

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 7th day of April, 2022 at 1:30 p.m.

Present: Randolph County Commission President, Chris See and Commissioner, David Kesling.
Commissioner Chris Siler was absent.

Meeting called to order by Commissioner See

PUBLIC COMMENT:

Richard DeBias appeared before the Commission. He said he wanted to talk about the Freedom of Information Act. He gave envelopes to the Sheriff and Commissioners with 9 exhibits in there. He said the first exhibit explains the 1st amendment. Exhibit 2 is US Code 5-5-2 which states if you are using the information to help the general public to help them know what is going on with government then you don't have to be charged. He said there are a couple of other laws he put in there. He said one is US Code 242 which is defamation of rights. He said page 3 says the government works for the people the government doesn't work for themselves. He said on page 4 it says they have five days to answer the freedom of information act request and when you do answer and if you aren't providing the information requested you have to say why and site the exemption. He said there are a couple of cases about the text and emails. He said those are supposed to be given out and the City gives them to him. He said the City of Elkins does a great job and has a good system and he hasn't had much trouble with them. He said he has sent in a lot of freedom of information act requests but he doesn't get much back and he doesn't know why.

MINUTES:

Commissioner Kesling moved to approve the minutes from the special meeting that was held on March 9, 2022, as submitted. All yes – Motion passed unanimously

Commissioner Kesling moved to approve the minutes from the special meeting that was held on March 16, 2022, as submitted. All yes – Motion passed unanimously

Commissioner Kesling moved to approve the minutes from the special meeting that was held on March 23, 2022, as submitted. All yes – Motion passed unanimously

Commissioner Kesling moved to approve the minutes from the special meeting that was held on March 25, 2022, with an amendment to thank Brooke Hinzman for all her hard work. All yes – Motion passed unanimously

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

REPORTS:

Erin Golden, Director of North Central Community Corrections reported that there are currently 119 participants on the program and the program has saved the County \$1,259,867.75 in regional jail bills so far this fiscal year.

Rhett Dusenbury from Congressman Mooney's office was present and reported that he was glad to be back. He gave greetings from the Congressman and said Congressman Mooney would supply letters of support for anyone seeking grant funding.

Kurt Gainer from the Randolph County EMS reported that they had a board meeting last Thursday and the Commission was brought up to speed on everything then.

Brenda Wiseman, County Clerk reported on the upcoming dates for the election. She said the last day to change your address, party affiliation or name is April 19th for the May 10, 2022 Primary Election. She said early voting will begin on April 27th and run through May 7th. It will be held in two locations which is the Wees Annex and the Russell Memorial Public Library. She went over the days and times early voting will be open.

CORRESPONDENCE:

Commissioner Kesling said the Commission received a letter from the State Auditor that approves the budget and levy rate for fiscal year beginning July 1, 2022. He said the Commission will meet on April 19th to set the levy rate as required by Code.

ANNOUNCEMENTS:

Commissioner See announced that the next regular meeting will be held on April 21, 2022 at 1:30 p.m.

Commissioner Kesling announced that there will be a special meeting on April 19, 2022 to approve the levy rates.

ITEMS FOR DISCUSSION/ ACTION:

INFORMATIONAL PRESENTATION AND FUNDING REQUEST FROM OUR TOWN

Priscilla Gay representing Our Town, appeared before the Commission. She said they have a two part request. She said last year the Chamber of Commerce came to them and asked if they would take over the Fourth of July fireworks. Our Town agreed to do that so the first part of the request is for \$5,000.00 for the fireworks. She said this year's fireworks have already been ordered and paid for so they are asking for the funding to order and pay for next year's fireworks. She said they make the order early in the year and they get a nice discount and it makes the show a bit longer. She said the second part of the request is for \$5,000.00 for the summer concert series and cruise- ins. She said they are very excited about their concert series this year and have stepped up their budget to pay for performers. She said this is due to generous donations from businesses and private donations. Commissioner Kesling moved to approve the funding request in the amount of \$5,000.00 to be taken from Hotel/Motel Tax funds for the summer concert series and cruise-ins. All yes – Motion passed unanimously

Commissioner Kesling told her to come back sometime in December regarding the fireworks donation.

