

FAYETTE COUNTY COMMISSION

REGULAR SESSION

JANUARY 12, 2016

COURTHOUSE

FAYETTEVILLE, WV 25840

MEMBERS Present: Matthew D. Wender, John H. Lopez, Denise A. Scalph

The Fayette County Commission met in a regular session on this 12th day of January, 2016.

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

President Scalph read the Reorganization Order for the Fayette County Commission, 2016. Commissioner Wender will be president and Commissioner Lopez purchasing agent.

Commissioner Lopez motioned to nominate Commissioner Wender as president. President Scalph seconded. Unanimous decision.

President Wender motioned to nominate Commissioner Lopez as purchasing agent. Commissioner Scalph seconded. Unanimous decision.

Eddie Young, Assessor, appeared to present exonerations for personal property for Terry L. Rose \$191.28; Melissa Smith \$114.06; Melissa S. Smith \$271.62 & 113.60; James E. Dempsey \$640.30; Jerry Kincaid \$876.60; Raymond Denizil & Genevee Redden \$226.30; Jerod A. Burgess \$371.76; Sandra or Jerry Smith \$71.32, \$35.64, \$80.66, \$81.9 & \$43.94; Donna L. Propps \$608.08; Ricky Brian & Mary A. Williams \$341.96; Louis H. Jr. or Sharon Duncan \$181.76; Lacy Moore \$50.60 & \$52.28; Michael P. Shell \$88.38 & \$119.50; Shash Goins \$28.04; Aaron K. Wriston \$ 1816.82; Backyard Builders of WV \$3,862.36. Commissioner Lopez motioned to approve personal properly exonerations. Commissioner Scalph seconded. Unanimous decision.

Mr. Young presented exonerations for real property for Landquest LCC \$80.84; W.C. Adkins \$6.42; Jane Faye Hackworth \$10.76; William &

Mary Fedukovich \$312.04; Cleo Jane Stone \$245.70; Rebecca A. Satterfield \$688.70 & \$55.02; CGP Development \$777.14. Commissioner Scalph motioned to approve the real property exonerations. Commissioner Lopez seconded. Unanimous decision.

Commissioner Lopez motioned to approve the 1st half payroll and to release checks on January 15th and approve vouchers and invoices and release checks today. Unanimous decision. Commissioner Scalph seconded. Unanimous decision.

Commissioner Scalph motioned to approve the December 2nd and 15th minutes. Commissioner Lopez seconded. Unanimous decision.

Debbie Berry, County Administrator presented letters for the Commission to sign to Eddie Young, Assessor, and Larry Harrah, Prosecuting Attorney, informing them of dates and times for the Board of Equalization and Review for 2016. Commissioner Scalph motioned to approve and sign letters to Mr. Young and Mr. Harrah. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a Consumer Sales and Service Tax Report for approval and signature of President Wender for the period ending December 2015. Commissioner Scalph motioned to authorize President Wender to sign. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a letter to the Supreme Court requesting reimbursement for rent for the Family Law Judge for the month of February, 2016 in the amount of \$3,375.00 for the Commission to approve and sign. Commissioner Scalph motioned to sign the letter. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a letter from Shanna Toler, board secretary of the White Oak Public Service District requesting the reappointment of Thomas Dragan as commissioner at the PSD. Commissioner Lopez

motioned to approve the reappointment. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a letter from Russell G. Deering with the Gauley River Public Service District requesting the reappointment of Ted Elliot as commissioner at the PSD. Commissioner Lopez motioned to approve the reappointment. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a letter from Gary Davis, Chair of the Fayette County Board of Zoning Appeals requesting the appointment of William Light to replace Clifford Ramsey who has resigned due to health concerns. Commissioner Lopez motioned to approve the appointment. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented documents from the State Auditor's office for the Commission to approve and sign for the audit of Fiscal Year 2015, ending June 30, 2015. Commissioner Scalph motioned to authorize President Wender to sign the contract and questionnaire. Commissioner Lopez seconded. Unanimous decision.

Commissioner Scalph motioned to authorize President Wender to sign a letter to Larry Harrah, Prosecuting Attorney, regarding the 2015 audit. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented an order for the Commission to approve and sign changing the reimbursement rate for mileage allowance from fifty-seven and one half cents (57.5) to fifty-four (54) cents per mile effective January 1, 2016. Commissioner Scalph motioned to approve the mileage reimbursement rate and sign the order. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a drawdown and project completion report for the WV Courthouse Facility Grant for Phase 2 of Courthouse Roof

project for the Commission to approve and sign. Commissioner Scalph motioned to approve and sign the drawdown. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a letter to Robert Fala, Director, Department of Natural Resources with concerns about the Park Superintendent position at Plum Orchard Lake Wildlife and Management Area for the Commission to sign. Commissioner Scalph motioned to approve the support letter. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented orders and letters appointing the following to the Parks and Recreation Advisory Board: Andrea Mender, Lauren Weatherford, Victoria Mason (1 year terms); Aletha Stolar, David "Tug" Chamberlin, and Kerrie Dixon (2 year terms); and Dennis Feazell, Les Thomas and Melanie Seiler (3 year terms.) Commissioner Scalph motioned to approve the orders and sign the letters appointing the Parks and Recreation Advisory Board. Commissioner Lopez seconded. Unanimous decision.

Adam Hodges appeared for Farmland Protection Board to present two Sunday Road properties for easements. Kessler property - interested in an easement with the county. Jim and Patricia White's property - interested in an easement with NRCS and county. The Commission is to review these properties before any money is spent.

The Commission tabled the White property until Mr. Hodges can obtain approval from the NRCS.

The Commission does not see an issue with placing an easement on the Kessler property. Commissioner Scalph motioned to authorize the Farmland Protection Board to pursue with an easement with the Kessler family. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a \$500.00 quote from Bill Buzzo Jr., for an asbestos inspection for the incinerator. James P. Robertson, Engineer with Division of Air Quality, WV DEP, has informed that they do not have requirements for the actual demolition and removal of the incinerator but we do need to have an asbestos inspection conducted by a licensed asbestos inspector prior to removal. President Wender suggested tabling the issue and asked Ms. Berry to obtain more quotes.

Ms. Berry presented a permit application from the Fayette County Health Department for the Fayette County Park for approval and signature of President Wender. Commissioner Scalph motioned to approve President Wender to sign. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a lease and option agreement for a pumper truck for the Gauley River Volunteer Fire Department. Commissioner Scalph motioned to authorize President Wender to sign the agreement. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a maintenance contract with Casto Technical Services for heating and cooling at the Courthouse Annex for approval and signature. Commissioner Lopez motioned to approve the contract. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a notice from the WV Division of Culture and History that the Soldiers and Sailors Memorial Building will be considered by the WV Archives and History Commission for nomination to the National Register of Historic Places on January 29, 2016 at 1:30 p.m. Ms. Berry asked that Ami Dangerfield, Commission Assistant, be allowed to attend to present the nomination. Commission approved.

Discussion was held regarding the Fayette County Solid Waste Authority Secretary/Treasurer position. The Commission asked Ms.

Berry to consider who would be a good candidate, speak with those people and also make a list of responsibilities.

The Commission then held the 2nd reading of the Injection Well Ordinance. Liz Campbell, Assistant Prosecuting Attorney, presented 2 amendments. 1 amendment is a deletion. The other removed wording.

President Wender read the ordinance. Then opened the floor to the public for brief statements.

Eden Gilkey, 12 year old Fayette County resident, spoke in favor of the ordinance.

Brandon Richardson presented the commission with a petition with more than 5,000 signatures of residents asking for the ordinance to be passed.

George Patterson, attorney for Bowles Rice in Charleston, representing Danny Webb Construction, spoke against the ordinance and asked the Commission to deny the ordinance

Attorney Robert Stonestreet, representing EQT, spoke against the ordinance and asked the Commission to reject or at least delay approval.

Charlie Burd, Independent Oil and Gas Association, spoke against the ordinance and asked the Commission to reject it.

Tom Rhule, attorney, spoke in favor of the ordinance. He also spoke about the exemptions that the oil and gas companies receive with their permits.

President Wender spoke about the happenings over the past several months. The DEP has not made any contact with the Commission after the Commission requested a meeting several times.

President Wender publicly thanked attorney Tom Rist for all of his efforts.

Commissioner Scalph thanked everyone for their information. She feels that Fayette County has been used as a dumping site.

Commissioner Scalph motioned to adopt the Injection Well Ordinance as read today. Commissioner Lopez seconded. Unanimous decision.

The Commission then read the WVU Collaborative Agreement.

Rochelle Goodwin, Attorney and WVU employee appeared.

President Wender gave a brief history of the happenings of WVU Tech moving to Raleigh County.

The proposed agreement is to help the Montgomery area with economic development, including for WVU to upkeep buildings in their current state until 2025.

President Wender reviewed the highlights of the agreement.

The Fayette County Commission agreed in a previous meeting to not be involved in any lawsuit to prevent the WVU move.

Commissioner Scalph thanked Ms. Goodwin for helping the Valley district and asked her to let everyone know.

Will Thornton spoke regarding how we will assure this agreement stays in place till completion. He told the Commission to take precautions.

Ms. Goodwin spoke about what is already underway from the agreement.

Adam Hodges asked if the definition for the UKV area had been set. President Wender stated that he does not have an answer but he hopes it will be a roll off effect for the surrounding areas.

Commissioner Scalph motioned to approve the agreement and become a party to it. Commissioner Lopez seconded. Unanimous decision.

John David, appeared to request help with a generator. The total cost is \$40,000.00 for the generator from Lowe's. The Red Cross wants to partner with SALS.

At an Oak Hill city hall meeting that Mr. David attended, Bill Hannabass, Oak Hill City Manager, spoke about the need for a generator during emergencies.

The SALS building in Oak Hill can hold 500+ people. The Beards Fork property can hold 35-40.

Commissioner Scalph suggested talking with Kevin Walker, OEM Director, about grant options.

President Wender requested that this item be discussed in a budget session.

Stephanie Sears, Staff Accountant, and Eddie Young, Assessor, appeared to give a financial update.

There will be a special work session for the coal severance budget on January 28th.

The jail budget will be moved from coal severance to general county.

President Wender left the meeting at 12:00 p.m.

Ms. Berry presented invoices for the Animal Shelter that the dog tax fund cannot cover. A decision has been tabled until discussions can take place with the New River Humane Society.

The meeting was adjourned at 12:14 p.m.

FAYETTE COUNTY COMMISSION
SPECIAL SESSION
JANUARY 28, 2016
COURTHOUSE

FAYETTEVILLE, WV 25840

MEMBERS Present: Matthew D. Wender, John H. Lopez, Denise A. Scalph

The Fayette County Commission met in a special session on this 28th day of January, 2016.

President Wender convened the 2016 session of the Board of Equalization and Review at 9:04 a.m.

No one was present with a request for the Board.

The Board will reconvene if someone brings a case forward.

The Board recessed as the Board of Equalization and Review until February 2nd.

President Wender called the meeting to order at 9:05 am.

Eddie Young, Assessor, presented 4 refunds for Rebecca Satterfield \$26.82 and \$335.74; CGP Development Company Inc. \$397.22; and Landquest \$80.00 which was already processed.

Commissioner Scalph motioned to approve the refund that had been previously processed. Commissioner Lopez seconded. Unanimous decision.

Commissioner Lopez motioned to approve the other 3 refunds. Commissioner Scalph seconded. Unanimous decision.

Commissioner Lopez motioned to approve 2nd half payroll and release on the 29th. Commissioner Scalph seconded. Unanimous decision.

Debbie Berry, County Administrator, presented a refund request presented by Mr. Young, due to a clerical error, to Thomas and Tammy Koontz for \$6,812.82.

Commissioner Scalph motioned to approve the refund due to a clerical error from 2011 to 2015. Commissioner Lopez seconded. Unanimous decision.

Commissioner Scalph motioned to approve the January 12th minutes. Commissioner Lopez seconded. Unanimous decision.

Commissioner Lopez motioned to approve vouchers and invoices and release checks today. Commissioner Scalph seconded. Unanimous decision.

Kevin Walker, OEM director, appeared to recommend a person for the planner position. There were 7 applicants and the panel also looked at applicants for the Assistant Resource Coordinator position. 8 were given interviews.

Mr. Walker reviewed the interview process and recommended hiring Tiffany Cottell. He recommended that over the next year, she complete 6 training classes in each 3 month period, receiving a pay raise after each trimester until she reaches \$30,000.00.

Commissioner Scalph motioned to approve the recommendation to hire Tiffany Cottell. Starting salary will be \$25,000.00 following the probationary schedule suggested. Ms. Cottell will start on February 2, 2016. Commissioner Lopez seconded. Unanimous decision.

Kelly Jo Drey, Resource Coordinator, appeared to discuss a support letter for a ground water study. Ms. Drey has been working with Doug Chamber with USGS to complete a ground water study. The grant is for \$260,000.00. There are 3 partners: USGS, Fayette County Commission and the National Parks Service. The New River area, Gauley area and Bluestone area. USGS will test the quality of the water.

USGS gave the Fayette County Commission an option to test the quality of water with a 1:1 grant. The Commission would be required to commit \$15,000.00 for each 3 years. Ms. Drey read the support letter. President Wender stated the quality of water is the main concern.

Commissioner Scalph motioned to approve and sign the support letter. Commissioner Lopez seconded. Unanimous decision.

President Wender requested that all other county commissions involved also write support letters. Ms. Drey will work with John Tuggle, Region IV Planning & Development, to contact the other commissions.

Dan Bickerton, West Virginia American Water (WVAW), appeared to discuss the New River Water Treatment Plan project. WVAW is expanding their area by 9 or 10 acres so more land application residuals can be included. The Commission owns the facility and WVAW wanted to keep them informed. President Wender asked if any of the plans need to go before the Planning Commission and requested that Ms. Berry contact Tim Richardson and keep him up to date.

Jonathon Grose, Mayor of Gauley Bridge, appeared to update the Commission about the town of Gauley Bridge. The discussion started with the old Gauley Bridge High School Football Field area. The town owns this area and wants to renovate it. If the WVU Tech football field falls through for Valley, this would be their home field. Mr. Grose wants to show the community that Gauley Bridge is there for them.

Mayor Grose is having an assessment conducted on the Miller House across from Gino's to see what needs to be done. They are in the process of re-opening the travel center across from Sunoco. President Wender suggested that Mayor Grose contact the Tamarack Foundation.

Mayor Grose suggested to the Commission renovating Hawks Nest Golf Course into a water park. President Wender suggested Mayor Grose speak with Brookfield, the owner of the golf course land, to see if they have any interest in that project.

President Wender stated how pleased the Commission is to have an energetic mayor who wants to make a piece of Fayette County a better

place. Mayor Grose mentioned he is also working to have a grocery store located back in city limits.

Ms. Berry presented an order designating boards for the Presidential election. Commissioner Lopez motioned to approve and sign the order. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a letter for approval and signature of President Wender to Steven Cole, WV Department of Transportation concerning a road in the community of Midway, outside of Oak Hill that has poor drainage and large, deep potholes. Commissioner Lopez motioned to approve the order and authorize President Wender to sign. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented another letter to Mr. Cole for approval and signatures of the Commission requesting the installation of signage stating "SHARE THE ROAD" for public safety along an advertised Scenic Byway/Backway for: Entrance to the WV Turnpike to Pax, Mossy and Mahan; Intervals along Paint Creek Road between Pax and Mossy; Intervals along Paint Creek Road between Mossy and Mahan. Commissioner Scalph motioned to approve and sign the letter to Mr. Cole. Commissioner Lopez seconded. Unanimous decision.

President Wender requested that a copy be sent to Midway resident, Bessie Thomas.

Ms. Berry presented a budget revision which was tabled until the budget work session on February 2nd.

Adam Hodges appeared to discuss the Meadow River Rail Trail project agreement. There is no additional cost with this agreement. No signatures were needed; simply informational. Doug Hylton will appear for signatures once completed.

Ms. Berry presented a Fayette County Fire Levy Pumper Replacement Agreement for Gauley River Volunteer Fire Department for approval and signatures. Commissioner Scalph motioned to approve and sign the agreement. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a Fayette County Fire Levy Pumper Replacement Agreement for the City of Oak Hill Fire Department for approval and signatures. Commissioner Scalph motioned to approve and sign the agreement. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented support letters for approval and signature of President Wender to local legislators thanking them for continued support of the mission of funding the CFIA and notifying them of what the Courthouse Facility Improvement Authority is doing with fees collected for Courthouse projects. President Wender suggested that a list of county funding be attached. Commissioner Scalph motioned to approve the letters. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a letter to Melissa Garretson-Smith for completion of Phase 2 of the courthouse roof project. The Commission signed.

Ms. Berry presented a discussion on a request from John David to place Page-Kincaid PSD on the next round of funding from SCBG. President Wender suggested tabling until we have commitment for our next in line, Armstrong Creek PSD. Ms. Berry will write a letter to John David.

Ms. Berry presented a Memorandum of Understanding for approval and signature of President Wender in accordance with the Violence Against Women Act to develop more comprehensive strategies addressing violence against women. Commissioner Scalph motioned to approve and

authorize President Wender to sign the Memorandum of Understanding. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a letter for approval and signatures to Kevin Walker, James Bennett and staff thanking them for their hard work during Storm Jonas. Commissioner Scalph motioned to approve the letter. Commissioner Lopez seconded. Unanimous decision.

Angela Gerald appeared to discuss Smithers and Ansted projects. A discussion was held about Smithers and what the city needs to do next. Mayor Hobbs will need to schedule a time to appear before the Commission.

Commissioner Scalph motioned to approve to pay for the asbestos inspection on the Larry Brown property. Commissioner Lopez seconded. Unanimous decision.

Ms. Gerald will contact Mr. Brown to see if the gas tanks have been removed. Ms. Gerald will also contact Ansted and Empire Salvage to get the contract started.

Ms. Gerald then presented two quotes that need approval. Nancy Ratliff in Whipple \$3,750.00 and Heather Jones in Stover Hollow in Scarbro \$5,800.00. Commissioner Lopez motioned to approve the two quotes. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented NRHS bills. President Wender stated we will pay this bill and send a letter stating what we have paid above and beyond budget and the Commission hopes that they are being cognizant of their utility usage. Heat should not be set at such a high temperature. Commissioner Scalph motioned to approve the payment. President Wender seconded. Unanimous decision.

Commissioner Scalph motioned to enter into an executive session for legal consultation at 11:56 a.m. President Wender seconded. Unanimous decision.

The Commission exited the executive session at 2:00 p.m.

The Commission signed a letter to all employees regarding a courthouse mass notification system.

The meeting was adjourned at 2:30 p.m.

FAYETTE COUNTY COMMISSION

SPECIAL SESSION

February 2, 2016

COURTHOUSE

FAYETTEVILLE, WV 25840

MEMBERS Present: Matthew D. Wender, John H. Lopez, Denise A. Scalph

The Fayette County Commission met in a special session on this 2nd day of February, 2016.

President Wender reconvened the 2016 session of the Board of Equalization and Review at 9:12 a.m.

No one was present with a request for the Board.

The Board will reconvene if someone brings a case forward.

The Board recessed as the Board of Equalization and Review until February 5th.

President Wender called the meeting to order at 9:13 a.m.

Larry Harry, Prosecuting Attorney, appeared to discuss estates of Rosa Luster, Herman Hawver and Lawrence Smailes.

Mr. Harrah stated that the Luster estate has been unsettled since 2003. Tom Fast was curator. Mr. Harrah suggested removing Tom Fast as curator. A Fiduciary Commissioner has been assigned so nothing else needs to be done.

Mr. Harrah presented an order to remove Tom Fast as curator in the estate of Rosa Luster. Commissioner Scalph motioned to approve and sign the order. Commissioner Lopez seconded. Unanimous decision.

Mr. Harrah stated that the Herman Hawver estate needs a Fiduciary Commissioner appointed. Mr. Harrah suggested Paul Clay and presented an order. Commissioner Scalph motioned to appoint Paul Clay as Fiduciary Commissioner in the Herman Hawver estate. Commissioner Lopez seconded. Unanimous decision.

The estate of Lawrence Smailes is requesting the executrix be removed. This will necessitate an evidentiary hearing. The Prosecutor's office will send out notices and schedule the hearing on a future Commission meeting date.

Discussion was held on the special commitment of funds for further advocacy for funding for facilities of Fayette County Schools. President Wender suggested tabling this until the February 10th meeting.

Debbie Berry, County Administrator, presented a letter to Page-Kincaid PSD regarding SCBG funding, stating that this will be tabled until we have commitment for our next in line, Armstrong Creek PSD. Commissioner Scalph motioned to approve and sign the letter. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a letter to the New River Humane Society stating what we have paid above and beyond budget and the Commission hopes they are being cognizant of their utility usage. Heat should not be set at such a high temperature. Commissioner Scalph motioned to approve and sign the letter. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry read a letter from Eddie Young, Assessor, regarding his PVC budget which will be considered in the March budget session.

Ms. Berry presented a resolution naming New River Gorge Regional Development Authority as the 2016 Fayette County Economic Development Entity. Commissioner Scalph motioned to approve and authorize President Wender to sign. Commissioner Lopez seconded. Unanimous decision.

Discussion was held on the Fire Association site rental agreement for space at the Office of Emergency Services building. Commissioner Scalph motioned to approve the agreement with the Fire Association. Mr. Harrah will make minor adjustments and the Commission will sign on February 5th. Commissioner Lopez seconded. Unanimous decision.

The Commission then held a work session on Coal Severance and General County budgets. Further discussion will be held on February 5th.

The meeting was adjourned at 12:28 p.m.

FAYETTE COUNTY COMMISSION
SPECIAL SESSION
February 5, 2016
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS Present: Matthew D. Wender, John H. Lopez, Denise A. Scalph

The Fayette County Commission met in a special session on this 5th day of February, 2016.

President Wender called the meeting to order at 9:09 a.m.

Commissioner Lopez motioned to approve vouchers and invoices and release checks today. Commissioner Scalph seconded. Unanimous decision.

Debbie Berry, County Administrator, presented a letter from EnAct to reappoint Judson Wallace to their board. Commissioner Lopez motioned to reappoint Judson Wallace to the EnAct board. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented letters for signature of the Commissioners to elected officials and department heads, requesting each to submit their budget proposals prior to March 1, 2016 and to schedule a time for discussion on Friday March 4, 2016. Commissioner Lopez motioned to approve the letters. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented the Fayette County Fire Association rental agreement for President Wender to sign. The agreement was approved in a previous meeting.

The Commission held a discussion regarding Wolf Creek PSD. President Wender requested finding out how a PSD is started. President Wender will speak with some interested people and tell them we have a file available for review. A petition would have to be presented to the Commission to start the process.

Ms. Berry presented an order to Combine or Divide and Segregate land for Arbradella Minter. Commissioner Lopez motioned to approve the order. Commissioner Scalph seconded. Unanimous decision.

The Commission reconvened as the Board of Equalization and Review at 9:54 a.m. to hear mineral property cases.

Doug McKenzie with Walter Energy and Phillip Wriston of Imperial Colliery and Eagle Land appeared along with Chris Farmer and Pam Kordusky from the State Tax Office. All involved took oaths.

Doug McKenzie, Walter Energy, stated that the coal reserves are nonexistent on 2 of the properties:

10-01-9999-0621-6178

10-01-9999-0602-5749

Mr. McKenzie contends there is not any coal in the Beckley seam. Last fall, the State changed the classification from T-20 to T-40.

10-01-9999-0900-2986

This land is classified as T-40. Mr. McKenzie contends it has less than 30 inches. The State shows more than 30 inches. Mr. McKenzie contends they are using the wrong modeling and asked that they rerun the modeling. Requests zero value on all properties.

