

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

A regular meeting of the Buckhannon City Council was held on Thursday, July 15, 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 - by phone
Council Member	Jack Reger	Present
Council Member	CJ Rylands	Present
Council Member	David Thomas	Present
Assistant Recorder & Director of Finance	Amberle Jenkins	Present
City Attorney	Tom O'Neill	Present - by GTM
BPD	Chief Matthew Gregory	Present
Director of Public Works	Jerry Arnold	Present
Channel 3	Dennis Cortes	Present
Channel 3	Rodney Irvin	Present
MyBuckhannon.com	Katie Kuba	Present
MyBuckhannon.com	Beth Broschart	Present
Record Delta	Macie Queen	Present

Guests: John Waltz, Colonial Theatre Board; Susan Aloï, City of Buckhannon Planning Commission; Laura Meadows, Upshur County Convention & Visitors Bureau; Marilyn McCauley, Mike McCauley; Chris Brake.

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, July 15, 2021***

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- 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 John Waltz-Chairman of the Colonial Theatre Board
  - B.2 Susan Aloï-President of the City of Buckhannon Planning Commission
  - B.3 Laura Meadows-Executive Director-Upshur County Convention & Visitors Bureau
  - B.4 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 Draft Unapproved Special Planning Commission Minutes 06/15/2021 RE: Possible Uses for the Madison St Property
  - D.2 Findings Report from the Planning Commission Meeting 06/15/2021 RE: Possible Uses for the Madison St Property
  - D.3 WVML 52nd Annual Conference August 3-6, 2021 at Oglebay Resort Wheeling WV
  - D.4 Rescheduled City Council Meeting date of August 5, 2021 to August 3, 2021 due to participation in the WVML Conference
  - D.5 Public Notice of Change in Water Rates will become effective August 1, 2021
  - D.6 Notice of Police Civil Service Commission Accepting Applications for Position of Full Time Police Officer-Deadline 7/23/21
  - D.7 Approval Letter from the WV Dept. of Arts, Culture & History for a Time Extension regarding Fast Track ADA & Emergency Grant Award RE: Colonial Theatre Project
  - D.8 Grant Award Notification FY22 Cultural Facilities from the WV Dept. of Arts, Culture & History RE: Colonial Theatre Project
  - D.9 CityPR: Festival Fridays & Fireworks-A Winning Combination
  - D.10 Letter to WVEMD RE:0036 Invoice Nos. 13 & 15 DHS/FEMA Region III HMGP Emergency Power Generators
  - D.11 FOIA Requests from James Honce RE: BPD Incident Report & from Data Specialist RE: COB Employee Contact Information
  - D.12 Report of Cat & Dog Activity –Upshur County Commission-May & June 2021
- E. Consent Agenda**
  - E.1 Approval of Minutes- Regular Meeting 06/17/2021 & 07/01/2021 & Emergency Meeting 06/17/2021
  - 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 Approval Job Description Colonial Theatre Managing Director
  - F.2 Discussion/Possible Action to Approve UCCVB Budget Request of \$25,000.00
  - F.3 Approval of 911 Addressing & Mapping Memorandum of Understanding between COB & UCC RE: Property Owner Nancy Burgess Island Avenue
  - F.4 Approval Bid Opening Results for Professional Surveying Services to Accept Potesta & Associates, Inc.
  - F.5 Approval Resolution 2021-08 Budget Revision #1 General Fund FY 2021/22
  - F.6 Approval Ordinance No. 451 Renaming of the Colonial Theatre Facility to “Colonial Arts Center (CAC)” -1st Reading
  - F.7 Approval City of Buckhannon Appointments FY 2021/2022
  - F.8 WV Infrastructure and Jobs Development Council Grant Agreement
- G. Comments and Announcements**
  - G.1 Mary Albaugh
  - G.2 Pamela Bucklew
  - G.3 C J Rylands

- Oversee facility scheduling, maintenance and supervision.
- Maintain a schedule of events
- Be responsible for coordinating front-of-house, technical, talent, and volunteers
- Demonstrate a commitment to diversity, equity, inclusion.
- Enforce the City's policies and procedures as related to rentals.

*Financial responsibility*

- Work with City, civic, and non-profit organizations relative to development and fundraising.
- Research and support for marketing, fundraising, and development initiatives
- Be responsible for budgeting, financial record keeping, and reporting including oversight and reconciliation of box office, food and beverage, and merchandise sales.

*External Relations and Partnerships*

- Represent the Arts Center to the Buckhannon community and develop the relationship with appropriate organizations and community partners.
- Identify, establish and nurture, in collaboration with the City of Buckhannon and other partners, opportunities for marketing and public relations initiatives.
- Provide regular reports to Colonial Theatre Board on the financial and operational activities of the Arts Center.
- Maintain a Community Arts Calendar and Digital Assets of the Arts Center including website and social media feeds.

**Qualifications**

- Must have a passion and love for the arts.
  - Excellent written, verbal, and public speaking skills.
  - Experienced in development, fundraising, and financial management.
  - Prior leadership experiences with organizations of similar size and scope
  - Demonstrated experience in advancing equity, diversity, inclusion, and access initiatives.
  - Prior leadership experience with organizations of significant or comparable size or scope is a plus but not required.
  - Four years prior experience in arts management or closely related field.
- The Colonial Arts Center is an affirmative action-equal opportunity employer. The Colonial Arts Center complies with all applicable federal, state, and local laws regarding recruitment and hiring. All qualified applicants are considered for employment without regard to race, color, religion, age, sex, sexual orientation, gender identity, national origin, disability, protected veteran status, or any other category protected by applicable federal, state, or local laws.

**Motion to approve the Job Description of the Colonial Theatre Managing Director as presented was made by Rylands/Albaugh. Motion carried.**

Mayor Skinner then recognized City Attorney Tom O’Neill who presented to Council, Ordinance No. 452 of the City of Buckhannon, an ordinance renaming the city-owned property located at 48 East Main Street in the City of Buckhannon as the “Colonial Arts Center” and renaming the governing board established in Ordinance No. 450 as the “Colonial Arts Center Board” on its 1st reading.

**Motion to approve Ordinance No. 452 Renaming of the Colonial Theatre Facility to “Colonial Arts Center (CAC)”, for its 1st Reading was made by Thomas/Albaugh. Motion carried.**

ORDINANCE NO. 452 OF THE CITY OF BUCKHANNON, AN ORDINANCE RENAMING THE CITY-OWNED PROPERTY LOCATED AT 48 EAST MAIN STREET IN THE CITY OF BUCKHANNON AS THE “COLONIAL ARTS CENTER” AND RENAMING THE GOVERNING BOARD ESTABLISHED IN ORDINANCE NO. 450 AS THE “COLONIAL ARTS CENTER BOARD”

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WHEREAS, the Council of the City of Buckhannon, by Ordinance No. 411 adopted on December 1, 2016, authorized the purchase of that property located at 48 East Main Street, in Buckhannon; and,

WHEREAS, by deed dated January 3, 2017 and recorded in the office of the Clerk of the County Commission of Upshur County, West Virginia in Deed Book 539, at page 615 the City of Buckhannon became vested with the aforesaid property; and,

WHEREAS, the Council of the City of Buckhannon has dedicated the aforesaid property for use as not only a theater but as a public space dedicated to local visual and performing arts and arts education, owning and operating the same for the benefit of the artistic, educational, and cultural benefit of the greater Buckhannon-Upshur community; and,

WHEREAS, by Ordinance No. 450, the Council of the City of Buckhannon established the “Colonial Theatre Board of Directors” (hereafter, the “Board”) for certain purposes such as devising policies for the use of the facility and making recommendations to the Council from time to time as to matters it may deem advisable with respect to the direction and operation of the facility; and,

WHEREAS, the Board has recommended, owing to the intended use of the facility for purposes and programming beyond that of only a theater, but also as a gallery, classroom, and meeting space, the Council rename the facility as the “Colonial Arts Center”; and,

WHEREAS, the City Council now deems it to be reasonable, necessary and appropriate to so rename the facility as recommended by the Board.

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

ARTICLE I – NAME OF THE FACILITY AND OF THE BOARD:

A) The facility owned by the City of Buckhannon, located at 48 East Main Street, in the City of Buckhannon, shall be known as the “Colonial Arts Center” and shall be designated as such on all written and printed materials issued by the City of Buckhannon.

B) The governing board for the aforesaid Colonial Arts Center, which was established in Ordinance No. 450 of the City of Buckhannon, shall be known hereafter as the “Colonial Arts Center Board”.

ARTICLE II - EFFECTIVE DATE: This Ordinance shall be deemed effective thirty (30) days following the second (2nd) reading, passage and adoption by the Council of the City of Buckhannon, i.e., September 2, 2021.

FIRST READING: July 15, 2021

SECOND READING, PASSAGE AND ADOPTION: August 3, 2021

Robert N. Skinner, III, Mayor

CERTIFICATE OF ENACTMENT

I, Randall Sanders, City Recorder, do hereby certify that the foregoing Ordinance No. 452 was lawfully ordained and enacted by the Council of the City of Buckhannon at a regular session of the said Council assembled on August 3, 2021.

Randall Sanders, City Recorder

**B.2 Susan Alois-President of the City of Buckhannon Planning Commission** – The following was presented:

**Planning Commission President’s statement on Madison Street property:**

- As a reminder, the City Planning Commission is a recommending body only; we have no authority to direct City Council. Our role is to facilitate the goals of the City’s Comprehensive Plan.
- To solicit input from the general public, the Planning Commission hosted a special meeting on June 15 (2021) to discuss possible uses of the Madison Street property.

- As an introduction, CJ (Rylands) shared that when purchasing the property, the intention of Council was to expand the use of Jawbone Park.
- City Architect, Bryson VanNostrand, explained the role of good city design to incorporate green space proportional to concrete/asphalt, and to be a good neighbor by preserving a border with the residential neighborhood.
- Planning Commissioner, Rich Clemens, shared a reminder to be sure to consider how zoning regulations and flood-zone restrictions impact what is possible for this property.
- Several members of the community attended this meeting, and some spoke about their ideas for use of the Madison Street property. These included:
  1. Green space with picnic tables under umbrellas or bench seating
  2. Additional parking
  3. Restrooms
  4. Splashpad (not permitted in flood zone)
  5. Playground equipment
  6. Skateboard park
  7. Ice-skating rink or something for other outdoor winter activities
  8. Pickleball (Facebook message; not shared at public meeting)
  9. Facilities to expand events (vendor hook-ups, etc.)
- Several local skateboarders attended a Create Buckhannon meeting to make their case for including a small skatepark. Designs of small skateparks in other towns were shared and discussion continued at subsequent Create meetings.
- Bryson seems to think several elements – green space with seating/tables, residential border, parking, small skatepark, and space for restroom facilities – can all be incorporated into one design.
- The City needs further discussion on how much parking is needed downtown and what type of restroom facility is appropriate (and how it can be maintained).
- Concluding points to keep in mind:
  - Maximize the use of the area - Whatever is decided should be useful all the time
  - Consider combining some of the elements suggested into one design
  - Align the use of this space to goals of the Comprehensive Plan – the goals most relevant seem to be:
    1. Increase outdoor recreational opportunities
    2. Promote physical activities to improve health
    3. Collaborate to enhance the City and strengthen the community

A discussion of different elements of the Findings Reports took place with President Aloï and Council Members.

