

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

A regular meeting of the Buckhannon City Council was held on Thursday, June 17, 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
Council Member	Pam Bucklew	Absent
Council Member	Jack Reger	Present – by phone
Council Member	CJ Rylands	Present
Council Member	David Thomas	Present
Assistant Recorder & Director of Finance	Amberle Jenkins	Present
City Attorney	Tom O'Neill	Present
BPD	Chief Matthew Gregory	Absent
Director of Public Works	Jerry Arnold	Present
Channel 3	Dennis Cortes	Present
Channel 3	Rodney Irvin	Present
MyBuckhannon.com	Katie Kuba	Present
Record Delta	Macie Queen	Present

Guests: Todd Dingess, CPA -Smith Cochran Hicks PLLC; Dr. Sara Stankus, Dr. Debra Harrison, Eddie Vincent, Upshur County Board of Education; Carey Wagner, Elkins Road PSD; Robert Wright; Roger Ward, Hodgesville PSD; Carolyn Douglas; Linzy Wilson; Lindsey Woody; Sharon McNemar; Joyce Ann Law; Leo Lodecono; Don Nestor; Erasmo Rizo, Kelly Arnold, COB Water Superintendent; Dr. Timothy Reese.

To Participate in a City Council meeting participants were invited to contact us at 304-472-1651 for the GoToMeeting link/access.

***City Council of Buckhannon – 7:00 pm in Council Chambers
Meeting Agenda for Thursday, June 17, 2021***

A. A PUBLIC HEARING OF THE COUNCIL OF THE CITY OF BUCKHANNON REGARDING PROPOSED ADOPTION OF ORDINANCE NO. 451 OF THE CITY OF BUCKHANNON, AN ORDINANCE: (1) AMENDING ORDINANCES NOS. 207, 228, 342, 369 AND 392 OF THE CITY OF BUCKHANNON, AND (2) SPECIFICALLY ESTABLISHING NEW WATER RATES AND CHARGES FOR WATER DISTRIBUTION SERVICES PROVIDED BY THE WATER BOARD OF THE CITY OF BUCKHANNON

B. Call to Order

- B.1 Moment of Silence
- B.2 Pledge to the Flag of the United States of America
- B.3 Mayor’s Greetings

C. Recognized Guests

- C.1 Todd Dingess, CPA -Smith Cochran Hicks PLLC
- C.2 Upshur County Board of Education-Dr. Sara Stankus & Child Wellness & Nutrition Director Eddie Vincent - Upshur County Summer Food Service Program

D. Department & Board Reports

- D.1 Public Works Director- Jerry Arnold
- D.2 Finance Director- Amberle Jenkins
- D.3 Fire Chief- JB Kimble
- D.4 City Attorney- Tom O'Neill

E. Correspondence & Information

- E.1 Notice of Public Hearing of the City Council RE: Ordinance No. 451 New Water Rates & Charges-June 17, 2021, at 7pm
- E.2 Notice to Customers RE: Public Hearing of Ordinance No. 451 New Water Rates & Charges
- E.3 Mayor’s Proclamation -Pride Month
- E.4 Waste, Water, Sanitary, & CPW Boards-Monthly Meeting Time Changed from 4PM to 7:30AM
- E.5 City PR: Fireworks Display to be held on July 2, 2021, in conjunction with Festival Fridays Event
- E.6 Notice Advertisement for Bids-Request for Professional Surveying Services for City’s Surveying Services Project
- E.7 Report of Cat & Dog Activity –Upshur County Commission-April 2021
- E.8 Notice of COB Police Civil Service Commission Meeting Schedule June-July 2021
- E.9 FOIA Requests: Joshua Hinchman 178A Camden Ave, SmartProcure-Purchasing Orders, Anne Chopyak-Recording of CPWB meeting 05/27/21
- E.10 Email from Resident regarding fireworks display location
- E.11 Vacant Building Registry 2nd Notice

F. Consent Agenda

- F.1 Approval of Minutes-Regular meeting 06/03/2021
- F.2 Approval of Building and Wiring Permits
- F.3 Approval of Payment of the Bills

G. Strategic Issues for Discussion and/or Vote

- G.1 Approve Ordinance No. 451 New Water Rates & Charges- 3rd/Final Reading
- G.2 Approval Addressing/Mapping UCDA & A&T Enterprises New Access Road at Brushy Fork Industrial Park Naming of Raella Lane
- G.3 Approval Recommendation of Buckhannon Planning Commission from June 1, 2021, Special Meeting to Deny the Request for a Zoning Change at 67 S. Kanawha Street

H. Comments and Announcements

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

I. Mayor's Comments and Announcements

J. Adjournment

Posted 06/14/2021

Next Regular Scheduled City Council Meeting Thursday, July 1, 2021

A. A PUBLIC HEARING OF THE COUNCIL OF THE CITY OF BUCKHANNON REGARDING PROPOSED ADOPTION OF ORDINANCE NO. 451 OF THE CITY OF BUCKHANNON, AN ORDINANCE: (1) AMENDING ORDINANCES NOS. 207, 228, 342, 369 AND 392 OF THE CITY OF BUCKHANNON, AND (2) SPECIFICALLY ESTABLISHING NEW WATER RATES AND CHARGES FOR WATER DISTRIBUTION SERVICES PROVIDED BY THE WATER BOARD OF THE CITY OF BUCKHANNON

Mayor Robbie Skinner opened the Public Hearing of the Council of the City of Buckhannon regarding the proposed adoption of Ordinance Number 451 of the City of Buckhannon, as explained in the above heading. He then recognized Todd Dingess, CPA, of Smith Cochran Hicks PLLC whose firm had conducted the independent audit for the City of Buckhannon Water Department.

Mr. Dingess explained that in 2013, his firm conducted a similar rate study for the City of Buckhannon that resulted in a rate increase at that time as well. Noting that it has now 2021, it is no surprise that another rate increase is needed to cover the cost of producing the water and maintaining the required finances on hand to meet state regulations. As of now, the city is having a negative cash flow from its Water Department operations, which it cannot sustain. He does recommend that we do the rate studies more frequently.

Based on the study, it is recommended that the Water Department institute a rate increase of 25% on its citywide customers, which means an average bill will go from \$13.02 to \$16.28. An average consumer's bill is \$21.80, and this increase would increase that bill to \$27.27. He pointed out that Buckhannon's Water Rates are very low compared to others throughout the state. Of the 367 utilities that provide water service in West Virginia, Buckhannon is ranked 33rd for lowest rates out of 367, which means we are in the bottom 10% of all utilities. After the rate increase, the City of Buckhannon will move to the 61st spot of the 367, which means Buckhannon will still be operating a very efficient water department. Regarding the resale rates for the water sold to the PSDs, it is recommended that the rate be raised from the current \$1.76 per thousand gallons to \$2.50 per thousand gallons. This is a .74 increase equal to 42%. The PSC will pass that increase on to the customers of the PSDs only on the water portion of the PSD charges.

Council member Rylands ask Mr. Dingess how we ranked with the resale rates, but Mr. Dingess did not have those comparisons available.

The Mayor recognized Carey Wagner of the Elkins Road PSD, who explained that her PSD customers have been calling and were confused by the difference in rates (25% for residents in the city and 42% for the resale to the PSDs). She also feels that there was a failure with the communications from the city to the PSDs regarding the rate study and the rate increase overall. She directed a question toward Mr. Dingess regarding the funding of the Senate Bill 234 requirements, which discusses money that must be generated on an annual basis. Mr. Dingess confirmed that the funding is indeed on an annual basis. Ms. Wagner also asked about the justification for the difference in the increase between the city rates and the PSDs. Both Mr. Dingess and Amberle Jenkins explained that the last increase for the PSDs was lower than the city customers. Recorder Sanders asked if everyone was receiving the Water Board meeting agenda and minutes and they verified that they were, but Carey noted that they received several emails, and it was hard to keep track of them. Carey asked for other data that could back up the decision if it was available and for better communications, other than emails, between the city and the PSDs in the future.

The Mayor then recognized Roger Ward of the Hodgesville PSD. Mr. Ward expressed many of the

same concerns that Ms. Wagner had expressed. He did state that the Hodgesville PSD had experienced the same difficulties as the city by not raising their rates appropriately and finding themselves underfunded. This caused them to become in arrears with their payments to the city, which they have since reduced greatly. He was concerned and disappointed with the bad press that the Hodgesville PSD received over that issue and felt that it was unfair. Mr. Ward explained that he was retired from a large company (Suddenlink) and he understood how difficult it is to keep all customers informed and satisfied while maintaining adequate rates to cover the operating costs of the operations. Council Member Thomas discussed some of the communication problems that had previously existed with a few of the principles from the Hodgesville PSD. Further discussion took place regarding the work that has taken place by the Hodgesville PSD to strengthen their infrastructure and their relationship with the city. Both the Mayor and Mr. Ward agreed that it was better to work together in a positive approach looking forward and not to look so much to the past.

Mayor Skinner asked both Mr. Ward and Carey Wagner if there was a PSD Association or if the county PSDs ever met to discuss some of the problems and issues that are common. Ms. Wagner said that they did have periodic meetings a few years ago and they still stay in communication with one another. She also stated that most of them communicate but not on a regular basis. Mayor Skinner suggested that the city invite all the PSDs to a Water Board meeting twice a year.

Dennis Cortes asked to be recognized and recommended that the city has rate increases more often so that residents aren't hit with large increases at one time.

Mr. Dingess complimented the City of Buckhannon for the cooperation he received during the Rate Study and for the efficiency they exhibit in running their utilities.

Mayor Skinner asked if there were any other persons who wished to be heard. Since no one stepped forward, Mayor Skinner asked for a motion to adjourn from the Public Meeting at 7:49PM.

Motion to adjourn from the Public Hearing was made by Thomas/Albaugh. Motion carried.

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

Emergency Meeting of City Council of Buckhannon
Pursuant to West Virginia Code §6-9A-3(h)
Thursday, June 17, 2021, at 8:00PM in Council Chambers

A. Call to Order

B. To Amend the List of City Holidays to include June 19th (Juneteenth)

C. Adjournment

Posted 06/17/2021 3:22PM

A. Call to Order - Mayor Skinner called to order an Emergency Meeting of the City Council of Buckhannon pursuant to West Virginia Code §6-9A-3(h) to discuss one item of business, which was amending the list of Buckhannon's City Holidays to include June 19th (Juneteenth), which as of today is now a federal holiday; RE: The President of the United States signed legislation today that makes June 19th (Juneteenth) a federal holiday. He then deferred to City Attorney Tom O'Neill to explain the recommended procedure.

