

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

A regular meeting of the Buckhannon City Council was held on Thursday, April 20, 2023, at 7:00 p.m., in the Council Chambers of City Hall. The following individuals were in attendance (GTM – GoToMeeting):

Mayor	Robbie Skinner	Present
City Recorder	Randy Sanders	Present
Council Member	Pam Bucklew	Absent
Council Member	David McCauley	Present
Council Member	Jack Reger	Absent
Council Member	CJ Rylands	Present
Council Member	David Thomas	Present
Assistant Recorder & Director of Finance	Amberle Jenkins	Present
City Attorney	Tom O'Neill	Present - GTM
Buckhannon Police Department Chief	Matt Gregory	Present
Director of Public Works	Jerry Arnold	Absent
Channel 3	Rodney Irvin	Present
Record Delta		Present
MyBuckhannon.com	Katie Kuba	Present
Note Taker	Alice Teets	Present

Guests: Catherine Norko, Charles W Gibson Public Library Director; Beth Post and Brook Scott, Library Board Members; Geraldine Henderson; Jody Light; Tammy Reger, Chamber of Commerce.

***City Council of Buckhannon – 7:00 pm in Council Chambers
Meeting Agenda for Thursday, April 20, 2023***

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

Please join the meeting from your computer, tablet or smartphone <https://global.gotomeeting.com/join/804282709>
You can also dial in using your phone United States: +1 (872) 240-3212 Access Code: 804-282-709

- A. Call to Order**
 - A.1 Moment of Silence
 - A.2 Pledge to the Flag of the United States of America
- B. Recognized Guests**
 - B.1 Catherine Norko, Charles W. Gibson Public Library Director-Presentation Building Design Project
- 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 Notice from the State Auditor of West Virginia RE: Approval of the Levy Estimate (Budget) FY beginning July 1, 2023
 - D.2 FOIA Request from Dairyland Insurance RE: Lane & Carpenter BPD Records
 - D.3 Mills Group Project Schedule –Stockert Youth Center
- E. Consent Agenda**
 - E.1 Approval of Minutes -Regular Meeting 04/06/23, Special 03/30/23, 04/18/23 Lay the Levy & Firefighter Interviews
 - 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 Recommendation from the Revenue Review Committee Regarding the Request from Premier Properties of WV LLC Hotel-Motel Tax Allocation
 - F.2 Approval Appointment of James Trivolette to the Television Cable Board
 - F.3 Reschedule City Council Meeting Date of May 18 for Tuesday, May 16, 2023 at 7pm due to conflict with the West Virginia Strawberry Festival Events
 - F.4 Recommendation from the CAC Board Agreement to Partnership with Local 501(c)(3) Organization to Accept Donations on behalf of the CAC

G. Comments and Announcements

- G.1 Pamela Bucklew
- G.2 David McCauley
- G.3 Jack Reger
- G.4 David Thomas
- G.5 CJ Rylands
- G.6 Randall Sanders

H. Mayor’s Comments and Announcements

I. Adjournment

Posted 04/17/2023

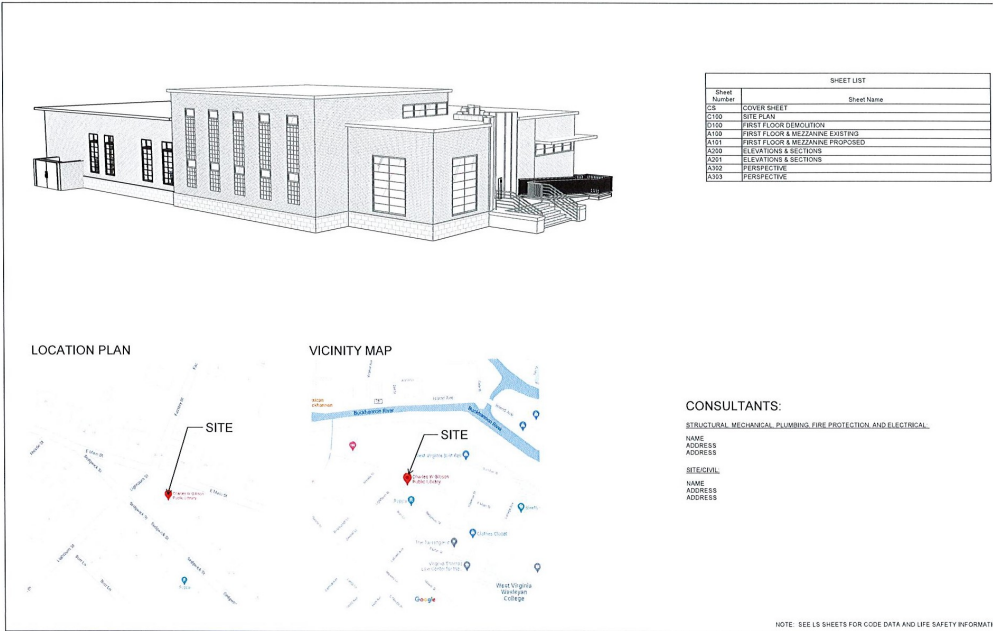
A. Call to Order: Mayor Robbie Skinner called the regular meeting of the Buckhannon City Council for April 20, 2023 then asked all to join him in a Moment of Silence and the Pledge to the Flag of the United States of America.

B. Recognized Guests:

B.1 Catherine Norko, Charles W. Gibson Public Library Director-Presentation Building Design Project: Brief overview and discussion regarding new plans for building upgrade. Ms. Norko also invites everyone to an Open House at the library next week for National Library Week. Mayor Skinner emphasized that the City Council appoints members to the board, but the library does not have to have Council approval to make changes to the building; this is just a courtesy that Ms. Norko shared the details. The Council is in favor of all of the planned changes. Ms. Scott stated that some people may worry that the changes are taking away from the history of the library, but they are working to ensure that it is made better while keeping as much of the original as possible. Ms. Post also mentioned that the Fred Brooks Garden Club will have an Arbor Day Celebration in the Fred Brooks Park and invites the Council to attend.



