

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 20th day of May, 2021 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:

Jennifer Griggs from the Randolph County Housing Authority appeared before the Commission. She said she was there to give a monthly update on the Joint project they have with the County Commission on the CDBG prevention funding. She said in the month of April they received 26 calls for assistance, 17 of those gave back paperwork and they found they were eligible. She said they are working on those right now. She said they were able to fund 8 households which was a total of 21 people. She said most of that assistance has been split between rental and utilities arrears. She said they just received this past week their first request for mortgage assistance and they are working on that. She said so far this month they have taken 38 calls so there is an uptick in calls. She said they have also received one or two calls for assistance in paying property taxes but that is not eligible with the grant. She said they have healthcare training for medical assistant starting this August and this will be for 13 college credits. She said they also have a wood tech course available. She said they are also having a fundraiser that is called paint for a cause and all the proceeds from that will go to Youth Build.

Tim Tye appeared before the Commission. He said he just had a question about the \$5.5 million dollars that the County is going to get from the federal government. He asked when will the public see how that is going to be allocated? Commissioner Scott said they were just in training two days ago in Flatwoods trying to figure out how the money can be spent. He said it is very restrictive. He said they don't have exact knowledge of everything that can be done yet. He said they do know it can be used for water, sewer, waste water separation and broadband infrastructure. He said anything directly associated with COVID response is covered also but anything beyond that they do not know yet.

MINUTES:

Commissioner Kesling moved to approve the minutes from the regular meeting that was held on May 6, 2021, as submitted. All yes – Motion passed unanimously

REPORTS: None

CORRESPONDENCE: None

ANNOUNCEMENTS:

Commissioner Scott said they received, from the minority leader of the House of Delegates, a letter acknowledging the service of all of our elected County officials and staff as essential workers. Commissioner Scott read the letter out loud.

Commissioner Scott announced that the next regular meeting will be held on June 3, 2021 at 1:30 p.m.

Commissioner See announced that he is on the Randolph County Solid Waste Authority Board and they will be having an electronic recycling event on June 12 from 9:00 to 1:00 at the Phil Gainer Community Center.

ITEMS FOR DISCUSSION/ACTION:

## INFORMATIONAL PRESENTATION FROM NORTON PSD

Phyllis Lee, Chairperson of Norton-Harding-Jimtown PSD, appeared before the Commission. She said she wanted to turn it over to Curtis Elmore who is the Chief Operator to discuss it. Mr. Elmore said they came to the Commission to let them know they have several things in planning and going on right now. He said they have several concerns and one of those being the phase III sewer project they have been working on for the past 2-3 years. He said because of the pandemic the prices have increased. He said they have been working with Thrasher Engineering on this project and have one million dollars committed to it but will possibly need another 800-900 thousand dollars to complete it. He said any consideration of funding for that would be greatly appreciated. He said they are aware that the County is getting \$5.5 million dollars of COVID funding and they would like to put their ring in the hat for that also. He said one of the big things they need is emergency backup power. He said they have numerous families and the Tygarts Valley Regional Jail that they provide service to. He said once they have an engineer on board and can figure out exactly what they need he would like to come back to the County Commission with a plan and the cost. He thanked the Commission for listening and considering their request. Commissioner See asked if they would need Generators? Mr. Elmore said yes, several of them at a cost of approximately \$300,000.00.

## CONSIDER RATIFYING SIGNATURE ON LETTER OF SUPPORT FOR NORTON-HARDING-JIMTOWN PSD

Commissioner Scott said they received two requests for letters of support for various earmark projects through Senator Manchin's Office and they were able to take care of those but they now need to ratify the signature on those letters of support. Commissioner See moved to ratify the signature on the letter of support for the Norton-Harding-Jimtown PSD. All yes – Motion passed unanimously

