



**Regular Session City Council Meeting**

**Lewis County Courthouse**

**May 1, 2023 at 6:00 p.m.**

Call In#: (415) 762-9988

Meeting ID: 482-656-4989

Pass Code: 269

**AMENDED AGENDA**

Full Agenda Packets Available on [www.CityofWestonwv.com](http://www.CityofWestonwv.com)

**1) Call to Order/Moment of Silence**

**2) Pledge of Allegiance**

**3) Roll Call**

**4) Presentations**

- Proclamation for National Emergency Medical Service Week May 21, 2023 – May 27, 2023
- Proclamation for National Police Week May 15, 2023 – May 21, 2023
- Proclamation for National Firefighters Day May 4, 2023

**5) Visitor Section (5 Minute Time Limit)**

- Cindy Crislip – Barking Dogs
- Brenda Reed – Barking Dogs

**6) Approval of Minutes**

- A. Regular Session – April 3, 2023
- B. Special Session – April 18, 2023

**7) Receive and File Reports of City Boards, Commissions, and Outside Agencies**

- A. Weston Cemetery Board - Next Meeting – Monday, July 10, 2023, at 9:00 a.m. at
  - i. the Municipal Building.
- B. Historic Landmark Commission - Next Meeting – Thursday May 11, at 5:00 p.m.
  - i. at the Municipal Building.
- C. Weston Planning Commission - Next Meeting – Wednesday, July 12, 2023 at 4:00 p.m. at
  - i. the Municipal Building.
- D. Board of Parks and Recreation - Next Meeting – Friday, May 19, 2023 at 4:00 p.m.
  - i. at the Municipal Building.
- E. Lewis County EDA - Next Meeting – Wednesday, May 24, 2023 at 5:00 p.m. at
  - i. 110 Center Avenue 2<sup>nd</sup> floor.
- F. Board of Zoning Appeals - Next Meeting – Tuesday, May 09, 2023 at 6:00 p.m.
  - i. at the Municipal Building
- G. Code Appeals Board - Next Meeting – Thursday, May 18, 2023 at 6:00 p.m. at the
  - i. Municipal Building.
- H. Outside Agencies
  - i. Neighborhood Watch – Next Meeting – Monday, May 22, 2023 at 6:00 p.m. at the Weston Fire Department
  - ii. SWA – January 18, 2023 Minutes and April 19, 2023 Minutes; Next Meeting 7/19/23
- I. Known Vacancies to be Filled - Board of Zoning Appeals - 1 available position plus an alternate (2 total)
  - Parks and Recreation Board 2 positions available.

- Cemetery Board 1 position available.

**8) Sanitary Board Director Report**

**9) Department Reports**

- A. Finance Report – May Report in Packet.
  - i. Finance Director Johnston to move \$848.00 from GF to Vacant Structure Fund (Action Requested)
- B. Street Department – April Report in Packet.
  - i. Terrace Avenue Update
  - ii. DOH Bridge Agreements
- C. Police Department – April Report in Packet.
- D. Fire Department - April Report in Packet
- E. Building/Code/Zoning – April Report in Packet
- F. City Attorney Report
- G. City Clerk – April Report in Packet
- H. City Manager Report
  - i. Update on Camera Project
  - ii. Annexation Works Update

**10) Old Business**

- A. Ordinance 2023-08 Ordinance Creating the Weston Land Reuse Agency (Request to table until Special Session) (Action Requested)
- B. Ordinance 2023-04 Ordinance for the City of Weston Purchasing Card Policies and City of Weston Financial Procedures and Policy (Second Reading Action Requested)
- C. Update Employee Vacation Handbook Policy Section (Action Requested)

**11) New Business**

- A. Memorial Day Parade Event Application for May 27, 2023 at 12:00 (Action Requested)
- B. Weston Flood Control Dam and Channel Operation West Fork Conservation District (Polk Creek) Maintenance Funding Agreement \$4400. (Action Requested)
- C. Paving List Approval for FY2024 (Action Requested)
- D. Removal of 10:00 p.m. Curfew Siren Blast (Action Requested)
- E. Ordinance 2023-10 Creating Penalties for Failure to Appear in Weston Municipal Court (Action Requested)
- F. Ordinance 2023-11 Ordinance Related to Nuisance Dogs that Creates a Separate Fee
- G. Schedule Within the City’s On-Site Citation Program (Action Requested)
- H. Ordinance 2023-12 Ordinance for Citizen Petition to Weston Municipal Court to Address Barking and Nuisance Dogs (Action Requested)
- I. Request for Leave for Kaleigh Wetzel (Executive Session Requested) (Action Requested)

**12) Reports of City Council**

**13) Adjournment**

**Meeting Management Guidelines**

- Regular meeting agendas will be posted and available to the public before closure two (2) days prior to the meeting.
- Persons wishing to address City Council must register before the meeting.
- Agenda items may require an executive session motioned per WV Code 6-9A-4.
- All votes are unanimous unless otherwise stated.
- Roberts Rule of Order is utilized as a guide for all Weston City Council meetings.



Weston City Council  
Minutes

Lewis County Court House  
117 Center Avenue  
April 3, 2023 at 6:00 p.m.

**Present:** Vice Mayor Sherry Rogers, Councilpersons Randy Bohan, Debbie Gump, Herb Curtis, City Manager Nate Stansberry, City Clerk Judy Piercy, City Attorney Brian Bailey, Finance Director Susie Johnston, Chief Mike Posey, Chief Jimmy Suttle, Street Commissioner Mike Starett, Building/Code/Zoning Enforcement Officer Marty Lewis, and Sanitary Director Dee Evans

**Call to Order:** Vice Mayor Rogers called the meeting to order at 6:00 p.m.

**Pledge of Allegiance:** Vice Mayor Rogers asked Mr. Heath to lead everyone in the Pledge of Allegiance.

Councilwoman Gump made a motion seconded by Councilman Bohan to **amend** the agenda to do the presentations first. **Motion carried.**

**Presentations**

**Proclamation for the Lewis County High School Band:** Vice Mayor Rogers welcomed the Lewis County High School Band Director Allen Heath and stated it was a pleasure to honor our youth. Vice Mayor Rogers read the proclamation declaring Tuesday, April 4, 2023 Lewis County High School Band Day. Councilwoman Gump made a motion seconded by Councilman Bohan to **declare** April 4, 2023 as Lewis County High School Band Day. **Motion carried.**

**Proclamation for the Lewis County High School Choir:** Vice Mayor Rogers welcomed the Lewis County High School Choir Director Tina Norman and thanked her for attending the meeting. Vice Mayor Rogers read the proclamation declaring Wednesday, April 5, 2023 Lewis County High School Choir Day. Councilwoman Gump made a motion seconded by Councilman Curtis to **declare** April 5, 2023 as Lewis County High School Choir Day. **Motion carried.**

**Approval of Minutes:** Councilwoman Rogers made a motion seconded by Councilman Bohan to **approve** the Regular Session Minutes of March 6, 2023, the Special Session Minutes of March 9, 2023, Special Session Minutes of March 14, 2023, and the Special Session Minutes of March 21, 2023. **Motion carried.**

**Visitors Section: (5 Minute Time Limit):**

Ms. Shonda Hicks addressed council about three issues that concerned her. The first issue was about the City Business License. On March 20, 21, and 23 tanks were being painted outside two blocks away from the City Building and the overspray damaged several cars including hers. Ms. Hicks wondered why there was no business license. The company tried to remove the paint with Shout and rags which did not work, and they had no insurance. The next issue Ms. Hicks had was the Fire Siren going off at 10:00 p.m. at night and curfew is being enforced. They were

first going off at 10:00 p.m. then 10:15 p.m., now we are back to 10:00 p.m. Ms. Hicks understood that was curfew, but no one does anything about it.

Why are bicycles allowed to run at night without lights of some sorts, we have a lot of homeless people, they cannot be tracked because you cannot see them, not just them but anybody, it is a safety hazard. Vice Mayor Rogers asked if it was a local business that hired a contractor and that was what happened. Building/Code/Zoning Enforcement Officer Lewis explained that painting outside does not require a permit, but the business license unfortunately was missed. Vice Mayor Rogers stated that we do have procedures set up to avoid issues like this. Vice Mayor Rogers asked if the liability would be between the business and the contractor they hired. City Manager Stansberry replied that it is a civil matter in the sense that the damage was done to people's cars out of our purview we did not authorize the work. City Attorney Baily did not think it was a city matter, the city was not involved per say. Ms. Hicks stated that it happened within sight of the City Building parking lot and if we cannot see that close what else are we missing and it is not the citizens' responsibility to check this out. Councilman Curtis stated as part of our job is to enforce that our businesses have license and permits and at some point, we need to be allies and say that. City Manager Stansberry stated that he had no problem in stating that they did not have a license or permit.

Chief Jimmy Suttle stated that the fire alarm has been going off ever since he could remember and when we got the new alarm council voted for it to continue. City Manager Stansberry stated if the council wished to change it, they could. Vice Mayor Rogers asked for it to be put on the agenda for the next meeting.

Chief Mike Posey stated that they can make the individuals get off the bike at night and push it but after they were out of sight, they would get back on it. Chief Mike Posey stated that they can give them a ticket but the chances of them paying it was not good.

#### **WV Land Stewardship Corporation (Land Reuse Agency Ms. Taylor Bennett):**

Building/Code/Zoning Enforcement Officer Marty Lewis introduced Ms. Bennett as the expert of the Land Reuse Agency and would answer any questions the council may have. Ms. Bennett provided a slide show going over the Land Reuse Agency, which is a quasigovernmental organization with a board made up of volunteers and city staff. The Land Reuse Agency is partnering with housing developers to turn vacant land into housing units. The council discussed with Ms. Bennett who could be on the board and where the money could come from and the general process of starting a Land Reuse Agency.

**Receive and File Report of City Boards, Commissions, and Outside Agencies:** Vice Mayor Rogers read aloud the City Boards, Commissions and Outside Agencies giving the dates and times and places of the meetings. The Neighborhood Watch meeting was incorrect, and the meeting date is April 24, 2023 at 6:00 p.m. at the Fire Department

**Sanitary Board Report:** Report in the Packet. Sanitary Director Evans informed the council that Synagro finished removing sludge approximately 767 tons and the Phase I Project is Completed. We still have no word from the DEP for the grant for the AML Project submitted to the DEP.

#### **Department Reports:**

**Finance Department Report:** Report in Packet. Finance Director Johnston provided the council with the Profit & Loss from July 2022 through March 2023, Gross Revenue by Source, Month to Month Comparison Fiscal Year 2023, Bank Statements for Coal Severance–Tax Fund, Parks & Recreation, General Funds, K-9 Fund, Holding Account, Payroll Account, Police Equipment Fund, Rainy Day Fund, Vacant Structure Fund, ARPA Fund.

Finance Director Johnston asked the council to move \$1,350 from the General Fund to the Vacant Structure Fund. Councilwoman Gump made a motion seconded by Councilman Bohan to **approve** to move \$1,350 from General Fund to Vacant Structure. **(Roll call of votes, Councilman Bohan yes, Councilwoman Gump yes, Councilman Curtis yes). Motion carried.**

Finance Director Johnston gave the total for March of \$2575 for the Hometown Banners, Weston Billboards \$600. Finance Director Johnston gave the total for the month of March 2023 Municipal Fees was \$8000.50 and \$10,021.50 for March 2022 for the Municipal Fees. The total of Municipal for the year 2023 is \$280,276.28 and last year's total was \$306,636.13 a difference of \$26,359.85. City Manager Stansberry provided the council in the packet a spread sheet of our status of all ARPA Funds and from that \$40,000 needs to reimburse the General Fund for part of the Culture Center that was voted and approved prior. The amount of \$31,000 still needs to be spent that is already commented leaving a balance of \$634,075.42. City Manager Stansberry said that we will talk about ARPA Funds at the end of the meeting, but we need to start prioritizing some projects by putting our heads together to at least move money around for what we want to do.

**Street Department Report:** Report in Packet. Street Commissioner Starett stated that the Terrace Avenue Slip is still there waiting because the property may exchange hands. On Moss Street the drain line was clogged, and the Street Department unclogged twenty feet of line. Street Commissioner Starett stated they were having truck issues again.

**Police Department Report:** Report in Packet. Chief Mike Posey stated he will have an item later in the meeting.

**Fire Department Report:** Report in Packet. Chief Jimmy Suttle said he has had a busy month.

**Building/Code/Zoning Report:** Report in Packet. Building/Code/Zoning Enforcement Officer Lewis informed the council he is still waiting for word from the RAISE Grant. Councilwoman Gump asked if we explored the possibility of getting a dumpster to set at the Street Department for citizens to put metal in then take it to Jerry Stout's and this will help to get rid of the blite. Street Commissioner Starett will call Mountain State Waste to check on the dumpster. City Manager Stansberry said we will be doing the warning tickets more.

**City Attorney Report:** City Attorney Bailey stated we will be getting together to restart the codification with a meeting on April 10, 2023.

**City Clerk Business License Report:** Report in Packet.

**City Manager Report:** City Manager Stansberry informed council of the following:

- It was great to be honoring Tina Norman and Allen Heath, they were teachers when he was in school.



- We put in the elevator grant for the City Building, we engaged with the architect to do some basic preliminaries and the estimate that came back was \$400,000 and it is a 50/50 grant, the city will have to come up with \$200,000 and City Manager Stansberry felt we could do things at the building to drop the cost. City Manager Stansberry said that we are going to continue to at least get an elevator finalized from a planning standpoint. City Manager Stansberry stated if we do not have the money of course we can say no.
- The Cultural Center applied for the same grant, and they are working with the architect to finalize the ADA approach and try to get the façade funds of \$40,000 spent by June.
- We will be having a Municipal Court meeting on Thursday with Judge Terango to iron out the process and get a better understanding. City Attorney Brain Bailey is the Prosecuting Attorney, Judy is the Municipal Clerk and Judge Terango is the judge and there is a lot of balancing to make an impartial court. City Manager Stansberry role is to make sure our court is functioning. We have not been getting through, so we are going to get that fixed. Mayor Harrison-Edwards is welcome to be included if she is feeling better.
- The Lewis County Blueprint received an award for 16-yard signs, the ribbon cutting will take place on April 29, at 11:45 a.m. after the Weston 5K Run.
- City Manager Stansberry put in a grant over the weekend for the Kubota Organization, a revitalization grant opportunity. It was written for the purchase of the skating rink, which he felt was revitalizing our downtown. If we are one of the five to win in the nation, we will go to a public voting round, and it will be for another \$100,000 if we win.
- City Manager Stansberry asked if everyone hears the generator humming, we hear it on North River. The pump station at the corner is out, Brock and I are working to figure out a way to move forward. Down the road, we will come back to the council for some consideration.
- Joe Solberg is working on an AmeriCorps Grant to create our own program. The city will solicit five to ten people, AmeriCorps volunteers, to live in Weston for different activities such as after-school programs, help with local museums, and the cultural arts. The grant will be a planning grant for a year completely funded by the AmeriCorp Organization to allow planning what the grant would look like at no obligation.
- A meeting with the North Central City Managers Association tomorrow to discuss DataMax as of today Shinnston is using them for their Water and Sewer Bill Collections, Municipal Fee Collections, and the B & O taxes. City Manager Stansberry will be exploring that possibility.
- City Manager Stansberry Finance Director Johnston and Assistant Finance Director Solberg met with the United National Bank. The SVP Bank collapsed about three weeks ago and in City Manager Stansberry mind a light bulb went off and the same time it was fortuitous that the United Bank reached out to us and wanted to meet with us about partnering up with us and see what they could offer us. Assist
- Finance Director Solberg will work with them to show what we are currently using and see how they can help us. City Manager Stansberry emphasized that all our funds are situated with the Huntington Bank that is only insured up to a certain amount of money through the FDIC. City Manager Stansberry did not think that Huntington Bank was under any immediate pressure, but we all know how quickly things can change. One of the things to explore could we move some of our funds, whether it be the Rainy-Day Fund or the Vacant Structure or conglomerate of funds to take some of that FDIC Insurance Protection and spread that out so we could recover some of those funds if something dramatic would happen.

Councilman Curtis made a motion seconded by Councilman Bohan to **approve** all department reports. **Motion carried.**

### **Old Business**

**Ordinance 2023-08 Ordinance Creating the Weston Land Reuse Agency (Action Requested):** City Attorney Bailey stated that we tabled this last month, and he had a few suggestions for deciding on the board members. City Manager Stansberry stated a decision does not have to be made tonight because this is a big deal and a big commitment. City Manager Stansberry said he would like to see us continue to work on this. Councilwoman Gump stated she would like to be able to process all the information we received tonight. Councilwoman Gump made a motion seconded by Councilman Bohan to **table** Ordinance 2023-08 Ordinance Creating the Weston Land Reuse Agency. **Motion carried.**

**Ordinance 2023-09 Billboards/Zoning Amendment Ordinance (Second Reading) (Action Requested):** Councilman Curtis asked to be recused from this because a sign in question is on his property. Councilwoman Gump made a motion seconded by Councilman Bohan to **approve** the second reading of the Ordinance 2023-09 Billboards/Zoning Amendment Ordinance by title only. **(Roll call of votes, Councilman Bohan yes, Councilwoman Gump yes). Motion Carried.**

City Clerk Piercy read Ordinance 2023-09 Billboards/Zoning Amendment Ordinance second reading by title only.

Councilwoman Gump made a motion seconded by Councilman Bohan to **approve** second reading of Ordinance 2023-09 Billboards/Zoning Amendment Ordinance by title only.

**(Roll call of votes, Councilman Bohan yes, Councilwoman Gump yes). Motion carried.**

The first reading of Ordinance 2023-09 Billboards/Zoning Amendment Ordinance by title only was on March 6, 2023. The approval of the second reading enacts the Ordinance 2023-09 Billboards/Zoning Amendment Ordinance as of April 3, 2023.

**First Due Fire Fee Discussion/Municipal Fee Discussion:** City Manager Stansberry provided for council a Municipal Fee option overview spread sheet. City Manager Stansberry stated that you will see four options starting with a full-service option and going down to the status quo which is not changing our rates at all. City Manager Stansberry has calculated these rates to different thresholds with what amount of money we would generate based on our current municipal fees and explained how he arrived at these rates. City Manager Stansberry recommended to charge by square foot instead of by structure. The city would be in line with other municipalities by using the square foot. City Manager Stansberry expressed he wanted to show the magnitude of the issues and he went over each option with council.

**Update Employee Vacation Handbook Policy Section (Action Requested):** City Manager Stansberry provided the council page 133 of the updated vacation benefit section, under Vacation Benefits (Paid Annual Leave) of our employee handbook. City Manager Stansberry expressed the issue we are having that once an employee gets one year of time served, they get 80 hours on their anniversary date. On the second anniversary per the handbook, you do not get 120 hours until your second-year anniversary, but you do not get the hours until January 1 of the next year. City Manager Stansberry is trying to allow an employee to get vacation time

in that period. Employees that are hired in December do not have enough time to use it in that calendar year by how the policy reads. City Manager Stansberry had added some language to clear some of this up and make the deadline clearer. City Manager Stansberry stated that we have run into issues of employees having banked vacation for past procedures and we cannot take just say that does not exist they need to accrue the hours, or we pay them out. Councilman Curtis replied that to not get into these situations again they can split the vacation hours into quarters, use this amount one and another amount the next quarter. Councilman Curtis continued to say that in the fourth quarter you cannot burrow from the next year you have to exhaust what you have and only carry over the 40 hours.

Chief Jimmy Suttle stated that he and Keith have the most hours to carry over, we had anywhere from 300 to 400 hours to carry over when that new rule went into effect. Chief Jimmy Suttle said that we have no one to cover our hours and he had mentioned to City Manager Stansberry we could turn over the Fire Department to the volunteer side but that's not good practice. City Manager Stansberry questioned after 5 years continuous service at the city full time employees will earn 160 hours of vacation which is the maximum on January 1. Then it states that you can carry over 40 hours does that mean a total of two hundred hours. The council discussed different ways vacation time is done by other businesses. City Manager Stansberry asked for directions for the council and asked if they had any comments before he writes this up again. Councilwoman Gump made a motion seconded by Councilman Bohan to **table** the Employee Vacation Handbook Policy Section. **Motion carried.**

**Awarding of Bid for Mowing of Cemeteries (Action Requested):** City Manager Stansberry informed council the bids did not have to be rebid because they did not meet the threshold. In the packet we provided the council with four bids we received. The Vice Mayor asked as to how many times they would be mowed, and City Manager Stansberry explained in the bid packet it was every two weeks unless we went through a dry spell. Vice Mayor Rogers suggested they need to be mowed every week. Councilwoman Gump made a motion seconded by Councilman Curtis to **approve** to award the mowing bid to Maverick LLC for \$870.00 pending business license and insurance. **(Roll call of bids, Councilman Bohan no, Councilwoman Gump yes, Councilman Curtis yes). Motion carried.**

**Auction of City Equipment (Action Requested):** City Manager Stansberry informed the council that we did not put the equipment we wanted to sell on wv.gov, so we would like to have our own auction. Councilman Curtis asked if we will be having an auctioneer and Street Commissioner was waiting for the date and time, but an auctioneer will be there. Vice Mayor Rogers stated that we approved prior to selling equipment we will need to amend the former location. Councilman Curtis made a motion seconded by Councilman Bohan to **approve** the auction of city equipment. **(Roll call of votes, Councilman Bohan yes, Councilwoman Gump yes, Councilman Curtis yes). Motion carried.**

### **New Business**

**Appointing of Chief Jimmy Suttle to the 911 Advisory Board (Action Requested):** Chief Jimmy Suttle expressed that someone from the city needed to be on this board and they meet on the second Monday of the month. Councilwoman Gump made a motion seconded by Councilman Bohan to **approve** to appoint Chief Jimmy Suttle to the 911 advisory board. **Motion carried.**



**Awarding Bid for Mowing of City Properties and Non-Compliant Private Lots (Action Requested):**

City Manager Stansberry provided for council in the packet bids for the mowing of city properties and non-compliant private lots. City Manager Stansberry stated for clarity that if a mower goes down, we will use the next available mower. Councilwoman Gump made a motion seconded by Councilman Curtis to **approve** Robinson Lawn Care for Rt 19 lot, Willow Park, Lively Park and non-compliant private lots and Epps Property Maintenance for Riverbank, Riverfront, and Polk Creek Park. **(Roll call of votes, Councilman Bohan yes, Councilwoman Gump yes, Councilman Curtis yes). Motion carried.**

**July 4 Celebration a Waiver for Open Container/Closing of Water Street: (Action Requested):**

Councilwoman Gump made a motion seconded by Councilman Bohan to **approve** the waiver for open container and closing Water Street for the July celebration on July 1, 2023 and July 2, 2023 if it rains. **Motion carried.**

**Awarding of Bid for REAP Demolition for 232 High Street, 254 High Street, 256 High Street, 208 Bennett Avenue, 347 East Third Street, and 255 South Main (Action Requested):**

City Manager Stansberry informed the council that 232 High Street is owned by Andy Morrison and all indication he is going to sign it over to the city. The properties at 254 High Street, 256 High Street, and 347 East Third Street and 255 South Main are owned by Mr. Skinner. Property 208 Bennett Avenue is owned by CI Development LLC, all these properties have been given proper notice for the demolition, but we have not had a conversation with CI Development LLC at this point to see if he would be willing to turn the property over to the city. City Manager Stansberry stated that this will go back to previous conversations about what the priorities as a council on tearing down structures. City Manager Stansberry expressed that Building/Code/Zoning Enforcement Officer Lewis has identified as high visibility and high priority to demolition. City Attorney Bailey stated we opened the bids on Friday, March 31, 2023 and had five bidders and four of the five provided individual prices and one bidder was a lump sum for the properties. We had some argument that the bidding was not clear whether individual or lump sum. City Attorney Bailey stated the options are they can be awarded lump sum, or as individuals or you can reject any bid or reject all bids and have bids resubmitted. City Manager Stansberry recommendation was to table until the next meeting to discuss what are options are. Councilman Curtis asked if the properties on 254 High Street, 256 High Street, 347 East Third Street and 255 South Main if the entire process was gone through the owner. The Building/Code/Zoning Enforcement Officer explained the condemnation notice was placed on the houses; the corrective notices were issued via certified mail. In fact, someone had started the process, he abated the asbestos, started the demolition, and did the proper permits. City Attorney Bailey stated he does not know that making an attempt alleviates the requirement that they come down. City Manager Stansberry stated that we need some kind of direction to manage this in the future. Councilman Curtis made a motion seconded by Councilwoman Gump to **table** Awarding of Bid for REAP Demolition for 232 High Street, 254 High Street, 256 High Street, 208 Bennett Avenue, 347 East Third Street, and 255 South Main. **(Roll call of votes, Councilman Bohan no, Councilwoman Gump yes, Councilman Curtis yes). Motion carried.**

**City of Weston 5K Run (Action Requested):** Councilwoman Gump made a motion seconded by Councilman Bohan to **approve** the Weston 5K Run on April 29, 2023 at 10:00 a.m. **(Roll call**

of votes, Councilman Bohan yes, Councilwoman Gump yes, Councilman Curtis yes).  
**Motion carried.**

**Planning Grant Agreement for Historic Landmark Commission (Action Requested):** City Manager Stansberry stated that the Historic Landmark Commission was awarded \$12,394. of a estimated \$17,706 for engineering and architectural purposes for the Cultural Center. City Manager Stansberry recommended signing the grant agreement so we can get it back to them. Councilwoman Gump made a motion seconded by Councilman Curtis to **approve** the Planning Grant Agreement for the Historic Landmark Commission in the amount of \$12,394. **(Roll call of votes, Councilman Bohan no, Councilwoman Gump yes, Councilman Curtis yes). Motion carried.**

**Grant Agreement for Riverfront Park (Action Requested):** City Manager Stansberry expressed that the mayor has attended these meetings and requested to table in her absence. Councilwoman Gump made a motion seconded by Councilman Curtis to **table** the Grant Agreement for Riverfront Park. **(Roll call of votes, Councilman Bohan yes, Councilwoman Gump yes, Councilman Curtis yes). Motion carried.**

**Purchase of Makor K9 for Police Department for \$14,500 (Action Requested):** Chief Mike Posey provided council with a handout of Makor K9 of West Virginia with the amount of \$14,500 to purchase a K9 dog which is an all-purpose dog. Chief Mike Posey explained that the company will come to us to train the dog and the officer, and each year they will come to certify the dog. Chief Mike Posey asked the council to be able to move funding from K9 supplies and Vet Supply to purchase the dog. Councilman Curtis made a motion seconded by Councilwoman Gump to **approve** the purchase of K9 dog for the Police Department in the amount of \$14,500. **(Roll call of votes, Councilman Bohan no, Councilwoman Gump yes, Councilman Curtis yes). Motion carried.**

**Discussion of Consideration of ARPA Funds for White Water Park:** City Manager Stansberry stated as part of the Riverfront Park there has been numerous conversations with parties, one feature that has come to the forefront was White Water feature using the existing dam structure and keeping the level of water from the dam up to Kitson Street and on. City Manager Stansberry has reached out to an engineering firm specializing in white water features. They will do an entire study of our river and provide conceptual drawings for that feature for approximately \$20,000. If the council is interested City Manager Stansberry would like to solicit a few more engineers and bring a proposal to council with the intension of having someone study our river for the possibility of these types of features. Vice Mayor Rogers gave City Manager Stansberry a background on the removal of the dam. Vice Mayor Rogers stated she spent about a month, and we adopted a resolution not to remove the dam because of economic, tourism, and ecological were sighted. Nate stated the intension is we do not want to drop the water level but to drain and modify the structure. The dam is a low head dam and is dangerous with the thought process to provide a series of stepdown pools. Vice

### **Reports of City Council**



**Councilman Randy Bohan Ward II** waived his time for Vice Mayor Rogers.

**Vice Mayor Sherry Rogers** waived her time for Councilwoman Gump

**Councilwoman Debbie Gump III** reminded everyone about the city cleanup to help with maintaining properties and encouraged everyone to participate. Councilwoman Gump wished everyone a Happy Easter.

