STATE OF WEST VIRGINIA
RANDOLPH COUNTY COMMISSION:

At a regular session of the Randolph County Commission in and for the aforesaid County and State, at the James F. Cain Courthouse Annex, on the 21st day of September, 2017 at 4:30 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: None

MINUTES:
Commissioner Scott moved to approve the minutes from the regular meeting that was held on September 7, 2017, as submitted.
All yes — Motion passed unanimously

REPORTS:
Erin Golden, Director of North Central Community Corrections, appeared before the Commission. She said there are currently 109 participants on the program. The program has saved the County $391,741.75 in regional jail bills since July 1, 2017.

Sheriff Mark Brady reported that Deputy Beverly will be graduating from the police academy on September 29, 2017.

CORRESPONDENCE: None

ANNOUNCEMENTS:
County Clerk, Brenda Wiseman announced that Early Voting for the Special Road Bond Election will begin tomorrow, September 22, 2017 at the Wees Annex. The hours will be from 8:00 to 4:30 Monday through Friday and 9:00 to 5:00 on the next two Saturdays.

ITEMS FOR DISCUSSION/ACTION:
CONSIDER APPROVAL OF RESOLUTION OF SUPPORT OF UPCOMING ELECTION FOR ROAD BOND (See copy attached)
Bob Ashley, Governor Jim Justice’s Legislative Director, and Lynn Phillips, Governor Jim Justice’s regional representative and Jamie Rossi, District 8 Engineer for the Department of Highways, all appeared before the Commission. Mr. Ashley said it was an honor to be there and he was there to answer any questions anyone has about the road bond. He said on October 7th the people of West Virginia have an opportunity to progress this State by supporting the road bond. He said in 1995 there was a road bond amendment on the November ballot that was passed. He said that will be paid off this fiscal year and usually when one road bond is paid off they put it before the people to vote on it again. He said when the Governor traveled during his campaign across the
State he saw the need for roads to be repaired. He said the roads are on a 33 year paving cycle right now. He said the transportation road budget is the same amount as it was 10 years ago. He said the constitution says in order for them to do this they have to have the approval of the voters so periodically they come before the voters with road bonds. Mr. Ashley said roads bring opportunity for growth. He said no new tax increases are needed, they already increased them as of July 1. He said this is basically a loan that will take 25 years to pay back.

Jamie Rossi, Department of Highways District 8 Engineer said there will be 21 projects in Randolph County and the value of that would be $21,268,000.00. He said they have three buckets that they can pull from right now and the general road bond would be a fourth bucket they can use. There will be different projects being done, not just Corridor H.

Commissioner Taylor read Resolution 09-2017 out loud. Commissioner See moved to approve the signing of Resolution 09-2017, as submitted. Commissioner Scott said none of us want to take on any additional debt, but we had this before and basically it’s just a re-issue so it makes sense to do it. He is in support of it. All yes – Motion passed unanimously

CONSIDER FUNDING REQUEST FROM DRY FORK RECREATION CENTER FOR AUTUMN ON THE DRY FORK FALL FESTIVAL  (See letter attached)

Rex Vance, President of the Dry Fork Recreation Center, appeared before the Commission. He said they will be having their annual Fall Festival for the Harman community on October 14, 2017. He said they try to improve it every year. This year they will be making apple cider, apple butter, pork BBQ and will be having music and entertainment. He invited everyone to come and thanked the Commission for their past support. Commissioner Taylor said Mr. Vance has committed a lot of time and effort into this and they appreciate what he does. Commissioner Scott moved to approve the funding request in the amount of $2,000.00 to the Dry Fork Recreation Center and that is to be taken out of Hotel/Motel tax funds.

