

City of Welch
Municipal Home Rule
Application

P.O. Box 88 Howard Street
Welch, WV 24801
Phone: 304-436-3113

Council

Mike Day
Steve Ford
Kathy Gentry
Brian Mowdy
Brenda Farmer



HOME RULE APPLICATION, PLAN AND AMENDMENT CHECKLIST

☒ Class II legal advertisement of Public Hearing

Dates 8/5/24 - 8/25/24

☒ 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

☒ Public Hearing

Date 8/1/24

☒ Ordinance authorizing plan or amendment

1st reading date 8/5/24

2nd reading date 9/9/24

Date of adoption 9/10/24

☒ 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

SECTION I: APPLICANT INFORMATION

A. General Information

Type of Submission: Initial Plan

Name of Municipality: City of Welch, West Virginia

Certifying Official: Harold McBride Title: Mayor

Contact Person: Joshua Mille Title: City Attorney

Address: 88 Howard Street, Welch, West Virginia 24801

Telephone Number: 304-436-3113

E-Mail: josh@wardlawwv.com

2020 Census Population: 3,050

B. Municipal Classification

Class III

C. Category of Issues to be Addressed

XTAX	Organization	X Administration	Personnel
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SECTION II: NARRATIVE (proposed plan)

The City of Welch is the county seat of McDowell County, West Virginia and is located at the forks of Tug River and Elkhorn Creek. The City of Welch was incorporated in 1893 and named after Isaiah A. Welch, a former captain in the Confederate States Army who came to the region as a surveyor and helped establish the plan for the beginning of a new town at the confluence of Tug Fork and Elkhorn Creek.

Prosperity in Welch grew greatly during the first half of the 20th century as McDowell County became the largest coal producing county in the country. Welch had become the hub of retail business as the county population approached 100,000. However, with mechanization of the coal mining process being introduced, less laborers were required, leaving more residents without jobs. McDowell County's population saw a great rise in the 1950s but began a sharp decline soon after in the 1960s. In the 1960s, McDowell County still ranked number 1 in the United States for total coal production, proudly proclaiming itself "The Heart of the Nation's Coal Bin."

Welch's history is diverse and storied. Welch's downtown is on the National Register of Historic Places and Welch is recognized nationally for several "firsts" in American history. For example, the first public children's playground in West Virginia was built in Welch in 1913. In 1923, the first memorial building in the United States dedicated to the memory of WWI Veterans was built. Welch resident, Minnie Buckingham Harper, became the first African American female legislator in the country. Welch also boasts the first municipally owned parking garage in the United States and has been visited by three US Presidents.

Welch is a historic community in the heart of the Appalachian Mountains. Now that Coal has all but vanished, outdoor recreation and the thrills of ATV riding are as abundant as the peace and quiet. Welch rests in the Heart of the Hatfield and McCoy trail system. Much has changed over the past fifty years in Welch. At the last census, the City of Welch had a population of only 1,715 people. However, with the growing tourism industry, Welch is now experiencing a thriving economy. The City of Welch has sincere interest in capitalizing on this growing tourism industry and becoming the beacon of light in a county stricken by poverty. Therefore, the City is seeking application of Home Rule to address specific state laws, policies, acts, resolutions, rules, or regulations that are preventing the City from carrying out duties in the most cost effective, efficient, and timely manner.

1. Impose a 1% Sales/Use Tax and Reduce or Eliminate Selected Business and Occupation Taxes.

The City of Welch seeks to restructure its business tax structure, reducing and eliminating some classes of the Business and Occupation Tax and instituting a 1% sales tax in order to increase revenue for the city and attract new businesses with a new tax structure. The new business tax structure will be similar to the municipalities that are adjacent to the City and level the playing field when attracting new businesses to the area.

Currently, the City of Welch, collects various categories of B&O Tax at various rates (see attached Figure 1.1), it's the City of Welch's position that reducing and eliminating certain B&O Tax Categories (Figure 1.1 and 1.2) will aid in the growth and development of businesses within city limits by reducing the tax burden and in return increasing revenues for the businesses. Also, the City of Welch hopes to attract new businesses to the City with the new tax structure to support the growing tourism industry.

Specific Legal Barrier

West Virginia Code §8-13C-4. Municipal sales and services taxes.

Proposed Solution

The City of Welch has a small residential tax base. However, the City is experiencing an influx in visitors due to tourism from the various recreational activities. If approved, Home Rule would provide the tools necessary to improve infrastructure and services provided, while attracting new businesses. With a municipal Sales and Use tax of 1% and the retention of some of our B&O tax revenue, the City can utilize the opportunity to make strides in the right direction. The City of Welch proposes to impose a municipal sales tax of up to 1% on all taxable sales under the West Virginia Code within the City. The City will reduce B&O tax on Retailers, Restaurants, and others by 50%. This would result in a significant increase in revenue for the City (Figure 1.2).

Increased revenue would provide municipal services, including but not limited to:

2. Infrastructure development and demolition of abandoned and dilapidated structures.
3. Provide the City with the ability to participate in matching grant programs that are currently unavailable because of financial constraints.

4. Ability to enhance and host various fairs, festivals, and tourism events.
5. Ability to hire police officer and maintain equipment for the police department.

Fiscal & Economic Benefit of Proposed Solutions

The City of Welch could expect a net fiscal benefit of approximately \$635,000 annually with an approval of the Home Rule application. This increase in our budget will enable the City to continue making improvements to infrastructure and services. Currently the city only budgets for necessities and during the past several years has had to borrow from reserves for the yearly budget. Approval of Home Rule Application would give the city the means to substantially increase the budget allowing for the care and maintenance of city infrastructure, and the purchase of much-needed equipment for the police and street departments. The City of Welch is a small community that could prosper substantially because it seeing many tourists visit the city; however, the City needs to be able to provide the services, infrastructure, and amenities that is required to be a prosperous city that is able to capitalize on the influx in tourism.

Fiscal Analysis B&O Tax Rates

- See Figures 1.1 and 1.2

Administrative Matters

If approved, the Municipal Sales and Use Tax would be completely administered, collected, and enforced by the Tax Commissioner at the same time and in the same manner as the State Consumer Sales and Service tax and Use Tax. Once a quarter, the State Treasurer will send to the City of Welch the amount of tax owed to the City pursuant to WV Code §8-13C-7. The city understands and intends to coordinate the increase and sales tax and the decrease/elimination of the B&O Tax on the same date to avoid any sort of budget issues.

Boundary Database

Any municipality that imposes a sales tax is required to provide the Tax Commissioner with a boundary database, which the City of Welch will submit to the State Tax Commissioner in the format required if Home Rule is approved. The information provided will include all of the 9-digit zip codes that are located in whole, or in part, within our city limits.

Conclusion

The City of Welch strives to provide the best services and infrastructure that is possible within its budget. The opportunity to impose the 1% sales tax would give the City the ability to better prepare respond and foster continued growth economically and to provide better services to our citizens.

2. Enable the City and City Officials to better address dilapidated properties and structures with on-the-spot citation. (Category- Administrative/Legal)

Like many other West Virginia cities and towns, the City of Welch suffers the ill effects of an excessive number of dilapidated and decrepit properties (see Figure 1.4). Although there are many reasons why these properties have reached their current condition, each affects the city negatively by reducing neighboring property values, undermining community morale,

discouraging new residents and businesses, attracting criminal activity, posing fire and other safety risks, as well as creating health risks through the presence of mold and vermin.

State code currently gives cities and small towns certain powers intended to address such problems. These were devised in a time when the prevalence of such properties was much lower and the need to intervene was occasional, rather than constant. The processes and tools currently available under state code are simply too inefficient. Under current state law the City is at a disadvantage in efforts to take effective action against unhealthy, unsightly, and dangerous properties.

On the Spot Citations

The City of Welch seeks the authority for its code enforcement officer, building inspector, and/or city police to cite property owners "on the spot" for violations of city ordinances concerning property maintenance, safety, and health hazards.

Specific Legal Barrier

W.Va. Code §8-12-16 allows municipalities to adopt ordinances regulating the repair, closing, demolition, etc. of dwellings or buildings unfit for human habitation. Additionally, municipalities may adopt ordinances requiring the owner of any such dwelling or building to pay for the cost of repairs, alterations, improvements, demolition, etc.

W.Va. Code §8-12-5(23) further vests municipalities with the authority to, by ordinance or resolution, provide for the elimination of hazards to public health and safety and abate or cause to be abated anything which a majority of the governing body finds to be a public nuisance, but does not provide authority for granting citation powers to code enforcement officials.

In fact, from W.Va. Code §8-12-16, in pertinent part, the following language restricts enforcement agents to the powers granted to civil process servers:

"(i) All orders issued by the enforcement agency shall be served in accordance with the law of this state concerning the service of process in civil actions, and, be posted in a conspicuous place on the premises affected by the complaint or order: Provided, that no ordinance may be adopted without providing for the right to apply to the circuit court for a temporary injunction restraining the enforcement agency pending final disposition of the cause."

The result of the above code language is that, before citing property owners for property maintenance and related nuisance violations (e.g., sanitation issues, garbage buildup, graffiti, unmaintained lawns, unsafe or broken sidewalks), building and zoning inspectors must follow an onerous of first posting public notice 10 days prior (warnings) and then applying for and receiving approval from the city's municipal court before a citation is issued. This process is inefficient, costly, and leads to an extended delay between the identification of a public nuisance and compliance from the property owner. In fact, because the process is so time consuming and injurious to the apparent authority of the city's enforcement agents, noncompliance by the property owner is often the outcome.

Proposed Solution

The City of Welch seeks authority to enact an ordinance providing its Building Inspector and Police Officers the ability and authority to issue "on the spot" citations for certain violations. This citation power will extend to sanitation, drainage, sidewalks in disrepair, high weeds, grass, graffiti, exterior garbage accumulation, open storage in residential districts, and vehicles without proper registration. These citations may be issued to the owner, lessee, sub-lessee, tenant, occupant, or agent or manager thereof, presently having control over the property in question. An opportunity to respond will be afforded to the cited party by contesting the citation in municipal court. The citation will be administered substantially similar to how traffic citations are administered.

Conclusion

Allowing "on-the-spot" citations will alleviate unnecessary and cumbersome procedural obstacles and will facilitate efficient management of the City's ordinances.

3. Sale of Municipal Property Without an Auction (Category - Administrative)

The current public auction requirements often create a scenario where the sale of property by a municipality leads to a sale at less than market value. Notably, the required sale at auction to the highest bidder does not equate to the actual value of the property, and often, results in the sale of the property at less than its actual value.

Additionally, as required by W. Va. Code§ 18-12-18(b) regarding property valued more than \$1,000.00, municipalities are additionally required to pay the costs of class II legal advertisements. Class II legal advertisements are governed by W. Va. Code§ 59-3-2(a), and require once weekly publishing for two successive weeks in a qualifying newspaper. The cost of said legal advertisement is likewise governed by W. Va. Code§ 59-3-3. Considering the likelihood property would be sold for less than a fair market bid alongside the additional expense of legal advertising, the city often receives much less than the actual value of the property at auction.

The City of Welch desires to sell personal or real property of any value by negotiation and transfer without the requirement for public auction. The City will institute safeguards and an ordinance to govern the sale of municipal property. Those will include a finding by municipal resolution that the sale is deemed to be for a public purpose, that adequate notice be provided to the public, and the sale is for adequate consideration.