Phillip Wriston, Imperial Colliery, presented 6 managed timberland properties:

03-0017-0002

01-0017-0044

01-0017-0045

01-0024-0021

01-0024-0028

04-0009-0065

Mr. Wriston stated that the values were previously spread between T-1, T-2 and T-3 but this year, 99% of Timberland Properties are incorrectly labeled T-1. Adjoining properties are still split between T-1, T-2 and T-3. Asking for continuity and fairness.

Mr. Wriston, Eagle Land, presented 03-0072-0001. The state shows over 400 acres of minable land on the map. Mr. Wriston contends there is only 100 acres. The land is classified T-40 for coal.

President Wender excuses the state to discuss with the petitioners. The States said that they did not need to meet with Mr. McKenzie and would like to discuss before recessing.

Mr. Farmer first discussed the property 10-01-9999-0621-6178 - 79 acres at Laurel Creek. The State lowered the value last year for \$27,048.00 to \$2,705.00; T-20 to T-40. The State will not go any lower. Contends there is in fact coal there and drill holes from surrounding properties show there is more than 30 inches. T-40 is the correct assessment. Mr. McKenzie acknowledges that the property is already at T-40 but does not agree.

Mr. Farmer discussed 10-01-9999-0602-5749 - 596 acres at Laurel Creek. This is the same situation as 6178. The State lowered the value from around \$30,000.00 to \$6,346.00. Mr. Farmer stated that the drill holes are from the edges of the properties and are not good samples. T-40 is the correct assessment. Mr. McKenzie acknowledges that the property is already at T-40 but does not agree.

Mr. Farmer presented 10-01-9999-0900-2986 - 160.3 acres at Horseshoe/Sewell. The State contends it is and always has been classified as T-40 with a total coal value of \$4,400.00. This is as low as the State will go; suggests no change. Mr. McKenzie contends it was previously valued as T-20 and was reduced but would like it at zero value. T-40 is the correct assessment. Mr. McKenzie acknowledges that the property is already at T-40 but does not agree.

The Commission recessed as the Board of Equalization and Review at 10:16 a.m. so the State could deliberate with Eagle Land and Imperial Colliery.

The Commission discussed the budget.

The Commission reconvened as Board of Equalization and Review at 11:06 a.m.

The State gave a report of Phillip Wriston, Eagle Land. The State's geologist erroneously put the value on coal that was mined in 2014. 250 acres should have been left out. 56 acres were added as reserves classified as T-20. \$2,673,735 appraised value was a mistake on the State's part. \$245,856.00 is the new appraised value.

The State then addressed the Phillip Wriston, Imperial Colliery. State Tax Attorney Timothy Waggoner stated that managed timberland is not viewed as fair market value. He believes the County Commission does not have the authority to change timberland values.

Pam Kordusky, State Tax Department, did not receive a report from Imperial Colliery for 2015 for managed timberland, so the system rolled over for Tax Year 2016. She sent it to the GIS department and they returned what the values should be based on a study of soil grades from WVU. If they had filed their report on time, they would have used the county average as in previous years. The actual soil grade from the WVU survey was better than the county average and increased the value. Last year, land was spread out as T-1, T-2 and T-3. This year, due to the mapping department findings from the WVU study, it is now 99% T-1 and 1% T-2. This is because Imperial did not file on time in 2015 and values were no longer pulled from the county average.

Jack Booda, Imperial, asked in all fairness, to spread out in Fayette County. They are not arguing value, they just want fairness.

19 properties are still unmapped and Imperial is asking those to be mapped.

Eddie Young asked if the new soil grades researched by WVU could be used for all but 19 properties. The State said yes.

President Wender asked if the Commission could contest the values of the remaining 19 properties and ask WVU to complete soil grades. Research needs to be done to answer what the Commission can do.

President Wender asked if the state could review the 19 properties. The State will check and the Commission will send a formal request by letter.

The Commission recessed as the Board of Equalization and Review at 11:32 a.m. until February 10th at 9:00 a.m.

The Commission will review these requests and a decision will be made by February 24th.

The meeting was adjourned at 11:42 a.m.

FAYETTE COUNTY COMMISSION

SPECIAL SESSION

February 10, 2016

COURTHOUSE

FAYETTEVILLE, WV 25840

MEMBERS Present: Matthew D. Wender, John H. Lopez, Denise A. Scalph

The Fayette County Commission met in a special session on this 10th day of February, 2016.

President Wender called the meeting to order at 9:24 a.m.

Commissioner Lopez motioned to approve 1st half payroll and release checks on the 12th. Commissioner Scalph seconded. Unanimous decision.

Commissioner Lopez motioned to approve vouchers and invoices and release checks today. Commissioner Scalph seconded. Unanimous decision.

Debbie Berry, County Administrator, presented the Commission with a drawdown for Community Corrections for the month of January, 2016 in the amount of \$12,539.89 for President Wender to sign. Commissioner Scalph motioned to authorize President Wender to sign the drawdown. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a letter from Putnam County Aging Program requesting recommendation of potential candidates for their board of directors to represent Fayette County. Commissioner Lopez motioned to nominate Commissioner Scalph to the board and approve and sign the letter. President Wender seconded. Unanimous decision.

Ms. Berry presented a letter from John Steadman, Fayetteville Elementary Music teacher requesting the use of Soldiers and Sailors Memorial Building on May 3rd through May 12th, 2016 for music rehearsals and performances. Commissioner Lopez motioned to approve the request. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a letter to the Supreme Court of Appeals for signatures requesting reimbursement for rent for Family Law Judge for the month of March 2016, in the amount of \$3,375.00. Commissioner Lopez motioned to approve and sign the letter. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a letter to Jimmy Gianto, WV Division of Homeland Security for President Wender to sign requesting

reimbursement for costs incurred and paid by the Fayette County Commission in connection with the administration of the Fayette County Emergency Management Program. Commissioner Scalph motioned to approve and asked Stephanie Sears, Staff Accountant, to review figures. Commissioner Lopez seconded. Unanimous decision.

The Commission reconvened as the Board of Equalization and Review at 9:36 a.m. No one was present for a hearing. The Commission recessed as Board of Equalization and review at 9:37 a.m. until February 16, 2016.

Ms. Berry presented an application for Leave Donation from David Bennett, Fayette County Park Maintenance worker, for 32 hours. Commissioner Scalph motioned to approve the application. Commissioner Lopez seconded.

Eddie Young, Assessor, appeared to make the commission aware that the public utilities will be down by \$500,000.00 in value. The Commission asked for a telephone conference with the State for an explanation.

Commissioner Scalph motioned to enter into an executive session at 9:45 a.m. for legal consultation. Commissioner Lopez seconded. Unanimous decision.

The Commission reconvened at 10:46 a.m.

The Commission discussed a special commitment for further advocacy for Fayette County Schools.

President Wender stated that the Commission has weighed this discussion for some time now. Commissioner Scalph motioned to approve the special commitment of funds for further advocacy of funds, up to \$15,000.00, for Fayette County Schools and agreed to be plaintiffs

provided matching funds from the public sector are available and if there is a lawsuit. Commissioner Lopez seconded. Unanimous decision.

Gabriel Peña, Assistant Resource Coordinator, appeared to discuss a letter to the Department of Highways. The DOH stated that Grant Street does not fall within their jurisdiction. They claim it is a County Commission and property owner responsibility. The DOH will look at the road and asks members of the Commission to be present as well as the Department of Environmental Protection. The Commission is disappointed with the DOH response to the Commission's request. Commissioner Scalph asked Mr. Peña to research different avenues the Commission may take. President Wender and Mr. Peña will meet with the DOH and invite Region IV.

President Wender motioned to take a 10 minute recess at 11:00 a.m. Commissioner Lopez seconded. Unanimous decision.

The Commission reconvened at 11:06 a.m.

Honorable Judge Paul Blake and Jerry Willoughby, Probation, appeared to discuss the relocation of the Probation Department to the Belinda Morton property. A layout is presented for the Drug Court office that was completed by Silling Associates.

The Drug Court is currently located in Judge Blake's law library and he would like her moved as quickly as possible because she will soon start seeing more clients.

Judge Blake thinks the whole Probation Department can be relocated to this building. He does not feel the current proposed layout sufficiently utilizes the building.

Commissioner Scalph asked if we know what monies could be received from the Supreme Court for security and such.

President Wender suggested asking Mike Moore with Silling Associates to attend a meeting and for Mr. Willoughby to find out what the Supreme Court will pay for.

Also, Charlie Bryant with the Day Report Center should also attend the meeting to discuss how their clients can help and Allen Ballard and Melvin Withrow will also perform some of the work.

President Wender asked for a time frame. Judge Blake said that the Drug Court officer will start seeing clients in mid-March and he would like to be up and running by then.

President Wender suggested that Ms. Berry call Mr. Moore immediately to see when he can come and also provide Mr. Ballard with the drawings so he can give us an estimated supplies list.

Judge Blake also brought up the jail bill issue. He stated that he himself tries to be conscientious of jail time but some things can not be helped. Further discussion was held regarding the jail bill issue.

The Commission then discussed the budget.

The meeting was adjourned 2:00.

FAYETTE COUNTY COMMISSION

SPECIAL SESSION

February 16 2016

COURTHOUSE

FAYETTEVILLE, WV 25840

MEMBERS Present: Matthew D. Wender, John H. Lopez, Denise A. Scalph

The Fayette County Commission met in a special session on this 16th day of February, 2016.

President Wender called the meeting to order at 9:15 a.m.

Commissioner Scalph motioned to approve the minutes of January 28th and February 2nd. Commissioner Lopez seconded. Unanimous decision.

The Commission briefly recessed at 9:16 a.m.

The Commission reconvened at 9:22 a.m.

Ms. Berry presented 2 demolition agreements that the Commission approved in prior meetings.

Commissioner Lopez motioned to authorize President Wender to sign the demolition agreement for Heather Jones, Scarbro. Commissioner Scalph seconded. Unanimous decision.

Commissioner Lopez motioned to authorize President Wender to sign the demolition agreement for Nancy Ratliff, Alta. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a letter to Region IV regarding the county's financial constraint. Commissioner Scalph motioned to approve and sign the letter to Region IV. Commissioner Lopez seconded. Unanimous decision.

The Commission reconvened as the Board of Equalization and Review at 9:56 a.m. No one was present to be heard.

The Commission recessed as the Board of Equalization and Review until Friday, February 19, 2016 at 9:00 a.m.

The Commission held a budget work session.

Discussion was held on the request from Judson Wallace for funds to help with the Upper Kanawha Valley Community Center expenses.

President Wender suggested asking Mr. Wallace to call a meeting of his board in May and the Commission will meet with them to state the Commission's stance on this situation. The Commission can no longer fund these projects but will help with plans for the future of the organization. The Commission will also send a letter stating that they will pay \$500.00 a month for March and April (to be used for

heating, water and lights) and then the Commission and their board will come up with a plan for the future.

Commissioner Lopez motioned to approve \$500.00 for March and April until the meeting is held. President Wender seconded. Unanimous decision.

Commissioner Scalph motioned to release the check to Mountain State Justice for \$5,000.00. President Wender seconded. Unanimous decision.

Commissioner Scalph motioned to approve Coal Severance Budget Revision Number 3. President Wender seconded. Unanimous decision.

Commissioner Scalph motioned to approve General County Budget Revision Number 4. President Wender seconded. Unanimous decision.

The Commission recessed for lunch at 1:07 p.m.

The Commission reconvened with the New River Humane Society (NRHS) at 2:30 p.m.

President Wender explained the budget worksheets to the NRHS.

President Wender stated that the NRHS needs to operate within its budget. The Dog Tax is not adequate to meet any additional funding requests and the Commission can no longer provide funds outside of what is approve in their budget.

Charlie Bryant, Day Report Center, spoke about the Community Correction workers and what his department can do to help the shelter.

The NRHS board is going to meet and develop a plan. They will contact Mr. Bryant to coordinate the NRHS work at the shelter.

The meeting was adjourned 3:19 p.m.

SPECIAL SESSION
February 19 2016
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS Present: John H. Lopez, Denise A. Scalph

The Fayette County Commission met in a special session on this 19th day of February, 2016.

Commissioner Scalph called the meeting to order at 9:10 a.m.

The Commission reconvened as the Board of Equalization and Review at 9:10 a.m. No one was present to be heard.

The Commission recessed as the Board of Equalization and Review at 9:11 a.m. until Wednesday, February 24th at 9:00 a.m.

Stephanie Sears, Staff Accountant standing in for the County Administrator, presented a letter to Judson Wallace of the Upper Kanawha Valley Community Center, stating that a meeting should be scheduled with the Commission and the community center Board to discuss plans for their financial future. The Commission also agreed to allocate \$500.00 a month for March and April, 2016 to assist with utilities expenses at the community center. Commissioner Scalph motioned to approve the letter and allocation. Commissioner Lopez seconded. Unanimous decision.

Ms. Sears presented a letter to Roy Kees, Division of Air Quality of the WV Department of Environmental protection, regarding the Public Notice for Draft Permit R13-3277 for Mountain Valley Pipeline, LLC's Stallworth Natural Gas Compressor Station located in Fayette County and requesting a public meeting for the Meadow Bridge area. Commissioner Scalph motioned to approve and sign the letter. Commissioner Lopez seconded. Unanimous decision.

Ms. Sears presented the Management Representation Letter for the financial statement audit for fiscal year ending June 30, 2015.

Commissioner Scalph motioned to approve and sign the letter.

Commissioner Lopez seconded. Unanimous decision.

Commissioner Lopez motioned to enter into an executive session at 10:00 a.m. Commissioner Scalph seconded. Unanimous decision.

The Commission reconvened at 11:35 a.m.

Angela Gerald, Dilapidated Buildings, presented the agreement with the City of Smithers and the Fayette County Commission. Tom Skaggs, Smithers mayor, will be placed on a future agenda. Their town attorney will need to draw up the contracts and other paperwork.

The meeting was adjourned 11:43 a.m.

FAYETTE COUNTY COMMISSION
SPECIAL SESSION

February 24, 2016

COURTHOUSE

FAYETTEVILLE, WV 25840

MEMBERS Present: Matthew D. Wender, John H. Lopez, Denise A. Scalph

The Fayette County Commission met in a special session on this 24th day of February, 2016.

Commissioner Scalph called the meeting to order at 9:09 a.m.

President Wender entered the meeting late and requested that

Commissioner Scalph call the meeting to order in his absence.

Eddie Young, Assessor, appeared to present exonerations for personal property for David W. Dilley \$782.02; Amanda Kennan \$221.08; Lura E. Goard, Jr. \$320.12; Sandra M. Williams \$296.76; Sharon E. or Gary W. King \$141.62; Anita G. Armstrong \$100.70; Sandra L. & Leon E. Tredway \$172.02; Ernest J. & Gail F. Avis \$313.86; Brian K. & Sherry

D. & Kevin Moore \$69.54; Billy J. & Rosetta Byrd & Andrew Stone \$446.52; Shanda White \$52.08, \$52.82, \$56.70; Leah McAllister \$0.60; Jonathon Wayne Walter \$62.12; James Ray & Sharon Ann Ellison \$62.80.

Commissioner Lopez motioned to approve the personal property exonerations. Commissioner Scalph seconded. Unanimous decision.

Mr. Young presented exonerations for real property for Alice Carte Shuler \$256.20; William Chapman \$524.96; Joshua K. & Jennifer Ellison \$530.34; Johnny D. & Theresa Critchley \$656.38. Commissioner Scalph motioned to approve the real property exonerations. Commissioner Lopez seconded. Unanimous decision.

Commissioner Lopez motioned to approve vouchers and invoices to be released today and approve 2nd half payroll to be released the 29th. Commissioner Scalph seconded. Unanimous decision.

Commissioner Scalph motioned to approve the minutes for February 5, 10 and 16. Commissioner Lopez seconded. Unanimous decision.

Discussion was held on the curator on the Lois Bowyer Estate. The curator is Brandon Steele and his order was completed on October 28, 2015. He replaced Tom Fast as curator.

The Commission reconvened as the Board of Equalization and Review at 9:30 a.m. No one was present to be heard.

Letters have been prepared with the Commission's decisions to be mailed to the petitioners.

Commissioner Lopez motioned to adjourn as Board of Equalization & Review sine die at 9:33 a.m. Commissioner Scalph seconded. Unanimous decision.

Kelly Jo Drey, Resource Coordinator, appeared to give an update on PSDs. Ms. Drey's report is attached.

Brian Sparks, Lauren Weatherford, Andrea Mender, and Kelsey Laubach appeared to update the Commission on the WVU Extension Office projects.

Ms. Mender presented about the Youth Development Program, programs outside of the 4-H Club and other special interest clubs.

Ms. Weatherford discussed her projects including the Living Well Group partnering with WV Food Links.

Ms. Laubach presented her programs. She stated that 50% or more of Fayette County students receive free or reduced lunch. Her position is grant funded and requires that she visit schools to educate the children about nutrition.

Mr. Sparks gave the farmer's market update. They expect growth this year.

Mike Moore, Sillings Associates, appeared to discuss the Belinda Morton building project and the Probation office.

Mr. Moore stated what needs to be done to update the building. The estimate is \$119,875.00. The Commission reviewed the 2 floor plan options from Sillings. Mr. Moore will complete more drawings and email them to all involved.

Judge Blake, Jerry Willoughby and the Commissioners will meet on February 29, 2016 at 9:00 a.m. to further discuss the plans.

Ms. Berry presented 3 Orders to Combine or Divide and Segregate Land for Andrew D. & Jenny Marie Pense; Jerry Page; and Steve J. & Rita Pawlus, respectively. Commissioner Lopez motioned to sign the orders. President Wender seconded. Unanimous decision.

Ms. Berry presented the WVU Upper Kanawha Valley Collaboration Agreement for President Wender's signature. The document was approved January 12th, 2016 during a regular meeting and is between the West

Virginia Board of Governors on behalf of West Virginia University, an agency and higher education institution of the State of West Virginia ("University"; the County Commission of Kanawha County, a political subdivision under the laws of the State of West Virginia ("Kanawha County"); the County Commission of Fayette County, a public corporation and governing body of Fayette County, a political subdivision under the laws of the State of West Virginia ("Fayette County"); and the City of Smithers, a municipal corporation under the laws of the State of West Virginia ("Smithers"). Commissioner Scalph motioned to authorize President Wender to sign the agreement. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented an order for the Fayette County Commission to approve the list of Election officials submitted from the Chairmen of the Democratic and Republican Executive Committees appointing workers for the Primary Election to be held May 10, 2016. Commissioner Scalph motioned to approve and sign the order. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a Memorandum of Understanding between the Fayette County Commission and the Fayette County Day Report Center for the Community Corrections Program for President Wender to sign. Commissioner Scalph motioned to approve and authorize President Wender to sign the MOU. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a letter from Fayetteville Elementary School Principal Ellen Deel, requesting the use of Soldiers and Sailors Memorial Building on March 4th, 2016 to hold Jump Rope for Heart event to raise money for the American Heart Association. Commissioner Lopez motioned to approve the request. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented an application for a permit to operate Harlem Heights Park for President Wender to sign for the Fayette County Health Department. Commissioner Scalph motioned to approve and authorize President Wender to sign the application. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a Drug Free Affidavit for President Wender to sign for the CFIA grant which is required for public projects. Commissioner Lopez motioned to approve and authorize President Wender to sign. Commissioner Scalph seconded. Unanimous decision.

Discussion was held regarding moving the March 18th meeting to March 17th. This discussion was tabled.

The Commission met with Elected Officials regarding the current outlook of the FY 2017 budget. This was for informational purposes only.

The meeting was adjourned 12:36 p.m.

FAYETTE COUNTY COMMISSION
SPECIAL SESSION
February 29, 2016
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS Present: Matthew D. Wender, Denise A. Scalph

The Fayette County Commission met in a special session on this 29th day of February, 2016.

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

Judge Paul Blake and Jerry Willoughby appeared to discuss the Belinda Morton property for use for Drug Court and Probation.

Allen Ballard spoke with Debbie Berry, County Administrator, and Mr. Willoughby on Friday, February 26, 2016 and informed them that the walls they originally thought were load bearing are not.

Mr. Willoughby suggested that with this new information, the plans could be reworked.

The Commission and Judge Blake reviewed the plans that Mike Moore of Sillings Associates sent last week.

Mr. Moore feels that running this plan by the Supreme Court and Probation for their approval would be a good idea.

Mr. Ballard can present the plan to the Fire Marshal and Mr. Moore is willing to prepare the plans.

President Wender requested that Melvin Withrow, Maintenance, and Mr. Ballard prepare a materials list with costs.

Judge Blake wants to complete the Drug Court portion first so that the Drug Court officer can move.

Ms. Berry will contact Charlie Bryant with the Day Report Center to set up their clients to assist.

The Commission will discuss this again on March 4th, 2016 at 8:30 a.m.

Ms. Berry presented reappointments for the Urban Renewal Authority for Guy Dooley and Will Thornton. Commissioner Scalph motioned to approve the reappointments to the URA. President Wender seconded. Unanimous decision.

Discussion was held on the Solid Waste Authority employee. The Commission agreed that Ami Dangerfield will prepare the financials, payroll and accounts payable and Gabe Pena will take minutes and phone calls. Ami Dangerfield will receive \$4,000.00 from the SWA budget and

SWA will continue to reimburse the County. Commissioner Scalph motioned to approve. President Wender seconded. Unanimous decision.

The Commission agreed to add March 11ths as a budget work session.

The meeting was adjourned 11:30 a.m.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
MARCH 4, 2016
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS Present: Matthew D. Wender, John H. Lopez, Denise A. Scalph

The Fayette County Commission met in a regular session on this 4th day of March, 2016.

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

Eddie Young, Assessor, appeared to present real property exonerations for Robert Lee & Mary Gaye Scott \$700.88; and Emily Pannell & Cory Whaples \$243.64. Commissioner Scalph motioned to approve the real property exonerations. Commissioner Lopez seconded. Unanimous decision.

Commissioner Lopez motioned to approve vouchers and invoices and release checks today. Commissioner Scalph seconded. Unanimous decision.

Smithers Mayor Tom Skaggs did not appear for his appointment.

Debbie Berry, County Administrator, presented a letter from Mary Sue Horrocks with Church Women United requesting the use of the Courthouse lawn on Thursday May 5th, 2016 at 12:00 noon for the National Day of Prayer. Commissioner Scalph motioned to approve. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a letter from Fayetteville Mayor Dennis Hanson requesting to correct a mistake made with the appointment term of Matt Jeffries as the town's appointment to the Bridge Day Commission. Commissioner Scalph motioned to approve the term correction. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented an agreement with J. Dan Snead and Associates, Inc. for the Commission to approve and authorize President Wender to sign for the Stone Masonry and Brick Repair for our Courthouse Facilities Grant project. Commissioner Scalph motioned to approve and authorize President Wender to sign the agreement. Commissioner Lopez seconded. Unanimous decision.

Sheriff Steve Kessler appeared to discuss his budget. He made a few cuts. He is asking for 4 cruisers.

Ms. Berry then presented a contact with East Coast Pools, Inc. for work on the Fayette County Park Pool for the Commission to approve and authorize President Wender to sign. Commissioner Scalph motioned to approve the contract and authorize President Wender to sign. Commissioner Lopez seconded. Unanimous decision.

The Commission agreed to hold a special meeting on Friday, March 11, 2016 at 1:00 p.m.

Brian Sparks, WVU Extension Office, appeared to discuss his budget. Mr. Sparks did not present any changes from FY 2016.

Kelly Jo Drey, Resource Coordinator, appeared to present her budget. She shows a decrease from last year.

Eddie Young, Assessor, appeared to present his budget. Mr. Young stated that he has reduced everything that he can and removed his extra help line item.

A public hearing for early voting locations was held at 10:00 a.m. President Wender read the order stating the Fayette County Memorial Building, Danese Community Center and Montgomery Town Hall will be the 3 early voting locations.

President Wender opened the floor for comments. There were none.

Commissioner Lopez motioned to approve the early voting precincts. Commissioner Scalph seconded. Unanimous decision.

