

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 19th day of November, 2020 at 1:30 p.m.

Present: David Kesling, President of the Randolph County Commission and Mark Scott Commissioner thereof. Commissioner Chris See was absent

Meeting called to order by Commissioner Kesling

PUBLIC COMMENT:

Phil Hudok appeared before the Commission. He said the mandatory vaccination for the COVID-19 virus in New York is rather disconcerting to him. He said the cure is a lot worse than the pandemic. He said the schools in Upshur County have now closed until 2021 and Randolph County will probably do the same. He said there are only 6 active cases in Upshur County and they are closing the schools. He said there is still nothing being reported about the seasonal flu. He said who do you trust? He said with children it's not lethal at all. He said he will have a video on cable TV tonight. He said one of the new vaccines contains fetal aborted DNA. He said Christians should question whether they should take a vaccine from a 14 week old aborted baby.

John Schmidt appeared before the Commission. He said he is a fishing guide for Elk River touring center. He said he is concerned about the new mine safety facility that is being discussed today on the Agenda. He said he does fishing guides in Randolph County also. He said if this facility comes in it could kill the fish which provides tourism money for Pocahontas and Randolph Counties.

Evan Cole appeared before the Commission. He said he was there from Snowshoe to represent them on their stance. He said he manages the mountain bike park and is the secretary of the sustainability action committee. He read a statement from Snowshoe opposing the facility.

Richard DeBias appeared before the Commission. He said he was hurt on the job in 2010 and is paralyzed from the waist down. He said he used to work for Coastal Lumber who is out of business now. He said he was arrested the other day. He said he has never been arrested before. He said they had four officers and an ambulance come to his home. He said when the arresting officer came to the door he was cathing at the time. His wife asked the officer to wait outside. He would not wait outside. Mr. DeBias said he was exposed. He said he felt that the officer instead of de-escalating the situation he escalated the situation. He said he never seen an officer act like that in his whole life. He said the officer was real harassing to his wife. He said he filed a complaint and the Sheriff knows about it. He said he got charged with obstructing an officer which he disagrees with. He said when they took him to the regional jail it was awful. He said he would not treat his dog the way they treat the people down there. He said he takes 24

medicines a day and they only gave him 1 medicine a day. He said after he was released he had to spend 15 days in the hospital. He said he thinks the police need body cams. He said if the cop would have had a body cam then he would have evidence of all of this. He said he tried to video with his phone but the officer wasn't having that. He said he has witnesses that were there that can verify his statements.

Gill Willis appeared before the Commission. He said he was there with several land owners that oppose the facility that is being discussed to go across from Snowshoe. He said he has worked with tourism for 40 years. He said they all oppose this project. He said it will be located on private property but will impact other properties around it. He said this is just not the right spot for this. He said once Corridor H gets finished there will be a lot of traffic. He said they are concerned about the water issues with chemicals underground that could go into the Tygart River which supplies water to Elkins.

MINUTES:

Commissioner Scott moved to approve the minutes from the special meeting that was held on November 10, 2020, as submitted.

All yes -- Motion passed unanimously

Commissioner Scott moved to approve the minutes from the regular meeting that was held on November 5, 2020, as submitted.

All yes -- Motion passed unanimously

REPORTS:

(See attached copy)

North Central Community Corrections Director, Erin Golden appeared before the Commission and presented a written report regarding the program.

CORRESPONDENCE: None

ANNOUNCEMENTS:

Commissioner Kesling announced that the next County Commission meeting will be held on December 3, 2020 at 1:30 p.m.

ITEMS FOR DISCUSSION/ACTION:

INFORMATIONAL PRESENTATION FROM MOUNTAIN ARTS DISTRICT AND
CONSIDER FUNDING REQUEST

(See attached copy)

Pat Schoonover, Board Member of the Mountain Arts District, appeared before the Commission. She said the Mountain Arts District is a marketing tool for artists in our region. She said they cover several counties. She thanked the Commission for their support. She said because of the virus they have been primarily doing everything virtually. She said they work with local schools, have a facebook page and updated their website. She also discussed the children's art trail and said they are extending it into Pocahontas County. She said they want to promote the Arts here and let people know this is a viable community to come to for good education and livelihood. Commissioner

