE SERVICE	413-104-00	TREASURER'S F.I.C.A.	FICA WITHHELD AND MATCHED	19.27
		413-104-00	TREASURER'S F.I.C.A.	MEDICARE WITHHELD & MATCHE	4.51
	**PAYROLL EXPENSES			1/21/2021 - 1/31/2021	319.77
				TOTAL:	396.71
COURT	INTERNAL REVENUE SERVICE	416-104-00	POLICE JUDGE FICA	FICA WITHHELD AND MATCHED	36.75
		416-104-00	POLICE JUDGE FICA	MEDICARE WITHHELD & MATCHE	9.06
	**PAYROLL EXPENSES			1/21/2021 - 1/31/2021	625.00
				TOTAL:	672.81
CITY ATTORNEY	WV PUBLIC EMPLOYEES RETIREME	417-106-00	CITY ATTORNEY RETIRE	WV RETIREMENT CONTRIBUTION	50.00
		417-106-00	CITY ATTORNEY RETIRE	WV RETIREMENT CONTRIBUTION	50.00
	INTERNAL REVENUE SERVICE	417-104-00	CITY ATTORNEY FICA	FICA WITHHELD AND MATCHED	31.00
		417-104-00	CITY ATTORNEY FICA	MEDICARE WITHHELD & MATCHE	7.25
	**PAYROLL EXPENSES			1/21/2021 - 1/31/2021	500.00
				TOTAL:	638.25
ZONING	VINCENT SMITH	437-214-00	TRAVEL EXPENSE	CODE ENF. MILEAGE DEC 2020	117.04
	WV PUBLIC EMPLOYEES RETIREME	437-106-00	ZONING RETIREMENT	WV RETIREMENT CONTRIBUTION	140.62
		437-106-00	ZONING RETIREMENT	WV RETIREMENT CONTRIBUTION	140.62
	INTERNAL REVENUE SERVICE	437-104-00	ZONING F.I.C.A.	FICA WITHHELD AND MATCHED	97.18
		437-104-00	ZONING F.I.C.A.	MEDICARE WITHHELD & MATCHE	29.39
	**PAYROLL EXPENSES			1/21/2021 - 1/31/2021	1,406.15
				TOTAL:	1,912.00
CITY HALL	MON POWER	440-213-00	CITY HALL UTILITIES	110086752062 70 E MAIN ST	1,047.74
	BOGSON BROS EXTERMINATING CO	440-216-00	CITY HALL MAINTENANC	CITY HALL MONTHLY	31.00
	WV PUBLIC EMPLOYEES RETIREME	440-106-00	GROUP RETIREMENT	WV RETIREMENT CONTRIBUTION	119.84
		440-106-00	GROUP RETIREMENT	WV RETIREMENT CONTRIBUTION	119.84
	HOLLY GREGORY	440-341-00	CITY HALL SUPPLIES	WIFES, SPRAY REIMBURSE	25.85
	INTERNAL REVENUE SERVICE	440-104-00	CITY HALL FICA	FICA WITHHELD AND MATCHED	73.39
		440-104-00	CITY HALL FICA	MEDICARE WITHHELD & MATCHE	17.16
	**PAYROLL EXPENSES			1/21/2021 - 1/31/2021	1,198.40
				TOTAL:	2,633.22
POLICE	WV PUBLIC EMPLOYEES RETIREME	700-106-00	POLICE DEPT. RETIREM	WV RETIREMENT CONTRIBUTION	1,782.01
		700-106-00	POLICE DEPT. RETIREM	WV RETIREMENT CONTRIBUTION	1,740.93
	WV CONSOLIDATED PUBLIC RETIR	700-106-00	POLICE DEPT. RETIREM	WV RETIRE MPFRS CONTRIBUTI	425.80
		700-106-00	POLICE DEPT. RETIREM	WV RETIRE MPFRS CONTRIBUTI	530.49
	US CELLULAR	700-211-00	POLICE DEPT. TELEPHO	940-1797 642-5723	373.35
	INTERNAL REVENUE SERVICE	700-104-00	POLICE DEPT. FICA TA	FICA WITHHELD AND MATCHED	1,388.63
		700-104-00	POLICE DEPT. FICA TA	MEDICARE WITHHELD & MATCHE	324.74
	STAPLES ADVANTAGE	700-341-00	POLICE DEPT. MAT & S	MASK, CITRUS REFILL	40.18

