

WEST VIRGINIA MUNICIPAL HOME RULE BOARD

MEETING MINUTES

WEDNESDAY, NOVEMBER 18, 2020

A meeting of the West Virginia Municipal Home Rule Board was held at 10:30 a.m. on Wednesday, November 18, 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)

The following members participated via telephone:

Brian Jones, Member
Wesley White, Member
Mark Polen, Member
Dan Vriendt, 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

Others participating via telephone:

Susan Economou, WV Municipal League
Terry Williams, City of Spencer
Tammy White, City of Spencer
Mark Pauley, City of Spencer
Courtney Dawson, City of Spencer
Nancy Case, Harpers Ferry
Kin Sayre, Harpers Ferry
Pat Morse, Harpers Ferry

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 July 8, 2020 meeting was made by Brian Jones and seconded by Wesley White. The motion was approved with a 4-0 vote. (Mr. Polen joined the meeting at 10:37 a.m. and was not present for this vote.)

Chair's Report

None.

Old Business

None.

New Business

City of Spencer

- Mayor Terry Williams presented for the city.
- Chair Hardy confirmed that the City of Spencer 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 Spencer as a Home Rule municipality. Mr. Polen moved to admit the City of Spencer to the Home Rule Program, with a second by Mr. Vriendt. The motion carried with a 5-0 vote.

Spencer's application was presented and discussed.

The first item on the application discussed was the implementation of a 1% municipal sales tax. A brief discussion occurred and a motion to approve was made by Mr. Jones, with a second by Mr. White. The motion passed with a 5-0 vote.

Second on the application was the disposition of municipal property without auction. The topic was discussed briefly and a motion to approve was made by Mr. Polen, with a second by Mr. Vriendt. The motion carried with a 5-0 vote.

The third and final item on the application was on-the-spot citations. A brief discussion was held and a motion to approve was made by Mr. Vriendt, with a second by Mr. White. The motion was approved with a 5-0 vote.

Chair Hardy asked if there were any members of the public on the phone that wished to address the Board. Nancy Case of Harpers Ferry spoke up and asked to speak about Harpers Ferry's experience in the WV Municipal Home Rule program. She was recognized by Secretary

Hardy to do so. Ms. Case stated that Harpers Ferry was accepted into the program 5 years ago and that a lot of progress has been made in those 5 years. She thanked the Board on behalf of Harpers Ferry.

Kin Sayre, Harpers Ferry's attorney, spoke on behalf of Harpers Ferry as well. He stated that back in July 2020, counsel for the town had requested guidance on the 2019 amendment dealing with the regulation of rental housing and questioned whether the Board had received any guidance from the Attorney General's Office on this matter. Secretary Hardy told Mr. Sayre that he is having our counsel looking into that matter. Leslie Dillon gave an update to Mr. Sayre on that issue.

Next Meeting

Chair Hardy announced that the meetings of the Municipal Home Rule Board in 2021 will be held on the following dates:

January 13, 2021 at 10:30 am
April 14, 2021 at 10:30 am
July 14, 2021 at 10:30 am
October 13, 2021 at 10:30 am

A motion to approve the 2021 meeting dates was made by Mr. Polen, and seconded by Mr. Jones. The motion carried with a 5-0 vote.

Other Business

None.

Adjournment

A motion to adjourn the meeting was made by Mr. Vriendt and seconded by Mr. White. The motion was approved with a 5-0 vote. The meeting concluded at 11:06 a.m.