## CONSIDER SIGNING LETTER OF ENDORSEMENT FOR THE LEADING CREEK FIRE DEPARTMENT ANNUAL GUN BASH

Commissioner Scott said they received a request from the Leading Creek Volunteer Fire Department for a letter of support for an ABCC license for their annual gun bash. Commissioner Kesling moved to approve the signing of a letter of support for the Leading Creek Volunteer Fire Department for their annual gun bash. All yes – Motion passed unanimously

## CONSIDER APPROVAL OF QUOTES FROM BISER'S RADIO SERVICE

Commissioner Scott said the Commission recently had a meeting with various first responders throughout the County about issues dealing with the communication systems for the County. He said they had some issues, and still have some issues, with communications not going as well as possible. He said they reached out to the 911 Director about ways they might be able to improve it. He said one of the things is that the equipment on the Mill Creek Volunteer Fire Department radio tower is outdated. He said they have asked for a quote for that. Cindy Hart said Mr. Biser is going to test the Mill Creek and Huttonsville stations to see which one would receive better coverage. Commissioner See moved to approve the quote from Biser's Radio Service for the upgrades to the communications towers in the amount of \$15,060.00. All yes – Motion passed unanimously

## CONSIDER APPROVAL OF BOARD APPOINTMENT TO THE DEPUTY SHERIFF CIVIL SERVICE COMMISSION

(See copy attached)

Commissioner Scott said the Commission received a letter of resignation of Todd Wamsley from the Deputy Sheriff Civil Service Commission. He said the Deputy Sheriff Civil Service Commission has requested that the County Commission fill that vacancy. Commissioner Kesling moved to approve the appointment of Judy Ritchie to the Randolph County Deputy Sheriff's Civil Service Commission in order to fill the unexpired term of Todd Wamsley and this term will begin immediately and end June 30, 2021. All yes – Motion passed unanimously

## CONSIDER QUOTE FROM CASTO TECHNICAL FOR RTU REPAIR IN THE OLD 911 BUILDING

Commissioner Scott said Casto Technical Group is the company that does the maintenance on the units and during the maintenance recently they found out that when the power goes out and the generator

comes on it flips from one operating air conditioning system to another and that air conditioning system did not operate. He said what that would do, is shut the whole air conditioning system down if there is a power outage. Commissioner See moved to approve the quote from Casto Technical for the RTU repair at the old 911 building and the amount of this quote is \$2,031.80. All yes – Motion passed unanimously

#### CONSIDER HIRE OF PART TIME HELP FOR RANDOLPH COUNTY HUMANE OFFICER

(See copy attached)

Commissioner Scott said the Commission was recently approached by the Humane Officer asking about getting someone to fill in when he is out of town or busy. Commissioner Scott said they discussed it with the Prosecutor and he recommended to hire a part time person to cover those times. Commissioner Kesling moved to hire Diana Coda as a part time animal control officer with a starting pay of \$12.50 per hour and she will begin working on May 21, 2021 and this will be an unbenefited position. All yes – Motion passed unanimously

#### CONSIDER APPROVAL OF APPOINTMENT TO THE ELKINS-RANDOLPH COUNTY REGIONAL AIRPORT AUTHORITY

Commissioner Kesling moved to re-appoint Nils Heinke to the Elkins Randolph County Regional Airport Authority Board for another 3 year term which will begin July 1, 2021 and end June 30, 2024. All yes – Motion passed unanimously

#### CONSIDER RATIFYING SIGNATURE ON LETTER OF SUPPORT FOR MIDLAND PSD

Commissioner Kesling moved to approve ratifying the signature on letter of support for Midland PSD. All yes – Motion passed unanimously

#### CONSIDER APPROVAL OF CLOSING OLD ESTATES PURSUANT TO HOUSE BILL 2746

Commissioner Kesling moved to approve the closing of 162 old estates, as presented to the Commission from the County Clerk's Office, pursuant to House Bill 2746. All yes – Motion passed unanimously

#### CONSIDER APPROVAL OF RECOMMENDATION FROM FIDUCIARY COMMISSIONER ON THE ESTATE OF EDNA WEGMAN

(See copy attached)