### **B.3 Laura Meadows-Executive Director-Upshur County Convention & Visitors Bureau–**

Laura Meadows appeared to explain the current financial situation of the Upshur County Convention & Visitors Bureau after a difficult year due to COVID and a significant reduction in the hotel-motel tax receipts. An official letter of request is a part of these minutes.

**Motion to bring *F.2 Discussion/Possible Action to Approve UCCVB Budget Request of \$25,000.00* to the table for discussion and/or vote was made by Thomas/Albaugh. Motion carried.**

June 16, 2021

Buckhannon City Council  
70 East Main Street  
Buckhannon, WV 26201

#### **Re: Budget Request**

Dear Buckhannon City Council Members,

As the Upshur County CVB prepares to end our current fiscal year (2020-2021), we continue to see a drastic reduction of revenue from hotel-motel tax proceeds as well as rental revenue from the Event Center.

This past year, we have made extreme adjustments to our typical marketing activities in an effort to stay within the reduced revenue. Even with reduced expenditures, receipt of PPP funds, temporary lay-offs of staff, and using funds from our savings account, the CVB's financial situation is not stable.

We have worked with the Upshur County Commission, who has graciously agreed to fund the CVB with \$20,000 to help in the upcoming fiscal year. We request that the City of Buckhannon support the CVB with \$25,000. The assistance received will allow the CVB to plan accordingly for the next fiscal year. While we anticipate our promotional campaigns will still be reduced, we are hopeful to begin paid advertisements in the near future.

As the City of Buckhannon prepares to enter a new fiscal year, please consider the CVB's request. We are available for additional and continual discussions on ways to proceed.

With Gratitude,

  
Laura B. Meadows  
Executive Director  
14 East Main Street  
Buckhannon, WV 26201  
304-473-1400  
[lmeadows@visitbuckhannon.org](mailto:lmeadows@visitbuckhannon.org)

**Motion to approve the UCCVB Budget Request of \$25,000.00 was made by Thomas/ Rylands. Motion carried.**

**B.4 Dennis Cortes-Upshur County Parks & Recreation Board** – Mr. Cortes presented the following report:

**UPSHUR COUNTY  
PARKS AND RECREATION  
ADVISORY BOARD**

FOR 12 JULY 2021

The meeting was called to order at 5:30 PM with members Josh Hinchman, Dennis Cortes and Rachel Weber present also present were Brandon Williams, Logan Carpenter and Scott creek. The minutes were read and approved.

Under trail update Rachel Weber reported in part that the Upshur County Trails has received its second "Try This West Virginia" grant for \$3,000.00. Scott Creek reported that there are plans to build a wall ride feature on the "Pumps, Bumps and Rollers" section of the trail.

Under the disc golf update; Josh Hinchman and Logan Carpenter reported that on Saturday, July 10, 2021 work was done to start placing disc golf baskets and tees. Logan reported that he is working to submit a new course for the Udisc app and Disc Golf Association. Once a new course is approved, the course can be mapped out. Yellow and black were selected as possible colors for disc golf signage. Logan also discussed the possibility of a disc golf tournament once course construction and layout was complete. Van Man could potentially be a tournament sponsor. Further discussion on this will take place at the next board meeting.

A motion to adjourn was made by Rachel Weber at 6:12 PM with a second by Dennis Cortes. Motion passed.

Respectfully submitted by Dennis P. Cortes

**Mike McCauley** had requested to address council when he registered at the beginning of the meeting and the Mayor recognized him next. He addressed the Council regarding the various occupants of two houses that are owned by West Virginia Wesleyan College and located across from his home on College Avenue. He provided an overview of problems that occur during the college terms when they are occupied by college students. Mr. McCauley reported that several parties take place, which results in what he feels is a violation of the City's noise ordinance. He also spoke of littering that takes place and the lack of any effort put forth by the students to clear up the college property after the gatherings. After reporting the noise ordinance violations to the BPD several times, he went to the Police Department to ask why tickets were not being issued and he said that he was told City Council did not want tickets issued to violators. Several Council Members assured him that there was no such policy in place. Chief Gregory was asked if he was aware of the complaints and of this issue and he confirmed that he was. He further explained that the department does practice community policing and uses discretion in each situation rather than

simply issuing tickets. He also stated that for those who do not positively respond to warnings, then tickets are issued. Another approach he likes to take is to work with the landlords of the property to help contain these types of situations. Mr. McCauley agreed to speak with Chief Gregory to work the situation out.

He also asked for the City to remind the residents of the rules regarding waste pickup and the rule of garbage toter storage.

The Mayor suggested that there be dialogue between WVWC, The BPD Chief and Mr. McCauley prior to the college starting up again this fall.

### **C. Department & Board Reports**

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

**Buckhannon City Council  
Public Works Director Report  
July 15, 2021  
Jerry Arnold**

**Director:**

- Working on events for Truck Fest and Children’s Festival scheduled for September 17<sup>th</sup> & 18<sup>th</sup>.

**Street:**

- We continue working on the N. Kanawha St. sidewalks.
- We have completed a residential sidewalk on Fayette and are installing another on the lower end of Camden.

**Sewer:**

- Continue to work on the N. Spring Street project. Crews have reset back to the northern end of the project and have started laying the storm sewer.

**Water:**

- Nothing new to report.

**Waste:**

- We continue to have issues with truck repairs.
- We are hiring a Class B CDL truck driver.

**Engineer:**

- City Hall Roof Replacement – Jay has completed the specifications and will be advertising for next week with a bid opening on August 12<sup>th</sup>.

Without objection, The Mayor moved *F.3 Approval of 911 Addressing & Mapping Memorandum of Understanding between COB & UCC RE: Property Owner Nancy Burgess Island Avenue* and *F.4 Approval Bid Opening Results for Professional Surveying Services to Accept Potesta & Associates, Inc.* to the table for discussion and/or vote.

Jerry Arnold explained the reasoning for the request for the approval of the 911 Addressing & Mapping Memorandum of Understanding between COB & UCC RE: Property Owner Nancy Burgess Island Avenue. The Mayor suggested that we simply annex that property into the City of Buckhannon and asked for the Council members feeling on the matter. All agreed that was a good idea and asked Jerry Arnold to reach out to the property owner to see if they agree. He agreed to do so.

Jerry then reviewed the bid opening results for Professional Surveying Services and recommended the City accept the bid from Potesta & Associates, Inc., which was approximately \$23,850.

**Motion to approve the bid opening results for professional surveying services and accept the Potesta & Associates, Inc. bid as presented was made by Thomas/Albaugh. Motion carried.**

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

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

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

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

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

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

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

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

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

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



Contract No. 1 – Professional Surveying Services Bid

“Name and Address of Bidder”

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

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

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

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

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

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

City of Buckhannon  
Professional Survey Services  
Multiple FEMA and City-owned Parcels and the  
Establishment of Horizontal & Vertical Control Benchmarks

Bid Opening Sign-in and Results Sheet - July 1, 2021 at 1:30 PM EST

Name	Company	Email Address	Contact Phone Number	Addendum No. 1 Questions & Comments Letter No. 1 (Y / N)	Base Bid - Professional Surveying Services	Deductive Alternate No. 1 - Removal of Item Q from the Base Bid	Deductive Alternate No. 2 - Removal of Item B from the Base Bid	Deductive Alternate No. 3 - Removal of Item P from the Base Bid
Jay Hollen	City of Buckhannon, WV	<a href="mailto:jay.hollen@buckhannonwv.org">jay.hollen@buckhannonwv.org</a>	304-472-1651, x1006					
Shayla Gowers	City of Buckhannon, WV	<a href="mailto:shayla.gowers@buckhannonwv.org">shayla.gowers@buckhannonwv.org</a>	304-472-1651, x1015					
Amby Jenkins	City of Buckhannon, WV	<a href="mailto:amby.jenkins@buckhannonwv.org">amby.jenkins@buckhannonwv.org</a>	304-472-1651, x1016					
	Mountain State Land Surveying			Y	\$37,600.00	\$2,820.00	\$1,650.00	\$1,360.00
Jason Litter	Civil & Environmental Consultants, Inc.		304-933-3119	Y	\$30,800.00	\$8,500.00	\$500.00	\$1,600.00
	Potesta & Associates, Inc.			Y	\$23,850.00	\$4,800.00	\$500.00	\$1,350.00

Corrected Bid due to calculation error = Corrected Bid due to calculation error

Based upon the review of all of the bids received and per the information contained in Addendum No. 1 - Questions and Comments Letter No. 1, the Apparent Low Bidder for the Professional Surveying Services for the City of Buckhannon is Potesta & Associates, Inc. with a Base Bid of \$23,850.00



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

Amby report 07-15-21

Balances in the Enterprise Funds June 30, 2021

Waste Collection Board	mm/cking	\$852,908	cd/sav \$58,536
Water Board	mm/cking	\$384,452	work/capital \$386,243.
Sanitary Board	mm/cking	\$531,336	work/capital \$457,076
Stormwater Fund	mm/cking	\$139,091	

Without objection, the Mayor moved *F.5 Approval Resolution 2021-08 Budget Revision #1 General Fund FY 2021/22* to the table for discussion and/or vote.

Amby Jenkins explained Resolution 2021-08 Budget Revision #1 General Fund FY 2021/22 to the Council and recommended its approval.

RESOLUTION 2021-08

At a regular session of the municipal council, held July 1, 2021 the following order was made and entered:

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

RESOLVED: That subject to approval of the State Auditor as ex officio chief inspector of public offices the municipal council does hereby direct the budget be revised PRIOR TO THE EXPENDITURE OR OBLIGATION OF FUNDS FOR WHICH NO APPROPRIATION OR INSUFFICIENT APPROPRIATION CURRENTLY EXISTS, as shown on budget revision number #1, a copy of which is entered as part of this record.

