

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 15th day of March, 2018 at 1:30 p.m.

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

Meeting called to order by Commissioner Taylor

PUBLIC COMMENT:

Mike Cozad, Denise Campbell and Eddie Davis from the Atlantic Coast Pipeline appeared before the Commission. Denise Campbell said they were there to give an update of the Atlantic Coast Pipeline. She said this is 600 miles of pipeline going thru five counties in West Virginia, all thru Virginia and then into North Carolina and it is estimated to be a seven billion dollar project. There will be 30 miles of pipeline going through the southern part of Randolph County. She said they have scheduled open houses and job fairs. She said people will be hired through the Union. The construction should begin in May. Randolph County will probably see a tax revenue increase of approximately two million dollars a year. The project should be done in 2019. Their goal is to hire 50% of local West Virginia residents.

Josie Cuda and Pat Schoonover appeared before the Commission. Pat Schoonover thanked the Commission for their support of the Mountain Arts District in the past. She said their mission is to promote the arts in the region. They have developed a website, which took a year to do, for artists in the community to put their art and wares out for the whole world to see. Several artists in the community have joined the website so far. The website has had over 1,000 views a month. They also have a facebook page to promote the arts and they are putting rack cards up at different locations. She went over some other things they are currently working on and said they hope the County Commission can continue to fund them.

MINUTES:

Commissioner Scott moved to approve the minutes from the special meeting that was held on March 8, 2018, as submitted.

All yes – Motion passed unanimously

Commissioner Scott moved to approve the minutes from the regular meeting held on March 1, 2018, as submitted.

All yes – Motion passed unanimously

REPORTS:

Curt Gainer from Randolph County EMS reported that all stations are in good working order and in service and the full time staff is at full level at this time but they have two ambulances down right now, one with engine failure and one with head gaskets.

CORRESPONDENCE: None

ANNOUNCEMENTS:

Commissioner Taylor announced the next regular meeting will be held on April 5, 2018 at 1:30 p.m.

ITEMS FOR DISCUSSION/ACTION:

HEARING REGARDING ESTATE OF MARK HOWELL

(See copies attached)

Matthew Ervin, Attorney from Mullens & Mullens law firm appeared before the Commission. He said they represent the estate of Mr. Mark W. Howell. His wife Teresa Howell was appointed Administratrix of his estate on November 23, 2015. She suffered a stroke on November 23, 2017 and now she is unable to speak and therefore cannot continue to be the Administratrix over the estate. Mr. Ervin said they are asking the Commission to accept the resignation of Teresa Howell and appoint Alisia Shreve, Mr. Howell's adult daughter, over the estate. Commissioner Scott moved to appoint Alisia Shreve as Administratrix of the estate of Mark W. Howell, as submitted.

All yes -- Motion passed unanimously

CONSIDER FUNDING REQUEST FROM THE RANDOLPH COUNTY HUMANE SOCIETY FOR UPCOMING BUDGET YEAR

Tina Vial appeared before the Commission. Tina Vial gave the Commissioners a report. She said this is the annual request from the Randolph County Humane Society for the continued budget support that they receive through the County Commission. She said in the packet she gave them is a cover letter to that effect as well as a report from 2017 that gives them an overview of things they have accomplished this past year and things they are looking forward to in 2018. She said also included is the memorandum of understanding for renewal which is required to be signed. She said also enclosed is the required financial position and audit form that the Commission needs from them for the calendar year 2017. She said she had with her today Shelter Manager Kelly Scheidegger and Board Members Carrie Shupp and Jenna Lee. She said she thinks they are on good footing and have some really awesome things going on. She said they do take care of 100% of Randolph County animals and they appreciate the support of the Randolph County Commission. She said they recently received three grants which totaled \$50,000.00 and that is being used for spaying and neutering of animals. She said that should spay and neuter approximately 500 animals in the County.

CONSIDER FUNDING REQUEST FROM RANDOLPH COUNTY CHILDREN'S ADVOCACY FOR THE UPCOMING BUDGET YEAR

Margo Evick, Executive Director of Randolph Tucker Children's Advocacy Center, appeared before the Commission. She thanked the Commission for their continued

support of their program. She said they play a critical role in the front lines responding to child maltreatment and coordinating that collaborate response with community investigators of severe physical abuse and sexual abuse while ensuring the families and children receive the necessary immediate and effective support. They also provide prevention outreach for adults and children in the community. She said they saw 143 new children in their office last year. She said 117 of them received forensic interviews, 40 of them received therapy referrals and 23 of them received forensic medical exams. She said there were 7 arrests in Randolph County and 9 indictments. She said so far this fiscal year, July 1, 2017 to now, they have seen 45 new children. She said one of the things they are focusing on this year is to educate the community and strengthen their response to victims of sex trafficking and child pornography. She said with the expansion of their office space this year they now have the space for a medical exam room. The cost is extensive for that but they have already started the renovations on the medical exam room and hopefully it will be ready to use by July, 2018. Commissioner Taylor said he stopped by and saw the new room and in their budget request they have asked for an additional \$2,000.00 for the maintenance and getting it ready. He said it is really sad for a community our size that they have so much work to do. He said they are working on the budget now and will let them know. Commissioner Scott thanked them for the work they do.