Fiduciary Commissioner, John J. Wallace, IV appeared before the Commission. He explained the reason that he was appointed over the estate and his recommendation to the Commission. Commissioner Kesling moved to approve the recommendation of the Fiduciary Commissioner on the estate of Edna Wegman, as submitted. All yes – Motion passed unanimously

#### CONSIDER APPROVAL OF APPLICATION FOR HIDTA GRANT

Commissioner Scott said the Commission was approached from members of their congressional legislation regarding the application for a HIDTA grant. He said HIDTA stands for High Intensity Drug Trafficking Area. He said this grant, if given, would provide additional services for our Mountain Region Drug Task Force for drug enforcement. He said this is the 3<sup>rd</sup> year in a row that they have applied but it has never been accepted. He said the way this program works is the money does not directly flow to the County, so that grant is written from the US Attorney's Office on our behalf but because we do not receive the money directly we don't have to sign off on this grant. He said it is a pretty complicated process. He said they have found out that the application was sent in earlier this year on the Counties behalf and have heard back that they did not accept the grant application for another year. He said they have reached out to the Commission to provide technical assistance so coming in to next year they might be able to have their grant writer work with the US Attorney's Office to try to do whatever needs done to get it accepted.

#### CONSIDER APPROVAL OF APPOINTMENTS TO E911 BOARD

(See copy attached)

Commissioner See moved to approve the appointment to the Randolph County E911 Board. Bob Elbon, representing the county Fire Departments, Kurt Gainer representing Randolph County Emergency Medical Services, David Simmons representing the West Virginia State Police, Rob Elbon representing the Randolph County Sheriff's Department, Travis Bennett representing Municipal Law Enforcement, Hollis Lipscomb representing Davis Health System and 911 Director Cindy Hart as an ex-officio member. The terms of these members will begin on June 1, 2021 and end on June 1, 2024. All yes – Motion passed unanimously

#### CONSIDER FUNDING REQUEST FOR MOUNTAIN REGION DRUG TASK FORCE

Commissioner Scott said the Commission received a letter requesting funding from Mountain Region Drug Task Force. He said this is an organization that covers multiple counties and they have done a lot of work recently in taking drugs off the street. He said they do undercover buys and sting operations and as a result they have gone from a one member staff to five full time officers since January 1, 2021. He said they are asking for the Commission to consider providing \$3,500.00 for their investigation budget in order do drug buys and so forth. He said the money is given back to the drug task force once it is seized and the person is arrested. Commissioner Kesling moved to approve the funding request in the amount of \$3,500.00 for the Mountain Region Drug Task Force. All yes – Motion passed unanimously

#### CONSIDER APPROVAL OF REIMBURSEMENT REQUEST FROM THE RANDOLPH COUNTY HOUSING AUTHORITY FOR CDBG-CV1 GRANT FUNDS

Commissioner Scott said this is the monthly request for grant funds to help families with COVID relief.

Commissioner Kesling moved to approve the reimbursement request from the Randolph County Housing Authority in the amount of \$12,151.41 from the CDBG-CV1 grant. All yes – Motion passed unanimously

#### FINAL SETTLEMENTS/ANNUAL ACCOUNTINGS:

Commissioner Kesling moved to approve the 1 final settlement/annual accounting as submitted on the following estate:

Regina K. Chewning

All yes – Motion passed unanimously

#### BUDGET REVISIONS:

(See attached copies)

Commissioner See moved to approve an In-House budget revision for the Prosecutor's Office in the amount of \$510.00 from Travel to Software. All yes – Motion passed unanimously

Commissioner Kesling moved to approve an In-House budget revision for the Dog Warden in the amount of \$150.00 from Training and Education to Cell Phone. All yes – Motion passed unanimously

Commissioner See moved to approve an In-House budget revision for Community Corrections in the amount of \$650.00 from Equipment to Insurance and bonds. All yes – Motion passed unanimously

#### DIVISION OF PROPERTY/ERRONEOUS ASSESSMENTS:

Commissioner Kesling moved to approve the divisions of property/ erroneous assessments, as submitted. All yes – Motion passed unanimously

