## HOME RULE PLAN

<table>
<thead>
<tr>
<th>SECTION 1: APPLICATION INFORMATION</th>
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<tbody>
<tr>
<td><strong>Type of Submission:</strong> Initial Plan</td>
</tr>
<tr>
<td><strong>Name of Municipality:</strong> Town of Chapmanville</td>
</tr>
</tbody>
</table>
| **Certifying Official:** Terilyn Wilson  
  **Title:** Acting Mayor/Recorder |
| **Contact Person:** Miranda Robinette  
  **Title:** Assistant to the Mayor |
| **Address:** PO Box 427 68 Boise Street Chapmanville, WV 25508 |
| **Telephone:** (304)855-4582 |
| **Fax:** (304)855-8478 |
| **Municipal Classification:** Class IV |
HOME RULE APPLICATION PLAN
CHECKLIST

Class II Legal advertisement of Public Hearing
Dates: March 18th, March 25th, and April 1st – in the Logan Banner, Section 3.

Notice of Public Hearing to Municipal Home Rule Board (MHRB) and Cabinet Secretary of every State Department. Mailed March 16th, 2020. Please see attachment of copies of all letters. Section 3.

Plan available for public inspection 30 days prior to public hearing. DONE

Hearing: April 21, 2020

Ordinance authorizing plan or amendment.
First Reading: April 14, 2020
Second Reading: April 21, 2020
Adoption: April 21, 2020

Required narrative presentation: See attached, Section 2

ATTACHMENTS – ALL INCLUDED IN SECTION 3
- Affidavit of legal notice of Public Hearing
- Minutes of Public Hearing
- Certified copy of ordinance authorizing plan or amendment
- Fiscal statement demonstrating municipality’s ability to manage costs of liabilities associated with proposal
- Affidavit that municipality owes no outstanding State fees
- Attorney opinion letter that application and plan or amendment complies with applicable State Law
HOME RULE PLAN SECTION 2

NARRATIVE
Issue Category: Tax
The Town of Chapmanville 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 revenues for public safety operations. This new business tax structure will be fairer and more standardized, and similar to those in adjacent communities in neighboring states.

Specific Legal Barrier
9-13C-4

Problem Caused by Legal Barrier
The Town of Chapmanville has a very small residential tax base and yet being a town on a busy highway, provides service to a much larger population of surrounding counties and travelers being the first access off the highway for the Hatfield McCoy trail system. Presently, the Town is only able to generate revenue via taxation by imposing a municipal business (B&O) tax or by imposing sales tax; WV State Code requires that the two taxes be mutually exclusive. WV Code 8-13C-1 et seq. contemplates that imposition of a sales tax by municipalities either for pension relief or as an “alternative municipal sales tax” at a rate not to exceed one percent. However, a municipality may only impose such a sales tax if it completely eliminates its B&O tax. WV Code 8-13C-4(b).

Proposed Solution
The Town of Chapmanville proposes to impose a municipal sales tax of up to 1% on all taxable sales under the West Virginia Code within the Town. At the same time, it will eliminate B&O tax on selected categories – primarily retailers and restaurants - that would be subject to the sales tax. The increase in annual revenue based on this plan would be $211,431.77. (see Section III-D: Fiscal Impact Worksheets and Formulas).
Increased revenues would go to provide key municipal services, including but not limited to:

- Town of Chapmanville employee pension, health benefits, and earned raises
- Town of Chapmanville matching grant program to enhance the Town of Chapmanville as a whole on various projects that require partial match of funds, which the city cannot afford out of current funds.
- Infrastructure development, including demolition of abandoned structures deemed unsafe
- Promotion and development of fairs, festivals, and tourism events for the Town of Chapmanville and the Tracy Vickers Community Center
- Town of Chapmanville Police Pension Funding

D. Fiscal Impact Worksheets and Formulas

Issue 1: New Sales Tax and Business and Occupation Tax Restructuring Prepared by City Accountant Jeff Vallet using samples of our largest vendors.

The vast majority of WV municipalities accepted into the Home Rule Program have proposed this business tax restructuring in one form or another, and it appears to be meeting with widespread acceptance and success.

Business Taxes Collected by Business, using samples of our largest vendors and our Fiscal Year Estimates. Four must be eliminated by State Code.

In the proposed Home Rule Plan for the Town of Chapmanville, Business and Occupation (B&O) would be eliminated:

- A reduction in manufacturing (from .30 to .20) We feel by reducing the manufacturing tax, we will be in the position to attract more industry to our area and create much needed opportunities for employment.
- A reduction in Retailers and Restaurants (from .35 to .33) creating a $8502.89 drop in revenue based on our samples. We feel that by reducing this tax, we are giving our valued businesses room to grow, hire, expand, market, and allow additional revenue for them to engage employment.
- A reduction in Wholesalers (from .15 to .12). We feel that by giving wholesalers a reduction, we are allowing a wider range of selection for our businesses to distribute more desired products- therefore, creating a larger market.
- A reduction in Services and All Other Business (.60 to 57) creating a $3620.45 drop in revenue, based on our samples. This will help so many of our independent contractors and independent business people, such as beauticians and independent contractors- which are some of our hardest working and most valued people a reduction to grow and maintain their services and be able to expand their business.

An additional 1% Sales and Use Tax would be implemented on those categories currently affected by the 6% WVa. State Sales and Use Tax. NOTE: Estimates are based on samples from our largest vendors and Estimates.

A Total of $12,250.46 drop in revenue.
An Ordinance pursuant to the provisions of the W.Va. Code 8-1-5a, authorizing the Town of Chapmanville to submit a written Home Rule proposal to the Municipal Home Rule Board in order to permit participation by the Town of Chapmanville in the Municipal Home Rule Program.

**AUTHORIZATION TO SUBMIT A WRITTEN HOME RULE PROPOSAL**

**WHEREAS,** in 2007, the West Virginia Legislature enacted WV Code 8-1-5a, known as the Municipal Home Rule Pilot Program; and

**WHEREAS,** in 2019, the Municipal Home Rule Pilot Program was made a permanent program, with provisions to add four Class IV municipalities to the program each year; and

**WHEREAS,** the participation in the Home Rule Program by the Town of Chapmanville, a Class IV municipality, would give the Town unique flexibility to apply local solutions to local problems, benefitting the greater community, including residents, visitors, and businesses.

**NOW, THEREFORE, BE IT ENACTED BY THE TOWN OF CHAPMANVILLE THAT THE MAYOR** is hereby authorized and directed to submit a Home Rule proposal to the Municipal Home Rule Board on July 8th, 2020 in accordance with the WV Code 8-1-5a in order for the Town of Chapmanville to be considered in the program as a Class IV municipality during the Fiscal Year 2020-2021
This Ordinance shall become effective upon passage after second reading and public hearing.

1st Reading 4-14-20

2nd Reading 4-21-20

Hearing 4-21-20

Acting Mayor, Town of Chapmanville

Recorder, Town of Chapmanville
ADMENDMENT TO THE TOWN OF CHAPMANVILLE B&O TAX RATES

ADMENDMENT TO THE TOWN OF CHAPMANVILLE B&O TAXES CONCERNING GROSS SALES IN MANUFACTURING; REDUCTION IN RETAIL AND RESTAURANT; REDUCTION IN WHOLESALE; REDUCTION ON SERVICES AND ALL OTHER BUSINESS

- A reduction in manufacturing (from .30 to .20)
- A reduction in Retailers and Restaurants (from .35 to .33)
- A reduction in Wholesalers (from .15 to .12).
- A reduction in Services and All Other Business (.60 to .57).

FIRST READING: 5-12-20
SECOND READING: 10-16-20

TERILYN WILSON, RECORDER
TOWN OF CHAPMANVILLE
HOME RULE PLAN SECTION 3

1. Completed Plan & Checklist
2. Affidavit of legal advertisement providing notice of public hearing
3. Minutes of public hearing, including comments (if any).
4. Copy of adopted ordinance authorizing submission of plan to the Municipal Home Rule Board
5. Fiscal statement demonstrating municipality’s ability to manage costs or liabilities associated with proposal.
6. Affidavit of authorized municipality representative that municipality owes no outstanding state fees.
7. Attorney opinion letter stating that application and plan complies with applicable State Law.
NOTICE IS HEREBY GIVEN THAT A PUBLIC HEARING WILL BE HELD BEFORE THE REGULAR MEETING OF THE CHAPMANVILLE TOWN COUNCIL ON TUESDAY, APRIL 14, 2020 AT 6:00 P.M. AT THE TRACY VICKERS COMMUNITY CENTER ON THE HOME RULE ORDINANCE AUTHORIZING THE SUBMISSION OF THE TOWN'S HOME RULE PLAN TO THE WEST VIRGINIA MUNICIPAL HOME RULE BOARD. INTERESTED PARTIES MAY APPEAR AT THE PUBLIC HEARING AND BE HEARD CONCERNING THE TOWN'S PROPOSED HOME RULE PLAN. A COPY OF THE PLAN AND THE PROPOSED HOME RULE PLAN MAY BE INSPECTED AT CHAPMANVILLE TOWN HALL BEGINNING MARCH 13, 2020 BETWEEN 1PM-3PM MONDAY THROUGH FRIDAY.

TO BE RAN IN PAPER 3 TIMES PRIOR TO PUBLIC MEETING AS CLASS II LEGAL ADVERTISEMENT

- March 18, 2020
- March 25, 2020
- April 1, 2020
- April 8, 2020?
Ms. Dalatowski-
The Town of Chapmanville will be applying for the Home Rule Program in July. It is very important that this legal ad be ran in the paper on the three days requested (March 18, March 25, April 1). These will need to be ran as a Class II legal ad. We would also need the total cost of the ad. I have attached the file and information to be ran. If you have any questions please call me.

Thank You
Miranda Robinette
Town of Chapmanville
304-855-4582
Ad Confirmation

From: crappold@hdmediallc.com (crappold@hdmediallc.com)
To: mrobinette26@yahoo.com
Date: Friday, March 13, 2020, 10:34 AM EDT

I have attached a copy of your legal ad scheduled to run March 18th, 25th & April 1st in the Logan Banner. The cost will be $48.36 Please feel free to contact me with any questions.

Acc.Id: 50155
Name: TOWN OF CHAPMANVILLE
Phone: 304-855-3227
Address: PO BOX 427
City: CHAPMANVILLE
State: WV
Postcode: 25508
Class: 9010 Legal Notices
Edition: LOG LOG LOG
Start: 03/18/2020
Stop: 04/01/2020
Issues: 3
Units 40.00
Order ID: HC 90064
TFN: C
TFN cycle: Rep: CRAPPOLD
Status: CF
Source: EM
Paytype: BI
Rate: LG
Cost EXC 48.36
GST: 0.00
Tax: 0.00
Total Charge: 48.36
Printed on: 03/13/2020 10:32:33
Printed by: CRAPPOLD

90064.pdf
12.6kB
NOTICE

NOTICE IS HEREBY GIVEN THAT A PUBLIC HEARING WILL BE HELD BEFORE THE CHAPMANVILLE TOWN COUNCIL ON TUESDAY, APRIL 21, 2020 AT 6:00 P.M. DURING A SPECIAL MEETING AT THE TRACY VICKERS COMMUNITY CENTER ON THE HOME RULE ORDINANCE AUTHORIZING THE SUBMISSION OF THE TOWN'S HOME RULE PLAN TO THE WEST VIRGINIA MUNICIPAL HOME RULE BOARD. INTERESTED PARTIES MAY APPEAR AT THE PUBLIC HEARING AND BE HEARD CONCERNING THE TOWN'S PROPOSED HOME RULE PLAN. A COPY OF THE PLAN AND THE PROPOSED HOME RULE PLAN MAY BE INSPECTED AT CHAPMANVILLE TOWN HALL BEGINNING MARCH 16, 2020 BETWEEN 1PM-3PM MONDAY THROUGH FRIDAY.

LH-90064
3.18.25.4.1.2020
Ad Number 90064

Affidavit of Legal Publication and Posting

STATE OF WEST VIRGINIA
COUNTY OF Logan, TO-WIT

I Shirley Watson, Classified Advertising Representative of The Logan Banner, a newspaper published in the county of Logan, West Virginia, hereby certify that the annexed publication was inserted in said newspaper Logan-Banner.

