

FAYETTE COUNTY COMMISSION
REGULAR SESSION
JANUARY 3, 2020
FAYETTE COUNTY COURTHOUSE
PRESENT: DENISE A. SCALPH, JOHN G. BRENEMEN, TOM LOUISOS

The Fayette County Commission met in a regular session this 3rd day of January, 2020.

President Scalph called the meeting to order at 9:00 a.m.

Newly sworn in Prosecuting Attorney Jeff Mauzy led the Pledge of Allegiance.

County Administrator Debbie Berry presented and read the Organizational Order for the Fayette County Commission for 2020. The order was updated to reflect the new Purchasing Policy from May 2019, which will be presented annually with the organizational order. Commissioner Brenemen motioned to approve the reorganization of the county for 2020. Commissioner Louisos seconded. Unanimous decision.

Discussion was held regarding the invoices for the Wolf Creek Park website billing and pad site RFP engineering. Gabe Peña and Susie Wheeler appeared to explain the invoices for Mesh and Angelina Corwin to finalize the website and also an engineering invoice for pad site and road extension. The Commission asked Mr. Peña to have Civil Engineering clarify the invoice for the pad site and find an estimated time of completion of the project. The Commission discussed the URA and inconsistent information which might be due to subcommittee meetings and some miscommunication. Commissioner Brenemen motioned to approve all invoices except the invoice to Civil and Environmental until clarified. Commissioner Louisos seconded. Unanimous decision.

Commissioner Brenemen motioned to approve first half payroll and release the checks on the 15th. Commissioner Louisos seconded. Unanimous decision.

Commissioner Brenemen motioned to approved the minutes for December 20, 2019 and authorize President Scalph to sign. Commissioner Louisos seconded. Unanimous decision.

Lesley Taylor, Region 4, appeared to present a Disclosure Update and Release of Funds Request Form for Armstrong PSD Community Development Block Grant for the Commission to sign. Region 4 controls this project and funds are released to the Fayette County Commission, not to Armstrong PSD. This request must be signed and sent to the state to prepare for the future. Commissioner Brenemen motioned to approve the disclosure update form and the Release of Funds for Qualifying Invoices. Commissioner Louisos seconded. Unanimous decision.

Ms. Berry presented a resolution of Participation and Cooperation for approval and signatures of the Commission certifying that the New River Gorge Regional Development Authority represents Fayette County for the participation in the Certified Development Community program. Commissioner Brenemen motioned to approve the resolution for NRGDA. Commissioner Louisos seconded. Unanimous decision.

Ms. Berry presented a letter for approval and signatures of the Commission to the WV State Tax Department giving them permission to review and make changes as deemed necessary up to and including January 15, 2020. Commissioner Louisos motioned to approve and sign the letter. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a letter to Steven B. Cole requesting his office to inspect the bridge on Okey L. Patterson Road and keep the Commission informed about any plans for repairs or replacement. Commissioner Louisos motioned to approve and sign the letter. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a letter for approval and signatures of the Commission to the WV Supreme Court requesting reimbursement for rent for the Family Law Judge in the amount of \$3,375.00 for the month of January 2020. Commissioner Louisos motioned to approve and sign the letter. Commissioner Brenemen seconded. Unanimous decision.

Bill Hannabass, Oak Hill City Manager, appeared to present a petition for annexation of a property on Patterson Avenue owned by Christopher F. Gill. Commissioner Brenemen motioned to approve annexation of lot 1.1 petitioned by the property owner Mr. Gill on 11.8.2019. Commissioner Louisos seconded. Unanimous decision.

The Commission entered into an executive session at 10:02 a.m. for legal counsel.

The Commission exited the executive session at 10:38 a.m. with no decisions made.

Todd Gunner from Senator Capito's office appeared at the meeting.

A workshop was held with the Armstrong PSD board and staff members: Thomas Gibson, Lawrence Washington, Velma Newman and Beverly Middleton. President Scalph recapped the last workshop and the questions regarding unpaid invoices for audits and services. Commissioner Brenemen mentioned the overpayment for board members for attending meetings. Ms. Middleton said the overpayment of \$225.00 per meeting was for special meetings which are called by the chairman for personnel and other issues. These are called several times a month.

Commissioner Brenemen asked about minutes. These have never been sent to the commission. Ms. Middleton will begin sending the meeting minutes to the Commission.

Commissioner Brenemen asked about the reserve account required by SB 234. Ms. Taylor clarified the percentage that needs to be in that account.

Commissioner Brenemen asked about a rate increase. The last rate increase for water was May 2012 and sewer September 2010. Ms. Middleton said an emergency rate increase has been requested to the PSC.

Ms. Middleton stated that they are all just getting by and they didn't want to have an account full of their customer's money. The Commission cautioned that this is mandated by the state not the Commission. It is to protect the water for the citizens. That the state could put the PSD into receivership and take the control away from the PSD. Ms. Newman and Mr. Gibson feel they are being brow beaten and ask for compassion and assistance. Commissioner Brenemen stated they have asked for the paperwork to be submitted several times. Ms. Middleton said that was up to their accountant and he works slowly.

Commissioner Louisos asked if the Commission gives them a loan, if they can pay it back. Ms. Middleton stated they currently have a loan and pay it back monthly. They could combine the payments.

President Scalp reminds they need to be compliant with their reserve account and an increase before they can move forward with their project. She asked Ms. Taylor about the PSC helping get the PSD solvent and avoid receivership, but Ms. Taylor said possibly in 60 days as they are short staffed.

Ms. Middleton stated they have a lot of water loss. They do anything to avoid a rate increase. They will have several good months

and that fear diminishes, but then they have an issue. President Scalph stated that this is why the state requires the reserve account.

Commissioner Louisos asked what the figure is to get the PSD back on their feet. They owe for 2 audits already and need another before the project can move forward. Bond reserves are current and that is required by USDA. Anthony Brown, engineer with E.L. Robinson, stated they will need vendor certification that they do not owe any vendors before the project can move forward. And by then the emergency rate increase should kick in.

Audits must be paid in full. Core Main must be paid. No longer sending chemicals unless paid COD. CI Thornburg is the same as Core Main.

The Commission will write letters to the vendors regarding upcoming potential support.

The commission will allocate: from \$3,112.00 Coal Reallocated and \$10,000.00 from Coal Severance.

Commissioner Brenemen motioned to approve a loan of \$3,112.00 from Coal Reallocated for infrastructure and another \$10,000.00 to use against outstanding balances from Coal Severance. These amounts will be combined into a loan requiring payments for which the Prosecutor's Office will develop the paperwork to structure the payments. The Commission will also write letters detailing further support to the vendors. They have also applied for an emergency rate increase. Commissioner Louisos seconded. Unanimous decision.

Susie Wheeler, Gabe Peña, Jeff Proctor and Mike Smith appeared for a farm workshop. Ms. Wheeler explained this is a special project and suggests that it be spun off into a community project. She explained the resources, timeline, and personnel needed to move it out

from under the county. Commissioner Louisos asked about the long-term goal. Ms. Wheeler hopes that the farm could be purchased from Farmland Protection by a 501C2 (land holding company). Wants to develop a public/private partnership to move the project out from under the county. The URA's lease with Farmland is up for renewal in 2023. Ms. Wheeler has plans to only apply for grants up to 2022. Would like to see an easement and a 99 year lease with a 501C3 in 2023. Ms. Wheeler projects that the county will have invested in equipment and personnel in project the project up to \$280,000.00 with \$600,000.00 in grant funds and will generate \$125,000.00 by 2023 and could transfer these assets into a non-profit at that point.

Vegetable production farm would require a production manager who should be paying their own salary within 3 years. She would also like to see a livestock portion and agritourism with event space. An executive director, farm director and marketing director would be needed and funded by grants. Point is these should not be housed under county government. This project would serve as a model/template for future innovative projects.

Commissioner Louisos contacted the state farm board and money can be used for anything on farm except renovating the farmhouse.

Mr. Proctor stated Ms. Wheeler is asking for a commitment of the county and the URA till 2023 when it is moved to 501C2 and away from the excise tax. Another workshop is needed with Ms. Wheeler, Mr. Peña and Farmland. Ms. Wheeler needs security that her budget for next year will be supported. Hoping \$60,000.00 will come from excise tax from Farmland.

At the recommendation of Assistant Prosecuting Attorney Liz Campbell, an easement was not to be placed on the land until sold.

Placing a lien while the county owned it would have been too restrictive for a large project.

Agrarian Trust needs the land to be eased before taking it over. President Scalph has interested parties who might be able to assist. Asks for permission to pursue that avenue. Commission agrees. Ms. Wheeler will present to Farmland in February.

Ms. Wheeler stated they are 3 years behind Sprouting Farms and learning from their mistakes. Growing slower which is better. But she needs permission to open a revenue account.

Commissioner Louisos is on board but wants to see a 3 year projection and how it will work in conjunction with Farmland Protection.

Commissioner Louisos motioned to approve Ms. Wheeler to create a revenue account. Commissioner Brenemen seconded. Two signatures will be required on the revenue account: Staff Accountant Ruth Lanier and Ms. Wheeler. Unanimous decision.

It was asked if this should go through the Commission or URA. Mr. Peña stated the URA is lease holder. Mr. Smith agreed that the URA will supervise the account.

The production side of the farm will be self-sustaining. The educational side will need to have fund raising. Non-profit status will assist with that.

Mr. Peña presented about the Resource Coordinator's Office (RCO) fundraising for projects. They would like to use grant funding to hire a professional in a field to supervise special projects as part of the RCO staff. This would free up the Resource Coordinator to pursue grants for the projects, and not to supervise the project managers.

Ms. Wheeler presented a request to revise the grant budget for New Roots Community Farm. New Roots agreed to match \$10,000.00 for salary and \$2,500.00 for fringe from the excise tax, but these funds cannot be used for personnel expenses so the request would be to use for contractual expenses, infrastructure, materials and supplies. The budget would include \$6,430.00 to build a 12' x 48' lean-to for the washing station and \$6,070.00 on grading, gravel, plumbing and electric for this space. Needs to change the scope to move it to contractual. Commissioner Brenemen motioned to approve the budget revision for New Roots. Commissioner Louisos seconded. Unanimous decision.

The meeting was adjourned at 1:45 p.m.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
JANUARY 17, 2020
FAYETTE COUNTY COURTHOUSE
PRESENT: DENISE A. SCALPH, JOHN G. BRENEMEN, TOM LOUISOS

The Fayette County Commission met in a regular session this 17th day of January, 2020.

President Scalph called the meeting to order at 9:00 a.m.

Early voting testing was conducted at the Memorial Building. County Clerk Alicia Treadway, Deputy Clerk Tracy Johnson, and Democratic Ballot Commissioner Edna Wriston were in attendance.

Clerk Treadway explained the process, voting testing was conducted and processed. No issues.

The Commission returned to the courthouse.

Assessor Eddie Young presented a personal property exoneration refund for Abner S. & Cecelia H. Warden for \$119.29. Commissioner Brenemen motioned to approve. Commissioner Louisos seconded. Some discussion was held regarding removing the personal property tax. This does require a Constitutional Amendment from citizens of WV. Discussion of coal mines filing for bankruptcy and loss of tax revenue.

Commissioner Louisos motioned to approve the personal property exoneration. Commissioner Brenemen seconded. Unanimous decision.

Mr. Young presented personal Property Exonerations for Thomas E. Tomlin \$4191.88; Clarence & Judith Smith \$580.64; Britney Conley & Daniel P. Smith \$351.64; Justin Chase Sharp \$67.06 & \$70.92; James Lloyd Green \$43190; George H or Rebecca J. Wheeler \$722.94; Monica Tolley \$140.80; Romamza Hamilton \$34.00; Katharine S. Nance \$220.92; Micky's Burger Shack LLC \$50.58 & \$44.28; Pamela Loeffler \$52.88; Mary L. Malay \$7.70; Betty M. Feazell \$9.62; Craig & Emily Aliff \$375.70 & \$523.50; Charles Curtis & Mona Redden \$139.90 & \$109.92; Shelby Sweet \$87.92 & \$85.64; Ruth Ann & Ronald Dale Hood \$631.98; Gary D. Fox Jr. \$534.38; Eric Lanham \$53.96; and Abner S. & Cecilia H. Warden \$217.88.

Mr. Young presented information regarding county lines and any applicable changes and the required process.

Commissioner Brenemen motioned to approve vouchers and invoices and pay vendors. Commissioner Louisos seconded. Unanimous decision.

Commissioner Brenemen motioned to approve second half payroll on January 30th. Commissioner Louisos seconded. Unanimous decision.

Estate settlements were presented for Jeanetta Mayflower Thompson; Bobby Leslie Jones; William John Yeager; Leslie Ray Redman; George Green; William Burton Robinson, Jr.; Vella Mae Feazell; Joann

Musick; Antoinette Webb; Thomas W. James, Jr.; Roy Lane Neal; Edna Lorraine Settle; and Jackson Andrew Triplett. Commissioner Brenemen motioned to approve estate settlements and authorize President Scalph to sign. Commissioner Louisos seconded. Unanimous decision.

Amanda Smarr, Region 4 Planning & Development, was present in regards to the ARC Broadband application. Fayette County Broadband expansion project which will begin by running fiber to the tower in Scarbro. The second aspect is to run aerial fiber from the tower to WV Route 612. Commissioner Brenemen recused himself from discussion due to existing tower on his property. Gabe Peña, Deputy Resource Coordinator asked the Commission for a letter of support. Commissioner Louisos asked if broadband is the number one infrastructure needed for development. Ms. Smarr said yes, along with water and sewer. The third would be access to interstates. Commissioner Louisos motioned to approve the application. Commissioner Brenemen recused himself. President Scalph seconded. Project cost is about \$2 million. There is typically an 80/20 match, however, since Fayette County is a distressed county, the providers will need to meet the 20%, not the county. The county will solicit bids and the project will go to the most qualified bidder.

Jimmy Sadler, 911 Coordinator, appeared with a letter in regards to a request for a new employee. The 911 center currently does not have a radio technician and CAD specialist. Mr. Phillip Pack was one of the original people trained in Spillman in the county. The 911 center currently calls him for help on a daily basis at no charge. He is a state programmer and has worked for Two-Way for several years. Asking for this position to be filled with a salary of \$35,000. \$20,000 will come from 911 fund, and Fire will allocate \$15,000 from

their budget. Mr. Pack will also require a vehicle. Mr. Sadler would also like to hire two additional Public Safety Communicators to assist with increased calls from 1900 hours to 0700 hours. President Scalph asked who did this before. Mr. Saddler stated Kevin White did but he let the mapping go. President Scalph understands this is a need however, we are looking at budget constraints again with further bad news being received. Maybe this is something that could be a shared cost with the municipalities. Discussion regarding the cost and he is currently under budget on salaries, wages, and staff. President Scalph stated this would cut the overtime if we hire additional communicators.

Commissioner Brenemen asked where the car is coming from. Mr. Sadler stated the Sheriff offered to give an additional vehicle. President Scalph suggested tabling this to the next meeting until they have an opportunity to review. Mr. Sadler stated the county does not give the 911 department money; this is our money. President Scalph stated she understands that, and agrees that this is a good move and agrees Mr. Pack is good at what he does. She is asking that we table this until the next meeting so there is time to review. Commissioner Louisos stated he has enough faith in Mr. Sadler to make a motion to hire the two additional people and the IT person. President Scalph stated we have two suggestions both to go forward as is and to table for two weeks. Commissioner Brenemen seconded the motion to table because I have additional questions and give Staff Accountant Ruth Lanier a chance to look at everything. Commissioner Brenemen asked why the Mapping vehicle can't be used. Amanda Arthur stated she already said she is good with that. I only use it when I go out for addressing and etc. Commissioner Brenemen stated his second question

is with the two people for night, can we use one to float and cover vacations and etc...? And his 3rd question is the salary you are asking, will Fire Coordinator always pay this, or just once? Can we get a signed agreement with the Fire Association? Mr. Sadler stated yes.

President Scalph stated is there an opportunity to speak with Oak Hill and do you think they will come to these discussions? Mr. Sadler stated they want their own system. President Scalph stated that is a moot point. Mr. Sadler stated everyone is getting free service for what we are using. 911, Fire and Fayetteville bought in, no one else did. The Commission asked that Prosecuting Attorney Jeff Mauzy work with Mr. Sadler to send a letter.

Mr. Saddler is also asking for changes to holiday pay. Will be tabled till later for discussions in a workshop on January 31.

Commissioner Brenemen motioned to go into an executive session for legal advice at 10:31 a.m. The Commission exited the executive session at 11:09 a.m. The Commission thanked Mr. Mauzy for has trying to negotiate on behalf of URA and Commission with Mr. Wolfe. They have not been able to come to an agreement.

Joe Brouse, NRGDA, was in attendance for an update. Mr. Brouse wants to open discussions on inquiries regarding medicinal cannabis companies. They are looking at properties within Fayette County for both dispensaries and processing plants. Jeff Miller and Billy Michael of Raleigh County Commission were present. Jeff Miller, Administrator for Raleigh County, stated they have passed the acceptance and approval to allow the companies to locate in Raleigh County. Raleigh County's ordinance was based on review by the county attorney of State Code Chapter 16-A, working with DHHR and office of

medical cannabis. The bureau must receive a letter from board of health and county commission. The letter from the County Commission must say it has not been disapproved. President Scalph stated that this is highly regulated through the state, but the benefit is to the counties. Mr. Miller stated the immediate tax revenue would be grant money through the Division of Community Corrections. If the business inventory tax does not go away, this also allows for revenue in that sense. President Scalph stated it also allows an opportunity to place businesses in vacant properties. Commissioner Louisos grants asked about grants. Mr. Miller stated there is a medical cannabis fund. 10% of the gross revenue, and the state expects 14.5 million. 55% will stay with state. The remaining will be available for projects. And additional breakdown for grant funding. Law enforcement grants, community corrections, new radios and drug related grants. Johnny McFadden from Mercer County has been working with the Medical Cannabis Society and is part of team applying for a license. They are looking at approximately 100 jobs for what we are doing and has seen a lot of evidence of how this has helped people. Originally a pharmacist was required, but a future amendment stopped that. President Scalph asked if the letter simply puts the county in a position to accept these applications. Mr. Miller stated there is no guarantee, however the letters are considered in the permitting process as Economic Development. Billy Michael was present to talk about the zoning. From the zoning side, they are trying to decide where it will be allowed. The dispensaries must be stand alone and nothing else can be sold there. They will be set up similar to a doctor's office with waiting room, etc... Also under the impression a doctor will write a prescription. However if a doctor writes a recommendation, that must

go to DHHR for their approval. If approved through DHHR, they will issue a medical cannabis card. President Scalph asked if it will be covered by insurance. Most likely will not because it is elective. Growing and processing must be done indoors. Dispensaries are also highly regulated with restrictions in regards to school boundaries.

Teri Harlan, Board of Health Administrator, stated the board has discussed but have not taken any formal action. It is on the agenda for later this month. Their board is supportive but they have not made an official decision.

President Scalph stated the Commission will place this on the agenda for our next meeting.

Alicia Treadway, County Clerk, presented early voting results. No issues.

Gabe Peña and Jeff Proctor were present in regards to the appointment of Kim Maxwell to the URA. They had a letter showing that NRGTA has not received funding from URA. The letter reaffirms the support of the appointment of Ms. Maxwell. Brad Woolf asked how she can be appointed. Mr. Peña gave an explanation of how she can recuse herself from any decision regarding the park. Commissioner Brenemen stated the Ethics Commission has weighed in on our questions. Anything dealing with Wolf Creek Park or trails or anything tied into NRGDA, because they provided funding, she should recuse herself. Prosecuting Attorney Jeff Mauzy said we need to go back to the Ethics Commission as it seems there was some confusion. Commissioner Brenemen suggested a form to express interest in the position. Mr. Peña will meet with County Administrator Debbie Berry to send a request for clarification from the Ethics Commission. Commissioner Brenemen is also going to see if anyone else is interested. Ms. Berry

will look for the form as discussed where interested parties can apply or express interest.

Ms. Berry presented a request from Melanie Seiler with Active Southern West Virginia to use Fayette County Soldiers and Sailors Memorial Building as back up location for a walk/run even on January 29th, 2020 from 6:00 - 8:00 pm. Commissioner Louisos motioned if they agree to pay the associated fee. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a request from Calvin Swafford, Jr. to use the Fayette County Soldiers and Sailors Memorial Building on March 14th, 2020, 8:00 a.m. - 9:00 p.m. for Basketball Showcase. Will table for future meeting after notifying them of fees. Will also develop a form letter to notify groups of fees.

Ms. Berry presented a Consumer Sales Tax Report for quarter ending the quarter ending December 31, 2019 for approval and signature of President Scalph. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented for discussion a BUILD Grant application for Kanawha Falls Bridge repairs or replacement.

Ms. Berry presented a Letter to Elected Officials in preparation for budget session. Commissioner Louisos motioned to approve and sign the letter. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented for discussion of clarification of the appointment for Alicia Treadway to Interim County Clerk. The Commission agreed that during her appointment her previous position will be kept open for her to resume at the end of the year and she will go back to that position, pay and benefits at that time.

Discussion was held with Brad Woolf. Mr. Woolf wants this resolved and is willing to assume the cost. Mistakes were made and someone should be held accountable. He has reduced his amount tremendously.

President Scalph stated the Commission has met with you from the beginning. But the original amounts discussed, you could not come to an agreement with our lawyer. That does not say we won't discuss this anymore.

Mr. Woolf stated this makes him wonder if Fayette County wants businesses staying in this county or losing money. He's not sure.

President Scalph stated they have tried working with him. We would like to for Mr. Mauzy to prepare the documents and schedule an appointment and try to renegotiate this and will add to the agenda for January 31, 2020.

The Commission scheduled a special session for Wednesday, January 22, 2020 regarding Medical Cannibals

The meeting was adjourned at 2:25 p.m.

FAYETTE COUNTY COMMISSION
SPECIAL SESSION
JANUARY 22, 2020
FAYETTE COUNTY COURTHOUSE
PRESENT: DENISE A. SCALPH, JOHN G. BRENEMEN, TOM LOUISOS

The Fayette County Commission met in a special session this 22nd day of January, 2020.

President Scalph called the meeting to order at 9:00 a.m.

County Administrator Debbie Berry led the Pledge of Allegiance.

The Acceptance and Approval of the West Virginia Medical Cannabis Act to allow Medical Cannabis Organizations to operate in Fayette county was presented. President Scalph stated the Commission had a lengthy discussion regarding this resolution at our meeting on January 17th. As a result we have developed a letter in support of allowing the organizations to operate in our county. The floor was opened for comments. Teri Harlan, Fayette County Health Department Administrator, was present and confirmed the FCHD is also working on a letter to send the state. It is on the agenda for the next meeting. Commissioner Louisos motioned to accept and approve the WVMD Act to allow Medical Cannabis Organizations to operate in Fayette County. Commissioner Brenemen seconded. Unanimous decision.

A resolution supporting Fayette County as a 2nd Amendment Sanctuary was presented. President Scalph stated this is a symbolic support of our rights given to us in the 2nd Amendment of the US Constitution. This is a right protect by our Constitution and the Commission wants to show their support. The floor was opened for comments. President Scalph stated the Commission has received a lot of support for the agenda items today. Commissioner Brenemen stated he thinks this is a historic day for Fayette County. Sitting on this Commission, we have given a lot of thought to several things. These two items make me very proud to be on this Commission. Commissioner Louisos stated he has had guns since he was three, and thinks this is a great thing.

Commissioner Brenemen motioned to adopt the resolution in support of the 2nd amendment making Fayette County WV a sanctuary county. Commissioner Louisos seconded. Unanimous decision.

Ms. Berry presented a request from Maura Kistler to use the Courthouse lawn in the early afternoon of Saturday, January 26, 2020 to host a One Wheel Quidditch match as part of Fayetteville's Wizarding Weekend. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a request from Tabitha Stover at Fayetteville CVB for use of the Courthouse Lawn and front steps for a costume contest on February 1st 4:00 p.m. to 4:45 p.m. in relation to the Wizarding Weekend. Commissioner Brenemen motioned to approve the request. Commissioner Louisos seconded. Unanimous decision.

The meeting adjourned at 9:18 a.m.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
JANUARY 31, 2020
FAYETTE COUNTY COURTHOUSE
PRESENT: DENISE A. SCALPH, JOHN G. BRENEMEN, TOM LOUISOS

The Fayette County Commission met in a regular session this 31st day of January, 2020.

The Early Voting test for the Special Levy Election was conducted at the Memorial Building. President Scalph, Commissioner Louisos, Commissioner Brenemen, County Administrator Debbie Berry, Traci Johnson, and County Clerk Alicia Treadway, Ballot Commissioners Edna Wriston and Richard Meadows, Prosecuting Attorney Jeff and Staff Accountant Ruth Lanier were present for the test. All results were tabulated and the machine was cleared for the election.

The Commission returned to the Courthouse.

President Scalph called the meeting to order at 9:00 a.m.

The Pledge of Allegiance was led by Clerk Treadway.

The Commission met as the Board of Equalization and Review at 9:08 a.m.

Assessor Eddie Young stated no one has contacted his office to schedule a hearing. There are no requests to be heard.

The Commission recessed until Wednesday, February 5th at 9:00 am.

Mr. Young presented personal property tickets for exonerations for Patrick C. or Marsha L. Moore \$236.98; Norma A. Thomas \$80.30 & \$89.92; Eric Lanham \$49.50, \$49.50 & \$51.04; Charles Curtis & Mona Redden \$97.62, \$100.70, \$100.70, \$103.76; Richard Wadsworth \$39.98; James Lloyd Green \$476.88; Anne A. Wright \$9.94; Owen Truman Prather \$347.48 & \$315.52; Bret C. Jr. & Cleo L. Gregory \$65.22; Margaret E. Evans \$110.24; Robert H. Bragg Jr. \$70.86; Victor Pre Owned Auto Sales \$419.86 & \$379.40; Jessica Vaughn \$91.40, \$91.40, \$83.78 & \$86.32; Lisa A. Haggerty \$320.12; Edith Honaker & Ann Rogers \$72.58; and David Heltman \$50.34. Commissioner Brenemen motioned to approve real property exoneration as presented and authorize President Scalph to sign. Commissioner Louisos seconded. Unanimous decision.