**DISTRESSED PROPERTIES:**

Commissioner See moved to approve distressed property case #20-15 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 Kesling moved to pay the bills, as submitted. All yes – Motion passed unanimously

**ADJOURN THE MEETING:**

Commissioner Kesling moved to adjourn the meeting. All yes – Motion passed unanimously

Attest: \_\_\_\_\_

# Randolph County Commission



## Commissioners

David L. Kesling

Chris See

Mark D. Scott

Randolph County Clerk, Brenda Wiseman

RE: Randolph County Deputy Sheriff's Civil Service Commission

2 Randolph Ave

Elkins WV 26241

May 20, 2021

Dear Brenda,

The Randolph County Commission met at the regular meeting and appointed Judy Ritchie to the Randolph County Deputy Sheriff's Civil Service Commission in order to fill the unexpired term previously filled by Todd Wamsley. This term will begin immediately and remain effective until June 30, 2021.

If you should need any further information on this appointment, please contact our office.

A handwritten signature in cursive script, appearing to read "Mark Scott", written over a horizontal line.

Mark Scott, President

Randolph County Commission

A handwritten signature in cursive script, appearing to read "Brenda Wiseman", written over a horizontal line.

Brenda Wiseman, Clerk

Randolph County

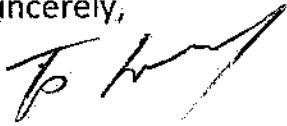
Todd Wamsley  
14 Dylan Rd.  
Elkins WV 26241

Randolph County Commission  
4 Randolph Ave  
Elkins, WV 26241  
04/28/21

Dear Sirs,

This letter is to inform you of my resignation from the Randolph county Deputy Sheriff Civil Service Commission effective immediately. I have enjoyed my service and wish the remaining members well.

Sincerely,

A handwritten signature in black ink, appearing to read 'Todd Wamsley', written in a cursive style.

Todd Wamsley

# Randolph County Commission



## Commissioners

David L. Kesling

Chris See  
May 20, 2021

Mark D. Scott

The Commission has hired Diana Coda as a part-time animal control officer.

Her starting pay will be \$12.50 per hour, and she will begin working on May 21, 2021.

This is an unbenefited position.

Thank you,

A handwritten signature in black ink, appearing to read "Mark Scott", is written over the typed name.

Mark Scott, President

Randolph County Commission



**BEFORE THE COUNTY COMMISSION OF RANDOLPH COUNTY, WEST VIRGINIA**

In re: The Estate of Edna Wegman  
DoD: December 3, 2003

REPORT AND RECOMMENDATION

Pursuant to W.Va. Code §44-3-7 the undersigned was appointed to decide an issue arising the above referenced estate. On May 5, 2021, pursuant to previous notice, Claimant Tammy Brady and the Administratrix of the Estate of Edna Wegman, Jennifer L. Morgan, Esq. appeared in person. Loren Chenoweth, and Beverly Johnson also appeared in person. Dennis Wegman appeared by telephone. The undisputed facts are as follows:

1. On or about February 7, 2020 Dennis Wegman entered into a real estate contract with Tammy Brandy, agent for Johnson Realty, for the sale of 11.75 acres in Dailey, Randolph County, West Virginia. ("Listing Contract")
2. That Listing Contract was signed by Mr. Dennis Wegman as "admin" with the seller listed as the "Estate of John R. Wegman."
3. At the time he executed the contract, Dennis Wegman was the administrator of the estate of John R. Wegman, Jr.'s estate
4. John R. Wegman Jr.'s estate was subsequently closed on or about May 19, 2020.
5. In or around July of 2020, Johnson Realty, in cooperation with All Seasons Real Estate acting as buyer's agent, presented Dennis Wegman with an offer to purchase the real estate.
6. The offer, by the Kramers, was for the full asking price of \$149,900.00
7. After Dennis Wegman accepted the offer, the title search and inspections revealed a number of issues with the property.