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FUND: GENERAL FUND

DEPARTMENT	VENDOR NAME	GL ACCOUNT	ACCOUNT DESCRIPTION	DESCRIPTION	AMOUNT
	FRONTIER	700-211-00	POLICE DEPT. TELEPHO	304-001-6194-111390-4 POL	87.74
	**PAYROLL EXPENSES			1/21/2021 - 1/31/2021	22,829.55
				TOTAL:	29,523.62
FIRE	J.P. MORGAN EQUIPMENT FINAN	706-459-00	FIRE DEPT. CAPITAL O	FEB 2021 FIRE TRK PYMT	3,678.20
	WV PUBLIC EMPLOYEES RETIREME	706-106-00	FIRE DEPT. GROUP RET	WV RETIREMENT CONTRIBUTION	705.56
		706-106-00	FIRE DEPT. GROUP RET	WV RETIREMENT CONTRIBUTION	779.84
	COMMUNITY CARE OF WV	706-341-00	FIRE DEPT. MATERIAL	COVID-19 TESTING	50.00
	WV CONSOLIDATED PUBLIC RETIR	706-106-00	FIRE DEPT. GROUP RET	WV RETIRE MPFRS CONTRIBUTI	627.64
	INTERNAL REVENUE SERVICE	706-104-00	FIRE DEPT. GROUP RET	WV RETIRE MPFRS CONTRIBUTI	737.75
		706-104-00	PIRE DEPT. FICA TAX	FICA WITHHELD AND MATCHED	898.95
	EMERGENCY REPORTING	706-459-00	FIRE DEPT. FICA TAX	MEDICARE WITHHELD & MATCHE	210.22
	FRONTIER	706-211-00	FIRE DEPT. CAPITAL O	RECURRING SUBSCRIPTION	3,629.40
	**PAYROLL EXPENSES		FIRE DEPT. TELEPHONE	FIRE DEPT LINE	84.47
				1/21/2021 - 1/31/2021	14,557.33
				TOTAL:	25,969.26
STREET	WESTFIELD (FLOOD) INSURANCE	750-226-00	STREET DEPT. INSURAN	FLOOD INS 395 MUDLICK RD	6.00
	MON POWER	750-213-00	STREET DEPT. UTILITI	110084762464 20 FACTORY ST	91.28
		750-213-00	STREET DEPT. UTILITI	110084762266 24 FACTORY	45.85
		750-213-00	STREET DEPT. UTILITI	110084761755 17 1/2 FACTOR	22.65
		750-213-00	STREET DEPT. UTILITI	110148265778 395 MUDLICK R	60.83
	RITE-WAY HEATING & PLUMBING	750-341-00	STREET DEPT. MAT & S	Toilet Flange	4.59
		750-341-00	STREET DEPT. MAT & S	Plumbing for air comp	256.07
		750-341-00	STREET DEPT. MAT & S	Plumbing for air comp	112.35
	AIRGAS USA, LLC	750-341-00	STREET DEPT. MAT & S	Cyl. leasing	180.00
	MARK WOODY	750-341-00	STREET DEPT. MAT & S	BOOT REIMBURSEMENT	254.29