Specific Legal Barrier:

West Virginia State Code § 8-12-18(b)

A municipalities' authority to dispose of property is generally restricted to public auction:

(b) In all other cases involving a sale, any municipality is hereby empowered and authorized to sell any of its real or personal property or any interest therein or any part thereof for a fair and adequate consideration, the property to be sold at public auction at a place designated by the governing body, or by using an Internet-based public auction service, but before making any sale, notice of the time, terms, and

place of sale, together with a brief description of the property to be sold, shall be published as a Class II legal advertisement in compliance with the provisions of § 59-3-1 et seq. of this code and the publication area for the publication shall be the municipality. The requirements of notice and public auction shall not apply to the sale of any one item or piece of property of less value than \$1,000 and under no circumstances shall the provisions of this section be construed as being applicable to any transaction involving the trading in of municipally owned property on the purchase of new or other property for the municipality and every municipality shall have plenary power and authority to enter into and consummate any trade-in transaction. W. Va. Code § 8-12-18(b).

Auction is defined under the West Virginia Code as: "any public sale of real or personal property when offers or bids are made by prospective purchasers and the property sold to the highest bidder." W. Va. Code § 19-2C-1(e) (effective until June 7, 2019) (See also W. Va. Code § 19-2C-1(h) (effective June 7, 2019) ("Public auction" or "auction" means any public sale of real or personal property in any manner, whether in-person, via written offers or bids, or online, when offers or bids are made by prospective purchasers and the property sold to the highest bidder.")

Proposed Solution

The City of Welch seeks authority to enact an ordinance to establish the procedure for selling property, real or personal, valued at less than \$20,000.00 without going through the auction process. The City of Welch desires to sell personal or real property of any value by negotiation and transfer without the requirement for public auction, if the sale is deemed to be for a public purpose by municipal resolution, adequate notice is provided to the public, and the sale is for adequate consideration, which may consider fair market value.

Conclusion

Rather than compel auctions, which are untimely, expensive, and often result in sales of property at less than market value, the city is seeking more flexibility in its ability to sale municipal property without the risk of losing money by selling property at an auction at less than its actual value. Removing barriers such as the legal advertisement and the public action requirement and eliminating costs such as advertising and auctioneer commission cost, will facilitate immediate savings and eventually improve property sale value.

Business and Occupation Privilege Tax

Business Name:

PAYMENT MUST BE RECEIVED WITHIN 30 DAYS FROM THE END OF PERIOD COVERED TO AVOID ENFORCEMENT OF LATE FEES

DESCRIPTION	GROSS AMOUNT	TAX	NET AMOUNT	RATE PER \$100	TAX DUE
Severance, Extractions and Production of:					
A) Natural Gas In place of \$,000				1.00	
B) Unmetamorphosed or Sandstone				.15	
C) Natural Resources				1.00	
Manufactured Products				.25	
Retailers, Restaurants & Others				.15	
Wholesalers				.15	
Commercial (Righting)				3.00	
Water Companies				2.62	
Power Companies				2.57	
Natural Gas Companies				3.00	
All other Utilities				1.00	
Contracting Business				1.26	
Contracting Business per project over 100,000				1.00	
Amusement Business				.50	
Service or Consulting & All Other Business				.76	
Rents, Individuals or Corporations				.76	
Loan Companies				.76	
Banking Institution				.85	
Hotel Occupancy				1.00	
A MINIMUM TAX OF \$2 PER \$100 REQUIRED					
PENALTIES-(\$% FOR FIRST 30 DAYS DELINQUENCY PLUS 1% FOR EACH SUCCEEDING 30 DAYS)					
TOTAL REMITTANCE- ENCLOSED					

PLEASE RETURN ONE COPY WITH REMITTANCE AND MAINTAIN ONE COPY FOR YOUR RECORDS
THIS RETURN MUST BE VERIFIED BY OATH PRESCRIBED BELOW

1. _____ DO SOLEMNLY SWEAR THAT THE STATEMENTS AND ITEMS (BOTH AS TO DESIGNATIONS AND AMOUNTS) ENTERED IN THE
 FOREGOING ARE TO THE BEST OF MY KNOWLEDGE AND BELIEF TRUE AND CORRECT IN EACH AND EVERY PARTICULAR; THAT THE ABOVE RETURNS WERE TAKEN
 FROM THE FOLLOWING BOOKS, PAGES AND RECORDS OF THIS A/P: PAVER NG RETURN AND THAT THE ERSQHG RETURNS ARE TRULY AND FAIRLY
 BUSINESS P. EPOFRED IN THE RETURN AND TRUE ORIGINAL BOOKS, PAPERS AND RECORDS FROM WHICH THE RETURN WAS PREPARED; AND THAT IN REPORTING GROSS INCOME NO
 DEDUCTIONS WERE MADE ON ACCOUNT OF CERTAIN OTHER RETURNS.

SWORN TO THIS DAY OF 20

PHONE NUMBER

PERSON PREPARING RETURN: ..-----

CITY/STATE/ZIP

EXHIBIT
/ 1 1

Business and Occupation Privilege Tax

Business Name:

PA'YUENT MUST **BE RECEIVED** WITHIN 30 DAYS FROM THE END OF PERIOD COVERED TO AVOID ENFORCEMENT OF LATE FEES

DESCRIPTION	AMOUNT	AMOUNT	RAI	PER	TAX DUE
Severance, Extractions and Production of:					
A) Natural Gas In of & GOO				1.00	
B) Limestone or Sandstone				.65	
C) Natural Resources				1.00	
Val-Manufactured Products				.25	
Retailers, Restaurants & Others				11.1	
Wholesalers				.11	
(- - 1VaommatelaL.Rghtklo)				3.A0	
Water Companies				2.62	
Power Companies				2.57	
Natural Gas Companies				3.00	
All Other UUltfes				1.68	
Contractlna Bus.lneas				1.26	
Contracting Business per project over 100,000				2.00	
Amusement Business				.60	
Service or catHng & All Other Business				.76	
Ranta, Indivfduals or Corporations				.76	
Loan Companies				.76	
Banldna tnstitutions				.85	
HotelOccupanc.y				6.00	
A MINIM.UM T 0r:: PER QUARTER IS REQUIRED					
PENALTIES (1% FOR FIRST 30 DAYS DELINQUENCY PLUS 1% EACH SUCCEEDING 10 DAYS)					
TOT,IL REMITTANCE ENCLOSED					

PLEASE RETURN ONE COPY WITH REMITTANCE AND MAINTAIN ONE COPY OF YOUR RECORDS
THIS RETURN MUST BE VERIFIED BY OATH OFFICER AND BELOW

FOR GONGARE DESTROY MY KNOWLEDGE AND BELIEF. TRUE AND CORRECT IN EACH HARDYBURY PARKUCUR: TWIT THE FIGURES THROUGH REPORTS WERE TAKEN FROM THE BOOKS, PAPERS AND RECORDS OF THE TAXPAYER NG RETURN AND THE TIME SIGNING THE RETURN IS THOROUGHLY WITH THE BUSINESS REPORTED IN THE RETURN AND THE OATHS IN THE BOOKS, PAPERS AND RECORDS FROM WHICH THE RETURN WAS PREPARED; AND THAT NAEPOR 11HG GROSS INCOME NO DEDUCTIONS WERE MADE ON ACCOUNT OF COST OF LABOR OR OTHER BUSINESS.

SWORN TO THIS DAY OF _____ 20____

PHONE NUMBER _____

PERSON PREPARING R-...
ADDRESS

CITY/STATE/ZIP

EXHIBIT

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City of Welch Retail and Wholesale B&O Tax Collections - Actual Thursday, April 29, 2021

Year 2018-2019		Year 2019-2020		Year 2020-2021	
Total Retail Reported	44,353,770.77	Total Retail Reported	43,329,687.81	Total Retail Reported	35,625,912.01
Total Wholesale <u>Reported</u>	<u>9,918,205.33</u>	Total Wholesale <u>Reported</u>	<u>9,698,889.95</u>	Total Wholesale <u>Reported</u>	<u>6,763,215.66</u>
Total Retail & Wholesale B&O Tax Collected		Total Retail & Wholesale B&O Tax Collected		Total Retail & Wholesale B&O Tax Collected	
2018-2019	203,612.33	2019-2020	197,039.30	2020-2021	159,918.41

City of Welch Retail and Wholesale 1% Sales Tax Projection - Proposal Thursday, April 29, 2021

Projection of what we would have received with the 1% sales tax

Year 2018-2019		Year 2019-2020		Year 2020-2021	
1% Sales Tax Collection Projection		1% Sales Tax Collection Projection		June to December 2020 1% Sales Tax Collection Projection	
Retail	443,537.71	Retail	433,296.88	Retail	356,259.12
Wholesale	<u>99,182.05</u>	Wholesale	<u>96,988.90</u>	Wholesale	<u>67,632.16</u>
Total Projected Collection	542,719.76	Total Projected Collection	530,285.78	Total Projected Collection	423,891.28

City of Welch Reduce Retail to 0.2196 Tax Rate Projection - Proposal Thursday, April 29, 2021

Projection of what we would have received with the 0.21% Retail tax

Year 2018-2019		Year 2019-2020		Year 2020-2021	
Reduced B&O Tax Collection Projection		Reduced B&O Tax Collection Projection		June to December 2020 Reduced B&O Tax Collection Projection	
Retail	93,142.92	Retail	90,992.34	Retail	74,814.42
Wholesale	<u>14,817.31</u>	Wholesale	<u>14,548.33</u>	Wholesale	<u>10,144.82</u>
Total Projected Collection	108,020.23	Total Projected Collection	105,540.67	Total Projected Collection	84,959.24

EXHIBIT

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



Matthew R. Irby, State Tax Commissioner

WELCH CITY OF
88 HOWARD ST
WELCH WV 24801-2442

Letter Id: L1703128224
Issued: 06/25/2024

RECEIVED

JUL 9 2024

West Virginia State Tax Department

Letter of Good Standing

EFFECTIVE DATE: June 25, 2024

A review of tax accounts indicates that WELCH CITY OF is in good standing as of the effective date of this document. Please note, this Letter of Good Standing expires on **September 23, 2024**.

The issuance of this Letter 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,

Catherine Mitchell, Assistant Director
Taxpayer Services Section

**NOTICE OF PUBLIC HEARING
CITY OF WELCH, WEST VIRGINIA
APPLICATION TO:
WEST VIRGINIA MUNICIPAL HOME RULE PROGRAM**

Notice is hereby given by the City of Welch that it will hold a public hearing on Monday, September 9, 2024, at 4:00 p.m. at the City Hall, Welch, West Virginia 24801.

The purpose of this public hearing is to discuss the City of Welch's proposed Home Rule written plan and application pursuant to the provisions of West Virginia Code §8-1- 5a, as amended. The information gathered and presented at this public hearing will be utilized by the City in its application to the West Virginia Municipal Home Rule Board.

The City of Welch's proposed Home Rule Plan will be available for public inspection in the office of the City Clerk, at Welch's City Hall, 88 Howard Street, Welch, West Virginia 24801, beginning on August 5, 2024, during normal business hours, Monday through Friday (excluding holidays), between the hours of 8:00 am and 4:00 pm.

All interested citizens are invited to attend the public hearing on September 9, 2024, at 4:00 p.m. to present oral or written comments concerning the City of Welch's proposed Home Rule plan at that time. Written comments may also be addressed to Robin Lee, City Clerk, City of Welch, 88 Howard Street, Welch, West Virginia 24801.