The cost of publishing said annexed advertisement as aforesaid was $48.36.

Commencing On: 03/18/2020
Ending On: 04/01/2020

Given under my hand this day 04/01/2020

Sworn to and subscribed before me 04/01/2020 at Logan, Logan County, West Virginia

Notary Public of, in and for Logan County, West Virginia

MY COMMISSION EXPIRES: 9-23-24

Shirley Watson
NOTICE

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LH-90064
3-18,25:4-1:2020

Acc.Id: 50155
Name: TOWN OF CHAPMANVILLE
Phone: 304-855-3227
Address: PO BOX 427
City: CHAPMANVILLE
State: WV
Postcode: 25508
Class: 9010 Legal Notices
Edition: LOG LOG LOG
Start: 03/18/2020
Stop: 04/01/2020
Issues: 3
Units: 40.00
Order ID: HC 90064
TFN: C
TFN cycle: CRAPPOLD
Status: CF
Source: EM
Paytype: BI
Rate: LG
Cost EXC GST: 48.36
Tax: 0.00
Total Charge: 48.36
Printed on: 03/13/2020 10:24:17
Printed by: CRAPPOLD
Let The Logan Banner share your good news with your friends and neighbors.

To send in free announcements with a photo, go to www.LoganBanner.com. Click on Features, then Celebrations.

Or, mail your announcement to:

TBI Celebrations
218 Diagon Street, Logan, WV 25501

All announcements will appear in Sunday editions. The deadline is 2 p.m. Tuesday, five days before publication.
March 9, 2020

Department of Environmental Protection
West Virginia Department of Environmental Protection
Austin Caperton, Secretary
601 57th Street SE
Charleston, WV 25304

Dear Secretary Caperton,

Notice is hereby given that a Public Hearing will be held before the Town of Chapmanville on Tuesday, April 21, 2020 at 6:00 p.m. during a Special Meeting at the Tracy Vickers Community Center on the Home Rule Ordinance authorizing the submission of the Town’s Home Rule Plan to the West Virginia Municipal Home Rule Board. Interested parties may appear at the public hearing and be heard concerning the Town’s proposed Home Rule Plan. A copy of the plan and the proposed Home Rule Plan may be inspected at Chapmanville Town Hall beginning March 13, 2020 between 1:00 p.m.-3:00p.m. Monday through Friday.

Legal Code for published advertisement in the legal section of the Logan Banner is:

Thank you for your dedication to the State of West Virginia and your commitment to stronger cities and towns for our state.

Sincerely,

Terilyn Wilson
Acting Mayor
Town of Chapmanville
NOTICE OF PUBLIC HEARING

March 9, 2020

Department of Military Affairs and Public Safety
West Virginia Department of Military Affairs and Public Safety
Jeff Sandy, Secretary
1900 Kanawha Blvd East
Charleston, WV 25305

Dear Secretary Sandy,

Notice is hereby given that a Public Hearing will be held before the Town of Chapmanville on Tuesday, April 21, 2020 at 6:00 p.m. during a Special Meeting at the Tracy Vickers Community Center on the Home Rule Ordinance authorizing the submission of the Town’s Home Rule Plan to the West Virginia Municipal Home Rule Board. Interested parties may appear at the public hearing and be heard concerning the Town’s proposed Home Rule Plan. A copy of the plan and the proposed Home Rule Plan may be inspected at Chapmanville Town Hall beginning March 13, 2020 between 1:00 p.m.-3:00 p.m. Monday through Friday.

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Sincerely,

Terilyn Wilson
Acting Mayor
Town of Chapmanville
March 9, 2020

Department of Health and Human Resources  
West Virginia Department of Health and Human Resources  
Bill J. Crouch, Secretary  
One Davis Square, Suite 100 East  
Charleston, WV 25301

Dear Secretary Crouch,

Notice is hereby given that a Public Hearing will be held before the Town of Chapmanville on Tuesday, April 21, 2020 at 6:00 p.m. during a Special Meeting at the Tracy Vickers Community Center on the Home Rule Ordinance authorizing the submission of the Town’s Home Rule Plan to the West Virginia Municipal Home Rule Board. Interested parties may appear at the public hearing and be heard concerning the Town’s proposed Home Rule Plan. A copy of the plan and the proposed Home Rule Plan may be inspected at Chapmanville Town Hall beginning March 13, 2020 between 1:00 p.m.-3:00p.m. Monday through Friday.

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Sincerely,

Terilyn Wilson  
Acting Mayor  
Town of Chapmanville
NOTICE OF PUBLIC HEARING

March 9, 2020

Department of Veterans Assistance
West Virginia Department of Veterans Assistance
Dennis Davis, Secretary
1900 Kanawha Blvd East
Building 3, Suite 600
Charleston, WV 25305

Dear Secretary Davis,

Notice is hereby given that a Public Hearing will be held before the Town of Chapmanville on Tuesday, April 21, 2020 at 6:00 p.m. during a Special Meeting at the Tracy Vickers Community Center on the Home Rule Ordinance authorizing the submission of the Town’s Home Rule Plan to the West Virginia Municipal Home Rule Board. Interested parties may appear at the public hearing and be heard concerning the Town’s proposed Home Rule Plan. A copy of the plan and the proposed Home Rule Plan may be inspected at Chapmanville Town Hall beginning March 13, 2020 between 1:00 p.m.-3:00p.m. Monday through Friday.

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Sincerely,

Terilyn Wilson
Acting Mayor
Town of Chapmanville
NOTICE OF PUBLIC HEARING

March 9, 2020

Dear Secretary Gaunch,

Notice is hereby given that a Public Hearing will be held before the Town of Chapmanville on Tuesday, April 21, 2020 at 6:00 p.m. during a Special Meeting at the Tracy Vickers Community Center on the Home Rule Ordinance authorizing the submission of the Town’s Home Rule Plan to the West Virginia Municipal Home Rule Board. Interested parties may appear at the public hearing and be heard concerning the Town’s proposed Home Rule Plan. A copy of the plan and the proposed Home Rule Plan may be inspected at Chapmanville Town Hall beginning March 13, 2020 between 1:00 p.m.-3:00p.m. Monday through Friday.

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Sincerely,

Terilyn Wilson
Acting Mayor
Town of Chapmanville
NOTICE OF PUBLIC HEARING

March 9, 2020

Department of Administration
West Virginia Department of Administration
Allan McVey, Secretary
1900 Kanawha Blvd East
Building 1, E-119
Charleston, WV 25305

Dear Secretary McVey,

Notice is hereby given that a Public Hearing will be held before the Town of Chapmanville on Tuesday, April 21, 2020 at 6:00 p.m. during a Special Meeting at the Tracy Vickers Community Center on the Home Rule Ordinance authorizing the submission of the Town’s Home Rule Plan to the West Virginia Municipal Home Rule Board. Interested parties may appear at the public hearing and be heard concerning the Town’s proposed Home Rule Plan. A copy of the plan and the proposed Home Rule Plan may be inspected at Chapmanville Town Hall beginning March 13, 2020 between 1:00 p.m.-3:00p.m. Monday through Friday.

Legal Code for published advertisement in the legal section of the Logan Banner is:

Thank you for your dedication to the State of West Virginia and your commitment to stronger cities and towns for our state.

Sincerely,

Terilyn Wilson
Acting Mayor
Town of Chapmanville
NOTICE OF PUBLIC HEARING

March 9, 2020

Department of Transportation
West Virginia Department of Transportation
Byrd E. White III, Secretary
1900 Kanawha Blvd East
Building 5
Charleston, WV 25305

Dear Secretary White,

Notice is hereby given that a Public Hearing will be held before the Town of Chapmanville on Tuesday, April 21, 2020 at 6:00 p.m. during a Special Meeting at the Tracy Vickers Community Center on the Home Rule Ordinance authorizing the submission of the Town’s Home Rule Plan to the West Virginia Municipal Home Rule Board. Interested parties may appear at the public hearing and be heard concerning the Town’s proposed Home Rule Plan. A copy of the plan and the proposed Home Rule Plan may be inspected at Chapmanville Town Hall beginning March 13, 2020 between 1:00 p.m.-3:00p.m. Monday through Friday.

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Thank you for your dedication to the State of West Virginia and your commitment to stronger cities and towns for our state.

Sincerely,

Terilyn Wilson
Acting Mayor
Town of Chapmanville
March 9, 2020

Chairman of the Home Rule Board
Dave Hardy, Secretary
West Virginia Municipal Home Rule Board
1900 Kanawha Blvd East
Building 1, W-300
Charleston, WV 25305

Dear Secretary Hardy,

Notice is hereby given that a Public Hearing will be held before the Town of Chapmanville on Tuesday, April 21, 2020 at 6:00 p.m. during a Special Meeting at the Tracy Vickers Community Center on the Home Rule Ordinance authorizing the submission of the Town’s Home Rule Plan to the West Virginia Municipal Home Rule Board. Interested parties may appear at the public hearing and be heard concerning the Town’s proposed Home Rule Plan. A copy of the plan and the proposed Home Rule Plan may be inspected at Chapmanville Town Hall beginning March 13, 2020 between 1:00 p.m.-3:00 p.m. Monday through Friday.

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Thank you for your dedication to the State of West Virginia and your commitment to stronger cities and towns for our state.

Sincerely,

Terilyn Wilson
Acting Mayor
Town of Chapmanville
March 16, 2020

The Town of Chapmanville will hold an official public hearing at the Tracy Vickers Community Center on the 21st of April, 2020 beginning at 6:00 p.m.

The following items will be heard:

1. Public Hearing of the Town of Chapmanville Home Rule Ordinance authorizing the submission of the Town of Chapmanville's Application of their Home Rule Plan to the West Virginia Municipal Home Rule Board.
Agenda for the April 14, 2020, Regular Meeting of the Chapmanville Town Council at 6:00 p.m.

I. Call to Order

II. Approval of Minutes:
- March 3, 2020: Special Workshop Meeting
- March 10, 2020: Regular Meeting of the Chapmanville Town Council
- March 24, 2020 Special Budget Meeting

III. Reports
- A. Region 2 Update
- B. Police: Chief Browning
- C. Fire: Tommy Perry
- D. Accountant: Jeff Vallet
- E. Code Enforcement/Home Rule: Miranda Robinette
- F. TVCC: Stacy Bell
- G. Water Department: Terilyn Wilson

IV. Old Business
- A. Final Reading/Vote on the Commercial Garbage Rate Ordinance
- B. Second Reading: B & O Tax Adjustment Ordinance

V. New Business
- A. First Reading: Home Rule
- B. Proclamation: Fair Housing Month
- C. Letter for contributions to WVU Cardiology Care Wing for Children’s Hospital in honor of Cecil Roberts-request for $5,000
- D. Executive Session: Personnel Matters

VI. Setting of next meeting/Adjournment
- A. Special Town Council Meeting on Home Rule: Tuesday, April 21, 2020 at 6:00 via Zoom/Call-in
- B. Special Set the Levy Meeting: Tuesday, April 21, 2020 at 5:30 p.m.
- C. The next regularly scheduled meeting will be May 12, 2020 at 7:00 at the TVCC.
- D. Adjournment
I. Call to Order

Acting Mayor Terilyn Wilson called the meeting to order. She requested a minute of silence for Teddy Nelson, the first Logan County citizen to fall victim to Covid-19, his family, and the doctors, nurses, and other medical personnel who cared for him during his illness. Mrs. Wilson ended the silence by saying, “In the uncertainty of these times, now, more than ever before, we need to unite together to support each other and show loving kindness to one another.” All members of the council were present, as well as Chief Browning, Chief Perry, Accountant Vallet, Counsel Kuenzel, Miranda Robinette, Stacy Bell, Steve Savage, and Phil Williamson, Jr.

II. Approval of Minutes

Joel McNeely moved and Gary Bledsoe seconded that the council approve the minutes for meetings on March 3, March 10, and March 24 as written. Copies of the minutes were available prior to the meeting for all council members and were published on the town web site and the unofficial video of the meeting. Motion passed.