	SCOTT ELECTRIC CORP	750-458-06	GATEWAY WEST GRANT E	Conduit for Gateway west	893.64
		750-341-00	STREET DEPT. MAT & S	Outside light supplies	116.72
		750-341-00	STREET DEPT. MAT & S	Outside light supplies	18.50
		750-341-00	STREET DEPT. MAT & S	Outside light supplies	52.67
	J F ALLEN CO	750-458-05	STREET DEPT PROJECTS	Stone for concrete mixing	977.95
	CONSOLIDATED PUBLIC WORKS BD	750-215-00	CONTRIBUTION TO FLOW	FY BUDGET 2020-21	60,000.00
	PRECISION MACHINE & HYDRAULI	750-343-00	STREET DEPT. AUTO SU	Fork lift steering Cyl	390.40
	LOWES BUSINESS ACCOUNTS	750-341-00	STREET DEPT. MAT & S	Lumber for Shelving	279.44
		750-341-00	STREET DEPT. MAT & S	Lumber and tin	258.93
		750-341-00	STREET DEPT. MAT & S	Screws and electrical	322.24
		750-341-00	STREET DEPT. MAT & S	Lumber for Shelving	5.31
		750-341-00	STREET DEPT. MAT & S	Paint supplies	264.86
		750-341-00	STREET DEPT. MAT & S	Locks and cleaning sup.	190.86
		750-341-00	STREET DEPT. MAT & S	Paint supplies	87.37
		750-341-00	STREET DEPT. MAT & S	Screws and electrical	139.88
		750-341-00	STREET DEPT. MAT & S	Lumber and tin	274.97
		750-341-00	STREET DEPT. MAT & S	Paint supplies	216.07
		750-341-00	STREET DEPT. MAT & S	Locks and cleaning sup.	111.52
	CENTRAL SUPPLY CO	750-458-05	STREET DEPT PROJECTS	Rebar and form oil	144.45
		750-458-06	GATEWAY WEST GRANT E	20 yds concrete	1,854.72
		750-458-06	GATEWAY WEST GRANT E	20 yds concrete	1,957.49
		750-458-05	STREET DEPT PROJECTS	#1 and #3 stone	178.38
		750-458-05	STREET DEPT PROJECTS	#1 and #3 stone	165.29
	WV PUBLIC EMPLOYEES RETIREME	750-106-00	STREET DEPT. GROUP R	WV RETIREMENT CONTRIBUTION	978.88
		750-106-00	STREET DEPT. GROUP R	WV RETIREMENT CONTRIBUTION	933.64
		750-106-00	STREET DEPT. GROUP R	WV RETIRE TIER2 CONTRIBUTI	399.66
		750-106-00	STREET DEPT. GROUP R	WV RETIRE TIER2 CONTRIBUTI	365.95

