

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 18th day of August, 2022 at 1:30 p.m.

Present: Randolph County Commissioners, David Kesling and Chris Siler. Commission President Chris See was present by phone.

Meeting called to order by Commissioner Kesling

PUBLIC COMMENT:

Robert Mullenex appeared before the Commission. He said he wants to get water for his mother that lives on School House Run along with three of her neighbors. He said they have spoken to Leadsville PSD and was told just for his mother to get water to her house it would cost \$160,000.00. He said they cannot afford that and wondered if the County Commission could help them. Commissioner Siler asked if they had asked Leadsville PSD how much it would cost to run water for everyone on the whole road? He told Mr. Mullenex to get an estimate from Leadsville PSD and let them know.

MINUTES:

Commissioner Siler moved to approve the minutes from the regular meeting that was held on August 4, 2022, as submitted. All yes – Motion passed unanimously

REPORTS:

Rhett Dusenbery from Congressman Mooney's Office said they are always willing to give letters of support for any grants the County is applying for. He also told Commissioner See that he hopes he gets better soon.

CORRESPONDENCE: None

ANNOUNCEMENTS:

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

ITEMS FOR DISCUSSION/ ACTION:

INFORMATIONAL PRESENTATION REGARDING WEST VIRGINIA WILD AND WONDERFUL CELTIC FESTIVAL AND HIGHLAND GAMES

Timothy Ferguson, President of West Virginia Wild and Wonderful Celtic Festival, appeared before the Commission. He said the festival will be held at Camp Pioneer on June 17, 2023. He said they are hoping to make it a yearly event. He said there will be a clan village, celtic tent, food and drinks, highland dancers, parade, vendors and games. He said it will bring a lot of business to the County. He said the cost to have the festival is 25,000 to 30,000. He said they are asking for funding in the amount of \$8,000.00 from the Commission but any amount would be appreciated. Commissioner Kesling said they would like to talk it over with Commissioner See when he gets back and then they would let him know.

INFORMATIONAL PRESENTATION FROM TYGARTS VALLEY HOMESTEAD ASSOCIATION

Gloria Collett, Member of the Board of Directors of the Tygarts Valley Homestead Association, appeared before the Commission. She said she is a lifetime member of the Tygarts Valley Homestead Association and brings more than 15 years of experience to the association. She said the TVHA is a public non-profit 501C3 organization that owns the event center and 17 acres around it. She said they were working on the community center and doing well until the pandemic started and they had to shut down. She said

now they are struggling to pay the bills. She said they had limited fundraisers during the pandemic and in January 2022 was able to hold their first buckwheat feed. She said now they are having more and more events. She said they understand the ARP funds can be used to replenish funds lost by COVID. She said they are requesting \$25,000.00 to use to replenish the income lost by COVID. They provided the Commission with a copy of their profit and loss statements. Commissioner Kesling said they would take it under consideration and talk with Commissioner See about it when he gets back.

CONSIDER APPROVAL OF ESTIMATE FROM DIGITAL SOUP

Commissioner Kesling said this is an estimate from Digital Soup for a battery backup that supports the recorder for the old jail and the parking lot. The estimate is in the amount of \$899.00. Commissioner Siler moved to approve the estimate from Digital Soup in the amount of \$899.00 and that is to be taken out of other buildings equipment line. All yes – Motion passed unanimously

CONSIDER ACCEPTANCE AND APPROVAL OF SIGNATURE FOR FY 2023 LITTER CONTROL GRANT

Peggy Ross appeared before the Commission. She said this is a grant to purchase and put out more trash cans around the County. She said this was already approved so there doesn't need to be any action taken today on this.

CONSIDER APPROVAL OF RESOLUTION FOR COVERED ELECTRONICS DEVICES GRANT (See copy attached)

Peggy Ross appeared before the Commission. She said this is a grant for the Solid Waste Authority to hold 4 events per year for people to get rid of old TV's and electronics. She said it used to be free and now it is going to cost \$3,000.00 to \$6,000.00 per event. She said she is applying for a grant for \$20,000.00. Commissioner Siler moved to approve the Resolution for the covered electronics devices grant, as submitted. All yes – Motion passed unanimously

CONSIDER APPROVAL OF RESOLUTION FOR WV DACH GRANT (See copy attached)

Peggy Ross appeared before the Commission. She said this is a \$5,000.00 grant for Muriel's to be painted on the bath houses at the new pool. She said there is a 25% match and the most it would cost the County would be \$1,250.00. She said it would be wilderness themed Muriel's. Commissioner Siler moved to approve the Resolution, as submitted. All yes – Motion passed unanimously

CONSIDER APPROVAL OF RESOLUTION FOR WV CFIA 20TH CYCLE GRANT (See copy attached)

Peggy Ross appeared before the Commission. She said this is the grant they received for the roof and sidewalk projects in the past. Discussion followed about using it for the front and side steps and railing at the main courthouse. Commissioner Siler moved to approve the Resolution, as submitted. All yes – Motion passed unanimously

