



## Town of Chapmanville

PO Box 427 68 Boise Street Chapmanville, WV 25508

An Equal Opportunity Employer

(304)855-4582

(304)855-8478 fax

Terilyn Wilson, Recorder

Tony Robison, Council

Gary Bledsoe, Council

Joel McNeely, Council

Robin Mutters, Council

Ben Desrocher, Council

# HOME RULE PLAN

### SECTION 1: APPLICATION INFORMATION

Type of Submission: **Initial Plan**

Name of Municipality: **Town of Chapmanville**

Certifying Official: **Terilyn Wilson** Title: **Acting Mayor/Recorder**

Contact Person: **Miranda Robinette** Title: **Assistant to the Mayor**

Address: **PO Box 427 68 Boise Street Chapmanville, WV 25508**

Telephone: **(304)855-4582**

Fax: **(304)855-8478**

Municipal Classification: **Class IV**



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# HOME RULE APPLICATION PLAN CHECKLIST

Class II Legal advertisement of Public Hearing

Dates: March 18<sup>th</sup>, March 25<sup>th</sup>, and April 1<sup>st</sup> – in the Logan Banner, Section 3.

Notice of Public Hearing to Municipal Home Rule Board (MHRB) and Cabinet Secretary of every State Department. Mailed March 16<sup>th</sup>, 2020. Please see attachment of copies of all letters. Section 3.

Plan available for public inspection 30 days prior to public hearing. DONE

Hearing: April 21, 2020

Ordinance authorizing plan or amendment.

First Reading: April 14, 2020 Second Reading: April 21, 2020

Adoption: April 21, 2020

Required narrative presentation: See attached, Section 2

## ATTACHMENTS – ALL INCLUDED IN SECTION 3

- Affidavit of legal notice of Public Hearing
- Minutes of Public Hearing
- Certified copy of ordinance authorizing plan or amendment
- Fiscal statement demonstrating municipality's ability to manage costs of liabilities associated with proposal
- Affidavit that municipality owes no outstanding State fees
- Attorney opinion letter that application and plan or amendment complies with applicable State Law



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# **HOME RULE PLAN SECTION 2**

## **NARRATIVE**



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## HOME RULE APPLICATION

1. Impose a 1% Sales Tax and Reduce or Eliminate Selected Business and Occupation Tax Categories

### **Issue Category: Tax**

The Town of Chapmanville seeks to restructure its business tax structure, reducing and eliminating some classes of the Business and Occupation Tax and instituting a 1% sales tax in order to increase revenues for public safety operations. This new business tax structure will be fairer and more standardized, and similar to those in adjacent communities in neighboring states.

### **Specific Legal Barrier**

**9-13C-4**

### **Problem Caused by Legal Barrier**

The Town of Chapmanville has a very small residential tax base and yet being a town on a busy highway, provides service to a much larger population of surrounding counties and travelers being the first access off the highway for the Hatfield McCoy trail system. Presently, the Town is only able to generate revenue via taxation by imposing a municipal business (B&O) tax or by imposing sales tax; WV State Code requires that the two taxes be mutually exclusive. WV Code 8-13C-1 et seq. contemplates that imposition of a sales tax by municipalities either for pension relief or as an "alternative municipal sales tax" at a rate not to exceed one percent. However, a municipality may only impose such a sales tax if it completely eliminates its B&O tax. WV Code 8-13C-4(b).

### **Proposed Solution**

The Town of Chapmanville proposes to impose a municipal sales tax of up to 1% on all taxable sales under the West Virginia Code within the Town. At the same time, it will eliminate B&O tax on selected categories- primarily retailers and restaurants - that would be subject to the sales tax. The increase in annual revenue based on this plan would be \$211,431.77. (see Section III-D: Fiscal Impact Worksheets and Formulas).

Increased revenues would go to provide key municipal services, including but not limited to:

- Town of Chapmanville employee pension, health benefits, and earned raises
- Town of Chapmanville matching grant program to enhance the Town of Chapmanville as a whole on various projects that require partial match of funds, which the city cannot afford out of current funds.
- Infrastructure development, including demolition of abandoned structures deemed unsafe
- Promotion and development of fairs, festivals, and tourism events for the Town of Chapmanville and the Tracy Vickers Community Center
- Town of Chapmanville Police Pension Funding

#### **D. Fiscal Impact Worksheets and Formulas**

##### **Issue 1: New Sales Tax and Business and Occupation Tax Restructuring Prepared by City Accountant Jeff Vallet using samples of our largest vendors.**

The vast majority of WV municipalities accepted into the Home Rule Program have proposed this business tax restructuring in one form or another, and it appears to be meeting with widespread acceptance and success.

Business Taxes Collected by Business, using samples of our largest vendors and our Fiscal Year Estimates. Four must be eliminated by State Code.

In the proposed Home Rule Plan for the Town of Chapmanville, Business and Occupation (B&O) would be eliminated:

- A reduction in manufacturing (from .30 to .20) We feel by reducing the manufacturing tax, we will be in the position to attract more industry to our area and create much needed opportunities for employment.
- A reduction in Retailers and Restaurants (from .35 to .33) creating a \$8502.89 drop in revenue based on our samples. We feel that by reducing this tax, we are giving our valued businesses room to grow, hire, expand, market, and allow additional revenue for them to engage employment.
- A reduction in Wholesalers (from .15 to .12). We feel that by giving wholesalers a reduction, we are allowing a wider range of selection for our businesses to distribute more desired products- therefore, creating a larger market.
- A reduction in Services and All Other Business (.60 to .57) creating a \$3620.45 drop in revenue, based on our samples. This will help so many of our independent contractors and independent business people, such as beauticians and independent contractors- which are some of our hardest working and most valued people a reduction to grow and maintain their services and be able to expand their business.

**An additional 1% Sales and Use Tax would be implemented on those categories currently affected by the 6% WV. State Sales and Use Tax. NOTE: Estimates are based on samples from our largest vendors and Estimates.**

**A Total of \$12,250.46 drop in revenue.**



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## **HOME RULE ORDINANCE**

An Ordinance pursuant to the provisions of the W.Va. Code 8-1-5a, authorizing the Town of Chapmanville to submit a written Home Rule proposal to the Municipal Home Rule Board in order to permit participation by the Town of Chapmanville in the Municipal Home Rule Program.

### **AUTHORIZATION TO SUBMIT A WRITTEN HOME RULE PROPOSAL**

**WHEREAS**, in 2007, the West Virginia Legislature enacted WV Code 8-1-5a, known as the Municipal Home Rule Pilot Program; and

**WHEREAS**, in 2019, the Municipal Home Rule Pilot Program was made a permanent program, with provisions to add four Class IV municipalities to the program each year; and

**WHEREAS**, the participation in the Home Rule Program by the Town of Chapmanville, a Class IV municipality, would give the Town unique flexibility to apply local solutions to local problems, benefitting the greater community, including residents, visitors, and businesses.

**NOW, THEREFORE, BE IT ENACTED BY THE TOWN OF CHAPMANVILLE THAT THE MAYOR** is hereby authorized and directed to submit a Home Rule proposal to the Municipal Home Rule Board on July 8<sup>th</sup>, 2020 in accordance with the WV Code 8-1-5a in order for the Town of Chapmanville to be considered in the program as a Class IV municipality during the Fiscal Year 2020-2021


**This Ordinance shall become effective upon passage after second reading and public hearing.**

1<sup>st</sup> Reading 4-14-20

2<sup>nd</sup> Reading 4-21-20

Hearing 4-21-20

  
\_\_\_\_\_  
Acting  
Mayor, Town of Chapmanville

  
\_\_\_\_\_  
Recorder, Town of Chapmanville





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## **ADMENDMENT TO THE TOWN OF CHAPMANVILLE B&O TAX RATES**

ADMENDMENT TO THE TOWN OF CHAPMANVILLE B&O TAXES CONCERNING GROSS SALES  
IN MANUFACTURING; REDUCTION IN RETAIL AND RESTURANT; REDUCTION IN WHOLESALE;  
REDUCTION ON SERVICIES AND ALL OTHER BUSINESS

- A reduction in manufacturing (from .30 to .20)
- A reduction in Retailers and Restaurants (from .35 to .33)
- A reduction in Wholesalers (from .15 to .12).
- A reduction in Services and All Other Business (.60 to 57).

FIRST READING: 5-12-20

SECOND READING: 6-16-20

TERILYN WILSON, RECORDER  
TOWN OF CHAPMANVILLE





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# **HOME RULE PLAN SECTION 3**

1. Completed Plan & Checklist
2. Affidavit of legal advertisement providing notice of public hearing
3. Minutes of public hearing, including comments (if any).
4. Copy of adopted ordinance authorizing submission of plan to the Municipal Home Rule Board
5. Fiscal statement demonstrating municipality's ability to manage costs or liabilities associated with proposal.
6. Affidavit of authorized municipality representative that municipality owes no outstanding state fees.
7. Attorney opinion letter stating that application and plan complies with applicable State Law.

NOTICE IS HEREBY GIVEN THAT A PUBLIC HEARING WILL BE HELD BEFORE THE REGUALR MEETING OF THE CHAPMANVILLE TOWN COUNCIL ON TUESDAY, APRIL 14, 2020 AT 6:00 P.M. AT THE TRACY VICKERS COMMUNITY CENTER ON THE HOME RULE ORDINANCE AUTHORIZING THE SUBMISSION OF THE TOWN'S HOME RULE PLAN TO THE WEST VIRGINIA MUNICIPAL HOME RULE BOARD. INTERESTED PARTIES MAY APPEAR AT THE PUBLIC HEARING AND BE HEARD CONCERNING THE TOWN'S PROPOSED HOME RULE PLAN. A COPY OF THE PLAN AND THE PROPOSED HOME RULE PLAN MAY BE INSPECTED AT CHAPMANVILLE TOWN HALL BEGINNING MARCH 13,2020 BETWEEN 1PM-3PM MONDAY THROUGH FRIDAY.

**TO BE RAN IN PAPER 3 TIMES PRIOR TO PUBIC MEETING AS CLASS II LEGAL  
ADVERTISEMENT**

- **March 18, 2020**
- **March 25, 2020**
- **April 1, 2020**
- **April 8,2020?**

## Legal Ad for Town of Chapmanville

From: Miranda Robinette (mrobinette26@yahoo.com)

To: mdalatowski@hdmediallc.com

Date: Thursday, March 12, 2020, 02:42 PM EDT

Ms. Dalatowski-

The Town of Chapmanville will be applying for the Home Rule Program in July. It is very important that this legal ad be ran in the paper on the three days requested (March 18 March 25 April 1) These will need to be ran as a Class II legal ad. We would also need the total cost of the ad. I have attached the file and information to be ran. If you have any questions please call me.

Thank You

Miranda Robinette

Town of Chapmanville

304-855-4582



ADVERTISEMENT.docx

16.4kB

## Ad Confirmation


From: crappold@hdmediallc.com (crappold@hdmediallc.com)

To: mrobinette26@yahoo.com

Date: Friday, March 13, 2020, 10:34 AM EDT

I have attached a copy of your legal ad scheduled to run March 18th, 25th & April 1st in the Logan Banner. The cost will be \$48.36 Please feel free to contact me with any questions.

**Acc.Id:** 50155  
**Name:** TOWN OF  
CHAPMANVILLE  
**Phone:** 304-855-3227  
**Address:** PO BOX 427  
**City:** CHAPMANVILLE  
**State:** WV  
**Postcode:** 25508  
**Class:** 9010 Legal Notices  
**Edition:** LOG LOG LOG  
**Start:** 03/18/2020  
**Stop:** 04/01/2020  
**Issues:** 3  
**Units** 40.00  
**Order ID:** HC 90064  
**TFN:** C  
**TFN cycle:**  
**Rep:** CRAPPOLD  
**Status:** CF  
**Source:** EM  
**Paytype:** BI  
**Rate:** LG  
**Cost EXC** 48.36  
**GST:**  
**Tax:** 0.00  
**Total Charge:** 48.36  
**Printed on:** 03/13/2020 10:32:33  
**Printed by:** CRAPPOLD

 90064.pdf  
12.6kB

## **NOTICE**

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**LH-90064**

**3-18-20 4-1-2020**

Ad Number 90064

**Affidavit of Legal Publication and Posting**

**STATE OF WEST VIRGINIA**

**COUNTY OF Logan, TO-WIT**

I Shirley Watson, Classified Advertising

Representative of The Logan Banner, a newspaper published in the county of Logan, West Virginia, hereby

certify that the annexed publication was inserted in said newspaper Logan-Banner

The cost of publishing said annexed advertisement

as aforesaid was \$ 48.36

Commencing On: 03/18/2020

Ending On: 04/01/2020

Given under my hand this day 04/01/2020

Sworn to and subscribed before me 04/01/2020

at Logan, Logan County, West Virginia

Linda Waddell

Notary Public of, in and for Logan County, West Virginia

MY COMMISSION EXPIRES: 9-23-24



Shirley Watson

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**LH-90064**  
**3-18,25;4-1;2020**

**Acc.Id:** 50155  
**Name:** TOWN OF  
 CHAPMANVILLE  
**Phone:** 304-855-3227  
**Address:** PO BOX 427  
**City:** CHAPMANVILLE  
**State:** WV  
**Postcode:** 25508  
**Class:** 9010 Legal Notices  
**Edition:** LOG LOG LOG  
**Start:** 03/18/2020  
**Stop:** 04/01/2020  
**Issues:** 3  
**Units:** 40.00  
**Order ID:** HC 90064  
**TFN:** C  
**TFN cycle:**  
**Rep:** CRAPPOLD  
**Status:** CF  
**Source:** EM  
**Paytype:** BI  
**Rate:** LG  
**Cost EXC**  
**GST:** 48.36  
**Tax:** 0.00  
**Total Charge:** 48.36  
**Printed on:** 03/13/2020 10:24:17  
**Printed by:** CRAPPOLD



# CLASSIFIEDS

**Medical Assistant**

**Sathish & Radha Internal Medicine Group**  
138 Hospital Drive  
Logan, WV 25601  
is in search of a

**Full-time Medical Assistant.**

Individual should possess basic computer skills and be knowledgeable in medical terminology.

Interested applicants, please send your resume/CV to [hr@loganbanner.com](mailto:hr@loganbanner.com)  
Phone: (304) 792-6282

For Careers in search of home care jobs, visit [www.elder-care.com](http://www.elder-care.com)  
304-835-5505 EOE

**HOMES**

1 and 2 bedroom apartments/condos in Logan area. \$550 to \$650 per month. No pets. Call [www.elder-care.com](http://www.elder-care.com) for more information. 304-835-5505 EOE

**REALTORS**

1 BR 2 bed main floor townhouse in Logan area. Call [www.elder-care.com](http://www.elder-care.com) for more information. 304-835-5505 EOE

**IN THE CIRCUIT COURT OF LOGAN COUNTY, WEST VIRGINIA**

**WEST VIRGINIA DEPARTMENT OF HEALTH AND HUMAN RESOURCES**

VS.

**JACQUELIN HERRON**

FATHER: JOHN HERRON  
MARTIAL DATE: 11/11/2017  
BIRTH: 7/1/2017

**IN THE CIRCUIT COURT OF LOGAN COUNTY, WEST VIRGINIA**

**WEST VIRGINIA DEPARTMENT OF HEALTH AND HUMAN RESOURCES**

VS.

**ANANDA SANCHEZ**

FATHER: JUAN SANCHEZ  
MARTIAL DATE: 10/10/2017  
BIRTH: 10/10/2017

**IN THE CIRCUIT COURT OF LOGAN COUNTY, WEST VIRGINIA**

**WEST VIRGINIA DEPARTMENT OF HEALTH AND HUMAN RESOURCES**

VS.