CONSIDER APPROVAL OF POLL WORKERS FOR THE MAY 8, 2018 PRIMARY ELECTION

Randolph County Clerk, Brenda Wiseman presented the Commission with a list of poll workers for the May 8, 2018 primary election. She explained that these lists are prepared by the two executive committees in the County for approval by the Commission. She explained that if someone on the lists cannot work for some reason they will be replaced by her office working with the executive committees to help find replacements. Commissioner See moved to approve the poll workers for the May 8, 2018 primary election, as submitted.

All yes – Motion passed unanimously

CONSIDER APPROVAL OF RESOLUTION TO ENDORSE THE APPLICATION FOR THE DECELERATION AND EXTENSION ALONG U.S. ROUTE 219/250 SOUTH IN BEVERLY, WV

(See copy attached)

Robbie Morris from the Randolph County Development Authority, appeared before the Commission. He said this is in regard to the Armstrong Flooring project. This is for an industrial access road grant to extend the deceleration lane because the entrance to the plant will be moved. He said this estimated extension will cost between \$250,000 to \$300,000 dollars. He said basically the Randolph County Development Authority is asking permission from the County Commission to apply for a grant for \$300,000.00 to work on the road at Armstrong Flooring.

Commissioner Taylor said they have prepared a Resolution regarding this. He read Resolution 03-2018 out loud. Commissioner Scott moved to approve Resolution 03-2018, as submitted.

All yes – Motion passed unanimously

CONSIDER APPROVAL/SIGNAGE OF USDA COOPERATIVE LAW
ENFORCEMENT AGREEMENT BETWEEN THE RANDOLPH COUNTY
SHERIFF'S OFFICE AND THE MONONGAHELA NATIONAL FOREST

Sheriff Brady appeared before the Commission. He said this is an agreement that they have been doing for several years now. This allows the deputies to patrol the national forest and the County pays them and then the USDA reimburses the County for gas and wages. The deputies keep track of mileage and gas used when they patrol.

Commissioner See moved to approve the cooperative agreement between the Randolph County Sheriff's Office and the Monongahela National Forest, as submitted.

All yes – Motion passed unanimously

OPEN BIDS ON COURTHOUSE ROOF REPLACEMENT

Commissioner Taylor said the Commission put out for bids for the construction of one half of the courthouse roof replacement. There was one bid received. The bid was opened by the Commission during the meeting. The bid was from Forbes Copper Works, LLC from Lewisburg, West Virginia. The amount of the bid was \$194,400.00.

Commissioner Taylor said the Commission received a grant for \$100,000.00 so that means it would only cost the county \$94,400.00. This would complete phase 1 of the roof replacement project. The Commission is going to apply for a grant for the other half of the roof replacement this fiscal year. Commissioner Taylor said this is the company that came in and did some emergency repairs to the roof so he feels that they would do a good job. Commissioner Scott moved to accept the bid from Forbes Copper Works, LLC, as submitted.

All yes – Motion passed unanimously

FINAL SETTLEMENTS/ANNUAL ACCOUNTINGS:

Commissioner Scott moved to approve the four (4) final settlements/annual accountings as submitted on the following estates:

Bill Robert Blackburn

John Ramey, Jr.

Shirley Jean Shaffer

Nancy M. Sierl

All yes – Motion passed unanimously

BUDGET REVISIONS: None

ADJUSTMENTS TO FIRE FEES:

Commissioner See moved to approve the adjustments to the fire fees, as submitted.

All yes – Motion passed unanimously

DIVISION OF PROPERTY/ERRONEOUS ASSESSMENTS:

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

All yes – Motion passed unanimously

PAYMENT OF BILLS:

Commissioner Scott moved to pay the bills, as submitted.

All yes -- Motion passed unanimously

ADJOURN THE MEETING:

Commissioner See moved to adjourn the meeting.

All yes -- Motion passed unanimously

Attest: _____

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Mullens & Mullens, PLLC



Attorneys at Law

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Clarksburg, WV 26301
304-623-9001
fax 304-623-9005

Hunter B. Mullens, Esq.
Catherine A. Mullens, Esq.*
Matthew L. Ervin, Esq.

