

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

Two public hearings and a regular meeting of the Buckhannon City Council were held on Thursday, May 02, 2024, 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	Present
Council Member	David McCauley	Present
Council Member	Jack Reger	Present
Council Member	CJ Rylands	Present - GTM
Council Member	David Thomas	Present
Assistant Recorder & Director of Finance	Amberle Jenkins	Present
City Attorney	Tom O'Neill	Present
Buckhannon Fire Department	Captain Linn Baxa	Present
Buckhannon Police Department	Chief Matthew Gregory	Present
Director of Public Works	Jerry Arnold	Present
Mayor's Office	Barbara Hinkle	Present
Channel 3	Rodney Irvin	Present
MyBuckhannon.com	Katie Kuba	Present
Record Delta	Noah Jeffries	Present

Guests: Father Edward Tetteh, SVD, Deacon Rue Thompson; Catherine Norko, Gibson Library; Elizabeth Terry; John L. Weber, Rachel Weber; Sue McKisic, Chris Garrett, R.S., UCHD; Kathy McMurray, Mt. Cap of WV; Jalna Jones; Sue Smith, Edith Smith; Meredith Cottrell; Diana Thompson; Joseph Reed; Kristie Tenney, UCC; Joe Hughes, Lynx WV, INC, GTM; Virginia Carmona, Sal Carmona; Captain Brian Elmore, BFD; Doyle R. Cutright, Director: Upshur County Emergency Communications Center & Liaison Officer with WV Intelligence Fusion Center – GTM.

***City Council of Buckhannon – 7:00 pm in Council Chambers  
Meeting Agenda for Thursday, May 02, 2024***

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**A. TO CONDUCT A PUBLIC HEARING REGARDING THE PROPOSED ADOPTION ON THIRD AND FINAL READING OF THE FOLLOWING ENTITLED ORDINANCE NO. 467 OF THE CITY OF BUCKHANNON, AN ORDINANCE AMENDING ORDINANCE NO. 390 OF THE CITY OF BUCKHANNON, INCREASING THE CITY'S FIRE PROTECTION SERVICE FEES CHARGED TO RESIDENTS AND BUSINESSES WITHIN THE CORPORATE LIMITS OF THE CITY, ESTABLISHING TIERED FEES, PROVIDING FOR THE ADMINISTRATION, COLLECTION AND USE OF FEES RAISED HEREBY, AND SETTING AN EFFECTIVE DATE OF JULY 1, 2024**

**B. TO CONDUCT A PUBLIC HEARING REGARDING THE PROPOSED ADOPTION ON THIRD AND FINAL READING OF THE FOLLOWING ENTITLED ORDINANCE NO. 468 OF THE CITY OF BUCKHANNON, AN ORDINANCE AMENDING ORDINANCE NO. 224 OF THE CITY OF BUCKHANNON, INCREASING THE CITY'S POLICE PROTECTION SERVICE FEES CHARGED TO RESIDENTS AND BUSINESSES WITHIN THE CORPORATE LIMITS, ESTABLISHING TIERED FEES, PROVIDING FOR THE ADMINISTRATION, COLLECTION AND USE OF FEES RAISED HEREBY, AND SETTING AN EFFECTIVE DATE OF JULY 1, 2024**

**C. Call to Order**

- C.1 Moment of Silence
- C.2 Pledge to the Flag of the United States of America

**D. Recognized Guests**

- D1 Kathy McMurray, Exe, Director Mountain CAP of WV, Inc- Proclamation Community Action Month
- D.2 Holy Rosary Catholic Church- Proclamation Corpus Christi Day
- D.3 Upshur-Buckhannon Health Dept. Sue Mckisic, RN, BSN & Chris Garrett, Registered Sanitarian
- D.4 WVWC Student Senate Meredith Cottrell-Greetings & Campus News

**E. Department & Board Reports**

- E.1 Public Works Director- Jerry Arnold
- E.2 Finance Director - Amberle Jenkins
- E.3 Fire Chief- JB Kimble
- E.4 Police Chief- Matthew Gregory
- E.5 City Attorney- Tom O'Neill

**F. Correspondence & Information**

- F.1 Notice of Public Hearing & Proposed Adoption of Ord #467 Increasing City's Fire Protection Fees
- F.2 Notice of Public Hearing & Proposed Adoption of Ord # 468 Increasing City's Police Protection Fees
- F.3 Notice City Council Meeting Date of May 16, 2024 has been cancelled due to conflict with the WVSF
- F.4 Notification to Residents/Businesses Located along the Parade Route & Lineup Staging Areas
- F.5 Webb Grubb Police Officer Recognition Day -May 15, 2024 at 2pm at the Public Safety Complex
- F.6 Friendly Way Firefighter Recognition Day- May 17, 2024 at 3pm at the Public Safety Complex
- F.7 Notice Accepting Resumes for the Position of Director of Public Works for the City of Buckhannon
- F.8 Notice of Special Meeting of the Planning Commission to discuss the request for the consideration to Amend Zoning Ordinance No. 244, Section 501 R-1, Single Family Residential District, the Permitted Uses to include Airbnb Rentals

**G. Consent Agenda**

- G.1 Approval of Minutes-Regular meeting 04/18/24
- G.2 Approval of Building and Wiring Permits
- G.3 Approval of Payment of the Bills

**H. Strategic Issues for Discussion and/or Vote**

- H.1 Approval Ordinance No. 467 Increasing the City's Fire Protection Service Fees -3rd /Final Reading
- H.2 Approval Ordinance No. 468 Increasing the City's Police Protection Service Fees -3rd/Final Reading
- H.3 Request Support from Health Department for Policy to Implement Environmental Fees for Permits & Services
- H.4 Due to Holiday-Reschedule Council Meeting of June 20, 2024 to be held on Tuesday, June 18, 2024
- H.5 Due to Holiday-Reschedule/Merge Council Meetings of July 4 & July 18, 2024 to be held on July 11,
- H.6 Police Civil Service Commission Recommendation of Top 3 Candidates to Council for Consideration of Hiring & To Conduct Interviews for Position of Probationary Police Officer on May 21<sup>st</sup> 9AM
- H.7 Memorandum of Understanding between UCECC & BPD re: Upshur County 911 Radio Project

**I. Comments and Announcements**

- G.1 Pamela Bucklew
- G.2 David McCauley
- G.3 Jack Reger
- G.4 David Thomas
- G.6 CJ Rylands
- G.7 Randall Sanders

**J. Mayor's Comments and Announcements**

**K. Adjournment**

**Posted 04/29/2024**

**A. Call to Order:** At 7:00 pm, Mayor Robbie Skinner called to order a public hearing regarding the proposed adoption on the third and final reading of Ordinance No. 467 of the City of Buckhannon. This ordinance aims to amend Ordinance No. 390 of the City of Buckhannon by increasing the city's fire protection service fees charged to residents and businesses within the city's corporate limits. It establishes tiered fees and provides for the administration, collection, and use of fees raised hereby. The effective date of this ordinance is set for July 1, 2024. The Mayor read the following caption as a matter of record:

**ORDINANCE NO. 467 OF THE CITY OF BUCKHANNON, AN ORDINANCE AMENDING ORDINANCE NO. 390 OF THE CITY OF BUCKHANNON, INCREASING THE CITY'S FIRE PROTECTION SERVICE FEES CHARGED TO RESIDENTS AND BUSINESSES WITHIN THE CORPORATE LIMITS OF THE CITY, ESTABLISHING TIERED FEES, PROVIDING FOR THE ADMINISTRATION, COLLECTION AND USE OF FEES RAISED HEREBY, AND SETTING AN EFFECTIVE DATE OF JULY 1, 2024**

Mayor Skinner asked if anyone wished to speak for or against proposed Ordinance No. 467. There were none.

**McCauley/Bucklew motioned to close the public hearing regarding the proposed adoption of Ordinance No. 467 of the City of Buckhannon. The motion carried.**

**B. Call to Order:** At 7:03 pm, Mayor Robbie Skinner called to order a public hearing regarding the proposed adoption on the third and final reading of Ordinance No. 468 of the City of Buckhannon. This ordinance aims to amend Ordinance No. 224 of the City of Buckhannon by increasing the city's police protection service fees charged to residents and businesses within the corporate limits, establishing tiered fees, providing for the administration, collection, and use of fees raised hereby, and setting an effective date of July 1, 2024. The Mayor read the following caption as a matter of record:

**ORDINANCE NO. 468 OF THE CITY OF BUCKHANNON, AN ORDINANCE AMENDING ORDINANCE**

**NO. 224 OF THE CITY OF BUCKHANNON, INCREASING THE CITY'S POLICE PROTECTION SERVICE FEES CHARGED TO RESIDENTS AND BUSINESSES WITHIN THE CORPORATE LIMITS, ESTABLISHING TIERED FEES, PROVIDING FOR THE ADMINISTRATION, COLLECTION AND USE OF FEES RAISED HEREBY, AND SETTING AN EFFECTIVE DATE OF JULY 1, 2024**

Mayor Skinner asked if anyone wished to speak for or against proposed Ordinance No. 468. Elizabeth Terry requested to speak. Ms. Terry indicated that she would be in favor only if enforcement increased. No others requested to speak.

**McCauley/Reger motioned to close the public hearing regarding the proposed adoption of Ordinance No. 468 of the City of Buckhannon. The motion carried.**

**C. Call to Order:** At 7:08 pm, Mayor Robbie Skinner called the May 02, 2024, regular meeting of the Buckhannon City Council to order, followed by a moment of silence and pledge to the flag. He then acknowledged the presence of Upshur County Commission member Kristie Tenney.

**D. Recognized Guests:**

**D.1 Kathy McMurray, Executive Director Mountain CAP of WV, Inc.- Proclamation Community Action Month** - Mayor Skinner recognized Kathy McMurray, Executive Director Mountain CAP of WV, Inc., who provided the Mountain CAP 2023 Annual Impact Report.

**THE PROMISE OF COMMUNITY ACTION**  
COMMUNITY ACTION CHANGES PEOPLE'S LIVES, EMBODIES THE SPIRIT OF HOPE, IMPROVES COMMUNITIES, AND MAKES AMERICA A BETTER PLACE TO LIVE. WE CARE ABOUT THE ENTIRE COMMUNITY, AND WE ARE DEDICATED TO HELPING PEOPLE HELP THEMSELVES AND EACH OTHER.

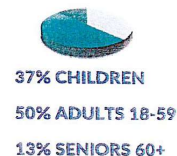
**OUR MISSION**  
MOUNTAIN CAP IS BUILDING FOUNDATIONS FOR INDIVIDUALS, FAMILIES AND COMMUNITIES THROUGH PROGRAMS AND PARTNERSHIPS THAT PROMOTE FAMILY STABILITY AND INCREASE ECONOMIC OPPORTUNITIES.

**OUR VISION**  
CREATING INCLUSIVE, VIBRANT COMMUNITIES WHERE ALL INDIVIDUALS AND FAMILIES ARE THRIVING.

**MOUNTAIN CAP OF WV, INC**  
26 N. KANAWHA STREET  
BUCKHANNON, WV 26201  
(304) 472-1500  
WWW.MOUNTAINCAPWV.ORG

**2023 DEMOGRAPHICS**

MOUNTAIN CAP OF WV, INC  
SERVED 863 UNDUPLICATED FAMILIES  
(2035 INDIVIDUALS) IN 2023



**Mountain CAP 2023 OUTCOMES**

The number of individuals who achieved one or more outcomes as identified by the National Performance Indicators in various domains.	1432
The number of children and youth who demonstrated improved positive approaches toward learning, including improved attention skills. (auto total).	219
- Early Childhood Education (ages 0-5)	76
- 1st grade-8th grade	135
- 9th grade-12th grade	8
The number of children and youth who are achieving at basic grade level (academic, social, and other school success skills). (auto total)	86
- Early Childhood Education (ages 0-5)	36
- 1st grade-8th grade	46
- 9th grade-12th grade	4
Number of preschool and pre-K students who demonstrated skills for school readiness	24
The number of individuals experiencing homelessness who obtained safe temporary shelter.	101
The number of individuals who obtained safe and affordable housing.	396
The number of individuals who experienced improved health and safety due to improvements within their home (e.g. reduction or elimination of lead, radon, carbon dioxide and/or fire hazards or electrical issues, etc).	51
The number of individuals with improved energy efficiency and/or energy burden reduction in their homes.	51

The number of individuals or households were able to maintain or obtain utility service	150
The number of individuals who demonstrated improved mental and behavioral health and well-being.	87
The number of individuals who improved skills related to the adult role of parents/caregivers.	32
The number of parents/caregivers who demonstrated increased sensitivity and responsiveness in their interactions with their children.	21
The number of individuals who demonstrated increased nutrition skills (cooking classes, gardening, etc.)	18

OUTCOMES WERE ACHIEVED ACROSS FIVE DOMAINS OF

- CHILDCARE
- EDUCATION
- HEALTHY FAMILIES
- HOUSING
- HEALTH
- ECONOMIC STABILITY

THROUGH THE PROVISION OF OVER 4000 SERVICES SUCH AS

- ADVOCACY
- PARENTING SUPPORTS
- CASE MANAGEMENT
- ENERGY EFFICIENCY
- RENT/UTILITY ASSISTANCE
- AFFORDABLE HOUSING

Mayor Skinner then read and presented the proclamation acknowledging Community Action Month to Executive Director McMurray.



### **Community Action 60th Anniversary and Community Action Month Proclamation**

**WHEREAS**, Community Action has made essential contributions across this Nation for 60 years, inspiring a spirit of hope, creating opportunities for millions of people to be a part of the American Dream, and improving communities; and

**WHEREAS**, Community Action remains committed to a nation that creates opportunities for all people to thrive, builds strong, resilient communities, and ensures a more equitable society; and

**WHEREAS**, Community Action is a robust state and local force connecting people to life-changing services and creating pathways to prosperity in 99% of all American counties; and

**WHEREAS**, Community Action builds and promotes economic stability as an essential aspect of enabling and enhancing stronger communities and stable homes; and

**WHEREAS**, Community Action strategies and innovative solutions evolve as the needs of individuals, families, and communities in cities, suburbs, and rural areas change; and

**WHEREAS**, Community Action is experienced in advancing opportunities by coordinating federal state, local and private resources to achieve results for people and communities; and

**WHEREAS**, Community Action insists on community participation and involvement ensuring that all sectors of the community have a voice and will be heard; and

**WHEREAS**, Community Action is recognizing 60 years of innovation, impact, and providing proven results for Americans.

**NOW, THEREFORE**, I, Robert Neal Skinner, III, Mayor of the Buckhannon, WV do hereby proclaim May 2024 as **Community Action Month** in recognition of the 59 years of dedication and results achieved by Mountain CAP of WV, Inc., a CDC.

**IN TESTIMONY WHEREOF**, I have hereunto set my hand and caused to be affixed the Great Seal of Buckhannon, WV on this 2<sup>nd</sup> day of May, 2024.

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

Mayor Skinner then read and presented the proclamation for the Buckhannon Holy Rosary Catholic Church recognizing Corpus Christi Day.

### **PROCLAMATION**

**WHEREAS**, the City of Buckhannon and Holy Rosary Catholic Church are united in promoting a deeply symbiotic relationship among the townspeople and parishioners; and

**WHEREAS**, the parishioners of Holy Rosary Catholic Church are committed to living the Eucharist, the True Presence of Jesus Christ in the world; and

**WHEREAS**, the Feast of Corpus Christi, also called Solemnity of the Most Holy Body and Blood of Christ, honors of the real presence of the body (corpus) of Jesus Christ in the Eucharist; and



**WHEREAS**, the Feast of Corpus Christi will be observed on June 2, 2024, in the Holy Roman Catholic Church and particularly by Holy Rosary Church in Buckhannon; and

**NOW, THEREFORE**, I, Robert Neal Skinner III, Mayor of the City of Buckhannon, WV, do hereby declare June 2, 2024 as:

***The Feast of Corpus Christi Day***

in the City of Buckhannon and encourage all citizens to rejoice and celebrate with their friends and neighbors from Holy Rosary Church.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the seal of the City of Buckhannon to be affixed this 2<sup>nd</sup> day of May, 2024.

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



Without objection, Mayor Skinner moved **H.3 Request Support from Upshur-Buckhannon Health Department for Policy to Implement Environmental Fees for Permits & Services** to the table and then acknowledged Sue McKisic and Chris Garrett, of the Upshur County Health Department. Mrs. McKisic provided an overview of the requested City Council action, followed by further clarification by Mayor Skinner that this was simply an approval by the Council of the fees that the Upshur County Health Department charges.



**Our Health Department is for EVERYONE!**

**Public Notice for Comment from the Upshur-Buckhannon Health Department**

At a meeting held on March 20, 2024, the Upshur-Buckhannon Board of Health voted to adopt a proposed rule, entitled "Upshur-Buckhannon Health Department Fees for Permits and Services". The proposed Rule establishes fees for environmental permits and services. The Upshur-Buckhannon Health Department is seeking approval of this newly proposed Rule by the Appointing Authorities of the Board of Health. Citizens wishing to obtain a copy of the proposed Rule can do so by contacting the Upshur-Buckhannon Health Department at 15 North Locust Street, Buckhannon, WV, or at 304-472-2810. The proposed Rule is available for review at the Upshur-Buckhannon Health Department from 8:30 a.m. to 4:30 p.m. Monday through Friday, except for legal holidays. Comments must be received no later than the close of business, 4:30 p.m. on April 26, 2024. All comments must be in writing to be considered by the Upshur-Buckhannon Board of Health.

**McCauley/Thomas motioned to approve the Policy to Implement Environmental Fees for Permits & Services by the Upshur County Health Department as presented. Discussion took place. The motion carried unanimously.**

Mayor Skinner recognized Meredith Cottrell, of West Virginia Wesleyan College (WVWC), who presented the following report regarding WVWC:

- Greetings
- The students and faculty are winding down the semester
- Today was students' study day, which will end later tonight with a late-night breakfast served by faculty and staff
- Friday begins the first day of Finals, ending on May 7th with undergraduates departing
- Seniors will be kept busy:
  - Saturday, May 4th, WVWC will give the Seniors a SENIOR PROM at the Colonial Arts Center, catered by the Whistle Stop. Our way of trying to treat them a little more special because they didn't get a high school senior prom
  - Wednesday, May 8th, seniors will be treated to GRAD FEST at the 88 Pavilion
  - Friday, May 10th, we will have:
    - Graduate reception for Alderson-Broaddus graduates
    - Senior Brunch
    - School of Nursing Convocation
    - Education Department Reception
    - Multi-Cultural and First Generation Ceremony
    - Baccalaureate, with guest speaker, Bishop Sandra Steiner Ball
    - Commencement will be held in Wesley Chapel at 10 a.m. on Saturday, May 11th, with guest speaker Mark Phillips, President and CEO of Catholic Charities, West Virginia.
  - Then there is no rest, as we will host the WV Strawberry Festival Coronation the same evening.
  - We thank you for a great year of community support for our students and appreciate all that Buckhannon does for Wesleyan's students!
  - We wish you all a great summer! I will see you in August!!!

Mayor Skinner asked if any others wished to address the City Council. There were none.

Public comments were closed at 7:34 pm.

## **E. Department & Board Reports**

**E.1 Public Works Director - Jerry Arnold** - Mayor Skinner noted that Jerry Arnold was not present but had provided the following report:

### **Street:**

- We continue working on the City Park. We have hauled/placed about 1500 cubic yards of fill material. The pickleball courts are ready for paving.
- Crews are repairing several sidewalks on S. Florida St. and the PSC's concrete apron and light pole.

### **Sewer:**

- Crews continue to work on the Island Avenue Project.

### **Waste:**

- Nothing new to report.

### **Water:**

- Crews continue working on the Meade Street Waterline Project.

### **Engineer:**

- ARPA—Tennerton Booster Station – Contract B is approximately 90% complete as work continues on the electrical installation phase of the project. The only electrical item remaining before the SCADA equipment is installed is the wiring of the existing generator to the new booster station building. After the SCADA system is installed, the booster station will be tested (mid-May) and run for an extended period (late June) to ensure it functions properly.
- WVDOH Transportation Alternative Program (TAP) – The City received notice that the Governor approved the Morton Avenue engineering and surveying design phase. The value of this phase of the project is \$75,000.00, with the City being responsible for \$15,000.00 (80/20 split). The 2024-25 application period will be opening soon, and the City will resubmit the Route 20 North sidewalk project and prepare an application for the Main Street / Route 20 intersection sidewalk improvement project between Main Street and Huffman Lane.

- CRS – Submitted the necessary information required by CRS for the 2023-24 annual CRS report on April 29, 2024. Continuing to work on the 2024 Annual Floodplain Management Report that will be submitted for review by the City Council before making it available to the general public. It should be noted that the Report will be submitted to the City Council for review and approval sometime in June 2024.

**E.2 Finance Director - Amberle Jenkins – Mayor Skinner recognized Amberle Jenkins, who provided the following reports:**

Amby report 5/2/2024

Balances April 2024

General Fund mm checking \$1,988,168.60 CD \$86,550 (Received \$1,162,955 from Sales Tax Fund in April)

Historic Landmark savings \$3,034

Stockert Youth Center Capitol Campaign \$447,096 + 12,000 pledge = \$459,096

Coal Tax \$53,186.

Municipal Stabilization Fund \$924,215

Flood Control Acct \$78,339

Consolidated Public Works Board \$151,404 Cem CD \$235,333

Sales Tax \$1,203,468 (Interest Feb-March \$11,970 added and last tranche for this fy transferred to GF)

American Rescue Plan Acct \$422,564

Opioid Account \$113,226

March 2024 General Fund – revenues and expenditures

Revenues \$1,668,954. Expenses \$446,944

Stockert Activity is attached. Approximately 1400 attendees throughout the month.

CAC – A home school group continues to use a classroom. The main hall was rented for a party. The BCT production of Rex's Exes was held April 25 – 28.

