

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

A regular meeting of the Buckhannon City Council was held on Thursday, May 20, 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	Present
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
BFD	Chief JB Kimble	Present
Director of Public Works	Jerry Arnold	Present
The Record Delta Newspaper	Macie Queen	Present
Channel 3	Dennis Cortes	Present
Channel 3	Rodney Irvin	Present
MyBuckhannon.com	Katie Kuba	Absent
MyBuckhannon.com	Beth Christian Broschart	Present

Guests: Shane Jenkins, WV Strawberry Festival

*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, May 6, 2021***

---

- 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 Shane Jenkins-President of the West Virginia Strawberry Festival Association
  - B.2 Dennis Cortes-Upshur County Parks & Recreation Board
- C. Department & Board Reports**
  - C.1 Public Works Director- Jerry Arnold
  - C.2 Finance Director- Amberle Jenkins
  - C.3 Police Chief- Matthew Gregory
  - C.4 City Attorney- Tom O'Neill
- D. Correspondence & Information**
  - D.1 Mayor’s Proclamation-2021 Webb Grubb Police Officer Recognition- Darrell Bennett
  - D.2 Mayor’s Proclamation-2021 Fire Fighter Recognition Friendly Way Honoree- Steve Thacker
  - D.3 Mayor’s Proclamation-National Nurses’ & National Hospital Week May 9<sup>th</sup> to 15<sup>th</sup>
  - D.4 Notice of Public Hearing of the City Council RE: Ordinance No. 451 New Water Rates & Charges-June 3, 2021, at 7pm
  - D.5 Notice of Police Civil Service Commission Accepting Applications for Position of Full-Time Entry-Level Police Officer
  - D.6 Notice of Special Meeting of the Planning Commission RE: The request for the consideration for zoning change on 67 S. Kanawha St. from R-2 District to C-2 District
  - D.7 Letter from State Auditor RE: Guidelines on Allocation of Funds from the American Rescue Plan Act of 2021
  - D.8 WVML 52<sup>nd</sup> Annual Conference August 3-6, 2021, at Oglebay Resort Wheeling WV
  - D.9 Letter to WVDHSEM RE: Grant No. 1 Change of Scope No. 3 Budget Revision No. 2
  - D.10 Letter to WVDHSEM RE: Invoice #12, 13, 14 DHS/FEMA Region III Hazard Mitigation Project Emergency Power Generators
  - D.11 Street Paving Bid Advertisement Packet 2021
- E. Consent Agenda**
  - E.1 Approval of Minutes Regular Meeting 04/15/2021 & 05/06/2021
  - E.2 Approval of Building and Wiring Permits
  - E.3 Approval of Payment of the Bills
- F. Strategic Issues for Discussion and/or Vote**
  - F.1 Buckhannon Academy Elementary Request Closure of Smithfield St on 5/27/2021 from 1.30pm to 2:45pm Celebrate End of School Year with Staff Chair Races
  - F.2 Approve Ordinance No. 451 New Water Rates & Charges 2<sup>nd</sup> Reading
  - F.3 Approve to Submit Grant Application to the WVDOH for Acquiring ROW- Binky Poundstone River Walk Trail Extension
  - F.4 Approve to Submit Grant Application to the WVDOH for Design & Engineering for Sidewalks on Morton Ave & Locust St
- 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- Property Matters**
- J. Adjournment**

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

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

**A.2 Pledge to the Flag of the United States of America** - The Pledge was led by Mayor Skinner.

The Mayor gave a special shoutout to Luke Leigh who watches every meeting faithfully and is known to have quite an interest in City Government. Council Members joined the Mayor in thanking Luke for his interest!

The Mayor announced that we have an Executive Session on the agenda and that he would like to move that forward.

**Motion to move *I. Executive Session Per WV Code § 6-9A-4- Property Matters* to the table and move into Executive Session was made by Sanders/Rylands. Motion carried.**

**Motion to move out of Executive Session and back into Regular Session was made by Thomas/Albaugh. Motion carried.**

## **B. Recognized Guests**

### **B.1 Shane Jenkins-President of the West Virginia Strawberry Festival Association -**

The Mayor recognized the President of the West Virginia Strawberry Festival Association who provided an overview of the recent Festival. Mr. Jenkins thanked the Mayor and Council for the cooperative effort put forth by the City Council and the staff members of the Public Works Departments of the City. He reported that over 100 people were vaccinated at the clinics hosted by St. Joseph's Hospital and Community Care during the event. They also saw a record number of attendees at the car show; a huge turnout at the craft show; and had a great success with the bands and vendors. He stated that the Association was proud to have put the Strawberry Festival back on the map in West Virginia and to have done so safely and efficiently. Mr. Jenkins concluded by presenting a thank you card to the Mayor and City Council from the Association. Many members of the City Council congratulated Mr. Jenkins and asked him to pass along their congratulations to the entire Board of Directors of the West Virginia Strawberry Festival Association.

**B.2 Dennis Cortes-Upshur County Parks & Recreation Board** - Mr. Cortes presented the following report:

#### **REPORT FROM UPSHUR COUNTY PARKS & RECREATION ADVISORY BOARD 10 MAY 2021**

Rachel Weber announced that the contest on the Gnome gardens is over, but there are still a few sites that folks can use.

Josh and a couple of other folks walked the course that will be used for the disc golf. He reported that we are still waiting for approval from the B.O.E. because a corner of the course will be on their property. And, the equipment is not here yet.

Julia reported that the proposed course for new bike trails will have to be altered because there is a swamp to the south of the high School, and there is a drainage problem near the pavilions. Avoiding the swamp could probably mean that there would be two sets of trails instead of one. Also the trails are two way so folks need to be diligent when bikers or walkers are near each other. It was noted that most folks are already doing this.

It was reported that there is now enough stain to do all 6 kiosks. Work on that is going to be started any day.

Under the financial report the trails has about \$3100.00 in their account and the Parks & Rec have about \$700.00 in their account.

Josh reported that there is a group wanting to use the basketball courts and they want to have a fund raiser in July. This board is looking for more info about the times and place for this fund raiser. And, there will be all new backboards very soon.

There will be a new "little library" mounted on a pole near the pavilions. If you have a book you can just leave it in the library and you may also take one.

Dennis reported that the B.O.E. has approved the new sign to be placed a little ways down the drive way to the high school, it will be near the new kiosk and picnic table already there. Dr. Almond was given a copy of the picture that Dennis put together and he passed this on to the board. Later, a copy was given to Ed Vincent and he passed it along to Tim Derico who called Dennis about an hour prior to the meeting. Mr. Derico informed the advisory board the

sign will be installed by the B.O.E. and maybe they will make it also. Dennis passed this along at the meeting. Mr. Derico stated that the B.O.E. has no problem with this project.

The next meeting will be on the 3<sup>rd</sup> Monday of June which is 21 June 2021 at 5:30 PM at the pavilions weather permitting. This change from the 2<sup>nd</sup> Monday to the 3<sup>rd</sup> is for one month only and it is due to a scheduling conflict. The June and July reports will have to be delivered in July.

Respectfully submitted by; Dennis P. Cortes

## C. Department & Board Reports

**C.1 Public Works Director- Jerry Arnold** – Mr. Arnold was recognized by the Mayor and he then went over his report which included the following:

### Director:

- We were approved to submit applications for the WVD OH Grants.

### Street:

- We are finishing light poles on GGW.
- Crew has started demolition on N. Kanawha sidewalks

### Sewer:

- Continue to work on the N. Spring Street project.

### Water:

- Hydrant flushing is completed with repairs made to 7 and 2 additional awaiting parts for repair.

### Waste:

- Jeff Wamsley will be retiring June 4<sup>th</sup> so if you see him wish him well.

### Engineer:

- Nothing new to report.

Without objection, the Mayor moved *F.3 Approve to Submit Grant Application to the WVD OH for Acquiring ROW- Binky Poundstone River Walk Trail Extension* and *F.4 Approve to Submit Grant Application to the WVD OH for Design & Engineering for Sidewalks on Morton Ave & Locust St* to the table for discussion and/or vote.

Jerry explained the Grant Application to the WVD OH for Acquiring the Right of Way for the Binky Poundstone River Walk Trail Extension to Council explaining that it is an 80/20 grant meaning that the City of Buckhannon would need to contribute 20% and it is approximately a \$100,000 project, so the City's contribution would be \$20,000.

**Motion to approve the submission of a grant application to the WVD OH for acquiring the Right of Way for the Binky Poundstone River Walk Trail Extension understanding the City will be required to provide 20% of the approximate \$100,000 budget with the Mayor authorized to provide a letter of support for the grant was made by Rylands/Albaugh. Motion carried unanimously.**

Jerry explained the grant application to the WVD OH for the design & engineering for sidewalks on Morton Avenue & Locust Street to Council explaining that it is an 80/20 grant meaning that the City of Buckhannon would need to contribute 20% and it is approximately a \$75,000 project, so the City's contribution would be \$15,000.

Council Member Thomas asked about having green space as a part of this project. Mr. Arnold explained this was not a great project for additional green space.