**Councilman Herb Curtis IV** thanked everyone for coming out.

### **Adjournment**

Councilman Curtis made a motion seconded by Councilman Bohan to **adjourn** at 9:03 p.m.  
**Motion carried.**

Attest

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Mayor, Kim Harrison-Edwards

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City Clerk, Judy Piercy



City Council Special Session  
Tuesday, April 18, 2023 at 6:00 p.m.  
City Municipal Building  
Minutes

**Present:** Mayor Kim Harrison-Edwards, Councilperson Sherry Rogers, Randy Bohan, Debbie Gump, Herb Curtis, City Manager Nate Stansberry, City Attorney Brian Bailey, Finance Director Susie Johnston, Assistant Finance Director Joe Solberg, Chief Mike Posey, Chief Jimmy Suttle, Building/Code/Zoning Enforcement Officer Marty Lewis, Street Commissioner Mike Starett, Sanitary Director Dee Evans, Brock Perkins, Larry Bush, Tracy Weber, Keith Talbott, Zach Dobbins, and John Harper.

**Call to Order/Moment of Silence:** Mayor Harrison-Edwards called the meeting to order at 6:00 p.m.

**Pledge of Allegiance:** Mayor Harrison-Edwards asked everyone to stand for the Pledge of Allegiance.

**Public Comment:** No one to speak.

### Old Business

- **Adoption of FY24 Municipal Levy**

City Manager Stansberry provided the council with a copy of the Municipality of Weston Levy Order and Rate Sheet for FY2023-2024 and his recommendation to council was for approval. Councilwoman Gump made a motion seconded by Councilman Bohan to **approve** the Adoption of FY2024 Municipal Levy. **(Roll call of votes, Councilwoman Rogers yes, Councilman Bohan yes, Councilwoman Gump yes, Councilman Curtis yes). Motion carried.**

### New Business

- **Preliminary Engineering Report Discussion of Phase 2 Sludge Removal and Rate Implications of Proposed Works**

WSB Dee Evans stated they invited PSC Representative Mr. John Harper to explain why it is so important to get this project underway and how important it is to act on a rate increase. Mr. Harper explained he assists with water and sewage by investigating complaints and your perspective is to identify your short and long-term needs. The short-term need is fixing things that arise during a complaint. City Manager Stansberry asked Mr. Harper, with your experience across West Virginia, what his recommendation would be for increasing rates. Mr. Harper stated that municipalities put off issues too long and things fall apart then it is a bigger issue. Some utilities will do a rate increase every year to keep up with inflation, but most commonly it is every two to three years in

small increments. Materials or water and sewer have increased due to the chain of command. If a city does not keep up with current rates they cannot afford to purchase or stock items. Mr. Harper stated if you can keep the water coming off the roof from going into the sewer that will help reduce your operating costs.

Mr. Zack Dobbins was asked to look at the current going rates, where we are now and where we need to be. The sanitary department is looking at a project of approximately 3.2 million and where we currently stand with rates, we will need an increase in the rate of 10.2%. City Manager Stansberry asked Mr. Dobbins if he would provide the council and himself with a copy of the rates that were used. Mr. Dobbins stated sewer utilities are notorious for having to replace pumps well before the life of the pump. They have looked into what the power has been done, the chemicals have been done, the repairs have been done and the increase was built in, and that will allow them to renew and replace reserves which are our capital items to spend the budget on \$125,000 a year which is allowed by the Senate Bill 34. Doing this will allow their expenses to be put aside each year as the state requires them and if they do not put that money aside, they are in violation of the state code. With the 10.2 increase in the 3.2-million-dollar project, we would need to borrow \$635,000, this would be beneficial to the sanitary department. The loan would be at a 1.75 interest rate through the clean water and sewer revolving fund. City Manager Stansberry asked if that included the ARPA portion in the 635,000 configurations. Mr. Dobbins responded that the portion included ARPA Funding of \$100,000. Mr. Dobbins discussed the grants that the Sanitary Department qualified for and the amounts they could receive for the project.

A handout of the City of Weston Sanitary Board Phase II Sludge De-watering Project Summary and Alternatives was provided to council for discussion. Mr. Perkins stated that he thought Alternative 1 drying bed was the best of the deal. City Manager Stansberry spoke about the third-party sludge removal Alternate 5, but Mr. Perkins stated if that is done, we would not qualify for grants. The presentation will be taken to Charleston, WV on May 10, 2023.

- **Municipal Fee/First Due Fire Update and Discussion**

City Manager Stansberry presented the council with a presentation of the general conditions of the city's finance and discussed his view of finances. City Manager Stansberry stated that inflation has increased by 20% in two years, and we have not changed our rates since 2009. City Manager Stansberry with the inflation increasing as discussed with the sanitation department we need to do something to keep up. City Manager Stansberry stated that the number of people who live on fixed income has had an increase, but the city has not increased the Municipal Fees. City Manager Stansberry went over with council things that could be taken from the budget, but we would be running on the bare necessities. The Rainy-Day Fund could also be used but what money would we use if we had an emergency? City Manager Stansberry asked council the question of "Do we cut our budget, or do we increase the Municipal Fees?"



City Manager Stansberry explained the differences between taxes, fees, and penalties with an example of property taxes already at the highest amount they could be raised to. Another example given was the Utility Excise Tax at 2%, which is at the highest allowed and the Business and Occupational Tax is based off self-reporting. City Manager Stansberry went over the current rate of owner occupied and non-owner-occupied Municipal Fees and stated that we do not charge fees for a vacant lot, and they are receiving the same coverage as the owner and the non-owner occupied along with the businesses and informed the council that in some municipalities they charge by square foot, which we are not at this time. City Manager Stansberry read the WV Code on Services and Fees that can be charged for and told that what Mr. Dobbins did for the WSD by taking a reasonable rate based on expenses and projected revenue we would have to do this as well to charge those rates. City Manager Stansberry made a reference to page twelve in the packet that showed how it was broken down into taxes and fees. City Manager Stansberry wanted to take it even further to see how much residential class two users with property taxes and then put it under paradigm order that taxes are for general government operations and fees are for the provisions of service. City Manager Stansberry stated that we need to determine if we want to fund our services with taxes, or do we want the users to pay for the services. If the city goes with the users to pay for the services, then we can reduce property taxes and reduce Business and Occupational Tax (B & O).

- **Dilapidated Building Removal Priority (Possible Action Requested)**

City Manager Stansberry and Building Code/Zoning Enforcement Officer Marty Lewis provided the council with a handout for Dilapidated Property Rating Sheet to determine the priority of council to get dilapidated buildings removed. The proposed city priority path for demolitions was: Owned by City (signed over by owner or via tax sale), Fire Damaged, Owner willing to pay for demo, Dilapidated Property Rating (highest to lowest) with exclusion for properties that owners are active on potential remedy (for sale, active building permit, appealed). The council added to the list of priority properties 303 South Main, 375 West Second Street, 208 Bennett, George Street Lot 423, 369 Edward Street, and 86 Henry Street. Building/Code/Zoning Enforcement Officer Marty Lewis will put these properties out for bid.

- **Riverfront Park Discussion**

City Manager Stansberry provided council with a diagram of the West Fork River Park Conceptual Plan for discussion. Mayor Kim Harrison-Edwards and City Manager Nate Stansberry got together to put an estimate with the increased cost of inflation to the design that Thrashers did for the city. City Manager Stansberry stated that under the estimated for construction does not include any engineering cost of \$849,000 and the grant was awarded for \$850,000. City Manager Stansberry felt that Mayor Harrison-Edwards and his thought process would be to use \$100,000 from the ARPA Funding to cover the up-front design cost for the project and keep the \$850,000 grant for construction.

City Manager Stansberry thought the corridor needs improvement with exposed utility pipes and drains going into the river. The need for someone to come in and study the river to determine what can be done before a design is made. Councilwoman Gump stated it is tough to pay that amount for just a prospective, planning and design. City Manager Stansberry talked about the study not only for the White-Water Park but to have someone come in and study the river down to Stonecoal Creek.

### **City Manager Update**

- **Request for Executive Session to Discuss City Manager work expectations, work schedule and duties of appointed employees.**

City Manager Stansberry requested to enter executive session to discuss personnel issues. Councilwoman Gump made a motion seconded by Councilwoman Rogers to **approve** to enter executive session at 8:20 p.m. **Motion carried.**

### **Adjournment**

Councilwoman Rogers made a motion seconded by Councilman Curtis to **adjourn** at 8:52 p.m. **Motion carried.**

### **Attest**

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Mayor, Kim Harrison-Edwards

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City Clerk, Judy Piercy

3/22/2023

The regular meeting of the Weston Central Neighborhood Watch was held at the Weston Volunteer Fire Dept. at 6:00 pm.

Dave Gosa led the Pledge of Allegiance

Members of the Neighborhood Watch brought food and Terri Walker said grace.

We had chili, soup, sloppy joes, cornbread, peanut butter sandwiches and a variety of yummy cookies.

Betty asked the group if they would like to change meeting places from LC Commission room to WVFD

Everyone agreed to change

Dates were then selected to hold the meetings

April 24, 2023

May 22, 2023

And the Picnic would be June 16, 2023 at Billy and Betty's house with all bringing a covered dish.

The meeting was Officially called to order by President Betty Brooks and the minutes of the last meeting were read

Billy Brooks made the motion to accept the minutes, Rod Wyman second them

Betty then introduced the officers present for the evening:

Officer Mike Clark and Officer Colon from the WVSP

Officer Mike Posey and Officer Kayla Wetsel, City Police

Dave Gosa LC Sheriff

Jimmy Suttle was present for the WVFD

Clara Atchison was there on behalf of the Senior Citizens

Betty asked for a moment of silence for all who passed from the last meeting of September 2022

Betty gave a run down on all calls she had received since the last meeting

\*\*Someone did a hit and run involving a telephone pole

\*\*needles and empty small plastic baggies found in Haleville

\*\*Stealing Bikes just to name a few

Betty then turned the meeting over to Sheriff Gosa He wanted to warn the public to make awareness of the many dangers. Gosa added there was a breaking and entering in Jane Lew where a person was pistol whipped, lots of drug activity on Willow & Heath Court and some foul activity at Broad Street Church.

Debbie Gump added St. Matthew and in the alley beside Church was filled with lots of trash and needles there as well.

Sheriff Gosa explained about WV Youth Leadership to be held at GSC, good program for youth similar to basic training would have many classes. Drug activity has cut back some joined forces with Elkins & Buchannon, issue prescription meds. Talked about a new hire Denny Cayton Criminal Case Analyst, 2 in the academy, and deputies are working in schools on days off.

The meeting was turned to Officer Clark and Officer Colon of the WVSP they addressed the homeless population and plainly said its not gonna get any better, nowhere to take them and not enough shelters they are coming from Shinston, migrating from trails.

In other news the had a lot of burglaries in the southern part of county and Braxton area.

Betty then turned the meeting over to City Police. Officer Posey says do not fill out a form for complaints he does not get them until much later the forms are fine for a burnt-out street light or a pothole but not for an emergency. Call the City or 911 They have had several break-ins. Also talked about house numbers and the importance so any officer will know where to go.

Debbie Gump wanted to compliment the Weston City detachment for responding to her call so quickly and solving the problems of a prowler.

Clara Atchison spoke to the group about Medicare fraud and Social Security Fraud. She also said none of these agencies would call unless you made a call to them. She also asked if you should leave your house outside lights on or off. Most of the officers said they really didn't think it mattered.

Next we had Keith Talbert to speak. He mentioned the Burn Notice and to be aware brush fires were bad now. Also the Non-emergency number was 304-269-8243 not 304-269-8241 it is administrative Offices.

Jimmy Suttle said anything we needed the Fire Dept. was always there to help  
Earl Bayless won the door prize

Those in attendance were: Betty Brooks, Billy Brooks, Earl Bayless, Jeanie Nicholson, Terri Walker, Kerrie Taylor, Wilma Brown, Dave Gump, Debbie Gump, Keith Talbert, Kayla Talbert, Rod Wyman, Sue Bush, Linda Bush, Sheriff Gosa, Clara Atchison, K. Wetzel, Mike Posey, Jimmy Suttle, Agnes Queen, Ray Smith, Mike Clark, Officer Colon, Bob Stultz, Nate Stansberry and daughter.

Billy Brooks made the motion to adjourn, Rod Wyman second it. Next meeting is April 24, 2023.

4/24/2023

The regular meeting of the Weston Central Neighborhood Watch was held at the Weston Volunteer Fire Dept. at 6:00 pm.

Due to other engagements our guest speakers, Crystal and James Lough started their program early while the members were getting their plates.

Members of the Neighborhood Watch brought food and Terri Walker said grace.

We had goulash, peanut butter sandwiches, pasta, bread and butter, meatballs, macaroni salad and apple pie.

Crystal gave a great talk about the uses of Narcan – narcotic that treats overdose of an opioid in an emergency situation, we also watched a brief film

Rod Wyman led the Pledge of Allegiance

The meeting was Officially called to order by President Betty Brooks and the minutes of the last meeting were read from the last meeting.

Betty asked the group if they were still happy meeting at WVFD

Everyone agreed it was a great change

Next meeting will be May 22, 2023

And the Picnic would be June 16, 2023 at Billy and Betty's house with all bringing a covered dish.

Billy Brooks made the motion to accept the minutes, Rod Wyman second them

Betty then introduced the officers present for the evening:

Officer Minney, Weston City Police

Dave Gosa LC Sheriff

Cory Ruppert was present for the WVFD

Keith Talbert for 911 & WVFD

Clara Atchison was there on behalf of the Senior Citizens

Betty gave a run down on all calls she had received since the last meeting

\*\*needles and empty small plastic baggies found in Haleville

\*\*people still doing drug deals in haleville and messing around in the cemetery

\*\*Stealing gasoline out of mowers - just to name a few concerns

Betty then turned the meeting over to Officer Minney, Weston City Police

Which didn't have much to say EXCEPT HOMELESS HAS BEEN REMOVED FROM GROUNDS UP BY WATER TOWER.



The meeting was then turned over to Sheriff Gosa He wanted to warn the public to make awareness of the many dangers. Gosa added there was a Domestic in Jane Lew, some foul activity at Broad Street Church and a truck driver ran over a man at the southbound rest area.

On a good note, he said two officers will graduate the police academy soon.

The meeting was turned to Keith Talbert he addressed using Narcan and the 2 things that will follow they will throw up and sometimes they will be mad because you took their high away, so he advised to take a couple steps back after administering it.

He also stated the burn ban was lifted however no burning from 7am-5pm.

The mayor asked about the computer software/ CADS program he responded it was about the same.

There will be broadband info meeting at the senior center 4/25/2023

Reminded the group nonemergency **304-269-8243** not 304-269-8241

In other news Agnes Queen spoke on the jail bill rising due to the number of inmates.

Then spoke on the filming of the "Great Bank Robbery that Formed WV, the producers will use several locations in our county to shoot footage. Tryouts for the film would be held 5/20/2023 from 12-3 at the senior citizens.

Betty then turned the meeting over to L.J. McCue, magistrate, which talked about how busy his office has been. Arrests are on the rise however, his office is trying to use day report, home confinement, bonds and whatever means they can use to try to help them help their selves.

Terri Walker spoke on behalf of the food box on fourth street without a good response, it seems for various reasons most were opposed to feeding the addicts or homeless from this location.

Betty then spoke to the group about the ground breaking of the 911 center, William F. "Bill" Rowan Emergency Operation Center and how wonderful it was going to be.

Cory Ruppert did not have any Fire Dept. news

Shirley Haley won the door prize – next meeting beans/cornbread

Those in attendance were: Betty Brooks, Billy Brooks, Earl Bayless, Jeanie Nicholson, Terri Walker, Kerrie Taylor, Sharon Williams, Wilma Brown, Dorma Oliver, Dave Gump, Debbie Gump, Keith Talbert, Kayla Talbert, Rod Wyman, Judy Piercy, Sheriff Gosa, Clara Atchison, Cory Ruppert, Officer Minney, Agnes Queen, Ray Smith, James and Crystal Lough, Kim Harrison, Gene Edwards, Shirley Haley, Evelyn Rogers, LJ and Cindy McCue and Steve Weaver.

Rod Wyman made the motion to adjourn, Gene Edwards second it. Next meeting is May 22, 2023.

9/7/2022

The regular meeting of the Weston Central Neighborhood Watch was held in the Lewis County Commission Court Room at 6:02 pm.

The meeting was called to order by President Betty Brooks

Rod Wyman led the Pledge of Allegiance then paused for a moment of silence

Dave Gump wanted to speak 1<sup>st</sup> due to the fact he had to leave. He talked about finding Fentanyl and meth on the ground and not to pick it up. It comes in folded dollars, balloons, bottles and coolers. He wanted to warn the public and to make them aware of the many dangers. Gosa added he would like to start up DARE program again in the elementary schools.

The meeting was turned back to Betty at 6:18.

Betty read the minutes of the last meeting

Billy Brooks made the motion to accept the minutes, Gene Edwards second it.

Betty brought up the picnic and considering the weather we were all happy with the turn out.

Betty also explained the importance of Neighborhood watch and the responsibilities that could be needed from its members in case of emergencies.

Betty gave a run down on all calls she had received since the last meeting

\*\*People in Black hoodies gathering at 1<sup>st</sup> and Main Streets

\*\*Unfamiliar person prowling in Haleville

\*\*Stealing Bikes

Betty then turned the meeting over to Mayor Edwards she explained how important the meeting on September 13<sup>th</sup> was going to be. It's about a comprehensive plan for the City of Weston

Everyone is invited to come and talk about what they would like to see happen in Weston.

She also told Betty she would see some City Officials in the woods in Haleville.

Next we had Keith Talbert to speak on Mass Notification and CADS. Not much change both is doing great. He also mentioned the gun bash October 8, and that they had more tickets. The group also made mention of H&M "s Trunk or Treat October 29<sup>th</sup> 6-8 and trick or treat October 31 6-7.

Meeting sent to Gosa which didn't have a lot to say Little concerned about the playground at Polk creek, a domestic at Vadis, sand trucks speeding at Jane Lew. Talked about the Amendment HR2 and how if passed it would mean about a 30% cutback for schools and county government.

There is also an active shooter training in Upshur co. he would like to have one in Lewis. Closing comments be aware! Of all surroundings all the time.

For new business Betty wanted everyone to mark their calender for the Alum Bridge soup and sandwich  
October 10, 2022

Christmas Gift exchange December 12, 2022, Alum Bridge \$10 gift covered dish

Gene Edwards won the door prize

Those in attendance were: Betty Brooks, Billy Brooks, Terri Walker, dave Gump, Kim Harrison Edwards,  
Gene Edwards, Shirley Haley, Keith Talbert, Rod Wyman, John Clise, Becca Rich, Sue Bush, Linda Bush  
and Sheriff Gosa

Billy Brooks made the motion to adjourn, Gene Edwards second it. Next meeting in March, 2023.

**LEWIS / GILMER SOLID WASTE AUTHORITY**

PO Box 523, Weston, WV 26452

Jane Lew Park Building, Jane Lew, WV

4/19/2023 -- AGENDA

CALL TO ORDER: call to order by Chairman, with the Pledge of Allegiance & a moment of silence

ROLL CALL:

STAFF:

GUESTS:

MINUTES / CORRESPONDENCE:

FINANCIAL / CD REPORTS:

OLD BUSINESS:

Audit: Tom Stark is working with the auditor's office for the next 3 years of audits

Environmental Science Club:

Glenville State Recycling Program:

Replacement Board Members: LC Commission – GC Commission (to replace Mr. Lawson) – PSC – DEP – contacted Kayla Walsh again by email – she will attend if possible

Somerville Store Recycling bin location: reminder to meet at Somerville Store end of April first of May to look at the location & speak with the property owner -planning size of area needed

Transfer Station: tabled per JP Phillips – no funding available

Weston bin site & signage:

Multi-Function Recycling Location:

WV Bad Building Program:

Containers at Various bin sites:

DEP Bad Building Funds:

No Match Grants:

Weston – West Fork River Cleanup:

NEW BUSINESS:

TRI – New GM – John Miller – [j.miller@tyrezresources.com](mailto:j.miller@tyrezresources.com) - 304-269-0091 (Lisa at TRI)

Mr. Miller would like to attend future meetings

NEXT MEETING: 07/19/2023 – Glenville Fire Dept – 6:30 PM

MEETING SCHEDULE: 7/19/2023 / Gilmer County – 10/18/2023 / Lewis County

ADDITIONAL BUSINESS:

MOTION TO ADJOURN:

**LEWIS / GILMER SOLID WASTE AUTHORITY**

PO Box 523, Weston, WV 26452

Jane Lew Park Building, Jane Lew, WV

4/19/2023 -- AGENDA

CALL TO ORDER: call to order by Chairman, with the Pledge of Allegiance & a moment of silence

ROLL CALL:

STAFF:

GUESTS:

MINUTES / CORRESPONDENCE:

FINANCIAL / CD REPORTS:

OLD BUSINESS:

Audit: Tom Stark is working with the auditor's office for the next 3 years of audits

Environmental Science Club:

Glenville State Recycling Program:

Replacement Board Members: LC Commission – GC Commission (to replace Mr. Lawson) – PSC – DEP – contacted Kayla Walsh again by email – she will attend if possible

Somerville Store Recycling bin location: reminder to meet at Somerville Store end of April first of May to look at the location & speak with the property owner -planning size of area needed

Transfer Station: tabled per JP Phillips – no funding available

Weston bin site & signage:

Multi-Function Recycling Location:

WV Bad Building Program:

Containers at Various bin sites:

DEP Bad Building Funds:

No Match Grants:

Weston – West Fork River Cleanup:

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NEXT MEETING: 07/19/2023 – Glenville Fire Dept – 6:30 PM

MEETING SCHEDULE: 7/19/2023 / Gilmer County – 10/18/2023 / Lewis County

ADDITIONAL BUSINESS:

MOTION TO ADJOURN:



**LEWIS / GILMER SOLID WASTE AUTHORITY**

PO Box 523

Weston, WV 26452

01/18/2023

Glenville VFD – Glenville, WV

Minutes

**CALL TO ORDER:** call to order by Chairman, Johnie Heater at 6:30 PM with the Pledge of Allegiance & a moment of silence

**ROLL CALL:** Johnie Heater – Rick Gould – Martin Hess – Nate Stansberry

**STAFF:** Tom Stark – Betsy Peeples

**GUESTS:** Debbie Stark

**MINUTES / CORRESPONDENCE:** motion to accept minutes as presented by Martin Hess – second by Nate Stansberry

**FINANCIAL / CD REPORTS:** motion to accept financial reports as presented by Nate Stansberry – seconded by Martin Hess

**OLD BUSINESS:**

Audit: 2019 audit is complete – Board will be emailed a copy for their review – Tom Stark is working with the auditor's office for the next 3 years of audits

