

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 July, 2020 at 1:30 p.m.

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

Meeting called to order by Commissioner Kesling.

PUBLIC COMMENT:

Hazel Hesson appeared before the Commission. She said there are two farms at Harman that are inaccessible because of the flooding in 2019. She said she saw where the County Commission is considering doing a grant to help with this issue and she is really appreciative of that. Any help would be greatly appreciated. She said they can't get anything in or out of those farms. One farm is 250 acres and the other farm is 41 acres. She said the farmer has to carry stuff in on his back for the cattle.

Dan Bucher appeared before the Commission. He said he was there in support of Ms. Hesson and he supports her claims. He said the road between Rt. 33 and Horsecamp stream has eroded very badly. He said you can barely walk between the two.

MINUTES:

Commissioner Scott moved to approve the minutes from the regular meeting that was held on July 2, 2020, as submitted.

All yes – Motion passed unanimously

REPORTS:

Randolph County Assessor, Phyllis Yokum appeared before the Commission. She said it is a very busy time for her office. They have mailed out the personal property and business forms. She said they are encouraging people to mail those assessment sheets back. She said there are two windows open in her lobby and it is working well.

Randolph County Sheriff, Mark Brady said the tax tickets went out also. He encourages people to mail in payments or pay online. He said there is a credit card charge if you pay online. He said their lobby is open and they can have 3-4 people in there at one time. He said so far there have been no big lines. He said they are just trying to keep people safe. He also recognized Hopes and Dreams Construction for all of the work they did in the offices to make them safer. He said the COVID 19 money was used for the work. Commissioner Kesling said they did a very good job.

Randolph County Clerk, Brenda Wiseman said that her office was just finished up with the half wall and swinging door. She said Hopes and Dreams Construction did a very good job and she is pleased with it.

CORRESPONDENCE: None

ANNOUNCEMENTS:

Commissioner Kesling announced that the next regular meeting will be held on August 6, 2020 at 1:30 p.m.

Commissioner Kesling also announced that the preliminary report shows the County took in \$8,762,526.00 and spent \$8,731,317.00 last year. That means the County under spent by \$31,209.00. He said he appreciates everyone in all the offices working together on this to keep the spending down.

ITEMS FOR DISCUSSION/ACTION:

CONSIDER ENTERING AN AGREEMENT TO BID WORK FOR BANK STABILIZATION FROM 2019 HARMAN FLOODING – JUDY TRACT

Commissioner Scott said the Commission has received a draft of the agreement and it has been reviewed by the Prosecuting Attorney. He said the first agreement they couldn't do because it required them to reach all property owners and they can't do that. He said WV Code 7-1-3u gives the Commission authority to be able to enter into an agreement to mitigate that property. He said the County assumes some liability as the heirs to the property might not want them on the property. He said they had to weigh the options and have discussed it.

Commissioner Scott moved to enter into an agreement with the State Conservation District for funding and to put the project out for bid.

Commissioner See said there is a timeline to use the funding. Commissioner Scott said it has to be done by the end of October and it is \$250,000.00 worth of funding.

All yes – Motion passed unanimously

CONSIDER APPOINTMENT TO RUSSELL MEMORIAL PUBLIC LIBRARY BOARD OF DIRECTORS

Commissioner See moved to re-appoint Diane White for a five year term to the Russell Memorial Public Library Board. The term began July 1, 2020 and will end June 30, 2025. All yes – Motion passed unanimously

CONSIDER APPROVAL OF PART TIME EMPLOYEES FOR 911 CENTER

(See copies attached)

OEM/911 Director, Cindy Hart appeared before the Commission. She first gave a report from her office. She said every Monday there is a phone call COVID 19 meeting. She said as of today there are 194 cases in Randolph County and 167 of them have already recovered. She said there are 4,557 cases in the State of West Virginia and that is up 60 since Monday. She said this is very serious and people are not taking it serious until they are affected in some way by it.

She said today she is there to get approval to hire three more part time staff. She said none of the last ones she hired worked out. Commissioner See moved to approve the part time hiring of Hannah Mallow, Carole Pennington and Caitlyn Hart at the 911 Center with a starting pay of \$9.94 per hour, with no benefits, and they will be placed on a 90 day probationary period and their effective date of hire will be July 20, 2020.

