

MUNICIPAL HOME RULE  
PROGRAM

City/Town of Smithers

2021  
PROGRESS  
REPORT



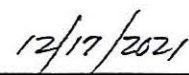
West Virginia  
Municipal Home Rule Board  
P. O. Box 11360  
Charleston, WV 25339-1360  
[MunicipalHomeRule@wv.gov](mailto:MunicipalHomeRule@wv.gov)  
304.558.3356

**West Virginia State Code §8-1-5a (m) provides:**

“Commencing December 1, 2015, and each year thereafter, each participating municipality shall give a progress report to the Municipal Home Rule Board and commencing January 1, 2016, and each year thereafter, the Municipal Home Rule Board shall give a summary report of all the participating municipalities to the Joint Committee on Government and Finance.”

The Municipal Home Rule Board has developed this standard format for Home Rule Program participating municipalities to prepare and submit their respective Annual Progress Reports. The intent of this standard format is to gather and compile information in a consistent, easily understood, and efficient manner that will be used to develop a concise and practical summary report to the Joint Committee on Government and Finance.

Annual Progress Reports must be submitted electronically as an individual file in PDF format no later than the close of business on the first business day of December, by emailing to WV Municipal Home Rule Board at [MunicipalHomeRule@wv.gov](mailto:MunicipalHomeRule@wv.gov).

<b>A. General Information</b>		
Name of Municipality: City of Smithers		
Certifying Official: D. Anne Cavalier, Ed.D.		Title: Mayor
Contact Person: Teresa Dorsey		Title: City Clerk
Address: 2 Greyhound Lane, P.O. Box 489		
City, State, Zip: Smithers, WV 26186		
Telephone Number: (304) 442-5282		Fax Number: (304) 442-4497
E-Mail Address: TDorsey@smitherswv.gov		
2010 Census Population: 813		
<b>B. Municipal Classification</b>		
<input type="checkbox"/> Class I <input type="checkbox"/> Class II <input type="checkbox"/> Class III <input checked="" type="checkbox"/> Class IV		
<b>C. Attest</b>		
I hereby confirm that I am the authorized official for this municipality and certify that the information submitted herein and attached hereto is true and accurate and that this report addresses each and every initiative included in the original Home Rule Pilot Program Plan Application for this municipality and any subsequent amendments, if applicable.		
		
Type Name of Certifying Official	Signature of Certifying Official	Date

Please use this page to report progress on each **non-tax related initiative** included in your Home Rule Application and Amendment(s). Each non-tax related initiative must be listed on a separate page.

<p><b>Initiative:</b>          After receiving Home Rule status by the WV Home Rule Board on July 8, 2020, the City Council of the City of Smithers passed an ordinance at its regular meeting on August 10<sup>th</sup> (first reading: July 13, 2020) to allow identifying eyesores and dilapidated buildings.</p>
<p>Was this non-tax initiative a part of your original plan application <input checked="" type="checkbox"/> or a plan amendment <input type="checkbox"/>?</p>
<p>Has the ordinance(s) needed to implement this initiative been enacted? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>If yes, when was the ordinance enacted? 8/10/2021</p>
<p>If no, please describe challenges faced in enacting the related ordinance(s).</p>
<p><b>SUCSESSES</b> – In the space below, please provide a brief narrative which highlights successes realized through the implementation of this initiative and any metrics used to track performance.</p> <p>The City of Smithers now maintains and updates monthly an inventory of dilapidated buildings; vacant dilapidated buildings; and properties that are not in compliance with relevant city ordinances. The Smithers Building Commission, the City Attorney, and the Code Enforcement Officer meet monthly with the Mayor to discuss and determine legal and effective ways forward to address problem properties. This year the City worked with a private property owner to vacate and demolish a dilapidated and dangerous apartment building that was attracting rodents and vagrants. The City worked with the State of WV and its Slum and Blight program to demolish a city property consisting of a 1920 schoolhouse and 1955 gym, both of which had been irreparably damaged during the heavy rains in June 2016. The City is searching and applying for grants to develop a city park for community use on this property. One private owner of a dilapidated building refused to make repairs to create a safe building but agreed to donate the building to the City. Another private property owner was unable financially to make repairs to such a poor condition building but agreed to sell it to the City. The City secured a grant to improve or demolish these two private properties in the spring of 2022.</p>
<p><b>LESSONS LEARNED</b> – In the space below, please provide a brief narrative highlighting lessons learned during implementation of this revenue initiative that would benefit other municipalities.</p> <p>The City now has two properties it is able to renovate or remove (after assessment) for the purpose of attracting new businesses. These properties have been vacant, dangerous eyesores for the last 15 years. Because of the City's authority to work with the private sector in a meaningful way, the City of Smithers has been able to engage the private sector such that two additional long-term vacant buildings were purchased in the last month of 2021 by an investor-entrepreneur expressing interest in renovating these two properties and starting two new businesses. The planned City Park on one property, the city planned renovation for businesses for two additional buildings, and the new private investor are working on a total of five properties to bring them up to code and to place in those valuable enterprises in those properties. These actions and opportunities would not have occurred without this Home Rule authority.</p>

