

STATE OF WEST VIRGINIA

RANDOLPH COUNTY COMMISSION SS:

At a regular session of the County Commission in and for the aforesaid County and State, at the James F. Cain Court House Annex, on the 3rd day of July, 2024 at 1:30 p.m.

Present: Randolph County Commissioners, David Kesling and Chris See

Meeting called to order by Commissioner Kesling

PUBLIC COMMENT: None

MINUTES:

Commissioner See moved to approve the minutes from the regular meeting that was held on June 18, 2024, as submitted. All yes – Motion passed unanimously

Commissioner See moved to approve the minutes from the special meeting that was held on June 24, 2024, as submitted. All yes – Motion passed unanimously

REPORTS:

911/OEM Director Michael Miller gave a handout to each Commissioner of his report. He said they will be having a HAM radio class on August 3rd and 4th at the 911 Center. He said they have the CERT trailer back at the 911 Center and he is working on getting the truck back. He said they are working with DOH to get the water buffalos fixed. He said there needs to be some welding done to them. He said Tucker County has one of Randolph Counties water buffalos now. He said they need to meet with the Airport Authority and work out the plans for putting the tower up at the 911 Center. He said he is going to need to hire some dispatchers to fill vacant positions.

Commission President Chris Siler arrived at the meeting at this time.

Sheriff Elbon gave a six month report and review from his office. He said his law enforcement division received 3,171 calls for service. They made 1,088 traffic stops with 510 warnings issued and 305 citations issued. He said they have had 213 criminal cases and have made 57 arrests for 100 offenses. He said they have done 25 transports. He said his Deputies are working hard.

CORRESPONDENCE:

Commissioner Kesling said they just received a Proclamation from the Governor that says he is proclaiming July 5th a full day Holiday for all State employees. Commissioner Kesling said we will follow suit with the Governor and close all day July 5th. Commissioner Kesling moved to extend July 4th holiday to also include July 5th as a full day holiday for County employees. All yes – Motion passed unanimously

ANNOUNCEMENTS:

Commissioner Siler announced that the next meeting of the Randolph County Commission will be held on July 18, 2024 at 1:30 pm.

Commissioner Kesling announced that there will be an Opioid Meeting at 3:00 pm on July 18, 2024.

Commissioner Kesling announced that the Policy Revision regarding the time clock that told employees they can clock in 7 minutes prior to their shift or 7 minutes after their shift ends goes into effect on Monday July 8, 2024.

ITEMS FOR DISCUSSION/ACTION:

INFORMATIONAL PRESENTATION FROM CITY OF ELKINS ABOUT WHITMER WATER (See attached copy)

Wes Lambert from the City of Elkins, appeared before the Commission. Gerry Roberts, Attorney for the City of Elkins and also some Council members were present. Mr. Lambert gave a handout to the Commission. He said operationally they can say they are providing safe and reliable water to the 94

customers in Whitmer. He said the meters are showing signs of aging and will need replaced soon. He went over the timeline of events that have happened leading up to the present time. He said the City of Elkins has incurred \$197,668.00 in bills so far. He said the revenue for Whitmer Water is approximately \$4,400.00 per month and the expenses are approximately \$11,000.00 per month. He said the City of Elkins cannot continue to assume the costs especially with no path of getting aid or reimbursement. He said right now they are at a standstill with the purchase/acquisition agreement until some of the expenses are resolved. He said they are asking the County Commission for any help they could give. Gerry Roberts said more bills will be coming in. She said the State had 5 million dollars for water projects but that has already been given out. Commissioner Kesling asked if the legal fees and taxes are what is holding everything up? Mr. Lambert and Ms. Roberts said yes. Commissioner Kesling said the County does not have \$500,000.00 to give them. He said we have limited funds. He said the Commission will help out as much as they can.