All yes – Motion passed unanimously

CONSIDER SIGNATURE FOR 2018 EMPG GRANT REIMBURSEMENT

OEM/911 Director, Cindy Hart said this is an Emergency Management grant to build readiness for catastrophic events. She said they make a plan in case something happens. She said they are allotted a certain percentage based on population. She said Randolph County received \$44,954.00 this time. She said each year they have to have a sub grant. Commissioner Scott moved to approve the signature of the County Commission President on the 2018 EMPG Grant.

All yes – Motion passed unanimously

CONSIDER APPROVAL OF RESOLUTION FOR A GRANT TO PURCHASE NEW VOTING MACHINES

(See copies attached)

Randolph County Clerk, Brenda Wiseman appeared before the Commission. She said the WV Secretary of State's Office is providing grant funding at this time for the purchase of new voting equipment. The grant funding will cover 50% of the cost of the voting machines and 85% of the cost of e-pollbooks. The total amount requested is \$302,138.70. The additional cost that the County would have to pay will be done by a three year 0% interest rate loan through Election Systems and Services. Clerk Wiseman said these new voting machines will not be ready to be used in the General Election in November. They will be used in the next Election cycle. Commissioner Scott said if we don't apply now for the grant we might lose the chance to get the funding and would have to pay for the total cost of the machines. Commissioner See moved to approve the signing of the Resolution to apply for a grant through the WV Secretary of State's Office for the purchase of new voting equipment, as submitted.

All yes – Motion passed unanimously

CONSIDER APPROVAL OF FIDUCIARY COMMISSIONER'S RECOMMENDATION ON THE ESTATE OF MARY JOYCE HOWELL

(See copy attached)

Fiduciary Commissioner, John J. Wallace, IV appeared before the Commission. He said he has been working to clear up delinquent filings on estates that have been referred to him. He said Mary Joyce Howell passed away in 2011 and an objection was filed by her son Otto H. Howell, Jr. to the final settlement. He said he set a hearing for June 5, 2020 and sent notices to the Executrix and Mr. Howell. No one appeared for the hearing. He said as of this date he has not heard anything from anyone regarding this estate. He recommends that the objection be dismissed and the estate be allowed to be closed. Commissioner Scott moved to approve the recommendation of the Fiduciary Commissioner regarding the estate of Mary Joyce Howell, as submitted.

All yes – Motion passed unanimously

CONSIDER APPROVAL OF FIDUCIARY COMMISSIONER'S RECOMMENDATION ON THE ESTATE OF JOSEPHINE JODI (ARIZONA) WINGFIELD

(See copy attached)

Fiduciary Commissioner, John J. Wallace, IV appeared before the Commission. He said this estate is another old estate that needs to be closed. He said Mrs. Wingfield died in

2014 and there were two beneficiaries to her estate which were her Daughter and her Son in Law. There were two claims filed. He said from 2015 -2019 those claims were never paid. He said he wrote a letter to the Executrix telling her she needed to pay those claims. He said she did pay one, but not the other. Mr. Wallace said he sent letters and made phone calls with no response. He said WV Code 44-219-A states that the Fiduciary Commissioner's duty is to recommend to the County Commission to issue a Show Cause order to the Executrix and give her 30 days to respond. If she does not respond within 30 days then the Commission will meet again to discuss removing her as Executrix and appointing someone else to complete the duties, he said. Clerk Wiseman said she will prepare and send the Show Cause order.

Commissioner Scott moved to approve the recommendation of the Fiduciary Commissioner on the estate of Josephine Wingfield, as submitted.

All yes – Motion passed unanimously

FIRST READING OF RANDOLPH COUNTY DOG/CAT ORDINANCE

(See copy attached)

Commissioner Scott said the Randolph County Dog Ordinance that is in effect needed some revisions made to it. He said the Dog Warden came to the Commission and asked for it to be changed. He said the Dog Warden asked for 8 to 10 things to be changed and some of those they could change and some they could not. He said one of the revisions was to change the name from Randolph County Dog Ordinance to Randolph County Dog/Cat Ordinance. He said the new ordinance requires every dog or cat to have tags with two phone numbers on it. He said they removed the section on barking dogs because there is no way to control that. He said they made a clarification on houses for a dog or a cat. It has to be adequate and big enough for them. He said animals have to be fed and watered every 24 hours. Commissioner Scott moved to adopt on first reading the Randolph County Dog/Cat Ordinance, as submitted.

