

STATE OF WEST VIRGINIA  
RANDOLPH COUNTY COMMISSION SS:

At a regular meeting of the Randolph County Commission held in and for the aforesaid County and State, at the James F. Cain Court House Annex, on the 4th day of January, 2018 at 1:30 p.m.

Present: Michael Taylor, President of the Randolph County Commission and Chris See and Mark Scott, Commissioners thereof.

Meeting called to order by Commissioner Taylor

PUBLIC COMMENT:

Dr. Richard Topping appeared before the Commission. He said this was the first County Commission meeting he had ever attended so that tells them how upset he is and how important he considers this to be. He said he came here in 1996 from Virginia and one of the main reasons he came here was because it was a safe place to raise his family. He said that safe community is gone now. He said now we have a drug problem and a crime problem. He said in the last five years his house and businesses have been broken into and he has had several small items stolen from his property and most recently he had a four wheeler taken from his driveway. He said he has been working with the Sheriff's department on this but it seems like it has been placed in the B category. He said it seems like a majority of these property crimes go unsolved. He said he spoke to over 100 people around the County and they have had items stolen also and not a single one of them said they got any of their stuff back. There is not even charges brought against these people. He said he thinks worse things are going to come. He said he was willing to do neighborhood watches or whatever he can to help this situation. He said he just needs direction of what he can and cannot do. Commissioner Taylor said his comments are well received but the purpose of public comment is to speak to the Commission but they will take no action on it today.

Ken Skinner appeared before the Commission. He said he wonders why these meetings are not held in the evenings instead of the daytime when people have to take off work to attend. He said he saw that one of the items on the agenda was the election of president for the County Commission. He said he was there to voice his support of Mark Scott. He said Mark has four years as a Marine, he was on the City Council for six years and worked on various committees and boards and he knows the needs of the City and the area and what our obstacles are and he has a good relationship with the Mayor and the City Council and the other administrators within the City. He said Mark Scott listens and has been very instrumental in holding open meetings for folks in Elkins and the surrounding area. He said for 25 years Mark Scott has run a multi million dollars business so he knows the needs of what faces the business owners in the City and the County. Mr. Skinner said another important thing is the budget. He said Mark has been

on the County Commission for one year now and there is no reason he should not be the president of the County Commission.

Sheriff Mark Brady appeared before the Commission. He said he appreciates Dr. Topping's remarks and understands his frustrations. He said he would entertain any ideas for help. He said he is also concerned about the election of the Commission president. He said the Commission president has no more authority than any of the other Commissioners only to set the tone of the Commission, communicate with other office holders, media releases and to lead the Commission meetings and to be the face of the Commission. He said he believes it is also the duty of a Commissioner to assume the role of Commission president at least every three years. This gives representation as president to each magisterial district. He said it has been almost five years since the Tygart district has been represented and it has been at least seven years since the Elkins district has been represented. Mr. Taylor has stepped forward and assumed that role but he feels it is the duty of the other Commissioners to do the same. One to understand the duties of being president and the other is to work with the other elected office holders. The Commission president must have open lines of communication and seek input from all elected office holders on decisions that can negatively or positively impact each of our offices. This has been strained at best for the past few years. With the upcoming election of Commissioner for the cheat district the mere appearance of utilizing the presidency as a political tool for the campaign should be strongly discouraged. He strongly urges the Commission to elect a president from either the Tygart or Elkins district. He said he is not supporting either one but feels it should come from one of those two districts. We all must remember who we work for and that is the good folks of Randolph County and we must strive to do what is best for all those folks regardless of our own ambitions.

#### MINUTES:

Commissioner Scott moved to approve the minutes from the special meeting that was held on December 27, 2017, as submitted.

All yes – Motion passed unanimously

Commissioner Scott moved to approve the minutes from the regular meeting that was held on December 19, 2017, with one correction and that is it should have read that there is a programmer for Randolph County.

All yes – Motion passed unanimously

Commissioner Scott moved to approve the minutes from the public hearing that was held on December 19, 2017, as submitted.

All yes – Motion passed unanimously

#### REPORTS:

North Central Community Corrections Director, Erin Golden appeared before the Commission to report on the Community Corrections program. She said there are currently 111 individuals on the program and it has saved the county \$969,583.75 in regional jail bills so far this fiscal year.

Curt Gainer from the Randolph County Emergency Squad reported that all trucks are in service and they have two new paramedics in the County and all stations are in service and there is still one job available for a paramedic.