CONSIDER APPROVAL OF RESOLUTION FOR GRANT FUNDS FOR COMMUNITY CORRECTIONS PROGRAM
(See copy attached)

Commissioner Kesling read the Resolution out loud. Commissioner Kesling moved to approve the Resolution, as submitted. All yes – Motion passed unanimously

CONSIDER APPROVAL OF GRANT AWARD FOR NORTH CENTRAL COMMUNITY CORRECTIONS (See copy attached)

Erin Golden, Director of North Central Community Corrections, appeared before the Commission. She said the Governor awarded them \$100,000.00 in grant money again this year which is the same amount as the last 3 or 4 years. She said the cash match for the County will be \$42,857.00. She provided a breakdown of what will be paid out of the grant funds and what will be paid out of the County cash match funds. Commissioner Kesling moved to approve the grant award for North Central Community Corrections, as presented. All yes – Motion passed unanimously

CONSIDER APPROVAL OF THE 2024-2025 VOCA GRANT APPLICATION

Mindy Boggs, Victim Services Coordinator with the Randolph County Prosecuting Attorney's Office, appeared before the Commission. She said they are requesting \$50,110.00 in grant funding with a cash match for the County of \$8,680.00. She said last year they had 1,663 cases and so far this year they have had 56 new victims. Commissioner Kesling moved to approve the VOCA Grant Application for FY 2024-2025, as submitted. All yes – Motion passed unanimously

CONSIDER APPROVAL OF FUNDING REQUEST FOR BEVERLY FIREMAN'S FESTIVAL (See copy attached)

Commissioner Kesling said the Commission received a letter from the Beverly Volunteer Fire Department regarding the Beverly Fireman's Festival which will take place from July 20th thru July 27th. Commissioner Kesling said we have supported them in the past. Commissioner Kesling moved to approve the funding request from the Beverly Volunteer Fire Department in the amount of \$2,500.00 and that is to be taken out of Hotel/Motel Tax funds. All yes – Motion passed unanimously

CONSIDER APPROVAL OF FUNDING REQUEST FOR HARMAN'S 4TH OF JULY CELEBRATION (See copy attached)

Commissioner Kesling said the Commission received a letter from the Harman Volunteer Fire Department requesting funding for the 4th of July Celebration. He said this would be to help with the fireworks display and other activities they are having. He said we have supported them in years past. Commissioner Kesling moved to approve the funding request from Harman Volunteer Fire Department in the amount of \$2,500.00 and that is to be taken out of Hotel/Motel Tax funds. All yes – Motion passed unanimously

CONSIDER RATIFICATION OF TIME EXTENSION REQUEST FOR CSF GRANT (See copy attached)

Sheriff Elbon said they asked to extend the time because of the Judge's renovations. He said they want to order portable prisoner holding cells but not sure what size to get until the building plan from the Supreme Court is finalized. This is a letter that needs signed by the Commission. Commissioner Kesling

moved to approve the ratification of signature on the time extension request for grant. All yes – Motion passed unanimously

CONSIDER APPROVAL OF RESOLUTION FOR THE JJDP TITLE II FY24 APPLICATION (See copy attached)

Commissioner Kesling said this is a Resolution needed to apply for a grant. Commissioner Kesling moved to approve the Resolution, as submitted. All yes – Motion passed unanimously

CONSIDER APPROVAL OF JJDP TITLE II GRANT APPLICATION

Commissioner Kesling moved to approve the JJDP Title II Grant Application, as submitted. All yes – Motion passed unanimously

CONSIDER APPROVAL OF APPOINTMENT TO THE PIONEER MEMORIAL PUBLIC LIBRARY IN HARMAN (See copy attached)

Commissioner Kesling moved to approve the appointment of Judy Bucher to the Pioneer Memorial Public Library Board of Directors for a 5 year term beginning on July 1, 2024 and ending on June 30, 2029. All yes – Motion passed unanimously

CONSIDER APPROVAL OF GST CONTRACT

Commissioner Kesling said this is a renewal of contract with Global Science and Technology. He said this is already in the budget. The fee is \$2,030 month. Commissioner Kesling moved to approve the renewal of contract with GST, as submitted. All yes – Motion passed unanimously

CONSIDER APPROVAL OF WVCORP FY25 PROPOSAL

Commissioner Kesling said this is for the Insurance for the County. He said they went through it to make sure it was accurate. Commissioner Kesling moved to approve the proposal for WVCORP FY25, as submitted. All yes – Motion passed unanimously