The adoption of the foregoing resolution having been moved by Randall H. Sanders, and duly seconded by Jack Reger the vote thereon was as follows:

MARY ALBAUGH	<u>Mary Albaugh</u>	<input checked="" type="radio"/> Yes	or	No
PAMELA BUCKLEW		<input checked="" type="radio"/> Yes	or	No
JACK REGER	<u>Jack Reger</u>	<input checked="" type="radio"/> Yes	or	No
C J RYLANDS		<input checked="" type="radio"/> Yes	or	No
J DAVID THOMAS	<u>J David Thomas</u>	Abstain	Yes	or No
RANDALL SANDERS	<u>Randall Sanders</u>	<input checked="" type="radio"/> Yes	or	No
ROBBIE SKINNER	<u>Robbie Skinner</u>	<input checked="" type="radio"/> Yes	or	No

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

LGSD BR (Ver. 2020)

Ora Ash, Deputy State Auditor  
West Virginia State Auditor's Office  
200 West Main Street  
Clarksburg, WV 26301  
Phone: 627-2415 ext. 5114  
Fax: 304-340-5090  
Email: lgs@wvsao.gov

REQUEST FOR REVISION TO APPROVED BUDGET

Subject to approval of the state auditor, the governing body requests that the budget be revised prior to the expenditure or obligation of funds for which no appropriation or insufficient appropriation currently exists. (§ 11-8-26a)

CONTROL NUMBER  
Fiscal Year Ending: 06/30/2022  
Fund: 1  
Revision Number: 1  
Pages: 1 of 1

Person To Contact Regarding Request:

Name: Amberle Jenkins

Phone: 304-472-1651

Fax: 304-472-0934

Email: amby.jenkins@buckhannonwv.org

City of Buckhannon  
GOVERNMENT ENTITY

70 E Main St  
STREET OR PO BOX

Buckhannon  
CITY

26201  
ZIP CODE

Municipality  
Government Type

REVENUES: (net each acct.)

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUSLY APPROVED AMOUNT	(INCREASE)	(DECREASE)	REVISED AMOUNT
299	Unassigned Fund Balance	704,910	601,135		1,306,045
366	State Government Grants	73,000		1,000	72,000
	#N/A				
	#N/A				
	#N/A				
	#N/A				

NET INCREASE/(DECREASE) Revenues (ALL PAGES)

600,135

Explanation for Account # 376, Municipal Specific:

Explanation for Account # 369, Contributions from Other Funds:

EXPENDITURES: (net each account category)

(WV CODE 7-1-9)

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUSLY APPROVED AMOUNT	(INCREASE)	(DECREASE)	REVISED AMOUNT
409	Mayor's Office	165,250	70,000		235,250
440	City Hall	195,131	40,100		235,231
706	Fire Department	806,238	186,530		992,768
750	Streets and Highways	1,681,398	73,515		1,754,913
906	Arts & Humanities	130,000	9,000		139,000
907	Youth Program	376,575	24,500		401,075
444	Contributions / Transfers to Other Funds		170,000		170,000
699	Contingencies*		26,490		26,490
	#N/A				
	#N/A				

NET INCREASE/(DECREASE) Expenditures

600,135

APPROVED BY THE STATE AUDITOR

BY: Amberle Jenkins  
Deputy State Auditor, Local Government Services Division Date

AUTHORIZED SIGNATURE  
OF ENTITY

7/15/21  
APPROVAL  
DATE

Budget Revision #1  
General Fund  
FY 2021-22

07/15/2021

		original budget	adjustment	revised budget	
	balance on hand	704910	601135	1306045	
001-366-000-16	culture arts grant (ADA theatre)	0	10000	10000	extended grant not completed in prev FY
001-366-000-14	Culture Arts Grnt (Theatre)	50000	-11000	39000	Grant approved for #39000 not \$50000
			600135		
001-409-223-01	Professional Services	11000	25000	36000	added \$25T for surveys city FEMA lots
001-409-341-05	Events (fireworks)	19000	20000	39000	Mayor propose addn contribution to WVVF
001-409-468-00	Contributions	0	25000	25000	CVB requested \$25T in addition to HM fees
001-440-459-00	City Hall Bldg Repairs	120000	25100	145100	add \$5100 landscaping not done in last fy; \$20T doors,foundation
001-440-459-00	City Hall Bldg Repairs		15000		note:original budget had JH Consult and CPA
001-706-103-00	Fire Salaries	417000	150000	567000	City Hall security-6 cameras are not working most of them outside Hire three entry level firefighters
001-706-104-00	Fire FICA	32000	11475	43475	
001-706-105-00	Fire Health Ins	59100	6200	65300	
001-706-106-00	Fire Retirement	41700	12750	54450	
001-706-226-00	Fire Ins & fees	42000	6105	48105	
001-750-458-05	Street Projects	130000	66515	196515	Lights that were not received in prev FY&\$20t to street projects
001-750-459-00	Street Capital Outlay	91100	7000	98100	Lift needed at Street Dept Grant approved for \$39000 not \$50000 Council will still contribute \$50000 for its share
001-906-459-00	Theatre Capital (grant)	100000	-11000	89000	
001-906-459-01	culture arts grant(ADA theatre)	0	20000	20000	extended grant not completed in prev FY
001-907-459-00	SYCC Capital outlay	10000	24500	34500	ad \$14500asbestos removal; \$10T remove debris;
001-444-000-01	Contribution to Flood Control Fund	0	70000	70000	Recent visit from Corp of Engineers pointed out we had not made any progress in clearing the riverbanks as required since 2014. Funds to start design plans and begin removal of debris.
001-444-000-00	Contribution to Mun Stabl Fund	0	100000	100000	
001-699-568-00	Contingency - Council	0	26490	26490	
			600135		
			0		

Budget Revision #1  
Coal Tax  
FY 2021-22

	balance on hand	1000	48206	49206
002-750-341-00	Street Materials Supplies	9400	48206	57606

Council Member Thomas expressed his desire to discuss the First Fire Fee subject soon. Council Member Rylands agreed with Mr. Thomas, stressing that we must have these type of difficult conversations.

**Motion to approve Resolution 2021-08 Budget Revision #1 General Fund FY 2021/22 was made by Sanders/Reger. Motion carried with Council Member Thomas abstaining.**

**Roll Call vote was required:**  
**Albaugh - Yes                      Thomas - Abstain**  
**Bucklew - Yes                     Sanders - Yes**  
**Reger - Yes                         Skinner - Yes**  
**Rylands - Yes**

**Motion carried.**

**C.3 Police Chief - Matthew Gregory** - Mayor Skinner introduced Chief Matt Gregory by recognizing that today Chief Gregory & the Buckhannon Police Department achieved the gold standard in public safety, which is the Commission on Accreditation for Law Enforcement Agencies , Inc. (CALEA) accreditation. Council and those attending gave the Chief a standing ovation.

The Chief acknowledged the achievement and thanked all those in his department who had joined him in the 4+ year journey through the accreditation process. It was noted that the department accreditation also was presented without exception, meaning there were no recommended corrections made by the CALEA representatives, which is unusual. The Chief also referenced his report to Council that is a part of these minutes.

**City Council Report**  
**7/15/21**

- 1. The police department had its final hearing for initial accreditation with CALEA today.
- 2. The police department has extended its application deadline to July 23 and will be conducting testing on August 14.
- 3. It is anticipated that Jacob Garrison will graduate from the police academy on Aug. 6 where he will then begin the twelve week process of field training.

POLICE ACTIVITIES

MONTHLY ACTIVITY REPORT  
June 2021

MONTH: June  
YEAR: 2021

ACTIVITIES:

Parking Tickets Issued:

By Parking Enforcement Officer:

12

By Officers:

3

TOTAL ISSUED:

15

Citations Issued:

13

Misdemeanor Arrests:

23

Felony Arrests:

7

Calls Answered:

414

Complaint Reports:

52

Accidents Investigated:

10

Community Policing Hours:

12

Patrol Mileage:

6,926

	301	302	303	304	305	306	307	308	309	310	311		TOTAL
Calls Answered	15	42	95	89	53	49		21	16	34			414
Community Policing		2	1		3					6			12
Road Patrol	6	43	88	84	106	118	66	56	87	34			688
Traffic Hours	4	10	66		5					18			103
Criminal Inv.	15	24	14	30	55	50	112	41	19	25			385
Court Hours		5			2	5							12
Report Writing	19	63	6	17	9			48	38	25			225
Other Hours	133	5	1	48		2		18		4	240		451
Miles													6,926
Accidents - Prop.	1	1	1	3	1			2					9
Injury		1											1
Fatality													
Parking Tickets	1	1		1									3
Criminal Reports	1	4	8	2	1	2		21	3	10			52
Reports Cleared	1	1	2	1	1	1		4	3	10			24
Clearance Rate	100%	25%	25%	50%	100%	50%		19%	100%	100%			46%

**C.4 City Attorney - Tom O’Neill** – Mr. O’Neill did not have a formal report for Council.

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

**D.1 Draft Unapproved Special Planning Commission Minutes 06/15/2021 RE: Possible Uses for the Madison St Property-** Discussed earlier in the meeting.

**D.2 Findings Report from the Planning Commission Meeting 06/15/2021 RE: Possible Uses for the Madison St Property-** Discussed earlier in the meeting.



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

**D.4 Rescheduled City Council Meeting date of August 5, 2021, to August 3, 2021, due to participation in the WVML Conference**

**D.5 Public Notice of Change in Water Rates will become effective August 1, 2021**

Tariff Form No. 12

(Tariff Rule 44)

**PUBLIC NOTICE OF CHANGE IN WATER RATES BY MUNICIPALITY**

NOTICE is hereby given that the City of Buckhannon, on behalf of the City of Buckhannon Water Board, has adopted by ordinance on June 17, 2021 (Ordinance No. 451) a tariff containing increased rates, tolls, and charges for furnishing water service to 3,979 customers in the City of Buckhannon and in unincorporated areas of Upshur County in the State of West Virginia.

The proposed increased rates and charges will become effective August 1, 2021 unless otherwise ordered by the Public Service Commission and will produce approximately \$641,402.00 annually in additional revenue, an increase of approximately 28.73%. The monthly bill for the various classes of customers will be changed as follows:

	(\$ ) Increase	Percentage Increase
Residential (3,500 gallons)	\$5.61	25.00%
Commercial (10,000 gallons)	\$15.82	25.00%
Public Authority (14,000 gallons)	\$22.10	25.00%
Sales for Resale (per 1,000 gallons)	\$0.74	42.05%

Resale customers of the City of Buckhannon Water Board include the Adrian Public Service District, Elkins Road Public Service District, Hodgesville Public Service District, and Mount Hope Water Association.