The first reading of the ordinance concerning the City of Welch's Home Rule written plan and application, will be considered by Council for adoption on August 5, 2024, at 4:00 p.m. in the Council Chambers during its regularly scheduled meeting, 88 Howard Street, Welch, West Virginia 24801.

The second reading of the ordinance concerning the City of Welch's Home Rule written plan and application, will be considered by Council for adoption on September 9, 2024, at 4:00 p.m., immediately following the public hearing at the City Hall, Council Chambers, 88 Howard Street, Welch, West Virginia 24801.

Please run as a Class II legal ad on August 7, 2024. August 14, 2024

Dated August 5, 2024

Is/ Harold McBride, Sr.
Mayor

Is/ Robin Lee
City Clerk

Ordinance Authorizing Submission of Home Rule Plan Ordinance

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WELCH ADOPTED PURSUANT TO THE PROVISIONS OF WEST VIRGINIA CODE 8-1-SAAUTHORIZING THE CITY OF WELCH TO SUBMIT A WRITTEN HOME RULE PLAN TO THE MUNICIPAL HOME RULE BOARD IN ORDER TO PERMIT THE CITY OF WELCH TO PARTICIPATE IN THE MUNICIPAL HOME RULE PROO .

WHEREAS, in 2019, the West Virginia Legislature has made the Municipal Home Rule Pilot Program a Permanent Program created pursuant to the provisions of West Vll'ginia Code 8-1-Sa to allow participation by all municipalities; and

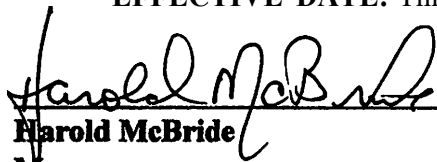
WHEREAS, the City of Welch desires to participate in said program and has prepared a written home rule plan, which plan complies with the provisions of the aforementioned code section; and

WHEREAS, a public hearing on the said plan was scheduled for **September 9, 2024 at 4:00 p.m.**, or as soon thereafter as the matter could be heard at 88 Howard Street, Welch, West Virginia, Welch City Hall, and a notice of said public hearing was published as a Class II legal advertisement in The Bluefield Daily Telegraph, a newspaper in general circulation in Welch, McDowell County, West Virginia on August 7, 2024 and August 14, 2024, all as required by the aforementioned code section; and

WHEREAS, all other general notice requirements relating to said public hearing were satisfied; and

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WELCH, WEST VIRGINIA, that the Mayor is hereby authorized and directed to submit a home rule proposal to the Municipal Home Rule Board in accordance with West Virginia Code 8-1-Sa in order for the City of Welch to be included in this program. Acopy of said proposal and application is attached hereto.

EFFECTIVE DATE: This Ordinance shall take effect immediately after adoption.


Harold McBride
Mayor

Robin Lee
City Clerk

Publication:	August 7, 2024 and August 14, 2024
Public Hearing:	September 9, 2024
First Reading:	August 5, 2024
Second Reading:	September 9, 2024
Adopted:	September 9, 2024



WARD LAW OFFICE, PLLC.

228 North Fayette Street
Post Office Box 5086
Beckley, West Virginia 25801

Phone: (681) 207-7400
Fax: (681) 207-7401
josh@wardlawww.com

August 5, 2024

Municipal Home Rule Board
PO BOX 11360
Charleston, WV 25301

Re: Application for Municipal Home Rule Program - City of Welch, West Virginia

Dear Mr. Chairman and Members of the Board:

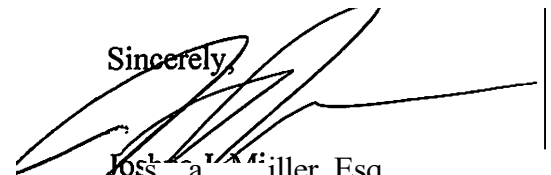
I have acted as counsel to the City of Welch ("City") in connection with Its application and proposed written plan to the West Virginia Municipal Home Rule Board (hereinafter referred to as the "Application"). For the purposes of the opinions contained in this letter, I have examined West Virginia Code §8-1-Sa as amended, as well as the Application provided to me by the City. As to any facts relevant to my opinion which I did not independently establish, I have relied upon factual representations contained within the Application, and any documentation submitted contemporaneously therewith.

I find that the Application does not include any proposals that are prohibited by West Virginia Code §8-1-Sa(i). Further, I find that the Application's proposal regarding taxation complies with the relevant provisions of West Virginia Code §8-1-Sa(i)(14), and the City shall use the services of the State Tax Commissioner to administer, enforce, and collect the tax required by the provisions of West Virginia Code §11-15-1 et seq., §11-1SA-1 et seq., and §11-1SB-1 et seq. and all applicable provisions of the Streamlined Sales and Use Tax Agreement. Finally, as evidenced by the documentation enclosed with the Application, the City Clerk has certified that the City made available a copy of its proposed Application and Home Rule Written Plan for public viewing and published thirty days advance notice of a public hearing on the Application, conducted such a public hearing, and adopted an ordinance authorizing the City to submit the Application. Moreover, the Clerk has certified herewith that the City is current in payment of all state taxes and fees to the State of West Virginia.

Based upon the foregoing, we opine that the City of Welch's Application does not violate the provisions of the West Virginia Code §8-1-Sa, as amended. This opinion is solely for the benefit of the West Virginia Municipal Home Rule Board in connection with the Application of the City of Welch to the permanent Municipal Home Rule Program and without my written consent, this opinion letter may not be used or relied upon by any other person for any other purpose whatsoever.

Contact my office (681) 207-7400 with any questions or concerns.

Sincerely,



Joseph A. Miller, Esq.
WV Bar# 12231
P.O. Box 5086
Beckley, WV 25801



City of Welch

88 Howard St.

Welch, WV 24801

{304} 436-3113

Fax (304) 436-2546

www.cityofwelch.com

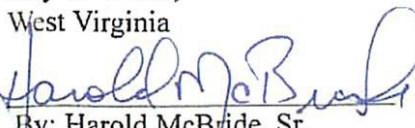
FISCAL STATEMENT

The costs and liabilities involved in the City of Welch's Home Rule Plan include the estimated decrease in business and occupation tax revenue of \$114,109.53, the administration fee from the West Virginia Tax Department for administering, collecting and enforcing the municipal sales and use tax revenue on the City's behalf, and annual assessment owed to the Municipal Home Rule Board.

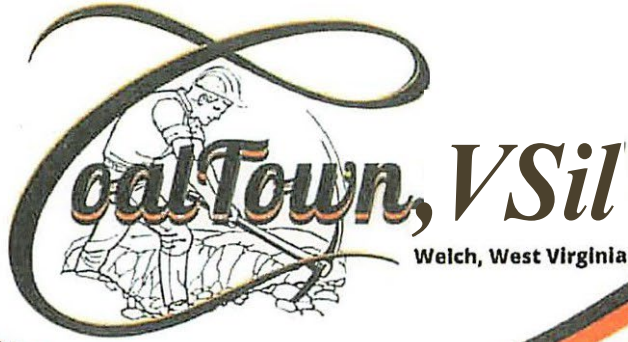
The administrative proposal of the City's Home Rule Plan comprising 1) "On-The-Spot" code enforcement citations and 2) Disposition of equipment/property without public auction are not estimated to impose a material cost or liability on the City.

The City estimates that it will have a net revenue gain of \$543,378.72 corresponding to its sales tax implementation. As such, the City can cover all anticipated costs and liabilities associated with the Home Rule Program.

City of Welch,
West Virginia



By: Harold McBride, Sr.
Its: Mayor



City of Welch
88 Howard St.
Welch, WV 24801
(304) 436-3113
Fax(304)436-2546
www.cityofwelch.com

City Clerk Verification on Ordinance Authorizing Submission of Plan

ORDINANCE AUTHORIZING SUBMISSION OF PLAN

I, the undersigned Clerk of the City of Welch, West Virginia, do hereby certify that the foregoing is a true, correct, and complete copy of an Ordinance Authorizing the Mayor of the City of Welch to Submit a Home Rule Proposal to the West Virginia Municipal Home Rule Board in Accordance with West Virginia Code 8-1-Sa, enacted on the second and final reading by the Council of the City of Welch on September 9, 2024.

Witness the signature of the undersigned City Clerk of the City of Welch, West Virginia, and the seal of the City of Welch, this 9th day of September, 2024.

**City of Welch,
West Virginia**

By: Robin Lee

Its: City Clerk



City of Welch
88 Howard St.
Welch, WV 24801
(304) 436-3113
Fax (304) 436-2546
www.cityofwelch.com

AFFIDAVIT

STATE OF WEST VIRGINIA

COUNTY OF McDOWELL, TO-WIT:

The Affiant, after being duly sworn, swears and affirms as follows:

1. I, Robin Lee, am the Clerk of the City of Welch.
2. As the Clerk of the City, I am familiar with all of the financial affairs of the City of Welch.
3. I certify that the City of Welch is not delinquent nor has any outstanding payments due to the State of West Virginia.

And further the affiant sayeth not.

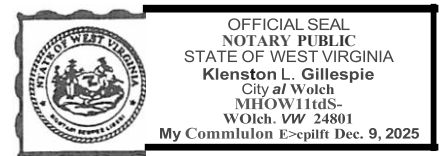
City of Welch,
West Virginia

By: Robin Lee
Its: City Clerk

Taken, sworn to and subscribed before me the 5 day of August 2024.

My commission expires Oct. 9, 2025

Unct —
Notary Public





City of Welch
88 Howard St.
Welch, WV 24801
(304) 436-3113
Fax (304) 436-2546
www.cityofwelch.com

August 5, 2024

Edward Diaz
Department of Veterans Assistance
1900 Kanawha Blvd, E.
Building 5, Room 205
Charleston, WV 25305
Via Certified Mail

RE: NOTICE OF PUBLIC HEARING

Dear Mr. Diaz,

The City of Welch is providing notice of a public hearing scheduled for September 9, 2024, at 4:00 p.m. at the Welch City Hall located at 88 Howard Street, Welch, West Virginia. The public hearing will address the City's intent to submit a Home Rule Application. I have attached a copy of the notice which will appear in the Bluefield Daily Telegraph, also a notice has been sent to the cabinet secretary of every department. If you have any questions, please feel free to contact me at 304-436-3113.

J; e:, Jill, n - n
cp
City of Welch

CC: Secretary of Department of Commerce,
Secretary Department of Administration,
Secretary Department of Environmental Protection
Secretary Department of Health
Secretary Department of Human Resources
Secretary Department of Military Affairs and Public Safety
Secretary Department of Transportation
Secretary Department of Veterans Assistance
Secretary Department of Tourism
Secretary Department of Economic Development
Department of Revenue, Home Rule Board



City of Welch
88 Howard St.
Welch, WV 24801
(304) 436-3113
Fax (304) 436-2546
www.cityofwelch.com

August 5, 2024

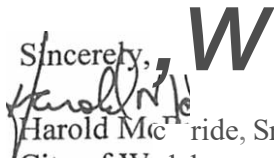
James Bailey
Department of Commerce
1900 Kanawha Blvd E.
Building 3, Suite 600
Charleston, WV 25304
Via Certified Mail

RE: NOTICE OF PUBLIC HEARING

Dear Mr. Bailey,

The City of Welch is providing notice of a public hearing scheduled for September 9, 2024, at 4:00 p.m. at the Welch City Hall located at 88 Howard Street, Welch, West Virginia. The public hearing will address the City's intent to submit a Home Rule Application. I have attached a copy of the notice which will appear in the Bluefield Daily Telegraph, also a notice has been sent to the cabinet secretary of every department. If you have any questions, please feel free to contact me at 304-436-3113.