III. Reports

A. Region 2 Update: Information from Region 2 was not available at the time of the meeting.

B. Police: Chief Alan Browning reported 135 calls were made in March. The officers are wearing gloves and masks for protection. Traffic stops will be limited during the observance of the coronavirus epidemic. A written report was submitted.

C. Fire: The mayor related Chief Perry’s report to the council, with 129 calls so far in 2020. Chief Perry came on line at 7:19 and completed his report. 37 calls were made
in March. The written report is included in the minutes. The mayor thanked Chief Perry for the donation of a bathroom sink for the project at the town garage. Steve has been able to use materials from the center and past projects to complete a bathroom for the garage facility.

D. Accountant: Jeff Vallet emailed his financial statement to the mayor and council members. Mr. Vallet was pleased with the March finances, stating $58,000 was in the general account. Garbage collections had made a small profit of about $400. Mr. Vallet will be contacting officials about grants that might be available. Ben questioned Mr. Vallet about the liabilities that were on the report. Mr. Vallet said that should have been omitted and he will remove them from his report. The mayor added that the account now had $65,000 in the general funds, even after the April 15 payroll had been paid. This was due to B & O taxes being paid.

E. Events/Code Enforcement/Home Rule: Miranda Robinette reported that she and Kathy Savage have contacted all businesses to explain the new B & O forms and ask if they had any questions. The mayor added that the town has received positive feedback for their efforts to contact businesses. All notifications for the Home Rule meeting have been completed, and the meeting will be held as scheduled on April 21 at 7:00 p.m. via Zoom.

F. TVCC Director: Stacy Bell reported that the center took in $810 in March, and only one event had to be cancelled that month due to restrictions imposed by the governor. Seniors continue to receive meals at the center. However, they are taken out to them while they wait in their cars. Stacy makes regular phone calls to the seniors to be sure their needs are being met. She is continuing the Flashlight Friday Story Time, reading the story and providing food recipes and activities that children can do at home. Ben questioned about the scheduled Health Fair. Stacy informed the council that the Health Fair had been cancelled but that all participants expressed interest in having the event at a later date.

G. Water Department: The mayor reported that Lana Pritchard had contacted her and said that the only business was the signing of checks. Board members will come in and sign the checks. Therefore, the monthly meeting was cancelled.

IV. Old Business

A. Final Reading of the Commercial Garbage Rate Adjustment Ordinance: Joel McNeely moved and Robin Mutters seconded that the ordinance be read by title only. Motion passed. Miranda then read the ordinance. Tony Robison moved and Robin Mutters seconded to accept the final reading of the ordinance. Motion passed unanimously.

B. Second Reading of the B & O Tax Ordinance: Tony Robison moved and Joel McNeely seconded that the ordinance be read by title only. Motion passed. After Miranda had read the ordinance, Joel McNeely moved and Tony Robison seconded that the council accept the second reading. All approved. Counsel Kuenzel reminded council members that if any changes are to be made, they must be submitted before the third and final reading.
V. New Business

A. First Reading of the Home Rule Ordinance: Robin Mutters moved and Ben DesRocher seconded that the ordinance be read by title only. Motion passed. After Miranda read the ordinance by title only, Joel McNeely moved and Robin Mutters seconded that the council accept the first reading of the ordinance. All approved the motion. Miranda then reminded everyone that the Public Hearing would be April 21 at 6:00 p.m. via Zoom.

B. Fair Housing Month: Mayor Wilson read the Fair Housing Proclamation. Robin Mutters moved and Ben DesRocher seconded to approve the proclamation. All approved.

C. UMWA letter: Mayor Wilson read a letter from the UMWA requesting that the town contribute $5,000 toward a project at WVU to build a Pediatric Cardiology Care Wing in honor of Cecil Roberts. Robin expressed that this was a lot of money for a small town to finance. Tony Robison moved and Robin Mutters seconded that the issue be tabled. All approved.

D. Executive session: The mayor announced the need to go into executive session to discuss personnel issues with Accountant Vallet attending. Robin Mutters moved and Joel McNeely seconded to go to the breakout room. All approved. Following the executive session, Robin Mutters moved and Tony Robison seconded that the council return to the regular meeting. All approved. Counsel Kuenzel then explained that no votes were taken in executive session. However, the town is currently in a lawsuit over a personnel position. He suggested that the council request the suit be dismissed in order for the person to be reinstated for the duration of the term of the position. Joel made the motion. Ben seconded. The mayor requested a roll call vote. Results were: Ben-yes; Gary-yes; Tony-yes; Robin-yes; Joel-yes. All approved the motion. Rob announced he would contact the lawyer for the town’s insurance company.

VI. Setting of next meeting/Adjournment

A. The “Set the Levy” meeting will be Tuesday, April 21, at 5:30 via Zoom.

B. The public hearing for the Home Rule will be Tuesday, April 21, at 6:00 p.m.

C. The next regularly scheduled meeting of the Chapmanville Town Council will be Tuesday, May 12, at 7:00 p.m.

D. As there was no further business, Tony moved and Joel seconded that the meeting be adjourned. All approved.

Respectfully submitted,

[Signature]

Terilyn Wilson, Recorder

Town of Chapmanville
IN THE MATTER OF:

SPECIAL PUBLIC MEETING FOR THE CITY OF

CHAPMANVILLE, WEST VIRGINIA REGARDING HOME RULE

ORDINANCE PROPOSAL.

THIS MATTER came on for public hearing on this
the 21st day of APRIL, 2020 at about the hour of 6:00
o’clock P.M., via ZOOM VIDEO CONFERENCE, before City
Council for the City of Chapmanville, Chapmanville,
West Virginia.

APPEARANCES:

TERILYN WILSON, Acting Mayor
JOEL McNEELY, Councilman
GARY BLEDSOE, Councilman
TONY ROBISON, Councilman
BEN DesROCHER, Councilman
ROBIN MUTTERS, Councilwoman
ROBERT KUENZEL, City Attorney
JEFF VALLET, City Accountant

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1 (APPEARANCES CONT'D)

2 ALAN BROWNING, Police Chief
3 TOMMY PERRY, Fire Chief
4 MIRANDA ROBINETTE, City Event Coordinator
5 AMBER MILLER-VIARS, City of Logan Home Rule Coordinator
6
7 ANNA BUTCHER, Attorney, Woodyhill Attorneys
8 STACY BELL, Observer
9 PHILIP WILLIAMSON, JR., Observer
10 WOODY HILL, Observer
11 KATHY DesROCHER, Observer
12 WALLACE MULLINS, Observer
13 OPAL HIROSKY, Observer
14 WENDY WILLIAMSON, Observer
15 MALINDA VINSON, Observer
16 DYLAN VIDOVIĆH, Observer, Logan Banner
17 0-0

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Proceedings

(IN OPEN SESSION)

6:05 P.M.

AND THEREUPON

Mayor Wilson: I'm going to call the Meeting to Order. Joel, would you lead us in the Prayer and Pledge of Allegiance?

(WHEREUPON, COUNCILMAN McNEELY led those in attendance in the Prayer and Pledge of Allegiance to open the meeting.)

Mayor Wilson: Thank you, Joel.

The first order of business is for the Second Reading of the Home Rule Ordinance. Is there a Motion to have the Second Reading?

Councilman McNEELY: I'll make the motion.

Mayor Wilson: Okay, is there a second?

Councilman Robison: I'll second.

Mayor Wilson: Okay, Tony

seconded. There has been a motion for the second
reading and a second. All those in favor say "I".

(Unanimously Approved)

COUNCILWOMAN MUTTERS: Are we reading the whole Ordnance or are we doing Title only?

MAYOR WILSON: Let's read it because some people on here have not heard it. So it is just a page long. Do you mind Miranda or do you want me to Miranda?

MS. ROBINETTE: I'll read it.

MAYOR WILSON: Does anyone approve reading it?

COUNCILMAN McNEELY: I approve.

MAYOR WILSON: Thank you. We're ready.

MS. ROBINETTE: This is an Ordinance pursuant to the provisions of the West Virginia Code, 8-1-5a, authorizing the Town of Chapmanville to submit a written Home Rule Proposal to the Municipal Home Rule Board in order to permit participation by the Town of Chapmanville in the Municipal Home Rule Program.

AUTHORIZATION TO SUBMIT A WRITTEN HOME RULE PROPOSAL

WHEREAS, in 2007 the West Virginia Legislature enacted West Virginia Code 8-1-5a, known as the
Municipal Home Rule Pilot Program; and

WHEREAS, in 2019, the Municipal Home Rule Pilot Program was made a permanent program, with provisions to add four Class IV municipalities to the program each year; and

WHEREAS, the participation in the Home Rule Program by the Town of Chapmanville, a Class IV municipality, would give the Town unique flexibility to apply local solutions to local problems, benefiting the greater community, including resident, visitors, and businesses.

NOW, THEREFORE, BE IT ENACTED BY THE TOWN OF CHAPMANVILLE THAT THE MAYOR, is hereby authorized and directed to submit a Home Rule proposal to the Municipal Home Rule Board on July 8, 2020 in accordance with the West Virginia Code 8-1-5a, in order for the Town of Chapmanville to be considered in the program as a Class IV municipality during the Fiscal Year 2020-2021.

MAYOR WILSON: Okay, this is a Class IV Municipality so do I have a Motion to accept the Second Reading. This is to accept the proposal.

COUNCILMAN McNEELY: I move to accept the proposal.
MAYOR WILSON: Okay. Is there a second?

COUNCILMAN ROBISON: I’ll second.

MAYOR WILSON: Okay, Tony seconded it.

All those in favor say “I”.

(Whereupon the Motion carried)

MAYOR WILSON: Now the next section of this meeting is the Public Comments and Questions. Before we begin I have some things I would like to say.

We all know that we are in times that we have never experienced before and I want you to know that the Town of Chapmanville has been doing its best to get out the message of this matter to have the motions at Town Hall. However when we had to close the offices in order to protect our employees and follow what Governor Justice required, we had Miranda to put these documents on our official Town of Chapmanville Website.

I think we can all agree that this is not the best way to communicate what we are doing. I assure you that we are still doing our best to have open lines of communication.
This is a new experience and we are fortunate that we live in an age where there is technology available where we can communicate with each other when we can’t be together. I am aware that there is much of the public is unfamiliar with Zoom. I was to my first time on March 14th. But we are trying to adjust as best we can and I want you to know that no person has a question that is not worthy to be answered. If you have a question I can assure you that there are others who may have the same question.

If we can’t answer your question or if you think of something you want to ask later on. Call Town Hall at 304-855-4502 and ask to speak to Miranda. She is the one that has been responsible for developing the project for the Town and she knows first hand the knowledge that can answer questions correctly.

But before I turn this over to Miranda I just would like to commend Miranda for the wonderful job that she has done with this. She has taken it on and had guidance of course from Amber and her team. She has just done a wonderful job for us in getting everything done, getting notices posted on time when they had to be posted.

So I, as the Acting Mayor, would like to thank
her for everything she has done. And now Miranda, I’m going to turn the meeting over to you.

MS. ROBINETTE: Well, thank you very much. It is not easy and it is stressful. But in my personal opinion this will better the town. I know people that are against it and I totally understand your concern. But this is really going to help us out.

Jeff has done some numbers for us and when he did it -- let me get my papers together, sorry. We will be losing money in B&O but we will be gaining so much more. So I am opening this up to your questions, what you have. I will do my best to help you and that is why I asked Anna and Amber here. They have been through this and know what is going on. If I can’t answer it then they can chime in and help me. Anna and Amber have been awesome and will offer help also on this. So if you have questions --

COUNCILMAN DesROCHER: I might have one to start off. Say we do get accepted into this Home Rule Program. But the way things are setting right now we are not in the best of shape with people being laid-off or loss of income.
Is there a way we can defer the beginning of this program?

MS. ROBINETTE: Well, we are not going to go -- we would not start collecting until July of next year. I am hoping and praying to God that we are done with this Corona Virus by then.

Logan starts this year and we would be starting next year.

COUNCILMAN DesROCHER: There is nothing to show that everything will be back to normal by then.

MS. MILLER-VIARS: This is Amber. Ben I respect your comments and question and understand where you are coming from. You know, this is a 1 percent sales tax. Home Rule I so much more than a 1 percent sales tax, so much more. It is going to open your City to make decision as to what is best for Chapmanville. You kind of have to look at the broader picture. Everyone gets wrapped up in the 1 percent sales tax and I understand that. But there is so much more that is encompassed under Home Rule than just the sales tax.