Rhett Dusenberry from Congressman Mooney's office reported that there will be a letter of support sent in for the sub grant for the emergency animal shelter trailer. He also said that he has heard that Lewis County is teaming up with other counties to do the aerial photography and he just wanted to pass that on because it might save the county some money.

Sheriff Mark Brady reported that there are now three applicants for the deputy sheriff's list to select from. He said it is good that we have a list this time but it's bad that there is not more people interested in these positions. He said the last person they hired, Mr. Roy, will not be able to attend the academy in January as planned because they were notified that the class is full. He will not be able to attend until April.

Prosecuting Attorney, Michael Parker said that Doctor Topping asked about the felony conviction rate and he would like to note that for 2017 they had 163 felony convictions and in 2016 there were 92. He said other than one year where they had 81 felony convictions in one trial, this is the most number of felony convictions by far. He said he has spoken to Doctor Topping about this issue and certainly would welcome any ideas or input with how to better address the crime rate in this area. The more information a law enforcement officer has when investigating these crimes the better so everyone needs to keep their eyes and ears open and pass on that information to law enforcement and they will do everything they can.

CORRESPONDENCE: None

ANNOUNCEMENTS: None

#### ITEMS FOR DISCUSSION/ACTION:

##### CONSIDER ELECTION OF PRESIDENCY TO COMMISSION OFFICE 2018

Commissioner See moved to nominate Mike Taylor for president for 2018.

Commissioner Scott said as he mentioned last year he feels very strongly that the commission presidency should be switched from year to year because equal representation for our magisterial districts is vital to the show of good governments. He said as the Sheriff pointed out a few moments ago the same magisterial district has been represented by the presidency for the last four years. He said not that he represents one more fairly than the other, that is not what he is saying, but over the years there has been a precedent that it's usually divided, usually you do a year as a president and then it changes. It doesn't always work that way but that's the way it works in most counties. He said he has already told the other Commissioners that he is ready, willing and able and he has the experience and knows how to lead and he has built very good positive relationships with the elected officials and he works on a fair, honest and bipartisan basis and he really feels that we need to have a different person representing the presidency from the different magisterial districts from year to year. Commissioner See said he

appreciates Mr. Scott's comments. He said just because he is from Tygart district that doesn't mean he doesn't represent Cheat and Elkins too. He said he doesn't feel that it makes any difference what magisterial district the president is in. He said the president doesn't have any more authority than any of the other commissioners and he believes that Mike Taylor has done a good job and shown good leadership. Commissioner Scott said the commission president sets the tone for the commission and what he would like to see is there is a different perspective and it brings a little bit different tone. Commissioner Scott said he would be 100% supportive of Commissioner See being president. Commissioner See said right now with his personal life and his business he doesn't feel he has the time to commit to do a good job as president.

Commissioner See voted yes

Commissioner Taylor voted yes

Commissioner Scott voted no

Motion passed

#### SET DATES AND TIME FOR THE COMMISSION MEETINGS AND COURTHOUSE HOURS FOR 2018 (See attached)

Commissioner Taylor said the meeting dates and times will not be changing. They will still be held on the 1<sup>st</sup> and 3<sup>rd</sup> Thursday of the month at 1:30 p.m. Commissioner See moved to approve the county commission meeting dates for 2018 as submitted.

Commissioner Scott said Mr. Skinner asked why we don't have evening meetings and Commissioner Taylor did address that last time and what happens is that no one shows up. He said he wants everyone to know that he appreciates everyone that came today to show their support. If people would come to evening meetings they would be glad to do it.

All yes – Motion passed unanimously

Commissioner Taylor read over the committee assignments for 2018. (See attached)

Commissioner Scott moved to approve the committee assignments, as submitted.

All yes – Motion passed unanimously

#### DISCUSS/UPDATE REGARDING SUDDEN LINK CLOSURE

Commissioner Taylor said the County Commission joined in with the City of Elkins about two months ago about the displeasure they all felt with the closure of the local Sudden Link office. The County and City retained the services of Attorney Robert R. Rodecker. He comprised a letter and sent it to Altice which is the parent company of Sudden Link, basically outlining their areas of concern where it possibly violated the statutory requirements of the franchise agreement. Commissioner Taylor said they received a response from Altice in which they adamantly disagree with our position on this and are willing to take it further. Mr. Rodecker sent a letter to the Commission recommending that they take no further action as it would be lengthy and expensive. Commissioner See moved that the Randolph County Commission take no further action regarding the Sudden Link closure.