The increases shown are based on averages of all customers in the indicated class. Individual customers may receive increases that are greater or less than average. Furthermore, the requested rates and charges are only a proposal and are subject to change (increases or decreases) by the Public Service Commission in its review of this filing. The Commission shall review and approve or modify the increased rates only upon the filing of a petition within thirty (30) days of the adoption of the ordinance changing said rates or charges, by:

- (1) Any customer aggrieved by the changed rates or charges who presents to the Commission a petition signed by not less than twenty-five percent of the customers served by such municipally operated public utility; or
- (2) Any customer who is served by a municipally operated public utility and who resides outside the corporate limits and who is affected by the change in said rates or charges and who presents to the Commission a petition alleging discrimination between customers within and without the municipal boundaries. Said petition shall be accompanied by evidence of discrimination; or
- (3) Any customer or group of customers who are affected by said change in rates who reside within the municipal boundaries and who present a petition to the Commission alleging discrimination between said customer or group of customers and other customers of the municipal utility. Said petition shall be accompanied by evidence of discrimination.

All petitions should be addressed to the Executive Secretary, Public Service Commission of West Virginia, 201 Brooks Street, P. O. Box 812, Charleston, West Virginia 25323.

A complete copy of the proposed rates, as well as a representative of the utility to provide any information requested concerning it, is available to all customers, prospective customers, or their agents at any of the following offices of the utility.

Buckhannon City Hall  
70 East Main Street  
Buckhannon, West Virginia 26201

A copy of the proposed rates is available for public inspection at the office of the Executive Secretary of the Public Service Commission at 201 Brooks Street, P. O. Box 812, Charleston, West Virginia 25323.

Publish 06/22/21 & 06/29/21 Record Delta & Intermountain 06/21/21 & 06/28/21

**D.6 Notice of Police Civil Service Commission Accepting Applications for Position of Full Time Police Officer-Deadline 7/23/21**

**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 July 23, 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 Record Delta 06/29/21 & 07/06/21

## **D.7 Approval Letter from the WV Dept. of Arts, Culture & History for a Time Extension regarding Fast Track ADA & Emergency Grant Award RE: Colonial Theatre Project**

### **Letter of Request:**

June 28, 2021

West Virginia Department of Arts, Culture, & History  
The Culture Center  
1900 Kanawha Blvd. East  
Charleston, WV 25305-0300

Attention: Ms. Jenna Green, Cultural Facilities & Accessibility Coordinator

RE: Colonial Theatre Project – Buckhannon, WV – grant award FY2020-21  
**Fast Track ADA & Emergency Grants Program**

Dear Ms. Green:

Please accept this letter as the City of Buckhannon's request for a time extension regarding our City's FY20-21 grant award. Our architect, Bryson VanNostrand, believes that an extension to October 1, 2021 should prove sufficient to finalize our expenditures related to the ADA accessible lift to be purchased and installed.

As we all may appreciate, the situation with the Covid-19 pandemic has eased, however it continues to impact our renovation progress. We remain grateful for previous funding provided by the WV Commission on the Arts for this project, as your support has been essential in making the substantial improvements to our facility. This multi-year effort is nearing completion and we are eager to get the *Colonial Arts Center* into full operation. If you require any further information, please contact me at City Hall at (304) 472-1651.

Very truly yours,

Robert Neal Skinner, III, Mayor

cc: Members of City Council  
Amby Jenkins, City's Director of Finance & Administration  
Jerry Arnold, City's Director of Public Works  
Bryson VanNostrand, City Architect

**Approval Letter:**



West Virginia Department of  
**ARTS, CULTURE  
AND HISTORY**

**The Culture Center**  
1900 Kanawha Blvd., E.  
Charleston, WV 25305-0300

**Randall Reid-Smith, Curator**  
Phone 304.558.0220 • [www.wvculture.org](http://www.wvculture.org)  
Fax 304.558.2779 • TDD 304.558.3562  
EEO/AA Employer

June 29, 2021

Robert Neal Skinner, III, Mayor  
City of Buckhannon  
70 East Main Street  
Buckhannon, WV 26201

Dear Mayor Skinner:

I am pleased to inform you that The West Virginia Department of Arts, Culture and History (WVDACH) has reviewed and approved your request for an extension to Cultural Facilities and Capital Resources grant AH21-8382. Please note that the new date of project completion is October 1, 2021.

Your hard work and diligence are appreciated, and we wish you luck in completing your project.

Thanks for all the good work you do in your community!

Sincerely,

Randall Reid-Smith  
Curator, West Virginia Department of Arts, Culture and History

**D.8 Grant Award Notification FY22 Cultural Facilities from the WV Dept. of Arts,  
Culture & History RE: Colonial Theatre Project**



Department of  
**WEST VIRGINIA  
Arts, Culture and History**

**The Culture Center**  
1900 Kanawha Blvd., E.  
Charleston, WV 25305-0300

**Randall Reid-Smith, Curator**  
Phone 304.558.0220 • [www.wvculture.org](http://www.wvculture.org)  
Fax 304.558.2779 • TDD 304.558.3562  
EEO/AA Employer

July 1, 2021

Robert Neal Skinner  
City of Buckhannon  
70 East Main Street old opera  
Buckhannon, WV 26201

Dear Mr:

The West Virginia Department of Arts, Culture, and History and the West Virginia Commission on the Arts are pleased to inform you that your application to the FY22 Cultural Facilities grant program has been approved. City of Buckhannon, was awarded \$39,000.00 through grant AH22-8522 for the purpose of assisting with a FY22 Cultural Facilities project.

Enclosed is an agreement (contract) stipulating the terms and conditions of the grant, invoice(s) and an audit certification form required by the WV State Auditor's office.

To receive this grant money, you must follow program-specific instructions enclosed in this packet. Please contact Jenna Green, Cultural Facilities and Accessibility Coordinator with questions at [Jenna.R.Green@wv.gov](mailto:Jenna.R.Green@wv.gov)

These grants are made possible through funding provided by the West Virginia Legislature.

**If, for any reason, you should decide NOT to accept this grant, please notify us immediately so we can make these funds available to others.**

We wish you every success with your project, and if we can be of further assistance, please let us know.

Sincerely,

  
Lance Schrader  
Director of Arts



## CONTRACT for Arts Grant Funding

This Agreement made this the 23<sup>rd</sup> day of July, 2021, by and between City of Buckhannon and the STATE OF WEST VIRGINIA, on behalf of the Department of Arts, Culture, and History.

WITNESSETH THAT, WHEREAS, the State of West Virginia has received funds for the purpose of assisting organizations and individuals in conducting activities for the development of the arts in West Virginia, and

WHEREAS, the Department of Arts, Culture, and History of the State of West Virginia is expressly authorized by Article 1, Chapter 29 of the Code of West Virginia, 1931, as amended, to participate in the Federal grant program of the National Endowment Foundation on the Arts and Humanities Act of 1965, and to make grants to organizations and individuals whose objects and purposes are the encouragement and development of the arts, and

WHEREAS, City of Buckhannon made application to the Arts Section, and

WHEREAS, the WV Commission on the Arts, on June 6, 2021, approved Grant AH22-8522 in the amount of \$39,000.00 to City of Buckhannon for the purpose of assisting with a FY22 Cultural Facilities project.

NOW, THEREFORE, in consideration of the foregoing, the parties agree as follows:

1. The Department of Arts, Culture, and History hereby agrees to pay City of Buckhannon the sum of Thirty-Nine Thousand and 00/100 toward the total cost of \$39000 for said project

(a) To be eligible for payment of the grant, City of Buckhannon shall submit an invoice describing the project and showing the total amount of the grant.

2. City of Buckhannon agrees to carry out said Arts program(s) as described in application AH22-8522 as follows:

(a) That it will furnish its share of the total cost of the program.

(b) That it will disburse such funds only for an authorized purpose in connection with said Arts program.

(c) That it will maintain accurate records for a period of at least four (4) years in accordance with generally accepted accounting principles and procedures, so as to reflect all receipts and allowable expenditures in connection with said Arts program.

(d) That it will furnish to the Department of Arts, Culture, and History a completed final report no later than thirty (30) days from the completion of the project.

(e) That it will refund to the Department of Arts, Culture, and History of the State of West Virginia any expenditure determined to be made for an ineligible purpose.

(f) That unspent grant funds shall be returned within thirty (30) days after the final report is filed.

(g) That all such receipts and disbursements shall be subject to audit at the expense of City of Buckhannon and such receipts shall be subject to audit by the proper State and Federal authority.

(h) That (1) it will conform to labor standards established by the U.S. Department of Labor if professional performers and related or supporting professional personnel are employed on projects or productions which are financed in whole or in part by grant without subsequent deduction or rebate on any account, and (2) no part of any project or production which is financed in whole or part under Section 5 of the National Endowment Foundation on the Arts and the Humanities Act of 1965 will be performed or engaged in under working conditions which are unsanitary or hazardous or dangerous to the health and safety of the employees engaged in such project of production, including particularly, no work which is prohibited for safety or sanitary reasons by any of the contracts with labor organizations.

(i) That arts program(s) must be executed within the dates projected on grant application.

(j) That notification will be made to the Director of the Arts Section of any change in the projects or budgets described in the grant application. These changes must be approved in writing from the Director of the Arts Section prior to the change being made.

(k) That it agrees to publicize the project and credit will be given in any publicity, printed material, programs or press releases as follows: "This program is being presented with financial assistance from the West Virginia Department of Arts, Culture, and History and the National Endowment for the Arts, with approval from the WV Commission on the Arts."

(l) That it hereby agrees to comply with regulatory guidelines which prohibit any unlawful discrimination and that it will comply with standard policies and regulations which insure that all persons have easy access to the services and program(s) supported with these funds. The regulations governing these responsibilities are: Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973 and Age Discrimination Act of 1975; and shall insert a similar provision in all subcontract for activities covered by the contract. (Information about these regulations may be obtained by contacting the Department of Arts, Culture, and History.)

3. It is the understanding of all parties to this contract that the Department of Arts, Culture, and History, by joining in this contract, does not pledge or promise to pledge the assets of the State of West Virginia, nor does it promise to pay any part of the contract sum provided for in this agreement from monies of the Treasury of the State of West Virginia except such monies as shall be appropriated by the West Virginia Legislature specifically for this purpose and except such monies as shall be granted and paid to the State for this project by the National Endowment for the Arts, and such monies as shall be paid to the State by foundations, individuals, or by any other source.