CONSIDER APPROVAL OF PAYMENT APPLICATION FOR POOL/SPLASH PAD PROJECT (See copy attached)

Commissioner Kesling said the Commission met with Dan Hill Construction, Master Services and Stanley Teets to go over the status of the pool/splash pad. He said they are going to have a monthly meeting to go over everything. He said they are getting a lot done already. The first payment is \$352,439.87. He said this payment is mostly for stuff for the splash pad. Commissioner Siler moved to approve the payment to Dan Hill Construction Company in the amount of \$352,439.87 and that is to be taken out of the Community Development line. All yes – Motion passed unanimously

CONSIDER ACCEPTANCE OF SETTLEMENT AGREEMENT FOR OPIOID LITIGATION

Commissioner Kesling said they received a settlement agreement from Fitzsimmons Law Firm that represents Randolph County in the opioid litigation. He said every County has to agree to it or they won't get anything. He said the amount is 0.7294% but they don't know what that will be in actual money amount yet. He said they had the prosecuting attorney look it over and approve it. Commissioner Siler moved to accept the settlement agreement, as submitted. All yes – Motion passed unanimously

CONSIDER APPROVAL OF PROGRAM MEMBER AGREEMENT WITH US BANK FOR WV LOCAL GOVERNMENT P-CARD PROGRAM

Commissioner Kesling said the State is changing the bank they use for the P-Card. He said all the counties that use the WV Local Government P-Cards will have to change the bank also. Commissioner Siler moved to approve the member agreement with US Bank for WV Local Government P-Card program. All yes – Motion passed unanimously

CONSIDER APPROVAL OF APPOINTMENT TO RANDOLPH COUNTY UNSAFE BUILDINGS AND LAND ENFORCEMENT AGENCY (See copy attached)

Commissioner Siler moved to reappoint Peggy Young-Ross and Samantha Beaudoin to the Randolph County Unsafe Buildings and Enforcement Agency for one year terms beginning immediately and ending August 31, 2023. All yes – Motion passed unanimously

Commissioner Siler moved to appoint Keith Brown to the seat designated for a County Fire Chief on the Randolph County Unsafe Buildings and Enforcement Agency for a one year term beginning immediately and ending on August 31, 2023. All yes – Motion passed unanimously

FINAL SETTLEMENTS/ANNUAL ACCOUNTINGS:

Commissioner Siler moved to approve the final settlements/annual accountings on the following (4) estates, as submitted.

Pamela Louise Chandler

Sidney C. Smith

Sharon Sue Thomas

Letha Brenda Wilmoth

All yes – Motion passed unanimously

BUDGET REVISIONS: (See copy attached)

Commissioner Siler moved to approve an In-House Budget Revision in the amount of \$14,500.00 to increase SSRT Overtime. All yes – Motion passed unanimously

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: None

PAYMENT OF BILLS:

Commissioner Siler moved to pay the bills, as submitted. All yes – Motion passed unanimously

ADJOURN THE MEETING:

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

Attest: _____

Randolph County Commission



Commissioners

David L. Kesling

Chris See

Christopher Siler

RESOLUTION

The **Randolph County Commission** (WV), met on August 18, 2022 with a quorum present and passed the following resolution:

Be it resolved that the **Randolph County Commission** hereby certifies that it has legal authority to apply for and administer funds through the **WV Department of Environmental Protection Covered Electronic Devices Recycling Program Grant**; that a resolution has been duly passed as an official act of the applicant's governing body, authorizing the filing of the application including all understandings and assurances contained therein, and directly authorizing the **President of the Randolph County Commission**, the official county representative of the applicant to enter into a contractual agreement with the **WV Department of Environmental Protection** to receive and administer funds pursuant to the provision of the **WV Department of Environmental Protection Covered Electronic Devices Recycling Program Grant**.

Brenda Wiseman

Randolph County Clerk

Randolph County Commission



Commissioners

David L. Kesling

Chris See

Christopher Siler

RESOLUTION

The **Randolph County Commission** (WV), met on 8/18/22 with a quorum present and passed the following resolution:

Be it resolved that the **Randolph County Commission** hereby certifies that it has legal authority to apply for and administer funds for the **WV Department of Arts, Culture, and History grant**; that a resolution has been duly passed as an official act of the applicant's governing body authorizing the filing of the application (including a match of 25% - up to \$1,250.) and all understandings and assurances contained therein and directly authorizing the **President of the Randolph County Commission**, the official county representative of the applicant to enter into a contractual agreement with the **WV Department of Arts, Culture, and History** to receive and administer funds pursuant to the provision of the **WV DACH FY2023 Youth Engagement through Public Art Grant**.

President, Randolph County Commission

Randolph County Commission



Commissioners

David L. Kesling

Chris See

Christopher Siler

RESOLUTION

The Randolph County Commission (WV) met on August 18, 2022 with a quorum present and passed the following resolution:

Be it resolved that the **Randolph County Commission** hereby certifies that it has legal authority to apply for and administer funds through the **WV Courthouse Facilities Improvement Authority 20th Cycle Grant**; that a resolution has been duly passed as an official act of the applicant's governing body, authorizing the filing of the application including all understandings and assurances contained therein, and directly authorizing the **President of the Randolph County Commission**, the official county representative of the applicant to enter into a contractual agreement with the **WV Courthouse Facilities Improvement Authority** to receive and administer funds pursuant to the provision of the **WV Courthouse Facilities Improvement Fund Program**.