Susan DuFour appeared to present the County Garage budget. Vehicles were discussed but there were no changes.

Earl Pauley appeared to present the Park budget. Mr. Pauley requested to retain Adam McCune as a full time employee at the rate of \$9.00 per hour.

Kelvin Holliday, County Clerk, appeared to discuss the early voting budget. Discussion was held regarding employees. Sorting and preparation necessitates 6 days of work. The General Election will not require additional ballots so they will not need additional employees, so that will generate savings.

Discussion was held regarding the 39 precincts for the fall. Mr. Holliday proposed teams of 5 with a \$1,500.00 per person threshold. He said it would be a bad idea to put precincts 9 and 13 together. Early voting could be reduced from 3 to 2 locations.

Larry Harrah, Prosecuting Attorney, appeared to present his budget. There were no changes except the salary of the elected official decreased due to the County's reclassification. Mr. Harrah will reduce travel in his office. Only the Prosecuting Attorney will attend conferences.

The Commissioners asked that a meeting be arranged for early April to discuss the jail bill expenses. The Circuit Court judges, Magistrates and the Prosecuting Attorney will attend.

The Commission recessed at 12:25 p.m.

The Commission reconvened at 1:20 p.m.

Kevin Walker, OEM Director, appeared to present his budget. He does not have any major changes. The server will cost \$8,184.92 and insurance will be added for Tiffany Cottle. The EMPG grant which covers the Planner position is assured for 2016 but the federal government can drop it in the future.

Mr. Walker will research FEMA to see if there grants for lifeguard training and water safety.

Joe Crist, Fire Coordinator, appeared to discuss hi budget. His budget is mainly the same, with overtime included for his assistant in case of a disaster.

Jamie Bennett, 911 Coordinator, appeared to discuss his budget. The only thing changing is a decrease in overtime.

Discussion was held regarding a canopy. This will be readdressed in May 2016 after reviewing landline revenues.

Mr. Walker then stated that a Jeep Liberty had been purchased from Turnpike Ford for \$12,100.00. It was sold as a 4 wheel drive but is only 2 wheel drive. Turnpike Ford does not have a 4 wheel drive at that price to exchange.

The Commission requested that Mr. Walker and Mr. Bennett draft a letter with details, asking that it be exchanged for a 4 wheel drive or refund money, and send it to the Prosecuting Attorney.

Commissioner Scalph motioned to adjourn. Commissioner Lopez seconded. Unanimous decision.

The meeting was adjourned 3:35 p.m.

FAYETTE COUNTY COMMISSION
SPECIAL SESSION
MARCH 11, 2016
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS Present: Matthew D. Wender, John H. Lopez, Denise A. Scalph

The Fayette County Commission met in a special session on this 11th day of March, 2016.

President Wender called the meeting to order at 1:07 p.m.

Commissioner Lopez motioned to approve payroll and release checks on the 15th. Commissioner Scalph seconded. Unanimous decision.

Eddie Young, Assessor, appeared to present real property exonerations for Richard P & Elaine R. Whitworth \$470.96.

Commissioner Scalph motioned to approve the real property exonerations. Commissioner Lopez seconded. Unanimous decision.

Commissioner Scalph motioned to approve the minutes of February 19th and 24th. Commissioner Lopez seconded. Unanimous decision.

Doug Hylton appeared to present the Commission with a grant contract to give \$750,000.00 towards the Meadow River Rail Trail. Phase III is to purchase 6.2 miles to complete the trail. Mr. Hylton is requesting \$1,250.00 from the Commission. The Commission will discuss during their budget session.

Commissioner Scalph motioned to accept the \$750,000.00 grant contract and authorize President Wender to sign. Commissioner Lopez seconded. Unanimous decision.

The Commission entered into an executive session at 1:19 p.m. regarding legal consultation and a personnel issue.

The Commission reconvened at 2:25 p.m.

Debbie Berry, County Administrator, presented a letter to the Supreme Court of Appeals for signatures requesting reimbursement for rent for Family Law Judge for the month of April in the amount of \$3,375.00. Commissioner Scalph motioned to approve and sign the letter. President Wender seconded. Unanimous decision.

Ms. Berry presented a resolution for signature of President Wender to sign for the West Virginia Division of Justice and Community Services for Court Security Grant Funds. Commissioner Scalph motioned to approve and authorize President Wender to sign the resolution. President Wender seconded. Unanimous decision.

Ms. Berry presented a request from Annita Lanham and Amy Summerford, Area Ambassadors for the Anita Kaufman Foundation, requesting permission to use the front lawn of the Fayette County Courthouse on Saturday, March 26, 2016, from 9:00 a.m. to 1:00 p.m. for an event to recognize International Epilepsy Awareness Day. Commissioner Scalph motioned to approve the request. President Wender. Unanimous decision.

Ms. Berry presented a letter from Cynthia D. Ellis, President of WV Highlands Conservancy, requesting to use the Fayette County Memorial Building on Sunday, April 24, 2016, from 9:00 a.m. to 3:00 p.m. for their quarterly board of directors meeting. Commissioner Scalph motioned to approve the request. President Wender seconded. Unanimous decision.

Ms. Berry presented a letter of support for the Commission to sign for John David and SALS, supporting the HUD Housing Counseling Program. Commissioner Scalph motioned to approve and sign the support letter. President Wender seconded. Unanimous decision.

Ms. Berry presented a letter for the Commission to approve and sign to District Nine Engineer Mr. Steven B. Cole, requesting the entire length of Paint Creek Road be designated as a "Share the Road" Bicycle Trail. Commissioner Scalph motioned to approve and sign the letter. President Wender seconded. Unanimous decision.

Ms. Berry presented a request from Brandon Richardson, Headwaters Defense, to use the Courthouse lawn on Friday, March 18, 2016 to hold a rally for clean water at Fayetteville Elementary School from 12:00 p.m. to 4:00 p.m. Commissioner Scalph motioned to tentatively approve the request until proof of insurance is acquired. Commissioner Lopez seconded. Unanimous decision.

The meeting was adjourned 5:00 p.m.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
MARCH 17, 2016
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS Present: Denise A. Scalph, John H. Lopez

The Fayette County Commission met in a regular session on this 17th day of March, 2016.

Commissioner Scalph called the meeting to order at 9:15 a.m.

Eddie Young, Assessor, appeared to present personal property exonerations for Triston L (Martin) Grose \$269.76; Jeremy Overton \$165.86; Mark & Gwendolyn Bess \$120.52; Timothy D. Hylton \$176.14 & 176.14; Billy J. Butler \$3.20; Nora N. Milam & Noah Feltner \$207.52; Drema A. Shell \$109.00; Albert Michael & Jane Marie Hogan \$987.90; Katherine M. Mazer \$110.04; Leslie R. Shockey \$62.24; Sherill L. & Connie S. Hanshew \$168.96; Matthew Jarvis \$452.14; Stefanie A. (Buchanan) Shuff \$115.25; Daniel & Carolyn McKinney \$575.44.

Commissioner Lopez motioned to approve the personal property exonerations. Commissioner Scalph seconded. Unanimous decision.

Mr. Young presented a real property exoneration for Kenneth L. & Patricia Kelly \$205.98. Commissioner Lopez motioned to approve the real property exonerations. Commissioner Scalph seconded. Unanimous decision.

Commissioner Lopez motioned to approve vouchers and invoices and release checks today. Commissioner Scalph seconded. Unanimous decision.

Debbie Berry, County Administrator, presented a request from Brandon Richardson of Headwaters Defense to use the courthouse lawn as a landing spot for participants to meet before walking to the Health Department to deliver a letter concerning clean water at Fayetteville Elementary School. The Commission provisionally approved the request on the condition that insurance is acquired. The Commission signed the letters.

Ms. Berry presented a letter from Armstrong PSD requesting the reappointment of Judson Wallace to the PSD Board. Commissioner Lopez motioned to reappoint Judson Wallace to the Armstrong PSD Board. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a quote from Software Systems for new computers for Stephanie Sears and Ami Dangerfield. Essential software and programs are no longer compatible with their computers. Commissioner Scalph motioned to approve the quote. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a request to substitute securities pledged to the Fayette County Commission from Fayette County National Bank.

Commissioner Lopez motioned to approve the substitute securities.

Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented 2 fiduciary orders from James Blankenship for the Commission to sign.

Commissioner Lopez motioned to adopt the recommendation in the estate of Wilma Jean Humphrey. Commissioner Scalph seconded. Unanimous decision.

Mr. Lopez motioned to adopt the recommendation in the estate of Julian C. Ward. Sr. Commissioner Scalph seconded. Unanimous decision.

A first reading was held of the amended Injection Well Ordinance. Commissioner Scalph asked Liz Campbell, Assistant Prosecuting Attorney, to discuss the amendments.

No public comments were made.

Commissioner Lopez motioned to adopt the amendment on the first reading of the Injection Well Ordinance. Commissioner Scalph seconded. Unanimous decision.

A second reading will be held on March 25th at 11:00 a.m.

The Commission then discussed budget.

Lesley Taylor, Region IV Planning & Development, appeared to discuss Kanawha Falls PSD. The Development Office is requesting their money back since no progress is being made. Ms. Taylor sent the Development Office a status report and they accepted the report, but asked that the Commission receive the report as well. There is an issue with the property and gaining access. Access is needed to move forward with the project.

Ms. Taylor presented a letter for the Commission to sign to the WV Development Office. Commissioner Lopez motioned to approve and sign the letter. Commissioner Scalph seconded. Unanimous decision.

The meeting was adjourned at 11:52 a.m.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
MARCH 25, 2016
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS Present: Matthew D. Wender, John H. Lopez, Denise A. Scalph

The Fayette County Commission met in a regular session on this 25th day of March, 2016.

President Wender called the meeting to order at 9:03 a.m.

James Blankenship, Attorney, appeared to present the Fiduciary Commissioners Report of Claims. Mr. Blankenship presented the order for the estate of Mary L. Gilbert.

Commissioner Scalph motioned to approve the order reporting claims for the Gilbert estate. Commissioner Lopez seconded. Unanimous decision.

Mr. Young presented a real property exoneration for Terry Shawn & Mark K. Wolfe \$972.06. Commissioner Scalph motioned to approve the real property exoneration. Commissioner Lopez seconded. Unanimous decision.

Commissioner Lopez motioned to approve vouchers and invoices and release checks today. Commissioner Scalph seconded. Unanimous decision.

Mr. Young presented a refund in the amount of \$947.76 to Terry Shawn & Mary K. Wolfe. Commissioner Lopez motioned to approve the refund. Commissioner Scalph seconded. Unanimous decision.

Debbie Berry, County Administrator, presented a letter from John Joines requesting a refund on taxes due to an error in the Assessor's office. Commissioner Scalph motioned to approve a credit for future tax credits and cancellations of tax tickets in 2015-2016. \$6,236.58 will be applied to future tax tickets. Commissioner Lopez seconded. Unanimous decision.

Commissioner Lopez motioned to approve vouchers and invoices and release checks today and also approve 2nd half payroll to release on the 30th. Commissioner Scalph seconded. Unanimous decision.

Commissioner Scalph motioned to approve the minutes of March 4th, 11th and 17th. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented grant documents for the Commission to approve and authorize President Wender to sign from WV Division of Justice and Community Service for Courthouse Security in the amount of \$90,370.00. Commissioner Lopez motioned to approve and authorize President Wender to sign. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a support letter for EDA funding for the Commission to approve and sign. Commissioner Scalph motioned to approve and sign the letter. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a request from Danese PSD to reappoint Robert I. Richards to the PSD board. Commissioner Lopez motioned to reappoint Robert I. Richards to the Danese PSD Board. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a resolution for the Commission to approve and sign declaring April as Fair Housing Month. Commissioner Scalph motioned to approve and sign. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a quote from Pettit and Pettit for cost and installation of a Reduced Pressure Backflow Preventer for the Prosecuting Attorney's office in the amount of \$2,500.00. President Scalph asked that Ms. Berry contact AWS Plumbing for another quote.

Ms. Berry presented a maintenance contract for the Courthouse boiler. Commissioner Scalph motioned to approve and sign the contract. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented the Monthly Return on Hotel Occupancy Tax from Ronda Falk, Tax Department. She has added a copy of House Bill 4377 which eliminated exemption from the tax if occupying for thirty or more consecutive days. The Commission reviewed.

Ms. Berry informed the Commission about the Legislative Wrap-Up meeting on Thursday, April 14, 2016 at Tamarack Conference Center, 1:00 - 3:00 p.m. The Commission reviewed the information.

Ms. Berry presented insurance renewal information for fiscal year 2016-2017 from WVCRP for the Commission to review.

Ms. Berry presented a Workers Compensation and Employers Liability Insurance Policy from BrickStreet for the Commission to review.

Larry Harrah, Prosecuting Attorney, appeared for an Evidentiary Hearing for the Estate of Lawrence Holt Smailes. Lee Burdette, daughter, appeared to have Thelma Kessler removed from the estate. Ms. Burdette informed the Commission that the family is unaware of where Ms. Kessler is or how much money was in the estate. There are items missing such as guns. Mr. Harrah has reviewed the estate and there is no question as to what Mr. Smailes wanted, however no action has been taken in 2 years. Mr. Harrah feels there is enough evidence

to remove Ms. Kessler as executor. The Commission took a break while Ms. Burdette made a call to her brother, Clarence Smailes.

Sheriff Steve Kessler presented information to the Commission regarding 911 employees and longevity for consideration. The Commission will discuss at a later date.

The Commission recessed at 9:50 a.m.

The Commission reconvened at 10:03 a.m. to complete the Evidentiary Hearing. Ms. Burdette reappeared with her sibling; Clarence Smailes on the cell phone and Goldie Craft on the conference phone. Commissioner Lopez motioned to remove Thelma Kessler from the estate. Commissioner Scalph seconded. Unanimous decision.

Commissioner Lopez motioned to appoint Clarence Smailes as executor of the Lawrence Holt Smailes Estate. Commissioner Scalph seconded. Unanimous decision.

Mr. Harrah will prepare the order for the Commission to sign at a future meeting.

Tyler Bragg appeared to discuss the cost for the Pictometry online subscription. Mr. Bragg informed that various offices at the Courthouse use this program.

Pictometry offers 50 users for the \$2,200.00 yearly renewal cost.

Commissioner Wender requested that Mr. Bragg see if having less users would reduce the cost. Mr. Bragg will report back.

Tom Skaggs, Smithers Mayor, appeared to discuss their dilapidated property agreement. There are 4 property owners interested in paying half up front for demolition and will then set up a payment schedule for the remaining demo costs.

Discussion was held on the Larry Brown property. The demolition quote is \$5,000.00 and \$500.00 to test for asbestos.

Commissioner Scalph motioned to move forward with the asbestos testing, and then Angela Gerald will return with a revised quote. Commissioner Lopez seconded. Unanimous decision.

Discussion was then held on the Mike Edelman property. The quote is \$5,500.00. Mr. Harrah will address a promissory note with Mr. Edelman. Commissioner Scalph motioned to move forward with the removal with the understanding that the owner will pay half up front and our Prosecuting Attorney's office will prepare a promissory note to pay the other half. Mr. Harrah and Mr. Edelman will meet to determine a plan to repay the 2nd half. Commissioner Lopez seconded. Unanimous decision.

The Commission held a second reading for the Injection Well Amended Ordinance. Liz Campbell, Assistant Prosecuting Attorney, Tom Rist, Lawyer and Derek Tinney, Appalachian Mountain Advocacy, have worked on the ordinance. The Commission reviewed the changes.

Commissioner Scalph motioned to approve the 2nd reading of the amended ordinance. Commissioner Lopez second. Unanimous decision.

Early Pauley and Peggy Bennett, Park, appeared to discuss the County Pool Operator.

Mr. Pauley informed the Commission about repairs for the pool. Ms. Berry presented photos that were taken by Randy Redden, Park Employee. The interior braces are deteriorating. These need to be fixed before work for the grant is completed.

Ms. Berry emailed Mr. Rollings with East Coast Pools for his review. He has not yet responded due to work at another site.

President Wender requested Allen Ballard and Melvin Withrow to be present for a conversation with East Coast Pools.

Park employees have done as much as they can up to this point. They are now ready for East Coast Pools.

Discussion was then held regarding the County Pool Operator (CPO). Ms. Bennett has asked to not be the CPO. President Wender asked what to do next. Ms. Bennett has advertised on Facebook. President Wender asked how difficult this would be for an existing County Employee. Ms. Bennett stated that there is a 2-day certification class either in Charleston or Morgantown.

President Wender requested that Mr. Pauley and Ms. Bennett be certified and asked Ms. Berry to prepare an advertisement for Susan DuFour's positions (resigned) and make mention of the CPO requirement.

The Commission then reviewed the budget.

President Wender thanked Stephanie Sears, Staff Accountant, Mr. Young and other Elected Officials and Department Heads for their work on this current budget and FY 2017.

President Wender discussed changes to the upcoming budget (sheet attached) as well as a breakdown of each individual office's approved budgets.

Mr. Young commended the Commission for taking the action they have over the last year.

Commissioner Scalph motioned to approve the General County 2016-2017 budget of \$9,131,344.00 and Coal Severance of \$289,192.00. Commissioner Lopez seconded. Unanimous decision.

The Commission signed the Budget Revision sheet and Kelvin Holliday, County Clerk, signed the Certification sheet.

The meeting was adjourned at 12:16 p.m.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
APRIL 8, 2016
COURTHOUSE

FAYETTEVILLE, WV 25840
MEMBERS Present: John H. Lopez, Denise A. Scalph

The Fayette County Commission met in a regular session on this 8th day of April, 2016.

Commissioner Scalph called the meeting to order at 9:07 a.m.

Eddie Young, Assessor, presented a letter from Timothy Grimmett of NARCO, Inc. of Smithers. NARCO is asking for relief on taxes for year 2015.

Commissioner Scalph suggested that Mr. Young contact the State to see what kind of guidelines they use for the companies affected by coal companies. The Commission would just like some direction.

Debbie Berry, County Administrator, presented an order regarding credit on the Joines' taxes for the Commission to sign.

Commissioner Lopez motioned to approve vouchers and invoices and release checks today and approved first half payroll to be released on the 15th. Commissioner Scalph seconded. Unanimous decision.

Commissioner Scalph motioned to approve the minutes of March 25th. Commissioner Lopez seconded. Unanimous decision.

Discussion was held on moving the scheduled Commission meeting on May 6th to May 4th.

Discussion was held regarding carrying down election supplies on May 4th. The Commission approved having clients from the Day Report Center to assist.

Tyler Bragg, GIS Specialist, appeared to discuss the Pictometry cost. There is a \$550.00 discount and total cost will be \$1,650.00. This is a 25% discount.

Each office will pay for their users at \$33.00 per user. This will bring the Commission portion to \$990.00.

Commissioner Lopez motioned to approve the renewal of Pictometry software with the Commission portion being paid up to \$990.00. Commissioner Scalph seconded. Unanimous decision.

Mr. Young reappeared with his discussion from the State. The State can reduce Machinery and Equipment up to a 50% discount for economic obsolescence. This will pose a lot of work for the tax payer. NARCO will have to present and prove to the state the obsolescence of their property.

Mr. Young will call NARCO to obtain the Machinery and Equipment number of the property.

Ms. Berry presented draw down requests from Community Corrections for the months of January, 2016 (\$12,644.18) February (\$13,154.18) and March (\$13,174.18) for signatures. Commissioner Lopez motioned to approve and sign the draw downs. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a support letter to Mr. Willie C. Taylor, U.S. Department of Commerce Economic Development Administration notifying that the Fayette County Commission is actively involved in the planning process of the Region 4 Planning and Development Council. Commissioner Lopez motioned to approve and sign the support letter for Region 4. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a request from Phillip Groves, ARRL Section Manager to relocate the Amateur Radio Equipment from the old Fayette County Emergency Operation Center to the new EOC location at 1047 Nick Rahall Greenway, Fayetteville, WV. The Commission tabled this request.

Ms. Berry presented a request from Ronda Falk, Chief Tax Deputy, to make an adjustment to the General County Fund due to the tax office

being out of balance. Commissioner Lopez motioned to approve the adjustment. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a request from Phil Samples to use the Fayette County Memorial Building for AAU Amateur Athletic Union team and individual workouts for the next 6 months. Commissioner Lopez motioned to approve the request. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a Consumer Sales Tax Report for quarter ending March 31, 2016 for approval and signature. Commissioner Lopez motioned to approve and sign the report. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a letter for signatures to the Supreme Court requesting reimbursement for rent for the Family Law Judge for the month of May, 2016 in the amount of \$3,375.00. Commissioner Lopez motioned to approve the request. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a letter from Libby Akers, Valley High School Varsity Boosters, and requesting assistance for the Valley High School Varsity Football Field. Ms. Berry will send a letter saying that funding is not available for this project.

Ms. Berry presented a demolition quote for the John Zink property. The Commission requested obtaining more quotes.

Angela Gerald reported about the Larry Brown properties in Smithers. Asbestos is present and Ms. Gerald is waiting for a quote. Ms. Berry received a report on the incinerator and no asbestos is present.

Mr. Young returned to the meeting with figures for NARCO Machinery and Equipment. \$3,000.00 is approximately a 50% discount.

15% of the entire personal property ticket is approximately \$9,000.00 and 10% is approximately \$6,586.00. Commissioner Lopez motioned to approve the 10% reduction on the personal property ticket.

Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a request from Camp Kismet for financial aid. Commissioner Lopez motioned to approve the same reduction in the camp fee as last year. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented 2 requests to purchase tools for the maintenance department in the amount of \$272.00. Commissioner Lopez motioned to approve the request. Commissioner Scalph seconded. Unanimous decision.

Gabe Peña, Assistant Resource Coordinator, appeared to give a report on a meeting held in Montgomery that he attended for the Commission. There is still hesitation from the Montgomery City Council and reluctance to sign the agreement with WVU.

The meeting was adjourned at 11:07 a.m.

FAYETTE COUNTY COMMISSION
SPECIAL SESSION
APRIL 22, 2016
COURTHOUSE

FAYETTEVILLE, WV 25840

MEMBERS Present: Matthew D. Wender, John H. Lopez, Denise A. Scalph

The Fayette County Commission met in a special session on this 22nd day of April, 2016.

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

The Primary Election Early Voting Test was held.

Commissioner Scalph motioned to approve 2nd half payroll and release checks on the 29th. President Wender seconded. Unanimous decision.

Eddie Young, Assessor, presented 2 refunds for Mary R. Johns \$124.90; Ruth H. Creger \$6.39. Commissioner Scalph motioned to approve the 2 refunds. President Wender seconded. Unanimous decision.

Commissioner Scalph motioned to approve the minutes of April 8th. President Wender seconded. Unanimous decision.

Commissioner Scalph motioned to approve vouchers and invoices and release checks today. President Wender seconded. Unanimous decision.

Norma Williams appeared to present the Early Voting keys to County Clerk Kelvin Holliday and the Commissioners.

Stephanie Sears, Staff Accountant acting for County Administrator, presented a quote from East Coast Pools for \$4,800.00 to install wall targets. Commissioner Scalph motioned to approve up to \$4,800.00 but there will need to be further discussions with East Coast Pools. President Wender seconded. Unanimous decision.

Ms. Sears, presented a request from Allen Ballard to purchase building code books out of the current year's budget instead of next year. Commissioner Scalph motioned to approve the request. President Scalph seconded. Unanimous decision.

President Wender suggested putting Elmer Pritt of the American Legion Post 149 on a future agenda with Okey Skidmore to discuss the Memorial Building.

Scott Ingleton appeared to oppose the SBA lawsuit. Mr. Ingleton has been actively involved to keep Meadow Bridge schools open however he does understand the need for facilities improvements throughout the county. He was encouraged after a meeting with the SBA in March, but now the mention of the lawsuit has stopped the efforts. Mr. Ingleton would like to personally ask that the suit be put off a while to let

the process work out. He asked the Commission for their logic behind the lawsuit. The Commission explained the events leading up until the lawsuit.