CONSIDER APPROVAL OF UNITED WAYS THERMOMETER ON COURTHOUSE GROUNDS

Commissioner Kesling said the Commission received a letter from the United Way. He said they want to put the thermometer back on the courthouse lawn to show how much money they have collected in donations. He said people like to see it. He said he doesn't mind as long as it is secure. He said in the past it has blown down and they have had to go fix it several times. Commissioner Kesling moved to give permission to the United Way to put their Thermometer on the Courthouse grounds, as requested. All yes – Motion passed unanimously

CONSIDER APPROVAL OF THE AGREEMENT WITH THE BOARD OF EDUCATION FOR FY25 PRO OFFICERS

Sheriff Elbon said this is the agreement that they have had with the Board of Education for the last couple of years. He said it is working out great and they would like to continue it. Commissioner Kesling moved to approve the agreement with the Board of Education for Pro Officers for FY 2025, as submitted. All yes – Motion passed unanimously

CONSIDER APPROVAL OF HIRING TWO NEW HIRES FOR THE COURT SECURITY POSITIONS (See copies attached)

Sheriff Elbon said they would like to hire Jacob Vandevender as a full time benefited probationary court security officer. He would like him to begin working on July 22, 2024 with a starting salary of \$28,454.00 annually/\$13.68 per hour. He said after the 90 day probationary period is completed his salary would increase to \$29,952.00/\$14.40 per hour. He said a background investigation was completed and Mr. Vandevender successfully passed.

Sheriff Elbon said they would like to hire Joseph Satterfield as a full time benefited probationary court security officer. He would like him to begin working on July 22, 2024 with a starting salary of \$28,454.00/\$13.68 per hour. He said after the 90 day probationary period is completed his salary would increase to \$29,952.00/\$14.40 per hour. He said a background investigation was completed and Mr. Satterfield successful passed.

Commissioner Kesling moved to go into executive session at this time. All yes – Motion passed unanimously

Commissioner Kesling moved to go back into regular session, with no action taken in executive session. All yes – Motion passed unanimously

Commissioner See moved to approve the hiring of Jacob Vandevender, as submitted. Commissioner See voted yes, Commissioner Siler voted yes. Commissioner Kesling abstained from voting as Mr. Vandevender is an employee of his at his business. Motion passed

Commissioner See moved to approve the hiring of Joseph Satterfield, as submitted. All yes – Motion passed unanimously

CONSIDER APPROVAL OF CASTO TECHNICAL SERVICES CONTRACT

Commissioner Kesling said the County has a yearly agreement with Casto Technical Services on services for their equipment. This is just a renewal of the contract for FY2025. Commissioner Kesling moved to approve the contract for FY2025 with Casto Technical Services, as submitted. All yes – Motion passed unanimously

FINAL SETTLEMENTS/ANNUAL ACCOUNTINGS:

Commissioner Kesling moved to approve the (4) Final Settlements, as submitted.

Dale Carr

Frances Marie S Cousin

Lucille Haddix

Thomas Franklin Williams

All yes – Motion passed unanimously

BUDGET REVISIONS: (2)

Commissioner Kesling moved to approve an In-House Budget Revision for the County Commission Office in the amount of \$2,000.00. This is to increase courthouse overtime for the maintenance department. All yes – Motion passed unanimously

Commissioner Kesling moved to approve a State Budget Revision to increase the Coal Severance funds in the amount of \$21,170.00. Commissioner Kesling voted yes, Commissioner Siler voted yes, Commissioner See voted yes. Motion passed

DIVISION OF PROPERTY/ERRONEOUS ASSESSMENTS:

Commissioner Kesling moved to approve one division of property, as submitted. All yes – Motion passed unanimously

Commissioner Kesling moved to approve the erroneous assessments, as submitted. All yes – Motion passed unanimously

DISTRESSED PROPERTIES: None

FIRE FEE ADJUSTMENTS:

Commissioner Kesling moved to approve the 3 fire fee adjustments and 1 refund of fire fee. All yes – Motion passed unanimously

Commissioner Kesling moved to approve the 9 volunteer fire departments to get their approved distributions of \$55,000.00 each. All yes – Motion passed unanimously

PAYMENT OF BILLS:

Commissioner Kesling moved to pay the bills, as submitted. All yes – Motion passed unanimously

ADJOURN THE MEETING:

Commissioner Kesling moved to adjourn the meeting. All yes – Motion passed unanimously

Attest: _____

Summary of Events Involving Whitmer

(Summary Regarding the Current Operational Status of Whitmer)

Operationally we have gotten Whitmer to a place where we can safely and reliably produce and provide water to its 94 customers. We have already adopted many of the operation and maintenance practices used within our own system. This year we have installed 12 new water services, with 8 of those being for a new campground. If this campground succeeds it will add a total of 40 new services. Hence increasing Whitmer's customer base by over 40%. We are starting to sort through the regulatory issues that Whitmer incurred over the past few years. The Health Department has been very gracious in aiding us with this process. The Meter system is over 12 years old and is showing signs of weakness within the radio program. We are hoping to replace them soon with grant funding. We are also planning to expand the water plants' capacity to serve them as a back up water supply for the Harman and Dry Fork area.

- ❖ November 14, 2022 – The Randolph County Commission filed a petition to the WV Public Service Commission to consider Whitmer Water Association a Distressed and failing utility.
- ❖ May 25, 2023 - The WV Public Service Commission found that Whitmer is a distressed utility and Elkins is the most suitable capable proximate utility. The PSC then directed Elkins to acquire Whitmer.
- ❖ July 13, 2023 – Elkins and Whitmer filed a joint application for an Interim Operating Agreement between Elkins and Whitmer. Since Whitmer Water Association was no longer a corporation in good standing and had no Board, it had to be brought up to the standards of a legal entity to even be able to enter into this Agreement.
- ❖ Sept 13, 2023 - the WV Public Service Commission approved interim rates for Whitmer and an Interim Operating agreement between Elkins and Whitmer.
- ❖ December 15, 2023 - Elkins sent out the first round of billing processed by Elkins. As an example of the dire financial straits of Whitmer, we received a shut-off notice from First Energy for an electric bill of over \$9,000 which had been unpaid for several months.
- ❖ January 1, 2024 - Elkins assumed full operations of the Whitmer Water System doing so under the Interim Operating Agreement.
- ❖ Feb 1, 2024 - the WV Public Service Commission approved the interim water rates as the final rates and required both parties to close on the purchase agreement.
- ❖ On April 30, 2024 - Elkins filed a petition to Reopen the Whitmer and Elkins cases. Elkins determined that unknown and unexpected issues with Whitmer continue to prevent the parties from closing on the purchase agreement. Issues include:

Summary of Events involving Whitmer

- Whitmer monthly revenue is not sufficient to sustain the operations. Whitmer is only bringing in approximately \$4400 per month and the operating expenses are approximately \$11,000 per month. As a result, Elkins has incurred about \$197,668 to date.
- Unpaid federal and state income taxes from June 30, 2019, to December 31, 2023, Along with legal and account fees are expected to be approximately \$200,000.
- Capital Costs – Replace Water Meters, Plant and System Upgrades are projected at \$695,739.27
- WDTRF Outstanding Water Fund Bond - remaining balance is \$200,917.
- ❖ On May 10, 2024 - The WV Public Service Commission Ruled that
 - the petition filed on April 30th be reopened
 - That the WV IJDC and the WDA approve the request to fund the request of \$1,294,325 to the extent that the request qualifies for their funding
- ❖ On May 24 representatives from Elkins met with the IJDC and WDA to discuss the possibilities of the request on the PSC Order from May 10th.
 - The two entities both agreed that due to various limitations involving grant funding the only item they could help with is the Capital Costs of \$695,739.27.
 - These entities recommended that we approach the County Commission to help with the remaining expenses.
- ❖ Until these expenses are resolved we are essentially at a standstill with the purchase/acquisition agreement.
- ❖ Elkins cannot continue to assume these costs that are detrimental to its own customers and system, especially with no path of getting aid or reimbursement.
- ❖ We respectfully request that you consider helping the residents of Whitmer by assisting in the funding of some of these expenses incurred from Whitmer to make it a viable and stable water utility for the Whitmer residents.

