



West Virginia Municipal Home Rule Program Application
of the
Town of Ansted
September 8, 2021

West Virginia Municipal Home Rule Program

2021 Application for the Town of Ansted

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Home Rule Plan & Amendment Template

SECTION I: APPLICANT INFORMATION

Type of Submission: Initial Plan Proposed Amendment

Name of Municipality: Town of Ansted

Certifying Official: Stephen Pridemore

Title: Mayor

Contact Person: Robert Wilson

Title: Councilman

Address: PO Box 798

City, State, Zip: Ansted, WV 25812

Telephone Number: 304-658-5901

Fax Number: 304-658-4680

E-Mail Address: ansted.mayor@gmail.com

Municipal Classification:

Class I

Class II

Class III

Class IV

SECTION II: NARRATIVE (proposed plan or plan amendment)

1. Identify the specific state laws, policies, acts, resolutions, rules, or regulations that prevent the municipality from carrying out specific duties in the most cost effective, efficient, and timely manner.

2. Describe the specific problem(s) created by above stated laws, policies, acts, resolutions, rules, or regulations.

3. Define each proposed solution to the above described problem(s), including all proposed changes to law, policies, acts, resolutions, rules, or regulations.

4. See State Tax Department website for instructions regarding municipal sales and use tax (Business, Sales and Use Tax):

<https://tax.wv.gov/Business/SalesAndUseTax/MunicipalSalesAndUseTax/Pages/MunicipalSalesAndUseTax.aspx>.

SECTION III: ATTACHMENTS

1. Completed Plan and Amendment Checklist.

2. Affidavit of legal advertisement providing notice of the public hearing.

3. Minutes of public hearing, including comments (if any).

4. Copy of adopted ordinance authorizing submission of plan or amendment to Municipal Home Rule Board.

5. Fiscal statement demonstrating municipality's ability to manage costs or liabilities associated with proposal (if proposal is revenue related).

6. Affidavit of authorized municipality representative that municipality owes no outstanding State fees.

7. Attorney opinion letter stating that application and plan or amendment complies with applicable State law.

NOTE: Submit eight originals and one electronic copy of initial plan or amendment to the Municipal Home Rule Board a minimum of 30 days before a Board meeting.

HOME RULE APPLICATION, PLAN AND AMENDMENT CHECKLIST

- Class II legal advertisement of Public Hearing
 - Dates 7/29/2021 & 8/5/2021
 - Notice of Public Hearing to Municipal Home Rule Board (MHRB) and Cabinet Secretary of every State department
 - Plan available for public inspection 30 days prior to Public Hearing
 - Hearing
 - Date 9/2/2021
 - Ordinance authorizing plan or amendment
 - 1st reading date 8/5/2021
 - 2nd reading date 9/2/2021
 - Date of adoption 9/2/2021
 - Required narrative presentation of each separate proposal (see Sample Form Application)
- ATTACHMENTS**
- Affidavit of legal notice of Public Hearing
 - Minutes of Public Hearing, including comments (if any)
 - Certified copy of ordinance authorizing plan or amendment
 - Fiscal statement demonstrating municipality's ability to manage costs or liabilities associated with proposals
 - Affidavit that municipality owes no outstanding State fees
 - Attorney opinion letter that application and plan or amendment complies with applicable State law
 - Submit eight (8) originals and one (1) electronic copy of application plan or amendment to the MHRB

West Virginia Municipal Home Rule Program
2021 Application of the Town of Ansted

APPLICANT INFORMATION

General Information –

Name of Municipality: Town of Ansted
Certifying Official: Stephen Pridemore, Mayor
Contact Person: Robert Wilson, Councilman
Address: 30 Rich Creek Rd - PO Box 798
City, State, Zip: Ansted, WV 25812
Telephone: 304-658-5901
Fax: 304-658-4680
Email: ansted.mayor@gmail.com
2020 Census Pop.: 1,267
Municipal Classification: Class IV

Ansted Town Council –

Councilmembers: Johnny Osborne
Holly Jeffers
Wayne Hogg
Robert Wilson
Josh Cameron
Recorder: K. Siobhan Wilson
Mayor: Stephen Pridemore

Town of Ansted

30 Rich Creek Rd P.O. Box 798

Ansted, West Virginia 25812

Stephen Pridemore, Mayor

Telephone 304-658-5901

Siobhan Wilson, Recorder

FAX 304-658-4680

"A West Virginia Blueprint Community"

Ansted is a historic, welcoming community, located at the tailwaters of the New River and the New River National Park and Preserve. Our community can provide convenient access to the recreation and tourism business opportunities, afforded by the recent announcement to the latest National Park at the New River Gorge area. Our rich diversity provides for opportunity for artisans, entrepreneurs, and recreation developers.