4. WHEREAS Under penalty of law for false swearing (WV Code §61-5-3 ), applicant certifies that by signing this grant agreement, all related parties have filed all reports for state grants received as required under WV Code §14-4-14 (SAGA)

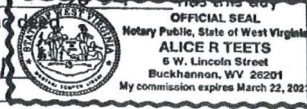
IN WITNESS WHEREOF, City of Buckhannon and the Department of Arts, Culture, and History have caused this instrument to be executed by their duly authorized representatives.

The Department of Arts, Culture, and History

ORGANIZATION: CITY OF BUCKHANNON

Randall Reid-Smith, Curator

Robert N. Skinner III

STATE OF WEST VIRGINIA	
COUNTY OF <u>Upshur</u>	TO-WIT
I, <u>Alice R. Teets</u> , a Notary Public in and for said County and State,	
do certify that <u>Robert N. Skinner III</u> , whose name is signed to the writing hereto	
annexed, bearing the date the <u>23<sup>rd</sup></u> day of <u>July</u>	
acknowledged the same before me in my said County, to be his act and	
Given under my hand this <u>2</u> day of <u>July</u> 20 <u>21</u>	
My commission expires <u>March 22, 2023</u>	
<u>Alice R. Teets</u> Notary Public	



July 2, 2021, BUCKHANNON, WV: The City of Buckhannon thanks all who joined in as a community to kick off the 4<sup>th</sup> of July 2021 weekend with a successful Festival Fridays ( even with the rain) featuring games and activities for all ages, performances by Stockert Youth & Community Center Drill Team, the Elite Twirlers, and the musical group Stonestreet, all presented by Create Buckhannon. The evening wrapped up with a magnificent 25-minute Larry Gregory Fireworks Display sponsored by the City of Buckhannon! Thanks to all those who worked so hard to put the activities together and to our City Crews and First Responders for keeping our areas beautiful and safe. Happy 4<sup>th</sup> of July Buckhannon!!

**D.10 Letter to WVEMD RE:0036 Invoice Nos. 13 & 15 DHS/FEMA Region III HMGP  
Emergency Power Generators**

July 9, 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  
Hazard Mitigation Program FEMA-DR-4273-WV-0036  
Invoice No. 13**

Dear Mr. Hatfield,

As per 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 \$415.14 associated with the above-referenced project for various engineering services and project management services from May 1, 2021 through June 30, 2021.

The costs associated with the various engineering services, including the preparing & submitting of Invoices No. 11 & 12, associated with the project are \$63.55.

The costs associated with the various project management services related to the three (3) contracts for the project are \$351.59.

Based upon conversations with both the WVEMD and the West Virginia Infrastructure & Jobs Development Council (WVIJDC), the 25% Non-Federal Funding Match associated with all remaining invoices for the project will now be split between the WVEMD, who will be responsible for the 25% Non-Federal Funding Match associated with the Public Safety Complex Generator phase of the project, and the WVIJDC, who will be responsible for the 25% Non-Federal Funding Match associated with both the Raw Water Intake Generator and the Sewage Treatment Plant Generator phases of the project.

Therefore, for this invoice, the following is a breakdown of the 25% Non-Federal Funding Match for both the WVEMD and the WVIJDC:

- 25% Non-Federal Funding Match to be reimbursed by the WVEMD = \$29.30 (\$117.21 x 0.25)
- 25% Non-Federal Funding Match to be reimbursed by the WVIJDC = \$74.48 (\$297.93 x 0.25)

July 9, 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. 15**

Dear Mr. Hatfield,

As per of the requirements of the DHS / FEMA Region III Hazard Mitigation Project grant, the City of Buckhannon (City) is submitting Invoice No. 15 in the amount of \$27,790.47 associated with the above-referenced project for project management services completed and materials purchased by Mountain State Electrical Contractors (Contractor) from May 1, 2021 through June 30, 2021.

Project Management services included the review & approval of the Contractor’s Application for Payment spreadsheet, the processing & submittal of Invoice No. 14, the processing of Invoice No. 15, discussions with both the WVEMD and the West Virginia Infrastructure & Jobs Development Council (WVIJDC) regarding reimbursement of the 25% Non-Federal Funding Match and providing generator emission information to the WVIJDC. The total cost associated with project management for this invoicing period is \$317.97.

Materials and appurtenant supplies that were purchased & stored by the Contractor associated with the eleven (11) Manual Transfer Switches totaled \$30,525.00. Copies of the receipts for the materials and appurtenant supplies purchased, a letter from the equipment and materials supplier stating that all invoiced materials have been paid for and a copy of the City’s purchase order indicating that the Contractor has been paid is also included with this invoice. It should be noted that ten percent (10%) retainage was withheld from the Contractor’s invoice for the stored materials and appurtenant supplies per the requirements of the Bid Package and once the projects have reached Substantial Completion status, the City will invoice for the retainage withheld to date and reimburse the Contractor accordingly. As a result of withholding the 10% retainage, the amount of the Contractor’s invoice was reduced to \$27,472.50.

Based upon conversations with both the WVEMD and the West Virginia Infrastructure & Jobs Development Council (WVIJDC), the 25% Non-Federal Funding Match associated with all remaining invoices for the project will now be the responsibility of the WVIJDC.

Therefore, for this invoice, the following is a breakdown of both the 75% Federal Funding Match and the 25% Non-Federal Funding Match for the WVIJDC, including the withholding of the 10% retainage:



RECEIVED JUL 07 2021

July 7, 2021

Mountain State Electrical Contractors  
6082 Saltwell Road  
Bridgeport, WV 26330

City of Buckhannon  
OHS/ FEMA Region III Hazard Mitigation Project  
Generation Hazard Mitigation Project FEMA-DR-4273-WV-0035

NOTICE OF SHIPMENT DELAYS

Brooke Street Lift Station  
East Main Street Lift Station  
Elias Street Lift Station  
Vicksburg Lift Station  
Wood Richie Street Lift Station  
Water Treatment Plant

This letter is to provide notice of the occurrence of certain events beyond the control of Cummins Inc., that has resulted with us being unable to continue to provide goods and/or services to you for the above referenced Project by the original projected ship dates.

We are experiencing supply disruptions in manufacturing activities and material shortages because of the COVID-19 pandemic. The restrictions and requirements driven by COVID-19 has affected and limited capacity at our supplier's factories. Production schedules for engine systems at the Fridley Generator Plant location have been disrupted.

Presently our projected ship dates for this project is Mid-December 2021. With respect to the above listed orders, Cummins will continue to review each order on a case by case basis and advise you regarding product availability and changes in lead time.

Cummins will continue to work diligently to minimize any impact on its ability to provide goods as a result of COVID-19. We appreciate your understanding and will continue to keep you informed of any critical developments.

If you have any questions, please contact me as follows.

David Rollins

David Rollins  
Senior Sales Executive, Power Gen Business  
Northern United States

D.11 FOIA Requests from James Honce RE: BPD Incident Report & from Data Specialist  
RE: COB Employee Contact Information

James F. Honce  
82 Hilltop Drive  
Bridgeport, WV 26330  
jfhwst@gmail.com  
(304) 641-8390

Received  
7-2-21

June 30, 2021

Chief Matthew Gregory  
Buckhannon Police Department  
70 East Main Street  
Buckhannon, WV 26201

Chief Gregory:

I am writing this letter to you in reference to an incident which happened in Dan Tenny's trailer park off of Florida Street in Buckhannon, 119 Railroad Avenue, on March 31, 2015, at 13:30 hours, and your police department investigated this incident. This incident was concluded to be a suicide. I am requesting, under the Freedom of Information Act, the complete incident report and any statements thereto. You can reach me at the above address, email address, or phone number, if you will, sir, with the cost of this request, and I will remit beforehand promptly.

Thank you for your time and prompt attention to this matter.

Respectfully,

James F. Honce, L.E./Ret.

Public Records Request to City of Buckhannon for Contact Information

2 messages

Aaron Alexis Del Mundo <adelmundo@idargroup.com>  
To: foia@buckhannonwv.org

Fri, Jul 9, 2021 at 11:21 AM

Hi,

We would like to submit a public records request to the City of Buckhannon for all current employee/staff contact information. The request is limited to readily available records in any electronic format. Alternatively, if the information is readily available on your website, please let us know where and we will obtain it from there.

This will be used as part of our Research and Analysis into public sector titles and contact insights.

The specific information being requested is:

1. First Name
2. Last Name
3. Position Title
4. Department
5. Direct Phone Number (if does not exist, list main phone number with extension)
6. Business Cell Phone (if provided by \$(Accounts.AccountName))
7. Email Address
8. Office Address (Address, City, State, Zip)

If this request was sent to the incorrect contact person, please forward it to the appropriate person.

If you have any questions, please let me know.

Thank you.

Aaron Del Mundo  
Data Specialist IDAR Group  
P. 202-952-2840  
adelmundo@idargroup.com

D.12 Report of Cat & Dog Activity –Upshur County Commission-May & June 2021

- Cats brought in by City Trapper 0
- Cats brought in by Animal Control Officer 5
- Cats brought in by County Residents 90

- Dogs picked up by Animal Control Officer 22
- Animals returned to Owner by ACO 0
- Animals delivered to LUACF 19

**E. Consent Agenda**  
**E.1 Approval of Minutes -Regular Meeting 06/17/2021 & 07/01/2021 & Emergency Meeting 06/17/2021 (were not available at this time)**

**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
75154	Edwina Jack 183 Pocahontas St	Neel's Fence	6' Hgt Privacy Fence	\$7,500.00			\$82.50	X					
75155	David Feola 24 Meade St	Lights Masonry	Concrete Existing Driveway	\$10,000.00			\$110.00						X
75156	Shannon Helmick 108 Camden Ave	Raven Contracting	Re-Roof Metal over Shingle	\$3,800.00			\$41.80						
75157	Eric Page 11 Academy St	Self	Vinyl Siding	\$1,500.00			\$16.50						
75158	Sandra Presar 26 Central Ave	Home Wizards Inc	Re-Roof Shingles	\$13,000.00			\$143.00		X				X
75159	Linda Kelley 202 Randolph St	Self	3' Hgt Wire Fence	\$350.00			\$10.00	X					
75160	Jeffrey Cochran 39 S Florida St	Self	Ceiling Repair Drywall	\$250.00			\$10.00						X
75161	City of Buckhannon Emergency Power Generator Project	Mountain State Electrical Contractors	Installation Manual Transfer Switch & 200 AMP Breaker at 11 Sites	\$63,503.00	A	N/C							
75162	Russ Warner 193 S Florida St	WV Heating & AC Company	Replace HVAC Unit	\$9,900.00			\$108.80						
75163	Breanna Burr 12 Pinnell St	Self	8'x10' Storage Building	\$500.00			\$10.00	X		X		X	
75164	Larry Loudin 13 Lincoln Way	Basement Systems of WV	Foundation Repairs using Push Piers	\$17,541.00			\$192.95						
75165	Marion Point 120 Buckhannon Cross Roads Ste 104 & 106	Avenue Real Estate E Solutions	Subdivide into Two Units	\$27,000.00	A	\$100.00	\$161.50	X					
TOTAL				\$154,844.00		\$100.00	\$887.05						

