

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 16th day of May, 2019 at 1:30 p.m.

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

Meeting called to order by Commissioner Scott

PUBLIC COMMENT:

Richard Holland appeared before the Commission. He said he was there regarding homeless druggies in Elkins and the stealing that is being done throughout the County. He said he chased homeless druggies out of buildings in Elkins. He said they do not rent from him. He said they were making meth in the buildings and now it will cost him over \$30,000.00 for each unit to be cleaned. He said there is a list of 22 agencies in the State that make their living cleaning up meth. He said meth lasts in a home for 50 years. He said every year he gathers up old tires around town and takes them to a tire day to dispose of them. The cost for the places to keep the old tires now is \$12.00 and that is why people are keeping them and throwing them out everywhere. He said another issue is that people living outside the City limits are bringing their garbage into town and dumping it out. He said why pay for garbage service when you can just bring it to town and dump it off for free. He said he doesn't know what the answer is for any of this and maybe the Commission needs to take these issues to Charleston to the State level and see what can be done.

Peggy Ross made a suggestion about the tire problem. She said someone could open up a business using the old tires to make playground turf, splash pads and things with the old tires. She said people would bring them the old tires for free and then they could make a profit from selling the things they make from them. She said there is one in Pennsylvania to check out and see how they do it.

Commissioner See told Mr. Holland that there is a tire recycling day on June 8th at Tygart Valley Sanitation from 8:00 – 4:00.

MINUTES:

Commissioner See moved to approve the minutes of the regular meeting held on May 2, 2019, as submitted.

All yes – Motion passed unanimously

REPORTS:

Sheriff Mark Brady reported that this week is National Law Enforcement week and he would like to take the time to honor all those law enforcement officers that have given

their lives to the Citizens protection of our Country. He would like for everyone to keep those guys in your thoughts and prayers.

Sheriff Brady also reported that he had a senior deputy that has decided to seek a different profession. He said he would like to honor senior deputy Mike Dyer. Sheriff Brady said Mr. Dyer has worked as a deputy for 21 years and 6 months and has done an excellent job. He always goes above and beyond what is asked of him. He said he would like to give him his service pistol as is customary when a deputy retires. Commissioner Scott said he would like to tell Mr. Dyer how much the Commissioners appreciate the safety he has provided to the citizens by putting his life at risk to make sure the citizens are safe. He said they look forward to working with him in his new role as Magistrate. Mike Dyer said it's been a great career working in the Sheriff's Office. He said he started working with Sheriff Brady about 20 years ago and they have had a lot of good times. Sheriff Brady has treated him well and has been good to work for. He said god has opened a new door for him across the street and he is going to take on that new role and he asked for everyone to pray for him. His wife and two daughters were also present at the meeting.

Sheriff Brady and Curt Gainer appeared before the Commission. Curt Gainer said about a month ago he approached the Sheriff about getting personal protective items for the Sheriff's office and it can be used towards the community also. Mr. Gainer said they have launched a Stop the Bleed program and it is through homeland security. He said they had all the deputies come to the emergency squad and provided them with training. He said each deputy will now have two tourniquets per person, one on their gun belt and one in their cruiser. This will help them if they are out in the County and it is going to take a while for emergency services to get there. Sheriff Brady said this way if there is an injury with major bleeding they can use the tourniquets to stop the bleeding. Sheriff Brady said this was all paid for out of his budget. He thanked Mr. Gainer for providing the training and getting all the equipment for them.

CORRESPONDENCE: None

ANNOUNCEMENTS:

Commissioner See announced a tire recycling event on June 8th at Tygart Valley Sanitation from 8:00 – 4:00. He also announced an electronic recycling event at the Phil Gainer Community Center on June 8th from 8:00 – 12:00.

ITEMS FOR DISCUSSION/ACTION:

INFORMATIONAL PRESENTATION FROM OUR TOWN REGARDING SUMMER CONCERT SERIES

Doug Starcher and Tammy Dolly appeared before the Commission. Tammy Dolly thanked the Commission for their support for the car show. Doug Starcher discussed the concert series. He said there are 23 concerts scheduled downtown this year in the new amphitheatre. These concerts are all free and open to the public. They will be on Thursday nights during the car cruise in. He said the problem they have run into is that the depot closes at 5:00 and then there are no public restrooms. He said they were able to

get two portable outhouses for the whole summer at a cost of \$1,760.00. He said they didn't anticipate this cost and they are asking for any funding the Commission could give. Commissioner Scott said they are very necessary and he said it would be something you wouldn't think about until you need it. Commissioner See said they are doing a great job bringing people into our town. Mr. Starcher said they are working on the sound system also and they are hoping the concerts bring more people in. Tammy Dolly said the staff is strictly volunteers, no paid staff. Commissioner See moved to approve the funding request in the amount of \$1,500.00 for Our Town and that is to be taken out of Hotel/Motel Tax funds.