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FUND: GENERAL FUND

DEPARTMENT	VENDOR NAME	GL ACCOUNT	ACCOUNT DESCRIPTION	DESCRIPTION	AMOUNT
	US CELLULAR	750-211-00	STREET DEPT. TELEPHO	642-1601940-2024 642-4948	239.16
	CRITES ELECTRICAL SUPPLY INC	750-341-00	STREET DEPT. MAT & S	ELEC SUPPLIES FOR NEW SHOP	274.69
		750-458-06	GATEWAY WEST GRANT E	PVC caps and glue	58.85
		750-341-00	STREET DEPT. MAT & S	Supplies for outside ligh	19.92
		750-341-00	STREET DEPT. MAT & S	Toggle bolt and breaker	18.10
		750-341-00	STREET DEPT. MAT & S	Supplies for outside ligh	139.55
		750-341-00	STREET DEPT. MAT & S	Supplies for outside ligh	22.21
		750-341-00	STREET DEPT. MAT & S	Toggle bolt and breaker	5.52
	MOUNTAIN STATE PEST GUARD	750-341-00	STREET DEPT. MAT & S	STREET DEPT PEST 1/21	31.50
	INTERNAL REVENUE SERVICE	750-104-00	STREET DEPT. FICA TR	FICA WITHHELD AND MATCHED	894.65
		750-104-00	STREET DEPT. FICA TR	MEDICARE WITHHELD & MATCHE	209.23
	ASCENT CONSULTING & ENGINEER	750-341-00	STREET DEPT. MAT & S	Concrete testing	606.00
	CONNOR B MCCAULEY	750-341-00	STREET DEPT. MAT & S	BOOT REIMBURSEMENT	117.65
	FRONTIER	750-211-00	STREET DEPT. TELEPHO	472-5755-101615-4 STREET	84.33
	**PAYROLL EXPENSES			1/21/2021 - 1/31/2021	14,496.45
				TOTAL:	88,868.22
STREET LIGHTS	MON POWER	751-213-00	STREET LIGHTS	110084782484 E. MAIN ST	85.77
		751-213-00	STREET LIGHTS	110100196733 107 E MAIN ST	171.72
				TOTAL:	257.49
TRAFFIC SIGNALS & SIGN	MON POWER	752-213-00	TRAFFIC SIGNALS POWE	110087174485 S. KANAWHA ST	26.82
		752-213-00	TRAFFIC SIGNALS POWE	110088235830 HEGER ST RT 2	54.76
		752-213-00	TRAFFIC SIGNALS POWE	110080768291 E. MAIN ST	25.32
				TOTAL:	106.90
PARK 40% TO CPWE	CONSOLIDATED PUBLIC WORKS BD	900-341-00	PARR-30% HOT/MOT PD	DEC 2020 HOTEL-MOTEL TAX	2,575.37
				TOTAL:	2,575.37
CVB 60% TO CVB	DESHUR COUNTY CVB	901-235-00	HOTEL/MOTEL 70% PAID	DEC 2020 HOTEL-MOTEL TAX	6,009.18
				TOTAL:	6,009.18
STOCKERT YOUTH CENTER	MON POWER	907-213-00	UTILITIES	110084592119 SYC	763.34
		907-213-00	UTILITIES	110084767208 79 E MAIN ST	7.59
	PITNEY BOWES INC	907-216-00	POSTAGE	JUL 2020 PERMIT POSTAGE	0.06
	MOUNTAINNEER GAS COMPANY	907-213-00	UTILITIES	383925-483167 70 E MAIN ST	1,086.10
	WV PUBLIC EMPLOYEES RETIREME	907-106-00	GROUP RETIREMENT	WV RETIREMENT CONTRIBUTION	262.96
		907-106-00	GROUP RETIREMENT	WV RETIREMENT CONTRIBUTION	262.96
	US CELLULAR	907-211-00	TELEPHONES	613-9068	14.04
	WALMART STORES INC -BUCKHANY	907-341-00	AFTER SCHOOL SUPPLIE	SNACKS, SUPPLIES	21.88
		907-341-00	MATERIALS & SUPPLIES	SUPPLIES	63.51
	INTERNAL REVENUE SERVICE	907-104-00	FICA TAX	FICA WITHHELD AND MATCHED	395.13
		907-104-00	FICA TAX	MEDICARE WITHHELD & MATCHE	92.42
	ALANA BENNIX	907-341-00	MATERIALS & SUPPLIES	REIMB FOR FINGER PRINTING	22.50
	FRONTIER	907-211-00	TELEPHONES	473-0145-042701-4 SYC	189.44
	**PAYROLL EXPENSES			1/21/2021 - 1/31/2021	6,372.78
				TOTAL:	9,494.65
PUBLIC SAFETY	MON POWER	976-213-00	SAFETY COMPLEX UTILI	110088783078 22 S FLORIDA	1,054.95
	MOUNTAINNEER GAS COMPANY	976-213-00	SAFETY COMPLEX UTILI	383931-483167 20 S FLORIDA	926.32
	DOESON BROS EXTERMINATING CO	976-216-00	SAFETY COMPLEX MAINT	FIRE DEPT PEST 1/21	42.00
		976-216-00	SAFETY COMPLEX MAINT	POLICE DEPT MONTHLY PEST IN	45.00
	H-D MEDIA COMPANY LLC	976-459-35	FEMA GRANT#2 GENERAT	GENERATOR GRANT 2 LEGAL	384.95
				TOTAL:	2,452.23

