

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 17th 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: None

MINUTES:

Commissioner Kesling moved to approve the minutes from the emergency meeting that was held on March 7, 2022 at 1:00 p.m, as submitted. All yes – Motion passed unanimously

Commissioner Kesling moved to approve the minutes from the regular meeting that was held on March 3, 2022, as submitted. All yes – Motion passed unanimously

REPORTS:

911/OEM Director, Shonna Fox reported that the roof was leaking at the 911 Center and they found the warranty and called in the contractor and he repaired 6 spots.

CORRESPONDENCE: None

ANNOUNCEMENTS:

Commissioner See announced that the next regular meeting will be held on April 7, 2022 at 1:30 p.m.

Rhett Dusenbury from Congressman Mooney's Office appeared by zoom and wished everyone a Happy Saint Patrick's Day and said he was at home with a broken leg. He said Congressman Mooney is always happy to help the County in any way he can.

ITEMS FOR DISCUSSION/ ACTION:

INFORMATIONAL PRESENTATION AND FUNDING REQUEST FROM WAMSB

Randy Sanders and others appeared before the Commission and gave a slide show presentation. Mr. Sanders said WAMSB stands for World Association of Marching Show Bands. He said it consists of 32 nations and 24 band associations. He said they are going to hold the world championship in Buckhannon, WV July 17-24, 2023. He said 40 bands have applied to come so far but they will narrow that down to 20-25 bands. The event will be held at the West Virginia Wesleyan College, Ross Field. He said this will have a social impact with thousands of attendees coming and it will have an economic benefit for all the surrounding counties because people will be staying in the hotels and eating at the restaurants. He said they need adequate funding to hold this event and have applied for Grants. He said they are asking the Randolph County Commission for \$10,000.00 in funding. Commissioner Kesling said the Commission is working on the budget at this time and will take it under consideration.

INFORMATIONAL PRESENTATION AND FUNDING REQUEST FROM THE TOWN OF BEVERLY

Jared Phillips appeared before the Commission. He said he was there on behalf of the Mayor of Beverly, Andy Burns, who could not attend the meeting. He read a letter from Mayor Burns. He said they need to purchase a new sewage truck and all the ongoing projects have taken all their funds. He said they haul sludge to the City of Weston 4 or 4 ½ trips per week. He said they got a quote for a new truck and are asking for the Commission to pay for it out of the ARP Funds. The quote for the new truck is \$156,180.00. This is a larger truck and they will not have to make as many trips to Weston per week. Commissioner Kesling said the Town of Beverly also received ARP Funds and he asked what they used.

that money for? He said the Commission has already used a lot of their ARP Funds on water projects in the County. He said they will take it under consideration as they are working on the budget at this time.

#### INFORMATIONAL PRESENTATION AND FUNDING REQUEST FROM TYGART VALLEY LIONS CLUB FOR PROJECT SAFE GRADUATION

Al Scalia appeared before the Commission. He said the Tygart Valley Lions Club has sponsored project safe graduation since 1985. He said this keeps the students from Tygarts Valley High School safe on graduation night and this year there are about 60 seniors and most will attend. Commissioner Siler moved to approve the funding request in the amount of \$2,000.00 and that is to be taken out of courthouse contractual funds. All yes – Motion passed unanimously

#### INFORMATIONAL PRESENTATION AND FUNDING REQUEST FROM BABE RUTH FOR NEW BLEACHERS

Vincent Petrice, President of Elkins Babe Ruth, along with several others appeared before the Commission. Mr. Petrice said they need help with funding for new bleachers. He said recently a structural engineer looked at the current bleachers and said they were good for this year but by next season they would need to be replaced. He said these are 60 year old bleachers at the Robin Harvey Field. He said they don't charge the kids to play but do fundraisers. He said they got an estimate from a local company that does bleachers and the Elkins Parks and Recreation gave them \$40,000.00 yesterday. He said they have also applied to get ARP funding. Mr. Thomas said the main goal is kids. He said he has been involved in Elkins Baseball for 34 years. He said they have a guy that will take the bleachers down for free. He said they are going to do a cash bash as a fundraiser and will put what money is made into a bank account for this project. He said that won't cover the whole cost. He said the quote they have is only good until April 15<sup>th</sup> which puts them on a tight timeline to get the money. He said the concession stand and two fundraisers run the league right now. Chris Lowther, 3<sup>rd</sup> Ward City Councilman said Babe Ruth applied for ARP funding in the amount of \$50,000.00 and hopefully they will get it. Commissioner Siler moved to approve the funding request in the amount of \$40,000.00 and that is to be taken out of Hotel/Motel Tax funds. All yes – Motion passed unanimously