Mr. Young presented a personal property exoneration for Delores E. & James Craig \$256.20. Commissioner Louisos motioned to approved the personal property exonerations and authorize President Scalph to sign. Commissioner Brenemen seconded. Unanimous decision.

Commissioner Brenemen motioned to approve vouchers and invoices. Commissioner Louisos seconded. Unanimous decision.

Commissioner Brenemen motioned to approve prior meeting minutes from January 3rd and authorize President Scalph to sign. Commissioner Louisos seconded. Unanimous decision.

Estate Settlements were presented for Thelma Green; Louis Franklin Burns; Louella May Dotson; Berta Bernard Lambert; and Robert

Lee Creed. Commissioner Brenemen motioned to approve estate settlements and authorize President Scalp to sign. Commissioner Louisos seconded. Unanimous decision.

Ms. Berry read a card from Warm Hands thanking the Commission.

Ms. Berry presented a letter naming Ballot Commissioner appointments. Ms. Treadway was present to discuss and presented the Code 3-1-19 on selecting Ballot Commissioners. Commissioner Brenemen motioned to approve the recommendations for the Ballot Commissioners for 2020 and 2021 Jack Thompson Esq. for Democrat and Richard Meadows for Republican. Commissioner Louisos seconded. Unanimous decision.

Ms. Berry presented a deed for land erroneously deeded to the Commission from WVAW instead of to the Town of Ansted, prepared by Prosecuting Attorney Jeff Mauzy. This will transfer the property from the County to the Town of Ansted. No motion necessary. The deed was signed.

Ms. Berry presented General County Fund and Coal Severance Fund budget revisions for approval and signature. Commissioner Brenemen motioned to approve the resolution and General County budget revisions. Commissioner Louisos seconded. Unanimous decision.

Commissioner Brenemen motioned to approve the resolution and budget revision for the Coal Severance fund. Commissioner Louisos seconded. Unanimous decision.

Ms. Berry presented a Historic Preservation Revitalization Grant application for review and approval for the Fayette County Memorial Building prepared by Gabe Peña. Commissioner Brenemen motioned to approve the grant application. Commissioner Louisos seconded. He

stated he is very happy to be able further restore this building.

Unanimous decision.

Ms. Berry presented a drawdown request from Lesley Taylor with Region 4 for \$868.80 for design for the Arrowwood, Lower Dotson Ridge, Dotson Ridge, Ramsey, Hawver Road, Southern Miller Ridge and Change Branch area water extension project to Thompson & Litton Engineers. The Fayette County Commission committed \$50,000.00 to New Haven PSDs Contract 19 Project in November, 2015. PSD customer Donald Carte started there may be issues as to conflict of interest with the Board members and contracted services. Mr. Mauzy will look into this. Board member Roma Lively does not live in the area. Commissioner Brenemen motioned to table. Commissioner Louisos seconded. Unanimous decision.

Ms. Berry presented a letter from Shanna M. Toler, Board Secretary for White Oak PSD requesting reappointment of Lawrence K. Bledsoe, Jr. to the Board. Term to expire January 1, 2026. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a request to appoint Kim Maxwell to the Fayette County URA Board. The Ethics Commission said as long as she recuses herself from any decisions related to the NRTA. Commissioner Louisos motioned to approve the appointment with the term to expire March 1, 2020. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented for discussion timbering at the Fayette County Park. Commissioner Brenemen approved \$507.45 for tree marking paint for select cut of trees. Actual timbering will be looked at later. Commissioner Louisos seconded. Unanimous decision.

Ms. Berry presented a Courthouse Closing Notice for approval and discussion. Judge Blake will decide if his offices will close and the Commission will decide after if we will close the Courthouse. Commissioner Louisos motioned to approve the notice. Commissioner Brenemen seconded. Unanimous decision. (Attached)

Discussion was held regarding a Brad Wolfe decision. Commissioner Brenemen motioned to go into executive Session at 10:51 p.m. for legal counsel. Out of executive session at 11:17 a.m. Commissioner Brenemen motioned to move forward with the negotiations. Commissioner Louisos seconded. President Scalph voted no. Two for, one against. Motion carried.

Commissioner Brenemen motioned that Mr. Pena will be the Resource Coordinator for Fayette County effective February 1, 2020. We will be not be filling the Deputy Resource Coordinator position. Mr. Pena will assume that salary. Commissioner Louisos seconded. Unanimous decision.

Joe Brouse, NRGDA was present regarding the Regional Recreational Trail Authority. He will provide a formal letter for the appointment. Will also be getting trails donated for ATV trails.

The meeting was adjourned at 12:22 p.m.

FAYETTE COUNTY COMMISSION
SPECIAL SESSION
February 5, 2020
FAYETTE COUNTY COURTHOUSE
PRESENT: DENISE A. SCALPH, JOHN G. BRENEMEN, TOM LOUISOS

The Fayette County Commission met in a special session this 5th day of February, 2020.

President Scalph called the meeting to order at 9:00 a.m.

The Commission reconvened as the Board of Equalization and Review. No Petitions for Review were received.

The Board recessed as the Board of Equalization and Review until February 10, 2020.

Eddie Young, Assessor, appeared to present exonerations for real property for Russell L. Morrow Etux for \$2,748.98. The properties were given to the city. Commissioner Brenemen motioned to approve. Commissioner Louisos seconds. Unanimous decision.

Mr. Young also presented information to the Commission regarding the Board of Public Works and potential increases in those taxes.

Commissioner Brenemen motioned to approve minutes from January 17 and January 22 and authorized President Scalph to sign. Commissioner Louisos seconded. Unanimous decision.

Commissioner Brenemen motioned to approve vouchers and invoices and release checks to pay our vendors. Commissioner Louisos seconded. Unanimous decision.

Lesley Taylor, Region 4, appeared to discuss New Haven PSD. Commissioner Brenemen stated the Commission approved a \$50,000.00 loan. Commissioner Brenemen motioned to approve NHPD contract 19 project for the extension of Sunday Road and approve the release of the request for \$868.38. Commissioner Louisos seconded. Unanimous decision.

County Administrator Debbie Berry, presented a letter to the WV Supreme Court for reimbursement for Family Law Judge rent for

\$3,375.00. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a letter to Joseph N. Geiger regarding the Records Management grant for the Sheriff's Tax Office. The County will cash match for at least \$856.10. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a quote for Wi-Fi for Fayette County Commission Chambers from GST for \$161.11. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented for approval compensation to the Commission administrative staff for additional support they provide for the Resource Coordinator's Office and to other offices in the courthouse and county. Commissioner Louisos motioned to approve the \$20,000.00 for the raises for the County Commission Administrative Staff. Commissioner Brenemen seconded. This will begin next pay period. Unanimous decision.

Renee Harper, Parks Director, was present to discuss refund requests and pool fees. Ms. Harper suggests greater than 30 days, a refund could be issued minus a \$20 cancellation fee. Fewer than 30 days' notice, the County would keep half of the fee. Commissioner Brenemen motioned to approve the request for the charges related to the Fayette County Park shelter rental. Commissioner Louisos seconded. This is effective for future rentals - those made on February 5, 2020 and later. Unanimous decision.

Ms. Harper also presented a request to help recover some of the fees associated with credit cards. She needs to increase pool fees

from \$4.00 to \$4.55 from \$5.00 to \$5.55. Commissioner Brenemen motioned to approve the increase in pool usage fee effective February 5, 2020 in relation to credit card fees. Commissioner Louisos seconded. Unanimous decision.

Ms. Harper has also had a request from Charleston Catholic high School to hold the Single A basketball playoffs in the Memorial Building. Commissioner Brenemen motioned to approve the charges of \$2,700.00 to Charleston Catholic High School. Commissioner Louisos seconded. Commissioner Scalph would also request that the document be attached to the minutes.

Discussion was held on Boomer Ball Field. WVCoRP Insurance Company said it is a liability at this point. Suggested removing the bleachers. Will add to discussion for the next meeting. Commissioner Brenemen also wants this report sent to YMCA of Charleston. Jeff Mauzy, Prosecuting Attorney, will review the letter and also attach the contract to the YMCA of Charleston.

Discussion was held regarding the 911 Employee for approval or disapproval. Jimmy Saddler, 911 Coordinator, proposed to hire Phillip Pack as the radio tech/Spillman CAD Administrator.

Commissioner Brenemen motioned to approve Phillip Pack to start as the Spillman Administrator working on CAD, radios and etc. starting salary of \$36,000, start date to be determined. The Fire Coordinator will be covering \$15,000 of the salary with the remainder coming from the 911 fund. Commissioner Louisos seconded. The salary is increased to \$36,000 to cover FLSA requirements. Unanimous decision.

Mr. Sadler is also requesting two new dispatchers to help alleviate overtime. Mr. Sadler agrees, they would start at \$22,068.80

and after meeting six months and training requirements be moved up to \$23,150.40. Commissioner Brenemen motioned to approve the two new dispatchers at \$22,068.80 with 6 month probationary period and certifications requirements moved to \$23,150.40. Commissioner Louisos seconded. Unanimous decision.

After discussion, the Commission agreed that 911 should also be paid 12 hours for holidays instead of giving additional vacation days. The additional time off makes it difficult to cover all the shifts. Commissioner Brenemen motioned to approve Mr. Sadler's request in the payment of 12 hours for holidays instead of offering extra time off for holidays worked. Commissioner Louisos seconded. Unanimous decision.

A workshop was held with the New River Humane Society.

The meeting was adjourned at 12:50 p.m.

FAYETTE COUNTY COMMISSION
SPECIAL SESSION
February 10, 2020
FAYETTE COUNTY COURTHOUSE
PRESENT: DENISE A. SCALPH, JOHN G. BRENEMEN, TOM LOUISOS

The Fayette County Commission met in a special session this 10th day of February, 2020.

County Administrator Debbie Berry led the Pledge of Allegiance.

President Scalph called the meeting to order at 9:04 a.m.

The Commission reconvened as the Board of Equalization and Review. No Petitions for Review have been received.

The Board recessed as the Board of Equalization and Review until February 13, 2020.

Ms. Berry presented an Order for approval and signatures of the Commission decreasing the mileage reimbursement rate for use of privately owned automobiles from \$.58 to \$.575 cents per mile, effective January 1, 2020. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a letter for approval and signatures of the Commission to the YMCA of Charleston with complaints about the use of Boomer Ball Field. Commissioner Louisos motioned to approve signing the letter. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a resolution for approval and signatures of the Commission opposing the elimination of the Business and Inventory taxes. Discussion was held with Assessor Eddie Young regarding the potential loss. The bill is open ended and does not define anything. It says they may reclassify and may reduce the rate of taxation. They could change it from 60% to 20% if they feel it necessary. It is impossible to give an exact number. Worst case is \$774,500.00. President Scalph stated if this is not defined, it makes it impossible to create a budget. We have no idea what our tax revenue would be. Commissioner Louisos motioned to approve signing the letter. Commissioner Brenemen seconded. Unanimous decision.

Discussion was held regarding the Boomer Ball Field issues. Aaron Bess, Coach of Valley Middle School was present. The Commission shared the report from the insurance company. President Scalph stated they think the stands will have to be removed. Mr. Bess stated the roof blew off the bathroom and hit the stands. The YMCA would not fix it. President Scalph stated they are proposing locking and boarding up the bathrooms. Mr. Bess stated the bathrooms are fine, just a

water issue and shingles missing on top. There might be some shingle donations available. A volunteer is contacting the water company to mark lines. President Scalp will check with the Sheriff, maybe a security camera can be installed. President Scalp suggested that the Vo-Tech may be able to replace the railings on the bleachers. Mr. Bess will try to get donations to help on their end. President Scalp will also see if the DRC can assist. Mr. Bess stated their first home game is March 23rd.

The meeting was adjourned at 10:03 a.m.

FAYETTE COUNTY COMMISSION
SPECIAL SESSION
February 13, 2020
FAYETTE COUNTY COURTHOUSE
PRESENT: DENISE A. SCALPH, JOHN G. BRENEMEN, TOM LOUISOS

The Fayette County Commission met in a special session this 13th day of February, 2020.

President Scalp called the meeting to order at 9:04 a.m.

The Commission reconvened as the Board of Equalization and Review. No Petitions for Review have been received.

The Board recessed as the Board of Equalization and Review until February 18, 2020.

Commissioner Brenemen motioned to approve payroll for first half and release checks on February 15th. Commissioner Louisos seconded. Unanimous decision.

Commissioner Brenemen motioned to approve canvass worker checks for the Special Levy Canvass to be conducted on February 14, 2020. Commissioner Louisos seconded. Unanimous decision.

Commissioner Brenemen motioned to approve the checks and release for poll workers. Commissioner Louisos seconded. Unanimous decision.

Amanda Smarr, Region 4, was present regarding the ARC Broadband Expansion project. Commissioner Brenemen motioned to approve the reclassification of documents from a reconnection with internet to an ARC project specifically in the Minden area with a reduction in cost. Commissioner Louisos seconded. Unanimous decision.

Estate Settlements were presented for Harold Green Clendenin; Betty Zane Clendenin; Kenneth Eugene Walker; Mary Katherine Kincaid; and Lois V. Dominguez. Commissioner Brenemen motioned to approve and authorize President Scalph to sign. Commissioner Louisos seconded. Unanimous decision.

County Administrator Debbie Berry presented an MOU for Community Corrections for approval and signature of President Scalph. Commissioner Louisos motioned to approve and authorize President Scalph to sign the MOU. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a drawdown request for New Haven PSD in the amount of \$4,704.45 for approval. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a quote for 2 cameras for the front of the main courthouse building in the amount of \$1,905.00 from KTS. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Commissioner Brenemen mentioned the light at the front of the courthouse is out at night. Ms. Berry will check with Maintenance

Supervisor Sonny Milam on an update. Previous quote for replacement was very high.

Becky Sullivan and Lisa Strader were present with director's updates from New River Gorge CVB (NRGCVB) and Visit Southern WV (Visit SoWV) update.

Joe Brouse, New River Gorge Regional Development Authority stated he would also point out the WVU study on the actual impact of the Summit. As a Board member, I can tell you that the board is comprised more of business owners that want to expand marketing.

Commissioner Louisos motioned to approve the 7.5% of the hotel motel tax go into a Recreational Development Account for the 20/21 budget year. President Scalph stated there was no seconded on the motion, so the motion died.

Clarification of the appointment of Jeff Mauzy as Prosecuting Attorney was discussed. This will be placed on the February 18 agenda.

County Clerk Alicia Treadway appeared to present an idea regarding poll worker pay and taxes.

John David of SALS was present to introduce Marcus Wilkes under manager Brenda Warrick.

Andy Austin from New River Transit Authority appeared regarding an update and funding. NRTA requests \$19,500.00 for upcoming year.

Discussion was held regarding videoing Commission meetings.

The meeting was adjourned at 12:10 p.m.

FAYETTE COUNTY COMMISSION
SPECIAL SESSION
February 14, 2020
FAYETTE COUNTY COURTHOUSE
PRESENT: DENISE A. SCALPH, JOHN G. BRENEMEN, TOM LOUISOS

The Fayette County Commission met in a special session to canvass the special levy election on this 14th day of February, 2020.

The special levy election was held on February 8th, 2020.

County Administrator Debbie Berry led the Pledge of Allegiance.

President Scalph called the meeting to order at 9:00 a.m.

Canvass was conducted.

Precincts 42 and 59 were blindly selected to be hand-counted.

Provisional ballots were considered and counted. No exceptions were found.

The results will be certified at the regularly scheduled meeting on February 18th.

Canvass concluded at 10:45 a.m. and the meeting was adjourned.

FAYETTE COUNTY COMMISSION
SPECIAL SESSION
February 18, 2020
FAYETTE COUNTY COURTHOUSE
PRESENT: DENISE A. SCALPH, JOHN G. BRENEMEN, TOM LOUISOS

The Fayette County Commission met in a special session this 17th day of February, 2020. Debbie Berry led the Pledge of Allegiance.

President Scalph called the meeting to order at 9:00 a.m.

The Commission reconvened as the Board of Equalization and Review. No Petitions for Review have been received.

The Board recessed as the Board of Equalization and Review until February 21, 2020.

Mike Bone, Assessor Chief Deputy, was in attendance to present a real property exoneration for Curtis D. & Janine Grindstaff \$435.04. Commissioner Brenemen motioned to approve the exoneration. Commissioner Louisos seconded. Unanimous decision.

Mr. Bone presented a 2018 ticket real estate ticket with a value that did not include the Homestead Exemption in the amount of \$256.84. Commissioner Brenemen motioned to approve the refund of \$256.84 to Delores and James Craig of Cannelton to correct the missing Homestead Exemption. Commissioner Louisos seconded. Unanimous decision.

The Commission took a break to attend the ballot drawing for the Primary Election.

Commissioner Brenemen motioned to approve vouchers and invoices and release checks to pay our vendors. Commissioner Louisos seconded. Unanimous decision.

Commissioner Brenemen motioned to approve minutes from February 14, 2020 for the Special Levy Canvass. Commissioner Louisos seconded. Unanimous decision.

The Commission discussed the confirmation of Jeff Mauzy as Prosecuting Attorney. Commissioner Louisos motioned to approve and appointment of Jeff Mauzy to fill the vacant Prosecuting Attorney position nunc pro tunc effective January 1, 2020 through the end of the term as specified by the election. President Scalph seconded the motion. The vote was two in favor - President Scalph and Commissioner Louisos, and one opposed- Commissioner Brenemen. Motion carried.

President Scalph added that we have been very pleased with Mr. Mauzy's job performance. Mr. Mauzy is very official and professional and is very much appreciated.

County Administrator Debbie Berry presented 2 orders to Combine or Divide and Segregate Land for Vanessa and John Williams, and Cecil Giles, respectively. Commissioner Louisos motioned. Commissioner Brenemen seconded. Unanimous decision.

A workshop was held with the Resource Coordinator's Office to discuss Records Management and using Sharepoint instead of One Drive.

The meeting adjourned at 10:45 a.m.

FAYETTE COUNTY COMMISSION
SPECIAL SESSION
February 21, 2020
FAYETTE COUNTY COURTHOUSE
PRESENT: DENISE A. SCALPH, JOHN G. BRENEMEN, TOM LOUISOS

The Fayette County Commission met in a special session this 21st day of February, 2020.

Deputy Michael Othman led the Pledge of Allegiance.

President Scalp called the meeting to order at 9:00 a.m.

The Commission reconvened as the Board of Equalization and Review. No Petitions for Review have been received.

The Commission adjourned sine die as the Board of Equalization and Review at 9:01 a.m.

Commissioner Brenemen motioned to approve 2nd half payroll to be released on February 28th. Commissioner Louisos seconded. Unanimous decision.

Eddie Young, Assessor, appeared to present exonerations for real property for Delores E. & James L. Craig \$256.20. Commissioner Brenemen motioned to approve. Commissioner Louisos seconded. Unanimous decision.

Discussion was held regarding the inventory tax reduction bill in the legislature.

Commissioner Brenemen motioned to approve vouchers and invoices and release checks to our vendors. Commissioner Louisos seconded. Unanimous decision.

Estate settlements were presented for Carlos Alonza Jones; Ruth Jean Marcum; and Charles Edward Puckett. Commissioner Brenemen motioned to approve and authorize President Scalph to sign the settlements. Commissioner Louisos seconded. Unanimous decision.

Commissioner Brenemen motioned to approve minutes from February 10, 2020 and authorize President Scalph to sign. Commissioner Louisos seconded. Unanimous decision.

The Commission signed an order certifying Special Levy Election. Commissioner Brenemen motions to approve the certification of the Special Levy election. Commissioner Louisos seconded. Unanimous decision.

Discussion was held regarding Emergency Ballot Commissioners. County Administrator Debbie Berry to follow up with County Clerk Alicia Treadway regarding questions the Commission has.

Renee Harper, Park Director, was present to give and update.

A conference call was held with Senator Baldwin regarding a Build Grant for the Kanawha Falls Bridge.

Sheriff Fridley was in attendance to discuss to proposal on cutting the concealed weapons fees and how it will affect law enforcement as a whole in terms of equipment and training.

Discussion was held regarding seized animal and court cases.

Commissioner Brenemen motioned to go into executive session at 11:38 a.m. for legal advice.

The Commission exited executive session at 11:55 a.m. No decisions were made.

Ms. Berry presented a request from Jimmy Sadler, Deputy Director/E-911 Coordinator, to hire Alishia Martin as an assistant for the position of a temporary driver at an hourly rate of \$8.75 per hour. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. This is a temporary part time position. Unanimous decision.

Ms. Berry presented a request from John P. David, SALS, for a support letter for their application to the Appalachian Regional commission for its Appalachian Construction Development Proposal. Commissioner Louisos motioned to approve the letter after edits were made. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a letter from Page Kincaid PSD for discussion. Commissioner Brenemen stated they have not complied with the conditions we gave them as to operations and repayment of the previous \$20,000.00. The Commission will respond in writing stating the vote was contingent on them repaying the original \$20,000.00. They have not kept up with the repayment they agreed to in writing.

Ms. Berry presented a request from Thomas L. Bryant for SickNinja BNB to use the Fayette County Soldiers and Sailors Memorial Building on Tuesday, March 17, 2020 for a trick shot exhibition to be videoed and posted on YouTube Channel. The rate will be \$50.00 per hour. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented an order for the Commission to sign to the Democratic and Republican Executive Committees requesting they forward

a copy of persons nominated for the positions of poll workers for the Presidential Primary election to be held May 12, 2020 by March 20, 2020. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a proposal for engineering services for a county owned parking lot storm water drainage improvements. Maintenance Supervisor Sonny Milam Engineer recommends we fix the issues. Civil Engineer cost is \$7,500.00 for plan to fix. Actual cost to fix is around \$50,000.00.

Ms. Berry presented for discussion Boomer Ballfield. Mr. Milam stated we cannot use the oak boards from Smithers for the bleachers. However he will keep them and store in garage for other purposes. The UKV YMCA Director has agreed to help with repair costs. The overall cost is about \$600.00 for field repairs plus water line repair.

Mr. Milam gave a Memorial Building update. Structural engineer cannot tell anything until the rubber roof is peeled back. Panels may be weak.

A workshop was held with Community Corrections.

The meeting was adjourned at 2:32 p.m.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
March 6, 2020
FAYETTE COUNTY COURTHOUSE
PRESENT: DENISE A. SCALPH, JOHN G. BRENEMEN, TOM LOUISOS

The Fayette County Commission met in a regular session this 6th day of March, 2020.

The Pledge of Allegiance was led by Deputy Korey Spears.

Commissioner Brenemen motioned to approve invoices and vouchers and release checks. Commissioner Louisos seconded. Unanimous decision.

Commissioner Brenemen motioned to approve 1st half payroll and release checks on March 13th. Commissioner Louisos seconded. Unanimous decision.

Commissioner Brenemen motioned to approve the minutes from January 31, February 5, 13, 18 & 21. Commissioner Louisos seconded. Unanimous decision.

Estate Settlements were presented for Alice Jane Morris; Elsie Francis Sodder; Dorothy Marie Cook Hamilton; Charles Edward Dixon; Juanita Joy Seacrist Holliday Teel; Leonard B. Lancaster; Joan Lee Parsons; Bert Harry Tackett; Elizabeth Carolyn Carrico; Homer Ernest Nicely, Sr.; Pauline Virginia Foster; Larry Dale Ewing; Ila Mae Maynor; Nancy Carol Epperly; and Lillie Pearl Taylor. Commissioner Brenemen motioned to approve. Commissioner Louisos seconded. Unanimous decision.

County Administrator Debbie Berry presented a letter to Page Kincaid PSD responding to the request for the additional \$20,000.00 for a loan approved in December 2018. Commissioner Louisos motioned to approve and sign the letter. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a request from John David for a support letter for SALS for an application to continue home rehabilitation work in Fayette County. The Commission will send a letter to Mr. David and SALS asking that they report all projects that will affect Fayette County on a quarterly basis. Commissioner Louisos motioned to approve and sign. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a request from Fayetteville Mayor Sharon Cruikshank to use rear parking lot of the Fayette County Memorial Building to bring 2-3 dumpsters for residents to bring items to dispose of from April 23, 2020- April 27, 2020 from 9:00 a.m. to 12:00 noon. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a request from Chris Collin to use the Old Fayette County Jail for a Causeacon event on April 24, 2020, 7:00 p.m. - 1:00 a.m. to raise money for the Women's Resource Center. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a letter to WV Supreme Court of Appeals for approval and signature of the Commissioners requesting reimbursement for rent for the Family Law Judge in the amount of \$3,375.00 for the month of March 2020. Commissioner Louisos motioned. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a letter from Gabriel Peña, Fayette County Resource Coordinator, recommending Nicholas Hodgson for the Production Manager position for the New Roots Community Farm. This item was tabled.

Ms. Berry presented two contracts from Susanna Wheeler, Farm Manager, for signature by the Commission. Both are funded under LFPP grant: Independent Consulting Contract with Holly Clark, CEO of Clark and Co.; and Independent Consulting Contract with Sarah Elkins of Lewisburg. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a request from Leslie Taylor, present, for a CDBG drawdown for Armstrong Public Service District for \$105,170.90 in total invoices. Commissioner Brenemen motioned to approve the CDBG for \$105,170.94. Commissioner Louisos seconded. Unanimous decision.

Ms. Berry presented a letter from Jeri Sarafin, Director of Fayette County Community Correction Program Day Report Center, recommending attorney Larry Harrah to fill a seat on the board as a nonvoting member. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a letter from Ms. Sarafin to purchase another van to transport participants to DRC and to purchase security cameras for the center. Quote for the van is \$20,000.00. Commissioner Louisos motioned to approve the van purchase. Funds are available in the budget for this purchase. Commissioner Brenemen seconded. Unanimous decision.

The quote for the camera is \$2,840.00 and was tabled until later.

Ms. Berry presented a WV Community Corrections Grant Program Application for approval and signature of President Scalph. Funds requested are \$178,486.00 with a match \$133,768.00. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a letter from Assessor Eddie Young requesting and exoneration for David and Sandra Scarbrough who have requested adjustments for previous years. Commissioner Brenemen motioned to approve real property. Commissioner Louisos seconded. Unanimous decision.

