

STATE OF WEST VIRGINIA
RANDOLPH COUNTY COMMISSION SS:

At a special session of the Randolph County Commission in and for the aforesaid County and State, at the James F. Cain Courthouse Annex, on the 3rd day of October, 2019 at 2:00 p.m.

PRESENT: Mark Scott, President of the Randolph County Commission and Chris See and David Kesling, Commissioners thereof.

Meeting called to order by Commissioner Scott

Commissioner See moved to open the Board of Assessments and Appeals for 2019.
All yes – Motion passed unanimously

Randolph County Assessor, Phyllis Yokum said she had received two requests back in February for hearings with the Board of Assessment and Appeals. She said she is working with Jerry Knight on both of these. She said the first one is WODA Canterbury place which is the Canterbury Apartments and Greylock, which is Greylock pipeline. She said the Commission had previously approved for her to join in with the other counties to hire an Attorney for the Greylock pipeline issue.

Assessor Yokum said on the WODA Canterbury place issue, they sent her a packet of paperwork and wanted her to derive their value from incoming expense, however they had not submitted three years of incoming expense to her office. She said there is no way she could have done that prior. She said in their packet they did submit the information and Jerry Knight and herself worked with that information and came up with a new adjusted value for WODA Canterbury. She said there was an Attorney that WODA Canterbury was using and she had been talking to. She said she sent all the new information to the Attorney and requested a return receipt, which she received. She said this morning she received a call from another Attorney that said the first Attorney had not passed that information along to him because he has been involved in a lot of hearings, so she has now sent it to another Attorney. She said Jerry Knight recommends that the Board of Assessments of Appeals is called to order and actually schedule a hearing for WODA Canterbury place because we are running out of time. She said if they don't accept her value then they will be here for a hearing. The hearing date was set for October 28, 2019 at 3:00 p.m.

Assessor Yokum said the other issue is with Greylock Pipeline and that is the one we joined in with the other four Counties to hire Randy Saunders, an Attorney. He is working on that case. She said four of the Counties, Barbour, Randolph, Taylor and Upshur have agreed to hire a hearing commissioner for that hearing. The opposing council has agreed to this. The person that has been recommended is John Montgomery for the hearing examiner if approved by the County Commission. She said Attorney Randy Saunders has outlined what each County needs to do. He said each of the County Commissions will need to agree to consolidate a hearing with the other three counties.

She said there are five counties involved, but Harrison County has chosen not to go with the other counties with a hearing examiner. The other four counties have agreed to have a hearing examiner handle it. The next thing is to accept John Montgomery as the hearing examiner and a hearing date will be determined once the hearing examiner is in place. She said she wanted to let the Commission know that if they use a hearing examiner his recommendation is what the County Commission has to go with. She said John Montgomery was in the legal division at the State Tax Department so she thinks he is a very good candidate for the hearing examiner. She said basically Greylock Pipeline bought out another pipeline and they report to her all of their assets such as machinery, equipment, furniture and fixtures. She said when Greylock purchased this company they reduced their asset list by a lot. She said they used the figure that was used to buy out the pipeline and that isn't the actual value of their machinery and equipment. She said you can't just reduce it that much just because it changed names. She said Jerry Knight thinks there shouldn't be a problem winning this case.

Commissioner See moved to consolidate hearing with Upshur, Barbour and Taylor for the Greylock Pipeline issue.

All yes -- Motion passed unanimously

Commissioner Kesling moved to utilize a hearing examiner and John Montgomery is acceptable for that position.

All yes -- Motion passed unanimously

Commissioner See moved that the hearing date will be determined once the hearing examiner is in place.

All yes -- Motion passed unanimously

Commissioner See moved to recess the Board of Assessment and Appeals until the next meeting.

All yes -- Motion passed unanimously

Attest: _____