**Motion to approve the submission of a grant application to the WVD OH for design & engineering for sidewalks on Morton Avenue & Locust Street understanding the City will be required to provide 20% of the approximate \$75,000 budget with the Mayor authorized to provide a letter of support for the grant was made by Rylands/Thomas. Motion carried unanimously.**

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

Amby report 05-20-21

Balances in the Enterprise Funds April 30, 2021

Waste Collection Board	mm/cking	\$812,618	cd/sav \$58,033
Water Board	mm/cking	\$848,981	cd/sav \$386,243
Note: CD in water was closed and put in MM-Will move \$475,000 to a savings account			
Sanitary Board	mm/cking	\$712,571	cd/sav \$253,190
Stormwater Fund	mm/cking	\$145,563.79	

Invoices to note in your bills to be approved were:  
\$20,000 to the Upshur Co Airport Authority  
\$2,000 to WV Municipal Home Rule Board annual fee  
\$4,196 to Interstate Rescue for a thermal camera –fire department

Fire Civil Service met on 5/6/21 and are reviewing the Fire Civil Service Commission Rules to prepare to update them.

Police Civil Service Commission met and began the process to accept applications to replenish the eligibility list for probationary police officers. Applications will be accepted until June 18<sup>th</sup>.

The Colonial Theatre Board met on 5/14/21 and appointed the Chair-John Waltz and Vice Chairperson-Eirka Kolenich. They also drafted a mission statement and worked on operational logistics policies.

The Recorder, Mayor and I attended the Regional Information Session hosted by the WV Regional Development Council regarding the American Rescue Plan funds. There were representatives there from Senator Manchin's office, the US Treasury Department and Auditor McCuskey. The funds that municipalities and counties received will be very closely watched on how they are expended. They guidance on how the funds can be expended are much the same as what we learned before. Water, Sewer and Stormwater projects that fit within the EPA Clean Water standards have a good chance of being approved for use of these funds. After discussions between Mr. Arnold, Jay Hollen, Mayor Skinner, Recorder Sanders and myself, we are seeking input from our Water and Sewer Department Superintendents to prioritize projects for these departments. This information will be presented to City Council for decision on use of these funds.

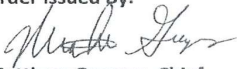
Auditor's continue get all the preliminary documents needed to audit our books for the fiscal year 2019-20.

C.3 Police Chief- Matthew Gregory - Chief Gregory provided the following report to Council:  
Special Order 21-08

To: Doug Loudin  
RE: Acting Chief

By order of the Chief of Police, as of 0800 hrs. on Friday, May 21, 2021 until 0800 hrs. on Tuesday, June 1, 2021 Lt. Doug Loudin will be acting Chief of Police and shall have all of the authority and duties normally reserved for the Chief of Police.

Order Issued By:

  
Matthew Gregory, Chief  
5/20/21



*Buckhannon Police Department*  
24 S Florida St \* Buckhannon, WV 26201  
Phone 304-472-5723 \* Fax 304-473-7911



City Council Report  
5/20/21

1. The Strawberry Festival went well this year, with no major issues reported.
2. James Fisher is set to graduate from the WV State Police Academy on 5/28/21. He will then begin the process of field training with an FTO for the next 12 weeks.
3. Jacob Garrison is scheduled to take the physical agility test at the police academy on May 25. He is currently on the list as an alternate for the class beginning on May 31.
4. The police department is currently accepting applications for the eligibility list for police officer. Applications are being accepted until close of business on June 18.

POLICE ACTIVITIES

MONTH: April  
YEAR: 2021

ACTIVITIES:

Parking Tickets Issued:

By Parking Enforcement Officer:	13
By Officers:	0
TOTAL ISSUED:	13
Citations Issued:	13
Misdemeanor Arrests:	15
Felony Arrests:	3
Calls Answered:	369
Complaint Reports:	35
Accidents Investigated:	17
Community Policing Hours:	6
Patrol Mileage:	5,869

MONTHLY ACTIVITY REPORT  
April 2021

	301	302	303	304	305	306	307	308	309	310	311		TOTAL
Calls Answered	6	42	82	115	33	48		25	18				369
Community Policing								6					6
Road Patrol		44	80	84	102	106		62	112				590
Traffic Hours	2	7	60		4								73
Criminal Inv.	5	36	15	66	44	51	146	17	15				395
Court Hours			2			2	6						10
Report Writing	18	82	7	26	8	4		30	57				232
Other Hours	156	8			4	2		24		248	185		627
Miles													5,869
Accidents - Prop.	1	1	4	3				3					12
Injury			1	3				1					5
Fatality													
Parking Tickets													
Criminal Reports		3	3	13	7	2		6	1				35
Reports Cleared		2	1	7	4	0		4	0				18
Clearance Rate		66%	33%	54%	57%	0%		67%	0%				51%

TRAFFIC CITATIONS - April 2021

	Gregory	Loudin	Posey	Stewart	Courtney	Hissam	O'Connor	McCauley	Kraemer	Fisher	Garrison		TOTAL
CROSSING FIRE HOSE								1					1
DRIVING REVOK/SUSP								1					1
LEAVING THE SCENE				1									1
SPEEDING								10					10
TOTAL TRAFFIC CITATIONS	0	0	0	1	0	0	0	12	0	0	0		13

April 2021 Accidents

Report #	Date Of Crash	Time Of Day	Day Of Week	Street	Intersecting Street	Other Location	Manner Of Collision	Officer Name	
1	4/2/2021 0:00	* 1529	Friday	NORTH LOCUST STREET	MORTON AVE		Right Angle	T.M. STEWART	
2	4/5/2021 0:00	2021	Monday	S KANAWHA ST	COLLEGE AVE		Sideswipe, Opposite Direction	THOMAS POSEY	
3	4/5/2021 0:00	* 1505	Monday	KANAWHA STREET	LEONARD STREET		Single Vehicle Crash	T.M. STEWART	
4	4/7/2021 0:00	1343	Wednesday	WEST MAIN STREET	AMAILUA DRIVE		Rear End	T.M. STEWART	
5	4/7/2021 0:00	* 1613	Wednesday	S KANAWHA ST	COLLEGE AVE		Rear End	THOMAS POSEY	
6	4/7/2021 0:00	1700	Wednesday	S KANAWHA ST	COLLEGE AVE		Rear End	THOMAS POSEY	
7	4/8/2021 0:00	1334	Thursday	MAIN STREET	NONE	MAIN STREET	Rear End	CHIEF GREGORY	
8	4/10/2021 0:00	1815	Saturday	W MAIN ST	N LOCUST		Rear End	THOMAS POSEY	
9	4/8/2021 0:00	* 1327	Thursday	BUCKHANNON CROSS	LOCUST STREET	ARBYS	Right Angle	T.M. STEWART	
10	4/10/2021 0:00	1220	Saturday	MORTON AVE	ROUTE 20 NORTH		Right Angle	MCCAULEY	
11	4/14/2021 0:00	1439	Wednesday	NORTH LOCUST STREET	SENIOR DRIVE	PREMIERE BANK	Right Angle	T.M. STEWART	
12	4/10/2021 0:00	* 1040	Saturday	WEST MAIN	N/A		Single Vehicle Crash	MCCAULEY	
13	4/20/2021 0:00	1406	Tuesday	LOCUST STREET	MAIN STREET	WALGREEN'S	Rear End	T.M. STEWART	
14	4/22/2021 0:00	1434	Thursday	RT 20 SOUTH	NONE		Rear End	MCCAULEY	
15	4/17/2021 0:00	1800	Saturday			WALMART PARKING LOT	Single Vehicle Crash	THOMAS POSEY	
16	4/28/2021 0:00	1314	Wednesday	BUCKHANNON CROSS	RT. 20 NORTH	BESIDE SHEETZ	Angle (Front to Side) Opposite D	LT. DOUGLAS N. LOUDIN	
17	4/29/2021 0:00	1556	Thursday	CAMDEN AVE	OHIO		Angle (Front to Side) Opposite D	OFFICER MCCAULEY	
		* = Injury							
		# = Alcohol / Drug Related							
		~ = Fatality							

**C.4 City Attorney - Tom O'Neill** – Mr. O'Neill reminded Council that the City of Buckhannon had been named a defendant in a Federal Civil Rights Lawsuit last December brought by a Mr. Brice Braxton. Earlier this week that lawsuit was dismissed for lack of merit and Mr. Braxton will not be able to appeal the case. Mr. O'Neill also reported on a FSLA seminar that he attended last week which he found informative. Mr. Rylands asked about the Knights of Pythias property purchase and Mr. O'Neill reported that the closing on the property purchase was tomorrow.

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

**D.1 Mayor's Proclamation-2021 Webb Grubb Police Officer Recognition- Darrell Bennett**

**MAYOR'S PROCLAMATION**

**WHEREAS**, our Buckhannon-Upshur community is very proud & supportive of our police officers who serve & protect us all while placing their lives on the line during every one of the challenging & uncertain shifts they work; and,

**WHEREAS**, the City of Buckhannon in 2017 resolved to annually recognize, honor, & pay tribute to all police officers on each Wednesday during the annual West Virginia Strawberry Festival & on May 17, 2017 specially recognized **Wilbert H. "Webb" Grubb**, the only City police officer ever to die in the line of duty who gave his life for our community on April 21, 1940, then in May of 2018 recognized former BPD Lieutenant Keith Rowan & then in May of 2019 recognized former BPD Police Chief Fred Gaudet; and,

**WHEREAS**, our City government family & Police Department will celebrate the fourth annual **Webb Grubb Police Officer Recognition Day** to be conducted at our City's Public Safety Complex beginning at 2:00 p.m. on Wednesday, May 12, 2021, & our B-U community is proud to recognize as the fourth recipient of our BPD's most prestigious award, **Retired Lieutenant Darrell Bennett** as our 2021 **Webb Grubb** honoree & encourage all of **Lieutenant Darrell Bennett's** family members, former fellow officers, friends, & admirers as well as those of **Officer Webb Grubb** & further of all police officers during our fourth annual tribute & celebration; and,

**WHEREAS**, our City further shall dedicate its "**Wall of Blue**" – in honor of & tribute to **Officer Webb Grubb, Lieutenant Keith Rowan, Chief Fred Gaudet, Lieutenant Darrell Bennett** & all of our future police officer honorees during **Webb Grubb Police Officer Recognition Days** to come.