Scott said because of the virus the Hotel/Motel funds have taken a significant cut this year. He said they have had to cut back on some funding they usually give out. Commissioner Scott moved to approve the funding request for Mountain Arts District in the amount of \$1,500.00 and that is to be taken out of Hotel/Motel Tax funds. All yes – Motion passed unanimously

INFORMATIONAL PRESENTATION FOR NIOSH (NATIONAL INSTITUTE OF OCCUPATIONAL SAFETY)

(See attached copy)

Jeanne Bell appeared before the Commission. She said she lives adjacent to the proposed site for this project. She said their group is there to ask for a letter of opposition to the CDC/NIOSH project proposed for property at the Randolph/Pocahontas County Border. She said this project proposes to develop a replacement underground safety research program facility to replace the Lake Lynn site located near Pittsburgh, PA. She said this will be a full scale mine to do underground research for coal mine safety. She said she relies on well water and the water will be vulnerable. She said this type of facility does not belong near an internationally recognized resort and mountain bike ride center. They are asking for the Commission to send a letter of opposition to our Senators and Governor to stop this project.

Ellie Bell appeared before the Commission. She said she grew up next to the property that is proposed for this project. She said she went to College and received a degree for water and soil. She said she opposes this project and does not want it to go through. She said the world cup for mountain biking brings people from all over the world to Snowshoe. She said she is looking for a home to buy now and can't find one because people are buying houses here to get out of the big cities. She said all the houses are selling within days of being on the market. She said she was not there to object to coal mines or the coal mine safety facility but it's just not the right location for it. She said she wrote a letter to Joe Manchin with 350 signatures on it opposing this project.

Fred Adkins appeared before the Commission. He said he lives on Mingo Flats Road. He said he moved here because of the resort and now has a farm here. He said they use well and spring water and have a big investment here now. He said this is a bad decision by the government to put it in this location.

Richard DeBias said his mother in law in Nicholas County lost their well water and had to tote water for two years. He said it is a bad situation to be in.

Lawrence Watka said he lives in Mingo about a mile from the test site. He said there are several things that concern him. The biggest one is water and also vibrations and wonders if it will do anything to the foundations of their houses. He said he owns businesses in Snowshoe and one of them is Old Spruce Brewing. He said nothing is more important than water. He said without water they really don't have much.

One lady in the audience said it is not going to bring jobs. Not going to bring any economy into Randolph County. There will be 12 jobs and those will be for the scientists. She said there will possibly be some security guards but that is all.

Commissioner Scott asked if there are any issues with the Lake Lynn site? Jeanne Bell said there is not much information on it but she looked it up online and it looked terrible. Ellie Bell said the Lake Lynn landowner is unwilling to resign the Lease.

Gill Willis presented a letter from the general manager of Elk Springs resort to the Commission. He presented a letter from the Prosecuting Attorney in Pocahontas County representing the County Commission which recently has opposed the project. He said he moved here in 1977 and this spot is the prettiest spot in his travels. He said it is a very historic piece of property and is close to the town of Spruce. He said this is the location of the very heart of the Tygart River which supplies water to Elkins. He said clean water is very important. He said the letter from the Pocahontas County Commission is going to the Governor and anyone else they can send it to. He read the letter from Elk Springs Resort and it said that this is the worst spot in the United States for this. He said he cannot express how important it is that the Randolph County Commission write a letter of opposition as Pocahontas County Commission did.

Ellie Bell said the letter from Pocahontas County asked for the project to be ceased until further information could be obtained but she wants the letter from Randolph County Commission to ask for the project to be stopped, not ceased.

Commissioner Scott said he wants to review the letter from the Prosecuting Attorney from Pocahontas County. He said he himself knows very little about this project. He said the things they brought up are things he wants to find out about. He said their points are well taken and he knows they have researched this. He said they will have their Prosecuting Attorney research it. He said he would like to do research first before writing a letter.

Jeanne Bell said the company wants this approved by January. She said once they get it approved there will be no way to stop it.