Sincerely,


Harold McCardie, Sr.
City of Welch

CC: Secretary of Department of Commerce,
Secretary Department of Administration,
Secretary Department of Environmental Protection
Secretary Department of Health
Secretary Department of Human Resources
Secretary Department of Military Affairs and Public Safety
Secretary Department of Transportation
Secretary Department of Veterans Assistance
Secretary Department of Tourism
Secretary Department of Economic Development
Department of Revenue, Home Rule Board



City of Welch
88 Howard St.
Welch, WV 24801
(304) 436-3113
Fax (304) 436-2546
www.cityofwelch.com


August 5, 2024

Mr. Larry Pack
Department of Revenue
Home Rule Board
1900 Kanawha Blvd. E
Building 1, W-300
Charleston, WV 25305
Via Certified Mail

RE: NOTICE OF PUBLIC HEARING

Dear Mr. Pack,

The City of Welch is providing notice of a public hearing scheduled for September 9, 2024, at 4:00 p.m. at the Welch City Hall located at 88 Howard Street, Welch, West Virginia. The public hearing will address the City's intent to submit a Home Rule Application. I have attached a copy of the notice which will appear in the Bluefield Daily Telegraph, also a notice has been sent to the cabinet secretary of every department. If you have any questions, please feel free to contact me at 304-436-3113.

Sincerely,

Harold McBride, Sr.
City of Welch

CC: Secretary of Department of Commerce,
Secretary Department of Administration,
Secretary Department of Environmental Protection
Secretary Department of Health
Secretary Department of Human Resources
Secretary Department of Military Affairs and Public Safety
Secretary Department of Transportation
Secretary Department of Veterans Assistance
Secretary Department of Tourism
Secretary Department of Economic Development
Department of Revenue, Home Rule Board



City of Welch
88 Howard St.
Welch, WV 24801
(304) 436-3113
Fax (304) 436-2546
www.cityofwelch.com

August 5, 2024

Jimmy Wriston
Department of Transportation
1900 Kanawha Blvd, E.
Building 5
Charleston, WV 25305
Via Certified Mail

RE: NOTICE OF PUBLIC HEARING

Dear Mr. Wriston,

The City of Welch is providing notice of a public hearing scheduled for September 9, 2024, at 4:00 p.m., at the Welch City Hall located at 88 Howard Street, Welch, West Virginia. The public hearing will address the City's intent to submit a Home Rule Application. I have attached a copy of the notice which will appear in the Bluefield Daily Telegraph, also a notice has been sent to the cabinet secretary of every department. If you have any questions, please feel free to contact me at 304-436-3113.

Sincerely,

de, Sr.

City of Welch

CC: Secretary of Department of Commerce,
Secretary Department of Administration,
Secretary Department of Environmental Protection
Secretary Department of Health
Secretary Department of Human Resources
Secretary Department of Military Affairs and Public Safety
Secretary Department of Transportation
Secretary Department of Veterans Assistance
Secretary Department of Tourism
Secretary Department of Economic Development
Department of Revenue, Home Rule Board



City of Welch
88 Howard St.
Welch, WV 24801
(304) 436-3113
Fax (304) 436-2546
v www.cityofwelch.com


August 4, 2024

John McHugh
Department of Administration
1900 Kanawha Blvd, E.
Building I, E-119
Charleston, WV 25305
Via Certified Mail

RE: NOTICE OF PUBLIC HEARING

Dear Mr. McHugh:

The City of Welch is providing notice of a public hearing scheduled for September 9, 2024, at 4:00 p.m. at the Welch City Hall located at 88 Howard Street, Welch, West Virginia. The public hearing will address the City's intent to submit a Home Rule Application. I have attached a copy of the notice which will appear in the Bluefield Daily Telegraph, *also* a notice has been sent to the cabinet secretary of every department. If you have any questions, please feel free to contact me at 304-436-3113.

Sincerely,

Harold McBride, Sr.
City of Welch

CC: Secretary of Department of Commerce,
Secretary Department of Administration,
Secretary Department of Environmental Protection
Secretary Department of Health
Secretary Department of Human Resources
Secretary Department of Military Affairs and Public Safety
Secretary Department of Transportation
Secretary Department of Veterans Assistance
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Department of Revenue, Home Rule Board



City of Welch
88 Howard St.
Welch, WV 24801
(304) 436-3113
Fax (304) 436-2546
www.cityofwelch.com

August 5, 2024

Martk Sorsaia
Department of Homeland Security
1900 Kanawha Blvd, E.
Building I, W-400
Charleston, WV 25305
Via Certified Mail

RE: NOTICE OF PUBLIC HEARING

Dear Mr. Sorsaia,

The City of Welch is providing notice of a public hearing scheduled for September 9, 2024, at 4:00 p.m. at the Welch City Hall located at 88 Howard Street, Welch, West Virginia. The public hearing will address the City's intent to submit a Home Rule Application. I have attached a copy of the notice which will appear in the Bluefield Daily Telegraph, also a notice has been sent to the cabinet secretary of every department. If you have any questions, please feel free to contact me at 304-436-3113.

Sincerely,


Harold McBride, Sr.

City of Welch

CC: Secretary of Department of Commerce,
Secretary Department of Administration,
Secretary Department of Environmental Protection
Secretary Department of Health
Secretary Department of Human Resources
Secretary Department of Military Affairs and Public Safety
Secretary Department of Transportation
Secretary Department of Veterans Assistance
Secretary Department of Tourism
Secretary Department of Economic Development
Department of Revenue, Home Rule Board



City of Welch
88 Howard St.
Welch, WV 24801
(304) 436-3113
Fax (304) 436-2546
www.cityofwelch.com

August 5, 2024

Mitch Carmichael
Department of Economic Development
1900 Kanawha Blvd E.
Charleston, WV 25305
Via Certified Mail

RE: NOTICE OF PUBLIC HEARING

Dear Mr. Carmichael,

The City of Welch is providing notice of a public hearing scheduled for September 9, 2024, at 4:00 p.m. at the Welch City Hall located at 88 Howard Street, Welch, West Virginia. The public hearing will address the City's intent to submit a Home Rule Application. I have attached a copy of the notice which will appear in the Bluefield Daily Telegraph, also a notice has been sent to the cabinet secretary of every department. If you have any questions, please feel free to contact me at 304-436-3113.

Sincerely,

Harold McBride, Sr.
Head
City of Welch

CC: Secretary of Department of Commerce,
Secretary Department of Administration,
Secretary Department of Environmental Protection
Secretary Department of Health
Secretary Department of Human Resources
Secretary Department of Military Affairs and Public Safety
Secretary Department of Transportation
Secretary Department of Veterans Assistance
Secretary Department of Tourism
Secretary Department of Economic Development
Department of Revenue, Home Rule Board



City of Welch
88 Howard St.
Welch, WV 24801

(304) 436-3113

Fax (304) 436-2546

^v www.cityofwelch.com

August 5, 2024

Cynthia Persily
Department of Human Services
One Davis Square, Suite 100 E
Charleston, WV 25305
Via Certified Mail

RE: NOTICE OF PUBLIC HEARING

Dear Ms. Persily:

The City of Welch is providing notice of a public hearing scheduled for September 9, 2024, at 4:00 p.m. at the Welch City Hall located at 88 Howard Street, Welch, West Virginia. The public hearing will address the City's intent to submit a Home Rule Application. I have attached a copy of the notice which will appear in the Bluefield Daily Telegraph, also a notice has been sent to the cabinet secretary of every department. If you have any questions, please feel free to contact me at 304-436-3113.

Sincerely,



Harold McBride, Sr.
City of Welch

CC: Secretary of Department of Commerce,
Secretary Department of Administration,
Secretary Department of Environmental Protection
Secretary Department of Health
Secretary Department of Human Resources
Secretary Department of Military Affairs and Public Safety
Secretary Department of Transportation
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Department of Revenue, Home Rule Board



City of Welch
88 Howard St.
Welch, WV 24801
(304) 436-3113
Fax (304) 436-2546
www.cityofwelch.com

August 5, 2024


Dr. Sherri Young
Department of Health
One Davis Square, Suite 100 E
Charleston, WV 25305
Via Certified Mail

RE: NOTICE OF PUBLIC HEARING

Dear Ms. Young:

The City of Welch is providing notice of a public hearing scheduled for September 9, 2024, at 4:00 p.m. at the Welch City Hall located at 88 Howard Street, Welch, West Virginia. The public hearing will address the City's intent to submit a Home Rule Application. I have attached a copy of the notice which will appear in the Bluefield Daily Telegraph, also a notice has been sent to the cabinet secretary of every department. If you have any questions, please feel free to contact me at 304-436-3113.

Sincerely,


Harold McBride, Sr.
City of Welch

CC: Secretary of Department of Commerce,
Secretary Department of Administration,
Secretary Department of Environmental Protection
Secretary Department of Health
Secretary Department of Human Resources
Secretary Department of Military Affairs and Public Safety
Secretary Department of Transportation
Secretary Department of Veterans Assistance
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Department of Revenue, Home Rule Board



City of Welch
88 Howard St.
Welch, WV 24801
(304) 436-3113
Fax (304) 436-2546
v www.cityofwelch.com

August 5, 2024

Harold Ward
Department of Environmental Protection
601 57th Street SE
Charleston, WV 25304
Via Certified Mail

RE: NOTICE OF PUBLIC HEARING

Dear Mr. Ward,

The City of Welch is providing notice of a public hearing scheduled for September 9, 2024, at 4:00 p.m. at the Welch City Hall located at 88 Howard Street, Welch, West Virginia. The public hearing will address the City's intent to submit a Home *Rule* Application. I have attached a copy of the notice which will appear in the Bluefield Daily Telegraph, *also* a notice has been sent to the cabinet secretary of every department. If you have any questions, please feel free to contact me at 304-436-3113.

Sincerely,

Harold McBride, Sr.
City of Welch

CC: Secretary of Department of Commerce,
Secretary Department of Administration,
Secretary Department of Environmental Protection
Secretary Department of Health
Secretary Department of Human Resources
Secretary Department of Military Affairs and Public Safety
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Department of Revenue, Home Rule Board



City of Welch
88 Howard St.
Welch, WV 24801
(304) 436-3113
Fax (304) 436-2546
www.cityofwelch.com

August 5, 2024

Chelsea Ruby
Department of Tourism
1900 Kanawha Blvd E.
Building 3, Suite 100
Charleston, WV 25305
Via Certified Mail

RE: NOTICE OF PUBLIC HEARING

Dear Ms. Ruby,

The City of Welch is providing notice of a public hearing scheduled for September 9, 2024, at 4:00 p.m., at the Welch City Hall located at 88 Howard Street, Welch, West Virginia. The public hearing will address the City's intent to submit a Home Rule Application. I have attached a copy of the notice which will appear in the Bluefield Daily Telegraph. Also a notice has been sent to the cabinet secretary of every department. If you have any questions, please feel free to contact me at 304-436-3113.