All yes – Motion passed unanimously

CONSIDER APPROVAL OF NEW HIRE IN THE PROSECUTOR’S OFFICE (See letter attached)

Randolph County Prosecuting Attorney, Michael Parker appeared before the Commission. He said he recently hired Tessa Ware as Circuit Court Coordinator in his office. She has done an outstanding job in the short time she has been there but she has submitted a letter of resignation, as she simply does not enjoy the requirements and nature of the job. He said he reviewed the resumes again and found another highly qualified and well recommended applicant in Teena L. Swick. Ms. Swick has three years of experience working as a legal assistant with McNeer, Highland, McMann and Varner, among other relevant experience as indicated on her resume. He said a background check was done and everything was fine. He said if approved he would like her to begin working on October 2, 2017 at a salary of $31,000.00 per year along with full benefits and she will be placed on a 90 day probationary period.

Commissioner See moved to approve the hiring of Teena L. Swick as Circuit Court Coordinator in the Prosecuting Attorney’s Office with a starting salary of $31,000.00 per
year will full benefits and with an effective date of hire of October 2, 2017 and she will be placed on a 90 day probationary period.
All yes – Motion passed unanimously

CONSIDER APPROVAL OF INTERN TO THE VOCA COORDINATOR IN THE PROSECUTOR’S OFFICE (See attached letter)
Randolph County Prosecuting Attorney, Michael Parker appeared before the Commission. He said the VOCA Grant requires that the VOCA coordinator utilize a volunteer intern to assist with outreach to victims and potential victims and to provide office support. He said an individual met with VOCA coordinator, Jayne Rawl, who was interested in serving. He said he has also met with him and he was very enthusiastic. He is a student at D & E College and a native of Vienna, WV. Mr. Parker said he has done a background check on him and everything came back fine. Mr. Parker said his name is Tristram Spitsnaugle and if approved by the Commission he would like for him to start working in his office on September 25, 2017. Commissioner Scott moved to hire Tristram Spitsnaugle as an unpaid VOCA volunteer/intern in the Prosecuting Attorney’s Office with a starting date of September 25, 2017.
All yes – Motion passed unanimously

CONSIDER APPROVAL OF NEW HIRE OF DEPUTY SHERIFF TO THE SHERIFF’S OFFICE (See letter attached)
Sheriff Mark Brady appeared before the Commission. He said he had three names submitted to him by the Randolph County Deputy Sheriff’s Civil Service Board of the next three qualified candidates for Deputy Sheriff. He has done all the background investigations and testing required and has chosen Brian M. Roy. Mr. Roy is a member of the Marines Corps Reserves, EMT with Tucker and Randolph County EMS, and a Volunteer Fire Fighter for the Whitmer Fire Department. He would like Mr. Brian M. Roy to begin working on October 3, 2017 at the rate of pay of a non-certified probationary deputy of $33,080.00 annually with full benefits. He will attend the police academy in January 2018. He said this will bring his office up to 12 full time deputies and he is budgeted for 13 so he is still one short.
Commissioner See moved to approve the hiring of Brian M. Roy as a probationary deputy for the Randolph County Sheriff’s Office with an effective date of October 3, 2017 and with a starting salary of $33,080.00 with full benefits.
All yes – Motion passed unanimously

CONSIDER APPROVAL OF HVAC MAINTENANCE AGREEMENT WITH EMCOR SERVICES FOR WEES ANNEX
Commissioner Taylor said this is to renew the maintenance contract with Emcor Services that ends on September 30, 2017. The amount of the contract is $10,094.00 and it is billed quarterly. Commissioner Scott moved to approve the renewal of the maintenance agreement with Emcor Services, as submitted.
All yes – Motion passed unanimously
CONSIDER APPROVAL OF EMERGENCY REPAIRS TO HVAC AT WEESE ANNEX
Commissioner Taylor said there is a leaky coil in the HVAC system at the Wees Annex that needs repaired as soon as possible. He said this system is over 10 years old now and not under warranty anymore. The cost of the repair will be $8,141.00 and the reason it is so high is because they will have to get a crane to pick it up to work on it. Commissioner See moved to approve the emergency repairs to the HVAC at the Wees Annex at a cost of $8,141.00. All yes – Motion passed unanimously

