

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 5th day of September, 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: None

MINUTES:

Commissioner See moved to approve the minutes of the regular meeting held on August 15, 2019, as submitted.

All yes -- Motion passed unanimously

REPORTS:

911/OEM Director, Cindy Hart reported that as of 11:30 a.m. this morning the 911 Center had moved up to the new facility. She said they have had some problems but she thinks they are all worked out now. She said the missing radio equipment was a hold up for the move. She said it will take them a few weeks to move everything out of the old location. She said she would be meeting with FEMA this afternoon regarding the flooding in Harman. She said the open house will have to be moved back until FEMA leaves which is approximately December 1st.

Sheriff Mark Brady reported that Deputy Tyler Knotts is attending the police academy and has been there two weeks now. He said he has two deputies stranded on a cruise ship because of Hurricane Dorian and two deputies off on family medical leave because their wives had babies. He said he had one deputy off on military leave and one deputy left and went to the Magistrate's Office. He said he is very short handed right now and the calls will be prioritized.

CORRESPONDENCE: None

ANNOUNCEMENTS:

Commissioner Scott announced that the next meeting of the County Commission will be held on September 26, 2019 at 1:30 p.m. This is a change from the regular meeting day because of a conflict for two of the Commissioners.

ITEMS FOR DISCUSSION/ACTION:

CONSIDER APPROVAL OF TOWER LEASE

(See draft copy attached)

Robbie Morris from the Randolph County Development Authority appeared before the Commission. He said he was there to discuss part of the Broadband Grant project which they received a couple of years ago and have been implementing since. He said one of the sites needed is up on Rich Mountain for the Beverly area. He said the tower the County owns is the correct location that they need to be able to broadcast to residents and also to other towers throughout the County. He said what he is presenting to the Commission today is a co-location agreement to lease space on the tower. He said they do not need to do a lease with the property owner because the County already has a lease with them. He said basically this is just an agreement for them to be able to hang their equipment on there. Cindy Hart said Micrologic will send the check to us and then we will have to send the check to Posson Family Trust. Prosecuting Attorney Michael Parker said he briefly reviewed the draft copy and didn't see any problems with it. Commissioner See moved to approve the signature on the co-location lease agreement with Micrologic, once completed.

All yes – Motion passed unanimously

CONSIDER FUNDING REQUEST FROM AUTUMN ON THE DRY FORK

(See copy attached)

Rex Vance, President of the Dry Fork Recreation Center, Inc. appeared before the Commission. He said they started Autumn on the Dry Fork celebration in 1998 or 1999. He said this year it will be held on October 12, 2019 and they will be making apple butter and other food items and will be having a bouncy house for the kids. He said they are also trying to get a grant to build a building. Commissioner See moved to approve \$2,500.00 out of Hotel/Motel tax funds to the Dry Fork Recreation Center to be used for the Autumn on the Dry Fork celebration.

All yes – Motion passed unanimously

CONSIDER RE-APPOINTMENT TO RANDOLPH ELKINS HEALTH DEPARTMENT BOARD

(See copy attached)

Commissioner Kesling moved to re-appoint Mary B. Wallace to the Randolph County Board of Health for a five year term beginning November 1, 2019 and ending October 21, 2024.

All yes – Motion passed unanimously

CONSIDER APPOINTMENT TO ELKINS RANDOLPH COUNTY PUBLIC LIBRARY BOARD

(See copy attached)

Commissioner See moved to re-appoint Jennifer Morgan to the Elkins-Randolph County Public Library Board for a five year term beginning on July 1, 2019 and ending on June 30, 2024.

All yes – Motion passed unanimously

CONSIDER ORDER TO SHOW CAUSE AGAINST DELINQUENT OR UN
PROGRESSED ESTATES A -- F (722)

(See copy attached)

Randolph County Clerk, Brenda Wiseman appeared before the Commission. She said this is in regard to House Bill 2746 that passed this year and took effect May 29, 2019. She said estates are easily opened but some are never closed. There is a massive backlog of unclosed estates in every county in West Virginia. She said with this bill the County Clerk will provide the Commission with a list of estates that have had no activity for three years. Once the Commission enters an order to show cause against the estates there will be letter sent to the personal representatives and all other interested parties. They will have 30 days to respond and if they do not respond a hearing will be set to either administratively close the estate or appoint someone else over the estate to close it. She said there are so many estates to go thru she is going to do them a few at a time. This list is just for A-F names and she will continue to bring the others as she has them ready. Commissioner Kesling moved to approve the signatures on the order to show cause against the delinquent or un-progressed estates A-F as submitted by the County Clerk. All yes -- Motion passed unanimously