Event Center – In April- Shriners Elimination Dinner; NRA fundraiser, WV School Board Association dinner and presentation and Upshur County Poll Worker training

SYCC EVENTS APRIL 2024					
Start Date	Start Time	End Time	Event	Location	# Attendee
4/01/2024	1:00 PM	3:00 PM	Homeschool Group Activities	Gym, Lounge, Game room	11
4/01/2024	5:30 PM	8:30 PM	Karate	Gym	12
4/03/2024	12:00 PM	1:00 PM	Tobacco Coalition Meeting	Upstairs	5
4/03/2024	2:00 PM	4:00 PM	Open Gym	Gym	2
4/04/2024	12:00 PM	2:00 PM	Guitar Lessons	Gym	6
4/04/2024	1:00 PM	2:00 PM	Garden Club Meeting	Lounge	7
4/04/2024	5:00 PM	6:00 PM	SYCC Drill Team Practice	Gym	4
4/04/2024	6:30 PM	8:30 PM	Karate	Gym	8
4/05/2024	5:30 PM	6:30 PM	Softball Pitching Lessons	Gym	23
4/06/2024	2:00 PM	4:00 PM	Party Rental	Gym, Lounge, Game room	20
4/06/2024	5:00 PM	7:00 PM	Party Rental	Gym, Lounge, Game room	20
4/07/2024	1:00 PM	3:00 PM	Party Rental	Gym, Lounge, Game room	20
4/08/2024	5:30 PM	8:30 PM	Karate	Gym	8
4/09/2024	3:30 PM	6:00 PM	SYCC After School Program	Whole Building	54
4/09/2024	5:30 PM	6:30 PM	Kickboxing	Gym	12
4/10/2024	3:30 PM	6:00 PM	SYCC After School Program	Whole Building	64
4/11/2024	3:30 PM	6:00 PM	SYCC After School Program	Whole Building	54
4/11/2024	5:00 PM	6:00 PM	SYCC Drill Team Practice	Gym	14
4/12/2024	3:00 PM	6:00 PM	Violin Lessons	Upstairs	3
4/12/2024	3:30 PM	6:00 PM	SYCC After School Program	Whole Building	51
4/12/2024	5:00 PM	7:00 PM	Building Rental	Gym	22
4/13/2024	2:00 PM	4:00 PM	Party Rental	Gym, Lounge, Game room	17
4/15/2024	3:30 PM	6:00 PM	SYCC After School Program	Whole Building	50
4/15/2024	5:30 PM	8:30 PM	Karate	Gym	12
4/16/2024	3:30 PM	6:00 PM	SYCC After School Program	Whole Building	56
4/16/2024	5:30 PM	6:30 PM	Kickboxing	Gym	9
4/17/2024	12:00 PM	2:30 PM	Homeschool Group	Gym, Lounge, Game room	17
4/17/2024	2:00 PM	4:00 PM	FRN Diaper Bag Packing	Game Room	16
4/17/2024	3:30 PM	6:00 PM	SYCC After School Program	Whole Building	52
4/18/2024	10:00 AM	2:00 PM	Americore Senior Meeting	Gym	21
4/18/2024	10:45 AM	12:00 PM	Hinkle Drive Headstart visit	Playground	15
4/18/2024	2:00 PM	4:00 PM	Violin Lessons	Upstairs	3
4/18/2024	3:30 PM	6:00 PM	SYCC After School Program	Whole Building	35
4/18/2024	4:00 PM	6:00 PM	Violin Lessons	Upstairs	2
4/18/2024	4:30 PM	5:30 PM	Garden Club Kids Craft	Cafeteria	13
4/18/2024	5:00 PM	6:00 PM	SYCC Drill Team Practice	Gym	13
4/18/2024	6:30 PM	8:30 PM	Karate	Gym	8
4/19/2024	3:00 PM	6:00 PM	Violin Lessons	Upstairs	3
4/19/2024	3:30 PM	6:00 PM	SYCC After School Program	Whole Building	42
4/20/2024	6:30 AM	6:00 PM	SYCC Flea Market	Gym and Outside	156
4/22/2024	3:30 PM	6:00 PM	SYCC After School Program	Whole Building	54
4/22/2024	5:30 PM	8:30 PM	Karate	Gym	12
4/23/2024	3:30 PM	6:00 PM	SYCC After School Program	Whole Building	52
4/23/2024	5:30 PM	6:30 PM	Kickboxing	Gym	14
4/24/2024	3:30 PM	6:00 PM	SYCC After School Program	Whole Building	60
4/24/2024	6:00 PM	7:00 PM	4-H Meeting	Cafeteria	13
4/25/2024	2:00 PM	4:00 PM	Violin Lessons	Upstairs	2
4/25/2024	3:30 PM	6:00 PM	SYCC After School Program	Whole Building	55
4/25/2024	4:00 PM	6:00 PM	Violin Lessons	Upstairs	2
4/25/2024	5:00 PM	6:00 PM	SYCC Drill Team Practice	Gym	13
4/25/2024	6:30 PM	8:30 PM	Karate	Gym	10
4/26/2024	3:00 PM	6:00 PM	Violin lessons	Upstairs	3
4/26/2024	3:30 PM	6:00 PM	SYCC After School Program	Whole Building	42
4/27/2024	11:00 AM	6:00 PM	Karate Belt Test	Gym	24
4/29/2024	3:30 PM	6:00 PM	SYCC After School Program	Whole Building	50
4/29/2024	5:30 PM	8:30 PM	Karate	Gym	14
4/30/2024	3:30 PM	6:00 PM	SYCC After School Program	Whole Building	52
4/30/2024	5:30 PM	6:30 PM	Kickboxing	Gym	11



001-GENERAL FUND

% OF YEAR COMPLETED: 83.33

REVENUES	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% YTD BUDGET
<b>TAXES</b>						
001-301-000-01 AD VALOREM TAXES	926,730	106,379.19	896,991.24	0.00	29,738.76	96.79
001-301-000-02 PRIOR YEAR TAXES	25,000	597.57	40,729.09	0.00	(15,729.09)	162.92
001-303-000-00 GAS & OIL SEVERANCE TAX	12,755	0.00	53,012.56	0.00	(40,257.56)	415.62
001-304-000-00 2% UTILITY TAX	235,000	14,202.68	205,484.37	0.00	29,515.63	87.44
001-305-000-00 B & O TAX	1,400,000	144,391.85	1,324,282.84	0.00	75,717.16	94.59
001-305-000-01 B&O CONTRACTORS	120,000	84,350.70	298,269.85	0.00	(178,269.85)	248.56
001-306-000-00 LIQUOR TAX	75,000	22,196.45	85,260.33	0.00	(10,260.33)	113.68
001-307-000-00 ANIMAL CONTROL TAXES	1,100	18.90	839.43	0.00	260.57	76.31
001-308-000-00 HOTEL MOTEL TAX	120,000	3,972.95	112,411.77	0.00	7,588.23	93.68
001-310-000-00 Auditor Taxes Accrued	0	0.00	0.00	0.00	0.00	0.00
TOTAL TAXES	2,915,585	376,110.29	3,017,281.48	0.00	(101,696.48)	103.49
<b>FINES AND FEES</b>						
001-320-000-00 COURT COSTS, FEES & CHARG	11,000	222.00	8,693.00	0.00	2,307.00	79.03
001-320-000-01 BASIC FEE (POLICE DEPT.)	0	0.00	200.00	0.00	(200.00)	0.00
001-320-000-02 POLICE FEE -CITATION	4,000	60.00	3,600.00	0.00	400.00	90.00
001-320-000-03 POLICE/FINGERPRINT REVENU	0	0.00	0.00	0.00	0.00	0.00
001-320-000-04 SUMMONS FEE FOR PARKING T	0	40.00	160.00	0.00	(160.00)	0.00
001-321-000-00 LOT 5 (OLD D&L/CVB PROPER	0	0.00	0.00	0.00	0.00	0.00
TOTAL FINES AND FEES	15,000	322.00	12,653.00	0.00	2,347.00	84.35
<b>LIC PERMITS &amp; FRANCHISE</b>						
001-325-000-00 CITY BUSINESS LICENSE	17,000	165.00	9,633.00	0.00	7,367.00	56.66
001-326-000-00 BUILDING PERMIT FEES	40,000	3,591.45	33,243.13	0.00	6,756.87	83.11
001-326-000-10 PROPERTY REGIST -VACANT	500	0.00	5,400.00	0.00	(4,900.00)	1,080.00
001-328-000-00 FRANCHISE FEES	55,000	2,000.00	31,815.10	0.00	23,184.90	57.85
001-330-000-00 IRP TRUCK FEE	55,000	6,129.91	28,778.53	0.00	26,221.47	52.32
TOTAL LIC PERMITS & FRANCHISE	167,500	9,886.36	108,869.76	0.00	58,630.24	65.00
<b>OTHER FEES</b>						
001-340-000-00 DONATIONS THEATRE	20,000	260.00	20,067.52	0.00	(67.52)	100.34
001-340-345-00 CAC REV.CONCESSIONS, MERCH	5,000	57.28	1,319.53	0.00	3,680.47	26.39
001-340-345-01 CAC REVENUE RENTALS	5,000	150.00	1,460.00	0.00	3,540.00	29.20
001-340-345-02 CAC REVENUE TICKETS	2,000	240.00	3,417.64	0.00	(1,417.64)	170.88
001-340-345-03 CAC CLASSROOM REV	2,000	0.00	300.00	0.00	(1,700.00)	15.00
001-341-000-00 PSC MUNICIPAL SURCHARGE	0	0.00	0.00	0.00	0.00	0.00
001-341-000-01 PSC MUN SURCHARGE OLD ACC	0	0.00	0.00	0.00	0.00	0.00
001-345-000-00 RENTS	30,000	0.00	0.00	0.00	30,000.00	0.00
TOTAL OTHER FEES	64,000	707.28	26,564.69	0.00	37,435.31	41.51
<b>HEALTH AND SAFETY</b>						
001-351-000-00 POLICE PROTECTION FEES	75,000	6,130.92	61,347.35	0.00	13,652.65	81.80
001-352-000-00 FIRE PROTECTION FEES	152,000	12,526.85	125,118.47	0.00	26,881.53	82.31
TOTAL HEALTH AND SAFETY	227,000	18,657.77	186,465.82	0.00	40,534.18	82.14

001-GENERAL FUND

% OF YEAR COMPLETED: 83.33

REVENUES	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% YTD BUDGET
<b>OUTSIDE DISTRICTS</b>						
001-358-000-00 EVENT CENTER REVENUE	2,715	10,751.00	24,394.31	0.00	(21,679.31)	898.50
TOTAL OUTSIDE DISTRICTS	2,715	10,751.00	24,394.31	0.00	(21,679.31)	898.50
<b>CHARGES FOR SERVICES</b>						
001-362-000-00 SYC CONTRIB. UCC AND BOE	45,000	0.00	25,000.00	0.00	20,000.00	55.56
001-362-000-01 SYC UTILITY REVENUE	2,500	149.00	1,590.00	0.00	910.00	63.60
001-362-000-02 SYC CAMP BUCANNBER FEES	18,200	0.00	47,465.50	0.00	(29,265.50)	260.80
001-362-000-03 SYC DRILL TEAM FEES	0	75.00	967.00	0.00	(967.00)	0.00
001-362-000-04 SYC BASKETBALL FEES	18,000	0.00	19,906.00	0.00	(1,906.00)	110.59
001-362-000-05 SYC ROOM RENTAL FEES	6,000	456.00	4,918.00	0.00	1,082.00	81.97
001-362-000-06 SYC ART/DRAMA FEES	0	0.00	0.00	0.00	0.00	0.00
001-362-000-07 SYC AFTER SCHOOL FEES	48,600	25,419.45	177,294.29	0.00	(128,694.29)	364.80
001-362-000-08 SYC DRINK/SNACK MACHINE	0	0.00	0.00	0.00	0.00	0.00
001-362-000-09 SYC DONATIONS	2,000	400.00	2,000.00	0.00	0.00	100.00
001-362-000-10 SYC KARATE FEES	1,000	140.00	2,415.00	0.00	(1,415.00)	241.50
001-362-000-11 RED RIBBON WEEK	0	0.00	0.00	0.00	0.00	0.00
001-362-000-12 SYC GIRLS GO GOLFING	0	0.00	0.00	0.00	0.00	0.00
001-362-000-13 UCARE/SYC	0	0.00	0.00	0.00	0.00	0.00
001-362-000-14 SYC BINGO FUND RAISER	0	0.00	0.00	0.00	0.00	0.00
001-362-000-15 SYC CHILDRENS FESTIVAL DO	0	0.00	0.00	0.00	0.00	0.00
001-362-000-16 SYC TEEN DANCES	0	0.00	0.00	0.00	0.00	0.00
001-362-000-17 ZUMBA REVENUE	2,000	110.00	1,000.00	0.00	931.00	55.45
001-362-000-18 YOGA FITNESS CLASS REVENU	0	0.00	0.00	0.00	0.00	0.00
001-362-000-19 GUITAR LESSONS REVENUE	0	0.00	0.00	0.00	0.00	0.00
001-362-000-20 SYC MISC ACTV REVENUE ITI	0	0.00	968.00	0.00	(968.00)	0.00
001-362-000-21 DONATIONS-SYCC CAPITAL/EQ	0	428.48	428.48	0.00	(428.48)	0.00
001-362-000-99 SYC REQUEST	0	0.00	0.00	0.00	0.00	0.00
TOTAL CHARGES FOR SERVICES	143,300	27,177.93	284,021.27	0.00	(140,721.27)	198.20
<b>GRANTS</b>						
001-365-000-00 POLICE DEPT.- RECOVERY GR	0	0.00	0.00	0.00	0.00	0.00
001-365-000-01 USDA GRANT-FARMERS MARKET	0	0.00	0.00	0.00	0.00	0.00
001-365-000-02 LWCF GRANT/ NB PARK	0	0.00	0.00	0.00	0.00	0.00
001-365-000-35 FEMA GRANT #2 GENERATOR	30,823	243.93	31,517.57	0.00	(694.57)	102.25
001-365-000-36 FEMA GRANT #1 GENERATOR	543,523	43,724.77	506,003.84	0.00	(37,519.16)	93.10
001-366-000-00 POLICE DEPT. - GRANTS	0	0.00	0.00	0.00	0.00	0.00
001-366-000-01 SYCC FAMILIES LEAD CHNG G	0	0.00	0.00	0.00	0.00	0.00
001-366-000-02 RIVER WALK TRAIL GRANT	0	0.00	18,946.75	0.00	(18,946.75)	0.00
001-366-000-04 SAFE WAYS TO SCHOOL GRANT	0	0.00	0.00	0.00	0.00	0.00
001-366-000-05 HISTORIC LAND MARK GRANT	0	0.00	0.00	0.00	0.00	0.00
001-366-000-06 STREET DEPT. GRANTS	0	0.00	0.00	0.00	0.00	0.00
001-366-000-07 POLICE HMLAND GRANT TRAIN	0	0.00	0.00	0.00	0.00	0.00
001-366-000-08 NEA GRANT (WAMSB)	10,000	0.00	9,975.34	0.00	24.66	99.75
001-366-000-09 VOLUNTEER COORDINATOR GRA	0	0.00	0.00	0.00	0.00	0.00
001-366-000-10 ReClassify grant/donation	0	0.00	0.00	0.00	0.00	0.00
001-366-000-11 ReClassify grant/donation	0	0.00	0.00	0.00	0.00	0.00
001-366-000-12 GATEWAY WEST GRANT REV	16,000	10,556.37	93,136.90	0.00	(77,136.90)	582.11
001-366-000-13 LAND WATR CONS GRT (LWCF) F	0	0.00	0.00	0.00	0.00	0.00

001-GENERAL FUND

% OF YEAR COMPLETED: 83.33

REVENUES	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% YTD BUDGET
001-366-000-14 CULTURE ARTS GRNT (THEATR	0	0.00	0.00	0.00	0.00	0.00
001-366-000-15 REAP-CLEAN UP GRANT	23,520	0.00	23,520.00	0.00	0.00	100.00
001-366-000-16 CULTURE ARTS GRNT(ADA THE	0	0.00	0.00	0.00	0.00	0.00
001-366-000-99 FIRE TRUCK GRANT/LOAN	0	0.00	0.00	0.00	0.00	0.00
001-368-000-01 CONTRIBUTION VOL. FIRE DE	0	0.00	0.00	0.00	0.00	0.00
001-368-000-02 2010 BOND ISSUE	0	0.00	0.00	0.00	0.00	0.00
001-368-000-03 CONTRIBUTIONS BOE-PRO OFF	0	0.00	0.00	0.00	0.00	0.00
001-368-000-04 SANITARY REPAY LOAN	0	0.00	0.00	0.00	0.00	0.00
001-368-000-05 CONTRIBUTION TO CAC PROGR	0	0.00	0.00	0.00	0.00	0.00
TOTAL GRANTS	623,866	54,525.07	683,100.40	0.00	(59,234.40)	109.49
<b>INTRAFUND CONTR/CHARGES</b>						
001-369-000-00 CONTRIBUTION FUNDS-BRUSHY	0	0.00	168.90	0.00	(168.90)	0.00
001-369-000-01 CONTRIBUTION FRM MUN STAB	0	0.00	0.00	0.00	0.00	0.00
001-369-000-02 CONTRIB FROM SALESTAX FU	2,162,955	1,162,955.00	2,162,955.00	0.00	0.00	100.00
001-370-000-00 LATE CHARGES - GEN FUND	200	63.57	638.93	0.00	(438.93)	319.47
TOTAL INTRAFUND CONTR/CHARGES	2,163,155	1,163,018.57	2,163,762.83	0.00	(607.83)	100.03
<b>OTHER REVENUE</b>						
001-376-000-00 GAMING TAX INCOME	10,000	1,058.73	10,652.94	0.00	(652.94)	106.53
001-377-000-00 RECRD CAPITAL TRNS FRM CS	0	0.00	0.00	0.00	0.00	0.00
001-379-000-00 GAIN/LOSS SALE OF FIXED A	0	0.00	0.00	0.00	0.00	0.00
001-380-000-00 GENERAL FUND INTEREST	400	1,727.94	2,959.85	0.00	(2,559.85)	739.96
001-381-000-00 STREET DEPT. BILLING/PCAR	4,000	0.00	0.00	0.00	4,000.00	0.00
001-382-000-00 REBATES-REFUNDS PCARD	3,500	0.00	2,715.68	0.00	784.32	77.59
001-394-000-00 POLICE FORFEITURE CONFISC	0	2,580.71	3,621.71	0.00	(3,621.71)	0.00
001-397-000-00 VIDEO LOTTERY	20,000	2,120.74	16,875.40	0.00	3,124.60	84.38
001-399-000-00 MISCELLANEOUS REVENUE	35,500	310.08	67,394.34	0.00	(31,894.34)	189.84
001-399-000-01 CAT TAG REGISTRATION	0	0.00	0.00	0.00	0.00	0.00
001-399-000-02 HISTORIC LANDMARKS REV	0	0.00	0.00	0.00	0.00	0.00
001-399-000-05 EVENT/FIREWORK REVENUE	9,000	0.00	0.00	0.00	9,000.00	0.00
TOTAL OTHER REVENUE	82,400	7,798.20	104,219.92	0.00	(21,819.92)	126.48
TOTAL REVENUE	6,404,521	1,668,954.47	6,611,333.48	0.00	(206,812.48)	103.23



001-GENERAL FUND

% OF YEAR COMPLETED: 83.33

DEPARTMENTAL EXPENDITURES	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% YTD BUDGET
<b>ECONOMIC DEVELOPMENT</b>						
<b>CONTRIBUTIONS</b>						
001-402-567-00 ECONOMIC DEVELOPMENT	40,000	0.00	40,000.00	0.00	0.00	100.00
TOTAL CONTRIBUTIONS	40,000	0.00	40,000.00	0.00	0.00	100.00
TOTAL ECONOMIC DEVELOPMENT	40,000	0.00	40,000.00	0.00	0.00	100.00
<b>MAYOR'S OFFICE</b>						
<b>SALARIES &amp; BENEFITS</b>						
001-409-101-00 MAYOR'S ELECTED SALARY	3,000	250.00	2,500.00	0.00	500.00	83.33
001-409-103-00 MAYOR'S ASSISTANT SALARY	31,305	2,232.51	23,065.44	0.00	8,239.56	73.68
001-409-104-00 MAYOR'S F.I.C.A.	2,625	188.14	1,939.01	0.00	686.99	73.83
001-409-105-00 MAYOR'S INSURANCE	23,600	1,673.42	20,827.48	0.00	2,772.52	88.25
001-409-106-00 MAYOR'S RETIREMENT	2,820	172.06	1,787.26	0.00	1,032.74	63.38
001-409-109-00 COMPENSATED ABSENCE	0	0.00	0.00	0.00	0.00	0.00
TOTAL SALARIES & BENEFITS	63,350	4,516.13	50,118.19	0.00	13,231.81	79.11
<b>CONTRACTUAL SERVICES</b>						
001-409-211-00 MAYOR'S TELEPHONE	3,000	201.73	1,490.25	0.00	1,509.75	49.68
001-409-214-00 MAYOR'S TRAVEL	1,000	0.00	492.46	0.00	507.54	49.25
001-409-218-00 MAYOR'S POSTAGE	10,000	799.22	10,845.86	0.00	845.86	108.46
001-409-220-00 MAYOR'S LEGAL PUBLICATION	2,700	22.88	2,211.90	0.00	488.10	81.92
001-409-222-00 MAYOR'S DUES	3,600	0.00	1,866.96	0.00	1,733.04	51.86
001-409-223-00 PROFESSIONAL SERVICES	15,000	0.00	12,587.50	0.00	2,412.50	83.92
001-409-223-01 PROFESSIONAL (surveys)	0	0.00	0.00	0.00	0.00	0.00
001-409-226-00 MAYOR'S INSURANCE & BONDS	1,500	131.93	165.51	0.00	1,334.49	11.03
TOTAL CONTRACTUAL SERVICES	36,800	1,155.76	29,660.44	0.00	7,139.56	80.60
<b>COMMODITIES</b>						
001-409-341-00 MAYOR'S SUPPLIES & MATERI	51,300	4,008.32	50,810.09	805.50	315.59	100.62
001-409-341-05 EVENT/FIREWORK EXPENSE	58,000	600.00	53,100.00	0.00	4,900.00	91.55
001-409-341-06 VOLUNTEER COORDINATOR EXP	0	0.00	0.00	0.00	0.00	0.00
001-409-341-07 NEA GRANT EXPENSE	20,000	0.00	19,975.34	0.00	24.66	99.88
TOTAL COMMODITIES	129,300	4,608.32	123,885.43	805.50	4,609.07	96.44
<b>CAPITAL OUTLAY</b>						
001-409-457-00 MAYOR'S CAPITAL OUTLAY MI	0	0.00	0.00	0.00	0.00	0.00
001-409-458-00 MAYOR'S REPAY SANITARY/WA	0	0.00	0.00	0.00	0.00	0.00
001-409-458-01 TRANSFER TO SANITARY FUND	0	0.00	0.00	0.00	0.00	0.00
001-409-460-00 SANITARY BD (BRUSHY FOR) L	0	0.00	0.00	0.00	0.00	0.00
TOTAL CAPITAL OUTLAY	0	0.00	0.00	0.00	0.00	0.00