I did it, know that we are all facing trough times. We are getting ready to start it in July and
it is 1 percent. I am not saying that is not significant and I get it. But you have done so much work and have so much work ahead of you. This is just Phase-1. This is just the first step. This is just the application to submit your Home Rule Plan and it is just the first step.

The second step is the Sales Tax part of it. Your mapping, your postal codes. I can tell you that Anna was critical, her work in that was critical in that and you still have so much work ahead of you. I would not defer this because the Home Rule Program only accepts so many Class IV municipalities and only so many Class III.

You don’t want to miss your window of opportunity to get accepted into the Home Rule Program and be able to start collecting next year. If you defer you don’t know you will get in. There may be six municipalities ready to go and it might knock you out of a position that is supposed to be heard by the Home Rule Board because they only set so many.

While I do understand what you mean here and your concern is totally valid. I would not hold up progressing and going forward with your application because you have put so much work, so much time, so
much energy in this so far. I promise you that this will be something that will make Chapmanville rise. I understand with what we have going on right now but this is something you have to look five years ahead, ten years ahead, fifteen years ahead, to sustain Chapmanville, sustain Logan, Man, our Area to be able for our municipalities to survive and be able to do the things you need to do. Upgrading sewer, upgrading water, pensions, raises. There is so much that you have to be able to take care of and this is your way to do it.

Not saying No, and I am not an attorney. That is where Anna’s expertise is and Rob’s. But I would definitely move forward if you can especially with all of the work that has been done and Miranda has done an absolutely positively incredible job. She has worked with us daily to try and get this in place with you guys and I really do believe that not only are you going to be able to do so much with Home Rule.

But I do believe the future of Chapmanville -- when we are gone, when we are no longer representatives of Logan and Chapmanville, they are going to be able to do the things that they need to do because you all have put this in place. So that is
just my opinion.

COUNCILMAN DesROCHER: It wasn't about deferring this part of the process. It was about deferring the start of the sale tax.

Say we do get accepted in December and then it would start July 1st of next year theoretically. Is it possible to delay the start of the taxation time based on world events?

MS. ROBINETTE: That is not something I have heard anything about or seen posted or at any of the Municipal League Conferences I have been to.

That is a question that I can bring up at the next conference if you like.

COUNCILMAN DesROCHER: That would be fine.

MS. MILLER-VIARS: Miranda, I'm going to let Jeff chime in about from an accountant's standpoint.

MR. VALLET: In answering your question Ben. I think the problem we have is the State Tax Department puts these in effect for a year. They go through their process and you say you don't want to do it until January 1st. They are not setup
to do things that way. They are setup to do things July 1 every year. We don’t have that option of well, I don’t want to start until December.

You either start July 1 of one year or you start July 1 of the next year. It is not like you can push a quarter away because the State won’t like to do that. They have to notify all of the international and national companies that ship into this area if the sales tax. They can’t say don’t do Chapmanville until January 1. They just won’t want to do that.

MAYOR WILSON: Do you say that is not possible to delay the onset of the tax. Is that what you are saying?

MR. VALLET: I’m saying it would be very difficult and I would not ask them to do that. Just because of their requirements.

MS. BUTCHER: Essentially with all the deadlines that the Tax Department has in place, the tax file, ordinances, everything that has to be done to have everything in to be considered. You would essentially be pushing the whole process back in order to get that later date. Like Amber said, doing everything else, being accepted is in jeopardy when pushing everything else back when you a trying to look
at the long run.

MAYOR WILSON: Does that answer your question, Ben?

COUNCILMAN DesROCHER: Yes.

MAYOR WILSON: Are there any other questions?

MR. WILLIAMSON: I would like to speak to the Home Rule.

MAYOR WILSON: Okay. This is Phil Williamson.

MR. WILLIAMSON: My name is Philip Williamson, I am a resident of Chapmanville and I am in opposition to this tax increase for a number of reasons.

But first I’m going to use your alls reasons. Council and Town Representatives have said since the discussion of Home Rule began. At least twice in past meetings, as early as today, and you have agree with the comments of the same nature that the local economy is trash. It is in the toilet. Not only has the local cash crop of coal continued to decline but with government demanding the shutdown of businesses it deems as non-essential, numerous small businesses have closed, many shuttered for good and will not return.
It takes a lot to start a business. But they are also easy to lose, easier to lose.

This is one reason I find it appalling that Council had decided that now is the time to continue with an extra tax on consumers that supposedly they represent.

With the GED is dropping 30 percent and forecasted by the Federal Reserve to almost double-down on the drop to the next quarter to 50 percent. Unemployment continuing to rise higher than ever recorded, the country is literally facing its largest economic slump since the Great Depression.

No one is saying the road back will be easy and claims the economy will magically swing back is just that, claims.

You can see what I'm talking about. We can see how the economy has been around and what direction it has been in the last year. We can see that every last penny is currently needed for every family and no one has yet given a solid date that anyone will be back to work by, if at all.

We are told this isn’t a lot, that 1 penny per dollar isn’t a lot but that of every hundred dollars a person spends only $1.00 will go into the pocket of
the Town. But this is an extra cent of sales tax on
not only everything sold in Town but everything sold
on line to City Limits. Amazon, eBay, Espy, Rokauto,
all of these items suddenly cost more, increasing how
much money doesn’t go to care for our family in trying
times or to ensure our future for ourselves. Or, be
able to open a new business to put into the Town’s
coffers.

That $1.00 per hundred might not seem like a lot
but it is my neighbors, my family, it puts food on our
table and adds to our futures. Benjamin Franklin
said, “a penny saved is a penny earned.” We all like
to keep what we earn.

The Town has raised its fees many times in the
last four years. It has raised everything that it can
raise, trash, water, sewer, and now it is asking for a
little more of our paycheck.

The timing of this tax increase couldn’t be
worse. In fact, it is one of the larger reasons I ask
you to abandon chasing it this year. Not only is GEP
historically down in business but people are confined
to their homes. Elderly are more careful to leave to
avoid infection of this virus. People who will gladly
come out to a public hearing to see you face to face
and look you in the eye and tell you no more taxes
can’t address you as they may have before.

The last public hearing Chapmanville had was
about allowing ATV’s on the public road and it was a
packed room in the Tracy Vickers Community Center.
The same room this meeting should have been held in.
Instead, you are having this event on the internet
where attendance will be lower than it would otherwise
and many people may not even know how to attend. And
why would they want to when the council thinks a phone
call might have the same effect as being able to stand
before you and speak face-to-face.

Ladies and Gentlemen of the Council, enough is
enough. Give the increases we are forced to pay a
rest. For once put the Town of Chapmanville, be a
place where you can escape the folly of other
municipalities where you don’t follow the lead that
others set, where we blaze our own path, one of
compassion, patience, prosperity. Where the people
are allowed to keep more of their own money and one
where Council knows it can always discuss tax
increases when more people are back to work. Thank
you very much.

MAYOR WILSON: Are there any
comments on Phil Williamson?

COUNCILMAN BLEDSOE: Yeah, I got comments on him. My name is Gary Bledsoe and I want to tell you Philip, I pat you on the back. You took most of my words out of my mouth and you have already said them.

I’m agreeing one hundred percent with what you said and I hope that the rest of the Council feels the same way. That’s it for me.

MR. WILLIAMSON: Thank you, sir.

MS. MILLER-VIARS: Okay, this is Amber again with the City of Logan.

Philip, I respect all of your comments and your concerns about the 1 percent tax but I will tell you this. I do believe the Town of Chapmanville is blazing a new path. I believe they are doing the unpopular opinion. This is not easy. I think that people think we just sit around and want to create new taxes on people just for fun. But that is absolutely not the case.

When you have a small town municipality and are even a county that is struggling, we try and keep services in place, trash, water, sewer, fire protection, police protection, infrastructure,
demolition, all the things we all wish for, right?
Well, that takes money.

Nobody wants an extra tax increase. Yes, it is 1 percent and I’m not saying that isn’t significant in any way. It is very significant and very significant for the Town to be able to have funding going forward to be able to be the Town that they are supposed to be. That is our entire area. Yes, people are out of work right now. I did 185 Unemployment Claims myself in the past week. It is not easy. But I do not believe it will always be this way and you have to be able to set the pace for your Town to be able to move forward and grow. And unfortunately we all know that that takes money. It has nothing to do with taking businesses out of your Town. Actually the business market has been in a reduction in B&O. I don’t know if that part was missed but in order to be included in the Home Rule Program, you actually have to take or create a reduction in your B&O structure. What does that do?

That entices business to come here. Yes, it is put on the consumer but there are consumers everywhere all over the place that come into our towns and cities. The Hatfield-McCoy Trail, one of the best
things the City of Logan has ever done. Our hotels are packed and our towns and restaurants are doing business from out-of-town all the time. So much so that we have a new development going on up at Rita Mall.

So for you to think that the Hatfield-McCoy Trail is a bad idea I am here to say that it is not. We have people from all over the country that come in here and that is what they do when they are here, they spend money. It is not just local consumers but it is consumers from all over.

Yes, I could pay my salary with the Amazon Orders that I order every single month. I will gladly do that to be able to help any municipality. That will be Chapmanville, Man or Logan. Things that we have a responsibility for I applaud this Council. I applaud the fact and applaud the Town of Chapmanville especially with all the things that you have been through with the death of Ramey and everything.

Moving forward and doing this for your Town. It is not easy and these are things that are very had to do. It is hard to be in this seat and have to make decisions. It is not easy. For any of you that feel like this is a hard decision, you better believe it
is. It is a hard decision. But I will tell you that I have been all around the State of West Virginia. I have been with the Municipal League for almost 20 years. Serafino is the President of the Municipal League and we have been all over. We actually went on a Home Rules Tour and we went to every town, every city in the State of West Virginia with the Home Rule Program and the things that they have been able to do in their towns is absolutely incredible.

It is time for Southern West Virginia Towns to step up to the plate and do this. Not only for your town and the people that work there but for the things that make better, healthier, better infrastructures in towns. We want this buildings demolished, pensions funded, want our employees to be paid well. We want to be able to do new sidewalks, match grants. But it takes money.

Again, I’ll get off my soapbox and I am very passionate about Home Rule and I understand nobody likes taxes and I have businesses myself and I do also hate to pay them and Jeff hates to do them.

But it is what it is and it is a major part of the health of your town. Again, please stop getting hung up on the 1 percent sales tax. There is so much
more to Home Rule than just a sales tax. It is opening up you, as leaders of your Town, to be able to make decisions that are best for Chapmanville.

What works for Logan does not work for Chapmanville. What works for Chapmanville doesn’t work for Charleston. It just allows you to take responsibility for the health of your Town. That is all I have.

MR. WILLIAMSON: May I respond, please?

MAYOR WILSON: Who is this?

MR. WILLIAMSON: This is Philip.

MAYOR WILSON: I couldn’t hear.

MR. WILLIAMSON: Amber, I’m not sure where you got that I said I hated the Trail but I never said anything about that.

The other thing is what City did you represent you said?

AMBER MILLER-VIARS: I’m with the City of Logan.

MR. WILLIAMSON: Okay, thank you very much. I’m done.

COUNCILWOMAN MUTTERS: This is Robin Mutters. I went to the Municipal League Meetings and
I have looked over this. This Program actually started in '07 as a Pilot Program and they took in 4 cities and then added other towns, added 14 more and then added 16 more. Then I don't know what we are up to now on the ones that have the Home Rule.

Anywhere you go now to shop in close proximity anyway, Amber may have a better number there than what I do. If you go to South Charleston, Charleston, Dunbar, Nitro, Huntington, soon to be Logan, anywhere you go you are paying the 1 percent tax already when you go out of town to shop.

It is a hard time, a very hard time for us. We need so many things in this Town and we want to grow and need to grow. It is a very hard time to start talking about adding even the 1 percent. It is really hard right now to add.

But if you look at the overall picture -

MAYOR WILSON: Robin, I can't hear you.

COUNCILMAN McNEELY: She cutout.