B. To Amend the List of City Holidays to include June 19th (Juneteenth) - City Attorney Tom O'Neill explained that all federal holidays that are to be observed in West Virginia are set by the State of West Virginia and the City of Buckhannon sets its own approved holidays which normally mirrors those of the State. It is recommended that the Council amend the City's approved holidays to include June 19th (Juneteenth) as an approved holiday. Council Member Rylands asked what it costs the city for a holiday and Amby Jenkins estimated that it was between \$40,000 and \$50,000. Mr. Thomas voiced his displeasure with the action taking place without notice.

Motion to amend the City's approved holidays to include June 19th (Juneteenth) as an approved holiday was made by Rylands/Albaugh. Motion carried with one no vote by Mr. Thomas.

Motion to adjourn from the Emergency Meeting at 8:09PM was made by Sanders/Reger. Motion carried with one no vote by Mr. Thomas.

B. Call to Order - Mayor Robbie Skinner then called the Regular Meeting of the Buckhannon City Council for Thursday, June 17, 2021, to order at 8:10PM

B.1 Moment of Silence – Mayor Skinner asked all present to join him in a Moment of Silence.

B.2 Pledge to the Flag of the United States of America - The Pledge was led by Dr. Sara Stankus.

C. Recognized Guests

C.1 Todd Dingess, CPA -Smith Cochran Hicks PLLC - Mr. Dingess was recognized and appeared earlier in the meeting.

C.2 Upshur County Board of Education-Dr. Sara Stankus & Child Wellness & Nutrition Director Eddie Vincent - Upshur County Summer Food Service Program - Mayor Skinner recognized Dr. Sara Stankus, Superintendent of the Upshur County Schools who briefed the Council on the Summer Academy taking place throughout Upshur County. She reported that all schools are operational with over 1,000 students participating in the program. It includes 3 days of classroom work with the 4th day dedicated to a field trip with destinations that include Sandcastle, Pittsburgh Zoo, and the National Forest. This is funded through the Summer Student Opportunities for Learning and Engagement (SOLE), secured by the West Virginia Department of Education as part of a collaborative that brings together state and local leaders working alongside key stakeholders to design evidence-based summer programs to address the lost instructional, social, and extracurricular time students have experienced as a result of the pandemic, especially underserved students and those disproportionately affected by COVID-19. The BOE is also providing family passes to both the Upshur County Recreation Park and free family season passes to the West Virginia Wildlife Center for all Upshur County students with this funding. Dr. Harris also provided an update on meetings that are ongoing to determine how best to use these funds to help our students and our county.

Dr. Stankus then introduced Eddie Vincent, Director of Wellness and Child Nutrition for the Upshur County Schools, who provided an overview of the food delivery, known as Summer Feeding. Children under the age of 18 started receiving food boxes at the school system's warehouse in Tennerton every Wednesday, from 9:00AM to 3:00PM and it will continue all summer. Each child has been able to pick up three-day boxes and five-day boxes, and now they can provide a seven-day box. Vincent reported that Multitude Foods, which is partnered with Wendling's, is providing these boxes for students, and there are 14 meals in those boxes including seven breakfasts and lunches, with milk and juice. Also, any child can come to any school (when the Summer Academy is in session) and have a meal prepared by the cafeteria staff - Breakfast is from 9:00AM - 9:30AM and Lunch is 12:00PM - 12:30PM.

Mr. Vincent announced that the Upshur County BOE will also have a full-time Wellness Coordinator to work with K-12 students and staff to create individual plans to help design programs for all students and staff members.

Council members applauded the members of the Board of Education representatives for their work.

Dennis Cortes addressed City Council and the public concerning the low attendance at the Heavner Cemetery and he offered an invitation to Dr. Stankus to invite to students to the ceremony next year to help boost the participation and perhaps build interest throughout the community.

D. Department & Board Reports

D.1 Public Works Director- Jerry Arnold – Mr. Arnold was recognized by Mayor Skinner and he presented the following report:

Director:

- Region VII has submitted both WVDOT Grant applications.
- I have been working on some restructuring of our Waste Collection Department to make us more efficient.

Street:

- We made a minor repair to the storm sewer at 178A, Camden Avenue.
- Continue to work on the installation of sidewalks on Smithfield St.
- We continue working on the N. Kanawha St. sidewalks.

Sewer:

- Continuing to work on the N. Spring Street project the sanitary sewer portion will be complete in a couple weeks and then we will begin the storm sewer.

Water:

- Replaced leaking valves in the master meter pits.
- Repaired a leak on Smithfield Street.

Waste:

- Jeff Wamsley retired on June 4th and I will be assuming his job responsibilities.
- We continue to be plagued by truck and equipment breakdowns.
- We will be scheduling a significant repair project to our Transfer Station structure over the next couple months

Engineer:

- US EPA Risk Assessment and Emergency Response Plan – Submitted the R&R Plan on June 11, 2021. JH Consulting will need to be authorized to begin the preparation, and then submit the Emergency Response Plan on behalf of the Water Department prior to December 10, 2021. The R&R and EOP plans are required because of the America's Water Infrastructure Act (AWIA).
- FEMA Generator Hazard Mitigation Grant No. 2 – Manual transfer switches (MTS) and 200A plug receptacles have been delivered to Contractor. Work to begin on Contract No. 10 (MTS) within the next week.
- FEMA Generator Hazard Mitigation Grant No. 1 – Still waiting on FEMA Region III decision as to whether the additional \$250,000.00 request will be granted.
- Elizabeth J. "Binky" Poundstone Riverwalk Trail Extension No. 4 – Nothing new to report. I will begin design / engineering / surveying on this phase of the project once the City Hall Roof Replacement Project's Bid Package is completed. Will begin working on the engineering design phase of the project late 2Q 2021 / early 3Q 2021 and I anticipate construction activities beginning either late 2021 or early 2022
- City Hall Roof Replacement – I began working on the specifications required for the Project on June 14, 2021. I will begin working on the design drawings once the specifications are complete.
- WVWC Solar Array Project – Working with the college's engineering firm on utility and solar array layout. Looking at alternatives to possible solar array alternatives that may come into play based upon the location of existing utilities in the area.

D.2 Finance Director- Amberle Jenkins – Amby Jenkins provided the following report:

Amby report 05-20-21

Balances in the Enterprise Funds May 31, 2021

Waste Collection Board	mm/cking	\$823,841	cd/sav \$58,536
Water Board	mm/cking	\$862,224	work/capital \$386,243
The Water Bd moved \$230,00 from MM to working capital in June.			
Sanitary Board	mm/cking	\$736,290	work/capital \$257,076
The Sanitary Bd will move \$200,000 from mm to working capital this month.			
Stormwater Fund	mm/cking	\$144,261	

The annual audit has been completed. The audit reports were distributed to City Council and our auditor will virtually attend the July 1st meeting to report on the audit.

We received the renewal quote for our Workers Compensation Insurance. Our agent went over everything with me. The estimated annual premium –total for all departments if \$103,708. Last year was \$104,048.

D.3 Police Chief- Matthew Gregory - Chief Gregory was absent so The Mayor reviewed the following department report on his behalf:

City Council Report

6/17/21

- 1. James Fisher recently graduated the WV State Police Academy and has begun his field training program with the police department. He will be in field training with two of our Field Training Officers at varying points in time over the course of the next twelve weeks.
- 2. Jacob Garrison was admitted to the Police Academy on May 31 and will continue his training there until August 6, at which point he will begin his twelve week field training program.
- 3. The police department continues to accept applications for its eligibility list and anticipates testing throughout the month of July.
- 4. The police department has been notified that it will have its online hearing with the CALEA Commission concerning initial accreditation on July 15. The hearings begin at 1:00 p.m. that afternoon and the BPD is fifth in line to present to the commissioners at that time.

POLICE ACTIVITIES

MONTH: May

YEAR: 2021

ACTIVITIES:

Parking Tickets Issued:

By Parking Enforcement Officer:

3

By Officers:

7

TOTAL ISSUED:

10

Citations Issued:

10

Misdemeanor Arrests:

21

Felony Arrests:

2

Calls Answered:

346

Complaint Reports:

35

Accidents Investigated:

10

Community Policing Hours:

10

Patrol Mileage:

6,475

TRAFFIC CITATIONS - May 2021

	Gregory	Loudin	Posey	Stewart	Courtney	Hissam	O'Connor	McCauley	Kraemer	Fisher	Garrison	TOTAL
DRIVING REVOK/SUSP								1	2			3
NO INSURANCE CARRIED			2									2
NO OPERATORS									1			1
RECKLESS DRIVING			1					1	1			3
SPEEDING								1				1
TOTAL TRAFFIC CITATIONS	0	0	3	0	0	0	0	3	4	0	0	10

May 2021 Accidents

Report #	Date Of Crash	Time Of Day	Day Of Week	Street	Intersecting Street	Other Location	Manner Of Collision	Officer Name	
1	5/7/2021 0:00	* 1516	Friday	Rt. 20		Shop N Save	Angle (Front to Side) Same Direc	MCCAULEY	
2	5/11/2021 0:00	1416	Tuesday	MAIN STREET	NORTH KANAWHA STR	IN FRONT OF FIRST COMM	Sideswipe, Opposite Direction	LT. DOUGLAS N. LOUDIN	
3	5/8/2021 0:00	1530	Saturday			LOWES PARKING LOT	Single Vehicle Crash	THOMAS POSEY	
4	5/19/2021 0:00	118	Wednesday	Rt. 33			Single Vehicle Crash	SGT DK HISSAM	
5	5/21/2021 0:00	1314	Friday	SOUTH KANAWHA ST	MADISON STREET		Rear End	T.M. STEWART	
6	5/28/2021 0:00	1351	Friday	FLORIDA STREET	MADISON STREET		Sideswipe, Opposite Direction	T.M. STEWART	
7	5/27/2021 0:00	1622	Thursday	SOUTH KANAWHA	N/A		Rear End	MCCAULEY	
8	5/30/2021 0:00	1551	Sunday	Rt. 33			Rear End	MCCAULEY	
9	5/31/2021 0:00	* 1605	Monday	BUCKHANNON CROSS	N/A		Right Angle	MCCAULEY	
10	5/27/2021 0:00	1631	Thursday	LIGGETT ADDITION	Rt 20		Angle - Direction Not Specified	O'CONNOR	
		* = Injury							
		# = Alcohol / Drug Related							
		~ = Fatality							

D.4 City Attorney - Tom O'Neill – Mr. O'Neill deferred his comment until the Strategic Issues for Discussion and/or Vote section of the meeting.