001-GENERAL FUND

% OF YEAR COMPLETED: 83.33

DEPARTMENTAL EXPENDITURES	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% YTD BUDGET
<b>CONTRIBUTIONS</b>						
001-409-568-00 CONTRIBUTIONS	0	0.00	0.00	0.00	0.00	0.00
TOTAL CONTRIBUTIONS	0	0.00	0.00	0.00	0.00	0.00
<b>NON-OPERATING EXPENSES</b>						
001-409-670-00 PROG BNK NOTE PAYABLE INT	0	0.00	0.00	0.00	0.00	0.00
TOTAL NON-OPERATING EXPENSES	0	0.00	0.00	0.00	0.00	0.00
TOTAL MAYOR'S OFFICE	229,450	10,280.21	203,664.06	805.50	24,980.44	89.11
<b>COUNCIL</b>						
<b>SALARIES &amp; BENEFITS</b>						
001-410-101-00 COUNCIL'S ELECTED SALARIE	12,000	1,000.00	10,000.00	0.00	2,000.00	83.33
001-410-103-00 CAT CONTROL SALARY	1,000	0.00	0.00	0.00	1,000.00	0.00
001-410-104-00 COUNCIL'S F.I.C.A.	1,000	76.50	765.00	0.00	235.00	76.50
001-410-106-00 COUNCIL'S RETIREMENT	225	18.00	180.00	0.00	45.00	80.00
TOTAL SALARIES & BENEFITS	14,225	1,094.50	10,945.00	0.00	3,280.00	76.94
<b>CONTRACTUAL SERVICES</b>						
001-410-211-00 CLOSE CAP OUTLAY EXP	0	0.00	0.00	0.00	0.00	0.00
001-410-214-00 COUNCIL TRAVEL	0	0.00	0.00	0.00	0.00	0.00
001-410-223-00 PROFESSIONAL (LEGAL)	15,000	1,250.00	13,750.00	0.00	1,250.00	91.67
001-410-226-00 COUNCIL INSURANCE (PROPER	11,000	0.00	5,862.41	0.00	5,137.59	53.29
TOTAL CONTRACTUAL SERVICES	26,000	1,250.00	19,612.41	0.00	6,387.59	75.43
<b>COMMODITIES</b>						
001-410-341-00 CLOSE CAP OUTLAY EXP	0	0.00	0.00	0.00	0.00	0.00
TOTAL COMMODITIES	0	0.00	0.00	0.00	0.00	0.00
<b>CAPITAL OUTLAY</b>						
001-410-450-01 THEATRE BUILDING	0	0.00	0.00	0.00	0.00	0.00
001-410-450-02 THEATRE CAP**DONOTUSE**	0	0.00	0.00	0.00	0.00	0.00
001-410-450-03 THEATRE GRNT **DONOTUSE**	0	0.00	0.00	0.00	0.00	0.00
001-410-457-00 CAP PUBLIC SAFETY COMP RE	0	0.00	0.00	0.00	0.00	0.00
001-410-459-00 COUNCIL CAPITAL OUTLAY	0	0.00	0.00	0.00	0.00	0.00
001-410-459-01 PROPERTY PURCHASE 48EMAIN	0	0.00	0.00	0.00	0.00	0.00
001-410-459-02 PROPERTY PURCHASE MADISON	0	0.00	0.00	0.00	0.00	0.00
001-410-460-00 CAT CONTROL EXPENSE	2,000	0.00	1,450.00	0.00	550.00	72.50
TOTAL CAPITAL OUTLAY	2,000	0.00	1,450.00	0.00	550.00	72.50
<b>CONTRIBUTIONS</b>						
001-410-568-00 CONTRIBUTIONS (facade)	0	0.00	0.00	0.00	0.00	0.00
TOTAL CONTRIBUTIONS	0	0.00	0.00	0.00	0.00	0.00

001-GENERAL FUND

% OF YEAR COMPLETED: 83.33

DEPARTMENTAL EXPENDITURES	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% YTD BUDGET
<b>NON-OPERATING EXPENSES</b>						
001-410-999-00 Reclassify SanNote Ord 36	0	0.00	0.00	0.00	0.00	0.00
001-410-999-50 RecordCapPavCostPdByCoalT	0	0.00	0.00	0.00	0.00	0.00
TOTAL NON-OPERATING EXPENSES	0	0.00	0.00	0.00	0.00	0.00
TOTAL COUNCIL	42,225	2,344.50	32,007.41	0.00	10,217.59	75.80
<b>RECORDER</b>						
<b>SALARIES &amp; BENEFITS</b>						
001-411-101-00 RECORDER'S ELECTED SALARY	6,000	500.00	5,000.00	0.00	1,000.00	83.33
001-411-104-00 RECORDER'S F.I.C.A.	460	38.25	382.50	0.00	77.50	83.15
001-411-106-00 RECORDER'S RETIREMENT	540	17.29	172.90	0.00	367.10	32.02
TOTAL SALARIES & BENEFITS	7,000	555.54	5,555.40	0.00	1,444.60	79.36
<b>CONTRACTUAL SERVICES</b>						
001-411-214-00 RECORDER TRAVEL	600	0.00	0.00	0.00	600.00	0.00
001-411-222-00 RECORDER DUES	50	0.00	35.00	0.00	15.00	70.00
001-411-226-00 INSURANCE/COMPENSATION/bo	1,000	219.00	424.90	0.00	575.10	42.49
TOTAL CONTRACTUAL SERVICES	1,650	219.00	459.90	0.00	1,190.10	27.87
TOTAL RECORDER	8,650	774.54	6,015.30	0.00	2,634.70	69.54
<b>TREASURER</b>						
<b>SALARIES &amp; BENEFITS</b>						
001-413-101-00 TREASURER'S SALARY	9,091	626.36	6,890.00	0.00	2,201.00	75.79
001-413-103-00 TREASURER'S ASSISTANT SAL	0	0.00	0.00	0.00	0.00	0.00
001-413-104-00 TREASURER'S F.I.C.A.	696	47.92	527.12	0.00	168.88	75.74
001-413-105-00 TREASURER'S GROUP INSURAN	2,953	5.23	102.30	0.00	2,850.70	3.46
001-413-106-00 TREASURER'S RETIREMENT	820	56.38	620.18	0.00	199.82	75.63
001-413-109-00 COMPENSATED ABSENCE	0	0.00	0.00	0.00	0.00	0.00
TOTAL SALARIES & BENEFITS	13,560	735.89	8,139.60	0.00	5,420.40	60.03
<b>CONTRACTUAL SERVICES</b>						
001-413-214-00 TREASURER'S TRAVEL	0	0.00	0.00	0.00	0.00	0.00
001-413-224-00 AUDITOR'S F.I.C.A.	8,150	469.75	8,453.00	0.00	303.00	103.72
001-413-226-00 TREASURER'S INSURANCE & B	500	128.53	160.05	0.00	339.95	32.01
TOTAL CONTRACTUAL SERVICES	8,650	598.28	8,613.05	0.00	36.95	99.57
TOTAL TREASURER	22,210	1,334.17	16,752.65	0.00	5,457.35	75.43

001-GENERAL FUND

DEPARTMENTAL EXPENDITURES	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% OF YEAR COMPLETED: 83.33	% YTD BUDGET
<b>COURT</b>							
=====							
<b>SALARIES &amp; BENEFITS</b>							
001-416-103-00 POLICE JUDGE SALARY	7,500	625.00	6,250.00	0.00	1,250.00	83.33	
001-416-104-00 POLICE JUDGE FICA	575	47.81	478.10	0.00	96.90	83.15	
001-416-105-00 POLICE JUDGE INSURANCE	0	0.00	0.00	0.00	0.00	0.00	
TOTAL SALARIES & BENEFITS	8,075	672.81	6,728.10	0.00	1,346.90	83.32	
<b>CONTRACTUAL SERVICES</b>							
001-416-221-00 POLICE JUDGE TRAINING	300	0.00	240.00	0.00	60.00	80.00	
001-416-226-00 POLICE JUDGE INS BONDS	300	25.31	134.57	0.00	155.43	44.85	
TOTAL CONTRACTUAL SERVICES	600	25.31	374.57	0.00	225.43	62.43	
TOTAL COURT	8,675	698.12	7,102.67	0.00	1,572.33	81.88	
<b>CITY ATTORNEY</b>							
=====							
<b>SALARIES &amp; BENEFITS</b>							
001-417-101-00 CITY ATTORNEY	0	0.00	0.00	0.00	0.00	0.00	
001-417-103-00 CITY ATTORNEY (ASSISTANT)	0	0.00	0.00	0.00	0.00	0.00	
001-417-104-00 CITY ATTORNEY FICA	0	0.00	0.00	0.00	0.00	0.00	
001-417-105-00 CITY ATTORNEY INSURANCE	0	58.96	0.00	0.00	0.00	0.00	
001-417-106-00 CITY ATTORNEY RETIREMENT	0	0.00	0.00	0.00	0.00	0.00	
001-417-109-00 COMPENSATED ABSENCE	0	0.00	0.00	0.00	0.00	0.00	
TOTAL SALARIES & BENEFITS	0	58.96	0.00	0.00	0.00	0.00	
<b>CONTRACTUAL SERVICES</b>							
001-417-221-00 CITY ATTORNEY TRAINING	0	0.00	0.00	0.00	0.00	0.00	
001-417-222-00 CITY ATTORNEY DUES	0	0.00	0.00	0.00	0.00	0.00	
001-417-226-00 CITY ATTORNEY INS UNEMPL	0	3.40	0.00	0.00	0.00	0.00	
TOTAL CONTRACTUAL SERVICES	0	3.40	0.00	0.00	0.00	0.00	
TOTAL CITY ATTORNEY	0	62.36	0.00	0.00	0.00	0.00	
<b>CITY ENGINEER</b>							
=====							
<b>SALARIES &amp; BENEFITS</b>							
001-420-103-00 CITY ENGINEER SALARY	21,409	1,646.60	18,112.60	0.00	3,296.40	84.60	
001-420-104-00 CITY ENGINEER FICA TAX	1,640	127.12	1,398.32	0.00	241.68	85.26	
001-420-106-00 CITY ENGINEER RETIREMENT	1,930	148.20	1,630.20	0.00	299.80	84.47	
TOTAL SALARIES & BENEFITS	24,979	1,921.92	21,141.12	0.00	3,837.88	84.64	

001-GENERAL FUND

DEPARTMENTAL EXPENDITURES	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% OF YEAR COMPLETED: 83.33	% YTD BUDGET
<b>CONTRACTUAL SERVICES</b>							
001-420-221-00 ENGINEER TRAINING	500	0.00	180.00	0.00	320.00	36.00	
001-420-223-00 CITY ARCHITECT	0	0.00	0.00	0.00	0.00	0.00	
001-420-223-01 ENGINEERING SERVICES (POT	232,000	0.00	144,572.85	0.00	87,427.15	62.32	
001-420-226-00 CITY ENGINEER INS & BONDS	600	0.00	263.21	0.00	336.79	43.87	
TOTAL CONTRACTUAL SERVICES	233,100	0.00	145,016.06	0.00	88,083.94	62.21	
TOTAL CITY ENGINEER	258,079	1,921.92	166,157.18	0.00	91,921.82	64.38	
<b>REGIONAL DUES</b>							
=====							
<b>CONTRACTUAL SERVICES</b>							
001-435-222-00 REGIONAL DUES	5,964	0.00	5,964.00	0.00	0.00	100.00	
TOTAL CONTRACTUAL SERVICES	5,964	0.00	5,964.00	0.00	0.00	100.00	
TOTAL REGIONAL DUES	5,964	0.00	5,964.00	0.00	0.00	100.00	
<b>HOUSING</b>							
=====							
<b>COMMODITIES</b>							
001-436-341-99 CLEAN UP ASSISTANCE EXP	5,000	0.00	74.73	0.00	4,925.27	1.49	
001-436-354-00 HOUSING ENFORCEMENT	30,000	0.00	29,285.66	0.00	714.34	97.62	
TOTAL COMMODITIES	35,000	0.00	29,360.39	0.00	5,639.61	83.89	
TOTAL HOUSING	35,000	0.00	29,360.39	0.00	5,639.61	83.89	
<b>ZONING</b>							
=====							
<b>SALARIES &amp; BENEFITS</b>							
001-437-103-00 ZONING SALARY	39,000	3,000.00	33,000.00	0.00	6,000.00	84.62	
001-437-104-00 ZONING F.I.C.A.	2,990	229.50	2,524.50	0.00	465.50	84.43	
001-437-105-00 ZONING HEALTH INS	5,678	394.23	5,224.78	0.00	453.22	92.02	
001-437-106-00 ZONING RETIREMENT	3,510	270.00	2,970.00	0.00	540.00	84.62	
001-437-109-00 COMPENSATED ABSENCE ZONIN	0	0.00	0.00	0.00	0.00	0.00	
TOTAL SALARIES & BENEFITS	51,178	3,893.73	43,719.28	0.00	7,458.72	85.43	
<b>CONTRACTUAL SERVICES</b>							
001-437-214-00 TRAVEL EXPENSE	1,700	0.00	1,147.84	0.00	552.16	67.52	
001-437-221-00 ZONING TRAINING	1,000	0.00	0.00	0.00	1,000.00	0.00	
001-437-226-00 ZONING INSURANCE & BONDS	1,750	128.53	728.50	0.00	1,021.50	41.63	
TOTAL CONTRACTUAL SERVICES	4,450	128.53	1,876.34	0.00	2,573.66	42.16	

001-GENERAL FUND

DEPARTMENTAL EXPENDITURES	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% OF YEAR COMPLETED: 83.33	% YTD BUDGET
<b>COMMODITIES</b>							
001-437-31-00 ZONING SUPPLIES	2,000	97.49	1,297.49	0.00	702.51	64.87	
TOTAL COMMODITIES	2,000	97.49	1,297.49	0.00	702.51	64.87	
TOTAL ZONING	57,628	4,119.75	46,893.11	0.00	10,734.89	81.37	
<b>ELECTION</b>							
=====							
<b>SALARIES &amp; BENEFITS</b>							
001-438-103-00 ELECTION SALARIES	0	0.00	0.00	0.00	0.00	0.00	
TOTAL SALARIES & BENEFITS	0	0.00	0.00	0.00	0.00	0.00	
<b>CONTRACTUAL SERVICES</b>							
001-438-230-00 ELECTION	9,500	0.00	0.00	0.00	9,500.00	0.00	
TOTAL CONTRACTUAL SERVICES	9,500	0.00	0.00	0.00	9,500.00	0.00	
TOTAL ELECTION	9,500	0.00	0.00	0.00	9,500.00	0.00	
<b>DATA PROCESSING</b>							
=====							
<b>CONTRACTUAL SERVICES</b>							
001-439-230-00 DATA PROCESSING	30,000	3,269.05	28,431.15	0.00	1,568.85	94.77	
TOTAL CONTRACTUAL SERVICES	30,000	3,269.05	28,431.15	0.00	1,568.85	94.77	
<b>CAPITAL OUTLAY</b>							
001-439-459-00 DATA PROCESSING CAPITAL O	39,000	0.00	885.55	0.00	38,114.45	2.27	
TOTAL CAPITAL OUTLAY	39,000	0.00	885.55	0.00	38,114.45	2.27	
<b>NON-OPERATING EXPENSES</b>							
001-439-670-00 RPT SERVER ACCRD INT	0	0.00	0.00	0.00	0.00	0.00	
TOTAL NON-OPERATING EXPENSES	0	0.00	0.00	0.00	0.00	0.00	
TOTAL DATA PROCESSING	69,000	3,269.05	29,316.70	0.00	39,683.30	42.49	
<b>CITY HALL</b>							
=====							
<b>SALARIES &amp; BENEFITS</b>							
001-440-103-00 CITY HALL JANITOR SALARY	38,148	2,937.00	32,331.78	0.00	5,816.22	84.75	
001-440-104-00 CITY HALL FICA	2,920	222.43	2,450.87	0.00	469.13	83.93	
001-440-105-00 CITY HALL JANITOR INSURAN	1,953	5.23	1,02.30	0.00	1,850.70	5.24	
001-440-106-00 GROUP RETIREMENT	3,435	264.33	2,909.89	0.00	525.11	84.71	
001-440-109-00 COMPENSATED ABSENCE	0	0.00	0.00	0.00	0.00	0.00	
TOTAL SALARIES & BENEFITS	46,456	3,428.99	37,794.84	0.00	8,661.16	81.36	



001-GENERAL FUND

% OF YEAR COMPLETED: 83.33

DEPARTMENTAL EXPENDITURES	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% YTD BUDGET
<b>CONTRACTUAL SERVICES</b>						
001-440-213-00 CITY HALL UTILITIES	19,000	1,408.95	14,363.37	0.00	4,636.63	75.60
001-440-216-00 CITY HALL MAINTENANCE & R	8,000	500.94	8,748.59	0.00	748.59	109.36
001-440-226-00 CITY HALL INSURANCE & BON	1,500	128.53	843.98	0.00	656.02	56.27
TOTAL CONTRACTUAL SERVICES	28,500	2,038.42	23,955.94	0.00	4,544.06	84.06
<b>COMMODITIES</b>						
001-440-341-00 CITY HALL SUPPLIES	1,000	262.50	771.51	0.00	228.49	77.15
TOTAL COMMODITIES	1,000	262.50	771.51	0.00	228.49	77.15
<b>CAPITAL OUTLAY</b>						
001-440-459-00 CITY HALL CAPITAL	10,800	384.48	6,561.86	0.00	4,238.14	60.76
TOTAL CAPITAL OUTLAY	10,800	384.48	6,561.86	0.00	4,238.14	60.76
<b>CONTRIBUTIONS</b>						
001-440-570-00 DEPRECIATION EXP CURR YR	0	0.00	0.00	0.00	0.00	0.00
TOTAL CONTRIBUTIONS	0	0.00	0.00	0.00	0.00	0.00
<b>TOTAL CITY HALL</b>	<b>86,756</b>	<b>6,114.39</b>	<b>69,084.15</b>	<b>0.00</b>	<b>17,671.85</b>	<b>79.63</b>
<b>MUN FINANCE CONTRIB</b>						
=====						
<b>SALARIES &amp; BENEFITS</b>						
001-444-000-00 TRANSF TO MUN FINANC STAB	0	0.00	0.00	0.00	0.00	0.00
001-444-000-01 CONTRIBUTION TO FLOOD CON	0	0.00	0.00	0.00	0.00	0.00
TOTAL SALARIES & BENEFITS	0	0.00	0.00	0.00	0.00	0.00
<b>CONTRIBUTIONS</b>						
001-444-566-00 CONTRIBUTION TO RAINY DAY	0	0.00	0.00	0.00	0.00	0.00
TOTAL CONTRIBUTIONS	0	0.00	0.00	0.00	0.00	0.00
<b>TOTAL MUN FINANCE CONTRIB</b>	<b>0</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>BAD DEBT</b>						
=====						
<b>NON-OPERATING EXPENSES</b>						
001-550-676-00 BAD DEBT EXPENSE	0	0.00	0.00	0.00	0.00	0.00
TOTAL NON-OPERATING EXPENSES	0	0.00	0.00	0.00	0.00	0.00
<b>TOTAL BAD DEBT</b>	<b>0</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>

**E.3 Fire Chief – JB Kimble** – Mayor Skinner recognized BFD Captain Linn Baxa, who provided the following report on behalf of Chief Kimble:



BUCKHANNON  
FIRE DEPARTMENT  
OFFICE OF FIRE CHIEF  
22 S. Florida Street  
BUCKHANNON, WV 26201  
James Kimble  
JB.Kimble@buckhannonwv.org  
(O) 304-472-2868  
© 304-613-1410

Date: May 1, 2024  
Incident # 325  
CAD# 2024-6335  
Date of incident: 04/29/2024  
Address of incident: 529 Upper Dr. Buckhannon

The following is a timeline of events at a commercial structure fire.

On April 29, 2024 the Buckhannon Fire Dept and auto-aid department Washington District fire company were dispatched to a residential structure fire. The 911 caller advised it was a garage fire with vehicles inside the structure. Upon arrival 1202 a Washington District engine with (2) firefighters arrived on scene 32 seconds before Engine 11 from Buckhannon (BFD). Washington Districts Eng 1202 was on a fuel run and was located on Main Street Buckhannon at time of dispatch. The following is a break down of the timeline of noteworthy information.

- Call received by 911 19:25:12
- Call dispatched by 911 19:26:04
- Engine 11 Enroute 19:28:04 with (3) on board
- Engine 1202 arrived prior to Engine 11 with (2) on board
- Size up by Engine 11 smoke showing 30X60 garage well involved (time 19:33:13)
- 360 completed by engine 11 captain and was deemed a defensive operation

- At that time a second alarm was ordered
- Upshur 775 set up firefighter rehab at 19:50:10 at the rear of Engine 1
- Rehab was enforced by (BFD) policy attached
- At 20:45:23 it was deemed by on scene medical providers that (2) members of the (BFD) would need transported to a medical facility due to heat related illness. They arrived at St Josephs hospital at 20:49:48. They were treated and released by 23:00 hours

The following apparatus and personnel were on scene

- Buckhannon Fire Dept. Engine 11, Engine 1, Squad 1 and 1150. Total personnel 11
- Washington District Engine 1202, Tanker 1210, utility 1220 with a total of 5 personnel
- Adrian Fire Dept. Engine 3 with 5 personnel
- Warren District. Engine 6 with 4 personnel
- Elkins FD engine 403 with 3 personnel
- Weston FD Engine 14 & Sq 1 with 8 personnel
- Upshur EMS with (2) ambulance units (BLS)
- Ellamore FD tanker 1510 broke down enroute to scene
- Buckhannon PD (2) units

Total fire apparatus: 12 units  
Total fire personnel: 36 personnel

## Rehab Guidelines

The purpose of the following document is to set standards for rehab on the scene of any active structure fire. In the past there have been multiple issues with rehab, most of which can be solved with some clarification and standard operating guidelines. It is with great hope that these guidelines will allow us to operate safer and more efficient.

### I. Overview

Rehab as we will use the term shall describe the process by which each firefighter on scene is evaluated to help ensure they are in normal health and not endangering themselves or others by returning to active firefighting duties. Rehab should provide when necessary and possible the following items:

1. Medical Monitoring
2. Shelter
3. Nourishment and/or Rehydration
4. Rest and Recovery
5. Appropriate Cooling or Warming
6. Accountability
7. Ability to transport patients if necessary.

Rehab in most cases will be established by an EMS crew and should have their own system for providing the necessary items. At times they may need certain items (tarps, drinking water, lighting, etc.) in which they will collaborate with those on scene. Whoever is leading the EMS with rehab shall notify fire command of their presence and where rehab will be located.

A firefighter shall report to rehab after (2) 30 minute cylinders, (1) 45 or 60 Minute cylinder, or 40 minutes of hard labor with no SCBA. No firefighter feeling that he/she needs medical attention is discouraged from reporting to rehab but if possible should notify their supervising officer. While at rehab it is appropriate for cylinders to be changed or any other equipment modifications so that it does not interfere with the rehab process. All firefighters shall remain in rehab for a minimum of 5 minutes however if resources allow for a minimum of 10 that would be recommended.

