

City of Hinton West Virginia Municipal Home Rule Application

Prepared and submitted in the year 2021-2022.

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Date Made Available to Public: 11/29/2021

Date of First Reading and First Public Hearing: 12/28/2021 Date of Second Reading and Second Public Hearing: 2/01/2022 Date Ordinance was Approved by City of Hinton: 2/01/2022 Date Submitted to WV Home Rule Board for Review: 2/02/2022

Date and Decision by WV Home Rule Board:

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February 2, 2022

Home Rule Board of West Virginia P.O. Box 11360 Charleston, WV 25339-1360

RE: Submission of Home Rule Application

Dear Members of the Home Rule Board of West Virginia:

On behalf of the City of Hinton, our residents, businesses, and all those past and present who have been invested in our well-being and our future, I thank you for your consideration of this application and your time in reviewing the attached documents which outline a plan to help us continue to thrive throughout the 21st Century. It has been my privilege, responsibility, and the great honor of my life, to be trusted by our citizens to serve as Mayor of Hinton, West Virginia.

Home Rule will allow our governing body to address blind spots within our State Code while adhering to its framework. My conversations with citizens and businesspeople over the years have always ended with positivity and the hope that one day, we too could become a Home Rule city.

It is with great pleasure and appreciation that I submit this Home Rule plan for your review. It has been worked on vigorously by myself, our governing body, our townspeople, and with the guidance of our city attorney. We have been diligent and thoughtful in its creation and hope you find it to be so as well.

Thank you for your time and energy in its review and I hope you find it to be as exciting a view into the future for Hinton as we do.

Warm Regards,

/s/Jack Scott

Jack Scott MAYOR CITY OF HINTON

Section I: Applicant Information

A. Gen	eral Information				
Nam	ne of Municipality: Cit	ty of Hinton			
Cert	ifying Official: Jack S	Scott, Mayor,			
City	of Hinton Contact Per	rson: Cris C Meadows	s, City Manager		
Add	Address: 322 Summers Street, Hinton WV 25951				
Phor	ne: 304-466-3255				
City	Email Address: www	hintonwva.com			
2010 Census Population: 2,676					
2020	Census Estimate: 2,2	293			
Hint	on City Council:				
Pat J	ordan- Council Presid	lent			
	y Meador				
	erta "Bobbi" Sorg				
Jim 1	Leslie				
Municipal Class III	Classification:				
Categories	of Issues to Be Ade	dressed			
[x] Tax	[] Organization	[x] Administrative	[] Personnel	[] Other	

Section 2:

Narrative

Issue 1: SALE OF MUNICIPAL PROPERTY WITHOUT AN AUCTION (Category – Administrative)

Specific Barrier: West Virginia Code § 8-12-18(b).

Specific Problems created by law:

W. Va. Code § 8-12-18(b) states that a municipality must sell property at a public auction. The process of selling all property at public auction is a very involved process that often creates extra work on departments that are running at maximum capacity of workload. There is also the risk of losing potential revenue from property that undersells at an auction.

Specifically, W. Va. Code § 8-12-18(b) mandates that municipalities hold public auctions for the sale of all real and personal property worth in excess of one thousand dollars (\$1,000.00) and announce such auction in a Class II legal advertisement. When the primary purpose is to facilitate economic development within the City and/or the availability of necessary or convenient resources for the benefit of its citizenry, the City proposes that it be permitted to convey real and/or personal property with a value in excess of one thousand dollars (\$1,000.00) for fair market value without having to follow the auction procedures outlined in W.Va. Code § 8-12-18(b). This would avoid costly and time-consuming auction procedures and the possibility that the City would be precluded from conveying property for the desired use in a situation where the primary goal is to facilitate economic growth and/or to make available necessary and convenient resources for the benefit of the City and its residents

Proposed Solution:

The City of Hinton desires to sell personal or real property of any value by negotiation and transfer without the requirement for public auction, if the sale is deemed to be for a public purpose by municipal resolution, adequate notice is provided to the public, and the sale is for adequate consideration, which may consider fair market value.

Issue 2: SALE OF MUNICIPAL PROPERTY TO NON-PROFITS FOR LESS THAN FAIR MARKET VALUE WITHOUT AUCTION (Category – Administrative)

Specific Barrier: West Virginia Code § 8-12-18

Specific Problems Created by law:

Under W.Va. Code § 8-12-18, the City must convey or lease for fair market value, buildings or land to non-profit organizations providing services that benefit the citizens of the City by public or online auction. Such sale may create a financial burden for the non-profit, and by leasing such property to these organizations, the City retains liability inherent therein.

Proposed Solution:

It is proposed that the City be allowed to lease or convey (without auction) for less than fair market value buildings and land to non-profit organizations with a section 501(c)3 determination which are providing services to the public, that, in their absence, the City itself might have to provide, finance or administer; provided that a test similar to that imposed by W.Va. Code § 1-5-3 is met and that ownership of the land or building would revert to the City in the event the non-profit ceased to provide such services to the public consistent with W. Va. Code § 8-32-1 or no longer qualified under section 501(c)3 of the Code of the Internal Revenue Service.

Issue 3: ISSUE ON-THE-SPOT CITATIONS FOR PUBLIC NUISANCE, HEALTH, AND SAFETY CODE VIOLATIONS (Category - Administrative)

Specific Barrier: West Virginia Code § 7-1-3(k)(k) and West Virginia Code § 8-12-16

Specific Problems created by law: W. Va. Code § 7-1-3-(k)(k) states that:

In addition to all other powers and duties now conferred by law upon county commissions, commissions are hereby authorized to enact ordinances, issue orders and take other appropriate and necessary actions for the elimination of hazards to public health and safety and to abate or cause to be abated anything which the commission determines to be a public nuisance. The ordinances may provide for a misdemeanor penalty for its violation. The ordinances may further be applicable to the county in its entirety or to any portion of the county as considered appropriate by the county commission.

However, it does not specifically give municipalities the ability to issue on-spot citations once an ordinance is passed allowing municipalities to do so. So, as the law stands, municipalities (or their agents, like City Police or Code Enforcement Officials) are unable to issue on-spot citations to offenders.

Further, W. Va. Code § 8-12-16 makes a lengthy process for municipalities to address issues related to code enforcement. Currently, inspectors and compliance employees issue citations after application and approval by the municipal court in accordance with this code which mandates certain procedural and notice requirements including a requirement that "all orders issued by the enforcement agency shall be served in accordance with the law of this state concerning the service of process in civil actions" and a requirement that such orders "be posted in a conspicuous place on the premises affected by the complaint or order...".

Moreover, W. Va. Code § 8-12-16(d) currently mandates that "no ordinance shall be adopted without providing therein for the right to apply to the circuit court for a temporary injunction restraining the enforcement agency pending final disposition of the cause." The current process may take a month or more, fostering recidivism.

Proposed Solution:

Modeled after the City of Huntington "On Spot Citation" as provided in their Home Rule Application, the City of Hinton is proposing that:

"that building and zoning administrators, Code Enforcement Officials, and/or City law enforcement officers be given power to issue citations for reoccurring exterior sanitation/common nuisance violations (including, but not limited to, trash/rubbish, overgrown weeds/grass, junked or otherwise unlawfully situated motor vehicles, maintenance of vacant structures, broken windows or glass, failure to maintain sidewalks and driveways) at the site of the violation and at the time the violation is recognized, similar to the manner in which traffic citations are issued".

Issue 4: SHORTENED PERIOD OF TIME FOR FORFEITURE OF STRUCTURES WHEN OWNERS OF PROPERTIES THAT HAVE BEEN DILAPIDATED OR UNINHABITABLE REFUSE TO ADDRESS CODE VIOLATIONS (Category – Administrative)

Specific Barrier: W. Va. Code §8-12-16(A)(n), which states that:

If a registration fee remains delinquent for two years from the date it was placed on record in the clerk of the county commission in which the property is located and assessed, the municipality may take action to receive the subject property by means of forfeiture. Should the municipality take the steps necessary to receive the subject property, the municipality then becomes the owner of record and takes the property subject to all liens and real and personal property taxes.