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

E.1 Notice of Public Hearing of the City Council RE: Ordinance No. 451 New Water Rates & Charges-June 17, 2021, at 7PM

NOTICE OF PUBLIC HEARING OF THE COUNCIL OF THE CITY
OF BUCKHANNON AND OF PROPOSED ADOPTION OF ORDINANCE
BY THE COUNCIL OF THE CITY OF BUCKHANNON

TO: All customers of the City of Buckhannon Water Board

Pursuant to Chapter 24, Article 2, Section 4b of the West Virginia Code, as amended, notice is hereby given to all customers of the City of Buckhannon Water Board that the Council of the City of Buckhannon proposes the third (3rd) reading and adoption of Ordinance No. 451 of the City of Buckhannon, the subject matter and general title of which more particularly appears in said Ordinance as “ORDINANCE NO. 451 OF THE CITY OF BUCKHANNON, AN ORDINANCE: (1) AMENDING ORDINANCES NOS. 207, 228, 342, 369 AND 392 OF THE CITY OF BUCKHANNON, AND (2) SPECIFICALLY ESTABLISHING NEW WATER RATES AND CHARGES FOR WATER DISTRIBUTION SERVICES PROVIDED BY THE WATER BOARD OF THE CITY OF BUCKHANNON”.

A public hearing on Ordinance No. 451 will be held by the Council of the City of Buckhannon on Thursday, June 17, 2021 at 7:00 p.m. o'clock at Buckhannon City Hall, 70 East Main Street, Buckhannon, Upshur County, West Virginia. The City Council proposes the third (3rd) reading, passage and adoption of Ordinance No. 451 during the regularly scheduled City Council meeting to be held on Thursday, June 17, 2021 immediately following the adjournment of the aforesaid public hearing, also to be held at Buckhannon City Hall. A reasonable number of copies of the proposed Ordinance No. 451 are on file at City Hall. Any member of the public may inspect Ordinance No. 451 during the regular business hours of City Hall.

All interested persons may appear at the public hearing on June 17, 2021 and be heard with respect to the proposed adoption of Ordinance No. 451. The proposed effective date of Ordinance No. 451 is August 1, 2021.

Thomas J. O'Neill, City Attorney
RD Publish June 8, 2021

E.2 Notice to Customers RE: Public Hearing of Ordinance No. 451 New Water Rates & Charges

June 4, 2021

«Name»
«Address_Attention»
«Address_1»
«City» «State» «Zip»
«Account»

Notice to Customers of the Water Board-City of Buckhannon

The City of Buckhannon will hold a hearing before the final vote on a proposed ordinance, the principle object of which is the increase of water rates for customers of the water system operated by the Water Board of the City of Buckhannon. The title of such ordinance is “ORDINANCE NO. 451 OF THE CITY OF BUCKHANNON, AN ORDINANCE: (1) AMENDING ORDINANCES NOS. 207, 228, 342, 369

AND 392 OF THE CITY OF BUCKHANNON, AND (2) SPECIFICALLY ESTABLISHING NEW WATER RATES AND CHARGES FOR WATER DISTRIBUTION SERVICES PROVIDED BY THE WATER BOARD OF THE CITY OF BUCKHANNON.

The final vote on adoption of said proposed ordinance shall be held in the Council Chambers of the City of Buckhannon, 70 E Main St, Buckhannon, WV on June 17, 2021 at seven o'clock (7:00) pm. Note that this is a rescheduled hearing due to an error with a previous publication notice.

Interested parties may appear and be heard at such time with respect to the passage of the proposed ordinance. Copies of the proposed ordinance are available at City Hall in Buckhannon.

IMPORTANT INFORMATION ABOUT YOUR WATER SERVICE:

A rate increase is necessary in order to stay current with the rising costs of maintenance and operations of our water system, and to meet the mandates required by legislative WV Code 24-1-1(k) to maintain working capital funds.

The last water rate increase was in November 2016, which addressed plant infrastructure such as settlement basin, a monitoring system, new radio-read meters, and a new water tank on Victoria Hill.

The Buckhannon water plant is classified as a Class 4 plant, as determined by the complexity of the water treatment plant along with population area served. The population base must also include the areas served by the Public Service Districts. There are approximately fifteen (15) Class 4 water plants in the state. Class 4 water plants require operators to also be rated a Class 4 designation to oversee plant water distribution. Attracting and retaining Class 4 water plant operators has become increasingly difficult due to neighboring water systems, some privatized, offering higher wages. As a result, we had to become more competitive with salaries of order Class 4 water systems.

Prior to the proposed rate increase, the Buckhannon Water Board is ranked as the 33rd lowest cost-to-consumer water system out of 367 total systems in the state according to the Public Service Commission, based on a usage amount of 3,400 gallons/month. If this increase is approved, the Buckhannon Water Board will rank as the 61st lowest cost-to-consumer water system in the state. This means Buckhannon will remain one of the most affordable water systems in the state. A list of water system rankings for the entire state can be found on the Public Service Commission website: www.psc.state.wv.us.

An independent water rate study was also conducted to verify the need for this proposed rate increase.

A 25% rate increase is proposed for residential and commercial water customers of the Buckhannon Water Board. *See chart below for example of rate breakdown.

The current water rate for minimum 2,000 gallons/month is \$13.02.
The proposed water rate for minimum 2,000 gallons/month is \$16.28.
This is a difference of \$3.26/month (excluding the \$0.07 utility tax differential).

A 42% water rate increase is proposed for resale customers (Public Service Districts who purchase water at a wholesale rate from the Buckhannon Water Board). The current rate is \$1.76/thousand, and the proposed water rate would be \$2.50/thousand gallons.

To be clear, ONLY the water portion of the utility bill you receive is being addressed for this increase:

Here is an example of minimum utility bill within city limits		After increase
WATER	\$13.02	\$16.28
Sewer	\$24.12	\$24.12
Waste	\$18.23	\$18.23
Fuel Surcharge (waste)	\$0.72	\$0.72
Fire Fee	\$3.00	\$3.00
Police Fee	\$1.50	\$1.50
Utility Tax	<u>\$1.10</u>	<u>\$1.17</u>
TOTAL	\$61.69	\$65.02 (\$3.33 difference)

Please note: Each line item rate you see above MUST ONLY contribute to its respective Board/service. This means the Waste, Sewer, and other restricted fees and taxes, such as Fire and Police, CANNOT be used to fund any other operation within the City of Buckhannon except for their designated services. General fund capital improvement projects are NEVER funded through monies received for utility services. The Water, Sewer, and Waste funds are all managed separately. They CANNOT be intermingled, nor can they fund any other municipal project or operation.

If you have any questions, please contact Buckhannon City Hall at (304) 472-1430.

Water Board- City of Buckhannon
70 E Main St Buckhannon, WV 26201 304-472-1430

E.3 Mayor's Proclamation -Pride Month

Mayor's Proclamation

WHEREAS, the events that unfolded in the early morning hours of June 28, 1969, at the historic Stonewall Inn in New York City, began a movement that would change the social justice landscape in America, and around the world; and,

WHEREAS, June 28, 2021, marks the 52nd anniversary of the beginning of the Stonewall uprising in the Greenwich Village neighborhood of Manhattan, New York, and consequently, also the 52nd anniversary of the birth of the LGBTQ movement; and,

WHEREAS, the month of June is therefore recognized each year as "Pride Month," celebrating diversity and inclusion of ALL human beings throughout our world; and,

WHEREAS, Buckhannon and Upshur County value and appreciate the significant contributions made by members of the LGBTQ community, who help to create a strong, vibrant, and attractive city and county for residents and visitors alike to enjoy; and,

WHEREAS, the fabric of our community is strengthened by the values of inclusion, justice, diversity, acceptance, love, and kindness, not only during this month of remembrance, patronage, and recognition, but throughout each month and year; and,

WHEREAS, "Pride Month" affirms that members of the LGBTQ community should be celebrated for who they are, and take pride in their identities and the value they bring to our community, and beyond; and,

WHEREAS, on May 2, 2013, the Buckhannon City Council adopted a resolution declaring that the City government will never discriminate against its employees or its citizens on the basis of sexual orientation and/or gender identity; and,

WHEREAS, I, as Mayor of the City of Buckhannon, affirm and ratify this resolution, and declare that the City of Buckhannon continues its long-standing legacy as a place where ALL are welcome, where ALL are protected, and where ALL are valued in the lawful exercise of their rights, privileges, and immunities as citizens of this City, the State of West Virginia, and the United States of America.

NOW, therefor I, Robert Neal Skinner, III, do hereby PROCLAIM and DECLARE, that the City of Buckhannon officially recognizes the month of June as "Pride Month" throughout our community as we celebrate diversity, acceptance, and inclusion; given under my hand & the official seal of the City of Buckhannon, this 4th day of June, 2021.

Robert Neal Skinner, III
Mayor, City of Buckhannon

E.4 Waste, Water, Sanitary, & CPW Boards-Monthly Meeting Time Changed from 4PM to 7:30AM

E.5 City PR: Fireworks Display to be held on July 2, 2021, in conjunction with Festival Fridays Event

June 17, 2021, BUCKHANNON, WV: Buckhannon Mayor Robbie Skinner announced that the Fireworks

Celebration is planned, in conjunction with Create Buckhannon's Festival Fridays Event, for Friday, July 2, 2021! The Mayor has been in contact with Council Member Pam Bucklew, who chairs these types of special events for the City, and Amberle Jenkins, the City's Finance Director, to make sure that this year's event goes off without a hitch.

He has also directed the City to work with Create Buckhannon, the organizers of Festival Fridays, who will be presenting the Top 40 & Variety Group ***Stonestreet*** as the headliners in Jawbone Park for the evening festivities that will include the popular Farmers Market and a wide array of local vendors.

The public is invited to attend this free event and enjoy all that Festival Fridays has to offer and we encourage them to make their way up onto Main Street at dusk to have a great view of the fireworks display that will be staged behind Walgreens and Premier Bank. Great viewing will be available from many areas of the downtown, particularly around the Upshur County Courthouse, Community Bank, Walgreens, CVS, etc.