### II. Medical Monitoring

Medical monitoring is an essential part of rehab. The following vitals are parameters which will be used to determine a firefighters availability for an active role in firefighting activities.

Blood Pressure: Less than or equal to: 160/100

Pulse Rate: Less than: 220 minus their age, and trending down

Respiratory Rate: Less than 24 RPM

SPQ2: Shall be noted but unless extremely low not solely used to disqualify a firefighter from returning.

Mental Status: ensure they are conscious, alert, and oriented.

Skin Condition: Note their skin condition. A active firefighter should not have dry skin.

Temperature: Oral temp. less than 99.5 degrees F.

\*\*Always be looking for other signs and symptoms as well. Other notable things to watch for are: burns, slurred words, clumsiness, and weakness.

Please keep in mind that not all vitals may be taken at every instance. This is a judgment to be made for each instance. If it is extremely cold and snowing you may not take a blood pressure in order to keep a firefighter from having to take his coat off. Temperatures may not always be taken due to sterilization of instrument however it shall be taken if the patient is presenting with any signs of heat illness. It is also highly recommended that if a baseline set of vitals is available for the firefighter it be used to help make decisions on their status.

### III. Accountability

The person leading rehab shall attempt to track each firefighter entering rehab and releasing them back to duty. The recommended process for this would be the tag system already in place for entering a structure. However other options may be considered. If a firefighter removes themselves from rehab without a proper clearance the rehab leader shall notify the Incident Commander or Safety Officer if there is one present.

### IV. Miscellaneous

This document is by no means a step by step guide to the rehab and treatment of firefighters. Other training and information benefits greatly and should be obtained by those providing rehab. This document was wrote specifically for rehab at working structure fires. It may be used to help establish rehab at other incidents but is in no way tailored to the common health problems at other incidents.

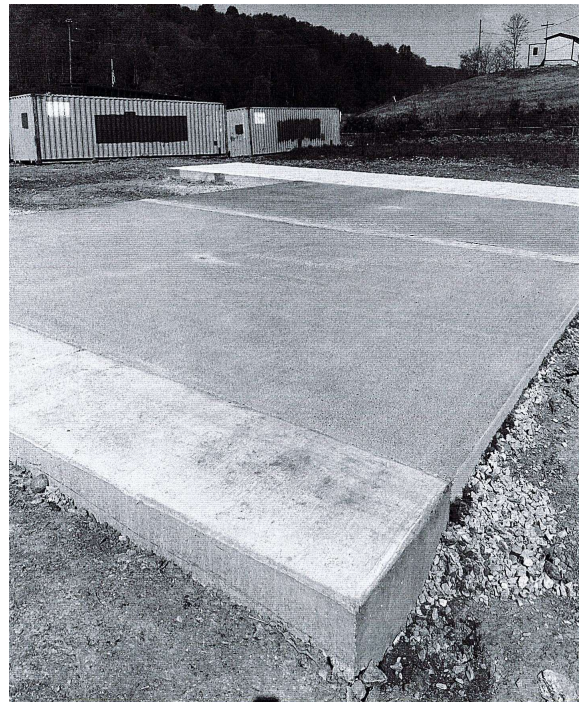
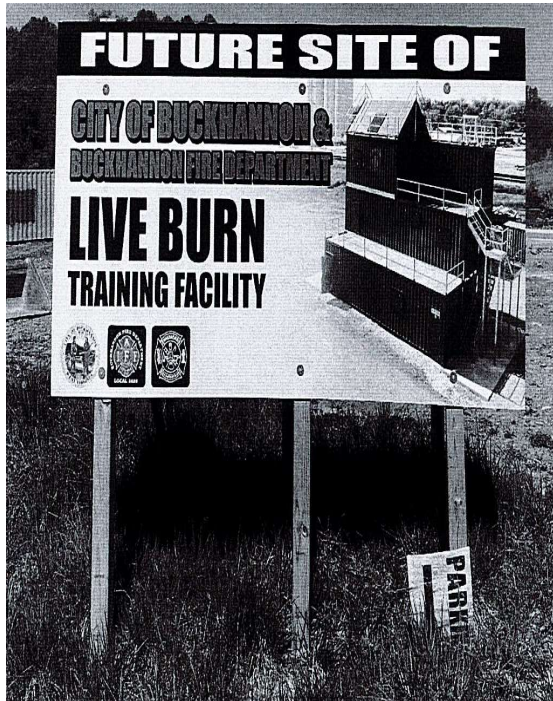
## Buckhannon City Council

May 2, 2024

### Fire Department Report

- Monthly (March)/YTD responses
- Training facility: Concrete poured (pictures in packet), stacking boxes soon
- Onetest cancer screening completed on 7 members, 8 more members will be completed in the coming weeks, this is to establish a baseline as we are providing this test annually to look for trends
- Strawberry festival planning completed
- Testing to add to the list of eligibles
- Continue to work with Orion Strategies to develop recruitment/retention program
- New members: (2) full-member applications.
- Junior members: (2) applications, we will be sponsoring them at the Jr. fire camp in Jackson Mill





**E.4 Police Chief – Matthew Gregory** – Mayor Skinner recognized BPD Chief Matthew Gregory, who provided the following report;



*Buckhannon Police Department*

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



#### City Council Report

5/2/24

1. We continue to finalize plans for the WV Strawberry Festival.
2. The CALEA Policy Review Committee met on April 25 and approved a variety of policy changes consistent with the most current CALEA Standards Manual. Those changes are currently being uploaded into PowerDMS.
3. Work continues to occur on training for the various Instructor positions needed within the department to maintain compliance with CALEA standards.
4. Work also continues on the three replacement cruisers for the three oldest that will be cycled out of service and returned back to Enterprise. Currently they are at the upfitter awaiting the shipment of the emergency equipment, which will take approximately 4-6 weeks.

Without objection, **H.7 Memorandum of Understanding between UCECC & BPD re: Upshur County 911 Radio Project** to the table. Chief Gregory provided an overview of the MOU. Participating in the discussion was Doyle R. Cutright, Director of the Upshur County Emergency Communications Center & Liaison Officer with WV Intelligence Fusion Center, attending via GTM, and Joe Hughes of Lynx WV, INC, via GTM, Amberle Jenkins, Recorder Randy Sanders, Mayor Robbie Skinner, Council members David McCauley and Pam Bucklew, all of the COB. An extensive discussion took place.



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Upshur County 911 Radio Project

Scope of Work

Buckhannon Police Department

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Purpose

The goal of this project is to improve Public Safety Emergency Communications within Upshur County. Buckhannon Police Department has been chosen because it provides a secure environment with Emergency Backup Power and allows for redundant network infrastructure. This will ensure that mission critical radios housed there will be available for use.

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Capabilities

- Telecommunicators will have enhanced functionality. The system will allow the Telecommunicators to utilize and/or activate the radio off-site.
- Allows for redundancy in radio communication systems for Telecommunicators to utilize in the event of a major incident and/or failure of the primary system.

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Logistics

- Equipment and project funded and approved by grant 21-SHS-60.
- Six radios will be installed in a mounted rack within a secure location housed within the Buckhannon Police Department.
- Antennas will be mounted to the exterior of the building along the roofline. This is in line with previous projects and will allow cabling to be run utilizing existent pathways.
- Antennas will be mounted below 20 ft thus not requiring a licensing change.
- Cabling and installation will be performed by experienced technicians that have performed similar work at various locations throughout the state.
- All contractors are covered by the WV state workers compensation program.

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P.O. Box 2172  
WHEELING, WV

PHONE: (888) 611-9911  
Office: (304) 242-3959

### Memorandum of Understanding

This memorandum of understanding (MOU) is entered into on 12/11/2023 by and between Upshur County Emergency Communications Center (UCECC) and Buckhannon Police Department.

**WHEREAS**, UCECC is a public agency responsible for providing emergency communications services to Upshur County; and

**WHEREAS**, BPD is a police department located in Upshur County; and

**WHEREAS**, UCECC and BPD desire to enter into an agreement to place backup emergency communications equipment at BPD's location;

**NOW, THEREFORE**, in consideration of the mutual covenants and agreements contained herein, the parties agree as follows:

1. UCECC will place backup emergency communications equipment at BPD. The equipment will consist of but not be limited to a radio base station(s), antenna(s), power supply and equipment battery backup.
2. UCECC will retain ownership of the equipment. Equipment may not be sold and or donated without the written consent of UCECC. Upon dissolution of this agreement all equipment must be returned to UCECC.
3. UCECC will be responsible for the maintenance and upkeep of the installed equipment.
4. BPD will be responsible for providing a secure location for the equipment.
5. BPD will be responsible for providing power, internet access and generator backup power at the facility.
6. This MOU will be in effect for a period of 10 years.
7. This MOU may be terminated by either party upon 30 days' written notice to the other party.

IN WITNESS WHEREOF, the parties have executed this MOU as of the date first written above.

**Upshur County Emergency Communications Center**

By: Doyle R Cutright II - Director

**Buckhannon Police Department**

By: Matt Gregory - Chief

A handwritten signature in black ink, appearing to read "Matt Gregory", is written over a horizontal line.

**Sanders/McCauley motioned to approve the Memorandum of Understanding between UCECC & BPD re: Upshur County 911 Radio Project, pending a positive outcome of further discussions regarding equipment placement. The motion carried.**

**E.5 City Attorney—Tom O’Neill:** The City Attorney deferred his remarks to the meeting's Strategic Issues for Discussion and/or Vote portion of the meeting.

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

**F.1 Notice of Public Hearing & Proposed Adoption of Ordinance No. 467 Increasing City’s Fire Protection Fees**

**NOTICE OF PUBLIC HEARING OF THE COUNCIL OF THE CITY  
OF BUCKHANNON AND OF PROPOSED ADOPTION OF ORDINANCE NO. 467  
BY THE COUNCIL OF THE CITY OF BUCKHANNON**

Pursuant to Chapter 8, Article 11, Section 4(a)(2) of the West Virginia Code, notice is hereby given to all of the residents of the City of Buckhannon that the Council of the City of Buckhannon proposes the third (3rd) reading, passage, and adoption of Ordinance No. 467 of the City of Buckhannon, the subject matter and general title, and abstract of which more particularly appear in said Ordinance as:

**ORDINANCE NO. 467 OF THE CITY OF BUCKHANNON, AN ORDINANCE AMENDING ORDINANCE NO. 390 OF THE CITY OF BUCKHANNON, INCREASING THE CITY’S FIRE PROTECTION SERVICE FEES CHARGED TO RESIDENTS AND BUSINESSES WITHIN THE CORPORATE LIMITS OF THE CITY, ESTABLISHING TIERED FEES, PROVIDING FOR THE ADMINISTRATION, COLLECTION AND USE OF FEES RAISED HEREBY, AND SETTING AN EFFECTIVE DATE OF JULY 1, 2024**

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WHEREAS, the Council of the City of Buckhannon beginning March 21, 1966 through the enactment of Ordinances No. 137, 222, 225, and 390 has provided for the imposition and collection of fees for the City’s Fire Department providing fire protection services throughout Buckhannon’s corporate limits; and,

WHEREAS, the City of Buckhannon is specifically authorized pursuant to Chapter 8, Article 13, Section 13(a) of the West Virginia Code, as amended, to provide emergency fire service protection within the corporate limits of the City of Buckhannon and to impose by ordinance upon the users of the service such reasonable rates, fees, and charges to be collected in the manner specified by ordinance; and,

WHEREAS, the Council heretofore now desires to enact this Ordinance to increase the fees so charged, in light of the increased costs associated with providing fire protection services since the last time the Council considered this issue.

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

ARTICLE I – TITLE OF ORDINANCE: This Ordinance shall be known as the City of Buckhannon’s Fire Protection Service Fee Ordinance.

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

(A) The City of Buckhannon has operated a municipal fire department for many decades, however, the City Council has not increased its fire protection service fees in Buckhannon since July 1, 2015.

(B) The City’s costs and expenses in providing the reasonable and necessary personnel, training, vehicles, and equipment to offer fire protection service for the community have increased substantially since that time.

(C) Previously, and at all times since July 1, 2015, the City's fire protection service fees have been established on a flat rate basis for all residential properties, and on a revenue generated basis for commercial properties.

(D) The City Council now believes that the continuation of the flat rate fire service protection fee approach for all residential properties, and on the revenue generated approach for commercial properties continues to be the fairest and most equitable to the residents and businesses of the City of Buckhannon versus any other fee model.

(E) The express purpose and intention of this ordinance is to substantially increase the total revenues realized by the City of Buckhannon for providing fire protection services within the corporate limits.

#### ARTICLE III – DEFINITIONS:

For the purposes of this article, the following terms shall have the meaning respectively designated unless it is clear from the context that a different meaning is intended:

(A) "Residential unit structure" means any structure or unit which is used or intended by the nature of its construction to be used as a single-family dwelling by persons for living or sleeping quarters, but shall not include unit structures intended primarily for transient lodging, including without limitation, hotels, motels, rest homes and hospital rooms.

(B) "Dual residential unit structure" means any structure or unit which is used or intended by the nature of its construction to be used as a two (separate) family dwelling by persons for living or sleeping quarters, and having only two units within such structure, but shall not include unit structures intended primarily for transient lodging, including without limitation, hotels, motels, rest homes and hospital rooms. Such structure shall include but not be limited to duplexes.

(C) "Multiple-family residential unit structure" means a residential unit structure having more than two family dwellings or units within such structure. Such structure shall include but not be limited to apartment buildings, condominiums, townhouses or boarding houses. Such structure shall exclude hotels, motels, tourist homes, etc.

(D) "Nonresidential unit structure". All other buildings not included within the definitions of "residential unit structure". Such structures shall include, but not be limited to all commercial establishments, schools, government buildings, etc. If a structure has multiple uses such as residential and commercial, it will be classified as a non-residential unit.

(E) "Director of Finance" means the duly appointed Buckhannon Director of Finance and Administration.

(F) "Owner" means the owner of record of any lot, tract, or parcel of real estate within the City of Buckhannon, as evidenced by the records maintained in the Office of the Clerk of the County Commission of Upshur County, West Virginia, but may also include the grantee or transferee of any interest in any real estate situated within the City by unrecorded deed, or by an owner-financed sale evidenced by written agreement, such as a "land contract", provided that the parties to any such transaction are required to mutually and timely notify the Director of Finance as to which party to any such transaction shall be responsible for payment of any fire service fees due and



payable pursuant to this Ordinance. In absence of any such agreement, the owner of record pursuant to the County Clerk's records shall be responsible for payment of the fees and charges established by this Ordinance.

(G) "Buckhannon City Fire Department" means the paid Fire Department of the City of Buckhannon and all firefighters serving as volunteers within said Department.

ARTICLE IV – FEE RATES: The City's Fire Protection Service Fees shall be charged as follows:

(A) RESIDENTAL BUILDINGS AND STRUCTURES:

(1) A Fire Protection Fee of \$7.50 per month shall be charged against each dwelling house, mobile home, and apartment in the City of Buckhannon, whether occupied or not.

(2) For purposes of this Ordinance, any separate garage, outbuilding, or other structure used as part of any dwelling house, mobile home, or apartment and not separately occupied or used by persons other than those occupying the primary dwelling house, mobile home, or apartment shall be considered as part of the dwelling house, mobile home, or apartment and shall not subject to any additional charges hereunder.

(3) If any building or other structure is used or commences to become used exclusively for fraternity house, sorority house, dormitory, rooming house, hospital, nursing home, or rest home purposes, then a flat monthly fee of \$50.00 shall be charged to the property owner of record, and each separate building or other structure then shall be charged with the flat monthly fee, whether occupied or not.

(B) COMMERCIAL, INDUSTRIAL, INSTITUTIONAL, AND ALL OTHER NON-RESIDENTIAL BUILDINGS AND STRUCTURES:

(1) A monthly fee based upon annual, gross receipts shall be levied against each occupied office or other business or commercial facility used for business or commercial purposes and against each occupied building or part of an occupied building used solely for one business or commercial purpose, with the fee being determined as follows:

<u>ANNUAL GROSS RECEIPTS</u>	<u>MONTHLY FIRE FEE</u>
\$50,000 and less	\$13.00
\$50,001 to \$150,000	\$19.00
\$150,001 to \$250,000	\$25.00
\$250,001 to \$500,000	\$38.00
\$500,001 to \$1,000,000	\$63.00
\$1,000,001 to \$2,500,000	\$88.00
\$2,500,001 and more	\$188.00

(2) If any commercial building or other structure is or becomes unoccupied, vacant, or abandoned, a flat monthly fee of \$15.00 is assessed against and shall be charged to the property owner of record.

(3) If any building or other structure is used or commences to become used exclusively for religious, charitable, educational, governmental, or other non-profit purposes, other than those buildings or structures identified in Article IV(A)(3) above, then a flat monthly fee of \$10.00 shall be charged to the property owner of record, and each separate building or other structure shall be charged with the flat monthly fee.

(4) For purposes of this Ordinance, the fees imposed by this Ordinance specifically include any hospital, nursing home, motel, hotel, religious, charitable, educational, governmental or non-profit organization.

(5) The owner of any commercial, industrial, or other non-residential building or structure situated in the City of Buckhannon with a state certified sprinkler system shall receive a monthly twenty-five percent (25%) discount on the charges for the commercial, industrial, or other non-residential building or structure. The burden shall be upon the owner of any commercial, industrial, or other non-residential building or structure to provide documented certification that such building or structure is equipped with a state certified sprinkler system, and until such time as documentation is provided, such building or structure shall not be deemed eligible for the twenty-five percent (25%) discount.

ARTICLE V – MISCELLANEOUS AND ADMINISTRATIVE PROVISIONS:

(A) The service of fire protection shall be continued, maintained and improved by the City of Buckhannon Fire Department and City of Buckhannon Volunteer Fire Department, in part, at the charge and expense of the owners of all residential dwellings and non-residential dwellings included but not limited to commercial and industrial businesses, hospital, nursing home, religious, charitable, educational, governmental or non-profit organizations within the City of Buckhannon which said owners are declared to be users and beneficiaries of such fire protection services. The Fire Protection Service Fee with respect of such users and beneficiaries shall be imposed, assessed and collected as set out in this Ordinance by the City of Buckhannon.

(B) All fees and charges for fire protection services shall be billed and collected by the Treasurer and shall not be pro-rated for less than thirty days.

(C) Charges for the fire protection service shall be billed on a monthly basis as determined and in accordance by the utility billing cycle for each individual property owner or alternatively, the other utility user.

(D) All revenues collected for the collection of the Fire Protection Service Fee shall be dedicated exclusively by the City to defray the cost of the continuance, maintenance, or improvement of fire protection within the City of Buckhannon, and no part of such revenue shall be used for any other purpose whatsoever.

(E) The fees or charges provided for by this Ordinance shall be deemed to be a debt due to the City. The City may collect any such fee or charge and all accrued penalties by action against the owner of property against whom the service charges have been assessed by action instituted before the Magistrate Court or Circuit Court of Upshur County, West Virginia.

(F) It shall be the responsibility of the owner or owners of all buildings and structures within the City to notify the Director of Finance of any change in ownership and other items requested by the Director of Finance within thirty (30) days of such change.

(G) OWNER PROTESTS: The owner of any such building above aggrieved by a charge or fee for fire protection service may protest the same by giving written notice to the Director of Finance or designee thereof setting forth their objections on or before thirty (30) days after the billing date. The Director of Finance shall render a decision within a reasonable time, giving notice in writing of the decision to all parties concerned. The amount, if any due the City under such decisions shall be due and payable thirty (30) days after service of the decision. Any person aggrieved by such administrative decision may within thirty (30) days from service of the decision file a petition duly verified with the Circuit Court of Upshur County, West Virginia, requesting review by certiorari, but otherwise, such decision shall be deemed to be final and conclusive.

(H) ADMINISTRATION:

(1) The Director of Finance or the Director of Finance's duly authorized representative is hereby empowered to make such rules and regulations not in conflict with the provisions of this Ordinance relative to the offering and providing of fire protection services as are necessary to protect the property or the safety or health of the public, and no persons shall fail to comply with any such rule and regulation so promulgated.

(2) The Director of Finance shall administer all sections of this Ordinance dealing with financing, billing, collection, etc.

(3) The Director of Finance is hereby authorized to adjust, settle or cancel any charge or fee required or made under this Ordinance or any controversy which may arise in the administration of this article. However, such exercise of authority by the Director of Finance shall be in a uniform manner, and not exercised in an arbitrary or capricious manner and a written or electronic record shall be kept of any and all such adjustments, settlements or cancellations.

ARTICLE VI - Penalty for Non-Payment of Fire Protection Service Fee:

(A) It shall be unlawful for any person to refuse to pay the Fire Protection Service Fee provided for herein. It shall be each user's responsibility to pay any and all reasonable court costs and fees, for the collection of delinquent accounts.

(B) Delinquent Charges Penalty. Any charge for service remaining unpaid after the billing date of the utility bill shall be deemed delinquent and a late payment penalty of ten percent (10%) of the unpaid charge for that billing shall be assessed. In the event that any such delinquent charge remains unpaid for a reasonable period of time not exceeding six months, the delinquent fee shall be pursued through a civil action instituted before either the Upshur County Magistrate Court or Circuit Court as may be appropriate under the circumstances.

(C) Pursuant to Chapter 8, Article 13, Section 13 of the West Virginia Code as amended, and to facilitate collection of any unpaid and delinquent fire protection service fees due under this Ordinance, the City of Buckhannon shall be hereby authorized to file a lien in the Office of the Clerk of the County Commission of Upshur County, West Virginia, upon real property after providing written notice to the property owner, return receipt requested, that the City intends to file the lien unless the delinquency is paid by a specified date set forth in the notice, and which lien shall be filed not less than ninety (90) days from the date the notice is mailed by the City. The property owner shall have the right to appeal the City's notice to the Upshur County Circuit Court, which appeal must be filed before the date provided for in the notice.

(D) Any person whomsoever who fraudulently files information required pursuant to this Ordinance, for which no other penalty is provided, shall upon conviction in the City of Buckhannon Municipal Court be guilty of a misdemeanor offense, and shall be fined not more than Five Hundred Dollars (\$500).

ARTICLE VII - SEVERABILITY: In the event that any provision of this Ordinance is determined to be unconstitutional or otherwise invalid by a court exercising competent jurisdiction, such determination shall not affect the validity of this Ordinance as a whole or the provisions thereof that are not specifically determined to be unconstitutional or invalid.

ARTICLE VIII - EFFECTIVE DATE: This Ordinance shall be deemed effective beginning July 1, 2024.