GIBSON LIBRARY



PRELIMINARY
NOT FOR
CONSTRUCTION

PROJECT:
GIBSON LIBRARY
105 MAIN STREET, BUCHANAN, WV 26001
CITY OF BUCHANAN
COVER SHEET

Revision Schedule

No.	Revision Description	Date
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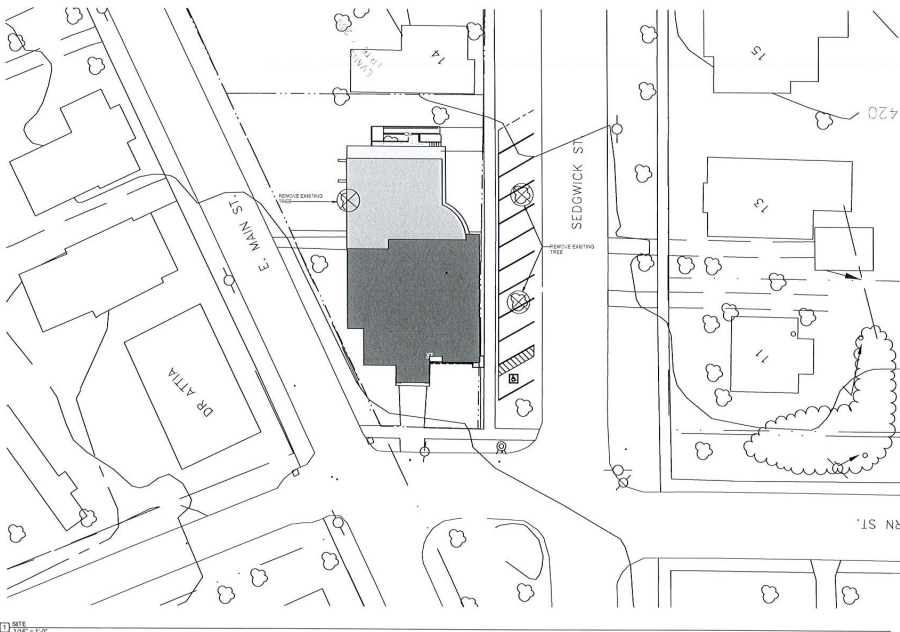
INTENDED DRAWING USE:
CONCEPT PLANS

Project Number	21181
Date	1/15/22
Client	WM
Checked by	JA

CS

Scale
SCALE REFERS TO 1/4" = 1' ON PAPER SIZE

4/10/2022 2:25:16 PM



LEGEND

[Symbol]	EXISTING TO REMAIN
[Symbol]	PROPOSED EXTENSION
[Symbol]	REMOVE EXISTING TREES



PRELIMINARY
NOT FOR
CONSTRUCTION

PROJECT:
GIBSON LIBRARY
105 MAIN STREET, BUCHANAN, WV 26001
CITY OF BUCHANAN
SITE PLAN

Revision Schedule

No.	Revision Description	Date
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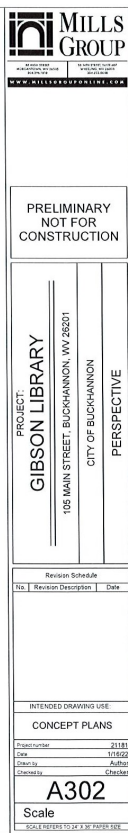
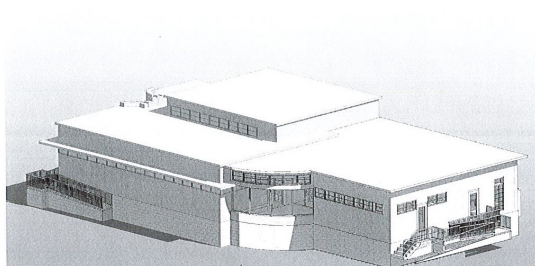
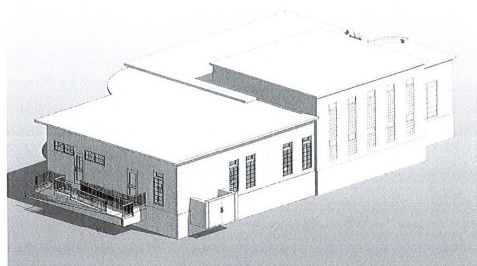
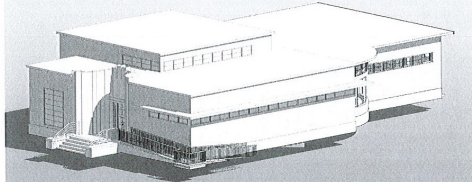
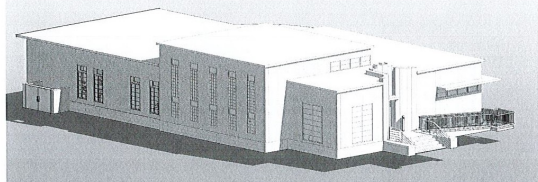
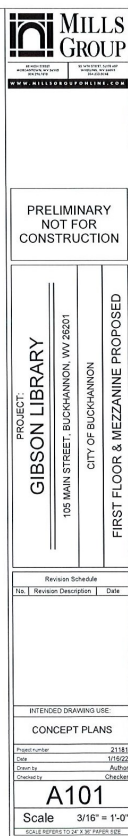
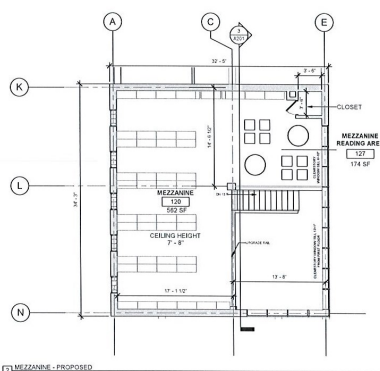
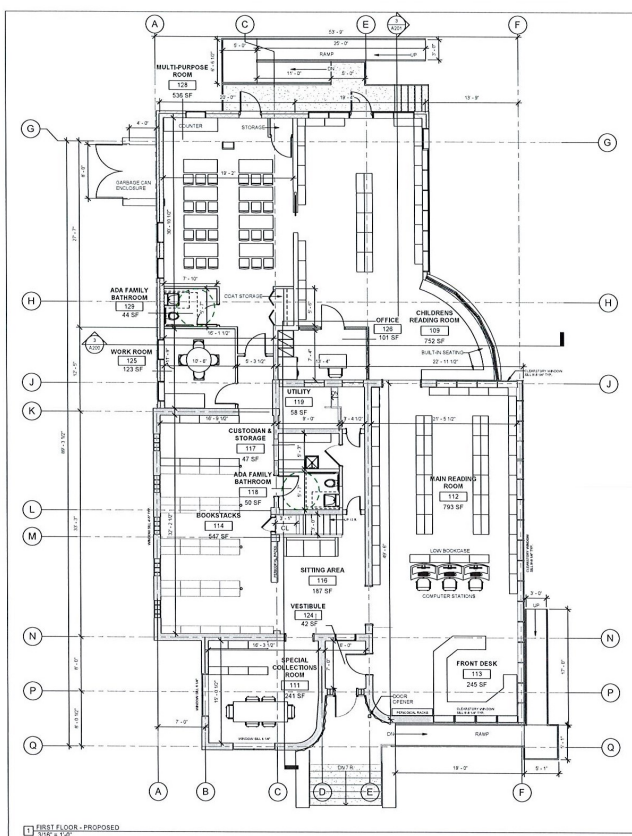
INTENDED DRAWING USE:
CONCEPT PLANS