COUNCIL REPORT OF UNPAID INVOICES

VENDOR	SAMT	DESCRIPTION
RAVEN ROCK	\$467.50	IT SERVICE POLICE DEPT
APRIL SMALL	\$40.00	KICKBOXING JAN
LARRY CARTER	\$340.00	KARATE DEC AND JAN
GEROGE WILSON	\$2,721.00	DOORS FOR CITY HALL
C J RYLANDS	\$1,000.00	BOX TRAILER
J F ALLEN	\$388.55	ROCK CHIPS FOR TREATING STREET
J F ALLEN	\$1,663.76	ROCK FOR EMERGENCY ROAD AT HOSPITAL, CR
VIG	\$600.00	ARTIC EXTREMR GLOVES
CRITES ELEC SUPPLY	\$113.89	BOX, COVER, SQ BOXES, CONNec, BREAKER
CRITES ELEC SUPPLY	\$74.78	SUPPLIES FOR WELDER, BOX EXTENDER, BOX, COVER
SCOTT ELECTRIC	\$231.04	50 ARFCPT, 50A BREAKERSUPPLIES, BOX, FUSES WELDER
STATE ELECTRIC	\$42.76	BREAKER, RECIPT BOX FLEX COND, 30 AMP RECP
RIFEWAY	\$539.55	URNAL PARTS, GAS VALVES, DRAIN LINE, URNAL SUPPLY
WASTE COLLECTION	\$516.34	MATERIALS, LABOR FOR SECOND BATTERY IN S12
LOWTHER HOSE	\$80.59	HOSE FOR S 1 BACK HOE
LOWES	\$32.25	ELECTRICAL SUPPLIES FOR RAVEN ROCK
LOWES	\$96.63	HEARTER SUPPLIES, PLUMBING SUPPLIES
LOWES	\$333.13	CLEANING SUPPLIES, BATTERIES, RELAY BROWN CRAZY HORS PVC, WRENCH KIT
LOWES	\$640.87	DEWALT 20V 10 TOOL, BROOM, DUST PAN, PLEDGE
LOWES	\$731.91	OSB SHEATHING, TAPCON, HENSHAW EL CH WH, COUPLING BLX SLIDE BOLT, STRAP HINGE, HITCH RING, OSB SHEATING
WALMART	424.16	TRASH BAG, P TOUCH, KEYBOARD, STAPLER, HP 952 CMYK
LOWES	\$170.94	ACRYLIC, POLYARBONAT, OAKSTOP, EXTREME MOUNTING
SOUTHER STATES	\$239.99	JERRY A BOOTS
LOWES	\$198.66	CHESTNUT BROWN PR 2CU FT 42QUANTITY

- E.4 Approval to Open Checking Account for Police Department Forfeiture Funds**
- E.5 Approval Appointment - City's Representative to the Buckhannon-Upshur Airport Authority**
- E.6 Approval Appointment - City's Representative to the UC Parks & Recreation Board**

Motion to approve the Consent Agenda was made by Thomas/Albaugh. Motion carried.

F. Strategic Issues for Discussion and/or Vote:

F.1 Approval Resolution 2021-02 Budget Revision #5 General Fund FY 2020/21 - This was acted upon earlier in the meeting. No further action necessary.

F.2 Approval Ordinance No. 449 Sanitary Surcharge RT 33W Northside Sewer Extension Project-3rd Reading - City Attorney O'Neill presented the 3rd & Final Reading of Ordinance No. 449 to Council.

Motion to approve Ordinance No. 449 Sanitary Surcharge RT 33W Northside Sewer Extension Project-3rd & Final Reading, was made by Sanders/Thomas. Motion carried unanimously.

ORDINANCE NO. 449 OF THE CITY OF BUCKHANNON, AN ORDINANCE:
 (1) AMENDING, MODIFYING AND RE-ENACTING ORDINANCES NO. 233, 291, 295, 307, 333, 352, 403, AND NO. 419 OF THE CITY OF BUCKHANNON; AND
 (2) SPECIFICALLY ESTABLISHING NEW SEWER SURCHARGES FOR SANITARY SEWAGE COLLECTION AND DISPOSAL SERVICES PROVIDED BY THE SANITARY BOARD OF THE CITY OF BUCKHANNON AS PART OF ITS SERVICE EXTENSION ALONG OLD WESTON ROAD, WEST OF THE CORPORATE LIMITS OF THE CITY

WHEREAS, the current rates and charges of the Sanitary Board of the City of Buckhannon for providing sanitary sewage collection and disposal services were previously adopted by City Ordinances No. 233, 291, 295, 307, 333, 352, 403, and 419; and,