**NOW, THEREFORE, I, ROBERT N. SKINNER, III, MAYOR OF THE CITY OF BUCKHANNON**, pursuant to the power & authority duly vested in me, do hereby proclaim Wednesday, May 12, 2021 to be "**WEBB GRUBB POLICE OFFICER RECOGNITION DAY**" throughout our City of Buckhannon. I further proclaim that our City's 2021 fourth annual honoree shall be **LIEUTENANT DARRELL BENNETT** who served the Buckhannon Police Department from 1982 to 2005. I hereby direct the installation of a wall suitable for installation of placards to be located along **Webb Grubb Lane** located around our Public Safety Complex to forever honor & recognize **LIEUTENANT DARRELL BENNETT** together with **WILBERT H. "WEBB" GRUBB, LIEUTENANT KEITH ROWAN, CHIEF FRED GAUDET** & all future police officer honorees for their gallant service in protecting all of us in our Buckhannon-Upshur community.

I urge all residents & Festival visitors alike to join the family & friends of our 2021 honoree, **Lieutenant Darrell Bennett**, together with all area police officers, the family of **Officer Grubb** & me, along with other members of our City government family, & friends near & far at our fourth annual "**Webb Grubb Police Officer Recognition Day**" public ceremony. May every Wednesday during Buckhannon's annual Strawberry Festival now & always be known as "**Webb Grubb Day**" in honor & memory of our late, fallen police officer, **Wilbert H. "Webb" Grubb**, & further in tribute to & appreciation of the dedicated, public service of all of our B-U community's police officers.

Given under my hand and official seal of The City of Buckhannon, this 12th day of May, 2021

**Robert N. Skinner, III, Mayor**  
**City of Buckhannon**

**D.2 Mayor's Proclamation-2021 Fire Fighter Recognition Friendly Way Honoree- Steve Thacker**

**MAYOR'S PROCLAMATION**

**WHEREAS**, the Council of the City of Buckhannon resolved in 2007, to honor the memory of our City's longtime Fire Chief, **Carl R. "Bud," "Ole Friendly" Bennett**, by naming & dedicating the newly established municipal street upon which our City's Public Safety Complex is located as - "**Friendly Way**"; and,

**WHEREAS**, the Council further resolved thereafter to annually honor other members of our City fire department family who have substantially contributed to the high quality of life enjoyed by our Buckhannon-Upshur residents, while embodying the essence of Buckhannon's **"friendly way"** as part of their public service to our community during an annual celebration to be known as **"Friendly Way Day"**; and,

**WHEREAS**, our past honorees were Bud Bennett in 2007, Harley Brown in 2008, Buddy Ray Zickefoose in 2009, Paul Mackey in 2010, Jack Ford in 2011, Larry Mackey in 2012, Jerry Wilfong in 2013, Wyatt Long in 2014, Dave Long in 2015, Kevin Goodwin in 2016, Charlie Shaffer in 2017, Paul Morrison in 2018; & Joe Bennett in 2019, and,

**WHEREAS**, our City is proud & privileged to honor & celebrate the life & many contributions of **"STEVE THACKER,"** who served our Buckhannon Fire Department as a volunteer firefighter & department contributor in countless ways for 35 years (1985-2020) - on Friday, May 14, 2021 at 3:00 p.m. during a public ceremony to be held at our Public Safety Complex at **"One Friendly Way"** during our City's 14th, annual **"Friendly Way Day."**

**NOW, THEREFORE, I, ROBERT N. SKINNER, III, MAYOR OF THE CITY OF BUCKHANNON,** pursuant to the power & authority duly vested in me, do hereby proclaim Friday, May 14, 2021, to be **"FRIENDLY WAY DAY"** throughout our City of Buckhannon. I further proclaim that our City's 2021 honoree shall be **STEVE "STEVIE" THACKER**. Further pursuant to the approval of our City Council, I hereby direct the installation of a permanent placard upon both the "Red Wall" & the "Buddy Bench," located along Friendly Way between our City's Public Safety Complex & Stockert Youth/Community Center to forever honor & recognize **STEVE "STEVIE" THACKER**.

I further urge all residents & Festival visitors alike to join our City's most honored guest, **STEVE "STEVIE" THACKER**, along with the other members of his Fire Department family & our City government family, & friends near & far at our 14th, annual "Friendly Way Day" public ceremony to be conducted at 3:00 p.m. on Friday, May 14, 2021 at Buckhannon's Public Safety Complex. May every Firefighters' Parade Day conducted during our annual Strawberry Festival now & always be known as "Friendly Way Day" in honor & memory of our late, beloved Fire Chief, **Carl R. "Bud," "Ole Friendly" Bennett**, & further in tribute to & appreciation of the public service of substantial contributors to our City such as our 2021 honoree, longtime volunteer firefighter, **STEVE "STEVIE" THACKER**.

Given under my hand and official seal of The City of Buckhannon, this 14<sup>th</sup> day of May, 2021

**Robert N. Skinner, III, Mayor**  
**City of Buckhannon**

### **D.3 Mayor's Proclamation-National Nurses' & National Hospital Week May 9th to 15th**

#### **Proclamation National Nurses' and National Hospital Week**

**Whereas,** The City of Buckhannon is pleased to salute **St. Joseph's Hospital** as it celebrates **National Nurses' Week and National Hospital Week**.

**Whereas,** **National Nurses' Week** is May 6<sup>th</sup> to 12<sup>th</sup> and **National Hospital Week** is May 9<sup>th</sup> to 15<sup>th</sup>. The Theme of **National Nurses' Week** is **"Nurses Make a Difference"** and the theme of **National Hospital Week** is **"Inspiring Hope Through Healing"** and will be celebrated across the country.

**Whereas,** **St. Joseph's Hospital** is staffed by professionals with caring hearts and giving spirits who are inspired by the love of Christ to provide our community with quality health care in ways which respect the God-given dignity of each person and the sacredness of human life.

**Whereas,** The hard-working staff of **St. Joseph's Hospital** deserves universal regard and appreciation for keeping our community healthy.

Be it known that on this 10<sup>th</sup> day of May, 2021, I, Robert Neal Skinner, III, Mayor of the City of Buckhannon do hereby declare May 9<sup>th</sup> to the 15<sup>th</sup> of 2021, to be **National Nurses' Week and National Hospital Week in Buckhannon, West Virginia**, and urge residents to express their appreciation for **St. Joseph's Hospital** and its staff who make trustworthy, quality healthcare possible in our community.

**Robert Neal Skinner, III, Mayor**  
**City of Buckhannon**

**D.4 Notice of Public Hearing of the City Council RE: Ordinance No. 451 New Water Rates & Charges-June 3, 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 (3<sup>rd</sup>) 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 3, 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 (3<sup>rd</sup>) reading, passage and adoption of Ordinance No. 451 during the regularly scheduled City Council meeting to be held on Thursday, June 3, 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 3, 2021 and be heard with respect to the proposed adoption of Ordinance No. 451. The proposed effective date of Ordinance No. 451 is July 18, 2021, with the proposed new rates to take effect August 1, 2021.

Thomas J. O'Neill, City Attorney

Publish Class II Legal Advertisement Record Delta Newspaper run dates May 11 & May 18, 2021

**D.5 Notice of Police Civil Service Commission Accepting Applications for Position of Full Time Entry Level Police Officer**

NOTICE  
THE POLICE CIVIL SERVICE COMMISSION  
CITY OF BUCKHANNON, WEST VIRGINIA

Notice is hereby given that the Police Civil Service Commission of the City of Buckhannon will receive applications for competitive examination for the eligibility list for entry-level police officer in the Police Department of the City of Buckhannon, subject to the following requirements.

1. Applicants must at least 18 years of age and no older than 45 at time of application.
  2. Must have High School diploma or GED equivalent. (All transcripts required)
  3. Applicants will be subject to background check.
  4. Applicants must have a Valid West Virginia Driver's License.
  5. Applicants must comply with all other laws, rules and regulations as prescribed in writing by the Code of the State of West Virginia and the Police Civil Service Commission of Buckhannon, West Virginia.
- Copies of the current written rules and regulations of said Commission are available for inspection by any member of the public at City Hall, 70 East Main Street, Buckhannon, WV during regular business hours.

A required physical agility test and written examination will be administered as part of the application process. The top three scores will be sent to city council for interview where a hiring decision may be made.

Candidates that are successfully hired will be subject to residency requirements, drug test, physical, psychological and polygraph examination.

**All applications must be received by the Commission no later than June 18, 2021 at City Hall or postmarked by midnight, addressed to the:**  
**Police Civil Service Commission**  
**70 E Main Street**  
**Buckhannon, WV 26201**

Application forms may be obtained from City Hall, 70 E Main St or Buckhannon Police Department, Buckhannon WV 26201, or by calling 304-472-5723.