For Media, contact:

Randy Sanders
City of Buckhannon, WV
City Recorder & Information Coordinator
Chairman of WAMSB 2023 Organizing Committee
City Hall - 304/472-1651 Ext: 1052
Cell - 304/472-4026

E.6 Notice Advertisement for Bids-Request for Professional Surveying Services for City's Surveying Services Project

ADVERTISEMENT FOR BIDS

CITY OF BUCKHANNON REQUEST FOR PROFESSIONAL SURVEYING SERVICES FOR MULTIPLE FEMA SITES AND THE ESTABLISHMENT OF HORIZONTAL & VERTICAL CONTROL BENCHMARKS

The City of Buckhannon (City) will accept sealed bids for the City's Surveying Services Project, hereinafter referred to as the Project, which includes providing professional surveying services, the physical surveying of fifteen (15) properties, the setting of iron pins at each property corner (where applicable), the preparation and execution of all survey plats, the establishment of three (3) horizontal & vertical control benchmarks and all other tasks identified in the Request for Professional Surveying Services Letter necessary for the completion of the Project, until 1:30 PM EST on July 1, 2021 at City Hall, at which time all received bids will be opened and publicly read aloud.

At a minimum, the Project shall consist of the following:

1. The successful Bidder shall ensure that all horizontal data shall be provided in NAD83 WV South State Plane Coordinates and the vertical datum, where applicable, shall be provided in NAVD 88, Geoid 12B or the latest Geoid format.
2. The successful Bidder shall prepare, execute and stamp (by a Professional Surveyor) all site surveys plats, which shall include all metes & bounds, that shall be submitted to the City in a format that will allow the City to record the executed & stamped site survey plats at the Upshur County Courthouse.
3. The successful Bidder shall submit all site surveys to the City in an AutoCAD .dwg file format, or other CADD-based file formats acceptable to the City Engineer, for use by the City as detailed in Item No. 4 below. The site surveys of each survey site shall contain the following:
 - a. GPS coordinates of each property corner,
 - b. Northing and Easting coordinates of each property corner,
 - c. The elevation at each property corner.
4. The successful Bidder shall submit the electronic site surveys in a format so that each respective site survey is "situated" in the West Virginia South State Plane Coordinates System so that it can be directly inserted into the City's existing electronic mapping without additional data manipulation by the City.
5. It is understood that the City hereby grants, or shall obtain written authorization (if the site is not owned by the City) that permission has been duly granted for a Right-of-Entry by the successful Bidder, agents, staff, consultants and subcontractors for the purpose of conducting the field surveying services phase to the Project.
6. The successful Bidder shall provide the necessary office services and Court House research of each property to be surveyed.

7. The successful Bidder shall provide the necessary field services of the property be surveyed.
8. The successful Bidder shall be responsible for the setting of iron pins, to be set in concrete, at all property corners where no iron pins exist.
9. The successful Bidder shall be responsible for the preparation of a Description of Survey for all surveyed sites, complete with metes & bounds.

It should be noted that all fees, including but not limited to hotel costs (upon written approval from the City), mileage, administration fees, equipment fees, per diem and/or any other miscellaneous charges shall be included in the Base Bid (Items A. through Q.).

The Request for Professional Surveying Services Letter may be obtained from the City Engineer for the City of Buckhannon, located at 70 East Main Street, Buckhannon, West Virginia 26201 upon request and shall be provided in electronic PDF format. The Request for Professional Surveying Services Letter shall be available on June 10, 2021.

All clarifications, questions or comments regarding the contents of the Request for Professional Surveying Services Letter shall be submitted in writing and either mailed or faxed to the address below or emailed to jay.hollen@buckhannonwv.org. No clarifications and questions will be accepted after 4:00 PM EST on June 21, 2021.

For the purpose of this Project, the Official Bid Form shall be used when submitting a bid. In addition, the Prospective Bidder's Professional Surveyor license (and/or certification) shall be submitted with the Official Bid Form. Failure to use the Official Bid Form or failure to provide the Professional Surveyor License may result in the bid being considered non-responsive and rejected.

Submitted bids received by the City may not be withdrawn for a period of (60) days.

All sealed bids shall have the following information in the lower-left corner for the bid:

Contract No. 1 – Professional Surveying Services Bid

"Name and Address of Bidder"

Each sealed bid shall may either be hand delivered or mailed to the following address:

Mr. James S. Hollen, III, PE - City Engineer
City of Buckhannon
70 East Main Street
Buckhannon, WV 26201

The Director of Public Works and the City Engineer shall evaluate all bids received based upon price, conformance to the Request for Professional Surveying Services Letter, customer satisfaction, service availability and general suitability for the intended use.

The City reserves the right to reject any and all bids, to award the Project to a Bidder other than the Apparent Low Bidder and to waive any informality in bidding. The City also reserves the right to reject any and all bids that are not in the best interest of the City. In addition, the City reserves the right to terminate the Contracts at any time due to noncompliance with the Request for Professional Surveying Services Letter.

Honorable Robert N. Skinner, III, Mayor-City of Buckhannon

RD Run 6/10/21 & 6/17/21

E.7 Report of Cat & Dog Activity –Upshur County Commission-April 2021

- | | |
|---|----|
| • Cats brought in by City Trapper | 5 |
| • Cats brought in by Animal Control Officer | 3 |
| • Cats brought in by County Residents | 45 |
| • Dogs picked up by Animal Control Officer | 7 |
| • Animals returned to Owner by ACO | 4 |
| • Animals delivered to LUACF | 27 |

E.8 Notice of COB Police Civil Service Commission Meeting Schedule June-July 2021

**Meeting Notice of the City of Buckhannon
Police Civil Service Commission**

- *Police Civil Service Commission- 6:00 PM on Friday, July 30, 2021 in Council Chambers: The purpose of the meeting to review the applications and notify eligible applicants to proceed to the next phase of testing.*
- *Police Civil Service Commission- 9:00 AM on Saturday, August 14, 2021 at the West Virginia Wesleyan College Track at 59 College Avenue Buckhannon, WV 26201: The purpose of the meeting to administer the physical agility examination to the candidates for a List of Eligible for the position of Probationary Police Officer.*
- *Police Civil Service Commission- 1:00 PM on Saturday, August 14, 2021 in Council Chambers: The purpose of the meeting is to administer the written examination to the advancing candidates for a List of Eligible for the position of Probationary Police Officer.*

E.9 FOIA Requests: Joshua Hinchman 178A Camden Ave, SmartProcure-Purchasing Orders, Anne Chopyak-Recording of CPWB meeting 05/27/21

I would like to make a FOIA Public records request.

I would like copies of the pictures taken of the storm drain work and sink hole work/repair that was done on and behind the property of 178 A Camden Ave.

I would like the date of installation of the storm drain in alley behind the property of 178 A Camden Ave. Reasoning of installation and any studies or research for flooding and potential property damage done before installation of said storm drain.

I would like a copy of the City of Buckhannon's insurance showing coverage of utility infrastructure including city storm water systems, water systems, and waste water systems. Information showing if the cities insurance covers property damage, personal injury and/or death of persons from said systems.

I would like to receive this information free of charge. I am available to pick this information up in person at the Buckhannon City Hall.

Contact information is email- jhinchman@lewiscountywv.org cell phone-304-439-4859

Joshua Hinchman
Director
Lewis Co Park
304-439-4859 Cell

SmartProcure FOIA to City of Buckhannon for PO/ Vendor Information

1 message

Lisa Chatar <lchatar@smartprocure.com>
Reply-To: lchatar@smartprocure.com
To: amby.jenkins@buckhannonwv.org

Sun, Jun 6, 2021 at 1:07 PM

Dear Amberie Jenkins,

SmartProcure is submitting a FOIA request to the City of Buckhannon for any and all purchasing records from 03/04/2021 (mm/dd/yyyy) to current. The request is limited to readily available records without physically copying, scanning or printing paper documents. Any editable electronic document is acceptable.

The specific information requested from your record keeping system is:

1. Purchase order number. If purchase orders are not used a comparable substitute is acceptable, i.e., invoice, encumbrance, or check number

2. Purchase date

3. Line item details (Detailed description of the purchase)

4. Line item quantity

5. Line item price

6. Vendor ID number, name, address, contact person and their email address

If you would like to let me know what type of financial software you use, I may have report samples that help to determine how, or if, you are able to respond.

Please email or click on the button below to upload the information. There is no file size limitation:

Click Here To Upload

If this request was misrouted, please forward to the correct contact person and reply to this communication with the appropriate contact information.

If you have any questions, please feel free to respond to this email or I can be reached at the phone number below in my signature.

Regards,
Lisa Chatar
Data Acquisition Specialist

Direct: 561-609-6163
Email: lchatar@smartprocure.com

Consolidated Works meeting 5-27-21

4 messages

'Anne Chopyak' via FOIA Requests <foia@buckhannonwv.org>
Reply-To: Anne Chopyak <annechopyak@yahoo.com>
To: "foia@buckhannonwv.org" <foia@buckhannonwv.org>

Fri, Jun 4, 2021 at 3:02 PM

Name: Anne Chopyak
Address: 89 Pocahontas St.
Buckhannon, WV 26201
Phone: (304) 439-5780
Email: annehcopyak@yahoo.com
Date: June 4, 2021

Pursuant to the WV Freedom of Information Act, I am requesting the following public records maintained by the City Recorder Office of the city of Buckhannon: a copy of the recording of the Consolidated Public Works meeting held on May 27.

E.10 Email from Resident regarding fireworks display location

CITY OF BUCKHANNON "4th of July fireworks"

1 message

Teresa wiles <wordpress@buckhannonwv.org>
Reply-To: twiles@suddenlink.net
To: contactcityhall@buckhannonwv.org

Thu, Jun 3, 2021 at 4:51 PM

From: Teresa wiles
Subject: 4th of July fireworks

Message Body:
Mayor Skinner, iam a resident of the High Rise and i have lived here since 1982. Iam a very lite sleeper and i go to bed early. Iam usually in bed by 5:30 and asleep by 7:30 or 8:00. Sir i believe in fun but, iam extremely jumpy to very loud noises like fireworks and thunderstorms. I know this is a last minute request but is there anyway that the fireworks display be relocated somewhere other then near the High Rise?I also know that iam not the only who goes to bed early, is a lite sleeper and very jumpy at loud noises. Some of the residents even have small dogs and iam sure they get very nervous and are terrified during this event. As i said, i know this is a last moment message and I apologize for that. Iam in a wheelchair so iam unable to attend the city council meetings. In closing thank for taking the time to read this message and i hope that you and the rest of council will come up with a new location for the fireworks.

E.11 Vacant Building Registry 2nd Notice

CUSTOMER
ST
BUCKHANNON WV 26201

06/11/2021
2ND NOTICE
Lien will be filed for non-responsive property owners.