CONSIDER APPROVAL OF HIRING A MAGISTRATE COURT COORDINATOR FOR THE PROSECUTING ATTORNEY'S OFFICE

(See copy attached)

Randolph County Prosecuting Attorney, Michael Parker appeared before the Commission. He said Amber Channell has resigned from his office to take a position with the probation office. He said he advertised online and received numerous resumes. He said he conducted interviews and had selected Jennifer Collier for the position. He said she currently works at Mullens and Mullens which is a law firm in Barbour County. He said she has worked for 11 years as a paralegal. He said he would like her to begin work on November 30, 2020 and she will be a full time employee with full county benefits and her starting salary will be \$30,000.00 and she will be placed on a 90 day

probationary period. He said he also conducted a background check which came back fine.

Commissioner Scott moved to approve the hiring of Jennifer Collier for the Prosecuting Attorney's office, as presented.

All yes – Motion passed unanimously

CONSIDER RENEWAL OF COOPERATIVE AGREEMENT FOR SHERIFF FROM MON NATIONAL FOREST

Sheriff Mark Brady appeared before the Commission. He said this is an agreement that the Sheriff's Office and Mon National Forest has done every year. This allows for the deputies to patrol the camping areas. He said this is a reimbursable agreement where the County pays the deputies and then gets reimbursed for it. He said the agreement amount is the same as last year. Commissioner Scott moved to approve the signature of the Commission president on the agreement between the Sheriff of Randolph County and Mon National Forest, as presented.

All yes – Motion passed unanimously

Sheriff Brady also told the Commission that the delinquent property land sale was cancelled for this year. The property that was up for sale will be suspended over until next year's land sale. This was done because of COVID-19.

CONSIDER FUNDING FOR BEVERLY CVB

(See letter attached)

Commissioner Scott said the Commission received a letter from the Beverly Heritage Convention and Visitors Bureau requesting funding to attend trade shows for bus tours. He said the CVB's are struggling right now. Commissioner Scott moved to approve \$1,595.00 to the Beverly Heritage Convention and Visitors Bureau and that is to be taken out of Hotel/Motel tax funds.

All yes – Motion passed unanimously

CONSIDER APPROVAL OF HIRING FULL TIME EMPLOYEE IN THE COUNTY CLERK'S OFFICE

(See copy attached)

Randolph County Clerk, Brenda Wiseman appeared before the Commission. She said the main bookkeeper in her office, Kitty Poling, will be retiring in January. She said she advertised for the position and received several applications and resumes. She said she conducted interviews and has chosen Kathaleen (Kathy) Weese for the position. She said Kathy currently works for the County Commission as their administrative assistant and is very familiar with what the bookkeeping job entails. Clerk Wiseman said she would like her to begin working on December 2, 2020 with a starting salary of \$32,175.00 with full county benefits. There will not be a 90 day probationary period as Kathy Weese is already an employee of the County.

Commissioner Scott moved to approve the hiring of Kathaleen (Kathy) Weese as a full time employee in the County Clerk's Office, as submitted.

Discussion: Commissioner Scott thanked Kathy Weese for the work she has done for the Commission and said they are glad she is staying with the County. He said they will miss seeing her every day.

All yes – Motion passed unanimously

FINAL SETTLEMENTS:

Commissioner Scott moved to approve the 6 final settlements/annual accountings as submitted on the following estate:

Joan Mace Burke

Sance Muri Canfield

Leroy Ellis Chewning

Daisy Maxine Hawkins

Lovada I. Pingley

Newton F. Riggleman

All yes – Motion passed unanimously

BUDGET REVISIONS:

Commissioner Scott moved to approve an In-House budget revision for the County Clerk's Office for election retirement in the amount of \$150.00.

All yes – Motion passed unanimously

DIVISION OF PROPERTY /ERRONEOUS ASSESSMENTS:

Commissioner Scott moved to approve the Division of Property/ Erroneous Assessments, as submitted. All yes - Motion passed unanimously

DISTRESSED PROPERTIES:

Commissioner Scott moved to approve an emergency order for 6 distressed properties.

All yes – Motion passed unanimously

Commissioner Scott moved to do 1 notice of lien on a distressed property.

All yes – Motion passed unanimously

Commissioner Scott moved to send letters out on 5 additional properties.

All yes – Motion passed unanimously

FIRE FEE ADJUSTMENTS: None

PAYMENT OF BILLS:

Commissioner Scott moved to pay the bills, as submitted.

All yes - Motion passed unanimously

ADJOURN THE MEETING:

Commissioner Scott moved to adjourn the meeting.

All yes – Motion passed unanimously

Attest: _____