

WEST VIRGINIA MUNICIPAL HOME RULE BOARD

MEETING MINUTES

THURSDAY, JUNE 16, 2011

A meeting of the West Virginia Municipal Home Rule Board was held at 10:30 p.m. on Thursday, June 16, 2011, at the State Capitol Complex in Charleston, West Virginia.

The following members were present:

Floyd (Kin) McKinley Sayre III, Member
Angel Moore (designee for Development Office Executive Director Keith Burdette)
Jim Morgan, Member

The following members participated by conference call:

Chris Fletcher, Member
Brian Jones, Member
Emmett S. Pugh III, Member (designee for the Honorable Earl Ray Tomblin)

The following member was absent:

Herb Snyder, Member

Others present:

Susan Economou, City of Charleston
Paul Ellis, City of Charleston
Charles Roskovensky, West Virginia House of Delegates
Brenda Thompson, West Virginia House of Delegates

The meeting was called to order by Chair Emmett Pugh. It was reported that notice of the meeting was lawfully given, a quorum was present, and the meeting was convened. Chair Pugh respectfully requested that Kin Sayre chair the remainder of the meeting.

After requesting a minor change concerning the departure of Herb Snyder during the presentation by the City of Huntington, a motion was made by Chris Fletcher to approve the minutes of the Thursday, March 17, 2011, meeting. T

he motion was seconded by Brian Jones and unanimously approved. Member Jim Morgan abstained from voting.

Chair's Report

The chairman reported the following:

- On March 25 Spilman Thomas & Battle provided notice that Steel of West Virginia, Inc., either by itself or in conjunction with other persons, intends to institute a declaratory judgment proceeding or other proceeding against the Municipal Home Rule Board challenging the action of the Board on March 17, 2011, in which it approved the home rule tax amendment for the City of Huntington. Wayne Williams, an attorney reporting to Kathy Schultz, Senior Deputy Attorney General, has been assigned to represent the Board.
- On April 16 the Harrison County Office of the Prosecuting Attorney provided notice that the Harrison County Commission, either by itself or in conjunction with other persons, intends to institute a declaratory judgment proceeding or other proceeding against the Municipal Home Rule Board challenging the action of the Board on March 17, 2011, in which it approved the home rule fire fee amendment for the City of Bridgeport. Wayne Williams, an attorney reporting to Kathy Schultz, Senior Deputy Attorney General, has been assigned to represent the Board.
- Lewis Glasser Casey and Rollins Law Offices filed a Freedom of Information Act request on June 14, 2011, requesting records related to the Home Rule Board. Their attorney, Ramonda Lyons, has an appointment on June 17, 2011, to review the requested documents.

Old Business

No old business was discussed.

New Business

The group received progress reports from the cities of Bridgeport, Charleston, Huntington, and Wheeling.

It was noted by Chair Pugh that Bridgeport furnished the members their proposed fire fee ordinance to assess and collect a fire service fee outside its corporate limits but within its fire protection service district and first due area upon the users and beneficiaries of the fire service provided by the City of Bridgeport Fire Department in order to provide revenue to defray a portion of the revenue necessary to provide fire protection services to its users and beneficiaries.

In addition, Chair Pugh commended the City of Huntington, which plans to employ three independent firms to study the impact of their proposed tax changes.

A motion was made by Chris Fletcher to accept the documents as filed. The motion was seconded by Brian Jones and unanimously approved. Member Jim Morgan abstained from voting.

Adjournment

Members were reminded that the next regularly scheduled meeting would be held on September 15 at a location and time yet to be decided. With no further business, a motion was made by Chris Fletcher to adjourn the meeting. The motion was seconded by Brian Jones and the meeting was adjourned at 11:00 a.m.