

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 3rd day of March, 2022 at 1:30 p.m.

Present: Randolph County Commission President, Chris See and Commissioners, David Kesling and Chris Siler.

Meeting called to order by Commissioner See

PUBLIC COMMENT:

Richard DeBias appeared before the Commission. He gave each Commissioner and the Sheriff a labeled envelope. He said he saw on the Agenda for today the new rules for public comment and he thinks they should have on there about people being on their cell phones during the meetings and that they should be paying attention to the Commissioners. He said he has been to about 17 meetings about Body Cams. He said as he has stated in the past there is a whole lot of favoritism. He said the Commission should have evening meetings because only people come that is on the Agenda. He said he always hears when he comes to these meetings that the police put their life on the line, they are not even in the top twenty. He said a lot of people put their life on the line. He said the last meeting he was at there was a fellow here that got all kinds of time to talk, he said he guesses he isn't related to the Commissioner and he doesn't have tons of money. He said he saw that the Prosecuting Attorney did a heck of a job on that public comment, he must have watched his videos pretty good, not his videos but the Commissions videos watching him pretty good. He said it seems like a pack of hypocrites to him really. He said they don't practice what they preach. He said sometimes the elected people of this County need to figure out they work for the public, they don't work for themselves. He said it seems like the Commission wants to be the Judge, Jury and Executioner. He said since he started coming to these meetings, not one person, since he started the civil suit has shown him or his family a bit of sympathy for what happened. He said nobody apologized to his wife or nobody. He said the only reason the cams even got started was because of him. He said there would have never been any discussion. He said he was totally left out of everything. He said he tried to get involved in the agenda but nobody wanted to put him on it. He said even Mark told him that certain individuals didn't want him involved in it and that's fine. He said every time he asked for something he got road blocked on it, no matter if it was freedom of information acts, or evidence. He said Talkington came to his house with an improper warrant and falsified criminal complaint and harassed and threatened his family. He said he never got due process. He said he tried to go to the Sheriff because he thought he was a little different than the last Sheriff but it didn't turn out that way. He said there are several bad actors in the Randolph County Sheriff's Department in his opinion and they are Pennington, Knotts and Talkington. He said there is no transparency in his opinion. He said the Commissioners don't have a problem with Nepotism it seems like but they have a problem with what he says. He said there is tons of money for cams but they just don't want to do it. He said he talked to the Chief and it is only three to four thousand dollars per officer, peanuts. He said he doesn't understand the reason for it. He said the elected officials here seem like they want to keep milking the system. He said a lot of elected officials here have two or three businesses plus they have their elected official's salary, seems like they should maybe donate some of that money to the community. He said he wants to relay a public comment from his Wife and Mother in Law that Talkington is an idiot that hides behind his badge. He thanked the Commission.

MINUTES:

Commissioner Kesling moved to approve the minutes from the special meeting that was held on February 1, 2022, as submitted. All yes – Motion passed unanimously

Commissioner Kesling moved to approve the minutes from the regular meeting that was held on February 17, 2022, as submitted. All yes – Motion passed unanimously

REPORTS:

Kurt Gainer with Randolph County EMS reported that they have one EMT basic opening and unfortunately received a resignation from a paramedic this week as they moved to another regional agency. He said all trucks are in service and all stations are in service.

Rob Daman with the OEM/911 Center reported that they are in the process of acquiring a snow cat that is being donated by TC Energy. He said it is for 911/OEM and countywide use. He said it will be beneficial in helping them get to the tower sites in the winter time if they need to service the radio system on the towers. He said it can be used for rescues in the County and the whole region. He said once they get that and get it operational they will be trying to find the funding to purchase a trailer to haul it and it will be housed at the 911 Center. He said it is a snow cat with metal tracks on it.

Peggy Ross reported on the swimming pool/splash pad project. She said she just met with the engineers and all the plans are about 95% complete. She said they should be ready to put it out to bid by the end of this month. She said probably be able to hire a contractor by the end of April and hopefully they can break ground in May or June and it will take approximately 120 days to work on it and they are trying to get it open by the end of summer.

CORRESPONDENCE: None

ANNOUNCEMENTS:

Commissioner See announced that the Commissioners will be having budget meetings on March 9, 2022 at 1:00 p.m., March 16th and March 23rd at 10:00 a.m. and March 25th at 8:00 a.m. He also announced that the next regular meeting will be held on March 17, 2022 at 1:30 p.m.