Specific Problems created by law:

W. Va. Code §8-12-16(A)(n), as shown above, provides cities like Hinton a tool for addressing "uninhabitable" structures that violate building codes and are a serious threat and problem for neighborhoods.

This process allows The City to investigate and inspect uninhabitable properties with code violations, notify an owner with detailed information that the property will be registered as noncompliant by both posting on the property and sending certified mail, and provide the owner 45 days to fix the code violations or make a plan for fixing them in a reasonable time.

The law as it stands allows the owner the right to appeal for 90 days after the receipt of notice about the code violations. Only after this intensive process takes place, may the municipality register the fee for code noncompliance with the county clerk. Then, that fee assessment can be appealed within 30 days by the property owner, before it becomes finalized as a lien on the property.

If at the time that fee for the uninhabitable property violations remains unpaid, the city can take the structure in forfeiture – but only after 2 years of waiting. With is, a city does not have authority under West Virginia law to deal with an uninhabitable property with code violations where the owner completely refuses to fix the violations or work with the city, for a period of at least 28 months; a period of which hinders the clean-up and repair of City neighborhoods.

Proposed Solution:

Without altering any of the protections for owners of uninhabitable properties to fix the issues mentioned above, The City of Hinton seeks a shortened period between the time that the owner of a dilapidated property refuses to address the problem, and the time that The City can take the structure by forfeiture and finally start to remedy the problems with The City's own resources.

As mentioned above, the timeframes for initiating this forfeiture hinders The City, and The City of Hinton seeks to shorten that period of waiting after noncompliance from two years to a period of twelve (12) months.

Together with the initial 120 days of property owner protections, this change will allow The City of Hinton to address the dilapidated properties in a total of 16 months (120 days plus the twelve-month waiting period), rather than the current span of 28 months (120 days plus two years waiting) and is altogether more reasonable for remediation to occur in a timely fashion.

Issue 5: MANAGE BLIGHTED AND VACANT PROPERTIES, PLACE LIEN ON CITY REMEDIATED PROPERTIES WITHOUT COURT ORDER (Category -Administrative)

Specific Barrier: West Virginia Code § 8-12-16

Specific Problems created by law:

W. Va. Code § 8-12-16 only permits municipalities to:

adopt ordinances regulating the repair, alteration, or the vacating and dosing or removal or demolition...Of any dwellings or other buildings unfit for human habitation due to dilapidation, defects increasing the hazard of fire, accidents or other calamities, lack of ventilation, light or sanitary facilities or any other conditions ... which would cause such dwellings or other buildings to be unsafe, unsanitary, dangerous or detrimental to the public safety or welfare.

This does not allow municipalities to address problems with property maintenance that detract from the neighborhood or constitute eyesores but do not yet constitute a threat to public safety. Additionally, W. Va. Code § 8-12-16 limits the lien amounts municipalities may assess for repairing or demolishing a structure to the assessed value of the property and requires that the municipality obtain a court judgment for the imposition of the lien.

Proposed Solution:

The City of Hinton desires to be given the power and authority, after due notice to the owner and owners of property which is not being properly maintained, to enter the property and to maintain, repair or demolish the property, and/ or to mow or trim unkempt grass, brush or trees to ensure that the property does not detract from the neighborhood or deteriorate

further. The cost of that rehabilitation would constitute a lien against the property without the necessity of obtaining a court order or engaging in any further court action. Said lien would then become part of the property tax lien, or have priority with other liens against the property.

Issue 6: COLLECT LIENS FOR DEMOLITION EXPENSES (Category -Administrative)

Specific Barrier: West Virginia Code § 11A-3-52 and West Virginia Code § 11A-3-14

Specific Problems created by law:

Current state law for sale of property with delinquent taxes restrict the City from collection of demolition liens. The City is experiencing a vast increase of blighted properties within the City limits. Many of these structures are dilapidated and uninhabitable.

Proposed Solution:

The City of Hinton seeks to enact a policy where someone purchasing property at a tax lien auction must satisfy the municipality's demo lien prior to obtaining title to the property.

Currently, the statute provides that the sheriff can refuse to issue a Certificate of Sale if there are subsequent years' taxes due at the time of the sale. In accordance with W.Va. Code 11A-3-14, the city proposes that its demolition liens be collected at the tax sale auction in addition to the delinquent property taxes. The Sheriff shall require payment of any demolition liens due at the time of the sale before the Certificate of Sale is issued. At such, the highest bidder present at the sale must bid and pay the amount of taxes, interest and charges for which the tax lien on any real estate is offered for sale, in addition to paying the City's demolition lien before the sheriff can issue a Certificate of Sale for the purchase money.

Issue 7: ABILITY TO EXERCISE THE SAME AUTHORITYAS THE ABCA (Category – Administrative)

Specific Barrier: W. Va. Code § 11-16-8(a)(5) and W. Va. Code St. R. § 175-2-4

Specific Problems created by law:

W. Va. Code St. R. § 175-2-4 governs the operation of private clubs, regulating the hours of operation and of sale of alcoholic beverages and requiring a licensee to, at reasonable times, permit the immediate inspection of licensed premises by the Commissioner to ensure that the laws and rules of the State of West Virginia are enforced. Much like any private establishment, the City Police have no right of inspection or right of entry without probable cause, making enforcing safety a primary problem for The City of Hinton.

W. Va. Code § 11-16-8(a)(5) may control the proximity of the private club or bar to a school or a church, but nevertheless leaves The City without much other recourse.

Furthermore, as the City of Hinton has private clubs and bars within its limits, raising problems such as driving while intoxicated and underage drinking by bar patrons within its limits, the City has essentially the same authority over bars as it would over any other private dwelling.

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Conversely, as a requirement of the bars' licensure, the ABCA has considerably greater authority, including, for example, the ability to run "stings" to determine whether underage patrons are being served. The City wishes to be able to act with the same authority as the ABCA, and not be precluded by the ABCA from taking action regulating aspects of private clubs. This authority would include regulation of other aspects of the operation of private clubs and bars, such as altering the hours in which bars may serve alcohol and the location in which bars may operate.

Proposed Solution:

The City of Hinton will enact ordinances exercising authority similar to that of the ABCA, such as regulating the hours in which alcohol may be served in such establishments and granting to its police force the authority to, among other actions, conduct "stings" and other such operations regarding underage drinking and driving while intoxicated in private clubs or bars located within city limits. The City of Hinton will further enact ordinances altering or eliminating distance requirements which otherwise are binding on The City.

Issue 8: ABILITY TO HIRE PART/FULL TIME POLICE OFFICERS OVER FORTY (40) YEARS OLD (Category – Administration)

Specific Barrier: W. Va. Code §8-14-12 stipulates that no applicant for initial appointment to a civil-service police department may be "more than forty years of age at the date of the individual's application."

Specific Problems created by law:

As in many other West Virginia towns and cities, the Hinton Police Department sometimes struggles to find enough applicants to create civil service lists that are long enough not to be exhausted after filling just 1-3 positions. This problem has multiple causes, some of which—such as the inability of some candidates to pass the written test, the polygraph interview, or the psychological evaluation—are of course excellent reasons for rejection.

But the imposition of an upper age limit of forty years at the time of initial application seems arbitrary, excluding as it does some otherwise excellent candidates who are otherwise entirely capable of meeting all other requirements and show strong potential for providing excellent service to the City of Hinton

The arbitrariness of this requirement is further demonstrated by the fact that it does not apply to sheriff's deputies, who are already allowed to be 45 years old at time of initial application (W. Va. Code §7-14-8). In fact, because this discrepancy creates a dynamic in which it is easier for sheriff's departments to attract veterans of city departments than vice versa, the requirement is not merely arbitrary but starkly unfair.