Environmental Science Club: No report

Glenville State Recycling Program: No report

Replacement Board Members: LC Commission – GC Commission (to replace Mr. Lawson) – PSC – DEP – contact Kayla Walsh again by email and/or phone

Somerville Store Recycling bin location: reminder to meet at Somerville Store end of April first of May to look at the location & speak with the property owner -planning size of area needed

Transfer Station: tabled per JP Phillips – no funding available

Weston bin site & signage: motion by Nate Stansberry – seconded by Martin Hess to purchase sign for Weston bin site \$475.00 – JM Graphix

Multi-Function Recycling Location: Nate Stansberry reported that progress is slow

WV Bad Building Program: Nate Stansberry reported the first structure will be demolished in the next few months – Weston is looking into forgiving property owner's fees if they will sign over the property to the City

Containers at Various bin sites: No report if all repairs are completed

- DEP Bad Building Funds: City of Weston obtain funds in the amount of \$300,000

**NEW BUSINESS:**

No Match Grants: Nate Stansberry suggested to watch for no-match grants – he will advise if he finds any & assist when possible in writing

Weston West Fork cleanup – Nate Stansberry advised Weston is planning a cleanup along the West Fork river – discussed Day Report Workers – provided him info to contact Cheyenne Troxell

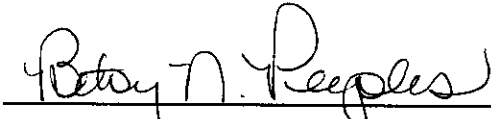
**NEXT MEETING**: April 19, 2023 – Jane Lew Park Building (pending availability) 6:30 pm

**MEETING SCHEDULE**: 7/19/2023 / Gilmer County – 10/18/2023 / Lewis County

**ADDITIONAL BUSINESS:**

**MOTION TO ADJOURN**: motion to adjourn by Martin Hess – seconded by Nate Stansberry – adjourn at 7:35 PM

\_\_\_\_\_  
Johnie Heater, Chairman

  
\_\_\_\_\_  
Betsy N Peoples, secretary

**Lewis/Gilmer County Solid Waste Authority  
Fund Balance Sheet  
April 19, 2023**

**ASSETS**

Cash	\$28,132
Cash Certificate of Deposits	\$43,524
Accounts Receivable	\$11,223
Prepaid Insurance	\$645
	-----
Total Assets	\$83,524
	=====

**LIABILITIES AND FUND BALANCE**

**Liabilities**

Accounts Payable	\$1,118
------------------	---------

**Fund Balance**

Nonspendable: Prepaid Insurance	\$645	
Unassigned	\$81,761	
	-----	
		\$82,406
		-----
Total Liabilities and Fund Balance		\$83,524
		=====

For Management Purposes Only

**Lewis/Gilmer County Solid Waste Authority  
Statement of Revenues, Expenditures and  
Changes In Fund Balance  
April 19, 2023**

**Revenues**

Assessment Fees State	\$42,922.11
Interest Income	\$10.48
Assessment Fees Local	\$425.00
Miscellaneous	\$0.00

**\$43,357.59**

**Expenditures**

Contract Labor	\$0.00
Wages	\$30,825.00
Taxes	\$2,254.65
Supplies	\$675.95
Insurance	\$0.00
Capital Expenditures	\$0.00
Office Expense / Postage	\$74.00
Professional Fees	\$0.00
Repairs	\$0.00
Recycling and Education Support	\$0.00
Advertising	\$640.00
Miscellaneous	\$0.00
Travel Expense	\$7,756.99
Meals	\$0.00

**\$42,226.59**

(Deficiency) of revenues (under) expenditures

**\$1,131.00**

Fund Balance Beginning of Year

**\$81,275.00**

Fund Balance at End of Year

**\$82,406.00**

For Management Purposes Only

WESTON SANITARY BOARD  
702 N. MAIN AVENUE  
WESTON, WV 26452 (304)269-1300

MONTHLY REPORT

May 1, 2023

**PROJECT UPDATES**

PHASE I PROJECT

- Synagro has finished this Sludge Removal Project. We are awaiting the closeout documents so we can issue them their final payment.

AML PROJECT

- A letter was received from AML Division of the DEP regarding the grant application for this project. No funds are available at this time for this project.

JACKSONS MILL PROJECT

- Construction on the project should be complete in May 2023.

PHASE II PROJECT

- The preliminary engineering report as well as the rest of the submittal documents are scheduled to be submitted to the IJDC on May 10<sup>th</sup>.

STONEWALL JACKSON SEWAGE COLLECTION PROJECT

- No additional news on this project

CORRIDOR H SEWER EXTENSION PROJECT

- No additional news on this project

## PLANT

- Verbal and written updates to DEP on Station 7
- Meetings with contractors and vendors regarding Station 7
- Meetings with Board, Council, Engineering regarding Phase II and Station 7 Projects
- Monthly Required State Reports Submitted
- Weekly UV and Filter Cleaning & Maintenance
- Cleaning and Maintenance on screens, buildings, filter membranes, UV, chlorine building and garages.
- Lab Sample deliveries 4 days a week

## COLLECTION

- Extensive work around Shriner Building/Shop N Sav Area
- Line Repair Winter Avenue
- Line Repair Jackson Street/Rt. 19
- Clean Line at Long John Silvers/Behind CD Cole's to Grease Pit Station
- Line Repair 245 West Second
- Miss Utility Mark-outs
- Working with Region 7, DEP, Engineering, to get Critical Needs Funding for Station 7

## PUMPS

- Pulled Pumps: Weston Manor, Hickory House, Jackson Mill, Dansers, Kincheloe, Freemans Creek
- Spray Weed Killer at all stations
- Worked with Cummins on all Generators
- Worked on SCADA at Jackson Mill and Hickory House
- Working with contractors and City Manager on Estimates for Station 7 Repair/Replace
- Re-fueling Bypass pumps 7days a week

## JET CALLS

☰ 8 Jet Calls 5- Main 3-Laterals

## **DIRECTOR/OFFICE**

- ☐ Rule 42 Completed
- ☐ Rate Analysis Completed
- ☐ IJDC Funding Application for Phase II to be submitted May 10
- ☐ Meeting with Board and Council, PSC and Accountant regarding Rule 42 and Rate Analysis
- ☐ Meeting with Board, Tracey, Nate regarding DEP violation and response
- ☐ Submitted 56 Water Terminations so far in April. An additional 35 ready to submit
- ☐ Mailed over 3100 customer Bills to Residents in April
- ☐ Mailed out over 900 Past Due/Termination Letters to Customers
- ☐ Working with Region 7 on funding through Critical Needs for Station 7 Emergency Expenses
- ☐ Ongoing Discussions/Meetings with Potesta regarding Phase II Sludge Removal Project
- ☐ Discussions with WVU and Engineering firm regarding new water and sewer lines
- ☐ Multiple Past Due Phone Calls and Follow-Up Calls made
- ☐ Negotiating with customers for Deferred Payment Arrangements
- ☐ Weekly Department Head Meetings with City Manager
- ☐ Monthly Adjustments
- ☐ Accounts Payable
- ☐ Payroll Reports
- ☐ Daily/Monthly Reports
- ☐ PEIA Maintenance and Billing
- ☐ PERS Reporting/Billing
- ☐ Daily/Weekly conversations with Engineers/Special Council regarding project
- ☐ Working with customers to obtain assistance from Mountaineer Rental for past due WSB Bills
- ☐ Taking calls for Plant to help alleviate extra work for guys at plant

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Dee Evans, Director





**Main Bank**  
 P.O. Box 310 • Weston, WV 26452  
 Mon. - Thurs. 8:30-3:00, Fri. 8:30-5:30  
 (304) 269-2862

**Jane Lew Branch**  
 Mon.-Fri. 8:30-5:30  
 Sat. 8:30-12:00 Noon  
 (304) 884-7825



CITY OF WESTON  
 (TITLED: 73 AMERICAN RESCUE PLAN)  
 102 W. SECOND STREET  
 WESTON WV 26452



Member  
**FDIC**

**FINANCIAL SERVICES STATEMENT**

Statement Date: 03/31/2023

Account No: 46493 Page: 1

**CHECKING ACCOUNT SUMMARY**

Type: REG Status: Active

Category	Number	Amount
Balance Forward From 02/28/23		705,578.42
Debits		0.00
Ending Balance On 03/31/23		705,578.42
Average Balance (Ledger)	705,578.42+	

**DAILY BALANCE SUMMARY**

Beginning Ledger Balance on 02/28/23 was 705,578.42

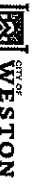
Date	Balance	Date	Balance
03/31/23	705,578.42		

**This Statement Cycle Reflects 31 Days**

**DUE TO RECENT PHONE CALLS IN OUR AREA, CITIZENS BANK WOULD LIKE TO REMIND OUR CUSTOMERS THAT WE DO NOT REQUEST ANY PERSONAL INFORMATION VIA PHONE, TEXT, EMAIL OR INTERNET WEBSITE. PLEASE PROTECT YOURSELF FROM IDENTITY THEFT.**

End Statement 1/248/1E





4/1/23 - 4/26/23

**City of Weston  
Gross Revenue by Source, Month-to-Month Comparison  
Fiscal Year 2023**

	Jan-23	Feb-23	Mar-23	Apr-23	May-23	Jun-23	YTD Total
<b>Total Gross Revenue</b>	<b>\$ 297,267.44</b>	<b>\$ 185,933.56</b>	<b>\$ 195,143.32</b>	<b>\$ 198,706.80</b>	<b>\$ 99,709.30</b>	<b>\$ 36,566.80</b>	<b>\$ 1,468,469.48</b>
Municipal Fees	\$ 8,180.62	\$ 12,285.00	\$ 8,000.50	\$ 9,813.04			\$ 290,089.32
B&O	\$ 76,561.92	\$ 70,769.95	\$ 5,977.45	\$ 49,272.87			\$ 561,856.64
Business License	\$ 341.25	\$ 603.38	\$ 284.61	\$ 215.00			\$ 13,280.14
Permits	\$ 705.00	\$ 784.50	\$ 920.00	\$ 1,830.00			\$ 7,948.00
Excise Tax	\$ 37,170.75	\$ 14,211.71	\$ 13,668.34	\$ 11,877.68			\$ 148,263.16
Reimbursement	\$ 711.10	\$ 2,351.89	\$ 261.40	\$ 993.60			\$ 49,662.68
Franchise Tax	\$ 2,686.65	\$ 3,132.71	\$ 2,828.33	\$ 3,042.85			\$ 27,100.43
Property Tax	\$ 14,394.76	\$ 7,490.58	\$ 48,569.11	\$ 32,357.41			\$ 342,442.67
Police	\$ 934.00	\$ 1,991.00	\$ 2,936.00	\$ 498.00			\$ 12,123.62
Animal Tax	\$ -	\$ 2.70	\$ 13.50	\$ 8.10			\$ 585.82
Paid Parking	\$ 140.00	\$ 70.00	\$ -	\$ 140.00			\$ 1,690.00
Money from Jerry Stout	\$ -	\$ -	\$ 273.00	\$ -			\$ 642.00
Donation	\$ 150.00	\$ -	\$ -	\$ -			\$ 968.00
Property Registration	\$ 194.00	\$ 3,300.00	\$ 1,350.00	\$ 848.00			\$ 11,817.00
<b>Total Gross Revenue</b>	<b>\$ 142,170.05</b>	<b>\$ 116,993.42</b>	<b>\$ 85,082.24</b>	<b>\$ 110,896.55</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 1,468,469.48</b>

\*These are updated numbers as of 4/27/2023.  
\$1725.00 was brought in through Hometown Heroes banners in April  
\$0.00 was brought in for the Weston Entry Billboard in April

*Western, the Cradle of West Virginia*

102 W. Second Street  
Weston, WV 26452

P 304.269.6141  
F 304.269.7842

Kim Harrison  
Mayor

4/1/23 - 4/26/23

CITY OF WESTON  
Profit Loss  
July 2022 through Part of April 2023

City of Weston  
Expense Report  
07/01/2022-4/27/2023

409.000 · MAYOR'S OFFICE	
409.103 · MAYOR'S OFFICE OFFICIALS SALARIE	4,500.00
409.104 · MAYOR'S OFFICE PAYROLL TAXES	344.25
Total 409.000 · MAYOR'S OFFICE	<u>4,844.25</u>
410.00 · CITY COUNCIL	
410.103 · CITY COUNCIL OFFICIAL'S SALARIES	7,200.00
410.104 · CITY COUNCIL PAYROLL TAXES	550.80
410.341 · CITY COUNCIL MATERIALS & SUPPLY	50.00
410.568 · CITY COUNCIL CONTRIBUTIONS	500.00
Total 410.00 · CITY COUNCIL	<u>8,300.80</u>
412.000 · CITY MANAGER	
412.103 · CITY MANAGER WAGES	49,199.04
412.104 · CITY MANAGER-PAYROLL TAXES	3,684.50
412.221 · CITY MANAGER TRAINING AND ED	300.00
412.341 · CITY MANAGER'S SUPPLIES & MATER	602.53
Total 412.000 · CITY MANAGER	<u>53,786.07</u>
413.237 · TREASURER'S FEES AND TAXES	-178.00
414.000 · FINANCE OFFICE	
414.103 · FINANCE OFFICE WAGES	82,662.05
414.104 · FINANCE DEPT PAYROLL TAXES	6,206.17
414.214 · FINANCE DEPT TRAVEL	30.00
414.218 · FINANCE DEPT / POSTAGE	1,243.01
414.220 · FINANCE LEGAL FEES AND ADVICE	55.00
414.221 · FINANCE DEPT / TRAINING AND ED.	300.00
414.223 · FINANCE DEPT. PROF. SERVICES	17,889.50
414.224 · FINANCE DEPT. AUDIT SERVICES	22,896.00
414.230 · FINANCE DEPT CONTRACT SERV	13,581.96
414.237 · FINANCE OTHER FEES & TAXES	850.99
414.341 · FINANCE DEPT / SUPPLIES	273.86
Total 414.000 · FINANCE OFFICE	<u>145,988.54</u>
415.000 · CITY CLERK'S OFFICE	
415.103 · CITY CLERK'S OFFICE - WAGES	33,907.55
415.104 · CITY CLERK'S OFFICE-PAYROLL TAX	2,547.78
415.106 · CITY CLERK'S OFFICE-RETIREMENT	0.00
415.218 · CITY CLERK'S POSTAGE	600.00
415.221 · CITY CLERK'S TRAINING & ED	300.00
415.222 · CITY CLERK'S DUES & SUBSCRIPTIO	32.08
415.341 · CITY CLERKS SUPPLIES & MATERIAL	471.49
Total 415.000 · CITY CLERK'S OFFICE	<u>37,858.90</u>
416.000 · POLICE JUDGE'S OFFICE	

**CITY OF WESTON**

**Profit Loss**

July 2022 through Part of April 2023  
City of Weston

416.103 · POLICE JUDGE'S OFFICAL'S SALARY	5,850.00
416.104 · POLICE JUDGE'S PAYROLL TAX	447.57
416.221 · POLICE JUDGE'S TRAINING & ED	150.00
<b>Total 416.000 · POLICE JUDGE'S OFFICE</b>	<b>6,447.57</b>
<b>417.000 · CITY ATTORNEY'S OFFICE</b>	
417.103 · CITY ATTORNEY SALARIES & WAGES	30,227.09
417.104 · CITY ATTORNEY PAYROLL TAXES	2,312.27
417.220 · CITY ATTORNEY LEGAL FEES ADVICE	525.00
417.221 · ATTORNEY TRAINING FEES	300.00
417.222 · CITY ATTORNEY DUES AND SUBSCRIP	1,176.00
417.223 · CITY ATTORNEY PROFESSION SERVIC	10,526.66
417.341 · CITY ATTORNEY / SUPPLIES	1,432.99
<b>Total 417.000 · CITY ATTORNEY'S OFFICE</b>	<b>46,500.01</b>
<b>435.000 · REGIONAL DEVELOPMENT AUTHORITY</b>	
435.222 · REGIONAL DEV AUTHORITY-DUES&SUB	4,545.00
<b>Total 435.000 · REGIONAL DEVELOPMENT AUTHORITY</b>	<b>4,545.00</b>
<b>436.000 · BUILDING AND CODE</b>	
436.103 · CODE ENFORCEMENT WAGES	30,120.45
436.104 · CODE ENFORCEMENT-PAYROLL TAX	2,260.58
436.214 · CODE ENFORCEMNT TRAVEL	157.46
436.217 · CODE ENFORMENT VEHICLE MAINT	73.22
436.220 · CODE ENFORCEMENT LEGAL ADS	4,986.53
436.221 · CODE ENFORCEMENT TRAINING & ED	665.46
436.222 · CODE ENFORCEMENT / DUES & SUB	175.00
436.230 · CODE ENFORCEMEMENT CONTRACT SVC	
436.600 · CODE ENFORCEMENT TREE REMOVAL	13,350.00
436.601 · CODE ENFORCEMENT DEMOLITION SER	2,955.00
436.230 · CODE ENFORCEMEMENT CONTRACT SVC - Other	12,552.00
<b>Total 436.230 · CODE ENFORCEMEMENT CONTRACT SVC</b>	<b>28,857.00</b>
436.341 · CODE ENFORCEMENT SUPPLIES	395.56
436.343 · CODE ENFORCEMENT FUEL	687.67
436.345 · CODE ENFORCEMENT / UNIFORMS	71.99
<b>Total 436.000 · BUILDING AND CODE</b>	<b>68,450.92</b>
<b>437.000 · CITY HALL PLANNING AND ZONING</b>	
437.223 · PLAN & ZONE - PROF SERV	11.74
<b>Total 437.000 · CITY HALL PLANNING AND ZONING</b>	<b>11.74</b>
<b>440.000 · CITY HALL</b>	
440.105 · CITY HALL CONTRIBUTION INSURANC	125,295.80
440.106 · CITY HALL / CPRB CONTRIBUTIONS	76,691.51
440.109 · CITY HALL EYE AND DENTAL INSUR	4,221.28
440.112 · CITY HALL WORKERS COMP	78,999.90
440.113 · CITY HALL / EYE & DENTAL INS	5,527.14
440.114 · COMMERCIAL LIABILITY INS	213.16

CITY OF WESTON

Profit Loss

July 2022 through Part of April 2023  
City of Weston

440.115 · CITY HALL / COLONIAL INS	3,167.44
440.116 · CITY HALL / WVML UNEMPLOYMENT	6,583.53
440.211 · CITY HALL TELEPHONE	4,280.07
440.212 · CITY HALL WIRELESS PHONE	233.97
440.213 · CITY HALL UTILITIES	
440.250 · CITY HALL GAS UTILITY	2,680.14
440.251 · CITY HALL WATER	1,058.13
440.253 · CITY HALL ELECTRIC	4,221.91
Total 440.213 · CITY HALL UTILITIES	<u>7,960.18</u>
440.215 · CITY HALL M & R BLDGS & GROUNDS	6,919.78
440.218 · CITY HALL POSTAGE	763.38
440.220 · CITY HALL - ADVERTISING	2,924.04
440.221 · CITY HALL TRAINING / TUITION	841.94
440.222 · CITY HALL DUES & SUBS	2,483.87
440.223 · CITY HALL-CONTRACTED SERVICES	209.56
440.226 · CITY HALL INSURANCE LIABILITY	1,500.00
440.229 · CITY HALL COMPUTER SER & SOFTWA	38,705.76
440.230 · CITY HALL CONTRACTED SERVICES	5,916.76
440.232 · CITY HALL BANK CHARGES	5,071.25
440.236 · CITY H ALL PROPERTY TAXES	889.55
440.252 · CITY HALL SANITARY SEWAGE	357.47
440.341 · CITY HALL SUPPLIES & MATERIALS	5,978.54
440.457 · CIT HALL CAPITAL OUTLAY BUILDIN	3,600.00
Total 440.000 · CITY HALL	<u>389,335.88</u>
700.000 · POLICE DEPARTMENT	
700.103 · POLICE SALARIES & WAGES	229,133.75
700.104 · POLICE PAYROLL TAXES	11,848.42
700.210 · POLICE MEDICAL WELLNESS BILLS	209.00
700.211 · POLICE TELEPHONE	5,331.64
700.214 · POLICE TRAVEL	48.59
700.216 · POLICE M & R EQUIPMENT	1,448.22
700.217 · POLICE M & R AUTOS/TRUCKS	13,570.43
700.218 · POLICE POSTAGE	23.55
700.220 · POLICE - ADVERTISING	330.00
700.221 · POLICE TRAINING & EDUCATION	170.60
700.223 · POLICE PROFESSIONAL SERVICES	126.53
700.229 · POLICE COURT COST & DAMAGES	50.00
700.230 · POLICE CONTRACTED SERVICES	1,270.00
700.323 · POLICE / COMPUTER SOFTWARE	2,500.00
700.341 · POLICE SUPPLIES & MATERIALS	2,693.08
700.343 · POLICE FUEL, OIL & TIRES	10,601.52
700.345 · POLICE UNIFORMS	3,145.08
700.350 · POLICE - K-9 EXPENSES	14,500.00

**CITY OF WESTON**  
**Profit Loss**  
 July 2022 through Part of April 2023  
City of Weston

700.459 · POLICE CAPITAL OUTLAY	10,980.56
<b>Total 700.000 · POLICE DEPARTMENT</b>	<b>307,980.97</b>
<b>706.000 · FIRE DEPARTMENT</b>	
706.103 · FIRE DEPT SALARIES & WAGES	154,975.18
706.104 · FIRE DEPT PAYROLL TAXES	5,765.61
706.114 · FIRE DEPARTMENT VFD INSURANCE	25,548.02
706.211 · FIRE DEPT TELEPHONE	2,726.98
706.213 · FIRE DEPT UTILITIES ELECTRIC	4,717.41
706.215 · FIRE DEPT / BUILDING MAINT.	6.88
706.216 · FIRE DEPT EQUIP MAINT	3,154.39
706.217 · FD VEHICLE MAINTENANCE	1,585.48
706.223 · F D PROFESSIONAL SERVICES	1,418.00
706.250 · FIRE DEPT GAS UTILITY	4,699.83
706.251 · FIRE DEPT WATER	729.75
706.252 · FIRE DEPT SANITARY SEWAGE	401.47
706.341 · FD MATERIAL & SUPPLIES	52.93
706.343 · FIRE DEPT GAS & OIL	4,164.22
706.345 · FIRE DEPT UNIFORMS	57.59
706.458 · FD CAPITAL OUTLAY OTHER IMP	28,862.97
706.459 · FD CAPITAL OUTLAY AUTO/EQUIP	47,024.65
706.602 · FD Fireworks Entertainment/Rec.	5,000.00
<b>Total 706.000 · FIRE DEPARTMENT</b>	<b>290,891.36</b>
<b>711.000 · COMM. CNTR/CNTRL DISPATCH</b>	
711.230 · COMM. CENTER 911 CONTRACTED SER	33,000.00
<b>Total 711.000 · COMM. CNTR/CNTRL DISPATCH</b>	<b>33,000.00</b>
<b>715.000 · FIRE HYDRANTS</b>	
715.251 · FIRE HYDRANT WATER UTILITY	5,075.59
<b>Total 715.000 · FIRE HYDRANTS</b>	<b>5,075.59</b>
<b>750.000 · STREET DEPARTMENT</b>	
750.103 · STREETS & HWY SALARIES & WAGES	200,897.53
750.104 · STREETS & HWY PAYROLL TAX	15,014.88
750.213 · STREETS & HWY UTILITIES	
750.250 · STREET DEPT GAS UTILITY	8,809.17
750.251 · STREET DEPT WATER	689.48
750.252 · STREET DEPT SANITARY SEWAGE	415.91
750.253 · STREET DEPT / ELECTRIC	1,937.99
<b>Total 750.213 · STREETS &amp; HWY UTILITIES</b>	<b>11,852.55</b>
750.214 · STREET DEPT TRAVEL	1,317.81
750.215 · STREETS & HWY BLDG & GROUNDS	2,330.97
750.216 · STREETS & HWY M & R EQUIPMENT	12,715.37
750.217 · STREETS & HWY M & R AUTOS & TRU	16,307.03
750.219 · STREETS & HWY BLDG & EQUIP RENT	4,745.75
750.220 · STREETS & HWY ADV/LEGAL	150.00