**E.3 Approval of Payment of the Bills**

General Fund Payment of Bills 7-15-2021

\$3,000.00 – VANNOSTRAND ARCHITECTS – JULY-DEC 2021 FY 2021-22 BUDGET

\$2,000.35- BUCKHANNON UTILTIY BOARDS- 15 CLEVELAND AVE CLEANUP

\$2,386.78 – TYLER TECHNOLOGIES- YEARLY MAINT FEE INSITE TRANSACTION FEES, PRINTER HARDWARE & MAINT FEES, SUBSCRIPTION UTILITY BILLING NOTIFICATION

\$5,070.97 – HIGHLAND LANDSCAPING – LANDSCAPING AT CITY HALL

\$7,520.00 – DAVID DAVIS HEATING – ELECTRICAL WORK AT THEATRE

\$3,900.00 – RECDESK LLC – SYCC REC DESK SOFTWARE RENEWAL

\$23,533.80 – MOTOROLA SOLUTIONS – BODY CAM YEARLY PYMT



FUND: GENERAL FUND

DEPARTMENT	VENDOR NAME	GL ACCOUNT	ACCOUNT DESCRIPTION	DESCRIPTION	AMOUNT
MAYOR'S OFFICE	ENCOVA INSURANCE	409-226-00	MAYOR'S INSURANCE &	WCB1005474 4-2-21 TO 7-1-2	9.60
	ASCAP	409-341-00	MAYOR'S SUPPLIES & M	LICENSE FEE 7-1-21 TO 6-30	369.00
	WV MUNICIPAL LEAGUE	409-222-00	MAYOR'S DUES	2021-22 ANNUAL DUES & FEES	1,115.02
	WV PUBLIC EMPLOYEES RETIREME	409-106-00	MAYOR'S RETIREMENT	WV RETIREMENT CONTRIBUTION	67.91
	LARRY T GREGORY	409-341-05	EVENT/FIREWORK EXPEN	2ND HALF JUL 2021 FIREWORK	4,000.00
	COLLECTION ACCOUNT	409-341-00	MAYOR'S SUPPLIES & M	JUN 2021 CREDIT CARD FEES	916.21
	INTERNAL REVENUE SERVICE	409-104-00	MAYOR'S F.I.C.A.	FICA WITHHELD AND MATCHED	41.39
		409-104-00	MAYOR'S F.I.C.A.	MEDICARE WITHHELD & MATCHE	9.68
	AT&T MOBILITY	409-211-00	MAYOR'S TELEPHONE	304-704-8355 PARKING ENFOR	52.70
	FRONTIER	409-211-00	MAYOR'S TELEPHONE	472-1651-101515-4 CITY HAL	68.60
		409-211-00	MAYOR'S TELEPHONE	304-003-2273-060600-4	24.17
	FORMAX INC	409-341-00	MAYOR'S SUPPLIES & M	SERVICE CONTRACT RENEWAL	328.00
	**PAYROLL EXPENSES			7/01/2021 - 99/99/9999	679.09
			TOTAL:	7,681.37	
COUNCIL	ENCOVA INSURANCE	410-226-00	COUNCIL INSURANCE (P	WCB1005474 4-2-21 TO 7-1-2	0.54
	WESTFIELD INSURANCE	410-226-00	COUNCIL INSURANCE (P	4-1-21 TO 4-1-22 QTRLY PLA	1,370.01
	TRAVELERS INSURANCE	410-226-00	COUNCIL INSURANCE (P	INS PREM AUTO LIAB JUL 202	332.88
				TOTAL:	1,703.43
RECORDER	ENCOVA INSURANCE	411-226-00	INSURANCE/COMPENSATI	WCB1005474 4-2-21 TO 7-1-2	0.48
				TOTAL:	0.48
TREASURER	ENCOVA INSURANCE	413-226-00	TREASURER'S INSURANC	WCB1005474 4-2-21 TO 7-1-2	1.96
	WV STATE AUDITOR'S OFFICE EL	413-224-00	AUDIT	2020 CPA FINANCIAL AUDIT	169.75
	WV PUBLIC EMPLOYEES RETIREME	413-106-00	TREASURER'S RETIREME	WV RETIREMENT CONTRIBUTION	31.34
	INTERNAL REVENUE SERVICE	413-104-00	TREASURER'S F.I.C.A.	FICA WITHHELD AND MATCHED	19.43
		413-104-00	TREASURER'S F.I.C.A.	MEDICARE WITHHELD & MATCHE	4.55