Proposed Solution:

The City of Hinton seeks authority to enact an ordinance raising the maximum age at time of application for entry-level civil-service police positions from 40 to 45 years, i.e., the identical requirement currently in place for sheriff's deputies.

Issue 9: PROCUREMENT OF ARCHITECT/ENGINEER SERVICES (Category – Administrative)

Specific Barrier: W. Va. Code § 5G-1-3

Specific Problems created by law:

The City of Hinton has experienced a significant amount of construction over the last decade which has necessitated acquiring professional services using the established 5-G selection process with architectural and engineering firms. The process for procuring architectural and engineering services for projects in excess of \$250,000 requires the municipality to encourage firms to "submit an expression of interest, which shall include a statement of qualifications and performance data and may include anticipated concepts and proposed methods of approach to the project." The City then evaluates the statements of qualifications and performance data, along with any other information submitted by the respondents to the RFP/RFQ and selects the top three architects/engineers. Many, if not most of the time, all three are equally qualified to perform the work.

The review committee then develops a ranking system that takes into account the qualifications and approaches to the project by each of the three top architects/engineers and then begins negotiations with the "top" architect/engineer. Should the City not be able to arrive at a fair and reasonable contract for services, the City then may negotiate price with the "second" architect/engineer in order of ranking and, if negotiations fail, the agency may then negotiate with the "third" architect/engineer. The City can only negotiate with one "top" engineer/architect at any given time.

The City of Hinton believes that there are numerous instances where substantial savings in the cost of professional services associated with construction projects could have been realized had the City been able to include a cost of services as part of the criteria in the selection process. Eliminating the ability to use estimated costs in the selection criteria in the selection process takes much of the competitive nature out of the process and thus weakens the City's ability to negotiate the "lowest" cost for said services.

Without the City's ability to use price or cost as one of the criteria in selecting the lowest, responsible architect/engineer for professional services, the City is placed at a great disadvantage. As in all other selection procedures that the City initiates, the most fair and reasonable way in which it can distinguish what architect/engineer will best serve its interests is for contractors to be required to "sharpen their pencils" in arriving at the lowest, reasonable cost in providing said services to the municipality. In a system that is based on the free market in selecting business associates, not allowing cost to be considered in the process is extremely counter-productive and eliminates one of the primary measures of competition from the selection process.

Proposed Solution:

The City of Hinton proposes that the 5-G process be followed as currently stipulated in the selection of the top three responsible architects/engineers for professional services. Once the top three architects/engineers have been determined, it is proposed that the City have a combined meeting with

representatives of the three top architects/engineers. That meeting will be used primarily as an opportunity to "level the playing field" in which the City gives all three participating architects/engineers the details, parameters and expectations of the project in question and refine, if necessary, the scope of services. The three architects/engineers are also given the opportunity to ask questions openly so that, at the conclusion of the meeting, all three architects/engineers have the same information upon which to structure and calculate their fee for said services and present a proposed contract.

The architects/engineers will then submit their proposed contract, including estimated costs to the City. The City will in turn use that information, together with the qualifications, in order to select the lowest, qualified architect/engineer from the three qualified respondents. Should the City not be satisfied with the results of the estimated cost submitted by the three top architects/engineers, it may initiate the advertising process again or may revert to the original list that ranked the next three architects/engineers in the selection process.

Issue 10: EXPAND/REDUCE B&O TAX CREDITS (Category – Tax)

Specific Barrier: West Virginia Code § 8-13A and West Virginia Code § 8-38

Specific Problems created by law(s):

The escalation in competition to attract new commercial and industrial businesses as well as retain and/or expand existing businesses has become a challenge for municipalities in West Virginia and throughout the United States. The interstate competition coupled with economic development incentives offered by other municipalities in other states has created a substantial limitation in attracting new economic growth to the City of Hinton as well as other municipalities in West Virginia. Municipalities in other neighboring states such as Ohio, Pennsylvania and Virginia have the ability to offer a variety of tax incentives, utility incentives and property development opportunities that municipalities in West Virginia do not have the ability to offer and/or are limited under West Virginia State Code.

Without the ability to offer tax incentives that only exclusively impact the immediate revenue collection for the municipality, municipalities around the state continue to stand idly by as other municipalities in surrounding states secure new and/or expanding commercial and industrial businesses. The result directly impacts the positive growth of the municipality and prohibits new tax and job resources for both the municipality and the State of West Virginia.

Proposed Solution:

The City of Hinton desires to establish an Enterprise Zone within which businesses could be exempt from up to 100% of B&O taxes for up to 5 years, similar to the City of Buckhannon, West Virginia, in their Home Rule Application. This Zone would give businesses an incentive to locate in certain areas of the municipality.

Specifically, like the City of Buckhannon's Home Rule Application, The City of Hinton intends to create the designation of an "Enterprise Zone" which will result in qualifying, commercial or industrial businesses receiving full municipal real and personal property tax rebates, and full B & O

tax exemptions on qualifying investments for new construction or expansion for commercial or industrial businesses.

The addition of an "Enterprise Zone" will provide the City of Hinton with an even better ability to attract new business to the community, while rewarding the expansion of existing businesses through introduction of substantial, economic development tax incentives.

Through home rule, the City of Hinton will expand on those existing economic development incentives already permitted in West Virginia, e.g., pursuant to W.Va. Code Chapter 8, Article 13A (Business Improvement Districts) and WV Code Chapter 8, Article 38 (Municipal Economic Opportunity Development Districts).

The City of Hinton Enterprise Zone Program will offer an economic development tool administered by the municipal government that provides for real and personal property tax rebates to businesses making substantial investments within the corporate limits of the City. The City of Hinton has long established itself as being a progressive, pro-business municipality as evidenced by its innovative B & O tax structure that exempts all retail businesses from B & O tax payment respecting the first million dollars of annual, gross revenue. The Enterprise Zone will simply expand tax incentives for business to locate or expand in Hinton. The property tax "rebate," will not require any special or additional services to be performed by any other agency of government, i.e., neither the Summer's County Assessor, Sheriff's Office, nor shall any State agency be tasked with any additional duties. Upon presentation to the City Treasurer of proof of property tax payment by a business whose location or expansion plan had been previously filed and officially approved by Hinton's City Council, and further following the City's receipt of its distributive share of ad valorem taxes from Summers County, then, that business taxpayer pursuant to a formula approved by the City Council would realize a full refund from the City of the municipal tax portion only of the business's total property tax bill paid. The duration of this "rebate" program could be for as long as five years depending upon the quantity of investment in facilities constructed or expanded, and jobs created within the City. The rebate program would be capped at a maximum of five years up with a maximum annual rebate percentage of 100% pending the eligibility of the business and contingent upon said business meeting the qualifying requirements and adhering to the terms.

In addition to the property tax "rebate" on real and personal property, the City of Hinton proposes that B&O tax exemption incentive be provided to new and/or expanding commercial and industrial businesses. The City of Hinton's B&O tax exemption incentive would include a similar formula as the one established in the property tax "rebate". The B&O tax incentive under the Enterprise Zone would effectively provide a business with 100% annual tax exemption for a maximum of five years pending the eligibility of the business and contingent upon said business meeting the qualifying requirements and adhering to the terms. This tax exemption would include all B&O classifications as prescribed under West Virginia Code.