COUNCILWOMAN MUTTERS: So why not want to pay it at home and help out your home town. That is just my view on it. Amber may be able to tell you how many more towns, cities there are in the Municipal
League and the Home Rule Program now.

But if we are going to pay it, then I’d rather pay it at home than in other places. Again, it is a hard thing to pay taxes but I’d rather pay it at home if I have to pay it everywhere else as well.

MR. KUENZEL: Miranda, do you have a list of the towns? Robin had mentioned that. I didn’t know if you had a list or not.

MS. ROBINETTE: Well, starting in 2007 was the Pilot Program. It was Bridgeport, Huntington, Charleston, Wheeling. Then in 2014 South Charleston, Morgantown, Dunbar, Fairmont and 16 more municipalities were picked up. Okay, anytime you guys go to Charleston, go to at WVU Game, you are paying that extra tax. When you pick up your receipt and pay the 1 cent tax on that. Is that a big tax that you are paying?

My Jeff personally doesn’t want to pay the tax. But he says, it is going to help our Town. Jeff has been a police officer there 15 different times. He still works down there. Our police officers don’t have a Pension that they deserve and this would be able to go toward a Pension and help our police officers.

You all want protection in Town don’t you?
want to keep our Cops. That is one of the things that
the extra Home Rule Money is going to help us do, keep
our police force, keep our employees. It is going to
help us in tearing down buildings if they start
looking ragged. We are able to go in and say, hey, we
have the extra funds to do this now.

    My personal favorite is that we can do more
festivals like helping the Town to grow. This will
help the Town to grow. We don’t need to be at a stand
still forever. I can understand it is a hard decision
for you guys to make. But you have to look at the
good and the bad. And just look around us. You will
be paying already.

    COUNCILMAN BLEDSOE: I’d like to make a
comment. Can you hear me?

    MAYOR WILSON: Yes, we can. Go
ahead.

    COUNCILMAN BLEDSOE: I’m Gary Bledsoe
and when you talk of the other cities that are in on
this Home Bound the ones you called the names off of
are in size 8-10 times larger than what we are. You
talk about our Town growing. Sure, that is a
wonderful thing to have done. But where is it going
to grow outside the size we are now? What business
places do you have room for new businesses to come into this Town. We are not a big city like New York or something and I think what few businesses we do have. I don’t see an income coming from that 1 percent back into this Town to amount as to a lot. It is going to take awhile before it would ever even start.

Besides that, we have to pay a sum of $2,000.00 every so often to even be in on the Home Bound. Now our income is not to good now and we have discussed about our Budget, how much money our Budget has to have and we have even considered letting maybe someone go because we can’t afford to pay the wage.

Now we are in the process of discussing maybe hiring someone to take care of financial affairs or whatever. Now when, where and how long will it take for this Town to get all the money that they need and grow? If you tell me that I’ll be happy.

MS. ROBINETTE: Well, according to Jeff Vallet the increase in annual revenue based on this plan will be $211,000.00.

MAYOR WILSON: And I believe he said that would be an under estimate.

MS. ROBINETTE: And he said it
could be more than that, yes.

COUNCILMAN DesROCHER: Jeff, do you feel comfortable in giving us a projection on how you got there?

MR. VALLET: Well, the Staff Ben, went through and gave me the sales based on the categories. And I'm pretty confident the $211,000.00 is the low number.

COUNCILMAN DesROCHER: I guess I want to echo what Gary said. You know, I have basically been a proponent for annexation ever since I was elected 5 years ago. We have talked about it and no movement. Then we talk about it again and no movement.

I think a better option would be to bring more businesses into the Town before we ever look at charging the extra 1 percent tax. More businesses would bring more B&O into the Town. More space for Town would allow more businesses to be in Town. Like Airport Road, not even half mile up the road. They have the Burger-King on the highway, have a Bank on the highway, Convenience Store on the highway, couple Doctors Offices down there, couple rental properties down through there. That is income that we are
missing out on.

I think that it would be better to bring that in before we hit the idea of 1 percent in the Town Limits.

Doing this annexation after the fact would just require more work to our Home Rule Plan that we already have. That is all I have.

COUNCILMAN McNEELY: If I may, Joel McNeely. May I Terilyn?

MAYOR WILSON: Yes, yes, please.

COUNCILMAN McNEELY: I think we are hung up on the sales tax, the 1 percent to much. I think we need to look at the benefits of Home Rule, what it will bring to the Town, to allow Ordinances and allow Annexation. I think there will be some flexibility as to what Rules that we already have.

The 1 percent we are talking about, everyone of us I’m pretty sure travel outside the boundaries of this Town. We travel to Charleston, travel to Huntington, going tot the Mall, go to Lowe’s, Walmart, see a movie, it won’t matter. You are going to be spending that 1 cent on the dollar and 1 dollar on a hundred ($100.00). I think that we are hung up on that and we need to maybe look at the benefits of what
Home Rule will do for us in affording the power that it will give us.

As Robin says, I’m going to be shopping there myself. I didn’t even notice it and most people won’t even notice it until they look at their receipt and find out that they are paying that 1 percent.

A good example, one of my daughters has been buying supplies over at Southridge, been doing it for a couple years now. She found out about Home Rule when we were talking about it. Then she said, “Is that why I pay 7 percent over there?” I said, “Most definitely.” She says, “Oh, I’m already doing it there I can do it here too.”

Now I do agree. I despise taxes. Anybody want to take a look at my tax bill, maybe save me a few thousand every year, I’d sure appreciate it.

But government does not generate revenue. We don’t sell a thing. Yet we are expected to provide service. How do we do that? Well, we have to do that by taxes that are raised, property taxes, sales taxes, enforcing traffic citations and whatever.

We have to find ways to raise revenue. We would not be a Municipality without it, correct me if I’m wrong. Would we be a Municipality if we were not
providing services for the Town, its citizens? We have to have something coming in and at the rate we are going we can’t expand even within our own boundaries. We have no way to take property and I’m not talking about taking Tony’s property down there. I’m talking about dilapidated property. We have a number of those in the town and we ought to be able to do something with it, clean it up a little bit. We need to take a drive around Town, especially on the north end of it and you will see all kinds of potential there.

So I’m for the Home Rule, not necessarily because of the raise to generate a tax but possibly what authority it might give us. Now Anna can probably answer that, as to what we can gain from Home Rule as far as authority. I know there are some changes coming in Logan and some will be coming in Man. Can you elaborate Anna?

MS. BUTCHER: I can touch on a few things. This is Anna.

I know Ben mentioned annexation. Under Home Rule that is something that would be within the Town of Chapmanville’s freedom to do. Though in that, it is not something you would have to consider to do before
the process or after the process that causes more work. That is something that is within the Town of Chapmanville’s freedom to do that.

It was mentioned the cities that already have the 1 percent sales tax. There is a list on line and I have found it but I don’t have it at my fingertips right now. It does include Charleston, South Charleston, Barboursville is actually getting ready to start in July 2020 I believe.

But the whole purpose in the Legislature enacting this permanently for Class IV Municipalities, it is for smaller areas. A lot of the smaller areas that do have this are really reaping the benefits from it and are progressing in their towns. It is not just the larger cities that have this enacted. It is really going to be beneficial for even somewhere as small as Chapmanville. To be able to provide so many different things and if Amber has anything to touch on that she can go ahead. But it is something that is absolutely going to be beneficial. You are going to be able to match Grants. Everyone all the time wants to say, “why don’t we just get a Grant?” We can absolutely do that but there is some out there that you can’t get unless it, can’t match, some sort of
a percentage to match what it is.

With this it is something that would allow the
Town of Chapmanville to do, and be able to bring in so
many different things to provide for us everyday.

MS. MILLER-VIARS: Hey guys, this is
Amber again. I can touch a little bit on some of the
different things that some of the communities have
been able to do. I don’t know if you know how many
people are in this. I am on the Board of the
Municipal League. For instance, Beckley is a Class II
Municipality and they have been more able to put some
authoritative measures in place and I know we are all
after that a little bit.

For instance under Home Rule they are permitted
to put City Liens on Property for Expenses incurred to
remedy eyesores on dilapidated structures. The Town
has to go in and we all have those areas in our Town
where things need to be torn down or the grass is over
run, the trash is an issue, the City goes in and does
that work they can put a Lien against the property.

They can sell real and personal property for Tax
without Auction. Can sell real and personal property
at less than fair market value to promote economic
development.
Issue Citations for Code Violations, for public nuisances, trash, litter, anything having to do with safety and health, authorizes cities to purchase property subject to delinquent property taxes. There have been things all through the State of West Virginia that small towns and cities have done. Chapmanville may not know what Logan’s issues are. Logan does not know what Chapmanville’s issues are. We all pretty much share some common denominator issues but for the most part, once you identify those areas that need improved they may be enhanced. Maybe there is a project that you all want to enhance. You all can collectively make those decisions and once you get accepted into the Home Rule Program, Miranda’s job is not over.

You have to do a quarterly report and you have to show and be able to state how this money is being used. You have to show up, go to the Home Rule Board and say this is what we have done for this quarter and what we have used it for.

It is not just like a free money program. They make you answer for what you are doing and they sort of keep you in check. You have to do that quarterly report and Miranda, every quarter, she will have meet
with the council and keep track of all that and every quarter she has to turn that in.

What is so great about that is let's say you all change your mind and there is a project that you want to do because that money is funneled into your account and collected and you all decide. We are able to get a $600,000.00 grant for sidewalks but we need a 20 percent match.

So Miranda would just go to that quarterly report and we need to go the 20 percent match and that is what we are using our funding for that quarter. As long as it is a legitimate need, something that is going to make your own grow and is positive for your own, then the Home Rule Board is always on board for that.

Just like Joel said. You can’t just limit yourself to that tax. That is the problem I see with so many Municipalities. They just think on that tax and don’t think that this can open the door and give us so much more authority to do and solve some of the problems we are having in our town.

Ben, we kicked around annexation too and I don’t know if you all have looked into it but that is a lot of work and it takes a lot of money, a lot of time to
do some of those things.

Again, if you all see that is a viable project for Chapmanville then put it on your list, figure out your P’s and Q’s and what it is going to take, what kind of funding it will take to make that project come into a reality. Put it down on your Home Rule Plan for a quarter and see what happens.

Don’t think this is a one stop shop because it isn’t. This is something that is going to be beneficial tenfold across the board for everyone.

You can get on the West Virginia Municipal League Website and you can go on and actually look at the report for everyone in the Home Rule Program and what they have done. I mean, it has every single city and what they have done with their Home Rule Program.

Everyone from Charleston to Clarksburg, to Elkins, Fairmont, Morgantown, Follansbee who is more in our size. Grafton is definitely in our size and they have tons done outside the 1 percent sales tax.

I’m sure when you think about this and the decisions you have to make not only now but going forward. That you will see past the 1 percent sales tax and what you can do for the future of your Town.

MAYOR WILSON: Thank you, Amber.
CHIEF WORKMAN: Can I speak too?

MAYOR WILSON: Yes, this is Allen.

CHIEF WORKMAN: This is Allen and as the Police Chief of the police department, from my standpoint I think if this doesn’t pass we are going to keep being in the same boat we are in right now, an open door. We will just keep hiring people. The cost of the Academy is $2,000.00 per officer. So you are losing that money on the officers when they leave, not to mention their equipment that they have. I just lost 2 officers to the State Police with their starting salary of $45,000.00. We are never going to be able to keep guys if we do not raise anymore money with this Home Rule Project.

Too their sticking point was Pension. We don’t have a Pension and that is a problem with the pay.

MAYOR WILSON: I know that we have lost several officers since I have been involved with the Town to deputies, state police. Your input is valuable because it is a need and a need right now and the Town cannot afford more for pension with the income we have now.

I also want to bring up another point. The council has talked about a River Walk or they want
access to the river for Kyacks. Or they want a Park within the Town. All of these projects would be something we might be able to afford better if we had more income coming in.

The Second thing I want to say is, some of the taxes on these businesses. When you reduce a tax on a business that in and of itself is an incentive for a business to relocate into that area. If there is the reduction of taxes, when we were talking annexation. If we reduce the taxes then it may be an incentive for them to be a part of the town.

COUNCILMAN McNEELY: May I say something again. Joel McNeely, may I Terilyn?