FIRST READING:	April 4, 2024
SECOND READING	April 18, 2024
THIRD READING, PASSAGE AND ADOPTION:	May 2, 2024

Robert N. Skinner, III, Mayor

CERTIFICATE OF ENACTMENT

I, Randall H. Sanders, City Recorder, do hereby certify that the foregoing Ordinance No. 467 was lawfully ordained and enacted by the Council of the City of Buckhannon at a regular session of the said Council assembled on May 2, 2024.

Randall H. Sanders, City Recorder

The Council of the City of Buckhannon proposes the third (3rd) reading, passage and adoption of Ordinance No. 467 at the regularly scheduled City Council meeting to be held on Thursday, May 2, 2024, at 7:00 p.m. o'clock, at Buckhannon's City Hall located at 70 East Main Street in Buckhannon, Upshur County, West Virginia. A reasonable number of copies of the proposed Ordinance No. 467 are on file at City Hall. Ordinance No. 467 may be inspected by any member of the public during the regular business hours of City Hall.

**All interested persons may appear at the May 2, 2024 meeting and be heard with respect to the City Council's proposed adoption of Ordinance No. 467.**

Randall H. Sanders, City Recorder

RD Publish dates 04/10/24, 04/17/24

## **F.2 Notice of Public Hearing & Proposed Adoption of Ordinance No. 468 Increasing City's Police Protection Fees**

### **NOTICE OF PUBLIC HEARING OF THE COUNCIL OF THE CITY OF BUCKHANNON AND OF PROPOSED ADOPTION OF ORDINANCE NO. 468 BY THE COUNCIL OF THE CITY OF BUCKHANNON**

Pursuant to Chapter 8, Article 11, Section 4(a)(2) of the West Virginia Code, notice is hereby given to all of the residents of the City of Buckhannon that the Council of the City of Buckhannon proposes the third (3rd) reading, passage, and adoption of Ordinance No. 468 of the City of Buckhannon, the subject matter and general title, and abstract of which more particularly appear in said Ordinance as:

**ORDINANCE NO. 468 OF THE CITY OF BUCKHANNON, AN ORDINANCE AMENDING ORDINANCE NO. 224 OF THE CITY OF BUCKHANNON, INCREASING THE CITY'S POLICE PROTECTION SERVICE FEES CHARGED TO RESIDENTS AND BUSINESSES WITHIN THE CORPORATE LIMITS, ESTABLISHING TIERED FEES, PROVIDING FOR THE ADMINISTRATION, COLLECTION AND USE OF FEES RAISED HEREBY, AND SETTING AN EFFECTIVE DATE OF JULY 1, 2024**

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WHEREAS, the Council of the City of Buckhannon beginning April 1, 1983 through the enactment of Ordinances Nos. 221 and 224 has provided for the imposition and collection of fees for the City's Police Department providing police protection services throughout Buckhannon's corporate limits; and,

WHEREAS, the City of Buckhannon is specifically authorized pursuant to Chapter 8, Article 13, Section 13(a) of the West Virginia Code, as amended, to provide emergency police service protection within the corporate limits of the City of Buckhannon and to impose by ordinance upon the users of the service such reasonable rates, fees, and charges to be collected in the manner specified by ordinance; and,

WHEREAS, the Council heretofore now desires to enact this Ordinance to increase the fees so charged, in light of the increased costs associated with providing police protection services since the last time the Council considered this issue.

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

ARTICLE I – TITLE OF ORDINANCE: This Ordinance shall be known as the City of Buckhannon's Police Protection Service Fee Ordinance.



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

(A) The City of Buckhannon has operated a municipal police department for many decades, however, the City Council has not increased its police protection service fees in Buckhannon since April 1, 1983.

(B) The City's costs and expenses in providing the reasonable and necessary personnel, training, vehicles, and equipment to offer police protection service for the community have increased substantially since that time.

(C) Previously, and at all times since April 1, 1983, the City's police protection service fees have been established on a flat rate basis for all residential properties, and on a revenue generated basis for commercial properties.

(D) The City Council now believes that the continuation of the flat rate police service protection fee approach for all residential properties, and on the revenue generated approach for commercial properties continues to be the fairest and most equitable to the residents and businesses of the City of Buckhannon versus any other fee model.

(E) The express purpose and intention of this ordinance is to substantially increase the total revenues realized by the City of Buckhannon for providing police protection services within the corporate limits.

ARTICLE III – DEFINITIONS:

For the purposes of this article, the following terms shall have the meaning respectively designated unless it is clear from the context that a different meaning is intended:

(A) "Residential unit structure" means any structure or unit which is used or intended by the nature of its construction to be used as a single-family dwelling by persons for living or sleeping quarters, but shall not include unit structures intended primarily for transient lodging, including without limitation, hotels, motels, rest homes and hospital rooms.

(B) "Dual residential unit structure" means any structure or unit which is used or intended by the nature of its construction to be used as a two (separate) family dwelling by persons for living or sleeping quarters, and having only two units within such structure, but shall not include unit structures intended primarily for transient lodging, including without limitation, hotels, motels, rest homes and hospital rooms. Such structure shall include but not be limited to duplexes.

(C) "Multiple-family residential unit structure" means a residential unit structure having more than two family dwellings or units within such structure. Such structure shall include but not be limited to apartment buildings, condominiums, townhouses or boarding houses. Such structure shall exclude hotels, motels, tourist homes, etc.

(D) "Nonresidential unit structure". All other buildings not included within the definitions of "residential unit structure". Such structures shall include, but not be limited to all commercial establishments, schools, government buildings, etc. If a structure has multiple uses such as residential and commercial, it will be classified as a non-residential unit.

(E) "Director of Finance" means the duly appointed Buckhannon Director of Finance and Administration.

(F) "Owner" means the owner of record of any lot, tract, or parcel of real estate within the City of Buckhannon, as evidenced by the records maintained in the Office of the Clerk of the County Commission of Upshur County, West Virginia, but may also include the grantee or transferee of any interest in any real estate situated within the City by unrecorded deed, or by an owner-financed sale evidenced by written agreement, such as a "land contract", provided that the parties to any such transaction are required to mutually and timely notify the Director of Finance as to which party to any such transaction shall be responsible for payment of any police service fees due and payable pursuant to this Ordinance. In absence of any such agreement, the owner of record pursuant to the County Clerk's records shall be responsible for payment of the fees and charges established by this Ordinance.

(G) "Buckhannon City Police Department" means the paid Police Department of the City of Buckhannon.

ARTICLE IV – FEE RATES: The City's Police Protection Service Fees shall be charged as follows:

(A) RESIDENTIAL BUILDINGS AND STRUCTURES:

(1) A Police Protection Fee of \$5.00 per month shall be charged against each dwelling house, mobile home, and apartment in the City of Buckhannon, whether occupied or not.

(2) For purposes of this Ordinance, any separate garage, outbuilding, or other structure used as part of any dwelling house, mobile home, or apartment and not separately occupied or used by persons other than those occupying the primary dwelling house, mobile home, or apartment shall be considered as part of the dwelling house, mobile home, or apartment and shall not subject to any additional charges hereunder.

(3) If any building or other structure is used or commences to become used exclusively for fraternity house, sorority house, dormitory, rooming house, hospital, nursing home, or rest home purposes, then a flat monthly fee of \$50.00 shall be charged to the property owner of record, and each separate building or other structure then shall be charged with the flat monthly fee, whether occupied or not.

(B) COMMERCIAL, INDUSTRIAL, INSTITUTIONAL, AND ALL OTHER NON-RESIDENTIAL BUILDINGS AND STRUCTURES:

(1) A monthly fee based upon annual, gross receipts shall be levied against each occupied office or other business or commercial facility used for business or commercial purposes and against each occupied building or part of an occupied building used solely for one business or commercial purpose, with the fee being determined as follows:

<u>ANNUAL GROSS RECEIPTS</u>	<u>MONTHLY POLICE FEE</u>
\$50,000 and less	\$8.00
\$50,001 to \$150,000	\$16.00
\$150,001 to \$250,000	\$20.00
\$250,001 to \$500,000	\$30.00
\$500,001 to \$1,000,000	\$40.00
\$1,000,001 to \$2,500,000	\$50.00

\$2,500,001 and more

\$167.00

(2) If any commercial building or other structure is or becomes unoccupied, vacant, or abandoned, a flat monthly fee of \$15.00 is assessed against and shall be charged to the property owner of record.

(3) If any building or other structure is used or commences to become used exclusively for religious, charitable, educational, governmental, or other non-profit purposes, other than those buildings or structures identified in Article IV(A)(3) above, then a flat monthly fee of \$10.00 shall be charged to the property owner of record, and each separate building or other structure shall be charged with the flat monthly fee.

(4) For purposes of this Ordinance, the fees imposed by this Ordinance specifically include any hospital, nursing home, motel, hotel, religious, charitable, educational, governmental or non-profit organization.

ARTICLE V – MISCELLANEOUS AND ADMINISTRATIVE PROVISIONS:

(A) The service of police protection shall be continued, maintained and improved by the City of Buckhannon Police Department, in part, at the charge and expense of the owners of all residential dwellings and non-residential dwellings included but not limited to commercial and industrial businesses, hospital, nursing home, religious, charitable, educational, governmental or non-profit organizations within the City of Buckhannon which said owners are declared to be users and beneficiaries of such police protection services. The Police Protection Service Fee with respect of such users and beneficiaries shall be imposed, assessed and collected as set out in this Ordinance by the City of Buckhannon.

(B) All fees and charges for police protection services shall be billed and collected by the Treasurer and shall not be pro-rated for less than thirty days.

(C) Charges for the police protection service shall be billed on a monthly basis as determined and in accordance by the utility billing cycle for each individual property owner or alternatively, the other utility user.

(D) All revenues collected for the collection of the Police Protection Service Fee shall be dedicated exclusively by the City to defray the cost of the continuance, maintenance, or improvement of police protection within the City of Buckhannon, and no part of such revenue shall be used for any other purpose whatsoever.

(E) The fees or charges provided for by this Ordinance shall be deemed to be a debt due to the City. The City may collect any such fee or charge and all accrued penalties by action against the owner of property against whom the service charges have been assessed by action instituted before the Magistrate Court or Circuit Court of Upshur County, West Virginia.

(F) It shall be the responsibility of the owner or owners of all buildings and structures within the City to notify the Director of Finance of any change in ownership and other items requested by the Director of Finance within thirty (30) days of such change.

(G) OWNER PROTESTS: The owner of any such building above aggrieved by a charge or fee for police protection service may protest the same by giving written notice to the Director of Finance or designee thereof setting forth their objections on or before thirty (30) days after the billing date. The Director of Finance shall render a decision within a reasonable time, giving notice in writing of the decision to all parties concerned. The amount, if any due the City under such decisions shall be due and payable thirty (30) days after service of the decision. Any person aggrieved by such administrative decision may within thirty (30) days from service of the decision file a petition duly verified with the Circuit Court of Upshur County, West Virginia, requesting review by certiorari, but otherwise, such decision shall be deemed to be final and conclusive.

(H) ADMINISTRATION:

(1) The Director of Finance or the Director of Finance's duly authorized representative is hereby empowered to make such rules and regulations not in conflict with the provisions of this Ordinance relative to the offering and providing of police protection services as are necessary to protect the property or the safety or health of the public, and no persons shall fail to comply with any such rule and regulation so promulgated.

(2) The Director of Finance shall administer all sections of this Ordinance dealing with financing, billing, collection, etc.

(3) The Director of Finance is hereby authorized to adjust, settle or cancel any charge or fee required or made under this Ordinance or any controversy which may arise in the administration of this article. However, such exercise of authority by the Director of Finance shall be in a uniform manner, and not exercised in an arbitrary or capricious manner and a written or electronic record shall be kept of any and all such adjustments, settlements or cancellations.

ARTICLE VI - Penalty for Non-Payment of Police Protection Service Fee:

(A) It shall be unlawful for any person to refuse to pay the Police Protection Service Fee provided for herein. It shall be each user's responsibility to pay any and all reasonable court costs and fees, for the collection of delinquent accounts.

(B) Delinquent Charges Penalty. Any charge for service remaining unpaid after the billing date of the utility bill shall be deemed delinquent and a late payment penalty of ten percent (10%) of the unpaid charge for that billing shall be assessed. In the event that any such delinquent charge remains unpaid for a reasonable period of time not exceeding six months, the delinquent fee shall be pursued through a civil action instituted before either the Upshur County Magistrate Court or Circuit Court as may be appropriate under the circumstances.

(C) Pursuant to Chapter 8, Article 13, Section 13 of the West Virginia Code as amended, and to facilitate collection of any unpaid and delinquent police protection service fees due under this Ordinance, the City of Buckhannon shall be hereby authorized to file a lien in the Office of the Clerk of the County Commission of Upshur County, West Virginia, upon real property after providing written notice to the property owner, return receipt requested, that the City intends to file the lien unless the delinquency is paid by a specified date set forth in the notice, and which lien shall be filed not less than ninety (90) days from the date the notice is mailed by the City. The property owner shall have the right to appeal the City's notice to the Upshur County Circuit Court, which appeal must be filed before the date provided for in the notice.

(D) Any person whomsoever who fraudulently files information required pursuant to this Ordinance, for which no other penalty is provided, shall upon conviction in the City of Buckhannon Municipal Court be guilty of a misdemeanor offense, and shall be fined not more than Five Hundred Dollars (\$500).

ARTICLE VII - SEVERABILITY: In the event that any provision of this Ordinance is determined to be unconstitutional or otherwise invalid by a court exercising competent jurisdiction, such determination shall not affect the validity of this Ordinance as a whole or the provisions thereof that are not specifically determined to be unconstitutional or invalid.

ARTICLE VIII - EFFECTIVE DATE: This Ordinance shall be deemed effective beginning July 1, 2024.

FIRST READING: April 4, 2024

SECOND READING: April 18, 2024

THIRD READING, PASSAGE AND ADOPTION:

May 2, 2024

Robert N. Skinner, III, Mayor

CERTIFICATE OF ENACTMENT

I, Randall H. Sanders, City Recorder, do hereby certify that the foregoing Ordinance No. 468 was lawfully ordained and enacted by the Council of the City of Buckhannon at a regular session of the said Council assembled on May 2, 2024.

Randall H. Sanders, City Recorder

The Council of the City of Buckhannon proposes the third (3rd) reading, passage and adoption of Ordinance No. 468 at the regularly scheduled City Council meeting to be held on Thursday, May 2, 2024, at 7:00 p.m. o'clock, at Buckhannon's City Hall located at 70 East Main Street in Buckhannon, Upshur County, West Virginia. A reasonable number of copies of the proposed Ordinance No. 468 are on file at City Hall. Ordinance No. 468 may be inspected by any member of the public during the regular business hours of City Hall.

**All interested persons may appear at the May 2, 2024 meeting and be heard with respect to the City Council's proposed adoption of Ordinance No. 468.**

Randall H. Sanders, City Recorder

RD Publish date 04/10/24, 04/17/24

**F.3 Notice City Council Meeting Date of May 16, 2024, has been canceled due to conflict with the WVSF Events**

**F.4 Notification to Residents/Businesses Located along the Parade Route & Lineup Staging Areas**

**IMPOR TANT MESSAGE REGARDING  
WVSF PARADE ROUTE  
INFORMATION BUCKHANNON WV**

To: Buckhannon Residents or Businesses; primarily located along the WVSF Parade Route and line-up staging areas

From: Buckhannon Police Department and Upshur County Dept of Homeland Security & Emergency Management

We want to keep all participants safe and inform local residents living in these areas what will be occurring during specific times. As a courtesy, since you may be located on one of these streets, we wanted to share this information with you in advance so you can plan accordingly.

The parades for the WV Strawberry Festival will occur as follows:

WV Strawberry Festival - Junior Royalty Parade - Thursday, May 16, 2024

WV Strawberry Festival - Firemen's Parade - Friday, May 17, 2024

WV Strawberry Festival - Grand Feature Parade - Saturday, May 18, 2024

Maps included indicate:

- Staging and line-up of participants in Blue. Absolutely no local vehicular traffic permitted.
- Parade route in Pink- No Parking, Vehicles will be towed at owners expense.
- Detour route around the line-up area is in Orange.
- Firemen's Parade line-up/staging streets in Green

Note that the **Orange** perimeter indicates this as a Detour Route for traffic to navigate around the Blue lineup area.

Note that the **Pink** is the Parade Route and signs will be posted for NO PARKING. Any vehicles parked on the Pink parade route, at times indicated below, and on posted signs **WILL BE TOWED AT OWNERS EXPENSE**.

Note that the **Blue** staging area will be where participants in the parade will line-up. NO TR AFFIC will be permitted while participants are lined up on the streets.

Note that the **Green** is the staging streets for the Firemen's Parade Only.

Note that **XXXXXX** is No Parking on E Lincoln St.

The parade route will extend past the Charles W Gibson Library.

Below is a more detail list of times, dates and areas that will be used by each event:

**Junior Royalty Parade - Thursday, May 16, 2024 -**

Line-up and staging will begin at 5:30 pm. ALL streets in blue, orange and pink on the attached map will be used in both the Junior Royalty Parade and Grand Feature Parade. No traffic will be permitted in the Blue staging/line-up streets. No Parking on Parade Route (pink path) beginning at 5:30 pm. Vehicles will be towed at owner's expense. Parade will begin at 6:30 pm.

**Firemen's Parade - Friday, May 17, 2024 -**

Line-up and staging will begin at 5:00 pm. The participants use all of College Avenue from South Kanawha Street to Lumber Street and all of Tucker Street from South Kanawha Street to S Florida Street. No traffic will be permitted in the staging/lineup streets. No Parking on the Parade Route (pink path) beginning 5:00 pm. Vehicles will be towed at owner 's expense. Parade will begin at 6:30 pm.

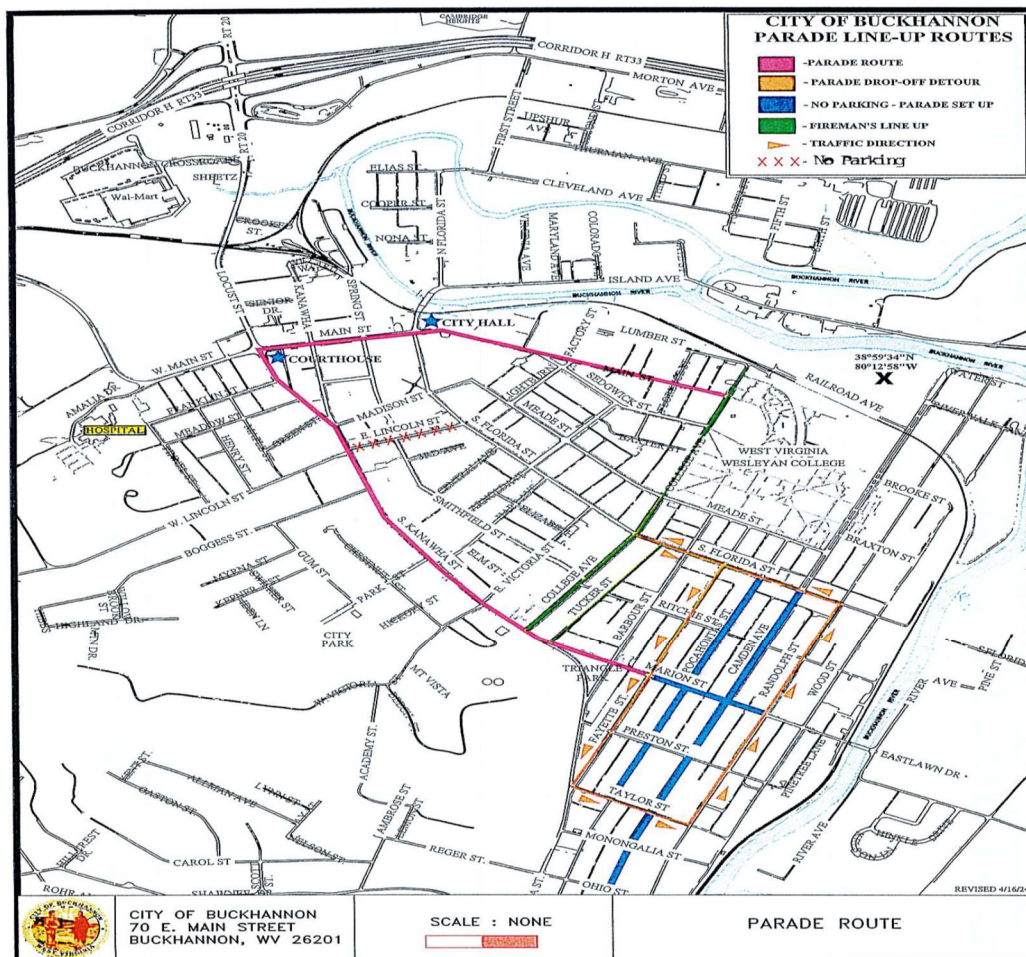
**Grand Feature Parade - Saturday, May 18, 2024-**

Line-up and staging will begin at 10:00 am. ALL streets in blue, orange and pink on the attached map will be used. No traffic will be permitted in the Blue staging/line-up streets.

No Parking on Parade Route (pink path) will begin at 10:00 am. Vehicles will be towed at owner 's expense. A mile long Strawberry Run begins at 12:00 pm to be followed by Antique Cars, to be followed by the Grand Feature Parade at 1:00 pm.

**East Lincoln Street - No parking - May 16, 17, 18, 19, 2024-**

No on-street parking will be permitted along East Lincoln Street from May 16 to 19, 2024. This street needs to remain clear of parked vehicles as it is will be used by emergency vehicles when necessary. Vehicles will be towed at owners' expense.





Advisory: No parking on Main St during parades May 16-18. No parking on Main St (Locust-Florida) after parades. No parking on E Lincoln May 16-19.

By order of the City of Buckhannon:

- There will be no parking on Main Street during the parades to be held on May 16, 17, and 18.
- There will be no parking on Main Street between Locust and Florida Streets after the parades until midnight each night.
- There will be no parking on East Lincoln Street at any time from May 16 through May 19.

Any violators will be towed at the owner's expense.