January 29, 2018

Brenda D. Wiseman
Randolph County Clerk
2 Randolph Avenue
Elkins, WV 26241

Re: Petition for Resignation of Teresa Howell as Administratrix and Personal Representative of the Estate of Mark W. Howell and Appointment of Alisia Shreve as Administratrix and Personal Representative of the Estate of Mark W. Howell

Dear Ms. Wiseman:

Please find enclosed the *Petition* for filing in the above-styled matter. This *Petition* requests that the Randolph County Commission allow Teresa Howell to resign as personal representative of Mark Howell's Estate and requests that Alisia Shreve is appointed in her place. Please file it in accordance with your normal procedure.

If you have any questions or concerns about the *Petition* please feel free to contact us. You may reach us by phone at (304) 457-9000.

Sincerely,

HUNTER B. MULLENS
Attorney at Law

Encl.

pc: file
Alisia Shreve
Thomas Brewer
Khole N. Howell
Beechard Howell
Mike Howell
Becky Warner
Spike Howell
Trinity Howell
Debbie Ogden
Travis Howell
Melissa Howell
Kelsey Howell

* also licensed in Virginia

BEFORE THE COUNTY COMMISSION OF RANDOLPH COUNTY, WEST VIRGINIA

TERESA HOWELL, individually
and by her Power of Attorney,
Barbara A. Workman, as Administratrix
or Personal Representative of the
Estate of Mark W. Howell

Petitioner,

v.

ALISIA SHREVE, THOMAS
BREWER, KHOLE N.
HOWELL, BEECHARD
HOWELL, MIKE HOWELL,
BECKY WARNER, SPIKE
HOWELL, TRINITY HOWELL,
DEBBIE OGDEN, TRAVIS
HOWELL, MELISSA HOWELL,
KELSEY HOWELL,

Respondents.

Petition for Resignation of Teresa Howell as Administratrix and Personal Representative of the Estate of Mark W. Howell and Appointment of Alisia Shreve as Administratrix and Personal Representative of the Estate of Mark W. Howell

COMES NOW, the petitioner, Teresa Howell, individually and by her Power of Attorney, Barbara A. Workman, pursuant to West Virginia Code §44-7-1, and petitions the County Commission of Randolph County, West Virginia, for her resignation as Administratrix and Personal Representative of the Estate of Mark W. Howell, and further, for the Appointment of Alisia Shreve as Administratrix and Personal Representative of the Estate of Mark W. Howell. As grounds for her petition, the Petitioner states as follows:

1. Mark W. Howell died on October 1, 2015, as a result of his injuries sustained from an automobile collision.

Randolph County Commission



Commissioners

Michael M. Taylor

Chris See

Mark D. Scott

RESOLUTION

032018

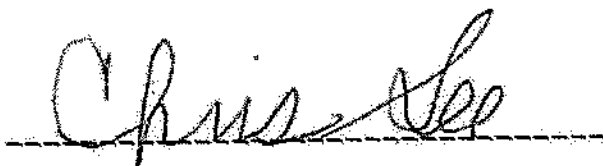
WHEREAS, the Randolph County Commission hereby recognizes and endorses the application for the deceleration lane extension along U.S. Route 219/250/92 South in Beverly, West Virginia leading to the Armstrong Flooring plant, submitted by the Randolph County Development Authority to the West Virginia Development Office and West Virginia Division of Highways for funding.

THEREFORE, BE IT RESOLVED that the Randolph County Commission supports the application from the Randolph County Development Authority to the West Virginia Development Office and the West Virginia Division of Highways to fund the deceleration lane extension along U.S. Route 219/250/92 South in Beverly, West Virginia leading to the Armstrong Flooring plant, in the amount of three hundred thousand dollars (\$300,000).

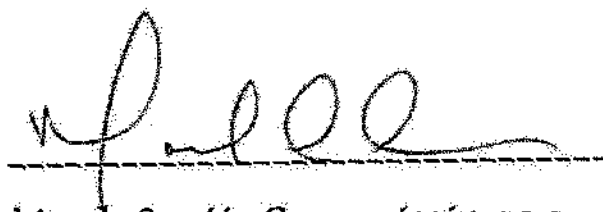
Signed this day, March 15, 2018.

A handwritten signature in cursive script, appearing to read "Michael M. Taylor", written over a horizontal dashed line.

Michael M. Taylor, President

A handwritten signature in cursive script, appearing to read "Chris See", written over a horizontal dashed line.

Chris See, Commissioner

A handwritten signature in cursive script, appearing to read "Mark Scott", written over a horizontal dashed line.

Mark Scott, Commissioner