The Town of Ansted will submit application to complete Class IV, West Virginia Home Rule status per WV Code 8-1-5a.

Pursuant to the economic downturn in West Virginia due to the coal industry and the lack of new industry locating in Southern West Virginia we find our community facing declining population as well as a rapid decline in small businesses which have historically made up the financial base of our community. During the previous administration the current tax base was supplemented by a significant increase in the B&O tax rates, an increase that had not been addressed since 2008. While the increased revenue generated has provided much needed financial stream to the town, we are still unable to meet the infrastructure needs on our roads, sidewalks, and sewer system.

Due to deficiencies in our sewer system the DEP has forced the town into a system upgrade that will cost our citizens more than \$12,500,000 which has resulted in a current rate increase more than 60% with an additional increased scheduled to be implemented once Phase 1 has been completed.

The Town has identified critical areas that have been identified for immediate investigation are as follows:

1. Need for recreational and tourism services for those that will be visiting the New River Gorge National Park and Preserve.
2. Improvements to the current Sewage System to accommodate the requirements of the national park, the development our US 19 corridor North of the New River Gorge Bridge.
3. Improved streets and sidewalks
4. Increased economic development
5. Regional partnerships

We are seeing the need and benefit of cooperation with neighbors currently reviewing the Upper Kanawha Valley Strategic Initiative Council (SIC) in cooperation with Montgomery and Smithers that will allow us to share common expenses and employees, to serve the essential services of the Midland Trail Communities. Working with Region 4 Planning and Development and New River Gorge Regional Development Council to provide greatly needed Sewage access to the New River Gorge National Park and US 19 to greatly enhance the future economic development in the area.

In an effort to improve the health of our community we are working to add enhanced handicap access to Mill Creek trout stream and improve opportunities for outdoor activities, working to repair and improve Hawks Nest Rail Trail for local and visitor enjoyment, and establishing a citizens Vision Team to explore enhancements to the community to allow for greater visitor enjoyment.

As the new administration for the Town of Ansted we have generated numerous project concepts and public initiatives which we would like to implement during the next four years. Our new team brings to the table over 75 years of corporate experience with strengths in Administration, Budget Responsibility, Team Building, and Leadership.

Respectfully submitted,

A handwritten signature in blue ink that reads "Stephen Pridemore". The signature is written in a cursive, flowing style.

Stephen Pridemore
Mayor of Ansted

BECKLEY NEWSPAPERS

P.O. Box 1599, Bluefield, WV 24701

www.register-herald.com

Phone: 304-255-4400 • Toll Free: 800-950-0250 • Fax: 304-255-4427

Affidavit of Publication

STATE OF WEST VIRGINIA COUNTY OF RALEIGH,

I, Jeremy Basham, of The Register-Herald, a daily newspaper published in the City of Beckley, Raleigh, West Virginia, do certify that the notice attached hereto under the caption;

was published in the said The Register-Herald 2 time(s) on the following day(s), namely 07/29/21, 08/05/21

Publication Fee: \$28.53

Signed: _____

Subscribed and sworn to before me this day
08/05/2021

My commission expires: _____

Nov. 17 2025

Notary Public: _____



PUBLIC HEARING

Notice is hereby given that a Public Hearing will be held before the regular meeting of Ansted Town Council on Thursday, September 2, 2021, at 5:30 p.m. in the Council Chambers at 104 Cemetery Street, Ansted, West Virginia, authorizing the submission of the Town's Home Rule Plan to the West Virginia Municipal Home Rule Board. Interested parties may appear at the Public Hearing and be heard with respect to the Town's proposed Home Rule Plan. A copy of the plan may be inspected at Town Hall beginning July 26, 2021, between the hours of 8:00 a.m. to 12:00 p.m. and 1:00 p.m. to 4:00 p.m., Monday through Friday.