**CITY OF WESTON**

**Profit Loss**

July 2022 through Part of April 2023  
City of Weston

750.223 · STREETS & HWY PROFESSIONAL FEES	1,032.73
750.226 · STREETS & HWY INSURANCE & BOND	250.00
750.230 · STREETS & HWY CONTRACTED SERVIC	
750.231 · STREETS & HWY TREE REMOVAL	1,765.00
750.232 · STREET DEPT CHRISTMAS LIGHTS	2,201.68
750.230 · STREETS & HWY CONTRACTED SERVIC - Other	3,534.67
<b>Total 750.230 · STREETS &amp; HWY CONTRACTED SERVIC</b>	<b>7,501.35</b>
750.341 · STREETS & HWY SUPPLIES & MAT	
750.600 · STREET DEPT HOT MIX ASPHALT	18,891.25
750.601 · STREET DEPT STONE	3,712.27
750.615 · STREET DEPT DISPOSAL	36.67
750.620 · STREET DEPT STREET SIGNS	382.90
750.341 · STREETS & HWY SUPPLIES & MAT - Other	3,145.43
<b>Total 750.341 · STREETS &amp; HWY SUPPLIES &amp; MAT</b>	<b>26,168.52</b>
750.343 · STREETS & HWY FUEL, OIL & TIRES	15,292.86
750.345 · STREET DEPT UNIFORMS	1,394.84
750.457 · CAPITAL OUTLAY-BUILDINGS	2,123.54
750.459 · STREETS & HWY CAPITAL OUTLAY	25,649.12
<b>Total 750.000 · STREET DEPARTMENT</b>	<b>344,744.85</b>
751.000 · STREET LIGHTS	
751.213 · STREET LIGHTS UTILITIES	54,515.05
751.216 · STREET LIGHTS MAINTENANCE/UPDAT	1,479.00
<b>Total 751.000 · STREET LIGHTS</b>	<b>55,994.05</b>
752.000 · SIGNS AND SIGNALS	
752.213 · SIGNS & SIGNALS UTILITIES	2,243.93
752.341 · SIGNS & SIGNALS SUPPLIES & MAT	839.34
<b>Total 752.000 · SIGNS AND SIGNALS</b>	<b>3,083.27</b>
753.000 · STREETS SNOW REMOVAL	
753.341 · SNOW REMOVAL SUPPLIES	5,514.59
<b>Total 753.000 · STREETS SNOW REMOVAL</b>	<b>5,514.59</b>
755.000 · STREET CONSTRUCTION	
755.230 · Street Const-Contracted Svcs	306,187.74
755.341 · STREET CONST. SUPPLIES	3,045.60
<b>Total 755.000 · STREET CONSTRUCTION</b>	<b>309,233.34</b>
756.000 · STREET CLEANING	
756.230 · ST. CLEANING CONTRACT SVCS	10,450.00
756.341 · ST. CLEANING SUPPLIES	199.56
<b>Total 756.000 · STREET CLEANING</b>	<b>10,649.56</b>
<b>Total Expens 757.000 · SIDEWALKS</b>	
757.341 · SIDEWALKS / SUPPLIES	4,678.98
<b>Total 757.000 · SIDEWALKS</b>	<b>4,678.98</b>
805.000 · STORMSEWER	
805.341 · STORM SEWER / SUPPLIES	23,332.08



**CITY OF WESTON**

**Profit Loss**

July 2022 through Part of April 2023  
City of Weston

805.459 · STORM SEWER / EQUIP. CAPITAL	25,000.00
805.000 · STORMSEWER - Other	81.60
<b>Total 805.000 · STORMSEWER</b>	<b>48,413.68</b>
900 · .219 BUILDING/ ICE SKATING RINK	42.89
900.000 · Parks and Recreation	
900.230 · RECREATION CONTRACTED SERVICES	
900.630 · RECREATION MOWING SERVICES	4,850.00
900.230 · RECREATION CONTRACTED SERVICES - Other	520.00
<b>Total 900.230 · RECREATION CONTRACTED SERVICES</b>	<b>5,370.00</b>
900.341 · RECREATION SUPPLIES	470.32
900.000 · Parks and Recreation - Other	6,744.00
<b>Total 900.000 · Parks and Recreation</b>	<b>12,584.32</b>
911.000 · HISTORIC LANDMARKS COMMISSION	
911.230 · HISTORICAL COMM. CON. SERVICES	3,000.00
911.000 · HISTORIC LANDMARKS COMMISSION - Other	19.50
<b>Total 911.000 · HISTORIC LANDMARKS COMMISSION</b>	<b>3,019.50</b>
950.000 · BEAUTIFICATION	
950.341 · BEAUTIFICATION-SUPPLIES	4,561.99
<b>Total 950.000 · BEAUTIFICATION</b>	<b>4,561.99</b>
952.000 · CEMETERIES	
952.103 · CEMETARY / SALARIES	1,800.00
952.104 · CEMETARY / PAYROLL TAXES	137.70
952.230 · CEMETERIES CONTRACTED SERVICES	5,400.00
<b>Total 952.000 · CEMETERIES</b>	<b>7,337.70</b>
977.000 · STREET DEPT-S/T CAP IMPROVEMENT	125,603.66
977.223 · STR/TRANSP CAP PROJ PROF SERV	13.50
979.000 · CULTURE & REC	
979.460 · CULTURE&REC GRANT MATCHES	140.66
979.000 · CULTURE & REC - Other	275.08
<b>Total 979.000 · CULTURE &amp; REC</b>	<b>415.74</b>
	<b>2,339,695.19</b>

## **April Report 2023**

### **Street Department**

- **Filled holes on Montgomery alley with blacktop millings**
- **Installed a new drop inlet and roughly 20 feet of 6inch smooth wall drain pipe outflowing to the West Fork River on Water Street**
- **Assisted the Sewer Company with our Jetter/Vac truck to help remove debris within their sewer line as they used their Jetter truck to wash it out**
- **Removed a damaged section of concrete sidewalk in front of Smoker Friendly on U.S. Highway 33 East then formed and poured the section back making it passable and safe**
- **Used the Jetter/Vac truck and Skid Steer to clean the sidewalk off beside the Shriners Club Building**
- **Used the Jetter/Vac to clean out 2 drains in front of the Shriners Club Building**
- **Delivered multiple 4x4 post and concrete to the City Building**
- **Rebuilt drop inlet in front of Brent and Bryans Bar and located drain line within that drop inlet**
- **Rebuilt two drop inlets on Olive Street**
- **Located abandoned drain on Broad Street and are currently going through the protocol to enter into resident's property to make repairs and install new pipe and drop inlet to make system operational again**
- **Gathered information on roads requested to be paved**
- **Installed new dusk to dawn light on the Street Department building**
- **Removed low hanging wire on Henry Street**
- **Started hanging Hometown Hero Banners in town**
- **Assisted Police Department with recovery of stolen tires**
- **Assisted the Sewer Company with traffic control and road cuts on South Main Avenue**
- **Removed two large logs out of Willow Creek**
- **Installed roughly 20 feet of new 10inch corrugated drain pipe on road side of Burnside Avenue after locating an old 10inch steel line that was rusted out and collapsed**
- **Installed additional drain line on Minden Street and constructed a new drop inlet**
- **Installed roughly 380 feet of 6inch corrugated drain line that was drilled for perforation purposes into the ditch line on Spring Street above Minden Street then back filled with 2-3inch rock**
- **Picked up 4 bags of trash behind Bennett's Firestone that someone had left**

- Installed blacktop millings on the road edge of Willow Street along Willow Creek Park
- Picked up and removed brush and debris within the Arnold Hill Cemetery
- Cut grass at the two lots on South Main Avenue, one lot on Bennett Avenue, and one lot at the corner of Water Street and West Second Street
- Cut grass within Bank Alley and applied weed killer to the cracks within the bricks
- Re installed air conditioners into the Street Department
- Cut the grass at the Street Department
- Removed radios and lights out of old Police Cruiser
- Installed 4 new tires on Police Cruiser
- Installed new power steering pump, belt tensioner, two idler pulleys, and serpentine belt on the F-350 Dump Truck
- Installed new A/C Pump on the 2019 F-550
- Repaired crack in bottom of skid steer sweeper
- Assisted Police Department with removal of squatters' camp beside Shop and Save
- Repaired road sign on West Virginia Avenue
- Repaired Stop Sign on Bennett Avenue
- Picked up trash from St. Pats School from their yearly trash clean up
- Removed multiple bags of garbage from lot on Bennett Avenue
- Formed up handicap ramp on the new 4th Street Bridge and poured concrete to make the bridge handicap accessible
- Formed up retaining wall on lower Arch Street and poured concrete to repair broken slab
- Removed all grass and leaves from within the City Building and parking lot and are beginning to paint new white parking lines within the parking lot
- Spring Clean up (ended with 2 full dumpsters and 1 quarter full)
- Weekly Trash Duty

#### Lines and Basins Cleaned with Jetter/Vac Truck

1. Jackson Street (244 Feet)
2. Fall Street (273 Feet)
3. Olive Street (72 Feet)
4. Burnside Avenue (170 Feet) (Preparing for new pipe installation)
5. W 6<sup>th</sup> Street (118 Feet) (Still working on possible collapse drain issue)
6. Brooke Street (30 Feet)
7. Lynn Avenue (189 Feet)
8. Depot Street (40 Feet)

9. Spring Street (77 Feet) (Scheduled to locate blockage in line)
10. Monroe Avenue (110 Feet)
11. DOH 19 South in front of Grace Street (Basins cleaned to bottom)
12. DOH 33 West in front of Mountaineer Mart and Kuntz Drive  
(Basins Cleaned, Line clear going across 33 West (43 Feet), Line to creek has blockage roughly 4 feet in)
13. Mid Avenue/11<sup>th</sup> Street intersection (135 Feet)
14. George Street (22 Feet)
15. Peggy Street (Basin Cleaned at intersection of Peggy and Spring)
16. Mid Avenue/Basin at slip location (17 Feet)
17. State Street (69 Feet)
18. South River Avenue (17 Feet) (Scheduled to locate blockage in line)
19. Mound Avenue (60 Feet)
20. Loftus Street (20 Feet)
21. Minden Street (422 Feet)



# WESTON POLICE DEPARTMENT

## Law Total Incident Report, by Date, Nature

Date: 04/01/23

<u>Nature of Incident</u>	<u>Total Incidents</u>
Static On Line	1
Roadway Obstruction	1
Serve Papers	2
Domestic	1
Remove Person	1
Reckless Driver	1
Speak To Officer	1
Traffic Stop	2
Alarm Investigation	1
Brush Fire	1
Assist Other Agency	1
Roadway Obstruction	1
Welfare Check	1
BOLO	1
Tree Down	1
Static On Line	1
Tree Down	1
Open Door	1
Mental Health Issues	1
Open Cell Line	1
Animal Problem	1
MVC/Motor Veh Crash	1
Traffic Stop	4
Warrant	2
Alarm Investigation	1
Animal Problem	1
Lost/Found Prop	1
Overdose	2
Traffic Stop	4
Domestic	1
Traffic Stop	5
Motorist Asstist	1
Traffic Stop	2
<b>Total Incidents for This Date</b>	<b>48</b>

Date: 04/02/23

<u>Nature of Incident</u>	<u>Total Incidents</u>
Welfare Check	1
Traffic Stop	1
Animal Problem	1
Serve Papers	1

<u>Nature of Incident</u>	<u>Total Incidents</u>
Welfare Check	1
Animal Rescue	1
Serve Papers	1
Traffic Stop	2
Welfare Check	2
Traffic Stop	1
Wrecker Request	1
Traffic Stop	3
Animal Problem	1
Welfare Check	1
Traffic Stop	1
Animal Problem	1
Traffic Stop	2
Suspicious Vehicle	1
Traffic Stop	2
Reckless Driver	1
Complaint	1
Domestic	2
Animal Problem	1
Reckless Driver	1
Traffic Stop	1
Warrant	2
Stolen Property	1
Open Cell Line	1
Traffic Stop	1
MVC/Motor Veh Crash	2
Traffic Stop	1
Investigation	2
Traffic Stop	1
Intoxicated Driver	1
Reckless Driver	1
Traffic Stop	1
Speak To Officer	1
<b>Total Incidents for This Date</b>	<b>47</b>

Date: 04/03/23

<u>Nature of Incident</u>	<u>Total Incidents</u>
Traffic Stop	1
Patrol Request	1
Static On Line	1
Traffic Stop	5
Investigation	1
Traffic Stop	1
Open Cell Line	1
Traffic Stop	1
Open Cell Line	1
Motorist Asstist	1
Investigation	1

<u>Nature of Incident</u>	<u>Total Incidents</u>
Alarm Investigation	1
Animal Problem	1
Reckless Driver	1
Serve Papers	1
Traffic Stop	1
Animal Problem	1
Animal Bite	1
Serve Papers	1
Animal Problem	1
Stolen Property	1
Traffic Stop	1
Information	1
Animal Problem	2
Domestic	1
Traffic Stop	1
Traffic Hazard	1
Traffic Stop	1
Alarm Investigation	1
Traffic Stop	2
Animal Problem	1
Traffic Stop	1
Dog Pick Up	1
Traffic Stop	2
Investigation	1
Brush Fire	1
Domestic	2
Investigation	1
Noise Complaint	1
Reckless Driver	1
Suspicious Pers	1
<b>Total Incidents for This Date</b>	<b>49</b>

Date: 04/04/23

<u>Nature of Incident</u>	<u>Total Incidents</u>
Speak To Officer	1
Static On Line	1
Welfare Check	1
Animal Problem	2
Serve Papers	5
Alarm Investigation	1
Power Outage	1
MVC/Motor Veh Crash	1
Static On Line	1
Investigation	1
Reckless Driver	1
Unconscious Person	1
Welfare Check	1
911 Hang Up	1



<u>Nature of Incident</u>	<u>Total Incidents</u>
Complaint Parking	1
Traffic Stop	2
Remove Person	3
Open Cell Line	1
Traffic Stop	1
Reckless Driver	2
Suspicious Pers	1
Domestic Active	2
Speak To Officer	1
Traffic Stop	1
Altercation	3
Complaint	1
Open Cell Line	1
Welfare Check	2
Vandalism	1
Reckless Driver	1
<b>Total Incidents for This Date</b>	<b>43</b>

Date: 04/05/23

<u>Nature of Incident</u>	<u>Total Incidents</u>
Alarm Investigation	1
Suspicious	1
Domestic	1
Alarm Investigation	1
Abandoned Vehicle	1
Traffic Stop	2
Complaint Parking	1
Investigation	1
Animal Problem	1
Reckless Driver	1
Serve Papers	2
Assist Other Agency	1
Alarm Investigation	1
Brandishing	2
Traffic Stop	1
Animal Problem	1
Abandoned Call	1
Open Cell Line	1
Traffic Stop	1
Open Cell Line	1
Welfare Check	1
Traffic Stop	1
Subject In Custody	1
Traffic Stop	1
Animal Problem	1
Reckless Driver	1
Serve Papers	2
Reckless Driver	1

<u>Nature of Incident</u>	<u>Total Incidents</u>
911 Hang Up	1
Noise Complaint	1
Traffic Stop	1
Roadway Obstruction	1
Suspicious Pers	1
Traffic Stop	1
Suspicious Pers	1
Traffic Stop	3
B&E Active	1
Brush Fire	1
Traffic Stop	2
Remove Person	1
Subject In Custody	1
Mental Health Issues	1
<b>Total Incidents for This Date</b>	<b>49</b>

Date: 04/06/23

<u>Nature of Incident</u>	<u>Total Incidents</u>
Traffic Stop	2
Suspicious Vehicle	1
Larceny	1
Missing Person	1
Traffic Stop	1
Animal Lost/Found	1
Subject In Custody	1
Trespassing	1
Animal Problem	2
Reckless Driver	1
Investigation	1
Welfare Check	1
Complaint	1
Investigation	1
B&E Non-Active	1
Open Cell Line	1
Animal Problem	1
MVC/Motor Veh Crash	1
Investigation	1
Open Cell Line	1
Traffic Stop	1
Investigation	1
Complaint	1
Reckless Driver	3
911 Hang Up	1
Assist Other Agency	1
Public Assistance	1
Traffic Stop	1
Intoxicated Driver	2
Property Retrieval	1

<u>Nature of Incident</u>	<u>Total Incidents</u>
Traffic Stop	1
Animal Problem	1
Suicidal Tendencies	1
Animal Problem	1
Intoxicated Driver	2
Traffic Stop	1
Speak To Officer	1
Dispute	1
Traffic Stop	1
Abandoned Vehicle	1
Traffic Stop	1
<b>Total Incidents for This Date</b>	<b>47</b>

Date: 04/07/23

<u>Nature of Incident</u>	<u>Total Incidents</u>
Alarm Investigation	2
Traffic Stop	2
MVC/Motor Veh Crash	1
Traffic Stop	4
Alarm Investigation	1
Traffic Stop	1
Animal Problem	1
Victim of Fall	3
911 Hang Up	1
Traffic Stop	2
Illegal Burning	1
Remove Person	2
Vandalism	2
Suspicious Pers	1
Speak To Officer	2
Suspicious Pers	1
Animal Problem	1
Animal Bite	1
Traffic Stop	1
Suspicious Pers	3
Traffic Stop	1
Intoxicated Subject	2
Traffic Stop	1
<b>Total Incidents for This Date</b>	<b>37</b>

Date: 04/08/23

<u>Nature of Incident</u>	<u>Total Incidents</u>
Suspicious Pers	1
Unconscious Person	2
Serve Papers	2
Traffic Stop	2
MVC/Motor Veh Crash	1

<u>Nature of Incident</u>	<u>Total Incidents</u>
Alarm Investigation	1
Child Custody	1
Welfare Check	1
Static On Line	1
Welfare Check	1
Reckless Driver	2
Domestic Active	1
Sexual Assault	1
Traffic Stop	1
Leaving The Scene	1
Speak To Officer	1
Traffic Stop	1
Motorist Assist	1
Intoxicated Driver	1
Roadway Obstruction	1
Dispute	1
Wrong Way Driver	1
<b>Total Incidents for This Date</b>	<b>26</b>

Date: 04/09/23

<u>Nature of Incident</u>	<u>Total Incidents</u>
MVC/Motor Veh Crash	1
Mental Health Issues	1
Traffic Stop	1
911 Hang Up	1
Unlock	1
Stolen Vehicle	2
Animal Problem	1
Property Retrieval	1
Traffic Stop	1
Patrol Request	1
B&E Non-Active	1
Threats	1
Alarm Investigation	1
Brandishing	2
Traffic Stop	2
Welfare Check	1
MVC/Motor Veh Crash	1
Loitering	1
Static On Line	1
CAD2CAD	1
<b>Total Incidents for This Date</b>	<b>23</b>

Date: 04/10/23

<u>Nature of Incident</u>	<u>Total Incidents</u>
MVC/Motor Veh Crash	2
Serve Papers	1

<u>Nature of Incident</u>	<u>Total Incidents</u>
Reckless Driver	1
Serve Papers	3
Runaway	1
Serve Papers	1
Traffic Violation	1
Complaint Parking	1
Motorist Asstist	1
Open Cell Line	1
Welfare Check	1
911 Hang Up	1
Welfare Check	1
MVC/Motor Veh Crash	1
Static On Line	1
Traffic Hazard	1
Traffic Stop	1
Motorist Asstist	1
Investigation	1
Traffic Stop	1
Suicidal Tendencies	1
Traffic Stop	1
Reckless Driver	1
Investigation	1
Traffic Stop	1
MVC/Motor Veh Crash	1
911 Hang Up	1
Traffic Stop	1
Static On Line	1
Client On Line	1
Open Cell Line	1
MVC/Motor Veh Crash	1
Remove Person	1
Animal Problem	2
Detail	1
<b>Total Incidents for This Date</b>	<b>39</b>

Date: 04/11/23

<u>Nature of Incident</u>	<u>Total Incidents</u>
B&E Active	2
Animal Problem	1
Static On Line	1
Suicidal Tendencies	1
Animal Problem	1
Traffic Stop	1
Abandoned Call	1
Unlock	1
Open Cell Line	1
Investigation	2
Reckless Driver	1

<u>Nature of Incident</u>	<u>Total Incidents</u>
911 Hang Up	1
Traffic Stop	1
Investigation	1
Traffic Stop	2
Static On Line	1
Traffic Stop	1
Information	1
Reckless Driver	1
Traffic Stop	2
Brush Fire	1
Suspicious Pers	1
Stolen Property	2
Pedestrian Accident	1
MVC/Motor Veh Crash	1
Open Cell Line	1
Complaint Parking	1
Client On Line	1
Traffic Stop	2
Open Cell Line	2
Welfare Check	1
Probable Cause	1
Static On Line	1
Investigation	2
Traffic Stop	4
Domestic	1
Animal Problem	1
Threats	1
Suspicious Vehicle	1
MVC/Motor Veh Crash	1
Static On Line	1
<b>Total Incidents for This Date</b>	<b>52</b>

Date: 04/12/23

<u>Nature of Incident</u>	<u>Total Incidents</u>
Static On Line	1
Animal Problem	1
Reckless Driver	1
Traffic Stop	2
MVC/Motor Veh Crash	1
Client On Line	1
Traffic Stop	1
Client On Line	1
Traffic Stop	2
MVC/Motor Veh Crash	1
Traffic Stop	1
Irate Subject	1
Traffic Stop	1
Domestic	2

<u>Nature of Incident</u>	<u>Total Incidents</u>
Traffic Stop	1
Subject With Weapon	1
Stolen Property	1
Traffic Stop	2
Welfare Check	1
Traffic Stop	3
Suspicious Pers	1
Traffic Stop	1
Joy Riding	1
Traffic Stop	1
Suspicious Pers	1
Animal Problem	2
Traffic Stop	2
Mental Health Issues	2
Speak To Officer	1
Traffic Stop	2
BOLO	1
Investigation	1
Traffic Stop	1
Complaint	1
Welfare Check	1
<b>Total Incidents for This Date</b>	<b>45</b>

Date: 04/13/23

<u>Nature of Incident</u>	<u>Total Incidents</u>
Remove Person	1
Larceny	1
Suspicious	1
Remove Person	1
Open Cell Line	1
Traffic Stop	1
Animal Problem	1
Traffic Stop	1
Speak To Officer	1
Suspicious Vehicle	1
Complaint Parking	1
Traffic Stop	4
Open Cell Line	1
Reckless Driver	1
Domestic Active	1
Leaving The Scene	1
Traffic Stop	1
Motorist Asstist	1
Speak To Officer	1
Complaint	1
Suspicious Pers	1
MVC/Motor Veh Crash	1
Complaint	1



<u>Nature of Incident</u>	<u>Total Incidents</u>
Speak To Officer	1
Overdose	3
Speak To Officer	1
Intoxicated Driver	2
Suspicious Pers	1
CAD2CAD	1
Speak To Officer	1
<b>Total Incidents for This Date</b>	<b>36</b>

Date: 04/14/23

<u>Nature of Incident</u>	<u>Total Incidents</u>
Subject In Custody	3
Alarm Investigation	1
Animal Problem	1
Alarm Investigation	1
Unsecured Load	1
Roadway Obstruction	1
Open Cell Line	1
Traffic Stop	2
Fire	1
Roadway Obstruction	2
MVC/Motor Veh Crash	1
Animal Problem	1
Investigation	1
Leaving The Scene	1
Investigation	2
Suspicious Pers	1
MVC/Motor Veh Crash	2
Open Cell Line	1
MVC/Motor Veh Crash	2
Motorist Asstist	1
Open Cell Line	1
911 Hang Up	1
MVC/Motor Veh Crash	1
Traffic Stop	1
Open Cell Line	1
Dispute	1
911 Hang Up	1
Speak To Officer	1
Welfare Check	1
Alarm Investigation	2
Runaway	1
Welfare Check	1
Domestic	3
Alarm Investigation	1
Speak To Officer	1
<b>Total Incidents for This Date</b>	<b>45</b>

Date: 04/15/23

<u>Nature of Incident</u>	<u>Total Incidents</u>
Runaway	1
Remove Person	1
B&E Non-Active	1
Serve Papers	1
Vandalism	1
Serve Papers	1
Alarm Investigation	1
Open Cell Line	1
Speak To Officer	1
Static On Line	1
Abandoned Call	1
Speak To Officer	1
Trespassing	1
Open Cell Line	1
Animal Problem	2
911 Hang Up	1
Abandoned Call	1
Traffic Stop	1
911 Hang Up	1
Open Cell Line	2
Sick/Unknown	3
<b>Total Incidents for This Date</b>	<b>25</b>

Date: 04/16/23

<u>Nature of Incident</u>	<u>Total Incidents</u>
Speak To Officer	1
MVC/Motor Veh Crash	1
B&E Non-Active	1
Open Cell Line	2
Animal Problem	2
Traffic Stop	3
Speak To Officer	1
CAD2CAD	1
Open Cell Line	1
Animal Problem	1
Illegal Dumping	1
Open Cell Line	1
Intoxicated Subject	1
CAD2CAD	1
Traffic Stop	1
Reckless Driver	2
Speak To Officer	1
Traffic Stop	1
MVC/Motor Veh Crash	3
Investigation	1
Reckless Driver	1

<u>Nature of Incident</u>	<u>Total Incidents</u>
Abandoned Vehicle	1
Traffic Stop	1
Static On Line	1
Animal Bite	1
Traffic Stop	1
Abandoned Call	1
CAD2CAD	1
Open Cell Line	1
Traffic Stop	2
Investigation	1
MVC/Motor Veh Crash	1
911 Hang Up	1
Motorist Asstist	1
Traffic Stop	1
Abandoned Call	1
Remove Person	3
Altercation	1
Domestic	4
Dispute	1
<b>Total Incidents for This Date</b>	<b>53</b>

Date: 04/17/23

<u>Nature of Incident</u>	<u>Total Incidents</u>
911 Hang Up	1
Reckless Driver	1
Complaint	1
Investigation	1
Traffic Stop	1
Investigation	1
Traffic Stop	2
Speak To Officer	2
Battery	1
Remove Person	1
Traffic Stop	1
Detail	1
General Illness	1
Scam	1
Remove Person	2
Subject In Custody	1
Traffic Stop	1
Remove Person	2
MVC/Motor-Veh-Crash	1
Open Cell Line	1
Animal Problem	2
Complaint	1
Missing Child	2
Serve Papers	1
Alarm Investigation	2

<u>Nature of Incident</u>	<u>Total Incidents</u>
Serve Papers	1
Alarm Investigation	1
<b>Total Incidents for This Date</b>	<b>34</b>