Project Number	21181
Date	1/15/22
Client	WM
Checked by	JA

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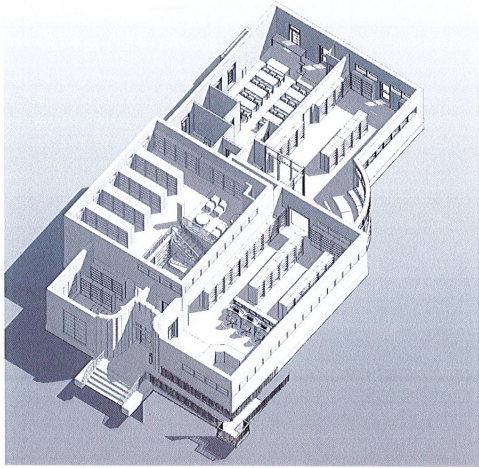
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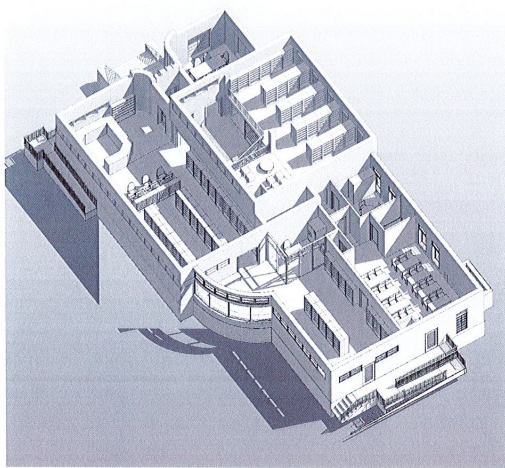
PRELIMINARY
NOT FOR
CONSTRUCTION

PROJECT:
GIBSON LIBRARY
105 MAIN STREET, BUCKHANNON, WV 26201
CITY OF BUCKHANNON
PERSPECTIVE

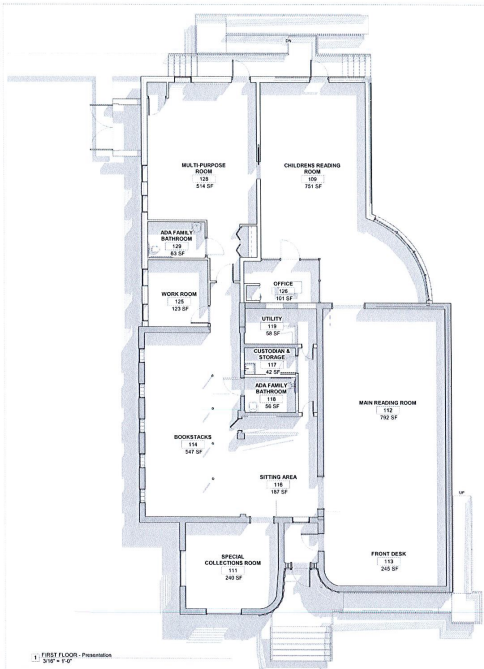
Revision Schedule		
No.	Revision Description	Date
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CONCEPT PLANS		
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Date	11/15/22	
Drawn by	Author	
Checked by	Checker	
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Scale		
SCALE REFERS TO 24" X 36" PAPER SIZE		



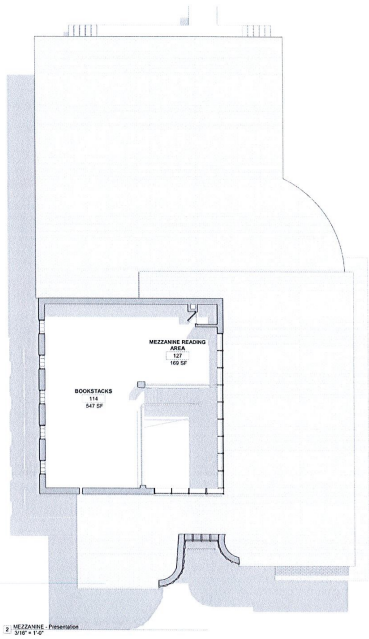
1 RIGHT FRONT PERSPECTIVE BIRD'S EYE VIEW



2 RIGHT REAR PERSPECTIVE BIRD'S EYE VIEW



1 FIRST FLOOR - Presentation
3/8" = 1'-0"



2 MEZZANINE - Presentation
3/8" = 1'-0"

CHARLES W. GIBSON PUBLIC LIBRARY
BUCKHANNON, WV 05.24.22



B.2 Melody Stemple: Mayor Skinner made brief remarks commending Melody Stemple’s hard work for the community through the Upshur County Development Authority and presented her with an official key to the City in appreciation. A retirement open house will be held on April 21, 2023 at the Innovation Center.

C. Department & Board Report:

C.1 Public Works Director- Jerry Arnold: No report, but Mayor Skinner wanted to state that Mr. Arnold has been hard at work on the Madison Street project. The east side of Florida Street sidewalks are almost done, and then they will move on to the west side. The Shawnee Drive/Scott Street project that is going from a Y intersection to a T intersection is currently in Phase 1. Lumber Street near College Avenue is closed until Monday morning. Mayor Skinner said that the Street and Sanitation Departments did great job with the sinkhole that suddenly opened up on E. Victoria; it was repaired within 24 hours.