Sincerely,

Harold McBride, Sr.
City of Welch

CC: Secretary of Department of Commerce,
Secretary Department of Administration,
Secretary Department of Environmental Protection
Secretary Department of Health
Secretary Department of Human Resources
Secretary Department of Military Affairs and Public Safety
Secretary Department of Transportation
Secretary Department of Veterans Assistance
Secretary Department of Tourism
Secretary Department of Economic Development
Department of Revenue, Home Rule Board

**NOTICE OF PUBLIC HEARING
CITY OF WELCH, WEST VIRGINIA
APPLICATION TO:
WEST VIRGINIA MUNICIPAL HOME RULE PROGRAM**

Notice is hereby given by the City of Welch that it will hold a public hearing on Monday, September 9, 2024, at 4:00 p.m. at the City Hall, Welch, West Virginia 24801.

The purpose of this public hearing is to discuss the City of Welch's proposed Home Rule written plan and application pursuant to the provisions of West Virginia Code §8-1- Sa, as amended. The information gathered and presented at this public hearing will be utilized by the City in its application to the West Virginia Municipal Home Rule Board.

The City of Welch's proposed Home Rule Plan will be available for public inspection in the office of the City Clerk, at Welch's City Hall, 88 Howard Street, Welch, West Virginia 24801, beginning on August 5, 2024, during normal business hours, Monday through Friday (excluding holidays), between the hours of 8:00 am and 4:00 pm.

All interested citizens are invited to attend the public hearing on September 9, 2024, at 4:00 p.m. to present oral or written comments concerning the City of Welch's proposed Home Rule plan at that time. Written comments may also be addressed to Robin Lee, City Clerk, City of Welch, 88 Howard Street, Welch, West Virginia 24801.

The first reading of the ordinance concerning the City of Welch's Home Rule written plan and application, will be considered by Council for adoption on August 5, 2024, at 4:00 p.m. in the Council Chambers during its regularly scheduled meeting, 88 Howard Street, Welch, West Virginia 24801.

The second reading of the ordinance concerning the City of Welch's Home Rule written plan and application, will be considered by Council for adoption on September 9, 2024, at 4:00 p.m., immediately following the public hearing at the City Hall, Council Chambers, 88 Howard Street, Welch, West Virginia 24801.

Please run as a Class II legal ad on August 7, 2024, August 14, 2024

Dated August 5, 2024

/s/ Harold McBride, Sr.
Mayor

/s/ Robin Lee
City Clerk

BLUEFIELD DAILY TELEGRAPH

PO Box 1599,
Bluefield, WV 24701
Phone: 304-327-2801 • Toll Free: 800-763-2459
Fax: 304-327-0433 www.bdtonline.com

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 or email at clantz@bdtonline.com.

DATE 08/06/24

Client:

CITY OF WELCH
88 HOWARD ST
WELCH, WV 24801-0000
(304) 436-3113

ACCOUNT NUMBER: 106736

Ad ID: 815998

Sort Line: Public Hearing Sept

Start: 08/07/24

Stop: 08/14/24

Complete

Schedule 08/07/24, 08/14/24

Total Cost \$99.24

of Lines: 69

Columns Wide: 1

of Inserts: 4

Ad Taker: CLANTZ

Phone#

Email: clantz@bdtonline.com

Publications:

Bluefield Daily Telegraph
bdtonline.com

**NOTICE OF PUBLIC HEARING
CITY OF WELCH,
WEST VIRGINIA
APPLICATION TO:
WEST VIRGINIA MUNICIPAL
HOME RULE PROGRAM**

Notice is hereby given by the City of Welch that it will hold a public hearing on Monday, September 9, 2024, at 4:00 p.m. at the City Hall, Welch, West Virginia 24801.

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The City of Welch's proposed Home Rule Plan will be available for public inspection in the office of the City Clerk, at Welch's City Hall, 88 Howard Street, Welch, West Virginia 24801, beginning on August 5, 2024, during normal business hours, Monday through Friday (excluding holidays), between the hours of 8:00 a.m. and 4:00 p.m.

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The second reading of the ordinance concerning the City of Welch's Home Rule written plan and application, will be considered by Council for adoption on September 9, 2024, at 4:00 p.m., immediately following the public hearing at the City Hall, Council Chambers, 88 Howard Street, Welch, West Virginia 24801.

Dated August 5, 2024

/s/ Harold McBride, Sr.
Mayor

/s/ Robin Lee
City Clerk



City of Welch
88 Howard St.
Welch, WV 24801
(304) 436-3113
Fax (304) 436-2546
www.cityofwelch.com

***City of Welch Public Hearing and Council Meeting
September 9, 2024***

A Public Hearing and Regular meeting of the Welch City Council was held on Monday September 9, 2024 at 4:00pm in the Reverend William R. Spencer Council Chambers, present were Harold McBride, Sr., Mayor, Steve Ford, Mike Day, Kathy Gentry, Brian Mowdy, Councilors, Josh Miller, Attorney, Tim Vineyard, Chief of Police and Robin Lee, City Clerk

Absent

Brenda Farmer, Councilmember

Visitors

Zac Whitten, Attorney, Brenda Holliday, Bonita Redd, residents, Eli Hendricks, Shawn Belcher, members of the Welch Volunteer Fire Department, Kemal Hazemey and Kevin Wade

Public Hearing- Home Rule Plan

Mayor McBride opened the Public Hearing for public comments for the submission of the Home Rule Plan Application. He announced that each speaker had three minutes for comments. Mayor McBride asked for the first speaker for comments. Ms. Bonita Redd addressed the Council with her comments. Ms. Redd stated she was a lifetime resident of Welch, WV and receives the Bluefield Daily Telegraph and happened to see the application for Home Rule and read through the notice to see what is Home Rule. She stated she went through the process and had questions and some concerns about, what do you mean by your application is a little vague to me, because it says you want to increase up to 1% sales tax. Then it says actually 1% and she wanted to know is that on goods and services. She asked was it just goods. She asked was it just on services. Ms. Redd stated the exhibit has a computation of taxes on natural gas, electric power, gas companies, contractors, loans, banking institutions. She asked was all these things going to be taxed, because it is vague in the application, so she asked were all these things going to be taxed, or are you just talking about specific things are going to be taxed. She stated it is vague in the application, so she wanted to know what actually is going to be taxed after 1%. Secondly, she said, it just seems like the taxpayers in Welch are going to bear most of the burden of paying to 1%, we live here. She said we're not visitors, whatever tax you impose, we're stuck with it. She said we would have pay it because we live here, we reside here. She noted she looked at the regulation for demolition and stated there is already a state law that regulates demolition of dilapidated properties. When she reads it, it looks like you want to bypass all of the protections that they give the state provides to the homeowners that say that you can't just come in and cite them, issue citations, say you have to do this, or else you already have protections. The State gives protections to the homeowners, and it just looks like the City wants permission to bypass all protections in the legislation that protects homeowners, regulation of business and occupation tax, again to her, that's just vague. I was told that it does not say whether or not these taxes will be reduced or if they'll be eliminated. She asked if her three minutes was up, Mayor McBride said no. Ms. Redd continued by saying its vague, you don't know if you're talking

City of Welch Council Minutes, September 9, 2024

about , if you are going to just reduce the business taxes or if you are going to absolutely eliminate the taxes for all the businesses, which if you eliminate the taxes for all the businesses, that means people that only reside here, that own a business, won't pay any business taxes, who has to pick up that tab, but the residents of Welch, that's what it seems like to me. So I think that more people should be informed from Welch. I know you're only required to publish it in the newspaper. I would say that probably 10% of people maybe, well get Bluefield Daily Telegraph because it has to be mailed now, sometimes it's late, sometimes it's two days late, and that's where you have to post your legal notice. Everybody doesn't know that. I think you can post it on your site and let them know what your proposals are, if you are not ashamed of it, and you think it's best for the county, you think it's best for the city, why not post it on your site, let them decide, let the residents decide what's best. Thank you. Mayor McBride asked Attorney Miller if he wanted to address Ms. Redd's concerns. Attorney Miller stated he was Josh Miller, the City Attorney for Welch. The 1% sales use tax by code, State of West Virginia is only allowed to be on goods and services. Ms. Redd asked what does that mean? It's the goods and services that you buy in grocery stores, gas stations. Attorney Miller stated the 1% tax cannot apply to any petroleum product, petroleum products, any motor vehicles, can't apply to internet service providers, satellite TV providers. It doesn't apply to that and it's administrated, administered and collected by the State Tax Office. So it's not nothing to do with City of Welch Tax Office, the purpose of this application is to request the state for Welch to become a Home Rule city, which every municipality in the state of West Virginia is going that way. Everyone that touches the City of Welch now is a Home Rule City. What happens once the Board reviews our application says, yes, you can become a Home Rule City. Then ordinances will be drafted that will further explain each of these processes that the City of Welch is asking to do. So there'll be ordinances based on tax collection. There'll be ordinances drafted to address the dilapidated structure problem. There are processes in place with the State of West Virginia now, but even the state realizes, their process is a problem for some municipalities. So our application, if you look, you can do the research, like you said, if you look, every city that submitted an application have included these three proposals in their first application, because the liability structure process is very hard for cities to regulate these buildings in their city, which come in a huge problem across the state. So there'll be a process drafted through the ordinance to the city ordinances that addresses dilapidated structures and then the B & O Taxes, the City of Welch elected to reduce those by half and it's in the exhibit. It's going from whatever it is now that they collect a half on all businesses. Ms. Redd ask to respond, she saw where, in addition to talking about the dilapidated buildings, you also have in there that you want to regulate or give the issue citations on garbage, filled up, graffiti, unmaintained lawns, unsafe broken sidewalks, sanitation, drainage, high weeds and grass open storage, and those are not defined. She asked what is drainage? What do you mean by drainage? What do you mean by high weeds? What do you mean by high grass? What I think is high weeds, that may be something different from Ms. Gentry's perspective. Attorney Miller stated each will be up for the Council to decide through the ordinance process, once the Home Rule says, yes, you've been accepted. Then they can explore these three possibilities. Mr. Miller stated they can't adopt anything that's outside of the West Virginia State Building Code, so they will have to follow that. There's a whole lot of things that have to take place after they're accepted into the program, but right now, we're focusing on getting accepted to the program, and then there'll be ordinances at meetings which have to be read twice or adopted and passed. Thank you. Mayor McBride asked if Brenda Holliday wanted to speak. She said no. Mayor McBride asked for Mr. Kevin Wade to stand up and state your name and you have three minutes to speak. Mr. Wade stated he couldn't stand up. He continued with My name is Kevin Wade. He said he would be the first to admit that back and forth between the City of Welch and myself ridiculous. They won't to follow the rule, as far as me not speaking at Open Meetings. I want to make sure the City of Welch follows the rules, page 5, number 1 states that the City of Welch business structure, tax structure, reducing, eliminate some of the business occupation based in sales tax to increase revenue. Business Tax structure adjacent to the city, there's nine other municipalities in McDowell County, nine don't have the Home Rule. So Gary touches Welch, they don't have the Home Rule, Kimball touches Welch, they don't have the Home Rule, Davy touches Welch, nine towns they don't have the Home Rule including Welch which makes ten. So you can use the words some