ITEMS FOR DISCUSSION/ ACTION:

INFORMATIONAL PRESENTATION FROM ELKINS DEPOT WELCOME CENTER

Anne Beardslee, Tara Gainer and Morgan Glue appeared before the Commission. They presented a slide show presentation and gave an annual report. They are working on making Randolph County a year round destination. They discussed some upcoming events such as the Ramp Festival which will be held on April 23, 2022. They said they have a great partnership with the Commission and the credit for all they do goes to the Commission for funding them.

INFORMATIONAL PRESENTATION AND FUNDING REQUEST FROM THE RANDOLPH COUNTY COMMUNITY ARTS CENTER

Kurt Barkley, Executive Director of the Randolph County Community Arts Center, appeared before the Commission. He said they are a 501C3 nonprofit organization and have been since 2001. He said they provide Art education classes, music, serve as a polling place etc. He said for the past 2-3 years they have also been having weddings and wedding receptions and other parties at their facility which can sometimes have 150 people there. He said about 4,000 people come thru their doors each year and a lot of those are at forest festival time. He said they have 30 free events each year. The staff consists of 2 full time workers and volunteers. He said they are working on outreach programs for up the valley and are meeting with the school principals. He said they would send an artist to the school for an hour presentation. He said in 2018 they got involved in the tour bus trade. He said they have already begun booking for this year and have 6-8 buses scheduled so far. He said they are reaching out to the local government asking for \$6,500.00 to move forward with the outreach program. Commissioner Kesling moved to approve the funding request in the amount of \$6,500.00 to be taken out of Hotel/Motel Tax funds. All yes – Motion passed unanimously

INFORMATIONAL PRESENTATION FROM THE RANDOLPH-TUCKER CHILDREN'S ADVOCACY CENTER

Margot Evick appeared before the Commission. She gave a report on the center and said last year they helped 121 new children. She said they had 3,932 advocacy contacts with caregivers and 46 children were seen for mental health. She said they have their on-site medical room up and running and

contracts with Dr. Rachel Anger. She said through the pandemic they did zoom meetings which involved a lot of updating of their computer system. She said they will be going back in the classrooms this year. She said they purchased a CAC house and they are excited about that. She said May 13, 2022 they will be holding a Champion for Children event. She asked for continued funding in the Commissions budget for the upcoming year. All three commissioners commended her on the work the center does for not only children but older people too.

INFORMATIONAL PRESENTATION AND FUNDING REQUEST FOR EARTH DAY 2022

Cindy Stemple, Chairperson of environment and conservation committee of GFWC Womens club of Elkins. She said they are working with a number of organizations to hold an Earth Day Celebration on April 30th from noon to two at the Elkins City Park. She said they are reaching out to several organizations for help. She said they were hoping to not have to come ask for funding but since they could not have the craft show at the forest festival last year they lost a lot of funding. She said they usually make \$11,000 to \$13,000 at the craft show. She said they do a post and poetry contest and give cash awards and that is what this money would be used for. She said they are asking for \$300.00 in funding. Commissioner Siler moved to approve the funding request in the amount of \$300.00 and that is to be taken out of courthouse contractual funds. All yes – Motion passed unanimously

CONSIDER APPROVAL OF FUNDING REQUEST FROM NORTON-HARDING-JIMTOWN PSD

Commissioner Kesling said the Commission received a letter from Norton-Harding-Jimtown PSD that said they need to purchase some equipment at their facility. Commissioner Kesling moved to approve the funding request in the amount of \$34,800.00 and that is to be taken out of ARP funding for infrastructure. All yes – Motion passed unanimously

CONSIDER APPROVAL OF FUNDING REQUESTS FROM THE RANDOLPH COUNTY SENIOR CENTER FOR THE HARMAN AND MILL CREEK NUTRITION SITES

Commissioner Siler said the Commission received a request from Laura Ward, Executive Director of the Randolph County Senior Center, regarding the furnaces going bad at the Harman and Mill Creek nutrition sites. Commissioner Siler moved to approve \$5,900.00 for the Harman Site and \$5,500.00 for the Mill Creek site for furnaces and that is to come out of ARP funds. All yes – Motion passed unanimously

CONSIDER APPROVAL OF QUOTE FROM GLOBAL SCIENCE AND TECHNOLOGY FOR CISCO SMARTNET RENEWAL

Commissioner Kesling said this is something they do every year and it is for the computer system that runs several of the offices. Commissioner Kesling moved to approve the quote in the amount of \$967.70 and that is for the annual renewal fee and that is to be taken out of the computer equipment line. All yes – Motion passed unanimously