C.2 Finance Director- Amberle Jenkins: Ms. Jenkins also wanted to mention that Buckhannon-Upshur Middle School is presenting Cowgirls Don’t Ride Zebras at the CAC on April 21-22, free to the public.

Amby report 4-20-23

Balances in the Enterprise Funds March 31, 2023

Waste Collection Board	mm/cking	\$1,162,415	cd/sav \$258,713
Plus a letter of credit for \$64,000			
Water Board	mm/cking	\$940,303	work/capital& savings \$874,550
Sanitary Board	mm/cking	\$995,072	work/capital \$459,184
Storm water Fund	mm/cking	\$231,073	

Stockert Youth Center-see attached report from Debora

CAC- Buckhannon Upshur Middle School Theatre students will have two shows ,Fri April 21 and Sat April 22 at 7pm in the CAC. The production is called "Cowgirls Don't Ride Zebras". The shows are a collaboration with the Upshur County Board of Education and City of Buckhannon Colonial Arts Center. Jakob Spruce the Upshur County Arts Educator has been working with the students for several weeks in rehearsing for the show. It is not a very long show and free to the public if you would like to show your support and encouragement to the youth. I think they have enjoyed this chance to appear on stage in a production.

SYCC Report April 6, 2023

Stockert Youth & Community Center
April 6, 2023
Staff Report

We continue to be busy. Our after school program has over 100 students registered and is going well. We have several students tutoring and getting homework help daily. Our daily attendance is 50-55 students per day.

We continue to have birthday parties and room rentals every weekend. We have calls almost daily wanting to rent space for various activities and events. Some request require more space than we currently have available. We do share that we will have a much bigger space in the near future and to check back with us for their next event.

Our SYCC youth basketball program wrapped up on Feb 26. Over all it was very successful with over 350 players, 22 cheer leaders and 37 volunteer coaches. Our last day of games were tournament games followed by awards and team pizza parties to end our season. We have several coaches and players continuing to play under travel teams which will play in other surrounding counties who will represent SYCC.

We have gotten our Rec Desk program up dated to enable online credit card payments which has greatly helped with after school and summer camp collections. The program seems to be working great.

We have begun to plan for summer camp and have been getting our field trips and activities plan. Also we are getting our staff commitments and required trainings set up. The first day of camp will be June 5 and continue through August 4, 2023. Registration for camp opened on April 1. As of today we have 80 campers signed up.

Kitchen Project update.

We are still waiting for the contractor to begin. We have been in contact with the on call contractor listed with the City of Buckhannon and should be getting things started any day now. Our staff have been getting the area ready for the work to begin as well. We have cleared out and removed the old cabinets and repaired and painted the walls.

After the contractor has replaced the gas line and tested the stove and oven the Stout Co. will come in to replace the hood with the fire compression system.

Zack and Lisa have both taken on additional roles. Zack is now on the Parks and Rec Board and will be getting his CDL to help out with bus driver duties when Randy is unavailable. Lisa is helping out with volunteer coordination with the WAMSB. Also most of our part time staff will be helping out during the WAMSB weeks where needed.

In May we will be due for our 2 year annual Licensing review which includes the building inspection, playground, all staffing credentials and required inspections and permits.

Up Coming Events and Activities

- The Strawberry Festival will have a craft show in our gym and outside this year during the Festival.
- There will be a kid's fun night on Tuesday night during Strawberry Festival week.
- During WAMSB week there will also be a craft show in our gym.
- On Wednesday's in June 6pm-8pm there will be a youth basketball clinic

Respectfully Submitted
Debora Brockleman
Director

C.3 Police Chief- Matthew Gregory: Regarding the upcoming parade events, a letter is being prepared to send to residents and businesses along the parade route, letting them know what streets will be closed and when that will be happening. Officers Loudin, Warner, and Major will be graduating next Friday from the Police Academy. They will need to complete field training. Due to the delay in beginning of the Police Academy, they did eight weeks field training before starting there, so they will need to complete four more weeks of field training and be evaluated again before being released to work on their own. Continuing to work on security plans for Strawberry Festival and WAMSB. The Upshur County Homeless Coalition invited him to attend a meeting, which he accepted. Mayor Skinner applauds this idea and thinks that more city representatives should attend. On April 25, the BPD is hosting WVWC Criminal Justice faculty to demonstrate the Use of Force Simulator. On May 12, the BPD and Upshur County Prosecuting Attorney Institute, and UC Board of Education are all working on the Handle with Care Project, learning how to better work with children involved in traumatic events.

POLICE ACTIVITIES

MONTH: March

YEAR: 2023

ACTIVITIES:

Parking Tickets Issued:

By Parking Enforcement Officer: 42

By Officers:

0

TOTAL ISSUED:	42
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Citations Issued:	2
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Misdemeanor Arrests:	32
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Felony Arrests:	8
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Calls Answered:	433
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Complaint Reports:	47
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Accidents Investigated:	12
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Community Policing Hours:	34
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Patrol Mileage:	6.618
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MONTHLY ACTIVITY REPORT
March 2023

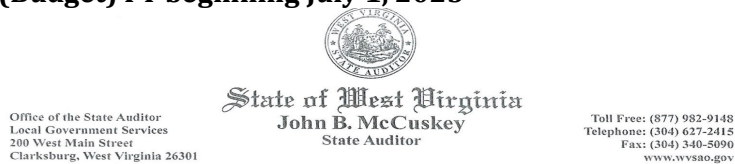
	301	302	303	304	305	306	307	308	309	310	311	312	TOTAL
Calls Answered	17	34	83	112	47	47	6	63	24				433
Community Policing	6	13			6	5		3	1				34
Road Patrol	4	45	86	54	143	126	36	71					565
Traffic Hours	2	3	55	2	1				11				74
Criminal Inv.	16	35	18	66	46	55	72	42	35				385
Court Hours	2	5		5				3	2				17
Report Writing	22	74	12	28	3	5	28	44	51				267
Other Hours	<u>131</u>	<u>12</u>		<u>16</u>	<u>2</u>			<u>12</u>	<u>13</u>	<u>184</u>	<u>184</u>		738
Miles													6,618
Accidents - Prop.			3	4	1	1		2					11
Injury				1									1
Fatality													
Parking Tickets													
Criminal Reports	2	10	7	5	2	3	1	8	9				47
Reports Cleared	2	5	7	3	1	2	1	7	4				32
Clearance Rate	100%	50%	100%	60%	50%	66%	100%	88%	44%				68%