Randolph County Commission



Commissioners

David L. Kesling

Chris See

Christopher Siler

RESOLUTION

The Commission of Randolph County met on July 3rd, 2024 with a quorum present and passed the following resolution.

Be it resolved that the Commission hereby authorizes The Honorable Cris Siler, President of the Randolph County Commission, to act on its behalf to enter into a contractual agreement with the Division of Administrative Services, Justice and Community Services to receive and administer grant funds pursuant to provisions of the Community Corrections Program.

Signed:

Brenda Wiseman

County Clerk

Total Grant FY 24-25

	<u>Grant</u>	<u>Cash Match</u>
Executive Director Salary	\$66,150.00	
Benefits		\$4,886.00
DRC Officer Salary	\$33,072.00	
Benefits	\$778.00	\$2,976.00
DRC Officer Salary		\$30,000.00
Benefits		\$4,995.00
Cash Match Needed		
Total	\$100,000.00	\$42,857.00

\$100,000.00	Cash Match Formula	
	Divide .70 -	\$236,854.29
		\$42,857.14

<u>Total Grant FY 24-25</u>	Grant	Cash Match	Total
	\$100,000.00	\$42,857.00	\$142,857.00

Beverly Volunteer Fire Department

P.O. Box 135

Beverly, WV 26253

Phone: 304-636-5032

Fax: 304-637-5032

May 7, 2024

To Whom It May Concern:

The Beverly Volunteer Fire Department will soon be holding our annual Beverly Fireman's Festival. This year our festivities will begin on Saturday July 20th and conclude on Saturday July 27th.

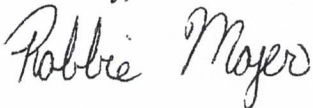
We are asking for donations or sponsorship for events. This years events include a corn-hole Tournament, Petting Zoo, Pet Show along with ice cream social, inflatable games, parade, numerous night of music and entertainment, and several other activities.

We ask for these donations and sponsorship to allow us to offer these activities free to the public.

Thank you for your help and support of our organization and if we can ever be of any assistance to you please don't hesitate to call.

With a donation we can hang a banner for the whole week with your agency name on it to advertise your sponsorship

Sincerely,



Robbie Moyer, Assistant Fire Chief
Beverly Fireman's Festival Committee
P.S. Our Tax I.D. Number is: 23-7431753

Harman Volunteer Fire Department

P.O. Box 131

Harman, WV 26270

June 10, 2024

Randolph County Commission

Court House

Randolph Ave.

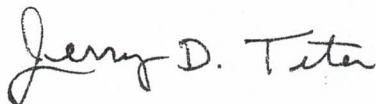
Elkins, WV 26241

Dear Members of the Randolph County Commission:

This letter is written to request funding for our 4th of July Celebration. This event provides our community with the opportunity to participate in activities including: vendors, crafters, yard sale opportunities, face painting, DJ services, a car/truck show, chicken bar-b-que, parade, fireworks, and various other activities. Other organizations, such as the VFW, churches, and the school are permitted to use our premises to raise money to benefit their commitment to making our community a better place to live and work.

Our fireworks display is an attraction that many people enjoy. This activity costs our department \$6000.00 and is put off by a fire department in our county. The Harman Fire Department works hard throughout the year to plan and raise money for this event because we feel it is important for us to give back to the community for their support in our efforts to provide our community with emergency services. Your commitment to support us in our endeavors is very much appreciated. We will look forward to your response to our request.

Sincerely,



Jerry D. Teter, Chief

Harman Volunteer Fire Department

Randolph County Commission



Commissioners

David L. Kesling

Chris See

Christopher Siler

June 25, 2024

WV Department of Homeland Security
Division of Administrative Services
Justice and Community Services
1124 Smith Street, Suite 3100
Charleston, West Virginia 25301-1323

Re: Time Extension Request
Randolph County Commission
CSF Grant 24-CS-15

The Randolph County Commission is requesting a time extension for the above-listed grant. As per the Sheriff, the county has submitted a building plan to the Supreme Court for the addition of a circuit judge for Randolph County; we are awaiting approval before placing the order for the portable prisoner holding cell.

Thank you in advance for your support and consideration in this matter. We appreciate your help in funding our court system needs.