**FRANCISCO SANCHEZ**

FATHER: FRANCISCO SANCHEZ  
MARTIAL DATE: 11/11/2017  
BIRTH: 11/11/2017

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**Legal Notices**

**Erce Barker Cook Esq. Barker Cook, LLP**  
Associated Prosecuting Attorney  
WV Bar # 18513  
Logan, WV 25601

**1-800-792-6282**  
4/1/20

**NOTICE IN THE CIRCUIT COURT OF LOGAN COUNTY, WEST VIRGINIA**

**Magistrate Court Case No. 20-0220-00117**  
Jury Order Case No. 20-02-112

**TO: PHILIP MOORE**  
578 BYGONORE AVE.  
WILLIAMSON, WV, 25601

**ORDER OF PROTECTIVE ORDER HEARING DATE**

The object of this suit is to obtain protection from the Respondent.

The object of this publication by Class I legal advertisement is to notify Respondent of the PROTECTIVE ORDER and to advise Respondent of the consequences of failing to appear at the hearing.

**CRISTINA CLARK**  
CITIZEN, LOCAL, WEST VIRGINIA  
10220  
WV 25201

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MARTIAL DATE: 11/11/2017  
BIRTH: 7/1/2017

**Legal Notices**

**The Logan County Farm Agency**

has set the 24th day of MARCH, 2020.

**Checklist Clerk**  
1-800-792-6282  
4/1/20

**NOTICE**

**VOICE IS HEREBY ON BEHALF OF THE COURT OF LOGAN COUNTY, WEST VIRGINIA**

AT THE TRACY WOODS COMMUNITY CENTER, 1000 W. VIRGINIA ST., LOGAN, WV 25601

**NOTICE**

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AT THE TRACY WOODS COMMUNITY CENTER, 1000 W. VIRGINIA ST., LOGAN, WV 25601

**PUBLIC NOTICE**

Notice is hereby given that Logan County Schools is in the process of re-evaluating its school system. The Board of Education is holding public hearings on the proposed plan. The first hearing is on April 13, 2020, at 7:00 PM in the Board of Education Conference Room, 304-792-6282.

**Location Map**  
Scale: 1" = 1 Mile

Logan County Schools  
304-792-6282  
1000 W. Virginia St., Logan, WV 25601

**ADVERTISEMENT**

Notice is hereby given that **KLING STUBBINS** has submitted an application to the Department of Environmental Protection (DEP) for a permit to discharge into the Cheat River. The permit is for the construction of a new bridge over the Cheat River. The permit is for a length of 100 feet. The permit is for a width of 10 feet. The permit is for a height of 10 feet. The permit is for a depth of 10 feet. The permit is for a volume of 10 cubic feet. The permit is for a weight of 10 pounds. The permit is for a length of 10 feet. The permit is for a width of 10 feet. The permit is for a height of 10 feet. The permit is for a depth of 10 feet. The permit is for a volume of 10 cubic feet. The permit is for a weight of 10 pounds.

**ADVERTISEMENT**

Notice is hereby given that **KLING STUBBINS** has submitted an application to the Department of Environmental Protection (DEP) for a permit to discharge into the Cheat River. The permit is for the construction of a new bridge over the Cheat River. The permit is for a length of 100 feet. The permit is for a width of 10 feet. The permit is for a height of 10 feet. The permit is for a depth of 10 feet. The permit is for a volume of 10 cubic feet. The permit is for a weight of 10 pounds.

**ADVERTISEMENT**

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**ADVERTISEMENT**

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**LOCATION MAP**

Chapmanville 7.5 USGS Quadrangle  
Guyan Dist. Logan County, West Virginia  
Permit No. C-5025-99 NPDES No. WV1015788  
LAT. 37° 50' 10" LONG. 82° 02' 18"

Scale: 1" = 1 Mile  
Receiving Stream: Unnamed Tributary of the Lower Cheat River

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**News to Celebrate**

Engagements • Weddings • Births • Birthdays  
Anniversaries • Retirements • Reunions

Let The Logan Banner share your good news with your friends and neighbors.

To send in free announcements with a photo, go to [www.LoganBanner.com](http://www.LoganBanner.com). Click on Features, then Celebrations.

Or, mail your announcement to:  
**TLB Celebrations**  
218 Dingsess Street, Logan, WV 25601

All announcements will appear in Sunday editions. The deadline is 3 p.m. Tuesday, five days before publication.

**THE LOGAN BANNER**  
[www.LoganBanner.com](http://www.LoganBanner.com)



## **Town of Chapmanville**

**PO Box 427 68 Boise Street Chapmanville, WV 25508**

**An Equal Opportunity Employer**

**(304)855-4582**

**(304)855-8478 fax**

**Terilyn Wilson, Recorder**

**Tony Robison, Council**

**Gary Bledsoe, Council**

**Joel McNeely, Council**

**Robin Mutters, Council**

**Ben Desrocher, Council**

# **NOTICE OF PUBLIC HEARING**

**March 9, 2020**

**Department of Environmental Protection**

**West Virginia Department of Environmental Protection**

**Austin Caperton, Secretary**

**601 57<sup>th</sup> Street SE**

**Charleston, WV 25304**

**Dear Secretary Caperton,**

Notice is hereby given that a Public Hearing will be held before the Town of Chapmanville on Tuesday, April 21, 2020 at 6:00 p.m. during a Special Meeting at the Tracy Vickers Community Center on the Home Rule Ordinance authorizing the submission of the Town's Home Rule Plan to the West Virginia Municipal Home Rule Board. Interested parties may appear at the public hearing and be heard concerning the Town's proposed Home Rule Plan. A copy of the plan and the proposed Home Rule Plan may be inspected at Chapmanville Town Hall beginning March 13, 2020 between 1:00 p.m.-3:00p.m. Monday through Friday.

Legal Code for published advertisement in the legal section of the Logan Banner is:

Thank you for your dedication to the State of West Virginia and your commitment to stronger cities and towns for our state.

**Sincerely,**

**Terilyn Wilson**

**Acting Mayor**

**Town of Chapmanville**



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# **NOTICE OF PUBLIC HEARING**

**March 9, 2020**

**Department of Military Affairs and Public Safety**

**West Virginia Department of Military Affairs and Public Safety**

**Jeff Sandy, Secretary**

**1900 Kanawha Blvd East**

**Charleston, WV 25305**

**Dear Secretary Sandy,**

Notice is hereby given that a Public Hearing will be held before the Town of Chapmanville on Tuesday, April 21, 2020 at 6:00 p.m. during a Special Meeting at the Tracy Vickers Community Center on the Home Rule Ordinance authorizing the submission of the Town's Home Rule Plan to the West Virginia Municipal Home Rule Board. Interested parties may appear at the public hearing and be heard concerning the Town's proposed Home Rule Plan. A copy of the plan and the proposed Home Rule Plan may be inspected at Chapmanville Town Hall beginning March 13, 2020 between 1:00 p.m.-3:00p.m. Monday through Friday.

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# **NOTICE OF PUBLIC HEARING**

**March 9, 2020**

**Department of Health and Human Resources**

**West Virginia Department of Health and Human Resources**

**Bill J. Crouch, Secretary**

**One Davis Square, Suite 100 East**

**Charleston, WV 25301**

**Dear Secretary Crouch,**

Notice is hereby given that a Public Hearing will be held before the Town of Chapmanville on Tuesday, April 21, 2020 at 6:00 p.m. during a Special Meeting at the Tracy Vickers Community Center on the Home Rule Ordinance authorizing the submission of the Town's Home Rule Plan to the West Virginia Municipal Home Rule Board. Interested parties may appear at the public hearing and be heard concerning the Town's proposed Home Rule Plan. A copy of the plan and the proposed Home Rule Plan may be inspected at Chapmanville Town Hall beginning March 13, 2020 between 1:00 p.m.-3:00p.m. Monday through Friday.

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**Town of Chapmanville**



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**Joel McNeely, Council**

**Robin Mutters, Council**

**Ben Desrocher, Council**

**NOTICE OF PUBLIC HEARING**

**March 9, 2020**

**Department of Veterans Assistance**

**West Virginia Department of Veterans Assistance**

**Dennis Davis, Secretary**

**1900 Kanawha Blvd East**

**Building 3, Suite 600**

**Charleston, WV 25305**

**Dear Secretary Davis,**

Notice is hereby given that a Public Hearing will be held before the Town of Chapmanville on Tuesday, April 21, 2020 at 6:00 p.m. during a Special Meeting at the Tracy Vickers Community Center on the Home Rule Ordinance authorizing the submission of the Town's Home Rule Plan to the West Virginia Municipal Home Rule Board. Interested parties may appear at the public hearing and be heard concerning the Town's proposed Home Rule Plan. A copy of the plan and the proposed Home Rule Plan may be inspected at Chapmanville Town Hall beginning March 13, 2020 between 1:00 p.m.-3:00p.m. Monday through Friday.

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**Town of Chapmanville**



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**Ben Desrocher, Council**

# **NOTICE OF PUBLIC HEARING**

**March 9, 2020**

**Department of Commerce**

**West Virginia Department of Commerce**

**C. Edward Gaunch, Secretary**

**1900 Kanawha Blvd East**

**Building 3, Suite 600**

**Charleston, WV 25305**

**Dear Secretary Gaunch,**

Notice is hereby given that a Public Hearing will be held before the Town of Chapmanville on Tuesday, April 21, 2020 at 6:00 p.m. during a Special Meeting at the Tracy Vickers Community Center on the Home Rule Ordinance authorizing the submission of the Town's Home Rule Plan to the West Virginia Municipal Home Rule Board. Interested parties may appear at the public hearing and be heard concerning the Town's proposed Home Rule Plan. A copy of the plan and the proposed Home Rule Plan may be inspected at Chapmanville Town Hall beginning March 13, 2020 between 1:00 p.m.-3:00p.m. Monday through Friday.

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**Sincerely,**

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Acting Mayor  
Town of Chapmanville



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**Terilyn Wilson, Recorder**

**Tony Robison, Council**

**Gary Bledsoe, Council**

**Joel McNeely, Council**

**Robin Mutters, Council**

**Ben Desrocher, Council**

# **NOTICE OF PUBLIC HEARING**

**March 9, 2020**

**Department of Administration**

**West Virginia Department of Administration**

**Allan McVey, Secretary**

**1900 Kanawha Blvd East**

**Building 1, E-119**

**Charleston, WV 25305**

**Dear Secretary McVey,**

Notice is hereby given that a Public Hearing will be held before the Town of Chapmanville on Tuesday, April 21, 2020 at 6:00 p.m. during a Special Meeting at the Tracy Vickers Community Center on the Home Rule Ordinance authorizing the submission of the Town's Home Rule Plan to the West Virginia Municipal Home Rule Board. Interested parties may appear at the public hearing and be heard concerning the Town's proposed Home Rule Plan. A copy of the plan and the proposed Home Rule Plan may be inspected at Chapmanville Town Hall beginning March 13, 2020 between 1:00 p.m.-3:00p.m. Monday through Friday.

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**Town of Chapmanville**





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**Robin Mutters, Council**

**Ben Desrocher, Council**

# **NOTICE OF PUBLIC HEARING**

**March 9, 2020**

**Department of Transportation  
West Virginia Department of Transportation  
Byrd E. White III, Secretary  
1900 Kanawha Blvd East  
Building 5  
Charleston, WV 25305**

**Dear Secretary White,**

Notice is hereby given that a Public Hearing will be held before the Town of Chapmanville on Tuesday, April 21, 2020 at 6:00 p.m. during a Special Meeting at the Tracy Vickers Community Center on the Home Rule Ordinance authorizing the submission of the Town's Home Rule Plan to the West Virginia Municipal Home Rule Board. Interested parties may appear at the public hearing and be heard concerning the Town's proposed Home Rule Plan. A copy of the plan and the proposed Home Rule Plan may be inspected at Chapmanville Town Hall beginning March 13, 2020 between 1:00 p.m.-3:00p.m. Monday through Friday.

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Acting Mayor  
Town of Chapmanville**



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**Gary Bledsoe, Council**

**Joel McNeely, Council**

**Robin Mutters, Council**

**Ben Desrocher, Council**

# **NOTICE OF PUBLIC HEARING**

**March 9, 2020**

**Department of Revenue  
Chairman of the Home Rule Board  
Dave Hardy, Secretary  
West Virginia Municipal Home Rule Board  
1900 Kanawha Blvd East  
Building 1, W-300  
Charleston, WV 25305**

**Dear Secretary Hardy,**

Notice is hereby given that a Public Hearing will be held before the Town of Chapmanville on Tuesday, April 21, 2020 at 6:00 p.m. during a Special Meeting at the Tracy Vickers Community Center on the Home Rule Ordinance authorizing the submission of the Town's Home Rule Plan to the West Virginia Municipal Home Rule Board. Interested parties may appear at the public hearing and be heard concerning the Town's proposed Home Rule Plan. A copy of the plan and the proposed Home Rule Plan may be inspected at Chapmanville Town Hall beginning March 13, 2020 between 1:00 p.m.-3:00p.m. Monday through Friday.

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Acting Mayor  
Town of Chapmanville**



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**Robin Mutters, Council**

**Ben Desrocher, Council**

# **SPECIAL TOWN COUNCIL MEETING**

## **HOME RULE PUBLIC HEARING**

### **TUESDAY, APRIL 21, 2020**

**March 16, 2020**

**The Town of Chapmanville will hold an official public hearing at the Tracy Vickers Community Center on the 21<sup>st</sup> of April, 2020 beginning at 6:00 p.m.**

The following items will be heard:

1. Public Hearing of the Town of Chapmanville Home Rule Ordinance authorizing the submission of the Town of Chapmanville's Application of their Home Rule Plan to the West Virginia Municipal Home Rule Board.



**Town of Chapmanville**  
68 Boise Street PO Box 427 Chapmanville, WV 25508  
304-855-4582 (office) 304-855-8478 (fax)

**An Equal Opportunity Employer**  
Terilyn Wilson, Acting Mayor  
**TOWN COUNCIL MEMBERS**

Gary Bledsoe Ben DesRocher Joel McNeely Robin Mutters Tony Robison

**Agenda for the April 14, 2020, Regular Meeting of the Chapmanville Town Council at 6:00 p.m.**

**I. Call to Order**

**II. Approval of Minutes:**

- March 3, 2020: Special Workshop Meeting
- March 10, 2020: Regular Meeting of the Chapmanville Town Council
- March 24, 2020 Special Budget Meeting

**III. Reports**

- A. Region 2 Update
- B. Police: Chief Browning
- C. Fire: Tommy Perry
- D. Accountant: Jeff Vallet
- E. Code Enforcement/Home Rule: Miranda Robinette
- F. TVCC: Stacy Bell
- G. Water Department: Terilyn Wilson

**IV. Old Business**

- A. Final Reading/Vote on the Commercial Garbage Rate Ordinance
- B. Second Reading: B & O Tax Adjustment Ordinance

**V. New Business**

- A. First Reading: Home Rule
- B. Proclamation: Fair Housing Month
- C. Letter for contributions to WVU Cardiology Care Wing for Children's Hospital in honor of Cecil Roberts-request for \$5,000
- D. Executive Session: Personnel Matters

**VI. Setting of next meeting/Adjournment**

- A. Special Town Council Meeting on Home Rule: Tuesday, April 21, 2020 at 6:00 via Zoom/Call-in
- B. Special Set the Levy Meeting : Tuesday, April 21, 2020 at 5:30 p.m.
- C. The next regularly scheduled meeting will be May 12, 2020 at 7:00 at the TVCC.
- D. Adjournment



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Terilyn Wilson, Acting Mayor  
Council Members

Gary Bledsoe Ben DesRocher Joel McNeely Robin Mutters Tony Robison

**Minutes for the Regular April 14, 2020, Meeting of the Chapmanville Town Council  
7:00 p.m. via Zoom**

**I. Call to Order**

Acting Mayor Terilyn Wilson called the meeting to order. She requested a minute of silence for Teddy Nelson, the first Logan County citizen to fall victim to Covid-19, his family, and the doctors, nurses, and other medical personnel who cared for him during his illness. Mrs. Wilson ended the silence by saying, "In the uncertainty of these times, now, more than ever before, we need to unite together to support each other and show loving kindness to one another." All members of the council were present, as well as Chief Browning, Chief Perry, Accountant Vallet, Counsel Kuenzel, Miranda Robinette, Stacy Bell, Steve Savage, and Phil Williamson, Jr.