Randall Sanders, Clerk  
Police Civil Service Commission

Publish Class II Legal Advertisement Record Delta Newspaper run dates May 18 & May 25, 2021

**D.6 Notice of Special Meeting of the Planning Commission RE: The request for the consideration for zoning change on 67 S. Kanawha St. from R-2 District to C-2 District**

**Notice of Special Meeting**  
**Buckhannon Planning Commission**

The Buckhannon City Planning Commission will hold a special meeting on **Tuesday, June 1, 2021 at 7:00 pm** in the City Council Chambers at City Hall, 70 East Main Street, Buckhannon WV 26201. The purpose of the meeting is to discuss the request for the consideration for the zoning change of 67 South Kanawha Street from R-2 General Residential District A to C-2 Highway Commercial District and possible recommendation to the City Council or to schedule the date of a Planning Commission public hearing, furthermore; such other matters will appear on the posted agenda.

This is an open meeting (per WV code § 6-9A-3) and all interested parties are welcome to attend.

Posted 5/4/2021

**D.7 Letter from State Auditor RE: Guidelines on Allocation of Funds from the American Rescue Plan Act of 2021**

Office of the State Auditor  
Local Government Services  
200 West Main Street  
Clarksburg, West Virginia 26301

*State of West Virginia*  
**John B. McCuskey**  
State Auditor

Toll Free: (877) 982-9148  
Telephone: (304) 627-2415  
Fax: (304) 340-5090  
[www.wvsao.gov](http://www.wvsao.gov)

May 6, 2021

To All West Virginia: Mayors and City Clerks/Recorders

**American Rescue Plan Act of 2021**

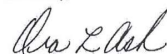
State Auditor John B. McCuskey sees the forthcoming allocation of funds from the "American Rescue Plan Act of 2021" as a great opportunity to make some meaningful progress in West Virginia. He is dedicated to making sure our office is prepared to assist you in meeting your obligations in properly allocating and accounting for these funds. It is imperative that we all work together to make sure this money is spent in accordance with the regulations and guidelines that are attached to it. It is our understanding that these guidelines are still being established, and as we get them, we will be happy to forward them and our interpretations of them to you. Auditor McCuskey has set up a special team within our office to give rapid response to questions and concerns. To contact this team, we suggest you use this special email address: [covid19@wvsao.gov](mailto:covid19@wvsao.gov).

In preparation of receiving and accounting for these funds, we have established Fund number 73 titled "American Rescue Plan Act 2021". This is a special fund that you are to use for only these particular moneys. The city council should take the necessary steps to setup this fund (and corresponding bank account) now in anticipation of the receipt of this money. You are required to maintain this money in both a separate fund and bank account. This money should in no way be comingled with any other funds.

One other area of concern we have is the level of assistance you will need in undertaking and completing any projects. We realize that with the scope of projects you may be considering, you may need special technical and professional assistance. We would encourage you to thoroughly check the credentials of anyone offering this type of service.

Please know that we are here to work with you in meeting the needs of our constituents. Together we can make some great strides.

Sincerely,



Ora L. Ash  
Deputy State Auditor  
Local Government Services

**D.8 WVML 52nd Annual Conference August 3-6, 2021 at Oglebay Resort Wheeling WV**

D.9 Letter to WVDHSEM RE: Grant No. 1 Change of Scope No. 3 Budget Revision No. 2

May 11, 2021

Mr. Dale Hatfield – Mitigation Project Officer  
West Virginia Emergency Management Division  
2403 Fairlawn Avenue  
Dunbar, West Virginia 25064

Re: City of Buckhannon  
DHS / FEMA Region III Hazard Mitigation Project  
Installation and Securing of Emergency Power Generation  
Hazard Mitigation Grant Program FEMA-DR-4273-WV-0036  
Change of Scope Request Letter No. 3 – Budget Revision No. 2

Dear Mr. Hatfield,

Per the requirements of the above-referenced Hazard Mitigation Program Project, I am submitting this Change of Scope Request Letter No. 3 – Budget Revision No. 2 Letter on behalf of the City of Buckhannon (City) and the City of Buckhannon Water Department for your review and consideration. The reasons for this Change of Scope request are detailed below.

Change of Scope No. 3 – Budget Revision No. 2

In just having completed the review of the bids for the three (3) contracts associated with the above-referenced grant, all (3) bids appear to be in order. However, based upon the review of the bids, the combined costs of the Apparent Low Bidders' bids, the City's services & fees, the required permit fees, etc. for all (3) contracts (which make up the -0036 Grant in its entirety) total \$1,141,527.41, which is \$249,232.41 over the allocated Grant monies of \$892,295.00 (see the attached January 6, 2021 FEMA Budget Revision Determination Letter for the latest information on the total Grant amount to date).

In the following paragraphs below is a summary of each Contract's bid result, the grant money available for each respective Contract and each respective Contract's bid line items that increased over the estimated costs indicated in the initial Grant Application.

Contract No. 1 - Raw Water Intake (RWI) Building Generator Set

The RWI's Apparent Low Bidder is Tri County Electric with a bid of \$342,433.80, which when added to the \$80,352.45 for services & fees to be performed by the City, project management fees, permit fees, etc., results in the total cost of Contract No. 1 of \$422,786.25.

The following is a listing of the bid line items that were over budget (per the initial Grant Application) in Contract No. 1:

1. The labor & installation for the installation of the RWI 150kW Diesel Generator increased from \$43,549.50 to \$50,520.91, which is a difference of \$6,671.41.
2. The labor & installation for the installation of the underground conduit & cabling (wiring) increased from \$15,500.00 to \$41,400.98, which is a difference of \$25,900.98.
3. The labor & installation for the installation of the RWI 600A Automatic Transfer Switch increased from \$9,085.00 to \$10,139.11, which is a difference of \$1,054.11.
4. The labor & materials for the elevated steel platform increased from \$45,000.00 to \$105,677.51, which is a difference of \$60,677.51.
5. The labor & materials for the elevated wooden platform at the RWI Building increased from \$8,000.00 to \$21,653.38, which is a difference of \$13,653.38.
6. The labor & installation for the installation of the 16" Ø steel casing pipe railroad bore & jack increased from \$36,825.00 (which was the updated price from less than 7 months ago) to \$65,756.85, which is a difference of \$28,931.85.
7. The labor & installation for the installation of the 6'-0" High Security Fence with 3-strand Barb Wire and a 12'-0" Wide double-leaf vehicular access gate increased from \$8,400.00 to \$21,866.11, which is a difference of \$13,466.11.
8. The Unclassified Excavation at the Contract site increased from \$275.00 to \$7,115.93, which is a difference of \$6,840.93.
9. The CSX permit fee increased from \$6,000.00 to \$50,100.00, which is a difference of \$44,100.00.

The increased cost of the nine (9) bid line items identified above total \$201,296.28 and the remaining bid line items not identified had a cost underrun of \$47,621.98, which resulted in Contract No. 1 having a total cost overrun of \$153,674.30.

Contract No. 2 - Sewage Treatment Plant (STP) Generator Set

The STP's Apparent Low Bidder is Mountain State Electrical Contractors, LLC with a bid of \$340,203.86, which when added to the \$70,677.72 for services & fees to be performed by the City, project management fees, etc., results in the total cost of Contract No. 2 of \$410,881.58.

The following is a listing of the bid line items that were over budget (per the initial Grant Application) in Contract No. 2:

1. The cost of the labor & materials required for the connection of the STP 750 kW Diesel Generator to the existing equipment increased from \$29,836.00 to \$37,254.40, which is a difference of \$7,418.40.
2. The cost of the labor & materials required for the connection of the STP 1200A Automatic Transfer Switch to the existing equipment increased from \$20,224.00 to \$37,254.40, which is a difference of \$17,030.40.
3. The cost of the STP 750 kW Diesel Generator increased from \$169,705.00 to \$225,744.00, which is a difference of \$56,039.00.

4. The cost of the labor & materials for the site preparation at the STP increased from \$7,210.00 to \$8,019.03, which is a difference of \$809.06.
5. The cost of the labor & materials required for the installation of the SCADA equipment increased from \$2,000.00 to \$5,700.00, which is a difference of \$3,700.00.

The increased cost of the five (5) bid line items identified above total \$84,996.86 and the remaining bid line items not identified had a cost overrun of \$31,598.00, which resulted in Contract No. 2 having a total cost overrun of \$53,398.86.

#### **Contract No. 3 - Public Safety Complex (PSC) Generator Set**

The PSC's Apparent Low Bidder is Mountain State Electrical Contractors, LLC with a bid of \$260,835.00, which when added to the \$47,024.58 for services & fees to be performed by the City, project management fees, etc., results in the total cost of Contract No. 2 of \$307,859.58.

The following is a listing of the bid line items that were over budget (per the initial Grant Application) in Contract No. 3:

1. The cost of the labor & materials required for the electrical service connection at the PSC increased from \$33,000.00 to \$46,895.00, which is a difference of \$13,895.00.
2. The cost of the PSC 300kW Diesel Generator increased from \$59,973.75 to \$78,690.00, which is a difference of \$18,746.25.
3. The cost of the PSC 1200A Automatic Transfer Switch increased from \$24,380.00 to \$26,360.00, which is a difference of \$1,980.00.
4. The labor & materials for the elevated steel platform increased from \$34,000.00 to \$92,260.00, which is a difference of \$58,260.00.
5. The labor & installation for the installation of the 6'-0" High Security Fence with 3-strand Barb Wire and a 5'-0" Wide man gate increased from \$2,520.00 to \$7,930.00, which is a difference of \$5,410.00.