CONSIDER APPROVAL OF FUNDING REQUEST FROM DRUG TASK FORCE

Sheriff Elbon appeared before the Commission. He said the software that the task force uses requires a license. He said this software is used to get into cell phones of offenders during cases. He went over the stats from the drug task force from last year. Commissioner Kesling moved to approve the funding request in the amount of \$4,300.00 and that is to be taken from courthouse contractual funds. All yes – Motion passed unanimously

CONSIDER PURCHASE OF TIME CLOCK

Commissioner Kesling said the Commission has had Brooke Hinzman doing some research on time clocks and they have found one that they would like to try out. He said the County Clerk has agreed to let them test it out at her office and then they can work out all the bugs. Commissioner Kesling moved to approve the purchase of one time clock at the cost of \$119.99 and that is to be taken out of courthouse contractual funds. All yes – Motion passed unanimously

CONSIDER APPROVAL OF NEW HIRE AT 911 CENTER (See copy attached)

911/OEM Director, Shonna Fox appeared before the Commission. She said she first wanted to let the Commission know that starting Monday is dispatcher week so they will be doing some stuff for the staff. She said on the 14th at 2:00 they will be having a cookout and invited the Commission to attend. She said she would like to hire Aaron Fagons as a probationary telecommunicator. This would be a full time benefited position with a starting hourly wage of \$12.25 per hour and he will be placed on a 6 month probationary period. Commissioner Kesling moved to approve the hiring of Aaron Fagons, as presented.

All yes – Motion passed unanimously

CONSIDER APPROVAL OF UPDATED PAY SCALE FOR 911 CENTER (See attached copy)

911/OEM Director Shonna Fox appeared before the Commission. She said she has put in place some supervisors and all have passed their probationary periods. She said she took the previous supervisors salary and divided it between the 5 people so there is enough money in the current budget to cover these wage increases. Commissioner Kesling moved to approve the updated pay scale for the 5 supervisors, as requested. All yes – Motion passed unanimously

CONSIDER HIRE OF DRC OFFICER FOR COMMUNITY CORRECTIONS (See copy attached)

Erin Golden, Director of North Central Community Corrections, appeared before the Commission. She said she would like to request the hiring of Rayna Smith as a full time DRC Officer. She said she would like for Ms. Smith to begin working on April 11, 2022 with a starting hourly rate of \$12.02 per hour with full benefits. She will be placed on a 90 day probation period. This position is already budgeted for in the 151 account. Commissioner Kesling moved to approve the hiring of Rayna Smith as a full time DRC Officer, as presented. All yes – Motion passed unanimously

CONSIDER HIRE OF DRC ASSISTANT FOR COMMUNITY CORRECTIONS (See attached copy)

Erin Golden, Director of North Central Community Corrections, appeared before the Commission. She said she would like to hire Bryan Asbury as a full time DRC Assistant. She said she would like for Mr. Asbury to start working on April 11, 2022 with a starting hourly rate of \$10.57 per hour with full benefits. He will be placed on a 90 day probation period. This position is already budgeted for in the 072 account. Commissioner Kesling moved to approve the hiring of Bryan Asbury as a full time DRC Assistant, as presented. All yes – Motion passed unanimously

CONSIDER RECOMMENDATION FROM FIDUCIARY COMMISSIONER ON THE ESTATE OF JAMES D. WHITE, SR.

County Clerk, Brenda Wiseman gave the Commission a copy of the report and recommendation from Fiduciary Commissioner, Jennifer Morgan, regarding the estate of James D. White, Sr. The report stated that the current personal representative has not completed his duties and paid claims against the estate. She recommended that he be removed and that the Sheriff of Randolph County be appointed to take over the estate to get the claims paid and the estate settled. Commissioner Kesling moved to approve the recommendation of the Fiduciary Commissioner regarding the estate of James D. White, Sr. as presented. All yes – Motion passed unanimously

SECOND READING OF UPDATED FOIA REQUEST POLICY

Commissioner Kesling said this is the 2nd reading and if approved today it will be enacted. He said any FOIA requests that the Commission receives they always give to the Prosecuting Attorney to read over. He said they get several that are not even subject to FOIA requests. He said the main thing that they are doing is for fees and some other verbage. He said it has been out there for everyone to review. Commissioner Kesling moved to approve the second reading of the updated FOIA request policy. All yes – Motion passed unanimously