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<b>Initiative:</b> After receiving Home Rule status by the WV Home Rule Board on July 8, 2020, the City Council of Smithers passed an ordinance at its regular meeting on August 10th (first reading: July 13, 2020) to allow the disposal of property without auction
Was this non-tax initiative a part of your original plan application <input checked="" type="checkbox"/> or a plan amendment <input type="checkbox"/> ?
Has the ordinance(s) needed to implement this initiative been enacted? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If yes, when was the ordinance enacted? 08/10/2020
If no, please describe challenges faced in enacting the related ordinance(s).
<b>SUCSESSES</b> – In the space below, please provide a brief narrative which highlights successes realized through the implementation of this initiative and any metrics used to track performance.  The City of Smithers has not had the opportunity yet to utilize this Home Rule tool; however, the City is in discussions with private owners of dilapidated structures to donate those to the City. These properties are in the middle of the business district on Michigan Avenue and along the main artery through the City, Rt 60/Midland Trail. The plan is to accept these properties, demolish the dilapidated structures, and then market the resulting lots to prospective new businesses. This Home Rule tool will allow the City to have an advantageous position to work with the incentivize the right businesses.
<b>LESSONS LEARNED</b> – In the space below, please provide a brief narrative highlighting lessons learned during implementation of this revenue initiative that would benefit other municipalities.  This is a valuable authority, but working through all the related issues takes planning and time.

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<p><b>Initiative:</b> After receiving Home Rule status by the WV Home Rule Board on July 8, 2020, the City Council of Smithers passed an ordinance at its regular meeting on August 10th (first reading: July 13, 2020) to allow intergovernmental agreements</p>
<p>Was this non-tax initiative a part of your original plan application <input checked="" type="checkbox"/> or a plan amendment <input type="checkbox"/>?</p>
<p>Has the ordinance(s) needed to implement this initiative been enacted? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>If yes, when was the ordinance enacted? 08/10/2020</p>
<p>If no, please describe challenges faced in enacting the related ordinance(s).</p>
<p><b>SUCCESSSES</b> – In the space below, please provide a brief narrative which highlights successes realized through the implementation of this initiative and any metrics used to track performance.</p> <p>The City of Smithers has signed an agreement with WVU that is mutually advantageous to the City of Smithers, the City of Montgomery, and to WVU. By using this Home Rule tool, the agreement will provide \$75,000.00 to the City of Smithers during the current fiscal year and will provide the WVU services to its programs and properties.</p>
<p><b>LESSONS LEARNED</b> – In the space below, please provide a brief narrative highlighting lessons learned during implementation of this revenue initiative that would benefit other municipalities.</p> <p>The City of Smithers, prior to having this Home Rule tool, entered into an intergovernmental agreement with the City of Montgomery to create the UKV Strategic Initiatives Council. This effort took the cities nearly a year to accomplish and to receive approval to sign this agreement. This agreement has been highly advantageous to both cities, has allowed us to each save precious budget dollars and create better services to our residence, but it took way too long to put into effect and ate up the most rare resources of part-time, small city mayors time. The agreement with WVU moved forward legally and quickly and was approved with a vote of their boards and our City Council and was in place within one month. Since this time, agreements with the Town of Gauley Bridge, Town of Ansted and the Mountaneer Challenge Academy are in the finalizing stage.</p>

Please use this page to report progress on each **tax related initiative** included in your Home Rule Application. Each tax related initiative must be listed on a separate page.