**Approved by the Randolph County Commission on May 20, 2021**

8. Notably, John R. Wegman Jr. was only vested in a one half (1/2) undivided interest in the real estate. The other one half was vested in Edna Wegman by a 1987 deed as a tenant in common.
9. Edna Wegman's estate was not probated when she died in 2003. Accordingly probate in furtherance of the real estate transaction was necessary, as was a Declaratory Judgment action in the Circuit Court of Randolph County regarding a non-existent Trust.
10. As a result of the physical and title issues, the parties mutually agreed to withdraw or nullify contract on August 28, 2020.<sup>1</sup>
11. On or about January 21, 2021, the heirs of Edna Wegman and the heirs of John R. Wegman, Jr., who are the same four people, sold the real estate to the Kramers for One Hundred Forty Nine Thousand Nine Hundred Dollars and no cents (\$149,900.00).
12. On March 3, 2021 Claimant Tammy Brady filed a claim against the estate of Edna Wegman for the real estate commission on the sale of the real estate.
13. The Estate denied the claim. It argues, *inter alia*, that Mr. Dennis Wegman lacked the authority to list the real estate.
14. The pertinent provisions of the Listing Contract are as follows:
  3. Broker's Fee is 6% of the sales price or \$1,000.00 (the minimum commission) whichever is greater.
  - ...
  6. B. Seller shall pay Broker's Fee for a sale that occurs after the ending date of this Contract IF: The sale occurs within 180 days of the ending date, and the Buyer was shown or negotiate to buy the Property during the term of this contract, and if the Property is not listed under an exclusive right to sell Contract with another Broker at the time of the sale.
  - ...
  16. B. Seller warrants and represents that Seller has good and marketable title to the Property and verifies that Seller is the sole owner and/or has the legal right to offer and sell the Property.

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<sup>1</sup> While there would be different ramifications depending on whether the contract was "withdrawn" or "nullified," that issue is not relevant or dispositive given the findings and conclusions below.

15. It is undisputed that the January 21, 2021 sale of the real estate occurred within 180 days of the ending date of the contract on August 28, 2020.
16. It is further undisputed that the Kramers were shown and negotiated to buy the real estate within the term of the contract.
17. Finally there is no evidence suggesting that the property is or was listed under an exclusive right to sell Contract with another Broker at the time of the sale.
18. There is no dispute that Mr. Dennis Wegman was not the sole owner and did not have the right to offer and sell the whole property. This representation by Dennis Wegman was a mistake.

The parties to the Listing Contract were Johnson Realty, Tammy Brady agent, and the Estate of John R. Wegman, Dennis Wegman personal representative. The claim is filed in the Estate of Edna Wegman. Dennis Wegman was never authorized to contract on behalf of the Estate Edna Wegman. W.Va. Code §41-1-1 is clear. "A person appointed by a will executor thereof shall not have the powers of executor until he or she qualifies as such by taking an oath and giving bond." Nor did the estate of Edna Wegman, through its properly appointed Administratrix, ever contract with Johnson Realty.

The jurisdiction of fiduciary commissioners is limited. Generally, fiduciary commissioners can hear claims against decedents, their estates, and the personal representative of the estate. Mr. Dennis Wegman is not a decedent, an estate, or the personal representative of the Estate of Edna Wegman. Mr. Dennis Wegman was John R. Wegman Jr.'s personal representative, but this claim is not filed in that estate, that estate is closed. Fiduciary Commissioners are not a panacea for all claims between all parties. While there may be a court or tribunal with personal and subject matter jurisdiction over the dispute between Johnson Realty

and Mr. Dennis Wegman arising from the Listing Contract, neither the fiduciary commissioner nor the County Commission have that jurisdiction. Accordingly, the undersigned reports and recommends that the contract claim, based on the Listing Agreement must be denied.