City of Welch Council Minutes, September 9, 2024

and adjacent. Some means more than one what? Adjacent means next to. Look at figure one.two, during those B & O Taxes being eliminated. There is no B & Tax being eliminated, only one is being reduced, under retailers, restaurants and others. Page 5 increased revenue will provide municipal services listed under number three, provide the city with the ability to participate matching grant programs. In managing grant programs, your yearly audits must be procured and up to date, meaning for the years 2021-2022, 2022 - 2023 and 2023-2024, it the last on for the paper. No current and up to date audits, you get no matching grants. Oh, you'll see if it want to just the years 2018- 2019, 2019 -2020, 2020- 2021. Mr. Wade questioned what about the years for the second half of 2021, the first half of 2024 in that regard, the fiscal statement, there's a blank line where numbers supposed to be, the number supposed to be the estimate decreasing this occupation tax being including the cost and liability about the city's home rule. Also the fiscal state, there's another blank line where numbers supposed to be the number supposed to be the City's estimated net gain revenue, both left blank, therefore I need to make a comment. Again this is a person in a public hearing making comments on certification pages to attach to an Agenda of regular session of the Welch City Council Agenda for September 11, 2023 at 4:00 pm, it was a public hearing. This was copied from last year which is incomplete and wrong the day of September 9 of 2024 not September 11 for 2023 but you have to include those September 11 meeting, because under the law 8-11-4 it says that any proposal orders may not be materially amended at the same hearing the meeting is to adopt it. I got another thing to say about my three minutes. He continued by saying let me say this right here, if I'm able to speak at the October meeting on the regular agenda, I have a law degree. If I'm able to speak I'm going to tell you how the moneys being embezzled in Welch City Hall. As I speak now, money's been embezzled in Welch City Hall, I speak now, and anybody can sue me, and I can prove it. Sue me for defamation. I can prove it. Mayor McBride stated time's up. Mayor McBride asked for any other comments. Mayor McBride stated if no one wants to speak, we will close the public hearing. Attorney Miller asked if Ms. Redd if she wanted to submit her written comment. Ms. Redd stated yes and Attorney Miller asked do you want to submit those with the application. She said yes. Once again Mayor McBride asked if no one wants to speak, we will clos the public hearing for the Home Rule Application.

Pledge and Prayer

Mayor McBride led the Pledge of Allegiance. Councilor Ford gave the invocation.

Call to Order

Mayor McBride called the regular meeting to order as properly advertised.

Approval of Minutes August 5, 2024

Mayor McBride asked for approval of the minutes from the meeting held on August 5, 2024. Motion to approve the minutes was made by Councilor Day, seconded by Councilor Gentry, motion passed unanimously.

Approval to Pav Invoices for General. Garbage and Coal Severance Tax Funds

Mayor McBride presented the invoices for the month of August, 2024, \$197,204.45 for the General, Garbage and Coal Severance Tax Funds. Motion to approve the month of August Invoices was made by Councilor Ford, seconded by Councilor Mowdy, motion passed unanimously.

Police Department and Fire Department Reports and Financial Reports

Reports from the Police Department and Fire Department were reviewed. The financial reports were presented. Chief Vineyard addressed the Council with police department reports for the month of August, 2024. The monthly police report stated the following for the month of August, 2024: 8 Traffic Stops, 2 Citation, 0 Warnings, 5 Accidents, 5 Arrests and 55 Complaints. There were 4 Vehicles Towed and 1 Unattended death. There was a total of 55 calls. Chief Vineyard handled 11 calls, Officer Harman handled 22 calls and Officer Noe handled 22 calls.

City of Welch Council Minutes, September 9, 2024

2nd Reading Ordinance - Home Rule

Attorney Miller conducted the second reading of the Home Rule Ordinance. He stated the ordinance is authorizing submission of Home Rule Plan Ordinance of the Council of the City of Welch adopted pursuant to the provisions of Section B code 8- 1- 5A authorizing the City of Welch to submit a written Home Rule Plan to the Municipal Home Rule Board in order to permit the City of Welch to participate in the Municipal Home Rule program. Whereas in 2019, the West Virginia Legislature has made the Municipal Home Rule Pilot Program a permanent program created pursuant to the provisions of Section A Code 8-1-5a to allow participation by all municipalities and whereas the City of Welch desires to participate in said program and has prepared a written Home Rule plan which plan complies with the provisions of aforementioned code section; whereas a public hearing on the said plan was scheduled for September 9 2024 at 4pm or soon thereafter as the matter could be heard at 88 Howard Street, Welch, WV Welch City Hall and a notice of said public hearing was published as a Class II legal advertisement in the Bluefield Daily Telegraph, a newspaper of general circulation in Welch, McDowell County, West Virginia on August 7 and August 14, 2024, all as required by the aforementioned code section; and whereas all other general notice requirements relating to said public hearing were satisfied and Now Therefore be it Ordained by the Council of the City of Welch, West Virginia, that the Mayor is hereby authorized and directed to submit a Home Rule Proposal to the Municipal Home Rule Board in accordance with West Virginia Code 8-1-5a in order for the City of Welch to be included in this program. A copy of said proposal and application is attached hereto. This ordinance shall take effect immediately after adoption. The Home Rule allows for the City of Welch to collect a 1% Municipal Sales Tax, reduce Retail B & O Tax rate, address dilapidated structures with citations and sell property with no public auction for less than \$12,0000. Motion was made by Councilor Day to approve the 2nd Reading of the Ordinance, seconded by Councilor Ford, motion passed unanimously.

2nd Reading Ordinance Lease Agreement-WV Division of Natural Resources

Mayor McBride stated he received a request from the WV Division of Natural Resources to lease 2 parcels of Real Estate located on McDowell Street for a period of 20 years. He stated the purpose would be for public access to Tug River for kayaks, fishing, etc. Attorney Miller conducted the second reading of the ordinance authorizing the City of Welch to lease 2 parcels of real estate located on McDowell Street, Welch, WV for a period of 20 years. Motion was made by Councilor Gentry to approve the second reading of the ordinance authorizing the City of Welch to lease two parcels of real estate to the State of WV, Department of Commerce, Division of Natural Resources for a period of 20 years from September 1, 2024, seconded by Councilor Mowdy, motion passed unanimously.

Updates

CoalTown Creamery- Mayor McBride stated the Ice Cream Shop is open and doing very well.

Sidewalks- Mayor McBride reported that the sidewalks in the North Welch area are progressing.

Dilapidated Structures - Mayor McBride noted that demolition work will continue in the Woodmont Section after the relocation of a waterline in the Franklin Street area is complete as equipment is needed at the waterline relocation. Four structures in the Woodmont Section are planned to be demolished.

Adjournment

There being no other business to come before Council, Councilor Ford made a motion to adjourn the meeting and the meeting was adjourned.

Respectfully Submitted,

/J—

Robin G. Lee
City Clerk

Approved,



Harold W. Mc
Mayor

<jf*i*)

9/9/24

To: Robin Lee

City Clerk

City of Welch

88 Howard Street

Welch, WV 24801

From: Bonita Redd

142 Riverside Dr.

Welch, WV 24801

Re: Home Rule Application

Areas of Concern:

1. 1% tax increase for goods and services
 - a. Application is vague regarding if the 1% tax is just on sales or if it is on services as well. The application includes Exhibit 1.1, which has computation of taxes from natural gas, electric power companies, gas companies, contractors, loan and banking institutions, etc. Whether the proposed 1% increase is on sales or services, the bulk of the tax will be paid by the residents of Welch who have to use the services. I am happy to support the businesses in Welch, but to have to permanently endure an additional tax is overly burdensome.
 - b. The city cannot state with certainty that visitors will increase revenue. In fact, when they realize that when you make purchases in Welch, there will be an additional tax, they will stay elsewhere and make purchases where there is not an additional tax charge. People could go to the General Dollar Store in Gary, instead of supporting the General Dollar Store in Welch because of the additional tax.
2. Regulation powers regarding demolition
 - a. The Legislature already provides for fair regulation powers for municipalities for demolition of dilapidated properties in §18-12-16. This policy provides protections to property owners so that municipalities cannot overreach their

authority and penalize property owners. It appears that the City Council wants the authority to bypass the protections for property owners provided by the Legislature and give authority to the city police to issue on the cite citations which would violate the rights of property owners.

- b. In addition, the City Council ask for the additional authority to expand to issuing citations to Welch residents for garbage buildup, graffiti, unmaintained lawns, unsafe or unbroken sidewalks, sanitation, drainage, high weeds, grass, open storage, and vehicles without proper registration, which have nothing to do with removal of dilapidated properties. The City has not defined the measure of high weeds and grass or unmaintained lawns, which would leave this to the discretion of officers to impose unfair and arbitrary citations.
3. Regulation regarding Business and Occupation Tax
- a. Again, the City Council is vague. The proposal does not state whether or not these taxes will be reduced or if they will be eliminated. You have businesses owned by people that don't reside in Welch, and will pay zero business taxes, which leaves the residents of Welch to have to make up the lost revenue.

The residents of Welch should be informed of the proposal for Home Rule, as well as the proposed tax increase, rules regarding citations, and reduction or elimination of business and occupation taxes. I know that the city met the requirement of posting a legal ad in the paper, even though most residents do not have a subscription. This requirement has not kept up with technology and dismisses the fact that cities have web pages to provide information to their residents. Therefore, these proposals should have been made public via the city's webpage, since this is their form of communication to Welch residents. The residents have a right to know about rules that rules impact them.

Bonita Redd

Lifelong Welch Resident

cc: Department of Revenue, Home Rule Board

BLUEFIELD DAILY TELEGRAPH

PO Box 1599,
Bluefield, WV 24701
Phone: 304-327-2801 • Toll Free: 800-763-2459
Fax: 304-327-0433 www.bdtonline.com

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 or email at clantz@bdtonline.com.

DATE 08/06/24

Client:

CITY OF WELCH
88 HOWARD ST
WELCH, WV 24801-0000
(304) 436-3113

ACCOUNT NUMBER: 106736

Ad ID: 815998

Sort Line: Public Hearing Sept

Start: 08/07/24

Stop: 08/14/24

Complete

Schedule 08/07/24, 08/14/24

Total Cost: \$99.24

of Unes: 69

Columns Wide: 1

of Inserts: 4

Ad Taker: CLANTZ

Phone#

Email: clantz@bdtonline.com

Publications:

Bluefield Daily Telegraph
bdtonline.com

**NOTICE OF PUBLIC HEARING
CITY OF WELCH,
WEST VIRGINIA
APPLICATION TO:
WEST VIRGINIA MUNICIPAL
HOME RULE PROGRAM**

Notice is hereby given by the City of Welch that it will hold a public hearing on Monday, September 9, 2024, at 4:00 p.m. at the City Hall, Welch, West Virginia 24801.

The purpose of this public hearing is to discuss the City of Welch's proposed Home Rule written plan and application pursuant to the provisions of West Virginia Code §8-1-5a, as amended. The information gathered and presented at this public hearing will be utilized by the City in its application to the West Virginia Municipal Home Rule Board.

The City of Welch's proposed Home Rule Plan will be available for public inspection in the office of the City Clerk, at Welch's City Hall, 88 Howard Street, Welch, West Virginia 24801, beginning on August 5, 2024, during normal business hours, Monday through Friday (excluding holidays), between the hours of 8:00 am and 4:00 pm.

All interested citizens are invited to attend the public hearing on September 9, 2024, at 4:00 p.m. to present oral or written comments concerning the City of Welch's proposed Home Rule plan at that time. Written comments may also be addressed to Robin Lee, City Clerk, City of Welch, 88 Howard Street, Welch, West Virginia 24801.