MAYOR WILSON: Yes.

COUNCILMAN McNEELY: A question for Jeff, Jeff Vallet. I am probably wrong on this Jeff but I’m pretty sure this is not going to apply to gasoline.

MR. VALLET: That is correct.

COUNCILMAN McNEELY: It is not going to apply to food?

MR. VALLET: Also correct.

COUNCILMAN McNEELY: Two major things bought in the Town of Chapmanville, Food and
Gasoline.

Now this is going to apply to the Fast Foods.

MR. VALLET: Yes.

COUNCILMAN McNEELY: And your Pharmacy, not going to apply to your drugs, prescription drugs. But it will apply to the candy you buy at Walgreen's.

So once again I think we are hung up on the 1 percent sales tax that it would increase but I'm sure everyone shops outside the boundaries of this Town. They shop in Charleston, in that area, Huntington and a number of other areas that they go too.

How many people listening right now travel to Myrtle Beach for a vacation destination and what they pay in excise tax for Motel's and Municipality Tax and they have never even bothered to look at it.

Once again, I do not like tax and I realize that is the only way we have revenue to operate but I do not like it. It is one of those things in life you just learn to live with. I don't want to be hung up on 1 percent, a penning on a dollar or a dollar on a hundred, when I am looking at the benefits from whatever money this may generate and do for this Town to upgrade it and make it a show place.

We could have 10 guys out here trimming, picking
up trash. Allen could have 3-4 more officers maybe, better cars. If we do well with this then it enhances the Town and the benefits of living within the annexed area of the Town, then there is a good possibility that annexation would be easier in the future. That is what I am hoping as well. That's it.

MS. MILLER-VIARS: This is Amber and Jeff and we are in total agreement with that. We are facing the same thing here. That was one of the conversations we had to have when we were going through this process and I feel like your Police Chief and Fire Chief, they hold a lot of substance because these are the guys going out there doing the things none of us want to have to do or see. They don't get paid enough and they do deserve the Pension, do deserve higher pay. They really deserve all kinds of things. They deserve the best equipment. But again, all of that takes money and they also deserve to be able to make things safe for us so that we do not violate State Law. This will encompass state law and encompass Chapmanville where you can enhance and protect your police and fire department and street department. Let's face it, sanitation workers, garbage workers, water department, street department, all of
that is so important.

Again, they all do the jobs that we don’t want to do. We had workshop after workshop here, police, fire, Jeff all hands on. For your police chief to say that you cannot keep trained men and it takes $2,000.00 per person to go to the Academy and then he loses them to the County, State. That is something we all have to fix. We don’t want to be in that situation anymore. If Home Rule can pay your police officers what they are worth, a competitive wage and be able to give them a Pension, let’s do it. They deserve it.

That is another thing you have to look at; and for him to be on Board speaks volumes. Like Joel said, none of us like taxes but we sure do want good police protection. I know that is something that we all face together and it just speaks volumes. Take that into consideration at the time when you are making your decision too.

MS. BUTCHER: This is Anna. If I is okay Joel touched on a couple things in the sales tax. I would just say that the food and prescriptions, there is a thing in the Sales and Use Tax Ordinance that the Tax Department has basically
drafted for all the Municipalities to use. It does less with things of course like those mentioned by Joel and one is motor fuel, the sale or use of motor vehicles. The Sales Tax imposed by Section III of this article which pertains to the Ordinance, does not apply to any transaction that is already exempt from the tax imposed by Article 15, Chapter 11 of the State of West Virginia.

The Ordinance does hi-lite what has been included and not included, very, very detailed. That is something supposedly provided to the public if everything proceeds and moves forward.

COUNCILMAN DesROCHER: If I may. You know it has been hit on time and time and time again in this meeting if you go to South Charleston, the other Charleston, Huntington, wherever you go. Why are people going to these places. To me it is because there is something there that we don’t have.

Yes, I know we have hit on growth and the chance of that. We have already dropped our B&O tax approximately $23,000.00 if I remember correctly. That should be and I was going to say that earlier. The people should on that want to move their business here. We have already lowered our taxes.
I am not hung up on the 1 percent. The idea of having more business for more funding. We have two or three gas stations in town. We have a grocery store in town that this 1 percent won’t go to. We have the sales of drugs that this won’t go to and how many different pharmacies do we have in town?

We really, really, really, need to look into bringing more business into town even if that means going out and for the lace of a better word, business shopping.

MS. MILLER-VIARS: Teri, this is Amber again. I feel like all I have done is talk and I’m very sorry. But I just want you all to get the whole picture and each time someone says something -- okay, right. It is not going to be collected on certain things in town. That is correct.

However, there are so many things in the town that you are not collecting on now that you will be able to collect on such as Amazon, eBay, the things we don’t see and we call that "the invisible well" because these days everyone shops on line. So that is what you are going to capture that you are seeing ZERO from right now. Yes, I totally agree. I think we all business shop and I think the one way we do that is we
become a Town or City that has an attractive landscape to be able to attract business too.

If you can’t have the authority to demolish and remove and do things too be able to upgrade your Town to say, hey, we were able to demolish three buildings. We have a spot here or we were able to upgrade our sewer and water infrastructure to be able to sustain a Chick Filet or whatever steakhouse. You have to have certain infrastructure in place. Water and sewer cannot hold new business capacity without infrastructure upgrades. And we all know we don’t all have the best of the best. So what does it take to do that?

One, it takes money and two it takes grants. Grants usually take matches and that what Home Rule does. It also allows you to make decisions based on when you are shopping around and you want to pick and choose an area. So you have that really dilapidated area that you need to focus on and you all can do that as a governing body.

So again, I get what you are saying and I know that nobody wants to pay taxes. Believe me I know that, nobody does. But it is so much more than that. And where you are thinking you are not going to see
gain in time, from a retail point of view because of
the businesses that are in Chapmanville. So have the
annexation conversation. Have the extension
correction, bring those people in and make
everything seem more appealing.

Have a hey, you’re going to have better police
protection. You are going to have better fire
protection and going to have better infrastructure.
Come into our City and let us take care of you.

Again, there is the next step to this. You
haven’t done anything until all of this is accepted
and done. You have not lowered your taxes yet, have
not lowered the B&O Taxes. None of this has taken
place yet. That does not happen until this is all in
place. So make sure that is clear. You have not
reduced your B&O Taxes, nothing has happened yet. You
have not made the decision and nothing has taken
place, no Home Rule Hearing yet, still have a lot of
steps before all of this comes to pass. So make sure
when you are having that conversation you don’t make
people think you have lowered taxes because none of
that has happened. No one is paying the 1 percent
right now. You still have phases to go through. That
all has not happened yet. I just want to make that
Again, I know it is so easy to look at the things that won’t happen in the negative when you have these conversations about raising taxes or implementing new ideas, something new that nobody has really done. Something that you have not seen.

But I will tell you to look at the positives. Look what you all can do together as a governing body for the future of your Town, when we’re gone and not here anymore and they are looking around for a revenue base and the Town has grown. We will not see this overnight. The coal collapse didn’t happen overnight. All the things that are negative we are not going to fix in a day. But once you start putting that wheel in motion it will get better and you will see progress.

I have seen it in other towns and cities. I welcome you all to reach out to those towns and have your conversations with the towns that have enacted it and talk to them about the positives. Because they are there. Yes, the decisions were hard to make on the citizens. No counsel wants to sit and think we need to raise taxes. Nobody wants to do that. But we do want to say, guess what, we are going to upgrade
infrastructure. We are going to be able to do the things we have had on our wish-list for three years. Allow yourself to do that and guess what, if it doesn’t work, it doesn’t work. You are not stuck here. But if it does work you have lost nothing. You have just got to put yourself in a positive mindset. I know that it is hard for you guys but I promise you that you are going to benefit from it greatly and going to be so glad that you did it. That is why it is so great where we live. It is okay to object and have these conversations. That is how we all get better.

Just know that there is a lot more positive things that come out of this. Thank you.

COUNCILMAN DesROCHER: Hey, Amber. About 3 months ago if I remember correctly we did lower our rate and it was told to us we needed to do this so we could move forward with the Home Rule.

MAYOR WILSON: Ben, wait a minute. We said what we were going to do. No rates have been lowered at this time. This was a proposal of what we will do. Nothing has been done.

MS. ROBINETTE: Nothing takes effect until after we July Meeting and we get approved
and get all our things in. That was what you all just voted on, the change. But nothing has been changed yet and nothing will unless you are accepted into the Program.

COUNCILMAN DesROCHER: Okay. I guess I just was not ever clear on it being based on if we are accepted.

MS. ROBINETTE: No, that was the goal that we voted on when we did the paper sheet. Again, nothing goes into effect until we are accepted into the Program and everything is cleared through that.

COUNCILMAN DesROCHER: Okay.

COUNCILWOMAN MUTTERS: As I said before, there is good and bad in everything we do. But we have to look at the whole --

MS. ROBINETTE: Robin, we can’t hear you. Can anybody else hear her?

MAYOR WILSON: No, I can’t hear anything.

MR. KUENZEL: She froze up.

COUNCILWOMAN MUTTERS: We need to move forward with this and get it in place so we can be ready and look at it, move on with it and you have
a glass half full and half empty.

MR. KUENZEL: Repeat what you said there, Robin.

COUNCILWOMAN MUTTERS: I said that there is good and bad in everything you go at. You can look at your glass as half full and half empty. I would rather look at it with a glass half full with the emphasis of progress and then we can --

MAYOR WILSON: She did it again.

COUNCILWOMAN MUTTERS: Did I break up again?

MAYOR WILSON: Yes. I got the half full and half empty but I don’t know what came after that.

COUNCILWOMAN MUTTERS: Do we want a glass half full or do we want to fill it on up and go on with progress.

COUNCILMAN BLEDSOE: I want to say something. I’d like to make a statement.

My name is Gary Bledsoe and of all I have heard at this time and of all the dreams we have had, all the things you mentioned for this Home Rule and all it will take care of, the Pensions, Sidewalks, anything that has been said I am for all of those things.
I want those things too.

When and how long is it ever going to be before any of these things can come. I'd like to see the Police Chief have his retirement. The boy has worked for 15 years and he hasn't gotten nothing. How long would it take to build him up a a retirement plan once you start getting any income back into the town from this Home Rule? It would take from now on. You are going to annex. What business are you going to annex as far as business is concerned?

One example. Logan is a great place. When I was a young boy that was the place we went, to Logan. It was just nothing else like Logan. But Logan has its downfall in a period of time.

Where were their City Limits Sign at until the Mall, Fountain Place Mall was built? That income out there is a big income for Logan. If that Mall was not out there then Logan would probably be trying to get Stollings in their town. Where can we make move like that to have business places, in our town, in the town? We can't have since we don't have room to build another Pizza Place, let alone something else.

You tell me where all of that will come from? How big can we be, how much income -- you have to have
$25,000.00 worth of food to get $200.00 come back into
town.

I'm for all of the things, no doubt about that.

But my goodness sakes, when and where is the money or
whatever going to come from to where we can have the
Pensions and do all the Town works and all that?
Everybody will be dead and gone by then.

MS. ROBINETTE: This 1 percent will
come to us each quarter. We get it quarterly. It
does not take years to get it. The State sends it to
us. It is not the businesses that have to send it to
us like B&O Taxes. This Tax will go to the State and
the State Tax Office will send us the money quarterly.

COUNCILMAN BLEDSOE: They will send you
that money that was taken in and turned over to them
and they will send it back to you?

MS. ROBINETTE: Yes, if your
businesses in town are reporting the numbers
accurately then everything they total the right way
will come back to us quarterly.

COUNCILMAN BLEDSOE: What I don’t
understand Miranda. So much business so many checks
to be made to come back to them. It is $25,000.00 that
will give $200.00 back to the Town.
Hey Gary?

Yeah.

This is Amber from Logan and listen you little Patriot. You fire me up. I love how you love your town.

Listen, it is not just business but consumers. Even consumers individual purchases. You know how you said Logan used to be big years back and we used to be booming? Technology has been a lot of that. Coal has not only killed it but technology has killed it. More people are shopping on-line now and people are not going to retail stores. So now, you are able to not only get the income you will be able to get from the retail sales. But you will also be able to capture consumer sales and that is people who make purchases that don’t even live in Chapmanville but are coming to your town to do business there and also, it’s anyone within your 25508 Zip Code.