During the WV Strawberry Festival week (May 12th - 18th), the Festival has received permission for the use of the following parking areas:

NO PARKING beginning May 11th through 19th in the following parking lots: • Lot 2- Across from the Post Office on Spring Street • Lot 7 - Across from the Post Office where Pavilions are located at Jawbone Park NO PARKING beginning May 11th through May 19th in: • Lot 6 off of Madison Street • The Old Bank Lot off of Madison Street The carnival will begin setting up in the property off of Madison Street May 11th. Parking is available in Lot 1 (off of S Kanawha St across from Kanawha Lounge) and Lot 3 (off of North Spring Street). Two-hour parking is available on Main Street and side streets off of Main Street. We are sorry for this temporary inconvenience. If you have any questions, please feel free to contact City Hall 304-472-1651. There will be NO PARKING on Main Street during the following parades: \NI/ Strawberry Festival - Junior Royalty Parade - Thursday, May 16, 2024 - 5:30 PM \NI/ Strawberry Festival - Firemen's Parade - Friday, May 17, 2024- 5:00 PM \NI/ Strawberry Festival - Grand Feature Parade- Saturday, May 18, 2024 - 10:00 AM There will be NO PARKING on E Lincoln St May 16 to 19, 2024 \*\*Please note that any vehicles parked on the parade route at the times indicated above WILL BE TOWED AT OWNER'S EXPENSE. During the upcoming WV Strawberry Festival and parades, please remember to safely arrange chairs for parade viewing, being mindful to allow room for pedestrians to travel the parade route as well. Please do not use ropes, twine, tape, etc, to tether chairs, as this creates a tripping hazard. Thank you for helping us create a fun and safe WV Strawberry Festival experience for all!

**F.5 Webb Grubb Police Officer Recognition Day -May 15, 2024, at 2:00 pm at the Public Safety Complex**

**F.6 Friendly Way Firefighter Recognition Day- May 17, 2024, at 3:00 pm at the Public Safety Complex**

**F.7 Notice Accepting Resumes for the Position of Director of Public Works for the City of Buckhannon**

#### **CITY OF BUCKHANNON POSITION OF DIRECTOR OF PUBLIC WORKS**

Resumes will be accepted until May 17, 2024 for the position of Director of Public Works for the City of Buckhannon, 70 E Main Street, Buckhannon, WV 26201.

**The Director of Public Works** supervises the maintenance, design and construction of all City of Buckhannon properties, including buildings, parks, grounds, solid waste facilities, and the water/sewer utilities. The Director will oversee the activities of employees within the departmental structure including engineering, public utilities, and facilities management. This position must exercise tact and courtesy when interacting with public officials, developers, contractors, and the general public. This position will report to the City of Buckhannon City Council.

- Trained and experienced in both oral and written communications, the Director of Public Works shall serve as the primary point of contact with the Council of the City of Buckhannon respecting all identified functions involving all municipal utility functions, municipal buildings and other improvements, oversight of the City's streets, alleys, sidewalks, curbs, gutters, storm sewers, parks and river trail, cemetery, and such other functions and projects as are specifically designated by the City Council.
- The Director shall work closely in collaboration with the City Director of Finance & Administration, and all supervisors of the City's Utility Boards as well as the City's engineers and attorney. The Director oversees and manages the work of all Utility Board supervisors, while coordinating collaborative, inter-utility functions and projects.
- The Director collaborating with appropriate Utility Board supervisors shall be one of the primary contact persons for utility functions, who shall be expected to regularly solicit opportunities to positively present the mission, vision, accomplishments and/or needs of the City. The Director shall collaborate with the Public Relations Coordinator to maximize public awareness of all utility activities and programs.

- The Director shall regularly attend and actively participate bi-monthly Buckhannon City Council meetings as well as the monthly meetings of the City’s four Utility Boards, and shall further periodically attend and report to other appropriate entities and organizations about the accomplishments and efforts of the City, as well as schedule regular supervisor’s meetings that will help to instill a “team member” philosophy.
- The Director shall assist all Utility Board supervisors in proposing an annual fiscal year budget to be submitted to the City’s Director of Finance and Administration on or about February 1 of each year, and shall work closely with Director of Finance and Administration to realize funding for programs and activities of the departments of oversight.
- The Director shall serve as the primary point of contact with outside organizations and persons soliciting some use of the City’s utility board facilities and/or equipment for purposes not conflicting with the City’s mission, and shall request the approval of such outside uses not conflicting with municipal programs with the City Council.
- The Director shall be very familiar with the physical plants; municipal buildings and all other City facilities and equipment.
- The Director shall collaborate with the Utility Board supervisors to identify building, facility, and equipment needs, and respective departments’ needs and including individual activity and program review.
- The Director shall report and advise on requests to City Council and/or City Utility Boards, of any and all needs for any scheduled or extraordinary repairs or maintenance or improvements to municipal buildings, facilities, and/or equipment as well as capital purchase requests of new equipment.
- The Director shall conduct Annual Evaluations of all Utility Board supervisors, city engineers, and other personnel assigned to the Director’s oversight, and shall make recommendations when appropriate for merit pay increases.
- The Director shall oversee the administration of street addressing, and ADA compliance delegating functional responsibility for such municipal matters to city engineers and others as appropriate.
- The Director shall possess a CDL driver license and have knowledge and experience with construction projects and the operation of construction equipment
- This is a full-time position with benefits that include Health Insurance, participation in the WV Public Employees Retirement System, vacation and sick leave.

Salary starting at \$60,000 annually, or commensurate with candidate experience and qualifications levels. Candidates must have a minimum of three (3) years’ experience in an executive level in planning, budgeting and construction management. Candidates with experience in solid waste, stormwater, waste water and water operations are preferred. Your resume must include three professional references. Professional references are individuals who can attest to your job-related knowledge, skills and abilities. Resumes will be received or postmarked before midnight May 17, 2024, at City Hall, 70 E Main Street, Buckhannon, WV 26201.

The City of Buckhannon is an EEOC employer committed to the principle of equal opportunity for all qualified persons.

**F.8 Notice of Special Meeting of the Planning Commission to discuss the request for the consideration to Amend Zoning Ordinance No. 244, Section 501 R-1, Single Family Residential District, the Permitted Uses to include Airbnb Rentals** – Mayor Skinner clarified that Airbnb Rentals are permitted in the city except in the R-1, Single Family Residential District.

**G. Consent Agenda** - Mayor Skinner presented an overview of the following agenda items to the Council and asked for action.

**G.1 Approval of Minutes-Regular meeting 04/18/24**

**G.2 Approval of Building and Wiring Permits**

**Permit Fee Report #76183-#79194**

**04/18/2024 - 05/01/2024**

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
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**Group: Commercial Electrical Fee**

7619 2	STANLEY REXROAD	15 W MAIN ST	SINES HVAC SERVICES	REPLACING FURNACE/A C UNIT-- SPLIT HYBRID HEAT PUMP	10,000. 00	100.0 0								
7618 5	ALAN TALBOTT	67 MORTON AVE	DTA ELECTRI CAL	METER TO BE INSTALLED FOR RECONN ECT WO#76960 5569	0.00	100.0 0	A Commer cial Property	No		No	Zon e AE	Yes- Elevatio n Cert. Not Require d	No	
					<b>10,000 .00</b>	<b>200.0 0</b>								

Group Total: 2

Group: Commercial-Industrial (nonresidential)

7619 3	South Buckhan non Mission Church Youth House	156 Hackberr y Lane		12'x16' Garage with concrete floor for Youth House	2,000.0 0	19.00			5/1/20 24	No	N/A	No		
7619 4	TOP LINE PROPER TIES	116 S FLORIDA ST		KITCHEN REMODEL	400.00	15.00		No		No	N/A	No	No	
7619 2	STANLEY REXROAD	15 W MAIN ST	SINES HVAC SERVICES	REPLACING FURNACE/A C UNIT-- SPLIT HYBRID HEAT PUMP	10,000. 00	85.00								
7618 8	Tri State Toter	16 1/2 Cleveland ave		REPLACE 2 WINDOWS	750.00	15.00		No		No	Zon e AE	No		
7618 6	DOUG SPEARS	52 N FLORIDA ST	LONG HORN STEEL STRUCT URE	PRE FAB STORAGE BUILDING 20X20 ON GRAVEL WITH VENTING	5,500.0 0	52.25	A Commer cial Property	No	4/22/2 024	No	Zon e AE	Yes- Elevatio n Cert. Not Require d	Yes- If yes attach Nonconfor ming Use	
					<b>18,650 .00</b>	<b>186.2 5</b>								

Group Total: 5

Group: Residential (non-commercial)

7619 1	FRANCES HEATER	115 RANDOL PH ST		KITCHEN CABINETS, LAMINATE FLOORING, REPLACE EXTERIOR BRICK, PRIVACY FENCE 6FT AND VINYL AROUND THE WHOLE PROPERTY	15,000. 00	165.0 0		No		No	Zon e AE	No	No	
7618 9	WILLIAM LEIGH	28 ARNOLD AVE		REPLACEM ENT OF STONE PATIO 14X18 TO CONCRETE PAD	1,000.0 0	11.00		No	4/29/2 024	Yes	N/A	No	No	
7618 7	WESLEY NICKELL	111 CHESTN UT ST	KALKRE UTH	REROOF	14,595. 00	160.5 5		Yes -If yes attach report		No	N/A	No	No	
7618 4	THOMAS KEELY	320 W VICTORI A ST	Stephen Corder	CONCRETE EXISTING PRIVATE SIDEWALK	5,500.0 0	60.50		No		No	N/A	No	No	

76183	CYNTHIA KING	104 SMITHFIELD ST		FREE STANDING STRUCTURE 10X12 GREENHOUSE	999.00	10.00		No	4/17/2024	No	N/A	No	No
					37,094.00	407.05							

Group Total: 5

Group: Residential Electrical Fee

76190	JAMES OCHELTEREE	24 UPPER TREE	L&S ELECTRICAL	ELECTRICAL UPGRADE WO#769694363	2,550.00	100.00	B2 Single Family Residential (500 sq ft)	No		No	N/A	No	No
					2,550.00	100.00							

Group Total: 1

Group: Zoning Application Fee

76193	South Buckhanon Mission Church Youth House	156 Hackberry Lane		12'x16' Garage with concrete floor for Youth House	2,000.00	20.00			5/1/2024	No	N/A	No	
76186	DOUG SPEARS	52 N FLORIDA ST	LONG HORN STEEL STRUCTURE	PRE FAB STORAGE BUILDING 20X20 ON GRAVEL WITH VENTING	5,500.00	20.00	A Commercial Property	No	4/22/2024	No	Zone AE	Yes- Elevation Cert. Not Required	Yes- If yes attach Nonconforming Use
					7,500.00	40.00							

Group Total: 2

					75,794.00	933.30							
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Total Records: 15

5/1/2024

G.3 Approval of Payment of the Bills:

APRIL 18-30-2024 GENERAL FUND PAYMENT OF BILLS

\$9,906.00– ROZELLE ENTERPRISE – POUR FOOTERS, INSTALL DRAINS FORM AND POUR SLABS AT FIRE DEPT

\$5,999.97 – J.F. ALLEN – BLACK TOP FOR PATCHING & STONE FOR WALK TRAIL

\$2,203.00 – SEALCOAT CONCEPTS – PAINTING CURBS, CROSSWALKS & APOTHACARRY WAY

\$4,080.00 – BENJAMIN ARISMAN – MOWING OF CITY LOTS



FUND: GENERAL FUND

DEPARTMENT	VENDOR NAME	GL ACCOUNT	ACCOUNT DESCRIPTION	DESCRIPTION	AMOUNT
MAYOR'S OFFICE	WV PUBLIC EMPLOYEES RETIREME	409-106-00	MAYOR'S RETIREMENT	WV RETIREMENT CONTRIBUTION	76.33
		409-106-00	MAYOR'S RETIREMENT	WV RETIREMENT CONTRIBUTION	77.72
	PAYROLL ACCOUNT (ALL DEPTS) GENERAL FUND	409-106-00	MAYOR'S RETIREMENT	WV RETIRE TIER2 CONTRIBUTI	18.01
		409-341-00	MAYOR'S SUPPLIES & M	MARCH 2024 AA FEES	269.31
	RODNEY T IRVIN JR	409-341-00	MAYOR'S SUPPLIES & M	JAN-APR LOC FEES	552.76
		409-341-05	EVENT/FIREWORK EXPEN	LIVE STREAM/REORDING APR 2	600.00
	ST JOSEPH HOSPITAL OF BUCKHA	409-341-00	MAYOR'S SUPPLIES & M	LAB TEST JAMES HOLLEN	67.00
		409-104-00	MAYOR'S F.I.C.A.	FICA WITHHELD AND MATCHED	100.61
	INTERNAL REVENUE SERVICE	409-104-00	MAYOR'S F.I.C.A.	MEDICARE WITHHELD & MATCHE	23.54
		409-105-00	MAYOR'S INSURANCE	GF APR 2024 HSA FEES	6.50
	PAYFLEX - INSPIRA	409-341-00	MAYOR'S SUPPLIES & M	FLYER PRINTS	24.00
	WWC BOOKSTORE	409-211-00	MAYOR'S TELEPHONE	472-1651-101515-4 CITY HAL	75.09
	FRONTIER	409-211-00	MAYOR'S TELEPHONE	304-003-2273-060600-4	24.18
	MOONLIGHT DESIGNS LLC	409-341-00	MAYOR'S SUPPLIES & M	CLOCKS STRAWBERRY KING & Q	50.00
	**PAYROLL EXPENSES			4/18/2024 - 4/30/2024	1,634.37
				TOTAL:	3,599.42
	COUNCIL	WV PUBLIC EMPLOYEES RETIREME	410-106-00	COUNCIL'S RETIREMENT	WV RETIREMENT CONTRIBUTION
410-223-00			PROFESSIONAL (LEGAL)	APR 2024 CONTRACT ATTORNEY	1,250.00
INTERNAL REVENUE SERVICE		410-104-00	COUNCIL'S F.I.C.A.	FICA WITHHELD AND MATCHED	62.00
		410-104-00	COUNCIL'S F.I.C.A.	MEDICARE WITHHELD & MATCHE	14.50

FUND: GENERAL FUND

DEPARTMENT	VENDOR NAME	GL ACCOUNT	ACCOUNT DESCRIPTION	DESCRIPTION	AMOUNT
	**PAYROLL EXPENSES			4/18/2024 - 4/30/2024	1,000.00
				TOTAL:	2,344.50
RECORDER	LOUDIN INSURANCE AGENCY INC	411-226-00	INSURANCE/COMPENSATI	SURETY BOND WESTFALL	219.00
		411-106-00	RECORDER'S RETIREMEN	WV RETIRE TIER2 CONTRIBUTI	17.29
	INTERNAL REVENUE SERVICE	411-104-00	RECORDER'S F.I.C.A.	FICA WITHHELD AND MATCHED	31.00
		411-104-00	RECORDER'S F.I.C.A.	MEDICARE WITHHELD & MATCHE	7.25
**PAYROLL EXPENSES			4/18/2024 - 4/30/2024	500.00	
			TOTAL:	774.54	
TREASURER	WV PUBLIC EMPLOYEES RETIREME	413-106-00	TREASURER'S RETIREME	WV RETIREMENT CONTRIBUTION	28.19
		413-106-00	TREASURER'S RETIREME	WV RETIREMENT CONTRIBUTION	28.19
	INTERNAL REVENUE SERVICE	413-104-00	TREASURER'S F.I.C.A.	FICA WITHHELD AND MATCHED	19.42
		413-104-00	TREASURER'S F.I.C.A.	MEDICARE WITHHELD & MATCHE	4.54
PAYFLEX - INSPIRA	413-105-00	TREASURER'S GROUP IN	GF APR 2024 HSA FEES	3.25	
**PAYROLL EXPENSES			4/18/2024 - 4/30/2024	313.18	
			TOTAL:	396.77	
COURT	INTERNAL REVENUE SERVICE	416-104-00	POLICE JUDGE FICA	FICA WITHHELD AND MATCHED	38.75
		416-104-00	POLICE JUDGE FICA	MEDICARE WITHHELD & MATCHE	9.06
	**PAYROLL EXPENSES			4/18/2024 - 4/30/2024	625.00
			TOTAL:	672.81	
CITY ENGINEER	WV PUBLIC EMPLOYEES RETIREME	420-106-00	CITY ENGINEER RETIRE	WV RETIREMENT CONTRIBUTION	74.10
		420-106-00	CITY ENGINEER RETIRE	WV RETIREMENT CONTRIBUTION	74.10
	INTERNAL REVENUE SERVICE	420-104-00	CITY ENGINEER FICA T	FICA WITHHELD AND MATCHED	51.51
		420-104-00	CITY ENGINEER FICA T	MEDICARE WITHHELD & MATCHE	12.05
**PAYROLL EXPENSES			4/18/2024 - 4/30/2024	823.30	
			TOTAL:	1,035.06	
ZONING	WV PUBLIC EMPLOYEES RETIREME	437-106-00	ZONING RETIREMENT	WV RETIREMENT CONTRIBUTION	135.00
		437-106-00	ZONING RETIREMENT	WV RETIREMENT CONTRIBUTION	135.00
	INTERNAL REVENUE SERVICE	437-104-00	ZONING F.I.C.A.	FICA WITHHELD AND MATCHED	93.00
		437-104-00	ZONING F.I.C.A.	MEDICARE WITHHELD & MATCHE	21.75
PAYFLEX - INSPIRA	437 105 00	ZONING HEALTH INS	GF APR 2024 HSA FEES	3.25	
**PAYROLL EXPENSES			4/18/2024 - 4/30/2024	1,500.00	
			TOTAL:	1,888.00	
DATA PROCESSING	LEAF	439-230-00	DATA PROCESSING	CITY HALL APR 2024 COPIER	155.50
		439-230-00	DATA PROCESSING	APRIL 2024 IT SERVICES	425.00
	LYNX WV INC	439-230-00	DATA PROCESSING	FP FINANCE PROGRAM	125.74
	GARRETT R SUMMERS	439-230-00	DATA PROCESSING	BITDEFENDER ENPOINT SECURI	2.75
**PAYROLL EXPENSES			4/18/2024 - 4/30/2024	708.99	
			TOTAL:	708.99	
CITY HALL	MON POWER	440-213-00	CITY HALL UTILITIES	110 088 782 062 70 E MAIN	1,220.89
	UNIFIRST CORP.	440-216-00	CITY HALL MAINTENANC	ALL DEPT UNIFORMS MAR 2024	61.26
	MOUNTAINEER GAS COMPANY	440-213-00	CITY HALL UTILITIES	269245-314199 1 S-FLORIDA	189.06
	LOWES BUSINESS ACCOUNTS	440-341-00	CITY HALL SUPPLIES	CARPET CLEANER	128.36
	DODSON BROS EXTERMINATING CO	440-216-00	CITY HALL MAINTENANC	APR 2024 CITY HALL PEST CN	33.00
	WV PUBLIC EMPLOYEES RETIREME	440-106-00	GROUP RETIREMENT	WV RETIREMENT CONTRIBUTION	121.03
		440-106-00	GROUP RETIREMENT	WV RETIREMENT CONTRIBUTION	143.30
	WALMART STORES INC -BUCKHANN	440-341-00	CITY HALL SUPPLIES	CLEANING SUPPLIES MOP BAGS	134.14
	INTERNAL REVENUE SERVICE	440-104-00	CITY HALL FICA	FICA WITHHELD AND MATCHED	97.81
		440-104-00	CITY HALL FICA	MEDICARE WITHHELD & MATCHE	22.87

FUND: GENERAL FUND

DEPARTMENT	VENDOR NAME	GL ACCOUNT	ACCOUNT DESCRIPTION	DESCRIPTION	AMOUNT
CITY HALL	PAYFLEX - INSPIRA	440-105-00	CITY HALL JANITOR IN	GF APR 2024 HSA FEES	3.25
		440-216-00	CITY HALL MAINTENANC	MOTOR REPLACE OH PAN Y MAT	189.90
	**PAYROLL EXPENSES			4/18/2024 - 4/30/2024	1,592.25
			TOTAL:	3,936.12	
POLICE	J T MARTIN COMPANY INC	700-341-00	POLICE DEPT. MAT & S	RECHARGE, TEST, REPLACE F	215.70
		700-341-05	POLICE VIPS EXPENSES	POLICE SHIRTS	31.99
	ROB'S TINTING & DETAIL LLC	700-343-00	POLICE DEPT. AUTO SU	WINDOW TINT	300.00
	MARK STEWART	700-214-00	POLICE DEPT. TRAVEL	MARK STEWART REIMB FOR TRA	15.82
	WV PUBLIC EMPLOYEES RETIREME	700-106-00	POLICE DEPT. RETIREME	WV RETIREMENT CONTRIBUTION	1,789.65
		700-106-00	POLICE DEPT. RETIREME	WV RETIREMENT CONTRIBUTION	1,688.92
	MOTOROLA SOLUTIONS, INC.	700-341-05	POLICE VIPS EXPENSES	VIPS PORTABLE RADIOS	10,840.96
		700-459-00	POLICE DEPT. NEW EQU	WIRELESS MICS	2,916.00
	WV CONSOLIDATED PUBLIC RETIR	700-106-00	POLICE DEPT. RETIREME	WV RETIRE MPFRS CONTRIBUTI	1,120.14
		700-106-00	POLICE DEPT. RETIREME	WV RETIRE MPFRS CONTRIBUTI	891.94
	CITIZENS BANK OF WV	700-459-00	POLICE DEPT. NEW EQU	POLICE RADIO PYMT MAY 2024	2,802.39
	THE SIGN GUY LLC	700-341-00	POLICE DEPT. MAT & S	MEMORIAL PRINT - BEARNS	20.00
	INTERNAL REVENUE SERVICE	700-104-00	POLICE DEPT. FICA TA	FICA WITHHELD AND MATCHED	1,800.93
		700-104-00	POLICE DEPT. FICA TA	MEDICARE WITHHELD & MATCHE	421.18
	10-42 TACTICAL LLC	700-341-05	POLICE VIPS EXPENSES	HONORABLE SERVICE MEDALS	208.00
	PAYFLEX - INSPIRA	700-105-00	POLICE DEPT. GROUP I	GF APR 2024 HSA FEES	29.25
	MSVS OF BUCKHANNON, PLLC	700-341-00	POLICE DEPT. MAT & S	VETERINARY SERVICES	116.76
	WILLIAM COURTNEY	700-214-00	POLICE DEPT. TRAVEL	REIMB MEAL TRAINING COURTN	17.82
		700-214-00	POLICE DEPT. TRAVEL	REIMB MEALS STREET COP TRA	267.10
	WORLD FUEL SERVICES, INC.	700-343-00	POLICE DEPT. AUTO SU	FUEL CAR # 12	51.33
	STAPLES ADVANTAGE	700-341-00	POLICE DEPT. MAT & S	TOILET BOWL CLEANER	110.31
FRONTIER	700-211-00	POLICE DEPT. TELEPHO	304-001-6194-111398-4 POL	133.42	
	700-211-00	POLICE DEPT. TELEPHO	473-7911-073014-4 POL FAX	187.60	
ONEFACE LLC	700-221-00	POLICE DEPT. TRAININ	BODY LANGUAGE FOR LAW ENF	3,120.00	
FRANCISCO JAVIER GIMENEZ LOF	700-341-04	CVR-LET-RJ FEES EXPE	REFUND CITATION PYMT NOT C	100.00	
**PAYROLL EXPENSES			4/18/2024 - 4/30/2024	29,259.22	
			TOTAL:	58,456.43	
FIRE	BUCKHANNON UTIL BOARDS	706-216-00	FIRE DEPT. MAINTENAN	APR TIPPING FEES	12.05
		706-459-00	FIRE DEPT. CAPITAL O	MAY 2024 FIRE TRK PYMT	3,678.20
	LOWES BUSINESS ACCOUNTS	706-341-00	FIRE DEPT. MATERIAL	DUST PAN DEMO RECIP POLE	282.38
		706-216-00	FIRE DEPT. MAINTENAN	MATERIALS TO PAINT FIRE D	270.25
	CENTRAL SUPPLY CO	706-221-00	FIRE DEPT. TRAINING	REBAR FOR CONCRETE FOOTIN	284.00
	DODSON BROS EXTERMINATING CO	706-341-00	FIRE DEPT. MATERIAL	APR 2024 FIRE DEPT PEST CN	44.00
	WV PUBLIC EMPLOYEES RETIREME	706-106-00	FIRE DEPT. GROUP RET	WV RETIREMENT CONTRIBUTION	713.22
		706-106-00	FIRE DEPT. GROUP RET	WV RETIREMENT CONTRIBUTION	709.60
	WV CONSOLIDATED PUBLIC RETIR	706-106-00	FIRE DEPT. GROUP RET	WV RETIRE MPFRS CONTRIBUTI	1,249.01
		706-106-00	FIRE DEPT. GROUP RET	WV RETIRE MPFRS CONTRIBUTI	1,151.87
	INTERNAL REVENUE SERVICE	706-104-00	FIRE DEPT. FICA TAX	FICA WITHHELD AND MATCHED	1,328.19
		706-104-00	FIRE DEPT. FICA TAX	MEDICARE WITHHELD & MATCHE	310.62
	PAYFLEX - INSPIRA	706-105-00	FIRE DEPT. GROUP INS	GF APR 2024 HSA FEES	32.50