CONSIDER ADOPTION OF SHERIFF'S OFFICE FIREARMS POLICY FOR HUMANE OFFICERS

Commissioner See said the Sheriff's Office has a firearms policy in place and they would like to adopt the same policy for the Humane Officers if that was okay with the Sheriff. Sheriff Elbon said as long as the firearms instructor has no issues with it then he doesn't see any problems with it. Commissioner Kesling moved to adopt the Sheriff's firearms policy for the humane officers. All yes – Motion passed unanimously

CONSIDER SIGNING MEMORANDUM OF UNDERSTANDING REGARDING OPIOD LITIGATION

Commissioner Kesling said this is just a memorandum of understanding that needs signed, from our lawyers, regarding the Opioid Litigation that has been going on for quite some time. Commissioner

Kesling moved to approve the signing of the memorandum of understanding, as submitted. All yes – Motion passed unanimously

FINAL SETTLEMENTS/ANNUAL ACCOUNTINGS:

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

Helen Cleo Arbogast

Rose Phyllis Barnett

Gladus Jeffrey

Lena Irene Mealey

Carman Dennis Pennington, Sr.

Elaine Mae Russell

Janet Lorraine Sharp

Ronald Ray Sharp

Joseph Franklin Tingler

All yes – Motion passed unanimously

BUDGET REVISIONS: (See attached copies)

Commissioner Kesling moved to approve an In House budget revision in the amount of \$400.00 for the Dog Warden Cell Phone bills. All yes – Motion passed unanimously

Commissioner Kesling moved to approve an In House budget revision in the amount of \$4,306.00 for the Sheriff's Office Law Enforcement to increase overtime, FICA and Medicare lines. All yes – Motion passed unanimously

Commissioner Kesling moved to approve a State budget revision in the amount of \$240,000.00 from Miscellaneous Income to other 50% contributions. This is the Hotel/Motel rollover funds from previous year. Commissioner Kesling voted yes – Commissioner See voted yes-Commissioner Siler was absent. Motion passed

Commissioner Kesling moved to approve a State budget revision in the amount of \$6,000.00 to increase Randolph County Recreation Board line. Commissioner Kesling voted yes-Commissioner See voted yes-Commissioner Siler was absent. Motion passed

Commissioner Kesling moved to approve a State budget revision in the amount of \$300.00 to increase property enforcement. This is due to lien payments being received. Commissioner Kesling voted yes – Commissioner See voted yes – Commissioner Siler was absent. Motion passed

Commissioner Kesling moved to approve a State budget revision in the amount of \$11,940.00 to increase Law Enforcement Auto Maintenance and Wages. Commissioner Kesling voted yes – Commissioner See voted yes- Commissioner Siler was absent. Motion passed

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: None.

FIRE FEE ADJUSTMENTS:

Commissioner Kesling moved to approve the thirty nine (39) fire fee adjustments, as submitted. All yes – Motion passed unanimously

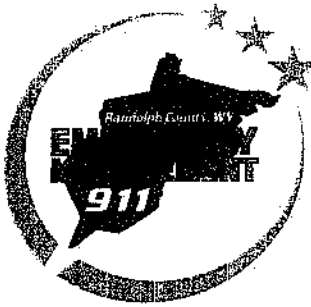
PAYMENT OF BILLS:

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 Office of Emergency Management/911
194 Airport Road
Elkins, WV 26241
OEM: (304) 636-0483
Dispatch: (304) 636-2000
Fax: (304) 636-3298

April 7, 2022

Commissioners;

I am requesting to hire Aaron Fagonis as a probationary telecommunicator. This is a full-time position with county benefits. Start date of April 11, 2022 with an hourly wage of \$12.25. He will be under a probationary period of 6 months.

Thank you,

Shonna Fox



Randolph County Office of Emergency Management/911
194 Airport Road
Elkins, WV 26241
OEM: (304) 636-0483
Dispatch: (304) 636-2000
Fax: (304) 636-3298

April 7, 2022

Commissioners:

The following individuals need to have pay adjusted to reflect their responsibilities at the 911 center. Please see below the new pay scale.