WHEREAS, the Board has exercised its authority to extend its service along Old Weston Road, to the west of the corporate limits of the City of Buckhannon, beginning with the western terminus of its existing line at Red Rock Road; and,

WHEREAS, pursuant to regulation of the Public Service Commission of West Virginia it has assumed an appropriate portion of the expenses of constructing said service extension; and,

WHEREAS, customers along the service extension bear responsibility to assume the balance of costs incurred by the Board in extending service; and,

WHEREAS, the Council of the City of Buckhannon desires in all respects to comply with the statutes of the State of West Virginia and further with the administrative rules and regulations of the PSC insofar as the establishment of sanitary sewage service surcharges are concerned.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE COUNCIL OF THE CITY OF BUCKHANNON, AS FOLLOWS:

SECTION I – FINDINGS OF COUNCIL:

The Council of the City of Buckhannon hereby makes the following findings:

(1) The statutory provisions of Chapter 8, Article 11, Section 3, Subsection (1), and Chapter 8, Article 13, Section 13 of the West Virginia Code, as amended, specifically provide that the collection of fees of any kind by a municipality shall be established by ordinance; and,

(2) The Council of the City of Buckhannon desires in all respects to comply with the statutes of the State of West Virginia and the rules and regulations of the PSC insofar as the establishment of new sanitary sewage rates and charges is concerned.

SECTION II – NEW SURCHARGE SCHEDULE:

The following project surcharge fee, in addition to the regular rates charged to customers, shall be paid for sanitary sewage collection and disposal services offered by the Sanitary Board of the City of Buckhannon along its Old Weston Road project extension, west of Red Rock Road, upon this Ordinance's effectuation:

PROJECT SURCHARGE FEES:

- (1) Old Weston Road extension surcharge fee
\$3.00 per 1,000 gallons of water usage
- (2) Old Weston Road flat rate surcharge fee (see note)
\$25.00 per month for residential customers
\$50.00 per month for commercial customers

(Note): The flat rate portion of the surcharge fees for any affected customer may be satisfied and removed from payment by the customer, or their successor(s)-in-interest as to the real property to be served by the project extension, of the sum of \$16,222.00 less the total of the applicable flat-rate project surcharge fee paid to the utility.

SECTION III – AUTHORITY OF MAYOR TO PREPARE AND FILE ANY AND ALL REASONABLE OR NECESSARY APPLICATIONS, TARIFF MODIFICATIONS, AND/OR OTHER DOCUMENTS WITH THE WEST VIRGINIA PUBLIC SERVICE COMMISSION:

The Mayor of the City of Buckhannon, or his designee, is hereby expressly authorized to prepare and file, and/or cause to be prepared and filed, any and all reasonable and necessary applications, tariff modifications and/or other documents with the West Virginia Public Service Commission, and generally to assure the City of Buckhannon's compliance with the West Virginia Public Service Commission's rules and regulations respecting sanitary sewer operations by a municipality.

SECTION IV – PREVIOUS SANITARY SEWER SERVICE ORDINANCES:

Any and all other provisions of Ordinances No. 233, 291, 295, 307, 333, 352, and 403, and any other ordinance provisions of the City of Buckhannon addressing sanitary sewer services as provided by the City of Buckhannon or the Sanitary Board of the City of Buckhannon, and not expressly amended pursuant to this Ordinance No. 419, shall be deemed to remain in full force and legal effect, except for those provisions which are expressly amended hereby.

SECTION V – PUBLIC SERVICE COMMISSION AND SANITARY BOARD RULES AND REGULATIONS:

This Ordinance is adopted by the City of Buckhannon with the express intention of complying with the rules and regulations of the West Virginia Public Service Commission. Notwithstanding the immediately aforesaid intention, this Ordinance shall not prohibit the Sanitary Board of the City of Buckhannon from establishing, applying, and/or amending from time to time, the Board's own rules and regulations which are not inconsistent with PSC rules and regulations, which Board-established rules and regulations are promulgated to facilitate the administration and operation of the City's sanitary sewage system.