FUND: GENERAL FUND

DEPARTMENT	VENDOR NAME	GL ACCOUNT	ACCOUNT DESCRIPTION	DESCRIPTION	AMOUNT
	**PAYROLL EXPENSES			4/18/2024 - 4/30/2024	21,435.73
				TOTAL:	41,656.38
STREET	BUCKHANNON UTIL BOARDS	750-341-00	STREET DEPT. MAT & S	APR 2024 STREET DEPT	25.81
	UHIFIRST CORP.	750-345-00	STREET DEPT. UNIFORM	ALL DEPT UNIFORMS MAR 2024	206.36
	COLE TRUCK PARTS INC	750-343-00	STREET DEPT. AUTO SU	3-HUB CAPS FOR SMALL LOWB	26.34
	WORLDWIDE-JANE LEW	750-343-00	STREET DEPT. AUTO SU	DUAL FOOT VALVE FOR S-19	196.89
	J F ALLEN CO	750-461-00	STREET PAVING	BLACK TOP FOR PATCHING ST	899.79
		750-461-00	STREET PAVING	BLACK TOP FOR PATCHING ST	3,138.14
		750-458-00	WALK TRAIL	#57'S AND 1 1/2CR STONE	1,962.04
	NAPA-AMTOWER AUTO SUPPLY	750-343-00	STREET DEPT. AUTO SU	AIR LINE FOR S-8	11.91
	HART OFFICE SOLUTIONS INC	750-341-00	STREET DEPT. MAT & S	70 COLORED COPIES	4.17
	LOWES BUSINESS ACCOUNTS	750-341-00	STREET DEPT. MAT & S	DUCTTAPE UTI KNIFE B	30.33
		750-341-00	STREET DEPT. MAT & S	SAKRETE FOR SIGN	5.61
		750-341-00	STREET DEPT. MAT & S	BATTERIES 50A OUTLET	247.30
	FIRST COMMUNITY BANK	750-459-00	STREET DEPT. CAPITAL	APR 2024 CONCRETE TRK PYMT	2,676.44
	SEALCOAT CONCEPTS LLC	750-341-00	STREET DEPT. MAT & S	PAINTING CURBS & CROSSWAL	1,650.00
		750-341-00	STREET DEPT. MAT & S	PAINTING APOTACARRY	553.00
	WV PUBLIC EMPLOYEES RETIREME	750-106-00	STREET DEPT. GROUP R	WV RETIREMENT CONTRIBUTION	1,159.41
		750-106-00	STREET DEPT. GROUP R	WV RETIREMENT CONTRIBUTION	1,149.43
		750-106-00	STREET DEPT. GROUP R	WV RETIRE TIER2 CONTRIBUTI	450.00
		750-106-00	STREET DEPT. GROUP R	WV RETIRE TIER2 CONTRIBUTI	446.40
	JOHN BOGGESS dba VJG ASSOCIA	750-341-00	STREET DEPT. MAT & S	GLOVES AND SAFETY GLASSES	813.42
	CITIZENS BANK OF WV	750-459-00	STREET DEPT. CAPITAL	STREET DEPT EXCAVATOR PYMT	2,736.13
	BUCKHANNON VOLUNTEER FIRE DE	750-341-00	STREET DEPT. MAT & S	8 HEART SAVER CARDS CPR	200.00
		750-341-00	STREET DEPT. MAT & S	9 HEARTSAVERS CARDS @\$25 E	225.00
	BENNYS BOOT HILL	750-345-00	STREET DEPT. UNIFORM	BOOTS FOR FRED LANGBEIN	206.96
	MOUNTAIN STATE PEST GUARD	750-341-00	STREET DEPT. MAT & S	MONTHLY PEST CONTROL	33.50
	INTERNAL REVENUE SERVICE	750-104-00	STREET DEPT. FICA TA	FICA WITHHELD AND MATCHED	1,098.67
		750-104-00	STREET DEPT. FICA TA	MEDICARE WITHHELD & MATCHE	256.96
	PEOPLES NATURAL GAS	750-213-00	STREET DEPT. UTILITI	GF GAS 4-30-24	2,151.56
	PAYFLEX - INSPIRA	750-105-00	STREET DEPT. GROUP I	GF APR 2024 HSA FEES	29.25
	BENJAMIN LEE ARISMAN	750-341-00	STREET DEPT. MAT & S	2 WEEKS MOWING CITY LOTS	4,080.00
	FREEDOM AG & ENGERY COOPERAT	750-345-00	STREET DEPT. UNIFORM	BOOTS FOR RANDY LIGGETT	187.49
	FRONTIER	750-211-00	STREET DEPT. TELEPHO	472-5755-101615-4 STREET	99.36
	CUMMINS SALES & SERVICE FAIR	750-341-00	STREET DEPT. MAT & S	REPLACEMENT DUCT PANEL	402.34
	**PAYROLL EXPENSES			4/18/2024 - 4/30/2024	17,731.34
				TOTAL:	45,091.35
STREET LIGHTS	MON POWER	751-213-00	STREET LIGHTS	110 088 782 484 E MAIN ST	137.41
		751-213-00	STREET LIGHTS	110 100 156 733 107 E MAIN	135.00
		751-213-00	STREET LIGHTS	110 158 087 939 MAIN ST CA	11.53
		751-213-00	STREET LIGHTS	110 160 309 701 31 S KANAW	26.56
				TOTAL:	310.50
TRAFFIC SIGNALS & SIGN	MON POWER	752-213-00	TRAFFIC SIGNALS POWE	110 087 174 485 S KANAWHA	31.68
		752-213-00	TRAFFIC SIGNALS POWE	110 088 235 830 REGER ST	59.96
				TOTAL:	91.64
ARTS-THEATRE	RALSTON PRESS INC	906-459-00	THEATRE CAPITAL	150 BUSINESS CARDS	24.57
	MOUNTAINEER GAS COMPANY	906-213-00	CAC UTILITIES	268704-483167 48 E. MAIN S	119.73
	LOWES BUSINESS ACCOUNTS	906-341-00	CAC SUPPLIES & EXPEN	EXIT SIGNS & 20A PLUGGS	145.80
	DODSON BROS EXTERMINATING CO	906-216-00	THEATRE MAINTENANCE/	APR 2024 COLTHEATR PEST CN	100.00
	WV PUBLIC EMPLOYEES RETIREME	906-106-00	CAC RETIREMENT	WV RETIRE TIER2 CONTRIBUTI	108.03

FUND: GENERAL FUND

DEPARTMENT	VENDOR NAME	GL ACCOUNT	ACCOUNT DESCRIPTION	DESCRIPTION	AMOUNT
		906-106-00	CAC RETIREMENT	WV RETIRE TIER2 CONTRIBUTI	158.10
	CITIZENS BANK OF WV	906-459-00	THEATRE CAPITAL	CAC SEATING MAY 2024	5,220.65
	ST JOSEPH HOSPITAL OF BUCKHA	906-341-00	CAC SUPPLIES & EXPEN	LAB TEST KOSTADENA HARTLEY	67.00
		906-341-00	CAC SUPPLIES & EXPEN	LAB TEST MARY SEBRING	67.00
		906-341-00	CAC SUPPLIES & EXPEN	LAB TEST ELIJAH DICKEY	67.00
	INTERNAL REVENUE SERVICE	906-104-00	CAC FICA	FICA WITHHELD AND MATCHED	139.29
		906-104-00	CAC FICA	MEDICARE WITHHELD & MATCHE	32.58
	MATOUOLA HARTLEY	906-341-00	CAC SUPPLIES & EXPEN	4 PIN FEMALE SPEAKON	17.62
		906-341-00	CAC SUPPLIES & EXPEN	REIMB FOR MILGE 236 MILES	158.12
	**PAYROLL EXPENSES			4/18/2024 - 4/30/2024	2,246.62
				TOTAL:	8,672.11
STOCKERT YOUTH CENTER	MON POWER	907-213-00	UTILITIES	110 084 592 119 SYC	614.36
		907-213-00	UTILITIES	110 084 767 208 79 E MAIN	11.48
	A F WENDLING INC	907-368-04	MISC ACTIVITIES-ONE	CONCESSIONS FOR FLEA MKRT	152.85
		907-368-04	MISC ACTIVITIES-ONE	HOT DOG SALE SUPPLY	31.65
	UHIFIRST CORP.	907-216-00	MAINTENANCE	ALL DEPT UNIFORMS MAR 2024	43.19
	MOUNTAINEER GAS COMPANY	907-213-00	UTILITIES	383925-483167 70 E MAIN ST	871.86
	CARE XPRESS	907-341-00	MATERIALS & SUPPLIES	DOT PHYSICAL BUS DRIVER	105.00
	LOWES BUSINESS ACCOUNTS	907-341-00	MATERIALS & SUPPLIES	BUILDING SUPPLIES MAINT	51.55
	WV PUBLIC EMPLOYEES RETIREME	907-106-00	GROUP RETIREMENT	WV RETIREMENT CONTRIBUTION	219.38
		907-106-00	GROUP RETIREMENT	WV RETIREMENT CONTRIBUTION	231.06
		907-106-00	GROUP RETIREMENT	WV RETIRE TIER2 CONTRIBUTI	290.17
		907-106-00	GROUP RETIREMENT	WV RETIRE TIER2 CONTRIBUTI	339.71
	WALMART STORES INC -BUCKHANN	907-361-00	AFTER SCHOOL SUPPLIE	AFTER SCHOOL SUPPLIES	43.06
		907-361-00	AFTER SCHOOL SUPPLIE	AFTER SCHOOL SUPPLIES	56.12
		907-361-00	AFTER SCHOOL SUPPLIE	AFTER SCHOOL SUPPLIES	94.36
		907-341-00	MATERIALS & SUPPLIES	BUILDING SUPPLIES	24.82
		907-368-04	MISC ACTIVITIES-ONE	HOTDOG SALE SUPPLIES	45.10
		907-341-00	MATERIALS & SUPPLIES	TAPE AND SUPPLIES	27.50
		907-361-00	AFTER SCHOOL SUPPLIE	AFTER SCHOOL SUPPLIES	103.01
		907-361-00	AFTER SCHOOL SUPPLIE	AFTER SCHOOL SUPPLIES	3.94
	MOUNTAIN STATE PEST GUARD	907-216-00	MAINTENANCE	SYC PEST CONTROL APRIL 202	38.50
	INTERNAL REVENUE SERVICE	907-104-00	FICA TAX	FICA WITHHELD AND MATCHED	563.38
		907-104-00	FICA TAX	MEDICARE WITHHELD & MATCHE	131.75
	PAYFLEX - INSPIRA	907-105-00	GROUP INSURANCE	GF APR 2024 HSA FEES	13.00
	APPALACHIAN SIGNALS & PRODU	907-341-00	MATERIALS & SUPPLIES	2024-21957	468.00
	FRONTIER	907-211-00	TELEPHONES	473-0145-042701-4 SYC	331.43
	COMFORTECH LLC	907-216-00	MAINTENANCE	SYC ADJUSTED BLOWER & FILT	250.02
	**PAYROLL EXPENSES			4/18/2024 - 4/30/2024	9,086.88
				TOTAL:	14,243.13
CONVENTION CENTER	AMBERLE JENKINS	910-341-00	EVENT CENTER SUPPLIE	AMBERLE JENKINS	35.83
		910-341-00	EVENT CENTER SUPPLIE	AMBERLE JENKINS	211.22
	A F WENDLING INC	910-341-00	EVENT CENTER SUPPLIE	BAR STRAWS, CUPS SUPPLIES	169.97
	LOWES BUSINESS ACCOUNTS	910-341-00	EVENT CENTER SUPPLIE	PARTS FOR TABLES EVENT CT	15.44
	WALMART STORES INC -BUCKHANN	910-341-00	EVENT CENTER SUPPLIE	MIXER DRINKS FOR EVENT C	231.33
	INTERNAL REVENUE SERVICE	910-104-00	FICA TAX	FICA WITHHELD AND MATCHED	56.89
		910-104-00	FICA TAX	MEDICARE WITHHELD & MATCHE	13.30
	RANDY SANDERS	910-341-00	EVENT CENTER SUPPLIE	REIMB FOR EVENT CENTER ALC	82.02
	ADJUTANT GENERAL'S OFFICE	910-213-00	UTILITIES-ADJUTANT G	READINESS CNTER CRT DEC &	2,435.96
	MATOUOLA HARTLEY	910-341-00	EVENT CENTER SUPPLIE	REIMB FOR ALCOHOL SHRINER	37.73
	WV ALCOHOL BEVERAGE CONTROL	910-341-00	EVENT CENTER SUPPLIE	LIQUOR LICENSE EVENT CENTE	675.00
	BEVERAGE DISTRIBUTORS INC	910-341-00	EVENT CENTER SUPPLIE	BEER FOR EVENT CENTER SHRI	208.32

**Thomas/Bucklew motioned to approve the Consent Agenda as presented. The motion carried unanimously.**

**H. Strategic Issues for Discussion and/or Vote.**

**H.1 Approval Ordinance No. 467 Increasing the City's Fire Protection Service Fees -3rd /Final**

**Reading**—Mayor Skinner noted that we did hold the necessary public hearing on this matter earlier in the evening, and then he recognized City Attorney Tom O’Neill, who presented Ordinance No. 467 Increasing the City’s Fire Protection Service Fees -3rd /Final Reading by reading it by its caption.

ORDINANCE NO. 467 OF THE CITY OF BUCKHANNON, AN ORDINANCE AMENDING ORDINANCE NO. 390 OF THE CITY OF BUCKHANNON, INCREASING THE CITY’S FIRE PROTECTION SERVICE FEES CHARGED TO RESIDENTS AND BUSINESSES WITHIN THE CORPORATE LIMITS OF THE CITY, ESTABLISHING TIERED FEES, PROVIDING FOR THE ADMINISTRATION, COLLECTION AND USE OF FEES RAISED HEREBY, AND SETTING AN EFFECTIVE DATE OF JULY 1, 2024

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WHEREAS, the Council of the City of Buckhannon beginning March 21, 1966 through the enactment of Ordinances No. 137, 222, 225, and 390 has provided for the imposition and collection of fees for the City’s Fire Department providing fire protection services throughout Buckhannon’s corporate limits; and,

WHEREAS, the City of Buckhannon is specifically authorized pursuant to Chapter 8, Article 13, Section 13(a) of the West Virginia Code, as amended, to provide emergency fire service protection within the corporate limits of the City of Buckhannon and to impose by ordinance upon the users of the service such reasonable rates, fees, and charges to be collected in the manner specified by ordinance; and,

WHEREAS, the Council heretofore now desires to enact this Ordinance to increase the fees so charged, in light of the increased costs associated with providing fire protection services since the last time the Council considered this issue.

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

ARTICLE I – TITLE OF ORDINANCE: This Ordinance shall be known as the City of Buckhannon’s Fire Protection Service Fee Ordinance.

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

(A) The City of Buckhannon has operated a municipal fire department for many decades, however, the City Council has not increased its fire protection service fees in Buckhannon since July 1, 2015.

(B) The City’s costs and expenses in providing the reasonable and necessary personnel, training, vehicles, and equipment to offer fire protection service for the community have increased substantially since that time.

(C) Previously, and at all times since July 1, 2015, the City’s fire protection service fees have been established on a flat rate basis for all residential properties, and on a revenue generated basis for commercial properties.

(D) The City Council now believes that the continuation of the flat rate fire service protection fee approach for all residential properties, and on the revenue generated approach for commercial properties continues to be the fairest and most equitable to the residents and businesses of the City of Buckhannon versus any other fee model.

(E) The express purpose and intention of this ordinance is to substantially increase the total revenues realized by the City of Buckhannon for providing fire protection services within the corporate limits.

ARTICLE III – DEFINITIONS:

For the purposes of this article, the following terms shall have the meaning respectively designated unless it is clear from the context that a different meaning is intended:

(A) “Residential unit structure” means any structure or unit which is used or intended by the nature of its construction to be used as a single-family dwelling by persons for living or sleeping quarters, but shall not

include unit structures intended primarily for transient lodging, including without limitation, hotels, motels, rest homes and hospital rooms.

(B) "Dual residential unit structure" means any structure or unit which is used or intended by the nature of its construction to be used as a two (separate) family dwelling by persons for living or sleeping quarters, and having only two units within such structure, but shall not include unit structures intended primarily for transient lodging, including without limitation, hotels, motels, rest homes and hospital rooms. Such structure shall include but not be limited to duplexes.

(C) "Multiple-family residential unit structure" means a residential unit structure having more than two family dwellings or units within such structure. Such structure shall include but not be limited to apartment buildings, condominiums, townhouses or boarding houses. Such structure shall exclude hotels, motels, tourist homes, etc.

(D) "Nonresidential unit structure". All other buildings not included within the definitions of "residential unit structure". Such structures shall include, but not be limited to all commercial establishments, schools, government buildings, etc. If a structure has multiple uses such as residential and commercial, it will be classified as a non-residential unit.

(E) "Director of Finance" means the duly appointed Buckhannon Director of Finance and Administration.

(F) "Owner" means the owner of record of any lot, tract, or parcel of real estate within the City of Buckhannon, as evidenced by the records maintained in the Office of the Clerk of the County Commission of Upshur County, West Virginia, but may also include the grantee or transferee of any interest in any real estate situated within the City by unrecorded deed, or by an owner-financed sale evidenced by written agreement, such as a "land contract", provided that the parties to any such transaction are required to mutually and timely notify the Director of Finance as to which party to any such transaction shall be responsible for payment of any fire service fees due and payable pursuant to this Ordinance. In absence of any such agreement, the owner of record pursuant to the County Clerk's records shall be responsible for payment of the fees and charges established by this Ordinance.

(G) "Buckhannon City Fire Department" means the paid Fire Department of the City of Buckhannon and all firefighters serving as volunteers within said Department.

ARTICLE IV – FEE RATES: The City's Fire Protection Service Fees shall be charged as follows:

(A) RESIDENTIAL BUILDINGS AND STRUCTURES:

(1) A Fire Protection Fee of \$7.50 per month shall be charged against each dwelling house, mobile home, and apartment in the City of Buckhannon, whether occupied or not.

(2) For purposes of this Ordinance, any separate garage, outbuilding, or other structure used as part of any dwelling house, mobile home, or apartment and not separately occupied or used by persons other than those occupying the primary dwelling house, mobile home, or apartment shall be considered as part of the dwelling house, mobile home, or apartment and shall not subject to any additional charges hereunder.

(3) If any building or other structure is used or commences to become used exclusively for fraternity house, sorority house, dormitory, rooming house, hospital, nursing home, or rest home purposes, then a flat monthly fee of \$50.00 shall be charged to the property owner of record, and each separate building or other structure then shall be charged with the flat monthly fee, whether occupied or not.

(B) COMMERCIAL, INDUSTRIAL, INSTITUTIONAL, AND ALL OTHER NON-RESIDENTIAL BUILDINGS AND STRUCTURES:

(1) A monthly fee based upon annual, gross receipts shall be levied against each occupied office or other business or commercial facility used for business or commercial purposes and against each occupied building or part of an occupied building used solely for one business or commercial purpose, with the fee being determined as follows:

<u>ANNUAL GROSS RECEIPTS</u>	<u>MONTHLY FIRE FEE</u>
\$50,000 and less	\$13.00
\$50,001 to \$150,000	\$19.00
\$150,001 to \$250,000	\$25.00
\$250,001 to \$500,000	\$38.00
\$500,001 to \$1,000,000	\$63.00
\$1,000,001 to \$2,500,000	\$88.00
\$2,500,001 and more	\$188.00

(2) If any commercial building or other structure is or becomes unoccupied, vacant, or abandoned, a flat monthly fee of \$15.00 is assessed against and shall be charged to the property owner of record.

(3) If any building or other structure is used or commences to become used exclusively for religious, charitable, educational, governmental, or other non-profit purposes, other than those buildings or structures identified in Article IV(A)(3) above, then a flat monthly fee of \$10.00 shall be charged to the property owner of record, and each separate building or other structure shall be charged with the flat monthly fee.

(4) For purposes of this Ordinance, the fees imposed by this Ordinance specifically include any hospital, nursing home, motel, hotel, religious, charitable, educational, governmental or non-profit organization.

(5) The owner of any commercial, industrial, or other non-residential building or structure situated in the City of Buckhannon with a state certified sprinkler system shall receive a monthly twenty-five percent (25%) discount on the charges for the commercial, industrial, or other non-residential building or structure. The burden shall be upon the owner of any commercial, industrial, or other non-residential building or structure to provide documented certification that such building or structure is equipped with a state certified sprinkler system, and until such time as documentation is provided, such building or structure shall not be deemed eligible for the twenty-five percent (25%) discount.