Amy Shahan, Training Coordinator - \$15.00

Mercedes Herron, A-team Captain - \$14.75

Sydney Tate, B-team Captain - \$14.75

Tina Tacy, A- team Lieutenant - \$14.50

Jeffery Hedrick, B-team Lieutenant - \$14.50

Their wages are covered under the current budget.

Thank you,

Shonna Fox

North Central Community Corrections

Randolph County Office
5 Randolph Ave. Suite 2
Elkins, WV 26241

Erin N. Golden
Executive Director

Assistant



Phone: 304-636-5276
Fax: 304-636-7576

Kimberly Collins
DRC Officer

DRC Officer

April 6, 2022

Randolph County Commission
4 Randolph Ave.
Courthouse Annex
Elkins WV, 26241

Dear Commissioners,

This Letter is a request for approval by the Randolph County Commission to hire Rayna Smith for the North Central Community Corrections for a full time DRC Officer position. With this request to start on April 11, 2022 at the wage of \$12.02 an hour (\$25,000.00 a year) with full benefits with a 90-day probation period. This will fill the vacancy of our DRC Officer position that it's budgeted in 151. Please Contact our office with any question or concerns.

Sincerely,

A handwritten signature in cursive script, appearing to read "Erin N. Golden".

Erin N. Golden
Executive Director
North Central Community Corrections

North Central Community Corrections

Randolph County Office
5 Randolph Ave. Suite 2
Elkins, WV 26241



Phone: 304-636-5276
Fax: 304-636-7576

Erin N. Golden
Executive Director

Kimberly Collins
DRC Officer

Assistant

DRC Officer

April 6, 2022

Randolph County Commission
4 Randolph Ave.
Courthouse Annex
Elkins WV, 26241

Dear Commissioners,

This Letter is a request for approval by the Randolph County Commission to hire Bryan Asbury for the North Central Community Corrections for a full time DRC Assistant position. With this request to start on April 11, 2022 at the wage of \$10.57 an hour (\$22,000.00 a year) with full benefits with a 90-day probation period. This will fill the vacancy of our DRC Assistant position that it's budgeted in 072. Please Contact our office with any question or concerns.

Sincerely,

A handwritten signature in cursive script, appearing to read "Erin N. Golden".

Erin N. Golden
Executive Director
North Central Community Corrections

In-House BUDGET REVISION 4/7/22
 Dog Warden Cell Phone

Reason for Revision:

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			\$400.00		
003-716-3-41.00	Dog Warden Supplies				\$400.00	

Total: \$400

4-7-2022
 DK - moved
 DK - yes
 C See - yes
 C Siler - Absent

**Office of the
SHERIFF OF RANDOLPH COUNTY**

Law Enforcement
32 Randolph Avenue
Suite 201
Elkins, WV 26241



Tax Office
4 Randolph Avenue
Suite 100
Elkins, WV 26241

Web: RandolphSheriff.wv.gov
Phone: (304) 636-2111
Fax (304) 630-0467

Web: wvpropertytaxes.com
Phone: (304) 636-2100
Fax (304) 636-2093

Robert R. Elbon Jr., Sheriff

3/21/2022

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

IN-HOUSE BUDGET REVISION

Reason for Revision: Make adjustments to accommodate overtime

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
001-700-1-03-02	Home Conf - Wages	\$16,500.00		\$4,000.00	\$12,500.00
001-700-1-08-00	Law Enforcement Overtime	\$40,000.00	\$4,000.00		\$44,000.00
001-700-1-04-00	Law Enforcement FICA	\$46,783.00	\$248.00		\$47,031.00
001-700-1-04-01	Law Enforcement Medicare	\$11,040.00	\$58.00		\$11,098.00
001-700-1-04-20	Home Conf - FICA	\$1,364.00		\$248.00	\$1,116.00
001-700-1-04-21	Home Conf - Medicare	\$319.00		\$58.00	\$261.00
		\$116,006.00	\$4,306.00	\$4,306.00	\$116,006.00

TOTAL INCREASE/(DECREASE) EXPENDITURES: \$0.00

REVENUE CHANGE LESS EXPENDITURE CHANGE \$0.00

Respectfully,

Robert R. Elbon Jr.
Sheriff/Treasurer

4-7-2022
DK moved
DK yes
C see - yes - C siler Absent

State BUDGET REVISION 4/7/22
 Hotel/Motel (Rollover from Previous Year)