Re:

Dear Property Owner:

Be advised that our records reflect your ownership of the above-referenced property located within the corporate limits of the City of Buckhannon. As you may be aware, the City of Buckhannon amended a Vacant Building Registry Ordinance that went into effect on October 3, 2015. A copy of this ordinance is attached hereto for your immediate reference. The ordinance defines a “vacant building” as a “building or other structure that has been unoccupied for six months or longer, or unsecured and occupied by one or more unauthorized persons for six months or longer.” Be advised that the utilization of residential property for storage will not exempt the owner from vacant building registration.

This ordinance was enacted so that the City can properly monitor vacant buildings for code violations, health hazards and potential public safety and possible criminal activity that is often associated with long-term vacant structures. If you dispute ownership of the subject property or deny that said property is vacant, please advise this office at once so that we may correct our records.

In accordance with City of Buckhannon Ordinance 367 article III and Ordinance 394 all vacant buildings must be registered with the City of Buckhannon within six months of becoming vacant. A Vacant Building Registration Form is also attached for your use. This form must be returned to this office along with the appropriate fee no later than October 2, 2020. As indicated on the form, annual fees will be assessed each year on the anniversary date of the property being registered as vacant. Failure to pay these fees may result in a civil action being pursued against the property owner and potentially a lien being placed against the property.

You are directed to pay to the order of the City of Buckhannon the amount of \$200.00 for the assessment year of 08/01/2020, due by October 2, 2020.

Please understand that the objective of the Vacant Building Registry is not to extract additional fees from property owners but rather to insure that all costs associated with addressing said buildings are borne by the appropriate party, that being the property owner. Ultimately the City of Buckhannon would like to see all vacant properties returned to viable use.

Should you have any questions or comments in regard to this letter or would like to discuss the matter further, please feel free to contact me upon receipt of this letter.

Sincerely,
Vincent Smith, Building Enforcement Officer

F. Consent Agenda

F.1 Approval of Minutes-Regular meeting 06/03/2021
F.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
75128	Martha Suttle 45 W Victoria St	Dan Neel Fence Co	4' Hgt Chainlink Fence	\$3,000.00			\$33.00	X					
75129	Dan Car Inc 120 Railroad Ave	Self	19'x20' Carport Install French Drains	\$1,700.00			\$18.70	X		X			
75130	David Fultz 35 W Lincoln St	Self	Replacement Windows	\$600.00			\$10.00						
75131	Abel Insurance 172 S Kanawha St	Caseyearl's LLC	60"x48" Two sided Pedestal Signage	\$1,050.00			\$15.00	X					X
75132	Tommy Thompson 109 Randolph St	Powers Construction	Re- Roof Shingles	\$5,500.00			\$60.50		X				
75133	Clayton Pitts 71 S Florida St	Ultimate Roofing	Re- Roof Shingles Gutters	\$16,000.00			\$176.00		X				X
75134	Erica Gladwell 30 College Ave	Ultimate Roofing	Gutters	\$2,000.00			\$22.00						X
75135	Jake Anderegg 211 Randolph St	Alpha Electric	Re- Roof Shingles	\$4,000.00			\$44.00		X				
75136	Kimberly Grogg 22 Boggess St	Self	8'x10' Storage Building	\$389.00			\$10.00	X					
75137	Stephanie Warner 176 Fayette St	Self	50' Extension to Existing 4' Chainlink Fence	\$2,000.00			\$22.00	X					
75138	Elizabeth Terry 123 E Main St	Worry Free Electric	Electrical Upgrade & Rewire	\$8,500.00	B2	\$100.00							X
75139	Tina Rodrigue 88 Barbour St	Richard Myers	Electrical Upgrade	\$2,000.00	B2	\$100.00							
75140	Centennial Motel 22 N Locust St	Woody Home Improvement	Re-Roof Metal over Shingle	\$18,700.00			\$158.95						X
75141	Tim Wamsley 217 Randolph St	Self	Re-Roof Metal over Shingle	\$2,700.00			\$29.70						
75142	Gail Lynn Oldaker 27 Reger Ave	Self	12'x24' Storage Buidling	\$7,200.00			\$79.20	X					
75088	Rx Remedies Inc 29 Armory Rd	City Window Construction	Phase II Change Order on Permit 75088	\$3,094,349.00			\$10,330.23	X					
TOTAL				\$3,169,688.00		\$200.00	\$11,009.28						

F.3 Approval of Payment of the Bills

Payment of Bills

\$100,000.00 – WAMSB BUCKHANNON HOST COMMITTEE- CONTRIBUTION TO 2023 COMPETITION

\$2,400.00- SUPERIOR ENVIROMENTAL SERV – ASBESTOS REMOVAL 15 CLEVELAND AVE

\$1,500.00 - DIVISION OF JUSTICE – POLICE ACADEMY TUTION

\$6,296.13 – RAVEN ROCK – NEW COMPUTERS POLICE DEPT.

\$2,337.20 – 10-42 TACTICAL – 12 COMMENDATION MEDALS

\$1,248.00 – LEXIPOL – POLICEONE ACADEMY ANNUAL RENEWAL

\$1,100.00 – WV SIGNAL & LIGHT – LIGHT BAR FIRE CHIEF’S TRUCK

\$23,710.38 – CAPITAL ELECTRIC – LIGHTS N. SPRING STREET

\$2,784.15 – J.F. ALLEN – BLACKTOP FOR PAVING

\$55,860.42 – COOPER ASPHALT – SMITHFIELD STREET PAVING

\$5,105.00 - NEWTECH SYSTEMS – CAMERA SYSTEM THEATRE

\$27,472.50 – MOUNTAIN STATE ELECTRICAL – SUPPLIES GENERATOR FEMA GRANT #2

06-17-2021 09:34 AM

disbursements 06-01-2021- 06-15-2021

PAGE: 1

FUND: GENERAL FUND

DEPARTMENT	VENDOR NAME	GL ACCOUNT	ACCOUNT DESCRIPTION	DESCRIPTION	AMOUNT
MAYOR'S OFFICE	RALSTON PRESS INC	409-341-00	MAYOR'S SUPPLIES & M	RED STAMP PAD	7.02
	REGION VII PLANNING PDC	409-341-00	MAYOR'S SUPPLIES & M	GIS SERVICES	27.50
		409-341-00	MAYOR'S SUPPLIES & M	GIS SERVICES	27.50
		409-341-00	MAYOR'S SUPPLIES & M	GIS SERVICES	55.00
	GATES SUPPLY	409-341-00	MAYOR'S SUPPLIES & M	COLOR PAPER	34.50
	WV PUBLIC EMPLOYEES INSURANC	409-105-00	MAYOR'S INSURANCE	GF JUN 2021 SUBSIDY	160.00
		409-105-00	MAYOR'S INSURANCE	GF JUNE 2021 HEALTH & LIFE	970.80
	INTERNATIONAL MUN LAWYERS AS	409-341-00	MAYOR'S SUPPLIES & M	DUES FOR LAWYER	480.00
	WVNET	409-341-00	MAYOR'S SUPPLIES & M	WEB HOSTING 3RD QTR 2021	18.75
	INTERNAL REVENUE SERVICE	409-104-00	MAYOR'S F.I.C.A.	FICA WITHHELD AND MATCHED	27.10
		409-104-00	MAYOR'S F.I.C.A.	MEDICARE WITHHELD & MATCHE	6.33
	DATAMAX CORPORATION	409-341-00	MAYOR'S SUPPLIES & M	MAY 2021 CITY LIC & B&O TX	537.59
	WAMSB BUCKHANNON HOST COMMIT	409-341-05	EVENT/FIREWORK EXPEN	CONTRIBUTION 2023 COMPETIT	100,000.00
	FRONTIER	409-211-00	MAYOR'S TELEPHONE	472-1651-101515-4 CITY HAL	0.00
		409-211-00	MAYOR'S TELEPHONE	304-003-2273-060600-4	0.00
	**PAYROLL EXPENSES			6/01/2021 - 6/15/2021	442.79
				TOTAL:	102,794.88
COUNCIL	UPSHUR COUNTY COMMISSION	410-460-00	CAT CONTROL EXPENSE	5 CATS CAUGHT IN APR 2021	50.00
	NEWTECH SYSTEMS INC.	410-450-01	THEATRE BUILDING	CAMERA SYSTEM - THEATRE	1,438.50
				TOTAL:	1,488.50
TREASURER	WV PUBLIC EMPLOYEES INSURANC	413-105-00	TREASURER'S GROUP IN	GF JUN 2021 SUBSIDY	160.00
		413-105-00	TREASURER'S GROUP IN	GF JUNE 2021 HEALTH & LIFE	2.40
	DAVID L HOWELL CPA	413-224-00	AUDIT	FINAL BILLING AUDIT OF 6-3	704.43
	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			6/01/2021 - 6/15/2021	310.75
				TOTAL:	1,201.36
CITY ATTORNEY	INTERNAL REVENUE SERVICE	417-104-00	CITY ATTORNEY FICA	FICA WITHHELD AND MATCHED	53.89
		417-104-00	CITY ATTORNEY FICA	MEDICARE WITHHELD & MATCHE	12.60
	**PAYROLL EXPENSES			6/01/2021 - 6/15/2021	869.23
				TOTAL:	935.72
HOUSING	SUPERIOR ENVIRONMENTAL SERVI	436-354-00	HOUSING ENFORCEMENT	ASBESTOS REMVL 15 CLEVELA	2,400.00
				TOTAL:	2,400.00
ZONING	WV PUBLIC EMPLOYEES INSURANC	437-105-00	ZONING HEALTH INS	GF JUN 2021 SUBSIDY	160.00
		437-105-00	ZONING HEALTH INS	GF JUNE 2021 HEALTH & LIFE	316.40
	ST JOSEPH HOSPITAL OF BUCKHA	437-341-00	ZONING SUPPLIES	REF ELEC PERMIT FEE NOT IN	100.00
	INTERNAL REVENUE SERVICE	437-104-00	ZONING F.I.C.A.	FICA WITHHELD AND MATCHED	87.18
		437-104-00	ZONING F.I.C.A.	MEDICARE WITHHELD & MATCHE	20.39