The first reading of the ordinance concerning the City of Welch's Home Rule written plan and application, will be considered by Council for adoption on August 5, 2024, at 4:00 p.m. in the Council Chambers during its regularly scheduled meeting, 88 Howard Street, Welch, West Virginia 24801.

The second reading of the ordinance concerning the City of Welch's Home Rule written plan and application, will be considered by Council for adoption on September 9, 2024, at 4:00 p.m., immediately following the public hearing at the City Hall, Council Chambers, 88 Howard Street, Welch, West Virginia 24801.

Dated August 5, 2024

/s/ Harold McBride, Sr.
Mayor

/s/ Robin Lee
City Clerk



City of Welch
88 Howard St.
Welch, WV 24801
(304) 436-3113
Fax (304) 436-2546
www.cityofwelch.com

WELCH COUNCIL MEETING AGENDA

MEETING DATE **AND TIME:** Monday September 9, 2024, 4:00 pm

PUBLIC HEARING FOR HOME RULE APPLICATION

1. Pledge & Invocation
2. Call to Order
3. Approval of Minutes August 5, 2024
4. Approval to Pay Invoices for General, Coal Severance & Garbage Funds
5. Police Department, Fire Department & Financial Report
6. 2nd Reading Ordinance - Home Rule Application
7. 2ND Reading Ordinance Lease -WV Division of Natural Resources
8. Updates
9. Adjourn

C: Councilmembers

Joshua J. Miller, Attorney
Bluefield Daily Telegraph

**NOTICE OF PUBLIC HEARING
CITY OF WELCH, WEST VIRGINIA
APPLICATION TO:
WEST VIRGINIA MUNICIPAL HOME RULE PROGRAM**

Notice is hereby given by the City of Welch that it will hold a public hearing on Monday, September 9, 2024, at 4:00 p.m. at the City Hall, Welch, West Virginia 24801.

The purpose of this public hearing is to discuss the City of Welch's proposed Home Rule written plan and application pursuant to the provisions of West Virginia Code §8-1- 5a, as amended. The information gathered and presented at this public hearing will be utilized by the City in its application to the West Virginia Municipal Home Rule Board.

The City of Welch's proposed Home Rule Plan will be available for public inspection in the office of the City Clerk, at Welch's City Hall, 88 Howard Street, Welch, West Virginia 24801, beginning on August 5, 2024, during normal business hours, Monday through Friday (excluding holidays), between the hours of 8:00 am and 4:00 pm.

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The first reading of the ordinance concerning the City of Welch's Home Rule written plan and application, will be considered by Council for adoption on August 5, 2024, at 4:00 p.m. in the Council Chambers during its regularly scheduled meeting, 88 Howard Street, Welch, West Virginia 24801.

The second reading of the ordinance concerning the City of Welch's Home Rule written plan and application, will be considered by Council for adoption on September 9, 2024, at 4:00 p.m., immediately following the public hearing at the City Hall, Council Chambers, 88 Howard Street, Welch, West Virginia 24801.

Please run as a Class II legal ad on August 7, 2024. August 14, 2024

Dated August 5, 2024

Is/ Harold McBride, Sr.
Mayor

Is/ Robin Lee
City Clerk

City of Welch
88 Howard St.
Welch, WV 24801
(304) 436-3113
Fax (304) 436-2546
www.cityofwelch.com

Domestic Return Receipt :

Building 5, Room 205

Charleston, WV 25305

Via Certified Mail

Dear Mr. Diaz,

The City of Welch is providing notice of a public hearing scheduled for September 9, 2024, at 4:00 p.m. at the Welch City Hall located at 88 Howard Street, Welch, West Virginia. The public hearing will address the City's intent to submit a Home Rule Application. I have attached a copy of the notice which will appear in the Bluefield Daily Telegraph, also a notice has been sent to the cabinet secretary of every department. If you have any questions, please feel free to contact me at 304-436-3113.

City of Welch

CC: Secretary of Department of Commerce,
Secretary Department of Administration,
Secretary Department of Environmental Protection
Secretary Department of Health
Secretary Department of Human Resources
Secretary Department of Military Affairs and Public Safety
Secretary Department of Transportation
Secretary Department of Veterans Assistance
Secretary Department of Tourism
Secretary Department of Economic Development
Department of Revenue, Home Rule Board

• Complete It in return the d3.
 ■ Print your name and address on the reverse so that we can return the card to you.
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1. Article Address
 James Bailey
 City of Welch
 Department of Commerce
 1900 Kanawha Blvd E.
 Building 3, Suite 600
 Charleston, WV 25304

COMPLETE THIS SECTION ON DELIVERY

A. Signature *[Signature]* ☐ Agent ☒ Addressee

B. Received by (Printed Name) _____ C. Date of Delivery _____

D. Is delivery address different from item 1? ☐ Yes ☒ No
 If YES, enter delivery address below: _____

City of Welch
 88 Howard St.
 Welch, WV 24801
 (304) 436-3113
 Fax (304) 436-2546
 www.cityofwelch.com

7020 2450 0001 7083 5677
 PS Form 3811, July 2020 PSN 7530-02-000-SOS3 Domestic Return Receipt

RE: NOTICE OF PUBLIC HEARING

Dear Mr. Bailey,

The City of Welch is providing notice of a public hearing scheduled for September 9, 2024, at 4:00p.m. at the Welch City Hall located at 88 Howard Street, Welch, West Virginia. The public hearing will address the City's intent to submit a Home Rule Application. I have attached a copy of the notice which will appear in the Bluefield Daily Telegraph, also a notice has been sent to the cabinet secretary of every department. If you have any questions, please feel free to contact me at 304-436-3113.

[Signature]
 Harold McBride, Sr.
 City of Welch

- CC:
- Secretary of Department of Commerce,
 - Secretary Department of Administration,
 - Secretary Department of Environmental Protection
 - Secretary Department of Health
 - Secretary Department of Human Resources
 - Secretary Department of Military Affairs and Public Safety
 - Secretary Department of Transportation
 - Secretary Department of Veterans Assistance
 - Secretary Department of Tourism
 - Secretary Department of Economic Development
 - Department of Revenue, Home Rule Board

1. Article Addressed to:
Mr. Larry Pack
Department of Revenue
Home Rule
1900 Kanawha Blvd. E.
Building 1, W-300
Charleston, WV 25305

COMPLETE THIS SECTION ON DELIVERY

A. Signature ☒ Agent ☐ Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from Item 1? ☐ Yes
If YES, enter deUvery address below ☐ No

City of Welch
88 Howard St.
Welch, WV 24801
(304) 436-3113
Fax(304)436-2546
www.cityofwelch.com

7020 2450 0001 7083 5660

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☐Collect onDelivery ☐Signature Confirmation

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Domestic ReturnReceipt :

1900 Kanawha Blvd. E
Building 1, W-300
Charleston, WV 25305
Via Certified Mail

RE: NOTICE OF PUBLIC HEARING

Dear Mr. Pack,

The City of Welch is providing notice of a public hearing scheduled for September 9, 2024, at 4:00 p.m. at the Welch City Hall located at 88 Howard Street, Welch, West Virginia. The public hearing will address the City's intent to submit a Home Rule Application. I have attached a copy of the notice which will appear in the Bluefield Daily Telegraph, also a notice has been sent to the cabinet secretary of every department. If you have any questions, please feel free to contact me at 304-436-3113.

Sincerely,

Harold Mc

City of Melch

&P

CC: Secretary of Department of Commerce,
Secretary Department of Administration,
Secretary Department of Environmental Protection
Secretary Department of Health
Secretary Department of Human Resources
Secretary Department of Military Affairs and Public Safety
Secretary Department of Transportation
Secretary Department of Veterans Assistance
Secretary Department of Tourism
Secretary Department of Economic Development
Department of Revenue, Home Rule Board

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■ Print your name so that we can return the card to you.

■ Attach this card to the back of the mailpiece.

1. Article Addressed

Jimmy Wriston

Department of Transportation

1900 Kanawha Blvd, E.

Building 5

Charleston, WV 25305



9590 9402 6826 1074 5090 17

2. Article Number (Tracking Number)

7020 2450 0001 7083 5653

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

JERRY L. SHOOT

☐ Agent☐ Addressee

B. Received by (Printed Name)

1

C. Date of Delivery

D. Is delivery address different from Item 1? ☐ YesIf YES, enter delivery address below: ☐ No

3. Service Type

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JUL 11 2020

PRIORITY MAIL REGISTERED MAIL

PS Form 3811, July 2020 PSN 7530-02-000-8053

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Building 5

Charleston, WV 25305

Via Certified Mail

City of Welch

88 Howard St.

Welch, WV 24801

(304) 436-3113

Fax (304) 436-2546

www.cityofwelch.com

RE: NOTICE OF PUBLIC HEARING

Dear Mr. Wriston,

The City of Welch is providing notice of a public hearing scheduled for September 9, 2024, at 4:00 p.m., at the Welch City Hall located at 88 Howard Street, Welch, West Virginia. The public hearing will address the City's intent to submit a Home Rule Application. I have attached a copy of the notice which will appear in the Bluefield Daily Telegraph, also a notice has been sent to the cabinet secretary of every department. If you have any questions, please feel free to contact me at 304-436-3113.

J. L. Shoot

Mayor, Sr.

City of Welch

CC: Secretary of Department of Commerce,
 Secretary Department of Administration,
 Secretary Department of Environmental Protection
 Secretary Department of Health
 Secretary Department of Human Resources
 Secretary Department of Military Affairs and Public Safety
 Secretary Department of Transportation
 Secretary Department of Veterans Assistance
 Secretary Department of Tourism
 Secretary Department of Economic Development
 Department of Revenue, Home Rule Board

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- Print your name and address on the reverse so that we can return the card to you.
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1. Article AddFess to:
John McHug

Department of Administration
1900 Kanawha Blvd, E.
Building 1, E-119
Charleston, WV 25305



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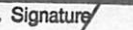
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PS Form **3811**, July 2020 PSN 7530-02-000-9053 $\Delta_{\text{UUU+UUU}} \geq a_{\text{UUU+UUU}}$

Building 1, E-119
Charleston, WV 25305
Via Certified Mail

COMPLETE THIS SECTION ON DELIVERY

A. Signature 		<input type="checkbox"/> Agent <input type="checkbox"/> Addressee
B. Received by (Printed Name) 	C. Date of Delivery	

D. Is delivery address different from Item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

City of Welch
88 Howard St.
Welch, WV 24801
(304) 436-3113
Fax (304) 436-2546
www.cityofwelch.com

RE: NOTICE OF PUBLIC HEARING

Dear Mr. McHugh:

The City of Welch is providing notice of a public hearing scheduled for September 9, 2024, at 4:00 p.m. at the Welch City Hall located at 88 Howard Street, Welch, West Virginia. The public hearing will address the City's intent to submit a Home Rule Application. I have attached a copy of the notice which will appear in the Bluefield Daily Telegraph, also a notice has been sent to the cabinet secretary of every department. If you have any questions, please feel free to contact me at 304-436-3113.