Brenda Wiseman

Randolph County Clerk

ORIGINAL

PAYMENT APPLICATION

TO: Randolph County Commission, 4 Randolph Ave., Suite 102, Elkins, WV 26241

PROJECT NAME AND LOCATION: Randolph Co. Pool & Splashpad Pool Renovations 4 Randolph Ave., Suite 102 Elkins, WV 26241

FROM: Danhill Construction Company, PO Box 685, Gauley Bridge, WV 26085

ARCHITECT: E. L. Robinson Engineering, 5088 Waashington Street, West Charleston, West Virginia 25313

FOR: Pool Renovations & Splashpad

APPLICATION # 1

PERIOD THRU: 07/28/2022

PROJECT #s:

DATE OF CONTRACT: 06/22/2022

Distribution to: OWNER ARCHITECT CONTRACTOR

CONTRACTOR'S SUMMARY OF WORK

Application is made for payment as shown below. Continuation Page is attached.

1. CONTRACT AMOUNT	\$2,163,272.00
2. SUM OF ALL CHANGE ORDERS	\$0.00
3. CURRENT CONTRACT AMOUNT (Line 1 +/- 2)	\$2,163,272.00
4. TOTAL COMPLETED AND STORED (Column G on Continuation Page)	\$391,589.88
5. RETAINAGE:	
a. 10.00% of Completed Work (Columns D, + E on Continuation Page)	\$39,159.99
b. 10.00% of Material Stored (Column F on Continuation Page)	\$0.00
Total Retainage (Line 5a + 5b or Column I on Continuation Page)	\$39,159.99
6. TOTAL COMPLETED AND STORED LESS RETAINAGE (Line 4 minus Line 5 Total)	\$352,439.87
7. LESS PREVIOUS PAYMENT APPLICATIONS	\$0.00
8. PAYMENT DUE	\$352,439.87
9. BALANCE TO COMPLETION (Line 3 minus Line 6)	\$1,810,832.13

SUMMARY OF CHANGE ORDERS	ADDITIONS	DEDUCTIONS
Total changes approved in previous months	\$0.00	\$0.00
Total approved this month	\$0.00	\$0.00
TOTALS	\$0.00	\$0.00
NET CHANGES	\$0.00	\$0.00

Contractor's signature below is his assurance to Owner, concerning the payment herein applied for, that: (1) the Work has been performed as required in the Contract Documents, (2) all sums previously paid to Contractor under the Contract have been used to pay Contractor's costs for labor, materials and other obligations under the Contract for Work previously paid for, and (3) Contractor is legally entitled to this payment.

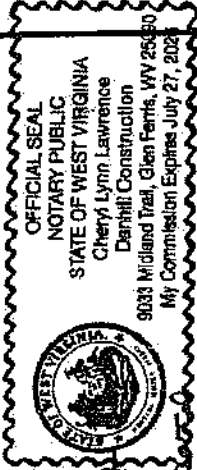
CONTRACTOR: Danhill Construction Company

By: Robert D. Hill Date: 7-29-22

Robert D. Hill, President

State of: West Virginia

County of: Fayette



Subscribed and sworn to before me this 29th day of July, 2022

Notary Public: Cheryl Lynn Lawrence

My Commission Expires: July 27, 2026

ARCHITECT'S CERTIFICATION

Architect's signature below is his assurance to Owner, concerning the payment herein applied for, that: (1) Architect has inspected the Work represented by this Application, (2) such Work has been completed to the extent indicated in this Application, and the quality of workmanship and materials conforms with the Contract Documents, (3) this Application for Payment accurately states the amount of Work completed and payment due therefor, and (4) Architect knows of no reason why payment should not be made.

CERTIFIED AMOUNT: \$ 352,439.87

(If the certified amount is different from the payment due, you should attach an explanation. Initial all the figures that are changed to match the certified amount.)

ARCHITECT: Todd Schooncraft Date: 5 Aug 22

By: [Signature]

Neither this Application nor payment applied for herein is assignable or negotiable. Payment shall be made only to Contractor, and is without prejudice to any rights of Owner or Contractor under the Contract Documents or otherwise.

Randolph County Commission



Commissioners

David L. Kesling

Chris See

Christopher Siler

August 8, 2022

Randolph County Enforcement Agency

RE: Board Appointments

The Randolph County Commission voted to reappoint the following to the Randolph County Enforcement Agency for a one-year term beginning today and ending August 31, 2023:

Peggy Young-Ross

Samantha Beaudoin

The Commission has also voted to appoint Keith Brown to the seat designated for a county fire chief on the board. His appointment will begin immediately and end on August 31, 2023.

Sincerely,

A handwritten signature in black ink that reads 'Christopher See'.

Christopher See, President

Randolph County Commission