Commissioner Lopez arrived at 10:04 a.m.

The early voting test was continued.

David Gay appeared to discuss Prince Railroad. Amtrak is losing interest in the Prince stop and they are considering canceling service. Mr. Gay is working to have a daily train through Prince. CSX pull traffic is down and they are also considering pulling this route. The route cannot handle cars but there is federal funding to repair the route. Mr. Gay is also working on this. He will update the Commission as information becomes available.

All Fayette County libraries have Amtrak brochures. Mr. Gay requested that the Commission place a rack in the Courthouse to hold brochures.

President Wender told Mr. Gay to order the brochures and we will have maintenance repair our existing brochure holder. Mr. Gay provided information to order the brochures. President Wender asked Mr. Gay to draft a letter of support to send to the Commission for signature.

Lesley Taylor appeared for public comment regarding a Small Cities Block Grant for Armstrong Deepwater PSD. The project costs roughly \$2.4 million and the SCBG is capped at \$1.5 million. The USDA loan and grant will provide the rest.

President Wender asked Ms. Sears to ask Kelly Jo Drey, Resource Coordinator, to draft a letter to the governor about the scope of the project and how many people are involved. He would like the letter to

mention this is the 4th time we are submitting and the unfairness to the citizens along with anything else she deems necessary.

Ms. Sears presented a resolution for Fair Housing Month for the Commission to sign. Commissioner Scalph motioned to approve and adopt the Fair Housing Month Resolution in Fayette County. Commissioner Lopez seconded. Unanimous decision.

Commissioner Scalph motioned to approve and adopt the resolution to authorize the application with the State of WV for the SCBG. Commissioner Lopez seconded. Unanimous decision.

Ms. Taylor will send us copies of the resolution.

Adam Hodges, Fayette County Farmland Protection Board, appeared to discuss the plan to purchase real estate. Farmland is interested in purchasing the Whitlock Farm property and placing an agricultural easement and then sell the property for agricultural use.

Discussion will need to take place with Larry Harrah as to whether the County Commission can be included on the deed.

Commissioner Scalph motioned to approve and authorize the Fayette County Farmland Protection Board to bid on the Whitlock Property for agricultural use, contingent on discussions regarding a bid cap and with Larry Harry regarding titling on the deed. Commissioner Lopez seconded. Unanimous decision.

The meeting was adjourned at 12:19 p.m.

FAYETTE COUNTY COMMISSION
SPECIAL SESSION
APRIL 29, 2016
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS Present: John H. Lopez, Denise A. Scalph

The Fayette County Commission met in a special session on this 29th day of April, 2016.

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

The Primary Election Day Test was held. The results of the test were signed.

Discussion was then held regarding the Health Department reappointment. The Commission once again tabled this issue.

Deborah Berry, County Administrator, presented an order appointing William Laird as the Commission Designee for the Resilience Team. Commissioner Scalph motioned to sign the order. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a letter to Steven B. Cole, District Engineer for the WV Department of Transportation, thanking him for his assistance in installing "Share the Road" signage along the Paint Creek Byway. Commissioner Scalph motioned to approve and sign the letter. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a letter to approve the use of the courthouse lawn for the Lindsay Crance/Sterling Snyder wedding. Commissioner Scalph motioned to approve. Commissioner Lopez seconded. Unanimous decision.

President Wender left the meeting at 10:52 a.m.

Ms. Berry presented materials from the meeting she attended this week pertaining to HB 2968: Boy Scouts Tax Exemption.

The meeting adjourned at 11:06 a.m.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
MAY 4, 2016
COURTHOUSE

FAYETTEVILLE, WV 25840

MEMBERS Present: Matthew D. Wender, John H. Lopez, Denise A. Scalph

The Fayette County Commission met in a regular session on this 4th day of May, 2016.

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

Eddie Young, Assessor, appeared to present personal property exonerations for Abby N. Sanchez, \$703.78; Cynthia D. Harvey & Donald E. Bess, Sr. \$163.72; Brittany Raynes \$80.68; Amanda R. & Andrew E. Worthington \$516.52 & \$491.06; Leslie A. & Patrick G. Moore \$931.50; Matilda & Jerry Webb \$334.54 & \$399.88; Michael E. Fernandez \$142.06; Barbara Fleming \$41.50; Albert Daniel Boothe \$61.72; Amy J. Hendrickson \$500.48 & \$499.84; Floyd & Deborah White \$156.80 & \$135.28; Construction Unlimited OSC \$127.72. Commissioner Lopez motioned to approve the personal property exonerations. Commissioner Scalph seconded. Unanimous decision.

Mr. Young presented a real property exonerations for Aaron L. & Linda Carver \$133.74. Commissioner Lopez motioned to approve the real property exonerations. Commissioner Scalph seconded. Unanimous decision.

Mr. Young presented a refund for Iva J. or Edward O. Skaggs \$393.51. Commissioner Scalph motioned to approve the refund. Commissioner Lopez seconded. Unanimous decision.

Commissioner Lopez motioned to approve vouchers and invoices and release checks today and approve first half payroll and release checks on the 13th. Commissioner Scalph seconded. Unanimous decision.

Debbie Berry, County Administrator, presented a request from the Town of Fayetteville for payment for the courthouse flowers. An allocation was given in August 2015 for \$2,000.00 marked for courthouse flowers. Ms. Berry will check with the Town of

Fayetteville about that allocation and how many months' worth of landscaping it lasted and how much more they are considering.

Ms. Berry presented a letter from Daniel E. Wright requesting the appointment of Joseph A. Dangerfield to the Fayette County Historic Landmark Commission to replace Ann Skaggs, who resigned. Commissioner Lopez motioned to approve the appointment. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented an application from the Fayette County Health Department for President Wender to sign for the permit to operate a food establishment at the Fayette County Park. Commissioner Scalph motioned to approve and authorize President Wender to sign the permit to operate a food establishment. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented applications from the Fayette County Health Department for President Wender to sign for the permit to operate Fayette County Park at Beckwith, Harlem Heights Park & Boomer Park/Ballfield. Commissioner Scalph motioned to approve and authorize President Wender to sign the permits to operate. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented closeout documents and a Memorandum of Understanding between the Fayette County Commission and the Town of Pax for President Wender to sign for the Division of Homeland Security. Commissioner Lopez motioned to approve and authorize President Wender to sign the documents and MOU. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a letter for signature to the Supreme Court requesting reimbursement for rent for the Family Law Judge for the month of June 2016 in the amount of \$3,375.00. Commissioner Scalph

motioned to approve and sign the letter. Commissioner Lopez seconded. Unanimous decision.

Discussion was held regarding renting the current Summit Insurance location for additional Family Law Judge space, once Summit moves. Matt England will review the space and meet with the Commission to discuss.

Ms. Berry presented a letter from Michael Pilato, Fayetteville Lions Club, requesting to use the county parking lot on Wiseman Avenue, adjacent to the courthouse, for parking on July 3rd and 4th, 2016, for the Fourth of July Festival in Fayetteville. Commissioner Lopez motioned to approve the request. Commissioner Scalph seconded. Unanimous decision.

Discussion was held regarding the Fayette County Park secretarial position. Only one application was received and that was after the advertisement closed. Ms. Berry reviewed past applications on file from 2015 and found 4 that would be appropriate candidates. Commissioner Scalph suggested hiring a temp for the summer months. The Commissioner agreed.

Steve Rawlings with WV Counties Risk Pool appeared to give an update. Mr. Rawlings presented some information of some county offerings and a loss and claims report. The lightning strike at the 911 center was close to \$60,000.00 in damages.

The Commission requested that Mike Rezac, WVCoRP Loss Control Consultant, review our properties.

The meeting adjourned at 10:12 a.m.

COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS Present: Matthew D. Wender, John H. Lopez, Denise A. Scalph

The Fayette County Commission met in a special session on this 16th day of May, 2016.

President Wender called the meeting to order at 9:00 a.m. Precincts 26 and 59 were randomly chosen as those to hand count.

Kelvin Holliday, County Clerk, administered the oath to all canvass workers at 9:05 a.m.

Canvass was conducted.

The results will be certified at a later date, pending the conclusion of all other counties' canvasses.

The meeting was adjourned at 1:25 p.m.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
MAY 25, 2016
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS Present: Matthew D. Wender, John H. Lopez, Denise A. Scalph

The Fayette County Commission met in a regular session on this 25th day of May, 2016.

President Wender called the meeting to order at 9:11 a.m.

Commissioner Lopez motioned to approve vouchers and invoices and release checks today and approve second half payroll and release checks the 27th. Commissioner Scalph seconded. Unanimous decision.

Debbie Berry, County Administrator, presented a Memorandum of Understanding between the Fayette County Commission and the town of Ansted to pay \$6,200.00 to Empire Salvage to demolish the town owned property near Contentment House. Commissioner Scalph motioned to

approve the MOU and authorize President Wender to sign. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented letters and an order for the Commission to approve and sign designating banking institutions in the county as depositories of public monies for Fiscal Year beginning July 1, 2016. Banks are required to file their bonds and/or interest-bearing securities by June 15, 2016. Commissioner Scalph motioned to approve the letter and authorize Commissioner Wender to sign. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a request from Elizabeth Plumley to use the Fayette County Soldiers and Sailors Memorial Building on June 2, 2016 for a Health & Wellness Summit. Commissioner Lopez motioned to approve the request. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented renewal documentation for West Virginia Counties Risk Pool insurance for the Commission to review and sign. Commissioner Scalph motioned to approve the renewal and authorize President Wender to sign. Commissioner Lopez seconded. Unanimous decision.

Sheriff Steve Kessler appeared to present the Delinquent Land Tax list. Commissioner Scalph motioned to receive the list from Sheriff Kessler. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented the certification papers to certify the Primary Election results. Commissioner Scalph motioned to approve the results and sign the certification sheets. Commissioner Lopez seconded. Unanimous decision.

Danny Scalise, Health Department Administrator, appeared to discuss the smoking regulations to make a more comprehensive indoor clean-air act. It will include bars, hotels and outdoor events.

Kelvin Holliday, County Clerk, appeared to read his request letter which he presented to the County Administrator on May 12, 2016. No purchase will need to be made for iVotronics to make all early voting locations all electronic. Commissioner Scalph motioned to endorse Mr. Holliday's decision to go all iVotronic in early voting starting in the November 2016 General Election. President Wender seconded. Unanimous decision.

Discussion was continued regarding having all electronic voting for the General Election in November. President Wender suggested getting quotes for how much that would cost.

Discussion was held regarding the new privacy sleeves for paper ballots. Casto & Harris presented the Voters' Registration office with what was used and a quote of around \$800.00. President Wender suggested requesting Oak Hill High School art class students to see if they can make the sleeves.

Discussion was held regarding a voter who has voted for 50 years. Mr. Holliday would like to honor her at a commission meeting with Secretary of State Natalie Tennant to present her with a certificate. President Wender asks Mr. Holliday to schedule that event.

Alicia Treadway, Voters' Registration, presented a request to move a precinct line to update where voters cast ballots. President Wender suggested asking the County Surveyor for assistance. Commissioner Scalph motioned to approve to change the dividing line for precinct 55 and request an estimate from Jack Booda, County Surveyor.

The Commission requested that Allen Ballard, County Building Safety Inspector, visit each precinct and inspect if they are handicap accessible.

Scott Buchannan with Frontier appeared to discuss placing high speed equipment at Harlem Heights. He needs an easement from the Commission. Mr. Ballard wanted the Commission to see where Frontier was considering placement; he had some concerns. The Commissions reviewed the placement.

The Commission suggested restaking to make sure it will not be hit by a car or a snow grader.

Ms. Berry presented the easement for the Commission to sign. Commissioner Scalph motioned to approve the easement at Harlem Heights property on Broadway, and authorized President Wender to sign upon Mr. Ballard's approval of safe placement. Commissioner Lopez seconded. Unanimous decision.

Commissioner Scalph motioned to enter into an executive session at 11:07 a.m. to discuss personnel issues. Commissioner Lopez seconded. Unanimous decision.

The Commission reconvened into regular session at 11:33 a.m.

Commissioner Scalph motioned to, when we receive Earl Pauley's official resignation, re-describe 2 positions at the Fayette County Park. Ms. Berry and Stephanie Sears, Staff Accountant, will assist with the 2 descriptions. 1 position will be a maintenance supervisor with the ability to run machinery and the other position will be authoritative and administrative with marketing abilities and computer literacy. Commissioner Lopez seconded. Unanimous decision.

Kelly Jo Drey, Resource Coordinator, appeared to discuss the Urban Renewal Authority. Discussion was held on Reallocated Coal

Severance money. Ms. Drey requested that the payments received be earmarked for the URA. President Wender suggested capping the earmarked money at 3 years. The money can be used for a necessary URA economic development.

Commissioner Scalph motioned to approve Reallocated Coal Severance funds to be given to the URA for Wolf Creek Park for the next 3 years. Commissioner Lopez seconded. Unanimous decision.

Ms. Drey then gave updates of projects at Wolf Creek Park.

John Stump appeared to discuss Tax Incremental Financing (TIF) funding for Wolf Creek Park. The application must go through two public hearings, then the development office will need to approve. As long as the structures are new, it does not affect the county budget. The Board of Education will not lose money.

Steptoe & Johnson will carry the costs until the project and application are approved.

Commissioner Scalph motioned to approve for John Stump with Steptoe & Johnson to move forward with the TIF application in Fayette County. Commissioner Lopez seconded. Unanimous decision.

The meeting was adjourned at 1:10 p.m.

FAYETTE COUNTY COMMISSION

REGULAR SESSION

JUNE 3, 2016

COURTHOUSE

FAYETTEVILLE, WV 25840

MEMBERS Present: Matthew D. Wender, John H. Lopez, Denise A. Scalph

The Fayette County Commission met in a regular session on this 3rd day of June, 2016.

President Wender called the meeting to order at 9:07 a.m.

Eddie Young, Assessor, appeared to present personal property exonerations for William E. Dickenson \$57.26; Patriot Painting \$1,445.70; Angela S. Pierson \$93.00; Kevin & Jennifer Underwood \$855.58 & \$757.70; Phillip A. or Scherrie Odell \$107.98; James R. Sr. or Margaret L. Ballard \$43.12, \$37.98, & \$35.74; Andrea & Bryan K. Anderson \$341.86. Commissioner Lopez motioned to approve the personal property exonerations. Commissioner Scalph seconded. Unanimous decision.

Mr. Young presented real property exonerations for Wanda R. Hurley \$73.02; Gerald L. Walker \$41.26; Mountaineer Furniture & Cabin \$1,294.34; and Aaron L. & Linda A. Carver \$124.52. Commissioner Scalph motioned to approve the real property exonerations. Commissioner Lopez seconded. Unanimous decision.

Mr. Young presented two refunds for Renea Muldrow \$53.83; Aaron L. & Linda Carver \$128.25. Commissioner Scalph motioned to approve the 2 refunds. Commissioner Lopez seconded. Unanimous decision.

Commissioner Lopez motioned to approve vouchers and invoices and release checks today and approve first half payroll and release checks the 15th. Commissioner Scalph seconded. Unanimous decision.

Debbie Berry, County Administrator, presented a letter to Valley High School principal Craig Loy, approving his request to use Boomer Ballfield for VHS and VMS games, for the Commission to sign. The letter was approved at the last meeting. The Commission signed the letter.

Ms. Berry presented an order for levy transfers for Law Enforcement, Fire and Library funds. Commissioner Scalph motioned to approve and sign the order. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a support letter for signatures and commitment to be a part of SALS' "Project Team" for YouthBuild AmeriCorps grant for Southern Appalachian Labor School. Commissioner Lopez motioned to approve and sign the letter. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a \$350.00 quote from Jack R. Booda, County Surveyor, to revise boundary precinct maps. Commissioner Scalph motioned to approve the quote. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented additional invoices for the park pool outside of the initial estimate of \$7,500.00. It was a necessity and all other work would be obsolete without the additional work. Commissioner Lopez motioned to approve the additional invoice for the park pool. Commissioner Scalph seconded. Unanimous decision.

Elmer Pritt and Alvin Kincaid, American Legion, appeared to discuss the Fayette County Soldiers and Sailors Memorial Building. Art Gonzalez and Judge Paul Blake were also present. The Legion has concerns about the eternal flame not burning as well as fees being charged and raised in rate; the stage ceiling lights do not work; only 3 of 5 exhaust fans work; moulding on High Street side needs work; approximately 100 chairs are broken; pull out bleachers need replaced. Judge Blake would like to look at the wording that the Commission stated in the 1940s when the FCMB was dedicated.

President Wender stated that the county's coal severance funding has decreased tremendously since 2012 but the FCMB has been nominated for the National Register of Historic Places and also Courthouse Facilities Improvement Authority funds can be used for county owned facilities. Commissioner Scalph also mentioned WV Preservation

Alliance and suggested if they name the FCMB on their list, there possibly could be funding. Commissioner Wender requested that Dan Snead completely review the FCMB to see what is eligible for CFIA funds.

Commissioner Scalph stated that WV Preservation Alliance has people who will come, just requesting mileage reimbursement, and assess properties as well. President Wender requested to meet again in early September to continue discussions.

Steve Slockett, Board of Education member, appeared to thank the Commission for their meetings and work with Mountain State Justice. Mr. Slockett wants to continue working with the Commission. He is concerned about bussing kids across the New River Gorge Bridge and asked the Commission to work with the Department of Transportation to build higher barriers if bussing more kids becomes the solution in Fayette County.

Lesley Taylor, Region 4 Planning and Development, appeared to discuss the Kanawha Falls PSD's Small Cities Block Grant. The conservation easement has not been received. Ms. Taylor contacted Senator Manchin's office for assistance. A new plan is in the works to make the booster station an additive so bidding can take place.

Ms. Taylor presented an Order of Intent to bid for the Commission to sign. President Wender requested that the Commission write a letter to Dr. Keller regarding the necessity of the booster station. President Wender asked Ms. Taylor to draft the letter and provide a history, as well as a letter to Senator Manchin's office.

Commissioner Scalph motioned to approve and authorize President Wender to sign the Intent to Bid. Commissioner Lopez seconded. Unanimous decision.

Kelly Jo Drey, Resource Coordinator, appeared to present a letter to the Governor's office regarding Armstrong PSD's Small Cities Block Grant Application. Commissioner Lopez motioned to approve and sign the letter. Commissioner Scalph seconded. Unanimous decision.

Jamie Bennett, 911 Coordinator, appeared to discuss the 911 budget for FY 2016/17. Revisions are that Mr. Bennett will check on the phone lines with Frontier; revisit crewcab truck next year; bid out radio contract to see if there are savings available; attempt to sell tower at FCMB. Commissioner Scalph motioned to approve the 911 budget revisions. Commissioner Lopez seconded. Unanimous decision.

David Stevens appeared to discuss Open Minds Recovery Services. He introduced the program to the Commissions and explained that it will work with the Day Report Center and Probation.

Mr. Stevens requested a \$6,000.00 allocation. President Wender suggested checking with the New River Gorge Regional Development Authority. Mr. Stevens said they had applied with NRGRDA but have not heard back. President Wender stated he will check for Mr. Stevens.

Melvin Withrow, Maintenance, appeared to discuss the Drug Court building. The project is at a standstill until Jerry Willoughby can get specifics from the Supreme Court. Ms. Berry will write a letter to the Supreme Court and copy Judge Blake.

The Commission asked Mr. Withrow and Sonny Milam to go to the park and assist with the pool the week of June 6th.

Ms. Berry presented bids for electrical work at the Drug Court building. J & R Electric was the lowest at \$1,100.00.

Ms. Berry presented bids for the materials. Means Lumber was the lowest at \$657.93.

Commissioner Wender motioned to approve the low bid for electrical and for materials, not to exceed a total of \$2,000.00. Commissioner Scalph seconded. Unanimous decision.

Commissioner Scalph motioned to enter into an executive session regarding a personnel matter at 12:01 p.m. Commissioner Lopez seconded. Unanimous decision.

The Commission reconvened at 1:30 p.m.

Discussion was held on resignations at the park and applications for the 2 available positions.

Commissioner Scalph motioned to accept the resignation of Peggy Bennett. Commissioner Lopez seconded. Unanimous decision.

Commissioner Scalph motioned, due to the urgency and past submissions, to hire a Parks and Recreations Director starting at \$33,000.00 on a probationary period of 6 months, then complete an evaluation. Commissioner Lopez seconded. Unanimous decision.

The Commission appointed 2 interview committees. For the Park Secretary, Debbie Berry, Denise Scalph and Andrea Mender. For Park Maintenance Supervisor, Debbie Berry, Denise Scalph and Joey Carelli. Commissioner Scalph motioned to approve the committees. Commissioner Lopez seconded. Unanimous decision.

The meeting was adjourned at 1:35 p.m.

FAYETTE COUNTY COMMISSION

REGULAR SESSION

JUNE 17, 2016

COURTHOUSE

FAYETTEVILLE, WV 25840

MEMBERS Present: Matthew D. Wender, John H. Lopez, Denise A. Scalph

The Fayette County Commission met in a regular session on this 17th day of June, 2016.

President Wender called the meeting to order at 8:59 a.m.

The Commission entered into an executive session at 9:01 am for legal counsel.

The Commission reconvened at 9:13 a.m.

Commissioner Scalph motioned to support the appeal on the Lochgelly/Danny Webb injection well matter. Commissioner Lopez seconded. Unanimous decision.

The Commission entered into an executive session to discuss a matter with Chief Circuit Judge Paul Blake at 9:14 a.m.

The Commission reconvened at 9:28 a.m.

Commissioner Lopez motioned to approve vouchers and invoices and release checks today and to approve 2nd half payroll, checks to be released on the 30th. Commissioner Scalph seconded. Unanimous decision.

Commissioner Scalph motioned to approve minutes from May 4th, 16th, 25th and June 3rd. Commissioner Lopez seconded. Unanimous decision.

Kelvin Holliday, County Clerk, appeared to introduce and recognize Virginia Anders, who has voted in 66 consecutive years of elections. Ms. Anders was presented with a Voter's Hall of Fame certificate.

Debbie Berry, County Administrator, presented a real property exoneration for Jonathan L. McClanahan for \$1,508.00. Commissioner Scalph motioned to approve the exoneration. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented 2 refunds for Wanda R. Harley \$ 75.76 and Jonathan L. McClanahan \$1,470.30, respectively. Commissioner Lopez

motioned to approve the refunds. Commissioner Scalph seconded.

Unanimous decision.

Ms. Berry presented a letter of recognition for Earl Pauley's retirement for the Commission to sign.

Ms. Berry presented drawdowns for the Community Corrections grant for April and May 2016. Commissioner Scalph motioned to approve the drawdowns. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented an order approving banking institutions in the county to be named as depositories of public monies. Commissioner Lopez motioned to approve and sign the order. Commissioner Scalph seconded.

Ms. Berry presented an order to substitute securities pledged to the Fayette County Commission from Fayette County National Bank. Commissioner Lopez motioned to approve the substitute securities. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented transfer order for Fiscal Year 2016 for Magistrate Court to the General Fund for \$27,861.59. Commissioner Scalph motioned to approve the transfer. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented transfer order for Fiscal Year 2016 for Fayette County General School Fund to General Fund for \$109,494.02. Commissioner Scalph motioned to approve the transfer. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented transfer order for Fiscal Year 2016 for Fayette County Worthless Check Fund to General Fund for \$2,761.51. Commissioner Scalph motioned to approve the transfer. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented the Budget Statement for the fiscal year beginning July 1, 2016 for the Commission to approve and sign. Commissioner Scalph motioned to approve and sign the Budget Statement. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a letter to Natalie E. Tennant, Secretary of State, updating the Public Service Districts and their current board members for the Commission to sign.