BECKLEY NEWSPAPERS

P.O. Box 1599, Bluefield, WV 24701

www.register-herald.com

Phone: 304-255-4400 • Toll Free: 800-950-0250 • Fax: 304-255-4427

Affidavit of Publication

STATE OF WEST VIRGINIA COUNTY OF FAYETTE,

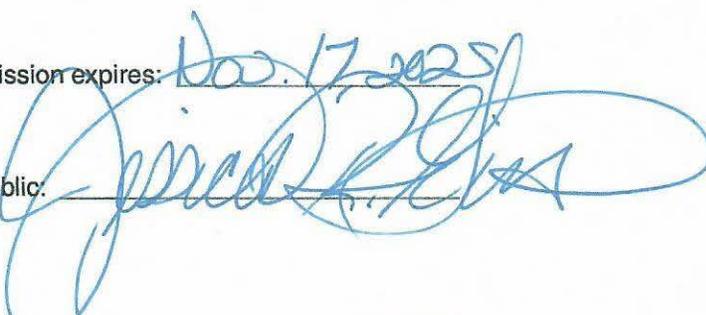
I, Jeremy Basham, of The Fayette Tribune, a weekly newspaper published in the City of Oak Hill, Fayette County, West Virginia, do certify that the notice attached hereto under the caption;

was published in the said Fayette Tribune 2 time(s) on the following day(s), namely 07/29/21, 08/05/21

Publication Fee: \$17.07

Signed: 

Subscribed and sworn to before me this day
08/05/2021

My commission expires: Nov. 17, 2025


Notary Public:



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801 North Kanawha Street, Beckley, WV 25801
www.register-herald.com • Phone: 304-255-4400
Toll Free: 800-950-0250 • Fax: 304-255-4427

Ad Proof

This is the proof of your ad scheduled to run on the dates indicated below. Please proofread carefully and if changes are needed, contact us prior to deadline at (304) 327-2801 or email at jbasham@bdtonline.com.

DATE 07/26/21

Client:
TOWN OF ANSTED
PO BOX 798
ANSTED, WV 25812-0000
(304) 658-5901

ACCOUNT NUMBER: 106266

Ad ID: 520881

Sort Line: PUBLIC HEARING Notic

Start: 07/29/21

Stop: 08/05/21

Total Cost: \$17.07

of Lines: 20

Columns Wide: 1

of Inserts: 4

Ad Class: Legals

Ad Taker: Jeremy Basham

Phone #: (304) 327-2801

Email: jbasham@bdtonline.com

Publications:

Fayette Tribune
fayetttribune.com

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TOWN OF ANSTED
PO BOX 798
ANSTED, WV 25812-0000
(304) 658-5901

ACCOUNT NUMBER: 106266

Ad ID: 520880

Sort Line: PUBLIC HEARING Notic
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Total Cost: \$28.53
of Lines: 20
Columns Wide: 1
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Publications:
Register-Herald
register-herald.com

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Town of Ansted

30 Rich Creek Rd P.O. Box 798

Ansted, West Virginia 25812

Telephone 304-658-5901

FAX 304-658-4680

"A West Virginia Blueprint Community"

Stephen Pridemore, Mayor

Siobhan Wilson, Recorder

Mailed original and
all CC on 7-23-21

Mr. Dave Hardy
Department of Revenue
Chair of the Home Rule Board
1900 Kanawha Blvd E Bldg 1, W-300
Charleston, WV 25305

July 22, 2021

Dear Mr. Hardy,

The Town of Ansted is providing notice of a public hearing scheduled for Thursday, September 2, 2021, at 5:30 p.m. at the Ansted Council Chambers located at 104 Cemetery St, Ansted, West Virginia. This public hearing will address the Town's application for Home Rule. A copy of the notice that will be printed in the Fayette Tribune and Register-Herald is attached and has, also, been sent to the cabinet secretary of every state department.

If you have any questions, please feel free to contact me at 304-658-5901.

Sincerely,



Stephen Pridemore
Mayor

CC: Department of Commerce
Department of Administration
Department of Environmental Protection
Department of Health & Human Services
Department of Homeland Security
Department of Transportation
Department of Veterans Assistance

Town of Ansted

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Siobhan Wilson, Recorder

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"A West Virginia Blueprint Community"

The Town of Ansted held a Public Hearing on September 2, 2021 at 5:30 PM to advise the public of the proposed Home Rule Application and to receive questions related thereto. Those present were Mayor Steve Pridemore, Recorder Siobhan Wilson, Councilmembers Johnny Osborne, Holly Jeffers, Wayne Hogg, and Robert Wilson, Town Attorney Brian Parsons, and citizens.

The Town Attorney made a presentation for the benefit of Council and the public. Thereafter, the public raised a number of questions which were responded thereto to their general satisfaction and after a time the meeting was called to a close by a motion from Johnny Osborne and seconded by Robert Wilson. Motion was unanimous.