SECTION VI – SEVERABILITY:

In the event that any provision(s) of this Ordinance is determined to be unconstitutional or invalid by a court exercising competent jurisdiction, such determination shall not affect the validity of this Ordinance as a whole or the provisions thereof which are not specifically held to be unconstitutional or invalid other than that provision(s) which is specifically determined to be unconstitutional or invalid.

SECTION VII – EFFECTIVE DATE:

Pursuant to Chapter 24, Article 2, Section 4b, Paragraph (b) of the West Virginia Code, as amended, this Ordinance shall be deemed effective immediately following forty-five (45) days from the third (3rd) reading, passage and adoption by the Council of the City of Buckhannon, i.e., the 21st day of March, 2021.

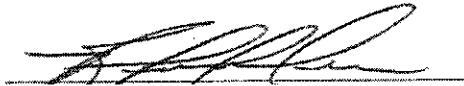
FIRST READING:	January 7, 2021
SECOND READING:	January 21, 2021
THIRD READING, PASSAGE & ADOPTION:	February 4, 2021



Robert N. Skinner, III, Mayor

CERTIFICATE OF ENACTMENT

I, Randall Sanders, City Recorder, do hereby certify that the foregoing Ordinance No. 449 was lawfully ordained and enacted by the Council of the City of Buckhannon at a regular session of the said Council assembled on February 4, 2021.



Randall Sanders, City Recorder

F.3 Approval Colonial Theatre Governance-Memorandum of Understanding - City Attorney O'Neill presented the Colonial Theatre Governance-Memorandum of Understanding to Council. During the discussion process, Council Member Thomas ask if the Upshur County Arts Alliance was involved in the MOU Agreement. Mr. O'Neill confirmed that they were not, and other Council members mentioned that the group had not been involved in the remodeling of the Colonial Theatre.

Motion to approve the Colonial Theatre Governance-Memorandum of Understanding was made by Rylands/Albaugh. Motion carried with all present Council members voting Yes except Council Member Thomas who abstained.

City of Buckhannon
70 East Main Street
Buckhannon, WV 26201



Phone: 304.472.1651
TDD# 304.472.9550
Fax# 304.472.0934

MEMORANDUM

To: City Council, Director of Finance, Director of Public Works, Interested Parties

From: City Attorney

Date: January 19, 2021

RE: Colonial Theatre Governance – Memorandum of Understanding

The purpose of this document is to serve as a Memorandum of Understanding with respect to the governance and operation of the City of Buckhannon's Colonial Theatre. It is the intention of the City of Buckhannon to promote the operations of the Theatre in a manner that will enable the Theatre to be self-sufficient within a period of 12-18 months following its grand opening, taking into consideration the limitations on operations imposed by COVID-19 restrictions including public health mandates. For purposes of this Memorandum, the term "Theatre" will include all of the venues and facilities located within and upon the Colonial Theatre property.

The City of Buckhannon states as its policy that the Colonial Theatre is owned and operated for artistic, educational, and cultural benefit of the greater Buckhannon-Upshur community.

The City of Buckhannon will maintain ownership and ultimate responsibility for the operations of the Theatre in a manner that will primarily serve to promote arts education and performance in the greater Buckhannon-Upshur community. Uses of the Theatre for other purposes and by organizations other than that of the City of Buckhannon or local arts organizations will be given secondary priority.

Management of the operations of the Theatre will be delegated by the City Council to a "Colonial Theatre Board" ("Board"), which shall be composed of five individuals appointed by the Buckhannon City Council, who shall serve at the will and pleasure of the City Council. Members of the Board will not be monetarily compensated. Members of the Board shall be residents of Upshur County, West Virginia. Three members of the Board shall be individuals who are active in the Buckhannon-Upshur arts community. Any organization or individual may nominate individuals to be considered for appointment to the Board by the City Council.

The Board shall conduct itself as a public agency, observing the requirements of open meetings laws, ethics acts, and other directives that the City of Buckhannon is required to observe. The Board will have the ability to establish its own rules of procedure, including setting the frequency

The initial Board will be appointed within 30 days of the approval of this Memorandum by the City Council, Buckhannon Community Theater, and ART26201.