FUND: GENERAL FUND

DEPARTMENT	VENDOR NAME	GL ACCOUNT	ACCOUNT DESCRIPTION	DESCRIPTION	AMOUNT
	**PAYROLL EXPENSES			7/01/2021 - 99/99/9999	313.42
				TOTAL:	540.45
COURT	ENCOVA INSURANCE	416-226-00	POLICE JUDGE INS BON	WCB1005474 4-2-21 TO 7-1-2	1.21
				TOTAL:	1.21
CITY ATTORNEY	ENCOVA INSURANCE	417-226-00	CITY ATTORNEY INS UN	WCB1005474 4-2-21 TO 7-1-2	2.08
	WV PUBLIC EMPLOYEES RETIREME	417-106-00	CITY ATTORNEY RETIRE	WV RETIREMENT CONTRIBUTION	52.37
	INTERNAL REVENUE SERVICE	417-104-00	CITY ATTORNEY FICA	FICA WITHHELD AND MATCHED	32.47
		417-104-00	CITY ATTORNEY FICA	MEDICARE WITHHELD & MATCHE	7.59
	**PAYROLL EXPENSES			7/01/2021 - 99/99/9999	523.70
				TOTAL:	618.21
CITY ENGINEER	VANNOSTRAND ARCHITECTS	420-223-00	CITY ARCHITECT	JULY - DEC 2021 FY 2021-22	3,000.00
	WV PUBLIC EMPLOYEES RETIREME	420-106-00	CITY ENGINEER RETIRE	WV RETIREMENT CONTRIBUTION	77.52
	INTERNAL REVENUE SERVICE	420-104-00	CITY ENGINEER FICA T	FICA WITHHELD AND MATCHED	48.53
		420-104-00	CITY ENGINEER FICA T	MEDICARE WITHHELD & MATCHE	11.35
	**PAYROLL EXPENSES			7/01/2021 - 99/99/9999	775.24
				TOTAL:	3,912.64
REGIONAL DUES	REGION VII PLANNING PDC	435-222-00	REGIONAL DUES	DUES FOR FY 2022	6,485.00
				TOTAL:	6,485.00
HOUSING	BUCKHANNON UTIL BOARDS	436-341-99	CLEAN UP ASSISTANCE	GOOD NEIGHBOR CLNUP 80 RAN	56.61
		436-354-00	HOUSING ENFORCEMENT	15 CLEAVLAND AVE CLN UP	2,000.35
				TOTAL:	2,056.96
ZONING	ENCOVA INSURANCE	437-226-00	ZONING INSURANCE & B	WCB1005474 4-2-21 TO 7-1-2	138.11
	WV PUBLIC EMPLOYEES RETIREME	437-106-00	ZONING RETIREMENT	WV RETIREMENT CONTRIBUTION	143.34
	ST JOSEPH HOSPITAL OF BUCKHA	437-104-00	ZONING SUPPLIES	LAB TEST VINCENT SMITH	50.00
	INTERNAL REVENUE SERVICE	437-104-00	ZONING F.I.C.A.	FICA WITHHELD AND MATCHED	88.87
		437-104-00	ZONING F.I.C.A.	MEDICARE WITHHELD & MATCHE	20.78
	**PAYROLL EXPENSES			7/01/2021 - 99/99/9999	1,433.35
				TOTAL:	1,874.45
DATA PROCESSING	RAVEN ROCK NETWORKS INC	439-230-00	DATA PROCESSING	CAMERA'S WORK ON JAY'S LAP	155.62
		439-230-00	DATA PROCESSING	JUL 2021 SERVICE CONTRACT	212.50
	COMMUNITY BANK	439-459-00	DATA PROCESSING CAPI	ACCT#771901071 JUL COMP S	385.84
	TYLER TECHNOLOGIES INC	439-230-00	DATA PROCESSING	UTILITY BILLING NOTIFICATI	51.85
		439-230-00	DATA PROCESSING	2 THERMAL RECEIPT PRINTER	626.50
		439-230-00	DATA PROCESSING	JUL 1-2021-6-30-2022 YRLY	6,577.19
		439-230-00	DATA PROCESSING	AUTO PAY,IVR, BILLING SITE	1,709.43
	SUDDENLINK	439-230-00	DATA PROCESSING	JULY 2012 INTERNET	32.12
				TOTAL:	9,750.05
CITY HALL	MON POWER	440-213-00	CITY HALL UTILITIES	110088782062 70 E MAIN ST	0.00
		440-213-00	CITY HALL UTILITIES	110088782062 70 E MAIN ST	1,337.31
	ENCOVA INSURANCE	440-226-00	CITY HALL INSURANCE	WCB1005474 4-2-21 TO 7-1-2	130.18
	MOUNTAINEER GAS COMPANY	440-213-00	CITY HALL UTILITIES	269245-314199 1 S-FLORIDA	86.77
	WV PUBLIC EMPLOYEES RETIREME	440-106-00	GROUP RETIREMENT	WV RETIREMENT CONTRIBUTION	124.53
	INTERNAL REVENUE SERVICE	440-104-00	CITY HALL FICA	FICA WITHHELD AND MATCHED	76.30
		440-104-00	CITY HALL FICA	MEDICARE WITHHELD & MATCHE	17.84
	HIGHLAND LANDSCAPING LLC	440-459-00	CITY HALL CAPITAL	LANDSCAPING @ CITY HALL	5,070.97
	**PAYROLL EXPENSES			7/01/2021 - 99/99/9999	1,245.32
				TOTAL:	8,089.22
POLICE	RECORD-DELTA NEWSPAPER	700-341-00	POLICE DEPT. MAT & S	POLICE OFFICER AD	80.00
	LYKINS OIL COMPANY	700-343-00	POLICE DEPT. AUTO SU	POLICE DEPT JUNE FUEL BILL	1,671.90
	ENCOVA INSURANCE	700-226-00	POLICE DEPT. INSURAN	WCB1005474 4-2-21 TO 7-1-2	2,272.01
	WV PUBLIC EMPLOYEES RETIREME	700-106-00	POLICE DEPT. RETIREME	WV RETIREMENT CONTRIBUTION	2,002.77
	TOSHIBA FINANCIAL SERVICES	700-341-00	POLICE DEPT. MAT & S	POLICE COPIER MNTHLY LEASE	154.84
	WV CONSOLIDATED PUBLIC RETIR	700-106-00	POLICE DEPT. RETIREME	WV RETIRE MPFRS CONTRIBUTI	716.13
	ENTERPRISE FM TRUST	700-459-00	POLICE DEPT. NEW EQU	22HZ53 2017 INTERCEPTOR PY	591.08
		700-459-00	POLICE DEPT. NEW EQU	22HZ5X 2017 INTERCEPTOR PY	616.19
		700-459-00	POLICE DEPT. NEW EQU	22SF24 2018 INTERCEPTOR PY	693.66
		700-459-00	POLICE DEPT. NEW EQU	22SF27 2018 INTERCEPTOR PY	787.37
		700-459-00	POLICE DEPT. NEW EQU	22SC22 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	497.27
		700-343-00	POLICE DEPT. AUTO SU	23H64V MAINT OLDER CRUISER	6.00
		700-343-00	POLICE DEPT. AUTO SU	23H64Z MAINT OLDER CRUISER	20.00
		700-459-00	POLICE DEPT. NEW EQU	23KN29 2020 POLICE INTERCE	706.76
		700-459-00	POLICE DEPT. NEW EQU	23KN2N 2020 POLICE INTERCE	755.73
		700-459-00	POLICE DEPT. NEW EQU	23KN2S 2020 POLICE INTERCE	796.87
	SPRINT	700-211-00	POLICE DEPT. TELEPHO	ALL DEPT JULY GEOTAB	468.74
	ST JOSEPH HOSPITAL OF BUCKHA	700-341-00	POLICE DEPT. MAT & S	LAB TEST WILLIAM COURTNEY	50.00
		700-341-00	POLICE DEPT. MAT & S	LAB TEST TOM POSEY	50.00
	INTERNAL REVENUE SERVICE	700-104-00	POLICE DEPT. FICA TA	FICA WITHHELD AND MATCHED	1,737.26
		700-104-00	POLICE DEPT. FICA TA	MEDICARE WITHHELD & MATCHE	406.29
	FRONTIER	700-211-00	POLICE DEPT. TELEPHO	304-001-6194-111398-4 POL	87.74
		700-211-00	POLICE DEPT. TELEPHO	473-7911-073014-4 POL FAX	74.19
	TRAVELERS INSURANCE	700-226-00	POLICE DEPT. INSURAN	INS PREM AUTO LIAB JUL 202	2,381.39
	**PAYROLL EXPENSES			7/01/2021 - 99/99/9999	28,452.65
				TOTAL:	46,770.17
FIRE	LYKINS OIL COMPANY	706-343-00	FIRE DEPT. AUTO SUPP	FIRE DEPTTRK1101 JUN FUEL	186.89
		706-343-00	FIRE DEPT. AUTO SUPP	FIRE DEPT JUNE FUEL BILL	757.24
	J.P. MORGAN EQUIPMENT FINAN	706-459-00	FIRE DEPT. CAPITAL O	JUL 2021 FIRE TRK PYMT	3,678.20
	ENCOVA INSURANCE	706-226-00	FIRE DEPT. INSURANCE	WCB1005474 4-2-21 TO 7-1-2	2,295.97
	WV PUBLIC EMPLOYEES RETIREME	706-106-00	FIRE DEPT. GROUP RET	WV RETIREMENT CONTRIBUTION	812.29
	INTERNAL REVENUE SERVICE	706-106-00	FIRE DEPT. GROUP RET	WV RETIRE MPFRS CONTRIBUTI	734.33
		706-104-00	FIRE DEPT. FICA TAX	FICA WITHHELD AND MATCHED	1,035.55
		706-104-00	FIRE DEPT. FICA TAX	MEDICARE WITHHELD & MATCHE	242.18
	FRONTIER	706-211-00	FIRE DEPT. TELEPHONE	472-2868-101915-4 FIRE	86.37
	TRAVELERS INSURANCE	706-226-00	FIRE DEPT. INSURANCE	INS PREM AUTO LIAB JUL 202	450.03
	**PAYROLL EXPENSES			7/01/2021 - 99/99/9999	16,762.08
				TOTAL:	27,043.13
STREET	MON POWER	750-213-00	STREET DEPT. UTILITI	110084762464 20 FACTORY ST	0.00
		750-213-00	STREET DEPT. UTILITI	110084762126 24 FACTORY	0.00
		750-213-00	STREET DEPT. UTILITI	110084761755 17 1/2 FACTOR	0.00
		750-213-00	STREET DEPT. UTILITI	110123905108 25 N LOCUST S	10.15
		750-213-00	STREET DEPT. UTILITI	110148156588 RT 6 395 MUDL	666.40
		750-213-00	STREET DEPT. UTILITI	110148255778 395 MUDLICK R	471.12
		750-213-00	STREET DEPT. UTILITI	110088783078 22 S FLORIDA	0.00
		750-213-00	STREET DEPT. UTILITI	110148096107 15 MADISON ST	0.00
		750-213-00	STREET DEPT. UTILITI	110084762464 20 FACTORY ST	43.29

07-15-2021 01:43 PM		disbursements 07/01/2021- 7/15/21			PAGE: 4	
FUND: GENERAL FUND						
DEPARTMENT	VENDOR NAME	GL ACCOUNT	ACCOUNT DESCRIPTION	DESCRIPTION	AMOUNT	
	LYKINS OIL COMPANY WV PAGING ENCOVA INSURANCE MOUNTAINEER GAS COMPANY  WESTFIELD INSURANCE WV PUBLIC EMPLOYEES RETIREME  ENTERPRISE FM TRUST   SPRINT ST JOSEPH HOSPITAL OF BUCKHA   MOUNTAIN STATE PEST GUARD INTERNAL REVENUE SERVICE  PEOPLES NATURAL GAS FIRST COMMUNITY BANK CORPORA FRONTIER TRAVELERS INSURANCE **PAYROLL EXPENSES	750-213-00	STREET DEPT. UTILITI	110084762126 24 FACTORY	19.01	
		750-213-00	STREET DEPT. UTILITI	110084761755 17 1/2 FACTOR	9.42	
		750-213-00	STREET DEPT. UTILITI	110148096107 15 MADISON ST	64.34	
		750-343-00	STREET DEPT. AUTO SU	STREET DEPT JUNE FUEL BILL	2,694.85	
		750-213-00	STREET DEPT. UTILITI	STREET DEPT PAGERS	23.00	
		750-226-00	STREET DEPT. INSURAN	WCB1005474 4-2-21 TO 7-1-2	2,316.57	
		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	41.28	
		750-213-00	STREET DEPT. UTILITI	269255-492564 6 FACTORY ST	41.28	
		750-226-00	STREET DEPT. INSURAN	4-1-21 TO 4-1-22 QTRLY PLA	1,148.68	
		750-106-00	STREET DEPT. GROUP R	WV RETIREMENT CONTRIBUTION	1,179.77	
		750-106-00	STREET DEPT. GROUP R	WV RETIRE TIER2 CONTRIBUTI	370.19	
		750-459-00	STREET DEPT. CAPITAL	22WCNZ 2019 RAM 1500	635.79	
		750-459-00	STREET DEPT. CAPITAL	22WGHW 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	
		750-211-00	STREET DEPT. TELEPHO	ALL DEPT JULY GEOTAB	238.60	
		750-341-00	STREET DEPT. MAT & S	PRE-EMPLOYMENT DRUG TESTIN	50.00	
		750-341-00	STREET DEPT. MAT & S	LAB TEST LANCE FENNELL	50.00	
		750-341-00	STREET DEPT. MAT & S	LAB TEST JOHN SHIPMAN	50.00	
		750-341-00	STREET DEPT. MAT & S	PRE-EMPLOYMENT DRUG TESTIN	50.00	
		750-341-00	STREET DEPT. MAT & S	STREE DEPT SERVICE 38974	31.50	
		750-104-00	STREET DEPT. FICA TA	FICA WITHHELD AND MATCHED	1,087.74	
		750-104-00	STREET DEPT. FICA TA	MEDICARE WITHHELD & MATCHE	254.40	
		750-213-00	STREET DEPT. UTILITI	395 MUDLICK STREET GAS 7-1	106.71	
		750-459-22	PROPERY PAYMENT MUDL	JULY 2021 PUBLIC WRKS BLDG	9,744.80	
		750-211-00	STREET DEPT. TELEPHO	472-5755-101615-4 STREET	87.89	
		750-226-00	STREET DEPT. INSURAN	INS PREM AUTO LIAB JUL 202	1,970.10	
				7/01/2021 - 99/99/9999	17,621.51	
				TOTAL:	43,463.04	

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disbursements 07/01/2021- 7/15/21