Different from the property tax "rebate" discussed above, the municipal B & O tax is assessed, collected, and administered entirely by The City of Hinton's municipal government pursuant to the City's several B & O tax ordinances, without any involvement by any county or state agency, other than occasional administrative consultation or information sharing with the West Virginia Department of Tax and Revenue. Some business enterprises would benefit far more from the B & O tax exemption versus the property tax rebate. For instance, a business entity might consider locating in

The City of Hinton whose business plan does not require a large investment in property acquisition or development of structures, but whose capital investment is more directed toward employee training and/or startup inventory acquisition. A maximum five year, full exemption of municipal B & O taxes may well prove the difference in especially new enterprises being able to sustain themselves and grow their businesses. Application for the municipal B & O exemption further could be made by existing businesses seeking to substantially expand their operations within the City, e.g., offering a new product line, or acquiring new equipment for fabrication purposes, or converting equipment to more energy efficient, sustainable methods.

Issue 11: MUNICIPAL SALES AND USE TAX (Category - Tax)

Specific Barrier:

West Virginia State Code § 8-13-5, § 8-13C-4(a), § 8-13C-4(b).

Specific Problems created by law:

W. Va. Code § 8-13-5 sets forth standards by which municipalities can apply a Business and Occupation Tax on all businesses operating within the corporate limits of the municipality, but prohibits municipalities from charging a tax rate higher than the maximum rate imposed by the state. Declining industry and tax base have caused this legislation to become outdated and ineffective at supporting municipal operations and their vision for growth.

WV Code§ 8-13C-4(b) permits municipalities to charge a 1% sales and use tax if they repeal their B&O Tax. The revenue generated by a 1 % sales tax will not cover the revenue shortfall created by eliminating B&O Taxes, which will cause a greater, adverse effect on the budget.

Proposed Solution:

With the authority pursuant to West Virginia Code § 8-1-5a, the City of Hinton seeks to enact an ordinance that imposes a 1% municipal sales and use tax that would be administered, collected and enforced by the State Tax Commissioner and conform with the requirements of West Virginia Code§ 11-10-llc and the requirements of the Streamlined Sales and Use Tax Administration Act as codified in West Virginia Code§ 11-15B-1 et seq. As allowed by WV State Code, the City of Hinton seeks to enact a municipal sale and use tax, while reducing several categories of B&O tax in order to benefit small business owners.

DISCUSSION:

The revenue generated from enacting a 1% Sales and Use Tax would not simply roll into the City of Hinton General Fund. Rather, it would be dedicated to specific projects and services not currently funded within the City's general fund budget. Dedicated funds would also include funds for existing projects, as well as matching funds to secure large federal/state grants for community improvements.

Below, we have identified community projects that, due to a lack of funding, need serious

attention.

PROJECTS:

1) Bad Buildings Demolition & Clearance

Hinton, like many other cities across the State of West Virginia, is facing an accumulation of dilapidated, abandoned structures. These blighted properties destroy neighborhoods, lower property values, create havens for drug activities and, in general, become eyesores for the general public, visitors and tourists. The governing body has identified properties that will take years to correct and must be a continuous effort from one 4-year term of office to another 4-year term of office. Some of the work will be done by the City's Public Works Department personnel, combined with additional equipment, contracted disposal of debris, landfill fees, transport cost and revitalization of the area once cleared.

PROJECT COSTS: \$12,700. Annually

2) Paving and Street Maintenance

The City of Hinton has miles of avenues, streets and alleys that have not been paved since the Federal Revenue Sharing Funds were available in the 1970's. The City is fortunate to have original brick-paved streets in the National Historic District. The brick-paved streets need repair and, in many instances, require removal, leveling the infrastructure and placing the bricks back into the exist street. This is a time-consuming, much needed maintenance.

Avenues, streets and alleys are in complete disrepair, in many cases requiring removal of existing paving, grading and resurfacing. Street maintenance would include improvements to storm drains. This process of repair and maintenance is a continual effort.

PROJECT COSTS: \$10,000. Annually

3) City-Wide Clean Up Projects

Property owners need assistance with the removal of accumulated debris, appliances, household furniture, tires and mattresses. These are items that, if not addressed publicly, result in placement on front porches, lawns and in the rear of the property. Business owners appreciate this effort by the City also. This process is continual and requires constant effort.

At a minimum, City-Wide Clean Up should evolve every Spring and Fall.

PROJECT COSTS: \$10,000. Annually

4) Sidewalk Replacement (See Exhibit C)

Almost all sidewalks in the City of Hinton have not been repaired, updated, replaced for more than seventy (70) years. Of course, the sidewalks are in disrepair, crumbling and hazardous. In order to keep up with the need for continual maintenance and construction of new walkways, sidewalks, the City of Hinton must dedicate an annual sum to this goal.

The State of West Virginia upgraded very corner, intersection of State Route 20 throughout the City with 21st Century handicap accessible ramps. This was much needed and appreciated by the community. This project was professionally completed by the State of West Virginia.

Project Cost: \$10,000.00 Annually

5) Debt Service

The City of Hinton was fortunate to obtain federal funds in 2000 through the efforts of the late U.S. Senator Robert C. Byrd for the construction of a 4-story Technology Center. This Center is equipped with today's technology and for many years served the needs of America's Defense Contractors. Top Security levels are in place. With the passing of Senator Byrd, Defense Contracts demised and today the Center has much less revenues for the proportionate indebtedness the governing body incurred, an amount of \$1,413,030. from WEDA loans.

The City of Hinton constructed a new, state-of-the-art Fire Station in 2011. Much of the funding was obtained via federal/state grants, but the governing body incurred proportionate indebtedness of 1,000,000. with a 20-year USDA loan.

Project Cost: \$10,000.00 Annually

6) Warehouse District

The City of Hinton is aggressively restructuring its landscape for future economic and community growth purposes. This includes the complete makeover of our Warehouse District, fronting Commercial Street and the CSX rail services. The governing body has restored the old Freight Depot, purchased the old New River Wholesale Distributing Company building and stabilizing it. NRGRDA is presently completing environmental studies on another historic structure, Ice House, which will include the removal of hazards. The stabilization of this area for shops, restaurants, museums is vital for our community's future growth.

Project Cost: \$10,000.00 Annually

7) 3rd Avenue

This area of our National Historic District first evolved with the coming of the C & O Railroad at the turn of the 20th Century and today houses some of America's greatest architecture, as well as the original brick-lined avenue. This area will be revitalized with additional historic lampposts, Streetscapes and Farmers Market.

Project Cost: \$10,000.00 Annually

8) Hinton Landing

The City of Hinton is aggressively restructuring its landscape for future economic and community growth purposes. To enhance accessibility and enjoyment of our rivers, the City is developing Hinton Landing on the New River. This is a \$4 million project that includes walkways, shelters, launches and environmental restoration.

Project Cost: \$10,000.00 Annually

9) James Row

The City of Hinton is aggressively restructuring its landscape for future economic and community growth purposes. The community's greatest need is livable, residential housing that would accommodate remote workers who would share work/play with all our outdoor recreational activities, our rivers, trails, lake and mountains. The governing body will raze an entire city block of dilapidated housing and construct this modern-day residential housing to be rented to remote workers, professionals who relocate to our National Historic District.

Project Cost: \$33,598.39 Annually

10) Streetscape

The Streetscape is a continual effort by the City of Hinton to revitalize, beautify and provide safe, visible accessibility within our National Historic District, as well as expanding into the Hinton Landing accessibility, including the old Avis Overhead bridge (one of only a couple remaining Landmark bridges in America). It is a planned footpath for school children, pedestrians and tourists.

Project Cost: \$10,000.00 Annually

11) Equipment Purchases for Police/Fire/Public Works

Police cruisers, fire-fighting equipment, excavators, end loaders.....and the list goes on and on....as we know, it takes the right tool to do any job efficiently, quickly. The same is true for the governing body of a city to provide essential services to its citizens. It takes the right equipment with the best professional labor force. The demand is continual and must be updated constantly.