**II. Approval of Minutes**

Joel McNeely moved and Gary Bledsoe seconded that the council approve the minutes for meetings on March 3, March 10, and March 24 as written. Copies of the minutes were available prior to the meeting for all council members and were published on the town web site and the unofficial video of the meeting. Motion passed.

**III. Reports**

A. Region 2 Update: Information from Region 2 was not available at the time of the meeting.

B. Police: Chief Alan Browning reported 135 calls were made in March. The officers are wearing gloves and masks for protection. Traffic stops will be limited during the observance of the coronavirus epidemic. A written report was submitted.

C. Fire: The mayor related Chief Perry's report to the council, with 129 calls so far in 2020. Chief Perry came on line at 7:19 and completed his report. 37 calls were made

in March. The written report is included in the minutes. The mayor thanked Chief Perry for the donation of a bathroom sink for the project at the town garage. Steve has been able to use materials from the center and past projects to complete a bathroom for the garage facility.

D. Accountant: Jeff Vallet emailed his financial statement to the mayor and council members. Mr. Vallet was pleased with the March finances, stating \$58,000 was in the general account. Garbage collections had made a small profit of about \$400. Mr. Vallet will be contacting officials about grants that might be available. Ben questioned Mr. Vallet about the liabilities that were on the report. Mr. Vallet said that should have been omitted and he will remove them from his report. The mayor added that the account now had \$65,000 in the general funds, even after the April 15 payroll had been paid. This was due to B & O taxes being paid.

E. Events/Code Enforcement/Home Rule: Miranda Robinette reported that she and Kathy Savage have contacted all businesses to explain the new B & O forms and ask if they had any questions. The mayor added that the town has received positive feedback for their efforts to contact businesses. All notifications for the Home Rule meeting have been completed, and the meeting will be held as scheduled on April 21 at 7:00 p.m. via Zoom.

F. TVCC Director: Stacy Bell reported that the center took in \$810 in March, and only one event had to be cancelled that month due to restrictions imposed by the governor. Seniors continue to receive meals at the center. However, they are taken out to them while they wait in their cars. Stacy makes regular phone calls to the seniors to be sure their needs are being met. She is continuing the Flashlight Friday Story Time, reading the story and providing food recipes and activities that children can do at home. Ben questioned about the scheduled Health Fair. Stacy informed the council that the Health Fair had been cancelled but that all participants expressed interest in having the event at a later date.

G. Water Department: The mayor reported that Lana Pritchard had contacted her and said that the only business was the signing of checks. Board members will come in and sign the checks. Therefore, the monthly meeting was cancelled.

#### **IV. Old Business**

A. Final Reading of the Commercial Garbage Rate Adjustment Ordinance: Joel McNeely moved and Robin Mutters seconded that the ordinance be read by title only. Motion passed. Miranda then read the ordinance. Tony Robison moved and Robin Mutters seconded to accept the final reading of the ordinance. Motion passed unanimously.

B. Second Reading of the B & O Tax Ordinance: Tony Robison moved and Joel McNeely seconded that the ordinance be read by title only. Motion passed. After Miranda had read the ordinance, Joel McNeely moved and Tony Robison seconded that the council accept the second reading. All approved. Counsel Kuenzel reminded council members that if any changes are to be made, they must be submitted before the third and final reading.

## V. New Business

A. First Reading of the Home Rule Ordinance: Robin Mutters moved and Ben DesRocher seconded that the ordinance be read by title only. Motion passed. After Miranda read the ordinance by title only, Joel McNeely moved and Robin Mutters seconded that the council accept the first reading of the ordinance. All approved the motion. Miranda then reminded everyone that the Public Hearing would be April 21 at 6:00 p.m. via Zoom.

B. Fair Housing Month: Mayor Wilson read the Fair Housing Proclamation. Robin Mutters moved and Ben DesRocher seconded to approve the proclamation. All approved.

C. UMWA letter: Mayor Wilson read a letter from the UMWA requesting that the town contribute \$5,000 toward a project at WVU to build a Pediatric Cardiology Care Wing in honor of Cecil Roberts. Robin expressed that this was a lot of money for a small town to finance. Tony Robison moved and Robin Mutters seconded that the issue be tabled. All approved.

D. Executive session: The mayor announced the need to go into executive session to discuss personnel issues with Accountant Vallet attending. Robin Mutters moved and Joel McNeely seconded to go to the breakout room. All approved. Following the executive session, Robin Mutters moved and Tony Robison seconded that the council return to the regular meeting. All approved. Counsel Kuenzel then explained that no votes were taken in executive session. However, the town is currently in a lawsuit over a personnel position. He suggested that the council request the suit be dismissed in order for the person to be reinstated for the duration of the term of the position. Joel made the motion. Ben seconded. The mayor requested a roll call vote. Results were: Ben-yes; Gary-yes; Tony-yes; Robin-yes; Joel-yes. All approved the motion. Rob announced he would contact the lawyer for the town's insurance company.

## VI. Setting of next meeting/Adjournment

A. The "Set the Levy" meeting will be Tuesday, April 21, at 5:30 via Zoom.

B. The public hearing for the Home Rule will be Tuesday, April 21, at 6:00 p.m.

C. The next regularly scheduled meeting of the Chapmanville Town Council will be Tuesday, May 12, at 7:00 p.m.

D. As there was no further business, Tony moved and Joel seconded that the meeting be adjourned. All approved.

Respectfully submitted,



Terilyn Wilson, Recorder  
Town of Chapmanville



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IN THE MATTER OF:

**SPECIAL PUBLIC MEETING FOR THE CITY OF  
CHAPMANVILLE, WEST VIRGINIA REGARDING HOME RULE  
ORDINANCE PROPOSAL.**

THIS MATTER came on for public hearing on this  
the 21st day of APRIL, 2020 at about the hour of 6:00  
o'clock P.M., via ZOOM VIDEO CONFERENCE, before City  
Council for the City of Chapmanville, Chapmanville,  
West Virginia.

APPEARANCES:

- TERILYN WILSON, Acting Mayor
- JOEL McNEELY, Councilman
- GARY BLEDSOE, Councilman
- TONY ROBISON, Councilman
- BEN DesROCHER, Councilman
- ROBIN MUTTERS, Councilwoman
- ROBERT KUENZEL, City Attorney
- JEFF VALLET, City Accountant

1 (APPEARANCES CONT'D)

2 ALAN BROWNING, Police Chief

3 TOMMY PERRY, Fire Chief

4 MIRANDA ROBINETTE, City Event Coordinator

5 AMBER MILLER-VIARS, City of Logan Home Rule

6 Coordinator

7 ANNA BUTCHER, Attorney, Woodyhill Attorneys

8 STACY BELL, Observer

9 PHILIP WILLIAMSON, JR., Observer

10 WOODY HILL, Observer

11 KATHY DesROCHER, Observer

12 WALLACE MULLINS, Observer

13 OPAL HIROSKY, Observer

14 WENDY WILLIAMSON, Observer

15 MALINDA VINSON, Observer

16 DYLAN VIDOVICH, Observer, Logan Banner

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P R O C E E D I N G S

(IN OPEN SESSION)

6:05 P.M.

AND THEREUPON

MAYOR WILSON: I'm going to call the Meeting to Order. Joel, would you lead us in the Prayer and Pledge of Allegiance?

(WHEREUPON, COUNCILMAN McNEELY led those in attendance in the Prayer and Pledge of Allegiance to open the meeting.)

MAYOR WILSON: Thank you, Joel. The first order of business is for the Second Reading of the Home Rule Ordinance. Is there a Motion to have the Second Reading?

COUNCILMAN McNEELY: I'll make the motion.

MAYOR WILSON: Okay, is there a second?

COUNCILMAN ROBISON: I'll second.

MAYOR WILSON: Okay, Tony seconded. There has been a motion for the second

1 reading and a second. All those in favor say "I".

2 (Unanimously Approved)

3 COUNCILWOMAN MUTTERS: Are we reading the  
4 whole Ordinance or are we doing Title only?

5 MAYOR WILSON: Let's read it  
6 because some people on here have not heard it. So it  
7 is just a page long. Do you mind Miranda or do you  
8 want me to Miranda?

9 MS. ROBINETTE: I'll read it.

10 MAYOR WILSON: Does anyone approve  
11 reading it?

12 COUNCILMAN McNEELY: I approve.

13 MAYOR WILSON: Thank you. We're  
14 ready.

15 MS. ROBINETTE: This is an  
16 Ordinance pursuant to the provisions of the West  
17 Virginia Code, 8-1-5a, authorizing the Town of  
18 Chapmanville to submit a written Home Rule Proposal to  
19 the Municipal Home Rule Board in order to permit  
20 participation by the Town of Chapmanville in the  
21 Municipal Home Rule Program.

22 **AUTHORIZATION TO SUBMIT A WRITTEN HOME RULE PROPOSAL**

23 **WHEREAS**, in 2007 the West Virginia Legislature  
24 enacted West Virginia Code 8-1-5a, known as the

1 Municipal Home Rule Pilot Program; and

2       **WHEREAS**, in 2019, the Municipal Home Rule Pilot  
3 Program was made a permanent program, with provisions  
4 to add four Class IV municipalities to the program  
5 each year; and

6       **WHEREAS**, the participation in the Home Rule  
7 Program by the Town of Chapmanville, a Class IV  
8 municipality, would give the Town unique flexibility  
9 to apply local solutions to local problems, benefiting  
10 the greater community, including resident, visitors,  
11 and businesses.

12       **NOW, THEREFORE, BE IT ENACTED BY THE TOWN OF**  
13 **CHAPMANVILLE THAT THE MAYOR**, is hereby authorized and  
14 directed to submit a Home Rule proposal to the  
15 Municipal Home Rule Board on July 8, 2020 in  
16 accordance with the West Virginia Code 8-1-5a, in  
17 order for the Town of Chapmanville to be considered in  
18 the program as a Class IV municipality during the  
19 Fiscal Year 2020-2021.

20                   MAYOR WILSON:       Okay, this is a Class IV  
21 Municipality so do I have a Motion to accept the  
22 Second Reading. This is to accept the proposal.

23                   COUNCILMAN McNEELY: I move to accept  
24 the proposal.

1                   MAYOR WILSON:                   Okay. Is there a  
2 second?

3                   COUNCILMAN ROBISON:                   I'll second.

4                   MAYOR WILSON:                   Okay, Tony seconded  
5 it.

6                   All those in favor say "I".

7                   (Whereupon the Motion carried)

8                   MAYOR WILSON:                   Now the next  
9 section of this meeting is the Public Comments and  
10 Questions. Before we begin I have some things I would  
11 like to say.

12                  We all know that we are in times that we have  
13 never experienced before and I want you to know that  
14 the Town of Chapmanville has been doing its best to  
15 get out the message of this matter to have the motions  
16 at Town Hall. However when we had to close the  
17 offices in order to protect our employees and follow  
18 what Governor Justice required, we had Miranda to put  
19 these documents on our official Town of Chapmanville  
20 Website.

21                  I think we can all agree that this is not the  
22 best way to communicate what we are doing. I assure  
23 you that we are still doing our best to have open  
24 lines of communication.

1           This is a new experience and we are fortunate  
2 that we live in an age where there is technology  
3 available where we can communicate with each other  
4 when we can't be together. I am aware that there is  
5 much of the public is unfamiliar with Zoom. I was to  
6 my first time on March 14<sup>th</sup>. But we are trying to  
7 adjust as best we can and I want you to know that no  
8 person has a question that is not worthy to be  
9 answered. If you have a question I can assure you  
10 that there are others who may have the same question.

11           If we can't answer your question or if you think  
12 of something you want to ask later on. Call Town Hall  
13 at 304-855-4502 and ask to speak to Miranda. She is  
14 the one that has been responsible for developing the  
15 project for the Town and she knows first hand the  
16 knowledge that can answer questions correctly.

17           But before I turn this over to Miranda I just  
18 would like to commend Miranda for the wonderful job  
19 that she has done with this. She has taken it on and  
20 had guidance of course from Amber and her team. She  
21 has just done a wonderful job for us in getting  
22 everything done, getting notices posted on time when  
23 they had to be posted.

24           So I, as the Acting Mayor, would like to thank



1 her for everything she has done. And now Miranda, I'm  
2 going to turn the meeting over to you.

3 MS. ROBINETTE: Well, thank you very  
4 much. It is not easy and it is stressful. But in my  
5 personal opinion this will better the town. I know  
6 people that are against it and I totally understand  
7 your concern. But this is really going to help us  
8 out.

9 Jeff has done some numbers for us and when he did  
10 it -- let me get my papers together, sorry. We will  
11 be losing money in B&O but we will be gaining so much  
12 more. So I am opening this up to your questions, what  
13 you have. I will do my best to help you and that is  
14 why I asked Anna and Amber here. They have been  
15 through this and know what is going on. If I can't  
16 answer it then they can chime in and help me. Anna  
17 and Amber have been awesome and will offer help also  
18 on this. So if you have questions --

19 COUNCILMAN DesROCHER: I might have one  
20 to start off. Say we do get accepted into this Home  
21 Rule Program. But the way things are setting right  
22 now we are not in the best of shape with people being  
23 laid-off or loss of income.

24

1 Is there a way we can defer the beginning of this  
2 program>

3 MS. ROBINETTE: Well, we are not going  
4 to go -- we would not start collecting until July of  
5 next year. I am hoping and praying to God that we are  
6 done with this Corona Virus by then.

7 Logan starts this year and we would be starting  
8 next year.

9 COUNCILMAN DesROCHER: There is nothing  
10 to show that everything will be back to normal by  
11 then.

12 MS. MILLER-VIARS: This is Amber. Ben I  
13 respect your comments and question and understand  
14 where you are coming from. You know, this is a 1  
15 percent sales tax. Home Rule I so much more than a 1  
16 percent sales tax, so much more. It is going to open  
17 your City to make decision as to what is best for  
18 Chapmanville. You kind of have to look at the broader  
19 picture. Everyone gets wrapped up in the 1 percent  
20 sales tax and I understand that. But there is so much  
21 more that is encompassed under Home Rule than just the  
22 sales tax.

23 I did it, know that we are all facing trough  
24 times. We are getting ready to start it in July and

1 it is 1 percent. I am not saying that is not  
2 significant and I get it. But you have done so much  
3 work and have so much work ahead of you. This is just  
4 Phase-1. This is just the first step. This is just  
5 the application to submit your Home Rule Plan and it  
6 is just the first step.