#### CONSIDER APPROVAL OF 2022/2023 VOCA GRANT

Allyson Smoak, Victim Service Coordinator from the Prosecuting Attorney's Office, appeared before the Commission. She said this is the 26<sup>th</sup> year the Prosecutor's Office has had a victim services person in the office. She said last year there were 1457 misdemeanor cases and 213 felony cases and she assisted 750 victims. She said this year's grant was cut federally by 23% but the State of West Virginia made that up for them so they weren't shorted anything. She said she has heard that this year they may be cut up to 60%. She said the amount of grant funding she is requesting is \$47,335.00 and the cash match that the County would have to pay is \$13,536.00. Commissioner Kesling moved to approve the VOCA Grant application for 2022/2023, as submitted. All yes – Motion passed unanimously

#### CONSIDER HIRE OF TWO LAW ENFORCEMENT DEPUTIES

Sheriff Elbon appeared before the Commission. He said this is something his office has been working on for a couple of years and it has been hard to find people to come to work. He thanked the Commission for giving the deputies a pay raise and said that helped with getting people to apply for the job. The first person he would like to hire is James Wolfe and he is a State Police Officer now and is a certified officer and is ready to go and will not need to attend the academy. Sheriff Elbon said the starting salary would be \$44,000.00 per year with full benefits and he will be placed on a one year probationary period. He said the second person he would like to hire is Seth Davis who is currently working for the City of Elkins and is also a certified officer that would not need to attend the academy. Sheriff Elbon said the starting salary would be \$44,000.00 per year with full benefits and he will be placed on a one year probationary period. Commissioner Kesling moved to hire James Wolfe as a full time certified Deputy with a starting salary of \$44,000.00 per year and he will be placed on a one year probationary period. All yes – Motion passed unanimously. Commissioner Siler moved to approve the hiring of Seth Davis as a full time certified Deputy with a starting salary of \$44,000.00 per year and he will be placed on a one year probationary period. All yes – Motion passed unanimously

Sheriff Elbon thanked the Commission and said this will bring them up to full staff and it has been a long time coming.

#### CONSIDER APPROVAL OF QUOTES FOR BULLETPROOF VESTS FOR ANIMAL CONTROL OFFICERS AND LAW ENFORCEMENT DEPUTIES

Sheriff Elbon appeared before the Commission. He said he had a quote for the bulletproof vests for animal control officer, Charlie Ramsey and his assistant Diana Koda in the amount of \$1,300.00. He said he also had a quote for two more bulletproof vests for his new deputies in the amount of \$2,680.00. He said the vests are not the same for both departments. Commissioner Siler moved to approve the quote for \$1,300.00 for bulletproof vests for the animal control officers and that is to be taken out of courthouse contractual/cares reimbursement funds. All yes – Motion passed unanimously

Commissioner Kesling moved to approve the quote in the amount of \$2,680.00 for law enforcement bulletproof vests and that is to be taken out of courthouse contractual/cares reimbursement funds. All yes – Motion passed unanimously

#### CONSIDER APPROVAL OF QUOTE FOR PURCHASE OF TASERS

Sheriff Elbon appeared before the Commission. He said the two new deputies will need Tasers, as everyone else already has them. He also needs a Taser for one more court security Officer and the quote for three Tasers is \$10,151.93. Commissioner Kesling moved to approve the quote for three Tasers in the amount of \$10,151.93 and that is to be taken out of courthouse contractual funds. All yes – Motion passed unanimously

#### CONSIDER APPROVAL OF QUOTE FOR PURCHASE OF BODY CAMS

Sheriff Elbon appeared before the Commission. He said this is something they have been working on for some time and it has been a subject of a lot of press. Deputy Bryan Talkington spoke to the Commission about the body cams. He said the quote they have is from AX ON which is the same company they have the Tasers through. He said their customer service is great. He said the quote is in the amount of \$93,265.00 and that would be for 20 cameras and storage which would be maintained in a cloud. He said the company would have 15 years of data and the Sheriff's Office would have 5 years of access to the data. He said the Prosecutor would be able to view the data also. He said with body cams the use of force is down 75% because people don't act up as much when they know they are being videoed. He said plea agreements go up and convictions go up also because video evidence is great to have. He said the body cams would sink with the Tasers so when the Taser is pulled out the body cam would come on automatically. He said also if the Deputy pulls his gun the body cam automatically comes on. It has 4 microphones in it. He said they would be on a 2 ½ year refresh program so when that time comes they send them back and get new ones which would have the most current cameras that are available at that time. He said they would have 10 years total coverage on these cameras. Commissioner Kesling said they have been talking about this for quite a while and started out with getting the Tasers. Commissioner Siler moved to approve the purchase of body cams for the Sheriff's Department in the amount of \$93,265.43 and that is to be taken out of courthouse contractual funds. All yes – Motion passed unanimously