06-17-2021 09:08 AM

disbursements 06-01-2021- 06-15-2021

PAGE: 2

FUND: GENERAL FUND

DEPARTMENT	VENDOR NAME	GL ACCOUNT	ACCOUNT DESCRIPTION	DESCRIPTION	AMOUNT
	**PAYROLL EXPENSES			6/01/2021 - 6/15/2021	1,406.15
				TOTAL:	2,090.12
DATA PROCESSING	COLLECTION ACCOUNT	439-230-00	DATA PROCESSING	CREDIT CARD FEES MAY 2021	1,016.01
	SUDDENLINK	439-230-00	DATA PROCESSING	JULY 2012 INTERNET	32.12
				TOTAL:	1,048.13
CITY HALL	UNIFIRST CORP.	440-216-00	CITY HALL MAINTENANC	MAY 2021 UNIFORMS	178.42
	WV PUBLIC EMPLOYEES INSURANC	440-105-00	CITY HALL JANITOR IN	GF JUN 2021 SUBSIDY	160.00
		440-105-00	CITY HALL JANITOR IN	GF JUNE 2021 HEALTH & LIFE	123.15
	MOUNTAINEER GAS COMPANY	440-213-00	CITY HALL UTILITIES	269245-314199 1 S-FLORIDA	132.25
	SCOTT ELECTRIC CORP	440-216-00	CITY HALL MAINTENANC	Materials for backup serv	554.74
	WALMART STORES INC -BUCKHANN	440-341-00	CITY HALL SUPPLIES	CITY HALL SUPPLIES	33.13
	INTERNAL REVENUE SERVICE	440-104-00	CITY HALL FICA	FICA WITHHELD AND MATCHED	74.78
		440-104-00	CITY HALL FICA	MEDICARE WITHHELD & MATCHE	17.49
	**PAYROLL EXPENSES			6/01/2021 - 6/15/2021	1,220.87
				TOTAL:	2,494.83
POLICE	LYKINS OIL COMPANY	700-343-00	POLICE DEPT. AUTO SU	POLICE MAY 2021 FUEL BILL	1,682.95
	MUNICIPAL EMERGENCY SERVICES	700-345-00	POLICE DEPT. UNIFORM	OUTER VEST CARRIERS	1,400.00
	WV CHIEFS OF POLICE ASSOCIAT	700-341-00	POLICE DEPT. MAT & S	WV CHIEF OF POLICE	100.00
		700-341-00	POLICE DEPT. MAT & S	WV CHIEF OF POLICE	100.00
	WV PUBLIC EMPLOYEES INSURANC	700-105-00	POLICE DEPT. GROUP I	GF JUN 2021 SUBSIDY	1,600.00
		700-105-00	POLICE DEPT. GROUP I	GF JUNE 2021 HEALTH & LIFE	4,233.00
	GALLS LLC	700-345-00	POLICE DEPT. UNIFORM	WOMENS TAC FORCE	70.93
		700-345-00	POLICE DEPT. UNIFORM	BARS	32.31
		700-345-00	POLICE DEPT. UNIFORM	BARS	35.97
	MARSHALL O'CONNOR	700-214-00	POLICE DEPT. TRAVEL	REIMB FOR MEALS @ TRAINING	85.94
	DIVISION OF JUSTICE AND COMM	700-221-00	POLICE DEPT. TRAININ	POLICE ACADEMY TUITION	1,500.00
	SUPER SPLASH LLC	700-343-00	POLICE DEPT. AUTO SU	CAR WASHES	118.00
		700-343-00	POLICE DEPT. AUTO SU	CAR WASHES	55.50
	JENKINS FORD INC	700-343-00	POLICE DEPT. AUTO SU	OIL CHANGE	50.26
		700-343-00	POLICE DEPT. AUTO SU	WHEEL OVER	56.80
	STATE TREASURER CVR LET RJ	700-341-04	CVR-LET-RJ FEES EXPE	MAY 2021 CVC LET CCA RJ	222.00
	TOSHIBA FINANCIAL SERVICES	700-341-00	POLICE DEPT. MAT & S	POLICE COPIER LEASE	141.26
	ENTERPRISE FM TRUST	700-459-00	POLICE DEPT. NEW EQU	22HZS3 2017 INTERCEPTOR PY	591.08
		700-459-00	POLICE DEPT. NEW EQU	22HZSX 2017 INTERCEPTOR PY	616.19
		700-459-00	POLICE DEPT. NEW EQU	22SFZ4 2018 INTERCEPTOR PY	693.66
		700-459-00	POLICE DEPT. NEW EQU	22SFZ7 2018 INTERCEPTOR PY	693.66
		700-459-00	POLICE DEPT. NEW EQU	22SCZ2 2018 INTERCEPTOR PY	687.33
		700-343-00	POLICE DEPT. AUTO SU	23H64C MAINT OLDER CRUISER	6.00
		700-343-00	POLICE DEPT. AUTO SU	23H655 MAINT OLDER CRUISER	6.00
		700-343-00	POLICE DEPT. AUTO SU	23H64V MAINT OLDER CRUISER	6.00
		700-343-00	POLICE DEPT. AUTO SU	23H64Z MAINT OLDER CRUISER	6.00
		700-459-00	POLICE DEPT. NEW EQU	23KNZ9 2020 POLICE INTERCE	706.76
		700-459-00	POLICE DEPT. NEW EQU	23KNZN 2020 POLICE INTERCE	701.54
		700-459-00	POLICE DEPT. NEW EQU	23KNZS 2020 POLICE INTERCE	796.87
	RAVEN ROCK NETWORKS INC	700-341-00	POLICE DEPT. MAT & S	NETWORK ENGINEERING	1,027.50
		700-459-00	POLICE DEPT. NEW EQU	IP SURVEILLANCE	198.00
		700-459-00	POLICE DEPT. NEW EQU	NEW COMPUTERS	6,296.13
	WV LAW ENFORCEMENT DISTRIBUT	700-341-00	POLICE DEPT. MAT & S	BUFFER ASSEMBLY	35.00
	SPRINT	700-211-00	POLICE DEPT. TELEPHO	ALL DEPT JUNE GEOTABS	468.74
	THE SIGN GUY LLC	700-343-00	POLICE DEPT. AUTO SU	REPLACE VINYL	580.00
		700-341-00	POLICE DEPT. MAT & S	ROUTED SIGN WILBER GRUBB	10.00

FUND: GENERAL FUND

DEPARTMENT	VENDOR NAME	GL ACCOUNT	ACCOUNT DESCRIPTION	DESCRIPTION	AMOUNT
STOCKERT YOUTH CENTER	LYKINS OIL COMPANY	907-216-00	MAINTENANCE	SYC MAY 2021 FUEL BILL	253.45
	A F WENDLING INC	907-360-00	CAMP BUCANNEER SUPPL	BREAKFAST	573.88
	UNIFIRST CORP.	907-216-00	MAINTENANCE	MAY 2021 UNIFORMS	177.12
	LEAF	907-341-01	OPERATING EXPENSES	COPIER LEASE	170.21
	WV PUBLIC EMPLOYEES INSURANC	907-105-00	GROUP INSURANCE	GF JUN 2021 SUBSIDY	320.00
		907-105-00	GROUP INSURANCE	GF JUNE 2021 HEALTH & LIFE	791.80
	SPRINT	907-211-00	TELEPHONES	ALL DEPT JUNE GEOTABS	55.06
	WALMART STORES INC -BUCKHANN	907-360-00	CAMP BUCANNEER SUPPL	CAMP SUPPLIES	45.48
		907-360-00	CAMP BUCANNEER SUPPL	CAMP SUPPLIES, RADIOS	39.88
		907-360-00	CAMP BUCANNEER SUPPL	CAMP SUPPLIES, BREAKFAST	322.87
		907-360-00	CAMP BUCANNEER SUPPL	CAMP SUPPLIES, BREAKFAST	62.64
		907-360-00	CAMP BUCANNEER SUPPL	CAMP SUPPLIES	11.82
		907-360-00	CAMP BUCANNEER SUPPL	CAMP, CLEANING	208.52
		907-360-00	CAMP BUCANNEER SUPPL	CAMP SUPPLIES	15.76
		907-360-00	CAMP BUCANNEER SUPPL	CAMP SUPPLIES	42.32
		907-104-00	FICA TAX	FICA WITHHELD AND MATCHED	395.04
		907-104-00	FICA TAX	MEDICARE WITHHELD & MATCHE	92.42
		907-341-00	MATERIALS & SUPPLIES	SYCC INTERNET 6-13 TO 7-12	145.00
		907-356-00	YOUTH BASKETBALL	SYCC BB CLINIC FEE REFUND	35.00
		907-356-00	YOUTH BASKETBALL	SYCC BB CLINIC FEE REFUND	35.00
		907-356-00	YOUTH BASKETBALL	PIZZA REMBURSEMENT	231.12
		907-356-00	YOUTH BASKETBALL	REFUND SYCC BB FEES	35.00
		907-211-00	TELEPHONES	473-0145-042701-4 SYC	0.00
		907-341-00	MATERIALS & SUPPLIES	BACKGROUND CK ABIGAIL VINC	35.75
		907-341-00	MATERIALS & SUPPLIES	BACKGROUND CK SINEAD TOBIN	35.75
				6/01/2021 - 6/15/2021	6,371.77
				TOTAL:	10,502.66
CONVENTION CENTER	USDA, RURAL DEVLEOPMENT	910-457-00	CONFERENCE CENTER PA	6/21 CONFERENCE CENTER PYM	3,351.00
				TOTAL:	3,351.00
PUBLIC SAFETY	UNIFIRST CORP.	976-216-00	SAFETY COMPLEX MAINT	MAY 2021 UNIFORMS	61.32
	MOUNTAIN STATE ELECTRICAL CO	976-459-35	FEMA GRANT#2 GENERAT	FEMA GRANT 2	27,472.50
	LYNX WV INC	976-213-00	SAFETY COMPLEX UTILI	MAY 2021 PSC INTERNET CONN	150.00
				TOTAL:	27,683.82

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

G. Strategic Issues for Discussion and/or Vote:

G.1 Approve Ordinance No. 451 New Water Rates & Charges- 3rd/Final Reading - City Attorney Tom O’Neill presented Ordinance No. 451 New Water Rates & Charges to the Council for its 3rd and final reading.

Motion to approve Ordinance No. 451 New Water Rates & Charges on its 3rd and final reading was made by Thomas/Reger. Motion carried.