Project Cost: \$10,000.00 Annually

B&O Tax Reduction: Table 1

B&O Category Figures based on 2019 Gross Revenue	Current Rate	New Rate	Reduction based on 2019 Gross Revenue
Wholesale (\$6,053,839.63)	0.15	0.00	\$9,080.76
Rentals. Royalties, fees (\$2,749,348.67)	1.00	0.00	\$27,493.49
Manufacturing (\$73,193.82)	0.30	0.00	\$219.58

Total B&O Reduction

\$36,793.83

Table 2 outlines how our Taxable Gross Retail Total was determined by removing estimated exemptions. It illustrates the estimated revenue generated by the 1% sales tax, less the 5% administrative fee to the state. This also considers the exemptions for car dealers, pharmacies, groceries, gas, etc. based figures provided by retailers who sell tax exempt products and estimates of exempt volume.

Net 1% Sales Tax Revenue: Table 2

Category and % Exempt	Gross Retail	Amount of Gross Exempt
Auto Sales & Fuel (100%)	\$1,744,799.08	\$1,744,799.08
Convenience Stores (90%)	\$9,284,883.45	\$8,356,395.10
Pharmacies (95%)	\$6,268,852.96	\$5,955,410.31
Grocery/Pharmacy (80%)	\$26,235,714.00	\$20,988,571.20
Grocery (95%)	\$2,204,563.28	\$2,094,335.11
Totals	\$58,371,979.00	\$39,139,510.80
Gross Retai	\$19,232,465.20	
1% Sales Tax of Gross Retail B&O		\$192,324.68
Sales Tax Revenue Less 5% State Admin Fee		
1% Estimated Tax Revenue		\$182,708.45

Table 3 illustrates the total revenue change netted by the 1% sales tax, less the reduced B&O Revenue.

Net Change in Revenue: Table 3

Estimated 1% Sales Tax Revenue	\$182,708.45
Less Estimated Reduced B&O Tax Revenue	-\$36,793.83
Net Change in Total Revenue	\$145,914.62

Section 3:

PHOTO EXHIBITS:

Bad Houses - Exhibit A

Trash Sites – Exhibit B

Bad Sidewalks – Exhibit C-C2

Exhibit A - Bad Houses



Exhibit B - Trash Sites



Exhibit C - Bad Sidewalks



Exhibit C2 - Bad Sidewalks



BECKLEY NEWSPAPERS

P.O. Box 1599, Bluefield, WV 24701 www.register-herald.com

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

Affidavit of Publication STATE OF WEST VIRGINIA COUNTY OF RALEIGH.

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

was published in the said The Register-Herald 2 time(s) on the following day(s), namely 11/25/21, 12/02/21

Publication Fee: \$32.92

Subscribed and sworn to before me this day 12/02/2021

My commission expires:

Notary Public:

OFFICIAL SEAL Notary Public, State of West Virginia DONNAS FOX The Bluefield Daily Telegraph 928 Bluefield Avenue Bluefield, WV 24701 My commission expires May 21, 2022 **Notice**

Notice

Notice that the City of Hinton will hold a public hearing and meeting on Tuesday December 28,2021 at 6:00 p.m. at Hinton City Hall. 322 Summers Street, Hinton WV 25951. The public is invited to attend and submit comments on the recently drafted City of Hinton Home Rule Application. Beginning on November 29th a copy of the Home Rule Application will be available to be viewed at Hinton City Hall, 322 Summers Street, Hinton WV 25951 during regular business hours (Monday – Friday 8a.m. to 4p.m.) The City of Hinton Home Rule Application is also available online at www.hintonwva.com. Written comments can be submitted prior to the scheduled hearing at Hinton City Hall, 322 Summers Street, Hinton WV 25951. WV 25951.

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

Affidavit of Publication STATE OF WEST VIRGINIA COUNTY OF RALEIGH.

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

was published in the said The Register-Herald 2 time(s) on the following day(s), namely 12/30/21, 01/06/22

Publication Fee: \$31.57

Subscribed and sworn to before me this day 01/06/2022

My commission expire

Notary Public:

OFFICIAL SEAL
Public. State of West Virgini DONNA S FOX The Bluefield Daily Telegraph 928 Bluefield Avenue Bluefield, WV 24701 commission expires May 21, 2022

Notice
Notice that the City of Hinton will hold a 2nd and final public hearing and meeting on Tuesday February 1,2022 at 6:00 p.m. at Hinton City Hall. 322 Summers Street, Hinton WV 25951. The public is invited to attend and submit comments on the proposed City of Hinton Home Rule Application. Beginning on November 29th a copy of the Home Rule Application has been available to be viewed at Hinton City Hall, 322 Summers Street, Hinton WV 25951 during regular business hours (Monday - Friday Ba.m. to 4p.m.) The City of Hinton Home Rule Application is also available online at www.hintonwva.com. Written comments can be submitted prior to the scheduled hearing at Hinton City Hall, 322 Summers Street, Hinton WV 25951. WV 25951.

HEARING MANDATE VERIFICATION

I, the undersigned Clerk of the City of Hinton, West Virginia, do hereby certify that on December 28, 2021, a Public Hearingwas held prior to the Regular Council Meeting of the City of Hinton, the subject of said hearing being An Ordinance Authorizing the Mayor of the City of Hinton to submit a Written Home Rule Plan Application to the West Virginia Municipal Home Rule Board in accordance with the West Virginia Code 8-1-5a. A quorum of the Hinton City Council was present for this hearing and the hearing was in compliance with West Virginia Code 8-1-5a.

The attached are true, correct, and complete copies of the Special Session of the Hinton City Council Agenda, December 28, 2021 evidencing the Public Hearing. No written comments pertaining to the City of Hinton's proposed Home Rule plan and application were submitted to the City Clerk between the advertised dates of November 25, 2021 through December 2, 2021.

Witness the signature of the undersigned City Clerk of the City of Hinton, West Virginia, and the seal of the City of Hinton, this 28th day of December, 2021.

Ordinance Authorizing Submission of Plan

AN ORDINANCE OF THE COUNCIL OF THE CITY OF HINTON ADOPTED PURSUANT TO THE PROVISIONS OF WEST VIRGINIA CODE 8-1-5A AUTHORIZING THE CITY OF HINTON TO SUBMIT A WRITTEN HOME RULE PLAN TO THE MUNICIPAL HOME RULE BOARD IN ORDER TO PERMIT THE CITY OF HINTON'S PARTICIPATION IN THE MUNICIPAL HOME RULE PROGRAM.

WHEREAS, in 2019, the West Virginia Legislature has made the Municipal Home Rule Pilot Program a Permanent Program created pursuant to the provisions of West Virginia Code 8-1-5a to allow participation by all municipalities; and

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

WHEREAS, a public hearing on the said plan was scheduled for December 28, 2021 at 6:00 p.m., or as soon thereafter as the matter could be heard at 322 Summers Street, Hinton, WV 25951 and a notice of said public hearing was published as a Class II legal advertisement in the Register Herald on November 25, 2021 and December 2, 2021, all as required by the aforementioned code section; and

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

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF HINTON, WEST VIRGINIA, that the Mayor is hereby authorized and directed to submit a home rule proposal to the Municipal Home Rule Board in accordance with West Virginia Code 8-1-5a in order for the City of Hinton to be included in this program. A copy of said proposal and application is attached hereto.

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

Publications: Nov. 25, 2021 & Dec. 2, 2021

Public Hearing: December 28, 2021 First Reading: December 28, 2021 Second Reading: February 1, 2022 Adopted: Attest:

Fiscal Statement

The costs and liabilities involved in the City of Hinton's Home Rule Application include the estimated decrease in business and occupation tax revenue of \$36,793.83, the administration fee from the West Virginia Tax Department for administering, collecting, and enforcing the municipal sales and use tax revenue on the City's behalf of an estimated \$9,616.23, and the annual assessment owed to the Municipal Home Rule Board by all Home Rule cities of \$2,000.00.

The estimated revenue from implementation of the municipal sales and use tax is \$182,708.45.