Date: 04/18/23

<u>Nature of Incident</u>	<u>Total Incidents</u>
Alarm Investigation	1
MVC/Motor Veh Crash	2
Speak To Officer	1
Traffic Stop	1
Animal Problem	1
Shoplifting	1
Animal Problem	1
Serve Papers	1
Traffic Stop	1
Property Damage	1
Speak To Officer	1
Animal Problem	2
Motorist Asstist	1
Investigation	1
Traffic Stop	1
ATV Accident	2
Brush Fire	1
Speak To Officer	1
Complaint	1
Traffic Stop	1
Reckless Driver	1
Child On Phone	1
Speak To Officer	1
Complaint	1
Traffic Stop	1
Larceny	1
Traffic Stop	1
Brush Fire	1
Serve Papers	1
Complaint	1
Traffic Stop	2
Remove Person	1
Traffic Stop	1
Information	1
Speak To Officer	1
Unconscious Person	1
Assist EMS	1
<b>Total Incidents for This Date</b>	<b>41</b>

Date: 04/19/23

<u>Nature of Incident</u>	<u>Total Incidents</u>
Prowler	1
Stolen Property	1
Remove Person	1
Serve Papers	1
911 Hang Up	1
Traffic Stop	1
Animal Cruelty	1
Domestic Non Active	1
Pedestrian Accident	1
Traffic Stop	2
Subject In Custody	1
Roadway Obstruction	1
Motorist Asstist	1
Larceny	1
Speak To Officer	1
Subject In Custody	3
Alarm Investigation	1
Suspicious Pers	1
Animal Problem	2
Traffic Stop	1
Animal Problem	2
Domestic Active	1
Brush Fire	1
Remove Person	2
Speak To Officer	1
Domestic Non Active	1
Domestic	2
Remove Person	2
Patrol Request	1
Abandoned Call	1
<b>Total Incidents for This Date</b>	<b>38</b>

Date: 04/20/23

<u>Nature of Incident</u>	<u>Total Incidents</u>
Domestic	2
Traffic Stop	1
Illegal Burning	1
Traffic Stop	2
Animal Problem	1
Brush Fire	1
Illegal Burning	1
Speak To Officer	1
Animal Problem	1
Motorist Asstist	1
Warrant	1
Reckless Driver	1
Alarm Investigation	1
Investigation	1

<u>Nature of Incident</u>	<u>Total Incidents</u>
911 Hang Up	1
Welfare Check	1
Abandoned Child	1
Rekindle	1
MVC/Motor Veh Crash	1
Complaint	1
Leaving The Scene	1
Open Cell Line	1
Speak To Officer	1
Suspicious Pers	1
BOLO	2
Complaint	1
Speak To Officer	1
Traffic Stop	1
Suspicious Vehicle	1
Serve Papers	1
Reckless Driver	2
Wanted Person	1
Shoplifting	1
Wanted Person	2
Welfare Check	1
Gas Drive Off	1
Complaint	2
Speak To Officer	1
Animal Problem	2
Welfare Check	1
Suspicious	1
Warrant	1
Speak To Officer	1
Complaint	1
Animal Lost/Found	1
Noise Complaint	1
<b>Total Incidents for This Date</b>	<b>53</b>

Date: 04/21/23

<u>Nature of Incident</u>	<u>Total Incidents</u>
Public Assistance	2
MVC/Motor Veh Crash	2
Abandoned Vehicle	1
Investigation	1
Welfare Check	1
Traffic Stop	1
911 Hang Up	1
Traffic Stop	4
Animal Cruelty	1
Traffic Stop	1
Roadway Obstruction	1
Serve Papers	1

<u>Nature of Incident</u>	<u>Total Incidents</u>
Speak To Officer	1
MVC/Motor Veh Crash	1
Traffic Stop	1
Altercation	2
Complaint	1
Unlock	1
Reckless Driver	1
Motorist Asstist	1
911 Hang Up	1
Domestic Active	2
Remove Person	1
Animal Problem	1
MVC/Motor Veh Crash	2
Animal Problem	3
MVC/Motor Veh Crash	4
Complaint ATV	1
Subject In Custody	1
Motorist Asstist	1
Subject In Custody	1
General Illness	1
Traffic Stop	1
Complaint	1
Traffic Stop	1
Threats	1
Suspicious Vehicle	3
Noise Complaint	1
Welfare Check	2
<b>Total Incidents for This Date</b>	<b>55</b>

Date: 04/22/23

<u>Nature of Incident</u>	<u>Total Incidents</u>
Intoxicated Driver	2
Unruly Person	2
Static On Line	1
Motorist Asstist	1
911 Hang Up	1
Animal Problem	1
911 Hang Up	1
Investigation	1
Speak To Officer	1
Domestic Active	2
Speak To Officer	3
Lost/Found Prop	1
Traffic Stop	2
Domestic Active	2
Traffic Stop	1
Alarm Investigation	1
Domestic Active	2

<u>Nature of Incident</u>	<u>Total Incidents</u>
Overdose	3
<b>Total Incidents for This Date</b>	<b>28</b>

Date: 04/23/23

<u>Nature of Incident</u>	<u>Total Incidents</u>
Domestic Active	2
Reckless Driver	1
Welfare Check	1
Trespassing	1
Speak To Officer	1
Trespassing	1
Speak To Officer	1
MVC/Motor Veh Crash	2
Warrant	1
Destruction of Property	1
Courtesy Transport	1
Complaint ATV	2
Missing Child	1
Speak To Officer	1
Noise Complaint	1
Suspicious Vehicle	1
Missing Child	1
Reckless Driver	1
Animal Problem	1
MVC/Motor Veh Crash	1
Domestic Non Active	1
Suspicious Pers	1
<b>Total Incidents for This Date</b>	<b>25</b>

Date: 04/24/23

<u>Nature of Incident</u>	<u>Total Incidents</u>
Alarm Investigation	1
Joy Riding	1
Traffic Stop	1
Reckless Driver	1
Welfare Check	1
MVC/Motor Veh Crash	2
Animal Problem	1
Remove Person	1
Animal Lost/Found	1
Leaving The Scene	1
Traffic Stop	1
Subject In Custody	1
Traffic Stop	1
MVC/Motor Veh Crash	1
Destruction of Property	2
Complaint	1



<u>Nature of Incident</u>	<u>Total Incidents</u>
Suspicious Pers	1
Traffic Stop	1
Subject In Custody	1
Traffic Stop	3
Reckless Driver	1
Dispute	1
Abandoned Call	1
Traffic Stop	2
Animal Problem	1
Traffic Stop	1
Complaint Drug	1
Traffic Stop	2
Investigation	1
Stolen Vehicle	1
Subject In Custody	1
Larceny	1
Traffic Stop	1
Domestic Active	1
Domestic	2
DVP/Violation	1
<b>Total Incidents for This Date</b>	<b>43</b>

Date: 04/25/23

<u>Nature of Incident</u>	<u>Total Incidents</u>
Complaint	1
Alarm Investigation	1
Investigation	1
Suspicious Pers	2
Welfare Check	1
Assist Other Agency	1
Animal Lost/Found	1
Animal Problem	1
Illegal Burning	1
Animal Problem	1
Serve Papers	1
Open Cell Line	1
MVC/Motor Veh Crash	1
Investigation	1
Animal Cruelty	1
Animal Problem	1
Fraud	1
Traffic Stop	1
Altercation	2
Complaint	2
Harassment	1
Traffic Stop	1
Investigation	1
Complaint	1

<u>Nature of Incident</u>	<u>Total Incidents</u>
Traffic Stop	1
Welfare Check	1
Domestic Active	2
MVC/Motor Veh Crash	2
Traffic Stop	1
Brandishing	3
Larceny	2
CAD2CAD	1
Alarm Investigation	2
<b>Total Incidents for This Date</b>	<b>42</b>

Date: 04/26/23

<u>Nature of Incident</u>	<u>Total Incidents</u>
Investigation	1
Alarm Investigation	1
Traffic Stop	1
Suspicious Vehicle	3
Animal Problem	1
Welfare Check	2
Open Cell Line	1
Traffic Stop	1
Abandoned Vehicle	1
Lines Down	1
Complaint	1
Intoxicated Driver	1
Alarm Investigation	2
Animal Problem	1
Motorist Assist	2
Investigation	1
Animal Problem	1
Recovered Stolen Property	1
Animal Problem	3
Recovered Stolen Property	1
Threats	2
Speak To Officer	1
Animal Problem	2
Larceny	1
Traffic Stop	2
Reckless Driver	1
Residential Structure Fire	2
Animal Problem	2
Serve Papers	1
MVC/Motor Veh Crash	1
Speak To Officer	1
Animal Lost/Found	1
Traffic Stop	1
Serve Papers	1
Traffic Stop	2

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<u>Nature of Incident</u>	<u>Total Incidents</u>
Suspicious Pers	1
Suspicious	1
MVC/Motor Veh Crash	1
<b>Total Incidents for This Date</b>	<b>51</b>

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Total reported: 1074

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**Report Includes:**

All dates between `00:00:01 04/01/23` and `00:23:59 04/27/23`, All agencies, All natures, All locations, All responsible officers, All dispositions, All clearance codes, All observed offenses, All reported offenses, All offense codes, All circumstance codes

APRIL 2023 CITATIONS

2.10102E+14	211-215 State Street	4/4/2023 16:29
2.10102E+14	415-450 East 3rd Street	4/5/2023 7:32
2.10102E+14	102 West 2nd Street	4/6/2023 8:10
2.10102E+14	137-237 North Main Avenue	4/11/2023 13:21
2.10102E+14	200-257 North River Avenue	4/12/2023 13:37
2.10102E+14	102 West 2nd Street	4/12/2023 16:33
2.10102E+14	415-450 East 3rd Street	4/13/2023 8:40
2.10102E+14	102 West 2nd Street	4/18/2023 9:00
2.10102E+14	137-237 North Main Avenue	4/20/2023 7:27
2.10102E+14	2-6 John Street	4/26/2023 8:19
100-3346257	West 2nd	4/3/2023
100-3346259	West 2nd	4/3/2023
100-3346213	Main Avenue	4/11/2023
100-2411773	South Main	4/17/2023
100-2411774	South Main	4/21/2023
100-2411775	South Main	4/21/2023
100-2411776	South Main	4/24/2023

TRAFFIC WARNINGS APRIL 2023

2.10102E+14 100-114 East 4th Street	4/5/2023 12:31
2.10102E+14 102 West 2nd Street	4/5/2023 15:41
2.10102E+14 117-121 Center Avenue	4/5/2023 16:01
2.10102E+14	4/7/2023 9:05
2.10102E+14 200-257 North River Avenue	4/7/2023 9:38
2.10102E+14 204-209 Court Avenue	4/7/2023 10:12
2.10102E+14 137-237 North Main Avenue	4/7/2023 14:56
2.10102E+14	4/11/2023 8:10
2.10102E+14 102 West 2nd Street	4/11/2023 11:46
2.10102E+14 415-450 East 3rd Street	4/12/2023 7:47
2.10102E+14 200-257 North River Avenue	4/12/2023 15:05
2.10102E+14 201 Main Avenue	4/12/2023 16:26
2.10102E+14 102 West 2nd Street	4/13/2023 7:56
2.10102E+14 117-121 Center Avenue	4/20/2023 7:59
2.10102E+14 200-257 North River Avenue	4/26/2023 15:31

APRIL 2023 CRASH REPORTS

Report Number	Address	Date Of Crash
23W-00667	102 West 2nd Street	4/4/2023 0:00
23W-00725		4/10/2023 0:00
23W-00817	East 2nd Street	4/21/2023 0:00



**WESTON FIRE DEPARTMENT**  
**REPORT FOR THE MONTH OF**  
 April 2023  
 "On the job 'til the job is done"



TOTAL CALLS
TOTAL MEETINGS & DRILLS
TOTAL CALLS INSIDE THE CITY
TOTAL CALLS OUTSIDE THE CITY

91
5
62
23

--

TOTAL MUTUAL-AID CALLS
ASSISTS TO JACKSONS MILL
ASSISTS TO JANE LEW
ASSISTS TO MIDWAY
ASSISTS TO PRICETOWN
ASSISTS TO WALKERSVILLE
ASSISTS TO THE SQUAD

6
0
0
0
2
0
42

FROM
FROM
FROM
FROM
FROM
FROM

1
1
0
5
0
0

OUT OF COUNTY CALLS
PAID MAN LEFT THE CITY
TOTAL MILES
TOTAL APPARATUS HOURS
TOTAL MAN HOURS
TOTAL LOSS IN THE CITY
TOTAL LOSS OUTSIDE THE CITY
BURNING PERMITS ISSUED
MVC's INSIDE THE CITY
MVC's OUTSIDE THE CITY
WORKING STRUCTURE FIRES
WORKING AUTO FIRES
WORKING BRUSH FIRES
WORKING FIRES, OTHER

0
3
702
58
326
\$7,500
\$31,200
31
7
4
2
2
3
0

SAVED
SAVED

\$0
\$0

**ADDITIONAL REMARKS**

Attended all meetings and county association meeting pricetown fire  
 Had to replace tires on ladder truck due to two tires blowing on 33 had road service replace them then had other six tires replaced for 4,127.52 havent received bill for road service yet.  
 Had to replace one set of turnout gear due to getting ripped on car wreck was unable to have it patched due to failed inspection. It was for Ryan Burkhammer coat was 1,770.00 pants 1,200.00

**Weston Fire Dept**

**Incident Type Report (Summary)**

**Alarm Date Between {04/01/2023} And {04/26/2023}**

Incident Type	Count	Pct of Incidents	Total Est Loss	Pct of Losses
<b>1 Fire</b>				
111 Building fire	2	2.17%	\$31,200	80.62%
131 Passenger vehicle fire	1	1.08%	\$7,500	19.37%
132 Road freight or transport vehicle fire	1	1.08%	\$0	0.00%
142 Brush or brush-and-grass mixture fire	3	3.26%	\$0	0.00%
	<u>7</u>	<u>7.60%</u>	<u>\$38,700</u>	<u>100.00%</u>
<b>3 Rescue &amp; Emergency Medical Service Incident</b>				
311 Medical assist, assist EMS crew	41	44.56%	\$0	0.00%
322 Motor vehicle accident with injuries	1	1.08%	\$0	0.00%
324 Motor Vehicle Accident with no injuries	7	7.60%	\$0	0.00%
352 Extrication of victim(s) from vehicle	3	3.26%	\$0	0.00%
	<u>52</u>	<u>56.52%</u>	<u>\$0</u>	<u>0.00%</u>
<b>4 Hazardous Condition (No Fire)</b>				
444 Power line down	1	1.08%	\$0	0.00%
	<u>1</u>	<u>1.08%</u>	<u>\$0</u>	<u>0.00%</u>
<b>5 Service Call</b>				
511 Lock-out	1	1.08%	\$0	0.00%
522 Water or steam leak	1	1.08%	\$0	0.00%
550 Public service assistance, Other	6	6.52%	\$0	0.00%
553 Public service	2	2.17%	\$0	0.00%
561 Unauthorized burning	3	3.26%	\$0	0.00%
	<u>13</u>	<u>14.13%</u>	<u>\$0</u>	<u>0.00%</u>
<b>6 Good Intent Call</b>				
611 Dispatched & cancelled en route	8	8.69%	\$0	0.00%
622 No Incident found on arrival at dispatch	8	8.69%	\$0	0.00%
631 Authorized controlled burning	1	1.08%	\$0	0.00%
651 Smoke scare, odor of smoke	1	1.08%	\$0	0.00%
	<u>18</u>	<u>19.56%</u>	<u>\$0</u>	<u>0.00%</u>
<b>7 False Alarm &amp; False Call</b>				
700 False alarm or false call, Other	1	1.08%	\$0	0.00%
	<u>1</u>	<u>1.08%</u>	<u>\$0</u>	<u>0.00%</u>



Total Incident Count: 92

Total Est Loss:

\$38,700

Weston Fire Dept

Dollar Value Saved & Loss Analysis

Alarm Date Between {04/01/2023} And {04/26/2023}

a

Incident Type	Count	Total Values	Total Losses	Total Saved	Percent Lost	Percent Saved
111 Building fire	2	\$31,200	\$31,200	\$0	100.00%	0.00%
131 Passenger vehicle fire	1	\$7,500	\$7,500	\$0	100.00%	0.00%
<b>Grand Totals</b>	<b>3</b>	<b>\$38,700</b>	<b>\$38,700</b>	<b>\$0</b>		

Total Percent Lost: 100.00%

Total Percent Saved: 0.00%

Weston Fire Dept

Aid Responses by Department (Summary)

Alarm Date Between {04/01/2023} And {04/26/2023}

Type of Aid	Count
<b>2 Jane Lew Volunteer Fire Department</b>	
Automatic aid received	1
	<hr/>
	1
<b>3 Pricetown Volunteer Fire Department</b>	
Automatic aid received	5
Mutual aid given	2
	<hr/>
	7
<b>4 Walkersville Volunteer Fire Department</b>	
Automatic aid received	1
	<hr/>
	1
<b>5 Jackson's Mill Volunteer Fire Department</b>	
Mutual aid received	1
	<hr/>
	1
<b>8 Lewis County Emergency Ambulance Authority</b>	
Mutual aid given	2
Automatic aid given	40
	<hr/>
	42

**Weston Fire Dept**

**Copy of Fire and EMS Combined List by Incident Num**

**Alarm Date Between {04/01/2023} And {04/26/2023}  
and District = "1B "**

<b>Incident</b>	<b>Type</b>	<b>Date</b>	<b>Location</b>	<b>Description</b>
23-0000287-0	FIRE	04/01/2023	2172 Middle Run RD	Public service assistance,
23-0000288-0	FIRE	04/01/2023	50 Jacksons Mill RD	Public service assistance,
23-0000300-0	FIRE	04/04/2023	1159 Old Route 33	Medical assist, assist EMS
23-0000306-0	FIRE	04/07/2023	178 Homewood Hill RD	Medical assist, assist EMS
23-0000310-0	FIRE	04/08/2023	90 MM Interstate 79	Motor Vehicle Accident with
23-0000311-0	FIRE	04/08/2023	1336 US Highway 19 S	Authorized controlled
23-0000312-0	FIRE	04/09/2023	1336 US Highway 19 S	Brush or brush-and-grass
23-0000314-0	FIRE	04/09/2023	Copley RD & Rock Run RD	Public service assistance,
23-0000315-0	FIRE	04/09/2023	95 MM Interstate 79 /N.B.	Passenger vehicle fire
23-0000319-0	FIRE	04/10/2023	US Highway 33 E & Gladly Fork RD	Motor Vehicle Accident with
23-0000329-0	FIRE	04/13/2023	3395 Indian Fork RD	Building fire
23-0000330-0	FIRE	04/14/2023	3395 Indian Fork RD	Smoke scare, odor of smoke
23-0000339-0	FIRE	04/16/2023	Jennings Run RD & Raccoon Run RD	Dispatched & cancelled en
23-0000343-0	FIRE	04/18/2023	4337 Copley RD	Brush or brush-and-grass
23-0000348-0	FIRE	04/18/2023	4337 Copley RD	No Incident found on arrival
23-0000351-0	FIRE	04/18/2023	93 MM Interstate 79 /S.B.	Road freight or transport
23-0000352-0	FIRE	04/19/2023	85 MM Interstate 79 /S.B. Rest Area	Extrication of victim(s)
23-0000359-0	FIRE	04/20/2023	1298 Gladly Fork RD	Power line down
23-0000368-0	FIRE	04/22/2023	2729 Murphys Creek RD	Public service assistance,
23-0000370-0	FIRE	04/23/2023	1511 Old Mill RD	No Incident found on arrival
23-0000372-0	FIRE	04/24/2023	162 Lights Trailer Court	Dispatched & cancelled en
23-0000375-0	FIRE	04/25/2023	88 MM Interstate 79 /NB	Motor Vehicle Accident with
23-0000376-0	FIRE	04/25/2023	94.5 MM Interstate 79	Brush or brush-and-grass

**Total Incident Count            23**

**Weston Fire Dept**

**Copy of Fire and EMS Combined List by Incident Num**

**Alarm Date Between {04/01/2023} And {04/26/2023}  
and District = "1A "**

<b>Incident</b>	<b>Type</b>	<b>Date</b>	<b>Location</b>	<b>Description</b>
23-0000289-0	FIRE	04/01/2023	613 Broad ST	Medical assist, assist EMS
23-0000290-0	FIRE	04/01/2023	633 Fall ST	Public service assistance,
23-0000292-0	FIRE	04/01/2023	306 Center AVE /Go-Mart	Medical assist, assist EMS
23-0000293-0	FIRE	04/01/2023	358 Court AVE /RLBMS	False alarm or false call,
23-0000294-0	FIRE	04/02/2023	466 Broad ST	Medical assist, assist EMS
23-0000295-0	FIRE	04/02/2023	124 E 1st ST /Criss Manor/607	Medical assist, assist EMS
23-0000296-0	FIRE	04/03/2023	S Main AVE & Kitson ST	No Incident found on arrival
23-0000297-0	FIRE	04/03/2023	700 W 2nd ST	Medical assist, assist EMS
23-0000298-0	FIRE	04/03/2023	233 S Main AVE	Public service
23-0000299-0	FIRE	04/04/2023	420 W 2nd ST	Extrication of victim(s)
23-0000301-0	FIRE	04/05/2023	277 Rada AVE /A	Medical assist, assist EMS
23-0000302-0	FIRE	04/05/2023	595 US Highway 33 E/Little General	Medical assist, assist EMS
23-0000303-0	FIRE	04/06/2023	764 Camden AVE	Medical assist, assist EMS
23-0000304-0	FIRE	04/06/2023	112 McGary AVE	Medical assist, assist EMS
23-0000305-0	FIRE	04/06/2023	502 Court AVE	Unauthorized burning
23-0000307-0	FIRE	04/07/2023	358 Court AVE	Unauthorized burning
23-0000308-0	FIRE	04/08/2023	251 W 2nd ST	Medical assist, assist EMS
23-0000309-0	FIRE	04/08/2023	433 Charles ST	Medical assist, assist EMS
23-0000313-0	FIRE	04/09/2023	244 W 2nd ST /1	Medical assist, assist EMS
23-0000316-0	FIRE	04/09/2023	307 Spring ST	Medical assist, assist EMS
23-0000317-0	FIRE	04/09/2023	795 Lynn AVE	Water or steam leak
23-0000318-0	FIRE	04/09/2023	408 Monroe AVE	Medical assist, assist EMS
23-0000320-0	FIRE	04/10/2023	US Highway 33 E & MM Interstate 79	Motor Vehicle Accident with
23-0000322-0	FIRE	04/11/2023	124 E 1st ST /705	Medical assist, assist EMS
23-0000323-0	FIRE	04/12/2023	650 Craig ST /101	Medical assist, assist EMS
23-0000325-0	FIRE	04/12/2023	123 E 1st ST /705	Medical assist, assist EMS
23-0000326-0	FIRE	04/12/2023	311 Main AVE	Medical assist, assist EMS
23-0000327-0	FIRE	04/12/2023	346 Mid AVE	Medical assist, assist EMS
23-0000328-0	FIRE	04/12/2023	626 N River AVE	Medical assist, assist EMS
23-0000331-0	FIRE	04/14/2023	220 Summit ST	Building fire
23-0000332-0	FIRE	04/14/2023	397 Monroe AVE	Medical assist, assist EMS
23-0000333-0	FIRE	04/14/2023	99.2 MM Interstate 79	Motor Vehicle Accident with
23-0000334-0	FIRE	04/14/2023	2021 US Highway 33 E	Extrication of victim(s)
23-0000337-0	FIRE	04/15/2023	124 E 1st ST /305	Medical assist, assist EMS
23-0000338-0	FIRE	04/15/2023	306 Center AVE	Medical assist, assist EMS
23-0000341-0	FIRE	04/17/2023	124 E 1st ST /Criss Manor/607	Medical assist, assist EMS
23-0000342-0	FIRE	04/17/2023	146 High ST	Medical assist, assist EMS
23-0000344-0	FIRE	04/18/2023	22 Quarry Glen /101	Medical assist, assist EMS

**Weston Fire Dept**

**Copy of Fire and EMS Combined List by Incident Num**

**Alarm Date Between {04/01/2023} And {04/26/2023}  
and District = "1A "**

<b>Incident</b>	<b>Type</b>	<b>Date</b>	<b>Location</b>	<b>Description</b>
23-0000345-0	FIRE	04/18/2023	22 Quarry Glen /101	Medical assist, assist EMS
23-0000346-0	FIRE	04/18/2023	620 Lynn AVE	Medical assist, assist EMS
23-0000347-0	FIRE	04/18/2023	4 Center AVE /K	No Incident found on arrival
23-0000349-0	FIRE	04/18/2023	764 Camden AVE	Medical assist, assist EMS
23-0000350-0	FIRE	04/18/2023	464 Broad ST	Medical assist, assist EMS
23-0000353-0	FIRE	04/19/2023	12 Linden AVE	Public service
23-0000354-0	FIRE	04/19/2023	310 Market Place Mall	Lock-out
23-0000355-0	FIRE	04/19/2023	518 Monroe AVE /Boys Home	Medical assist, assist EMS
23-0000356-0	FIRE	04/19/2023	Catherine ST	No Incident found on arrival
23-0000357-0	FIRE	04/20/2023	277A Rada AVE	Medical assist, assist EMS
23-0000358-0	FIRE	04/20/2023	124 E 1st ST	Dispatched & cancelled en
23-0000360-0	FIRE	04/20/2023	124 E 1st ST	Medical assist, assist EMS
23-0000361-0	FIRE	04/21/2023	306 Center AVE /GO-MART	Medical assist, assist EMS
23-0000362-0	FIRE	04/21/2023	Mountain Haven RD	Unauthorized burning
23-0000363-0	FIRE	04/21/2023	2021 US Highway 33 E	Motor Vehicle Accident with
23-0000364-0	FIRE	04/21/2023	202 Bland /Foster Feed	Medical assist, assist EMS
23-0000365-0	FIRE	04/21/2023	99 MM Interstate 79 /NB Exit Ramp	No Incident found on arrival
23-0000366-0	FIRE	04/21/2023	920 N Main AVE	No Incident found on arrival
23-0000367-0	FIRE	04/21/2023	650 Craig ST /307	Medical assist, assist EMS
23-0000369-0	FIRE	04/22/2023	307 Rada AVE	Medical assist, assist EMS
23-0000371-0	FIRE	04/24/2023	124 E 1st ST	Medical assist, assist EMS
23-0000373-0	FIRE	04/25/2023	US Highway 33 E & Mud Lick RD	No Incident found on arrival
23-0000374-0	FIRE	04/25/2023	124 E 1st ST /Criss Manor/5th Floor	Medical assist, assist EMS
23-0000377-0	FIRE	04/25/2023	US Highway 33 E & Market Place Mall	Motor Vehicle Accident with

**Total Incident Count            62**



**MARTY LEWIS**  
**CODE ENFORCEMENT**  
**APRIL 2023**

**VIOLATIONS**

**14**

**CITIZEN CONCERNS**

**3**

**WARD I- 2**

**WARD II -1**

**WARD III- 0**

**WARD IV- 0**

**BUILDING PERMITS**

**18**

**CONDEMNED**

**0**

- 1. COMPILED INFORMATION FOR AND PREPARED BID PACKAGES FOR DEMOLITIONS.**
- 2. ONLINE TRAINING FOR BUILDING AND ELECTRICAL INSPECTIONS.**
- 3. PLACED LIENS ON DELINQUENT INVOICES FOR VACANT STRUCTURES.**
- 4. WORKED WITH STREET DEPARTMENT ON CLEANING UP TRASH AND DEBRIS.**
- 5. MADE ROUNDS THROUGHOUT TOWN TO MAKE SURE ALL CONTRACTORS AND WORK BEING DONE ON PROPERTIES HAD ALL PERMITS AND LICENSES.**

**BUSINESS LICENSE REPORT**

**FOR THE MONTH OF**

**APRIL 2023**

<u>NAME</u>	<u>OCCUPATION</u>	<u>DATE</u>
Terradon Corporation Virginia King 409 Jackson Drive Poca, WV 25159 304-755-8291	All Other Businesses	04/06/2023
Prizm Painting LLC 1022 State Route 34 Hurricane, WV 25526 681-235-3265	Contractor	04/12/2023
Kokosing Construction Co., Inc. 710 North Main Avenue Weston, WV 26452 740-694-6315	Contractor (Headquarters Frederick Ohio)	04/14/2023
Hardt Roofing David Reinhardt 6405 Pike Street Mineral Wells, WV 26150	Contractor	04/26/2023
Matcom Wireless Service 3810 Old Saint Mary's Pike Parkersburg, WV 26104 470-242-9532	All Other Businesses	04/27/2023



## Ordinance Creating the Weston Land Reuse Agency

### §1 SHORT TITLE.

This Ordinance shall be known and may be cited as the “Weston Land Reuse Authority Act”. The city agency created under this ordinance shall be known as the “Weston Land Reuse Agency” or “Weston LRA” or “WLRA” or “Land Reuse Authority” or “Land Reuse Agency.”