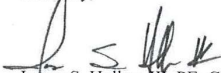
The increased cost of the five (5) bid line items identified above total \$98,291.25 and the remaining bid line items not identified had a cost overrun of \$56,132.00, which resulted in Contract No. 3 having a total cost overrun of \$42,159.25.

As previously mentioned, the combined cost overrun of all (3) contracts is \$249,232.41. Therefore, the total cost of the Budget Revision Request No. 2 that I am requesting on behalf of the City is \$249,232.41, which includes sufficient funds to cover the cost overruns in Contracts No. 1 through No. 3. If the \$249,232.41 budget revision request is approved, the total Project cost would increase to One Million One Hundred Forty One Thousand Five Hundred Twenty Seven Dollars and Forty One Cents (\$1,141,527.41), which is a 27.93 percent (27.9%) increase of the current revised Project budget of \$892,295.00 and a 28.50 percent (28.50%) increase of the original project budget of \$874,520.00 (*Note: It should be noted that the original Grant*

*Application, including all cost estimates for labor & material for each of the various line items in each contract, is over three and a half (3.5) years old).*

I have attached a PDF of the April 30, 2021 analysis of the Project using the Benefit Cost Analysis (BCA) 6.0 software. The BCA 6.0 analysis indicated a decrease of 0.64 (from 3.06 on November 11, 2020, which was the BCA at the time of the approved Change of Scope No. 2 Budget Revision No. 1, to 2.46 on April 30, 2021). If you have any questions or comments regarding the information contained in this letter, please contact me at your convenience at (304) 472-1651, extension 1006 or via email at [jay.hollen@buckhannonwv.org](mailto:jay.hollen@buckhannonwv.org).

Sincerely,

  
James S. Hollen, III, PE, CFM  
City Engineer

Attachments: FEMA Budget Determination Letter, dated January 6, 2021.  
PDF File of the BCA 6.0 Analysis for all three generator sites (RWI, STP and PSC), dated April 30, 2021  
PDF File of the BCA 6.0 Analysis Summary Sheet for all three generator sites (RWI, STP and PSC), dated November 11, 2020  
PDF File of FEMA-DR-4273-WV-0036 Grant Monies Summary Spreadsheet, dated April 15, 2021

## **D.10 Letter to WVDHSEM RE: Invoice #12, 13, 14 DHS/FEMA Region III Hazard Mitigation Project Emergency Power Generators**

Mr. Dale Hatfield – Hazard Mitigation Project Officer  
West Virginia Emergency Management Division  
1703 Coonskin Drive  
Charleston, West Virginia 25311

**Re: City of Buckhannon  
DHS / FEMA Region III Hazard Mitigation Project  
Installation and Securing of Emergency Power Generation  
Hazard Mitigation Program FEMA-DR-4273-WV-0036  
Invoice No. 12**

Dear Mr. Hatfield,

As part of the requirements of the DHS / FEMA Region III Hazard Mitigation Project grant, the City of Buckhannon (City) is submitting Invoice No. 12 in the amount of \$2,887.96 associated with the above-referenced project for various engineering & design services, project management services and the construction of a generator pad from April 1, 2021 through April 30, 2021.


The costs associated with the various engineering & design services, including the preparing & submitting of Invoice No. 11, the preparing for, and conducting of, the Bid Opening Meeting and continued work on the CSX railroad crossing permit near the Raw Water Intake Building is \$114.83.

The costs associated with the various project management services related to the three (3) Contract sites contained within this grant is \$774.16.

The costs for labor & equipment associated with the construction of the generator pad for the Sewage Treatment Plant is \$1,998.97.

If you have any questions or comments regarding the information contained in this letter, please contact me at your convenience at (304) 472-1651, extension 1006 or via email at [jay.hollen@buckhannonwv.org](mailto:jay.hollen@buckhannonwv.org).

Sincerely,

  
James S. Hollen, III, PE  
City Engineer

April 8, 2021

Mr. Dale Hatfield – Hazard Mitigation Project Officer  
West Virginia Emergency Management Division  
1703 Coonskin Drive  
Charleston, West Virginia 25311

**Re: City of Buckhannon**  
**DHS / FEMA Region III Hazard Mitigation Project**  
**Installation and Securing of Emergency Power Generation**  
**and Manual Transfer Switches**  
**Hazard Mitigation Program FEMA-DR-4273-WV-0035**  
**Invoice No. 13**

Dear Mr. Hatfield,


As part of the requirements of the DHS / FEMA Region III Hazard Mitigation Project grant, the City of Buckhannon (City) is submitting Invoice No. 13 in the amount of \$812.59 associated with the above-referenced project for engineering design and project management services completed from March 1, 2021 through March 31, 2021.

Engineering & design services included the preparation of the Application for Payment for all (7) contracts associated with this grant, preparation of Invoice No. 12 and talks with the WVEMD regarding possible additional monies request. The total costs associated with engineering & design for this invoicing period is \$220.82.

Project Management services included the review and approval of equipment submittals for all (7) contracts associated with this grant. The total cost associated with project management for this invoicing period is \$591.77.

If you have any questions or comments regarding the information contained in this letter, please contact me at your convenience at (304) 472-1651, extension 1006 or via email at [jay.hollen@buckhannonwv.org](mailto:jay.hollen@buckhannonwv.org).

Sincerely,



James S. Hollen, III, PE  
City Engineer

Attachments: Work Completed to Date in 2nd Quarter 2021 Summary  
Labor and Equipment Cost Summary – Engineering & Project Management Services (dated April 8, 2021)  
Payroll / Timesheet Information from City of Buckhannon

c: Mayor Robert N. Skinner, III  
Members of the Sanitary Board and the Water Boards  
Jerry Arnold – Director of Public Works

May 10, 2021

Mr. Dale Hatfield – Hazard Mitigation Project Officer  
West Virginia Emergency Management Division  
1703 Coonskin Drive  
Charleston, West Virginia 25311

**Re: City of Buckhannon**  
**DHS / FEMA Region III Hazard Mitigation Project**  
**Installation and Securing of Emergency Power Generation**  
**and Manual Transfer Switches**  
**Hazard Mitigation Program FEMA-DR-4273-WV-0035**  
**Invoice No. 14**

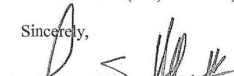
Dear Mr. Hatfield,

As part of the requirements of the DHS / FEMA Region III Hazard Mitigation Project grant, the City of Buckhannon (City) is submitting Invoice No. 14 in the amount of \$388.63 associated with the above-referenced project for project management services completed from April 1, 2021 through April 30, 2021.

Project Management services included the review and approval of Mountain State Electrical Contractors' Application for Payment spreadsheet and processing and submittal of Invoice No. 14. The total cost associated with project management for this invoicing period is \$388.63.

If you have any questions or comments regarding the information contained in this letter, please contact me at your convenience at (304) 472-1651, extension 1006 or via email at [jay.hollen@buckhannonwv.org](mailto:jay.hollen@buckhannonwv.org).

Sincerely,



James S. Hollen, III, PE  
City Engineer

## **D.11 Street Paving Bid Advertisement Packet 2021**

The City of Buckhannon will be accepting bids for the purchase and placing of Hot Mix Asphalt (HMA) and associated services in various locations within the corporation.

Bids will be received until Thursday, June 03, 2021 by 4:00 pm, at which time the bids will be opened and read aloud.

A complete bid packet may be obtained at Buckhannon City Hall, 70 East Main Street, Buckhannon, WV 26201 from 8:30 am to 4:30 pm, Monday –Friday.

Please direct all questions to the Jerry Arnold, Director of Public Works, at (304) 472-4443, ext. 1401

The City of Buckhannon has the right to reject any and all bids.

Publish Class II Legal Advertisement Record Delta Newspaper run dates May 20 & May 27, 2021

May 10, 2021

**Re: City of Buckhannon  
Street Department  
Street Paving 06/03/2021  
Invitation to Bid Letter**

To all Bidders,

The City of Buckhannon (City) would like to invite your company to submit a bid for the paving of various street surface areas.

The City is requesting that your company prepare sealed bid(s) to provide all labor & materials required for the tasks identified in the attached bid specifications.

Bidders must adhere to the following requirements:

1. Follow all listed specifications and ensure materials meet WVDOH Standards.
2. Provide all necessary documents (general liability insurance coverage, workers compensation coverage, and WV contractor's license).
3. Provide a bid bond in the amount of 10% of the total bid.
4. Bids must contain the attached Bid Cover Sheet, Bid Checklist, and be in a price per unit format.
5. Payment will be on a verified unit basis with documentation.
6. Ensure that all work will be completed by June 30, 2022.
7. All questions or comments will be addressed to Jerry Arnold, the Director of Public Works, at 304-472-1651 ext. 1401 or Brad Hawkins, Street Department Supervisor, at 304-642-1601 or Jay Hollen, City Engineer, at 304-472-1651 ext. 1006.

All bids for the above referenced equipment must be clearly marked on the outside of a sealed envelope as **"Sealed Bid for Paving Services"**.

Bids may be hand delivered to: Buckhannon City Hall at 70 East Main St. Buckhannon, WV or mailed to:

Attention: Jerry Arnold  
City of Buckhannon  
70 E. Main St.  
Buckhannon, WV 26201

All sealed bids must be received by 4:00 PM EST on June 3, 2021, at which time they will be publicly opened and read aloud.

The City of Buckhannon reserves the right to reject any and all bids.