So if I live at an apartment complex and I order Amazon Boxes a day. I will pay a 1 percent sales tax and that will be collected by the State and it will be paid to the Town of Chapmanville.

You know that is something you have to consider too. The good thing about this is you are capturing
income that you would never have seen before. You are
capturing income coming into your town that you have
not even seen the benefit from.

I order Amazon all the time. I order Espy all
the time and I am more than happy to pay the 1 percent
sales tax. I actually don’t live in the City Limits
but I shop and have everything sent here and will
continue to do that so that my Town benefits from what
I buy. That is something that you got to look to as
well.

When you all start collecting next year you will
see a check by December of 2021. So once you get
accepted into the Home Rule Program you are going to
get a check at the end of the year for that quarter
because you will ready to start collecting. They
start doing the work now so you all won’t have to wait
forever and a day to get it coming in. You will start
seeing it quarterly when you get accepted. You will
see the benefit and who knows how much your first
check will be. Once you do that you will be able to
start goaling and saying, we’re going to do this,
going to do that. It is something to be a little bit
excited about since everyone deserves those things and
deserves a Pension.
Like you said yourself Gary. You want to see these things done in the Town and I believe this is why they started to jump on this Home Rule Program. They saw a way to be able to make these wishes start happening. I know that everyone loves this Town, everyone on this phone call loves your Town. I love your Town and I don’t even live in Chapmanville. I want to see all three of our Towns in Logan County succeed. I believe this is part of it and I believe -- Logan did it first, did everything. We set the standard I guess you could say.

Whatever mistakes we made we corrected since we knew that Chapmanville was coming next and we wanted to be able to set you all up for success, to help you all.

On the back-end of this you all have an Organization, the West Virginia Municipal League, you all have great Organization behind you with tons of resources and Miranda has been really great to go with me and help you all every step of the way. This isn’t something you all have to wade through alone. Me and Anna sitting here on a conference call with Chapmanville because we want to try and help you all succeed.
MAYOR WILSON: We do appreciate that and your input has been invaluable to us and we really appreciate it.

Are there any other comments or questions that anybody would like to say at this time?

MR. WILLIAMSON: I do have something to say, Philip Williamson.

MAYOR WILSON: Okay.

MR. WILLIAMSON: The Town Documents that you all put up on Facebook originally speaking about the legal Code for Home Rule and everything. It stated that this was mainly to try to get flow through traffic because we were on a major thorough fair. It didn’t mention anything about this invisible well.

Also I really don’t think that businesses are going to locate where the customers have to pay more. Customers are wanting to pay a little bit less. I mean the ways we look as consumers to try and save that extra penny. One thing that comes to mind and I know that gas isn’t going to be included in this. But there is an APP called Gas Buddy where it submits prices of gas everywhere. People use that to try and get the best deal they can for their dollar.

People are not going to come to town if they
think, oh, hey, the people are going to be able to go
outside of town to other business' and pay a little
less. That is where the money is going to be made.
It is not going to matter a whole lot dropping B&O
Taxes if people are going to stop consuming at the
businesses.

I am not saying they will stop entirely consuming
but they will look for the better deal. I also don’t
know why businesses would want to come to town if they
know that they are going to have to be paying this
much when they can setup outside of town and say, “ah,
I’m good.” That’s all I got. Thank you.

MAYOR WILSON: All that I can say
is that a 1 cent sales tax is not going to stop people
from going to Charleston to Olive Garden or the
theater based there and of course there is a local
theater here also. I understand it may cause some
people to go some places because they don’t want to
pay the 1 percent more. But I do not think that is
going to make or break a business in Chapmanville.

MS. MILLER-VIARS: Especially -- this
is Amber. Especially when people are seeing the
benefit from what they are investing in. You all have
got a serious chance now to be able to show up for
your town. For these people who are saying they don’t
want to pay a 1 percent sales tax show they why they
should and that is our goal. You have a Home Rule
Application and why you develop a plan together as a
government body. That is why you put it together
That is why you say you are going to implement this
and reduce the B&O Taxes. But this is what we are
going to do with it.

So when you implement the 1 percent sales tax you
show them why they need to be paying it. You show
them the benefit and appeal. I’m not certain if it
was the Mayor or who jumped on and said something
about walkways in your town, landscapes, sidewalks,
all those things that we know we all want. We want
the property owners to be held accountable for the
status of their properties and those are all the
things you do under Home Rule.

So if they want to know why. Paying 1 percent,
is it significant, you bet you. But show it why it is
and what they are getting for it. I believe that you
all want to do this together. I believe all of us want
healthier towns, prettier towns, and if we want --
people say, we’ll, we’re not a Southridge, not a
Huntington, not a Charleston. No, we’re not. But we
sure can be. There are all kinds of things that we
can do in our small towns to make them attractive.
There are the Hatfield-McCoy Trail Riders that come
into town and they absolutely love it here. We live
here so we pick it apart and see the things we like.
But for the majority of the people here, they want to
wear a Logan Shirt home, want to wear a Chapmanville
Shirt home, wear a Hatfield-McCoy Shirt home. They
love it here.

I have always been optimistic and always seen the
good in not just my Town but all of our Towns and
County as a whole. I think if people want to know
what we are going along with then let’s show them.
Make something you do the first time so significant
that everyone is on board. We want to spend the 1
percent and want to show them why we have it. I know
we have been on here forever and Teri I’m so sorry
again. I just want to say that I am proud of you all
for what you have done, especially with the death of
Ramey. I have to get off of here but I am proud of
your administration and proud of what you have done.
It has taken a lot to step up to the plate and I
admire your staff, Miranda, everybody you all have on
board. You have a great council and I believe if you
all work together and do this as a team you will be very thankful.

MAYOR WILSON: Thank you for your time and advice Amber. We certainly appreciate it.

MS. ROBINETTE: Thank you Amber for all the help you have given us and to let them know about your experience with the Home Rule.

COUNCILMAN BLEDsoe: This is Gary Bledsoe. Did Amber leave? Has Amber gone?

MS. MILLER-VIARS: I’m getting ready to go Gary. What do you need? Go ahead, Honey.

COUNCILMAN BLEDsoe: Has Logan ever started collecting from the Home Rule?

MS. MILLER-VIARS: No, sir. We don’t start collecting until July 1st of this year.

COUNCILMAN BLEDsoe: Okay, that’s all I wanted to know.

MS. MILLER-VIARS: We haven’t started collecting yet. We have our Plan all outlined and everything but we have not started collecting yet. We are very anxious to see what we will get too and what we get to do with it.

MAYOR WILSON: Are there any other questions or comments?
1 (NO AFFIRMATIVE RESPONSE)

2 MAYOR WILSON: We want to be sure

3 that everyone has a chance to have their comments

4 known.

5 Okay, last call? If there are no questions or

6 comments then we will move on to the next step. I

7 need a Motion to Accept and Adopt the Home Rule

8 Ordinance.

9 COUNCILMAN ROBISON: I will make the

10 Motion we Accept the Adoption of the Home Rule

11 Ordinance.

12 MAYOR WILSON: Okay, Tony Robison

13 made the Motion to Accept. Do we have a second?

14 COUNCILMAN McNEELY: I'll second.

15 MAYOR WILSON: All right. Is

16 there any discussion on the matter?

17 (NO AFFIRMATIVE RESPONSE)

18 COUNCILMAN DesROCHER: Do we not need a

19 second Rule or second reading?

20 MAYOR WILSON: We had the second

21 reading.

22 COUNCILMAN DesROCHER: Does this not need

23 to have three readings

24 MAYOR WILSON: We need two
readings.

COUNCILMAN DesROCHER: Okay.

COUNCILMAN BLEDSOE: Hold it a second.

On that reading -- wasn't this supposed to have been published in the paper a couple times before it is ever voted on?

MAYOR WILSON: What is publicized is this public meeting, his public meeting. Miranda, can you address that?

MS. ROBINETTE: It has been published 30 days prior to the public hearing. In the newspaper we published it three different weeks, they are delivering the paper once a week now so it was published three different weeks. Let me look this up and I will give you the direct dates.

It ran March 18th, March 25th and April 1st in the Logan Banner.

MAYOR WILSON: That was a 30 day period then.

MS. ROBINETTE: It was a Class II Legal Advertisement.

MAYOR WILSON: We had to give a 30 day Notice that was up April 16th.

MS. ROBINETTE: Yes, April 16th was
our 30 days.

MAYOR WILSON: Any other questions or comments now?

(NO AFFIRMATIVE RESPONSE)

MAYOR WILSON: If not then I will call for a roll call vote. Rob, do you want to call the names out or do you want me too?

MR. KUENZEL: No, I can.

MAYOR WILSON: Okay.

Mr. KUENZEL: It was moved and properly seconded so here is the vote on the Home Rule Proposal. Joel McNeely?

COUNCILMAN McNEELY: "I"

MR. KUENZEL: Tony Robison.

COUNCILMAN ROBISON: "I"

MR. KUENZEL: Robin Mutters.

COUNCILWOMAN MUTTERS: "I"

MR. KUENZEL: Ben DesRocher.

COUNCILMAN DesROCHER: -- "I"

MR. KUENZEL: And Gary Bledsoe.

COUNCILMAN BLEDSOE: Well, I'm not completely happy with this but I think it is a good thing. Not that I am fully understanding the whole thing yet of what I'd like to hear. But I'm for the
Town along with the rest of them. I vote, "YES".

MR. KUENZEL: All righty.

MAYOR WILSON: It is a Unanimous decision, everyone voted "YES". The last thing left to do by Miranda is talk about hiring Anna.

MS. ROBINETTE: Do you want me to read her proposal or do you want Anna to --

MAYOR WILSON: I know that Anna has helped Logan. But would you say to the council what your role in this process would be?

MS. BUTCHER: Sure. I sent a letter to Miranda and I’m not sure that everyone saw that. Essentially it says I will be able to provide through the law firm I work for, Woodyhill, Attorneys at Law, if this would go through you would be hiring our firm and I would be able to handle everything for you.

Of course you have already done your application and Plan. But what I did for Logan was I reviewed their Boundary Map which I believe has already been done for you by Tom Rayburn. I think he even copied me I that mailing when he sent it to you. He also cc’d me on that.

I reviewed the Boundary Map and pursuant to the
1 State Tax Department Guidelines, every street, every
2 Class IV extension has to be placed in a Tax File and
3 so I went through and redid that and worked with the
4 Postal Service, the local post master and had to even
talk to the postal service worker friend in South
5 Charleston to help me with everything. But I drafted
6 the entire tax file and it is very tedious and you
7 have to really pay attention to the map and everything
8 with the post office deliveries and stuff like that.
9
10 I also drafted the Municipal Sales and Use Tax
11 Ordinance and the State Tax Department has a Model but
12 there are a lot of errors in their Model that I found
13 out was not within. It is not just as easy as
14 printing that and dotting in some of the Town of
15 Chapmanville’s information. That is a little bit of
16 work in and of itself.
17
18 I was basically a contact person on behalf of the
19 City of Logan with the State Tax Department and of
20 course any time I had any communication with them I
21 had to email, then CC: Serafino, Amber, trying to keep
22 everyone involved or if they wanted someone else CC’d
23 then I’d have to go back and do that. So I was kind
24 of a contact person with the State Tax Department to
25 make sure everything was good to go.
As a whole it is kind of a two step process with Home Rule. You get the application and plan all done and move into the second part which is the tax part and that is kind of what we refer to it as. I handled basically all the tax part and a lot of the numbers and things for them, just like we would be doing or you guys. So it was kind of a collaborative effort with everyone working to get everything done. I tackled the tax file and ordinance and things like that which have to be sent in to the State Tax Department and also participated in the first and second reading and public hearing. I am supposed to be available to answer any questions they may have.

MAYOR WILSON: So are there any questions about what she would be doing? This is a necessary part of the Home Rule and something that no one in this office is capable of doing.

She would be charging us $75.00 an hour for her work. Is there anything else you would like to add Miranda?