Ms. Berry presented an order reappointing Kerren Hall to the Solid Waste Authority. Commissioner Lopez motioned to approve the reappointment. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented an order appointing Brandon Richardson to the Board of Health to replace John Frazier, who resigned at the end of his term. Commissioner Lopez motioned to approve the appointment. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a support letter for approval and signature for Christy Bailey, Executive Director of the National Coal Heritage Area Authority to the Governor's office, Fayette County Legislators and Keith Burdette, requesting support for funding in the state budget. Commissioner Scalph motioned to approve and sign the support letter. Commissioner Lopez seconded. Unanimous decision.

At 10:00 a bid opening was held for the brick and masonry repairs to the courthouse. The bids were:

Keystone - \$137,900 & unit price \$20.00 to add \$14 to deduct

Arch Masonry - \$98,300 & unit price \$25.00

Trisco - \$154,334 & unit price \$22.00

Wilson Restoration - \$196,897 & unit price \$15.00

Angela Stone & Marble - \$273,999 & unit price \$14.00

Allegheny Restoration - \$232,000 & unit price \$100.00

Commissioner Scalph motioned to accept the lowest bid from Arch Masonry as long as the specs meet the approval of Dan Snead, Architect. If not met, the commission with authorize Commissioner Scalph & Ms. Berry to proceed with the 2nd lowest bid, Keystone. Commissioner Lopez seconded. Unanimous decision.

Steve Slockett, Board of Education Member elect, appeared to present his School System Unity Plan. During his campaign, he encouraged voters to step up and take care of our school system by voting. He feels voters did and stated that we had the highest voter turnout than any other county. Mr. Slockett passed out train tickets that he made, inviting the Commission to "Get On Board with School Unity". The Commission thanked Mr. Slockett for the tickets and for taking a lead on unity.

Mr. Slockett then presented copy of his deed of trust and map to discuss the current TIF situation near Thousand Oaks, where he lives. His deed states that the TIF cannot happen. Mr. Slockett has no intention of trying to get money from North Hills Group. He just wants to hold them responsible to what is stated on his deed. President Wender stated that this needs to be addressed with Eddie Young, Assessor, and also suggested that Assistant Prosecuting Attorney Jeff Mauzy, Zoning Official Tim Richardson, North Hills Group Representative Charlie Flint, and Mr. Slockett meet with Mr. Young to discuss this situation.

Doug Hylton appeared to present the Meadow River Rail Trail Purchase Agreement. He presented a map regarding the property purchase from CSX.

The trail would be extended 6.39 miles. The property is \$52,000.00. Greenbrier County has agreed to pay \$26,000.00 and has asked Fayette County to pay the remaining \$26,000.00.

President Wender asked how we can stay good partners short of writing a check. Fayette County is not in a financial situation to allocate those funds.

Mr. Hylton stated that he was not asking for a decision today. He wanted the Commission to review the Purchase Agreement.

President Wender restated that Fayette County is not in any position to commit those funds but the Commission still wants to be in good partnership on the project. Coal Severance money will not get any better.

Ms. Berry presented an order from Attorney James Blankenship on the estate of Duane Eugene Walters for signatures. The Commission approved the order in a prior meeting.

Ms. Berry presented a Budget Revision. Commissioner Lopez motioned to approve the Budget Revision. Commissioner Scalph seconded. Unanimous decision.

The Commissions recessed at 12:02 p.m.

The Commission reconvened at 1:23 p.m.

The Commission entered into an executive session at 1:23 p.m. to discuss Park personnel matters.

The Commission reconvened at 1:58 p.m.

Commissioner Scalph motioned to approve the hiring of an Operations Manager of the Fayette County Park, starting at \$31,000.00 with a 6 month probation period. President Wender seconded. Unanimous decision.

Commissioner Scalph motioned to approve offering Randall Redden, Sr. the position of Park Monitor/Security with housing included, while continuing his Garage position. President Wender seconded. Unanimous decision.

President Wender motioned to approve 137 hours of sick time from the bank to Johnny Worix and to notify him in writing that his allocation will be depleted as of July 2nd. Commissioner Scalph seconded. Unanimous decision.

The meeting was adjourned at 2:18 p.m.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
JULY 1, 2016
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS Present: Matthew D. Wender, John H. Lopez, Denise A. Scalph

The Fayette County Commission met in a regular session on this 1st day of July, 2016.

President Wender called the meeting to order at 9:10 a.m.

Eddie Young, Assessor, appeared to present a credit request for Emily Whaples in the amount of \$449.36. Commissioner Scalph motioned to approve the credit request. Commissioner Lopez seconded. Unanimous decision.

Mr. Young presented real property exonerations for John Joines \$512.66; Michael Parker \$695.60. Commissioner Scalph motioned to approve the real property exonerations. Commissioner Lopez seconded. Unanimous decision.

Mr. Young presented two refunds for Michael Parker \$678.20; John Joines \$510.09. Commissioner Lopez motioned to approve the 2 refunds. Commissioner Scalph seconded. Unanimous decision.

Mr. Young presented the land books for the Commissioners to sign. Kevin Walker, OEM Director, appeared to brief the Commission on the recent flooding.

The Commission commended the OEM, 911 and Fire departments for all of their hard work and organization during this time.

Mr. Walker warned the Commission of an upcoming storm predicted for Sunday night.

President Wender asked Mr. Walker for a comprehensive list of what can the county can be reimbursed.

Kelly Jo Drey, Resource Coordinator, will notify the Public Service Districts to send comprehensive lists of flood damage. Ms. Drey tells the Commission that she will have bills for reimbursement from the 7 acre park that the URA paid.

Deborah Berry, County Administrator, will notify Renee Harper, Parks & Recreation Director, to gather up park damage.

President Wender asked Stephanie Sears, Staff Accountant, to oversee compiling all comprehensive lists.

Ms. Sears will follow up with Mr. Walker to start the FEMA process.

Mr. Walker will follow up with FEMA about the rafting companies that assisted during the storm.

Mr. Walker will have the grounds on the 911 Center tower checked. There have been 3 lightning strikes in 20 months.

President Wender asked that our insurance expert come and evaluate the tower.

President Wender asked that a list of volunteers be compiled for recognition.

Commissioner Lopez motioned to approve vouchers and invoices and release checks today and approve first half payroll and release checks the 15th. Commissioner Scalph seconded. Unanimous decision.

Commissioner Scalph motioned to approve the minutes of April 19th, 22nd and 29th. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented orders to Combine or Divide and Segregate land for Dallas H. Sr. & Michelle M. Duncan; Thomas E. & Kathryn L. Law; Johnny J. & Clara L. Thorne; Ernestine Phillips; and Jonathan L. McClanahan respectively. Commissioner Lopez motioned to approve and authorize President Wender to sign the orders. Commissioner Scalph seconded. Unanimous decision.

Discussion was held regarding Van Burks and the property with a county lien that he would like to purchase, and whether the county can force the sale. Commissioner Scalph suggests sending a letter to the property owner.

Commissioner Scalph motioned to send the property owner a letter suggesting that they contact the interested party about purchasing the property. If there is not a response after 45 days, the Commission will then take legal action to force the sale. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented Fire Levy Pumper Replacement Agreements for the City of Oak Hill for Fiscal Year 2015/2016 and 2016/2017.

Commissioner Lopez motioned to approve the agreements. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented an authorization for Dan Snead to prepare a construction contract with Arch Masonry to proceed with required bond and insurance documentation for the Fayette County Courthouse masonry repair. Commissioner Lopez motioned to authorize Mr. Snead to prepare the contract. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a request from Kevin Walker to place a roll-off dumpster at the Memorial Building for flood debris. Mr. Walker will work with the Town of Fayetteville to see if there might be a better place for the dumpster. Commissioner Scalph motioned to grant permission to place the roll-off dumpster at the FCMB. Commissioner Lopez seconded. Unanimous decision.

Discussion was held on the housing agreement for the Parks Monitor, Randall Redden, Sr., at the Fayette County Park. Commissioner Scalph motioned to approve the agreement pending approval of Larry Harrah, Prosecuting Attorney, and Renee Harper. Commissioner Lopez seconded. Unanimous decision.

President Wender suggesting putting the Brunch Bill on the agenda. Mr. Harrah will research it in the meantime.

Ms. Berry presented a letter for Joey Carelli and his retirement for the Commission to sign.

Discussion was held regarding the pool repair. A quote was received from East Coast Pools for \$13,500.00. Commissioner Lopez motioned to approve the quote from East Coast Pools. Commissioner Scalph seconded. Unanimous decision.

Commissioner Scalph requested a detailed scope of work and a guarantee from East Coast Pools.

The Commission entered into an executive session at 10:47 a.m. to discuss a personnel matter.

The Commission reconvened at 11:08 a.m.

Representatives from FEMA appeared to update the Commission. Daily blasts are being sent out. Ms. Berry and Mr. Walker will be put on the contact list.

The meeting was adjourned at 11:45 a.m.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
JULY 15, 2016
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS Present: Matthew D. Wender, John H. Lopez, Denise A. Scalph

The Fayette County Commission met in a regular session on this 15th day of July, 2016.

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

Steve Fox, Assessor Chief Deputy, appeared to present exonerations real property exonerations for Michael Parker \$696.00; James & Tina D. Bell \$342.80; John D. Joines \$3979.82 & \$512.66; Alice Parsons \$174.54; Mary F. & Judith Sparkman \$130.66; Charlene Underwood \$322.04; Kevin Ewing etux \$59.94; Terry Shawn & Mary K. Wolfe \$973.72; Pine Mountain O & G Inc. \$6.42; Johnathan McClannahan \$1,433.44; John William Walton \$424.26 & \$74.56; Wanda R. Hurley \$74.56; Jennifer L. Lokandt \$285.50; Watson W. Comton \$327.88; Renea Muldrew \$52.26; Mountaineer Furniture & Cabin \$983.80; Gerald L. Walker \$182.92; Aaron & Linda Carver \$137.72; Andrew E. & Amanda R. Worthington \$417.96; Kenneth L. & Patricia Kelly \$205.98; Mary Ellen & Orval Coffey \$509.22; Karen Crist \$70.44; Helen A. Ford \$435.80; Kenneth K. Kruger \$446.52; Michael T. & Patricia Connelly \$80.48; Kandice L. Akers

\$319.40; Angelica I. & Kevin Roberts \$52.26. Commissioner Scalph motioned to approve the real property exonerations. Commissioner Lopez seconded. Unanimous decision.

Mr. Fox presented exonerations for personal property for Valerie Bibbee \$75.32; Daniel D. Reiter \$69.58; David M. Franco \$460.26; John Dean Joines \$565.30; Donnie A. Wilson \$377.12; Shirley Love \$492.50; Jacob W. White Jr. \$307.28; Judith L. Spack \$29.34; Melissa Davis \$171.38; NARCO Inc. \$8,502.26; Randall II & Regina Redden \$355.08. Commissioner Lopez motioned to approve the personal property exonerations. Commissioner Scalph seconded. Unanimous decision.

Mr. Fox presented a refund for Angelica I. & Kevin Roberts \$53.44. Commissioner Scalph motioned to approve the refund. Commissioner Lopez seconded. Unanimous decision.

Commissioner Lopez motioned to approve 2nd half payroll to be released on the 29th and vouchers and invoices to be released today. Commissioner Scalph seconded. Unanimous decision.

Brian Jeremiah with FEMA appeared to give an update on the June 23rd flooding recovery. Rick Lewis with Nuttall Fire Department appeared to ask some questions regarding rebuilding.

Allen Ballard, Building Safety Department, appeared and stated if damage is worse than 55%, to rebuild you must elevate.

Concerns are discussed about people not being able to afford a mortgage payment (which they haven't had) on top of the flood insurance they will now be required to carry.

If people choose to take \$33,000.00 from FEMA, there is a possibility that they can receive Hazard Mitigation money through the state to elevate the house.

Commissioner Wender suggested setting up a town hall style meeting for displaced individuals for a Q & A session. Mr. Lewis, Mr. Jeremiah and Mr. Ballard will work on setting up this meeting.

Commissioner Scalph motioned to approve waiving the building permit fee on displaced individuals who are rebuilding. Commissioner Lopez seconded. Unanimous decision.

Mr. Jeremiah spoke about public assistance and a meeting next week to discuss procurement.

Discussion was held on the Animal Shelter Bridge. Material will be available on Tuesday morning and the rebuild will then begin. They will reuse the rails from the old bridge. It will take 3 days to get the bridge deck on. Rails should take a day. Total cost will be around \$10,000.00.

Mr. Ballard and Larry Harrah, Prosecuting Attorney, appeared to discuss a change in the Building Code Ordinance. The State wants an additional article adopted regarding schooling. Commissioner Scalph motioned to accept the Fayette County Building Code by way of an order with a few adjustments. Commissioner Lopez seconded. Unanimous decision.

Commissioner Scalph motioned to adopt Section 87 series 7 - Legislative Rules of State Fire Commission. Commissioner Lopez seconded. Unanimous decision.

Bill Hannabass, City of Oak Hill, appeared to discuss Harlem Heights Park. Oak Hill would like to maintain the park better. Mr. Hannabass asked the Commission if they can give the city authorization to maintain the park. Mr. Harrah will look into it and see what stipulations the property holds. He will return August 12th.

Andy Austin appeared to discuss New River Transit Authority (NRTA.)

Some data is passed out by Kim Canterbury. Average ridership is 264. They are working to secure further funding.

Ms. Canterbury spoke about marketing for NRTA.

Discussion was then held regarding legislative issue nominations. 5 nominations were brought forth: (see attached for more detail)

1. The need for a set process of who will determine domicile when an individual files for election. Should not be a constituent who has to hire a lawyer. The candidate should have only one attempt to present a petition for filing independent. They should not be allowed to submit continuously until they get the desired outcome. The burden should be theirs the first and only time of the presentation of the petition. Secretary of State or County Clerk.
2. Change in process for ordering ballots. This should be based on actual numbers of voters who voted in elections and not the number of registered voters.
3. Change in process to combine precincts. There needs to be a larger cap of registered voters to consolidate precincts.
4. Clarification of time for cost per inmate. The need for a defined start time for the per diem rate charge. Request for an independent audit of the Regional Jail system.
5. Earned Income Tax Credit.

Discussion was then held on liability insurance for Plum Orchard Lake Playground. Can the County hold liability insurance? WV Counties Risk Pool says no. President Wender asked if the county can lease the playground, then contact SALS about maintenance. Mr. Harrah stated

that this would work. Debbie Berry, County Administrator, will contact Steve Rawlings at WVCORP and Emily Fleming with the DNR and let them know what we are hoping to do.

The Commission entered into an executive session at 11:44 a.m. to discuss a personnel issue.

The Commission reconvened at 1:09 p.m.

Commissioner Scalph motioned to approve RDP Electrical to perform work at the Fayette County Pool, in the amount of \$6,530.00.

President Wender seconded. Unanimous decision.

Ms. Berry presented an order to combine or divide and segregate land for David & Joanne Griffith. Commissioner Scalph motioned to approve the order. President Wender seconded. Unanimous decision.

Ms. Berry presented a budget revision for the Coal Severance Fund for approval and signatures. Commissioner Lopez motioned to approve and sign. Commissioner Scalph seconded. Unanimous decision.

Commissioner Lopez exited the meeting at 1:15 p.m.

Ms. Berry presented a Community Corrections Grant Agreement in the amount of \$130,000.00 for Fiscal Year 2016/2017 for approval and signature by President Wender. Commissioner Scalph motioned to approve and authorize President Wender to sign. President Wender seconded. Unanimous decision.

Fayette County Fire Levy Protection Agreements July 1, 2016 - June 30, 2017 for approval and signatures for: Ansted Certified Fire Department, Inc.; Armstrong Creek Volunteer Fire Department; Boomer Volunteer Fire Department; Danese Volunteer Fire Department; Gauley Bridge Volunteer Fire Department; Gauley River Volunteer Fire Department; Meadow Bridge Volunteer Fire Department; Montgomery Volunteer Fire Department; Mount Hope Volunteer Fire Department;

Nuttall Volunteer Fire Department; Pax Volunteer Fire Department; Town of Fayetteville for Fayetteville Fire Department; City of Oak Hill for Oak Hill Fire Department. Commissioner Scalph motioned to approve and sign the agreements. President Wender seconded. Unanimous decision.

Ms. Berry presented a letter to the WV Regional Jail and Correctional Authority for approval and signatures. The Commission asked that Ms. Berry make a few changes to the letter before sending.

Ms. Berry presented a letter from Judy Gunsaulis, Director of the Fayette County Public Libraries, requesting the reappointment of Mr. Phillip Tissue to the Fayette County Library Board. Commissioner Scalph motioned to approve the reappointment. President Wender seconded. Unanimous decision.

Ms. Berry presented a letter from Trish Kicklighter, Superintendent, New River Gorge National River, requesting Duane Michael replace Mr. Chuck Noll as a member of the Bridge Day Commission. Commissioner Scalph motioned to approve the appointment. President Wender seconded. Unanimous decision.

Ms. Berry presented a letter from NRTA to reappoint Denise Scalph to the NRTA Board. President Wender motioned to reappoint Commissioner Scalph to the NRTA Board. Ms. Berry will prepare the documents for the next meeting.

Ms. Berry presented a Consumers' Sales Tax Report for approval and signature of President Wender. Commissioner Scalph motioned to approve and authorize President Wender to sign. President Wender seconded. Unanimous decision.

Ms. Berry presented a letter to the WV Supreme Court of Appeals requesting the reimbursement of rent for the months of July & August,

2016. Commissioner Scalph motioned to approve and sign. President Wender seconded. Unanimous decision.

Discussion was held regarding the Fayette County Park staff assisting with the Fayette County Emergency Food Pantry. Ms. Berry will let Renee Harper, Park Supervisor, know that they need to work at the park due to the shortage of park employees and amount of current work load they will not be able to assist at the food pantry.

Ms. Berry presented a recommendation letter for Eastcoast Pools Inc. for the Commission to sign. Commissioner Scalph motioned to approve and sign the letter. President Wender seconded. Unanimous decision.

President Wender asked to invite Lesley Taylor and Kenny Hayes to a future meeting to discuss a letter received from WV American Water.

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

FAYETTE COUNTY COMMISSION
REGULAR SESSION
JULY 29, 2016
COURTHOUSE

FAYETTEVILLE, WV 25840

MEMBERS Present: Matthew D. Wender, John H. Lopez, Denise A. Scalph

The Fayette County Commission met in a regular session on this 29th day of July, 2016.

President Wender called the meeting to order at 9:11 a.m.

Eddie Young, Assessor Chief Deputy, appeared to present exonerations real property exonerations for Camilla S.(Bell & Thomas W.) James \$351.68; James Herbert & Leah Leigh Briggs \$372.64; Raymond H. & Beverly Goodson \$284.00; Reginald A. Nieto \$252.88; Mylia R. Hess \$310.76; Chandos L. Boley \$662.54; Dishnet Satellite Broadband LLC \$249.18; Sean Marlon & Blair Shonnet L. Gill \$319.56; Joseph D. Kelly \$252.62; Marilyn L. or Joyce Brown \$140.76; Ronald L. & Elizabeth J.

Sexton \$1,097.40; Joseph L. Russell \$613.94; Carl D. & Tressa S. Murdock \$546.66; James Noble Costello \$37.86; Kevin Davis \$213.98; Emily Pannell Whaples \$69.92 & \$92.22; D. L. Peterson Trust \$2,758.42; Ceresa J. Petitt \$594.14; Jason A. Lilly \$839.18; Crystal Thorne \$325.28; William Dan Kettlewell \$665.66; Larry Wayne Grose \$6,710.08; Forrest Lee & Susan Dickerson \$252.10; Beverly Louise Compton \$353.58. Commissioner Lopez motioned to approve personal property exonerations. Commissioner Scalph seconded. Unanimous decision.

Mr. Young presented real property exonerations for Robert & Donna Stevens \$242.10; Rodney Crouse \$329.48; Redtail LLC \$862.56; Kenneth K. & Primavera Kruger \$473.46, \$9.22, \$8.46, & \$6.16; Emily Pannell \$315.14; Robert H. Jr. & Sandra Sears \$312.06; Robert & Betty Sears \$156.02; Alma Jean Dix \$306.20; Donna R. Pyles \$40.42; Robert W. Bragg \$146.04; William N. Rhodes \$26.40; Gary & Elva Treadway \$359.20; Eric Ray Bess \$256.20; Anna Marie Schnitzler \$256.20; Dwayne Lee Grasty \$56.04; Jerry Martin \$56.88; Gary W. & Sue Tolley \$256.20; Patricia Neal & Stephen Ross \$306.20; Sharon M. Burnside Massie \$885.44; Wayne Rhodes \$1,009.18; John Brett Lively \$2,556.36; City National Bank \$1,046.08; Timothy Sagraves etal \$256.20. Commissioner Scalph motioned to approve the real property exonerations. Commissioner Lopez seconded. Unanimous decision.

Commissioner Lopez motioned to approve vouchers & invoices and release checks today. Commissioner Scalph seconded. Unanimous decision.

Commissioner Scalph motioned to approve minutes from June 17th and July 1, 2016. Commissioner Lopez seconded. Unanimous decision.

Brian Jeremiah, FEMA, appeared to give an update on the June 23rd flood recovery. He doesn't have anything to report at this time, but

wanted to let the Commission know he is available at any time he is needed.

Ms. Berry presented orders to combine or divide and segregate land for Vincent Nicolau; Gloria Jean Walker; Kenneth K. & Primavera Kruger; Nick Duane Stevenson & Cheryl Janece; United Bank Inc., David S. James VP; and Robert & Karen Burt, respectively. Commissioner Scalp motioned to approve and sign the orders. Commissioners Lopez seconded. Unanimous decision.

Andrea Mender and Aletha Stolar, Parks and Recreation Advisory Board, appeared to give an update. The bylaws have been updated (see attached.) Commissioner Lopez motioned to approve and accept the revisions of the Parks and Recreations Advisory Board bylaws, presented by Ms. Mender on behalf of the board. Commissioner Scalp seconded. Unanimous decision.

Ms. Mender gave an update on the retreat held in June 2016. The Board received some great ideas and suggestions for upcoming events from state level parks employees. There is a meeting/conference in October at Stonewall. President Wender suggested that Renee Harper, Parks and Recreation Director, Okey Skidmore, FCMB Manager and board members attend.

Ms. Mender requested that new orders be completed for the Board to reflect start of terms at the beginning of the fiscal year rather than calendar year. President Wender asked Ms. Berry to take the necessary steps to correct and make the terms fiscal year.

Ms. Berry presented a budget revision for the General County Fund. Commissioner Lopez motioned to approve the budget revision. Commissioner Scalp seconded. Unanimous decision.

Ms. Mender & Ms. Stolar asked about the park secretary position. The Commission approved for Ms. Harper to temporarily fill the secretary position until other position is filled at the park. Commissioner Scalph motioned to approve. Commissioner Lopez seconded. Unanimous decision.

A bid opening was held for the Courthouse Telephone System.

1. Tate Communications - \$38,944.00
2. Key Telephone Security - \$68,919.00
3. STI Networks - \$53,373.00 + \$9,504 (no bid on work from courthouse to annex)
4. ACC \$34, 970.00 + \$1,000.00 a year.

President Wender asked Ms. Berry to rank the bids based on bid requests and lowest bid. Commissioner Scalph motioned to approve. Commissioner Lopez seconded. Unanimous decision.

Discussion was held on an intergovernmental agreement with the Fayette County Building Commission and the City of Oak Hill. Commissioner Scalph motioned to approve the renewal, only addition was the new building code for Fayette County. Commissioner Lopez seconded. Unanimous decision.

Doris Selko, Southern Regional representative for WV Affordable Healthcare appeared. Ms. Selko presented informational packets to the Commissioners.