Sincerely,

Jerry Arnold  
City of Buckhannon  
Director of Public Works

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

**E.1 Approval of Minutes Regular Meeting 04/15/2021 & 05/06/2021**

**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
75101	WWWC Site #2 Parking Lot C College & Meade St	Pike Electric LLC	AT&T Small Cell Wireless Facility Project	\$30,000.00	A	\$100.00	\$225.00	X					X
75102	WWWC Site #3 Parking Lot G College Ave	Pike Electric LLC	AT&T Small Cell Wireless Facility Project	\$30,000.00	A	\$100.00	\$225.00	X					X
75103	WWWC Site #4 75 Meade St	Pike Electric LLC	AT&T Small Cell Wireless Facility Project	\$20,000.00	A	\$100.00	\$170.00	X					X
75104	WWWC Site #5 68 College Ave	Pike Electric LLC	AT&T Small Cell Wireless Facility Project	\$30,000.00	A	\$100.00	\$225.00	X					X
75105	Racen Auto -Hollen 53 N Locust St	JBS Construction	Re-Roof Metal over Shingle, Windows, Doors, Repair Deck	\$15,000.00			\$127.50						X
75106	Rachel Crux 22 Shawnee Dr	Gutterworks	Re-Roof Shingles	\$15,000.00			\$165.00		X				
75107	US Cellular Corp Walk Trail Lane	Mastee Network Solutions	Equipment Upgrade Existing Tower	\$25,000.00	A	\$100.00	\$187.50	X		X	X		
75108	Peggy Bucklin 147 Fayette St	Self	Replace Fence Panels 42" Lattice Fence 6" Privacy Fence	\$999.00			\$10.00						
75109	Keith Wolverton 74 S Kanawha St	Griffy's Construction	Deck w/ Two Gates for Swimming Pool	\$11,000.00			\$121.00	X					X
75110	Truman Wolfe 6 E View Terrace	Self	10'x14'x7' Pergola	\$1,399.00			\$15.39	X					
75111	Carolyn Tenney 63 S Florida St	Spotloe Construction	10'x10' Porch w/ Roof	\$15,000.00			\$165.00	X					X
75112	Victor Zickefoose 54 Boggess St	Let There Be Light	Electrical Upgrade w/ ATS	\$2,400.00	B2	\$100.00							
75113	William Painter 15 College Ave	Let There Be Light	Electrical Upgrade Re-Roof, Siding, Concrete Parking Pad & Sidewalk, Razing portion of Brick Building	\$1,500.00	B2	\$100.00							X
75114	Randy Sanders 40 S Florida St	Tradeworx		\$28,000.00			\$210.00	X	X				X
75115	City of Buckhannon 15 Cleveland Ave	Self	Razing House & Outbuilding				\$n/c		X				
75116	Lowell Bennett 157 Randolph St	Self	Siding & Gable Repair	\$3,500.00			\$38.50						
75117	Josh Winnings 32 Meadow St	Self	Windows. Siding, Soffit	\$500.00			\$10.00						
75118	Marion Wyatt 53 Smithfield St	Self	Repair Porch Floor	\$1,000.00			\$11.00						X
75119	Terry Daft 227 Randolph St	Twisted Wire	Electrical Upgrade 8'x5' Front Porch Extension, Concrete Steps & Walkway	\$1,600.00	B2	\$100.00							
75120	Roy Dean 167 Camden Ave	Self		\$1,200.00			\$13.20	X					
TOTAL				\$233,098.00		\$800.00	\$1,919.09						

E.3 Approval of Payment of the Bills

05-20-2021 01:02 PM		disbursements 05-06-2021- 05-20-2021			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	WINDOW ENVELOPES	89.10
	RECORD-DELTA NEWSPAPER	409-220-00	MAYOR'S LEGAL PUBLIC	FY 2021-22 BUDGET LEVY EST	655.87
		409-220-00	MAYOR'S LEGAL PUBLIC	PLANNING COMM MEETING NOTI	19.20
	PAYROLL ACCOUNT (ALL DEPTS)	409-341-00	MAYOR'S SUPPLIES & M	APRIL 2021 AA FEES	204.51
	COLLECTION ACCOUNT	409-341-00	MAYOR'S SUPPLIES & M	APRIL 2021 CREDIT CARD FEE	818.54
	BADZIK PRINTING SERVICE, INC	409-341-00	MAYOR'S SUPPLIES & M	PAYROLL CHECKS 421	52.31
	INTERNAL REVENUE SERVICE	409-104-00	MAYOR'S F.I.C.A.	FICA WITHHELD AND MATCHED	24.37
		409-104-00	MAYOR'S F.I.C.A.	MEDICARE WITHHELD & MATCHE	5.71
	WV MUNICIPAL HOME RULE BOARD	409-222-00	MAYOR'S DUES	2020 ANNUAL FEE	2,000.00
	DATAMAX CORPORATION	409-341-00	MAYOR'S SUPPLIES & M	CITY LICENSE B&O TAX 4/21	57.50
	ROSSMAN & CO/PCB CORP	409-341-00	MAYOR'S SUPPLIES & M	DEBT COLLECTION	0.00
	**PAYROLL EXPENSES			5/06/2021 - 5/20/2021	398.91
				TOTAL:	4,326.02
TREASURER	DAVID L HOWELL CPA	413-224-00	AUDIT	1ST BILLING 2019-20 AUDIT	408.37
	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			5/06/2021 - 5/20/2021	310.77
			TOTAL:	742.92	
CITY ATTORNEY	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			5/06/2021 - 5/20/2021	500.00
				TOTAL:	538.25
ZONING	VINCENT SMITH	437-214-00	TRAVEL EXPENSE	CODE ENF. MAR & APR 21 MIL	242.48
	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
	WV FLOODPLAIN MANAGEMENT ASS	437-221-00	ZONING TRAINING	DUES 2020-2022	20.00
	**PAYROLL EXPENSES			5/06/2021 - 5/20/2021	1,406.15
				TOTAL:	1,776.20
DATA PROCESSING	RAVEN ROCK NETWORKS INC	439-230-00	DATA PROCESSING	MAY 2021 SERVICE CONTRACT	212.50
				TOTAL:	212.50
CITY HALL	UNIFIRST CORP.	440-216-00	CITY HALL MAINTENANC	ALL DEPT APRIL UNIFORMS	65.83
	J T MARTIN COMPANY INC	440-216-00	CITY HALL MAINTENANC	CITY HALL INSPECTION, UNIT	54.00
	MOUNTAINEER GAS COMPANY	440-213-00	CITY HALL UTILITIES	269245-314199 1 S-FLORIDA	101.93
	INTERNAL REVENUE SERVICE	440-104-00	CITY HALL FICA	FICA WITHHELD AND MATCHED	84.53
		440-104-00	CITY HALL FICA	MEDICARE WITHHELD & MATCHE	19.77

Airport Authority 20,000<sup>00</sup>  
WV Municipal Home Rule 2000<sup>00</sup> Annual fee  
Interstate Rescue 4196<sup>50</sup> thermal Camera

FUND: GENERAL FUND

DEPARTMENT	VENDOR NAME	GL ACCOUNT	ACCOUNT DESCRIPTION	DESCRIPTION	AMOUNT
	**PAYROLL EXPENSES			5/06/2021 - 5/20/2021	1,378.16
				TOTAL:	1,704.22
POLICE	LYKINS OIL COMPANY	700-343-00	POLICE DEPT. AUTO SU	POLICE DEPT APR 2021 FUEL	1,417.77
	GALLS LLC	700-345-00	POLICE DEPT. UNIFORM	SERVING SINCE	32.80
		700-345-00	POLICE DEPT. UNIFORM	SERVING SINCE	85.45
		700-345-00	POLICE DEPT. UNIFORM	SERVING SINCE	110.93
	JENKINS FORD INC	700-343-00	POLICE DEPT. AUTO SU	REPLACED BATTERY	144.95
		700-343-00	POLICE DEPT. AUTO SU	REPLACED BATTERY	65.60
		700-343-00	POLICE DEPT. AUTO SU	REPLACED BATTERY	134.95
	TOSHIBA FINANCIAL SERVICES	700-341-00	POLICE DEPT. MAT & S	POLICE DEPT 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
	SPRINT	700-211-00	POLICE DEPT. TELEPHO	ALL DEPT MAY GEOTABS	468.74
	THE SIGN GUY LLC	700-341-00	POLICE DEPT. MAT & S	DIGITAL PRINT BADGE	17.00
	INTERNAL REVENUE SERVICE	700-104-00	POLICE DEPT. FICA TA	FICA WITHHELD AND MATCHED	1,489.10
		700-104-00	POLICE DEPT. FICA TA	MEDICARE WITHHELD & MATCHE	348.24
	MSVS OF BUCKHANNON, PLLC	700-341-00	POLICE DEPT. MAT & S	VETERINARY CARE	204.32
	FRONTIER	700-211-00	POLICE DEPT. TELEPHO	473-7911-073014-4 POL FAX	76.65
	**PAYROLL EXPENSES			5/06/2021 - 5/20/2021	24,339.40
				TOTAL:	34,588.25
FIRE	LYKINS OIL COMPANY	706-343-00	FIRE DEPT. AUTO SUPP	FIRE DEPT APR 2021 FUEL BI	632.20
	LOWES BUSINESS ACCOUNTS	706-341-00	FIRE DEPT. MATERIAL	SUPPLIES	273.57
	INTERSTATE RESCUE	706-459-00	FIRE DEPT. CAPITAL O	THERMAL CAMERA KIT	4,196.50
	THE SIGN GUY LLC	706-341-00	FIRE DEPT. MATERIAL	COB FIREMANS HELMET SGN	18.19
	INTERNAL REVENUE SERVICE	706-104-00	FIRE DEPT. FICA TAX	FICA WITHHELD AND MATCHED	928.29
		706-104-00	FIRE DEPT. FICA TAX	MEDICARE WITHHELD & MATCHE	217.10
	WITMER PUBLIC SAFETY GROUP I	706-341-00	FIRE DEPT. MATERIAL	E SMITH PROM BADGE	83.43
	**PAYROLL EXPENSES			5/06/2021 - 5/20/2021	15,032.10
				TOTAL:	21,381.38
STREET	MON POWER	750-213-00	STREET DEPT. UTILITI	110123905108 25 N LOCUST S	9.68
		750-213-00	STREET DEPT. UTILITI	110148156588 RT 6 395 MUDL	454.78
		750-213-00	STREET DEPT. UTILITI	110148255778 395 MUDLICK R	499.05
	LYKINS OIL COMPANY	750-343-00	STREET DEPT. AUTO SU	STREET APR 2021 FUEL BILL	1,653.89
	FISHER AUTO PARTS INC	750-343-00	STREET DEPT. AUTO SU	Batteries for S-1 backhoe	222.30
	UNIFIRST CORP.	750-345-00	STREET DEPT. UNIFORM	ALL DEPT APRIL UNIFORMS	550.48
	WV PAGING	750-213-00	STREET DEPT. UTILITI	STREET DEPT PAGER 521	23.00
	MOUNTAINEER GAS COMPANY	750-213-00	STREET DEPT. UTILITI	341416-404855 17 1/2 FACTO	48.86
		750-213-00	STREET DEPT. UTILITI	269254-314209 4 FACTORY ST	48.86
		750-213-00	STREET DEPT. UTILITI	269255-492564 6 FACTORY ST	200.50
	SCOTT ELECTRIC CORP	750-458-08	GATEWAY WEST	GRANT E Wire conn for GWW	77.03
		750-458-08	GATEWAY WEST	GRANT E Wire conn for GWW	952.47

