

WEST VIRGINIA MUNICIPAL HOME RULE BOARD

MEETING MINUTES

MONDAY, FEBRUARY 24, 2014

A meeting/teleconference of the West Virginia Municipal Home Rule Board was held at 1:30 p.m. on Monday, February 24, 2014, at the State Capitol in Charleston, West Virginia.

The following members were present:

Chris Fletcher, Member
Joshua Jarrell (designee for Development Office Executive Director Keith Burdette)
Brian Jones, Member
Floyd (Kin) McKinley Sayre III, Member
Patsy Trecost II (designee for the Honorable Earl Ray Tomblin)

The following members were absent:

Jim Morgan, Member
Herb Snyder, Member

Others present:

Mark Baldwin, City of Martinsburg
Susan Economou, City of Charleston
John McVey, Martinsburg Journal
Matt Ward, Cities of Charles Town and Ranson

The meeting was called to order by Chair Trecost. It was reported that notice of the meeting was lawfully given, a quorum was present, and the meeting was convened.

A motion was made by Kin Sayre to approve the minutes of the Thursday, January 9, 2014, meeting/teleconference. The motion was seconded by Joshua Jarrell and unanimously approved.

Chair's Report

Chair Trecost did not furnish a report.

Old Business

A frank and cordial exchange of views were discussed regarding the West Virginia Ethics Commission's Advisory Opinion 2014-02 whether Board members who have relationships with particular municipalities must recuse themselves from reviewing, evaluating, or voting on applications submitted by these municipalities. Mr. Sayre remarked that it was fairly clear that none of the participating members would be required to recuse themselves from consideration of applications. Chair Trecost stated that he would recuse himself from the Clarksburg application deliberations. Nevertheless, he indicated it should be the preference of each individual board member. Chris Fletcher communicated that he would participate in all votes that come before the group, and Brian Jones indicated he was pleased with the ruling received from the Ethics Commission.

Next, Chair Trecost recommended the following score system related to measureables listed on the Application Review/Procedures Checklist.

- 5 - Excellent
- 4 - Very Good
- 3 - Good
- 2 - Fair
- 1 - Unsatisfactory

Chris Fletcher made a motion to adopt the Checklist document with the aforementioned numeric analysis. It was duly noted that the document was subject to change upon any related legislation being passed during the current session. The motion was seconded by Kin Sayre and unanimously carried.

A motion was made by Kin Sayre to approve the Board's Phase II Procedural Rules. The motion was seconded by Chris Fletcher and unanimously carried.

Lisa Dooley will be asked to disseminate both documents to the membership of the West Virginia Municipal League.

Lastly, several members reported to the group that budget funding by the West Virginia Legislature was not a realistic possibility this fiscal year.

New Business

The Board heard from Matt Ward, attorney with the Ward Washington Law Firm, that the cities of Ranson and Charles Town are working together in coordinated ways on a number of issues, and the cities desire to achieve home rule status together to advance this coordination. Mr. Ward respectfully sought the guidance of the Board on whether they would accept and/or could approve a joint application from the two cities or, in the alternative, how the Board might consider two meritorious but separate applications submitted by the cities in a coordinated way at the same time.

In response to the aforementioned questions from Mr. Ward, several Board members thought that if the cities filed a joint application, each city's application would be voted on separately (two separate votes) even if both proposals were submitted simultaneously, shared identical initiatives, both city councils held coordinated required hearings and met the same city procedural requirements, adopted identical city ordinances, and implemented the same shared initiatives. Furthermore, amendments to any approved application(s) would constitute two votes as well.

Adjournment

Members agreed that the next regularly scheduled meeting would be held sometime after June 3 unless circumstances necessitate doing so earlier, such as current home rule city amendments. With no further business, a motion was made by Kin Sayre to adjourn the meeting. The motion was seconded by Joshua Jarrell and the meeting was adjourned at 2:15 p.m.