

STATE OF WEST VIRGINIA

RANDOLPH COUNTY COMMISSION SS:

At a regular session of the Randolph County Commission in and for the aforesaid County and State, at the James F. Cain Court House Annex, on the 7th day of July, 2016 at 1:30 p.m.

PRESENT: Michael Taylor, President of the Randolph County Commission and Joyce Johns and Chris See, Commissioners thereof.

Meeting called to order by Commissioner Taylor

PUBLIC COMMENT: None

MINUTES:

Commissioner Johns moved to approve the minutes from the regular meeting that was held on June 16, 2016, as submitted.

All yes – Motion passed unanimously

REPORTS:

Kurt Gainer from the Randolph County Emergency Squad reported that the wrecked ambulance has been replaced and is in service.

Erin Golden, Director of North Central Community Corrections, reported that there are currently 87 people on the program. She said the program has saved the county \$29,384.25 in regional jail bills since July 1, 2016. She said last year the program served 284 participants and saved the county a total of \$1,601,658.25 in regional jail bills. She said she has been notified that they will be receiving a grant for next year of \$140,000.00.

Commissioner Taylor said last year the regional jail bill was more than it has ever been. It was around 1.2 million dollars. He said they need to figure out why it has went up so much over the last six months.

CORRESPONDENCE: None

ANNOUNCEMENTS:

Commissioner Taylor announced that there will be a special meeting held on July 19, 2016 at 9:00 a.m. for the signing of the community corrections grant award. He said the next regular meeting will be held July 21, 2016 at 1:30 p.m.

Chelsea Jones, Executive Director of the Randolph County Chamber of Commerce, appeared before the Commission. She said she was there to thank the Commission for their support of the Mountain State Street Machines auto extravaganza and the fireworks show that happened this past weekend. She said there were 476 cars that came and the fireworks show was great. She presented the Commission with a certificate of appreciation.

ITEMS FOR DISCUSSION/ACTION

DISCUSS REQUEST/PETITION FROM PHIL HUDOK REGARDING FIRST AMENDMENT OF THE CONSTITUTION

Phil Hudok appeared before the Commission. He said this involves the first amendment of the constitution. The churches are not being treated fair. He played a quote by Donald Trump. He said the WV Constitution, Article 6 Section 47, says no charter of incorporation shall be granted to any church or religious denomination, provisions made be made by general law for securing the title to church property and for the sale and transfer thereof so that it shall be held used or transferred for the purposes of such church or religious denomination. He said we don't have to wait for the federal government to free the churches, our constitution frees the churches from the government. He said it is

right here in our Constitution. He said it is our duty to see that we have a rule of law. He said he has been here four times regarding this issue and the Inter Mountain doesn't put anything in the paper about it. He had to go to Channel 3 to get it out. He said he thinks it is great that the Commission says a prayer before the meeting.

Commissioner Taylor said you have presented a copy to each Commissioner and we have taken it very seriously and he has done some research on it.

Commissioner Johns asked what exactly do you want us to do? Mr. Hudok said he addressed the State Attorney General, here in this room, two years ago and has not received an answer. He said he knows the Commission, quite often, passes a resolution supporting some stand or some thought in an issue. He said he was hoping the County Commission could ask the State Attorney General what happens here? Why is our Constitution being violated? What is the answer because for two years he has not had an answer, he said.

Commissioner See asked Mr. Hudok if he had anybody contact the churches and tell them their constitutional rights had been violated? Mr. Hudok said yes the constitution party, he produced a two DVD set and gave it to the churches. He said nobody responded. He said he thinks the reason they didn't respond is because they are afraid of the IRS. He said he feels that it is his responsibility and the Commissions and Sheriff Brady that the law is upheld.

Commissioner Taylor said part of the research he did on this issue was to read Article 6 Chapter 47. He said he thinks the issue before the Commission today is that the Commission lacks the authority to grant Mr. Hudok the relief that he is requesting. It is not within our power to grant that. Mr. Hudok's argument is with the Courts, he said. Mr. Taylor said we don't have control over the Courts. He said he knows that Mr. Hudok has said he has talked to the Attorney General and filed with the Supreme Court. Mr. Taylor said that is not something that the County Commission can pick up the phone and call the Supreme Court and say you need to take another look at this. Commissioner Taylor said the Commission has taken a very serious review of the information that Mr. Hudok presented to them a couple months ago. After consideration it is the findings of this Commission that they lack the authority to grant the relief that Mr. Hudok requested in his letter. Further it is the recommendation that the proper venue for his issue would be with the judicial system.