7 The second step is the Sales Tax part of it. Your  
8 mapping, your postal codes. I can tell you that Anna  
9 was critical, her work in that was critical in that  
10 and you still have so much work ahead of you. I would  
11 not defer this because the Home Rule Program only  
12 accepts so many Class IV municipalities and only so  
13 many Class III.

14 You don't want to miss your window of opportunity  
15 to get accepted into the Home Rule Program and be able  
16 to start collecting next year. If you defer you don't  
17 know you will get in. There may be six municipalities  
18 ready to go and it might knock you out of a position  
19 that is supposed to be heard by the Home Rule Board  
20 because they only set so many.

21 While I do understand what you mean here and your  
22 concern is totally valid. I would not hold up  
23 progressing and going forward with your application  
24 because you have put so much work, so much time, so

1 much energy in this so far. I promise you that this  
2 will be something that will make Chapmanville rise. I  
3 understand with what we have going on right now but  
4 this is something you have to look five years ahead,  
5 ten years ahead, fifteen years ahead, to sustain  
6 Chapmanville, sustain Logan, Man, our Area to be able  
7 for our municipalities to survive and be able to do  
8 the things you need to do. Upgrading sewer, upgrading  
9 water, pensions, raises. There is so much that you  
10 have to be able to take care of and this is your way  
11 to do it.

12 Not saying No, and I am not an attorney. That is  
13 where Anna's expertise is and Rob's. But I would  
14 definitely move forward if you can especially with all  
15 of the work that has been done and Miranda has done an  
16 absolutely positively incredible job. She has worked  
17 with us daily to try and get this in place with you  
18 guys and I really do believe that not only are you  
19 going to be able to do so much with Home Rule.

20 But I do believe the future of Chapmanville --  
21 when we are gone, when we are no longer  
22 representatives of Logan and Chapmanville, they are  
23 going to be able to do the things that they need to do  
24 because you all have put this in place. So that is

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1 just my opinion.

2 COUNCILMAN DesROCHER: It wasn't about  
3 deferring this part of the process. It was about  
4 deferring the start of the sale tax.

5 Say we do get accepted in December and then it  
6 would start July 1<sup>st</sup> of next year theoretically. Is it  
7 possible to delay the start of the taxation time based  
8 on world events?

9 MS. ROBINETTE: That is not  
10 something I have heard anything about or seen posted  
11 or at any of the Municipal League Conferences I have  
12 been to.

13 That is a question that I can bring up at the  
14 next conference if you like.

15 COUNCILMAN DesROCHER: That would be  
16 fine.

17 MS. MILLER-VIARS: Miranda, I'm going to  
18 let Jeff chime in about from an accountant's  
19 standpoint.

20 MR. VALLET: In answering your  
21 question Ben. I think the problem we have is the  
22 State Tax Department puts these in effect for a year.  
23 They go through their process and you say you don't  
24 want to do it until January 1<sup>st</sup>. They are not setup

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1 to do things that way. They are setup to do things  
2 July 1 every year. We don't have that option of well,  
3 I don't want to start until December.

4 You either start July 1 of one year or you start  
5 July 1 of the next year. It is not like you can push  
6 a quarter away because the State won't like to do  
7 that. They have to notify all of the international  
8 and national companies that ship into this area if the  
9 sales tax. They can't say don't do Chapmanville until  
10 January 1. They just won't want to do that.

11 MAYOR WILSON: Do you say that is  
12 not possible to delay the onset of the tax. Is that  
13 what you are saying?

14 MR. VALLET: I'm saying it would be  
15 very difficult and I would not ask them to do that.  
16 Just because of their requirements.

17 MS. BUTCHER: Essentially with all the  
18 deadlines that the Tax Department has in place, the  
19 tax file, ordinances, everything that has to be done  
20 to have everything in to be considered. You would  
21 essentially be pushing the whole process back in order  
22 to get that later date. Like Amber said, doing  
23 everything else, being accepted is in jeopardy when  
24 pushing everything else back when you a trying to look

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1 at the long run.

2                   MAYOR WILSON:                   Does that answer  
3 your question, Ben?

4                   COUNCILMAN DesROCHER: Yes.

5                   MAYOR WILSON:                   Are there any other  
6 questions?

7                   MR. WILLIAMSON:                   I would like to  
8 speak to the Home Rule.

9                   MAYOR WILSON:                   Okay. This is Phil  
10 Williamson.

11                   MR. WILLIAMSON:                   My name is Philip  
12 Williamson, I am a resident of Chapmanville and I am  
13 in opposition to this tax increase for a number of  
14 reasons.

15                   But first I'm going to use your alls reasons.  
16 Council and Town Representatives have said since the  
17 discussion of Home Rule began. At least twice in past  
18 meetings, as early as today, and you have agree with  
19 the comments of the same nature that the local economy  
20 is trash. It is in the toilet. Not only has the  
21 local cash crop of coal continued to decline but with  
22 government demanding the shutdown of businesses it  
23 deems as non-essential, numerous small businesses have  
24 closed, many shuttered for good and will not return.

1 It takes a lot to start a business. But they are also  
2 easy to lose, easier to lose.

3 This is one reason I find it appalling that  
4 Council had decided that now is the time to continue  
5 with an extra tax on consumers that supposedly they  
6 represent.

7 With the GED is dropping 30 percent and  
8 forecasted by the Federal Reserve to almost double-  
9 down on the drop to the next quarter to 50 percent.  
10 Unemployment continuing to rise higher than ever  
11 recorded, the country is literally facing its larges  
12 economic slump since the Great Depression.

13 No one is saying the road back will be easy and  
14 claims the economy will magically swing back is just  
15 that, claims.

16 You can see what I'm talking about. We can see  
17 how the economy has been around and what direction it  
18 has been in the last year. We can see that every last  
19 penny is currently needed for every family and no one  
20 has yet given a solid date that anyone will be back to  
21 work by, if at all.

22 We are told this isn't a lot, that 1 penny per  
23 dollar isn't a lot but that of every hundred dollars a  
24 person spends only \$1.00 will go into the pocket of

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1 the Town. But this is an extra cent of sales tax on  
2 not only everything sold in Town but everything sold  
3 on line to City Limits. Amazon, eBay, Espy, Rokauto,  
4 all of these items suddenly cost more, increasing how  
5 much money doesn't go to care for our family in trying  
6 times or to ensure our future for ourselves. Or, be  
7 able to open a new business to put into the Town's  
8 coffers.

9 That \$1.00 per hundred might not seem like a lot  
10 but it is my neighbors, my family, it puts food on our  
11 table and adds to our futures. Benjamin Franklin  
12 said, "a penny saved is a penny earned." We all like  
13 to keep what we earn.

14 The Town has raised its fees many times in the  
15 last four years. It has raised everything that it can  
16 raise, trash, water, sewer, and now it is asking for a  
17 little more of our paycheck.

18 The timing of this tax increase couldn't be  
19 worse. In fact, it is one of the larger reasons I ask  
20 you to abandon chasing it this year. Not only is GEP  
21 historically down in business but people are confined  
22 to their homes. Elderly are more careful to leave to  
23 avoid infection of this virus. People who will gladly  
24 come out to a public hearing to see you face to face

1 and look you in the eye and tell you no more taxes  
2 can't address you as they may have before.

3 The last public hearing Chapmanville had was  
4 about allowing ATV's on the public road and it was a  
5 packed room in the Tracy Vickers Community Center.  
6 The same room this meeting should have been held in.  
7 Instead, you are having this event on the internet  
8 where attendance will be lower than it would otherwise  
9 and many people may not even know how to attend. And  
10 why would they want to when the council thinks a phone  
11 call might have the same effect as being able to stand  
12 before you and speak face-to-face.

13 Ladies and Gentlemen of the Council, enough is  
14 enough. Give the increases we are forced to pay a  
15 rest. For once put the Town of Chapmanville, be a  
16 place where you can escape the folly of other  
17 municipalities where you don't follow the lead that  
18 others set, where we blaze our own path, one of  
19 compassion, patience, prosperity. Where the people  
20 are allowed to keep more of their own money and one  
21 where Council knows it can always discuss tax  
22 increases when more people are back to work. Thank  
23 you very much.

24 MAYOR WILSON: Are there any

1 comments on Phil Williamson?

2 COUNCILMAN BLEDSOE: Yeah, I got  
3 comments on him. My name is Gary Bledsoe and I want  
4 to tell you Philip, I pat you on the back. You took  
5 most of my words out of my mouth and you have already  
6 said them.

7 I'm agreeing one hundred percent with what you  
8 said and I hope that the rest of the Council fees the  
9 same way. That's it for me.

10 MR. WILLIAMSON: Thank you, sir.

11 MS. MILLER-VIARS: Okay, this is Amber  
12 again with the City of Logan.

13 Philip, I respect all of your comments and your  
14 concerns about the 1 percent tax but I will tell you  
15 this. I do believe the Town of Chapmanville is  
16 blazing a new path. I believe they are doing the  
17 unpopular opinion. This is not easy. I think that  
18 people think we just sit around and want to create new  
19 taxes on people just for fun. But that is absolutely  
20 not the case.

21 When you have a small town municipality and are  
22 even a county that is struggling, we try and keep  
23 services in place, trash, water, sewer, fire  
24 protection, police protection, infrastructure,

1 demolition, all the things we all wish for, right?

2 Well, that takes money.

3 Nobody wants an extra tax increase. Yes, it is 1  
4 percent and I'm not saying that isn't significant in  
5 any way. It is very significant and very significant  
6 for the Town to be able to have funding going forward  
7 to be able to be the Town that they are supposed to  
8 be. That is our entire area. Yes, people are out of  
9 work right now. I did 185 Unemployment Claims myself  
10 in the past week. It is not easy. But I do not  
11 believe it will always be this way and you have to be  
12 able to set the pace for your Town to be able to move  
13 forward and grow. And unfortunately we all know that  
14 that takes money. It has nothing to do with taking  
15 businesses out of your Town. Actually the business  
16 market has been in a reduction in B&O. I don't know  
17 if that part was missed but in order to be included in  
18 the Home Rule Program, you actually have to take or  
19 create a reduction in your B&O structure. What does  
20 that do?

21 That entices business to come here. Yes, it is  
22 put on the consumer but there are consumers everywhere  
23 all over the place that come into our towns and  
24 cities. The Hatfield-McCoy Trail, one of the best

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1 things the City of Logan has ever done. Our hotels  
2 are packed and our towns and restaurants are doing  
3 business from out-of-town all the time. So much so  
4 that we have a new development going on up at Rita  
5 Mall.

6 So for you to think that the Hatfield-McCoy Trail  
7 is a bad idea I am here to say that it is not. We  
8 have people from all over the country that come in  
9 here and that is what they do when they are here, they  
10 spend money. It is not just local consumers but it is  
11 consumers from all over.

12 Yes, I could pay my salary with the Amazon Orders  
13 that I order every single month. I will gladly do  
14 that to be able to help any municipality. That will  
15 be Chapmanville, Man or Logan. Things that we have a  
16 responsibility for I applaud this Council. I applaud  
17 the fact and applaud the Town of Chapmanville  
18 especially with all the things that you have been  
19 through with the death of Ramey and everything.  
20 Moving forward and doing this for your Town. It is  
21 not easy and these are things that are very had to do.  
22 It is hard to be in this seat and have to make  
23 decisions. It is not easy. For any of you that feel  
24 like this is a hard decision, you better believe it

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1 is. It is a hard decision. But I will tell you that I  
2 have been all around the State of West Virginia. I  
3 have been with the Municipal League for almost 20  
4 years. Serafino is the President of the Municipal  
5 League and we have been all over. We actually went on  
6 a Home Rules Tour and we went to every town, every  
7 city in the State of West Virginia with the Home Rule  
8 Program and the things that they have been able to do  
9 in their towns is absolutely incredible.

10 It is time for Southern West Virginia Towns to  
11 step up to the plate and do this. Not only for your  
12 town and the people that work there but for the things  
13 that make better, healthier, better infrastructures in  
14 towns. We want this buildings demolished, pensions  
15 funded, want our employees to be paid well. We want  
16 to be able to do new sidewalks, match grants. But it  
17 takes money.

18 Again, I'll get off my soapbox and I am very  
19 passionate about Home Rule and I understand nobody  
20 likes taxes and I have businesses myself and I do also  
21 hate to pay them and Jeff hates to do them.

22 But it is what it is and it is a major part of  
23 the health of your town. Again, please stop getting  
24 hung up on the 1 percent sales tax. There is so much

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1 more to Home Rule than just a sales tax. It is  
2 opening up you, as leaders of your Town, to be able to  
3 make decisions that are best for Chapmanville.

4 What works for Logan does not work for  
5 Chapmanville. What works for Chapmanville doesn't  
6 work for Charleston. It just allows you to take  
7 responsibility for the health of your Town. That is  
8 all I have.

9 MR. WILLIAMSON: May I respond,  
10 please?

11 MAYOR WILSON: Who is this?

12 MR. WILLIAMSON: This is Philip.

13 MAYOR WILSON: I couldn't hear.

14 MR. WILLIAMSON: Amber, I'm not sure  
15 where you got that I said I hated the Trail but I  
16 never said anything about that.

17 The other thing is what City did you represent  
18 you said?

19 AMBER MILLER-VIARS: I'm with the City  
20 of Logan.

21 MR. WILLIAMSON: Okay, thank you  
22 very much. I'm done.

23 COUNCILWOMAN MUTTERS: This is Robin  
24 Mutters. I went to the Municipal League Meetings and

1 I have looked over this. This Program actually  
2 started in '07 as a Pilot Program and they took in 4  
3 cities and then added other towns, added 14 more and  
4 then added 16 more. Then I don't know what we are up  
5 to now on the ones that have the Home Rule.

6 Anywhere you go now to shop in close proximity  
7 anyway, Amber may have a better number there than what  
8 I do. If you go to South Charleston, Charleston,  
9 Dunbar, Nitro, Huntington, soon to be Logan, anywhere  
10 you go you are paying the 1 percent tax already when  
11 you go out of town to shop.

12 It is a hard time, a very hard time for us. We  
13 need so many things in this Town and we want to grow  
14 and need to grow. It is a very hard time to start  
15 talking about adding even the 1 percent. It is really  
16 hard right now to add.

17 But if you look at the overall picture -

18 MAYOR WILSON: Robin, I can't hear  
19 you.

20 COUNCILMAN McNEELY: She cutout.

21 COUNCILWOMAN MUTTERS: So why not want  
22 to pay it at home and help out your home town. That  
23 is just my view on it. Amber may be able to tell you  
24 how many more towns, cities there are in the Municipal

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1 League and the Home Rule Program now.

2 But if we are going to pay it, then I'd rather  
3 pay it at home than in other places. Again, it is a  
4 hard thing to pay taxes but I'd rather pay it at home  
5 if I have to pay it everywhere else as well.

6 MR. KUENZEL: Miranda, do you  
7 have a list of the towns? Robin had mentioned that.  
8 I didn't know if you had a list or not.

9 MS. ROBINETTE: Well, starting in  
10 2007 was the Pilot Program. It was Bridgeport,  
11 Huntington, Charleston, Wheeling. Then in 2014 South  
12 Charleston, Morgantown, Dunbar, Fairmont and 16 more  
13 municipalities were picked up. Okay, anytime you  
14 guys go to Charleston, go to at WVU Game, you are  
15 paying that extra tax. When you pick up your receipt  
16 and pay the 1 cent tax on that. Is that a big tax  
17 that you are paying?

18 My Jeff personally doesn't want to pay the tax.  
19 But he says, it is going to help our Town. Jeff has  
20 been a police officer there 15 different times. He  
21 still works down there. Our police offices don't have  
22 a Pension that they deserve and this would be able to  
23 go toward a Pension and help our police officers.