James Bennett, 911 Coordinator appeared to discuss 2 new hires: Sarah Hill & Stephanie Key resigned. The Commission agreed to fill the vacancies.

Stormy Parsons, Day Report Center, appeared to discuss the Community Corrections Grant. The current yearly budget of \$133,000.00 is not enough to run the facility.

Discussion was held on the new Medicaid billing. Ms. Parsons will return after board and directors meetings.

Angela Gerald appeared to discuss the dilapidated Zink Property. Demolition was bid out and then Mr. Zink decided to demo the structure himself so the county canceled the bid. It has been 6 weeks and nothing has been accomplished. Question was raised if the Commission should bid again.

Commissioner Scalph motioned to approve the bid process to be repeated; Ms. Berry will approve the final bid for removal. Commissioner Lopez seconded. Unanimous decision.

Discussion then turned to the Smithers property. New bid due to asbestos is \$14,300.00. The Commission will discuss this in their next meeting.

Angie Bard, Pies & Pints, Sharon Cruikshank, New River CVB, Sally Kiner, Fayetteville CVB, Lewis Rhinehart, Secret Sandwich Society and Amy Summerford, The Station, appeared to discuss the Brunch Bill.

Key questions included: Does WVACO have any information and have any counties taken the lead on this issue. Caution is encouraged on this issue unless absolutely sure it will pass.

The Commissions will only act at the request of the individuals that it will affect. If not placed on the ballot this time, it could be added on the mid-term 2018 ballot.

Ms. Berry presented invoices for bridge work at the Animal Shelter. Commissioner Scalph motioned to approve the invoiced for the

permanent bridge \$3,191.20 total. Commissioner Lopez seconded.

Unanimous decision.

Ms. Berry presented an order for approval and signatures designating total number and type of election boards for the General Election to be held November 8, 2016. Commissioner Scalph motioned to approve and sign the order. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented orders and letters for signatures requesting the reappointment of Guy Dooley, George Tabit, Sherman Bobbitt and Debby Sizemore to the Fayette County Planning & Zoning Commission. Commissioner Scalph motioned to approve the reappointments. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented an order and letter for signature reappointing Michael Fridley and Sharon Cruikshank to the Fayette County New River Gorge Bridge Day Commission. Commissioner Lopez motioned to approve the reappointments. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented an order and letter for signatures appointing Lawrence Washington to replace Randel Bowen who resigned to the Armstrong Deepwater PSD Board. Commissioner Lopez motioned to approve the reappointment. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented an order and letter for signatures reappointing Kerren Hall to the Fayette County Solid waste Authority. Commissioner Lopez motioned to approve the reappointment. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a letter to SALS for signature of President Wender supporting their request for Home Community Housing Development Funds to construct the Helen M. Powell Apartments in Kincaid, WV.

Commissioner Lopez motioned to authorize President Wender to sign the letter for SALS. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a property lease agreement for the residence at the Fayette County Park for approval and authorization for President Wender to sign. Commissioner Lopez motioned to authorize President Wender to sign the lease agreement. Commissioner Scalph seconded. Unanimous decision.

Discussion regarding the Plum Orchard Lake Wildlife Management Playground was tabled.

Ms. Berry presented an order approving a credit for the overpayment of taxes for Michael Parker as approved by Assessor Eddie Young. Commissioner Lopez motioned to approve and sign the order. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented an order approving a credit for the overpayment of taxes for Tina & James Bell as approved by Assessor Eddie Young. Commissioner Scalph motioned to approve and sign the order. Commissioner Wender seconded. Unanimous decision.

Ms. Berry presented a contract agreement form between the Fayette County Commission and Arch Masonry for stone masonry and brick repair at the Fayette County Courthouse for the Commission to approve and sign. Commissioner Lopez motioned to approve and sign the agreement. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a request from Renee Harper, +to advertise for 2 employees. Commissioner Scalph motioned to approve hiring 2 individuals and the Fayette County Park to fill vacancies starting at \$20,800.00 then after a 6 month probationary period, they will move to \$22,000.00. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry informed the Commission of \$37,753.53 that was left over from the 2001 flood. Emergency Services does not want it and the county can keep it.

The meeting was adjourned at 12:47 p.m.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
AUGUST 12, 2016
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS Present: Matthew D. Wender, John H. Lopez, Denise A. Scalph

The Fayette County Commission met in a regular session on this 12th day of August, 2016.

President Wender called the meeting to order at 8:57 a.m.

Renee Harper and Wayne Workman appeared to introduce themselves as the new Parks & Recreation Director and Park Maintenance Supervisor.

Debbie Berry, County Administrator, appeared to present a letter to John Tuggle, Executive Director of Region IV, to amend the Hazard Mitigation Plan due to a new program to assist in raising houses out of the flood plain (specially mitigated reconstruction.) Commissioner Scalph motioned to approve and sign the amendment to the Hazard Mitigation Plan to include the new Flood Plain Assistance Program. Commissioner Lopez seconded. Unanimous decision.

Eddie Young, Assessor, appeared to present real property exonerations for Eastern Steel & Petroleum LLC \$4,086.92; 101 Park Ave Partners Inc. \$290.84; Patricia R. Kinder \$6.42; Charles P. & Marvelene Heltman \$513.04; David E. Sr. & Linda C. Bair \$271.96; Michelle L. Odell \$71.04; Kevin D. & Effie L. Painter (Lindsay Bibb) \$334.32; Bannan E & Mary W. Kees \$558.42; Coinmatch Service Corp

\$191.02; George Thomas Jr. & Wanda Sanford \$163.58; Celeste L. & Chris L. Pavey \$2,320.98; Avi Foodsystems Inc. \$271.11. Commissioner Lopez motioned to approve personal property exonerations. Commissioner Scalph seconded. Unanimous decision.

Mr. Young presented exonerations for real property for Chuck Evans \$24.60 & 14.60; Joanne Bailey \$256.20; David J. Ayersman \$722.02; P D 2 J LLC \$2,816.44; James & Tina Bell \$685.60; Michael Parker \$695.58; Glen A. & Martha Workman \$605.66. Commissioner Scalph motioned to approve real property exonerations. Commissioner Lopez seconded. Unanimous decision.

Mr. Young presented a refund for Emily Pannell & Cory Whaples for \$153.63. Commissioner Scalph motioned to approve the refund. Commissioner Lopez seconded. Unanimous decision.

Mr. Young presented three assessments that were left off of the books that will be added back: Don & Judy Jones, and two assessments for Pardee Minerals LLC. Commissioner Scalph motioned to approve the 3 new tax tickets. Commissioner Lopez seconded. Unanimous decision.

Jesse Richardson & Kelly Jo Drey appeared to discuss the WVU Law Clinic and the UKV Revitalization Plan. This will include some incorporated and unincorporated areas in Fayette County. Mr. Richardson and Ms. Drey encouraged the Commission to agree with the plan.

Commissioner Scalph motioned to approve retaining the WVU Law Clinic to work on the plan which will include Smithers, Montgomery and Gauley Bridge, and authorized the Commission to sign the retainer agreement. Commissioner Lopez seconded. Unanimous decision.

Commissioner Lopez motioned to approve 1st half payroll and release checks on the 15th and approve vouchers and invoices and

release checks today. Commissioner Scalph seconded. Unanimous decision.

Bill Hannabass, City of Oak Hill, appeared to discuss Harlem Heights Park. Larry Harrah, Prosecuting Attorney, discussed the current deed. He sees nothing that can prevent the transfer of a deed and stated that the Department of the Interior should be given a notice that this will be taking place. President Wender tabled this issue until August 26th to give notice to the Department of Interior.

Ms. Berry presented the City of Oak Hill and Building Code Office agreement for signature.

Kelvin Holliday, County Clerk, and Chris Harrington appeared to give a presentation and a quote for a new recording software for the County Clerk's office. Commissioner Scalph requested tabling this matter until August 26th so the appropriate people can review.

President Wender requested fees for licensing be waived since the previous software was only purchased 2 ½ years. Mr. Harrington was an employee with the previous company and is now owner of the new company.

President Wender motioned to enter into an executive session at 10:37 a.m. to discuss a land transfer.

The Commission reconvened at 10:59 a.m.

Commissioner Scalph motioned to proceed with the demolition of the Larry Brown and Mike Edelman properties with the understanding that both parties will be notified by Angela Gerald. Commissioner Lopez seconded. Unanimous decision.

The Commission entered into an executive session at 11:01 a.m. regarding attorney/client consultation.

The Commissioner reconvened at 11:14 a.m.

Ms. Berry presented a license agreement for approval and signatures between the State of WV, Department of Commerce, and Division of Natural Resources for Plum Orchard Lake Wildlife Management Area Playground agreement with SALS for approval. This was tabled until John David with SALS can inquire about liability insurance.

Ms. Berry presented a request from Jamie Bennett, 911 Coordinator, to pay contractors who have picked up debris from the flood and then be reimbursed when FEMA funds are received, however this was tabled until there is a discussion with the owner of the contracting firm.

Ms. Berry presented three orders to Combine or Divide & Segregate Land for Diana L. McMillion; Joan Collins; and Joyce A. Russell, respectively. Commissioner Lopez motioned to approve the orders. Commissioner Wender seconded. Unanimous decision.

Commissioner Scalph exited the meeting at 11:37 a.m.

Ms. Berry presented the Court Security Grant contract in the amount of \$81,370.00 and resolution for the Commission to approve and authorize President Wender to sign. Commissioner Lopez motioned to approve and authorize President Wender to sign. President Wender seconded. Unanimous decision.

Ms. Berry presented a drawdown for the Governor's Community Participation Grant Program and Certification of Grant Completion for the Commission to authorize President Wender to sign for Falls View Community Center (Gauneka Ruritan Center) in the amount of \$6,000.00 for restroom improvements. Commissioner Lopez motioned to approve and authorize President Wender to sign. President Wender seconded. Unanimous decision.

The Commission held a discussion regarding payment for flood debris removal with the owner of Bay's Services, the contracting firm that performed the cleanup. Commissioner Lopez motioned to pay \$32,000.00 to Bays Services. President Wender seconded. Unanimous decision.

Discussion on the phone bid was tabled until the next meeting.

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

FAYETTE COUNTY COMMISSION
REGULAR SESSION
AUGUST 26, 2016
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS Present: Matthew D. Wender, John H. Lopez, Denise A. Scalph

The Fayette County Commission met in a regular session on this 26th day of August, 2016.

President Wender called the meeting to order at 9:11 a.m.

Eddie Young, Assessor, appeared to present real property exonerations for Landquest \$1,583.32; Landquest \$46.70; Joanne Bailey \$256.20; Karen & Jerry Massie \$342.80; Clinton L Etux Hawkins \$268.24; Beverly J ETAL Raynor \$180.84; Live WV LLC \$2,641.88; Franklin & Ursula Hartenstein \$138.34; Franklin & Ursula Hartenstein \$161.40; Glenn A. & Martha Workman \$605.66; Kenneth Ray Etux Clackler \$287.52; Robert A. Seay & Cynthia Skaggs \$326.66; West Virginia Housing \$17.68; West Virginia Housing \$18.74. Commissioner Scalph motioned to approve real property exonerations. Commissioner Lopez seconded. Unanimous decision.

Mr. Young presented 2 refunds. One for David J. Ayersman for \$703.96 and one for Clinton L. Hawkins for \$261.54. Commissioner

Scalph motioned to approve the refund. Commissioner Lopez seconded. Unanimous decision.

Mr. Young presented an Application for Correction of Assessment for William E. and Barbara Comer in the tax amount of \$510.35. Commissioner Scalph motioned to approve the Application for Correction of Assessment. Commissioner Lopez seconded. Unanimous decision.

Commissioner Lopez motioned to approve 2nd half payroll and release checks on the 30th and approve vouchers and invoices and release checks today. Commissioner Scalph seconded. Unanimous decision.

Brian Jerimiah, FEMA representative, appeared to discuss progress on the June flooding. He reports that everything is good and FEMA is in the process of moving out and leaving the rest of the recovery to the State. A handout is given to the Commissioners regarding a summary of the recovery.

Kevin Walker, OES Director, and Jamie Bennett, 911 Coordinator, appeared to discuss lightning protection for the 911 center tower. Jamie Bennett presented a quote to the Commissioners from EMP Solutions, in the amount of \$16,250.00, to provide protection at the 911 Center from another lightning strike. The tower has been struck three times in the last 9 months.

Commissioner Scalph asks the question of what happens after we've met the \$500,000 max limit EMP Solutions will provide to us. Does it then become a county problem? Mr. Bennett will research and let the Commissioners know the response.

President Wender suggested sending all this information to the designers of the tower to get their opinion on this quote. Mr. Bennett agreed to forward this quote onto the designers.

Mr. Bennett then appeared to discuss the power transfer switch at the Mann Mountain tower site. He informed the Commission that the switch is failing and needs replaced. He presented a quote from Walker Machinery in the amount of \$5,352.00. If this replacement does not take place, it could blow up the generator.

Commissioner Lopez motioned to approve the \$5,352 quote received from Walker Machinery to replace the power transfer switch at the Mann Mountain tower site to be paid out of the 911 fund. Commissioner Scalph seconded. Unanimous decision.

Rick Lewis, Long-term Disaster Response and Recovery team member, appeared with an update about the June flood recovery for the Commissioners.

Mr. Lewis stated that the team is up and running and they have a 5 year plan in place. They secured monies through grants to get stranded people back into their homes. The team currently has two case workers and they will work with the individuals in the homes to help them get what is needed.

Mr. Lewis stated that the New River Apostolic Association is giving a \$5,000.00 grant to use as needed with the long-term recovery.

Mr. Lewis requested that the Commission pay mileage for the case workers. Assistant Prosecuting Attorney, Liz Campbell, requested to have something on file relieving the County of any liability.

Commissioner Scalph motioned to approved 3 case managers mileage at approximately \$100 per week at .54 cents per mile, capping at \$7,200. Commissioner Lopez seconded. Unanimous decision.

A Public Hearing for Early Voting sites was held at 10:00 a.m.

Kelvin E. Holliday appeared to present the early voting sites to the Commission. The sites will be as followed: Fayette County

Soldiers and Sailors Memorial Building, Montgomery Town Hall and Danese Community Center. The floor was opened for discussion. No comments.

Commissioner Scalph motioned to approve the three sites for early voting for the general election on November 8th, 2016. Commissioner Lopez seconded. Unanimous decision.

Mr. Bennett, 911 Coordinator, returned to discuss the HVAC system at the 911 Center. The Center is still having the same issues that it was having back in 2013 and the installer, Appalachian Heating, is giving no help to the situation. Casto Technical has presented a quote to fix the issues.

President Wender suggested that the Prosecuting Attorney's Office write a letter to Dan Snead and Appalachian Heating stating that the County holds them responsible for any loss because of failure of their system. Assistant Prosecuting Attorney, Liz Campbell, will look at all the past information to see who is responsible.

Mr. Bennett presented a request on behalf of a 911 Center dispatcher requesting a raise due to not being paid a suitable amount in relation to the training and experience the individual has received. The employee is making less than other individuals with same training and education that were hired around the same time.

Commissioner Scalph motioned to approve an increase in the dispatcher's, Melissa Via, pay up to the level of experience and training by \$1.40 per hour effective on the September 15, 2016 payroll. Commissioner Lopez seconded. Unanimous decision.

Kevin Walker, OES Director, and Mr. Bennett appeared to present a request to the Commission regarding for a mobile response unit/command post to be purchased and used in disasters.

Kevin Walker presented a quote for \$24,500.00 from American Campers.

Commissioner Scalph asks if it can be a shared cost with various emergency operations offices. Kevin Walker informs the Commission that the fire association is not interested in helping with this response unit because they would not use it.

President Wender suggested holding this request until March budget.

John Stump, Steptoe and Johnson, appeared to present a resolution for the Boy Scouts of America to meet changes approved by the Internal Revenue Service (IRS).

Commissioner Scalph motioned to approve the new resolution electing to retroactively apply certain recently enacted treasury regulations to the County's commercial development revenue bonds, (Arrow WV Project) series 2010A, Series 2010B and Series 2012 and authorizing execution and delivery of other documents and the taking of all other actions relating thereto. Commissioner Lopez seconded. Unanimous decision.

Stormy Parsons, Community Corrections Director, appeared to discuss Community Corrections.

Ms. Parsons discussed the vacant position due to the upcoming retirement of Charlie Bryant. Ms. Parsons stated that she is in the process, along with the board, of reworking/reconfiguring job descriptions. Mrs. Parsons presented the Commission with the written job descriptions of the case managers for their review.

Deborah Berry, County Administrator, presented the phone system bids for approval. Discussion was held on the two low bids.

The low bid did not have all the specs included in bid opening amount and also has a requirement of working with the county IT employee, which the county does not have at this time. Due to these reasons, Mrs. Berry recommended awarding the bid the Tate Communications.

Commissioner Lopez motioned to approve the bid presented by Tate Communications of \$50,609.00. Commissioner Scalph seconded. Unanimous decision. (Analysis of bids attached)

Ms. Berry presented a letter from Chris Harrington for the County Clerk's new operating system. The letter states that his company is willing to cut the licensing cost in half. The Commission decided to hold off until budget in March with this request.

Ms. Berry presented an order to Combine or Divide & Segregate Land for Brenda Seelinger. Commissioner Lopez motioned to approve the order. Commissioner Scalph seconded. Unanimous decision.

President Wender motioned to enter into an executive session at 11:57 a.m. to discuss a personnel matter.

The Commission reconvened at 12:29 p.m.

In the executive session, the Commissioners discussed the Fayette County Park and the loss of some employees with no rehiring.

Commissioner Scalph motioned to hire an office assistant, Sara Kessler, starting at \$18,720 and a programmer, Laurel Kemmerling, starting at \$20,800. Their start dates will be September 16, 2016 if positions are accepted. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented the list from the Democratic and Republican Executive Committees and an order to sign appointing election poll workers for the November 8, 2016 General Election. Commissioner

Scalph motioned to approve list and sign order for the November 8, 2016 general election poll workers. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented the gas tax refund for approval and signature of President Wender. Commissioner Scalph motioned to approved refund and authorize President Wender to sign. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a draw down for the Community Corrections grant in the amount of \$16,577.04 for the month of June 2016. Commissioner Lopez motioned to approved draw down request and sign. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a letter from Assessor, Eddie Young, concerning property of Rodney K. and Susan Thomas being in the wrong class which resulted in an overpayment of taxes. An order was prepared for signature approving giving a credit for future taxes because of this error. Commissioner Lopez motioned to approve order and sign. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a letter from Arbuckle Public Service District requesting the reappointment of David Bassage. An order and letter were prepared for signatures upon approval. Commissioner Lopez motioned to approve the request to reappoint Mr. Bassage and sign the order and letter. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a Hazard Mitigation Property Lease for James and Tracy Kincaid for approval and authorization for President Wender's signature. The property is located on Kilysth Road and is from former owners Parma J. Kincaid, Pearl M. Moss, William and Sherry Dicken, Carmet and Evelyn Foster and Mary E. and Don J. Morgan. Commissioner Scalph motioned to approve the lease and authorized

President Wender to sign. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented an agreement between the Fayette County Commission and the Town of Fayetteville for the use of Allen Ballard, Commission's Code Official and Building Inspector to perform the town's inspections and enforcement under the Building Code for Fayetteville. Commissioner Lopez motioned to approve and sign this agreement. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a request from Benjy Simpson to use the Fayette County Memorial Building on Friday, October 14, 2016 for the Bridge Day Rappel Orientation. Commissioner Lopez motioned to approve the request to use the Fayette County Memorial Building for Bridge Day Rappel Orientation. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a request from Phillip Samples, coach/organizer for the WV Boys and Girls Hoopsters, to use the Fayette County Memorial Building for AAU Practices and instructional sessions from 09/01/2016-03/31/2017. Commissioner Lopez motioned to approve this request for the use of the Fayette County Memorial Building. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a requested from Cindy Whitlock to use the Fayette County Memorial Building on October 8, 2016 for the annual Terri Massey Memorial Blood Drive. Commissioner Lopez motioned to approve this request for the use of the Fayette County Memorial Building. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented 3 quotes for painting the ceiling in the hallway of the main Courthouse.

Absolute Improvements- Patch 20 spots for \$300 or paint entire ceiling for \$675.

Premier Painting and Drywall - Patch 20 spots for \$950 or paint entire ceiling for \$2,000.

Patriot Painting & Steam - Patch 20 spots for \$2,500 or paint entire ceiling for \$8,500.

Commissioner Lopez motioned to approve Absolute Improvement's quote of \$675 to paint the entire ceiling. Commissioner Scalph seconded. Unanimous decision.

Discussion is held on the Drug Court property. Melvin Withrow requested a time frame to start the additional work. President Wender suggested to have the wiring completed then Ms. Berry is approved to tell Mr. Withrow when to move forward.

Discussion was held on registration for the CCAWV Fall Board and Legislative Committee meeting.

Discussion was held on hiring an individual in the Administrator's office to take over the Payroll responsibilities. The last payroll clerk retired in December 2015 and Stephanie Sears has assumed these duties since. The employees in this office are requesting permission to advertise for a new payroll/HR clerk to help make this office run more efficiently. President Wender motioned to approve running an ad to hire one Payroll/HR clerk in the County Administrator's office. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a general agreement from the African American Heritage Tour. This agreement between the National Park Service and the Fayette County Commission will add the Harlem Heights Community as an auto tour stop location. Commissioner Scalph motioned to approve

and authorize President Wender to sign the agreement. President Wender seconded. Unanimous decision.

Ms. Berry presented a request from Tiffany Cottle to receive 40 hours from the sick leave donation bank. Commissioner Scalph approved request. President Wender seconded. Unanimous decision.

The meeting was adjourned at 1:32 p.m.

FAYETTE COUNTY COMMISSION

REGULAR SESSION

September 9, 2016

COURTHOUSE

FAYETTEVILLE, WV 25840

MEMBERS Present: Matthew D. Wender, John H. Lopez, Denise A. Scalph

The Fayette County Commission met in a regular session on this 9th day of September, 2016.

President Wender called the meeting to order at 9:08 a.m.

Eddie Young, Assessor, appeared to present personal property exonerations for Rachel Nicole Ennis \$428.88; Rachel Nicole Ennis \$428.88; Phyllis M. Brenemen \$158.32; Jonathan P. Hannigan \$42.64; Conmach Service Corporation \$64.62; Alan and Amy Baggett \$384.56; Laurie and Darrell (SUTP) Fuller \$321.80; Carson M. and Loretta M. Adkins \$124.50; Lenda H. Limerick \$551.10; Gregory Keith and Kristin R. Kenney \$1,302.22; James F. Kenney \$55.20; Jeannie Beck \$57.66; Clella Ruth or George D. Smith \$442.34; Clarence M. Jr. and Connie Gillespie \$514.36; Sabrina D. Jones \$6.40; Douglas L. Kincaid \$273.62; Brian A. Hull \$358.56; AVI Foodsystems Inc 217.10. Commissioner Lopez motioned to approve personal property exonerations. Commissioner Scalph seconded. Unanimous decision.

Eddie Young, Assessor, appeared to present real property exonerations for Douglas, Tracy & Ray Ludwig \$225.28; Carrol S. Ball \$104.70; Rodney K and Susan Thomas \$411.98; Rodney K and Susan Thomas

\$1,225.16; Carry L. and Karen B. Huffman \$621.90; Tyrone Mosley \$551.10; Tina E. Jessup \$108.38; Charles Biggs \$484.20; Deanna Rose Scarbro ETAL \$284.28; Tuscany Gas LLC \$19.02; Quinta Anguis EST \$156.80. Commissioner Scalph motioned to approve real property exonerations. Commissioner Lopez seconded. Unanimous decision

Mr. Young presented an Application for Correction of Assessment for Robert and Pamela Campbell in the tax amount of \$510.35. Commissioner Scalph motioned to approve the Application for Correction of Assessment. Commissioner Lopez seconded. Unanimous decision.

