CITY OF CHARLES TOWN
BUILDING COMMISSION
AGENDA • MARCH 10, 2023

Building Commission **CITY HALL** **10:00 AM**
101 E Washington Street, Charles Town, WV 25414

I. CALL TO ORDER

II. ROLL CALL

III. MINUTES

III.A : Building Commission - Regular Meeting - April 18, 2022
Building Commission Minutes April 18, 2022.pdf

IV. STAFF REPORT

V. OLD BUSINESS

VI. NEW BUSINESS

VI.A : Election of Officers 2023
Building Commission ByLaws.pdf

VI.B : Account Closure Request from City of Charles Town - February 2022
City Letter, Ref Paving Accounts

ADJOURNMENT

Building Commission
101 East Washington Street
Charles Town, WV 25414

SCHEDULED

Meeting: 03/10/23
Department: Building Commission
Category: Report
Initiator:

AGENDA ITEM (ID #)

Building Commission - Regular Meeting - April 18, 2022

ATTACHMENTS:

- Building Commission Minutes April 18, 2022.pdf

CITY OF CHARLES TOWN

BUILDING COMMISSION

MINUTES • APRIL 18, 2022

Regular Meeting **Council Chambers** **3:00 PM**

101 East Washington Street, Charles Town, WV 25414

I. CALL TO ORDER

Attendee Name	Title	Status	Arrived
Mary Ellen Mahoney	Secretary/Treasurer	Present	
Keith Veler	Chairman	Present	
Liz McDonald	Commissioner	Remote	
John Rish	Commissioner	Absent	
Nathanael Hartman	Commissioner	Present	

Todd Wilt, City Clerk was also in attendance.

II. APPROVAL OF MINUTES

1. Building Commission - Regular Meeting - Dec 9, 2021 4:00 PM

A motion was made to approve the minutes as presented and it passed unanimously.

RESULT:	**ACCEPTED [UNANIMOUS]**
MOVER:	Mary Ellen Mahoney, Secretary/Treasurer
SECONDER:	Nathanael Hartman, Commissioner
AYES:	Mahoney, Veler, McDonald, Hartman
ABSENT:	Rish

III. OLD BUSINESS

There was no Old Business to discuss.

IV. NEW BUSINESS

1. 5564: Funds Transfer Request - General Operating Account

Staff presented a letter to the Commission from Mayor Trainor on behalf of the City Council requesting the transfer of $196,000.00 from the Building Commission's Operating Account to the City's Residual Fund. This will leave a balance of $200,000.00 in the Commission's Operating Account.

After some discussion Ms. Mahoney moved to approve the transfer of funds. Ms. McDonald seconded the motion, and it passed unanimously.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Mary Ellen Mahoney, Secretary/Treasurer
SECONDER:	Liz McDonald, Commissioner
AYES:	Mahoney, Veler, McDonald, Hartman
ABSENT:	Rish

V. ADJOURNMENT

Ms. Mahoney moved to adjourn the meeting. Mr. Hartman seconded the motion, and it passed unanimously.

Building Commission
101 East Washington Street
Charles Town, WV 25414

Meeting: 03/10/23
Department: Building Commission
Category: Appointment
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

Election of Officers 2023

The bylaws of the Charles Town Building Commission call for the election of officers in January of each year. Officers needing elected are Chairman, Secretary, and Treasurer. The Secretary and Treasurer positions can be combined into a single position if the body so chooses.

ATTACHMENTS:

- Building Commission ByLaws.pdf

For Discussion
8-25-99
"Proposed"
Adopted 10/12/99

BYLAWS

CHARLES TOWN BUILDING COMMISSION

ARTICLE I

NAME AND PLACE OF BUSINESS

Section 1. Name: Charles Town Building Commission (the "Building Commission").

Section 2. The principal office of the Building Commission will be located at the Charles Town City Hall, 101 East Washington Street, Charles Town, West Virginia, unless changed and written notice of such new principal office given to all members.

Section 3. The Common Seal of the Building Commission shall consist of 2 concentric circles between which circles shall be inscribed "The City of Charles Town Building Commission" and in the center "seal" as follows:

ARTICLE II

PURPOSE

The Building Commission is organized exclusively for the purposes set forth in Chapter 8, Article 33 of the Code of West Virginia of 1931, as amended (the "Act").

ARTICLE III

MEMBERSHIP

Section 1. The members of the Building Commission shall be those persons appointed by the City Council of the City of Charles Town, West Virginia, (the "City") who shall serve for a term of 5 years or such other terms as may be specified in the order of the City by which they are appointed.

