

# WEST VIRGINIA MUNICIPAL HOME RULE BOARD

## MEETING MINUTES

WEDNESDAY, DECEMBER 4, 2024

A meeting of the West Virginia Municipal Home Rule Board was held at 10:30 a.m. on Wednesday, December 4, 2024, at the Department of Revenue, State Capitol Complex in Charleston, West Virginia.

The following members were present:

Larry Pack (designee for the Honorable Jim Justice)  
Mark Polen, Member  
Garner Marks, (designee for the Dept. of Commerce)  
Dan Vriendt, Member

The following members were absent:

Brian Jones, Member  
Honorable Chris Phillips, West Virginia House of Delegates  
Honorable Jack Woodrum, West Virginia Senate

Others present:

Anoop Bhasin, Deputy General Counsel, WV Dept. of Revenue  
Tim LaFon, Attorney, City of Winfield  
Dr. Pete Shirley, Deputy Secretary, WV Dept. of Revenue  
Susan Economou, WV Municipal League  
Kathy Torlone, WV Dept. of Revenue

The meeting was called to order by Chair Pack at 10:35 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 17, 2024, meeting was made by Mark Polen and seconded by Brian Jones. The motion was approved with a voice vote.

### Chair's Report

Anoop Bhasin, Managing General Counsel of the Department of Revenue, announced that the account balance of the Home Rule Board Operations Fund currently is \$256,558.38. Therefore, the annual fee for member cities of the program remains suspended.

Mr. Bhasin also mentioned that the annual summary report of the Home Rule Board was being compiled and currently 38 of the 64 members of the program have submitted their summary reports to the Board. Mr. Bhasin noted that the report is due to the legislature by January 1, 2025.

### Old Business

None.

### New Business

#### City of Winfield:

- Chair Pack asked for a motion to approve the City of Winfield as a member of the WV Municipal Home Rule program. A motion was made by Mr. Polen, with a second by Mr. Vriendt. The motion passed with a voice vote.
- Chair Pack confirmed that the City of Winfield 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. It was noted by Anoop Bhasin, Managing General Counsel, Dept. of Revenue, that the City of Winfield did not meet the requirement of mailing their Notice of Hearing to all of Governor Justice's cabinet members via certified mail. Signed waivers of each cabinet member waiving the City of Winfield's requirement were obtained by the Home Rule Board, which allowed the city to continue forward with the application process.
- Mr. Bhasin gave a brief overview of Winfield's application. The City of Winfield proposes: 1) to implement the 1% sales and use tax, 2) the sale of municipal property without auction, 3) the sale of municipal property to non-profits for less than fair market value without auction, and 4) the issuance of on-the-spot citations. Tim Lafon, attorney for the City of Winfield, spoke regarding the application. There was a brief discussion on the application.
  - o With respect to number 3 above, the Board set a cap of \$25,000 to mirror what was set forth in number 2 above. Chair Pack asked for a motion to approve the amendment. A motion was made by Mr. Polen and was seconded by Mr. Vriendt. The motion passed with a voice vote.
- Chair Pack asked for a motion to approve the amended application as a whole. A motion was made by Mr. Polen and was seconded by Mr. Vriendt. The motion passed with a voice vote.

### Other Business

- Meeting dates for 2025 were set as follows:
  - o January 22, 2025 at 10:30 a.m.
  - o April 9, 2025 at 10:30 a.m.
  - o July 9, 2025 at 10:30 a.m.
  - o October 8, 2025 at 10:30 a.m.

### Adjournment

A motion to adjourn was made by Mr. Polen with a second by Mr. Vriendt. The meeting concluded at 10:51 a.m.