Commissioner Brenemen motioned to approve a refund in the amount of \$345.89 to the Scarbrough. Commissioner Brenemen seconded. Unanimous decision.

Commissioner Louisos motioned to approve signing the order to Sandra Scarbrough for the refund. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a lease for approval and signature of President Scalph to Fraternal Order of Police, Memorial Lodge No. 118 in the amount of \$12,000.00 payable at \$1,000.00 per month for 12 months for use of the Fayette County Community Correction Day Report Center. Commissioner Louisos motioned to void the \$12,000.00 check and will approve at \$1,000.00 per month payment and reissue the check. Unanimous decision. Commissioner Louisos motioned to approve the lease. Unanimous decision.

Ms. Berry presented a list of poll workers submitted by County Clerk Alicia Treadway for Primary Election for the Democratic and Republican Committees for approval. Commissioner Louisos motioned. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a request from Renee Harper, Director of Fayette County Park to hire a full time maintenance worker. Commissioner Louisos motioned to approve at \$10.00 per hour. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a request from Diane Callison, FRN Director, to change the wording on the Teen Court Order wording for the last sentence in the third paragraph from "That the Clerk of the Court shall collect the fee established hereby and shall remit the fees to the Fayette county Teen Court Program to the Clerk of the Court shall collect the fee established hereby and shall remit the fees to the Fayette County Family Resource Network. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented drainage improvements with Sonny Milam. Mr. Milam is waiting on the engineer. Commissioner Louisos motioned to approve the \$7,600.00 for engineering work. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented Boomer Ball field for discussion with Sonny Milam. Updates were given: metal ordered, trash hauled, waterlines replaced, shingles replaced. Trash removal and locking gate daily will be added to the MOU with the Board of Education. Payroll Clerk Joy Boyd will figure the amount of hours Maintenance spent working and invoice the UKV YMCA.

Ms. Berry presented quotes for repair or replacement for the lights in front of the Courthouse. Eastern Electric only included flood lights. RDP included all flood lights, lamp posts and statue spot lights for \$3,267.94. Commissioner Brenemen motioned to approve this contract. Commissioner Louisos seconded. Unanimous decision.

Lisa Garrett, Probate, appeared to present a discussion on fees charged for estate publications. Ms. Garrett requested publishing in only one paper as required by state code 44-1-14 a. Commissioner Louisos motioned to use only one paper for publications. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented an order changing polling sites from Danese Community Center to Green Valley United Methodist Church as of March 6, 2020. Commissioner Brenemen motioned to approve and sign. Commissioner Louisos seconded. Unanimous decision.

Eddie Young, Assessor appeared to present his budget request for the 20/21 fiscal year.

Jeff Mauzy, Prosecuting Attorney, was in attendance to present his budget request.

Cathy Jarrett, Circuit Clerk appeared to present her budget request.

Allen Ballard appeared to present his budget request for Building Safety.

Diane Kincaid was present in regards to water on Saturday Road. The Commission will check with Ms. Taylor and John Tuggle from Region 4 to see if this has already been approved. Commissioner Louisos believes this may be from a project a few years ago. The necessary people will be brought in a future meeting to discuss and get the answers solidified.

Gabe Pena, Resource Coordinator, was in attendance to present his budget request.

Brian Sparks, WVU Extension, was in attendance to present his budget request.

Renee Harper, Park Director, was in attendance to present her budget.

Jimmy Saddler, 911 Coordinator, was in attendance to present his budget.

Joe Crist, Fire Coordinator, appeared to present his budget. The meeting was adjourned 1:25 p.m.

FAYETTE COUNTY COMMISSION
SPECIAL SESSION
March 10, 2020
FAYETTE COUNTY COURTHOUSE
PRESENT: DENISE A. SCALPH, JOHN G. BRENEMEN, TOM LOUISOS

The Fayette County Commission met in a special session this 10th day of March, 2020.

The Pledge of Allegiance was led by Deborah Berry, County Administrator.

A discussion was held with City of Oak Hill City Manager Bill Hannabass and Attorney Bill File regarding hotel motel tax. The Commission sent a letter to the City of Oak Hill regarding the Minden annexation and the hotel motel tax for ACE Adventure Resort, which should have stayed with the county. Mr. Hannabass stated they have not addressed this with ACE Adventure Resort. Oak Hill appreciates their relationship with the county. President Scalph stated we are all of the opinion that all the money that has been paid to Oak Hill should stay there. Mr. Hannabass stated he thinks it is fair that we spend our hotel motel tax to benefit those that collect it. Trail development is an obvious use for this money. Oak Hill wanted to develop a park to benefit ACE and the City of Oak Hill at Needleseye Park. President Scalph stated we are trying to earmark funds to develop parks and trails across the county that are hopefully interconnecting at some point. President Scalph and Mr. Hannabass agreed to reach out to ACE so that they are aware that beginning July 1, 2020 these funds will come to the county and not the City of Oak Hill. Commissioner Louisos stated that they spoke several months ago about working together and he hopes we continue. Mr. Hannabass agreed

and this absolutely does not affect that. Public comment from Adam Hodges: "I believe that taxes should be spent where they are levied."

The Commission agreed to draft and send a letter to ACE and include a copy of the code. Prosecuting Attorney Jeff Mauzy will review. President Scalph and Ms. Berry will hand deliver.

The meeting was adjourned at 2:19 p.m.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
March 13, 2020
FAYETTE COUNTY COURTHOUSE
PRESENT: DENISE A. SCALPH, JOHN G. BRENEMEN,
NOT PRESENT: TOM LOUISOS

The Fayette County Commission met in a regular session this 13th day of March, 2020.

President Scalph called the meeting to order 9:02 a.m.

The Pledge of Allegiance was led by Deputy Ryan Fox.

County Administrator Debbie Berry presented a letter to John David, SALS, for approval and signatures of the Commission related to reporting of renovations and permits needed for his projects in Fayette County. Commissioner Brenemen motioned to approve and sign. President Scalph seconded. Unanimous decision.

Ms. Berry presented a request from Phil Samples to use Fayette County Memorial Building from March 14, 2020 to August 31, 2020 for WV Boys and Girls Hoopsters. Commissioner Brenemen motioned to approve. President Scalph seconded. Unanimous decision.

Ms. Berry presented a request from Bill Sohanage, Democratic Executive Committee chair, to use the Fayette County Memorial Building

on Saturday, March 28, 2020 9:00 a.m. - 2:00 p.m. for the Fayette County Democratic Convention. Commissioner Brenemen says they should pay and President Scalph agrees. They will be charge for \$50.00 per each hour used. Commissioner Brenemen motioned to approve. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a request from Linda Clonch, Chairperson and Jack Eades, Interim Pastor of Fayetteville Baptist Church to use outside in front of the Soldiers and Sailors Memorial Building for the 2020 National Day of Prayer Program on Thursday, May 7th, 2020 at noon. Commissioner Brenemen motioned to approve. President Scalph seconded. Unanimous decision.

Ms. Berry presented a request from the URA to reappoint Mike Smith and Kim Maxwell to the URA Board for a 5 year term effective March 1, 2020. Commissioner Brenemen wants to urge committees to look at the appointments in advance. Would like a letter sent to each board. Will table this and ask for other recommendations and the applications for appointment as previously discussed.

Ms. Berry presented a letter to Jerry Cook, President, ACE Adventure Resort for approval and signatures related to Hotel Motel Tax currently being collected by the City of Oak Hill. Commissioner Brenemen motioned to approve. President Scalph seconded. Unanimous decision.

Eddie Young, Assessor, appeared to present exonerations for personal property for Stephanie & Christopher M. Phillips \$706.34; James F. Plumley \$25.36; Nathaniel C. Sheppard \$69.16; Michael A. Sr. & Hattie M. Cottle \$1,583.72; Douglas B. Staunton, Sr. \$131.30; Frankie W. & Rachel D. Stephens \$711.72; Gary Francis Harvey II

\$1,172.02; Roy Cole \$80.30; Karen C. (Martin) Parker \$86.46; Andrew S. Jr. or Vicki L. Walker \$107.60; Elaine Burnette \$62.64; Randall D. & Anita Redden 296.28; Heather M. Griffith \$163.94; Michael K. Or Elizabeth A. Glover \$191.72; Francesca Hartop \$195.60; Paula J. Lagos & Emily C. Wygal \$171.76; Sarah D. Willis & Adam Leis \$548.44; Stephen Leo & Rita Anne Hudson \$146.50; Charlene Nelson \$190.60; Larry McCallister & Stephanie Layne \$20.36; and Jeneveffa Y. & Leandra Avancini \$250.14 & 247.88. Commissioner Brenemen motioned to approve. President Scalph seconded. Unanimous decision.

Commissioner Brenemen motioned to approve minutes from March 6 and 10. President Scalph seconded. Unanimous decision.

Commissioner Brenemen motioned to approve vouchers and invoices and release checks to pay our vendors. President Scalph seconded. Unanimous decision.

The lease agreement and MOU with the Board of Education and FCC for Boomer Ball Field were discussed. Since there is no third party involved, will need only MOU, no lease agreement. Commissioner Brenemen motioned to approve. President Scalph seconded. Unanimous decision.

Alicia Treadway, County Clerk presented her budget request.

The poll worker lists for the Primary election was presented for approval by Clerk Alicia Treadway. Commissioner Brenemen motioned to approve list of Republican poll workers for the primary. President Scalph seconded. Unanimous decision.

Commissioner Brenemen motioned to approve the list of Democratic poll workers for the primary. President Scalph seconded. Unanimous decision.

Sheriff Mike Fridley was in attendance to present his budget request. Also presented figures regarding the tax collections and the amount of money brought in by sending tax collection reminders for delinquent accounts. Presented statistics regarding calls. Jeri Sarafin was in attendance with the Sheriff to present the budget for Community Corrections.

Jim Campbell was in attendance in regards to the Southern WV Bike Rally to be held beginning May 21st, 2020. This is a five day event. Hoping to attract about 1500 bikers with hopes for expansion in future years. Plans to meet with law enforcement next week to make them aware.

The budget for the New River Humane Society was presented by Kathy Gerencer, Board President. Discussion was held regarding intake of animals, work with rescues, and plans for the future.

John Tuggle, Region 4 Planning and Development, was in attendance to discuss New Haven PSD. Diana Kincaid was also in attendance. Mr. Tuggle gave information about the project. President Scalph asked if the project can be amended to include the extension to this area. Discussed the issues with rural areas and the costs associated with expanding into those areas. There are numerous factors to consider. The area in question has a very high cost per customer. The CDBG grant is an option, but the Armstrong Creek project must finish first. They suggest that residents write letters to legislatures; send emails and letters to local representative and Governor's office.

Discussion was held regarding the retirement of Tim Richardson effective June 30th. He made a recommendation for his replacement. Angela Gerald has been the back up for his position for multiple years and would be happy to be a resource to her.

Susie Wheeler was in attendance to discuss job description changes for Farm Manager and Production Manager position with the Commission. Discussed grant money allocation and the revised job description. President Scalph- are you amending the grant and taking on part of those duties. And what about overtime? Staff Accountant Ruth Lanier stated overtime does not apply to agricultural workers under FLSA per #12 on their fact sheet. Ms. Wheeler also asked for change in job title to Farm Director. Will go into effect April 1st and go through June 30, 2021. The salary reflects the additional responsibilities. The other position allocated \$44,000 to that manager. Hiring the PT person as a production crew leader for eight months will only cost approximately \$20,000. Discussion regarding independent contractor.

Commissioner Brenemen motioned to hire a 28 hour employee for New Roots Farm, Dena Hornbaker, reporting to Susie Wheeler as proposed by the Resource Coordinator's office, which falls under the grant. She will start Monday, March 23rd for a part-time position. President Scalph seconded. Unanimous decision.

Commissioner Brenemen motioned to approve the independent contractor consulting agreement with WVU Research Corps. President Scalph seconded. Unanimous decision.

Discussion regarding CEC invoice that commission asked for further information on January 3rd meeting. Included all pad work, bid documents, as well as engineering specifications and documents. There is no way to reduce the cost. Commission approved releasing the check.

The meeting was adjourned at 1:50 p.m.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
March 20, 2020
FAYETTE COUNTY COURTHOUSE
PRESENT: DENISE A. SCALPH, JOHN G. BRENEMEN, TOM LOUISOS

The Fayette County Commission met in a regular session this 20th day of March, 2020.

President Scalph called the meeting to order at 9:06 a.m.

The Pledge of Allegiance was led by Commissioner Louisos.

Commissioner Brenemen motioned to approve vouchers and invoices and release checks. Commissioner Louisos seconded. Unanimous decision.

Estate Settlements were presented for Hazel Johnson; Milton Donald Pridemore; Ramona Elizabeth Moore; Russell Paul Faulknier; Patricia Ann Pino; Anita Karen Evans; and Versa Elva Painter. Commissioner Brenemen motioned to approve estate settlements and authorize President Scalph to sign. Commissioner Louisos seconded. Unanimous decision.

County Administrator Debbie Berry presented a recommendation from Sonny Milam to approve the hiring of Peggy Sue Rodgers to work the evening shift in the Courthouse Annex. Ms. Rodgers will start March 23, 2020 on a 6 month probation period at a salary of \$20,800.00. Commissioner Louisos motioned to approve the hire with start date to be determined at a later date due to the Coronavirus pandemic. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented for review paperwork from May, 2010 from the City of Oak Hill related to an annexation by minor boundary adjustment. The Commission approved the annexation in 2010 but the final order was not approved and signed. The City of Oak Hill is requesting the Fayette County Commission complete and record an

official order and retroactively approve this annexation. The official boundaries of the City of Oak Hill cannot be updated to reflect such annexation until the official order is completed and recorded. This paperwork is for review and will be placed on the agenda for March 27, 2020.

Ms. Berry presented a letter and resolution for the Commission to review and approve related to \$30,000.00 of Coal Reallocated money for matching grant funds for the RBD grant and ARC Grant. The \$30,000.00 is the amount agreed to by the Commission to be allocated from the Coal Reallocated Fund from the money that has been earmarked for the Wolf Creek Park project. This is not \$30,000.00 in additional funding. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

The Solid Waste Authority was present via conference call to present their funding request.

The Commission discussed the Executive Order issued by Governor Justice allowing counties to adjust staffing and hours. A copy is attached. The Commission also motioned to adopt the restricted courthouse access documents.

The Commission discussed the emergency proclamation for Fayette County and motioned to adopt the proclamation. Commissioner Louisos motioned to approve and authorize President Scalph to sign. Commissioner Brenemen seconded. Unanimous decision.

The Commission discussed the budget for 2020-2021.

The Commission voted to approve a request from Susie Wheeler, Farm manager, for an increase in her salary and additional

responsibilities. Her salary will return to her current salary after the grant money is finished, or if there is no additional funding, the job will be finished. They will also approve the part time help. Commissioner Louisos motioned to approve the requests. Commissioner Brenemen seconded. Unanimous decision.

The Commission will research their NRTA and MPO contribution to ensure that we are only committed to ours and not picking up other municipalities' portions

The meeting was adjourned at 1:22 p.m.

FAYETTE COUNTY COMMISSION
SPECIAL SESSION
March 25, 2020
FAYETTE COUNTY COURTHOUSE
PRESENT: DENISE A. SCALPH, JOHN G. BRENEMEN, TOM LOUISOS

The Fayette County Commission met in a special session this 25th day of March, 2020.

President Scalph called the meeting to order at 9:00 a.m.

The Pledge of Allegiance was led by Commissioner Louisos.

Commissioner Brenemen motioned to approve vouchers and invoices. Commissioner Louisos seconded. Unanimous decision.

Commissioner Brenemen motioned to approved 2nd half payroll for Monday March 30th. Commissioner Louisos seconded. Consulted with Prosecutor's office. Unanimous decision.

Discussion was held on finalizing the county budget with considerations being given to current circumstances. What plans are being made if collections are down? Commissioner Brenemen asked about various accounts he thinks will be down. Discussion was held regarding contingency and putting a note in letters to those being allocated. Commissioner Louisos had questions regarding where revenue comes from. Discussion was held with Sheriff Fridley regarding collections, mail payments and online collections.

Commissioner Brenemen motioned to approve the budget for Fiscal Year 2020/2021 with adjustments to be made as necessary. Commissioner Louisos opposed; thinks cuts should be made from the Humane Society allocation. President Scalph seconded. Two in favor one opposed. Motion carried.

The Commission informed County Clerk Alicia Treadway that her new hire cannot start until April 7th at the earliest. She was here today to see what they do, but she is not working, only observing.

Discussion was held regarding meeting minutes and taking full notes. The question was asked what if there is relevant info and someone says that is not in the minutes. President Scalph stated we

can refer to our notes. Will include figures in terms of money.

Commissioner Brenemen stated that on Commissioner Louisos' website, his minutes must say "unofficial minutes." Commissioner Louisos agreed.

The meeting for March 27th was cancelled. The next meeting will be April 10th, 2020.

County Administrator Debbie Berry read the press release closing the courthouse to the public.

The meeting was adjourned at 1:00 p.m.

FAYETTE COUNTY COMMISSION

REGULAR SESSION

April 10, 2020

FAYETTE COUNTY COURTHOUSE

PRESENT: DENISE A. SCALPH, JOHN G. BRENEMEN, TOM LOUISOS

The Fayette County Commission met in a regular session via teleconference this 10th day of April 2020.

President Scalp called the meeting to order at 9:00 a.m.

Commissioner Brenemen motioned to approve first half payroll and release checks on April 15th. Commissioner Louisos seconded. Unanimous decision.

Real Property exonerations were presented for Shirley Kirby \$7.70 and Cynthia Martel \$76.10. Commissioner Brenemen motioned to approve. Commissioner Louisos seconded. Unanimous decision.

Personal property exonerations were presented for Gladys J. Wise \$126.44 & \$103.76; Nellie Chmara \$32.62; Paul Edward Lively \$100.10; Benny L. (Ben) Hale \$73.96 & \$73.96; George L. Cales \$24.98; Loretta Ann (Tovar) Collins \$265.54; Stephen Leo & Rita Anne Hudson \$146.50; Anna P. Shaffer \$21.14; Annabelle Skaggs \$63.76, \$66.70, \$66.70,

\$68.62, \$72.84 & \$72.84; Melbourne Carr \$290.92; James S. & Betty J. Estep \$44.10; Rubonda L. Proskin \$64.12; Carlos A. Jones \$293.50; and Glen A. or Rose King \$260.74. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

A refund was presented for Glen A. or Rose King in the amount of \$284.20 due to double assessment. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Orders Approving Report of Claims were presented for the estates of Joe Earl Bennet and Gordan Dale Cochran, from James C. Blankenship II, Fiduciary Commissioner. Commissioner Brenemen motioned to approve and authorize President Scalph to sign. Commissioner Louisos seconded. Unanimous decision.

Estate Settlements were presented for Vincent Leo Sheehan Jr; Judy Fay McGraw; Roger Dorton; Lea Ann Dorton; Clara Beatric Dale; and Thomas Franklin Medford. Commissioner Brenemen motioned to approve and authorize President Scalph to sign. Commissioner Louisos seconded. Unanimous decision.

Approval of prior meeting minutes was postponed.

Vouchers and invoices were presented for approval. Staff Accountant Ruth Lanier mentioned Excise Tax collections are down. Commissioner Brenemen motioned to approve vouchers and invoices and release the checks. Commissioner Louisos seconded. Unanimous decision.

Presentation of Absentee Keys and Cans for the Primary Election. These are sitting outside of the Administrator's office and are empty and locked.

An Annexation Order for the City of Oak Hill and White Oak Trail was presented. This was approved in a prior meeting, but the

paperwork was not signed. Will be signed today and Commissioner Brenemen and Louisos agreed to have their names stamped.

Discussion was held regarding County boards' obligations and responsibilities to the Fayette County Commission. Commissioner Louisos thinks things should be done differently and would like guidance if he is right or wrong. The URA is a county development board. It seems to Commissioner Louisos that the URA is more for Wolf Creek Park (WCP) development instead of county development. He would like the commission to take more charge of this and spread it around the county instead of just WCP. He would like the other Commissioners' opinion or have an explanation. President Scalph asked for clarification: he would like to encourage the URA to do something other than just WCP. Commissioner Louisos has questions about the trails at WCP. The URA will be invited to attend a future meeting to explain the trail areas.

County Administrator Debbie Berry presented a proclamation naming April, 2020 as Fair Housing Month for Fayette County for approval and signatures. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a request for reimbursement for WV Department of Homeland Security Grant from OEM Director Kevin Walker for \$58,996.00 for FY 2018. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented an invoice for WV Supreme Court of Appeals for approval and signatures requesting reimbursement for rent for the month of April, 2020 in the amount of \$3,375.00 for Family Law Judge. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a support letter for SALS in support of their plan to seek a Housing Preservation Grant Funds. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. President Scalph reminded that SALS has been encouraged to report all of their projects quarterly. Unanimous decision.

Ms. Berry presented a Consumer Sales Tax report for approval and signature of President Scalph for quarter ending 3/31/2020 from Fayette County Park in the amount of \$363.37. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Discussion was held regarding changing the May 18th meeting to May 22nd and hold the Primary Election canvass on June 15. All agreed to make these changes.

Susie Wheeler, Farm Manager, was present on the call for approval of documents and 2 Part Time Production Crew Apprentices. Commissioner Louisos motioned to approve the documents and hiring 2 part-time production crew apprentices. Commissioner Brenemen seconded. Unanimous decision.

Commissioner Louisos would like an explanation of what the Farmland Protection Board money can be used for. He would like to see it used at New Roots Community farm. Ms. Wheeler will arrange a conference call with Adam Hodges and a State farmland Board representative to explain the uses of their excise tax funds.

The meeting was adjourned at 11:00 a.m.

FAYETTE COUNTY COURTHOUSE

PRESENT: DENISE A. SCALPH, JOHN G. BRENEMEN, TOM LOUISOS

The Fayette County Commission met in a regular session via teleconference this 21st day of April, 2020.

President Scalph called the meeting to order at 9:00 a.m.

Commissioner Brenemen motioned to approve second half payroll and release checks on April 30th. Commissioner Louisos seconds. Unanimous decision.

A personal property exoneration was presented for New River Market for \$740.48. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Estate settlements were presented for Marilyn E. Turley; Gary Gene Sizemore; Freda Lee Cincinnati; and Roy Elmer Davis. Commissioner Brenemen motioned to approve. Commissioner Louisos seconded. Unanimous decision.

Notice of order approving claims for Dwayne Eugene Walters. Commissioner Brenemen motions to approve and approves stamping of names Commissioner Louisos seconded. Unanimous decision.

Prior meeting minutes were postponed.

Commissioner Brenemen motioned to approve and release checks to pay vendors. Commissioner Louisos seconds. President Scalph mentioned paying the \$20,000.00 to CI Thornburg. Unanimous decision.

County Administrator Debbie Berry received an email from a company that can make masks for \$4.00 apiece. The judge will be opening the courtroom for grand jury and is expecting masks to be provided. The masks are a reimbursable expense. Discussion was held regarding how many to order. Agreed to ask the judges an estimate of number of jurors. Commissioner Brenemen motioned to approve the

purchase, but first check to see if a price break is available at 500. Commissioner Louisos seconded. Unanimous decision.

A conference call will be set up to discuss options with the Health Department regarding safely reopening the courthouse.

Ms. Berry presented an order for the Commission to sign to lay the levy for the 2020-21 budget. Discussion was held regarding how to proceed because since Commissioner Louisos did not approve. Commissioner Louisos approved everything but the Resource Coordinator's and Humane Society's budgets. His signature will not be included on the Humane Society and Resource Coordinator's budgets. President Scalph read the Lay the Levy order. Commissioner Brenemen motioned to approve the levy rates and adopt the levy rates for the 2020-21 budget year. President Scalph seconded. Two in favor of all budgets. Commissioner Brenemen approved stamping his signature. Commissioner Louisos approved stamping all but the Resource Office and Humane Society letters.

Ms. Berry presented Early Voting sites for approval. Legal ads have been placed designating Green Valley United Methodist Church in Danese, Montgomery City Hall, and Soldiers and Sailors Memorial Building in Fayetteville as the Early Voting sites. Commissioner Brenemen motioned to approve. Commissioner Louisos seconded. Unanimous decision.

Discussion was held about a letter from Governor Justice regarding the \$100,000.00 assistance grant from his office. Commissioner Brenemen mentioned calling it Hero Pay, however it cannot be used for that. President Scalph stated that is correct, we have to consider what is approved as a FEMA reimbursement. There should be guidelines released. Discussion was held about who is allowed to

receive the money. People are suggesting that we give it to grocery stores, and trash removal services, which we cannot do as they are private entities. Ms. Berry stated municipalities will have to provide invoices and requests in writing. All this will have to be approved by the auditor's and governor's offices. The county is liable if the money is not spent correctly. Commissioner Brenemen motioned to set up a new account for the \$100,000.00 so called "Hero Pay" until further direction is given. Must be a non interest bearing account. Commissioner Louisos seconded. Unanimous decision.

Discussion was held regarding census response. If you have a PO Box you will not receive a notice. You must go online.

Discussion was held about potentially buying no-touch thermometers.

A financial conversation was held with Eddie Young and Anna Frost in regards to tax valuations and projections for the next two years. Commissioner Louisos asked if they think this will affect property values for the next year. Mr. Young doesn't see it happening for the next year. He uses sales from July 1, 2019 through July 1, 2020 to build the numbers for the next year. Anything effects from this will not be seen until at least 2022. Commissioner Louisos asked if he thinks we will see an effect. Mr. Young stated if we do it will be in 2022. Commissioner Louisos asked if that will decrease the value of properties or will it be the same? Mr. Young stated according to what the state tax department says, we cannot change anything unless the sales indicate that they need to be changed. If there are no sales, he would not change anything. If businesses leave, if people are trading cars, or not. Mr. Young give projections typically later in the year. This year our property values went down, but the board of

public works went up, and the pump station helped. But he doesn't see anything going down for 2021. Commissioner Louisos asked so this will affect 2022? Mr. Young stated we are in a good place right now, but it can go either way. The biggest unknown factors are the board of public works and mineral values. They are low right now, but a lot of factors are unknown. Commissioner Louisos asked are excise collections down? Staff Account Ruth Lanier stated yes, this month will be bad, but once the courthouse is opened again, all those waiting to pay will be there. Ms. Frost agreed that we will have a lot of payments when we open back up. President Scalph asked what about the compressor station? Mr. Young stated we are at full value right now. But they are paying full taxes. It is a \$35 million project and they turned in \$33.00 on their return. Mr. Young also mentioned speaking with an attorney from New York regarding the mine at Powellton, potentially wanting to settle with them. Ms. Frost has a call with them tomorrow. They won't pay for anything owed by Seminole.