CONSIDER MAINTENANCE AGREEMENT WITH THYSSENRUPP FOR ELEVATOR AT THE JAMES F. CAIN COURTHOUSE ANNEX
Commissioner Taylor said this is actually for the Courthouse at 2 Randolph Avenue instead of the Annex. The amount of this maintenance agreement is $762.00 and that is for them to conduct the elevator safety tests. Commissioner Scott moved to approve the elevator maintenance safety tests with Thyssenkrupp, as submitted. All yes – Motion passed unanimously

CONSIDER APPROVAL OF CHANGE OF INVESTMENT POLICY FOR CMA ACCOUNTS AT CITIZENS BANK
Commissioner Taylor said he met with Nathaniel Bonnell, President and CEO of Citizens Bank of West Virginia, last week regarding the bond paperwork needed for this year. He said in discussing this with him they talked about the County’s checking account and currently the CMA’s carried a fixed annual percentage yield of 0.55%. He said what they are proposing to do is change the CMA accounts to a variable rate of 25% of New York prime. Using this rate adjustment the current annual percentage rate would be 1.0625% and would be subject to change on the first day of each month based on the most recent published New York prime rate. He said with our CMA accounts which amounts to several dollars, instead of earning 0.55% would allow us to get 1.0625% however that could change. He said we have not been making any money and he thinks it would be a good move. Commissioner Scott moved to give Commission President approval to sign the documents to change the fixed rate accounts currently to a variable rate of 25% of the New York prime which is currently at 1.0625%. All yes – Motion passed unanimously

CONSIDER APPROVAL OF RE-APPOINTMENT OF A BOARD MEMBER TO RUSSELL MEMORIAL LIBRARY
Commissioner Taylor said they received a letter from the Russell Memorial Library Board asking for the re-appointment of Linda Peterson for a five year term beginning July 1, 2017 and end on June 30, 2022. They would also like to appoint Sharon Moss to fill the unexpired term of Patricia Peters that will expire on June 30, 2018. Commissioner Scott moved to approve the request, as submitted. All yes – Motion passed unanimously
CONSIDER APPROVAL OF RE-APPOINTMENTS TO THE RANDOLPH COUNTY BUILDING COMMISSION
Commissioner Taylor said this item was already taken care of on May 9, 2017. He said the current members of the Randolph County Building Commission are Alfred Lewis, Crystal Warner Gibson and Mark Haddix.

CONSIDER APPROVAL OF APPOINTMENTS TO THE RANDOLPH COUNTY DEVELOPMENT AUTHORITY
Commissioner Taylor said they received a letter asking the Commission to re-appoint four members to the Randolph County Development Authority. Commissioner See moved to approve the re-appointments of Nathaniel Bonnell, Charles H. Friiddle, III, Mark Haddix and Edward Phares for three year terms beginning on July 1, 2017 and ending on June 30, 2020.
All yes – Motion passed unanimously

CONSIDER APPROVAL OF APPOINTMENT TO THE RANDOLPH COUNTY PARK AND RECREATION BOARD TO REPRESENT THE RANDOLPH COUNTY WV 4-H FOUNDATION
Commissioner Scott moved to appoint Patricia Collett to the Randolph County REC Board to fill a vacant position to represent the Randolph County WV 4-H Foundation.
All yes – Motion passed unanimously

CONSIDER APPROVAL OF RESOLUTION FOR COURTHOUSE FACILITIES IMPROVEMENT AUTHORITY GRANT APPLICATION  (See attached copy)
Commissioner Taylor said this is Resolution 09-2017 which is for a grant application to the Courthouse Facilities Improvement grant to redo the courthouse roof. Donna Haddix said this will be done in two phases, this year the first phase and next year the second phase. The amount of the grant request is $100,000.00. The first phase will cost $194,000.00 and the County Commission will provide the additional $94,000.00.
Commissioner See moved to approve Resolution 09-2017, as submitted.
All yes – Motion passed unanimously