Stephen Pridemore, Mayor



K. Siobhan Wilson, Recorder

Home Rule Public Hearing

September 2, 2021

5:30pm- Council Chambers

Sign – In Sheet

1. Robert [Signature]
2. Holly Jeffers
3. Wayne [Signature]
4. Steve [Signature]
5. [Signature]
6. Steve Ludemore
7. Subhan [Signature]
8. [Signature]
9. [Signature]
10. _____

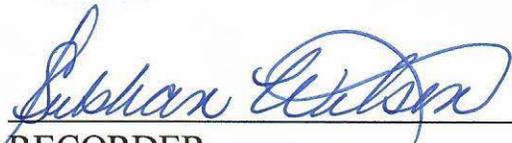
AN ORDINANCE AUTHORIZING THE MAYOR TO SUBMIT A HOME RULE PROPOSAL TO THE MUNICIPAL HOME RULE BOARD IN ACCORDANCE WITH WEST VIRGINIA CODE SECTION 8-1-5A.

BE IT ORDAINED BY THE TOWN COUNCIL FOR THE TOWN OF ANSTED, WEST VIRGINIA:

That the Mayor is hereby authorized to submit the Home Rule Application to the Municipal Home Rule Board in accordance with *West Virginia Code Sec. 8-1-5a* in order for the Town of Ansted to be included in the Pilot Program. A copy of the Application Proposal is attached hereto.

This ordinance was read on the 5th day of August, 2021 and a second time on the 2nd day of September, 2021, after which a public hearing was had on September 2, 2021, the Council for the Town of Ansted approved the Ordinance by voice vote, and the same becomes effective as of the 2nd day of September, 2021.

(Town Seal)


MAYOR STEVE PRIDEMORE
RECORDER

Prepared by Brian D. Parsons,
Attorney for the Town of Ansted
P. O. Box 16
Fayetteville, West Virginia 25840

Imposition of Municipal Sales Tax

- 1. State law precludes the Town of Ansted's capacity to discharge governmental obligations in an effective and timely manner.**

Applicable Law: *West Virginia Code Section 8-13-5, 8-13C-4(a), 8-13C-4(b)*

- 2. Problem the present state of law presents to the Town of Ansted**

Revenue in the Town of Ansted is limited to Business and Occupation taxes. The revenue derived from B&O taxes has declined significantly overall for decades. This decline is due in large part by declines in the coal industry, a heretofore remote location and a significant population decline.

The basis for the institution of B&O taxes is based on a model where businesses were attracted to municipalities to have access to city services and customers. That model has changed significantly, with an ever-growing increase in decentralized sale operations and internet sales.

Like most small towns in southern West Virginia, the Town has been forced to constantly decrease public services. As the attached photographs depict, the government personnel in all departments, struggle to maintain declining streets and sidewalks and are unable to complete projects geared to improve the quality of life for senior citizens, a growing segment of the city's population. The Town has seen the departure of multiple businesses, including a car dealership, gas station, auto parts store, two public schools and numerous citizens. However, the Town finds itself at an inflection point. With the recent designation of the newest National Park in the New River Gorge, which runs adjacent to Ansted, an opportunity exists to make substantial progress for the citizenry and provide a gateway to the park which will enhance the tourism industry and reflect well on the State as a whole. The Town hopes to have an attractive community which will be properly positioned to take full advantage of the National Park.

- 3. Solution**

West Virginia Code Section 8-13C-4(b) allows municipalities to impose a municipal sales and service tax and use tax on sales subject to the State's consumer sales and use tax. A municipal sales and use tax in the amount of 1% would provide the Town revenue to provide essential services while creating an environment conducive to economic development. The Town of

Ansted seeks the authority to institute a 1% sales and use tax. This authority would empower the Town to adjust B&O tax rates to provide incentives for much needed economic development.

4. Projected Financial Impact

It is projected that the imposition of a municipal sales tax would generate \$85,000 in revenue.

Narrative:

Like most small communities in West Virginia, Ansted has weathered the loss of the coal industry in Southern West Virginia and the exodus of many residents and the accompanying loss of many businesses in our region. In order to regain our financial stability, we will require the ability to rebuild our local economy and plan for the vast opportunities that will be afforded with the recent addition of the New River Gorge National Park and Preserve.

The reduction in the current B&O Taxes will provide an opportunity to attract new businesses and investment in our local community. The addition of the municipal sales tax will provide a new revenue stream that Ansted does not currently have the authority to implement. The resulting net revenue will allow us to invest in the towns neglected infrastructure and look to develop new outdoor related businesses and activities to take advantage of the influx on tourism due to the National Park.