Becky Sullivan, New River Gorge CVB Director, checked in to hear the GoRail presentation. There is a concern that the Covid-19 outbreak could affect Bridge Day but they won't know until after July or August. Does believe this will affect the numbers this year. However they believe people won't be cruising or flying so they will be looking at unpopulated places to visit. They are already receiving a lot of calls.

Michael Gaynor presented the GoRail issues. It is a National non-profit headquartered in Washington DC. They try to build awareness of the public benefits of rail travel, such as reduced road traffic. Discussion was held of a GoRail app to give firefighters and

emergency responders access to rail info for emergency situations. Discussion also held of how this information is disseminated. Also wanted to discuss the Sanders Act passed forty years ago that allowed freedom in rates and routes. Mr. Gaynor asked for a letter of support to encourage the Board to maintain the balanced underlying economic framework. He would like the commission to agree to add their name on this joint letter to congress to show support. Commissioner Louisos motioned to approve the letter. Commissioner Brenemen seconded. Unanimous decision.

The meeting was adjourned at 10:45 a.m.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
MAY 8, 2020
FAYETTE COUNTY COURTHOUSE
PRESENT: DENISE A. SCALPH, JOHN G. BRENEMEN, TOM LOUISOS

The Fayette County Commission met in a regular session via teleconference this 8th day of May 2020.

President Scalph called this meeting to order at 9:00 a.m.

Commissioner Brenemen motioned to approve first half payroll on 15th. Commissioner Louisos seconded. Unanimous decision.

Estate settlements were presented for Dora Burnett Fowler; Betty Lou Burns; Mary Ann Clark; Mack Edward Coffman; Kim Wilson; Leroy Smith; Glorina Mae Slimmer; and Doris Ann Kenney. Commissioner Brenemen motioned to approve and authorize President Scalph to sign. Permission given to stamp names. Commissioner Louisos seconded. Unanimous decision.

Prior meeting minutes were postponed.

Vouchers and Invoices were presented and discussion was held regarding the Fire Association driving to Ohio to pickup equipment.

President Scalph spoke with Benny Filliagi and they have no intentions of driving to Ohio. Commissioner Brenemen motioned to approve vouchers and invoices and pay invoices. Commissioner Louisos seconded. Unanimous decision.

County Administrator Debbie Berry presented a grant agreement and certificate for approval for the Records Management and Preservation grant. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a letter for approval and signatures to the WV Supreme Court with invoice for reimbursement of rent in the amount of \$3,375.00 for the Family Law Judge. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Permission given to stamp names. Unanimous decision.

Ms. Berry presented an application for permit to operate Boomer Ball Field from Fayette County Health Department for approval. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Discussion was held of Fayette County and the number of cases. Concern regarding the increases. Expected to go higher. Everyone should be wearing masks. Governor's office is aware of our higher numbers and is watching the county.

Discussion was held regarding the pool opening. Commissioner Brenemen wants it to be closed for the year. Too many concerns about this. Park Director Renee Harper said people have been cancelling large groups. President Scalph also thinks it is a bad idea. Commissioner Louisos wants to talk with Health Department Director Terri Harlan and see her reasoning. President Scalph suggested

speaking with Ms. Harper as well about the cost of opening the pool, as well as lack of life guards. Adventures on the Gorge is discussing not opening theirs.

Discussion was held regarding the approval to advertise for Fayette County parking lot project. Estimated cost from CENTEC Engineering, PLLC- \$81,136.00. This is a rough estimate. The Commission just needs to grant permission to advertise. Ms. Berry asked if this is in the budget. Staff Accountant Ruth Lanier stated this is infrastructure so it can come from Coal Reallocated. Commissioner Louisos asked if there is the money there. Ms. Lanier stated yes, but could not give exact number due to technical difficulties at that time. Commissioner Louisos motioned to approve the advertisement. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a Community Rating System Annual Recertification for Fayette County Floodplain Office for approval and signature of President Scalph. Commissioner Louisos motioned to authorize President Scalph to sign. Commissioner Brenemen seconded. Unanimous decision.

Discussion was held regarding Farmland Projection Board and their excise tax and how it can be used pursuant WV State Code 8-A-12-21-c. Adam Hodges, FC Farmland Protection board, Gabe Pena, Resource Coordinator, Susie Wheeler, Farm Manager, and Lavonne Paden, Director of the State Farmland Board, were on the call.

Confirmation of the replacement for Zoning Officer and decision of location for office was held. Allen Ballard, Building Safety Inspector and Angela Gerald, Building Safety Assistant, were on the

call. President Scalph stated they had conversations surrounding replacing the Zoning official but doesn't think that anything was made official. But Current Zoning Official Tim Richardson did recommend that Ms. Gerald would be a good replacement, made very good points and she has been working very closely with Mr. Richardson and knows the job and duties. General consensus was in agreement. Mr. Richardson is still here, but going forward, if the other two agree, we can go ahead and confirm that that would be the point of transition. As far as the physical office we can discuss later. Mr. Richardson's retirement was accepted, but we did not accept or approve the recommendation. Ms. Gerald replace Mr. Richardson in his position and we will determine a salary at a later date and get recommendations regarding the office space. Commissioner Brenemen thinks she will do an excellent job in the position and Mr. Richardson has said she probably knows code better than him. Commissioner Brenemen motioned to approve Angela Gerald replacing Tim Richardson as of June 30, 2020 with office and salary to be determined later. Commissioner Louisos seconded. Unanimous decision.

Discussion was held for the plan for reopening the courthouse. President Scalph stated there have been some concerns regarding opening the courthouse. People keep saying we should open, but we are still open and providing service to the county by using safe practice and provisions. We are open by phone, appointment or email. More aggressive daily activity inside the courthouse is the concern. One entrance and exit to the annex and courthouse will be used for daily activities and purposes with limited number of people visiting each office. People must have temp taken. If you are ill or have fever you will not be allowed in and everyone will be required to wear a

mask. Prosecuting Attorney Jeff Mauzy agrees. Judge Blake says only the defendant and lawyer will be allowed in the courtroom; no jury trials and the courtroom will be restricted. We will be open, but only allow a certain number of people inside. There will be a call with Health Department Administrator Teri Harlan and County Physician Dr. Anita Stewart, who have serious concerns. In discussion of the election, we may need to call secretary of state regarding election night and restricting entry for public.

Ms. Harlan was on the call anticipates that the state is going to designate Fayette County as a watch county; highest level is hot spot.

Staff will be asked to self-monitor and not come to work if ill. A deputy will be stationed at each door with thermometers that measures from a distance. Discussions was held about people traveling in and out of state. A memo will be drafted and sent to the commissioners for approval. This memo will outline the new guidelines for staff and visitors.

Discussion was held regarding the Prosecuting Attorney's office and the work they've been doing with the jail bill. They've found multiple mistakes in the billing and have recouped \$32,000.00. The Commission is very pleased with Mr. Mauzy's work.

Kevin Walker, OEM Director, joined the call and said he is working to update a document developed at the beginning to have an operational picture. This can be changed at any time.

The meeting was adjourned at 11:30 a.m.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
MAY 22, 2020
FAYETTE COUNTY SOLDIERS AND SAILORS MEMORIAL BUILDING
PRESENT: DENISE A. SCALPH, TOM LOUISOS

The Fayette County Commission met in a regular session via teleconference this 22nd day of May 2020.

County Clerk Alicia Treadway led the pledge of allegiance. President Scalph called this meeting to order at 9:00 a.m.

Early voting testing was conducted with Ms. Treadway, President Scalph, Commissioner Louisos and Jack Thompson and Richard Meadows, ballot commissioners.

Commissioner Louisos motioned to approve second half payroll on 29th. Commissioner Scalph seconded. Unanimous decision.

Estate settlements were presented for Dennis Holland Wyrick; Ralph Eugene Armentrout; Roger Lewis Reichard; Harold Lloyd Gill; Carol Sue Underwood; Jo Ann Oliver; Joyce Elaine Taylor; and Evelyn Gloria Price. Commissioner Louisos motioned to approve and authorize President Scalph to sign. Commissioner Scalph seconded. Unanimous decision.

Prior meeting minutes were postponed.

Commissioner Louisos motioned to approve vouchers and invoices and release payments. Commissioner Scalph seconded. Unanimous decision.

County Administrator Debbie Berry presented letters and order for the Fayette County Commission to approve and sign designating the following incorporated banking institutions in the county to be named as Depositories of Public Monies: Fayette County National Bank; Truist/BB&T; Chase Bank; Pendleton Bank (formerly Bank of Mt. Hope); Untied Bank; and City National Bank of WV. Commissioner Louisos motioned to approve. President Scalph seconded. Unanimous decision.

Ms. Berry presented a request from Angela Perry with the Fayette County Farmers Market to use Wiseman Avenue Parking lot for Farmer's Market starting Saturday May 23, 2020 through October 31, 2020 from 8:00 a.m. to 12:30 p.m. Commissioner Louisos motioned. President Scalph seconded. Unanimous decision.

Ms. Berry presented a request from Becky Sullivan, New River Gorge CVB, to use parking lot around the Memorial Building on Saturday, October 17, 2020 for parking for Bridge Day from 4:30 a.m. to 7:00 a.m. Commissioner Louisos motioned to approve. President Scalph seconded. Unanimous decision.

Ms. Berry presented letters for approval and signature of President Scalph for WV State Auditor's Office for FY 2018/2019 audit. Commissioner Louisos Motioned to approve. President Scalph seconded. Unanimous decision.

Ms. Berry presented a letter for approval and signatures to substitute securities held with Fayette County National Bank for the county bank accounts. Commissioner Louisos motioned to approve. President Scalph seconded. Unanimous decision.

Ms. Berry presented a request from Danese PSD to appoint James Hamrick to replace Richard W. Kinder whose term expired in March 2020. Term for Mr. Hamrick would be a 6 year term to expire March 30, 2026. This was tabled.

Discussion was held regarding Page Kincaid. Chris Carew from WV American Water is sending a water buffalo to Page Kincaid for the public. Jake Johnson, Fire Chief from Loup Creek VFD will also monitor as will Kevin Walker. James Kincaid, Page Kincaid PSD chairman agreed to allow the National Guard or Fayette County Sheriff's Deputies to have entry to the gate once hours are

determined. The floor was opened for comments and questions. Teri Harlan, Health Department Director, was also present. Hearing is set for July 16th with the PSC. Ms. Harlan asked if this water buffalo will remain until this is resolved.

President Scalph stated WV American water has agreed to ensure that water is available. President Scalph requested that we urge the PSC to move the hearing date up. Leslie Taylor with Region 4 Planning and development said they may be limited by legalities regarding the timeline. Ms. Harlan asked will they be there around the clock. President Scalph stated they are working on a timeline to ensure there are adequate hours, especially in the evening. Ms. Harlan said this is very frustrating that we have been discussing this for over a year.

President Scalph said unfortunately our authority is very limited since it is a public utility. Prosecuting Attorney Jeff Mauzy stated initially WV American Water only wanted to handle water, the PSD wanted to do sewer as well. But the PSD never supplied the info for the sewer and did not follow through with request by WVAW. Ms. Harlan asked how do we hold them responsible? Mr. Mauzy said the PSC can remove and force things to happen. The Commission can also file a petition to remove any members that do not follow through with orders.

Ms. Harlan stated these people do not have water that is drinkable, can't wash clothes, ruining tubs, toilets, can wash hands. This has been going on for two years. I feel guilty because I thought this had been addressed. Whatever we can do as a health department, she is willing to help. President Scalph agrees, we have had hearings, workshops, etc... When the PSC came in we thought it would be taken care of. It also ruins VFD equipment that is located in that area. This is especially bad in the middle of this pandemic. July 16th

is too far away. Commissioner Louisos wants the commission to file a complaint to remove the people from the board. We need to vote to remove them off.

Mr. Mauzy said unless there is someone on the board that has voted against, they can all be removed for not complying. Commissioner Louisos asked can we hold an emergency meeting, put it on the agenda and move forward. Mr. Mauzy said he thinks when you vote to file the petition, you vote on each person on the board. I would vote individually to show you are holding each person responsible. President Scalp stated when we go forward, we will have to replace them temporarily. We have to have a back-up.

Mr. Mauzy said this would qualify as an emergency meeting. Ms. Berry will post the meeting for Wednesday at 9:00 a.m. Mr. Mauzy stated they can limit the number of people that are allowed in the commission chambers. A Zoom meeting will be set up.

The meeting was adjourned at 10:25.

FAYETTE COUNTY COMMISSION
EMERGENCY SESSION
MAY 27, 2020
FAYETTE COUNTY COURTHOUSE - JUDGE BLAKE'S COURTROOM
PRESENT: DENISE A. SCALPH, JOHN G. BRENEMEN, TOM LOUISOS

The Fayette County Commission met in an emergency session this 27th day of May 2020. The meeting was also accessible via teleconference.

Commission Assistant Ami Dangerfield led the pledge of allegiance.

President Scalp called this meeting to order at 9:01 a.m.

Commissioner Brenemen held discussion of holding a public hearing. Prosecuting Attorney Jeff Mauzy said this is not a

requirement. The Public Service Commission is investigating and taking complaints.

President Scalph said the people in the district have spoken. County Administrator Debbie Berry Spoke with PSC Chairman Charlotte Lane yesterday she and had no objections with today's meeting. There will be a PSC hearing on July 16th. Nothing about today's meeting is personal. It is just time for a change. A petition with 300 - 400 names was presented to the Commission. That can't be ignored.

Mr. Mauzy stated that Charlotte Lane with the PSC confirmed that there here are two separate processes at work. One won't interfere with the other.

President Scalph asked for a roll call of those on the call: Jesse Alden, Thrasher Engineering; Page Kincaid PSD Commissioners James Kincaid, Jr. and John David (Robert Williams not on call); Phil Tissue, PKPSD Attorney; Bart Jackson, PKPSD Manager; Ali Mitchell with Senator Manchin's office; Donald Carte; John Tuggle and Lesly Taylor, Region 4 Planning & Development.

President Scalph asked for comments.

Mr. David stated there had been vandalism and they drained the tanks. He stated that most people now have clean water after this episode. It wasn't system wide. This current situation is unfortunate. If they had been permitted to accept a USDA loan, all of this would be fixed. They were blocked by many entities including West Virginia American Water (WVAW).

President Scalph added that the PSD was given money by the Commission for media loss last year. As for the loan, requirements were that the PSD had to have a reserve account and be out of debt. The people of the PSD are the ones who started this with their

petition, not the Commission. WVAW stepped in over a holiday weekend to bring in water due to the brown water. The PSD has been asked over and over to work together to resolve the issues to get consistent clean water.

Discussion was held regarding the certificate filing. The engineers provided all of the information. The PSC said the certificate was for a long range project and wasn't to fix the immediate issues. This certificate was filed on June 27, 2019.

President Scalph stated that for whatever reason, the district hasn't maintained adequate quality of water. President Scalph also reminded that all Commissioners must reside in the district, not just have a business there. Restated that none of this is personal. The majority of the people in the district are begging for assistance. Community leaders can't keep making excuses. There needs to be a fix.

Commissioner Brenemen asked Mr. Jackson if the theft that occurred of PSD property were reported. Mr. Jackson stated they weren't. Commissioner Brenemen asked about routine maintenance, grass cutting and repairs. Mr. Jackson stated none of this has been done.

President Scalph asked for other comments. There were none.

Commissioner Louisos motioned to file a petition in Circuit Court to remove Page Kincaid PSD Commissioner Robert Williams. Commissioner Brenemen seconded. Unanimous decision.

Commissioner Louisos motioned to file a petition in Circuit Court to remove Page Kincaid Commissioner John David PSD. Commissioner Brenemen seconded. Mr. Tissue asked for clarification of these votes. The Commission is acting under WV State Code 16-13-A-3A which gives them the authority to petition the courts to remove the board members. Unanimous decision.

Commissioner Louisos motioned to file a petition in Circuit Court to remove Page Kincaid PSD Commissioner James A. Kincaid, Jr. Commissioner Brenemen seconded. Unanimous decision.

Mr. Mauzy will prepare the documents and file the petition in the Circuit Clerk's office. This will then be placed on a Circuit Court docket as their schedule allows.

President Scalp stressed again this is not personal. Citizens are begging for help and we are in the middle of a pandemic and they cannot wash anything.

Mr. David once again stated if they had been allowed to proceed with the USDA loan this could have all been dealt with. At the current time, the water is in good shape. They acted as any utility would. Mr. David stated this is because of blasting and mining at a nearby Seminole, now Murray Energy site. He is concerned that WVAW has an underutilized plant on the New River and is trying to reach their market. They orchestrated this plan. Page Kincaid PSD has previously won awards for their water.

President Scalp stated indebtedness and the lack of a reserve account were the reasons the loan wasn't approved. Issues were not being addressed and the PSC stepped in with their ongoing investigation. The main concern is to serve the people of the utility.

The meeting was adjourned at 9:48 a.m.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
JUNE 5, 2020
FAYETTE COUNTY SOLDIERS AND SAILORS MEMORIAL BUILDING
PRESENT: DENISE A. SCALPH, JOHN BRENEMEN, TOM LOUISOS

The Fayette County Commission met in a regular session via teleconference this 5th day of June 2020.

President Scalph called this meeting to order at 9:00 a.m.

Commissioner Brenemen motioned to approve 1st half payroll and release checks on June 15th. Commissioner Louisos seconded. Unanimous decision.

Exonerations were presented for real property for Tracy Morris for \$279.20. Commissioner Brenemen motioned to approve. Commissioner Louisos seconded. Unanimous decision.

Estate Settlements were presented. Commissioner Brenemen motioned to approve and authorize President Scalph to sign. Commissioner Louisos seconded. Unanimous decision.

Commissioner Brenemen motioned to approve prior meeting minutes from March 3, 20 and 25, April 4 and 21, and May 8, 22 & 27. Commissioner Louisos seconded. Unanimous decision.

Commissioner Brenemen motioned to approve vouchers and invoices. Commissioner Louisos seconded. Unanimous decision.

County Administrator Debbie Berry presented Resolution #9 for New Haven PSD Contract 19 for approval and signature of President Scalph. This request is a drawdown of funds the Commission allocated to the design phase of the project in the amount of \$529.24. Commissioner Louisos motioned to approve the resolution. Commissioner Brenemen seconded. Unanimous decision.

CARES Act grant reimbursement documents from Resource Coordinator Gabe Peña were tabled.

Ms. Berry presented a letter for approval and signatures to the WV Supreme Court Requesting reimbursement for rent to Family Law Judge for the month of June 2020 in the amount of \$3,375.00. Commissioner

Louisos motioned to approve. Commissioner Brenemen seconded. All approve stamping names. Unanimous decision.

Ms. Berry presented a letter from Robert Richards, Chairman of the Danese Public Service District to appoint James Hamrick to replace Richard Kinder, whose term expired and will not be renewed. The application form has not been received. Commissioner Louisos motioned to table until the form is received.

Ms. Berry presented a letter from 911 Coordinator Jimmy Saddler requesting to hire Brenda Ennis as a full-time telecommunicator due to two vacancies at the center. She previously worked at the center and left on good terms. The request was discussed and Commissioner Brenemen wants to table due to inconsistency in starting pay. This information needs to be explained. Commissioner Louisos seconded. Will be put on the June 15th meeting agenda. Unanimous decision.

Ms. Berry presented Budget Revisions for Fayette County General Fund and Coal Severance Fund Staff Accountant Ruth Lanier. Commissioner Louisos motioned to approve the revision to the General Fund. Commissioner Brenemen seconded. Unanimous decision.

The WV Counties Risk Pool Insurance Renewal Proposal was reviewed and discussed. Staff Accountant Ruth Lanier discussed potential credit to be added due to lower claims. Commissioner Brenemen motioned to approve the renewal. Commissioner Louisos seconded. Unanimous decision.

Ms. Berry said the delinquent list was brought in by Sheriff Fridley. It will need to be approved at the next meeting since it is not on the agenda.

Discussion of a press release for election night was held. Prosecuting Attorney Jeff Mauzy stated we can't restrict candidates; can't restrict everybody. Code said we can allow a reasonable number and we need to allow some members of the public. Suggest maybe rotating the inside crowd. Having a monitor outside may limit interest for entry anyway. All Commissioners were in agreement. Mr. Mauzy stated there are a lot of people that typically come out that probably won't feel safe.

Commissioner Brenemen asked about expenses for the Fire Association Training Facility. Ms. Berry asked if Fire Coordinator Joe Crist had discussed any of this with the Commissioners. Commissioner Louisos stated he questioned details but no money was discussed. Ms. Lanier pointed out several new contracts that the Commission was not aware of. Mr. Crist will be asked to attend the next regular meeting. President Scalph asked Ms. Berry to draft a letter reminding Mr. Crist that anything over \$600.00 needs to be approved prior to purchase. Commissioner Brenemen is the Purchasing Agent and has to approve any requisitions over \$600.00. Commissioner Louisos stated that the Commission can get in trouble if we don't oversee purchases from departments. The Commission is in agreement that they need a reminder and Ms. Berry will prepare one for approval.

Commissioner Louisos mentioned he heard about a theft at New Roots Farm. President Scalph stated they were caught and the items were returned and staff is in the process of installing cameras. Mr. Mauzy said as long as charges are filed, they will be prosecuted.

The oath for Election Night workers will be given at 6:30 p.m. at the Memorial Building. Results start coming in after 7:30 p.m.

The meeting was adjourned 9:54 a.m.

FAYETTE COUNTY COMMISSION
SPECIAL SESSION
June 15, 2020
FAYETTE COUNTY SOLDIERS AND SAILORS MEMORIAL BUILDING
PRESENT: DENISE A. SCALPH, JOHN BRENNEMEN, TOM LOUISOS

The Fayette County Commission met in a special session to canvass the primary election this 15th day of June 2020.

President Scalp called this meeting to order at 9:00 a.m.

The oath of office was given to all canvass workers.

The Pledge of Allegiance was led by Voters' Registration Deputy, Sara Tucker.

Commissioner Louisos motioned to set the bond for a recount of the election at not more than \$300.00. Commissioner Brenemen seconded. Unanimous decision.

Commissioner Brenemen motioned to approve election and canvass workers. Commissioner Louisos seconded. Unanimous decision.

Commissioner Brenemen motioned to approve 2nd half payroll to be released on June 29th. Commissioner Louisos seconded. Unanimous decision.

Anna Frost, Chief Tax Deputy, appeared to present the delinquent land list. This year the report is 85 pages fewer than last year, which is about 2,000 fewer properties. She attributes this to the reminder post cards which were mailed, and also the stimulus checks. The commission thanked the tax office for a job well done. The Commissioners and County Clerk Alicia Treadway signed the delinquent list.

President Scalph read a statement about the flooding which happened in Oak Hill and Minden over the weekend. The 911 Center also had a lightning strike which caused a phone outage. Kevin Walker, OEM Director, assisted the areas affected. Swiftwater teams evacuated residents. Governor Justice declared a State of Emergency for the area. The families are in the commission's thoughts and prayers.

A local state of emergency declaration was presented for the commission to sign. Commissioner Louisos motioned to approve and sign. Commissioner Brenemen seconded. Unanimous decision.

Debbie Berry, County Administrator, presented CARES Act grant reimbursement documents from Resource Coordinator Gabe Peña for approval. The Commission approved to submit the documents.

Ms. Berry presented a letter from Robert Richards, Chairman of the Danese PSD requesting the appointment of James M. Hamrick. The board voted not to reappoint Richard W. Kinder due to him having a relative who works for the PSD. Mr. Hamrick's term will expire March 30, 2026. Commissioner Brenemen motioned to approve. Commissioner Louisos seconded. Unanimous decision.

Ms. Berry presented a letter from Jimmy Sadler, 911 Coordinator, requesting to hire Brenda Ennis as a full-time telecommunicator, due to 2 vacancies at the center. This request was tabled.

The canvass of the 2020 primary election was performed. Precincts 42 and 50 were hand counted.

Canvass results did not change the outcome of any races in Fayette County.

The meeting was adjourned at 6:30 p.m.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
June 26, 2020
FAYETTE COUNTY COURTHOUSE
PRESENT: DENISE A. SCALPH, JOHN BRENNEMEN, TOM LOUISOS

The Fayette County Commission met in a regular session via teleconference this 26th day of June 2020.

President Scalph called this meeting to order at 9:00 a.m.

Discussion regarding update from Health Department and potential new Covid-19 cases in the county. The Health Department is recommending cancelling the Spartan Race at the Summit Bechtel Reserve in August. The Commission is planning for an in-person meeting on July 10th.

Mike Bone, Assessor Chief Deputy, presented exonerations for personal property for Ashleigh & Justin Gibson \$484.22; VW Credit Leasing LTD \$129.52; James Albert Neeson \$186.82; Jinnie L. Vanness \$134.10; Lilly M. Massey & Rebecca Butcher \$104.52 & 90.30; Todd A. or Michelle Strickland \$883.78; Nathan Daniel & Mary Jane Bush \$215.20 & 182.92; Charles K. Yates \$31.50; Joseph N Parrish Jr. \$147.88; William Smith Jr. \$161.66 & \$472.60; Tracey K. Morris \$325.04; Clarence M. McClung \$117.20; Cheryl Dufour \$66.18; Norma G. Barnett & John L. Ondo \$556.80; Henry L. & Verdine Shaffer \$1,527.18; Audrennee Ann Martin \$84.16. Commissioner Louisos motioned to approve and authorize President Scalph to sign. Commissioner Brennen seconded. Unanimous decision.

Two real estate tickets due to class changes were presented for Mike Greene \$1,175.80 and Wherely & Sandra Morris \$59.84. Commissioner Brennen motioned to approve and authorize President Scalph to sign. Commissioner Louisos seconded. Unanimous decision.