#### CONSIDER APPROVAL OF QUOTE FROM CASTO TECHNICAL FOR BREAKER BOX REPLACEMENT

Commissioner See said the breaker box on the roof of the courthouse caught on fire and needs to be replaced. He said they had Casto Technical look at it and they gave a quote of \$2,800.00 for a new breaker box. Commissioner Kesling moved to approve the quote from Casto Technical in the amount of \$2,800.00 for a new breaker box and that is to be taken out of the courthouse maintenance line. All yes – Motion passed unanimously

#### CONSIDER SIGNING RESOLUTION REGARDING OPIOID LITIGATION

Commissioner Kesling read the Resolution out loud. He said it just says that the things the Commission told them are true to the best of their knowledge. Commissioner Kesling moved to approve the Resolution, as submitted. All yes – Motion passed unanimously

#### CONSIDER APPOINTMENT TO ELKINS-RANDOLPH BOARD OF HEALTH

Commissioner Kesling said Mary Beth Polino resigned from the Elkins-Randolph Board of Health and they need to replace her. He said this person has to be a Republican from the Tygart District. Commissioner Kesling moved to appoint Carolyn Jackson, who lives in the Tygart District and is a Republican, to replace Mary Beth Polino who has resigned, and her term will begin immediately and end October 31, 2024. All yes – Motion passed unanimously

#### CONSIDER APPROVAL OF POLL WORKERS FOR THE MAY 10, 2022 PRIMARY ELECTION

County Clerk, Brenda Wiseman gave the Commissioners the names of the poll workers that had been submitted to her from the Republican Executive Committee and Democrat Executive Committee for the May 10, 2022 Primary Election. Commissioner Kesling moved to approve the Republican poll worker list, as submitted. All yes – Motion passed unanimously. Commissioner Siler moved to approve the Democrat poll worker list, as submitted. All yes – Motion passed unanimously

#### SECOND READ OF UPDATED PUBLIC COMMENT POLICY

Commissioner Kesling said they had the first reading at the last Commission meeting and this will be the second reading of it. He said this is just providing guidelines to speakers that want to speak under public comment at the County Commission meetings. He said there will be no hate speech, name calling, personal slander etc. He said if this is approved today it will go into effect. Commissioner Kesling moved to approve on second reading the updated public comment policy. All yes – Motion passed unanimously

#### FIRST READ OF UPDATED FOIA REQUEST POLICY AND FEE SCHEDULE

Commissioner Kesling said the County has been inundated recently with Freedom of Information Act requests. He said they don't mind getting them but it takes a lot of work and takes away from getting other work done. He said the new policy is modeled after Harrison County. He said they are going to adjust the fees to black and white copies are \$1.00 per page, colored copies are \$2.00 per page, CD's are \$5.00 each, maps are anywhere from \$15.00 to \$60.00 depending on size, video or audio reproduction is \$19.95 and sales tax will be applied and postage and shipping and handling will be charged. The payments must be made prior to receiving the requested material. They must be paid by money order or cashier's check, no personal checks will be accepted. The County Commission only has discretion of doing a fee waiver, if requested. Commissioner Kesling moved to approve the first reading of the updated FOIA request policy for Randolph County, as submitted. 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.

Charles R. Coberly

Carrice Jean Honaker

Billie Lee Rhodes

Arlie Eugene Ware

All yes – Motion passed unanimously

#### BUDGET REVISIONS: (See attached copies)

Commissioner Kesling moved to approve an In House budget revision in the amount of \$2,000.00 for the Sheriff's Office to increase wages and equipment. All yes – Motion passed unanimously

Commissioner Kesling moved to approve an In House budget revision in the amount of \$4,000.00 for the Sheriff's Office Law Enforcement to increase supplies. All yes – Motion passed unanimously

Commissioner Kesling moved to approve a State budget revision in the amount of \$36,306.00 to increase Law Enforcement Wages, FICA, Medicare, etc. Commissioner Kesling voted yes – Commissioner See voted yes-Commissioner Siler voted yes Motion passed