MS. ROBINETTE: I would strongly suggest that you hire Anna because -- let me pull this paper out for you.

This is the book and this has been all the
editing, the zip coding, ordinances and all things like that. Not ordinances, I'm sorry.

MS. BUTCHER: There are a lot of guidelines that you have to follow that have been set by the Tax Department. It has its own guidelines itself aside from the actual Home Rule Application and Development of your Plan.

MS. ROBINETTE: I just feel that Anna has been there and done that. She will be able to knock it out more so than me sitting down and learning how to do it.

COUNCILMAN McNEELY: May I? Joel McNeely. Anna, how many hours do you think you are going to need on this?

MS. BUTCHER: It just depends. I have not looked at the map yet. But how accurate the map is and how large it is. It will not be as large as the City of Logan and how many boxes are in the post offices.

As long as the post master is very cooperative and everything goes smooth. I have already kind of done this before so there should not be a whole lot of roadblocks hopefully, in between getting started with the file, getting everything submitted to the Tax
Department and of course the end result of locking
everything up.

I don't have a specific thought on exactly how
many hours it would take. It just kind of depends on
a few of those factors.

COUNCILMAN DesROCHER: How long did it
take you to do the City of Logan?

MS. BUTCHER: I don't have an
exact number of hours. It did take us a little while
because we ran into an issue with the maps that we had
and we had to redo that. It was a little roadblock
that we ran into which you guys won't have because it
is already done.

They have several mail boxes, way more than the
Town of Chapmanville has. It is a little bit bigger
an area so really the Map is what got us hung up a
little bit.

Working on a Map from 1964 was a lot different
than working off a Map such as you all had. I don't
have an exact amount of hours and I can't give you a
definitive on that.

COUNCILMAN McNEELY: The deal is more
than just the Zip Code, P.O. Box and house numbers.

There are other things involved here.
The Book that Miranda had is only one. There is much more than that which goes with it. I know $75.00 an hour sounds like a lot until you deal with some of the legal firms I have been dealing with when it comes to the Housing Authority. You are talking about up in the hundreds of dollars per hour.

MS. ROBINETTE: They have offered us a discount rate too.

MS. BUTCHER: Our $75.00 is actually not our normal rate. It is about a third of the going rate. We of course reduced our normal rate because we want to be able to help municipalities to do this type of thing.

It is a service we provide and we were willing to do this.

COUNCILMAN McNEELY: What I am driving at this is a bargain rate.

MS. BUTCHER: Yes, it is.

COUNCILMAN McNEELY: It is a bargain rate.

MS. MILLER-VIARS: Guys, this is Amber. I was able to get back on here because I wanted to say a few things about Anna. Teri, is it okay if I say a few things about Anna?
MAYOR WILSON:    Sure.

MS. MILLER-VIARS:    This is the most, the hardest part. If I can tell you how many nights I have spent in tears. I will tell you that this is the hardest part. I don't know that you can set a limit on her hours or however you want to do it. But I would say a minimum of 80 hours was spent on just the Tax File. I am saying a minimum.

Anna just did the meetings our of her heart. She is in a different role now because she is with a firm and that is a part of it. But the Home Rule Meeting itself with us. I take the whole crew in case there was a question when we did the presentation. She is on the Home Rule side and Tax side. When she says we ran into some bumps in the road, this is because we had to redo the Map. E.L. Robinson is the best of the best that I have ever seen when it comes to that.

For instance, when she would input Codes and the Tax Department would change the Map. Then the Map would have to come back to input or take out those Codes, depending on what they said. So while I was preparing to do the Home Rule part of it, she was preparing the file.

Without her help, there is no way we would have
been able to do the presentation that we had to gather
and then complete the entire Tax File. There were
emails back and forth between the State Tax
Department, myself, her, Serafino, Jeff, it involved
everyone.

If there is any communication from here forward
with anyone in the office. Make a Corrected eMail for
everyone, so everyone is on the same page. This is
the nitty gritty of it. If you are in a conversation
with the Tax Department she needs to know why and
everyone needs to be on the same page. If there is
something that Miranda needed to do -- all
communication is combined but of course everyone knows
that Anna and I are close. I have had her as a best
friend and had her as a Queen and had her as a co-
worker and now in this and it was flawless. We did
it, got in and she will represent you all well. She
is a Chapmanville girl at heart and I know that she
will do a good job for you.

Like Joel said, there it is a lot of things she
has to prepare and you want to walk in that hearing
solid as a rock. I know that Miranda has kicked butt
and I know that Anna will for you too. Having E.L.
Robinson do your Map is just something that will
make you be solid.

   MS. BUTCHER: She did touch on one thing. Once you send everything in to the Tax Department, they look through everything. They will send back any corrections that need to be done, any kind of questions they might have. It is almost like a constant communication with them on behalf of the Town and everyone involved, knowing exactly what is going on and things like that. So that is a part of it.

   MS. MILLER-VIARS: If you have all of your ducks in a row, having everything done and completed, the meeting with the Home Rule Board, Tax Department done. Everything will go very smoothly and is a very seamless transition if you have all your ducks in a row.

   MAYOR WILSON: That is all that we want, everything to go smoothly. Are there any other questions that anyone would like to ask Amber or Anna?

   (NO AFFIRMATIVE RESPONSE)

   MAYOR WILSON: So if not, do I have a motion to hire Anna for $75.00 an hour. If she would work 80 hours like she did in Logan it would
be $6,000.00 total.

MS. BUTCHER: Teri, I just want to say one thing. I want everyone to realize that I would be doing the work and of course I work for Woodyhill, Attorneys at Law, and I would send you a contract to sign that is who you guys would be hiring and I would be doing the work on their behalf for the Town of Chapmanville.

MAYOR WILSON: Okay, do we have a Motion?

COUNCILMAN McNEELY: I’ll make the motion to hire Woodyhill Law Firm.

MS. BUTCHER: Woodyhill Attorneys at Law, just so you know.

COUNCILMAN McNEELY: Woodyhill, Attorneys at Law. I make the motion we hire them.

MAYOR WILSON: Is there a second?

COUNCILMAN ROBISON: I’ll second that.

MAYOR WILSON: Is there any discussion?

COUNCILMAN DesROCHER: Yes.

MAYOR WILSON: Did someone say something?

COUNCILMAN DesROCHER: Is Jeff on?
MAYOR WILSON: Jeff?

COUNCILMAN DesROCHER: Vallet.

MR. VALLET: I'm right here.

COUNCILMAN DesROCHER: You are the Accountant. Is this something within the budget?

MR. VALLET: The current budget, we can probably swing it. But it is going to be tight. The other thing, we can recoup it when we do get the Home Rule in too.

MAYOR WILSON: Any other questions?

(NO AFFIRMATIVE RESPONSE)

MAYOR WILSON: It has been moved and seconded that we hire Woodyhill Attorneys at Law to handle the basic tax part for the municipal rates with the State Tax Department and the Municipal taxes and our Ordinances.

I would like a roll call vote again on that.

Rob, would you do that?

MR. KUENZEL: Okay, Joel?

COUNCILMAN McNEELY: "I".

MR. KUENZEL: Tony.

COUNCILMAN ROBISON: "I".

MR. KUENZEL: Ben.
COUNCILMAN DesROCHER: “I”.

MR. KUENZEL: Robin.

COUNCILWOMAN MUTTERS: “I”.

MR. KUENZEL: And Mr. Bledsoe?

COUNCILMAN BLEDSOE: “NO”.

MR. KUENZEL: Okay, 4 to 1.

MAYOR WILSON: So we will hire them at $75.00 per hour and Miranda you will have to get with her.

MS. ROBINETTE: Okay.

MAYOR WILSON: I have no further business. Is there a Motion to Adjourn?

COUNCILMAN ROBISON: I’ll make the Motion that we Adjourn.

COUNCILWOMAN MUTTERS: I want to say something.

MAYOR WILSON: Okay, I’m sorry Robin.

COUNCILWOMAN MUTTERS: Anna is a hometown girl. She grew up right down the street here from me. I have known her from the time that she was born. I am so proud of her for what she has become and how hard she worked. The good work that she does to help people out. I am proud of you Anna and I love you and

Larry K. Coffindaffer
CERTIFIED REPORTER
SEVENTH JUDICIAL CIRCUIT OF WEST VIRGINIA
LOGAN, WEST VIRGINIA 25601
PHONE: 304-792-2630
thank you.

    MAYOR WILSON: I’m real proud of her. We have a Motion to Adjourn. Do we have a second?

    COUNCILMAN McNEELY: I’ll second.

    COUNCILMAN BLEDSOE: Before this meeting is over I want to say something.

Anna, I don’t want you to think I voted NO not to hire you because I have known you since you were a little baby. I knew your Daddy, knew your Mom, know your Uncle, know all of them. I know that you are a wonderful person.

    I did not vote NO to hire you. That is not why I voted that way. I want you to know that. That’s it.

    MS. BUTCHER: I totally understand. Thank you very much.

    MAYOR WILSON: We are adjourned.

(WHEREUPON, there being nothing further to be done in the matter at this time the open hearing was concluded this day.)

THE END
STATE OF WEST VIRGINIA
COUNTY OF LOGAN, to-wit:

I, LARRY K. COFFINDAFFER, REPORTER, do hereby certify that the foregoing is a true and correct record of the proceedings held at the time and place set forth and for the purpose specified in the action herein captioned as prepared by me to the best of my skills and ability.

Given under my hand this 26th day of April, 2020.

[Signature]

LARRY K. COFFINDAFFER
Reporter
Town of Chapmanville
PO Box 427 Chapmanville, WV 25508
68 Boise Street
304-855-4582 (office) 304-855-8478 (fax)
An Equal Opportunity Employer
Terilyn Wilson, Acting Mayor
COUNCIL MEMBERS
Gary Bledsoe  Ben DesRocher  Joel McNeely  Robin Mutters  Tony Robison

Agenda for the Public Hearing for Home Rule Ordinance
April 21, 2020 at 6:00 p.m. via ZOOM/Conference Number

I. Call to Order

II. Second Reading of Home Rule Ordinance

III. Public Comments
   A. There will be a two-minute comment period per person.

IV. Council Vote on Adoption of Home Rule Ordinance

V. Adjournment
West Virginia State Tax Department

Statement of Good Standing

EFFECTIVE DATE: May 1, 2020

A review of tax accounts indicates that CHAPMANVILLE TOWN OF is in good standing as of the effective date of this document. Please note, this Statement of Good Standing expires on July 30, 2020.

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

Sincerely,

Nicole Grant, Tax Unit Supervisor
Taxpayer Services Division
STATE OF WEST VIRGINIA
COUNTY OF LOGAN, to-wit:

I, C. Jeffrey Vallet, having been duly sworn, do hereby state and affirm the following:

1. That I am the Treasurer/CPA of the Town of Chapmanville, having served from July 1, 2015 to the present; and

2. That as Treasurer, I am familiar with all of the financial affairs for the Town of Chapmanville; and

3. That I hereby certify that the Town of Chapmanville is not delinquent in, nor does it have any outstanding payments due to the State of West Virginia.

This affidavit is sworn by me and submitted this 1 day of May, 2020.

C. Jeffrey Vallet, CPA
Town of Chapmanville
P. O. Box 426
Chapmanville, WV 25508
cjvallet@vallettax.com

STATE OF WEST VIRGINIA
COUNTY OF LOGAN, to-wit:

I, Jonathen Morgan, a Notary Public in and for the County and State aforesaid, do hereby certify that C. Jeffrey Vallet, known and known to me, did swear to and subscribe before me the above affidavit.

Given under my hand and this 1st day of May 2020.
My commission expires 1-28-25.

Signature
Notary Public
April 28, 2020

Terilyn Wilson, Interim Mayor
Town of Chapmanville
P.O. Box 427
68 Boise Street
Chapmanville, WV 25508-0427

RE: Home Rule Application Compliance

Dear Ms. Wilson:

This letter shall confirm that the Town of Chapmanville’s Home Rule Application appears to fully and legally meet all requirements as set forth in West Virginia Code §8-1-5a – Municipal Home Rule Program. If any additional information is needed or if you have any questions or concerns please feel free to contact me. I am,

Very truly yours,

Robert B Kuenzel

Robert Kuenzel

RBK