24 You all want protection in Town don't you? We

1 want to keep our Cops. That is one of the things that  
2 the extra Home Rule Money is going to help us do, keep  
3 our police force, keep our employees. It is going to  
4 help us in tearing down buildings if they start  
5 looking ragged. We are able to go in and say, hey, we  
6 have the extra funds to do this now.

7 My personal favorite is that we can do more  
8 festivals like helping the Town to grow. This will  
9 help the Town to grow. We don't need to be at a stand  
10 still forever. I can understand it is a hard decision  
11 for you guys to make. But you have to look at the  
12 good and the bad. And just look around us. You will  
13 be paying already.

14 COUNCILMAN BLEDSOE: I'd like to make a  
15 comment. Can you hear me?

16 MAYOR WILSON: Yes, we can. Go  
17 ahead.

18 COUNCILMAN BLEDSOE: I'm Gary Bledsoe  
19 and when you talk of the other cities that are in on  
20 this Home Bound the ones you called the names off of  
21 are in size 8-10 times larger than what we are. You  
22 talk about our Town growing. Sure, that is a  
23 wonderful thing to have done. But where is it going  
24 to grow outside the size we are now? What business

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1 places do you have room for new businesses to come  
2 into this Town. We are not a big city like New York  
3 or something and I think what few businesses we do  
4 have. I don't see an income coming from that 1  
5 percent back into this Town to amount as to a lot. It  
6 is going to take awhile before it would ever even  
7 start.

8 Besides that, we have to pay a sum of \$2,000.00  
9 every so often to even be in on the Home Bound. Now  
10 our income is not to good now and we have discussed  
11 about our Budget, how much money our Budget has to  
12 have and we have even considered letting maybe someone  
13 go because we can't afford to pay the wage.

14 Now we are in the process of discussing maybe  
15 hiring someone to take care of financial affairs or  
16 whatever. Now when, where and how long will it take  
17 for this Town to get all the money that they need and  
18 grow? If you tell me that I'll be happy.

19 MS. ROBINETTE: Well, according to  
20 Jeff Vallet the increase in annual revenue based on  
21 this plan will be \$211,000.00.

22 MAYOR WILSON: And I believe he  
23 said that would be an under estimate.

24 MS. ROBINETTE: And he said it

1 could be more than that, yes.

2 COUNCILMAN DesROCHER: Jeff, do you feel  
3 comfortable in giving us a projection on how you got  
4 there?

5 MR. VALLET: Well, the Staff  
6 Ben, went through and gave me the sales based on the  
7 categories. And I'm pretty confident the \$211,000.00  
8 is the low number.

9 COUNCILMAN DesROCHER: I guess I want  
10 to echo what Gary said. You know, I have basically  
11 been a proponent for annexation ever since I was  
12 elected 5 years ago. We have talked about it and  
13 no movement. Then we talk about it again and no  
14 movement.

15 I think a better option would be to bring more  
16 businesses into the Town before we ever look at  
17 charging the extra 1 percent tax. More businesses  
18 would bring more B&O into the Town. More space for  
19 Town would allow more businesses to be in Town. Like  
20 Airport Road, not even half mile up the road. They  
21 have the Burger-King on the highway, have a Bank on  
22 the highway, Convenience Store on the highway, couple  
23 Doctors Offices down there, couple rental properties  
24 down through there. That is income that we are

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1 missing out on.

2 I think that it would be better to bring that in  
3 before we hit the idea of 1 percent in the Town  
4 Limits.

5 Doing this annexation after the fact would just  
6 require more work to our Home Rule Plan that we  
7 already have. That is all I have.

8 COUNCILMAN McNEELY: If I may, Joel  
9 McNeely. May I Terilyn?

10 MAYOR WILSON: Yes, yes, please.

11 COUNCILMAN McNEELY: I think we are hung  
12 up on the sales tax, the 1 percent to much. I think  
13 we need to look at the benefits of Home Rule, what it  
14 will bring to the Town, to allow Ordinances and allow  
15 Annexation. I think there will be some flexibility as  
16 to what Rules that we already have.

17 The 1 percent we are talking about, everyone of  
18 us I'm pretty sure travel outside the boundaries of  
19 this Town. We travel to Charleston, travel to  
20 Huntington, going tot the Mall, go to Lowe's, Walmart,  
21 see a movie, it won't matter. You are going to be  
22 spending that 1 cent on the dollar and 1 dollar on a  
23 hundred (\$100.00). I think that we are hung up on  
24 that and we need to maybe look at the benefits of what

1 Home Rule will do for us in affording the power that  
2 it will give us.

3 As Robin says, I'm going to be shopping there  
4 myself. I didn't even notice it and most people won't  
5 even notice it until they look at their receipt and  
6 find out that they are paying that 1 percent.

7 A good example, one of my daughters has been  
8 buying supplies over at Southridge, been doing it for  
9 a couple years now. She found out about Home Rule  
10 when we were talking about it. Then she said, "Is  
11 that why I pay 7 percent over there?" I said, "Most  
12 definitely." She says, "Oh, I'm already doing it  
13 there I can do it here too."

14 Now I do agree. I despise taxes. Anybody want  
15 to take a look at my tax bill, maybe save me a few  
16 thousand every year, I'd sure appreciate it.

17 But government does not generate revenue. We  
18 don't sell a thing. Yet we are expected to provide  
19 service. How do we do that? Well, we have to do  
20 that by taxes that are raised, property taxes, sales  
21 taxes, enforcing traffic citations and whatever.

22 We have to find ways to raise revenue. We would  
23 not be a Municipality without it, correct me if I'm  
24 wrong. Would we be a Municipality if we were not

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CERTIFIED REPORTER  
SEVENTH JUDICIAL CIRCUIT OF WEST VIRGINIA  
LOGAN, WEST VIRGINIA 25801

PHONE: 304-792-8573  
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1 providing services for the Town, its citizens? We  
2 have to have something coming in and at the rate we  
3 are going we can't expand even within our own  
4 boundaries. We have no way to take property and I'm  
5 not talking about taking Tony's property down there.  
6 I'm talking about dilapidated property. We have a  
7 number of those in the town and we ought to be able to  
8 do something with it, clean it up a little bit. We  
9 need to take a drive around Town, especially on the  
10 north end of it and you will see all kinds of  
11 potential there.

12 So I'm for the Home Rule, not necessarily because  
13 of the raise to generate a tax but possibly what  
14 authority it might give us. Now Anna can probably  
15 answer that, as to what we can gain from Home Rule as  
16 far as authority. I know there are some changes  
17 coming in Logan and some will be coming in Man. Can  
18 you elaborate Anna?

19 MS. BUTCHER: I can touch on a few  
20 things. This is Anna.

21 I know Ben mentioned annexation. Under Home Rule  
22 that is something that would be within the Town of  
23 Chapmanville's freedom to do. Though in that, it is  
24 not something you would have to consider to do before

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CERTIFIED REPORTER  
SEVENTH JUDICIAL CIRCUIT OF WEST VIRGINIA  
LOGAN, WEST VIRGINIA 25801

PHONE: 304-792-8573  
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1 the process or after the process that causes more  
2 work. That is something that is within the Town of  
3 Chapmanville's freedom to do that.

4 It was mentioned the cities that already have the  
5 1 percent sales tax. There is a list on line and I  
6 have found it but I don't have it at my fingertips  
7 right now. It does include Charleston, South  
8 Charleston, Barboursville is actually getting ready to  
9 start in July 2020 I believe.

10 But the whole purpose in the Legislature enacting  
11 this permanently for Class IV Municipalities, it is  
12 for smaller areas. A lot of the smaller areas that do  
13 have this are really reaping the benefits from it and  
14 are progressing in their towns. It is not just the  
15 larger cities that have this enacted. It is really  
16 going to be beneficial for even somewhere as small as  
17 Chapmanville. To be able to provide so many different  
18 things and if Amber has anything to touch on  
19 that she can go ahead. But it is something that is  
20 absolutely going to be beneficial. You are going to  
21 be able to match Grants. Everyone all the time wants  
22 to say, " why don't we just get a Grant?" We can  
23 absolutely do that but there is some out there that  
24 you can't get unless it, can't match, some sort of

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CERTIFIED REPORTER  
SEVENTH JUDICIAL CIRCUIT OF WEST VIRGINIA  
LOGAN, WEST VIRGINIA 25601

PHONE: 304-792-8573  
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1 a percentage to match what it is.

2 With this it is something that would allow the  
3 Town of Chapmanville to do, and be able to bring in so  
4 many different things to provide for us everyday.

5 MS. MILLER-VIARS: Hey guys, this is  
6 Amber again. I can touch a little bit on some of the  
7 different things that some of the communities have  
8 been able to do. I don't know if you know how many  
9 people are in this. I am on the Board of the  
10 Municipal League. For instance, Beckley is a Class II  
11 Municipality and they have been more able to put some  
12 authoritative measures in place and I know we are all  
13 after that a little bit.

14 For instance under Home Rule they are permitted  
15 to put City Liens on Property for Expenses incurred to  
16 remedy eyesores on dilapidated structures. The Town  
17 has to go in and we all have those areas in our Town  
18 where things need to be torn down or the grass is over  
19 run, the trash is an issue, the City goes in and does  
20 that work they can put a Lien against the property.

21 They can sell real and personal property for Tax  
22 without Auction. Can sell real and personal property  
23 at less than fair market value to promote economic  
24 development.

1 Issue Citations for Code Violations, for public  
2 nuisances, trash, liter, anything having to do with  
3 safety and health, authorizes cities to purchase  
4 property subject to delinquent property taxes. There  
5 have been things all through the State of West  
6 Virginia that small towns and cities have done.  
7 Chapmanville may not know what Logan's issues are.  
8 Logan does not know what Chapmanville's issues are.  
9 We all pretty much share some common denominator  
10 issues but for the most part, once you identify those  
11 areas that need improved they may be enhanced. Maybe  
12 there is a project that you all want to enhance. You  
13 all can collectively make those decisions and once you  
14 get accepted into the Home Rule Program, Miranda's job  
15 is not over.

16 You have to do a quarterly report and you have to  
17 show and be able to state how this money is being  
18 used. You have to show up, go to the Home Rule Board  
19 and say this is what we have done for this quarter and  
20 what we have used it for.

21 It is not just like a free money program. They  
22 make you answer for what you are doing and they sort  
23 of keep you in check. You have to do that quarterly  
24 report and Miranda, every quarter, she will have meet

1 with the council and keep track of all that and every  
2 quarter she has to turn that in.

3       What is so great about that is let's say you all  
4 change your mind and there is a project that you want  
5 to do because that money is funneled into your account  
6 and collected and you all decide. We are able to get  
7 a \$600,000.00 grant for sidewalks but we need a 20  
8 percent match.

9       So Miranda would just go to that quarterly report  
10 and we need to go the 20 percent match and that is  
11 what we are using our funding for that quarter. As  
12 long as it is a legitimate need, something that is  
13 going to make your own grow and is positive for your  
14 own, then the Home Rule Board is always on board for  
15 that.

16       Just like Joel said. You can't just limit  
17 yourself to that tax. That is the problem I see with  
18 so many Municipalities. They just think on that tax  
19 and don't think that this can open the door and give  
20 us so much more authority to do and solve some of the  
21 problems we are having in our town.

22       Ben, we kicked around annexation too and I don't  
23 know if you all have looked into it but that is a lot  
24 of work and it takes a lot of money, a lot of time to

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CERTIFIED REPORTER  
SEVENTH JUDICIAL CIRCUIT OF WEST VIRGINIA  
LOGAN, WEST VIRGINIA 25601

PHONE: 304-792-8573  
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1 do some of those things.

2 Again, if you all see that is a viable project  
3 for Chapmanville then put it on your list, figure out  
4 your P's and Q's and what it is going to take, what  
5 kind of funding it will take to make that project come  
6 into a reality. Put it down on your Home Rule Plan  
7 for a quarter and see what happens.

8 Don't think this is a one stop shop because it  
9 isn't. This is something that is going to be  
10 beneficial tenfold across the board for everyone.

11 You can get on the West Virginia Municipal League  
12 Website and you can go on and actually look at the  
13 report for everyone in the Home Rule Program and what  
14 they have done. I mean, it has every single city and  
15 what they have done with their Home Rule Program.

16 Everyone from Charleston to Clarksburg, to  
17 Elkins, Fairmont, Morgantown, Follansbee who is more  
18 in our size. Grafton is definitely in our size and  
19 they have tons done outside the 1 percent sales tax.

20 I'm sure when you think about this and the  
21 decisions you have to make not only now but going  
22 forward. That you will see past the 1 percent sales  
23 tax and what you can do for the future of your Town.

24 MAYOR WILSON: Thank you, Amber.

1 CHIEF WORKMAN: Can I speak too?

2 MAYOR WILSON: Yes, this is Allen.

3 CHIEF WORKMAN: This is Allen and  
4 as the Police Chief of the police department, from my  
5 standpoint I think if this doesn't pass we are going  
6 to keep being in the same boat we are in right now, an  
7 open door. We will just keep hiring people. The cost  
8 of the Academy is \$2,000.00 per officer. So you are  
9 losing that money on the officers when they leave, not  
10 to mention their equipment that they have. I just  
11 lost 2 officers to the State Police with their  
12 starting salary of \$45,000.00. We are never going to  
13 be able to keep guys if we do not raise anymore money  
14 with this Home Rule Project.

15 Too their sticking point was Pension. We don't  
16 have a Pension and that is a problem with the pay.

17 MAYOR WILSON: I know that we have  
18 lost several officers since I have been involved with  
19 the Town to deputies, state police. Your input is  
20 valuable because it is a need and a need right now and  
21 the Town cannot afford more for pension with the  
22 income we have now.

23 I also want to bring up another point. The  
24 council has talked about a River Walk or they want

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CERTIFIED REPORTER  
SEVENTH JUDICIAL CIRCUIT OF WEST VIRGINIA  
LOGAN, WEST VIRGINIA 25601

PHONE: 304-792-8573  
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1 access to the river for Kyacks. Or they want a Park  
2 within the Town. All of these projects would be  
3 something we might be able to afford better if we had  
4 more income coming in.

5 The Second thing I want to say is, some of the  
6 taxes on these businesses. When you reduce a tax on a  
7 business that in and of itself is an incentive for a  
8 business to relocate into that area. If there is the  
9 reduction of taxes, when we were talking annexation.  
10 If we reduce the taxes then it may be an incentive for  
11 them to be a part of the town.

12 COUNCILMAN McNEELY: May I say something  
13 again. Joel McNeely, may I Terilyn?

14 MAYOR WILSON: Yes.

15 COUNCILMAN McNEELY: A question for  
16 Jeff, Jeff Vallet. I am probably wrong on this Jeff  
17 but I'm pretty sure this is not going to apply to  
18 gasoline.

19 MR. VALLET: That is correct.

20 COUNCILMAN McNEELY: It is not going to  
21 apply to food?

22 MR. VALLET: Also correct.

23 COUNCILMAN McNEELY: Two major things  
24 bought in the Town of Chapmanville, Food and

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CERTIFIED REPORTER  
SEVENTH JUDICIAL CIRCUIT OF WEST VIRGINIA  
LOGAN, WEST VIRGINIA 25601

PHONE: 304-792-8573  
CHARLESTON: 304-792-2630

1 Gasoline.

2 Now this is going to apply to the Fast Foods.

3 MR. VALLET: Yes.

4 COUNCILMAN McNEELY: And your Pharmacy,  
5 not going to apply to your drugs, prescription drugs.  
6 But it will apply to the candy you buy at Walgreen's.  
7 So once again I think we are hung up on the 1 percent  
8 sales tax that it would increase but I'm sure everyone  
9 shops outside the boundaries of this Town. They shop  
10 in Charleston, in that area, Huntington and a number  
11 of other areas that they go too.