ORDINANCE NO. 451 OF THE CITY OF BUCKHANNON, AN ORDINANCE:
(1) AMENDING ORDINANCES NOS. 207, 228, 342, 369 AND 392 OF THE CITY OF BUCKHANNON, AND (2) SPECIFICALLY ESTABLISHING NEW WATER RATES AND CHARGES FOR WATER DISTRIBUTION SERVICES PROVIDED BY THE WATER BOARD OF THE CITY OF BUCKHANNON

WHEREAS, the current rates and charges of the Water Board of the City of Buckhannon for providing water distribution services as were previously adopted by City Ordinances No. 207, 228, 342, 369, and 392 are presently insufficient to maintain the high quality of water distribution services offered by the Board and City to the residents of Buckhannon and surrounding Upshur County; and,

WHEREAS, the Board and City have not sought a water rate increase since 2016; and,

WHEREAS, the Board and City’s cost of providing water distribution services has increased substantially since 2016; and,

WHEREAS, the City’s opportunities to improve and maintain its water distribution operations are substantially impeded given current revenues realized from the collection of current rates and charges; and,

WHEREAS, the Public Service Commission of West Virginia has imposed new requirements on water systems related to financial reserves; and,

WHEREAS, the Buckhannon municipal water system's rates are currently within the top ten percent of the most affordable water rates in the State of West Virginia, with a ranking of 33rd out of the 367 water systems in the State of West Virginia; and,

WHEREAS, the Board and the City recently requested Smith, Cochran, Hicks, P.L.L.C., Certified Public Accountants of Charleston, West Virginia, to perform an independent rate study, which study was undertaken with recommendations being submitted to the Board and City, all as is evidenced by that certain written report dated April 8, 2021, tendered to both the Board and City; and,

WHEREAS, the Smith, Cochran, Hicks' report was presented by Todd F. Dingess, Certified Public Accountant with Smith, Cochran, Hicks, and discussed by the Water Board during a regularly convened, public meeting of the Board on April 8, 2021, the report urging the Board and City to adopt the rates recommended therein; and,

WHEREAS, the Water Board formally resolved during its regularly convened meeting of April 8, 2021 to immediately recommend to the City Council that the City increase Buckhannon's rates and charges for water distribution services pursuant to the aforesaid report of Smith, Cochran, Hicks, said proposed rate and charge schedule being hereinafter described and set forth pursuant to Article II hereof; and,

WHEREAS, the recommended rates, if adopted, would result in the Board's rates ranking 61st least expensive out of the 367 water systems in the State of West Virginia; and,

WHEREAS, the Council of the City of Buckhannon is authorized pursuant to the statutory provisions of Chapter 8, Article 13, Section 13, and Chapter 24, Article 2, Section 4b of the West Virginia Code, as amended, to impose by ordinance upon the users of water distribution services, such reasonable rates, fees and charges as shall be collected in the manner specified by ordinance; and,

WHEREAS, the Council of the City of Buckhannon deems the rates and charges proposed by the Water Board of the City of Buckhannon, and as are set out in the aforesaid April 8, 2021 Smith, Cochran, Hicks' report, and further which rates and charges are described and set forth pursuant to Article II hereof, to be just and reasonable; and,

WHEREAS, in addition to the newly proposed rates and charges included in the aforesaid Smith, Cochran, Hicks' report, the Water Board further moved to recommend the establishment of or increases in various administrative fees; and,

WHEREAS, the statutory provisions of Chapter 8, Article 11, Section 3, Paragraph (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 by ordinance; 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 Public Service Commission of West Virginia, hereinafter referred to as "PSC," insofar as the establishment of new water distribution rates and charges is concerned.

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

ARTICLE I - FINDINGS OF COUNCIL: The Council of the City of Buckhannon hereby makes the following findings:

(1) The current rates and charges of the Water Board of the City of Buckhannon for providing water distribution services as were previously adopted by City Ordinances No. 207, 228, 342, 369, and 392 are now, based upon the increased costs of providing services, insufficient to maintain the high quality of water distribution services offered by the Board and City to the residents of Buckhannon and surrounding Upshur County;

(2) The Board and City have not sought a water rate increase since 2016;

(3) The Board and City's cost of providing water distribution services has increased substantially since 2016;

(4) The Board and City's opportunities to improve and maintain the City's water distribution operations are substantially impeded given current revenues realized from the collection of current rates and charges;

(5) In addition to increased costs in providing water distribution services, the Board has committed various repairs, upgrades, and other expansion and improvements to the City of Buckhannon's Water Plant and water distribution system;

(6) Following the Board and City's request, Smith, Cochran, Hicks, P.L.L.C., Certified Public Accountants conducted an independent rate study respecting Buckhannon's water distribution operations, with findings and recommendations being set forth in a written report dated April 8, 2021;

(7) The Smith, Cochran, Hicks' report was presented by Todd F. Dingess, certified public accountant, during a regularly convened, public meeting of the Water Board also conducted on April 8, 2021;

(8) The Board formally moved and resolved during its April 8, 2021 meeting to recommend to the City Council that the City accept all rate recommendations of Smith, Cochran, Hicks, and that the City increase its rates and charges for water distribution services pursuant to the proposed rate and charge schedule described and set forth pursuant to Article II hereof;

(9) The Council considered the Board's recommendation together with the Smith, Cochran, Hicks' report during its regularly convened public meeting on April 15, 2021, and directed the drafting of the necessary authorizing Ordinance;

(10) The Council of the City of Buckhannon is authorized pursuant to the statutory provisions of Chapter 8, Article 13, Section 13, and Chapter 24, Article 2, Section 4b of the West Virginia Code, as amended, to impose by ordinance upon the users of water distribution services such reasonable rates, fees, and charges as shall be collected in the manner specified in the ordinance;

(13) The Council of the City of Buckhannon deems all rates and charges proposed by the Water Board of the City of Buckhannon to be just and reasonable;

(14) 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 by ordinance; and,

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

ARTICLE II - RATE AND CHARGE SCHEDULE: The following rates and charges shall be paid for water distribution services offered by the Water Board of the City of Buckhannon, upon this Ordinance's effectuation (Note: paragraphs #(1) through (6) below, for all of current rates and post-August 1, 2021 rates, are monthly charges):

<u>TYPE OF CUSTOMER/SERVICE</u>	<u>CURRENT RATE</u> (pre-August 1, 2021)
(1) Users of 0 – 2,000 gallons of water:	\$6.51 / 1,000 gallons
(2) Users of 2,000 – 14,000 gallons of water:	\$6.27 / 1,000 gallons
(3) Users of 14,000 – 50,000 gallons of water:	\$5.62 / 1,000 gallons
(4) Users of more than 50,000 gallons of water:	\$2.59 / 1,000 gallons
(5) Minimum Monthly bill according to size of meter installed:	
(a) 5/8" meter or less	\$13.02
(b) 3/4" meter	\$19.53
(c) 1" meter	\$32.55
(d) 1&1/2" meter	\$65.10
(e) 2" meter	\$104.16
(f) 3" meter	\$195.30
(g) 4" meter	\$325.50
(h) 6" meter	\$651.00

NOTE: No minimum bill will be rendered for less than \$13.02 which is equivalent to 2,000 gallons of water used.

(6) Resale Customer(s):	Resale customers shall pay a rate of \$1.76/1,000 gallons regardless as to quantity of gallons of consumed and regardless as to number of meters.
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(7) Delayed Payment Penalty:	*See note below.
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(8) Tap/service connection fee:	**3/4" = \$750.00 1" = \$1,000.00 Larger than 1" = at actual installation cost. Tap fees for fire service protection shall be the Board's actual cost of materials and labor to bring the connection to the customer's property line as set forth in the WV PSC's rules and regs.
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(9) Disconnection/Reconnection service charge: \$50.00 per occurrence will be charged whenever the water is turned off for violations of rules, non-payment of bills or at the request of the customer for maintenance on the customer's side of the meter.

(10) Returned Check Charge: ***See note below.

(11) Leak adjustment: ****\$0.29/1,000 gallons

(12) Security Deposit: Not to exceed two-twelfths (2/12) of the annual estimated charge for residential service, or one-sixth (1/6) of annual estimated charge for commercial service, or \$50.00 whichever is greater.

(13) Private hydrant/fire protection fee: \$10.00 per month per hydrant and \$10.00 per fire service connection 4" or less. The monthly rate for each fire service connection greater than 4" is \$20.00.

(14) Meter & associated components damaged by customer (includes radio read components): At actual repair & installation cost.

(15) Re-reading of meter at customer request: \$25.00

Note: Any customer may request the Water Board to re-read the customer's water meter if the customer believes the meter reading was inaccurate. Any customer may request a meter re-reading once every 12 months at no charge to the customer. If any customer requests additional re-readings within any 12 month period, and the re-reading or re-readings substantiate that the initial reading was accurate, the customer then shall be charged \$25.00 for each additional re-reading. The customer shall not be charged if the initial reading is determined to have been inaccurate by more than five percent (5%).

(16) Meter test \$75.00

Note: Any customer may request the Water Board to test the customer's water meter to determine the meter's accuracy. The customer shall pay \$75.00 for the meter test in advance of the test. In accordance with Rule 6.5 of the PSC's Water Rules, if upon testing, the meter is determined to be more than two percent (2%) average in error, the meter test fee shall be promptly refunded to the customer. If the meter is not found to be more than two percent (2%) in error, the City shall retain the meter test fee advanced by the customer for the test.

(17) Meter reinstallation \$100.00

Note: In any event when a water meter is removed by the Water Board to prevent a customer from unlawfully obtaining water following a customer's service being disconnected by the Water Board for customer non-payment, the customer shall pay a water reinstallation fee of \$100.00 before the meter is reinstalled and water service is reinstated. This fee shall be in addition to any other reconnection fees.

*Delayed Payment Penalty - The above schedule is net. On all accounts not paid in full when due, ten percent (10%) will be added to the net current amount unpaid. This delayed payment penalty is not interest and is to be collected only once for each bill where it is appropriate.

****Tap/service connection fee** - This tap fee will be charged to all customers who apply for service outside of a certificate proceeding before the PSC for each new tap to the service.

*****Returned check charge** - A service charge equal to the actual bank fee assessed but not to exceed \$25.00 will be imposed upon any customer whose check for payment of charges is returned by the customer's bank due to insufficient funds.

******Leak adjustment** - This amount shall be used when a bill reflects unusual consumption which can be attributed to eligible leakage on the customer's side of the meter. This rate shall be applied to all such consumption above the customer's historical usage.