C.4 City Attorney- Tom O'Neill: City Attorney Tom O'Neill is working on a number of city projects:

- The WVWC and City property exchange, he is checking titles to make sure all titles/deeds are clear. He expects to have property transfer ordinance draft next meeting. We will need to vacate some streets and sidewalks with the property transfer, and he should have that list available on May 4.
- A city resident is appealing an adverse decision from the Zoning Board of Appeals to UC Circuit Court, which is their right. The answer to that appeal is due May 1, which he will have ready, and he does not expect it to be overturned.
- Regarding the ongoing Valley Green master water meter placement, he is preparing a letter detailing our steps in this process. Valley Green management wants the Water Board to take over the water lines, but the Water Board does not want to do this. If their management does not respond, we may need to engage the Public Service Commission to help with this.
- Regarding the Water Tank Hill lease with Altice, that matter is being handled by a different department in Altice. They will reach out to Ms. Jenkins, and he expects to have it before the expiration of the current agreement.

D. Correspondence & Information:

D.1 Notice from the State Auditor of West Virginia RE: Approval of the Levy Estimate (Budget) FY beginning July 1, 2023



March 23, 2023

NOTICE OF APPROVAL OF THE LEVY ESTIMATE (BUDGET)

To: Municipality of Buckhannon

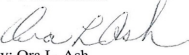
In accordance with the provisions of Chapter 11, Article 8, of the West Virginia Code, as amended, the State Auditor of West Virginia hereby approves your Levy Estimate (Budget) for the fiscal year beginning July 1, 2023.

I find that any levy rates to be imposed in excess of those prescribed by the West Virginia Constitution were legally authorized by a vote of the people.

With this written approval, the levying body shall meet on the third Tuesday in April (April 18) to hear and consider any objections and to officially adopt the levy rates for property taxation. The clerk/recording officer, within three days of such meeting, shall prepare and forward to the State Auditor the officially adopted levy rates and levy order.

If you have any questions, please do not hesitate to contact me at 304-627-2415 or 1-877-982-9148 extension 5114, Shellie Humphrey extension 5119, Tiffany Hess extension 5118 or Rebecca Clise extension 5101.

Sincerely,
John B. McCuskey
WV State Auditor


By: Ora L. Ash,
Deputy State Auditor
Local Government Services

D.2 FOIA Request from Dairyland Insurance RE: Lane & Carpenter BPD Records

FOIA Request - Re: Cody Lane - Claim 96A069221

6 messages

'Johnson Sarah' via FOIA Requests <foia@buckhannonwv.org>
Reply-To: Johnson Sarah <Sarah.Johnson@sentry.com>
To: "foia@buckhannonwv.org" <foia@buckhannonwv.org>

Thu, Feb 16, 2023 at 10:39 AM

Good Morning,

Under the West Virginia Freedom of Information Act ("Act"), W.Va. Code §29B-1-1 et seq., I am requesting an opportunity to obtain copies of the following public records:

- Any and all police dash camera footage of the incident, the officer investigating the incident, the officer taking statements from involved parties, witnesses, tow company, ect, and approaching the accident location.
- Any and all officer body camera footage of the incident, the officer investigating the incident, taking statements from involved parties, witnesses, tow company, ect, and approaching the accident location.
- Any and all photographs of the accident scene, involved vehicles, property damage and/or involved parties.
- The results, if available, of the Magistrate Court proceedings involving Cody Lane and related to this accident.

Incident Information:

Report Number: "Unknown"
Officer: Ptlmn Fisher, Ptlmn Warner
Date: 09/29/2022
Location: In front of Good Hope Tabernacle Church, 3393 Route 20 South, Buckhannon of Upshur County
Parties Involved: Cody Lane and Elijah Carpenter
Vehicle Involved: 2002 Hyundai Santa Fe (VIN: KM8SC73D72U328739)
Dairyland Claim Number: 96A069221

If there are any fees for searching or copying these records, please provide me an invoice of the cost for payment.

If you deny any or all of this request, please cite each specific exemption you feel justifies the refusal to release the information and notify me of the appeal procedures available to me under the law.

Thank you for considering my request.

Sarah Johnson
Special Investigator | SIU
Office: 919-759-7657 | Fax 888-729-2225
Sarah.Johnson@sentry.com

Peak Property and Casualty Insurance Corporation
PO Box 8042
Stevens Point, WI 54481



FOIA Request - Re: Cody Lane - Claim 96A069221

6 messages

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Thank you for considering my request.

Sarah Johnson
Special Investigator | SIU
Office: 919-759-7657 | Fax 888-729-2225
Sarah.Johnson@sentry.com

Peak Property and Casualty Insurance Corporation
PO Box 8042
Stevens Point, WI 54481



Amberle Jenkins <amby.jenkins@buckhannonwv.org>

Reply-To: amby.j@buckhannonwv.org
To: Johnson Sarah <Sarah.Johnson@sentry.com>
Bcc: Tim Smith <timsmith@buckhannonpolice.com>

Thu, Apr 6, 2023 at 4:15 PM

Ms. Johnson:
I have contacted our police department. The case is still an active investigation and I have been informed that it is in the hands of the judicial system. The Buckhannon Police Department cannot release any of this information at this time.
Respectfully,
[Quoted text hidden]