12 How many people listening right now travel to  
13 Myrtle Beach for a vacation destination and what they  
14 pay in excise tax for Motel's and Municipality Tax and  
15 they have never even bothered to look at it.

16 Once again, I do not like tax and I realize that  
17 is the only way we have revenue to operate but I do  
18 not like it. It is one of those things in life you  
19 just learn to live with. I don't want to be hung up  
20 on 1 percent, a penning on a dollar or a dollar on a  
21 hundred, when I am looking at the benefits from  
22 whatever money this may generate and do for this Town  
23 to upgrade it and make it a show place.

24 We could have 10 guys out here trimming, picking

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CERTIFIED REPORTER  
SEVENTH JUDICIAL CIRCUIT OF WEST VIRGINIA  
LOGAN, WEST VIRGINIA 25601

PHONE: 304-792-8573  
CHARLESTON: 304-792-2630

1 up trash. Allen could have 3-4 more officers maybe,  
2 better cars. If we do well with this then it enhances  
3 the Town and the benefits of living within the annexed  
4 area of the Town, then there is a good possibility  
5 that annexation would be easier in the future. That  
6 is what I am hoping as well. That's it.

7 MS. MILLER-VIARS: This is Amber and  
8 Jeff and we are in total agreement with that. We are  
9 facing the same thing here. That was one of the  
10 conversations we had to have when we were going  
11 through this process and I feel like your Police Chief  
12 and Fire Chief, they hold a lot of substance because  
13 these are the guys going out there doing the things  
14 none of us want to have to do or see. They don't get  
15 paid enough and they do deserve the Pension, do  
16 deserve higher pay. They really deserve all kinds of  
17 things. They deserve the best equipment. But again,  
18 all of that takes money and they also deserve to be  
19 able to make things safe for us so that we do not  
20 violate State Law. This will encompass state law and  
21 encompass Chapmanville where you can enhance and  
22 protect your police and fire department and street  
23 department. Let's face it, sanitation workers, garbage  
24 workers, water department, street department, all of

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CERTIFIED REPORTER  
SEVENTH JUDICIAL CIRCUIT OF WEST VIRGINIA  
LOGAN, WEST VIRGINIA 25601

PHONE: 304-792-8573  
CHARLESTON: 304-792-2630



1 that is so important.

2 Again, they all do the jobs that we don't want to  
3 do. We had workshop after workshop here, police,  
4 fire, Jeff all hands on. For your police chief to say  
5 that you cannot keep trained men and it takes  
6 \$2,000.00 per person to go to the Academy and then he  
7 loses them to the County, State. That is something we  
8 all have to fix. We don't want to be in that  
9 situation anymore. If Home Rule can pay your police  
10 officers what they are worth, a competitive wage and  
11 be able to give them a Pension, let's do it. They  
12 deserve it.

13 That is another thing you have to look at; and  
14 for him to be on Board speaks volumes. Like Joel  
15 said, none of us like taxes but we sure do want good  
16 police protection. I know that is something that we  
17 all face together and it just speaks volumes. Take  
18 that into consideration at the time when you are  
19 making your decision too.

20 MS. BUTCHER: This is Anna. If I  
21 is okay Joel touched on a couple things in the sales  
22 tax. I would just say that the food and  
23 prescriptions, there is a thing in the Sales and Use  
24 Tax Ordinance that the Tax Department has basically

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CERTIFIED REPORTER  
SEVENTH JUDICIAL CIRCUIT OF WEST VIRGINIA  
LOGAN, WEST VIRGINIA 25601

PHONE: 304-792-8573  
CHARLESTON: 304-792-2630

1 drafted for all the Municipalities to use. It does  
2 less with things of course like those mentioned by  
3 Joel and one is motor fuel, the sale or use of motor  
4 vehicles. The Sales Tax imposed by Section III of  
5 this article which pertains to the Ordinance, does not  
6 apply to any transaction that is already exempt from  
7 the tax imposed by Article 15, Chapter 11 of the State  
8 of West Virginia.

9 The Ordinance does hi-lite what has been included  
10 and not included, very, very detailed. That is  
11 something supposedly provided to the public if  
12 everything proceeds and moves forward.

13 COUNCILMAN DesROCHER: If I may. You  
14 know it has been hit on time and time and time again  
15 in this meeting if you go to South Charleston, the  
16 other Charleston, Huntington, wherever you go. Why are  
17 people going to these places. To me it is because  
18 there is something there that we don't have.

19 Yes, I know we have hit on growth and the chance  
20 of that. We have already dropped our B&O tax  
21 approximately \$23,000.00 if I remember correctly.  
22 That should be and I was going to say that earlier.  
23 The people should on that want to move their business  
24 here. We have already lowered our taxes.

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CERTIFIED REPORTER  
SEVENTH JUDICIAL CIRCUIT OF WEST VIRGINIA  
LOGAN, WEST VIRGINIA 25601

PHONE: 304-792-8573  
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1 I am not hung up on the 1 percent. The idea of  
2 having more business for more funding. We have two or  
3 three gas stations in town. We have a grocery store  
4 in town that this 1 percent won't go to. We have the  
5 sales of drugs that this won't go to and how many  
6 different pharmacies do we have in town?

7 We really, really, really, need to look into  
8 bringing more business into town even if that means  
9 going out and for the lace of a better word, business  
10 shopping.

11 MS. MILLER-VIARS: Teri, this is Amber  
12 again. I feel like all I have done is talk and I'm  
13 very sorry. But I just want you all to get the whole  
14 picture and each time someone says something -- okay,  
15 right. It is not going to be collected on certain  
16 things in town. That is correct.

17 However, there are so many things in the town  
18 that you are not collecting on now that you will be  
19 able to collect on such as Amazon, eBay, the things we  
20 don't see and we call that "the invisible well"  
21 because these days everyone shops on line. So that is  
22 what you are going to capture that you are seeing ZERO  
23 from right now. Yes, I totally agree. I think we all  
24 business shop and I think the one way we do that is we

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CERTIFIED REPORTER  
SEVENTH JUDICIAL CIRCUIT OF WEST VIRGINIA  
LOGAN, WEST VIRGINIA 25601

PHONE: 304-792-8573  
CHARLESTON: 304-792-2630

1 become a Town or City that has an attractive landscape  
2 to be able to attract business too.

3       If you can't have the authority to demolish and  
4 remove and do things too be able to upgrade your Town  
5 to say, hey, we were able to demolish three buildings.  
6 We have a spot here or we were able to upgrade our  
7 sewer and water infrastructure to be able to sustain a  
8 Chick Filet or whatever steakhouse. You have to have  
9 certain infrastructure in place. Water and sewer  
10 cannot hold new business capacity without  
11 infrastructure upgrades. And we all know we don't all  
12 have the best of the best. So what does it take to do  
13 that?

14       One, it takes money and two it takes grants.  
15 Grants usually take matches and that what Home Rule  
16 does. It also allows you to make decisions based on  
17 when you are shopping around and you want to pick and  
18 choose an area. So you have that really dilapidated  
19 area that you need to focus on and you all can do that  
20 as a governing body.

21       So again, I get what you are saying and I know  
22 that nobody wants to pay taxes. Believe me I know  
23 that, nobody does. But it is so much more than that.  
24 And where you are thinking you are not going to see

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CERTIFIED REPORTER  
SEVENTH JUDICIAL CIRCUIT OF WEST VIRGINIA  
LOGAN, WEST VIRGINIA 25601

PHONE: 304-792-8573  
CHARLESTON: 304-792-2630

1 a gain in time, from a retail point of view because of  
2 the businesses that are in Chapmanville. So have the  
3 annexation conversation. Have the extension  
4 conversation, bring those people in and make  
5 everything seem more appealing.

6 Have a hey, you're going to have better police  
7 protection. You are going to have better fire  
8 protection and going to have better infrastructure.  
9 Come into our City and let us take care of you.

10 Again, there is the next step to this. You  
11 haven't done anything until all of this is accepted  
12 and done. You have not lowered your taxes yet, have  
13 not lowered the B&O Taxes. None of this has taken  
14 place yet. That does not happen until this is all in  
15 place. So make sure that is clear. You have not  
16 reduced your B&O Taxes, nothing has happened yet. You  
17 have not made the decision and nothing has taken  
18 place, no Home Rule Hearing yet, still have a lot of  
19 steps before all of this comes to pass. So make sure  
20 when you are having that conversation you don't make  
21 people think you have lowered taxes because none of  
22 that has happened. No one is paying the 1 percent  
23 right now. You still have phases to go through. That  
24 all has not happened yet. I just want to make that

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CERTIFIED REPORTER  
SEVENTH JUDICIAL CIRCUIT OF WEST VIRGINIA  
LOGAN, WEST VIRGINIA 25601

PHONE: 304-792-8573  
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1 clear.

2 Again, I know it is so easy to look at the things  
3 that won't happen in the negative when you have these  
4 conversations about raising taxes or implementing new  
5 ideas, something new that nobody has really done.  
6 Something that you have not seen.

7 But I will tell you to look at the positives.  
8 Look what you all can do together as a governing body  
9 for the future of your Town, when we're gone and not  
10 here anymore and they are looking around for a revenue  
11 base and the Town has grown. We will not see this  
12 overnight. The coal collapse didn't happen overnight.  
13 All the things that are negative we are not going to  
14 fix in a day. But once you start putting that wheel  
15 in motion it will get better and you will see  
16 progress.

17 I have seen it in other towns and cities. I  
18 welcome you all to reach out to those towns and have  
19 your conversations with the towns that have enacted it  
20 and talk to them about the positives. Because they  
21 are there. Yes, the decisions were hard to make on  
22 the citizens. No counsel wants to sit and think we  
23 need to raise taxes. Nobody wants to do that. But we  
24 do want to say, guess what, we are going to upgrade

**Larry K. Coffindaffer**

CERTIFIED REPORTER  
SEVENTH JUDICIAL CIRCUIT OF WEST VIRGINIA  
LOGAN, WEST VIRGINIA 25601

PHONE: 304-792-8573  
CHARLESTON: 304-792-2630

1 infrastructure. We are going to be able to do the  
2 things we have had on our wish-list for three years.

3 Allow yourself to do that and guess what, if it  
4 doesn't work, it doesn't work. You are not stuck  
5 here. But if it does work you have lost nothing. You  
6 have just got to put yourself in a positive mindset.  
7 I know that it is hard for you guys but I promise you  
8 that you are going to benefit from it greatly and  
9 going to be so glad that you did it. That is why it  
10 is so great where we live. It is okay to object and  
11 have these conversations. That is how we all get  
12 better.

13 Just know that there is a lot more positive  
14 things that come out of this. Thank you.

15 COUNCILMAN DesROCHER: Hey, Amber.  
16 About 3 months ago if I remember correctly we did  
17 lower our rate and it was told to us we needed to do  
18 this so we could move forward with the Home Rule.

19 MAYOR WILSON: Ben, wait a minute.  
20 We said what we were going to do. No rates have been  
21 lowered at this time. This was a proposal of what we  
22 will do. Nothing has been done.

23 MS. ROBINETTE: Nothing takes  
24 effect until after we July Meeting and we get approved

**Larry K. Coffindaffer**

CERTIFIED REPORTER  
SEVENTH JUDICIAL CIRCUIT OF WEST VIRGINIA  
LOGAN, WEST VIRGINIA 25601

PHONE: 304-792-8573  
CHARLESTON: 304-792-2630

1 and get all our things in. That was what you all  
2 just voted on, the change. But nothing has been  
3 changed yet and nothing will unless you are accepted  
4 into the Program.

5 COUNCILMAN DesROCHER: Okay. I guess I  
6 just was not ever clear on it being based on if were  
7 are accepted.

8 MS. ROBINETTE: No, that was the  
9 goal that we voted on when we did the paper sheet.  
10 Again, nothing goes into effect until we are accepted  
11 into the Program and everything is cleared through  
12 that.

13 COUNCILMAN DesROCHER: Okay.

14 COUNCILWOMAN MUTTERS: As I said before,  
15 there is good and bad in everything we do. But we  
16 have to look at the whole --

17 MS. ROBINETTE: Robin, we can't  
18 hear you. Can anybody else hear her?

19 MAYOR WILSON: No, I can't hear  
20 anything.

21 MR. KUENZEL: She froze up.

22 COUNCILWOMAN MUTTERS: We need to move  
23 forward with this and get it in place so we can be  
24 ready and look at it, move on with it and you have



1 a glass half full and half empty.

2 MR. KUENZEL: Repeat what you  
3 said there, Robin.

4 COUNCILWOMAN MUTTERS: I said that there  
5 is good and bad in everything you go at. You can look  
6 at your glass as half full and half empty. I would  
7 rather look at it with a glass half full with the  
8 emphasis of progress and then we can --

9 MAYOR WILSON: She did it again.

10 COUNCILWOMAN MUTTERS: Did I break up  
11 again?

12 MAYOR WILSON: Yes. I got the  
13 half full and half empty but I don't know what came  
14 after that.

15 COUNCILWOMAN MUTTERS: Do we want a glass  
16 half full or do we want to fill it on up and go on  
17 with progress.

18 COUNCILMAN BLEDSOE: I want to say  
19 something. I'd like to make a statement.

20 My name is Gary Bledsoe and of all I have heard  
21 at this time and of all the dreams we have had, all  
22 the things you mentioned for this Home Rule and all it  
23 will take care of, the Pensions, Sidewalks, anything  
24 that has been said I am for all of those things.

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1 I want those things too.

2 When and how long is it ever going to be before  
3 any of these things can come. I'd like to see the  
4 Police Chief have his retirement. The boy has worked  
5 for 15 years and he hasn't gotten nothing. How long  
6 would it take to build him up a a retirement plan once  
7 you start getting any income back into the town from  
8 this Home Rule? It would take from now on. You are  
9 going to annex. What business are you going to annex  
10 as far as business is concerned?

11 One example. Logan is a great place. When I was  
12 a young boy that was the place we went, to Logan. It  
13 was just nothing else like Logan. But Logan has its  
14 downfall in a period of time.

15 Where were their City Limits Sign at until the  
16 Mall, Fountain Place Mall was built? That income out  
17 there is a big income for Logan. If that Mall was not  
18 out there then Logan would probably be trying to get  
19 Stollings in their town. Where can we make move like  
20 that to have business places, in our town, in the  
21 town? We can't have since we don't have room to build  
22 another Pizza Place, let alone something else.

23 You tell me where all of that will come from?

24 How big can we be, how much income -- you have to have

1 \$25,000.00 worth of food to get \$200.00 come back into  
2 town.

3 I'm for all of the things, no doubt about that.  
4 But my goodness sakes, when and where is the money or  
5 whatever going to come from to where we can have the  
6 Pensions and do all the Town works and all that?  
7 Everybody will be dead and gone by then.

8 MS. ROBINETTE: This 1 percent will  
9 come to us each quarter. We get it quarterly. It  
10 does not take years to get it. The State sends it to  
11 us. It is not the businesses that have to send it to  
12 us like B&O Taxes. This Tax will go to the State and  
13 the State Tax Office will send us the money quarterly.

14 COUNCILMAN BLEDSOE: They will send you  
15 that money that was taken in and turned over to them  
16 and they will send it back to you?