Supporting Data: Fiscal impact Worksheets Formula
New Sales and Use Tax and Business and Occupation Tax Restructuring

Business Category	Current B&O Rate (per \$100.)	Proposed B&O Rate (per\$100.)	Projected B&O for 2021	Estimated B&O Rate w/Proposed Rate	Estimated Sales and Use Tax
Selling tangibleproperty: retailers	0.50%	0.40%	\$42,571.00	\$34,057.00	\$85,000.00
Wholesalers	0.15%		\$60.00	\$60.00	
Electric power companies	4.00%		\$58,820.00	\$58,820.00	
Water companies	4.00%		\$18,451.00	\$18,451.00	
Contractors	2.00%	1.75%	\$15,083.00	\$13,198.00	
Amusements	0.50%	0.40%	\$0.00	\$0.00	
Services and all other businesses	1.00%		\$89,195.00	\$89,195.00	
Rentals, royalties,or fees	1.00%	0.75%	\$2,295.00	\$1,722.00	
Banking and other Financial Business	1.00%		\$3,615.00	\$3,615.00	

Total Annual Revenue			\$230,090.00	\$219,118.00	\$85,000.00
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In the proposed Home Rule Plan the Town of Ansted, Business and Occupation Taxes would be reduced in five categories which are currently regulated by state code. An additional 1% Sales and Use Tax would be implemented on categories currently affected by the 6% West Virginia Sales and Use Tax.

By adopting this ordinance and instituting a Municipal Sales and Use Tax the burden of taxation falls on the consumer who voluntarily chooses to pay said tax. The burden is no longer solely on the business entity to impose said tax on businesses in the Town. This change, then, becomes an economic driver and encourages economic growth in the Town and is attractive to businesses seeking new locations to start up or expand their business.

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Stephen Pridemore, Mayor

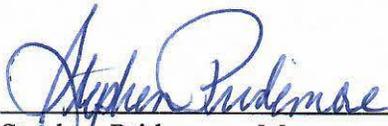
Siobhan Wilson, Recorder

FISCAL STATEMENT

The cost and liabilities involved in the Town of Ansted's Home Rule Plan include the estimated decrease in Business and Occupation tax revenue of \$10,972, the administrative fee from the West Virginia Tax Department for administrating, collecting, and enforcing the municipal sales and use tax revenue on the Town's behalf, and the annual assessment for the Municipal Home Rule Board.

The administrative proposals of the Ansted Home Rule Plan comprising 1) Actions regarding Eyesores and Dilapidated Buildings, 2) Disposition of Property without public auction are not estimated to impose a material cost or liability on the Town.

The Town estimates it will have a net revenue gain of \$74,000 corresponding to its sales tax implementation. As such, the Town can cover all costs and liabilities associated with the Home Rule Program.



Stephen Pridemore, Mayor

Liens for Actions Taken in Regard to Eyesores and Dilapidated Building

1. **Problem:** With a declining population and deterioration of realty in the Town, the need to effectively and efficiently repair, alter and/or demolish property is limited by the time and expense involved in seeking judgments for enforcement in Fayette County Magistrate or Circuit Court. Many issues, such as cutting grass on abandoned or delinquent properties result in the use of time and resources which are not at such an amount individually that the above referenced court actions are justifiable.
2. **Authority:** *West Virginia Code Sec. 8-12-16* governs the adoption of ordinances regulating the repair, closing and/or demolition of dwellings or buildings unfit for human habitation. It allows every municipality to file liens against real property for an amount that reflects all costs incurred by the municipality for repairing, altering, improving, closing and/or demolishing the subject property, requiring legal action in county court to obtain said lien.

Additionally, *West Virginia Code Sec. 8-12-5(23)* provides municipalities with the authority to provide for the elimination of hazards to public health and safety and to abate public nuisances, but does not provide for a mechanism to file liens against property for fees incurred in removing such.

3. **Solution:** The Town may, after due notice and providing the right to a hearing in the matter, repair, alter, demolish, mow overgrown grass, collect trash or rubbish, and without county court approval, place a lien on the subject property for the amount expended by the Town in taking said action.