Land Book Pages were presented for signature. These must be signed by all three and not stamped. Mr. Bone will deliver the land books to Commissioners Brenemen and Louisos for signature. Commissioner Brenemen motioned to approve the personal and real land book pages for signatures. Commissioner Louisos seconded. Unanimous decision.

Commissioner Brenemen motioned to approve vouchers and invoices and release checks to pay our vendors. Commissioner Louisos seconded. Unanimous decision.

Prior meeting minutes were tabled.

Estate settlements were presented for Amanda Marie Boles-Ramsey; Robert Lee Haga; Nellie Mae Fox; Marjorie Lee March; Tammy Lou Scarbro; Margaret V. Adkins; Ergil R. Waugh; Rosalyn Carol Price; Albert Levi Stanley; Thomas Carl Treadway; Charlotte Kay Aliff; Barbara Joyce Huddleston; Amy Denise Arthur; James Edward Bess; Linda Lou Castle; and Priscilla Jean Barnhart. Commissioner Brenemen motioned to approve. Commissioner Louisos seconded. Unanimous decision.

Ami Dangerfield, County Commission Assistant, presented the following transfer orders for end of Fiscal Year 2020.

Magistrate Court Fund to the General Fund

\$18,761.58

Fayette County General School Fund to General Fund

\$94,970.56

Fayette County Worthless Check Fund to General Fund

\$475.13

President Scalph asked if the other Commissioners approve stamping their name to these and all following documents presented at

the meeting. Commissioners Brenemen and Louisos agreed. Commissioner Louisos motioned to approve the transfers as presented by Ms. Dangerfield. Commissioner Brenemen seconded. Unanimous decision.

Ms. Dangerfield presented the Election Levy Transfer order for Fiscal Year 2020 for approval and signatures. The following amounts will be transferred from each levy to the General Fund to cover the cost of the election:

Library Levy Fund	\$ 3,200.00
Law Enforcement Levy Fund	\$ 6,800.00
Fire Levy Fund	\$ 10,000.00

Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Dangerfield presented the Budget Statement for approval and signatures of the Fayette County Commission. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Dangerfield presented letters for approval and signatures of the Commission to Maureen Lewis at the WV Secretary of State and to the Public Service Commission with a list of current board members of public service districts in Fayette County. President Scalph noted an error and Ms. Dangerfield presented an updated list. Commissioner Louisos motioned to approve as amended. Commissioner Brenemen seconded. Unanimous decision.

Ms. Dangerfield presented a support letter for approval and signatures of the Commission to SALS for its HUD Housing Counseling program. Commissioner Brenemen asked for the letter to be amended and Ms. Dangerfield presented an updated letter. Commissioner Louisos

motioned to approve as amended. Commissioner Brenemen seconded. Unanimous decision.

Ms. Dangerfield presented Fire Levy Contracts for all fire departments for approval and signatures for Fiscal Year 2020/2021. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Dangerfield presented a permit form from James Ellison, Permit Supervisor, WV Division of Highways, District Nine for work along WV 16 near the Fayette County Courthouse. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Discussion was held about a request from Melanie Seiler-Hames to continue holding Pickleball at the Fayette County Soldiers and Sailors Memorial Building starting in July. Commissioner Louisos motioned for Ms. Dangerfield to send to Ms. Seiler-Hames stating the Commission believes it is too early to resume indoor sport activities at the Memorial Building. Commissioner Brenemen seconded. Unanimous decision.

Ms. Dangerfield presented a Surface Transportation Board Notice of Exemption for the 6.39-mile line between MP CAF 20-61 and CAF 27.0 near Rainelle, WV for signature by President Scalph. Commissioner Louisos motioned to approve the document after review and approval of the Prosecutor in writing. Commissioner Brenemen seconded. Unanimous decision.

Ms. Dangerfield presented a request from Becky Kellum, Fayette County Libraries Director, to reappoint Roberta Sifers to the Fayette County Library Board for a 5 year term, ending June 30, 2025.

Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Dangerfield presented a Final Request for payment from Resource Coordinator Gabe Peña for \$9,000.00 from FY19 Flex-E Grant for Wolf Creek Park Redevelopment Plan, Project Number 18-ARC-P22 for approval and signature of President Scalph. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Dangerfield presented a request from Jimmy Sadler, 911 Coordinator, to hire 2 full time Telecommunicators to fill 2 vacancies. He recommended Rebecca Lipps and Logan Plumley at an hourly rate of \$10.61, moving to \$11.13 after a 6 month probationary period. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Dangerfield presented Brickstreet Renewal Quote for Discussion. This was discussed at a previous meeting. Commissioner Louisos approved. Commissioner Brenemen seconded. Unanimous decision.

Gabe Peña was present for a discussion regarding a hiring decision for the Resource Coordinator's Office. Mr. Peña wanted to notify the Commission of his discussions with the Farmland, URA, and SWA boards regarding a new hire for his office. This will be discussed more at a future meeting.

Ms. Dangerfield presented Building Code Agreements for the City of Oak Hill and the Town of Fayetteville, however the Fayetteville agreement was not delivered prior to the meeting. Ms. Dangerfield said Fayetteville has the agreement on their agenda in July. The Fayetteville agreement will be tabled until we have their signed

document. Commissioner Louisos motioned to approve the Building Code Agreement for Oak Hill. Commissioner Brenemen seconded. Unanimous decision.

Ms. Dangerfield presented Banking Depositories for Fayette County. Fayette County National, Pendleton Community Bank (formerly Bank of Mt. Hope), and City Bank responded. Commissioner Louisos motioned to approve and sign the order. Commissioner Brenemen seconded. Unanimous decision.

Commissioner Brenemen motioned to approve the primary election results and certify them for Fayette County. Commissioner Louisos seconded. Unanimous decision.

President Scalph updated the Commission that Joe Crist will be at the next meeting with the Fire Association President. They will present expected expenses.

President Scalph stated that Angela Gerald, appointed Zoning Officer to take over for Tim Richardson, would like to stay in her current office and use Mr. Richardson's office for multi-use with Solid Waste and the Building Department. Ms. Gerald was on the call and stated she has spoken with Tommy Harris, SWA Litter Control Officer, and Allen Ballard, Building Safety Officer, and they are both fine with this arrangement.

Discussion was held regarding budget letters for those that did not receive funding. Letters will be sent to those who did not receive their requests.

President Scalph stated they need to make it a matter of the minutes the salary for Ms. Gerald. Ms. Berry will need to send payroll a letter addressing her salary change. Ms. Gerald's salary will increase to \$30,000 on July 1 and after a six month probationary

period \$35,000.00. Commissioner Brenemen motioned to approve.

Commissioner Louisos seconded. Unanimous decision.

The meeting was adjourned at 11:12 a.m.

FAYETTE COUNTY COMMISSION

REGULAR SESSION

July 10, 2020

FAYETTE COUNTY COURTHOUSE

PRESENT: DENISE A. SCALPH, JOHN BRENEMEN, TOM LOUISOS

The Fayette County Commission met in a regular session in person with a teleconference option this 10th day of July, 2020.

President Scalph called this meeting to order at 9:00 a.m.

The Pledge of Allegiance was led by Prosecuting Attorney Jeff Mauzy.

Commissioner Brenemen motioned to approve first half payroll and release checks on July 15th. Commissioner Louisos seconded. Unanimous decision.

Commissioner Brenemen motioned to approve vouchers and invoices and release checks to pay our vendors. Commissioner Louisos seconded. Unanimous decision.

Eddie Young, Assessor, presented exonerations for personal property for James K. Sizemore \$351.24; Tommy & Kristen Young \$230.58; Daniel Owen & Coretta J. Fitzpatrick \$382.76; Whereley & Sandra Morris \$42.80; Mike Greene \$1,175.80; Tracy Morris \$252.38; New River Market \$1,478.62; Cynthia Martel \$71.48; Shirley Kirby \$7.70; Timothy Carl Patton \$29.40; Mary E. & Roger A. Childers \$46.36; James P. & Tina D. Bell \$64.14; Kaja Holdings \$313.58 & \$313.58. Explained the source of credits and reason for exonerations. Commissioner Brenemen motioned to approve real property exonerations. Commissioner Louisos seconded. Unanimous decision.

Estate settlements were presented for Carol Sue Williams; Herbert Dale Carnifax; Shirley Ann Carnifax; John Chester Dixon, Jr.; Betty Lou Walker; Mary Alice Bragg; John Lewis Bragg; Lemon Earl Perdue; and Betty Jane Denton. Commissioner Brenemen motioned to approve. Commissioner Louisos seconded. Unanimous decision.

Commissioner Brenemen motioned to approve minutes from June 5, 15 and 26th. Commissioner Louisos seconded. Unanimous decision.

County Administrator Debbie Berry presented Orders to Combine or Divide and Segregate Land for Sandra K. Keeney and Whereley & Sandra Morris, respectively. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a letter for approval and signature requesting reimbursement from the Supreme Court in the Amount of \$3,375.00 for July's rent for the Family Law Judge. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Discussion was held regarding extra pay for 5 primary election canvass workers who worked longer hours. Commissioner Louisos motioned to approve the extra pay of \$65.00 each. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented documents for a drawdown of \$7,544.72 for New Haven PSD for a design loan the Commission committed to for Contract 19 water extension project. Commissioner Louisos motioned to approve and sign. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a Building Code agreement between the Fayette County Commission and Town of Fayetteville for FY 2020-21 for approval and signature of President Scalph. Commissioner Louisos motioned to

approve and authorize President Scalph to sign. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented Inspection Agreements from the Building Code Enforcement Office for Michael Rose and Jason Davis of MTR Electric, LLC for FY 2020-21. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a letter from Renee Harper, Parks Director, requesting to appoint Steve Pilato to the Fayette County Parks and Recreation Advisory Board, term to expire June 30, 2023. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a letter from Aletha Stolar Solid Waste Authority Chair, requesting reappointment of Kerren Hall, term to expire June 30, 2024. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a letter from Bart Jackson, Page Kincaid PSD, requesting the Commission to challenge a permit application. Prosecuting Attorney Jeff Mauzy advised against it.

Ms. Berry presented letters to outside agencies who requested allocation of funds for FY 20/21 and were not funded for approval and signature of the Commission. Commissioner Louisos motioned. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a request from Matt Diederich, Fayetteville Town Superintendent, to reschedule their community trash clean up to be held on August 14-16. It was originally to be held April 23-37 but was postponed due to Covid-19. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a letter from Renee Harper related to her budget requesting to add a position back to the Garage budget. The commission did not agree to add this position back.

Ms. Berry presented documents for review from Pete Thackston from USI related to CCAWV dental and vision insurance for courthouse employees. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a Coal Severance Budget Revision. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a Consumer Sales Tax Report for the County Park for the quarter ending June 30, 2020. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Allen Ballard was in attendance regarding changes to the building code and explained the changes. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Sheriff Fridley was in attendance to discuss Courthouse Security. Discussion of county numbers and using COVID money to hire additional personnel. He is waiting on an answer from the Gabe Pena in the Resource Coordinator's Office regarding this, as well as possibly using it for purchasing vehicles due to transport.

Sheriff Fridley stated that since adding additional cameras, his department's internet has slowed considerably and stops them from using Spillman. It would cost an additional \$49.00 a month to increase this and prevent the lag.

Sheriff Fridley also presented that they were approved for a JAG grant for \$10,652. He is asking for the \$3,000 match from the

Commission. He received a \$43,000.00 grant from COVID money for uniforms as well as additional equipment. He is also looking at COPS grants to fund this later.

Commissioner Louisos motioned to approve the request to increase the internet available to the security cameras for \$49.00 a month. Commissioner Brenemen seconded. Unanimous decision.

Sheriff Fridley will return on July 24th for the additional hire decision.

The Sheriff would like a courthouse entry system to allow employees entry without keys and is researching if COVID money will cover this. President Scalph asked that Ms. Berry make sure Mr. Peña works with the Sheriff.

Joe Crist, Fire Coordinator and Mark Bass, Fire Association President, were in attendance to discuss the Fire Association Training Facility.

Mr. Bass stated they have acquired the old Hawks Nest Golf Course from Brookfield Renewable at no cost, other than paying one year's taxes. Estimated budget is \$750,000.00 and it is time to bid for the training props and construction phase.

Commissioner Brenemen stated they need to keep Allen Ballard involved to ensure there are no issues with compliance.

Commissioner Brenemen motioned to approve the expenditure for the new training facility up to \$750,000.00 from the Fire Levy Fund for the Fireman's Association and detailed numbers will be emailed to the commission. Commissioner Louisos seconded. Unanimous decision.

Jimmy Sadler was in attendance by phone to present the quotes for concrete for the 911 center for approval. Giannini provided a quote of \$25,000.00. Mr. Sadler stated they can eliminate the addition of

the walkway and this will bring it under \$25,000.00, avoiding the need to bid the project.

Commissioner Louisos motioned to approve the Giannini Construction Bid for \$24,850.00. Commissioner Brenemen seconded. Unanimous decision.

Gabe Peña, Resource Coordinator, presented Rural Development Grant Program and AML Pilot Program, APL Proposal Match Documents for Approval and signature of President Scalph.

Mr. Peña read a letter regarding the Rural Development Grant Program which will be used to build a high tunnel, infrastructure improvements, and a heating system at the farm. This money comes from the \$30,000 allocated from Coal Reallocated after the excise tax was reallocated to the NRHS. Commissioner Brenemen motioned to approve signing the grant agreement document for the Rural Business Development Program for FY 2020. Commissioner Louisos seconded. Unanimous decision.

Mr. Peña presented an Abandoned Mine Lands Program Grant for Pilot Program and River Cities Trail Development Project. Smithers Mayor Ann Cavalier and Montgomery Mayor Greg Ingram were both on the call. The request has been reduced to about \$3.5 million.

Mr. Pena also presented a proposal for an AML grant with the URA. Due to site remediation work planned by the National Guard, it will make us eligible for this grant.

There are two requests for \$85,000.00 of in kind labor. A special meeting will be scheduled for July 15th to further discuss the applications.

Mr. Peña also presented a grant request for the CARES Act. After checking with officials, administrative support for these tasks are COVID reimbursable. This will be further discussed on July 15th.

The Commission entered into an executive session at 1:23 p.m. for a personnel matter and legal counsel.

The Commission exited the executive session at 1:40 p.m. with no decisions made.

The meeting was adjourned at 1:40 p.m.

FAYETTE COUNTY COMMISSION
SPECIAL SESSION
July 15th, 2020
FAYETTE COUNTY COURTHOUSE
PRESENT: DENISE A. SCALPH, JOHN BRENEMEN, TOM LOUISOS

The Fayette County Commission met in a special session via teleconference this 15th day of July 2020.

President Scalph called this meeting to order at 9:00 a.m. Participants via Zoom include Resource Coordinator Gabe Peña; John Tuggle & Leslie Taylor, Region 4; Sara Cottingham, Downstream Strategies; Jeff Proctor, Kim Maxwell & Gene Kistler, FCURA; Prosecuting Attorney Jeff Mauzy; Montgomery Mayor Greg Ingram; Oak Hill City Manager William Hannabass; and Joe Brouse & Jenna Belcher, NRGRDA.

President Scalph asked Mr. Peña to give an updated description.

Mr. Brouse stated that after reviewing the AML grant application, they advised that merely eliminating the debt will not satisfy the AML. Ms. Belcher stated if you include anything about debt payoff, it will hinder the application. Mr. Tuggle agreed that you cannot use grant funds to pay off debt.

Mr. Peña presented that the 745 undevelopable acres is what they want to put under conservation easement.

Commissioner Brenemen asked what the match for the conservation easement is. Mr. Peña stated they discussed \$100,000.00 from the Commission. Mr. Peña clarified that initially the Valley request was \$100,000.00 now it is \$150,000.00.

Mayor Ingram stated they are also going to request Kanawha County Commission (KCC) match the contribution from Fayette County.

Mr. Kistler stated the URA is considering giving \$100,000.00 to WCP, \$150,000.00 to the Valley and \$150,000.00 to Fayette County Park, which would leave about \$150,000.00 for the county to use for PSDs. Commissioner Brenemen clarified that they would use \$350,000.00 as match for these projects. Mr. Kistler stated the County Park is not a match, it is for development; it is a leverage match that shows commitment to trail development. It makes both applications look better.

Commissioner Louisos would prefer to use this to develop Needles Eye Bouldering Park in Oak Hill. Mr. Hannabass stated they are looking for \$1.5 to 2 million, the tough problem is the match.

Mr. Tuggle stated support letters show that everyone is on the same team and are good.

Commissioner Brenemen would like the URA to put their intentions in writing with a signature.

President Scalph is not adverse to the \$150,000.00 to the Valley, if they can get a match from KCC. Commissioner Brenemen motioned to approve a match of \$150,000.00 and write a letter of support, sending

it to the mayors in the Valley to show to KCC. Commissioner Louisos seconded. Unanimous decision.

President Scalph stated there will be another special meeting on Wednesday the 22nd at 9:00 am to discuss and finalize the trails applications. The Commission wants to see the redeveloped application prior to making the commitment.

Discussion was held regarding Covid-19 and employees visiting hot spots. The health department requests testing and quarantine. The Supreme Court says we can make them use sick leave. However, the Division of Labor says we can't make them use their leave if quarantined.

Discussion regarding Covid-19 support staff for the Resource Coordinators Office. Additional payroll expenses not included in the budget are reimbursable by Covid-19 funding. This will be a part time person with no benefits that would last until the pandemic is over. Commissioner Brenemen motioned to approve an additional part-time employee to assist with Covid-19 grants and invoices; part-time and no benefits; \$10.00 or \$10.50 per hour. Final wage determination will be submitted to Commission for approval. Commissioner Louisos seconded. Unanimous decision.

Discussion was held regarding Coal Reallocated was held regarding Mr. Pena stated the URA knows it is the Commission's money and at their discretion. Any money prior to May 2016 was not allocated to the URA and it was stopped in May of 2019. Commissioner Louisos requested a letter stating that the URA understands the county controls that money and it is no longer allocated to the URA after the \$100,000.00 allocation to the trail is decided.

The meeting was adjourned at 10:47 a.m.

FAYETTE COUNTY COMMISSION
SPECIAL SESSION
July 22nd, 2020
FAYETTE COUNTY COURTHOUSE
PRESENT: DENISE A. SCALPH, JOHN BRENNEMEN, TOM LOUISOS

The Fayette County Commission met in a special session via teleconference this 22nd day of July, 2020.

President Scalp called this meeting to order at 9:00 a.m.

Participants via Zoom included Resource Coordinator Gabe Peña; Jeff Proctor, Gene Kistler, FCURA; Assistant Prosecuting Attorney Chris Burdick; Oak Hill City Manager William Hannabass; and Joe Brouse, NRGDA.

Mr. Hannabass stated Oak Hill has applied and been turned down for \$2 million grant funding for Needleseye Park and trails that connect with the Rend Trail two years in a row. He's cut the grant down to \$500,000.00 and will be putting \$100,000.00 match with that. Last year we used property acquisition as a match; this year they will use hotel motel tax (cash). This is a multi-year project and could be a good attraction year round. Includes a restroom, playground, pavilion, landscaping and signage. The work at the end of the project will take approximately \$650,000.00 for a parking lot etc..

Mr. Peña asked if anyone anticipated applying for a DOH Recreation Trail Fund Project grant; deadlines are August 18th and September 8th. Oak Hill does and Mr. Kistler stated the URA likes trailhead ideas as opposed to trails. Mr. Peña will research other DOH grants.

Mr. Hannabass stated ACE acquired property to connect to the Needleseye Park and that is what this is all about; helping private entities move ahead and take advantage of these opportunities.

Mr. Peña presented the new grant application. WV Land Trust was asked to be the applicant. Mr. Peña doesn't think any county entity being the applicant will reflect well. Mr. Kistler stated their biggest issue is they want to see the lien in writing from WVHDF. Discussion was held regarding the conservation easement and issues with roads and running utilities.

Commissioner Louisos would like to hold off until next year and work with City of Oak Hill and combine for next year's grant to work together. Discussion was held that as previously discussed at last week's meeting, the projects could both be denied, so applying for both independently and showing a connection would be the best idea. Commissioner Brenemen still has concerns about the conservation easement. Mr. Kistler will meet with Commissioner Brenemen and Mr. Peña will speak with WVHDF regarding the lien removal.

The meeting was adjourned at 9:59 a.m.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
JULY 24, 2020
FAYETTE COUNTY COURTHOUSE
PRESENT: DENISE A. SCALPH, JOHN BRENEMEN, TOM LOUISOS

The Fayette County Commission met in a regular session via Zoom teleconference this 24th day of July, 2020.

President Scalph called the meeting to order at 9:00 a.m.

Pledge by Assistant Prosecuting Attorney Liz Campbell.

Mike Bone, Assessor Chief Deputy, presented exonerations for personal property for Wanda J. Radford \$25.62; Lenora Kay Thomas \$323.72; William R. & Betty Canterbury \$222.30; Alma Jean Dix \$306.20; Robert W. & Rhonda Hall \$306.20; Bobby D. & Michelle Moody \$225.98; Robert Allen Critchley \$27.82; WV Division of Natural resources \$44.58 & \$728.64. Commissioner Brenemen motioned to approve real property. Commissioner Louisos seconded. Unanimous decision.

Commissioner Brenemen motioned to approve a refund of \$328.87 to John R. Jones. Commissioner Louisos seconded. Unanimous decision. Commissioner Brenemen motioned to approve 2nd half payroll and release checks on July 30th. Commissioner Louisos seconded. Unanimous decision.

Estate settlements were presented for Zelma Burgess; Ion Young; Pauline Jones; Betty Delores Adkins; Joseph Ray Bray; Thomas Webster Wriston; and John Albert Taylor, III. Commissioner Brenemen motioned to approve. Commissioner Louisos seconded. Unanimous decision.

Two orders approving report of claims and/or final settlements were presented for Douglas Sebert and Norma Frances Hannigan. Commissioner Brenemen motioned to approve. Commissioner Louisos seconded. Unanimous decision.

Commissioner Brenemen motioned to approve minutes from July 10th, 15th, and 22nd. Commissioner Louisos seconded. Discussion was held regarding minutes. President Scalph would like them to be briefer and only reflect the vote, not everything else. Unanimous decision. Ms. Campbell believes that public comment can be left in. Not verbatim, but it does need to be recorded. Unanimous decision.

Commissioner Brenemen motioned to approve vouchers and invoices and release checks today. Commissioner Louisos seconded. Unanimous decision.

Discussion regarding the Courthouse parking lot was held with Maintenance Supervisor, Sonny Milam. Suggestion is to fix only the property having issues, with documents prepared by Prosecuting Attorney to document contractor warranty and liability.

Sheriff Mike Fridley was in attendance to give a COVID-19 update. Discussion was held regarding new hires for the Sheriff to assist with courthouse security. Commissioner Brenemen motioned to approve the hiring of two extra deputies for courthouse security due to COVID-19. Commissioner Louisos seconded. Unanimous decision.

A Public Hearing for Polling Place Change for Precinct 47 in Montgomery was held at 10:00 a.m. This is due to city hall moving to a new location at 321 4th Avenue. County Clerk will notify all voters by letter after the city election which is held on July 28th. Commissioner Louisos motioned to approve the polling place change for Precinct 47. Commissioner Brenemen seconded. Unanimous decision.

County Administrator Debbie Berry presented orders to Combine or Divide & Segregate Land for Erin Hope Wilburn and James Bates respectively. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a Memorandum of Understanding with Workforce Investment Board Connections Youth Program for a part-time worker for the Administrator's Office. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented documents for the 2020 HAVA Security Funds Grant requesting \$3,270.00 for reimbursement for approval and signature of the Commission. Commissioner Louisos motioned to approve and sign. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a motion to order the Sheriff of Fayette County to administer the estate of Randy Ray Beverly as submitted from Benjamin N. Hatfield, Esq. Commissioner Louisos motioned. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a request from Sean Maguire to have the Fayette County Commission (FCC) notify the West Virginia Alcohol Beverage Control Administration that they are aware of the Spartan Race Event taking place August 28, 29, and 30th at the Summit Bechtel Reserve 2550 Jack First Drive Glen Jean, WV 25846. The letter states they cannot approve to support or sponsor. Commissioner Louisos motioned to sign the letter. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a Certificate of Honor to recognize Janet Zamiela for her years of service to the Retired Senior Citizen Program. Commissioner Louisos motioned to approve and sign. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented documents for approval from Ryan McGrady with Contura for a right of way for property deeded to the FCC from Mossy PSD and WVAW, which they use for a water plant. This was tabled due to lack of final document from Contura.

Ms. Berry presented a letter for approval for Louis E. Gitomer, Attorney for CSX Transportation related to Meadow River Trail. Commissioner Louisos motioned to approve and sign. Commissioner Brenemen seconded. Unanimous decision.

Andy Forren appeared to discuss trails. There are 12 finished miles however the total approved miles was around 15 miles and Mr. Forron would like to know Commissioner Louisos's plan. The trail discussion will continue at the next commission meeting on August 7th.

Kathy Gerencer from New River Humane Society (NRHS) was in attendance via Zoom to discuss the NRHS budget. She is asking for additional funds for the Humane Society to meet the payroll budget they originally requested. President Scalph sees the value of the shelter and will commit to doing what we can. Commissioner Louisos would like an audit first and see where we go from there. Commissioner Brenemen agrees, we need to do what we can, focusing on community programs.

Gabe Peña presented a contract with Farmland Protection Board. They will pay \$1,000.00 per month which would be put toward a full time hire. This will be postponed until after their monthly meeting.

Mr. Peña presented a HAVA Cares Act Grant reimbursement application for \$24,956.63 to go toward the costs associated with the absentee ballots. Commissioner Louisos motioned to approve signing the HAVA grant application. Commissioner Brenemen seconded. Unanimous decision.

Mr. Peña presented discussion regarding the URA AML grant for the Upper Kanawha Valley (UKV). Mr. Peña presented a letter for the UKV. Commissioner Louisos motioned to approve and sign. Commissioner Brenemen seconded. Unanimous decision.