Commissioner Lopez motioned to approve 1st half payroll and release checks on the 15th and approve vouchers and invoices and release checks today. Commissioner Scalph seconded. Unanimous decision.

Commissioner Scalph motioned to approve minutes from July 15, 2016 and August 12, 2016. Commissioner Lopez seconded. Unanimous decision.

Jonathan Grose, Gauley Bridge Mayor, appeared to discuss the Kanawha Falls Public Service District.

Mr. Grose presented the Commission with pictures of the above ground fix that is getting most of Gauley Bridge water due to the June flooding. Kanawha Falls PSD had a line collapse and this is what had to be done to get water to the Gauley Bridge residents. The line goes across the train tracks. Residents were without water for 19 days after the flood before this temporary fix was complete.

Kanawha Falls PSD stated they are waiting on FEMA monies to be approved before a permanent fix will happen. It is a 75% contribution and the remaining 25% is up to the Kanawha Falls PSD. This project is at least \$300,000.00.

The Commission decided to call Kevin Walker on his cell phone to see what he could find out for these residents. Kevin Walker is going to talk with FEMA and Army Corp of Engineers. Mr. Walker stated that you have to have approval from both agencies before proceeding. Even after approval, Kanawha Falls PSD says it will be another 15-20 weeks before the project is completed. This brings the timeline into winter and there is fear that the pipe will freeze and crack causing water loss again for the Gauley Bridge residents.

Larry Harrah, Prosecuting Attorney, suggested setting up a meeting with the County Commission, Prosecuting Attorney, Gauley Bridge, Kanawha Falls PSD, FEMA, and Army Corp of Engineers to discuss the situation.

President Wender requested letting Mr. Grose know when the next Kanawha Falls PSD appointment is available so he can provide some individuals for the Commissioner to consider to appoint.

Deborah Berry, County Administrator, presented the Suddenlink Franchise Renewal for President Wender's signature. Commissioner Scalph motioned to approve the renewal until 2021 and authorized President Wender to sign. Commissioner Lopez seconded. Unanimous decision.

Tim Richardson, Zoning Officer, appeared to present a rezoning application for a Dollar General Store to be built in Dixie.

Mr. Richardson read the public notice from the Planning Commission meeting and stated that the Planning Commission presented a unanimous recommendation. Commissioner Lopez motioned to accept the Planning Commission recommendation to change zoning and approved the order for signature. Commissioner Scalph seconded. Unanimous decision.

Renee Harper, Park Director, appeared to give an update on the Fayette County Park.

Ms. Harper presented a handout to the Commission of the monthly happenings at the Park. The Commission reviewed the report.

Ms. Harper mentioned that eventually a discussion should be held to talk about starting a Park Foundation where donations could be accepted.

President Wender suggested Ms. Harper prepare a proclamation to present to the Boy Scouts to show appreciation for the help this past summer at the Fayette County Park.

Ms. Harper informed the Commission that the park assistant position was filled but the programmer position declined. Ms. Harper suggests putting the position on hold and revisiting next summer. The Commission agreed.

Ms. Harper informed the Commission that September 30, 2016, will be a volunteer day at the Fayette County Park.

Ashley Fridley and Savannah Kincaid, FHS juniors, appeared to request the use of the Fayette County Jail Museum for a prom fundraiser.

The Junior Class of Fayetteville High School would like to have a haunted house on the 1st and 2nd floors of the jail. The Fayetteville Convention & Visitor's Bureau approved the use of the museum at their last board meeting. Commissioner Scalph motioned to approve the use of the jail for a haunted house by the FHS juniors for a prom fundraiser. Commissioner Lopez seconded. Unanimous decision.

President Wender requested that Ms. Fridley, Ms. Kincaid, Sally Kiner, Mike Fridley, and Deborah Berry go over to the jail and see which floors they feel can be used.

Lesley Taylor, Region IV, appeared to discuss the Kanawha Falls Public Service District.

Ms. Taylor presented #20 resolution for the Small Cities Block grant for Commissioners to approve and sign in the amount of \$4,972.50. Commissioner Scalph motioned to approve resolution and authorized President Wender to sign on the Commission's behalf. Commissioner Lopez seconded. Unanimous decision.

Kanawha Falls PSD is over budget concerning the Small Cities Block Grant monies. Ms. Taylor stated that an application has been filed with the infrastructure council for approximately \$311,000.00. The application will be heard on September 27, 2016 at 9:00 a.m.

President Wender requested Ms. Taylor to keep the Commission up to date with the meeting information and one if not all of the Commissioners will attend to speak on the grant's behalf.

President Wender suggested also that a letter of support be written from the Commission for the support of this project. The Commission agreed.

Rick Lewis and John Paul Jones, Long-Term Recovery Group, appeared to give an update on the progress made.

Mr. Lewis stated that everyone is in a home and that the team is not aware of any individual affected by the flood that is still living in a tent or camper.

Mr. Lewis requested that the Commission become the fiscal agent for the team, Greater Fayette Long Term Recovery Group.

The Commission requested that Larry Harrah, Prosecuting Attorney, review the by-laws and Stephanie Sears, Accountant, contact the Auditor's office to see if the Commission can agree to this request.

Commissioner Scalph motioned to approve Fayette County Commission being the fiscal agent for the Greater Fayette Long Term Recovery Group contingent on the approval from the WV State Auditor's Office and Mr. Harrah to review the by-laws. A separate account will also need to be set up. Commissioner Lopez seconded. Unanimous decision.

Deborah Berry, County Administrator, presented a memo regarding the Meadow River Rail Trail (MRRT) Commissioner Scalph motioned to approve the memo. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented the 2015/2016 Financial Statement to be run in the Fayette Tribune and Montgomery Herald for the Commission to approve and sign. Commissioner Scalph motioned to approve 2015/2016 financial statement and authorized President Wender to sign on the Commission's behalf. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented an order and a letter for approval and signatures appointing John Wesley McDonald to the Fayette County Board of Health due to the resignation of Rose Anne Michael. Commissioner Lopez motioned to approve the appointment of Mr. McDonald. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a letter to the WV Supreme Court of Appeals requesting the reimbursement of rent for the Family Law Judge for the month of October, 2016 for approval and signatures. Commissioner Lopez motioned to approve and sign the letter to the WV Supreme Court of Appeals. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a request from Kevin Walker, OES Director, to purchase wall mounts and signs for the AED (Automated External Defibrillator) project that places AEDs at the Courthouse, Annex, Prosecuting Attorney's office, Fayette County Memorial Building and

Fayette County Park. Total cost is \$917.87. Commissioner Scalph motioned to approve the request. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented an agreement for Land Clearance with Giannini Construction and Excavating, LLC at the properties 115 Orchard Avenue, Smithers, WV and 290 Michigan Avenue, Smithers, WV for the Commission to approve and President Wender to sign. Commissioner Scalph motioned to approve the agreement and authorized President Wender to sign on the Commission's behalf. Commissioner Lopez seconded. Unanimous decision.

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

FAYETTE COUNTY COMMISSION

REGULAR SESSION

September 23, 2016

COURTHOUSE

FAYETTEVILLE, WV 25840

MEMBERS Present: Matthew D. Wender, John H. Lopez, Denise A. Scalph

The Fayette County Commission met in a regular session on this 23rd day of September, 2016.

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

Eddie Young, Assessor, appeared to present real property exonerations for Jennifer Lokant \$286.50; Charles Hannigan \$115.28; Adam H. Hodges \$173.30 and \$336.52; Lewis W. and Ruth Jones \$341.26; John & Orpha Keel \$704.04 and \$724.02; Mary E. Wills etal \$96.08 and \$576.46; Timothy G. Lightner \$87.62; Robert Johnson \$135.26; Sherry McKnight etal \$312.82. Commissioner Scalph motioned to approve real property exonerations. Commissioner Lopez seconded. Unanimous decision.

Mr. Young presented 2 refunds. One for Carol S. Ball for \$102.08 and one for Jennifer Lokant for \$297.25. Commissioner Lopez motioned

to approve the refunds. Commissioner Scalph seconded. Unanimous decision.

Commissioner Lopez motioned to approve 2nd half payroll and release checks on the 30th and approve vouchers and invoices and release checks today. Commissioner Scalph seconded. Unanimous decision.

Natalie Tennant, WV Secretary of State, appeared to present Commission with a check for \$17,300.00 to help make precincts ADA compliant. These monies are from the Help America Vote Act Grant.

Dan McCarthy and Gary Hartley appeared to give a presentation on the Summit Bechtel.

Upcoming events that they are preparing for are in 2017, the National Scout Jamboree; in 2019, the World Scout Jamboree; in 2021, the National Scout Jamboree. The Scouts have never had a jamboree within 2 years of each other so this is new ground for everyone.

The Summit currently has 14,000 acres overall. 10,600 acres are the main site with a total of 10 properties owed by the Summit Bechtel Reserve.

Andrea Mender, Fayette County Park and Recreation Advisory Board President, and Renee Harper, Fayette County Park Director, appeared to present a proclamation to the Boy Scouts for all their help during this past summer. The Scouts completed 5 different projects at the Fayette County Park. Ms. Mender read the proclamation.

Kevin Walker, OES Director, appeared to present the Commission with the AED box keys, the AEDs and boxes. In previous meetings, the Commission approved to purchase 5 AEDs and 5 boxes. President Wender requested Mr. Walker to write a press release on the AEDs purchased.

The Commissioners and Mr. Walker discussed the request for Hutchens Wrecker service asking Commission to pay for some of their FEMA work now instead of waiting on FEMA reimbursement. Hutchens Wrecker Service has completed a project sheet and has been approved for reimbursement from FEMA.

The Commission decided that Hutchens Wrecker Service should wait for the FEMA monies to be completed. The Commission cannot front the monies and be reimbursed.

Stormy Parsons, Community Corrections Director, appeared to discuss the Day Report Center and to give an update.

Ms. Parsons found 2 new vendors that will be cheaper than the current vendor being used.

Discussion is held on the Medicaid reimbursement. Medicaid representatives do not feel that any reimbursement for WV will go away. Medicaid can cover some things that the grant covers now. OFLAC along with the WV State Fire Marshal have to approve your building being up to Medicaid standards before any Medicaid reimbursement can take place. The WV State Fire Marshal said he would do a pre-inspection and provide Ms. Parsons with a list of what needs updated. Commission requests that Melvin Withrow or Allen Ballard be present at time of inspection. Ms. Parsons will send Stephanie Sears the completed application for the Fire Marshal inspection to send with payment of \$50.00.

Discussion is held on the use of the Day Report Center by the Fayette County Magistrates. Brian Parsons, Assistant Prosecuting Attorney, will write a letter for the Commission to sign showing the Commission's support for the Magistrates using Day Report Center.

Stephanie Sears, Staff Accountant, presented request from the Parks and Recreation Advisory Board to attend the annual conference. Commissioner Lopez motioned to approve up to two members attending for up to 2 nights. Commissioner Scalph seconded. Unanimous decision.

Ms. Sears presented Parks and Recreation Board membership fee renewal. Two options were given. One is to pay \$50.00 like last year for just the Board/Commission Membership and the other was for \$250.00 to include employees of the county in the membership. Commissioner Lopez motioned to approve paying \$50.00 for the Board/Commission membership. Commissioner Scalph seconded. Unanimous decision.

Ms. Sears presented a quote from Lee's Carpet for Tile in Sheriff's Office in the amount of \$2,824.84. Commission requests two more quotes to be obtained. Commissioner Scalph motioned to approve the tile in the amount up to \$2,824.84 and two other quotes being obtained. Commissioner Lopez seconded. Unanimous decision.

Ms. Sears presented an amendment to the Purchase Sale Agreement to clarify the closing date pursuant to Section 9. The option to close on November 1, 2016 will not allow enough time for the due diligence period. Commissioner Scalph motioned to approve agreement contingent on approval from Prosecuting attorney. Commissioner Lopez seconded. Unanimous decision.

Ms. Sears presented a request from Susan Hanson to use the FCMB for Fayetteville Women's Club 6th Annual Craft Show on Saturday, December 3, 2016 from 7:30 am - 5:30 pm. Commissioner Scalph motioned to approve use of the Fayette County Memorial Building. Commissioner Lopez seconded. Unanimous decision.

Ms. Sears presented a quote from Election Systems and Software for two IvoTronic stands needed at Early Voting for total cost of

\$1,950.00. One stand is needed and one would be a back-up stand. Commissioner Scalph motioned to approve the purchase of one Ivotronic stand for Early Voting with a total cost of \$975.00. Commissioner Lopez seconded. Unanimous decision.

Ms. Sears presented an order for the Commission to sign substituting certain securities pledged on behalf of Fayette County National Bank. Commissioner Lopez motioned to approve and sign the order. Commissioner Scalph seconded. Unanimous decision.

Ms. Sears presented an order for the Commission to sign issuing a refund in the form of a credit against taxes to Corina Callahan for the tax years 2013, 2014, 2015 and 2016 in the total amount of \$1,223.20. Commissioner Lopez motioned to approve and sign order. Commissioner Scalph seconded. Unanimous decision.

Kelvin E. Holliday, County Clerk appeared to discuss the computer software in his office.

The new vendor has agreed to wave all licensing payments. Commission requests that Mr. Holliday see if he can receive a refund on the paid hardware contract for the county before switching over to the new vendor.

A special meeting will be called by next Friday if Mr. Holliday can get all required documentation from the new and old vendor by Wednesday of next week.

The meeting was adjourned at 12:45 p.m.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
OCTOBER 7, 2016
COURTHOUSE

FAYETTEVILLE, WV 25840
MEMBERS Present: Matthew D. Wender, John H. Lopez, Denise A. Scalph

The Fayette County Commission met in a regular session on this 7th day of October, 2016.

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

Discussion was held regarding the future of Drug Court.

President Wender suggested drafting a letter to Steve Canterbury with the State, addressing our concerns and asking for his advice.

Eddie Young, Assessor, appeared to present real property exonerations for Carletta Jean Short \$564.02; Charles N. & Constance Cameron \$35.36, 51.50; 59.18; 55.34; 73.40 & 73.40; Dale Edward Maxwell, Sr. \$575.96; Kim Bennett etal \$464.12 & 256.20; Clyde Bailey \$86.08; Corina L. Callahan \$953.76 & 881.56; Daniel R. Ewing \$377.84; James David Jr. & Betty Estep \$259.02; and Jack & Nathan Johnson \$64.56. Commissioner Scalph motioned to approve real property exonerations. Commissioner Lopez seconded. Unanimous decision.

Mr. Young presented 4 refunds. Corina L. Callahan \$873.85 & 929.68; Kim Bennett etal \$478.17; and James David Estep, Jr. \$255.78. Commissioner Scalph motioned to approve the refunds. Commissioner Lopez seconded. Unanimous decision.

Commissioner Lopez motioned to approve 2nd half payroll and release checks on the 14th and approve vouchers and invoices and release checks today. Commissioner Scalph seconded. Unanimous decision.

The Commission walked to the proposed Drug Court building at 9:29 a.m. to tour the work complete so far.

The Commission returned at 10:07 a.m.

Discussions were held on repairs still needed at the Drug Court building. The Commission gave the list to Melvin Withrow, Maintenance.

The bid opening for the Courthouse Security upgrades was held. Only one bid was received.

Key Telephone & Security - \$74,304.94

Commissioner Lopez motioned to approve the bid pending Deputy Lt. Shawn Campbell's review of the specifications on the quote and his approval. Commissioner Scalph seconded. Unanimous decision.

Kelvin Holliday, County Clerk, appeared to discuss software for his office. Mr. Holliday stated that Larry Harrah, Prosecuting Attorney, reviewed all contracts. Chris Harrington with Compiled Technology has agreed to all of Mr. Holliday's office's needs.

President Wender asked about the paid hardware contract with CSSI. Mr. Holliday stated that we have an ironclad contract and CSSI will not release us. Compiled Technology agreed to service our hardware without cost per Mr. Holliday.

President Wender requested that Liz Campbell, Assistant Prosecuting Attorney, review all contracts and give her opinion on October 21st.

Deborah Berry, County Administrator, presented a WV Courthouse Facilities Improvement Fund Grant Application for approval and signatures requesting funds to complete the Masonry Rehabilitation of the Fayette County Courthouse in the amount of \$120,000.00. Commissioner Lopez motioned to approve and sign the grant application. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a letter to the WV Supreme Court of Appeals requesting reimbursement of rent for the Family Law Judge for the month of November, 2016 for approval and signatures. Commissioner Scalph motioned to approve and sign. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a request from Ricky White, Athletic Director/Principal at Ss. Peter and Paul School to use Soldiers and Sailors Memorial Building for basketball games and practices from November 1, 2016 through March 15, 2016 for approval. Commissioner Lopez motioned to approve the request. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a Consumer Sales Tax Report for the quarter ending September 30, 2016 from Fayette County Park for approval and signature of President Wender. Commissioner Scalph motioned to approve and sign. Commissioner Lopez seconded. Unanimous decision.

Discussion was held regarding the Fayette County Police Memorial on courthouse grounds for the Commission to approve. Ms. Berry will draft a letter stating that the Commission liked the idea and appreciates the action. Placement on the lawn is approve and the specific site will be approved by the Commission.

The Commission held a discussion to set a date for the Regional Roundtable meeting; possible dates are December 16th or moving the meeting date to December 2nd and holding the roundtable then. President Wender suggested Ms. Berry and Commissioner Scalph decide on the options and report back.

Ms. Berry presented a FY 2015 Flex-E Grant agreement for authorization and signature. Commissioner Scalph motioned to approve and authorize President Wender to sign the agreement. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a request from the Greater Fayetteville Women's Club to use the Fayette County Soldiers and Sailors Memorial Building for a basketball tournament to support Shop with a Cop on

November 12, 2016. Commissioner Lopez motioned to approve the request. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented the United Bankcard P-Card invoice for payment before the next meeting. Commissioner Lopez motioned to approve payment. Commissioner Scalph seconded. Unanimous decision.

The meeting was adjourned at 11:40 p.m.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
OCTOBER 21, 2016
COURTHOUSE

FAYETTEVILLE, WV 25840

MEMBERS Present: Matthew D. Wender, John H. Lopez, Denise A. Scalph

The Fayette County Commission met in a regular session on this 21st day of October, 2016.

President Wender called the meeting to order at 9:09 a.m.

Norma Williams presented the Early Voting keys to the Commission. Ms. Williams and Deloris Nelson announced that this will be their last election working Early Voting. They are retiring completely. However they are willing to come in and help train new Early Voting workers.

Early Voting and Election Day tests were held using 8 machines. President Wender and Larry Dotson, Ballot Commissioner, cast votes on the iVotronics. Bruce Williams tested the audio on the machine. The election test was then completed. Alicia Treadway and Carla Atha, Voters' Registration, appeared to present the results. All results came out correct. The Commissioners and the Ballot Commissioners signed the results.

Eddie Young, Assessor, appeared to present real exonerations for Jackie L. Scott \$359.70 & \$344.34; James Franklin Holly, III \$229.04; William H. Boone, Jr. \$2,348.86; Little Bird Real Estate \$6,253.34.

Commissioner Scalph motioned to approve the real property exonerations. President Wender seconded. Unanimous decision.

Commissioner Scalph motioned to approve 2nd half payroll and release checks on the 28th and approve vouchers and invoices and release checks today. President Wender seconded. Unanimous decision.

Commissioner Scalph motioned to approve the minutes from August 26th, September 9th, September 23rd and October 7th. President Wender seconded. Unanimous decision.

Debbie Berry, County Administrator, appeared to present costs for electric conduit to run under the bridge at the Animal Shelter. The Commission requested 2 more quotes.

The Day Report Center clients will dig the ditch and the Commission will purchase the conduit and then hire an electrical company to hook up the power.

Ms. Berry presented a letter to Fayette County National Bank allowing Anna Frost, Chief Tax Deputy, and Casey Lewis, Assistant, to place stop payments on checks and access information for bank accounts for President Wender to sign.

Kelvin Holliday, County Clerk, appeared to discuss software in his office. CSSI has refused to help the County because they say we are not a current customer. The proposed new vendor, Compiled Tech, was present to talk about their help to the County.

Liz Campbell, Assistant Prosecuting Attorney, has reviewed all aspects and has spoken with several people involved with this process. Her recommendation is that we are fine to go with Compiled Tech. She does have concerns about the copyright lawsuit between the two companies. Ms. Campbell directs this concern to representative of Compiled Tech. If CT loses the lawsuit, the current software, CSSI,

will still be on the County Clerk system. CT will not delete CSSI off of the County Clerk's system if they were able to take over. The Commission has concerns as to how CSSI will handle everything if we go back to them.

President Wender suggested CT extend their offer until the end of November and Ms. Campbell will be in touch with CSSI to see if they have interest in keeping us as a client and obtain their side of the story.

President Wender suggested that CT draft a contract with software and hardware and send it to Ms. Campbell to review.

Discussion was then held on the dilapidated property that Van Burks would like to purchase. The County demolished the structure and there is a lien on the property. Mr. Burks lives next door and would like to purchase the property but the property owner/ person paying the taxes is not interested. Commissioner Scalph motioned to authorize the Prosecuting Attorney's office to research. Commissioner Lopez seconded. Unanimous decision.

Larry Harrah, Prosecuting Attorney, appeared to present the Harlem Heights Park deed for President Wender to sign. This was approved in a prior meeting.

The Commission requested that Bill Hannabass, Oak Hill City Manager, and Rev. Paul Baker, Oak Hill Councilman, attend the next meeting on November 1st for presentation of the Harlem Heights deed.

Lesley Taylor appeared to discuss Kanawha Falls PSD Small Cities Block Grant. KFPSD did receive the extra money from the infrastructural council. Ms. Taylor presented papers for the Commission to sign. Commissioner Lopez motioned to authorize

President Wender to sign the paperwork for the SCBG for KFPSD.

Commissioner Scalph seconded. Unanimous decision.

Renee Harper, Park Director, appeared to give an update regarding the Christmas Lights. A request was made to charge a \$5.00 per car entry fee and to also rent porta-potties to be set up near the dining hall for when Santa is there.

Commissioner Scalph motioned to authorize Ms. Harper to write a press release letting people know about the \$5.00 admission fee.

Commissioner Lopez seconded. Unanimous decision.

Ms. Harper also requested changing the name from Lacy's Lights and Maple's Display. President Wender suggested Fayette County Winter Wonderland featuring Lacy's Lights & Maple's Display. Commissioner Scalph motioned to approve the name change. Commissioner Lopez seconded. Unanimous decision.

President Wender suggested outlining why the \$5.00 charge is being implemented for the public to review.

Discussion was held regarding registration for an upcoming Parks and Recreation conference. Ms. Harper requested that the Commission reconsider approving her and Wayne Workman to attend only one day, Thursday. Commissioner Scalph motioned to amend their prior approval of Ms. Harper attending the conference all 3 days to Ms. Harper and Mr. Workman will attend 2 days and one night. Commissioner Lopez seconded. Unanimous decision.

Ms. Harper then gave an update on Volunteer Day that took place on September 30th. All things went well. Shrubs were cleared and a stone wall was revealed. Ms. Harper has plans to make it a focal point. Ms. Harper feels it is important for a Fayette County Parks and Recreation Foundation be set up that could collect money and

accept donations sooner rather than later. Ms. Scalph motioned to approve formation of the foundation. Commissioner Lopez seconded. Unanimous decision.

Gabriel Peña, Assistant Resource Coordinator, appeared to present the Records Management Grant applications for prioritization. The Assessor's and Prosecuting Attorney's applications will be submitted, prioritized:

1. Assessor for records storage and shelving for Map Room - \$17,722.00
2. Prosecuting Attorney to continue to scan and index criminal and civil files from his office - \$10,000.00

Commissioner Scalph motioned to approve the prioritization and to authorize President Wender to sign. Commissioner Lopez seconded. Unanimous decision.