PHOTO EXHIBITS

1. **US RT 60 – Fox Property**
2. **US RT 60 – Patton’s Service Center**
3. **US RT 60 – Skaggs Used Car Lot**
4. **383 James River & Kanawha Turnpike E –**
5. **370 James River & Kanawha Turnpike E – Beaver Property**
6. **Forloine St – E. Forloine Property**
7. **Sycamore St – Cobb Property**

8. Sycamore St – Goins Property
9. 185 Sycamore St –
10. Forloine St -
11. 59 College St –
12. 10 College St - LandQuest Property
13. James River & Kanawha Turnpike E – Ansted Elementary School (to be abandoned 2023)
14. Church St – Midland Trail Community Center
15. US RT 60 – McVey Property
16. US RT 60 – McVey Property
17. 161 Church St – R. Crist Property
18. Croft St – J. Crist Property
19. Holley St – Wood Property
20. Church St – Fannin Property
21. Florence St – Apartment Building
22. Florence St – Claiborne Property
23. US RT 60 – M. Carte Property
24. US RT 60 – Manion Property (includes storefront & house)
25. US RT 60 – Harrah Property
26. US RT 60 – Moran Property
27. US RT 60 – Nuckols Property
28. Westlake Rd –
29. 171 Rich Creek Rd –
30. Rich Creek Rd –
31. Rich Creek Rd – Old Harrah Place
32. Rich Creek Rd – Old Hart Place
33. McClung St – Grimmitt Property
34. McClung St – Grimmitt Property
35. Cashion St – Grubb Property
36. Cashion St –
37. 569 Logtown Rd – Wood Property
38. Logtown Rd – Bennett Property
39. Logtown Rd – Skaggs Property
40. Logtwon Rd –
41. Logtown Rd – Hall Property
42. Logtown Rd – Hall Property
43. 408 Logtown Rd –
44. 87 Logtown Rd – Goff & Phillips Property
45. 87 Logtown Rd – Goff & Phillips Property
46. Logtown Rd – Grimmitt Property
47. Redeemer Ln – Wilson Property
48. 151 Central Ave –
49. Pine St –
50. 162 Orchard St –
51. 18492 Midland Trail – Miller Property
52. 19344 Midland Trail – George Property