Mr. Peña presented discussion regarding the URA AML grant for Wolf Creek Park (WCP). WV Land Trust (WVLT) is considering being the applicant. WVLT wants confirmation from WV Housing Development Fund (WVHDF), who is providing a letter of support. The URA is asking for a commitment of \$100,000.00 in funds for due diligence. Commissioner Louisos would like to wait until next year to give the Valley better odds. Gene Kistler, URA member on Zoom, stated this has been changed

so WVLT can purchase this property in Fayette County. It is no longer a debt buy out. Commissioner Brenemen motioned to approve President Scalph signing the letter of commitment of the \$100,000.00 as a match for the AML Grant. WVLT applied for the grant and WVHDF accepts \$1,200.00 per acre and that this is the final request for funding from the URA of the Commission from Coal Reallocated. Commissioner Louisos seconded, however thinks it is bad for the Valley because it cuts funding off from the park. Unanimous decision.

Discussion was held regarding financial information and approval of additional allocations. Commissioner Louisos motioned to approve \$1,008.00 salary increases for specified departments and approved President Scalph to sign the budget revision as presented. Commissioner Brenemen seconded. Unanimous decision.

The meeting was adjourned at 2:03 p.m.

FAYETTE COUNTY COMMISSION
SPECIAL SESSION
JULY 31, 2020
FAYETTE COUNTY COURTHOUSE
PRESENT: DENISE A. SCALPH, JOHN BRENEMEN, TOM LOUISOS

The Fayette County Commission met in a special session via teleconference this 31st day of July, 2020.

President Scalph called this meeting to order at 9:00 a.m.

Those attending via the call were: Jimmy Sadler, 911 Coordinator; Prosecuting Attorney Jeff Mauzy; County Clerk Alicia Treadway; County Administrator Debbie Berry; Staff Accountant Ruth Lanier; OEM Director Kevin Walker; Circuit Clerk Cathy Jarrett; and Sheriff Mike Fridley.

President Scalph presented a letter received from the URA to the Commission regarding their understanding that after the \$100,000.00, they will not receive any more Coal Reallocated funds. President

Scalph will sign the AML support letter and it will be submitted today.

President Scalph presented a Budget Revision for approval. Commissioner Brenemen motioned to approve letters to the office holders regarding pay increases allotted for their employees, effective August 1, 2020 and starting with the next pay period, and to authorize the stamping of the commissioners names. Commissioner Louisos seconded. Unanimous decision.

Commissioner Brenemen motioned to approve the Budget Revision and authorize President Scalph to sign. Commissioner Louisos seconded. Unanimous decision.

Sheriff Fridley updated the Commission on the Day Report Center: 2 Covid-19 positive DRC clients; deep cleaning was performed by National Guard and Courthouse Maintenance. Should be opened back up next week.

The meeting was adjourned at 9:12 a.m.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
AUGUST 7, 2020

FAYETTE COUNTY COURTHOUSE

PRESENT: DENISE A. SCALPH, JOHN BRENEMEN, TOM LOUISOS

Others present via Zoom: Dan Twille, Bill Wells, Andy Forren, Matt Wender, Joe Brouse, Sharon Cruikshank, Abbie Newell, Matt Ford, Corey Lilly, Ed Maguire, Brittany Caber, Sam Chaber, Jim Fedders, Lisa Strader, Will Thornton, Becky Sullivan, and Greg Corrio

The Fayette County Commission met in a regular session via teleconference this 7th day of August, 2020.

President Scalph called this meeting to order at 9:00 a.m.

Eddie Young, Assessor, presented real property exonerations for Melvin & Elizabeth Hartley \$393.32; Mount Hope Christian Church \$266.28; Sharon S. Day \$187.02; Mike Green \$2,321.62 & \$2321.62;

Donna Ezalee Dillard \$151.42; Coda Mountain Academy Inc. \$1,015.84; Charles Fitzgerald Bennett \$256.20; Elkem Metals Co L.P. \$7.70; Michael A. & Debra Ellison \$999.18; and Patricia Bennet \$159.76. Commissioner Brenemen motioned to approve. Commissioner Louisos seconded.

Mr. Young presented personal property exonerations for Tyler S. Given & Taylor N. Harey \$363.16, \$347.78, and 456.54; Robert R. Jr. & Jean A. Martin \$333.92; Patsy Lou Farrell \$580.66; Gary L. or Susan E. Wilson \$789.70; Jennifer L Syner \$305.50; John W III or Amy McDonald \$191.50; John D. & Beverly Ann Cameron \$207.14; Ricky J. or Jean E. Holley \$807.78; Brian & Kimberly Hyles Reamer \$.38; Babette D. Hess Skaggs \$32.60; Daniel J. Ahern \$700.24; Harnold Lee Adkins \$520.40; Artie Allen & Josephine Wriston \$439.62; Richard A. Small \$33.80; Melissa D. Coleman \$27.30; Wanda Harper \$25.76; Timothy R. or Evelyn M. Auxier v1,171.92; James Shuff \$641.86; Kristen & Adam Derringer \$686.82; Jeremy Webb & Teresa Norton Hypes \$1,56.92; Darrell C. Baker \$55.72; Glenn F. or Mary D. Murphy \$537.98; Robert C. & Delisa R. Legg \$154.10; Eddie Lee Price \$742.32; Stewart D. Beebe \$669.54; Rachel M. Graves & Deborah L. Kise \$517.45; Tammy L. Treadway & Bryan Bench \$113.08; Gregory Keith & Kristen R. Kenney \$909.48; Lawrence S. Belmont \$618.94; Gary D. & Tina L. Chapman \$139.10; Jerry D. Adkins \$69.40; Alliance Healthcare Service \$37,312.00; Anthony & Aimee Rosco Colagrosso \$2,603.26; Southeastern Equip Co Inc. \$17,007.32; Donald R. Smith Jr. \$55.72 & \$106.04; Larry W. or Tammy L. Vassil \$265.14; Elmer Eugene & Patricia R. Sanford \$348.56; Tina L. Lilly \$458.36; Pauline L. Stone \$352.58; and Beverly K. Comer \$111.78. Commissioner Louisos motioned to approve the personal property exonerations. Commissioner Brenemen seconded. Unanimous decision.

Commissioner Brenemen motioned to approve two refunds from personal exonerations for Deborah L. Kise \$517.45; and Melvin & Elizabeth Hartley \$383.48. Commissioner Louisos seconded. Unanimous decision.

Commissioner Brenemen motioned to approve vouchers and invoices and release checks to pay our vendors. Commissioner Louisos seconded. Unanimous decision.

Commissioner Brenemen motioned to approve first half payroll and release checks on August 14th. Commissioner Louisos seconded. Unanimous decision.

Commissioner Brenemen motioned to approve prior meeting minutes from July 24th, 2020. Commissioner Louisos seconded. Unanimous decision.

Estate Settlements were presented for Dorothy V. Duda; Synester Annita Moris; Peggy Lester; June Ellen Davis; Lois Jean Norris; Jeffrey Wayne Mason Sr.; and Samuel David Porter. Commissioner Brenemen motioned. Commissioner Louisos seconded. Unanimous decision.

An Estate Final Settlement and Report of Claims was presented for Randy Ray Beverly. Commissioner Brenemen motioned. Commissioner Louisos seconded. Unanimous decision.

Orders to Combine or Divide and Segregate Land were presented for approval for Fayette County Fireman's Association Inc.; Richard T. & Janet L. Atack; Tomas E & Roseanne N. Hill; and Alvah E. David Jr. Etux, respectively. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

County Administrator Debbie Berry presented a letter for approval and signatures of the Commission to the WV Supreme Court requesting

reimbursement of rent for the Family Law Judge for the month of August, 2020 in the amount of \$3,375.00. Commissioner Louisos motioned. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a Contura Energy Right of Way document for approval and signature. Commissioner Louisos motioned. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented an Employee Travel Policy for employees who travel outside the County for vacation/personal leave. Commissioner Louisos motioned to approve the policy. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented for approval an agreement with Attorneys Gregg Hewitt and Anthony Salvatore related to repairs to their building. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented an MOU for review and approval for Shaunice Cook to work part-time in the County Commission Administrator's office through the Workforce Investment Board Connections Youth Program. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a letter for approval and signatures to the Democratic and Republican Executive Committees requesting list of poll workers for the November 3, 2020 General Election. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented letters from Jimmy Sadler 911 Coordinator related to Fox's Towing service being removed from the wrecker rotation due to them not accepting calls and then to add DTE Repair and Towing. This was tabled until notice is sent to Fox's.

Ms. Berry presented documents for review and approval for President Scalph to sign for the schedule of payments and quarterly request for funds for the FY Community Corrections Grant. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a recommendation letter from Gabe Peña, Resource Coordinator, for a part-time CARES Act Assistant. Commissioner Louisos motioned to approve with completion of a background check. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a letter for approval and signatures to Steven B. Cole District Engineer with the WV DOH requesting to install signage for public safety at Plum Orchard Lake Road in Fayette County. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented for Approval and President Scalph's signature a Certification and Assurances document for the JAG grant. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented an order appointing Sheriff Mike Fridley over the estate of Randy Ray Beverly as presented by the County Clerk's Office. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented for discussion, decision and authorization to have deputies monitor a water buffalo at Page Kincaid PSD due to water problem in that area. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Discussion was held regarding an audit of finances and ongoing problems at Page-Kincaid PSD. Mr. Mauzy discussed the financial reporting requirements that they are not meeting. President Scalph suggested using Steven Connolly and fraud division from the Auditor's office. Mr. Mauzy agreed. Commission Brenemen Motioned to authorize Ms. Berry to contact the auditor's office. Commissioner Louisos seconded. Unanimous decision.

Renee Harper, Park Director, was in attendance to discuss fees for Fayette County Memorial Building Fees for Youth Organizations. Discussion of hourly rates and leagues. Park Board has developed a flat fee per season by group. Also wants it to be comparable with the price points of surrounding area. Commission will review and decide at a future meeting.

A bid opening was held for Phase II of the HVAC System for the Annex. \$96,000.00 in funds was received from a Courthouse Facilities Improvement Authority. Legal ad was placed with a deadline of August 6 at 3:00 p.m. Three bids received:

1. Harris Brothers, Charleston WV - \$157,700.00
2. Casto, Charleston, WV 135,000.00 - apparent low bid
3. Pennington Plumbing and Heating Inc - \$154,000.00.

Low bid is \$135,000. Dan Snead, Architect, will review all documents and bids for technical specifications and ensure they are comparable and appropriately submitted.

The Commission took a break from 10:05 until 10:21 a.m.

Discussion was held for the New River Humane Society audit. Commissioner Louisos wants a full audit. President Scalph said the recommendation from the state auditor's office is a full audit since

there has not been one in several years. Ms. Berry will find an approved auditor from the state's website.

Discussion was held regarding the Overall County Trail Plan. Presentation given on Outdoor Economic Development Collaborative. A master comprehensive plan will pave the way for more funding. Commissioner Louisos asked about all trails, and the availability of a recreational map. Plans for a future discussion on August 21st, potentially for 11:00 at Fayette County Park, for social distance viewing of maps.

The meeting was adjourned at 12:24 p.m.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
AUGUST 21, 2020
FAYETTE COUNTY COURTHOUSE
PRESENT: DENISE A. SCALPH, JOHN BRENEMEN, TOM LOUISOS

The Fayette County Commission met in a regular session via teleconference this 21st day of August, 2020.

President Scalp called this meeting to order at 9:00 a.m.

Assessor Eddie Young presented exonerations for real and property motions. Commissioner Louisos seconds. Unanimous decision.

Commissioner Brenemen motioned to approve vouchers and invoices and release checks to pay our vendors. Commissioner Louisos seconded. Unanimous decision.

Commissioner Brenemen motioned to approve second half payroll and release checks on August 28th. Commissioner Louisos seconded. Unanimous decision.

Commissioner Brenemen motioned to approve prior meeting minutes from July 31st and August 7th. Commissioner Louisos seconded. Unanimous decision.

Estate settlements were presented for Zachary William Tellep; Alma Louise Graham; Sandra Sue Jeffries; Drucella Cinderella Halstead; Franklin Delano Querry; Marie Barnett. Commissioner Brenemen motions. Commissioner Louisos seconded. Unanimous decision.

An Order and Recommendations for the estate of Katheryn Virginia Washington were presented for approval and signature of the commission. Prosecuting Attorney Jeff Mauzy previously reviewed and approved. Commissioner Brenemen motioned to approve and sign. Commissioner Louisos seconded. Unanimous decision.

Orders to Combine or Divide and Segregate Land were presented for Patricia M. Bennett; Howard L. & Carla S. Lampkins; and Cathy Canterbury. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

A recommendation from architect Dan Snead was presented for the HVAC System in the Courthouse Annex for Phase 2 of the WV Courthouse Facilities Courthouse Improvement Grant and contract agreement for approval and signature of President Scalph. His recommendation:

- Casto Technical Service - \$135,000
- WV Courthouse Facility Improvement Grant \$96,000
- Required match from FCC for grant \$19,200
- Additional funds needed HVAC Phase two \$19,800

Commissioner Louisos motioned to approve Casto Technical for \$135,000.00. Commissioner Brenemen seconded. Unanimous decision.

Commission Assistant Ami Dangerfield presented a quote from Lisa K. Thornburg, CPA for a full audit of the New River Humane Society. \$2,000 for one year; \$3,000 for two years; \$4,000 for three years. Commissioner Louisos motioned to approve the three year full audit for

the New River Humane Society. Commissioner Brenemen seconded. The Commission will pay for the audit. Unanimous decision.

Ms. Dangerfield presented a request from Jimmy Sadler, 911 Coordinator, to hire Noah Woodson to fill vacancy of full-time Tele-Communicator at an annual salary of \$22,068.00 then advance to \$23,150.40 after successfully completing the six (6) month probationary period. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Dangerfield presented a letter from Monongalia County Solid Waste Authority Board of Directors asking for support of SB 139 in the next legislative session. Senate Bill 139's main focus is to shift \$1.00 from the current \$3.50 fee of WV DEP Landfill Closure Assistance Program and distribute the \$1.00 fee to the 55 SWA's based upon their 2010 population. Mr. Mauzy stated this does not need a vote, they are only asking for support during the legislative session.

Staff Accountant Ruth Lanier presented the P Card purchasing policy and approvals for discussion. Ms. Lanier had a question on authorized expenditures. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Mr. Mauzy and Sheriff Fridley agreed this is part of a dress uniform. Unanimous decision.

Ms. Lanier and Ms. Dangerfield presented a policy related to a new hire form. They will develop a memo for approval to send with the new form.

Joe Brouse, NRGDA, was in attendance to introduce Mary Legg as the new Business Advisor for Fayette County. Discussed loan availability for small business through the NRGDA.

A public hearing was held to discuss early voting sites for the November 3, 2020 General Election. Ms. Dangerfield presented an order approving early voting locations in October 21st to October 31st. Commissioner Brenemen motioned to approve Green Valley United Methodist church in Danese, the new Montgomery City Hall (old City National Bank) and Fayette County Soldiers and Sailors Memorial Building in Fayetteville as early voting sites. Commissioner Louisos seconded. Unanimous decision.

Discussion was held regarding a Share the Road letter to the Department of Highways letter. This will be scheduled for approval on the September 4th agenda.

A brief discussion was held regarding the new normal due to Covid-19 and the lack of available housing in our county.

The Commission recessed at 10:14 to travel to Fayette County Park at Shelter 1 for the Trails Discussion.

The following people were present for the trails discussion: Bill and Sally Wells; Katie Johnson; Abbie Newell; Andrew Forron; Sam Chaber; Claire Rozdilski; Erin Reid; Steve Pilato; Dan Twilley; Dave Bernier; Corey Lilly. Each participant explained their vision for trails in the county. Mr. Twilley explained how similar projects in other states have been funded by county funds, community buy-in and fundraising.

Another workshop will be held at the Fayette County Park on September 4th.

The meeting was adjourned at 1:00 p.m.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
September 4, 2020
FAYETTE COUNTY COURTHOUSE

PRESENT: DENISE A. SCALPH, JOHN BRENEMEN, TOM LOUISOS

The Fayette County Commission met in a regular session via teleconference this 4th day of September, 2020.

President Scalph called this meeting to order at 9:00 a.m.

Pledge led by County Clerk Alicia Treadway.

Eddie Young, Assessor, was in attendance to present real exonerations for D H Land Management \$3,358.02; James Holcomb Jr. Etal \$256.20; Mike Green \$3,233.46 & \$3,233.46; Leonard & Anna David \$70.72. Commissioner Brenemen motioned to approve real and authorize President Scalph to sign. Commissioner Louisos seconded. Unanimous decision.

Commissioner Louisos motioned to approve personal property exonerations for Carroll M. Jarrett & Chelia Bryant \$21.14; Katherine Sue & Larry M. Cales \$498.90; Lora Neal \$177.94; Janice A. Brown \$325.88; David A. Wood \$442.88; James F. Plumley \$15.76; Elmer and Naoma S. Ennis \$58.26; Patricia A. & John D. Webb \$472.06; Brenda H. & David H. (DEC) Wagner \$582.70; Kimber (Broyles) White \$110.06 & \$110.06; TLT \$7,525.92; The County Shop LLC \$1,540.364; David A. or Jessica Money Penny \$479.92; and Brenda Cruikshank \$41.80 & \$41.80. Commissioner Brenemen seconded. Unanimous decision.

Commissioner Brenemen motioned to approve the refund \$3,274.06 to D & H Land Management. Commissioner Louisos seconded. Unanimous decision.

Commissioner Brenemen motioned to approve vouchers and invoices and pay our vendors. Commissioner Louisos seconded. Unanimous decision.

Commissioner Brenemen motioned to approve first half payroll and release checks on September 15th. Commissioner Louisos seconded. Unanimous decision.

Estate settlements were presented for Michael Wayne Roat; Fred L. Crouse; Michael Stephen Smith; Douglas Sebert; Nilah Myrtle Burford; Randall Dean Housch; Henry Allen McClung; and Jane Alice Hylton. Commissioner Brenemen motioned. Commissioner Louisos seconded. Unanimous decision.

Commissioner Brenemen motioned to approve Sheriff Mike Fridley to write checks on behalf of Fred Crouse as conservator. Commissioner Louisos seconded. Unanimous decision.

Commissioner Brenemen motioned to approve the August 21st minutes. Commissioner Louisos seconded. Unanimous decision.

Commissioner Brenemen motioned to approve Sheriff Fridley as conservator for Peter Berg. Commissioner Louisos seconded. Unanimous decision.

Ms. Treadway appeared to present the Emergency Absentee Ballot commissioners for approval; David Bennett- R and Carol Smith- D. Commissioner Brenemen motioned to approve. Commissioner Louisos seconded. Unanimous decision.

Ms. Treadway also presented the poll worker lists for the General Election. Commissioner Brenemen motioned to approve. Commissioner Louisos seconded. Unanimous decision.

Angela Gerald and Allen Ballard were in attendance to discuss the new Unified Development Code (UDC), Tiny Houses and Airbnbs. People are setting them up as residential dwellings, so this needs to be defined in the UDC. Mr. Ballard discussed requirements for tiny houses, including ceiling heights, safety, etc.. Discussion was held

regarding how this affects taxes and assessments. Commissioner Louisos motioned to approve presenting to the Planning Commission. Commissioner Brenemen seconded. Unanimous decision.

Commissioner Brenemen brought up the broadband funding and stated he would like to eliminate the fee for new towers. Discussion held regarding fees currently charged at the county level. This will be added to September 18th agenda.

Ms. Gerald discussed complaints received regarding Airbnbs. The current zoning ordinance does not address this.

Ms. Berry presented a letter for approval and signatures of the Commission to the WV Supreme Court requesting reimbursement for rent for the Family Law Judge in the amount of \$3,375.00 for the month of September 2020. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a support letter for the Town of Ansted related to trails. Commissioner Louisos motioned to approve and sign. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a letter for approval and signatures to Steven B. Cole, District Nine Engineer with the WVDOH related to public safety along a scenic route in Fayette County. Commissioner Louisos motioned to approve and sign. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented letters for review and approval from Park Director Renee Harper related to use of the Memorial Building for AAU and Little League Basketball. Included a spreadsheet that outlines group usage. This was tabled for further discussion.

Discussion was held regarding change in the county email domain and accounts. This was tabled for future discussion.

Ms. Berry presented the P-Card Policy for review and approval. This was tabled for future discussion.

Ms. Berry presented two Orders to Combine or Divide and Segregate Land for Harlan Arch Pritt and Gerald W. Warwick, respectively. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Sheriff Fridley would like the commission to consider more permanent shelter options for people waiting to go into the Annex.

Gabe Pena appeared to present resolutions for WV DOH Grants for Trails. There are two applications under DOH grants. Transportation Alternatives grant is specific to the URA \$200,000.00 grant for building two parking lots, one restroom and an additional parking lot and a restroom. The resolution asks for support.

The second request is for a RTP grant to design a trail system for Fayette County Park. This authorizes Renee Harper to act on behalf of the commission to enter into an agreement with WVDOT. Requires \$12,000.00 of unencumbered matching funds.

Commissioner Louisos prefers to table this until there is more information. We were working on different parcels of property to build trails. There is no issue with the Fayette County Park project. However there is limited money and would like to eliminate everyone going after the same pot of money.

Mr. Pena stated the \$12,000.00 would come from Fayette County Park budget. Since Fayette County is a distressed county, they might not require a match as long as they can choose the contractor.

The commission recessed at 10:30 to travel to Fayette County Park for the second trails workshop.

The following people were present for the trails discussion: Gabe Pena; Chris Fussell; Holly Fussell; Abbie Newell; Andrew Forron; Adam Hodges; Claire Rozdilski; Dave Bernier; Jenna Grayson; Nathan Greene; Tom Wagner; Corey Lilly; Gene Kistler; and Bill Wells.

Takeaways from the workshop: The Trail Authority is forming an agreement; the Summit Boy Scout camp will have a Right of Way from Beckley to north of Oak Hill; there is a steering committee comprised of 7 counties - will present the proposal to each county commission. Mr. Forron stated that soft surface trails have support letters from Fayetteville, Oak Hill, and the URA and has raised \$7,500.00 for a match. Community buy-in is needed. The Commission will prioritize and vote on areas.

The Commission revisited the trails resolutions with Mr. Pena. Commissioner Louisos motioned to approve and sign the resolutions. Commissioner Brenemen seconded. Unanimous decision.

The meeting was adjourned at 12:23 a.m.

FAYETTE COUNTY COMMISSION
SPECIAL SESSION
SEPTEMBER 24, 2020

FAYETTE COUNTY SOLDIERS & SAILORS MEMORIAL BUILDING
PRESENT: DENISE A. SCALPH, JOHN G. BRENEMEN, TOM LOUISOS
Others in attendance: Debbie Berry; Andrew Forron; Sam Chaber; Claire Murphy; Jon Evans; Claire Rozdilski; Dave Bernier; Gene Kistler; Holly Fussell; Gabe Pena; Greg Ingram; Adam Hodges; Abbie Newell, and Renee Harper.

The Fayette County Commission met in a special session this 24th day of September, 2020.

President Scalph called the meeting to order at 9:05 a.m.

The Pledge of Allegiance was led by Montgomery mayor Greg Ingram.

President Scalph asked for any clarification of trail discussions or if there were any questions.

Discussion was held between the Commission and Dan Twilley, via conference phone, regarding support letters, trail planning, and sending out a request for proposals.

Commissioner Brenemen motioned to approve \$1,000.00 in support and to sign a letter of support when one is needed. Commissioner Louisos seconded. Unanimous decision.

The meeting was adjourned at 9:22 a.m.

FAYETTE COUNTY COMMISSION
OCTOBER 2, 2020
FAYETTE COUNTY SOLDIERS AND SAILORS MEMORIAL BUILDING
PRESENT: DENISE A. SCALPH, JOHN BRENEMEN, TOM LOUISOS

The Fayette County Commission met in a regular session this 2nd day of October, 2020. This meeting was in person and also available via teleconference.

President Scalph called the meeting to order at 9:00 a.m.

Eddie Young was in attendance to present real estate Exonerations for Ryan Perez \$166.92; Barker Family Revocable \$1,744.20; Lawrence Bryant \$21.52; Connie Midkiff \$7.70; Nanette Martin & Jean Morrison \$940.86 & \$751.08. Commissioner Brenemen motioned to approve. Commissioner Louisos seconded. Unanimous decision.

Commissioner Brenemen motioned to approve vouchers and invoices and release checks today. Commissioner Louisos seconded. Unanimous decision.

Commissioner Brenemen motioned to approve 1st half payroll and release checks on October 15, 2020. Commissioner Louisos seconded. Unanimous decision.

Ms. Berry presented Orders to Combine or Divide and Segregate Land for James E. & Tina Gannon; and Paul A. Baker, respectively. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Estate settlements were approved for Ernest Dean Perdue; Mary Madeline Blake; Roger Dale Ward; Marcella Lavata McClung; Debra Lynn Burgess; Thomas Edward Hager; Catherine F. Sherwood; Kenneth Allen Dent; George Allen Smith, Jr.; Robert Lee Morris; Betty Jane Scarbro; Annie Lucille Neely; and Rupert O. Parker. Commissioner Brenemen motioned. Commissioner Louisos seconded. Unanimous decision.

Debbie Berry, County Administrator, presented discussion about naming an appointee to the NRGDA Board due to the resignation of Jo Harris. This was tabled September 18, 2020. Candidates need to fill out applications. Tabled again.

Term of Robert Williams on the Page Kincaid PSD Board. Tabled from September 18, 2020. Tabled again until forms are filled out for new candidates.

Ms. Berry presented a letter to Anthony Ciliberti related to an email sent to the Commission to consider purchasing his property near the Courthouse. Commissioner Louisos motioned to sign a letter declining the offer. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a letter from Jeff Proctor regarding tower ordinance fees. Asks that the Commission approve applicable fee waivers to these grants. Commissioner Brenemen motioned that the Fayette County Commission agrees to waive all FCUDC application and tower fees for the expansion of fixed wireless broadband applied for

and funded through the USDA's AML grant and FCCs Rural Digital Opportunity Fund grants. Commissioner Louisos seconded. Unanimous decision.

Ms. Berry presented a request from Carrie Kidd with Harmony of Hope from Mt. Hope. Commissioner Louisos motioned to approve a letter responding to her request. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a letter to John David for approval and discussion related to his inquiry about allocated funds to outside agencies. Commissioner Louisos motioned to approve and sign the letter. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented the annual financial statement for approval. Commissioner Brenemen motioned to approve. Commissioner Louisos seconded. Unanimous decision.