Reason for Revision:

REVENUES:

ACCOUNT NUMBER	Account Name	PREVIOUSLY APPROVED		INCREASE	DECREASE	REVISED AMOUNT
		AMOUNT				
366	Miscellaneous Income			\$240,000		

EXPENDITURES:

ACCOUNT NUMBER	Account Name	PREVIOUSLY APPROVED		INCREASE	DECREASE	REVISED AMOUNT
		AMOUNT				
001-911-5-68.01	Other 50% Contribution			\$240,000.00		

Total: \$240,000

4-7-2022
 DK moved
 DK yes
 C see yes
 C Siler absent

State **BUDGET REVISION** 4/7/22
 State Rec Board Donation

Reason for Revision:

REVENUES:

ACCOUNT NUMBER	Account Name	PREVIOUSLY APPROVED		INCREASE		REVISED	
		AMOUNT		AMOUNT	DECREASE	AMOUNT	
001-323-915	Camp Pioneer State Grant			\$6,000			

EXPENDITURES:

ACCOUNT NUMBER	Account Name	PREVIOUSLY APPROVED		INCREASE		REVISED	
		AMOUNT		AMOUNT	DECREASE	AMOUNT	
001-902-5-66.00	Randolph Co Recreation Board			\$6,000.00			

Total: \$6,000

4-7-2022
 DK moved
 DK yes
 C see yes
 C siter absent

State BUDGET REVISION 4/7/22

Property Enforcement Lien Payments

Reason for Revision:

REVENUES:

ACCOUNT NUMBER	Account Name	PREVIOUSLY APPROVED		INCREASE	DECREASE	REVISED AMOUNT
		AMOUNT	AMOUNT			
DB001-366-91-10	Bartholow Lien Payment			\$100		
RG001-366-91-10	D. Gerlach Lien payment			\$100		
RG001-366-91-10	R. Gerlach Lien Payment			\$100.00		

EXPENDITURES:

ACCOUNT NUMBER	Account Name	PREVIOUSLY APPROVED		INCREASE	DECREASE	REVISED AMOUNT
		AMOUNT	AMOUNT			
001-424-2-30.04	Property Enforcement			\$300.00		

Total: \$300

4-7-2022
 DK moved
 DK yes
 C see yes
 C Siler Absent

Office of the SHERIFF OF RANDOLPH COUNTY

Law Enforcement

32 Randolph Avenue
Suite 201
Elkins, WV 26241

Web: RandolphSheriff.wv.gov
Phone: (304) 636-2111
Fax (304) 630-0467



Tax Office

4 Randolph Avenue
Suite 100
Elkins, WV 26241

Web: wvpropertytaxes.com
Phone: (304) 636-2100
Fax (304) 636-2093

Robert R. Elbon Jr., Sheriff

3/31/2022

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

STATE BUDGET REVISION

Reason for Revision: To increase LE wage, OT, and auto maintenance lines.

REVENUES:

		PREVIOUSLY APPROVED AMOUNT	INCREASE	DECREASE	REVISED AMOUNT
ACCOUNT NUMBER	Account Name				

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

EXPENDITURES:

		PREVIOUSLY APPROVED AMOUNT	INCREASE	DECREASE	REVISED AMOUNT
ACCOUNT NUMBER	Account Name				
001-703-2-15-00	Jail Maintenance	\$12,000.00		\$11,940.00	\$60.00
001-700-2-17-00	Law Enforcement Auto Maintenance	\$23,000.00	\$6,000.00		\$29,000.00
001-700-1-03-00	Law Enforcement Wages	\$728,105.00	\$5,940.00		\$734,045.00
		\$763,105.00	\$11,940.00	\$11,940.00	\$763,105.00

TOTAL INCREASE/(DECREASE) EXPENDITURES: \$0.00

REVENUE CHANGE LESS EXPENDITURE CHANGE \$0.00

Respectfully,

Robert R. Elbon Jr.
Sheriff/Treasurer

4-7-2022
DK moved
DK yes
C sea yes
C siler Absent