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

Commissioner Kesling moved to approve the signing of the letter for an alcohol permit for the Leading Creek Fire Departments Gun Bash to be held on May 14, 2022, as requested. All yes – Motion passed unanimously

FIRST READ OF PUBLIC COMMENT POLICY ADOPTION

Commissioner Kesling said he would like to read what he would like to propose for the public comment policy for the Commission meetings. He read it out loud. He said the Commission will set an item on the Agenda for public comment, which they already do. He said the public comment is videoed and recorded and posted to the internet following the Commissions meetings. He said individuals wanting to speak under public comment will sign in. He said each speaker will be limited to 5 minutes during public comment period. He said the Clerk will indicate when the time has expired and the next speaker will be allowed to speak. He said public comment is not a question and answer period. It provides an individual with an opportunity to express their comments regarding a subject matter. All comments

shall be directed only to the Commission as a whole, no person may address or question a person individually. The Commission will not respond to comments made during public comment period unless it becomes necessary to direct speakers for assistance. Issues requiring possible action by the County Commission may be added to a future agenda. Unused portions of allotted time may not be yielded to other speakers. Written comments and material brought to the Commission by speakers will be accepted during public comment and will be made available to all Commissioners. The following will not be permitted during public comment, hate speech, comments that incite violence, profanity, obscenity or vulgarity, use of public comment to campaign for a political office, name calling and or personal attacks/slander. If specific comments violate the provisions of this policy a Commissioner may interrupt or warn or terminate the individuals presentation or request that any individual leave the meeting when the individual fails to observe reasonable decorum or request the assistance of the Sheriff's Department in the removal of the disorderly individual when the individuals comments interferes with the orderly progress of the meeting or call for a brief recess. Commissioner Kesling said this is the first read of the policy and there were examples of it here today and that could have been stopped for slander attacks of a deputy of the County. Commissioner Kesling moved to approve the public comment policy adoption first reading, as submitted and read. All yes – Motion passed unanimously

CONSIDER APPROVAL OF CHANGE TO EMPLOYEE HANDBOOK COMP TIME POLICY

Sheriff Elbon said he brought a policy change over for law enforcement department to get 240 hours of comp time. He said the PRO guys are using it for ball games, etc. and a couple of the other guys want to use it for family issues, etc. He said he would like to try it and see how it goes and he will watch it and keep track of it. He said if school is delayed or there is no school the PRO Officers will use comp time for that. Commissioner Kesling moved to approve the employee handbook comp time policy change to read that law enforcement deputies are able to receive 240 hours of comp time and all other employees are able to receive 80 hours of comp time. All yes – Motion passed unanimously

CONSIDER APPROVAL OF QUOTE FOR AWNING FOR MAGISTRATE BUILDING

Commissioner Siler said they got a request from the ladies that work in the Magistrate Building for an awning over the door for when it is raining. He said he checked on an aluminum awning and it was under \$300.00. Commissioner Siler moved to approve the purchase of an awning for the Magistrate Building and that is not to exceed \$300.00. All yes – Motion passed unanimously

FINAL SETTLEMENTS/ANNUAL ACCOUNTINGS:

Commissioner Siler moved to approve the final settlements/annual accountings on the following (9) estates, as submitted.

Joseph Chappell Anderson

Lola Mae Bell

Michael Issac Bell, Sr.

Calvin Keith Bennett

Mark A. Burkey

Doris Gail George

Bradley James Sacks

David Ray Thompson

Maureen Lee Vandevander

All yes – Motion passed unanimously

BUDGET REVISIONS: (See attached copies)

Commissioner Kesling moved to approve an In House budget revision in the amount of \$10,000.00 for the 911 Center from equipment to training. All yes – Motion passed unanimously

Commissioner Kesling moved to approve an In House budget revision in the amount of \$2,000.00 for the Sheriff's Office from contractual service to training. All yes – Motion passed unanimously

Commissioner Kesling moved to approve a State budget revision in the amount of \$8,698.00 from process server wages to jail wages. Commissioner Kesling voted yes – Commissioner See voted yes- Commissioner Siler voted yes Motion passed

DIVISION OF PROPERTY/ERRONEOUS ASSESSMENTS:

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

DISTRESSED PROPERTIES: None

FIRE FEE ADJUSTMENTS:

Commissioner Kesling moved to approve forty five (45) 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: _____

