

WEST VIRGINIA MUNICIPAL HOME RULE BOARD

MEETING MINUTES

WEDNESDAY, JANUARY 15, 2020

A meeting of the West Virginia Municipal Home Rule Board was held at 10:30 a.m. on Wednesday, January 15, 2020, at the Department of Revenue, State Capitol Complex in Charleston, West Virginia.

The following members were present:

Dave Hardy (designee for the Honorable Jim Justice)  
Brian Jones, Member  
Mark Polen, Member  
Wesley White, Member

The following members participated via telephone:

Chris Fletcher, Member

The following members were absent:

Honorable Mark Maynard, West Virginia Senate  
Honorable Gary Howell, West Virginia House of Delegates

Others present:

Allen Prunty, Deputy Secretary and General Counsel, WV Dept. of Revenue  
Leslie Dillon, Deputy General Counsel, WV Dept. of Revenue  
Travis Blosser, WV Municipal League  
Susan Economou, WV Municipal League  
Leslie Cummings, Town of Nutter Fort  
Sam Maxson, Town of Nutter Fort  
Tara Ayers, City of Chester  
Steve Shuman, City of Chester  
Ed Wedgewood, City of Chester  
Kristin Miller, WV Municipal League  
Ken Morris, City of Chester

Others participating via telephone:

Ryan Simonton, City of Morgantown

The meeting was called to order by Chair Hardy at 10:30 a.m. It was reported that the notice of the meeting was lawfully given, a quorum was present, and the meeting was convened. A motion to approve the minutes of the November 20, 2019 meeting was made by Brian Jones and seconded by Mark Polen. The motion was approved with a 4-0 vote. (Mr. White was not present during this vote.)

### Chair's Report

None.

### Old Business

None.

### New Business

#### City of Chester

- Tara Ayers, Assistant City Clerk; Ed Wedgewood, City Council; Kenny Morris, Mayor; and Steve Shuman, City Attorney, presented for the city.
- Chair Hardy confirmed that the City of Chester complied with all legal requirements as provided in WV Code § 8-1-5a in order to submit their proposed plan application to the Home Rule Board.
- Chair Hardy asked for a motion to accept the City of Chester as a Home Rule municipality. Mr. Jones moved to admit the City to the Home Rule Program, with a second by Mr. Fletcher. The motion carried with a 5-0 vote.

Chester's application was presented and discussed. The only item on their application was the adoption of a 1% sales tax. The topic was discussed, and Mr. Jones moved to approve; Mr. Polen seconded the motion. The motion passed with a 5-0 vote.

#### City of Morgantown

- Ryan Simonton, Counsel for the City of Morgantown, presented the city's plan amendment.
- Chair Hardy confirmed that the City of Morgantown complied with all legal requirements as provided in WV Code § 8-1-5a in order to submit its amendment to the Home Rule Board.

Morgantown's amendment was presented by Ryan Simonton. The first item on their amendment was to permit the Land Reuse Agency to file its required audit within nine months instead of 120 days of its fiscal year end. A brief discussion was held and a motion to approve was made by Mr. Polen with a second by Mr. Jones. The motion was approved with a 5-0 vote.

### Town of Nutter Fort

- Sam Maxson, Mayor; and Leslie Cummings, Treasurer, presented the town's plan application.
- Chair Hardy confirmed that the Town of Nutter Fort complied with all legal requirements as provided in WV Code § 8-1-5a in order to submit their proposed plan application to the Home Rule Board.
- Chair Hardy asked for a motion to accept the Town of Nutter Fort as a Home Rule municipality. Mr. Jones moved to approve, with a second by Mr. Polen. The motion carried with a 5-0 vote.

Nutter Fort's application was presented and discussed. The first item on their application was the adoption of a 1% sales tax. After a brief discussion, Mr. White moved to approve; Mr. Jones seconded the motion. The motion passed with a 5-0 vote.

The second item on the proposed application was the issuance of on-the-spot citations. A brief discussion was held and a motion to approve was made by Mr. Polen, with a second by Mr. White. The motion carried with a 5-0 vote.

Third on Nutter Fort's proposed application was the transfer or lease of town property and the disposition of property without public auction for properties valued at \$10,000 or less. A discussion was held and a motion to approve was made by Mr. Jones, with a second by Mr. Polen. The motion passed with a 5-0 vote.

The fourth request on Nutter Fort's proposed application was to assess the Fire Service fee outside the town limits and to file and force a lien for unpaid liens. A discussion was held and Mr. Dillon explained issues regarding this request. Nutter Fort withdrew this part of their proposed plan application.

Fifth on the plan application was intergovernmental agreements. A brief discussion was held and a motion to approve was made by Mr. Polen, with a second by Mr. Jones. The motion carried with a 5-0 vote.

Last on the Nutter Fort's proposed application was the authorization of assessment and administration of court costs against individuals convicted by the town's municipal court. A discussion was held and a motion to approve was made by Mr. Polen, with a second by Mr. White. The motion passed with a 5-0 vote.

#### Next Meeting

Chair Hardy announced that the next meeting of the Municipal Home Rule Board will be held on April 8, 2020.

#### Other Business

None.

#### Adjournment

A motion to adjourn the meeting was made by Mr. Polen and seconded by Mr. White. The meeting concluded at 11:02 a.m.