FUND: GENERAL FUND

DEPARTMENT	VENDOR NAME	GL ACCOUNT	ACCOUNT DESCRIPTION	DESCRIPTION	AMOUNT
		750-458-08	GATEWAY WEST	GRANT E 2'x3" conduit & wire	3,555.14
		750-458-08	GATEWAY WEST	GRANT E 8STR wire for GWW	1,941.30
		750-341-00	STREET DEPT. MAT & S	Wire bowes & switches	618.11
	STATE EQUIPMENT INC.	750-343-00	STREET DEPT. AUTO SU	Wheel bearing kit	340.40
		750-343-00	STREET DEPT. AUTO SU	Tierod end for kubota tra	37.76
	ATCO INTERNATIONAL	750-341-00	STREET DEPT. MAT & S	Silacone	323.80
	ENTERPRISE FM TRUST	750-459-00	STREET DEPT. CAPITAL	22WCNZ 2019 RAM 1500	635.79
		750-459-00	STREET DEPT. CAPITAL	22GHW 5500 CHASSIS DUMP T	961.06
		750-459-00	STREET DEPT. CAPITAL	23P226 2020 RAM 2500	690.58
		750-459-00	STREET DEPT. CAPITAL	23P47T 2020 RAM 2500	684.15
	RAVEN ROCK NETWORKS INC	750-459-00	STREET DEPT. CAPITAL	Computer for Brad's Offic	1,695.77
	SPRINT	750-211-00	STREET DEPT. TELEPHO	ALL DEPT MAY GEOTABS	238.60
	STEVEN C RODEHEAVER	750-341-00	STREET DEPT. MAT & S	12 paint brush sets	108.00
	INTERNAL REVENUE SERVICE	750-104-00	STREET DEPT. FICA TA	FICA WITHHELD AND MATCHED	945.18
		750-104-00	STREET DEPT. FICA TA	MEDICARE WITHHELD & MATCHE	221.02
	FASTENAL INDUSTRIAL	750-458-05	STREET DEPT PROJECTS	Piano hinge and bolts	32.36
	FIRST COMMUNITY BANK CORPORA	750-459-22	PROPERTY PAYMENT	MUDL MAY 2021 PUBLIC WORKS BLDG	9,774.80
	**PAYROLL EXPENSES			5/06/2021 - 5/20/2021	15,311.14
				TOTAL:	42,855.86
STREET LIGHTS	MON POWER	751-213-00	STREET LIGHTS	110 087 818 008 MAIN ST	5,175.06
				TOTAL:	5,175.06
TRAFFIC SIGNALS & SIGN	MON POWER	752-213-00	TRAFFIC SIGNALS POWE	110 088 985 459 RT. 119	40.22
		752-213-00	TRAFFIC SIGNALS POWE	110088985624 RT. 20 BKN C	51.14
		752-213-00	TRAFFIC SIGNALS POWE	110081822063 W. MAIN ST	5.21
		752-213-00	TRAFFIC SIGNALS POWE	110088820243 MAIN ST	33.84
		752-213-00	TRAFFIC SIGNALS POWE	110080768291 E. MAIN ST	24.47
				TOTAL:	154.88
AIRPORT	BUCKHANNON-UPSHUR AIRPORT AU	758-567-00	AIRPORT	2020-21 ADDITIONAL FUNDING	20,000.00
				TOTAL:	20,000.00
PARK 40% TO CPWB	CONSOLIDATED PUBLIC WORKS BD	900-341-00	PARK-30% HOT/MOT PD	APRIL 2021 HOTEL-MOTEL TAX	2,104.69
				TOTAL:	2,104.69
CVB 60% TO CVB	UPSHUR COUNTY CVB	901-235-00	HOTEL/MOTEL 70% PAID	APRIL 2021 HOTEL-MOTEL TAX	4,910.94
				TOTAL:	4,910.94
ARTS-THEATRE	MON POWER	906-450-01	THEATRE BUILDING	110122154542 48 E. MAIN ST	79.62
	CASTO AND HARRIS	906-450-01	THEATRE BUILDING	THEATER BD MIN BOOK	229.55
	HARPER LUMBER & BUILDING SUP	906-450-01	THEATRE BUILDING	Materials for basement	99.45
		906-450-01	THEATRE BUILDING	Materials for basement	1,969.25
		906-450-01	THEATRE BUILDING	Materials for basement	260.42
		906-450-01	THEATRE BUILDING	Materials for basement	71.95
		906-450-01	THEATRE BUILDING	Materials for basement	1,866.95
		906-450-01	THEATRE BUILDING	Materials for basement	22.00
		906-450-01	THEATRE BUILDING	Materials for basement	514.04
		906-450-01	THEATRE BUILDING	Materials for basement	57.95
		906-450-01	THEATRE BUILDING	Materials for basement	840.70
		906-450-01	THEATRE BUILDING	Materials for basement	1,193.39
		906-450-01	THEATRE BUILDING	Materials for basement	592.55
		906-450-01	THEATRE BUILDING	Materials for basement	2,547.40
		906-450-01	THEATRE BUILDING	Materials for basement	1,241.85

05-20-2021 01:02 PM		disbursements 05-06-2021- 05-20-2021			PAGE: 4
FUND: GENERAL FUND					
DEPARTMENT	VENDOR NAME	GL ACCOUNT	ACCOUNT DESCRIPTION	DESCRIPTION	AMOUNT
		906-450-01	THEATRE BUILDING	Materials for basement	201.95
		906-450-01	THEATRE BUILDING	Materials for basement	991.25
		906-450-01	THEATRE BUILDING	Materials for basement	138.78
	MOUNTAINEER GAS COMPANY	906-450-01	THEATRE BUILDING	268704-483167 48 E. MAIN S	79.18
				TOTAL:	12,998.23
STOCKERT YOUTH CENTER	LYKINS OIL COMPANY	907-216-00	MAINTENANCE	SYC APR 2021 FUEL BILL	262.43
	UNIFIRST CORP.	907-216-00	MAINTENANCE	ALL DEPT APRIL UNIFORMS	32.35
	LEAF	907-341-01	OPERATING EXPENSES	COPIER LEASE	170.21
	CARTER: LARRY	907-363-00	KARATE CLASS INSTRUC	KARATE APRIL 21	360.00
	J T MARTIN COMPANY INC	907-216-00	MAINTENANCE	FIRE EXTINGUISHER RECHARGE	70.42
		907-216-00	MAINTENANCE	SERVICE FIRE EXTINGUISHER	68.00
	SPRINT	907-211-00	TELEPHONES	ALL DEPT MAY GEOTABS	55.06
	BUCKHANNON VOLUNTEER FIRE DE	907-221-00	TRAINING	CPR CARDS 8 FOR STAFF	200.00
	WALMART STORES INC -BUCKHANN	907-361-00	AFTER SCHOOL SUPPLIE	AFTER SNACKS, SUPPLIES	27.07
		907-361-00	AFTER SCHOOL SUPPLIE	AFTER SNACKS, SUPPLIES	26.39
		907-361-00	AFTER SCHOOL SUPPLIE	AFTER SNACKS, SUPPLIES	192.04
	MOUNTAIN STATE PEST GUARD	907-216-00	MAINTENANCE	SYCC MNTHLY PEST INSPECTIO	36.50
	INTERNAL REVENUE SERVICE	907-104-00	FICA TAX	FICA WITHHELD AND MATCHED	322.23
		907-104-00	FICA TAX	MEDICARE WITHHELD & MATCHE	75.36
	APRIL E SMALL	907-368-01	ZUMBA	APRIL KICKBOXING 21	132.00
	LYNX WV INC	907-341-00	MATERIALS & SUPPLIES	SYCC INTERNET 5-13 TO 6-12	145.00
	**PAYROLL EXPENSES			5/06/2021 - 5/20/2021	5,197.17
				TOTAL:	7,372.23
CONVENTION CENTER	USDA, RURAL DEVLEOPMENT	910-457-00	CONFERENCE CENTER PA	CONF CENTER MAY 2021	3,351.00
				TOTAL:	3,351.00
PUBLIC SAFETY	UNIFIRST CORP.	976-216-00	SAFETY COMPLEX MAINT	ALL DEPT APRIL UNIFORMS	61.32
	APPALACHIAN SIGNALS & PRODUC	976-216-00	SAFETY COMPLEX MAINT	ANNUAL ALARM INSPECTION	300.00
				TOTAL:	361.32