The City will have a net revenue gain of \$136,298.39. As such, the City can cover all anticipated costs and liabilities associated with the Home Rule Program.

ZIEGLER & ZIEGLER, L.C.

ATTORNEYS AT LAW 110 JAMES STREET HINTON, WV 25951

Email: <u>zaz@suddenlinkmail.com</u> www.zieglerandziegler.com

DAVID L. ZIEGLER ANNA R. ZIEGLER T. ADAM LEWIS TELEPHONE (304) 466-1224 TELEPHONE (304) 772-3085 FACSIMILE (304) 466-4294

February 2, 2022

Jack Scott, Mayor City of Hinton, WV 322 Summers Street Hinton WV 25951

Re: City Home Rule Application

Dear Mayor Scott:

Pursuant to your request, as city attorney for the City of Hinton, I have reviewed the City of Hinton Home Rule Application. You have also asked that I render a legal opinion as to whether or not the said City of Hinton Application for Home Rule complies with West Virginia Code Chapter 8 Articles 1-5. Based upon my review of the application prepared by my office, it is my legal opinion that the City of Hinton Application for Home Rule complies with the statutory requirements of West Virginia Code Chapter 8 Articles 1-5 governing request for municipal home rule.

Sincerely,

/s/ Anna Ziegler

Anna Ziegler



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



Matthew R. Irby, State Tax Commissioner

CRIS MEADOWS HINTON CITY OF 322 SUMMERS ST HINTON WV 25951-2309 Letter Id: Issued:

L0042144032

01/31/2022

West Virginia State Tax Department

Statement of Good Standing

EFFECTIVE DATE: January 31, 2022

A review of tax accounts indicates that HINTON CITY OF is in good standing as of the effective date of this document. Please note, this Statement of Good Standing expires on May 1, 2022.

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,

Micole Grant

Nicole Grant, Tax Unit Supervisor Taxpayer Services Division

atL103 v.31

February 2, 2022

Dear Members of the Home Rule Board:

This letter certifies the City of Hinton does not have any outstanding fees owed to the State of West Virginia.

Thank you,

Jack Scott, Mayor

City Clerk Verification on Ordinance Authorizing Submission of Plan

ORDINANCE AUTHORIZING SUBMISSION OF PLAN

I, the undersigned Clerk of the City of Hinton, West Virginia, do hereby certify that the foregoing is a true, correct, and complete copy of An Ordinance Authorizing the Mayor of the City of Hinton to Submit a Home Rule Application to the West Virginia Municipal Home Rule Board in accordance with West Virginia Code 8-1-5a, enacted on the second and final reading by the Council of the City of Hinton on February 1, 2022.

Witness the signature of the undersigned City Clerk of the City of Hinton, West Virginia, and the seal of the City of Hinton, this 2nd day of February, 2022.



Agenda City Council of Hinton Public Hearing Tuesday, December 28, 2021 6:00 p.m. – City Hall

- 1. Call to order/Roll Call
- Public Hearing for Home Rule Application
 Citizen Input Public Comments
- 4. Adjournment



Minutes

Hinton City Council
Public Hearing
Tuesday December 28,2021
6:00 p.m. – City Hall

- 1. **Call to Order / Roll Call —** All members of the governing body were present for the Public Hearing.
- 2. **Public Hearing for Home Rule Ordinance-** Mayor Scott declared the Public Hearing open and invited comments from those citizens in attendance.
- 3. Citizen Input City Attorney Anna Zeigler provided a summary of the Home Rule application and the issues that the governing body was proposing to change for the betterment of our community. Kristal Straub questioned the 1% municipal tax and how it would be collected. Mayor Jack Scott stated the tax would be collected by the State once the governing body decided on its implementation. Shalom Tazewell stated that she thought Home Rule was very proactive of our city leaders to be looking out for our community. There were several comments from citizens in attendance regarding the need to keep working on our dilapidated buildings.
- 4. **Adjournment** After no additional citizens provided questions/input, Councilman Meador moved to close the Public Hearing. Councilman Jordan seconded the motion and the motion passed on a vote of 5-0.

Cris Meadows/ City Manager



Public Hearing 17-28-21

	Name	Topic
1.	gale avec	11
2.	Spistal Straub	
3.	Shalom Tazewell	
4.	Patte Crawford	
5.	Januna Bond	
6.		
7.		
15.		



Acts of City Council of Hinton Regular Meeting Tuesday, December 28, 2021 7:00 p.m. – City Hall

- 1. Call to order/Roll Call Mayor Jack Scott called the meeting to order, and the record showed that Council President Pat Jordan, Councilwoman Roberta Sorg, Councilman Larry Meador, and Councilman Jim Leslie were present.
- 2. Approval of Agenda <u>Councilman Jordan moved to approve the agenda. Councilman Meador seconded the motion, and the motion passed on a vote of 5-0.</u>
- 3. 1st Reading/ approval of ordinance for Home Rule Application- Several citizens were in attendance and asked questions about the application and what it contained and the benefits to our city. Councilman Jordan moved to waive the reading of the ordinance and stated that it had been on display for over 30 days at City Hall. Councilman Meador seconded the motion and the motion passed on a vote of 5-0. Councilman Meador moved to approve the first reading of the Home Rule application ordinance. Councilman Leslie seconded the motion and the motion passed on a vote of 5-0.
- 4. Approval of employment of full-time fireman Fire Chief Ray Pivont presented Danny Meadows as his recommendation. <u>Councilman Jordan moved to approve Danny Meadows as a full-time fireman. Councilman Meador seconded the motion and the motion passed on a vote of 5-0.</u>
- 5. Approval of ordinance/ Resolution for acceptance of WV Department of Highways Property-Councilman Meador moved to dispense with the actual reading of the ordinance and to approve the first reading. Councilman Jordan seconded the motion and the motion passed on a vote of 5-0. Councilman Meador moved to approve the Resolution to accept the property. Councilwoman Sorg seconded the motion and the motion passed on a vote of 5-0.
- Approval of contract for Go Duck Media Council discussed the contract and how it would benefit both the City and the consultant. <u>Councilman Meador moved to approve the contract with Go Duck Media</u>. <u>Councilman Leslie seconded the motion and the motion passed on a vote of 5-0</u>.
- 7. Approval of bid to demolish homes Councilman Meador moved to approve one bid for 2 homes at \$18,000 and one for 201 Second Ave for \$13,000. Councilman Jordan seconded the motion and the motion passed on a vote of 5-0.
- 8. <u>Adjournment Councilman Meador moved to adjourn the meeting. Councilman Leslie</u> seconded the motion, and the motion passed on a vote of 5-0.

Cris C. Meadows/ City Manager

Page 1 of 1



AGENDA

Hinton City Council Public Hearing Meeting Tuesday February 1, 2022 6:00 p.m. – City Hall

- 1. Call to Order / Roll Call
- 2. Questions and comments by the public about the Home Rule Application
- 3. Adjournment



Council Meeting Sign in sheet 2-1-22

Name	Topic
 noone Showed	



AGENDA

Hinton City Council Special Meeting Tuesday February 1, 2022 7:00 p.m. - City Hall

- 1. Call to Order / Roll Call
- 2. Second and final Reading/Approval of Ordinance for Home Rule Application
 3. Adjournment

	Public Hearin 1. 1. All present 2. Mayor Sooth opend hearing No residents present Lorry moves adjourn Pat Seconds All		
	1. — All 2. Lorry moves disper & Approve PJ Seconds All in fovor		
	Bobbs. Po All		

HINTON CITY COUNCIL PUBLIC HEARING AGENDA DECEMBER 28, 2021 6:00 PM

- 1. Call To Order/Roll Call
- 2. Public Hearing for Home Rule Application
- 3. Citizen Input Public Comments
- 4. Adjournment

CERTIFICATION

I, the undersigned authority do hereby certify that this agenda was posted on the bulletin board in the lobby of City Hall located at 322 Summers Street, Hinton, WV 25951 on November 29, 2021 at 3:00 pm until the public hearing was held.