1.) US RT 60 – Fox Property



**2.) US RT 60 – Patton's
Service Center**



3.) US RT 60 – Skaggs Used Car Lot



4.) 383 James River & Kanawha Trnpg -



**5.) 370 James River & Kanawha Trnpg –
Beaver Property**



**6.) Forloine St – E. Forloine
Property**



7.) Sycamore St – Cobb Property



8.) Sycamore St – Goins Property



9.) 185 Sycamore St -



10.) Forloine St -



11.) 59 College St -



**12.) 10 College St – LandQuest
Property**



**13.) James River & Kanawha Trnpg –
Ansted Elementary School
(to be abandoned 2023)**



**14.) Church St – Midland Trail
Community Center**



15.) US RT 60 – McVey Property



16.) US RT 60 – McVey Property



17.) 161 Church St – R. Crist Property



18.) Croft St – J. Crist Property



19.) Holley St – Wood's Property



20.) Church St – Fannin Property



21.) Florence St -



22.) Florence St – Claiborne Property



23.) US RT 60 – M. Carte Property



**24.) US RT 60 – Manion Property
(includes storefront & house)**



25.) US RT 60 – Harrah Property



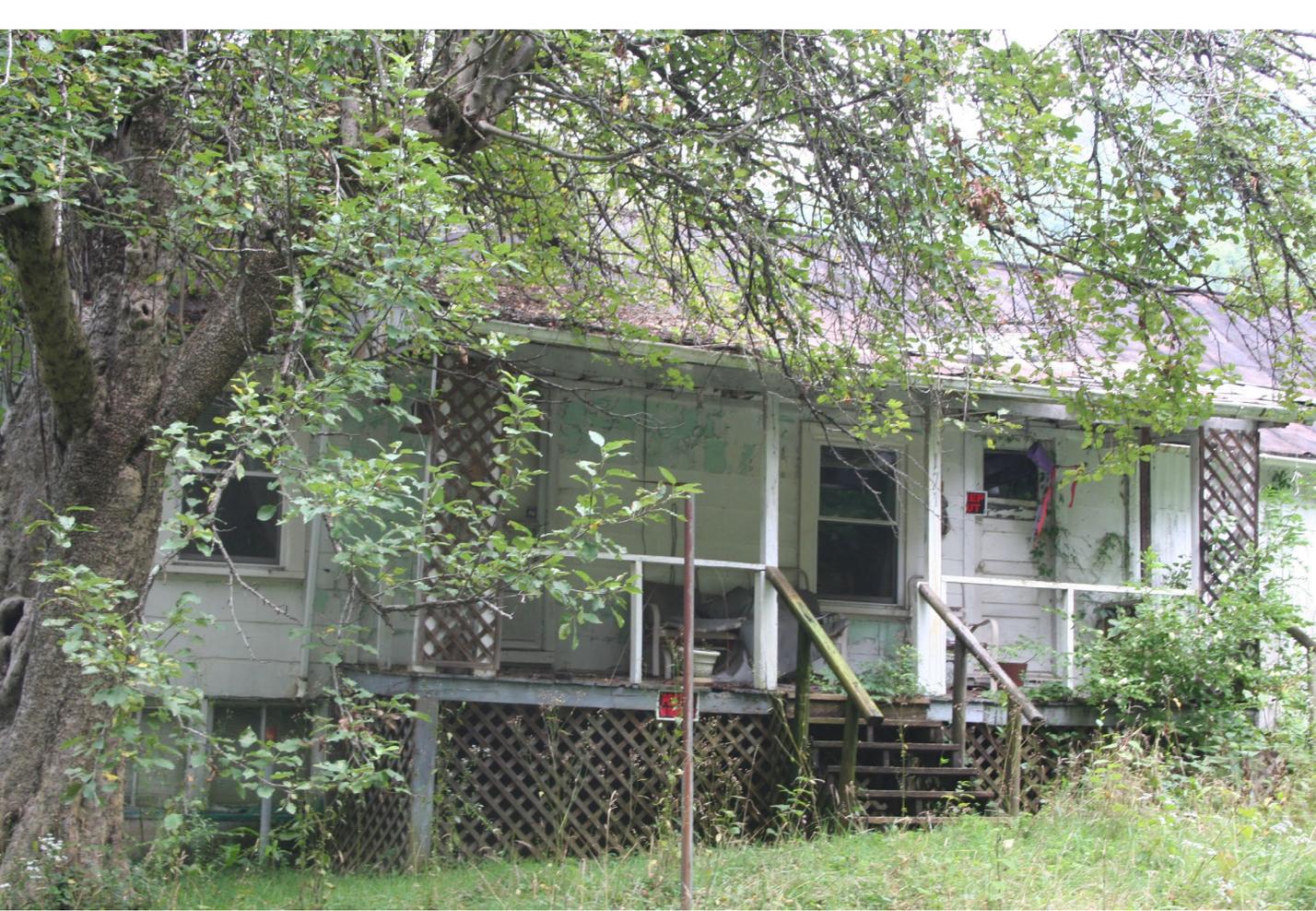
26.) US RT 60 – Moran Property



27.) US RT 60 – Nuckols Property



28.) Westlake Rd -



29.) 171 Rich Creek Rd –



30.) Rich Creek Rd –



31.) Rich Creek Rd – Old Harrah Place



32.) Rich Creek Rd – Old Hart Place



33.) McClung St – Grimmett Property



34.) McClung St – Grimmett Property



**35.) Cashion St – Grubb Property
(top & bottom pic)**





36.) Cashion St -



37.) 569 Logtown Rd – Wood Property



38.) Logtown Rd – Bennett Property



39.) Logtown Rd – Skaggs Property



40.) Logtown Rd -



41.) Logtown Rd – Hall Property



42.) Logtown Rd – Hall Property



43.) 408 Logtown Rd -



44.) 87 Logtown Rd – Goff & Phillips Property



45.) 87 Logtown Rd – Goff & Phillips Property



46.) Logtown Rd – Grimmert Property



**47.) Redeemer Ln – Wilson
Property**



48.) 151 Central Ave -



49.) Pine St -



50.) 49 Hamilton Ave – Workman Property



51.) 162 Orchard St -



51.) 18492 Midland Trail – Miller Property



52.) 19344 Midland Trail – George Property

Disposition of Property Without Auction

1. **Problem:** Pursuant to State law, the Town may only sell and lease property through an auction process. The inability to sell property without auction when appropriate prevents the Town from entering into transactions that could fill vacant buildings, attract commercial interests, provide desperately needed revenue and encourage the use of properties owned by the Town for the good the public.
2. **Authority:** Pursuant to *West Virginia Code Sec. 8-12-18*, except in limited circumstances involving sales to the federal government, the state or an instrumentality thereof, the City may only sell real or personal property for fair and adequate consideration at a public auction with sufficient legal advertisement. Similarly, the Town may lease said property, with resolution by Town Council.
3. **Solution:** The Town shall pass an ordinance permitting the following: 1. To allow the sale of realty or personalty to private purchasers without auction in such a manner that promotes economic development or provides a service for the public good; 2. To allow the lease of realty or personalty to private lessees for less than market value if such lease promotes economic development or provides a service for the public good; 3. To allow the sale of realty or personalty to private purchasers at less than market value without auction in such a manner that promotes economic development or provides a service for the public good; 4. To allow the lease of real or personal property by the Town at less than fair market value to non-profit lessees.