### §2 PURPOSE.

The City of Weston finds that there exists a continuing need rehabilitate dilapidated buildings and to strengthen and revitalize the economy and that it is in the best interests of the city to assemble or dispose of public property in a coordinated manner in order to foster the development of that property and to promote economic growth, reduce crime, reduce transiency, reduce blight, and reduce dilapidation of buildings within the city. It is declared to be a valid public purpose for a Land Reuse Authority created under this subchapter to acquire, manage, rent, develop, assemble, dispose of and quiet title to property. It is further declared to be a valid public purpose for the Land Reuse Authority created under this subchapter to provide for the financing of the acquisition, assembly, disposition and quieting of title to property, and to exercise other powers granted under this subchapter. The City of Weston finds that the Land Reuse Authority and powers conferred by this subchapter constitute a necessary program and serve a necessary public purpose.

### §3 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**BOARD** means the board of directors of the City’s land reuse agency

**DECONSTRUCT** means to attempt to remove salvageable pieces of a structure prior to or as part of demolition or renovation.

**FINANCIAL INSTITUTION.** A bank, savings association, operating subsidiary of a bank or savings association, credit union, association licensed to originate mortgage loans or an assignee of a mortgage or note originated by such an institution.

**LAND REUSE AGENCY** or **LAND REUSE AUTHORITY** or **AUTHORITY.** The City of Weston Land Reuse Agency.

**MUNICIPALITY.** The City of Weston.

**REAL PROPERTY.** All lands, including improvements and fixtures on them and property of any nature appurtenant to them or used in connection with them and every

estate, interest and right, legal or equitable, in them, including terms of years and liens by way of judgment, mortgage or otherwise, and indebtedness secured by the liens.

#### **§4 CREATION AND EXISTENCE.**

The City of Weston Land Reuse Agency is hereby constituted under authority of W. Va. Code 31-18E-1 et seq. The name of the agency shall be the “City of Weston Land Reuse Agency”.

#### **§3 MEETINGS OPEN TO THE PUBLIC; PUBLIC HEARINGS.**

All matters before the Board, except those exempt under the applicable open meetings laws, shall be considered and voted on in an open meeting. Any matter put before a vote by the Board shall be first subject to the provision of a public hearing on the issue. The public hearing requirement shall be met where the Chair provides an opportunity for any person in attendance to speak on the issue prior to vote.

#### **§4 COMPOSITION OF BOARD.**

##### *(A) The Board in general*

- (1) The Board shall be made up of five (5) members
- (2) The makeup of the Board shall be consistent with West Virginia Code §31-18E-5

##### *(B) Eligibility to serve on Board.*

- (1) Notwithstanding any law to the contrary, a public officer is eligible to serve as a Board member, and the acceptance of the appointment neither terminates nor impairs that public office;
- (2) A municipal employee is eligible to serve as a Board member;
- (3) The Board shall include at least one voting member who:
  - (a) Is a resident of the city;
  - (b) Is not a public official or municipal employee; and
  - (c) Maintains membership with a recognized civic organization within the city.
- (4) A member removed under rules created by the Board pursuant to (E)(3) of this section is ineligible for reappointment to the Board unless the reappointment is confirmed by a unanimous vote of the Board, which shall mean a unanimous vote of all board members and not a unanimous vote of a quorum of board members ;
- (5) As used in this subsection, the term **PUBLIC OFFICER** means an individual who is elected to office.

##### *(C) Makeup of the Board*

The Board shall be made up of the following persons:

- 1) \_\_\_\_\_
- 2) \_\_\_\_\_
- 3) A resident member as qualified by the requirements of West Virginia Code §31-18E-5(b)(3), which includes being a resident of the City of Weston and is not a public official or employee and maintains membership in a recognized civil organization within the City of Weston
- 4) \_\_\_\_\_
- 5) \_\_\_\_\_

(D) *Officers.* The members of the Board shall select annually from among their members a Chair, Vice Chair, Secretary, Treasurer and other officers as the Board determines.

(E) *Rules.* The Board shall establish rules on all of the following:

- (1) Duties of officers;
- (2) Attendance and participation of members in its regular and special meetings;
- (3) A procedure to remove a member by a majority vote of the other members for failure to comply with a rule; and
- (4) Other matters necessary to govern the conduct of a land reuse agency.

**(F) *Vacancies.* A vacancy on the Board shall be filled in the same manner as the original appointment. Upon removal under this section, the position becomes vacant. → if city official is on the Board, how do we want to handle this situation?**

(G) *Compensation.* Board members serve without compensation. The Board may reimburse a member for expenses actually incurred in the performance of duties on behalf of the land reuse agency.

(H) *Meetings.*

- (1) The Board shall meet as follows:
  - (a) In regular session according to a schedule adopted by the Board;
  - (b) In special session:
    1. As convened by the Chair; or
    2. Upon written notice signed by a majority of the members.
- (2) A majority of the Board, excluding vacancies, is a quorum. Physical presence is required under this division (F)(2).

(I) *Voting.*

(1) Except as set forth in division (G)(2) or (G)(3) below or elsewhere in this subchapter, action of the Board must be approved by the affirmative vote of a majority of the Board present and voting.

(2) Action of the Board on the following matters must be approved by a majority of the entire Board membership:

(a) Adoption of bylaws;

(b) Adoption of rules under division (C) above;

(c) Hiring or firing of an employee or contractor of the land reuse agency. This function may, by majority vote of the entire Board membership, be delegated by the Board to a specified officer or committee of the land reuse agency;

(d) Incurring of debt;

(e) Adoption or amendment of the annual budget; or

(f) Sale, lease, encumbrance or alienation of real property or personal property with a value of more than \$50,000. → **State Code uses \$50,000**

(3) A resolution under §12 of this Ordinance, relating to dissolution of the agency, must be approved by two-thirds of the entire Board membership.

(4) A member of the Board may not vote by proxy.

(5) A member may request a recorded vote on any resolution or action of the land reuse agency.

(J) *Immunity.* The city shall not be liable personally on the bonds or other obligations of the land reuse agency pursuant to W. Va. Code 31-18E-5 et seq. Rights of creditors of the Authority are solely against the Authority.

**(K) Board member terms. Each Board member shall be appointed for a term of three years and may serve no more than three terms. Board members shall be appointed by the Mayor with the approval of Council. → tailor this to whether we have elected city officials on the board**

## **§5 STAFFING.**

(A) *Employees.* The Board may employ or enter into a contract for an executive director, counsel and legal staff, technical experts and other individuals and may determine the qualifications and fix the compensation and benefits of those employees.

(B) *Contracts.* The Board may enter into a contract with the city for:

(1) The city to provide staffing services to the Authority; or

(2) The Authority to provide staffing services to the city.

## **§6 POWERS OF AUTHORITY.**

The City of Weston Land Reuse Authority is a public body, corporate and politic, exercising public and essential governmental functions, and having all the powers necessary or convenient to carry out and effectuate the purposes and provisions of this subchapter, including, but not limited to, the following:

(A) To adopt, amend and repeal bylaws for the regulation of its affairs and the conduct of its business;

(B) To sue and be sued in its own name and be a party in a civil action. This division (B) includes an action to clear title to property of the Authority;

(C) To adopt a seal and to alter the same at pleasure;

(D) To borrow from federal government funds, from the state, from private lenders or from the city upon its consent, as necessary, for the operation and work of the Land Reuse Agency;

(E) To issue negotiable revenue bonds and notes according to the provisions of this subchapter;

(F) To procure insurance or guarantees from the federal government or the state of the payment of debt incurred by the Land Reuse Agency and to pay premiums in connection with the insurance or guarantee;

(G) To enter into contracts and other instruments necessary, incidental or convenient to the performance of its duties and the exercise of its powers. This division (G) includes intergovernmental cooperation agreements for the joint exercise of powers under this subchapter;

(H) To enter into contracts and intergovernmental cooperation agreements with other governmental entities for the performance of functions by the entities on behalf of the Authority or by the Authority on behalf of the entities;

(I) To make and execute contracts and other instruments necessary or convenient to the exercise of the powers of the Authority. Any contract or instrument signed shall be executed by and for the Authority if the contract or instrument is signed, including an authorized facsimile signature, by:

(1) The Chair or, if the Chair is incapacitated or otherwise unavailable, Vice Chair of the Authority; and

(2) Either:

(a) The Treasurer of the Authority; or

(b) The Secretary of the Authority.

(J) To procure insurance against losses in connection with the real property, assets or activities of the Authority;

(K) To invest money of the land reuse agency at the discretion of the Board in instruments, obligations, securities or property determined proper by the Board and to name and use depositories for its money;

(L) To enter into contracts for the management of, the collection of rent from or the sale of real property of the Authority;

(M) To design, develop, construct, demolish, reconstruct, deconstruct, rehabilitate, renovate, relocate and otherwise improve real property or rights or interests in real property;

(N) To fix, charge and collect rents, fees and charges for the use of real property of the Authority and for services provided by the Authority;

(O) To grant or acquire licenses, easements, leases or options with respect to real property of the land reuse agency;

(P) To enter into partnerships, joint ventures and other collaborative relationships with municipalities, counties and other public and private entities for the ownership, management, development and disposition of real property;

(Q) To organize and reorganize the executive, administrative, clerical and other departments of the Authority and to fix the duties, powers and compensation of employees, agents and consultants of the Authority; and

(R) To do all other things necessary or convenient to achieve the objectives and purposes of the Authority or other law related to the purposes and responsibility of the Authority.

## **§7 ACQUISITION OF PROPERTY.**

(A) *Title to property.* The Authority shall hold in its own name all real property it acquires.

(B) *Tax exemption.*

(1) Except as set forth in division (B)(2) below, the real property of the Authority and its income and operations are exempt from property tax pursuant to W. Va. Code 31-18E-9(b).

(2) Division (B)(1) above does not apply to real property after the fifth consecutive year in which the real property is continuously leased to a private third party. However, real property continues to be exempt from property taxes if it is leased to a nonprofit or governmental agency at substantially less than fair market value.

(C) *Methods of acquisition.* The Authority may acquire real property or interests in real property by any means on terms and conditions and in a manner it considers proper; provided, that the Authority may not acquire any interest in oil, gas or minerals which have been severed from the realty.

(D) *Acquisitions from municipalities or counties.*

(1) The Authority may acquire real property by purchase contracts, lease purchase agreements, installment sales contracts and land contracts and may accept transfers from the City of Weston, or Lewis County for property within the city limits, upon terms and conditions as agreed to by the Authority and the municipality or county.

(2) A municipality or county may transfer to the Authority real property and interests in real property of the municipality or county on terms and conditions and

according to procedures determined by the municipality or county as long as the real property is located within the jurisdiction of the Authority.

(E) *Maintenance.* The Authority shall maintain all of its real property in accordance with the statutes of the state and ordinances of the City of Weston.

(F) *Prohibition.*

(1) Subject to the provisions of division (F)(2) below, the Authority may not own or hold real property located outside the jurisdictional boundaries of the City of Weston.

(2) The Authority may be granted Authority pursuant to an intergovernmental cooperation agreement with the City of Weston or Lewis County to manage and maintain real property located within the jurisdiction of the municipality or county.

(G) *Acquisition of tax delinquent properties.*

(1) Notwithstanding any other provision of this code to the contrary, if authorized by the land reuse jurisdiction which created a land reuse agency or municipal land bank or otherwise by intergovernmental cooperation agreement, a land reuse agency or municipal land bank may acquire an interest in tax-delinquent property through the provisions of Chapter 11A of this code. If any unredeemed tract or lot or undivided interest in real estate offered for sale at public auction remain unsold following the auction, , the Auditor shall provide a list of all of said real estate within a land reuse or municipal land bank jurisdiction to the land reuse agency or municipal land bank and the land reuse agency or municipal land bank shall be given an opportunity to purchase the tax lien and pay the taxes, interest, and charges due for any unredeemed tract or lot or undivided interest therein as if the land reuse agency or municipal land bank purchased the tax lien at the tax sale.

(2) Notwithstanding any other provision of this code to the contrary, if authorized by the land reuse jurisdiction which created a land reuse agency or municipal land bank or otherwise by intergovernmental cooperation agreement, the land reuse agency or municipal land bank shall have the right of first refusal to purchase any tax-delinquent property which is within municipal limits, and meets one or more of the following criteria: (A) It has an assessed value of \$50,000 or less; (B) there are municipal liens on the property that exceed the amount of back taxes owed in the current tax cycle; (C) the property has been on the municipality's vacant property registry for 24 consecutive months or longer; (D) the property was sold at a tax sale within the previous three years, was not redeemed, and no deed was secured by the previous lien purchaser; or (E) has been condemned: *Provided,* That the land reuse agency or municipal land bank satisfies the requirements of subdivision (3) of this subsection. A list of properties which meet the criteria of this subdivision shall regularly be compiled by the sheriff of the county, and a land reuse agency or municipal land bank may purchase any qualifying tax-delinquent property for an amount equal to the taxes owed and any related fees before such property is placed for public auction.



(3) When a land reuse agency or municipal land bank exercises a right of first refusal in accordance with subdivision (2) of this section, the land reuse agency or municipal land bank shall, within 15 days of obtaining a tax deed, provide written notice to all owners of real property that is adjacent to the tax-delinquent property. Any such property owner shall have a period of 120 days from the receipt of notice, actual or constructive, to express an interest in purchasing the tax-delinquent property from the land reuse agency or municipal land bank for an amount equal to the amount paid for the property plus expenses incurred by the land reuse agency or municipal land bank: *Provided*, That the land reuse agency or municipal land bank may refuse to sell the property to the adjacent property owner that expressed interest in the tax-delinquent property if that property owner or an entity owned by the property owner or its directors is delinquent on any state and local taxes or municipal fees on any of their property.

(H) Pursuant to West Virginia Code §31-18E-9(g)(4), the provisions of subdivisions (2) and (3) of §7(G) shall, on July 1, 2025, sunset and have no further force and effect.

- (I) Prior to January 1, 2025, if the Authority powers granted by §7(G) shall submit to the Joint Committee on Government and Finance a report on the entity's activities related to the purchase of tax-delinquent properties and any benefits realized from the authority granted by this subsection

## **§8 DISPOSITION OF PROPERTY.**

(A) *Public access to inventory.* The Authority shall maintain and make available for public review and inspection an inventory of real property held by the Authority.

(B) *Power.* The Authority may convey, exchange, sell, transfer, lease, grant or mortgage interests in real property of the Authority in the form and by the method determined to be in the best interests of the Authority.

(C) *Consideration.*

(1) The Authority shall determine the amount and form of consideration necessary to convey, exchange, sell, transfer, lease as lessor, grant or mortgage interests in real property.

(2) Consideration may take the form of monetary payments and secured financial obligations, covenants and conditions related to the present and future use of the property, contractual commitments of the transferee and other forms of consideration as determined by the Board to be in the best interest of the Authority.

(D) *Policies and procedures.*

(1) The Board shall determine and state in the Board's policies and procedures the general terms and conditions for consideration to be received by the Authority for the transfer of real property and interests in real property, including, but not limited to, a process for distribution of any proceeds to any claimants, taxing entities and the Authority.



(2) Requirements which may be applicable to the disposition of real property and interests in real property by municipalities or counties shall not be applicable to the disposition of real property and interests in real property by the Authority.

(E) *Ranking of priorities.*

(1) The Authority may establish a hierarchical ranking of priorities for the use of real property conveyed by the Authority, including use for:

- (a) Purely public spaces and places;
- (b) Affordable housing;
- (c) Conservation areas; and
- (d) Retail, commercial and industrial activities.

(2) The priorities established may be for the entire land reuse jurisdiction or may be set according to the needs of different neighborhoods or other locations within the land reuse jurisdiction, or according to the nature of the real property.

(F) *Land use plans.* The Authority shall consider all duly adopted land use plans and make reasonable efforts to coordinate the disposition of Authority real property with the land use plans.

(G) The Board may delegate to officers and employees the Authority to enter into and execute agreements, instruments of conveyance and other related documents pertaining to the conveyance of real property by the Authority.

## **§9 FINANCING OF THE AUTHORITY.**

(A) *General rule.* The Authority may receive funding through grants and loans from:

- (1) The federal government;
- (2) The state;
- (3) A municipality or county; and
- (4) Private or other public sources.

(B) *Funding.* The Authority may receive and retain payments for services rendered, for rents and leasehold payments received, for consideration for disposition of real and personal property, for proceeds of insurance coverage for losses incurred, for income from investments and for an asset and activity lawfully permitted to a land reuse agency under this subchapter.

(C) The Authority is permitted to receive portions of property taxes from property that the Authority conveyed pursuant to West Virginia Code §31-18E-11(c), et. seq.

## **§10 BORROWING AND ISSUANCE OF BONDS.**

(A) *Authority.*

(1) The Authority may issue a bond for any of its corporate purposes in accordance with this subchapter and the Authority set forth in W. Va. Code 31-18E-12.

(2) The principal and interest of a bond is payable from the Authority's general revenue.

(3) The bond may be secured by any of the following:

(a) A pledge of revenue. This division (A)(3)(a) includes a grant or contribution from:

1. The federal government or a federal agency or instrumentality; or
2. The state, a state agency or an instrumentality of the state.

(b) A mortgage of property of the Authority.

(B) *Nature.* The bond is a negotiable instrument under the provisions of W. Va. Code Ch. 46, Art. 8.

(C) *Tax exempt.* A bond and the income from the bond is exempt from taxation by:

- (1) The state; and
- (2) A political subdivision.

(D) *Procedure.*

(1) A bond must be authorized by resolution of the Board and shall be a limited obligation of the Authority.

(2) The principal and interest, costs of issuance and other costs incidental to the bond are payable solely from the income and revenue derived from the sale, lease or other disposition of the assets of the Authority. The Authority may secure the bond by a mortgage or other security device covering all or part of the project from which the pledged revenues may be derived.

(3) A refunding bond issued under this section:

(a) Is payable from:

1. A source described in this subchapter; or
2. The investment of the proceeds of the refunding bonds.

(b) Is not an indebtedness or pledge of the general credit of a political subdivision within the meaning of a constitutional or statutory limitation of indebtedness and shall contain a recital to that effect.

(4) A bond must comply with the authorizing resolution as to:

- (a) Form;
- (b) Denomination;
- (c) Interest rate;

- (d) Maturity; and
- (e) Execution.

(5) A bond may be subject to redemption at the option of and in the manner determined by the Board in the authorizing resolution.

(E) *City election.* The city may elect to guarantee, insure or otherwise become primarily or secondarily obligated on the indebtedness of a land reuse agency, subject, however, to all other provisions of law of this state applicable to municipal or county indebtedness.

(F) *Sale.*

(1) A bond shall be issued, sold and delivered in accordance with the terms and provisions of the authorizing resolution. The Board, to effectuate its best interest, may determine the manner of sale, public or private, and the price of the bond.

(2) The resolution issuing a bond must be published in a newspaper of general circulation within the jurisdiction in which the land reuse agency is located.

(G) *Liability.*

(1) Neither the members of the Authority nor a person executing the bond shall be liable personally on the bonds by reason of the issuance of the bond.

(2) The bond or other obligation of the Authority related to a bond shall not be a debt of a municipality, county or of the state. A statement to this effect shall appear on the face of the bond or obligation.

(3) On the bond or other obligation of the Authority related to a bond, all of the following apply:

(a) The state has no liability. This division (G)(3) applies to the revenue and property of the state; and

(b) The City of Weston has no liability. This division (G)(3) applies to the revenue and property of the City of Weston.

## **§11 PUBLIC RECORDS AND PUBLIC ACCESS.**

(A) *Public records.* The Board shall keep minutes and a record of its proceedings.

(B) *Public access.* The Authority is subject to W. Va. Code Ch. 6, Art. 9-A, relating to open meetings, and W. Va. Code Ch. 29-B, relating to public records.

## **§12. DISSOLUTION OF AUTHORITY.**

(A) *General rule.* The Board may dissolve The Authority as a public body corporate and politic upon compliance with all of the following:

(1) Sixty calendar days advance written notice of consideration of a resolution to request dissolution must be:

- (a) Given to the City of Weston;
  - (b) Published in a local newspaper of general circulation; and
  - (c) Sent by certified mail to the trustees of outstanding bonds of the Authority.
- (2) Satisfaction of all outstanding liabilities; and
- (3) Approval of a resolution requesting dissolution.

(B) *Authority.* Upon receipt of a proper resolution described in division (A) above, the City of Weston may dissolve the Land Reuse Agency by adoption of an ordinance or order. If approved, the governing body of the city shall file a certified copy of the ordinance or order with the Secretary of State and notify the state's Housing Development Fund of the dissolution of the Authority. The Secretary of State shall cause the termination of the existence of the Authority to be noted on the record of incorporation. Upon the filing, the Authority shall cease to function.

(C) *Transfer of assets.* Upon dissolution of the Authority, real property, personal property and other assets of the Authority become the assets of the city.

### **§13 CONFLICTS OF INTEREST.**

(A) *Ethics Act.* The acts and decisions of members of the Board and of employees of the Authority are subject to W. Va. Code Ch. 6B (the Ethics Statute).

(B) *Supplemental rules and guidelines.* The Board may adopt:

- (1) Supplemental rules addressing potential conflicts of interest; and
- (2) Ethical guidelines for members of the Board and land reuse agency employees.

### **§14 EXPEDITED QUIET TITLE PROCEEDINGS.**

(A) *Authorization.*

(1) The Authority may file an action in circuit court to quiet title to real property in which the Authority has an interest.

(2) The Authority may join in a single complaint to quiet title to one or more parcels of real property.

(3) For purposes of an action under this section, the Authority shall be deemed to be the holder of sufficient legal and equitable interests and possessory rights so as to qualify the land reuse agency as an adequate complainant in the action.