City of Hinton Home Rule Application, Page 34

Jack Scott, Mayor Mayor



Minutes

Hinton City Council Public Hearing Tuesday February 2,2022 6:00 p.m. – City Hall

- Call to Order / Roll Call All members of the governing body were present for the Public Hearing.
- Public Hearing for Home Rule Ordinance- Mayor Scott declared the Public Hearing open and invited comments from those citizens in attendance.
- 3. Citizen Input there were no citizens in attendance.
- 4. Adjournment Cris Meadows stated that there were none in attendance and that there were no written comments from the public either, Councilman Meador moved to close the Public Hearing. Councilman Jordan seconded the motion and the motion passed on a vote of 5-0.

Cris Meadows/ City Manager

Y ...



Acts of City Council of Hinton Regular Meeting Tuesday, February 2, 2022 7:00 p.m. – City Hall

 Call to order/Roll Call – Mayor Jack Scott called the meeting to order, and the record showed that Council President Pat Jordan, Councilwoman Roberta Sorg, Councilman Larry Meador, and Councilman Jim Leslie were present.

 2nd and final Reading/ approval of ordinance for Home Rule Application- there were no citizens in attendance. <u>Councilman Meador moved to waive the reading of the ordinance</u> and approve the second and final reading. <u>Councilman Jordan seconded the motion and the motion passed on a vote of 5-0.</u>

3. Adjournment — Councilwoman Sorg moved to adjourn the meeting. Councilman Jordan seconded the motion, and the motion passed on a vote of 5-0.

Cris C. Meadows/ City Manager

Jack L. Scott/ Mayor

Page 1 of 1



SENT VIA CERTIFIED MAIL

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

RE: The City of Hinton, West Virginia's Home Rule Application

Dear Mr. Hardy,

Please find enclosed a copy of the City of Hinton's Public Hearing Notice as intent to submit a Home Rule Application.

If you have any questions, please feel free to contact my office at (304) 466-3255.

Sincerely,

/s/ Jack Scott

PUBLIC HEARING NOTICE CITY OF HINTON, WEST VIRGINIA HOME RULE PROGRAM

Notice that the City of Hinton will hold a public hearing and meeting on Tuesday, December 28, 2021 at 6:00 p.m. at Hinton City Hall, 322 Summers Street, Hinton WV 25951. The public is invited to attend and submit comments on the recently drafted City of Hinton Home Rule Application. Beginning on November 29th a copy of the Home Rule Application will be available to be viewed at Hinton City Hall, 322 Summers Street, Hinton WV 25951 during regular business hours (Monday – Friday 8a.m. to 4p.m.) The City of Hinton Home Rule Application is also available online at www.hintonwva.com. Written comments can be submitted prior to the scheduled hearing at Hinton City Hall, 322 Summers Street, Hinton WV 25951.



SENT VIA CERTIFIED MAIL

C. Edward Gaunch, Secretary West Virginia Department of Commerce 1900 Kanawha Blvd East Building 3, Suite 600 Charleston, WV 25305

RE: The City of Hinton, West Virginia's Home Rule Application

Dear Mr. Gaunch,

Please find enclosed a copy of the City of Hinton's Public Hearing Notice as intent to submit a Home Rule Application.

If you have any questions, please feel free to contact my office at (304) 466-3255.

Sincerely,

/s/ Jack Scott



SENT VIA CERTIFIED MAIL

Harold D. Ward, Secretary West Virginia Department of Environmental Protection 601 57th Street SE Charleston, WV 25304

RE: The City of Hinton, West Virginia's Home Rule Application

Dear Mr. Ward,

Please find enclosed a copy of the City of Hinton's Public Hearing Notice as intent to submit a Home Rule Application.

If you have any questions, please feel free to contact my office at (304) 466-3255.

Sincerely,

/s/ Jack Scott



SENT VIA CERTIFIED MAIL

Jeff Sandy, Secretary West Virginia Department of Homeland Security 1900 Kanawha Blvd, East Building 1, W-400 Charleston, WV 25305

RE: The City of Hinton, West Virginia's Home Rule Application

Dear Mr. Sandy,

Please find enclosed a copy of the City of Hinton's Public Hearing Notice as intent to submit a Home Rule Application.

If you have any questions, please feel free to contact my office at (304) 466-3255.

Sincerely,

/s/ Jack Scott



SENT VIA CERTIFIED MAIL

Jimmy Wriston, P.E., Secretary West Virginia Department of Transportation 1900 Kanawha Blvd East Building 5 Charleston, WV 25305

RE: The City of Hinton, West Virginia's Home Rule Application

Dear Mr. Wriston,

Please find enclosed a copy of the City of Hinton's Public Hearing Notice as intent to submit a Home Rule Application.

If you have any questions, please feel free to contact my office at (304) 466-3255.

Sincerely,

/s/ Jack Scott



SENT VIA CERTIFIED MAIL

Mary Jane Pickens, Deputy Secretary Department of Administration Building 1, Room E119 1900 Kanawha Blvd East Charleston, WV 25305

RE: The City of Hinton, West Virginia's Home Rule Application

Dear Ms. Pickens,

Please find enclosed a copy of the City of Hinton's Public Hearing Notice as intent to submit a Home Rule Application.

If you have any questions, please feel free to contact my office at (304) 466-3255.

Sincerely,

/s/ Jack Scott



SENT VIA CERTIFIED MAIL

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

RE: The City of Hinton, West Virginia's Home Rule Application

Dear Mr. Crouch,

Please find enclosed a copy of the City of Hinton's Public Hearing Notice as intent to submit a Home Rule Application.

If you have any questions, please feel free to contact my office at (304) 466-3255.

Sincerely,

/s/ Jack Scott



SENT VIA CERTIFIED MAIL

Edward Diaz, Secretary WV Department of Veteran's Assistance 1900 Kanawha Blvd Building 5 Room 205 Charleston, WV 25305

RE: The City of Hinton, West Virginia's Home Rule Application

Dear Mr. Diaz,

Please find enclosed a copy of the City of Hinton's Public Hearing Notice as intent to submit a Home Rule Application.

If you have any questions, please feel free to contact my office at (304) 466-3255.

Sincerely,

/s/ Jack Scott



SENT VIA CERTIFIED MAIL

Mitch Carmichael, Secretary WV Department of Economic Development 1900 Kanawha Boulevard, East Charleston, West Virginia 25305

RE: The City of Hinton, West Virginia's Home Rule Application

Dear Mr. Carmichael,

Please find enclosed a copy of the City of Hinton's Public Hearing Notice as intent to submit a Home Rule Application.

If you have any questions, please feel free to contact my office at (304) 466-3255.

Sincerely,

/s/ Jack Scott



SENT VIA CERTIFIED MAIL

Chelsea Ruby, Secretary WV Department of Tourism Building 3, Suite 100 State Capitol Complex 1900 Kanawha Boulevard, East Charleston, WV 25305

RE: The City of Hinton, West Virginia's Home Rule Application

Dear Ms. Ruby,

Please find enclosed a copy of the City of Hinton's Public Hearing Notice as intent to submit a Home Rule Application.

If you have any questions, please feel free to contact my office at (304) 466-3255.

Sincerely,

/s/ Jack Scott



SENT VIA CERTIFIED MAIL

Dave Hardy, Secretary & Chairman West Virginia Municipal Home Rule Board P. O. Box 11360 Charleston, WV 25301-1360

RE: The City of Hinton, West Virginia's Home Rule Application

Dear Mr. Hardy,

Please find enclosed a copy of the City of Hinton's Public Hearing Notice as intent to submit a Home Rule Application.

If you have any questions, please feel free to contact my office at (304) 466-3255.