D.3 Mills Group Project Schedule –Stockert Youth & Community Center



PROJECT SCHEDULE – STOCKERT YOUTH CENTER

APRIL 3, 2023

Schematic Design	Completed 2022
<ul style="list-style-type: none">Site SurveyGeotechnical ReportDevelop Plans	
Design Development	January, 2022 – April 23, 2023
<ul style="list-style-type: none">Refine PlansEngage MEP, StructuralCoordinate Plans with consultantsDevelop MEP/FP Building systemsClient review of Design Development DocumentsReceive Client CommentsCompletion of Design Development Documents	
	<div>January, 2023</div> <div>February, 2023</div> <div>February, 2023</div> <div>March/April, 2023</div> <div>w/o April 10, 2023</div> <div>April 14, 2023</div> <div>w/o April 24, 2023</div>
Construction Documents	April – June 2023
<ul style="list-style-type: none">Initiate Construction DocumentsCoordinate Plans with consultantsDevelop Interior Design ConceptsSubmit Progress Set of CD’s for client ReviewReceive Client Comments75% Construction DocumentsPrepare Interim CD Cost EstimateClient Review of 75% Construction DocumentsDesign Team Review of 95% DocumentsFinal Client Review Comments DueIssue 100% Construction Documents	
	<div>w/o April 24, 2023</div> <div>April 24, 2023</div> <div>April 2023</div> <div>May 1, 2023</div> <div>May 5, 2023</div> <div>May 8, 2023</div> <div>w/o May 8, 2023</div> <div>w/o May 8, 2023</div> <div>w/o May 30, 2023</div> <div>June 5- 12, 2023</div> <div>w/o June 19, 2023</div>

Note: Permitting, Issuance of Bid Documents, Negotiation/Award of Contract and Construction Start Dates to be determined at later date.

MILLS GROUP ONLINE . COM			
88 HIGH STREET MORGANTOWN, WV 26505 304-296-1010	53 14TH STREET, SUITE 607 WHEELING, WV 26003 304-233-0048	122 E GERMAN STREET SHEPHERDSTOWN, WV 25443 681-240-1010	102 THIRD STREET ELKINS, WV 26241 681-264-8045

E. Consent Agenda:

E.1 Approval of Minutes -Regular Meeting 04/06/23, Special 03/30/23, 04/18/23 Lay the Levy & Firefighter Interviews

E.2 Approval of Building and Wiring Permits



Permit Fee Report #75830-#75845

04/06/2023 - 04/19/2023

Permit #	Applicant Name	Applicant Address	Primary Contractor	Description	Project Cost	Fee Amount	Electrical Property Type	Asbestos Inspection	Zoning Approval Date	Historic Property	Flood Zone Area	Flood Zone /Elevation Certificate	FEMA Accessory Use
75834	COLONIAL WV, LLC	24 N KANAWHA ST	LET THERE BE LIGHT, LLC	400 A ELECTRICAL UPGRADE (3 UNIT GANG BOX) WO # 17656642; 3 UNITS INTERIOR RENNO - PAINT, FINISH	45,000.00	100.00	Commercial Property	No		No	N/A	No	No

				G, KITCHEN & BATHRO MS									
					45,000.00	100.00							

Group Total: 1

Group: Commercial-Industrial (nonresidential)

75841	Elks Lodge	47 N Kanawha St		Inside Restroom Remodel	3,000.00	28.50				Yes	N/A	No	
75837	Gary Hull	21 Henry St		Inside Remodel, Window Replacement, Siding	1,999.00	15.00				No	Zone AE	Yes-Elevation Cert. Not Required	
75835	Upshur County Development Authority	21 E Main St Innovation Center	Harris Brothers Roofing	Roof repair due to man made holes, not removing materials	500.00	15.00		No		Yes	N/A	No	
75832	ARIEL SEARS	7 THIRD AVE		4' FENCE - WOOD POSTS & WIRE	800.00	15.00		No	4/5/2023	Yes	Zone X	No	No
75834	COLONIAL WV, LLC	24 N KANAWHA ST	LET THERE BE LIGHT, LLC	400 A ELECTRIC AL UPGRADE (3 UNIT GANG BOX) WO # 17656642; 3 UNITS INTERIOR RENNO - PAINT, FLOORING, KITCHEN & BATHROOMS	45,000.00	337.50	A Commercial Property	No		No	N/A	No	No
					51,299.00	411.00							

Group Total: 5

Group: Residential (non-commercial)

75844	TIMOTHY PATRICK	3 MYRNA ST		6FT HEIGHT FENCE TO CONNECTING TO EXISTING FENCE	2,314.00	25.46		No	4/19/2023	No	N/A	No	No
75845	LARRY LANTZ	12 LEONARD ST		INTERIOR REMODEL-PROPERTY WAS REMOVED FROM VACANT PROP LIST GONNA WORK ON IT IN HOPES OF SELLING	7,500.00	82.50		No		No	N/A	No	No
75843	BILL BEATHE	8 MYRNA ST	ERNEST SMALL PAVING	RESURFACE EXISTING DRIVEWAY- BLACKTOP	6,100.00	67.10		No		No	N/A	No	No
75842	CRYSTAL REPILOGI	137 S FLORIDA		REPLACEMENT OF	5,000.00	55.00		No	4/10/2023	No	N/A	No	No

	E			EXISTING FENCE/ EXTEND FENCE VINYL 6FT HIGH									
75838	KELLY M QUEEN	18 MONONGALIA ST		DECK REPLACEMENT NO ROOF 12 FT X 12 FT	3,500.00	38.50		No	4/14/2023	No	N/A	No	No
75839	EVELYN HINKLE	52 SMITHFIELD ST	J & T CONSTRUCTION	5' X 16' COVERED PORCH-FRONT	2,000.00	22.00		No	4/14/2023	Yes	N/A	No	No
75836	TRI STATE Toter SERVICE	101 BARBOUR		REPLACE SIDE DOO, INTERIOR PAINT	500.00	10.00		No		No	N/A	No	No
75833	JOSH & MIRANDA ANDREWS	17 SEDGWICK ST	Solar Holler LLC	INSTALLATION OF ROOF MOUNTED SOLAR ARRAY	41,174.44	370.57	B2 Single Family Residential (500 sq ft)	No		Yes	N/A	No	No
75830	BUCKHAN NON HOUSING AUTHORITY	38/40, 43/45 & 53/55 HINKLE DR	JD BUILDERS JOSHUA DEAN	REROOF-METAL OVER SHINGLES	16,425.00	180.68		No		No	N/A	No	No
75831	Jerry Cochran	138 Barbour St		Interior Remodel	5,000.00	55.00				No	N/A	No	
					89,513.44	906.81							