17 MS. ROBINETTE: Yes, if your  
18 businesses in town are reporting the numbers  
19 accurately then everything they total the right way  
20 will come back to us quarterly.

21 COUNCILMAN BLEDSOE: What I don't  
22 understand Miranda. So much business so many checks  
23 to be made to come back to them. It is \$25,000.00 that  
24 will give \$200.00 back to the Town.

1 MS. MILLER-VIARS: Hey Gary?

2 COUNCILMAN BLEDSOE: Yeah.

3 MS. MILLER-VIARS: This is Amber from  
4 Logan and listen you little Patriot. You fire me up.  
5 I love how you love your town.

6 Listen, it is not just business but consumers.  
7 Even consumers individual purchases. You know how you  
8 said Logan used to be big years back and we used to be  
9 booming? Technology has been a lot of that. Coal has  
10 not only killed it but technology has killed it. More  
11 people are shopping on-line now and people are not  
12 going to retail stores. So now, you are able to not  
13 only get the income you will be able to get from the  
14 retail sales. But you will also be able to  
15 capture consumer sales and that is people who make  
16 purchases that don't even live in Chapmanville but are  
17 coming to your town to do business there and also,  
18 it's anyone within your 25508 Zip Code.

19 So if I live at an apartment complex and I order  
20 Amazon Boxes a day. I will pay a 1 percent sales tax  
21 and that will be collected by the State and it will be  
22 paid to the Town of Chapmanville.

23 You know that is something you have to consider  
24 too. The good thing about this is you are capturing

1 income that you would never have seen before. You are  
2 capturing income coming into your town that you have  
3 not even seen the benefit from.

4 I order Amazon all the time. I order Espy all  
5 the time and I am more than happy to pay the 1 percent  
6 sales tax. I actually don't live in the City Limits  
7 but I shop and have everything sent here and will  
8 continue to do that so that my Town benefits from what  
9 I buy. That is something that you got to look to as  
10 well.

11 When you all start collecting next year you will  
12 see a check by December of 2021. So once you get  
13 accepted into the Home Rule Program you are going to  
14 get a check at the end of the year for that quarter  
15 because you will ready to start collecting. They  
16 start doing the work now so you all won't have to wait  
17 forever and a day to get it coming in. You will start  
18 seeing it quarterly when you get accepted. You will  
19 see the benefit and who knows how much your first  
20 check will be. Once you do that you will be able to  
21 start goaling and saying, we're going to do this,  
22 going to do that. It is something to be a little bit  
23 excited about since everyone deserves those things and  
24 deserves a Pension.

1           Like you said yourself Gary. You want to see  
2 these things done in the Town and I believe this is  
3 why they started to jump on this Home Rule Program.  
4 They saw a way to be able to make these wishes start  
5 happening. I know that everyone loves this Town,  
6 everyone on this phone call loves your Town. I love  
7 your Town and I don't even live in Chapmanville. I  
8 want to see all three of our Towns in Logan County  
9 succeed. I believe this is part of it and I believe  
10 -- Logan did it first, did everything. We set the  
11 standard I guess you could say.

12           Whatever mistakes we made we corrected since we  
13 knew that Chapmanville was coming next and we wanted  
14 to be able to set you all up for success, to help you  
15 all.

16           On the back-end of this you all have an  
17 Organization, the West Virginia Municipal League, you  
18 all have great Organization behind you with tons of  
19 resources and Miranda has been really great to go with  
20 me and help you all every step of the way. This isn't  
21 something you all have to wade through alone. Me and  
22 Anna sitting here on a conference call with  
23 Chapmanville because we want to try and help you all  
24 succeed.

1                   MAYOR WILSON:                We do appreciate  
2 that and your input has been invaluable to us and we  
3 really appreciate it.

4            Are there any other comments or questions that  
5 anybody would like to say at this time?

6                   MR. WILLIAMSON:            I do have something  
7 to say, Philip Williamson.

8                   MAYOR WILSON:            Okay.

9                   MR. WILLIAMSON:            The Town Documents  
10 that you all put up on Facebook originally speaking  
11 about the legal Code for Home Rule and everything. It  
12 stated that this was mainly to try to get flow through  
13 traffic because we were on a major thorough fair. It  
14 didn't mention anything about this invisible well.

15           Also I really don't think that businesses are  
16 going to locate where the customers have to pay more.  
17 Customers are wanting to pay a little bit less. I  
18 mean the ways we look as consumers to try and save  
19 that extra penny. One thing that comes to mind and I  
20 know that gas isn't going to be included in this. But  
21 there is an APP called Gas Buddy where it submits  
22 prices of gas everywhere. People use that to try and  
23 get the best deal they can for their dollar.

24           People are not going to come to town if they

1 think, oh, hey, the people are going to be able to go  
2 outside of town to other business' and pay a little  
3 less. That is where the money is going to be made.  
4 It is not going to matter a whole lot dropping B&O  
5 Taxes if people are going to stop consuming at the  
6 businesses.

7 I am not saying they will stop entirely consuming  
8 but they will look for the better deal. I also don't  
9 know why businesses would want to come to town if they  
10 know that they are going to have to be paying this  
11 much when they can setup outside of town and say, "ah,  
12 I'm good." That's all I got. Thank you.

13 MAYOR WILSON: All that I can say  
14 is that a 1 cent sales tax is not going to stop people  
15 from going to Charleston to Olive Garden or the  
16 theater based there and of course there is a local  
17 theater here also. I understand it may cause some  
18 people to go some places because they don't want to  
19 pay the 1 percent more. But I do not think that is  
20 going to make or break a business in Chapmanville.

21 MS. MILLER-VIARS: Especially -- this  
22 is Amber. Especially when people are seeing the  
23 benefit from what they are investing in. You all have  
24 got a serious chance now to be able to show up for



1 your town. For these people who are saying they don't  
2 want to pay a 1 percent sales tax show they why they  
3 should and that is our goal. You have a Home Rule  
4 Application and why you develop a plan together as a  
5 government body. That is why you put it together  
6 That is why you say you are going to implement this  
7 and reduce the B&O Taxes. But this is what we are  
8 going to do with it.

9 So when you implement the 1 percent sales tax you  
10 show them why they need to be paying it. You show  
11 them the benefit and appeal. I'm not certain if it  
12 was the Mayor or who jumped on and said something  
13 about walkways in your town, landscapes, sidewalks,  
14 all those things that we know we all want. We want  
15 the property owners to be held accountable for the  
16 status of their properties and those are all the  
17 things you do under Home Rule.

18 So if they want to know why. Paying 1 percent,  
19 is it significant, you bet you. But show it why it is  
20 and what they are getting for it. I believe that you  
21 all want to do this together. I believe all of us want  
22 healthier towns, prettier towns, and if we want --  
23 people say, we'll, we're not a Southridge, not a  
24 Huntington, not a Charleston. No, we're not. But we

1 sure can be. There are all kinds of things that we  
2 can do in our small towns to make them attractive.  
3 There are the Hatfield-McCoy Trail Riders that come  
4 into town and they absolutely love it here. We live  
5 here so we pick it apart and see the things we like.  
6 But for the majority of the people here, they want to  
7 wear a Logan Shirt home, want to wear a Chapmanville  
8 Shirt home, wear a Hatfield-McCoy Shirt home. They  
9 love it here.

10 I have always been optimistic and always seen the  
11 good in not just my Town but all of our Towns and  
12 County as a whole. I think if people want to know  
13 what we are going along with then let's show them.  
14 Make something you do the first time so significant  
15 that everyone is on board. We want to spend the 1  
16 percent and want to show them why we have it. I know  
17 we have been on here forever and Teri I'm so sorry  
18 again. I just want to say that I am proud of you all  
19 for what you have done, especially with the death of  
20 Ramey. I have to get off of here but I am proud of  
21 your administration and proud of what you have done.  
22 It has taken a lot to step up to the plate and I  
23 admire your staff, Miranda, everybody you all have on  
24 board. You have a great council and I believe if you

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1 all work together and do this as a team you will be  
2 very thankful.

3                   MAYOR WILSON:                   Thank you for your  
4 time and advice Amber. We certainly appreciate it.

5                   MS. ROBINETTE:                   Thank you Amber for  
6 all the help you have given us and to let them know  
7 about your experience with the Home Rule.

8                   COUNCILMAN BLEDSOE:   This is Gary  
9 Bledsoe. Did Amber leave? Has Amber gone?

10                   MS. MILLER-VIARS:        I'm getting ready  
11 to go Gary. What do you need? Go ahead, Honey.

12                   COUNCILMAN BLEDSOE:   Has Logan ever  
13 started collecting from the Home Rule?

14                   MS. MILLER-VIARS:        No, sir. We don't  
15 start collecting until July 1<sup>st</sup> of this year.

16                   COUNCILMAN BLEDSOE:   Okay, that's all I  
17 wanted to know.

18                   MS. MILLER-VIARS:        We haven't started  
19 collecting yet. We have our Plan all outlined and  
20 everything but we have not started collecting yet. We  
21 are very anxious to see what we will get too and what  
22 we get to do with it.

23                   MAYOR WILSON:            Are there any other  
24 questions or comments?

1 (NO AFFIRMATIVE RESPONSE)

2 MAYOR WILSON: We want to be sure  
3 that everyone has a chance to have their comments  
4 known.

5 Okay, last call? If there are no questions or  
6 comments then we will move on to the next step. I  
7 need a Motion to Accept and Adopt the Home Rule  
8 Ordinance.

9 COUNCILMAN ROBISON: I will make the  
10 Motion we Accept the Adoption of the Home Rule  
11 Ordinance.

12 MAYOR WILSON: Okay, Tony Robison  
13 made the Motion to Accept. Do we have a second?

14 COUNCILMAN McNEELY: I'll second.

15 MAYOR WILSON: All right. Is  
16 there any discussion on the matter?

17 (NO AFFIRMATIVE RESPONSE)

18 COUNCILMAN DesROCHER: Do we not need a  
19 second Rule or second reading?

20 MAYOR WILSON: We had the second  
21 reading.

22 COUNCILMAN DesROCHER: Does this not need  
23 to have three readings

24 MAYOR WILSON: We need two

1 readings.

2 COUNCILMAN DesROCHER: Okay.

3 COUNCILMAN BLEDSOE: Hold it a second.

4 On that reading -- wasn't this supposed to have been  
5 published in the paper a couple times before it is  
6 ever voted on?

7 MAYOR WILSON: What is publicized  
8 is this public meeting, his public meeting. Miranda,  
9 can you address that?

10 MS. ROBINETTE: It has been  
11 published 30 days prior to the public hearing. In the  
12 newspaper we published it three different weeks, they  
13 are delivering the paper once a week now so it was  
14 published three different weeks. Let me look this up  
15 and I will give you the direct dates.

16 It ran March 18<sup>th</sup>, March 25<sup>th</sup> and April 1<sup>st</sup> in the  
17 Logan Banner.

18 MAYOR WILSON: That was a 30 day  
19 period then.

20 MS. ROBINETTE: It was a Class II  
21 Legal Advertisement.

22 MAYOR WILSON: We had to give a 30  
23 day Notice that was up April 16<sup>th</sup>.

24 MS. ROBINETTE: Yes, April 16<sup>th</sup> was

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1 our 30 days.

2                   MAYOR WILSON:           Any other questions  
3 or comments now?

4           (NO AFFIRMATIVE RESPONSE)

5                   MAYOR WILSON:           If not then I will  
6 call for a roll call vote. Rob, do you want to call  
7 the names out or do you want me too?

8                   MR. KUENZEL:           No, I can.

9                   MAYOR WILSON:           Okay.

10                   MR. KUENZEL:           It was moved and  
11 properly seconded so here is the vote on the Home Rule  
12 Proposal. Joel McNeely?

13                   COUNCILMAN McNEELY:    "I"

14                   MR. KUENZEL:           Tony Robison.

15                   COUNCILMAN ROBISON:    "I"

16                   MR. KUENZEL:           Robin Mutters.

17                   COUNCILWOMAN MUTTERS: "I"

18                   MR. KUENZEL:           Ben DesRocher.

19                   COUNCILMAN DesROCHER: -- "I"

20                   MR. KUENZEL:           And Gary Bledsoe.

21                   COUNCILMAN BLEDSOE:    Well, I'm not  
22 completely happy with this but I think it is a good  
23 thing. Not that I am fully understanding the whole  
24 thing yet of what I'd like to hear. But I'm for the

1 Town along with the rest of them. I vote, "YES".

2 MR. KUENZEL: All righty.

3 MAYOR WILSON: It is a Unanimous  
4 decision, everyone voted "YES". The last thing left  
5 to do by Miranda is talk about hiring Anna.

6 MS. ROBINETTE: Do you want me to  
7 read her proposal or do you want Anna to --

8 MAYOR WILSON: I know that Anna  
9 has helped Logan. But would you say to the council  
10 what your role in this process would be?

11 MS. BUTCHER: Sure. I sent a  
12 letter to Miranda and I'm not sure that everyone saw  
13 that. Essentially it says I will be able to provide  
14 through the law firm I work for, Woodyhill, Attorneys  
15 at Law, if this would go through you would be hiring  
16 our firm and I would be able to handle everything for  
17 you.

18 Of course you have already done your application  
19 and Plan. But what I did for Logan was I reviewed  
20 their Boundary Map which I believe has already been  
21 done for you by Tom Rayburn. I think he even copied  
22 me I that mailing when he sent it to you. He also  
23 cc'd me on that.

24 I reviewed the Boundary Map and pursuant to the

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1 State Tax Department Guidelines, every street, every  
2 Class IV extension has to be placed in a Tax File and  
3 so I went through and redid that and worked with the  
4 Postal Service, the local post master and had to even  
5 talk to the postal service worker friend in South  
6 Charleston to help me with everything. But I drafted  
7 the entire tax file and it is very tedious and you  
8 have to really pay attention to the map and everything  
9 with the post office deliveries and stuff like that.

10 I also drafted the Municipal Sales and Use Tax  
11 Ordinance and the State Tax Department has a Model but  
12 there are a lot of errors in their Model that I found  
13 out was not within. It is not just as easy as  
14 printing that and dotting in some of the Town of  
15 Chapmanville's information. That is a little bit of  
16 work in and of itself.

17 I was basically a contact person on behalf of the  
18 City of Logan with the State Tax Department and of  
19 course any time I had any communication with them I  
20 had to email, then CC: Serafino, Amber, trying to keep  
21 everyone involved or if they wanted someone else CC'd  
22 then I'd have to go back and do that. So I was kind  
23 of a contact person with the State Tax Department to  
24 make sure everything was good to go.

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1 As a whole it is kind of a two step process with  
2 Home Rule. You get the application and plan all done  
3 and move into the second part which is the tax part  
4 and that is kind of what we refer to it as. I handled  
5 basically all the tax part and a lot of the numbers  
6 and things for them, just like we would be doing or  
7 you guys. So it was kind of a collaborative effort  
8 with everyone working to get everything done. I  
9 tackled the tax file and ordinance and things like  
10 that which have to be sent in to the State Tax  
11 Department and also participated in the first and  
12 second reading and public hearing. I am supposed to  
13 be available to answer any questions they may have.

14 MAYOR WILSON: So are there any  
15 questions about what she would be doing? This is a  
16 necessary part of the Home Rule and something that no  
17 one in this office is capable of doing.

18 She would be charging us \$75.00 an hour for her  
19 work. Is there anything else you would like to add  
20 Miranda?

21 MS. ROBINETTE: I would strongly  
22 suggest that you hire Anna because -- let me pull this  
23 paper out for you.

24 This is the book and this has been all the

1 editing, the zip coding, ordinances and all things  
2 like that. Not ordinances, I'm sorry.