CONSIDER APPOINTING MEMBERS TO ENFORCEMENT COMMITTEE

(See copy attached)

Commissioner Scott said this is in regard to the Unsafe Buildings and Land Ordinance which the code provides for an enforcement committee. He said certain members of that committee are automatically appointed, for example the Sheriff serves as ex officio officer on the committee and also the health department has a representative on that committee. He said there are also certain positions that the County Commission appoints. He said the members would be appointed for a two year term. Commissioner Kesling moved to appoint Rodney McAtee, Fire Chief of Huttonsville Mill Creek Fire Department, Jason Hall, Sanitarian from the Elkins Randolph County Health Department, John Hemple, County Engineer, Peggy Röss, Litter Control Officer and Mark Brady, Sheriff of Randolph County, Kathy Vance, at large member from Elkins District and Ken Skinner, at large member from Cheat District. These appointments are for a two year term beginning on September 1, 2019 and ending August 31, 2019. All yes -- Motion passed unanimously

CONSIDER REQUEST FOR CONTRACTING OF FIELD INSPECTOR

Commissioner Scott said they have spoken to a couple of people about the field inspector position. He said this would be a contracted position and they would not be a County employee. They would have to have their own business and take care of their own expenses and the County would just pay them an hourly rate for that. He said they had someone who was interested, but since speaking to them they have had some health issues so the Commission is considering a couple of other people at this time. Commissioner See moved to table Item F until further notice.

All yes -- Motion passed unanimously

CONSIDER APPROVAL OF LETTER TO ALL VACATION RENTAL COMPANIES REGARDING HOTEL, MOTEL TAX

Commissioner Scott said this item is in regard to the required 6% hotel motel tax. He said what the Commission has discovered is that there are a lot of rentals that are being done through Airbnb, VRBO, Homeaway and several others. He said they will not automatically charge the 6% unless it is mandated by the County to charge it. He said they are going to work with the Sheriff's Office who works with the hotel motel tax and also with the Prosecuting Attorney to make sure they put together a letter to go to all these companies mandating that they take the tax out. He said the way it is now is on an honor system and they may or may not be charging the tax. He said this is unfair to everyone else that is charging it. Commissioner Kesling said this is something they learned at their training with the Auditor's Office that other counties are doing.

Commissioner Kesling moved to approve signing of a letter to be sent to all the vacation rental companies regarding the hotel motel tax.

All yes – Motion passed unanimously

CONSIDER SIGNING CONTRACT WITH SUTTLE AND STALNAKER FOR THE AUDIT

Commissioner Scott said the audit committee met, which the audit committee consists of the three Commissioners and Lisa Daniels Smith, and sent out an RFP for an audit of the County's finances for last fiscal year. He said they received two back and went through the grading process. The winning bid was from Suttle and Stalnaker in the amount of \$42,000.00. They did our audit last year so they are familiar with our records.

Commissioner See moved to accept the bid and sign the contract with Suttle and Stalnaker to do the audit.

All yes – Motion passed unanimously

CONSIDER CHANGES TO MILEAGE REIMBURSEMENT RATE FOR COUNTY EMPLOYEES

Commissioner Scott said the mileage reimbursement for County Employees in the handbook is a flat 50 cents per mile. He said that is not the IRS standard mileage rate. He said the standard mileage rate for this year is 58 cents per mile and it changes each year. He said the Commission discussed it and thinks they should do the standard rate each year. Commissioner See moved to change the mileage rate from 50 cents a mile to the standard IRS rate of 58 cents per mile, effective immediately, and this is to be checked every year to make sure we keep it at the correct rate.