All yes – Motion passed unanimously

CONSIDER APPROVAL OF CITYNET TO BE OUR PHONE SERVICE PROVIDER TO OUR COUNTY COMPLEX

Chris Morris and Drew Palmeroy from Citynet appeared before the Commission. Mr. Palmeroy spoke to the Commission and said that Citynet has fought the fight for the last 5 or 6 years to bring competition for telecommunication services, whether it be voice, internet or cable TV across the State of West Virginia. He said they have been successful in doing that in multiple counties, primarily Harrison, Barbour and Pocahontas and they continue to expand their network today. He said they have observed Randolph County's services for the last 30 days and feel that they can save the County about \$1,500.00 a month. He said the bandwidth that they provide would be significantly higher so it should increase the speed of the computers. These services would cost \$2,350.00 per month. Commissioner Scott moved to give the commission president approval to sign a contract with Citynet phone service provider for the county complex after review and acceptance by our prosecuting attorney.

All yes – Motion passed unanimously

CONSIDER REQUEST FOR FUNDING FROM HILLBILLY HARDBALL CLASSIC 2018 (See attached letter)

Chris George appeared before the Commission. He said each year the County Commission helps out with this and they really appreciate it. This year will be the 28<sup>th</sup> year and the tournament will be held June 14 – 17, 2018. He said this brings a lot of people to the area and fills the motels and restaurants. The teams come from several states. He said several kids each year sign to go to college in West Virginia after coming here and seeing how nice it is. He said they are requesting \$6,000.00 again this year and without this money they could not have the tournaments. Commissioner Taylor said they appreciate what they do and he knows it is a lot of hard work. Commissioner See said it does bring a lot of people into the County and he just hopes it doesn't rain. Commissioner See moved to approve \$6,000.00 out of Hotel/Motel tax funds to the Hillbilly Hardball Classic for 2018.

All yes – Motion passed unanimously

CONSIDER APPROVAL FOR ASSESSOR TO PUT AERIAL PHOTOGRAPHY OUT FOR BID TO SUPPORT AND MAINTAIN COUNTY DATABASE

Randolph County Assessor, Phyllis Yokum appeared before the Commission. She said this is a combined effort between her office and Cindy Hart from the OEM Office. She said the aerial photography was done for Randolph County in 2009 and 2014. She said her office uses a GIS system and this helps them so much with that and also with the tax maps to make them as accurate as possible. She provided the Commission with a rough draft of the bid and said the Commission would be the ones to put it in the paper because it is a joint effort and will not only be for her office. The last time it was done it cost \$44,483.00. It is done by square miles and Randolph County is the largest County in West Virginia. She said she has talked to some of the other Assessor's and they agree that if we could do this at the same time it might be cheaper. Commissioner Taylor said we need to do this to keep things up to date. They will place the class II Legal Ad and state in there that the bids are to be back by January 26, 2018 at 4:00 p.m.

Commissioner Scott moved to approve the County Commission to request the bids for Aerial photography in Randolph County.

All yes -- Motion passed unanimously

#### CONSIDER APPROVAL OF TWO VOLUNTARY, UNPAID INTERNS FOR THE COMMUNITY CORRECTIONS DEPARTMENT

North Central Community Corrections Director, Erin Golden appeared before the Commission. She said she was there to ask permission to get two unpaid interns to work in her office. She said these were both Davis and Elkins College students and one has already been an intern in her office before. That student's name is Ashley Day and she will be coming back for the spring term beginning on January 15, 2018 and she will be completing 120 hours. The second student is Jennifer Parsons and she would also begin on January 15, 2018 and complete 120 hours. Mrs. Golden said she would not have them working at the same time. She will have one come in the mornings and one in the afternoons. Commissioner See moved to approve the two voluntary unpaid interns for the North Central Community Corrections office and those students' names are Ashley Day and Jennifer Parsons.

All yes -- Motion passed unanimously

#### CONSIDER FUNDING REQUEST FROM RANDOLPH COUNTY CONVENTION AND VISITORS BUREAU

Commissioner Taylor said last week the Commission received a certified letter from the Randolph County Convention and Visitor's Bureau. The letter asked that the Commission pay them for October and November 2017 Hotel/Motel fees that are due to them. Commissioner Taylor said most of the people here know we are currently working with the Prosecuting Attorney's Office and the City of Elkins on an inquiry regarding some expenditures that occurred last fiscal year with them. He said upon advice of Prosecuting Attorney Michael Parker, he recommends that the Commission pay the back due Hotel/Motel Tax up until November 6, 2017 which was the second reading of the ordinance where we changed the way that the funding would be distributed and it would mirror the state code. The amount that we owe would be \$16,823.39.