All yes – Motion passed unanimously

INFORMATIONAL PRESENTATION FROM BEVERLY WELCOME CENTER

Rick Wolfe, Barbara McCreary and Chris Taylor appeared before the Commission. Rick Wolfe said he is the President of Rich Mountain Battlefield Association and he was there to represent Beverly Heritage Center. He said the Beverly Heritage Center is currently in partnership with Rich Mountain Battlefield Foundation and Historic Beverly Preservation, non-profit organizations. He said they have been creating tourism opportunities since 1993 and providing visitor information since 1995. He said they are proposing to create Beverly Heritage Convention and Visitors Bureau Incorporated as a separate tax exempt organization dedicated to promote tourism and attracting visitors, conferences and groups to Randolph County. A full time tourism director for Beverly Heritage CVB will focus on enhanced and expanded tourism promotion and will attract conferences, groups, families and visitors to Randolph County. He said last year Beverly Heritage Center served approximately 5,500 visitors including 20 group events. He said they spent \$6,300.00 on direct tourism and paid advertising. He said in June of next year they will be having the Chicago Civil War Roundtable coming for a four day tour and they will be spending four nights in Elkins. There will be 45 people coming in that group. He said the Beverly Heritage CVB will work closely with Randolph County CVB, Elkins Randolph County CVB to help fill the gaps and expand our total reach into the County. He said they do not aim to duplicate services.

Commissioner Scott said Phyllis came a year ago and made a presentation and at that time was trying to qualify as becoming a CVB in order to get a portion of the 50% allocation that is required by State Code to be used from Hotel/Motel Tax. He said at that time we felt that it did not qualify, but it sounds to him that now that there is going to be a separate entity that is going to have a full time marketing person that will make them eligible to receive a portion of the 50%. Commissioner Scott said to keep them informed on the progress of this. He said the Commission has already done their budget for the upcoming year so no changes would be made until the following year.

CONSIDER FUNDING FOR STATUE RESTORATION IN MINGO

(See copy attached)

Sylvester Fretwell and Carol Fretwell appeared before the Commission. Sylvester Fretwell said he is the President of the Mingo District Historical Society but he was there also as a Randolph County property owner. He said there is a statue that stands on their farm property on Mingo Flats Road. It is a Civil War Statue that has stood there for 106 years. The statue was recently vandalized by having red paint poured on it and by having

having the attached plaque chipped in numerous places. His said the paint removal and replacing the plaque will cost several thousand dollars. He said they have received donations to cover some of these costs. Mr. Fretwell said they are coming up with several security measures to prevent future vandalism, such as installing trail cameras, replacement of chains separating the parking area from the statue area secured with locks, signs that the area is monitored. They would also like to get gravel to put in the parking area which has a low place in the middle that collects rainwater and makes a major mud hole. They are requesting a donation of \$1,000.00 to apply to the security and parking upgrades. Commissioner Scott thanked Mr. and Mrs. Fretwell for coming. He said these monuments tell a story and some people want to destroy that. He said he has been there and seen the statue and they do a really good job keeping it up. Commissioner See said history can't be changed. Commissioner Kesling moved to approve the funding request in the amount of \$1,000.00 for the Mingo District Historical Society, and that is to be taken out of Hotel/Motel Tax funds.

All yes – Motion passed unanimously

CONSIDER SIGNING A MEMORANDUM OF UNDERSTANDING WITH RANDOLPH COUNTY HUMANE SOCIETY

Commissioner Scott said the County Commission gives the Randolph County Humane Society a donation every year of \$80,000.00 and that is already in the budget. He said this is a renewal to go into effect July 1, 2020. He said the only change is that if there is a major medical issue with an animal the veterinarian offices are to call the Commission first for approval before anything is done on the animal. Commissioner Kesling moved to approve the memorandum of understanding between the Randolph County Commission and the Randolph County Humane Society, as presented.

All yes – Motion passed unanimously

CONSIDER REAPPOINTING ALFRED LEWIS TO RANDOLPH COUNTY BUILDING COMMISSION

(See letter attached)

Commissioner Scott said the Building Commission serves as the instrument for long term debt because the counties are not allowed to debt themselves for more than a year at a time so when there is a debt that is for a longer term, such as buying a piece of property or recently the Building Commission entered into the contract for the 911 Center. He said the Building Commission exists for those reasons, they are the financial agents for those types of transactions. He said Mr. Alfred Lewis's term has come up and he needs to be re appointed.

Commissioner See moved to approve the re-appointment of Alfred Lewis to the Randolph County Building Commission with a term beginning on July 1, 2018 and ending on June 30, 2020.