(B) *Procedural requirements.*

(1) Prior to the filing of an action to quiet title, the Authority must conduct an examination of title to determine the identity of any person possessing a claim or interest in or to the real property.

(2) Service of the complaint to quiet title shall be provided in accordance with the requirements to serve a civil complaint generally, including that service to interested parties be made as follows:

(a) By first class mail to the identity and address reasonably ascertainable by an inspection of public records;

(b) In the case of occupied real property, by first class mail, addressed to "occupant";

(c) By posting a copy of the notice on the real property;

(d) By publication; and

(e) As ordered by the court.

(3) As part of the complaint to quiet title, the Authority must file an affidavit identifying:

(a) Persons discovered under division (B)(1) above; and

(b) The form of service under division (B)(2) above.

(C) *Hearing.*

(1) The court shall schedule a hearing on the complaint within 90 days following filing of the complaint and as to all matters upon which an answer was not filed by an interested party.

(2) The court shall issue its final judgment within 120 days of the filing of the complaint.

(D) *Procedures.* The procedures set forth herein are under the Authority of W. Va. Code 31-18E-16.

### **§15 CONSTRUCTION, INTENT AND SCOPE.**

This subchapter shall be construed liberally to effectuate the legislative intent and the purposes as complete and independent authorization for the implementation of this subchapter, and all powers granted shall be broadly interpreted to effectuate the intent and purposes and not as a limitation of powers.

### **§16 ANNUAL AUDIT AND REPORT.**

(A) The Authority shall annually, within 120 days after the end of the fiscal year, submit an audit of income and expenditures, together with a report of its activities for the preceding year, to the state's Housing Development Fund.

(B) A duplicate of the audit and the report shall be filed with the city.

If a court of competent jurisdiction finds that any portion of this ordinance is unconstitutional then the remaining portions of the ordinance shall remain in full force.

First Reading \_\_\_\_\_

Second Reading \_\_\_\_\_

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Kim Harrison-Edwards, Mayor

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Judy Piercy, City Clerk



# **CITY OF WESTON PURCHASING CARD POLICIES AND PROCEDURES**

**December 2022**

**City of Weston**

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## Section 1.0: Introduction

The Purchasing Card (P-Card) is the preferred method of payment providing an efficient and effective process for the payment of expenditures incurred by Local Government Entities. The P-Card effectively decreases program costs and offers increased control and monitoring of payments. An effective P-Card Program will also reduce the paperwork and time associated with the payment processing function.

### 1.1 Overview

The Local Government P-Card Program was created and implemented in 2008 by West Virginia Code, §6-9-2a, and is governed by Legislative Rule, 155 CSR 6. The State Auditor's Office Local Government P-Card Division serves as the Program Administrator for the Local Government P-Card Program. Local Government entities subject to the auspices of the State Auditor's Chief Inspector are eligible to participate in the program.

The governing body of the **Local Governmental Entity** is responsible for managing the program and each administrative organizational unit is responsible for managing its **Cardholder's** accounts.

### 1.2 Policy Adoption

Officials of each **Local Governmental Entity** are responsible for establishing, maintaining and enforcing Local P-Card Policies and Procedures. This Manual establishes minimum standards for the use of the State of West Virginia Local Government P-Card and may serve as a framework for local officials to fulfill that responsibility. Individual transaction limits and credit limits shall be determined by each Entity **P-Card Coordinator** upon approval by the State **Auditor's Office** Local Government P-Card Division.

It is the Entity's coordinators and cardholders responsibility to be knowledgeable of and to follow all P-Card policies and procedures, as well as all applicable purchasing laws and guidelines. Other members of Entity staff with reviewing and approving responsibilities (entity officials, finance manager, department heads, directors, managers, supervisors, etc.) should also be knowledgeable of program requirements.

The P-Card is a method of payment and should not be considered a substitute for proper procurement procedures. Each Entity should develop and document appropriate internal control procedures to ensure proper oversight and that P-Card usage is consistent with this manual, and to develop guidelines for distribution to cardholders. In those cases where it has been determined that Entity controls are not adequate, the **Auditor's Office** Local Government P-Card Division has the authority to request procedural improvements and/or place the card restrictions on the Entity until such controls are established, documented and implemented.

Participation in the P-Card Program may be revoked if an entity fails to institute and enforce policies and procedures related to the program.

### 1.3 Definitions

**Auditor's Office** - West Virginia State Auditor's Office.

**Cardholder** - Employee (or non-employee) whose name appears on the Purchasing Card and is accountable for all charges made with that card.

**Cardholder Account Number** - The individual account number assigned to each Entity payment account.

**Cardholder Agreement Form** - A form signed by the cardholder that acknowledges that the cardholder has had adequate training, understands the *P-Card Policies and Procedures*, and accepts responsibility for compliance with all policies and procedures.

**Card Verifier** – Employee(s) within the organization responsible for verifying that all charges against the Cardholder's account are backed up by supporting documentation and appropriate for the operations of the Entity. Frequently they will document this review and approval by signing the weekly or monthly log sheet of the employee.

**City Finance Manager** – The individual responsible for oversight of the financial activity within a spending unit.

**Disputed Item** - Any transaction that was not authorized by the individual cardholder.

**Entity Officials** - The elected body or appointed governing board of an Entity.

**Electronic Signature** – An electronic sound, symbol or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record. (See West Virginia Code §39A-1-2(8)).

**Financial Institution** – The organization that has contracted with the Auditor's Office to administer certain aspects of the Local P-Card Program.

**Fraud** – is a deception deliberately practiced in order to secure unfair or unlawful gain.

**Goods** - Materials, supplies, commodities, equipment, and any other articles or items used by or furnished to an Entity.

**Hospitality** – Food, nonalcoholic beverages, and related expenses for the reception of guests by an Entity for a specific event or function relating to conducting Entity business.

**Individual Statement** - A listing of transactions available monthly to the cardholder indicating all activity on an individual P-Card.

**LG P-Card Account Administration Worksheet** - A file that initiates the P-Card issuance process, account maintenance, new billing accounts and coordinator changes.

**Local Governmental Entity** - means any unit of local government within the State subject to the auspices of the Chief Inspector, including a county, county board of education, municipality, and any other authority, board, commission, district, office, public authority, public corporation, or other instrumentality of a county, county board of education, or municipality or any combination of two or more local governments.

**Master Billing Account Number** - The master account number assigned to each Entity for billing purposes.

**Master Statement** - A list of transactions available monthly to the Entity P-Card Coordinator indicating all activity on each individual P-Card that rolls up to that Entity's master account number.

**Non-Employee** – an individual who is not employed with the entity but performs functions for the local government for which they are issued a P-Card.

**Official Use** - Payments made by a cardholder on behalf of the Entity as permitted by law and P-Card Policies and Procedures.

**P-Card Coordinator** - The City Finance Manager or individual designated by each Entity to administer the P-Card Program within the Entity or an account of the Entity.

**P-Card Delegation** - The practice of allowing an individual other than the cardholder whose name appears on the front of the P-Card to have access to the P-Card or P-Card number to initiate or complete a transaction.

**Program Administrator** – The Director of the Local Government P-Card Program in the State Auditor's Office Local Government P-Card Division.

**Purchasing Card (P-Card)** - A payment account issued in the name of an individual employee of the Local Government Entity or non-employee for official use.

**Receipt** - An itemized document indicating the vendor, the price per item, and the total amount charged in a transaction.

**Spending Unit** – All local governments within the state, including a county, county board of education, municipality, and any other authority, board, commission, district, office, public authority, public corporation, or other instrumentality of a county, county board of education, or municipality or any combination of two or more local governments except those statutorily exempted.

**Transaction** –The payment for goods and services and other items.

**Transaction Limit** - The maximum dollar amount permitted in any single transaction.

**Vendor** - The supplier of goods or services to a Local Government Entity.

## 1.4 Training

The State Auditor's Office Local Government P-Card Division shall provide training to all cardholders and program coordinators. Training may be in person, or in a format approved by the State Auditor's Office Local Government P-Card Division.

All Entity Program Coordinators shall receive training/education designed and approved by the State Auditor's Office Local Government P-Card Division within thirty (30) days of assuming the duties of the position. Designated training/education may be required annually. P-Card Program Coordinators who successfully complete all applicable designated Coordinator training are not required to undergo any required Cardholder training.

Effective July 1, 2019, Entity employees who will be issued and/or use a P-Card must have successfully completed a training session specifically designed for new cardholders. All current cardholders should complete refresher training before their P-Card is reissued. Training on specific Entity purchasing policies and guidelines will be provided by the Entity.

## Section 2.0: P-Card Issuance and Maintenance Procedures

### 2.1 Designation of a P-Card Coordinator

The city's Finance Manager or his or her designee shall serve as the spending unit P-Card Coordinator. P-Card Coordinator(s) are specified by a representative of the **Entity Officials through the preparation of the LG P-Card Account Administration Worksheet** which must be submitted to the **State Auditor's Office**. Additionally, **Entity Officials** (or a representative) should designate an individual to act as a backup **P-Card Coordinator** in the event the primary Coordinator is unavailable to perform his or her duties. An Entity may have multiple **P-Card Coordinators** or P-Card sub-Coordinators who may be delegated some or all of the coordinator's responsibilities. Sub-Coordinators may be appointed by the Entity Officials (or a representative) or the **P-Card Coordinator**. **P-Card Coordinators** and sub-coordinators must complete State Auditor's Office training within 30 days of assuming responsibilities.

The designated individual(s) shall be responsible for the administration and oversight of the Entity's P-Card internal control system, which includes the appropriate accounting of transactions and ensuring P-Card use is for valid government purposes.

### 2.2 Obtaining a P-Card

P-Cards are issued at the request of the Entity **P-Card Coordinator**. **Cardholders** should be full-time employees of the Entity. Cardholders must sign a *Cardholder Agreement* (Exhibit A). If an individual is a **Non-Employee** of the Entity they must still sign a *Cardholder Agreement*. P-Cards will not be issued by the **State Auditor's Office** without a signed *Cardholder Agreement*. The Entity **P-Card Coordinator** is required to maintain a copy of the *Cardholder Agreement* Form.

The **P-Card Coordinator** is responsible for assigning the credit and transaction limits as well as any other applicable restrictions for use of the P-Card. The coordinator can assign this through the financial institution's electronic platform or by emailing the appropriate section of the **LG P-Card Administration Worksheet** to our global email address ([wvlgPcard.gov](mailto:wvlgPcard.gov)).

All new applicants are required to complete **State Auditor's Office** training before P-Cards will be issued.

## 2.3 P-Card Activation

P-Cards are generally mailed to the P-Card Coordinator. Upon receipt, the coordinator should provide it to the cardholder. **Cardholders** are responsible for activating their own cards upon receipt and assigning a personal identification number (PIN) to their card.

## 2.4 P-Card Account Maintenance

**P-Card Coordinators** are responsible for performing card maintenance via the applicable provider platform. The **State Auditor's Office** is required to electronically approve certain account maintenance changes. Alternatively, **P-Card Coordinators** may utilize the **LG P-Card Administration Worksheet** or email our office for maintenance items.

## 2.5 Card Security

It is the **Cardholder's** responsibility to safeguard the P-Card and P-Card account number at all times. P-Cards must be kept in a secure location and should only be used to process transactions by the respective **Cardholder**. In order to prevent exposure to fraud, the full P-Card account number should not be recorded electronically or on paper. All cardholders are required to sign the back of their P-Card upon receipt.

P-Card delegation is prohibited. P-Card delegation is the practice of allowing an individual, other than the cardholder whose name appears on the front of the P-Card, to have access to the P-Card or P-Card number to initiate or complete a transaction. P-Card delegation increases the risk of fraud and cardholder liability.

If a Cardholder becomes aware of a charge to their P-Card that is potentially fraudulent in nature they must notify their **Card Verifier** and the **P-Card Coordinator immediately**. Representatives of the Entity shall report all aforementioned instances to the **State Auditor's Office** Local Government P-Card Division **immediately**.

With the exception of ghost accounts, fleet cards, and certain other accounts, P-Cards are issued in an individual's name. Only the individual named on the P-Card is authorized to use it. P-Cards can be issued in the name of the Entity upon approval by the **State Auditor's Office** Local Government P-Card Division. These department cards shall have proper controls in place as to access and use and should be limited to specific users designated by department heads. All users of a department card are still required to sign a *Cardholder Agreement Form*. All *Cardholder Agreement Forms* for department cards must be submitted to the **State Auditor's Office** Local Government P-Card Division to be kept on file. Documentation should clearly establish the individual responsible for the purchase. A *Shared Purchasing Card Log Sheet* (Exhibit B) must be kept to properly document who had access to the card, the date and vendor of every purchase the employee/non-employee made, as well as when the card was returned.

**Immediately** report lost or stolen P-Cards to the **Financial Institution** and the **Entity P-Card Coordinator** within 24 hours to limit cardholder liability.

P-Cards must be cancelled **immediately** upon termination of or separation from employment. The **P-Card Coordinator** is responsible for ensuring that the P-Card is destroyed and that a *Local Government Card Maintenance Form* (electronic form at *State Auditors Website*) is completed and submitted to the **State**

**Auditor's Office** Local Government P-Card Division or that the account is terminated by the coordinator via the processing bank's electronic portal.

## **Section 3.0: Using the P-Card**

### **3.1 General Instructions**

The P-Card is a preferred method of payment for certain designated transactions or dollar amounts, when no additional processing fee will be incurred by using the P-Card. All applicable laws, rules and regulations, P-Card Policies and Procedures, and other governing instruments must be followed, regardless of the method of payment.

The P-Card may be used to make payments for goods, services, and travel that are not prohibited by P-Card Policies and Procedures, travel policies, or applicable laws, rules or regulations. Personal charges are prohibited. When an ineligible purchase has been made, the procedure laid out in section 3.8 of this handbook should be followed.

### **3.2 Transaction Limit**

Individual transaction limits and credit limits are determined by each Entity **P-Card Coordinator** upon approval by the **State Auditor's Office** Local Government P-Card Division. It is a violation of policy to manipulate the ordering, billing, or payment process in order to circumvent established cardholder limits.

### **3.3 Ordering**

Payments may be made with the P-Card by phone, fax, mail, secured internet site, or in person. When paying by telephone, fax, mail, or internet, the vendor should be provided with a complete shipping address.

Shipping and handling charges must be included in the stated price and the total charge may not exceed the cardholder's assigned transaction limit.

### **3.4 Tax Exempt Status and Disputed Charges**

Local Government Entities are tax exempt for sales tax and hotel/motel tax and should not pay tax to in-state vendors. Cardholders should remind vendors that the Entity is tax exempt before initiating a transaction.

The words "Tax Exempt" and the Entity's tax identification number are printed on the P-Card.

The cardholder may be required to provide the vendor with a copy of the Entity's tax-exempt certificate.

It is the cardholder's responsibility to ensure charge accuracy. Sales tax, incorrect shipping charges or other invalid charges to the card should be addressed immediately with the vendor by the cardholder. If the situation is not adequately addressed by the vendor, the cardholder should initiate a dispute by calling the West Virginia State Auditor's office and following instructions.

### 3.5 Convenience Fees and Surcharges/Checkout Fees

Convenience Fees and Surcharges should be avoided whenever possible

### 3.6 Travel

The following types of travel expenses are eligible to be paid with a P-Card.

1. Conference Registration Fees
2. Lodging Fees
3. Taxi or other Transportations Fees (i.e. Uber; Bus; Subway)
4. Parking
5. Airline Tickets
6. Rental Cars
7. Meals
8. Fuel for City vehicles

Total travel related daily P-Card spending for transportation, parking, and meals, should not exceed the federally recommended per diem for the relevant location. For more information, visit [gsa.gov/travel/plan-book/per-diem-rates](https://gsa.gov/travel/plan-book/per-diem-rates)

### 3.7 Hospitality

Hospitality expenses are the provision of food, beverages, activities, or events for the purpose of promoting the local government. Specific documentation requirements exist for hospitality expenditures and that documentation must remain consistent regardless of the method of payment. In addition to other documentation requirements, each hospitality event/function must be supported by an itemized receipt/invoice and a sign-in sheet (by first and last name) of function attendees. Hospitality documentation should be retained for inspection.

### 3.8 Usage Restrictions

The P-Card can only be utilized for government related purposes. West Virginia Code §11-8-26 states in part that "a local fiscal body shall not expend money or incur obligations for an unauthorized purpose". Furthermore, WV Code §6-9-2(c) stipulates that it is unlawful for any person to use a local purchasing card in any manner which is contrary to the types of payments authorized by the Auditor and governing policies and procedures. The following types of purchases are not authorized:

1. Cash Advances (unless approved by the State Auditor)
2. Gift Cards or any kind of gift certificate unless pre-approved by the **State Auditor's Office Local Government P-Card Division**. Entities must complete and submit *Authorization for Purchases of Gift Card/ Certificates* (Exhibit E) **PRIOR** to purchase.
3. Purchases that are non-public in nature that would otherwise be considered an unauthorized expenditure (including personal purchases).

4. Personal purchases which are then reimbursed to the Entity.
5. Meals that are not employee overnight travel or meals specifically excluded from taxability under IRS rules and regulations (See IRS Publication 5137 Fringe Benefit Guide) related and/or related to hospitality (as defined in Section 3.7).
6. Returned goods should be credited to the P-Card. Debit cards, gift cards, store credit, or cash are not an acceptable method of receiving funds for returned goods.
7. Any purchase that violates the provisions of The Ethics Act (WV Code §6B-1)
8. Alcoholic Beverages other than for resale

When an ineligible purchase is made by mistake, the purchaser may be given the opportunity to rectify the expense by reimbursing the City for the ineligible expense. Reimbursement should be made by the offending employee in the form of personal check (or similar instrument) made out to the City of Weston. The P-Card Coordinator should prepare a detailed note about the transaction to be kept with the corresponding monthly statement.

## Section 4.0: Transaction Documentation, Reconciliation and Review

Cardholders are responsible for the review, acknowledgement or dispute of all transactions that appear on their P-Card statement. Proper documentation (defined in Section 4.1) must be obtained and maintained for each transaction placed on the P-Card and must be maintained for inspection in accordance with record retention guidelines.

### 4.1 Documentation Requirements

All receipts for P-Card purchases must be detailed and itemized and be present for all charges on the Cardholder's statement. Receipts should show all items purchased, not just a total amount. The same would apply for restaurant receipts. Payment-alone signature receipts will not be considered by the Auditor as proof of the purchase if it is not accompanied by the vendor's itemized receipt.

To document online purchases, the Cardholder should make a copy of the screen that indicates the purchase was paid with a credit card. The screen print should also show the date of the transaction, items purchased, and the total dollar amount. Just like other purchases, on-line purchases must be documented with detailed/itemized receipts.

### 4.2 Review of Transactions

The P-Card Coordinator within the organization responsible for verifying that all charges against the Cardholder's account are backed up by proper supporting documentation and appropriate for the operations of the Entity.

The **P-Card Coordinator** must document approval through a signature on the Cardholder's monthly statement.

Any suspicious transactions should immediately be brought to the attention of the **P-Card Coordinator** and/or the appropriate management level of the Entity. Any discrepancies must be investigated and resolved. The disposition of each discrepancy must be documented and retained with the supporting documentation and/or statement of account. Cardholders are accountable for all discrepancies.



After all transactions have been reviewed and verified, the **Card Verifier** must forward the supporting documentation and individual account statements to the primary **P-Card Coordinator** who receives the master billing statement.

### 4.3 Account Coding

The **P-Card Coordinator** is responsible for assuring all expenditures are assigned to their appropriate line item in the Entities general ledger on a monthly basis. Account coding is periodically reviewed by Finance Manager.

Technology is provided for importing of p-card data and default account coding for Cardholder's transactions. Cardholders may have default coding in which purchases are assigned automatically to a specific account. The **P-Card Coordinator** is responsible for periodically reviewing this coding and related charges to ensure the coding is proper.

### 4.4 Payment Process

Entity Officials are responsible for ensuring that the master billing account is paid in full every month.

The Entity shall remit all P-Card payments directly to the financial institution. The financial institution should receive payments within twenty-five (25) successive, calendar days after the billing cut off on a standard monthly payment cycle.

The Entity is required to pay the balance due regardless of pending credits or disputed transactions. Resolved disputes and credits will be applied to subsequent bank statements or checks will be issued by the financial institution directly to the Entity. If an Entity fails to make required payments in a timely manner, the **State Auditor** may prohibit further participation in the program.

## Section 5.0: Fraud, Misuse and Abuse

### 5.1 Fraud

Fraud is a deception deliberately practiced in order to secure unfair or unlawful gain. For example, fraud occurs when the cardholder's account information has been intentionally utilized for personal gain. Intentional use of the P-Card to make purchases for personal use or non-state business is fraudulent and is prohibited.

If a Cardholder fraudulently uses their P-Card, the following actions could potentially take place, remediation may include any combination of the following:

- P-Card Privileges Revoked
- Termination of Employment
- Legal Action

Instances of unlawful use, possible fraud, misappropriation, or mismanagement with the P-Card shall be reported immediately to the Entity **P-Card Coordinator**. The **P-Card Coordinator** shall report all aforementioned instances to the **State Auditor's Office** Local Government P-Card Division within 24 hours of his or her discovery. Notification of card misuse to the **State Auditor's Office** Local Government P-Card Division is **REQUIRED**, even if the instance was handled internally by Entity Officials.

The potential penalties for the unlawful use of a local purchasing card are outlined in West Virginia Code §6-9-2c, a through d which states the following:

“(a) It is unlawful for any person to use a local government purchasing card, issued in accordance with the provisions of section two-a of this article, to make any purchase of goods or services in a manner which is contrary to the provisions of section two-a of this article or the rules promulgated pursuant to that section.

(b) It is unlawful for any person to knowingly or intentionally possess with the intent to use a purchasing card without authorization pursuant to section two-a of this article or the rules promulgated pursuant to that section.

(c) Any person who violates the provisions of this section is guilty of a **felony** and, upon conviction thereof, shall be confined in a state correctional facility not less than one year nor more than five years, or fined no more than \$5,000, or both fined and imprisoned.

(d) A violation of this section may be prosecuted in the county in which the card was issued, unlawfully obtained, fraudulently used, used without authorization, or where any substantial or material element of the offense occurred.”

Failure to comply with P-Card Policies and Procedures, rules, and law associated with the Local Government P-Card Program may result in revocation or limitation of P-Card privileges, a period of probation, or mandatory P-Card training in addition to any other discipline deemed necessary or appropriate by the Entity.

## 5.2 Misuse and Abuse

Misuse/Abuse is the improper, unlawful or incorrect use, compromise or misapplication of the P-Card. Examples include:

- Failure to maintain security protecting your P-Card.
- Paying for items in which the P-Card is not authorized for payment.
- Purchase of authorized goods or services, at terms (e.g. price, quantity) that are excessive.

If a Cardholder misuses their P-Card, the following actions could potentially take place:

- P-Card Privileges Revoked
- Termination of Employment
- Legal Action

## **Section 6.0: Program Monitoring**

### **6.1 Entity Review**

Entity Officials are encouraged to conduct random reviews of transactions within their program. Various reports are available through the financial institution's online management website or through the Local Government P-Card Division. Coordinators should be knowledgeable of the types of transactions appropriate for cardholders within their area of responsibility and review, and have the authority to request documentation for any transaction appearing on a cardholder's account.

### **6.2 State Auditor's Office Review**

The State Auditor's Office may perform a review or examination of the Entity's P-Card Program at any time and issue a report that contains suggestions for improvements to the program. This evaluation may be conducted by the Local Government P-Card Division or the Chief Inspector Division to determine compliance with Local Government P-Card Policies and Procedures. Relevant documentation related to the administration of the Local P-Card Program should be provided upon request.

### **6.3 Failure to Follow P-Card Policies and Procedures**

The **State Auditor's Office** may limit or revoke P-Card privileges, institute a period of probation or require mandated training for any Entity, if that Entity is found to have violated P-Card policies and procedures and failed to take corrective action.

## **Section 7.0: Miscellaneous**

### **7.1 Record Retention**

The Entity shall maintain all documentation relating to the P-Card Program (cardholder applications, agreements, maintenance forms, training certificates, and transaction support documentation) until a post-audit review has been completed by either the State Auditor's Office Chief Inspector Division or a firm approved by the Chief Inspector. Furthermore, the City of Weston shall maintain these records for ten years as designated by the City of Weston Financial Procedures and Policies handbook..

## City of Weston Financial Procedures and Policies

### Invoice Processing

- Invoices are received and coded first by the department head of the relevant department, before being forwarded to the administrative assistant.
- Invoices are put into **Pending** folder for City Manager approval.
- City Manager reviews all invoices and approves for payment. City Manager also reviews codes with administrative assistant for financial tracking.
- Approved invoices are put into **Invoices to be Paid** folder for payment.
- Assistant Finance Director or Finance Manager prepares appropriate payment type (check, ACH, other) and submits them for final distribution to the City Clerk each Friday.
- All invoices paperwork is filed alphabetically by vendor in financial filing cabinet. Each year, files are moved out to storage and stored per the Document Retention Policy.