Section 2. Should any member of the Building Commission resign or otherwise become legally disqualified to serve as a member of the Building Commission, the Secretary shall immediately notify the City and request the appointment of a qualified person to fill such vacancy. Prior to the end of the term of any member, the Secretary shall notify the City of the pending termination and request the City to enter an order of appointment or re-appointment to maintain a fully qualified membership of the Building Commission.

Section 3. No member of the Building Commission shall receive any compensation for his or her services as such, but each member shall be reimbursed by the Building Commission for any reasonable and necessary expenses actually incurred in the discharge of his or her duties as a member of the Building Commission.

ARTICLE IV

MEETINGS OF THE BUILDING COMMISSION

2nd Tuesday February

Section 1. The members of the Building Commission shall hold a regular meeting on the ~~first Monday in January~~ each year at the meeting room of the Charles Town City Hall and at such hour as the members shall determine from time to time. If the day stated shall fall on a legal holiday, the meeting shall be held on the following day. Special meetings of the Building Commission may be called at any time by the Chairman or by a quorum of the Building Commission.

Section 2. At any meeting of the Building Commission, 2 members shall constitute a quorum. At least 2 affirmative votes must be cast in order to adopt a resolution, order, ordinance or take other official action. Each member of the Building Commission shall have one vote at any membership meeting and if a quorum is not present, those present may adjourn the meeting to a later date.

Section 3. Unless otherwise waived, notice to members by letter or telephone shall be required for all special meetings and such notice shall be given at least 2 days before the date fixed for such meeting. The notice of any special meeting shall state briefly the purposes of such meeting and the nature of the business to be transacted, and no business other than that stated in the notice or incidental thereto shall be transacted at any such special meeting.

PUBLIC NOTICE OF MEETINGS

Section 4. Pursuant to Chapter 6, Article 9A of the Code of West Virginia, 1931, as amended, notice of the time and place of all regularly scheduled sessions of the Building Commission, and the time, place and purpose of all special sessions of the Building Commission, shall be made available, in advance, to the public and news media as follows:

A. A notice shall be posted by the Secretary of the Building Commission at the front door of the Charles Town City Hall of the time and place fixed and entered of record by the Building Commission for the holding of regularly scheduled sessions. If a particular regularly scheduled session is canceled or postponed, a notice of such cancellation or postponement shall be posted at the front door of the Charles Town City Hall as soon as feasible after such cancellation or postponement has been determined.

B. A notice shall be posted by the Secretary of the Building Commission at the front door of the Charles Town City Hall at least 48 hours before a special session is to be held, stating the time, place and purpose for which such special session shall be held. If the special session is canceled, a notice of such cancellation shall be posted at the front door of the Charles Town City Hall as soon as feasible after such cancellation has been determined.

C. The form of notice for posting as to a special session may be generally as follows:

CHARLES TOWN BUILDING COMMISSION

NOTICE OF SPECIAL SESSION

The members of the Charles Town Building Commission will meet in special session on _____, at _____ .m., prevailing time, at _____, West Virginia, for the following purposes:

i. To consider and act upon _____.

ii. To consider and act upon _____.

_____
Secretary

Date: _____

ARTICLE V

OFFICERS

Section 1. The officers of the Building Commission shall be a Chairman, Secretary and Treasurer. The Chairman shall be elected from the members of the Building Commission. The Secretary and Treasurer need not be members of the Building Commission, and may be the same person.

Section 2. The officers of the Building Commission shall be elected each year by the members at the regular meeting held in January of each year, or at such later date as may be agreed to by the members. The officers so elected shall serve until the next annual election by the membership and until their successors are duly elected and qualified. Any vacancy occurring among the officers shall be filled by the members of the Building Commission at a regular or special meeting. Persons selected to fill vacancies shall serve until the following January meeting of the Building Commission when their successors shall be elected hereinabove provided.

ARTICLE VI

DUTIES OF OFFICERS

Section 1. When present, the Chairman shall preside as Chairman at all meetings of the Building Commission. He or she shall, together with the Secretary, sign the minutes of all meetings at which he or she shall preside. He shall attend generally to the executive business of the Building Commission and exercise such powers as may be conferred upon him by the Building Commission, by these Bylaws, or prescribed by law. He shall execute, and if necessary, acknowledge for record, any deeds, deeds of trust, contracts, notes, bonds, agreements or other papers necessary, requisite, proper or convenient to be executed by or on behalf of the Building Commission when and if directed by the members of the Building Commission.