Nick Hall President of the Sheriff's Deputies Association appeared in regards to Hazard Pay. President Scalph spoke with state offices and believes this is absolutely fair and will be tracked separately. Sheriff Mike Fridley stated law enforcement money will be used for law enforcement purposes; use remaining for security system, cars, potentially a range. Deputy Hall also requested an additional \$160.00 per week hazard pay per week per deputy to remain the same until the Cares act has ended. Discussion was held about civilian Sheriff Employees. Per Ann Urling from the state, written justification is needed on each individual. Sheriff Fridley stated this will not change the rate of pay; it would not be a pay raise; only a temporary pay differential. The Commissioners approved \$160 per week or \$3,200 per deputy. \$112,000.00. 32 vacation days per deputy

at their hourly rate for days they worked when other employees did not. Total of \$340.092.39 and \$160 per week from October 4, 2020 until money stops.

Sheriff Fridley was in attendance regarding courthouse door entry quotes. He spoke to the need for a canopy for outside the courthouse for those who have to wait. Prosecutor Jeff Mauzy agreed and stated it causes a lot of issues for anyone waiting for Magistrate court. President Scalph asked what other counties are doing. Mr. Mauzy stated Judges and Prosecutors are telling people not to show up early to help keep numbers down. The problem is Monday through Wednesday, due to weekend arrests. Discussion regarding different options for shelter, tents, car ports; best option especially in terms of snow load limit. Will also need a heater, chairs and benches.

John Shumate, Attorney for City of Mount Hope, appeared to discuss the annexation for City of Mount Hope. Notice has been published and the notice was posted in five locations. Commissioner Brenemen motioned to approve the annexation. Commissioner Louisos seconded. Final order was presented for signature. Unanimous decision.

Sheriff Fridley was in attendance to discuss replacing the key swipe cards in the main courthouse with a new system using fobs for entry. He would like to also add these to the tax office and at rear entry of courthouse. President Scalph mentioned Judge Ewing's request for similar security and it is necessary. Commissioner Louisos motioned to approve the Sheriff's security entry plan. Commissioner Brenemen seconded. Unanimous decision. If employees lose the fob, they will have to pay for a new one.

Gabe Pena, Resource Coordinator, was in attendance to discuss the Courthouse Facilities Improvement Authority grant documents for Phase III of the Annex HVAC. Commissioner Brenemen motioned to approve and sign the resolution and application. Commissioner Louisos seconded. Unanimous decision.

Ms. Berry presented a letter from FCSWA for the truck payment and bill of sale for their old truck. Commissioner Brenemen motioned to approve the sale of the old FCSWA truck to Fayette County Park and authorize President Scalph to sign all the paperwork. Commissioner Louisos seconded. Unanimous decision.

Ms. Berry presented a request for an Assistant Resource Coordinator and Funding Sources for the position. Mr. Pena provided a job description along with a breakdown of funding sources. Provided a contractual agreement. Discussion was held regarding funding; external boards will reimburse the county for the services, and if that funding ends, the position will also end. President Scalph clarified that this will be a year to year position and Commissioner Louisos clarified that there will not be additional responsibilities requested from the Commission. Commissioner Brenemen motioned to approve for a year to year position, contract will be updated to reflect that the FCC is not obligated for these duties. Commissioner Louisos seconded. Position is subject to available funding. Commissioner Louisos pointed out it was originally agreed not to hire a replacement. Unanimous decision.

Susie Wheeler, New Roots Farm, was in attendance to discuss reconfiguration of staffing and funding sources. Discussion was held of farm staffing plans and what lead to the current request. Ms.

Wheeler took on additional workload and received a pay raise, but would now like to take a \$7,000.00 pay decrease combined with the ARC Power Grant Rural Business Development Grant to backfill the 7100 revenue account and cover the position. Discussion was held of the staffing plan and how it would work. Ms. Wheeler will oversee the position and approach the Commission for assistance if needed. Commissioner Louisos motioned. Commissioner Brenemen seconded. Unanimous decision.

Renee Harper, Park Director, was in attendance to discuss ideas for marketing and planning for the Memorial Building. Ms. Harper is planning events for Veterans Day and for the 70th anniversary of the building's dedication. She would also like to decorate the building more during Christmas. Discussion was held regarding the Christmas light purchase. Commissioner Brenemen motioned to approve Christmas lights for the Memorial Building. Commissioner Louisos seconded. Unanimous decision.

Ms. Harper requested the Commission to consider a new snow plow truck. Current trucks are near or over 200K miles. Ms. Harper has a quote for a new truck for \$32,000.00, or surplus has one for \$15,000.00. It would be used on all county properties.

The Commission entered into an executive session at 12:10 for legal counsel. Executive session ended at 12:55 p.m.

Discussion was held regarding the MSTA Vision Map. Commissioner Louisos stated that right now, the plan does not address hiking only trails, water, atv, or equestrian. He would like the county to adopt the plan implementing mapping, all trails of all types, camping, and highlighting different outdoor recreation areas. Discussion was held

regarding the necessity of the map and how it would affect the community. President Scalph stated the vision map can be utilized as a foundation with community involvement.

The meeting was adjourned at 1:30 p.m.

FAYETTE COUNTY COMMISSION
OCTOBER 16, 2020
FAYETTE COUNTY SOLDIERS AND SAILORS MEMORIAL BUILDING
PRESENT: DENISE A. SCALPH, JOHN BRENEMEN, TOM LOUISOS

The Fayette County Commission met in a regular session this 16th day of October, 2020. This meeting was in person and also available via teleconference.

President Scalph called the meeting to order at 9:00 a.m. Okey Skidmore lead the Pledge of Allegiance.

Alicia Treadway, County Clerk, appeared to hold the Early Voting and Election Day tests. Both tests were without issues and the Commission signed the sheets.

Ms. Treadway presented the Early Voting keys to the Commission.

Eddie Young was in attendance to present real estate exonerations for Chris Hard \$15.38 & \$15.38 and Robert H. Hardy \$1,092.64 and \$12,092.84. Mr. Young explained a property was duplicated on maps and over assessed. Commissioner Brenemen motioned to approve. Commissioner Louisos seconded. Unanimous decision.

Mr. Young presented personal property exonerations for Debra K. Garrison and Pamela Peterson \$259.78; Thera-Pedics Inc., A B Lilly-Queen \$884.18, \$361.92, and \$711.88; Joe & Barbara Mullens \$223.28, \$240.94, and \$204.42; Kimberly Broyles White \$110.06; Denise-Paul S.

Nitinthorn \$537.62; Bonnie G. Plasha \$36.12; Audrey L. Cadle & Walter Clendenin \$6.40; Jacob Milam & Lila Ballard \$489.64; Rodger L. or Patricia Shuemake \$148.52; Leonard S. or Linda A. Whipkey \$793.18; Biddle F. or Martha E. Williams \$134.90; Barry B. or Jamie Massey \$536.40; Robert Lee Davis \$103.38; Rebecca Sue Wilson \$60.18; Sheryl L. or Larry D. Oliver \$193.28; Curtis Wykle Trucking Co. \$1,066.82 & \$951.54. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Discussion was held regarding the deputy differential pay approved at the October 2nd, 2020 meeting. President Scalph gave an overview of the discussion from the previous meeting. Commissioner Brenemen stated that he would like clarification and more detail in the minutes. President Scalph gave further overview. Commissioner Louisos stated that Commissioner Brenemen made the motion to approve as presented, Commissioner Louisos seconded the motion, and it was a unanimous decision. Commissioner Brenemen was agreeable with this clarification.

Commissioner Brenemen motioned to approve vouchers and invoices and release checks today. Commissioner Louisos seconded. Question about CARES Act funding. Unanimous decision.

Commissioner Brenemen motioned to approve 2nd half payroll and release checks on October 30, 2020. Commissioner Louisos seconded. Unanimous decision.

Estate settlements were presented for Raymond Wilson; Anna Fern Thomas; Sheila Kay Linkswiler; Elsie Lee Raines; Ernest Coleman; Shirley Glen Miller; Frederick Eugene Derringer; Connie Sue Foster; Barbara Ann Louisos; and Shirley Edward Treadway. Commissioner

Brenemen motioned to approve. Commissioner Louisos seconded.

Unanimous decision.

Ms. Berry presented an order from Fiduciary Commissioner James Blankenship, recommending the commission settle the estate of Duane Cochran. Prosecuting Attorney Jeff Mauzy reviewed and approved. Commissioner Brenemen motioned to approve. Commissioner Louisos seconded. Unanimous decision.

Ms. Berry presented discussion about naming an appointee to the NRGDA Board due to the resignation of Jo Harris. This was tabled September 18th and October 2nd, 2020. Candidates will need to fill out applications. Tabled for Commissioner Brenemen to speak with Joe Brouse, NRGDA.

Ms. Berry presented the term of Robert Williams on the Page Kincaid PSD Board. Tabled from September 18th and October 2nd, 2020. Tabled by Commissioner Brenemen until he can speak to an interested party.

Ms. Berry presented a contract for approval and signature from Lisa Thornburg to conduct 3 years of audits for the New River Humane Society (NRHS). Mr. Mauzy reviewed and approved. Commissioner Louisos motioned. Commissioner Brenemen seconded. Kathy Gerencer, NRHS President, is ready to release documents once approved by Commission. Unanimous decision.

Ms. Berry presented a request from Principal Melissa Harrah, Fayetteville PreK-8 for approval of an MOU to utilize the Fayette County Memorial Building as a temporary alternate location to maintain and continue operations in the case of an emergency. Mr. Mauzy has

reviewed and approved. Commissioner Louisos motioned. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a letter to the WV Supreme Court for approval and signature requesting reimbursement for rent for the Family Law Judge for the month of October, 2020 in the amount of \$3,375.00. Commissioner Louisos motioned. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a WV Consumer's Sales Tax Report Form for the Fayette County Park in the amount of \$117.11 for the quarter ending 9/30/20 for approval and signature of President Scalph. Commissioner Louisos motioned. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a letter from New Haven PSD recommending Donald Carte be appointed to the PSD Board to replace Joe Massie, who passed away. This term will expire 7/31/2021. Commissioner Louisos motioned. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a letter from Allen Ballard, Chairman of the Fayette County Beautification Committee, recommending the appointment of Ami Dangerfield to the vacant Community Member seat of the board, due to the resignation of Aletha Stolar. Term expiring 1/6/21. Commissioner Louisos motioned. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a software support agreement with Avenue for Budgeting Accounting per Staff Accountant Ruth Lanier. Commissioner Louisos motioned. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a request from Bolts Willis to seal the pavement at the Local Union Hall #8843 in Cannelton. The union hall serves at the polling place for Precinct 26. The pavement sealing would fall under the HAVA Grant. Discussion regarding quote difference. Initially the quote was \$600.00 and is now \$2,500.00. Asking Mr. Willis for two more quotes.

Discussion was held regarding the date and hours for Trick or Treating in Fayette County. Discussion of municipalities' process. Most are doing 6-8 or 7-9. Commissioner Brenemen suggest to leave it up to municipalities and parents. Commissioner Louisos agreed.

Ms. Berry read notifications of new hire Patrick Moore in the Assessor's office and on October 19th Sherry Moore will replace Paula Conner in the Circuit Clerk's office.

Renee Harper, Parks Director, also said she would like to have Melvin Withrow dressed as Santa at the park on Saturdays during the Christmas Lights, waving at kids, not inside. The commission agreed.

Gabe Peña, Resource Coordinator, was present to discuss Brownsfield Grant documents. The grant is for \$200,000.00 total and targets Oak Hill. This will work on the old Collins Middle School property and perform an environmental assessment and target plan for redevelopment to benefit BOE. This would be about \$60,000.00; the remaining would address other properties in Oak Hill. The FCC would be the applicant. The bus garage and maintenance garage would be moved there, as well as instructional space for the Vo-Tech. Commissioner Brenemen asked that this would be used for the school system. Mr. Peña stated this grant is for the planning and clean-up process so the building can be demolished. CDBG grants can be used

for demolition. Commissioner Brenemen asked if there is an issue with the commission doing things on BOE property using public funds. Mr. Mauzy doesn't see an issue - technically the county can give money to the BOE for projects and doesn't see a legal issue, and still benefits Fayette County citizens, and also provides skill development for students. Mr. Peña stated there is no match request at this time. If a clean-up grant is awarded next year, then that would require a match. Commissioner Brenemen motioned to approve. Commissioner Louisos seconded. Unanimous decision. Commissioner Brenemen questioned the purpose of the grant and use for economic development.

Discussion was held about modifying the Comprehensive Plan and the Unified Development code by removing the US Route 19 Corridor Management Plan Amendment made March 24, 1998. There are a lot of stipulations in the plan and code which Commissioner Louisos believes deters business from going on Rt. 19. Mr. Mauzy said we cannot just remove this from the Comprehensive Plan and UDC, but we can approve to send it back to the Planning Commission for evaluation. This was added at some point as an amendment and removal would require going through the Planning Commission and include public hearing. It can start with the FCC asking the Planning Commission to remove and after the process, the FCC would vote. Commissioner Louisos stated this is for Rts. 19, 16 and 60 to Chimney Corner. Angela Gerald, Zoning Official, stated the municipalities of Fayetteville and Oak Hill have their own comprehensive plans on design criteria and are a lot less stringent. Ms. Gerald read the Comprehensive Plan/UDC amendment for Rt. 19. Explained the process for business approval is 100 steps. Commissioner Louisos stated this is prohibitive to businesses. Ms. Gerald stated no one has applied in an unincorporated area in the last

10 years; suggested that a workshop may be needed. Commissioner Brenemen asked for a copy of the checklist of steps for businesses to apply.

Discussion was held regarding Rimfire ATV. Commissioner Louisos asked if we have any ordinances on ATV riding in the county. Mr. Mauzy is not aware of any. Commissioner Louisos believes Rimfire is coming to Fayette County and thinks an ordinance is needed. Mr. Peña stated the Town of Fayetteville has not approved this and asked what roads does the county manage that can regulate ATV usage. Municipalities manage their own. Mr. Mauzy will look research.

Discussion was held regarding the URA and New Roots Farm and the Excise Tax they receive from the county. Commissioner Louisos asked if the excise tax is used to help develop the farm. Susie Wheeler and Mr. Peña stated the money was given to the URA for that purpose. Commissioner Louisos asked about Ms. Wheeler's projections for the farm. Ms. Wheeler stated the farm evolution is a long term project. We are signing the auction agreement next Tuesday and the farm will be transferred to the Agrarian Commons. This transition will complete the county's role in the project. Commissioner Louisos asked if this means the excise tax would no longer be needed. Ms. Wheeler stated yes, unless the county would like to develop and continues the partnership. The timeline is unknown; expected to be 6 to 8 months for fund raising to be completed, and to finish up grants that go through October 2022. Commissioner Louisos would like a rough estimate on when the excise tax would no longer be used. Ms. Wheeler stated they are fundraising right now, and the County investment goes through October 2022. Commissioner Louisos stated they also put \$100,000.00 in from coal reallocated. Ms. Wheeler stated there is an

opportunity to say that we are taking the excise tax back, and we want to designate other funds such as coal reallocated. My table was an estimate of how much the county has left to invest in the project. Commissioner Louisos stated his questions were answered.

The Commission entered into an Executive Session at 11:30 a.m. for legal counsel regarding the termination of a contract.

The Commission reconvened at 12:04 p.m. with no decision made.

Discussion was held regarding the creation of a Recreational Development Map. Bill Wells and Joe Brouse were in attendance via phone. Others in attendance in person: Andrew Forron; Abbie Newell; Jourdan Saseen; Becky Sullivan; Lisa Strader; Kim Maxwell; Johnny B. Osborne; and Jeff Proctor. Commissioner Louisos stated this will show outdoor activities in Fayette County. It maps activities such as trails, hiking, and fishing. Commissioner Louisos has a proposal from Atlas to create a map for \$3,000.00 annually. Mr. Forron stated WVU Tech Center has already done this, and it is available online; it shows all trails in WV. It shows river access, hiking, biking, etc... Discussion was held regarding what would be included on the map; which industries would assist and how the map would benefit them; who would do the work and make the decisions. Discussion was also held regarding workflow and who would complete the work. Commissioner Louisos stated if the commission did not take on the project, he would volunteer finances, equipment and labor to complete the map. It was agreed by all in attendance that this is needed, but there are already several maps out there. This needs to be comprehensive and easy to use. Mr. Peña stated that mapping and marketing are two different things and that needs to be addressed going forward; this is a massive

undertaking that is too big of a project for the commission to take on.

The meeting was adjourn 1:10 p.m.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
OCTOBER 30, 2020
FAYETTE COUNTY COURTHOUSE
PRESENT: DENISE A. SCALPH, JOHN BRENEMEN, TOM LOUISOS

The Fayette County Commission met in a regular session this 30th day of October, 2020.

President Scalph called the meeting to order at 9:00 a.m.

Eddie Young, Assessor, presented exonerations for real estate by for Connie Midkiff \$7.70 and \$7.70. Commissioner Brenemen motioned to approve. Commissioner Louisos seconded. Unanimous decision.

Refund from those approved at the last meeting Commissioner Louisos motioned to approve the refund. Commissioner Brenemen seconded. Unanimous decision.

Commissioner Brenemen motioned to approve vouchers and invoices and release checks today. Commissioner Louisos seconded. Unanimous decision.

Commissioner Brenemen motioned to approve 1st half payroll and release checks on November 15th. Commissioner Louisos seconded.

Commissioner Brenemen motioned to approve prior meeting minutes for September 2, September 24, September 18, October 02 and October 16. Commissioner Louisos seconded. Unanimous decision.

Estate settlements were presented for Willie Ray Ary, Jr.; Shirley Louise Mooney; Connie Annaree Pennington; Billie Morris

Parsons; Roy Leon Cooper; George Leslie Pugh; Howard Adkins; Marilyn Lou Morales; Marian Crocket Cox; Loris Eugene Reynolds; and Elta Mae Harris. Commissioner Brenemen motioned to approve. Commissioner Louisos seconded. Unanimous decision.

Amanda Smarr, Region 4, was in attendance to present documents for approval for the Broadband Study. The documents request a time extension and include a final draw request and performance report. Commissioner Brenemen motioned to approve and sign. Commissioner Louisos seconded. Unanimous decision.

Debbie Berry, County Administrator, presented the Records Management Grant prioritization requests. Circuit Clerk Cathy Jarrett requested track shelving. The commission requested additional scanners. Commissioner Brenemen motioned to approve and authorize President Scalph to sign. Commissioner Louisos seconded. Unanimous decision.

Ruth Lanier, Staff Accountant, presented a financial update to the commission. Commissioner Louisos spoke to the financial update and what the URA has listed as assets on their financial statement. Their financial statement reflects \$506,000.00 in assets from Coal Reallocated. Commissioner Louisos thinks they need to be notified that only \$320,328.40 should be all that is available to them. Will prepare a letter requesting the URA to reconcile their records with the county. Discussion was held regarding how to move Coal Severance expenses to other accounts, as the fund is depleted. Will reconsider in January 2021. Discussion was held about the Enterprise leases. Ms. Lanier will pull the figures and this will discuss at the next meeting after canvass.

Mike Callaghan, Special Prosecuting Attorney, was in attendance presented a resolution for 2020-001 for the Code Enforcement Agency. The project is going well, just slow. Would like to add Christina Stump, WV lawyer, to the team as you must have a WV lawyer at each court hearing. Very experienced in trial and environmental law. Mr. Callaghan stated the existing contract says we can bring on new attorneys as necessary. No fees are charged unless we receive compensations

Ms. Berry presented Orders to Combine or Divide and Segregate Land for Thomas C. Grose. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Discussion was held regarding naming an appointee to the NRGDA due to the resignation of Jo Harris. Tabled from September 18 2020. Lois Amos and Heather Johnson have submitted applications. Tabled again.

Ms. Berry presented the term of Robert Williams on the Page Kincaid PSD Board. Tabled from September 18, 2020. Tabled again until forms are filled out for new candidates.

Ms. Berry presented a request from Erin Ellis Reid with Active SWV requesting to use the Fayette County Memorial Building for High Fitness Dance Aerobics on Thursday mornings starting in November 2020. The Commission will contact Parks Director Renee Harper for guidance.

Ms. Berry presented grant documents for a Historic Revitalization grant in the amount of \$40,000.00 for the Fayette County Soldiers and Sailors Memorial Building Roof Replacement for review and approval for President Scalph to sign. Commissioner Louisos motioned to approve

and authorize President Scalph to sign. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a letter from Jay Quesenberry, Raleigh County Administrator, requesting the Fayette County Commission to consider funds from Governor Justices' COVID 19 Pandemic Block Grant fund to contribute to the Salvation Army. Discussion was held regarding the Commissions' duties and to verify what can be done.

Ms. Berry presented for discussion funds considered as a loan in the amount of \$10,600.00 needed by Armstrong Deepwater PSD for 2018 audit costs. Once sale of Page Kincaid PSD is complete, the Commission will be repaid that amount. Commissioner Brenemen will reach out to the PSD to send a letter to request the funds. Also would like Lesley Taylor, Region 4, available for that meeting. Commissioner Louisos requested a clause for sale or any other contingency added to the promissory note.

Ms. Berry presented a request for payment in the amount of \$2,127.15 from New Haven PSD to be paid from the Design Loan from the Commission for Arrowwood, Lower Dotson Ridge, South Miller Ridge, Ramsey, Hawver Road and Cane Brand water project. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a support letter for approval and signatures related to the Career Connections Program. Commissioner Louisos motioned. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a letter from Susan Williams related to mapping changes. Discussion was held regarding name changes, and the issues being caused. Prosecuting Attorney Jeff Mauzy has reviewed

laws, do not address names of towns, only street signs. Need clarification from mapping. Commissioner Louisos explained how the addressing is done. The addresses come from Atlas, not our mapping department. This will be revisited at the December 4th meeting.

The Commission entered into an executive session at 10:16 a.m.

The Commission exited executive session at 12:26 a.m.

Commissioner Louisos motioned to approve the termination of a marketing contract between New Roots Farm and Holly Clark.

Commissioner Brenemen seconded. Unanimous decision.

Commissioner Louisos motioned to approve the employment of Tyler Cannon as requested by Susie Wheeler, New Roots Farm, beginning November 1, 2020 at the salary specified. Commissioner Brenemen seconded. Unanimous decision.

Ms. Harper responded about the Memorial Building that both the Active SWV events and the request by Fayetteville Youth League are fine for social distancing purposes. A letter was sent to all organizations which use the FCMB that beginning in 2021, fees would be charged. Commissioner Brenemen motioned to approve. Commissioner Louisos seconded. Unanimous decision.

Gabe Peña, Resource Coordinator, presented a Resolution and Support Letter for the Records Management Grant for scanners for the Commission office. Commissioner Brenemen motioned to approve. Commissioner Louisos seconded. Unanimous decision.

The meeting was adjourned at 1:00 p.m.

FAYETTE COUNTY COMMISSION
GENERAL ELECTION CANVASS
November 9, 2020
FAYETTE COUNTY SOLDIERS AND SAILORS MEMORIAL BUILDING
PRESENT: DENISE A. SCALPH, JOHN BRENEMEN, TOM LOUISOS

The Fayette County Commission met in a special session to canvass the General Election this 9th day of November 2020.

President Scalph called the meeting to order at 8:46 a.m. The oath of office was given to all canvass workers.

The Pledge of Allegiance was led by County Clerk, Alicia Treadway.

Discussion was held regarding Commissioner Brenemen's wife Joyce Brenemen, being on the ballot for County Clerk. Commissioner Brenemen said legal counsel would present to review the results, and he would like clarification from the Commission legal counsel, if he should recuse himself from canvass related votes. Prosecuting Attorney Jeff Mauzy agreed that Commission Brenemen should recuse himself from canvass related votes.

Estate Settlements were presented for Robert Ray Parrish; Mary Etta Bragg; and Robert Franklin James. Commissioner Brenemen motioned to approve estate settlements. Commissioner Louisos seconded. Unanimous decision.

Discussion was held regarding a retainer agreement for legal counsel. Commissioner Brenemen motioned to table the

discussion until another outside attorney can review it, such as Carl Harris. There was no second so the motion died.

Commissioner Louisos motioned to approve the retainer agreement with Harrah Law LLC. President Scalph seconded. The vote was two in favor; Commissioner Brenemen against.

Allison Taylor asked for clarification about the retainer agreement and has it been discussed in an open meeting. President Scalph stated yes, it was. Ms. Taylor looks forward to seeing the minutes from that meeting. The agreement was signed by President Scalph and Commissioner Louisos.

President Scalph stated she prepared a letter wishing Mr. Ciliberti well in his new role when he takes office as Prosecuting Attorney. This letter was read in a prior open meeting. The letter states that it is a good time to change who we do business in the future as a Commission. Commissioner Louisos motioned to approve and sign the letter. President Scalph seconded. The vote was two in favor; Commissioner Brenemen against.

County Administrator, Debbie Berry presented a quote for a snow plow for the Fayette County Park in the amount of \$33,087.00 from Stephens Auto through state contract. Commissioner Brenemen stated he's reviewed this, but this is more than he can approve as the Purchasing Agent so he asked for it to be placed on the agenda. Commissioner Brenemen motioned to approve. Commissioner Louisos seconded. Unanimous decision.

Ms. Berry presented a recommendation from Jimmy Saddler, 911 Coordinator, to hire two new dispatchers. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Angela Gerald, Zoning Official, was presented for a Public Hearing was held regarding clarification of the requirements for tiny houses to meet current county code. This is an addition to Section 5 Article 500 of the Fayette County Unified Development Code. The intention is to eliminate using storage buildings as a home site. Called for public comment. No one present. Commissioner Brenemen motioned to accept the recommendation of the Planning Commission. Commissioner Louisos seconded. Unanimous decision.

Commissioner Louisos motioned to approve canvass and poll worker worker checks for the General Election and Canvass. Commissioner Brenemen seconded. Unanimous decision.

President Scalph and Clerk Treadway set the bond for a recount at \$300.00. Commissioner Louisos motioned to approve. President Scalph seconded. Unanimous decision.

Canvass was conducted.