All yes – Motion passed unanimously

CONSIDER SIGNING A RESOLUTION SUPPORTING RECONNECT GRANT PROGRAM APPLICATION

(See copy attached)

Commissioner Scott read a letter from Robbie Morris of the Randolph County Development Authority regarding the reconnect grant program. This is to support the next broadband grant application to the USDA. Commissioner Scott said they currently have six broadband towers that are under construction in Randolph County. This application is for another ten towers. If this grant is approved that will give us 16 broadband towers. Commissioner Kesling moved to sign the Resolution of support of the Reconnect Grant program application.

All yes – Motion passed unanimously

CONSIDER FUNDING FOR AUGUSTA HERITAGE CENTER

Commissioner See moved to table this item.

All yes – Motion passed unanimously

CONSIDER LEASE AGREEMENT WITH ENTERPRISE FLEET MANAGEMENT

Commissioner Scott said over the course of the last three or four months Enterprise Fleet Management has done an analysis of the counties fleet of vehicles and found that several of the vehicles are outdated. Commissioner Scott said as a result of that there is a lot of cost in wear and tear and also older vehicles use more gas. Sheriff Brady said he reviewed it and he doesn't think the list he has is accurate as to what vehicles they actually have. He is also concerned with the pricing of the vehicles. He said the price they quoted for a new cruiser for his office is the full retail price. Sheriff Brady said in the past thru the bidding process thru the state bid or on their own they have been able to negotiate much better pricing than what they are pricing to us. He said on average his office saves \$10,000 - \$12,000 off of the full retail price. Commissioner Scott said he had some questions also and the number one question was if the County was able to use this program. He said he found out that Enterprise has a national contract with a governmental purchasing program called Sourcewell so they will be able to use the services. He said he also questioned the cost of the vehicles because he thinks they could get vehicles at a lower cost. He said the difference with the lease program versus the purchase program is there only capitalizing what we would use in that vehicle, they manage the fleet for us so that we would get maximum value out of the vehicle when we turn them back in and so we are not paying the full cost of the vehicle. He said now we have to pay to purchase the vehicle and then pay to equip the vehicle. He said with this program you are not paying the full value of the Lease which is why it is less expensive. He said the way it works now is we buy a vehicle and we basically just run the tire off of it and once it's done it doesn't have much value. He said with this lease they keep track of each vehicle and when it's time to turn it back in they do that in time so that the vehicle still has value. He said Enterprise will sell the vehicles for the County so the County doesn't have that burden to deal with either. He said the estimate from Enterprise for the current vehicles that need to be sold is \$18,000 - \$20,000. He said this is a one year contract and if it doesn't work for us we can get out of it. He said the City of Buckhannon has it and they really like it and it is saving them money. Commissioner Scott said Lisa Daniels-Smith researched it and made phone calls and advised the Commission that it would definitely be a savings to the County. Sheriff Brady said after the sixth year it looks as though we are going to be paying roughly \$200,000.00 a year for every year thereafter for vehicles so how is that going to help. He said if we are

struggling to pay \$80,000.00 to \$100,000.00 a year now, how are we going to afford to pay \$200,000.00 from year six going forward every year. Commissioner Scott said that's a very good point and very good question. He said the way we are able to save is because we will have a newer fleet on the road and it will save in maintenance cost and fuel. In addition to that you have to look at it as a whole, the entire ten years to see the savings. Sheriff Brady said he thinks we need to set down and look at the proposal and get the numbers right of the vehicles and go over this more. Commissioner Scott said there are also other vehicles to consider besides the Sheriff's Office. Sheriff Brady said he still can't get his head wrapped around it. He said his concern is that in six years from now if Enterprise goes out or the Commission decides not to do it anymore then the County has no vehicles at all. Commissioner Scott understands his concerns but thinks it is something we need to do. Sheriff Brady said he is sitting here as a taxpayer and doesn't see how the County can afford this. Commissioner Scott said he understands his concerns but he feels it will save the county \$150,000-\$200,000. Commissioner See said he thinks we need to look at it more before we decide.

Commissioner See moved to table item G until a further time.

All yes -- Motion passed unanimously

CONSIDER RECOMMENDATION OF FIDUCIARY COMMISSIONER ON THE ESTATE OF EDNA KOON

(See attached copy)

John J. Wallace, IV, Fiduciary Commissioner appeared before the Commission. He said everything is in the report but he was there in case there were any questions.

Commissioner Scott said they received the report and recommendation from the County Clerk and have reviewed it and no one has contacted them with any objections. County Clerk, Brenda Wiseman said no one had contacted her office with any objections either. Commissioner See moved to approve the recommendation of Fiduciary Commissioner on the estate of Edna Koon, as submitted.