Sincerely,

A handwritten signature in black ink, appearing to read 'Cris Siler', written over a horizontal line.

Cris Siler
RC Commission President

Randolph County Commission



Commissioners

David L. Kesling

Chris See

Christopher Siler

Resolution

The Randolph County Commission met on July 3rd, 2024 with a quorum present and passed the following resolution:

WHEREAS, the FY2024 JJDP Title II grant contract agreement between the Division of Administrative Services Justice and Community Services Section (JCS) and the Randolph County Commission (the Grantee).

BE IT RESOLVED, the Grantee hereby authorizes the President of the Randolph County Commission, to act on its behalf to enter into a contractual agreement with JCS and perform all obligations under the grant to receive and administer grant funds pursuant to the grant contact agreement attached.

Signed: Brenda Wiseman

County Clerk

Randolph County Commission



Commissioners

David L. Kesling

Chris See

Christopher Siler

Pioneer Memorial Public Library
22525 Allegheny Highway
Harman, WV 26270

July 3rd, 2024

Dear Directors,

The Randolph County Commission met at their regular meeting on July 3rd, 2024 and elected to appoint Judy Butcher to the Pioneer Memorial Public Library board of directors. This term will be a five-year appointment beginning July 1, 2024 and ending on June 30, 2029.

Thank you,

Cris Siler, President
Randolph County Commission

Office of the
SHERIFF OF RANDOLPH COUNTY

Law Enforcement

32 Randolph Avenue
Suite 201
Elkins, WV 26241

Web: RandolphSheriff.wv.gov
Phone: (304) 636-2111
Fax (304) 630-0467



Tax Office

4 Randolph Avenue
Suite 100
Elkins, WV 26241

Web: wvpropertytaxes.com
Phone: (304) 636-2100
Fax (304) 636-2093

Robert R. Elbon Jr., Sheriff

July 03, 2024

To: The Randolph County Commission
RE: Request to hire Jacob Vandevender

I respectfully request the approval to hire Jacob Vandevender as a full time benefited probationary court security officer. If approved, his beginning probationary salary will be \$28,454.40 annually/\$13.68 per hour. After successful completion of a ninety-day probationary period, the salary will adjust to \$29,952.00 annually/\$14.40 per hour.

Mr. Vandevender is a current resident of the Elkins area of Randolph County. A background investigation was completed by our Office, which he successfully passed. Mr. Vandevender is available to begin work with the Sheriff's Office after submitting a notice with his current employer.

Respectfully,

Robert R. Elbon Jr.
Sheriff

Office of the
SHERIFF OF RANDOLPH COUNTY

Law Enforcement

32 Randolph Avenue
Suite 201
Elkins, WV 26241

Web: RandolphSheriff.wv.gov
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Phone: (304) 636-2100
Fax (304) 636-2093

Robert R. Elbon Jr., Sheriff

July 03, 2024

To: The Randolph County Commission
RE: Request to hire Josphe Satterfield

I respectfully request the approval to hire Josphe Satterfield as a full time benefited probationary court security officer. If approved, his beginning probationary salary will be \$28,454.40 annually/\$13.68 per hour. After successful completion of a ninety-day probationary period, the salary will adjust to \$29,952.00 annually/\$14.40 per hour.

Mr. Satterfield is a current resident of the Elkins area of Randolph County. A background investigation was completed by our Office, which he successfully passed. Mr. Satterfield is available to begin work with the Sheriff's Office after submitting a notice with his current employer.

Respectfully,

Robert R. Elbon Jr.
Sheriff

IN HOUSE BUDGET REVISION 7/3/2024
 Maintenance Overtime

Reason for Revision:

REVENUES:

ACCOUNT NUMBER	Account Name	PREVIOUSLY APPROVED AMOUNT		INCREASE	DECREASE	REVISED AMOUNT

EXPENDITURES:

ACCOUNT NUMBER	Account Name	PREVIOUSLY APPROVED AMOUNT		INCREASE	DECREASE	REVISED AMOUNT
001-424-2-30.00	Courthouse Contractual Services				\$2,000.00	
001-424-1-08.00	Courthouse Overtime			\$2,000.00		

Total: \$2,000