Mr. Harrah reappeared to present orders for signature and approval for the estates of Helen V. Rogers and James Charles Tucker with James Blankenship named as Fiduciary Commissioner. Commissioner Scalph motioned to approve and sign the orders. Commissioner Lopez seconded. Unanimous decision.

The estate of Lois A. Bowyer was tabled until a Fiduciary Commissioner can be named to replace Brandon Steele.

Ms. Berry presented a request from Harry Fuller, Fayetteville Ministerial Association, to use the Fayette County Memorial Building on Sunday, November 6, 2016, for a Veteran's Memorial. Commissioner Lopez motioned to approve. President Wender seconded. Unanimous decision.

Ms. Berry presented a request from Richard A. Smith, Jr., President of Ben Argento Basketball League, to use the Fayette County

Memorial Building for the upcoming basketball season. Commissioner Scalph motioned to approve, pending the approval of dates by Okey Skidmore. President Wender seconded. Unanimous decision.

Ms. Berry presented a request for a support letter for the WVU Tech Upward Bound Program for approval. Commissioner Scalph motioned to approve and sign the letter. President Wender seconded. Unanimous decision.

Ms. Berry presented a letter to Steven D. Canterbury, Administrative Director with the Supreme Court of Appeals of WV for approval and signatures requesting his thoughts on the future of Drug Courts in the State. Commissioner Scalph motioned to approve and sign the letter. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a drawdown request for signature of President Wender for the Community Corrections Grant for the months of:

July 2016 - \$10,587.83

August 2016 - \$10,439.26

September 2016 - \$10,076.40

Commissioner Lopez motioned to approve and authorize President Wender to sign. Commissioner Scalph seconded. Unanimous decision.

The Commission approved a request to donate 89 hours of sick time from the bank to Jake Johnston.

The Commission entered into an executive session at 12:53 p.m. to discuss a personnel matter.

The Commission reconvened at 1:13 p.m.

The meeting was adjourned at 1:18 p.m.

FAYETTE COUNTY COMMISSION

REGULAR SESSION

NOVEMBER 1, 2016

COURTHOUSE

FAYETTEVILLE, WV 25840

MEMBERS Present: Matthew D. Wender, John H. Lopez, Denise A. Scalph

The Fayette County Commission met in a regular session on this 1st day of November, 2016.

President Wender called the meeting to order at 9:24 a.m.

Commissioner Lopez motioned to approve 1st half payroll and release on the 15th and approve vouchers and invoices, to be released today. Commissioner Scalph seconded. Unanimous decision.

Debbie Berry, County Administrator, presented a lease agreement between the Fayette County Commission and the Board of Education for use of the Fayette County Memorial Building. Commissioner Lopez motioned to approve and sign the lease agreement. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented an invoice from Xerox Government System, LLC (Affiliated Computer Services) for approval for software support for customer service payroll for 7/1/2015-6/30/2016 for \$12,854.68. No invoice was received for this time period, however the next year's contract was received and paid. Commissioner Scalph motioned to pay the invoice. Commissioner Lopez seconded. Unanimous decision.

Eddie Young, Assessor, appeared to present real property exonerations for C & E Investments \$188.64; Kerr David Cole, Jr. \$518.80; David M. & Sandra K. Bragg \$1,156.76; Dallas Daniel Fitzwater \$53.02; Billie Wayne Higginbotham \$141.42; City National Bank \$295.80. WVA Manufacturing \$131,596.00 was presented separately. Commissioner Scalph motioned to approve the real property exonerations. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented an order and letter to appoint Jerry Allen to the Board of Health due to the resignation of Brandon Richardson. The Commission requested that this be tabled until the next meeting.

Ms. Berry presented a request from Tally Richmond, American Legion Post 149, for an allocation for underprivileged children. The Commission has allotted \$500.00 a year for the last 3 years. The Commission requested that Stephanie Sears, Staff Accountant, present numbers before a decision is made.

Ms. Berry presented a request from CCAWV for a directory update.

Bill Hannabass, Oak Hill City Manager, and Rev. Paul Baker, Oak Hill Councilman appeared to accept the deed to the Harlem Heights Park. This will be the 3rd town park in Oak Hill.

Kelly Jo Drey, Resource Coordinator, appeared to present 2 support letters. Her first letter was to the Farmland Protection Board thanking them for their work on Whitlock farm. Commissioner Scalph motioned to approve and sign the letter. Commissioner Lopez seconded. Unanimous decision.

The second was a support letter for Morris Creek Education Center. They are applying for a grant for around \$6.5 million to build this center. Commissioner Lopez motioned to approve and sign the letter. Commissioner Scalph seconded. Unanimous decision.

Liz Campbell, Assistant Prosecuting Attorney, appeared to discuss the 911 Center HVAC system. In a prior meeting, the Commission asked Ms. Campbell to research if we can recoup any costs. She found that it is in a control problem and Casto Technical is willing to fix it for a cost of \$16,000.00.

Ms. Campbell recommends fixing it right away before any request to recoup can be made. We need monetary damages before anything can be done. The parties involved in the recoup are Dan Snead and Appalachian Heating.

The Commission asked if this needs to be bid out. Is it a non-emergency or an emergency? Larry Harrah, Prosecuting Attorney, stated that this is a non-emergency and needs to be bid out.

President Wender stated that he's worried about specifics and how Dan Snead completed it the first time around. Mr. Harrah stated that another company will be looking over the specs.

Commissioner Scalph motioned to authorize Ms. Berry to advertise for bids to repair the HVAC system and payment will be made out of the 911 fund. Commissioner Lopez seconded. Unanimous decision.

The Commission entered into an executive session at 11:08 a.m. to discuss a personnel matter.

The Commission reconvened at 11:58 a.m.

Commissioner Scalph motioned to approve an additional \$65.00 per class (6 classes) compensation for Alicia Treadway, Voters' Registration, for expertise she provides for the election training. Commissioner Lopez seconded. Unanimous decision.

The meeting was adjourned at 12:00 p.m.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
NOVEMBER 18, 2016
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS Present: Matthew D. Wender, John H. Lopez, Denise A. Scalph

The Fayette County Commission met in a regular session on this 18th day of November, 2016.

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

Eddie Young, Assessor, appeared to present personal property exonerations for Coinmach Service Corp \$200.34; Patrick R. & Bettie L. Day \$19.30; Carl Randall & Dora Brooks \$321.08; Charles A. & Rosie M. Nutter \$392.76; Jonathan & Linda Meador \$113.22; Jessica D. Brugnoli

\$157.52; Thurmond H. Jr. & Brenda Morton \$721.80; Wendell M. McGhee \$53.02; Billy J. Bultler \$3.20; Rosetta A. Berry \$659.38 & 594.90; Tudors Biscuit World \$1,061.06; Howard L. Karnes III \$6.42; Patricia S. Gibson Lindsay \$41.50; Alisa & Jeffery Bassett \$301.68; Harry F. & Jeanette H. Cook \$950.92 & 849.60; Roger L. & Morag Law \$157.54; Alicia M. Syner \$227.54; Cavalier Movie Rental \$710.10 & 924.56; Lycoming Auto Trust \$1,223.62; Deanna M. & Leonard M. Richmond \$460.12; Kelly Dawn Parker Evans \$154.48. Commissioner Lopez motioned to approve the personal property exonerations. Commissioner Scalph seconded. Unanimous decision.

Mr. Young presented a refund for Billie Wayne & Alice Higginbotham \$68.94. Commissioner Lopez motioned to approve the refund. Commissioner Scalph seconded. Unanimous decision.

Commissioner Lopez motioned to approve 2nd half payroll and release checks on the 30th and approve vouchers and invoices and release checks today. Commissioner Scalph seconded. Unanimous decision.

Commissioner Scalph motioned to approve minutes from October 21st. Commissioner Lopez seconded. Unanimous decision.

Kevin Walker, OEM Director, appeared to give an update on the Long Term recovery Team.

Rick Lewis appeared with an update. Everything is going well. There was some without heat but that was fixed. They are making sure that Fayette County citizens are taken care of but they are also helping with Nicholas and other surrounding counties. One home did have to be condemned in Fayette County.

President Wender asked about the Nuttall Emergency Center. Mr. Lewis stated there are supplies in the building but it is closed to the public.

Sheriff-elect Mike Fridley asked if we have supplies on hand in case something comes up this winter. Mr. Lewis stated that we have 72 hours' worth of supplies. They are trying to be proactive.

Mr. Walker then discussed Kanawha Falls PSD Waterline. As of right now, there are no plans for a long-term fix.

President Wender asked Deborah Berry, County Administrator. To contact John Tuggle and Lesley Taylor about solutions. Ms. Taylor is on the agenda later in the meeting so the Commission will ask her then. President Wender asked all involved to stay until that appointment to possibly come up with solutions. The County has received 75% of all of our Category A - all debris. We've also received 75% of our Category B - overtime help etc... \$169,470.70.

Kelly Jo Drey, County Resource Coordinator, appeared to discuss the Meadow River Rail Trail. It will take around \$826,000.00 to fix the bridge. Salvage money has been returned to FEMA and the whole bridge has been razed. FEMA will provide 75% and the State will cover the remaining 25%.

Edward Scott appeared to discuss a property he owns adjacent to a flood buy out property purchased by the county in 2001. Mr. Walker appeared with Mr. Scott. Mountain Welding Construction is working on the Small Cities Block Grant project for the Kanawha Falls PSD. Mr. Walker is asking the Commission permission to send a request to FEMA to use the property as a laydown yard for the construction. Larry Harrah, Prosecuting Attorney, will review.

Ms. Berry presented the holiday list for calendar year 2017 for review and approval. Commissioner Scalph motioned to approve. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a drawdown request for Community Corrections for the month of October 2015 for approval. Commissioner Scalph motioned to approve. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a request from Judy Gunsaulis, Director at Fayette County Public Libraries, to appoint Anne Folger to the Fayette County Library Board to replace Susan Woods who resigned. Commissioner Lopez motioned to approve the appointment, term to expire June 30, 2019. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a letter to the Supreme Court of Appeals requesting the reimbursement of rent for the Family Law Judge for the month of December 2016, for approval and signatures. Commissioner Scalph motioned to approve and sign the letter. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a Fayette County Fire Levy Pumper Replacement Agreement for Gauley River Volunteer Fire Department for approval and signatures by the Commissions. Commissioner Scalph motioned to approve and sign the agreement. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a request from Tally Richmond from American Legion Post 149 for allocation for underprivileged children. At the November 1st meeting, this was discussed and the Commission asked Staff Accountant Stephanie Sears to make sure funds were available. Ms. Sears stated that funds are available. Commissioner Scalph motioned

to approve the request. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a letter from Ron Eagle, Victor, WV regarding barking dogs. Discussion was held. The Commission asked Mr. Harrah to review an ordinance and schedule a public hearing on the agenda. President Wender suggested letting Mr. Eagle know about the discussion and public hearing.

Ms. Berry presented 5 combine and divide or segregate orders for President Wender to sign for Ibara Land LLC, Charlie L. & Lou E. McCune, Daniel Paul Jr. & Patricia Anne Goins, Gary W. & Therisa McCune, and Floranna Broglin, respectively. Commissioner Lopez motioned to approve and authorize the orders to Combine or Segregate and Divide Land. Commissioner Scalph seconded. Unanimous decision.

The Commission recessed for a break at 10:15 a.m.

The Commission reconvened at 10:28 a.m.

Lesley Taylor, Region 4 Development & Planning, appeared to speak with the Commission about the Kanawha Falls PSD waterline. The contractor is on site today to begin insulating the line. In the spring, the line will be placed back underground.

Ms. Taylor then presented a drawdown for the KFPSD Small Cities Block Grant for \$11,238.04. Commissioner Lopez motioned to approve the drawdown. Commissioner Scalph seconded. Unanimous decision.

Geary Weir, Webster County Economic Development, appeared to give an update on a grant they received for an ATV trail. Some of the trail will be in Fayette County.

Mr. Weir is asking for support of Senate Bill 485 during the legislative session. It passed the senate last year but failed in the

house. There is not a specific area planned in Fayette County yet, but it will either border Nicholas or Clay County.

The Commission then held a conference call with attorney Steve Sluss regarding Senate Bill 27. This legislation would allow counties to hire outside counsel to collect delinquent taxes. There must be a cap that can be paid out in attorney fees. This covers bankruptcies and other penalties as well. The fees associated with the attorney would be distributed among all levies pre-distribution if the Judge does not make it tax payer responsibility. The statute is already in place and the County would just have to proceed.

Brian Parsons, Assistant Prosecuting Attorney, asked to give the Prosecutor's office time to discuss if we can get in-house representation. President Wender asked the Tax Office to print off delinquent tax personal property lists after the first of the year.

Discussion regarding the Edward Scott property near KFPSD project was then held with Ms. Taylor.

Commissioner Scalph motioned to approve the agreement upon approval from the Mr. Harrah. An agreement will be made with Mountain Welding & Construction Company regarding the land, Book 587, Page 065 Tracks 1, 2 & 3. (paperwork attached.)

Kelly Jo Drey, Resource Coordinator, appeared to present a resolution for the Commission to sign supporting the improvement of the Historic rehabilitation Investment Tax Credit from 10% to 25%. Commissioner Scalph motioned to approve. President Wender seconded. Unanimous decision.

Bill Wells and Billy Stasser appeared to discuss a Power Plus Planning Grant. They explained the New River Gorge Trail Alliance, which encompasses Fayette, Nicholas, Raleigh, Summers, Greenbrier and

eastern Kanawha Counties. Their goal is create a large trail that would be nearly 300 miles long. A grant for \$140,000.00 was awarded in September 2016. The Fayette County portions are North Fayette to Richwood and Fayetteville to Oak Hill. The Alliance is accepting general membership and Mr. Wells requested that the Commission join the Alliance at no charge.

Mr. Stasser stated that they've submitted an ARC Planning Grant.

The Alliance will give a specific proposal for trail heads to be county owned property. The Prosecuting Attorney will need to review and approve. The trails will also need a maintenance plan.

The meeting was adjourned at 12:40 p.m.

FAYETTE COUNTY COMMISSION

DECEMBER 6, 2016

COURTHOUSE

FAYETTEVILLE, WV

Present: MATTHEW D. WENDER, JOHN H. LOPEZ, DENISE A. SCALPH

The Fayette County Commission met in a regular session on Friday, December 6, 2016. President Wender called the meeting to order at 9:10 a.m.

Eddie Young, Assessor, appeared to present a real property exoneration for William C. Richardson \$152.18; H. N. Shumaker \$224.44; Steve Neal, Jr. \$294.88; Frank & Shirley Johnson \$39.98; Mark A. & Joy L. Winters \$145.26; Barry Blackburn \$696.30 & \$657.72. Commissioner Lopez motioned to approve the real property exonerations. Commissioner Scalph seconded. Unanimous decision.

Commissioner Lopez motioned to approve 1st half payroll and release checks on the 15th and approve vouchers and invoices and release today. Commissioner Scalph seconded. Unanimous decision.

The Commission entered into an executive session at 9:15 a.m. for a personnel matter.

The Commission reconvened at 9:22 a.m.

Debbie Berry, County Administrator, appeared to present an order to Combine or Divide and Segregate Land for Stacy Webb. Commissioner Lopez motioned to approve the order to Combine or Divide & Segregate Land. Commissioner Scalph seconded. Unanimous decision

Ms. Berry presented a letter to Sergeant Nick Mooney for the Commission to sign congratulating him for being selected as a Young Gun for the Year 2017 in the WV Executive Magazine. The Commission n signed the letter.

Ms. Berry presented a letter to the Commission to approve and sign to WVCFIA requesting an extension for the 2016 grant for Exterior Improvements-Repairs to the Mortar and Brick project. Commission Scalph motioned to approve and sign the letter. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented the 2016 WV EMPG Sub Grant Application for approval and signature from Kevin Walker. The application was not complete and was tabled until December 16th.

Ms. Berry presented a support letter for signatures for the EPA Brownsfield Grant prepared by Gabe Peña. Mr. Peña read the letter. Commissioner Lopez motioned to approve and sign the letter. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented an order for signatures approving credit on future taxes in the amount of \$628.92 to Billie Wayne Higginbotham due to a clerical error in the Assessor's office. Commissioner Lopez motioned to approve and sign the order. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a quote for approval from Casto Technical Services for repairs to the HVAC Johnson Control 2 Unit System at the OES/911 center. The quote is \$16,634.00 with an 18 month warranty. This was advertised and we did not receive any bids. Casto Technical presented this quote after the deadline. The Commission agrees with the 18 month warranty. Commissioner Scalph motioned to approve the quote. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a letter for the Commission to sign to the WV Supreme Court of Appeals requesting the reimbursement of rent for the Family Law Judge for the month of January 2017 in the amount of \$3,375.00. Commissioner Scalph motioned to approve and sign the letter. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a Budget Revision for the General Fund for approval and signature. Commissioner Scalph motioned to approve and sign the Budget Revision. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented the Fayette County Commission schedule for 2017. The Commission will review.

Lauren Weatherford appeared to give an update on the Living Well Workgroup. Gabe Peña and Melanie Seiler were in attendance as well.

Ms. Weatherford presented the group's identity statement. (attached) They have received three grants to prolong their Diabetes Coalition. The first year they received \$2,000.00, second year \$3,000.00 and the third year \$7,000.00. She then presented a list of partnerships. (attached)

Ms. Weatherford presented a handout with an overall project sheet. (attached)

Mr. Peña gave an update on how the Resource Coordinator's office is working with the Wellness Group.

Ms. Seiler gave an update on how Active Southern WV is working with the Wellness Group.

Liz Campbell, Assistant Prosecuting Attorney, appeared to discuss the County Clerk's software.

Kelvin Holliday, County Clerk, gave a background of the last several months. Dana Ball from CSSI appeared to discuss the accusation of not having a good response for service calls. He has spoken with Chief Deputy Traci Johnson and she said there was an employee with CSSI that would not return their calls. He informed her that the employee is no longer with CSSI.

Lisa Redden spoke about the newer system and how counties are moving to the new system because of the ever changing real estate world and the up to date software offered.

The Commission asked Ms. Campbell to give her advice on the situation. The main problem she sees is having 2 different contracts with 2 different companies which could lead to a lot of finger pointing. There is also a lawsuit between the two companies.

Commissioner Scalph motioned to take the recommendation of Mr. Holliday and switch to Compiled Technologies, with the understanding that CSSI will maintain the hardware until June 30, 2017 and Compiled Technologies will not conflict with that. There will also be no additional costs to the county except for training on the new system. Compiled Technologies will waive the license fee and take over the service fee. (contract attached) Commissioner Lopez seconded. Unanimous decision.

Tom Fast and Matthew Bradford, Attorneys, appeared to discuss the Betty Jo Lilly Estate. Mr. Fast appeared to accept the recommendation of the Fiduciary Commissioner, Phil Tissue. Mr. Bradford had objections of the recommendations.

Commissioner Scalph motioned to approve the recommendation of the Fiduciary Commissioner, Philip J. Tissue, to deny the motion of the petitioner to remove the Executor, John Lilly, from the estate of Betty Jo Lilly. President Wender seconded. Unanimous decision.

The Commission recessed for 10 minutes and reconvened at 11:35.

Casey Gioeli appeared to discuss the New River Humane Society. She would like to discuss the NRHS budget with the Commission in January.

Discussion was held regarding Day Report Center workers helping at the shelter. Overcrowding at the shelter has been fixed. No animals are sleeping outside now. Discussion was held about the cat issue in the county.

The meeting was adjourned at 12:26 p.m.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
DECEMBER 16, 2016
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: MATTHEW D. WENDER, JOHN H. LOPEZ, DENISE A. SCALPH

The Fayette County Commission met in a regular session on this 16th day of December, 2016.

President Wender called the meeting to order at 9:10 a.m.

Eddie Young, Assessor, appeared to present a real property exoneration for Erma Pennington \$60.62. Commissioner Scalph motioned to approve the real property exoneration. President Wender seconded. Unanimous decision.

Commissioner Scalph motioned to approve 2nd half payroll and release checks on the 30th and approve vouchers and invoices and release today. President Wender seconded. Unanimous decision.

Debbie Berry, County Administrator, appeared to present orders to Combine or Divide and Segregate Land for Gary W. & Therisa L McCune; Richard A. & Christina Workman; Richard A. & Oneta L. Alexander; and Orville E. Thomas, respectively. Commissioner Scalph motioned to approve the orders to Combine or Divide & Segregate Land. President Wender seconded. Unanimous decision

Ms. Berry presented a drawdown request for Community Corrections Grant for November, 2016 in the amount of \$9,369.60 for approval and signature of President Wender. Commissioner Scalph motioned to approve the drawdown and authorize President Wender to sign. President Wender seconded. Unanimous decision.

Ms. Berry presented an order for the Commission to approve and sign for the estate of Walter A. Cole, Jr. Allen B. Cole shall be qualified to serve as the Administrator DBN CTA of the estate. Commissioner Scalph motioned to approve the order. President Wender seconded. Unanimous decision.

Ms. Berry presented a transfer order for the General School Fund in the amount of \$88,592.27. Commissioner Scalph motioned to approve the transfer order. President Wender seconded. Unanimous decision.

James Bennett, 911 Coordinator, appeared to request adding Foster's Wrecker Service, Gauley Bridge, to the rotation. President Wender asked if the Advisory Board should first approve the request. President Wender requested that Mr. Bennett draft a letter to the members of the Advisory Board informing them that, while the Commission would have like to have their opinion, the Commission felt they needed to approve Foster's to be added to the rotation. President Wender said it should be mentioned that if they are no longer interested in being on the board, to please tender their resignation so a replacement can be found. Commissioner Scalph motioned to approve adding Foster's to the rotation. President Wender seconded. Unanimous decision.

Mr. Bennett then presented a budget request regarding a UPS back-up battery system. Commissioner Scalph motioned to authorize Mr. Bennett to advertise for the UPS back-up battery system bids. President Wender seconded. Unanimous decision.

Mike Fridley, Chief Deputy and Sheriff-Elect, appeared to give an update on Courthouse security.

Sonny Milam, Maintenance Supervisor, appeared to discuss full-time temporary help for his department. Commissioner Scalph motioned to accept the recommendation of Mr. Milam to hire Michael Dial as full-time temporary help at \$9.00/hour for no more than 6 months, and then to be revisited if needed. President Wender seconded. Unanimous decision.

A discussion was held regarding the Animal Shelter hot water tank. The tank was donated and no longer works. Commissioner Scalph motioned to approve up to \$500.00 for a 30 gallon hot water tank to be placed in the garage. If the cost is more, then Mr. Milam will consult with Ms. Berry. President Wender seconded. Unanimous decision.

The Commission recessed at 10:12 a.m. to reconvene at 10:30 a.m.

The Commission reconvened at 10:30 a.m.

Ms. Berry presented a letter from Chris Young, President of the Fraternal Order of Police, informing the Commission of an increase in rent for the building currently occupied by the Day Report Center. The rent increase is from \$540.00 to \$1,000.00 per month due to the repairs needed for the building. The Commission requested Mr. Young to attend the January 6th meeting to discuss the rent increase.

Ms. Berry presented a financial document for President Wender to sign for Meadow Bridge Volunteer Fire Department to purchase a new Rosenbauer pumper truck. Commissioner Scalph motioned to approve and authorize President Wender to sign the document. President Wender seconded. Unanimous decision.

Ms. Berry presented a document from the Fayette County Historic Landmark Commission for the Commission to review and approve related to consideration of being named to the Fayette County Wall of Honor. The Commission will review and address during the next meeting.

The Commission recessed at 11:00 a.m.

The Commission reconvened at 11:25 without Commissioner Lopez.

Commissioner Scalph motioned to approve the recommended order verifying partial settlement for the estate of Walter S. Cole, Jr. President Wender seconded. Unanimous decision.

The meeting adjourned at 11:30 a.m.