All yes – Motion passed unanimously

CONSIDER APPOINTMENT TO CIVIL SERVICE BOARD

(See copy attached)

Commissioner Scott said at the last meeting they re-appointed a member to the Civil Service Board, which was the Commission's appointment. Sheriff Brady said the Commission appoints one member, the Deputy Sheriff's Association appoints one member and the Randolph County Bar Association appoints one member. Commissioner Scott said the Commission reached out to the Randolph County Bar Association and they did not reply. The WV State Code states that if a name is not submitted the County

Commission can appoint. Commissioner Kesling moved to approve the appointment of Jim Rossi to the Randolph County Deputy Sheriff's Civil Service Commission Board. This will be a six year term beginning on July 1, 2019 and ending on June 30, 2025.
All yes – Motion passed unanimously

APPROVE RFP FOR BOILER REPLACEMENT AT WEES ANNEX BUILDING
Commissioner Scott said for years and years the County has been having trouble with the boiler at the Wees Annex and now it is on it's last leg. He said the Commission is considering today a RFP to replace and remove the two existing boilers at the Wees Annex building. He said the bids will need to be submitted no later than Friday September 27th. Commissioner See moved to approve the RFP for boiler replacement at the Wees Annex Building.
All yes – Motion passed unanimously

CONSIDER SIGNING CONTRACT FOR IVUE REPLACEMENT AT WEES ANNEX BUILDING
Commissioner Scott said IVUE is a computerized thermostat system and it is not working on the ground floor of the Wees Annex building. He said they can't change it manually and the offices have been very hot on the second floor. He said this is an emergency situation that needs taken care of immediately. He said the Commission reached out to Casto Technical Services who has the maintenance contract for the James F. Cain Annex building and the main Courthouse, to put together an estimate. They gave two estimates but the cheaper of the two was from Carrier in the amount of \$19,985.00. This will come with remote connection and they will train the staff how to use it. This is also interchangeable with any new boiler system that is going to be installed later. Commissioner See moved to approve the signing of the contract with Casto Technical Services for replacement of the IVUE system at the Wees Annex in the amount of \$19,985.00.
All yes – Motion passed unanimously

CONSIDER HIRING OF DCT STUDENT IN PROSECUTING ATTORNEY'S OFFICE
Randolph County Prosecuting Attorney, Michael Parker appeared before the Commission. He said this is a work study program through Elkins High School where the students come and learn hands on what his office does on a daily basis. He would like to have Alexandra Hall to be the intern for his office. She is very involved in student government and is looking to go into criminal law in the future. He said he thinks she will benefit from this. Her mother works in his office currently. He would like this internship to begin today and run through January 1, 2020. Commissioner See moved to approve the internship of Alexandra Hall effective today until January 1, 2020.
All yes – Motion passed unanimously

CONSIDER RESOLUTION FOR A SURVEY AND PLANNING GRANT THROUGH
THE WV DEPARTMENT OF ARTS, CULTURE AND HISTORY

(See copy attached)

Peggy Ross appeared before the Commission. She said the Commission approached her about helping the Coalton Presbyterian Church to do something to restore their building. She said the first step is to determine if it can be listed on the National Historic Registry. This grant will pay to have someone come in and do all the work to see if it is eligible to be put on the registry. She said after this is done they will then make application to put it on the registry. Commissioner Scott said this is the original City Hall building in Coalton right along the main stretch and it has been in disrepair for years. Commissioner Scott said it is a beautiful old building and if there is any way they can help them thru grants and to find out first of all if it is eligible to be on the Historic Registry. Commissioner Kesling moved to approve the signing of a Resolution for a survey and planning grant through the WV Department of Arts, Culture and History, as submitted.

All yes – Motion passed unanimously

CONSIDER RESOLUTION FOR COURTHOUSE FACILITIES IMPROVEMENT
AUTHORITY 17TH CYCLE GRANT

(See copy attached)

Peggy Ross appeared before the Commission. She said this is for a grant for the jail roof repair. She said it is not to replace it but to remove the tiles and clean them and repair any damage and put the same tiles back on. Commissioner See moved to approve the signing of the Resolution for the jail roof repair through the Courthouse Facilities Improvement Grant, as submitted.

All yes – Motion passed unanimously

FINAL SETTLEMENTS:

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

Freeman J. Butcher

Susan Watson Cain

Dorothy J. Erickson

Jo Ann Gainer

Lee Robert Hart

Wilbur Vincent Healey

Mary Tyre Hume

Mickel James Lloyd

Alice Jay Reynes Marks

Faye Ellen Moore

Isaac Jackson Moran

Jeffrey E. Parks

Elma Lee Schoonover

Deborah Kay Super

Lee Ellen Taylor

All yes – Motion passed unanimously

BUDGET REVISIONS: None

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 4 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: _____