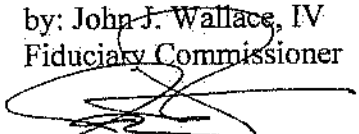
However, “unjust enrichment of a person occurs when he has and retains money or benefits which in justice and equity belong to another . . . . The benefit may be an interest in money, land, chattels, or choses in action; beneficial services conferred; satisfaction of a debt or duty owed by him; or anything which adds to his security or advantage. *Dunlap v. Hinkle*, ft. nt. 2, 173 W.Va. 423, 317 S.E.2d 508 (1984). “A person may be unjustly enriched not only where he receives money or property, but also where he otherwise receives a benefit.” *Prudential Ins. Co. of America v. Couch*, 376 S.E.2d 104, 109; 180 W.Va. 210, 215 (1988). The instant claim against the Estate of Edna Wegman arises from the procurement of a buyer for real estate, of which the decedent owned half. There is no dispute that Johnson Realty was responsible for bringing that buyer to the Estate and its heirs. There is further no dispute that the buyer agreed to pay the full asking price for the property. The Estate of Edna Wegman, and its beneficiaries, received a benefit from the services performed by Johnson Realty.

The parties disagree regarding Mr. Dennis Wegman’s ability to effectively market and sell the property from out-of-state. The entirety of this testimony, by both parties, is disregarded as speculation and not considered herein for any purpose. The fact remains that, regardless of any other potential buyers, the actual buyer was procured by Johnson Realty. “[A] third party connected with a transaction may seek restitution where there is unjust enrichment which resulted from the third party satisfying an obligation of the unjustly enriched party.” *Absure, Inc. v. Huffman*, 584 S.E.2d 507, 511; 213 W. Va. 651 (2003)(per curiam).

Accordingly, the undersigned makes the following recommendations: the Estate of Edna Wegman was unjustly enriched by the work of Johnson Realty. Johnson Realty is entitled to compensation. As this claim was filed in the Estate of Edna Wegman, and Edna Wegman owned half of the real estate conveyed, Johnson Realty is entitled to six percent (6%) of half of the gross sales price the real estate, or \$4,497.00. ( $\$149,900 \times 0.06 = \$8,994 \times 0.5 = \$4,497.00$ ). This relief is not based on the Listing Contract.

Pursuant to W.Va. Code 44-2-6, the Estate should bear the cost of the hearing, including reimbursement of Claimant's deposit of \$300.00, a total amount due from the Estate of Edna Wegman of Four Thousand Seven Hundred Ninety Seven Dollars and no cents (\$4,797.00) payable to claimant, Johnson Realty.

Respectfully submitted this  
7<sup>th</sup> day of May, 2021  
by: John J. Wallace, IV  
Fiduciary Commissioner



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John J. Wallace, IV  
WV Bar #9730  
P.O. Box 7  
Elkins, WV 26241  
(304)637-3800

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**RIGHT TO APPEAL:** Please be advised that any party adversely affected by the rulings herein may have the right to appeal to either the Randolph County Commission and/or Randolph County Circuit Court, subject to time, and other constraints.

**CERTIFICATE OF SERVICE**

I, John J. Wallace, IV, Fiduciary Commissioner, served the foregoing *Report and Recommendation* on counsel for the parties and the following beneficiaries on May 7, 2021 by depositing a true and correct copy thereof in the United States Mail, postage prepaid, in envelopes addressed as follows,

Jennifer L. Morgan, Esq.  
Busch Zurbuch & Thompson, PLLC  
P.O. Box 1819  
Elkins, WV 26241  
*Administratrix of The Estate*

Ms. Tammy Brady  
Johnson Realty, Inc.  
332 Randolph Ave. Ste 8  
Elkins, WV 26241  
*Claimant*


Mr. Dennis Wegman  
10671 E. Haymarket St.  
Tuscon, AZ 85747

Ms. Deborah Lewis  
545 Bridge St.  
Waynesburg, PA 15370

Ms. Janette Wise  
117 Livesay Rd.  
Carmichaels, PA 15320

Ms. Diane Tichnor  
Box 506 St Rt 2011  
Dillner, PA 15327

Ms. Jennifer Rowe  
1461 Talamore Ln.  
Melbourne, FL 32940

  
\_\_\_\_\_  
John J. Wallace, IV  
WV Bar #9730  
P.O. Box 7  
Elkins, WV 26241  
(304)637-3800

WEST VIRGINIA, RANDOLPH COUNTY CLERK'S OFFICE  
This instrument was this day presented to me in my office, and  
thereupon, together with the Certificate thereto annexed, is  
admitted to record.