The Board shall have sole responsibility to establish policies with respect to the use of the Theatre, including policies regarding usage fees, priorities of use, the establishment of form agreements, and operating guidelines; Provided, that the City of Buckhannon will have first priority in use of the Theatre, and will be exempt from the payment of any facility rental fees. Policies adopted or modified by the Board shall be subject to the approval or ratification of the City Council.

The Board may recommend to the City Council such matters, such as the hiring of full- and part-time staff and capital improvements, that it may deem advisable. The City of Buckhannon will approve or disapprove all expenditures, and all revenue generated by the Board's operation of the Theatre will be remitted to the City of Buckhannon.

The Board may negotiate agreements with donors, which agreements may include the right of a donor to direct the naming of facilities within the Theatre pursuant to the terms thereof; however, any such donor agreement is subject to the approval of the City Council.

Approved: BUCKHANNON CITY COUNCIL

By: *Robert Neal*

Its: *Mayor*

ART26201

By: *Erison VanNostrand*

ERISON VANNOSTRAND

Its: *PRESIDENT*

BUCKHANNON COMMUNITY THEATRE

By: *Karl Kolenc*

Its: *Treasurer*

F.4 Approval to Purchase Phone System at the Public Works Facility 395 Mud Lick Road
– Director of Public Works Jerry Arnold presented information regarding a new phone system for the Public Works Facility at 395 Mud Lick Road. Quotes were presented from Raven Rock and Tate Communications. Jerry recommended accepting the quote from Tate Communications since it would integrate well with the City's current systems. After some discussion, it was determined to table this matter until the Special Council Meeting being held Wednesday, February 12, 2021.

G. Comments and Announcements

- **Council Member Albaugh** – Mrs. Albaugh advised that we look over both quotes closely when determining which phone system to go with.
- **Council Member Bucklew** – Mrs. Bucklew commended BFD Captain Joey Baxa for his article being published in a national magazine.
- **Council Member Rylands** – Mr. Rylands is glad that Mary Albaugh and Pam Bucklew are feeling better and wishes Jack Reger and his family the absolute best in his recovery.
- **Council Member Thomas** – Mr. Thomas echoed the remarks by the other Council Members and wishes Callie the best with her new position. He also recognized the recent comments made by Governor Justice and US Senator Manchin concerning the Keystone Pipeline Executive Order by President Biden. He thought they had done well in explaining their opposition to that decision. He also explained that while he supports the Colonial Theatre, he abstained from the earlier MOU vote only because he felt the Upshur Arts Alliance should be a part of the agreement and the Theatre project. He reported that he had talked with Jack Reger and wished him well with his recovery.
- **Council Member Reger** – Absent
- **City Recorder Sanders** – Mr. Sanders also welcomed back Mary and Pam and wished them the best with their continued recovery. He mentioned Jack Reger and the fact that they graduated high school (along with Amby Jenkins) together. He stated that Jack was a strong man with a loving family, and a solid spiritual faith. He wishes him the best for a full recovery. He also mentioned it had been a pleasure to have worked with Callie Cronin-Sams and commended her as a colleague and a great person.

H. Mayor's Comments and Announcements – The Mayor echoed the comments made by all and ask that we continue to keep Jack Reger in our thoughts and prayers. We need Jack back as soon as possible. He asked that all continue to abide by the rules for social distancing and wearing of masks to stay safe to help combat COVID-19.

I. Executive Session Per WV Code § 6-9A-4- Personnel Matters

Motion to adjourn from the regular meeting, at 8:31 PM, and move into Executive Session per WV Code § 6-9A-4- Personnel Matters was made by Sanders/Rylands. Motion carried.

Motion to enter Executive Session at 8:45 PM was made by Rylands/Sanders. Motion carried

Motion to adjourn from Executive Session at 9:15 PM was made by Bucklew/Thomas. Motion carried

J. Adjournment

Motion to adjourn from the regular meeting at 9:16 PM was made by Albaugh/Bucklew. Motion carried.

Mayor Robert N. Skinner III

City Recorder Randall H. Sanders