The Town presently targets a number of properties which contain abandoned and dilapidated structures which the Town would like to return to the private commercial sector in a manner consistent with economic development goals of the town. A number of these properties are located on Main Street in town and the potential for growth is substantial. As an example, the Town presently owns a property on the Midland Trail which the Town would like to entice private commercial ownership and return the property to a good use for the community. The Town is keen to attract the following businesses consistent with the future direction of the Town.

- Bike Rental
- Bicycle Repair Shop
- Paddle Board Rental
- 4-Wheeler Repair Shop
- Walking Trails
- Barber Shop
- Beauty Salon
- Boutique Shops
- Restaurants
- Campground/RV Park
- Bed & Breakfasts

Affidavit Certifying No Delinquent Fees

In compliance with the requirement of W.Va. Code 8-1-5a(c)(1). I hereby swear or affirm under penalty of law for false swearing (W.Va. Code 61-5-3) that the municipality listed below is current in the payment of all fees to the State of West Virginia.

WITNESS THE FOLLOWING SIGNATURE:

Municipality's Name: Ansted, West Virginia

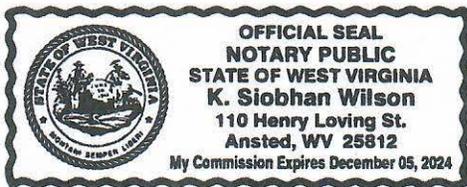
Authorized Signature: Stephen Rudemore
Date: 9/8/21

State of West Virginia

Couty of Fayette, to-wit:

Taken, subscribed, and sworn to before me this 8 of September, 2021.

My commission expires: December 05, 2024



Notary Signature: K. Siobhan Wilson

AFFIDAVIT CERTIFYING NO DELINQUENT FEES



STATE OF WEST VIRGINIA
State Tax Department, Taxpayer Services Division
P.O. Box 885
Charleston, WV 25323-0885



00011401010000



Matthew R. Irby, State Tax Commissioner

ANSTED TOWN OF
PO BOX 798
ANSTED WV 25812-0798

Letter Id: L1311037984
Issued: 07/20/2021

West Virginia State Tax Department

Statement of Good Standing

EFFECTIVE DATE: July 20, 2021

A review of tax accounts indicates that ANSTED TOWN OF is in good standing as of the effective date of this document. Please note, this Statement of Good Standing expires on **October 18, 2021**.

The issuance of this Statement of Good Standing shall not bar any audits, investigations, assessments, refund or credits with respect to the taxpayer named above and is based only on a review of the tax returns and not on a physical audit of records.

Sincerely,

Nicole Grant, Tax Unit Supervisor
Taxpayer Services Division

Town of Ansted

30 Rich Creek Rd P.O. Box 798

Ansted, West Virginia 25812

Telephone 304-658-5901

FAX 304-658-4680

"A West Virginia Blueprint Community"

Stephen Pridemore, Mayor

Siobhan Wilson, Recorder

September 8, 2021

West Virginia Municipal Home Rule Board
West Virginia Development Office
West Virginia Department of Commerce
Capitol Complex, Bldg. 6, Room 525
Charleston, West Virginia 25305-0311

Re: *Home Rule Application*
Town of Ansted, West Virginia

Chairman:

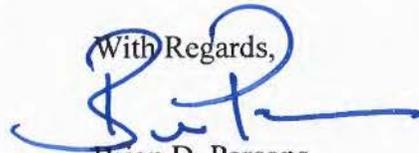
I am fortunate to represent the Town of Ansted as the appointed Town Attorney. I have had an opportunity to review *West Virginia Code Section 8-1-5a* regarding the Town's proposed participation in the Home Rule Pilot Program.

Based on my examination of the attached Application and the Exhibits incorporated therein and the aforementioned *West Virginia State Code*, it is my opinion that the Application complies with the requirements of *West Virginia Code Sec. 8-1-5a*.

The Application does not provide for any proposed changes to resolutions, acts, ordinances, rules or regulations that are contrary to the provisions of *West Virginia Code Sec 8-1-5 a(i)(1-24)* or attempts to do any act prohibited by *Sec. 8-1-5 a(j)(1-3)* and that this Application is fully compliant with *West Virginia Code Sec. 8-1-6*.

I thank the Board for the consideration of this Application and should any additional information be required, please advise.

With Regards,



Brian D. Parsons
Town of Ansted Attorney

BDP