All yes -- Motion passed unanimously

CONSIDER SIGNING A RESOLUTION FOR LITTER CONTROL GRANT

(See copy attached)

Peggy Ross appeared before the Commission. She said she is working on a litter control grant for the County Commission. This is a project to clean up selected areas in Randolph County. She said this will be a yearly clean up and the goal is to select 3 project areas each year. She said once they select an area they will clean it up install cameras and install trash receptacles. She said then they will try to get local groups to adopt the area after it gets cleaned up. Commissioner Kesling moved to sign Resolution for litter control grant application, as submitted.

All yes -- Motion passed unanimously

CONSIDER HIRING OF A DEPUTY SHERIFF

(See copy attached)

Sheriff Mark Brady appeared before the Commission. He said he had an opening for deputy and three names were submitted to him from the deputies Civil Service Board. He would like to hire Tyler Knotts as a full time benefited probationary Deputy Sheriff.

He would like him to begin working on Monday May 20, 2019 with a starting salary of \$34,416.43. He will attend the police academy in either the July or August class. Sheriff Brady said he already has money in his budget for this position. Commissioner See moved to approve the hiring of Tyler Knotts as a Deputy Sheriff, as requested.
All yes – Motion passed unanimously

CONSIDER CONTRACTUAL AGREEMENT WITH SUTTON STOKES REGARDING UNSAFE BUILDINGS AND LANDS ORDINANCE

Commissioner Scott said the Commission is currently considering adopting an unsafe buildings and lands ordinance. He said the Commissioners have gone through the process of reviewing that ordinance and they have contacted the WV Law Clinic in which they engaged a relationship with a couple of months ago and they have had multiple conversations with them and they have reviewed the ordinance and cleaned it up and made it to where it is unchallengeable as it can be. Commissioner Scott said they are at the point now where they would like to begin to present to the public through town hall meetings throughout the County, this ordinance. He said they felt like they really needed someone that has the experience to guide these meetings that has the professional expertise in answering questions or getting things answered. He said Sutton Stokes is the former City Clerk for the City of Elkins. He has shepherded many ordinances over the years when he was the Clerk for the City. Commissioner Scott said he has seen him first hand and he is very good in his research and very good at answering questions. Commissioner Scott said they asked Sutton Stokes if he would be willing to do this and after speaking with him he said he would be. Mr. Stokes will be doing background research, power point presentation, supply text to the newspaper for ads displaying the meetings, providing blogs and social media posts for four meetings throughout the County. Commissioner Scott said they really want to hear from the public of what they think about this ordinance. The cost for the service of Sutton Stokes is a fixed fee of \$2,625.00. Commissioner Kesling said he has been approached by several County residents asking him why don't they do something about this. He said now that we have this that we are looking at we need to make sure to get it out to the public and not just spring it on them. Commissioner See said the best way to go is to get the public's input. He said we may have to scratch the whole idea, you never know. Commissioner Kesling moved to approve and sign the contractual agreement with Sutton Stokes regarding the unsafe buildings and lands ordinance.
All yes – Motion passed unanimously

CONSIDER APPROVAL OF LETTER OF SUPPORT FOR RANDOLPH COUNTY HUD AND BEVERLY HISTORIC LANDMARK COMMISSION

(See copy attached)

Commissioner Scott said they have a letter prepared and addressed to Karen Jacobson. He said the Randolph County Housing Authority is applying for a grant but in order to do so the County Commission has to let the grant funding agency know that the money they give them is unrestricted and we are aware that that money can be used as a part of this grant.

Commissioner See moved to approve the signing of the letter of support, as submitted.
All yes – Motion passed unanimously

FINAL SETTLEMENTS:

Commissioner Kesling moved to approve the five final settlements/annual accountings as submitted on the following estates:

Marie S. Hosch

Justine L. Lockhart

Louise Pearl Long

Helen P. Tacy

Maynard Douglas Wood

All yes - Motion passed unanimously

BUDGET REVISIONS:

(See attached copies)

Commissioner See moved to approve one in house budget revision in the amount of \$3,204.00 for the Dog Warden budget, as submitted.

All yes – Motion passed unanimously

Commissioner Kesling moved to approve three in house budget revisions in the amounts of \$1,000.00, \$2,600.00 and \$3,000.00 for the Sheriff's office, as submitted.

All yes – Motion passed unanimously

DIVISION OF PROPERTY /ERRONEOUS ASSESSMENTS:

Commissioner Kesling moved to approve the Division of Property/ Erroneous Assessments, as submitted.

All yes - Motion passed unanimously

FIRE FEE ADJUSTMENTS:

Commissioner See moved to approve 3 fire fee adjustments, 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: _____