COUNCIL REPORT GF UNPAID INVOICES

VENDOR	\$AMT	DESCRIPTION
APPACHAIN SIGNALS AND PRODUCTS	\$300.00	ANNUAL ALARM INSPECTION
APPLIES INDUSTRIAL TECH	\$290.00	SHOP LED LIGHTS
ATCO INTERNATIONAL	\$1,547.55	SILACONE, TRUCK WASH
BADZIK PRINTING	\$209.24	PAYROLL CHECKS
BUCKHANNON VOLUNTEER FIRE DEPT	\$200.00	8 CPR CARDS SYC STAFF
LARRY CARTER	\$360.00	KARATE
CASTO AND HARRIS	\$427.31	MINUTE BOOKS WASTE THEATER
FASTENAL INDUSTRIAL	\$32.36	PAINO HINGE AND BOLT
FISHER AUTO PARTS	\$258.28	HD SNAPRING PLIERS, BATTERIES FOR S1 BACKHOE
GALLS	\$229.18	OFFICER GARRISON
HARPER LUMBER	\$12,609.88	THEATER MATERIALS
INTERSTATE RESCUE	\$4,196.50	THERMAL CAMERA
J T MARTIN CO	\$192.42	INSPECTIONS RECHARGES
JENKINS FORD	\$345.50	REPLACE BATTERY POLICE CRUSERS
MSVS OF BUCKHANNON	\$204.32	VET CHECK ON POLICE K9
SCOTT ELECTRIC	\$7,144.05	GWWEST, JAW BONE PARK PARTS
THE SIGN GUY	\$347.34	HELMET SIGN, CAM DECALS, TRASH SIGN
STATE EQUIPMENT	\$2,063.31	PUMP, KEYS, WHEEL BEARINGS, TIE ROD KIT
STEVEN RODEHEAVER	\$108.00	PAINT BRUSH SETS
WITMER PUBLIC SAFTEY	\$83.43	E SMITH PROM BADGE
WALMART	\$77.34	SYC SNACKS, CLEANING SUPPLIES, WEED KILLER
LOWES	\$800.59	WATER TRK PARTS, PARTS P9, BATTERIES

Motion to approve the Consent Agenda was made by Albaugh/Reger. All members voted to approve except Mrs. Bucklew who asked if she could oppose or abstain on the Minutes from April 15, 2021. City Attorney O’Neill explained that there was a parliamentary issue to deal with. He explained that when you are dealing with a Consent Agenda, the appropriate motion would be to remove the item in question from the Consent Agenda and deal with it separately. With unanimous consent the original motion was walked back.

A motion to approve the minutes of the Regular Meeting of 04/15/2021 was made by Rylands/Albaugh. Discussion took place in which Mrs. Bucklew stated that she felt the conversation she had with Bryson VanNostrand during that meeting was not reflected properly in the minutes. The Mayor called for the vote and the results were Reger, Rylands, Albaugh, Sanders voted yay and Thomas, Bucklew voted nay. Motion carried.

Mr. Thomas asked to have a clarification on the standard of preparing the minutes. Mr. Sanders explained that while he provides a report of the business conducted during the meeting, he normally does not include specific comments made or dialogue between parties. He does provide greater detail when it comes to financial decisions. Mr. Thomas asked how long recordings are kept and it was explained that the purpose of the minutes was to stand as the permanent record of the meeting. Mrs. Bucklew reiterated that she felt that certain comments made during that April 15, 2021, meeting should have been specifically detailed.

The Mayor then presented the remainder of the Consent Agenda, to include E.1 Approval of Minutes Regular Meeting 05/06/2021 for approval; E.2 Approval of Building and Wiring Permits; E.3 Approval of Payment of the Bills to the Council.

**Motion to approve the remainder of the Consent Agenda was made by Rylands/Thomas. Motion carried.**

**F. Strategic Issues for Discussion and/or Vote:**

**F.1 Buckhannon Academy Elementary Request Closure of Smithfield St on 5/27/2021 from 1:30pm to 2:45pm Celebrate End of School Year with Staff Chair Races** - The Mayor explained the request and noted that this normally would have gone before the Consolidated Public Works Board but time does not permit us waiting for their next meeting.

**Motion to approve the Buckhannon Academy Elementary request for the closure of Smithfield Street on 5/27/2021 from 1:30pm to 2:45pm to celebrate the end of the school year with Staff Chair Races was made by Bucklew/Albaugh. Motion carried.**



May 12, 2021

Dear City Council Members,

I am writing on behalf of Buckhannon Academy Elementary School to request assistance with the closure of Smithfield Street on May 27, 2021, from 1:30 to 2:45 so that we can celebrate the end of this school year with staff chair races. I have been advised that we missed the CPWB meeting, and due to time constraints, we are asking you to consider our request.

Many years ago, our staff would race down College Avenue for this event, and our students absolutely loved it. Our wish is to have staff line up on Smithfield Street in office chairs and each team will race back and forth on Smithfield Street as our students sit on the sidewalks. We are hoping to bring some smiles to our students faces by reinstating this tradition and finishing out this crazy year. We would greatly appreciate your assistance with our request.

Should you have any questions or any further concerns, please feel free to contact me at (304) 472-3310 X 2006. Thank you again for everything that you do to support our students.

Sincerely,

Krista Sappey, Communities in Schools Facilitator  
Buckhannon Academy Elementary School

**F.2 Approve Ordinance No. 451 New Water Rates & Charges 2<sup>nd</sup> Reading** - City Attorney O'Neill presented Ordinance No. 451 to Council explaining that this is the 2<sup>nd</sup> of 3 readings. He also noted that the Notice of Public Hearing of the City Council RE: Ordinance No. 451 New Water Rates & Charges-June 3, 2021 at 7pm has been published.

**Motion to approve the second of three readings 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 was made by Sanders/Albaugh. Motion carried unanimously.**

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 33<sup>rd</sup> 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 61<sup>st</sup> 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.

(7) Delayed Payment Penalty: \*See note below.

(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.

(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 (3<sup>rd</sup>) reading, passage and adoption by the Council of the City of Buckhannon, i.e., July 18, 2021; however, the rates established herein shall take effect on August 1, 2021.

FIRST READING:

May 6, 2021

SECOND READING:

May 20, 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 3, 2021.

---

Randall Sanders, City Recorder

**F.3 Approve to Submit Grant Application to the WVDOH for Acquiring ROW- Binky Poundstone River Walk Trail Extension** - Action was taken earlier in the meeting.

**F.4 Approve to Submit Grant Application to the WVDOH for Design & Engineering for Sidewalks on Morton Ave & Locust St** - Action was taken earlier in the meeting.

**G. Comments and Announcements**

- **Council Member Albaugh** - Nothing further.
- **Council Member Bucklew** - Nothing further.
- **Council Member Rylands** – Mr. Rylands suggested that we consider signage of some type at the intersections to better assist pedestrians in safely crossing the street.
- **Council Member Thomas** – Mr. Thomas expressed concern with the direction the current administration is taking our country and the state of our nation in general. He wished everyone well.
- **Council Member Reger** - Nothing further.
- **City Recorder Sanders** – Mr. Sanders mentioned that he enjoyed the WV Strawberry Festival this year; and he has enjoyed the discussions that he has been involved in with Amby, Jerry the Mayor and City Department Supervisors concerning the American Recovery Act Funds. He feels that with the hard work of the City Council we should have a successful summer ahead of us.

**H. Mayor's Comments and Announcements** – The Mayor thanked the WV Strawberry Festival for a successful year; he thanked Create Buckhannon for putting up the Valor Banners for the season; and he is looking forward to the Create Buckhannon Festival Fridays in Jawbone Park. He appreciates the hard work by Amby Jenkins in finance and what she will be dealing with concerning the American Recovery Act. Mrs. Albaugh asked the Mayor about the mural that had been replaced on the building at 3 East Main Street and the Mayor and Council Member Rylands explained the process. ART26201 provided the artwork and did the installation with a \$500 donation from Create Buckhannon. All agreed that the new mural looks wonderful. The Mayor concluded by wishing everyone a wonderful weekend.

**I. Executive Session Per WV Code § 6-9A-4- Property Matters** – This took place earlier in the meeting.

**J. Adjournment**

**Motion to adjourn at 8:34 PM was made by Thomas/Albaugh. Motion carried.**

**Mayor Robert N. Skinner III**

---

**City Recorder Randall H. Sanders**

---