<u>TYPE OF CUSTOMER/SERVICE</u>	<u>NEW RATE (effective August 1, 2021)</u>
(1) Users of 0 – 2,000 gallons of water:	\$8.14 / 1,000 gallons (increase)
(2) Users of 2,000 – 14,000 gallons of water:	\$7.84 / 1,000 gallons (increase)
(3) Users of 14,000 – 50,000 gallons of water:	\$7.03 / 1,000 gallons (increase)
(4) Users of more than 50,000 gallons of water:	\$3.24 / 1,000 gallons (increase)
(5) Minimum Monthly bill according to size of meter installed:	
(a) 5/8" meter or less	\$16.28 (increase)
(b) 3/4" meter	\$24.41 (increase)
(c) 1" meter	\$40.69 (increase)
(d) 1&1/2" meter	\$81.38 (increase)
(e) 2" meter	\$130.20 (increase)
(f) 3" meter	\$244.13 (increase)
(g) 4" meter	\$406.88 (increase)
(h) 6" meter	\$813.75 (increase)

NOTE: No minimum bill will be rendered for less than \$16.28 which is equivalent to 2,000 gallons of water used.

(6) Resale Customer(s):	Resale customers shall pay a rate of \$2.50/1,000 gallons regardless as to quantity of gallons of consumed and regardless as to number of meters. (increase)
(7) Bulk Water Customer(s):	Bulk water customers shall pay the greater of the rate appearing above per thousand gallons purchased, or \$25.00. (new)
(8) Delayed Payment Penalty*:	See note below.
(9) Tap/service connection fee**:	3/4" = \$750.00 (unchanged) 1" = \$1,000.00 (unchanged) Larger than 1" = at actual installation cost. Tap fees for fire service protection shall be the Board's actual cost of materials and labor to bring the connection to the customer's property

line as set forth in the WV PSC's rules and regs. (unchanged)

(10) Disconnection/Reconnection service charge: \$50.00 per occurrence will be charged whenever the water is turned off for violations of rules, non-payment of bills or at the request of the customer for maintenance on the customer's side of the meter. (unchanged)

(11) Returned Payment Charge***: See note below.

(12) Leak adjustment****: \$0.50/1,000 gallons (increase)

(13) Security Deposit: Not to exceed two-twelfths (2/12) of the annual estimated charge for residential service, or one-sixth (1/6) of annual estimated charge for commercial service, or \$50.00 whichever is greater. (unchanged)

(14) Private hydrant/fire protection fee: \$10.00 per month per hydrant and \$10.00 per fire service connection 4" or less. The monthly rate for each fire service connection greater than 4" is \$20.00. (unchanged)

(15) Meter & associated components damaged by customer (includes radio read components): At actual repair & installation cost. (unchanged)

(16) Re-reading of meter at customer request: \$25.00 (unchanged)

Note: Any customer may request the Water Board to re-read the customer's water meter if the customer believes the meter reading was inaccurate. Any customer may request a meter re-reading once every 12 months at no charge to the customer. If any customer requests additional re-readings within any 12-month period, and the re-reading or re-readings substantiate that the initial reading was accurate, the customer then shall be charged \$25.00 for each additional re-reading. The customer shall not be charged if the initial reading is determined to have been inaccurate by more than five percent (5%).

(17) Meter test \$75.00 (unchanged)

Note: Any customer may request the Water Board to test the customer's water meter to determine the meter's accuracy. The customer shall pay \$75.00 for the meter test in advance of the test. In accordance with Rule 6.5 of the PSC's Water Rules, if upon testing, the meter is determined to be more than two percent (2%) average in error, the meter test fee shall be promptly refunded to the customer. If the meter is not found to be more than two percent (2%) in error, the City shall retain the meter test fee advanced by the customer for the test.

(18) Meter reinstallation \$100.00 (unchanged)

Note: In any event when a water meter is removed by the Water Board to prevent a customer from unlawfully obtaining water following a customer's service being disconnected by the Water Board for customer non-payment, the customer shall pay a water reinstallation fee of \$100.00 before the meter is reinstalled and water service is reinstated. This fee shall be in addition to any other reconnection fees.

*Delayed Payment Penalty - The above schedule is net. On all accounts not paid in full when due, ten percent (10%) will be added to the net current amount unpaid. This

delayed payment penalty is not interest and is to be collected only once for each bill where it is appropriate.

****Tap/service connection fee** - This tap fee will be charged to all customers who apply for service outside of a certificate proceeding before the PSC for each new tap to the service.

*****Returned payment charge** - A service charge equal to \$25.00 will be imposed upon any customer whose check, EFT, ACH, or credit card payment of charges is returned by the financial institution processing payment.

******Leak adjustment** - This amount shall be used when a bill reflects unusual consumption which can be attributed to eligible leakage on the customer's side of the meter. This rate shall be applied to all such consumption above the customer's historical usage.

ARTICLE 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 is hereby expressly authorized to prepare and file, and/or cause to be prepared and filed, any and all 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 water distribution operations by a municipality. The provisions of Ordinances No. 207, 228, 342, 369, 392 and/or any other ordinance provisions of the City of Buckhannon addressing water distribution services as provided by the City of Buckhannon or the Water Board of the City of Buckhannon, are hereby expressly amended pursuant to the provisions hereof.

ARTICLE IV - PREVIOUS WATER DISTRIBUTION ORDINANCES: Any and all other provisions of Ordinances No. 207, 228, 342, 369, 392 and/or any other ordinance provisions of the City of Buckhannon addressing water distribution services as provided by the City of Buckhannon or the Water Board of the City of Buckhannon, and not expressly amended pursuant to this Ordinance No. 451, shall be deemed to remain in full force and legal effect, except for those rates, charges, and ordinance provisions which are expressly amended hereby.

ARTICLE V - PUBLIC SERVICE COMMISSION AND WATER BOARD RULES AND REGULATIONS: This Ordinance is adopted by the City of Buckhannon with the express intention of complying with all rules and regulations of the West Virginia Public Service Commission. Notwithstanding the immediately aforesaid intention, this Ordinance shall not prohibit the Water 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, and which Board-established rules

and regulations are promulgated to facilitate the administration and operation of the City's water distribution system.

ARTICLE 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.

ARTICLE 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., August 1, 2021.

FIRST READING:	May 6, 2021
SECOND READING:	May 20, 2021
THIRD READING, PASSAGE AND ADOPTION:	June 17, 2021

Robert N. Skinner, III, Mayor

CERTIFICATE OF ENACTMENT

I, Randall Sanders, City Recorder, do hereby certify that the foregoing Ordinance No. 451 was lawfully ordained and enacted by the Council of the City of Buckhannon at a regular session of the said Council assembled on June 17, 2021.

Randall Sanders, City Recorder

G.2 Approval Addressing/Mapping UCDA & A&T Enterprises New Access Road at Brushy Fork Industrial Park Naming of Raella Lane - Jerry Arnold presented a request regarding the addressing and mapping of the UCDA & A&T Enterprises new access road at the Brushy Fork Industrial Park naming of Raella Lane to the Council for approval.

Motion to approve the addressing/mapping of UCDA & A&T Enterprises new access Road at Brushy Fork Industrial Park naming of Raella Lane was made by Sanders/Rylands. Motion carried.

G.3 Approval Recommendation of Buckhannon Planning Commission from June 1, 2021, Special Meeting to Deny the Request for a Zoning Change at 67 S. Kanawha Street - Mayor Skinner reviewed the process that has taken place regarding the issue of the request for a zoning change at 67 S. Kanawha Street. Mayor Skinner recognized City Attorney O'Neill who explained the reason the Buckhannon Planning Commission was recommending the denial was the Zoning Change would constitute Spot Zoning, which is not legal. Mr. Rylands, a member of the Buckhannon Planning Commission, reiterated that the Commission performed its job in a proper manner and was confident in its recommendation to Council.

Motion to accept the recommendation of Buckhannon Planning Commission from June 1, 2021, Special Meeting to deny the request for a Zoning Change at 67 S. Kanawha Street was made by Albaugh/Thomas. Motion carried unanimously.

H. Comments and Announcements

- **Council Member Albaugh** – Ms. Albaugh felt that it had been a very interesting meeting; and she announced that she had signed a sales agreement on her home that day so she will be moving to Georgia to live near her daughter in a month or so. She also enjoyed the party that was held for Jeff Wamsley who recently retired from the Waste Department.
- **Council Member Bucklew** - Absent.
- **Council Member Rylands** - Mr. Rylands reported on a special Planning Commission meeting that was held Tuesday evening to discuss the development of the Madison Street property. There was a lot of support for a skate park. The discussion carried over to the Create Buckhannon meeting. A lot of great information was exchanged, and the City Architect will be involved in the next meeting. The plan for the development of the Madison Street property is still fluid but the plan is to have it resolved within the next three months.
- **Council Member Thomas** - Mr. Thomas spoke about the development of the Madison Street property and he has concerns about the skate park that the City invested in several years ago and it was not utilized for long. He would like for us to refocus on the Stockert Youth & Community Center so that we can have an active plan in motion soon. He also explained that he voted no for the Juneteenth holiday not because he didn't want it for the employees, but he was upset with the way it was handled on a national level. He has great concerns with the amount of money that has been spent by the federal government since the pandemic has plagued us.
- **Council Member Reger** - Nothing further.
- **City Recorder Sanders** - Mr. Sanders reported that he had an opportunity to appear before the Upshur County Commission earlier and presented a proposal for a joint venture between the city and the county concerning the rehab of the Tennerton Water Tank. Funding from both entities would come from the American Rescue Plan and it would be a 50/50 collaboration. The tank primarily serves the Buckhannon Upshur High School and The Adrian PSD. Accompanying Mr. Sanders today was Mayor Skinner, Director of Public Works Jerry Arnold, and City Engineer Jay Hollen. Mr. Sanders thanked the County Commissioners for the courtesies extended to the City Representatives and for listening to and considering the proposal.

I. Mayor's Comments and Announcements - Mayor Skinner spoke about the tough week that Buckhannon had gone through including the storm that went through our area Monday night. It was a massive storm with so much rain that it caused our Fire Department to have to perform water rescues and our Street Department had to close several streets due to high water. He mentioned that he has since been with people who have lost personal belongings to the flood. Mayor Skinner assured the public that the high water and flooding is not the norm and that our drainage systems work. The problem was that we received 3 inches of rain in an hour and there was no way that the drains could not handle that much rain in that short amount of time. He extended his sympathies to all who lost property and thanked all the employees of our city who responded so quickly to the emergency.

J. Adjournment

Motion to adjourn at 9:15 PM was made by Thomas/Albaugh. Motion carried.

Mayor Robert N. Skinner III

City Recorder Randall H. Sanders