3 MS. BUTCHER: There are a lot of  
4 guidelines that you have to follow that have been set  
5 by the Tax Department. It has its own guidelines  
6 itself aside from the actual Home Rule Application and  
7 Development of your Plan.

8 MS. ROBINETTE: I just feel that  
9 Anna has been there and done that. She will be able  
10 to knock it out more so than me sitting down and  
11 learning how to do it.

12 COUNCILMAN McNEELY: May I? Joel  
13 McNeely. Anna, how many hours do you think you are  
14 going to need on this?

15 MS. BUTCHER: It just depends. I  
16 have not looked at the map yet. But how accurate the  
17 map is and how large it is. It will not be as large  
18 as the City of Logan and how many boxes are in the  
19 post offices.

20 As long as the post master is very cooperative  
21 and everything goes smooth. I have already kind of  
22 done this before so there should not be a whole lot of  
23 roadblocks hopefully, in between getting started with  
24 the file, getting everything submitted to the Tax

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1 Department and of course the end result of locking  
2 everything up.

3 I don't have a specific thought on exactly how  
4 many hours it would take. It just kind of depends on  
5 a few of those factors.

6 COUNCILMAN DesROCHER: How long did it  
7 take you to do the City of Logan?

8 MS. BUTCHER: I don't have an  
9 exact number of hours. It did take us a little while  
10 because we ran into an issue with the maps that we had  
11 and we had to redo that. It was a little roadblock  
12 that we ran into which you guys won't have because it  
13 is already done.

14 They have several mail boxes, way more than the  
15 Town of Chapmanville has. It is a little bit bigger  
16 an area so really the Map is what got us hung up a  
17 little bit.

18 Working on a Map from 1964 was a lot different  
19 than working off a Map such as you all had. I don't  
20 have an exact amount of hours and I can't give you a  
21 definitive on that.

22 COUNCILMAN McNEELY: The deal is more  
23 than just the Zip Code, P.O. Box and house numbers.  
24 There are other things involved here.

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1 The Book that Miranda had is only one. There is  
2 much more than that which goes with it. I know \$75.00  
3 an hour sounds like a lot until you deal with some of  
4 the legal firms I have been dealing with when it comes  
5 to the Housing Authority. You are talking about up in  
6 the hundreds of dollars per hour.

7 MS. ROBINETTE: They have offered  
8 us a discount rate too.

9 MS. BUTCHER: Our \$75.00 is  
10 actually not our normal rate. It is about a third of  
11 the going rate. We of course reduced our normal rate  
12 because we want to be able to help municipalities to  
13 do this type of thing.

14 It is a service we provide and we were willing to  
15 do this.

16 COUNCILMAN McNEELY: What I am driving  
17 at this is a bargain rate.

18 MS. BUTCHER: Yes, it is.

19 COUNCILMAN McNEELY: It is a bargain  
20 rate.

21 MS. MILLER-VIARS: Guys, this is  
22 Amber. I was able to get back on here because I  
23 wanted to say a few things about Anna. Teri, is it  
24 okay if I say a few things about Anna?

1                   MAYOR WILSON:                Sure.

2                   MS. MILLER-VIARS:        This is the most,  
3 the hardest part. If I can tell you how many nights I  
4 have spent in tears. I will tell you that this is the  
5 hardest part. I don't know that you can set a limit  
6 on her hours or however you want to do it.  
7 But I would say a minimum of 80 hours was spent on  
8 just the Tax File. I am saying a minimum.

9                   Anna just did the meetings our of her heart. She  
10 is in a different role now because she is with a firm  
11 and that is a part of it. But the Home Rule Meeting  
12 itself with us. I take the whole crew in case there  
13 was a question when we did the presentation. She is  
14 on the Home Rule side and Tax side. When she says we  
15 ran into some bumps in the road, this is because we  
16 had to redo the Map. E.L. Robinson is the best of the  
17 best that I have ever seen when it comes to that.

18                  For instance, when she would input Codes and the  
19 Tax Department would change the Map. Then the Map  
20 would have to come back to input or take out those  
21 Codes, depending on what they said. So while I was  
22 preparing to do the Home Rule part of it, she was  
23 preparing the file.

24                  Without her help, there is no way we would have

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1 been able to do the presentation that we had to gather  
2 and then complete the entire Tax File. There were  
3 emails back and forth between the State Tax  
4 Department, myself, her, Serafino, Jeff, it involved  
5 everyone.

6 If there is any communication from here forward  
7 with anyone in the office. Make a Corrected eMail for  
8 everyone, so everyone is on the same page. This is  
9 the nitty gritty of it. If you are in a conversation  
10 with the Tax Department she needs to know why and  
11 everyone needs to be on the same page. If there is  
12 something that Miranda needed to do -- all  
13 communication is combined but of course everyone knows  
14 that Anna and I are close. I have had her as a best  
15 friend and had her as a Queen and had her as a co-  
16 worker and now in this and it was flawless. We did  
17 it, got in and she will represent you all well. She  
18 is a Chapmanville girl at heart and I know that she  
19 will do a good job for you.

20 Like Joel said, there it is a lot of things she  
21 has to prepare and you want to walk in that hearing  
22 solid as a rock. I know that Miranda has kicked butt  
23 and I know that Anna will for you too. Having E.L.  
24 Robinson do your Map is just something that will

**Larry K. Coffindaffer**

CERTIFIED REPORTER  
SEVENTH JUDICIAL CIRCUIT OF WEST VIRGINIA  
LOGAN, WEST VIRGINIA 25601

PHONE: 304-792-8573  
CHARLESTON: 304-792-2830

1 make you be solid.

2 MS. BUTCHER: She did touch on  
3 one thing. Once you send everything in to the Tax  
4 Department, they look through everything. They will  
5 send back any corrections that need to be done, any  
6 kind of questions they might have. It is almost like  
7 a constant communication with them on behalf of the  
8 Town and everyone involved, knowing exactly what is  
9 going on and things like that. So that is a part of  
10 it.

11 MS. MILLER-VIARS: If you have all of  
12 your ducks in a row, having everything done and  
13 completed, the meeting with the Home Rule Board, Tax  
14 Department done. Everything will go very smoothly and  
15 is a very seamless transition if you have all your  
16 ducks in a row.

17 MAYOR WILSON: That is all that we  
18 want, everything to go smoothly.

19 Are there any other questions that anyone would  
20 like to ask Amber or Anna?

21 (NO AFFIRMATIVE RESPONSE)

22 MAYOR WILSON: So if not, do I  
23 have a motion to hire Anna for \$75.00 an hour. If she  
24 would work 80 hours like she did in Logan it would

1 be \$6,000.00 total.

2 MS. BUTCHER: Teri, I just want  
3 to say one thing. I want everyone to realize that I  
4 would be doing the work and of course I work for  
5 Woodyhill, Attorneys at Law, and I would send you a  
6 contract to sign that is who you guys would be hiring  
7 and I would be doing the work on their behalf for the  
8 Town of Chapmanville.

9 MAYOR WILSON: Okay, do we have a  
10 Motion?

11 COUNCILMAN McNEELY: I'll make the  
12 motion to hire Woodyhill Law Firm.

13 MS. BUTCHER: Woodyhill Attorneys  
14 at Law, just so you know.

15 COUNCILMAN McNEELY: Woodyhill,  
16 Attorneys at Law. I make the motion we hire them.

17 MAYOR WILSON: Is there a second?

18 COUNCILMAN ROBISON: I'll second that.

19 MAYOR WILSON: Is there any  
20 discussion?

21 COUNCILMAN DesROCHER: Yes.

22 MAYOR WILSON: Did someone say  
23 something?

24 COUNCILMAN DesROCHER: Is Jeff on?



1 MAYOR WILSON: Jeff?

2 COUNCILMAN DesROCHER: Vallet.

3 MR. VALLET: I'm right here.

4 COUNCILMAN DesROCHER: You are the  
5 Accountant. Is this something within the budget?

6 MR. VALLET: The current budget,  
7 we can probably swing it. But it is going to be  
8 tight. The other thing, we can recoup it when we do  
9 get the Home Rule in too.

10 MAYOR WILSON: Any other  
11 questions?

12 (NO AFFIRMATIVE RESPONSE)

13 MAYOR WILSON: It has been moved  
14 and seconded that we hire Woodyhill Attorneys at Law  
15 to handle the basic tax part for the municipal rates  
16 with the State Tax Department and the Municipal taxes  
17 and our Ordinances.

18 I would like a roll call vote again on that.  
19 Rob, would you do that?

20 MR. KUENZEL: Okay, Joel?

21 COUNCILMAN McNEELY: "I".

22 MR. KUENZEL: Tony.

23 COUNCILMAN ROBISON: "I".

24 MR. KUENZEL: Ben.

1 COUNCILMAN DesROCHER: "I".

2 MR. KUENZEL: Robin.

3 COUNCILWOMAN MUTTERS: "I".

4 MR. KUENZEL: And Mr. Bledsoe?

5 COUNCILMAN BLEDSOE: "NO".

6 MR. KUENZEL: Okay, 4 to 1.

7 MAYOR WILSON: So we will hire them at  
8 \$75.00 per hour and Miranda you will have to get with  
9 her.

10 MS. ROBINETTE: Okay.

11 MAYOR WILSON: I have no further  
12 business. Is there a Motion to Adjourn?

13 COUNCILMAN ROBISON: I'll make the  
14 Motion that we Adjourn.

15 COUNCILWOMAN MUTTERS: I want to say  
16 something.

17 MAYOR WILSON: Okay, I'm sorry  
18 Robin.

19 COUNCILWOMAN MUTTERS: Anna is a hometown  
20 girl. She grew up right down the street here from me.  
21 I have known her from the time that she was born. I am  
22 so proud of her for what she has become and how hard  
23 she worked. The good work that she does to help people  
24 out. I am proud of you Anna and I love you and

1 thank you.

2                   MAYOR WILSON:                I'm real proud of  
3 her. We have a Motion to Adjourn. Do we have a  
4 second?

5                   COUNCILMAN McNEELY:    I'll second.

6                   COUNCILMAN BLEDSOE:    Before this meeting  
7 is over I want to say something.

8           Anna, I don't want you to think I voted NO not to  
9 hire you because I have known you since you were a  
10 little baby. I knew your Daddy, knew your Mom, know  
11 your Uncle, know all of them. I know that you are a  
12 wonderful person.

13           I did not vote NO to hire you. That is not why I  
14 voted that way. I want you to know that. That's it.

15                   MS. BUTCHER:                I totally  
16 understand. Thank you very much.

17                   MAYOR WILSON:                We are adjourned.

18           (WHEREUPON, there being nothing further to be  
19 done in the matter at this time the open hearing was  
20 concluded this day.)

21   THE END

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STATE OF WEST VIRGINIA  
COUNTY OF LOGAN, to-wit:

I, **LARRY K. COFFINDAFFER, REPORTER**, do hereby  
certify that the foregoing is a true and correct  
record of the proceedings held at the time and place  
set forth and for the purpose specified in the action  
herein captioned as prepared by me to the best of my  
skills and ability.

Given under my hand this 26th day of  
April, 2020.

  
LARRY K. COFFINDAFFER  
Reporter



Town of Chapmanville  
PO Box 427 Chapmanville, WV 25508  
68 Boise Street

304-855-4582 (office) 304-855-8478 (fax)

An Equal Opportunity Employer  
Terilyn Wilson, Acting Mayor

COUNCIL MEMBERS

Gary Bledsoe Ben DesRocher Joel McNeely Robin Mutters Tony Robison

Agenda for the Public Hearing for Home Rule Ordinance  
April 21, 2020 at 6:00 p.m. via ZOOM/Conference Number

- I. Call to Order
- II. Second Reading of Home Rule Ordinance
- III. Public Comments
  - A. There will be a two-minute comment period per person.
- IV. Council Vote on Adoption of Home Rule Ordinance
- V. Adjournment



STATE OF WEST VIRGINIA  
State Tax Department, Taxpayer Services Division  
P.O. Box 885  
Charleston, WV 25323-0885



Dale W. Steager, State Tax Commissioner

CHAPMANVILLE TOWN OF  
PO BOX 427  
CHAPMANVILLE WV 25508-0427

Letter Id: L0848539680  
Issued: 05/01/2020

000281010000



## West Virginia State Tax Department

### Statement of Good Standing

EFFECTIVE DATE: May 1, 2020

A review of tax accounts indicates that CHAPMANVILLE TOWN OF is in good standing as of the effective date of this document. Please note, this Statement of Good Standing expires on **July 30, 2020**.

The issuance of this Statement of Good Standing shall not bar any audits, investigations, assessments, refund or credits with respect to the taxpayer named above and is based only on a review of the tax returns and not on a physical audit of records.

Sincerely,

Nicole Grant, Tax Unit Supervisor  
Taxpayer Services Division

C. Jeffrey Vallet, CPA  
**Vallet Tax and Accounting Service, AC**

401 Cole Street  
Logan, WV 25601  
(P) 304-752-1272  
(F) 304-752-3254

601 E Street  
South Charleston, WV 25303  
(P) 304-768-6730  
(F) 304-768-6031

**AFFIDAVIT**

**STATE OF WEST VIRGINIA  
COUNTY OF LOGAN, to-wit:**

I, C. Jeffrey Vallet, having been duly sworn, do hereby state and affirm the following:

1. That I am the Treasurer/CPA of the Town of Chapmanville, having served from July 1, 2015 to the present; and
2. That as Treasurer, I am familiar with all of the financial affairs for the Town of Chapmanville; and
3. That I hereby certify that the Town of Chapmanville is not delinquent in, nor does it have any outstanding payments due to the State of West Virginia.

This affidavit is sworn by me and submitted this 1 day of May, 2020.



C. Jeffrey, Vallet, CPA  
Town of Chapmanville  
P. O. Box 426  
Chapmanville, WV 25508  
[cjvallet@vallettax.com](mailto:cjvallet@vallettax.com)

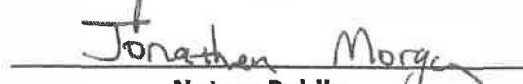
**STATE OF WEST VIRGINIA  
COUNTY OF LOGAN, to-wit:**

I, Jonathen Morgan, a Notary Public in and for the County and State aforesaid, do hereby certify that C. Jeffrey Vallet, known and known to me, did swear to and subscribe before me the above affidavit.

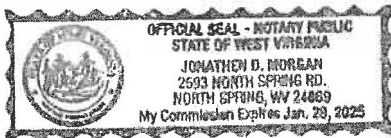
Given under my hand and this 1st day of May, 2020.  
My commission expires 1-28-25.



Signature



Notary Public



# KUENZEL LAW, PLLC

36 ADAMS STREET  
P.O. BOX 607  
CHAPMANVILLE, WV 25508  
304.310.4263 TELEPHONE  
304.310.4264 FACSIMILE

ROBERT B. KUENZEL  
rob@kuenzellaw.com

April 28, 2020

Terilyn Wilson, Interim Mayor  
Town of Chapmanville  
P.O. Box 427  
68 Boise Street  
Chapmanville, WV 25508-0427

**RE: Home Rule Application Compliance**

Dear Ms. Wilson:

This letter shall confirm that the Town of Chapmanville's Home Rule Application appears to fully and legally meet all requirements as set forth in West Virginia Code §8-1-5a – Municipal Home Rule Program. If any additional information is needed or if you have any questions or concerns please feel free to contact me. I am,

Very truly yours,

*Robert B Kuenzel*

Robert Kuenzel

RBK