Group Total: 10

Group: Residential Electrical Fee

75840	MARK WALDO	10 GUM ST	TWISTED WIRE	ELECTRIC AL UPGRADE	1,800.00	100.00	B2 Single Family Residential (500 sq ft)	No		No	N/A	No	No
75833	JOSH & MIRANDA ANDREWS	17 SEDGWICK ST	Solar Holler LLC	INSTALLATION OF ROOF MOUNTED SOLAR ARRAY	41,174.44	100.00	B2 Single Family Residential (500 sq ft)	No		Yes	N/A	No	No
					42,974.44	200.00							

Group Total: 2

Group: Zoning Application Fee

75839	EVELYN HINKLE	52 SMITHFIELD ST	J & T CONSTRUCTION	5' X 16' COVERED PORCH-FRONT	2,000.00	20.00		No	4/14/2023	Yes	N/A	No	No
75832	ARIEL SEARS	7 THIRD AVE		4' FENCE - WOOD POSTS & WIRE	800.00	20.00		No	4/5/2023	Yes	Zon e X	No	No
					2,800.00	40.00							

Group Total: 2

					231,586.88	1,657.81							
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Total Records: 20

4/20/2023

E.3 Approval of Payment of the Bills:

Vendor	Amount	Account #	Description
APPALACHIAN LAND MANAGEMENT	\$ 11,215.00	001-750-458-05	PREP SCOTT ST INTERSECTION
APPALACHIAN SIGNALS	\$ 391.65	001-976-216-00	ANNUAL FIRE ALARM INSPECTION- PSC
BENNY'S BOOT HILL	\$ 170.91	001-750-341-00	BOOTS FOR DANNY BAILEY
BRUFFY TRUCKING	\$ 2,089.74	001-750-458-08	STONE FOR GWW
BRUFFY TRUCKING	\$ 703.25	001-750-458-05	STONE FOR S FLORIDA ST SIDEWALKS
BRUFFY TRUCKING	\$ 2,545.52	001-750-458-05	STONE FOR SCOTT ST INTERSECTION
BRUFFY TRUCKING	\$ 1,800.00	001-750-458-05	TRANSPORT TOPSOIL FOR MADISON ST PROJECT
CARTER, LARRY	\$ 72.00	001-907-363-00	KARATE CLASS INSTRUCTOR MARCH 2023
CENTRAL SUPPLY CO	\$ 5,903.14	001-750-458-05	60 YDS CONCRETE S FLORIDA ST SIDEWALKS
CENTRAL SUPPLY CO	\$ 38.14	001-750-458-05	FOAM EXP JOINT FOR FLORIDA ST SIDEWALK
COLE TRUCK PARTS	\$ 279.34	001-750-343-00	CB ANTENNA, CORNER PROTECTORS, CONNECTORS, WELD ON WINCH, STRIPPED END/ RING TERMINAL, RATCHET STRAP
COMMUNITY CARE OF WV	\$ 180.00	001-907-341-00	PRE EMPLOYMENT PHYS S. WOOD; CDL PHYSICAL R. JOHNSON
CORRIDOR H TIRE, INC.	\$ 210.00	001-750-343-00	2 TIRES FOR TRAILER
CRITES ELECTRICAL SUPPLY, INC	\$ 11.40	001-750-458-05	PVC CONNECTORS KANAWHA ST
DAWN WEBB	\$ 216.00	001-907-363-00	KARATE CLASS INSTRUCTOR MARCH 2023
DIV OF WATER & WASTE MNGMT	\$ 150.00	001-750-458-08	GROUNDWATER PERMIT FEE GWW PHASE II
FISHER AUTO PARTS	\$ 15.96	001-750-343-00	FUEL CAP FOR S-15
FOSTER SUPPLY INC	\$ 582.50	001-750-458-08	CONCRETE RISER GWW
GEORGE L WILSON, INC.	\$ 5,637.50	001-750-458-05	2' X 5' ADA MATS
LOWES	\$ 169.35	001-750-458-08	LUMBER & FORMING SUPPLIES FOR GWW
MOUNTAIN STATE ELECTRICAL	\$ 70,821.00	001-976-459-36	STORAGE - PSC GENERATORS
MOUNTAIN STATE ELECTRICAL	\$ 2,325.21	001-976-459-35	AUTO START ON WTP GENERATOR
NAPA	\$ 150.52	001-750-343-00	BALL JOINTS FOR S-12
NAPA	\$ 179.94	001-750-343-00	LIGHTS, PLUGS & STRAPS FOR S-21
NAPA	\$ 174.31	001-750-343-00	MUD FLAP HANGER S-21
RDR ENERGY RESOURCES	\$ 7,705.25	001-750-458-05	33 YDS CONCRETE S FLORIDA S T
RDR ENERGY RESOURCES	\$ 2,192.50	001-750-458-08	10 YDS CONCRETE FOR GWW
SCOTT ELECTRIC CORP	\$ 186.42	001-750-458-05	PVC BOX AND COVERS KANAWHA ST
SEALCOAT CONCEPTS	\$ 5,200.00	001-750-341-00	PAINTING OF CURBS DOWNTOWN
THE SIGN GUY	\$ 48.00	001-750-343-00	TRUCK DECALS FOR S-21

SMALL, APRIL	\$ 24.00	001-907-368-01	KICKBOXING INSTRUCTOR MARCH 2023
STERICYCLE, INC.	\$ 82.80	001-700-341-00	HAZMAT PICKUP 4/23-6/23
WANDERSCAPE	\$ 1,665.00	001-750-341-00	MOWING CITY LOTS 4/3-4/9/2023

Motion by Reger/Rylands to approve all of Consent Agenda items. Motion carried unanimously.

F. Strategic Issues for Discussion and/or Vote:

F.1 Recommendation from the Revenue Review Committee Regarding the Request from Premier Properties of WV LLC Hotel-Motel Tax Allocation: According to the state law, hoteliers may request up to 75% of the hotel-motel tax paid for their business back to use for advertising. Ms. Henderson is requesting return of 50% of the hotel-motel tax collected from her. She does not feel that the CVB is helping her business with advertising in order to increase her business and that she has been solely responsible for her advertising. Recorder Randy Sanders did want anyone who was not aware to understand that the hotel-motel tax is paid by the consumer, and this money does not come from the hotel’s profit. A discussion was had with Mayor Skinner suggesting that if she does not feel that she is being adequately assisted by the CVB that all interested parties hold a meeting. Council member Dave McCauley stated that the hours that the CVB is open is not really conducive to helping visitors, and Recorder Sanders and Director of the Chamber of Commerce, Tammy Reger, acknowledge that is a problem, and that the CVB is working to hire someone for weekend and possibly evening hours.