CONSIDER FUNDING REQUEST FROM BEVERLY VOLUNTEER FIRE DEPARTMENT FOR THEIR UPCOMING FESTIVAL

Andy Burns, representing Beverly Volunteer Fire Department, appeared before the Commission. He said he was there to request funds for the fireman's festival that they have every year. He said they are trying to do more for the kids and they don't charge for anything. They have pageants and a parade and fireworks and more. The festival will be held July 23 thru July 31, 2016. Commissioner See moved to allocate \$3,000.00 to Beverly Volunteer Fire Department for their festival and that is to be taken out of Hotel/Motel Tax.

All yes – Motion passed unanimously

CONSIDER FUNDING REQUEST FROM ELKINS HIGH SCHOOL ATHLETIC BOOSTER'S FOR PRESS BOX PROJECT

Jack Crumm, Baseball Coach for Elkins High School, appeared before the Commission. He said he was there to request funding from the County Commission for the project they are working on at the High School. He said they are doing this in Phases and they are currently working on Phase 2 which is a Press Box. He said they have raised \$70,000.00 over the past three years for these projects. He said they need \$6,500.00 to complete Phase 2. He said the total they need for everything is around \$23,000.00. He said anything the Commission could give would be great. He said other teams use the field too. Commissioner Taylor said the Commission was involved in the bleacher project also. He said he likes that they are trying to help themselves too with fundraisers and other donations. Commissioner See moved to approve the funding request of \$6,500.00 from Hotel/Motel Tax to the Elkins High School Athletic Booster's for the press box project.

All yes – Motion passed unanimously

CONSIDER FUNDING REQUEST FROM ELKINS YOUTH FOOTBALL FOR PURCHASE OF EQUIPMENT

John Taylor, Vice President of Elkins Youth Football, appeared before the Commission. He said Mr. Justin Stanley and himself took over the Elkins Youth Football league the last two weeks of the season last year. He said when they took it over there were a lot of problems and they were left with unpaid bills. He said they have been working on trying to get those paid and now they have found out there is not going to be any more flag football. He said now they will have to get full uniforms and equipment for approximately 20 children. He said they are a non-profit organization under the name Mountaineer Youth Football. He said it is for children ages 5-12. He said they hope to be able to allow kids to play free within the next 3 years. Commissioner Johns moved to give \$1,500.00 to Elkins Youth Football to help with the purchase of uniforms and equipment. That is to be taken out of Courthouse Contractual funds.

All yes – Motion passed unanimously

CONSIDER APPROVAL OF CHANGE ORDER FOR WINDOW RESTORATION PROJECT AT THE MAIN COURTHOUSE TO INCORPORATE WINDOW RESTORATION AT THE JAIL

Administrative Assistant, Donna Haddix, said there was some extra money left over from the Grant the Commission received for the window restoration at the main courthouse. She said the Commission has agreed to move that money to the jail for window restoration there too. Commissioner See moved to approve the change order in the amount of \$41,222.00.

All yes – Motion passed unanimously

CONSIDER APPROVAL TO HIRE VANNOSTRAND ARCHITECTS TO GO FORWARD WITH PLANS TO RENOVATE THE COMMISSION MEETING ROOM

Commissioner Taylor said the Commission has been considering renovating the meeting room for some time. They would like to update it and add some things to it. He said Bryson VanNostrand will do a set of blue prints for them to review. Commissioner See moved to approve the hiring of VanNostrand and Associates to move forward with the plans to renovate the Commission meeting room.

All yes – Motion passed unanimously

FINAL SETTLEMENTS/ANNUAL ACCOUNTINGS

Commissioner Johns moved to approve the thirteen final settlements, as submitted.

Joseph Anthony Tavoacci

Frances K. Harper

Eugene Riggleman

Jasmine Renee Wilson

Sallie Tingler

Jack Randall Wallace

Helen Georgia Sites

Alfred L. Cantley

Nelda Patricia Smith

Andy Mike Demotto

Ruth Lenora Eye

Richard Harry Wegman

Wilda June Cross

All yes – Motion passed unanimously

BUDGET REVISIONS: None

DIVISION OF PROPERTY/ERRONEOUS ASSESSMENTS

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

All yes – Motion passed unanimously

PAYMENT OF BILLS

Commissioner Johns moved to pay the bills, as submitted.

All yes – Motion passed unanimously

ADJOURN THE MEETING

Commissioner Johns moved to adjourn the meeting.

All yes – Motion passed unanimously

Attest: _____