CONSIDER APPROVAL OF LEASE OF EMERSON PHARES BUILDING FOR 911/OEM OPERATIONS CENTER
Commissioner Scott said they have spent several meetings meeting with bond counsel and underwriters for the bond and there were several things. The Commission presented them with a model Lease and they have come back to us with changes that need to be made, nothing major just some things need cleaned up to make sure the language works for the bond. He said there will be an amendment with a survey and description attached. Commissioner Taylor said the lease is for a $1.00 a month, but they will be paying them $37,500.00 in maintenance fees for general upkeep of the property.
Commissioner Scott moved to authorize the President of the County Commission to sign the Lease, as submitted.
All yes – Motion passed unanimously
CONSIDER APPROVAL OF POLICY AND PROCEDURE FOR BUDGET REVISIONS, AS WELL AS FORMAT OF REQUEST, POLICY AND PROCEDURE 17-01  (See attached copy)
Commissioner Taylor welcomed Lisa Daniels Smith as a consultant for the Commission. He said she is a CPA with a strong background in governmental accounting. He said she is here to help us do some housekeeping issues with a policy and procedures with a number of bookkeeping issues. Lisa Daniels Smith said she was there to help them with the budget. She presented the Commission with policy and procedure 17-01 and said any elected official that needs a budget revision whether it be within their own budget or a State budget revision will now need to follow this policy. She said that way it all stays consistent. She said after the County Clerk files them they would like a copy back to the County Commission. They are going to prepare a book to put them in. Lisa Daniels Smith said we were never out of compliance. This is just a standard format to use. Commissioner Scott moved to approve Policy and Procedure 17-01, as submitted. All yes – Motion passed unanimously

FINAL SETTLEMENTS/ANNUAL ACCOUNTINGS:
Commissioner Scott moved to approve the 16 final settlements/annual accountings, as submitted.
Harry Lester Armientrout
Joan Beverly Baker
Kenneth L. Collett
Tony Roger Demotto
Herman Donald Lambert, Jr.
Gregory Glenn Lee
Carrie Lynn Nuzum
John William Paugh
Lenzie William Ray
Alma O. Shaffer
Ruth Painter Snyder
Shelva Ann Starkey
Timothy Linn Tenney
Marguerite W. Trimble
Herman E. Watson, Sr.
Mary Leona Winans
All yes – Motion passed unanimously

BUDGET REVISION: None

ERRONEOUS ASSESSMENTS/DIVISIONS OF PROPERTY:
Commissioner Scott 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
ADJOURN THE MEETING:
Commissioner See moved to adjourn the meeting.
All yes - Motion passed unanimously

Attest: _______________________________
ROAD TO PROSPERITY

09-2017

WHEREAS, on the seventh day of October Two Thousand Seventeen, the voters of West Virginia will be presented with the opportunity to pass a referendum for a constitutional amendment authorizing the sale of road bonds as part of the “Roads to Prosperity” road building initiative; and

WHEREAS, passage of the referendum will make $1,600,000,000 available for road construction, improvement, and expansion projects throughout West Virginia; and

WHEREAS, the West Virginia Department of Transportation’s list of potential projects to which the road bond proceeds may be applied includes a $90,000,000 undertaking to expand the Robert C. Byrd Corridor H Highway (“Corridor H”) in Tucker County, West Virginia; and

WHEREAS, a complete, fully functioning Corridor H will spur economic development throughout many industries including manufacturing, tourism, commerce, recreation, and tourism, hardwoods, and agriculture in and around the highway, and will provide businesses with direct access to the global market through the inland port near Front Royal, Virginia; and

WHEREAS, Randolph County is also expected to receive over $21,000,000 for additional transportation infrastructure upgrades throughout the County from the passage of the road bond; and