Sincerely,

/s/ Jack Scott

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11/22/21

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CITY OF HINTON 322 SUMMERS STREET HINTON, WV 25951 (304) 466-3255

ACCOUNT NUMBER: 162985

Ad ID: 555320

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Start: 11/25/21 Stop: 12/02/21

Total Cost: \$32.92

of Lines: 24

Columns Wide: 1

of Inserts: 4

Ad Class: Legals

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Email: tevans@bdtonline.com

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Notice

Notice

Notice that the City of Hinton will hold a public hearing and meeting on Tuesday December 28,2021 at 6:00 p.m. at Hinton City Hall. 322 Summers Street, Hinton WV 25951. The public is invited to attend and submit comments on the recently drafted City of Hinton Home Rule Application. Beginning on November 29th a copy of the Home Rule Application will be available to be viewed at Hinton City Hall. 322 Summers Street, Hinton WV 25951 during regular business hours (Monday – Friday 8a.m. to 4p.m.) The City of Hinton Home Rule Application is also available online at www.hintonwva.com. Written comments can be submitted prior to the scheduled hearing at Hinton City Hall, 322 Summers Street, Hinton WV 25951.

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Ad Proof

This is the proof of your ad scheduled to run on the dates indicated below. Please proofread carefully and if changes are needed, contact us prior to deadline at (304) 327-2823 or email at tevans@bdtonline.com.

DATE

01/04/22

Client: CITY OF HINTON 322 SUMMERS STREET HINTON, WV 25951 (304) 466-3255

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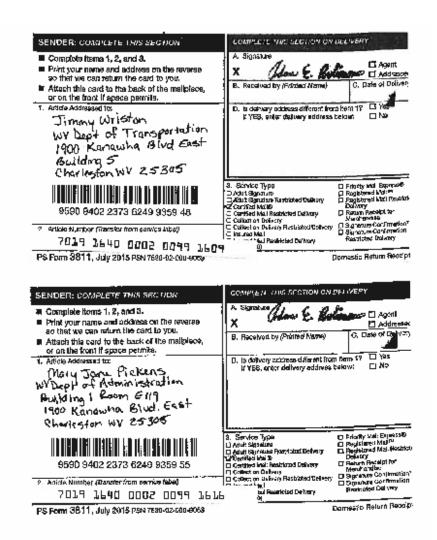
Notice that the City of Hinton will hold a 2nd and final public hearing and meeting on Tuesday February 1,2022 at 6:00 p.m. at Hinton City Hall. 322 Summers Street, Hinton WV 25951. The public is invited to attend and submit comments on the proposed City of Hinton Home Rule Application. Beginning on November 29th a copy of the Home Rule Application has been available to be viewed at Hinton City Hall, 322 Summers Street, Hinton WV 25951 during regular business hours (Monday - Friday Ba.m. to 4p.m.) The City of Hinton Home Rule Application is also available online at www.hintonwva.com. Written comments can be submitted prior to the scheduled hearing at Hinton City Hall, 322 Summers Street, Hinton WV 25951.

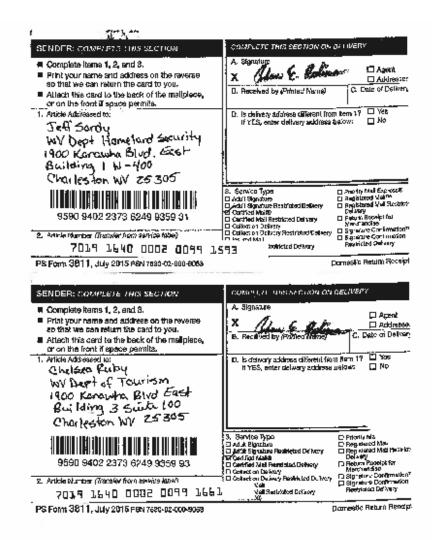
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Anna gave a brief presentation on the application and
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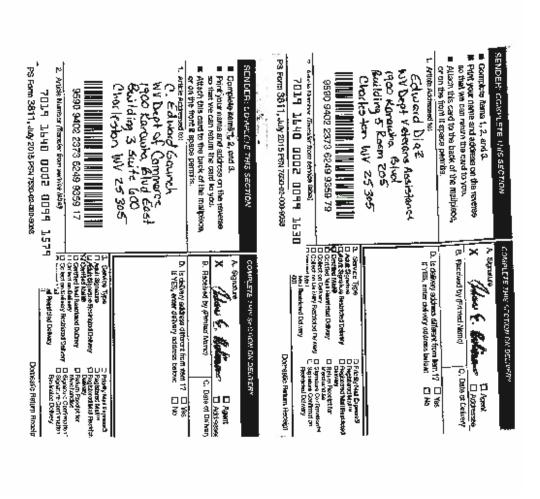
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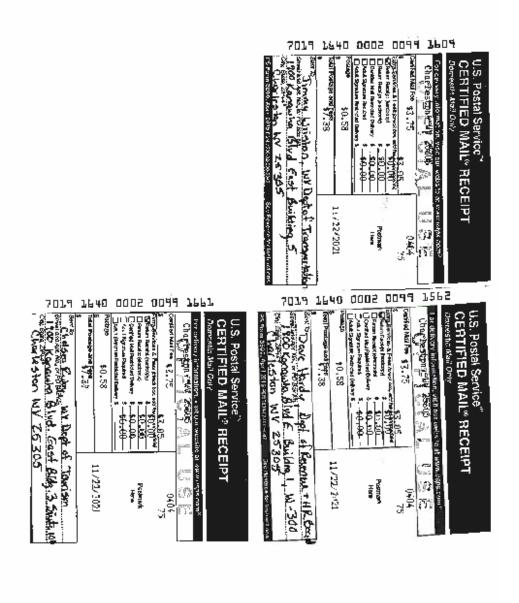


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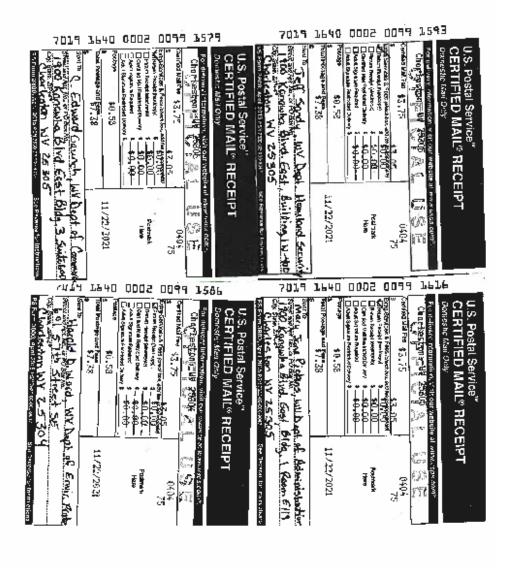


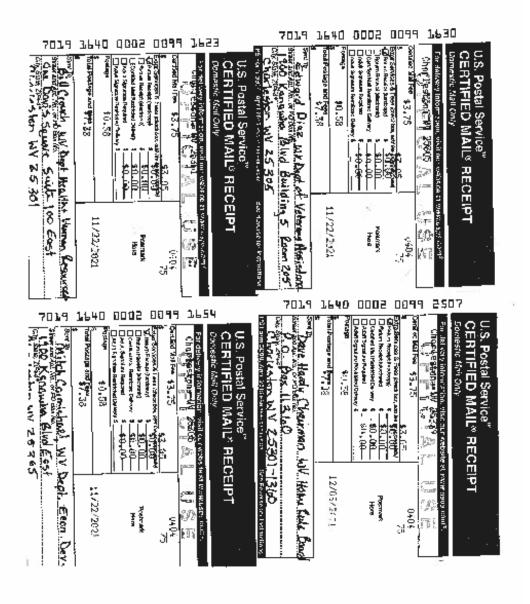






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