Mayor Skinner stated that the Revenue Review Committee did not recommend returning the tax allocation. He also suggested that all parties meet again to revisit status of the CVB operations in six months.

The Revenue Review Committee met on 04/11/2023 at 9:00 am

In attendance: Robert Skinner III, Scott Randall, Barbara Hinkle, Jack Reger, Amberle Jenkins, David Thomas-GTM

- **Premier Properties of West Virginia LLC Db a The Baxa Inn:**

**Premier Properties of West Virginia LLC
Dba The Baxa Inn
21 North Kanawha Street
Buckhannon, WV 26201
304-472-2500**

Buckhannon City Council
70 East Main Street
Buckhannon WV 26201

Mayor and Council Members:

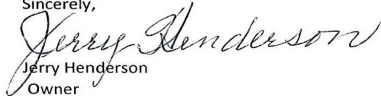
According to WV Code 7-18-14(1)(A):

Any hotel located within such municipality may apply to such municipality for an appropriation to such hotel of a portion of the tax authorized by this article and collected by such hotel and remitted to such municipality for uses directly related to promotion of tourism and travel, including advertising, salaries, travel, office expenses, publications, and similar expenses. The portion of such tax allocable to such hotel shall not exceed 75 percent of that portion of such tax collected and remitted by such hotel which is required to be expended pursuant to this subsection: Provided, That prior to appropriating any moneys to such hotel, such municipality shall require the submission of, and give approval to, a budget setting forth the proposed uses of such moneys.

As provided in the Code I am requesting your consideration that a portion (50%) of the Hotel- Motel Tax submitted monthly by The Baxa Inn be returned to the business. It will be used for advertising to put "Heads in Beds" by bringing customers to Buckhannon businesses. I appreciate your consideration of this request which I believe will produce more direct results in bringing travelers to Upshur County to enjoy our local attractions, support our unique small shops, dine in our restaurants, and rest & relax in our local lodging options. As stated in Code we are attaching a budget showing the proposed use.

Thank you and should you require more information please contact me at The Baxa Inn at 304-472-2500 or by cell at 304-380-2958.

Sincerely,


Jerry Henderson
Owner

City Ordinance No. 389 of the City of Buckhannon exists that directs how the contributions would be distributed. The taxes for these have already been dispersed and expended. Currently 70% of the H&M revenues go to the Upshur County Convention and Visitors' Bureau and 30% goes to the Consolidated Public Works Board. It is not possible to expense hotel funds again that were already earmarked.

If a request was suggested to reimburse the hotel taxes and if Council approved such a request, it would probably require an ordinance change.

Also, this would more than likely trigger all other hotel motels to submit similar requests. Reducing funding from the UCCVB and Consolidated Public Works Board would impact those operations.

All members agreed they could not recommend this request to City Council for approval.

There being no further business to be transacted, meeting adjourned at 9:45 am.

Motion by Sanders under the recommendation of the Revenue Review Committee to deny the request from Premier Properties of West Virginia LLC, Dba The Baxa Inn, seconded by Reger. All Council approved the motion with the exception of Council member Dave Thomas opposed, motion carried.

F.2 Approval Appointment of James Trivolette to the Television Cable Board: Mr. Trivolette is the Technology System Specialist for the UCBOE.

Motion by Sanders/Reger to approve appointment of James Trivolette to the Television Cable Board Motion carried unanimously.

F.3 Reschedule City Council Meeting Date of May 18 for Tuesday, May 16, 2023 at 7PM due to conflict with the West Virginia Strawberry Festival Events

Motion by McCauley/Sanders to change the meeting date to Tuesday, May 16, 2023 at 7PM Motion carried unanimously.

F.4 Recommendation from the CAC Board Agreement to Partnership with Local 501(c)(3) Organization to Accept Donations on behalf of the CAC: Some organizations only want to donate to a 501(c)(3). Buckhannon Community Theater would act as that charitable organization for the Colonial Arts Center. The Memorandum of Understanding would state that they would accept it, give to the City to allocate to the CAC, and we would write them a thank you note. Attorney Tom O'Neill has reviewed the MOU proposal for approval.

Sanders/Rylands motion for Mayor Skinner to sign the MOU with Buckhannon Community Theatre, Inc. to act as the authorized 501(c)(3). Motion carried unanimously.

G. Comments and Announcements:

G.1 Pamela Bucklew: Absent.

G.2 David McCauley: Jerry Arnold designed and fabricated a flag pole for the Charles W. Gibson Public Library. He hopes that new plans have a place for the flag pole.

G.3 Jack Reger: Thanks the UCBOE for allowing Mr. Trivolette to serve on Television Cable Board. Kudos to the library – he is impressed with the schematics and plans for renovation.

G.4 David Thomas: Nothing to add. Mayor Skinner stated it was good to have him back.

G.5 CJ Rylands: Create Buckhannon is borrowing an idea from Lockwood, OH to have an Adopt a Spot for local people/businesses to have an assigned adopted location, to add flowers in order to help beautify the city.

G.6 Randall Sanders: There is a robust summer ahead. Strawberry Festival looks to be phenomenal; Almost Heaven BBQ Bash looks to be great; the Miss WV Pageant is here June 2-4; WAMSB; and the event center is looking forward to their first event where the Shriners are hosting over 350 people.

H. Mayor’s Comments and Announcements: The plans for the library look great. Thank you to Ms. Norko and the library board for all their hard work. The Parks & Recreation Committee is going great. He thanks them all for their hard work. Members of Parks & Rec area auditing each city park, to compile a list of what needs work at each park. Also a good Planning Committee meeting, and he is excited to see the Adopt a Spot. He requests that CJ Rylands send information to all city council members.

I. Adjournment: Motion to adjourn at 8:21 p.m. by Randy Sanders.

Mayor Robert N. Skinner III _____

City Recorder Randall H. Sanders _____