ARTICLE V – MISCELLANEOUS AND ADMINISTRATIVE PROVISIONS:

(A) The service of fire protection shall be continued, maintained and improved by the City of Buckhannon Fire Department and City of Buckhannon Volunteer Fire Department, in part, at the charge and expense of the owners of all residential dwellings and non-residential dwellings included but not limited to commercial and industrial businesses, hospital, nursing home, religious, charitable, educational, governmental or non-profit organizations within the City of Buckhannon which said owners are declared to be users and beneficiaries of such fire protection services. The Fire Protection Service Fee with respect of such users and beneficiaries shall be imposed, assessed and collected as set out in this Ordinance by the City of Buckhannon.

(B) All fees and charges for fire protection services shall be billed and collected by the Treasurer and shall not be pro-rated for less than thirty days.

(C) Charges for the fire protection service shall be billed on a monthly basis as determined and in accordance by the utility billing cycle for each individual property owner or alternatively, the other utility user.

(D) All revenues collected for the collection of the Fire Protection Service Fee shall be dedicated exclusively by the City to defray the cost of the continuance, maintenance, or improvement of fire protection within the City of Buckhannon, and no part of such revenue shall be used for any other purpose whatsoever.



(E) The fees or charges provided for by this Ordinance shall be deemed to be a debt due to the City. The City may collect any such fee or charge and all accrued penalties by action against the owner of property against whom the service charges have been assessed by action instituted before the Magistrate Court or Circuit Court of Upshur County, West Virginia.

(F) It shall be the responsibility of the owner or owners of all buildings and structures within the City to notify the Director of Finance of any change in ownership and other items requested by the Director of Finance within thirty (30) days of such change.

(G) OWNER PROTESTS: The owner of any such building above aggrieved by a charge or fee for fire protection service may protest the same by giving written notice to the Director of Finance or designee thereof setting forth their objections on or before thirty (30) days after the billing date. The Director of Finance shall render a decision within a reasonable time, giving notice in writing of the decision to all parties concerned. The amount, if any due the City under such decisions shall be due and payable thirty (30) days after service of the decision. Any person aggrieved by such administrative decision may within thirty (30) days from service of the decision file a petition duly verified with the Circuit Court of Upshur County, West Virginia, requesting review by certiorari, but otherwise, such decision shall be deemed to be final and conclusive.

(H) ADMINISTRATION:

(1) The Director of Finance or the Director of Finance's duly authorized representative is hereby empowered to make such rules and regulations not in conflict with the provisions of this Ordinance relative to the offering and providing of fire protection services as are necessary to protect the property or the safety or health of the public, and no persons shall fail to comply with any such rule and regulation so promulgated.

(2) The Director of Finance shall administer all sections of this Ordinance dealing with financing, billing, collection, etc.

(3) The Director of Finance is hereby authorized to adjust, settle or cancel any charge or fee required or made under this Ordinance or any controversy which may arise in the administration of this article. However, such exercise of authority by the Director of Finance shall be in a uniform manner, and not exercised in an arbitrary or capricious manner and a written or electronic record shall be kept of any and all such adjustments, settlements or cancellations.

ARTICLE VI - Penalty for Non-Payment of Fire Protection Service Fee:

(A) It shall be unlawful for any person to refuse to pay the Fire Protection Service Fee provided for herein. It shall be each user's responsibility to pay any and all reasonable court costs and fees, for the collection of delinquent accounts.

(B) Delinquent Charges Penalty. Any charge for service remaining unpaid after the billing date of the utility bill shall be deemed delinquent and a late payment penalty of ten percent (10%) of the unpaid charge for that billing shall be assessed. In the event that any such delinquent charge remains unpaid for a reasonable period of time not exceeding six months, the delinquent fee shall be pursued through a civil action instituted before either the Upshur County Magistrate Court or Circuit Court as may be appropriate under the circumstances.

(C) Pursuant to Chapter 8, Article 13, Section 13 of the West Virginia Code as amended, and to facilitate collection of any unpaid and delinquent fire protection service fees due under this Ordinance, the City of Buckhannon shall be hereby authorized to file a lien in the Office of the Clerk of the County Commission of Upshur County, West Virginia, upon real property after providing written notice to the property owner, return receipt requested, that the City intends to file the lien unless the delinquency is paid by a specified date set forth in the notice, and which lien shall be filed not less than ninety (90) days from the date the notice is mailed by the City. The

property owner shall have the right to appeal the City's notice to the Upshur County Circuit Court, which appeal must be filed before the date provided for in the notice.

(D) Any person whomsoever who fraudulently files information required pursuant to this Ordinance, for which no other penalty is provided, shall upon conviction in the City of Buckhannon Municipal Court be guilty of a misdemeanor offense, and shall be fined not more than Five Hundred Dollars (\$500).

ARTICLE VII - SEVERABILITY: In the event that any provision of this Ordinance is determined to be unconstitutional or otherwise invalid by a court exercising competent jurisdiction, such determination shall not affect the validity of this Ordinance as a whole or the provisions thereof that are not specifically determined to be unconstitutional or invalid.

ARTICLE VIII - EFFECTIVE DATE: This Ordinance shall be deemed effective beginning July 1, 2024.

FIRST READING:	April 4, 2024
SECOND READING	April 18, 2024
THIRD READING, PASSAGE AND ADOPTION:	May 2, 2024

Robert N. Skinner, III, Mayor

CERTIFICATE OF ENACTMENT

I, Randall H. Sanders, City Recorder, do hereby certify that the foregoing Ordinance No. 467 was lawfully ordained and enacted by the Council of the City of Buckhannon at a regular session of the said Council assembled on May 2, 2024.

Randall H. Sanders, City Recorder

**Reger/Thomas motioned to approve Ordinance No. 467, increasing the City's Fire Protection Service Fees on its 3rd and Final Reading. The motion carried unanimously.**

**Mayor Skinner noted that Ordinance No. 467 passed unanimously on all 3 readings.**

**H.2 Approval Ordinance No. 468 Increasing the City's Police Protection Service Fees - 3rd/Final Reading**—Mayor Skinner noted that we did hold the necessary public hearing on this matter earlier in the evening. Then, he recognized City Attorney Tom O'Neill, who presented Ordinance No. 468 Increasing the City's Police Protection Service Fees -3rd /Final Reading by reading it by caption.

ORDINANCE NO. 468 OF THE CITY OF BUCKHANNON, AN ORDINANCE AMENDING ORDINANCE NO. 224 OF THE CITY OF BUCKHANNON, INCREASING THE CITY'S POLICE PROTECTION SERVICE FEES CHARGED TO RESIDENTS AND BUSINESSES WITHIN THE CORPORATE LIMITS, ESTABLISHING TIERED FEES, PROVIDING FOR THE ADMINISTRATION, COLLECTION AND USE OF FEES RAISED HEREBY, AND SETTING AN EFFECTIVE DATE OF JULY 1, 2024

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WHEREAS, the Council of the City of Buckhannon beginning April 1, 1983 through the enactment of Ordinances Nos. 221 and 224 has provided for the imposition and collection of fees for the City's Police Department providing police protection services throughout Buckhannon's corporate limits; and,

WHEREAS, the City of Buckhannon is specifically authorized pursuant to Chapter 8, Article 13, Section 13(a) of the West Virginia Code, as amended, to provide emergency police service protection within the corporate limits of the City of Buckhannon and to impose by ordinance upon the users of the service such reasonable rates, fees, and charges to be collected in the manner specified by ordinance; and,

WHEREAS, the Council heretofore now desires to enact this Ordinance to increase the fees so charged, in light of the increased costs associated with providing police protection services since the last time the Council considered this issue.

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

ARTICLE I – TITLE OF ORDINANCE: This Ordinance shall be known as the City of Buckhannon’s Police Protection Service Fee Ordinance.

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

(A) The City of Buckhannon has operated a municipal police department for many decades, however, the City Council has not increased its police protection service fees in Buckhannon since April 1, 1983.

(B) The City’s costs and expenses in providing the reasonable and necessary personnel, training, vehicles, and equipment to offer police protection service for the community have increased substantially since that time.

(C) Previously, and at all times since April 1, 1983, the City’s police protection service fees have been established on a flat rate basis for all residential properties, and on a revenue generated basis for commercial properties.

(D) The City Council now believes that the continuation of the flat rate police service protection fee approach for all residential properties, and on the revenue generated approach for commercial properties continues to be the fairest and most equitable to the residents and businesses of the City of Buckhannon versus any other fee model.

(E) The express purpose and intention of this ordinance is to substantially increase the total revenues realized by the City of Buckhannon for providing police protection services within the corporate limits.

ARTICLE III – DEFINITIONS:

For the purposes of this article, the following terms shall have the meaning respectively designated unless it is clear from the context that a different meaning is intended:

(A) “Residential unit structure” means any structure or unit which is used or intended by the nature of its construction to be used as a single-family dwelling by persons for living or sleeping quarters, but shall not include unit structures intended primarily for transient lodging, including without limitation, hotels, motels, rest homes and hospital rooms.

(B) “Dual residential unit structure” means any structure or unit which is used or intended by the nature of its construction to be used as a two (separate) family dwelling by persons for living or sleeping quarters, and having only two units within such structure, but shall not include unit structures intended primarily for transient lodging, including without limitation, hotels, motels, rest homes and hospital rooms. Such structure shall include but not be limited to duplexes.

(C) “Multiple-family residential unit structure” means a residential unit structure having more than two family dwellings or units within such structure. Such structure shall include but not be limited to apartment buildings, condominiums, townhouses or boarding houses. Such structure shall exclude hotels, motels, tourist homes, etc.

(D) “Nonresidential unit structure”. All other buildings not included within the definitions of “residential unit structure”. Such structures shall include, but not be limited to all commercial establishments, schools,

government buildings, etc. If a structure has multiple uses such as residential and commercial, it will be classified as a non-residential unit.

(E) "Director of Finance" means the duly appointed Buckhannon Director of Finance and Administration.

(F) "Owner" means the owner of record of any lot, tract, or parcel of real estate within the City of Buckhannon, as evidenced by the records maintained in the Office of the Clerk of the County Commission of Upshur County, West Virginia, but may also include the grantee or transferee of any interest in any real estate situated within the City by unrecorded deed, or by an owner-financed sale evidenced by written agreement, such as a "land contract", provided that the parties to any such transaction are required to mutually and timely notify the Director of Finance as to which party to any such transaction shall be responsible for payment of any police service fees due and payable pursuant to this Ordinance. In absence of any such agreement, the owner of record pursuant to the County Clerk's records shall be responsible for payment of the fees and charges established by this Ordinance.

(G) "Buckhannon City Police Department" means the paid Police Department of the City of Buckhannon.

ARTICLE IV – FEE RATES: The City's Police Protection Service Fees shall be charged as follows:

(A) RESIDENTAL BUILDINGS AND STRUCTURES:

(1) A Police Protection Fee of \$5.00 per month shall be charged against each dwelling house, mobile home, and apartment in the City of Buckhannon, whether occupied or not.

(2) For purposes of this Ordinance, any separate garage, outbuilding, or other structure used as part of any dwelling house, mobile home, or apartment and not separately occupied or used by persons other than those occupying the primary dwelling house, mobile home, or apartment shall be considered as part of the dwelling house, mobile home, or apartment and shall not subject to any additional charges hereunder.

(3) If any building or other structure is used or commences to become used exclusively for fraternity house, sorority house, dormitory, rooming house, hospital, nursing home, or rest home purposes, then a flat monthly fee of \$50.00 shall be charged to the property owner of record, and each separate building or other structure then shall be charged with the flat monthly fee, whether occupied or not.

(B) COMMERCIAL, INDUSTRIAL, INSTITUTIONAL, AND ALL OTHER NON-RESIDENTIAL BUILDINGS AND STRUCTURES:

(1) A monthly fee based upon annual, gross receipts shall be levied against each occupied office or other business or commercial facility used for business or commercial purposes and against each occupied building or part of an occupied building used solely for one business or commercial purpose, with the fee being determined as follows:

<u>ANNUAL GROSS RECEIPTS</u>	<u>MONTHLY POLICE FEE</u>
\$50,000 and less	\$8.00
\$50,001 to \$150,000	\$16.00
\$150,001 to \$250,000	\$20.00
\$250,001 to \$500,000	\$30.00
\$500,001 to \$1,000,000	\$40.00
\$1,000,001 to \$2,500,000	\$50.00
\$2,500,001 and more	\$167.00



(2) If any commercial building or other structure is or becomes unoccupied, vacant, or abandoned, a flat monthly fee of \$15.00 is assessed against and shall be charged to the property owner of record.

(3) If any building or other structure is used or commences to become used exclusively for religious, charitable, educational, governmental, or other non-profit purposes, other than those buildings or structures identified in Article IV(A)(3) above, then a flat monthly fee of \$10.00 shall be charged to the property owner of record, and each separate building or other structure shall be charged with the flat monthly fee.

(4) For purposes of this Ordinance, the fees imposed by this Ordinance specifically include any hospital, nursing home, motel, hotel, religious, charitable, educational, governmental or non-profit organization.

#### ARTICLE V – MISCELLANEOUS AND ADMINISTRATIVE PROVISIONS:

(A) The service of police protection shall be continued, maintained and improved by the City of Buckhannon Police Department, in part, at the charge and expense of the owners of all residential dwellings and non-residential dwellings included but not limited to commercial and industrial businesses, hospital, nursing home, religious, charitable, educational, governmental or non-profit organizations within the City of Buckhannon which said owners are declared to be users and beneficiaries of such police protection services. The Police Protection Service Fee with respect of such users and beneficiaries shall be imposed, assessed and collected as set out in this Ordinance by the City of Buckhannon.

(B) All fees and charges for police protection services shall be billed and collected by the Treasurer and shall not be pro-rated for less than thirty days.

(C) Charges for the police protection service shall be billed on a monthly basis as determined and in accordance by the utility billing cycle for each individual property owner or alternatively, the other utility user.

(D) All revenues collected for the collection of the Police Protection Service Fee shall be dedicated exclusively by the City to defray the cost of the continuance, maintenance, or improvement of police protection within the City of Buckhannon, and no part of such revenue shall be used for any other purpose whatsoever.

(E) The fees or charges provided for by this Ordinance shall be deemed to be a debt due to the City. The City may collect any such fee or charge and all accrued penalties by action against the owner of property against whom the service charges have been assessed by action instituted before the Magistrate Court or Circuit Court of Upshur County, West Virginia.

(F) It shall be the responsibility of the owner or owners of all buildings and structures within the City to notify the Director of Finance of any change in ownership and other items requested by the Director of Finance within thirty (30) days of such change.

(G) OWNER PROTESTS: The owner of any such building above aggrieved by a charge or fee for police protection service may protest the same by giving written notice to the Director of Finance or designee thereof setting forth their objections on or before thirty (30) days after the billing date. The Director of Finance shall render a decision within a reasonable time, giving notice in writing of the decision to all parties concerned. The amount, if any due the City under such decisions shall be due and payable thirty (30) days after service of the decision. Any person aggrieved by such administrative decision may within thirty (30) days from service of the decision file a petition duly verified with the Circuit Court of Upshur County, West Virginia, requesting review by certiorari, but otherwise, such decision shall be deemed to be final and conclusive.

#### (H) ADMINISTRATION:

(1) The Director of Finance or the Director of Finance's duly authorized representative is hereby empowered to make such rules and regulations not in conflict with the provisions of this Ordinance relative to

the offering and providing of police protection services as are necessary to protect the property or the safety or health of the public, and no persons shall fail to comply with any such rule and regulation so promulgated.

(2) The Director of Finance shall administer all sections of this Ordinance dealing with financing, billing, collection, etc.

(3) The Director of Finance is hereby authorized to adjust, settle or cancel any charge or fee required or made under this Ordinance or any controversy which may arise in the administration of this article. However, such exercise of authority by the Director of Finance shall be in a uniform manner, and not exercised in an arbitrary or capricious manner and a written or electronic record shall be kept of any and all such adjustments, settlements or cancellations.

ARTICLE VI - Penalty for Non-Payment of Police Protection Service Fee:

(A) It shall be unlawful for any person to refuse to pay the Police Protection Service Fee provided for herein. It shall be each user's responsibility to pay any and all reasonable court costs and fees, for the collection of delinquent accounts.

(B) Delinquent Charges Penalty. Any charge for service remaining unpaid after the billing date of the utility bill shall be deemed delinquent and a late payment penalty of ten percent (10%) of the unpaid charge for that billing shall be assessed. In the event that any such delinquent charge remains unpaid for a reasonable period of time not exceeding six months, the delinquent fee shall be pursued through a civil action instituted before either the Upshur County Magistrate Court or Circuit Court as may be appropriate under the circumstances.

(C) Pursuant to Chapter 8, Article 13, Section 13 of the West Virginia Code as amended, and to facilitate collection of any unpaid and delinquent police protection service fees due under this Ordinance, the City of Buckhannon shall be hereby authorized to file a lien in the Office of the Clerk of the County Commission of Upshur County, West Virginia, upon real property after providing written notice to the property owner, return receipt requested, that the City intends to file the lien unless the delinquency is paid by a specified date set forth in the notice, and which lien shall be filed not less than ninety (90) days from the date the notice is mailed by the City. The property owner shall have the right to appeal the City's notice to the Upshur County Circuit Court, which appeal must be filed before the date provided for in the notice.

(D) Any person whomsoever who fraudulently files information required pursuant to this Ordinance, for which no other penalty is provided, shall upon conviction in the City of Buckhannon Municipal Court be guilty of a misdemeanor offense, and shall be fined not more than Five Hundred Dollars (\$500).

ARTICLE VII - SEVERABILITY: In the event that any provision of this Ordinance is determined to be unconstitutional or otherwise invalid by a court exercising competent jurisdiction, such determination shall not affect the validity of this Ordinance as a whole or the provisions thereof that are not specifically determined to be unconstitutional or invalid.

ARTICLE VIII - EFFECTIVE DATE: This Ordinance shall be deemed effective beginning July 1, 2024.

FIRST READING:	April 4, 2024
SECOND READING	April 18, 2024
THIRD READING, PASSAGE AND ADOPTION:	May 2, 2024

Robert N. Skinner, III, Mayor

CERTIFICATE OF ENACTMENT

I, Randall H. Sanders, City Recorder, do hereby certify that the foregoing Ordinance No. 468 was lawfully ordained and enacted by the Council of the City of Buckhannon at a regular session of the said Council assembled on May 2, 2024.

Randall H. Sanders, City Recorder

**Bucklew/Sanders motioned to approve Ordinance No. 468, increasing the City's Police Protection Service Fees on its 3rd and Final Reading. The motion carried unanimously.**

**Mayor Skinner noted that Ordinance No. 468 passed unanimously on all 3 readings.**

**H.3 Request Support from Upshur-Buckhannon Health Department for Policy to Implement Environmental Fees for Permits & Services - Action was taken earlier in the meeting.**

**H.4 Due to Holiday-Reschedule the City Council Meeting of June 20, 2024, to be held on Tuesday, June 18, 2024 - Mayor Skinner presented an overview of the request to the City Council.**

**Thomas/McCauley motioned to approve rescheduling the City Council Meeting of June 20, 2024, to be held on Tuesday, June 18, 2024, due to a holiday. The motion carried unanimously.**

**H.5 Due to Holiday-Reschedule/Merge the City Council Meetings of July 4 & July 18, 2024, to be held on July 11, 2024 - Mayor Skinner presented an overview of the request to the City Council.**

**Sanders/Bucklew motioned to approve rescheduling and merging the City Council Meetings of July 4 & July 18, 2024, to be held on July 11, 2024, due to a holiday. The motion carried unanimously.**

**H.6 Police Civil Service Commission Recommendation of Top 3 Candidates to Council for Consideration of Hiring & Conduct Interviews for Position of Probationary Police Officer on Tuesday, May 21, 2024, at 9:00 AM - Mayor Skinner presented an overview of the request to the City Council.**

**McCauley/Thomas motioned to approve the Police Civil Service Commission recommendation of the top 3 candidates to Council for consideration of hiring & conducting interviews for the position of Probationary Police Officer on Tuesday, May 21, 2024, at 9:00 AM. The motion carried unanimously.**

**H.7 Memorandum of Understanding between UCECC and BPD regarding Upshur County 911 Radio Project. Action was taken earlier in the meeting.**

## **I. Comments and Announcements**

**I.1 Pamela Bucklew:** Mrs. Bucklew urged all residents to be mindful of our visitors for the West Virginia Strawberry Festival and to please present themselves appropriately and respectfully. She also reminded everyone that early voting started yesterday and encouraged all registered voters to vote, citing no vote, no voice.

**I.2 David McCauley:** Mr. McCauley wished the organizers of the upcoming West Virginia Strawberry Festival the very best of luck, and he specifically encouraged people to attend the Webb Grubb Police Officer Recognition Day on May 15, 2024, at 2:00 pm at the Public Safety Complex and the Friendly Way Firefighter Recognition Day on May 17, 2024, at 3:00 pm at the Public Safety Complex. He also asked about the SYCC Recognition Day and was informed by Mrs. Jenkins that nothing was planned for this year.

**I.3 Jack Reger:** Mr. Reger had no further comments.

**I.4 Dave Thomas:** Mr. Thomas spoke about a memorandum he had asked Teresa Summers to prepare and distribute to Council Members regarding his request for the City Council to consider a small pay increase for all Council Members, the Recorder, and the Mayor, following all proper guidelines. He asked all members of the City Council to consider his idea. He wished everyone a safe and enjoyable weekend.

**I.5 CJ Rylands:** Mr. Rylands had no further comments.

**I.6 Randall Sanders:** Mr. Sanders added information to Mrs. Jenkins' earlier report concerning past and upcoming events at the Event Center at Brushy Fork, noting that it has been very busy, including the events by Central WV Friends of the NRA, the Upshur County Shriners, the BUHS Prom, training for the election poll workers by the Upshur County Clerk, and the WV School Board Association. He congratulated the new Manager of the Event Center at Brushy Fork, Matoula Hartley, regarding her success with the events and the facility.

Mayor Skinner recognized Upshur County Commissioner Kristie Tenney, who asked the Mayor and City Council to meet with her and her fellow Commissioners regarding the possible expansion of the first-due fire fee outside the city limits. She also thanked the City Council for the courtesies extended during the evening.

**J. Mayor's Comments and Announcements:** Mayor Skinner thanked Commissioner Tenney for attending tonight and spoke of the positive relationship between the Buckhannon City Council and the Upshur County Commission. He also encouraged everyone to read his op-ed in My Buckhannon concerning the upcoming Upshur County School Levy and to vote to extend the Levy. He wished everyone a wonderful month of May and good luck to all the candidates in the upcoming election.

**K. Adjournment**

**At 8:25 PM, Thomas made a motion to adjourn.**

**Mayor Robert N. Skinner III**

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**City Recorder Randall H. Sanders**

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