Precincts 31 and 59 were blindly selected to be hand-counted.

Provisional ballots were considered and counted. No exceptions were found.

The results will be certified at the regularly scheduled meeting on November 19th.

Canvass concluded at 1:02 p.m. and the meeting was adjourned.

FAYETTE COUNTY COMMISSION
November 19, 2020
FAYETTE COUNTY COURTHOUSE
PRESENT: DENISE A. SCALPH, JOHN BRENEMEN, TOM LOUISOS

The Fayette County Commission met in a regular session via Zoom this 19th day of November 2020.

President Scalph called the meeting to order at 9:00 a.m. Anthony Ciliberti, Rick Johnson, Jeff Mauzy, Cheryl Keenan, Fayette Tribune, Anna Saunders, Gabe Peña, Susan Williams, Abigail Newell, Angela Gerald, John Craffe, Kevin Walker, Kristen Hoeckel, Becky Sullivan, Jeff Proctor, Brittany Chaber, and Erin Larsen were on the Zoom call.

Assessor Eddie Young presented real property exonerations for Alvin E. Kincaid \$128.90 and Kay K. Whitlow \$256.20. Commissioner Brenemen motioned to approve real property exonerations. Commissioner Louisos seconded. Unanimous decision.

Commissioner Louisos motioned to approve a refund for Alvin E. Kincaid for \$125.68. Commissioner Brenemen seconded. Unanimous decision.

Commissioner Brenemen motioned to approve second half payroll and release checks on November 30th. Commissioner Louisos seconded. Unanimous decision.

Commissioner Brenemen motioned to approve vouchers and invoices and release checks to pay our vendors today. Commissioner Louisos seconded. Unanimous decision.

Commissioner Brenemen motioned to approve prior meeting minutes for November 9, 2020. Commissioner Louisos seconded. Unanimous decision.

Estate Settlements were presented for Paul Kaney Massey; Betty Lou Neal; Dennis Ray Crawford; Lewis Kent Tyree; Dixie Rebel Fitzwater; Charles A. Pritt; Frederick Wayne Fitzwater; Frank Leroose; Eugene Richard Wallace Jr.; France L. Brown; Charles Hilton Blake; Wayne Harlton Gwinn. Commissioner Brenemen motioned to approve estate settlements and authorize President Scalph to sign. Commissioner Louisos seconded. Unanimous decision.

Ms. Berry presented a Notice of Orders and Recommendations for the estate of Billie Forest Blevins. Commissioner Brenemen motioned to approve and authorize President Scalph to sign. Commissioner Louisos seconded. Unanimous decision.

Debbie Berry, County Administrator, presented 2020 General Election Certification Results for County and Legislative races. State and Federal races must wait for all counties to complete Canvass. The list will be attached to the minutes. Commissioner Brenemen motioned to approve with the exception listed. Commissioner Louisos seconded. Unanimous decision.

Documents were presented for signature for CARES applications for HAVA Board and State Elections Commission. Commissioner Brenemen motions to approve the documents. Commissioner Louisos seconded. Unanimous decision.

Ms. Berry presented a resignation letter from Prosecuting Attorney Jeff Mauzy. Mr. Mauzy stated his last day will be November 30th and his recommendation as to who should be appointed, it should be Mr. Ciliberti since he is newly elected and this will give him an opportunity to get up to speed. Commissioner Brenemen motioned to accept the resignation of Jeff Mauzy as Prosecuting Attorney effective 12/1/2020 at midnight. Commissioner Louisos seconded. Unanimous decision.

President Scalph stated that Mr. Ciliberti would be sworn in on the 1st. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Mike Callaghan, Special Prosecuting Attorney, appeared to discuss a County Counsel Agreement for WV Code Enforcement. Contracts were presented during a previous executive session. Commissioner Brenemen motioned to approve the counsel agreement for the WV Code enforcement. Commissioner Louisos seconded. The resolution is the public document to be signed. Unanimous decision.

Susannah Wheeler, New Roots Farm, appeared regarding full and part time job descriptions and two contracts for approval. Ms. Wheeler detailed funding sources for the position. This will promote Dina Hornbaker to full time and hire Skye Dexter part time. Commissioner Louisos clarified that this RBDG grant was approved prior. No matching funds are going toward salaries. Only from farm product sales. No allocation from Coal Reallocated or excise for personnel costs. Part time position is at will. Commissioner Louisos motioned to approve the job descriptions and full and part time hires as indicated. Commissioner Brenemen seconded. Unanimous decision. There is also a web design contract with Harper funded through LFPP.

This is a flat fee of \$1,500.00. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Commission motioned to go into executive session at 10:25 a.m. for personnel matter and legal counsel now instead of at 1:00.

The Commission exited executive session at 11:30 a.m. with no decisions made.

Ms. Berry presented a request from Armstrong PSD for a loan. A promissory note will need to be drawn up with a specific end date. \$10,600.00 and will need to establish an agreement as to the terms of the agreement. Commissioner Brenemen suggested \$400.00 per month. Commissioner Louisos would like the agreement to contain a clause to raise this amount if there is a rate increase. Ms. Campbell advises two numbers; one before at \$400.00 per month and one after at \$600.00 and both included in the agreement. Will also include all other loan payments will continue. Ms. Campbell will send a letter rejecting their offer and send a counteroffer.

Gabriel Peña was in attendance to present a recommendation for Assistance Resource Coordinator. Adam Hodges, Bill Hauer, Jeff Proctor, Ruth Lanier and Mr. Peña were on the hiring committee. Abigail Newell was chosen largely due to financial oversight experience, as well as community board familiarity. Commissioner Louisos would like to table for financial reasons. Discussion was held to detail how funding for this position was raised due to a vacancy in the RCO and funding from the boards involved in the position. Commissioner Brenemen motioned to approve the hiring of Ms. Newell due to funding assurance from other sources. President Scalph seconded. Commissioner Louisos opposed. Vote was 2 to 1.

Commissioner Louisos added that for the upcoming budget year, he expects the budget to reflect the decrease we discussed in the meeting.

Discussion was held with Kevin Walker, Jimmy Sadler, Amanda Arthur, and Dalynne Gold in regard to mapping issues in the Valley and citizens' concerns. Mr. Walker spoke to the statewide mapping coordinator, and most every county in the state goes by the Secretary of State Code regarding mapping. If we are not following title 169 series 2 to participate the info we provide to the state wide mapping coordinator is not consistent with the rest of the state. In the early 2000s, a company was hired to do this mapping. They failed to complete and comply with the requirements. The data was turned over to the counties. It was then their responsibility to address this. Unfortunately, parts of Fayette County were turned over, parts were not. Hayes Lambert, with Atlas, stated they were not converted at the post office, so they do not recognize the addresses. They are helping counties clean this open through FEMA. For this project, they were not hired to readdress, they were hired to consult and build the initial address point database and put it in a state recognized format. They report all the areas that have not been addressed and decide what to do. They had hoped to have a good data set by now. Susan Williams, Valley resident, asked why Falls View was changed to Charlton Heights. Mr. Hayes stated the master street addressing guide is managed by the phone company and they define things a lot differently than what you do. That can be changed in a few key strokes.

Discussion with Angela Gerald, Zoning, in regards to Rt. 19 Corridor Management Plan and decision to set Public Hearing to Remove Plan.

Jeff Proctor, Gene Kistler, Danette Higgenbottam, Abbie Newell, Leah Perk Kristen Hoeckle, Brittany Chaber, Mike Smith, Clair Rozdilski, Sharon Cruikshank, Becky Sullivan, Valerie Wilson, Anna Saunders, Jourdan Saseen, Jim Schuring attended via Zoom.

Commissioner Louisos asked if there were any questions before he makes a motion. President Scalph stated the process is if the Commission adopts by a majority, it goes to the Planning Commission. They will need to abide by UDC and 8a31 in WV code that discusses amending a Comprehensive Plan and amend through the UDC in section 1007. If this body does decide they want to make an amendment to the comprehensive plan as well as the Rt. 19 Corridor plan, the Planning Commission will have to follow the code, as well as the UDC through posting a public hearing, etc... They will come back to the commission with a recommendation and they will vote. There are steps the Planning Commission must follow with hearings and notices. The Planning Commission will develop a recommendation based on what they hear. President Scalph would suggest it is done on some type of record. First step is the Commission to vote by a majority and then send it to the commission. Discussion was held regarding the pros and cons of the current Rt. 19 Corridor Management Plan. Commissioner Brenemen stated the complete UDC will be under review and upgraded starting in May to June of 2021. Ms. Gerald clarified the Comprehensive Plan is what gets updated next year, not the UDC. No further comments.

Commissioner Louisos motioned to amend the US Rt. 19 Plan from the Comprehensive Plan. There was not a second. Motion died.

Commissioner Louisos motioned to amend the US Rt. 19 Management Plan overlay. Commissioner Brenemen seconded. Commissioner Brenemen clarified to seconding to amending it, not dissolving.

More discussion was held regarding the process of amending the plan. There will need to be public hearings. President Scalph called the vote. Commissioner Louisos in favor, 2 opposed. Motion died.

Ms. Berry presented the resignation of Renee Harper and Recommendation for new Parks Director. Commissioner Brenemen motioned to accept the resignation of Renee Harper as Parks Director effective 12/4/20. Commissioner Louisos seconded. Unanimous decision. The Commission will write a letter thanking her for her excellent work at the park.

Commissioner Brenemen motioned to accept Ms. Harper's recommendation to approve Wayne Workman for Director of Fayette County Park effective 12/5/2020 at Renee's current salary. Commissioner Louisos seconded. Unanimous decision.

Transparency of FCC was discussed. Commissioner Louisos would like for the meetings to be recorded. President Scalph agreed, but believes there should be a contract involved to outline what the Commission needs and solicit bids. Discussion was held regarding Zoom's recording capabilities and a current quote from GST for equipment. Ms. Campbell will find out the legal aspect of livestreaming. She did go through the code sections to see if there is anything relevant. Ms. Berry will also ask other counties via the listerv.

Ms. Berry presented a letter to WV Supreme Court requesting reimbursement of rent for the Family Law Judge for the month of November, 2020 in the amount of \$3,375.00. Commissioner Louisos motioned. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a request from Danny Swank with the Fayetteville Youth Basketball League requesting use of the Memorial Building for non-contact individual skills clinics and competition with limited attendance starting week nights December 1, - December 19, 2020 and Saturdays, January 9, 23, and 2021 and February 6, 2021. Ms. Campbell stated they need to follow health department guidelines and need to make it standard. Commissioner Louisos motioned to approve. Will send a letter they can use the building and follow guidelines. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a quote for AED replacement cost of \$5,616.00. Discussed at prior meeting. Mr. Pena and Gia Tyree have looked for grants; none were found. Our AEDs are obsolete. Commissioner Louisos motioned to replace the AEDs. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented for approval a quote from Atlas for Fayette County Recreational GIS Web Map for \$3,000.00. Ms. Campbell asked for a term of this service, stating the commission cannot make a contract past a year, so there will need to add a statement to renew each year to make it legal. This will be corrected and resent.

Ms. Berry presented a letter for the Fayette County URA board related to their financial reports. Letter will be changed to say to please schedule a time to meet with the Commission to reconcile this information.

The meeting was adjourned at 1:38 p.m.

FAYETTE COUNTY COMMISSION

SPECIAL SESSION

December 3, 2020

FAYETTE COUNTY COURTHOUSE

PRESENT: DENISE A. SCALPH, JOHN G. BRENEMEN, TOM LOUISOS

The Fayette County Commission met in a special session this 3rd day of December, 2020.

President Scalph called the meeting to order at 9:00 am. The Commission certified the state and federal election results.

Commissioner Brenemen motioned to certify the election results.

Commissioner Louisos seconded. Unanimous decision.

The meeting was adjourned at 9:02 a.m.

FAYETTE COUNTY COMMISSION SPECIAL SESSION

December 15, 2020

FAYETTE COUNTY COURTHOUSE

PRESENT: DENISE A. SCALPH, JOHN G. BRENEMEN, TOM LOUISOS

The Fayette County Commission met in a special session this 15th day of December, 2020.

President Scalph called the meeting to order at 9:00 a.m.

Matt Ford, Meadow River Rail Trail Coordinator, of Greenbrier Environmental Group gave an update on the Meadow River Trail repairs with FEMA and DOH. The project is broken into three phases. Phase 1 16.7 mile section from Nallen to just past Laurel Creek. Phase 2 Russellville Bridge; Phase 3 6.4 mile section from the Phase 1 section in Fayette County into Rainelle. Grants have been received for repairs following the 2016 flood for Phase 1; \$62 million for the trail. FEMA funds will be used to repair the Russellville Bridge.

Greenbrier County received \$150,000.00 for design of an additional section to Phase 3.

There is an issue is with the agreement sent by DOH to Fayette and Greenbrier Counties which shows Contract #1, which is trail work not using FEMA funds. The issue is FEMA funds were not allocated for trail work, and those funds are not accounted for. DOH has about \$825,000.00 in their account toward the total cost of \$.1 million and DOH expects that balance to be in their account before work is completed.

Involved parties are looking for best way to move forward. FEMA deadlines have passed and there is a concern that FEMA will not approve extensions without a clear path forward.

Contract #2 is for the Russellville Bridge. DOH sent an agreement signed in 2018 that says the county would provide all the money up front before they start. Kevin Walker stated we only have the current contract and the DOH would be the sole proprietor to \$826,000.00. FEMA is roughly 75% of the funds. Large scale projects are an at cost project and FEMA will provide 75% up front the remaining 25% will be sent to the county once complete. The \$826,000.00 was turned over to DOH. The agreement was to construct pedestrian bridge and complete trail work. However, the money is slated for just the bridge itself as DOH wrote in the agreement they wanted to use it strictly toward the bridge.

There are multiple issues with the project; bridge height and they are now asking for additional pier materials. FEMA scope does not pay for this so Fayette County would be responsible. FEMA approved this after a rewrite.

President Scalph asked how much DOH has and what does the county need. Mr. Ford stated \$825,000.00 is in the account. The county has to pay \$275,000.00 to get the project started. Commissioner Louisos asked if the core drilling that was completed indicated they needed another pier. Mr. Walker did not get that information, the DOH would have received it. Commissioner Louisos asked by what date this needs to be decided. Mr. Ford stated there isn't a firm date at the moment, but we do need to get an extension request submitted into FEMA. Discussion was held regarding grants that were received and timelines. Adam Hodges stated at the time the flood happened, we were basically under the understanding that there was enough funding there to complete the trail. His concern is that the DOH is saying there is no more money in the budget. Where did all that money go? More discussion as held regarding property purchase, funding and timeline. Mr. Walker stated he has all the project worksheets that FEMA requires. President Scalph asked if it comes down to \$275,000.00 to get this project moving, is there any way that Greenbrier County would contribute.

Tammy Tincher from the Greenbrier County Commission stated we talked a lot about the different phases, and thinks we have some options to be able to consider and look at ways we can get the trail going from Nallen to Rainelle. I think there is a discrepancy because there is funding that goes from Nallen past the bridge. But to her, the top priority is to get the bridge back to Rainelle, and thinks we have some options with the FEMA money and feels confident we can make this work. It may not be set out as it is right now. We don't want to lose money or extend the amount of time it will take.

Mr. Ford then suggested all parties look at what grant funding is available to apply for and if that cannot be located, Fayette County

will ask Greenbrier County to assist. The other issue is trail work to get about four miles completed on the Greenbrier County end that does not include the bridge. It does not make sense to use recreational trail funds to pay for work that FEMA will pay for in Fayette County. Due to the timeline, Greenbrier County needs to submit an extension and Mr. Ford proposes the DOH relook at what they have planned. The bridge project needs to stand alone. This would leave Fayette County to manage and complete the work and repairs on their side below Russellville Bridge. Mr. Ford suggests the TAP funds DOH currently has allocated to be used in Fayette County be applied to other projects which would extend the trail further upriver toward Rainelle and require Fayette County to provide permission to use grant funding for this.

Mr. Ford stated the general consensus is there is one change; to go back to FEMA with one proposal to get this extension we need. We need to meet clearing windows prior to March 31, 2021. If Fayette County agrees to expend to expand the trail upriver, one thing is that Greenbrier County would manage their FEMA work because it is tied into 4 trail work in Fayette County. The odds of it getting done prior to March 31st unless Greenbrier County does it are slim. Bill Hines led a discussion about Greenbrier County funding and options.

Commissioner Louisos would like to know if there is a dollar amount the Commission has to agree to. Mr. Ford stated the DOH will not tell him what the dollar amount is unless Fayette County agrees. The DOH is planning to spend the non-transportation funds and Fayette County would need to manage that. It would be completed by Fayette County using FEMA funds mirroring Greenbrier County. The DOH funds would get used to extend the trail into Fayette County, freeing up

FEMA funds to complete the project in the current worksheet. DOH would do the bridge work and Fayette County would manage the trail flood repairs which would be about \$15,000.00. Commissioner Louisos asked if Fayette County signs a letter stating the funds can be used, we will still have to come up with \$250,000.00? Mr. Ford stated yes.

President Scalph asked if we can come up with this, would Mr. Ford have the conversation to offset or assist in the \$275,000.00 from Greenbrier County? Mr. Ford stated yes - it is reimbursable by FEMA. Commissioner Louisos would like to look into this further. President Scalph asked Mr. Ford to prepare the letter and send it to Ms. Berry so the Commissioners can approve and sign. Commissioner Brenemen asked if there is any way, we can tie using Fayette County funds and allowing GC to finish their miles into being contingent upon Greenbrier County assisting with funds. Mr. Ford suggests not pressuring Greenbrier County since they are spending money in Fayette County now. President Scalph stated this partnership with Greenbrier County has been exceptional from the beginning. Commissioner Louisos would like to see if they can help with the \$275,000.00 and doesn't have an issue with the 5 letter. Ms. Tincher appreciates the kind words and certainly as far as Greenbrier County goes, the goal is to make sure we are able to get the trail open as early as we can and not lose any funding that we already have, and they are open to look at the options. President Scalph asked Mr. Ford to prepare the letter for the Fayette County Commission meeting to be held on December 18. President Scalph thinks our options are becoming more limited the longer we wait. Mr. Walker will prepare the request for additional increase in funding from FEMA.

The meeting was adjourned at 10:08 a.m.

FAYETTE COUNTY COMMISSION

REGULAR SESSION

December 18, 2020

FAYETTE COUNTY COURTHOUSE

PRESENT: DENISE A. SCALPH, JOHN G. BRENEMEN, TOM LOUISOS

The Fayette County Commission met in a regular session this 18th day of December, 2020.

President Scalph called the meeting to order at 9:00 a.m.

Prosecuting Attorney Anthony Ciliberti lead the pledge.

Assessor Eddie Young was in attendance to present a real estate exoneration for Charles M. Menarchick \$ 328.86. Commissioner Brenemen motioned to approve and authorize President Scalph to sign.

Commissioner Louisos seconded. Unanimous decision.

Commissioner Brenemen motioned to approve vouchers and invoices and release checks to pay our vendors. Commissioner Louisos seconded. Unanimous decision.

Commissioner Brenemen motioned to approve 2nd half payroll and release checks on Dec 30th. Commissioner Louisos seconded. Unanimous decision.

Commissioner Brenemen motioned to approve minutes from December 3rd and 4th and authorize President Scalph to sign. Commissioner Louisos seconded. Unanimous decision.

Commissioner Brenemen motioned to approve estate settlements for Naomi Maxine Bibbee; Mary Magnalene Kerby; Lillian Faye Harless; Larry Allen Tucker; Carl Edward Treadway; and Herman Emery Lanham. Commissioner Louisos seconded. Unanimous decision.

Debbie Berry, County Administrator, presented the hand count audit form required by the Secretary of State. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented the Appalachia HIDTA agreement. Commissioner Louisos motioned. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a letter to Steven B. Cole for approval and signatures requesting signage for public safety along the scenic road at the entrance to Sunday Road and Stringtown Road. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented an order for approval and signature of the Commission transferring funds from the General School Fund to the FC General Fund in the amount of \$70,000.00. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a letter for approval and signatures related to budget requests for FY 21/22. Commissioner Louisos motioned to approve and sign. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a memo to Elected Officials and Department heads related to additional time off for Christmas and New Years of this year. Commissioner Louisos motioned to approve and sign the memo. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented the Enterprise Fleet contract/ Cruiser Purchase tabled for December 4th. Commissioner Louisos motioned to purchase one from the state contract utilizing the credit available. Mr. Ciliberti will prepare a letter and send to Enterprise regarding the payoff of the fleet. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented an item tabled from December 4th: contract work for farm barn insulation. Mr. Ciliberti noted that the contractor did not sign the bid proposal; the contractor license does not have a signature from anyone representing the company; remove reference to Act of Kansas law; the contract itself has been corrected and sent back for Susannah Wheeler to correct. Ms. Wheeler was advised to remove paragraph 12, which disputes and arbitration which limits legal options. Mr. Ciliberti also suggest getting a copy of the bid with contractor's signature on it. Ms. Wheeler stated the contract was inherited and it would be best to have a standard template. Commissioner Louisos questioned the classifications on the license not stating insulation. Commissioner Brenemen stated finish carpentry covers that. Mr. Ciliberti stated they need the signed contract and the signed bid. Ms. Wheeler ensured that nothing will be executed prior to being signed. Commissioner Louisos motioned to approve as long as finishing carpentry includes insultation. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a letter to WV State Tax Department giving them permission to make changes as deemed necessary up to January 15, 2021. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented an email from Angela Gerald, Zoning, inquiring about her probationary period as being hired as Fayette County Zoning Officer effective July 1, 2020. Commissioner Louisos motioned to approve Ms. Gerald's probationary period and previously agreed upon pay increase. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a letter for approval and signatures related to employees receiving differential pay from the Federal CARES Act. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a letter for approval and signatures for the Commission related to Meadow River Trail project. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Michelle Holly, County Clerk, was in attendance regarding a personnel matter. President Scalph stated that the discharge was within your means per statute as well as how you choose to pay those employees. The Commission does not have the authority to deny or ratify that decision. The new hire is within our authority to approve according to statute. Ms. Holly stated she has known Melissa Wilshire for multiple years, and she has a good background that would be beneficial to the county. Commissioner Brenemen stated there is an employee manual for you to read and understand. You can let people go for no reason at all. Commissioner Brenemen questioned salary and Ms. Holly asked about procedure. Commissioner Brenemen stated to just make sure s=to stay within budget and the Commission does have the authority to cut that. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Discussion of requests for CARES Act Funding was held. Warm Hands from Warm Hearts sent in a request. Commissioner Brenemen motioned to approve received requests. Commissioner Louisos seconded. Unanimous decision. Commissioner Louisos motioned to approve further requests as they come in as long as they are within the required

categories and a non- profit. Commissioner Brenemen seconded.

Unanimous decision.

Commissioner Louisos motioned to approve a \$200.00 per week increase for the maintenance staff while masks and sanitation are required due to the virus. To be reviewed again at the end of 3 months and to take effect on the 12/30/20 pay date. There will be a letter included to the staff. Commissioner Brenemen seconded. Mr. Ciliberti agreed this is a good gesture and they are sent into the fire where exposure is definite. Unanimous decision.

Stephen New, Attorney, was on the call in regards to a possible Minden class action lawsuit. Co-counsel Lee Javins was in attendance as well. There is a public health crisis in Minden and we are in the process of investigating civil action on behalf of approximately 75 households in that area. We feel the FCC may also be a potential plaintiff here. There is one particular cause of action that the FCC is in a position to bring. That is the count of public nuisance. The nuisance allows FCC to claim Monsanto created a toxic chemical which has poisoned a portion of Fayette County and it would allow the county to bring suit to demand that portion of Fayette County be cleaned up. They would offer their services on behalf of the Commission; a standard contingency proposal, fee is 40% of recovered. Mr. Ciliberti stated the proposal is a win win with no risk to the county. Commissioner Louisos motioned to approve their representation. Commissioner Brenemen seconded. Further discussion. Mr. New stated the EPA action will not cover everything. We are not guaranteeing a successful recovery, however it is a difficult and complex case. Unanimous decision

Mr. Ciliberti was in attendance to present recommendations to hire three new employees. Marilyn Pridemore will be legal assistant and office manager. Tyler Rohrbaugh and Chelsea Walker-Gaskins will be hired as Assistant Prosecuting Attorneys. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

The Commission signed a support letter for John David in regards to a YouthBuild project at SALS.

Gabriel Pena, Resource Coordinator, was in attendance to present a draft for qualified planners. Edits will need to be made to clarify it is an update and not a complete plan. Discussion was held regarding the process of the RFP, and that it can be resent if no qualified applicants respond. Ms. Gerald stated the RFQ gets this automatically if it is class three ad. They pay an annual fee to be notified. Commissioner Brenemen motioned. Commissioner Louisos second as long it is advertised as an update and not as development. Unanimous decision.

Mr. Pena presented a letter of resignation from Olivia Tygrett. Request to hire Gia Tyree beyond December 30th. Mr. Ciliberti said he has the discretion to distribute the funds as needed. Commissioner Louisos motioned to table until January 8th. Commissioner Brenemen seconded the table. President Scalph opposed.

Mr. Pena presented information regarding SWA contribution credit. Showed salary presentation from 2020 budget. SWA has paid the invoice since February and needs to know where that money has gone. Commissioner Louisos clarified that the SWA was supposed to stop reimbursing when the commission picked up Mr., Pena's salary for Solid

Waste, but they just continued to pay. Ami Dangerfield, SWA bookkeeper, state the board directed her to keep paying as a sign of good faith. President Scalph stated the question is if the credit can be used going forward for the Assistant Resource Coordinator. Commissioner Louisos motioned to table so the SWA can be in attendance. Commissioner Brenemen seconded.

Mr. Pena presented a CFIA 18th cycle grant contract and HAVA contract. Commissioner Brenemen motioned to approve the HAVA contract. Commissioner Louisos seconded. Unanimous decision.

Commissioner Brenemen motioned to approve the CFIA contract. Commissioner Louisos seconded. Unanimous decision.

Commissioner Brenemen stated he would like to thank President Scalph for her leadership in the county for the past few years. Commissioner Louisos seconded. President Scalph - "thank you it has been an honor and a pleasure to serve."

The meeting was adjourned at 11:21 a.m.