Discussion: Commissioner Kesling said to ask people to put ID tags on their dogs and cats is not too much to ask. He said cats are a big problem in the County. Commissioner See asked what if the owner has a chip in their dog or cat? There is no way the Dog Warden can read those. Commissioner Scott said people have got to be responsible. Commissioner Kesling said there will be no change in the Dog taxes.

All yes – Motion passed unanimously

CONSIDER SIGNING AN ORDER FOR TEMPORARY RELOCATION OF CIRCUIT COURT PROCEEDINGS

(See copy attached)

Commissioner Scott said due to COVID19 the Randolph County Circuit Courtroom is not large enough to permit compliance with the conditions and restrictions regarding the gathering of groups of people. The Circuit Court judge has secured the use of the Phil Gainer Community Center which is a facility large enough to permit the selection of juries and remain in compliance with health and safety regulations. He said WV Code 51-3-7 states that the County Commission is to enter an order to appoint a proper location to conduct the business of the circuit court.

Commissioner Scott moved to approve the signing of the Order to appoint the Phil Gainer Community Center as the temporary location for Randolph County Circuit Court proceedings, as submitted.

All yes – Motion passed unanimously

CONSIDER APPLYING FOR A LINE OF CREDIT WITH ROBERTSON HEATING SUPPLY COMPANY AND 84 LUMBER COMPANY

Commissioner Scott said Robertson Heating Supply Company used to be Valley Supply. He said the Commission needs to have a line of credit with them and also with 84 Lumber. They have had this in the past and just needs to keep it up to date.

Commissioner Scott moved to approve applying for a line of credit with Robertson Heating Supply Company and 84 Lumber Company.

All yes – Motion passed unanimously

CONSIDER CONTRACT WITH SUNRISE SANITATION FOR ROLLBACK SERVICES

Commissioner Scott said in connection with the unsafe buildings ordinance, the County might need the services of a rollback to clean up properties. He said with this contract the County Commission would be the ones to order the rollback when needed, not the enforcement committee. Commissioner Scott moved to approve the signing of the contract with Sunrise Sanitation, as submitted.

All yes – Motion passed unanimously

FINAL SETTLEMENTS:

Commissioner Scott moved to approve the fourteen final settlements/annual accountings as submitted on the following estate:

Nana Mae Carpenter

Herbert Michael Coberly

James Clair Corley

Roger Melvin Cottrell, Jr.

Mary M. Huffman

Mary Anna Lewis

Larry W. Lilly

Betty Jane Matthew

Paul David Robinson

Ronald Lee Shockey

John Warren Stormer

Alton Dane Talbott

Mildred Ruth White

Ialanta Jean Woolwine

All yes – Motion passed unanimously

BUDGET REVISIONS: (See copies attached)

Commissioner Scott moved to approve a State Budget revision in the amount of \$31,210.00 for the unassigned fund balance. Commissioner Scott voted yes, Commissioner See voted yes, Commissioner Kesling voted yes – Motion passed

Commissioner See moved to approve a State budget revision in the amount of \$24,293.00 for the Court Security Grant. Commissioner Scott voted yes, Commissioner See voted yes, Commissioner Kesling voted yes – Motion passed

Commissioner Scott moved to approve an In House budget revision in the amount of \$800.00 for the Community Corrections Office.
All yes – Motion passed unanimously

Commissioner See moved to approve an In House budget revision in the amount of \$60,022.00 for the Fire Fee account. This will provide \$5,000.00 more in additional funding for each fire department.
All yes – Motion passed unanimously

DIVISION OF PROPERTY /ERRONEOUS ASSESSMENTS:

Commissioner Scott moved to approve the Division of Property/ Erroneous Assessments, as submitted.
All yes - Motion passed unanimously

DISTRESSED PROPERTIES:

Commissioner Scott moved to approve 1 letter of recommendation from the enforcement committee, as submitted
All yes – Motion passed unanimously

FIRE FEE ADJUSTMENTS:

Commissioner See moved to approve the 4 fire fee adjustments, 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 Scott moved to adjourn the meeting.
All yes – Motion passed unanimously

ATTEST: _____