Sincerely,
Harold McBride, Sr.
City of Welch

CC: Secretary of Department of Commerce,
Secretary Department of Administration,
Secretary Department of Environmental Protection
Secretary Department of Health
Secretary Department of Human Resources
Secretary Department of Military Affairs and Public Safety
Secretary Department of Transportation
Secretary Department of Veterans Assistance
Secretary Department of Tourism
Secretary Department of Economic Development
Department of Revenue, Home Rule Board

SENDER: COMPLETE THIS SECTION

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- Print your name and address on the reverse so that we can return the card to you.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Address to:
 Mark Sorsa a Hon
 Department of Homeland Security
 1900 Kanawha Blvd, E.
 Building 1, W-400
 Charleston, WV 253015

COMPLETE THIS SECTION ON DELIVERY

A. Signature *[Signature]* ☒ Agent
 B. Received by (Printed Name) *[Signature]* ☒ Addressee
 C. Date of Delivery
 D. Is delivery address different from item 17 ☐ Yes
 If YES, enter delivery address below: ☐ No

City of Welch
 88 Howard St.
 Welch, WV 24801
 (304) 436-3113
 Fax(304)436-2546
 www.cityofwelch.com

9590 9402 6826 1074 5089 80
 Certified Mail Restricted Delivery
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 Restricted Delivery
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 Restricted Delivery

•SForm 3811, July 2020 PSN7530-02-000-s053

Dom Return Receipt

1900 Kanawha Blvd, E.
 Building 1, W-400
 Charleston, WV 25305
 Via Certified Mail

RE: NOTICE OF PUBLIC HEARING

Dear Mr. Sorsua,

The City of Welch is providing notice of a public hearing scheduled for September 9, 2024, at 4:00p.m. at the Welch City Hall located at 88 Howard Street, Welch, West Virginia. The public hearing will address the City's intent to submit a Home Rule Application. I have attached a copy of the notice which will appear in the Bluefield Daily Telegraph, also a notice has been sent to the cabinet secretary of every department. If you have any questions, please feel free to contact me at 304-436-3113.

[Signature]
 rold McBride
 y of old McBri e, Sr.
 City of Welch

CC: Secretary of Department of Commerce,
 Secretary Department of Administration,
 Secretary Department of Environmental Protection
 Secretary Department of Health
 Secretary Department of Human Resources
 Secretary Department of Military Affairs and Public Safety
 Secretary Department of Transportation
 Secretary Department of Veterans Assistance
 Secretary Department of Tourism
 Secretary Department of Economic Development
 Department of Revenue, Home Rule Board

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<p>■ Complete items 1, 2, and 3.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p> <p>1. Article Addressed to:</p> <p>1. Article A</p> <p>Mitch Car</p> <p>Department of Economic Development</p> <p>1900 Kanawha Blvd. E.</p> <p>Charleston, WV 25305</p>	<p>A. Signature</p> <p>X <i>[Signature]</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name)</p> <p>C. Date of Delivery</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If YES, enter delivery address below: <input type="checkbox"/> No</p>

City of Welch
88 Howard St.
Welch, WV 24801
(304) 436-3113
Fax (304) 436-2546
www.cityofwelch.com

9590 9402 6826 1074 5090 62

Article Number (Transfer from service label)

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Id Mail Restricted Delivery

Id Mail Restricted Delivery

3 Form 3811, July 2020 PSN 753D-02-000-9053

oeprmoicor 01 110011

1900 Kanawha Blvd E.

Charleston, WV 25305

Via Certified Mail

RE: NOTICE OF PUBLIC HEARING

Dear Mr. Cannichael,

The City of Welch is providing notice of a public hearing scheduled for September 9, 2024, at 4:00 p.m. at the Welch City Hall located at 88 Howard Street, Welch, West Virginia. The public hearing will address the City's intent to submit a Home Rule Application. I have attached a copy of the notice which will appear in the Bluefield Daily Telegraph, also a notice has been sent to the cabinet secretary of every department. If you have any questions, please feel free to contact me at 304-436-3113.

[Signature] RJ

arold McBride.

ity arold McBride, Sr.

City of Welch

CC: Secretary of Department of Commerce,
Secretary Department of Administration,
Secretary Department of Environmental Protection
Secretary Department of Health
Secretary Department of Human Resources
Secretary Department of Military Affairs and Public Safety
Secretary Department of Transportation
Secretary Department of Veterans Assistance
Secretary Department of Tourism
Secretary Department of Economic Development
Department of Revenue, Home Rule Board

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach the back of the mailpiece, or on the envelope, if it is a flat rate box.

1. Article Addressed to:

Cynthia Persily
Department of Human Services
One Davis Square, Suite 100 E
Charleston, WV 25305



9590 9402 6826 1074 5090 55

2. Article Number (Transfer from service label)

7020 2450 0001 7062 5005

PS Form 3811, July 2020 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X J. Beaver

- ☐ Agent
☐ Addressee

B. Received by (Printed Name)

J. Beaver

C. Date of Delivery

8/12/24

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- ☐ Yes
☐ No

3. Service Type

- ☐ Adult Signature
☐ Adult Signature Restricted Delivery
☒ Certified Mail®
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☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery

- ☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
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☐ Signature Confirmation Restricted Delivery

Registered Mail
\$3.00

Domestic Return Receipt ;

City of Welch
88 Howard St.
Welch, WV 24801
(304) 436-3113
Fax (304) 436-2546
www.cityofwelch.com

Charleston, WV 25305

Via Certified Mail

RE: NOTICE OF PUBLIC HEARING

Dear Ms. Persily:


The City of Welch is providing notice of a public hearing scheduled for September 9, 2024, at 4:00 p.m. at the Welch City Hall located at 88 Howard Street, Welch, West Virginia. The public hearing will address the City's intent to submit a Home Rule Application. I have attached a copy of the notice which will appear in the Bluefield Daily Telegraph, also a notice has been sent to the cabinet secretary of every department. If you have any questions, please feel free to contact me at 304-436-3113.

Sincerely,

Harold McBride, Sr.
Harold McBride, Sr.
City of Welch

CC: Secretary of Department of Commerce,
Secretary Department of Administration,
Secretary Department of Environmental Protection
Secretary Department of Health
Secretary Department of Human Resources
Secretary Department of Military Affairs and Public Safety
Secretary Department of Transportation
Secretary Department of Veterans Assistance
Secretary Department of Tourism
Secretary Department of Economic Development
Department of Revenue, Home Rule Board

COMPLETE THIS SECTION ON DELIVERY

A. Signature		<input type="checkbox"/> Agent
X 		<input type="checkbox"/> Addressee
B. Received by (Printed Name)	C. Date of Delivery	

City of Welch
88 Howard St.
Welch, WV 24801
(304) 436-3113
Fax (304) 436-2546
www.cityofwelch.com

3. Service type

☐ AdultSignature

☐ AdultSignatureRestricted Oelively

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☐ CertifiedMailRestricted Delivery

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☐ Collect onDeliveryRestrictedDelivery

☐ Id Mail

☐ IdMailRestrictedDelivery

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☐ Priority MailExpress®

☐ Regisla'8d Mall

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☐ Signature Confirmation

☐ Restricted Delivery

S Form 3811, July 2020 PSN 7530-02-000-9053 .
ODO L>Ut10 O?umw, UU:jCO--rvv-r:

Charleston, WV 25305
Via Certified Mail

Domestic Return Receipt

RE: NOTICE OF PUBLIC HEARING

Dear Ms. Young:

The City of Welch is providing notice of a public hearing scheduled for September 9, 2024, at 4:00 p.m. at the Welch City Hall located at 88 Howard Street, Welch, West Virginia. The public hearing will address the City's intent to submit a Home Rule Application. I have attached a copy of the notice which will appear in the Bluefield Daily Telegraph, also a notice has been sent to the cabinet secretary of every department. If you have any questions, please feel free to contact me at 304-436-3113.

Sincerely,
Harold McB
Clty o e ch

CC: Secretary of Department of Commerce,
Secretary Department of Administration,
Secretary Department of Environmental Protection
Secretary Department of Health
Secretary Department of Human Resources
Secretary Department of Military Affairs and Public Safety
Secretary Department of Transportation
Secretary Department of Veterans Assistance
Secretary Department of Tourism
Secretary Department of Economic Development
Department of Revenue, Home Rule Board

SENDER: COM

- Complete file, 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mail piece, or on the front if space permits.

1. Article Addressed to:
Harold Ward
Department of Environmental Protection
601 57th Street
Charleston, WV 25304

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent

☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1?
If YES, enter delivery address below:

☐ Yes

☐ No

AULJ 09 LUL4

ADMINISTRATIVE SERVICES

City of Welch
88 Howard St.
Welch, WV 24801
(304) 436-3113
Fax (304) 436-2546
www.cityofwelch.com



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☐ Signature Confirmation™
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☐ Certified Mail Restricted Delivery

☐ Collect on Delivery

71

Charleston, WV 25304
Via Certified Mail

Domestic Return Receipt

RE: NOTICE OF PUBLIC HEARING

Dear Mr. Ward,

The City of Welch is providing notice of a public hearing scheduled for September 9, 2024, at 4:00 p.m. at the Welch City Hall located at 88 Howard Street, Welch, West Virginia. The public hearing will address the City's intent to submit a Home Rule Application. I have attached a copy of the notice which will appear in the Bluefield Daily Telegraph, also a notice has been sent to the cabinet secretary of every department. If you have any questions, please *fee*/ free to contact me at 304-436-3113.

Sincerely,

Harold McBride, Sr.
City of Welch

CC: Secretary of Department of Commerce,
Secretary Department of Administration,
Secretary Department of Environmental Protection
Secretary Department of Health
Secretary Department of Human Resources
Secretary Department of Military Affairs and Public Safety
Secretary Department of Transportation
Secretary Department of Veterans Assistance
Secretary Department of Tourism
Secretary Department of Economic Development
Department of Revenue, Home Rule Board

COMPLETE THIS SECTION

COMPLETE THIS SECTION ON DELIVERY

Complete Items 1, 3

Print your name and address on the reverse of this card to be returned to you. Attach this card to the front of the mail piece, if space permits.

else Ruby
Department of
00 Kanawha Blvd E.
Building 3, Suite 100
Charleston, WV 25305

A. Signature

Terrell Shurt

☐ Agent

☐ Addressee

Received by (Printed Name)

C. Date of Delivery

Delivered to address different from item 1? ☐ Yes

If YES, enter delivery address below: ☐ No

B. Service Type

☐ Priority Mail Express®



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☐ Collection Delivery

☐ Signature Confirmation

☐ Collect on Delivery Restricted Delivery

☐ Restricted Delivery

Article Number (Transfer from service label) 1

7020 2450 0001 7083 5585

Restricted Delivery

Form 3811, July 2020 PSN 7530-02-000-9053

Charleston, WV 25305
Via Certified Mail

City of Welch
88 Howard St.

Welch, WV 24801

(304) 436-3113

Fax (304) 436-2546

www.cityofwelch.com

RE: NOTICE OF PUBLIC HEARING

Dear Ms. Ruby,

The City of Welch is providing *notice* of a public hearing scheduled for September 9, 2024, at 4:00 p.m., at the Welch City Hall located at 88 Howard Street, Welch, West Virginia. The public hearing will address the City's intent to submit a Home Rule Application. I have attached a copy of the notice *which* will appear in the Bluefield Daily Telegraph, *Also* a notice has been sent to the cabinet secretary of every department. If you have any questions, please *feel* free to contact me at 304-436-3113.

Sincerely,

Harold McBride

Harold McBride, Sr.
City of Welch

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Secretary Department of Environmental Protection
Secretary Department of Health
Secretary Department of Human Resources
Secretary Department of Military Affairs and Public Safety
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