05/21/2021

Treas. Brenda Wiseman  
Clerk

Randolph County  
Brenda Wiseman, Clerk  
Instrument: 2021010310  
05/21/2021 @ 08:57:40 AM  
FIDUCIARY ORDERS NO. FEE  
Book 32 @ Page 147  
Pages Recorded 6

# Randolph County Commission



Commissioners

David L. Kesling

Chris See

Mark D. Scott

Randolph County Clerk

2 Randolph Avenue

Elkins, WV 26241

May 20, 2021

Dear Ms. Wiseman,

The Randolph County Commission met at their regular scheduled meeting on May 20, 2021 and elected to appoint members to the Randolph County E911 board as follows:

Bob Elbon representing the county fire departments; Kurt Gainer representing Randolph County Emergency Medical Services; David Simmons representing the West Virginia State Police; Rob Elbon representing the Randolph County Sheriff's Department; Travis Bennett representing municipal law enforcement; Hollis Lipscomb representing Davis Health System; and 911 Director Cindy Hart as an ex-officio member.

The terms of these members will begin on June 1, 2021 and end on June 1, 2024.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Scott", is written over a horizontal line.

Mark Scott, President

Randolph County Commission



4 Randolph Avenue  
2<sup>nd</sup> Floor Courthouse Annex  
Elkins, WV 26241

Telephone: (304) 636-2053  
Facsimile: (304) 636-4198

**OFFICE OF THE PROSECUTING ATTORNEY**  
RANDOLPH COUNTY, WEST VIRGINIA  
Michael W. Parker, Prosecuting Attorney

**Assistant Prosecutors:**  
Christina W. Harper, Esquire  
Colin T. Henning, Esquire  
Leckta L. Poling, Esquire  
Richard W. Shryock, Jr., Esquire

**Investigator/Paralegal:**  
Susan E. Gainer  
**Victim Service Coordinator:**  
Allyson S. Smoak

**Legal Assistants:**  
Casey J. Stiles, Circuit Court Coordinator  
Jennifer Collier, Magistrate Coordinator  
Jackie K. Hall, Juvenile Coordinator

**File Clerk:**  
Melanie C. Ratliff

May 12, 2021

Randolph County Commission  
4 Randolph Ave.  
Elkins, WV 26241

RE: In-House Budget Adjustments

Dear Commissioners:

Please consider this a request to make the following changes to the Randolph County Prosecuting Attorney's in-house budget:

Decrease Account: 001-405-2-14.00 (Pros Atty Travel)	TOTAL DECREASE = \$510.00
Increase Account: 001-405-3-53.00 (Pros Attt Software)	TOTAL INCREASE = \$510.00

I am requesting this budget adjustment such that I am able to pay for our online legal research software through LexisNexis, as the cost for that service has increased. Should you have any questions or concerns, please do not hesitate to contact me at your convenience.

Very truly yours,

Michael W. Parker

MWP:cjs



**In-house BUDGET REVISION 5/5/21**

Reason for Revision: Dog Warden Cell Phone

**REVENUES:**

ACCOUNT NUMBER	Account Name	PREVIOUSLY APPROVED		INCREASE	DECREASE	REVISED AMOUNT
		AMOUNT	AMOUNT			

**EXPENDITURES:**

ACCOUNT NUMBER	Account Name	PREVIOUSLY APPROVED		INCREASE	DECREASE	REVISED AMOUNT
		AMOUNT	AMOUNT			
003-716-2-13.00	Dog Warden Cell Phone			\$150.00		
003-716-2-21.00	Dog Warden Training & Ed.				\$150.00	

Total: \$300.00