WHEREAS, the Randolph County Commission fully understands that a sound transportation system is vital to economic development throughout West Virginia; and
WHEREAS, the State has experienced recent budget crises that have diminished road building and maintenance resources substantially, making passage of the referendum crucial in generating funding for additional construction and maintenance activities on Corridor H and other roads; and

WHEREAS, the near-term completion of the road bond projects proposed throughout the State will have immediate impact on the West Virginia economy, which will employ thousands of people, and improve commercial, recreational, and tourism opportunities that a sound transportation system will afford.

NOW, THEREFORE BE IT RESOLVED, the Randolph County Commission, in view of the foregoing, hereby endorse the "Road to Prosperity" road building initiative, and hereby encourage all eligible voters to vote in favor of the referendum authorizing the sale of road bonds on the seventh day of October Two Thousand Seventeen.

Given under our hands this 21st day of September Two Thousand Seventeen,

Michael M. Taylor, President
Randolph County Commission

Chris See, Commissioner
Randolph County

Mark Scott, Commissioner
Randolph County
Dry Fork Recreation Center, Inc.

P.O. Box 1
Harman, WV 26270

September 6, 2017

Randolph County Commission
4 Randolph Ave.
Elkins, WV 26241

Honorable Randolph County Commission,

Our annual fall festival for the Harman community, Autumn on the Dry Fork, will be held on Saturday, October 14, 2017 at the Dry Fork Recreation Center. There are many activities, including the making of apple cider and apple butter on site. We are very appreciative of your financial support in the past and understand that you may offer financial support of our annual festival. I would like to request, on behalf of the Board of Directors and the Harman community, $2,000 for expenses for the festival. Thank you for your consideration of this matter.

Sincerely,

Rex Vance
President
Dry Fork Recreation Center, Inc.
OFFICE OF THE PROSECUTING ATTORNEY
RANDOLPH COUNTY, WEST VIRGINIA
Michael W. Parker, Prosecuting Attorney

September 20, 2017

Randolph County Commission
2 Randolph Ave.
Elkins, WV 26241

RE: Hiring of Teena L. Swick as Circuit Court Coordinator

Dear Randolph County Commissioners:

As you are aware, the Randolph County Prosecuting Attorney’s Office, with the approval of the Randolph County Commission, recently hired Tessa Ware as Circuit Court Coordinator. Although she has done an outstanding job in the short time she has been employed with my office, she has submitted a letter of resignation, as she simply does not enjoy the requirements and nature of the job. After reviewing the resumes and the respective qualifications of the remaining candidates from our previous advertisement for the position, however, I have been able to identify another highly-qualified and well-recommended applicant in Teena L. Swick. As you will see from her enclosed resume, Ms. Swick has her Bachelor of Arts in Criminal Justice with minors in History and Sociology. She has also taken courses in criminal law and procedures, addictions and recovery, and constitutional law, all of which will greatly assist her in this position if approved. Moreover, Ms. Swick has three years of experience working as a legal assistant with McNeer, Highland, McMum, & Varner, L.C., among other relevant experience as indicated on her resume.

Based upon the foregoing, I am requesting that the Randolph County Commission approve the hiring of Teena L. Swick as Circuit Court Coordinator. If approved, Mrs. Swick will begin work on October 2, 2017, at a salary of $31,000.00 per year along with a full-time benefits package. Consistent with county policy, Mrs. Swick would be hired pursuant to a 90-day probationary period. Should you have any questions or concerns, please do not hesitate to contact me at your convenience. I thank you for your time and attention to this matter.