Commissioner Kesling moved to approve a State budget revision in the amount of \$650.00 to increase property enforcement line. 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 the fifty eight (58) 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: \_\_\_\_\_

**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**

3/15/2022

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
001-404-1-03-00	Sheriff Wages	\$190,706.00	\$1,000.00		\$191,706.00
001-404-1-08-00	Sheriff Overtime	\$1,000.00		\$1,000.00	\$0.00
001-404-2-21-00	Sheriff Training	\$2,000.00		\$1,000.00	\$1,000.00
001-404-4-59-00	Sheriff Equipment	\$2,000.00	\$1,000.00		\$3,000.00
		\$195,706.00	\$2,000.00	\$2,000.00	\$195,706.00

TOTAL INCREASE/(DECREASE) EXPENDITURES: \$0.00

REVENUE CHANGE LESS EXPENDITURE CHANGE \$0.00

Respectfully,

Robert R. Elbon Jr.  
Sheriff/Treasurer

3-17-2022  
DK-moved  
DK-yes  
Csee-yes  
Csiler-yes

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

**EXPENDITURES:**

ACCOUNT NUMBER	Account Name	PREVIOUSLY APPROVED AMOUNT	INCREASE	DECREASE	REVISED AMOUNT
001-700-3-41-00	Law Enforcement Supplies	\$6,500.00	\$4,000.00		\$10,500.00
001-700-2-30-00	LE Contract Services	\$6,532.00		\$4,000.00	\$2,532.00
		\$13,032.00	\$4,000.00	\$4,000.00	\$13,032.00

TOTAL INCREASE/(DECREASE) EXPENDITURES: \$0.00

REVENUE CHANGE LESS EXPENDITURE CHANGE \$0.00

Respectfully,

Robert R. Elbon Jr.  
Sheriff/Treasurer

3-17-2022  
DK moved  
DK - yes  
Csee - yes  
Csiler - yes

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**Robert R. Elbon Jr., Sheriff**

3/16/2022

The Sheriff's Office respectfully requests a check be written in the amount of \$36,306.00 from Fund 140 to be deposited into General County to refund second quarter PRO wages + T&B since they were paid out of LE lines instead of PRO lines.

**State BUDGET REVISION**

**REVENUES:**

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUSLY APPROVED AMOUNT	INCREASE	DECREASE	REVISED AMOUNT
			\$ 36,306.00		
<b>TOTAL INCREASE / (DECREASE) REVENUES:</b>			<b>\$ 36,306.00</b>	<b>\$ -</b>	

**EXPENDITURES:**

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUSLY APPROVED AMOUNT	INCREASE	DECREASE	REVISED AMOUNT
001-700-103-00	Law Enforcement Wages	\$ 703,595	\$ 24,510		\$ 728,105
001-700-104-00	Law Enforcement FICA	\$ 46,783	\$ 1,531		\$ 48,314
001-700-104-01	Law Enforcement Medicare	\$ 11,040	\$ 358		\$ 11,398
001-700-105-00	Law Enforcement Insurance	\$ 130,723	\$ 5,826		\$ 136,549
001-700-106-00	Law Enforcement Retirement	\$ 92,682	\$ 3,210		\$ 95,892
001-700-111-00	Law Enforcement RHBT	\$ 20,068	\$ 696		\$ 20,764
001-700-112-00	Law Enforcement Longevity	\$ 9,317	\$ 175		\$ 9,492
<b>TOTAL INCREASE / (DECREASE) EXPENDITURES:</b>			<b>\$ 36,306</b>	<b>\$ -</b>	

Reason for Revision: Partial reimbursement to GC/ LE lines for PRO

Respectfully,

Robert R. Elbon Jr.  
Sheriff/Treasurer

3-17-2022  
DK - moved  
DK - yes  
C see - yes  
C siler - yes



State **BUDGET REVISION** 3/17/22

Reason for Revision: Property Enforcement Lien Payments

**REVENUES:**

ACCOUNT NUMBER	Account Name	PREVIOUSLY APPROVED		REVISED	
		AMOUNT	INCREASE	DECREASE	AMOUNT
CT001-366-91-10	Tuning Lien Payment		\$100		
BV001-366-91-10	Vanscoy Lien Payment		\$150		
DB001-366-91-10	Barthelow Lien Payment		\$100		
BA001-366-91-10	Allender 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		REVISED	
		AMOUNT	INCREASE	DECREASE	AMOUNT
001-424-2-30.04	Property Enforcement		\$650.00		

Total: \$650

3-17-2022  
DK moved  
DK - yes (see yes slider - yes)