<p><b>Initiative:</b>            After receiving Home Rule status by the WV Home Rule Board on July 8, 2020, the City Council of the City of Smithers passed an ordinance at its regular meeting on August 10, 2020 (first Reading July 13, 2020) to allow reduction of the Business and Occupation Tax.</p>
<p>Was this tax initiative a part of your original plan application <input checked="" type="checkbox"/> or a plan amendment <input type="checkbox"/> or N/A <input type="checkbox"/></p>
<p>Has the ordinance(s) needed to implement this initiative been enacted? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>If yes, when was the ordinance enacted? 8/10/2020</p>
<p>If no, please describe challenges faced in enacting the related ordinance(s).</p>
<p><b>REVENUES</b> – In the space below, please provide a brief narrative highlighting revenue amounts and revenue categories realized; revenue amounts and revenue categories reduced; net revenue gain; and, any metrics used to track performance.</p> <p>The City of Smithers reduced Manufacturing and Retail Business and Occupational taxes in exchange for the 1% Sales tax. At this time the city has only received one disbursement from the 1% Sales Tax. Comparing the gain of the 1% Sales and reducing the Business and Occupational tax, the city is currently experiencing a loss. The City requested from the WV Tax Department, Tax Accounting Administration Division list of the businesses which have submitted the 1% Sales Tax but, to date, the city has not received this requested information.</p>
<p><b>SUCCESSSES</b> – In the space below, please provide a brief narrative highlighting projects, improvements, programming, etc. realized through the implementation of this revenue initiative and any metrics used to track performance.</p> <p>The city has completed and is planning to improve streets, signage, safety, business environment, and residence services. There has been tremendous and positive response from businesses, residents, and visitors.</p>
<p><b>LESSONS LEARNED</b> – In the space below, please provide a brief narrative highlighting lessons learned during implementation of this revenue initiative that would benefit other municipalities.</p> <p>It would be helpful if the city knew which businesses were implementing the 1% Sales Tax. As of this date, however, the city has no documentation supporting which businesses and which businesses have not. Please see Revenues Section above.</p>

Please use this page to report progress on each **tax related initiative** included in your Home Rule Application. Each tax related initiative must be listed on a separate page.

<p><b>Initiative:</b> After receiving Home Rule status by the WV Home Rule Board on July 8, 2020, the City Council of Smithers passed an ordinance at its regular meeting on August 10th (first reading: July 13, 2020) to allow 1% Sales Tax</p>
<p>Was this tax initiative a part of your original plan application <input checked="" type="checkbox"/> or a plan amendment <input type="checkbox"/> or N/A <input type="checkbox"/></p>
<p>Has the ordinance(s) needed to implement this initiative been enacted? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>If yes, when was the ordinance enacted? 08/10/2020</p>
<p>If no, please describe challenges faced in enacting the related ordinance(s).</p>
<p><b>REVENUES</b> – In the space below, please provide a brief narrative highlighting revenue amounts and revenue categories realized; revenue amounts and revenue categories reduced; net revenue gain; and, any metrics used to track performance.</p> <p>The City of Smithers reduced Manufacturing and Retail Business and Occupational taxes in exchange for the 1% Sales Tax. At this time the city has only received one disbursement from the 1% Sales Tax. Comparing the gain of the 1% Sales and reducing the Business and Occupational tax, the city is currently experiencing a loss. The City requested from the WV Tax Department, Tax Accounting Administration Division list of business which have submitted the 1% Sales Tax, but, to date, the city has not received this requested information.</p>
<p><b>SUCCESSSES</b> – In the space below, please provide a brief narrative highlighting projects, improvements, programming, etc. realized through the implementation of this revenue initiative and any metrics used to track performance.</p> <p>The City has completed and is planning to improve streets, signage, safety, business environment, and residence services. There has been tremendous and positive response from businesses, residence, and visitors.</p>
<p><b>LESSONS LEARNED</b> – In the space below, please provide a brief narrative highlighting lessons learned during implementation of this revenue initiative that would benefit other municipalities.</p> <p>It would be helpful if the city knew which businesses were implementing the 1% Sales Tax. As of this date, however, the city has no documentation supporting which businesses have not. Please see Revenues Section above.</p>