Section 2. The Secretary shall keep a record of all proceedings of the Building Commission which shall be available for inspection as other public records. He or she shall, together with the Chairman, sign the minutes of the meetings at which he or she is present. The Secretary shall have charge of the minute book and City official seal of the Building Commission, be the custodian of deeds and other writings and papers of the Building Commission. He or she shall also perform such other duties as he may have under law by virtue of his or her office or as may be conferred upon him from time to time by the members of the Building Commission.

Section 3. The Treasurer shall be the lawful custodian of all funds of the Building Commission and shall pay same out on orders authorized or approved by the Building

Commission. The Treasurer shall keep or cause to be kept proper and accurate books of accounts and proper receipts and vouchers for all disbursements made by or through him or her and shall prepare and submit such reports and statements of the financial condition of the Building Commission as the members may from time to time prescribe. He or she shall perform such other duties as may be required of him or her by law or as may be conferred upon him or her by the members of the Building Commission.

Section 4. If the Chairman, Secretary or Treasurer is absent from any meeting, the remaining members shall select a temporary Chairman, Secretary or Treasurer who shall have all the powers and authority of the Chairman, Secretary and/or Treasurer during such meeting.

ARTICLE VII

AMENDMENTS TO BYLAWS

These Bylaws may be altered, changed, amended or added to at any regular or special meeting of the Building Commission by a majority vote of the entire membership, or at any regular or special meeting of the members when a quorum is present in person and a majority of those present vote for the amendment; but no such change, alteration, amendment or addition shall be made at any special meeting unless notice of the intention to propose such change, alteration, amendment or addition and a clear statement of the substance thereof be included in the written notice calling such meeting.

Dated this Oct 12, 1999.

Chairman

CERTIFICATION

I hereby certify that I am the duly appointed, qualified and acting Secretary of the Charles Town Building Commission and the keeper of the records and corporate seal of the Charles Town Building Commission, and that the attached is a true, correct and complete copy of the Bylaws of the Charles Town Building Commission and all amendments thereto and alterations and modifications thereof.

IN WITNESS WHEREOF, I have hereunto affixed my name as Secretary and have caused the seal of such commission to be hereunto affixed as of this 12th day October, 1999.

[SEAL]

Secretary

07/26/99
144220/99001

Building Commission
101 East Washington Street
Charles Town, WV 25414

Meeting: 03/10/23
Department: Building Commission
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

Account Closure Request from City of Charles Town - February 2022

The attached request was authorized by the City Council and is now presented to the Commission for consideration.

Proposed Motion:
Motion to authorize transfer of the requested funds to the City as presented with the included letter consistent with the Commissions April 2022 action of maintaining approximately the value of 6 months debt service in the Commission's accounts.

ATTACHMENTS:
- City Letter, Ref Paving Accounts

City of Charles Town

101 East Washington Street, P.O. Box 14, Charles Town, WV 25414
Phone: (304) 725-2311 ♦ Web: www.charlestownwv.us

February 7, 2022

Charles Town Building Commission
PO Box 14
Charles Town, WV 25414

Dear Commissioners:

On behalf of the Charles Town City Council (Council), I would like to thank the members of the Charles Town Building Commission (Commission) for your support in helping the City achieve its real property and facilities goals. This is done primarily by securing debt financing for new purchases and public building renovations. The Commission also serves an important role in executing lease agreements and managing these facilities during periods of debt financing, with the City as the primary Lessee and responsible party for covering the ongoing maintenance, operation, and improvement costs that are not financed.

As you may know, a 1999 Arvest Bank repaving loan held by the Commission was paid off on December 31, 2018. For 20 years, the City had transferred repaving funds collected by the Charles Town Utility Board to the Commission's repaving debt service account in order to cover the bi-annual payments for the aforementioned loan. Since January 1, 2019, the monthly repaving funds collected by the Charles Town Utility Board have been transferred to the City's repaving investment account at MVB Bank (now Summit Bank) and held for future road maintenance.

The Council has directed to me to request that the repaving debt service and repaving revenue accounts held by the Commission to service the Arvest Bank loan, totaling approximately $350,000, be closed and transferred to the City's designated repaving investment account at Summit Bank. This action will consolidate all current and future paving-related assets into a single account. Breanna Andrews, the City's Accounting Manager, will facilitate the transfer of funds after receiving concurrence from the Commission. If you have any questions regarding this request, she can be reached by email at bandrews@charlestownwv.us or by phone at 304-724-3257.

Thank you for your assistance with this request.

Respectfully,

Robert M. Trainor
Mayor

cc: Charles Town City Council
Daryl Hennessy, City Manager
Breanna Andrews, Accounting Manager
Todd Wilt, Operations Director and Building Commission Liaison