Prosecutor Michael Parker said as the Commission is aware the ordinance in the way it was previously worded stated that 50% of the Hotel/Motel Tax collected would go to the Randolph County Convention and Visitors Bureau. He said up and until the point where the ordinance was amended the Commission would be mandated to make those payments. Commissioner Taylor said as we move forward what the Commission will do is put it on the agenda for an upcoming meeting that any entity in Randolph County that feels that they qualify as a CVB appear before the Commission and we allocate them 10 or 15 minutes to number one present us with documentation, what he would suggest is for them to review the WV State Code and the Hotel/Motel Tax Ordinance and if that entity feels that they meet the criteria they present that to us and we will have Mr. Parker review it and give us his opinion if they do, and then we will make a decision as to what percentage of the CVB funds that we allocate to them. Mr. Parker said first the payment would need to be made and then the Commission needs to determine once and for all whether there are any other agencies in Randolph County that qualifies as a convention and visitors bureau because that is going to dictate what, if anything, the Commission can

do. Commissioner Taylor said we will draft an ad to put the notice in the paper and Mr. Parker can review it. Commissioner See moved to approve the funding request from the Randolph County Convention and Visitors Bureau in the amount of \$16,823.39 and that is to be paid out of Hotel/Motel Tax.

Commissioner Scott said he is required to declare that he is a board member of the Randolph County Convention and Visitor's Bureau.

All yes – Motion passed unanimously

#### RECEIVE RESULTS FROM ATTORNEY OF FINDINGS AND RECOMMENDATIONS DERIVED FROM A PERSONNEL COMPLAINT

Commissioner Taylor said back in the fall we received a personnel complaint and the Attorneys are here now to make a recommendation to the Commission regarding this. Commissioner Scott moved to go into executive session pursuant to WV Code.

All yes – Motion passed unanimously

Commissioner Taylor called meeting back to order.  
Commissioner Scott left the meeting at this time.

#### FINAL SETTLEMENTS/ANNUAL ACCOUNTINGS:

Commissioner See moved to approve the ten (10) final settlements/annual accountings as submitted on the following estates:

Joyce May Bryner

Shelly Conrad

Robert Franklin English, Jr.

Charles Edward Hinkle

Kenneth Ray Maize

Martha S. Mero

Ginger Monk

Nina B. Smith

John Joseph Sneberger

Jasmine Renee Wilson

All yes – Motion passed unanimously

#### BUDGET REVISIONS: (See attached copy)

Commissioner See moved to approve the one State Budget revision, as submitted.

Commissioner See voted yes

Commissioner Taylor voted yes

Commissioner Scott was absent

Motion passed

#### DIVISION OF PROPERTY/ERRONEOUS ASSESSMENTS:

Commissioner See moved to approve the erroneous assessments/divisions of property, as submitted.

All yes – Motion passed unanimously

PAYMENT OF BILLS:

Commissioner See moved to pay the bills, as submitted.

All yes. – Motion passed unanimously

Attest: \_\_\_\_\_



# COMMITTEE ASSIGNMENTS 2018

## Commissioner Taylor

Region VII Quarterly - 4<sup>th</sup> Monday @ 12:00 p.m.  
Whitmer Water Board  
Randolph County Development Authority - 1st Wednesday @ 4:00 p.m.  
Fire Association - 1st Thursday on odd months  
Forest Festival – 4<sup>th</sup> Tuesday  
Norton PSD – 2<sup>nd</sup> Monday @ 7:00 p.m.  
Ambulance Authority - Last Tuesday @ 5:00 p.m.

## Commissioner See

Recreation Board - 2<sup>nd</sup> Tuesday @ 6:00 p.m.  
Solid Waste Authority - 1<sup>st</sup> Tuesday @ 5:00 p.m.  
Extension Service Committee - (called only)  
Fire Association - 1st Thursday on odd months  
Local Emergency Planning Comm. – 2<sup>nd</sup> Wednesday @ noon  
Midland PSD - 4<sup>th</sup> Tuesday @ 5:00 p.m.  
Domestic Training - every other month on second Tuesday, time varies  
Leadsville PSD - 3<sup>rd</sup> Wednesday @ 1:00 p.m.