Very truly yours,

Michael W. Parker

MWP:seg
Enclosure
September 18, 2017

Randolph County Commission
4 Randolph Avenue
Elkins, WV 26241

RE: Request to Hire VOCA Volunteer/Intern

Dear Commissioners:

As you may remember, one requirement of our accepting the VOCA grant is that the VOCA coordinator utilize a volunteer/intern to assist with outreach to victims and potential victims and to provide office support. Last spring, Tristram Spitsmaugel, a native of Vienna, WV, and a senior at D&E with dual majors in Psychology and Political Science, visited our office as part of a class project and asked if he could intern in the prosecutor’s office. We were impressed with his maturity and presence and asked him to check back with us in the fall.

We’ve now heard from Tristan and he is still quite interested in serving as an unpaid intern in our office, pending approval from the Randolph County Commission. His background check revealed nothing that would prevent him from working in our office. We would ask that the Commission approve our request to bring this practicum student on board in our office to serve as VOCA volunteer/intern beginning September 25, 2017.

Sincerely,

Michael W. Parker

MWP:jr
New Hire Probationary Deputy Sheriff

I would respectfully request the Commission’s hiring of Brian M. Roy as Probationary Deputy Sheriff for the Randolph County Sheriff’s Office. Mr. Roy has successfully completed his background investigation conducted by the Randolph County Sheriff’s Office.

Mr. Roy is a member of the Marines Corps Reserves, EMT with Tucker and Randolph County EMS, and a Volunteer Fire Fighter for Whitmer Fire Department.

The effective date of hire will be Oct. 3rd of 2017 at the rate of pay of a non-certified probationary deputy of $33,080 annually with full benefits.

Mr. Roy resides in the Harman area of Randolph County.

Respectfully,

Mark T. Brady, Sheriff
RESOLUTION
09-2017

The County Commission of Randolph County met on Thursday, September 21, 201...
um present and passed the following resolution.

Be it resolved that the County Commission hereby authorizes Michael M.
Taylor, President of the Randolph County Commission, to act on its behalf to enter into
a contractual agreement with the Courthouse Facilities Improvement Authority to
receive and administer funds pursuant to provisions of the Courthouse Facilities
Improvement Fund Program.

Signed: [Signature]
County Clerk
Policy and Procedure 17-01

Budget Revisions

§11-8-26o. Revision of levy estimate.
The tax commissioner shall, by uniform regulations, provide for the revision of the levy estimate of a county court or municipality to permit expenditures for purposes for which no appropriation or an insufficient appropriation was made in the annual levy estimate as approved by the tax commissioner. The revision shall be made only with the prior written approval of the tax commissioner.

Elected officials and department heads may not transfer funds from one item of their budget to another item (internal) without prior approval of the County Commission. Furthermore, budget revisions involving accounts outside of (external) the elected officials or department heads budgets requires State Auditor approval. Both types (internal and external) of revisions must be completed and approved prior to the obligations or expenditure of funds. Attached (Budget Revision Document) is the required document that must be submitted to the County Commission for approval. Any supporting documents should be affixed to the Budget Revision Document for consideration.

Budget revisions require a record of formal action taken by the County Commission and therefore must be acted upon during a regular or special session of the County Commission. Budget revisions must be accompanied by the resolution or order of the County Commission approving such revision. The resolution/order must include:

A. The name of the County Commission
B. The date of the meeting in which the budget revision was on the agenda
C. The fund to be revised (general or coal severance)
D. The statement that the request to revise the budget is "PRIOR TO THE EXPENDITURE OR OBLIGATION OF FUNDS"
E. The commission who moved
F. The yes or no vote of the commission
G. The person authorized to sign the budget revision form

Internal budget revisions will be acted on by the County Commission and approved revisions will be forwarded to the County Clerk for submission to the State Auditor's Office. A copy shall be forwarded to the County Commission for retention.

External budget revisions will be acted on by the County Commission and approved revisions will be forwarded to the County Clerk for submission to the State Auditor's Office for approval. Once approval is obtained by the County Clerk from the State Auditor's Office, the elected official or department head will be notified of such approval. A copy shall be forwarded to the County Commission for retention.