A	B	C	D	E	F	G
1	In House BUDGET REVISION			03/03/2022		
2	REVENUES:					
3	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUSLY APPROVED AMOUNT	INCREASE	DECREASE	REVISED AMOUNT
4						
5						
6		TOTAL INCREASE / (DECREASE) REVENUES:			0	
7						
8	EXPENDITURES:					
9						
10	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUSLY APPROVED AMOUNT	INCREASE	DECREASE	REVISED AMOUNT
11	007-712-4-59	911 Equipment			\$10,000.00	
12	007-712-2-21	911 Training		\$10,000.00		
13						
14						
15						
16						
17						
18						
19						
20						
21						
22						
23						
24						
25	3-3-2022					
26	DK moucd					
27	DK yes					
28	Csee yes					
29	Csiler yes					
30		TOTAL INCREASE / (DECREASE) EXPENDITURES:		\$10,000.00	\$10,000.00	
31	Reason for Revision: Not enough funds to cover audit and bring training requirements to set standards.					
32						
33						

**Office of the
SHERIFF OF RANDOLPH COUNTY**

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Elkins, WV 26241



Tax Office
4 Randolph Avenue
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Web: wvpropertytaxes.com
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Fax (304) 636-2093

Robert R. Elbon Jr., Sheriff

3/3/2022

The Sheriff's Office respectfully requests the following budget revisions.

IN-HOUSE BUDGET REVISION

Reason for Revision: To adjust and add line items

REVENUES:

ACCOUNT NUMBER	Account Name	PREVIOUSLY APPROVED AMOUNT	INCREASE	DECREASE	REVISED AMOUNT

TOTAL INCREASE/(DECREASE) REVENUE: \$0.00 \$0.00 \$0.00 \$0.00

EXPENDITURES:

ACCOUNT NUMBER	Account Name	PREVIOUSLY APPROVED AMOUNT	INCREASE	DECREASE	REVISED AMOUNT
076-404-2-30.00	CONTRACT SERVICE	\$8,000.00		\$2,000.00	\$6,000.00
076-404-2-21.00	TRAINING	\$0.00	\$2,000.00		\$2,000.00
					\$0.00
		\$8,000.00	\$2,000.00	\$2,000.00	\$8,000.00

TOTAL INCREASE/(DECREASE) EXPENDITURES: \$0.00

REVENUE CHANGE LESS EXPENDITURE CHANGE \$0.00

Respectfully,

Robert R. Elbon Jr.
Sheriff/Treasurer

3-3-2022
DK moucd
DK yes
C see yes
C siler yes

Office of the SHERIFF OF RANDOLPH COUNTY

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Robert R. Elbon Jr., Sheriff

3/2/2022

The Sheriff's Office respectfully requests the following budget revisions.

STATE BUDGET REVISION

Reason for Revision: To adjust line items

REVENUES:

ACCOUNT NUMBER	Account Name	PREVIOUSLY APPROVED AMOUNT	INCREASE	DECREASE	REVISED AMOUNT

TOTAL INCREASE/(DECREASE) REVENUE: \$0.00 \$0.00 \$0.00 \$0.00

EXPENDITURES:

ACCOUNT NUMBER	Account Name	PREVIOUSLY APPROVED AMOUNT	INCREASE	DECREASE	REVISED AMOUNT
001-701-1-03.00	PROCESS SERVER WAGES	\$26,287.00		\$5,940.00	\$20,347.00
001-701-1-04.00	PROCESS SERVER FICA	\$1,893.00		\$614.00	\$1,279.00
001-701-1-04.01	PROCESS SERVER MEDICARE	\$443.00		\$144.00	\$299.00
001-701-1-08.00	PROCESS SERVER OVERTIME	\$1,000.00		\$1,000.00	\$0.00
001-703-1-03.00	JAIL WAGES	\$130,274.00	\$5,940.00		\$136,214.00
001-703-1-04.00	JAIL FICA	\$9,227.00	\$614.00		\$9,841.00
001-703-1-04.01	JAIL MEDICARE	\$2,532.00	\$144.00		\$2,676.00
001-703-1-08.00	JAIL OVERTIME	\$3,000.00	\$1,000.00		\$4,000.00
001-703-3-53.00	JAILER SOFTWARE	\$1,000.00		\$1,000.00	\$0.00
001-404-2-16.00	SHERIFF EQUIPMENT REPAIR	\$1,500.00	\$1,000.00		\$2,500.00
		\$177,156.00	\$8,698.00	\$8,698.00	\$177,156.00

TOTAL INCREASE/(DECREASE) EXPENDITURES: \$0.00

REVENUE CHANGE LESS EXPENDITURE CHANGE \$0.00

Respectfully,

Robert R. Elbon Jr.
Sheriff/Treasurer

3-3-2022
DK moved
DK yes
C see yes
C siler yes