## Commissioner Scott

Airport Authority - 2<sup>nd</sup> Tuesday @ 5:00 p.m.  
Community Corrections - Varies from month to month  
Chamber of Commerce - 4<sup>th</sup> Tuesday @ noon  
Randolph County Convention and Visitors Bureau - 4th Monday @ 11:30 @  
Dukes Steakhouse  
Fire Association 1<sup>st</sup> Thursday on odd months  
Huttonsville PSD – 2<sup>nd</sup> and 4<sup>th</sup> Monday @ 10:00 a.m.  
Main Street Elkins – 2<sup>nd</sup> Tuesday @ 4:00 p.m.

## Employee Assignments

Mike - 911/OEM  
Mark - Dog Warden/Community Corrections  
Chris - Custodians/Maintenance

Hillbilly Hardball Classic, Inc.   
223 Lough Street  
Elkins, WV 26241  
(304) -614-7378

*\$6,000*  
*Hotel Motel TAX*

December 18, 2017

Randolph County Commission  
4 Randolph Avenue #102  
Elkins, WV 26241

Dear Commissioners:

Hillbilly Hardball Classic, Inc. is a 501(c)3 tax exempt non-profit organization. Each year, Hillbilly Hardball Classic, Inc. conducts a tournament for American Legion baseball teams. The 2018 28<sup>th</sup> Annual Hillbilly Hardball Classic will take place June 14th thru the 17th.

Your very generous donation of \$6000 was much appreciated the last seven seasons. In fact, we would not have been able to complete the season without it. It was a huge help for the tournament last summer. Plus it helped the Elkins Post 29 baseball team throughout the season. Mifflin County Pennsylvania Post 187 was crowned last summer as the champion as they defeated a team from Severna Park Maryland.

Please remember that this tournament brings many people to Randolph County. We invite 30-32 teams consisting of approximately 18 players and 2 coaches on each team. Most of those players also bring many family members with them. Each team uses 10 - 13 rooms or more in the local hotels, not including family members. They also eat in the local restaurants. Last year, all the motels in Randolph County once again were booked for the entire weekend of the event. As I write this letter, teams from Pennsylvania, Ohio, Maryland, Florida and West Virginia will be coming back for 2018.

We sincerely thank you for your help the last three years. I again would like to request another donation of \$6000 dollars for the Hillbilly Hardball Classic and our team. Please consider helping us once again help Randolph County and area teens and Elkins Post 29 Baseball. As always, we consider the Randolph County Commission a part of our team, our tournament and family.

Sincerely,



Chris George  
President

State Budget Revision  
Number: 7

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	* APPROVED AMOUNT	DEBIT (DECREASE)	CREDIT (INCREASE)	REVISED AMOUNT
001-424-4-58.04	Courthouse Renovations	\$ 100,000.00	\$ 48,566.00		\$ 51,434.00
001-413-1-03.00	Election Wages	\$ 8,000.00		\$ 4,482.00	\$ 12,482.00
001-413-1-04.00	Election FICA	\$ 651.00		\$ 324.00	\$ 975.00
001-413-1-04-01	Election Medicare	\$ 155.00		\$ 76.00	\$ 231.00
001-413-1-06.00	Election Retirement	\$ 1,155.00		\$ 234.00	\$ 1,389.00
001-413-1-08.00	Election Overtime	\$ 1,500.00		\$ 740.00	\$ 2,240.00
001-413-2-14-00	Election Travel	\$ 2,000.00		\$ 704.00	\$ 2,704.00
001-413-2-18.00	Election Postage	\$ 5,000.00		\$ 5,000.00	\$ 10,000.00
001-413-2-19.00	Election Building Rental	\$ 1,280.00		\$ 900.00	\$ 2,100.00
001-413-2-20.00	Election Advertising	\$ 13,000.00		\$ 1,415.00	\$ 14,415.00
001-413-2-21.00	Election Training/Education	\$ 500.00		\$ 280.00	\$ 780.00
001-413-2-30.00	Election Contract Service	\$ 39,000.00		\$ 26,396.00	\$ 65,396.00
001-413-3-41.00	Election Supplies	\$ 28,000.00		\$ 8,015.00	\$ 36,015.00

\*indicates original budget

1-4-18  
CS moved

CS yes

MT yes

MS absent

*Michael P. Saker*