### Cash/Check Processing and Deposits

- Cash/Checks are received and processed by a city staff member (Administrative Assistant).
- Cash deposits are prepared with a paper deposit slip and taken to the Assistant Finance Director or the Finance Manager for taking to the bank.
- Check deposits are prepared by the Administrative Assistant and then transferred to the Assistant Finance Director or the Finance Manager for final deposit. All checks should be deposited on site using Remote Deposit Capture machine.
- Checks which have been deposited remotely should be stamped "scanned," and stored with the deposit receipt they correspond to, and retained according to the applicable financial institution's retention policy, or the City of Weston's document retention policy, whichever is greater.
- Deposit Receipt is always attached to paperwork and coded for financial tracking.
- Payments made against invoiced amounts and against B&O taxes will be processed by the Administrative Assistant.
- Payments against non-invoiced amounts (with the exception of B&O taxes) will be brought to the Assistant Finance Director or the Finance Manager for revenue line coding and deposit preparation. Deposits can then be completed by remote capture/by written deposit

- All cash and checks should be deposited on day they are received in office. Only in special circumstances should cash/checks be stored in office. When this occurs, all open deposits are to be locked in a safe and secure place.

### **Credit Card Processing**

- The Administrative Assistant will process all credit card payments on invoiced amounts when the card is presented in person.
- No less than semimonthly, the Administrative Assistant will reconcile online Credit Card or ACH Payments in the bookkeeping software.

### **Bank Statement Reconciliation**

- Bank Statements are downloaded monthly by the City Manager or received by any city staff.
- City Clerk reviews and reconciles the bank statements against financial software and informs the Assistant Finance Director and/or Finance Manager of any discrepancies.
- Assistant Finance Director and/or Finance Manager researches and work to address and resolve any discrepancies.
- After the reconciliation is complete, the reconciliation summary should be printed, attached to a printed copy of the bank statement This packet can then be filed in a binder for bank reconciliations.
- City council, reviews each reconciled bank statement as part of their monthly meeting and approves the review.

### **Capitalization Policy**

- All acquisitions of property and equipment donated or purchased with an individual value of \$5,000 or more and a useful life of two years or more will be capitalized. Property and equipment are carried at cost or, if donated, at the approximate fair market value at the date of the donation.

### **Check Writing Policy**

- Checks will be written weekly, or as needed by either the Assistant Finance Director or the Finance Manager.
- In special circumstances that require immediate payment when the Assistant Finance Director or Finance Manager are unavailable the City Manager can produce and print checks. (Documentation is considered pending until the Finance Manager reviews and confirms)

- All checks require the signature of the City Clerk (or the City Manager when the City Clerk is unavailable) and the signature of the Mayor (or Vice Mayor, when the Mayor is unavailable).
- All check stubs are to be filed with invoices and paperwork for backup information.

### **Payroll**

- Each employee will fill out and sign their timesheet that has been provided by the Finance Department.
- Each Department head will review their own departments time sheets before forwarding them to the Assistant Finance Director or the Finance Manager
- Payroll, withholding, and related expenses will be processed by the Assistant Finance Director or the Finance Manager.
- Before final disbursement, the Assistant Finance Director or Finance Manager will review the planned payroll schedule with the City Manager.

### **Petty Cash**

- Petty cash in the amount of \$250 will be kept by the Administrative Assistant for the primary purpose of making change for citizens.
- Purchases may be made using Petty Cash funds, only if an itemized receipt and exact change is returned to the Petty Cash drawer.
- Cash being removed from the Petty Cash Drawer for the purpose of making a purchase must be recorded in the Petty Cash Log.
- The petty cash fund will be counted daily and reconciled weekly.

### **Personal Loans**

- Personal loans and cash advances to any staff member, including the City Manager, are strictly prohibited.

### **Budgeting and Reporting**

- The City Manager and Finance Manager will prepare an annual budget that will be approved by the City Council and forwarded to the State Auditor's office for approval.
- Expenses will be compared with the budget on a monthly basis. This report will be reviewed by the City Council monthly at the regularly scheduled council meeting.

- Budget revisions shall be conducted in advance of an overage of a subaccount of the budget per the State Auditor's Office's requirements.

### **Accounting System**

- The agency will use QuickBooks financial software to keep complete books for the organization. The software will be accessible on site at the city building, and backed up remotely.
- All transactions entered into QuickBooks will be supported by proper documentation filed as described in these policies.

### **Outside Assistance**

- Outside Assistance, such as a CPA Firm, may be contracted for such purposes as, but not limited to: making adjusting entries to accrued expenses, maintaining capitalized accounts and depreciation schedule, working through particular problems as needed. This outside assistance shall not exceed \$5000 per annum unless otherwise authorized by Council.
- Outside assistance, such as a payroll processing firm, may be contracted for such purposes as, but not limited to: payroll processing, including tax and liability processing. Any outside assistance estimated to incur costs over \$5000 per annum shall be authorized by Council.

### **Purchasing Cards**

- The Finance Manager or someone designated by the Finance Manager shall be the P-Card Coordinator
- When a payment is made with a Purchasing Card (P-Card) all state protocols must be followed.
- A receipt or other documentation for the purchase should be given to the Assistant Finance Director of the Finance Manager in a timely manner.
- The Assistant Finance Director or the Finance Manager should record these purchases in the bookkeeping software in a timely manner - usually a week before the payment is due so that we can authorize payment with everything accounted is my suggestion)
- When statements arrive, they will be processed like any other invoice.

### **Procurement Policy**

- The City Clerk shall be the chief Procurement officer.

- When supplies of a general nature are needed (e.g., office or janitorial supplies), the need should be communicated to, and approved by, the relevant department supervisor. That department supervisor, after considering their department's budget, should then communicate their need to the City Clerk.
- When supplies of a technical nature, costing less than \$750 per unit (e.g., nuts, bolts, pipe), are needed, the need should be communicated to the relevant department supervisor. That department supervisor, after considering their department's budget, may then procure the supplies using their P-Card.
- When supplies of a technical nature, costing more than \$750 per unit (e.g., police cruisers, asphalt, gravel), are needed, the need should be communicated to the relevant department supervisor. That department supervisor, after considering their department's budget, should request a Purchase Order (PO) number to be assigned to the need by the City Clerk. After a PO number has been assigned, the purchase may be made, with an itemized invoice being delivered to the city.
- Additionally, those guidelines laid out in *West Virginia Purchasing Division Procedures Handbook, July 1, 2020*, or newer edition if available, should be considered salutary guidance, and followed when applicable.
- Weston City Council has set forth the following delegated spending thresholds:
  - Purchases \$5,000 and Less:** Competitive bids are not required but are encouraged when possible
  - Purchases \$5,000.01 to \$25,000:** A minimum of three written quotations are required, when possible, and the lowest bid meeting specifications must be taken before council for final approval. All bids must be present in the file.
  - Purchases \$25,000 and up:** A minimum of three written bids are required, and must be acquired through a competitive bid process, as defined by the State of West Virginia, and must be finally approved by the city council.
- When written bids are needed, a Request for Proposals (RFP) or Request for Quotations (RFQ) may be prepared by the relevant department(s) and the City Clerk, and distributed by the City Clerk.
- When considering verbal and written bids, preference may be given to vendors located within the city limits of Weston provided that that vendor's bid is within 5% of what would otherwise be the lowest bid. After preference for businesses within city limits is considered, preference for businesses within Lewis County may be considered, with the same parameters.

### **Record Retention**

Financial records shall be maintained for 10 years, and then discarded, provided that an external audit has already been completed.



**Internal Controls Chart**

This chart is for informational and summary purposes only. When a conflict is found between his chart and the policy, the policy should be followed.

<p><b>City Manager</b>          -Approves all invoices and payments          -May sign checks          -May print checks if needed          -Works with Finance Manager to prepare annual budget</p>	<p><b>City Clerk</b>          -May sign checks          -Reconciles monthly bank statements          -Acts as chief procurement officer</p>	<p><b>Administrative Assistant</b>          -May receive mail          -May receive payments and prepares deposit          -May receives and posts all non-invoiced deposits and transactions into financial software</p>
<p><b>Finance Manager</b>          -P-Card Coordinator          -May prepare all payments          -May print checks          -May finalize and make deposits.          -Work with the City Manager to prepare the annual budget.          -May sign checks          -Receives, enters, and tracks P-Card receipts.</p>	<p><b>Assistant Finance Director</b>          -May prepare all payments          -May print checks          -May finalize and make deposits.          -Receives, enters, and tracks P-Card receipts.</p>	<p><b>Outside Assistance</b>          -Maintains depreciation schedule          -Makes adjusting entries when needed.          -Payroll Processing</p>
<p><b>Mayor</b>          -May sign checks</p>	<p><b>Vice Mayor</b>          -May sign checks</p>	<p><b>Department Heads</b>          -Reviews timesheets of their own department          -Codes all invoices for financial entry</p>

**VACATION BENEFITS (PAID ANNUAL LEAVE)**

All permanent full-time employees shall be granted eighty (80) hours of vacation per year after completing twelve (12) months of service with the City. These hours will be credited on the employee's anniversary hire date. On January 1<sup>st</sup> after the 1<sup>st</sup> anniversary, employees shall be prorated at 6.5 hours per complete month worked for time worked for the following year after their anniversary date. After 2 years of continuous service with the City, full-time employees shall earn one hundred and twenty hours (120) of vacation per year, and those hours will be credited on the January 1<sup>st</sup> after the 2-year service anniversary. After 5 years of continuous service with the City, full-time employees shall earn one hundred and sixty hours (160) hours of vacation per year, which is the maximum amount one can earn annually, and will be credited on the January 1<sup>st</sup> after the 5 year service anniversary. Part-time and temporary employees are not eligible for paid annual leave.

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No employee shall have more than 200 hours of regular vacation time banked.

Employees that fulfill critical needs in times of employment shortages, as determined by the Common Council, may submit a request in writing to the City Manager to be approved by the Common Council requesting their vacation be paid out due to the lack of coverage for their roles.

Employees hired prior to October 5, 2022, shall have any vacation time unused or unpaid vacation leave prior to the October 5<sup>th</sup> employee handbook update credited to them in a separate vacation leave account. This leave shall not accrue any further but may be used in the same manner as other vacation leave. If a balance remains upon the employees end of in employment this leave shall be payable.

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Vacation days may not be taken in segments of less than one-half (1/2) day unless approved by your supervisor. Employees must request advance approval for use of vacation days from their supervisor. Requests will be reviewed based on a number of factors, including seniority, department needs and staffing requirements. Employees with accrued, but unused vacation time at the end of the calendar year may be paid up to 40 hours at their regular rate of pay for their unused vacation time or may elect to carry over up to forty hours of unused vacation time into the next calendar year. Any hours over 40 will be forfeited and do not have any cash value.

Employees must put their elections relating to unused vacation time (meaning whether they want a cash payment or to carry over any eligible unused time) in writing and submit their election to the City Manager by December 31 of the calendar year in which the vacation days were accrued.

Unused vacation time (except for unused time earned prior to 10/5/2022) will not be paid to the employee upon separation from employment regardless of whether the City or the employee terminates the employment relationship.

Should an employee require a leave of absence not covered by this or other policies, the employee may submit a request in writing, to the Common Council, for consideration. Similarly, should an employee wish to take more than 80 hours of vacation time consecutively, he/she must seek approval from the Common Council. A leave request form may be obtained from the City Manager.

**City of Weston**  
FY24 Proposed Paving List

<u>Ward</u>	<u>Location</u>	<u>Beginning</u>	<u>Ending</u>	<u>Width (ft)</u>	<u>Length (ft)</u>	<u>Cu/Yds @ 1.5" depth</u>	<u>Tons</u>	<u>Material Cost @ \$89.00 Ton</u>	<u>Materials Laid Cost @ \$49.00 Ton</u>	<u>Milling Cost @ \$3.75 Sq/Yd</u>	<u>Total</u>
1	Water Street City Parking Lot			32	287	42	83	\$7,407	\$4,078	\$3,827	\$15,312
1	South River Avenue	Kitson Street	Moss Street	12	1465	81	159	\$14,179	\$7,807	\$7,325	\$29,311
2	Karl Street (branch included)	US Highway 33 @ (Gee Lick)	US Highway 33 West (Kunst Drive)	17	1546	121	238	\$21,198	\$11,671	\$10,951	\$43,820
2	Jonathan Street	U33 @ Hunter Avenue	Broad Street	23	327	34	68	\$6,066	\$3,340	\$3,134	\$12,540
3	Spring Street	Previous Paving Seam (City 2022)	Dead End of Spring Street	13	1560	93	184	\$16,357	\$9,006	\$8,450	\$33,813
3	Monroe Avenue	12th Street	Bellview Street	15	773	53	105	\$9,352	\$5,149	\$4,831	\$19,332
4	Water Street	W 4th Street Intersection	W 2nd Intersection	24	1238	137	269	\$23,965	\$13,194	\$12,380	\$49,539
4	Court Avenue	DOH Paving Seam (Middle School)	W 4th Street In (City 2022)	29	324	43	85	\$7,578	\$4,172	\$3,915	\$15,666
				<b>165</b>	<b>7520</b>	<b>604</b>	<b>1192.2</b>	<b>\$106,103</b>	<b>\$58,417</b>	<b>\$54,812</b>	<b>\$219,333</b>
										<b>Total</b>	<b>\$62,850</b>

Parrotta Paving started at \$113.00 per ton but added on \$25.00 per ton for material cost raising making cost a total of \$138.00. If we stay at the \$113.00 a ton and mill all streets we will have \$189,528.75 in paving.

Recommended streets to allow for pavement reserves for spring, emergencies, and repair of George and Minden



APPLICATION FOR DEMONSTRATION, PARADE OR EVENT

Name of demonstration, parade or event: Memorial Day Parade  
Date of Application: 4/18/23 Time of Application: 1000  
Date Planned: May 27 Time Planned: 1200  
Location to be held (Include Map): RLBMS school Normal Parade Route

Special Accommodations Requested: Traffic Control  
Number of People/Vehicles/Floats: ?  
Sponsor: VFW veterans of foreign wars  
Person Making Application: Heath Schrader  
Signature: [Signature]  
Telephone Number: 931 217 0689  
Email Address: heath.schrader@yahoo.com

For office use only:  
Approved: \_\_\_\_\_ Not Approved: \_\_\_\_\_  
Conditions and/or Restrictions: \_\_\_\_\_

Chief of Police: [Signature]  
Fire Department Chief: [Signature]  
Mayor: \_\_\_\_\_  
City Manager: [Signature]  
Street Department: [Signature]

City of Weston  
102 W Main Street  
Weston, WV 26452

West Fork conservation District  
87 Ollie Lane Suite 102  
Mount Clare, WV 26408

Dear Sirs: Please sign and return this agreement, as we need to process it upon completion.  
Should you have any questions, please feel free to contact us.

Dee Altman  
Administrative Specialist  
304-627-2160



**Page 2**  
**OM&R Funding Agreement**  
**City of Weston**  
**Agreement #**

The City of Weston's funding is subject to annual appropriations.  
This agreement reflects the entire understanding between the parties. Any changes to this agreement shall be in writing and signed by all parties.  
This agreement is governed by West Virginia law. If any part of this agreement is declared to be invalid by a body having competent jurisdiction, the remaining terms and conditions of the agreement survive in their entirety.

**City of Weston**

**By:** \_\_\_\_\_  
**Title:** \_\_\_\_\_  
**Date:** \_\_\_\_\_

This action authorized at an  
Official meeting of the  
City of Weston on  
the \_\_\_\_ day of \_\_\_\_\_, 2023,  
in the State of West Virginia.

**Attest:**

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Title)

**WEST FORK CONSERVATION DISTRICT**

**By:** \_\_\_\_\_  
**Title:** \_\_\_\_\_  
**Date:** \_\_\_\_\_

This action authorized at an  
Official meeting of the  
West Fork Conservation District on  
the \_\_\_\_ day of \_\_\_\_\_, 2023,  
in the State of West Virginia.

**Attest:**

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Title)

**Penalties for Failure to Appear in Weston Municipal Court**

WHEREAS, the City of Weston has determined that the Weston Police Department and Weston Building Code Department and other enforcement agencies of the City of Weston observe violations of Weston City laws and ordinances;

WHEREAS, the Weston Police Department, Weston Building Code Department, and other enforcement agencies of the City of Weston write tickets/citations for these violations;

WHEREAS, these tickets are intended to be the "notice" for the alleged violator to "appear" in front of the Court to determine the disposition of the alleged violation;

WHEREAS, the date for appearance is written on the ticket;

WHEREAS, some proportion of these alleged violators do not "show up" or otherwise make an appearance in front of the Court by the date written on the ticket;

WHEREAS, the failure of these alleged violators to appear in front of the Court flaunts the integrity and legitimacy of the Weston Municipal Court;

WHEREAS, the failure of these alleged violators to appear in front of the Court has resulted in the City of Weston being unable to provide dispositions to these cases;

WHEREAS, the City of Weston now intends to provide for the Weston Municipal Court to become more proactive in causing alleged violators to make an appearance in front of the Court

Pursuant to these reasons, the City of Weston enacts the following:

- A) A person who shall receive a ticket through the City of Weston (i.e. alleged violator), whether it be through a Police Officer, Building Code Official, or other authorized personnel, that person is expected to make an appearance in front of the Weston Municipal Court.
- B) An alleged violator shall make an appearance by the date indicated on the ticket (i.e. this will be known as the Appearance Date).
- C) Making an appearance involves contacting the Weston Municipal Court Clerk at 304-269-6141 on, or before, the appearance date noted on the ticket; only after an alleged violator makes an appearance will the Weston Municipal Court Clerk then set a hearing date for the alleged violator to contest the ticket or take payments on the ticket (whichever route the alleged violator wants to take).
- D) In an effort to encourage appearing, an alleged violator will have two opportunities to make an appearance prior to the Weston Municipal Court issuing a warrant(s) for the appearance of the alleged violator:

- 1) the date on the ticket is the first opportunity;



2) if the alleged violator does not show by the date of the ticket, the Weston Municipal Clerk shall issue a 10-day notice letter in which the alleged violator shall have 10 days from the date of the ticket to appear (i.e. this is the second opportunity)

- E) In the event that an alleged violator does not make an appearance pursuant to the ticket date or to the 10-day letter date or otherwise fails to attend relevant Court proceedings, the Weston Municipal Court is granted the authority to issue whatever warrants or procedures are necessary to cause the alleged violator to be brought before the Weston Municipal Court Judge.
- F) If any particular warrant is issued, the alleged violator is then also subject to any penalties or costs associated with the issuance and execution of said warrant;
- G) The Weston Municipal Court is authorized to issue any bond the Court deems necessary to ensure the appearance of an alleged violator; in no case shall a bond be greater than \$1,000 unless any alleged damages are greater than \$1,000, in which case, the bond shall not be more than the alleged damages;
- H) The Weston Municipal Court judge shall have discretion in how much time the alleged violator has in producing payment for the bond;
- I) Bond payments shall be made in cash deposit, or by any corporate surety company authorized to do business in West Virginia, or by two private persons who individually own real property within Lewis County, or any other bond payment forms accepted by the Courts of West Virginia;
- J) In the event that an alleged violator cannot post the bond issued by the Weston Municipal Court, the Weston Municipal Court is authorized to use its discretion in determining how to proceed, including, but not limited to, incarcerating the alleged violator for a time not to exceed 30 days;
- K) Any Court appearance can be satisfied by an attorney representing the alleged violator;
- L) If any of these rules conflict with rules of the Courts of West Virginia, then the rules of the Courts of West Virginia shall apply
- M) In conjunction with these rules, the Weston Municipal Court shall have all powers and authorities given to it by West Virginia State Code

If a court of competent jurisdiction finds any portion of this ordinance to be unconstitutional or otherwise defective, then the remaining portions of this ordinance shall remain in full effect

First Reading \_\_\_\_\_ Second Reading \_\_\_\_\_

\_\_\_\_\_  
Kim Harrison-Edwards, Mayor

\_\_\_\_\_  
Judy Piercy, City Clerk

**Ordinance Related to Nuisance Dogs That Creates a Separate Fee Schedule Within the City's On-Site Citation Program**

WHEREAS, the City Council has determined that barking dogs continue to rise to the level of being a public nuisance;

WHEREAS, the City Council has determined that the barking and aggressive behavior of some dogs poses additional threats to the peace of the public and the surrounding neighbors and neighborhood;

WHEREAS, the City Council wishes to increase the fine schedule that apply to owners that allow their dogs to become, or continue to be, a public nuisance;

THEREFORE, the City Council enacts the following fine schedule that applies only to person(s) found to be keeping, harboring, or otherwise allowing a dog to be a public nuisance:

1<sup>st</sup> Offense: \$250-\$500 fine (at the discretion of the Weston Municipal Court)

2<sup>nd</sup> Offense: \$501-\$750 fine and/or imprisonment not to exceed seven (7) days (the fine and imprisonment time shall be at the discretion of the Weston Municipal Court)

3<sup>rd</sup> Offense: \$751-\$1,000 fine and/or imprisonment not to exceed fifteen (15) days (the fine and imprisonment time shall be at the discretion of the Weston Municipal Court)

4<sup>th</sup> Offense: mandatory \$1,000 fine and mandatory 15-30 day imprisonment and removal of dog from Owner's property to a location deemed appropriate by the Weston Municipal Court (the length of imprisonment shall be at the discretion of the Weston Municipal Court)

The fines and imprisonment time shall apply to all offenses that occur within a 12-month period of the first offense. The guilty party shall be responsible for all costs in removal of dog from Owner's property and the housing and care of the dog henceforth.

This fine schedule shall be used in conjunction with the On-Site Citation rules found in Ordinance 2022-07, which, at some point in the future, may be condensed into an updated version of the Weston City Code, at which point, this fee schedule shall be included in whatever Section of the Weston City Code houses the On-Site Citation program.

If a court of competent jurisdiction finds any portion of this ordinance to be unconstitutional or otherwise defective, then the remaining portions shall remain in full force

First Reading \_\_\_\_\_

Second Reading \_\_\_\_\_

\_\_\_\_\_  
Kim Harrison-Edwards, Mayor

\_\_\_\_\_  
Judy Piercy, City Clerk

**Citizen Petition to Weston Municipal Court to Address Barking and Nuisance  
Dogs**

WHEREAS, the City of Weston has determined that barking dogs can be a nuisance to people;

WHEREAS, it is difficult for City of Weston law enforcement to observe every instance of a dog barking;

WHEREAS, citizens are more likely to observe various instances of a dog barking;

WHEREAS, these citizens are more likely to be annoyed, threatened, or otherwise disproportionately bothered by the barking of dogs;

WHEREAS, the City of Weston now enacts the following ordinance to better provide an avenue for affected citizens to seek a remedy for an alleged nuisance of a barking dog:

- A) A citizen affected by the nuisance of a barking dog may petition the Weston Municipal Court to hold a hearing on the merits of whether an alleged barking dog(s) is, in fact, a nuisance;
- B) Said petition shall include a short, concise statement explaining the situation and be signed by the affected citizen(s);
- C) Upon receipt of said petition, the Weston Municipal Court shall set a hearing date for said petition;
- D) The affected citizen(s) shall cause service of the petition to be made to the alleged offender;
- E) The Weston Municipal Court shall alert the Defendant through personal service or Certified Mail or other means of service acceptable per West Virginia Code that the Defendant has a petition filed against him/her and that a hearing has been set to hear the contentions of the parties;
- F) Both parties (petitioner as well as dog owner/controller) are expected to appear at all Court proceedings;
- G) In the event a party does not appear, the Court shall have the discretion to dispose of the case via dismissal or default judgment or other means of disposition;
- H) The parties may be represented by a lawyer;
- I) Parties may produce evidence such as witnesses or other evidence the Weston Municipal Court shall allow as relevant; the formal Rules of Evidence shall not apply in these proceedings;
- J) An appearance by a lawyer for a party shall be considered an appearance;
- K) The decision of the Weston Municipal Court may be appealed to any court of competent jurisdiction;

- L) An aggrieved party may appeal said decision within ten (10) days of the date of the decision;
- M) In the event that a guilty party does not appeal and then does not pay any fines ordered by the Municipal Court, the Weston Municipal Court shall have the authority to order the dog(s) at issue be removed from the owner's possession and placed in an animal shelter; the costs of obtaining and the costs of keeping the dog at the animal shelter shall be charged to the Owner of the dog(s);
- N) If the Weston Municipal Court orders a dog to be placed in an animal shelter, then the City of Weston is not responsible for the upkeep, release, or ultimate disposition of the dog;
- O) However, the Weston Municipal Court, under clear and convincing evidence provided by the Owner that the dog is no longer a nuisance, may order the dog returned to the Owner

The Fine Schedule for Defendants who are found guilty of having a nuisance dog as found by the Court shall be:

1<sup>st</sup> Offense: \$250-\$500 fine (at the discretion of the Weston Municipal Court)

2<sup>nd</sup> Offense: \$501-\$750 fine and/or imprisonment not to exceed seven (7) days (the fine and imprisonment time shall be determined at the discretion of the Weston Municipal Court)

3<sup>rd</sup> Offense: \$751-\$1,000 fine and/or imprisonment not to exceed fifteen (15) days (the fine and imprisonment time shall be determined at the discretion of the Weston Municipal Court)

4<sup>th</sup> Offense: mandatory \$1,000 fine and mandatory 15-30 day imprisonment and removal of dog from Owner's property to a location deemed appropriate by the Weston Municipal Court (the length of imprisonment shall be at the discretion of the Weston Municipal Court)

If a court of competent jurisdiction finds that any portion of this ordinance is unconstitutional or otherwise defective, then the remaining portions shall remain in full effect.

First Reading \_\_\_\_\_

Second Reading \_\_\_\_\_

\_\_\_\_\_  
Kim Harrison-Edwards, Mayor

\_\_\_\_\_  
Judy Piercy, City Clerk