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FUND: GENERAL FUND

DEPARTMENT	VENDOR NAME	GL ACCOUNT	ACCOUNT DESCRIPTION	DESCRIPTION	AMOUNT	
TOTAL:					8,275.34	
STOCKERT YOUTH CENTER	MON POWER	907-213-00	UTILITIES	110084592119 SYC	0.00	
		907-213-00	UTILITIES	110084767208 79 E MAIN ST	0.00	
		907-213-00	UTILITIES	110084592119 SYC	1,188.38	
		907-213-00	UTILITIES	110084767208 79 E MAIN ST	63.63	
		907-216-00	MAINTENANCE	SYCC JUNE FUEL BILL	187.75	
		907-226-00	INSURANCE & BONDS	WCB1005474 4-2-21 TO 7-1-2	162.63	
		907-226-00	INSURANCE & BONDS	4-1-21 TO 4-1-22 QTRLY PLA	705.05	
		907-106-00	GROUP RETIREMENT	WV RETIREMENT CONTRIBUTION	292.49	
		907-106-00	GROUP RETIREMENT	WV RETIRE TIER2 CONTRIBUTI	106.40	
		907-211-00	TELEPHONES	ALL DEPT JULY GEOTAB	55.06	
		907-341-00	MATERIALS & SUPPLIES	LAB TEST DRAKE LEMANSKY	50.00	
		907-341-00	MATERIALS & SUPPLIES	LAB TEST CADEN ROHRBOUGH	50.00	
		907-341-00	MATERIALS & SUPPLIES	LAB TEST CALEB KIMBLE	50.00	
		907-341-00	MATERIALS & SUPPLIES	LAB TEST ABIGAIL VINCENT	50.00	
		907-341-00	MATERIALS & SUPPLIES	LAB TEST LINDSAY ROBINSON	50.00	
		907-341-00	MATERIALS & SUPPLIES	LAB TEST JACOB RAHMING	50.00	
		907-341-00	MATERIALS & SUPPLIES	LAB TEST SINEAD TOBIN	50.00	
		907-216-00	MAINTENANCE	SYC MNTHLY PEST INSPECTION	36.50	
		907-104-00	FICA TAX	FICA WITHHELD AND MATCHED	10.85	
		907-104-00	FICA TAX	FICA WITHHELD AND MATCHED	683.38	
		907-104-00	FICA TAX	MEDICARE WITHHELD & MATCHE	2.54	
		907-104-00	FICA TAX	MEDICARE WITHHELD & MATCHE	159.85	
		907-459-00	CAPITAL OUTLAY	REC DESK SOFTWARE RENEWAL	3,900.00	
		907-341-00	MATERIALS & SUPPLIES	SYCC INTERNET 7-13 TO 8-12	145.00	
		907-211-00	TELEPHONES	473-0145-042701-4 SYC	205.27	
		907-226-00	INSURANCE & BONDS	INS PREM AUTO LIAB JUL 202	289.13	
			**PAYROLL EXPENSES		7/01/2021 - 99/99/9999	11,198.66
		TOTAL:				
CONVENTION CENTER	USDA, RURAL DEVLEOPMENT	910-457-00	CONFERENCE CENTER PA	CONF CENTER JUL 2021 PYMT	3,351.00	
				TOTAL:	3,351.00	
PUBLIC SAFETY	MON POWER	976-213-00	SAFETY COMPLEX UTILI	110088783078 22 S FLORIDA	0.00	
		976-213-00	SAFETY COMPLEX UTILI	110088783078 22 S FLORIDA	1,180.62	
		976-226-00	SAFETY COMPLEX INSUR	4-1-21 TO 4-1-22 QTRLY PLA	610.25	
		976-213-00	SAFETY COMPLEX UTILI	JULY 2021 PSC INTERNET	150.00	
TOTAL:					1,940.87	

Motion to approve Consent Agenda items E.2 and E.3 only was made by Rylands/Albaugh.  
Motion carried.

F. Strategic Issues for Discussion and/or Vote:

F.1 Approval Job Description Colonial Theatre Managing Director - Discussed and acted upon earlier in the meeting.

F.2 Discussion/Possible Action to Approve UCCVB Budget Request of \$25,000.00 - Discussed and acted upon earlier in the meeting.



**F.3 Approval of 911 Addressing & Mapping Memorandum of Understanding between COB & UCC RE: Property Owner Nancy Burgess Island Avenue** - Discussed earlier in the meeting.

**F.4 Approval Bid Opening Results for Professional Surveying Services to Accept Potesta & Associates, Inc.** - Discussed and acted upon earlier in the meeting.

**F.5 Approval Resolution 2021-08 Budget Revision #1 General Fund FY 2021/22-** Discussed and acted upon earlier in the meeting.

**F.6 Approval Ordinance No. 451 Renaming of the Colonial Theatre Facility to “Colonial Arts Center (CAC)” -1st Reading** - Discussed and acted upon earlier in the meeting.

**F.7 Approval City of Buckhannon Appointments FY 2021/2022** – Mayor Skinner asked that we have a special meeting on Wednesday, July 21, 2021, at 9:00 a.m., to consider the approval of the City of Buckhannon Appointments FY 2021/2022.

**Motion to table the Approval City of Buckhannon Appointments FY 2021/2022 for a special meeting on Wednesday, July 21, 2021, was made by Sanders/Rylands. Motion carried**

**F.8 WV Infrastructure and Jobs Development Council Grant Agreement** - Amby Jenkins presented the Grant Agreement (2021F-116) to Council, a copy of which is included in these minutes.

**GRANT AGREEMENT**  
(2021F-116)

This Grant Agreement entered into by and between the WEST VIRGINIA WATER DEVELOPMENT AUTHORITY (the “Authority”), at the direction of the WEST VIRGINIA INFRASTRUCTURE AND JOBS DEVELOPMENT COUNCIL (the “Council”), and the CITY OF BUCKHANNON (the “Governmental Agency”).

**RECITALS**

WHEREAS, the Council has authorized the Authority to make a grant to the Governmental Agency in the amount not to exceed \$285,542 (the “Grant”) for the purposes of financing a portion of the acquisition and construction of a project approved by the Council on July 7, 2021, pursuant to the FEMA/WVDHSEM Crisis Situation Funding Assistance Resolution adopted February 5, 2020;

WHEREAS, the Governmental Agency wishes to accept the Grant upon such terms and conditions as are hereinafter set forth for the purposes of designing, acquiring or constructing the project described in Exhibit A attached hereto and incorporated herein by reference (the “Project”);

WHEREAS, this Grant Agreement sets forth the Council, the Authority and the Governmental Agency’s understandings and agreements with regard to the Grant.

NOW, THEREFORE, in consideration of the premises and the mutual agreements hereinafter contained, the Authority and the Governmental Agency hereby agree as follows:

**TERMS**

1. Prior to the distribution of the Grant, the Governmental Agency shall provide the Authority with a Project budget and an anticipated monthly draw schedule reflecting the receipt dates and amounts from other funding sources. The Project budget shall not be amended unless the Governmental Agency has received the prior written consent of the Council.

2. The Authority shall advance the Council's share of the Project costs from the Grant from time to time upon receipt of evidence of the FEMA/WVDHSEM matching contribution and a requisition evidencing the costs incurred, which requisition must be satisfactory to the Authority.

3. The monthly requisition will also set forth (i) the amounts requested for that requisition period from all other funding agencies, and (ii) the amounts advanced for the Project to date from all other funding agencies.

4. The Governmental Agency will use the proceeds of the Grant only for the purposes specifically set forth in Exhibit A.

5. The Authority shall wire the approved requisition amount using the wiring instructions provided in Exhibit B, unless the Council and Authority are provided replacement instructions in writing.

6. The Governmental Agency shall comply with and is bound by the Council's rules set forth as Title 167, Series 1 and more particularly Section 5.9 with respect to the sale of the Project.

7. The Governmental Agency acknowledges that the Grant may be reduced, from time to time, to reflect actual Project costs and availability of other funding.

8. The Governmental Agency shall list the Grant provided by the Authority and the Council in any press release, publication, program bulletin, sign or other public communication that references the Project, including but not limited to any program document distributed in conjunction with any groundbreaking or dedication of the Project.

9. The Governmental Agency has provided the Authority and Council the verification required by (d)(2)(A) of Chapter 12, Article 4, Section 14 of the West Virginia Code (the "Reporting Act"). The Governmental Agency shall and hereby agrees and covenants to comply with the audit and/or agreed upon procedure requirement of the Reporting Act, Legislative Rule Title 148, Section 18 and State Auditor and Chief Inspector guidance. The Governmental Agency shall and agrees to file with the Authority and Council the reports and sworn statements required by (b)(3) of the Reporting Act within two years of the end of each fiscal year in which disbursements are made under this Grant. The reports shall be made by an independent certified public accountant at the sole cost of the Governmental Agency. NOTICE: The Authority is required to report the failure to timely file the reports and sworn statement of expenditures to the West Virginia Legislative Auditor. The Authority shall maintain copies of the reports and sworn statements and shall make them available for public inspection.

10. The verification form attached as Exhibit C must be completed and returned to the Authority prior to the closing of the Grant.

11. This Grant Agreement will expire 24 months after the date of execution by the Authority unless extended at the direction of Council.

12. This Grant Agreement may be executed by the parties hereto in separate counterparts, each of which when so executed and delivered shall be an original, but all such counterparts shall together constitute but one in the same instrument.

13. This Grant Agreement shall be governed by the laws of the State of West Virginia.

**Motion to approve the WV Infrastructure and Jobs Development Council Grant Agreement was made by Thomas/Rylands. Motion carried.**

## **G. Comments and Announcements**

- **Council Member Albaugh** – Ms. Albaugh is still waiting to hear if her house is being purchased and if so, she will let us know.
- **Council Member Bucklew** – Nothing further.
- **Council Member Rylands** - Mr. Rylands once again congratulated the Buckhannon Police for the achievement with CALEA. He feels that it is even more significant at this time given the climate in our country regarding "defund the police" and a growing lack of support for law enforcement in some areas.
- **Council Member Thomas** - Mr. Thomas again mentioned that we should dedicate a time to meet with the County Commission and the months that have a fifth Thursday would be a perfect time to do so. He appreciates what CJ Rylands said about the First Due Fire Fee and he would like to push that conversation forward.
- **Council Member Reger** – Mr. Reger also congratulated the Buckhannon Police for the achievement with CALEA.
- **City Recorder Sanders** - Mr. Sanders mentioned that he was present for the CALEA accreditation announcement and noted that four departments went before Buckhannon. Chief Gregory was well prepared for his final questions and never wavered in his remarks before hearing that the Buckhannon Police Department would be fully accredited. Mr. Sanders also noted that Chief Gregory was very quick to include all officers in the BPD in the congratulations and noted that they all had a great deal of input in achieving the honor. Sanders gave a wrap up report on the recent Miss WV USA/Miss WV Teen USA Pageant event that was held in Buckhannon July 9, 10 and 11 and noted it was a huge success thanks to several Buckhannon businesses, the local media, and WVWC.

**H. Mayor’s Comments and Announcements** – The Mayor thanked Mr. Sanders for bringing the Miss WV USA and Miss WV Teen USA pageants to Buckhannon. He also congratulated Chief Gregory and the entire Buckhannon Police Department for the honor of receiving the full CALEA accreditation and reiterated just how proud he is of the City of Buckhannon for its many achievements.

**I. Adjournment**

**Motion to adjourn at 8:52PM was made by Thomas/Albaugh. Motion carried.**

**Mayor Robert N. Skinner III** \_\_\_\_\_

**City Recorder Randall H. Sanders** \_\_\_\_\_