

FAYETTE COUNTY COMMISSION
REGULAR SESSION
January 7, 2015
COURTHOUSE

FAYETTEVILLE, WV 25840

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

The Fayette County Commission met for a regular meeting on this 7th day of January 2015.

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

Commissioner Lopez motioned to appoint Denise A. Scalph as president for 2015. Commissioner Wender seconded. Unanimous decision.

Commissioner Wender motioned to name John H. Lopez as purchasing agent and Stephanie Sears, Debbie Berry, Earl Pauley, Joe Crist and Theresa White as assistant purchasing agents. Commissioner Lopez seconded. Unanimous decision.

Danny Wright, Circuit Clerk, swore President Scalph in for 2015.

Commissioner Wender motioned to adopt the meeting schedule for 2015. Commissioner Lopez seconded. Unanimous decision. (Copy of order attached.)

Eddie Young, Assessor, presented exonerations for real property for Brandon Seward \$86.66; Gerald L. Walker \$169.10; Matthew A. Wriston and Lynda Pack \$404.28; Joseph R. Bray and Anita Ennis \$182.16. Commissioner Wender motioned to accept the exonerations. Commissioner Lopez seconded. Unanimous decision.

Commissioner Lopez motioned to approve vouchers and invoices and release checks today and approved 1st half payroll to be released on the 15th. Commissioner Wender seconded. Unanimous decision.

Norma Williams presented the keys to the ballot cans for early voting for the Special Levy Election. The Commission accepted the

keys.

Debbie Berry, County Administrator, presented an order to Combine or Divide and Segregate Land for Anna Maria Mosquera et al. Commissioner Wender motioned to approve. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented an order to increase mileage reimbursements to 57.5¢. Commissioner Wender motioned to approve the order. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a letter from the Fayette County Board of Health to appoint Rose Anne Michaels to George Matthew Edwards' unexpired term. Commissioner Wender motioned to accept the appointment of Rose Anne Michaels. Commissioner Wender seconded. Unanimous decision.

Ms. Berry presented a drawdown request from WV Courthouse Facilities Improvement Authority in the amount of \$76,800.00. Commissioner Wender motioned to approve the drawdown and authorize President Scalph to sign. Commissioner Lopez seconded. Unanimous decision.

Commissioner Wender discussed the placement of ten signs for the Dunloup Creek Watershed Project. Commissioner Wender suggested having county employees from the maintenance department place the signs on behalf of the County. The Commissioners agreed. Commissioner Wender suggested looking into getting Mt. Olive inmates to help with some county projects. Ms. Berry will call Nathan Kendrick about this suggestion.

Ms. Berry presented an invoice from FerrellGas for the Animal Shelter. Discussion was held regarding how this should be addressed. Ms. Berry will ask what the Humane Society's plans are for the

shelter's heat. Commissioner Wender suggested bringing the members in on January 23rd to have them present a report and a suggestion to remedy this issue, update the Commission on the organization, new bylaws, population at the shelter and energy and heating costs. Commissioner Wender motioned to approve to pay the invoice out of the General County Fund. Commissioner Lopez seconded. Unanimous decision.

Ms Berry presented a document from Region IV for the Commission to sign and a letter for President Scalph to sign.

Tom Fast appeared to be removed from the estate of Lois A. Bowyer because of his recent election to the House of Delegates. Mr. Fast requested a family be appointed as administrator not another curator.. Some family issues exist so appointing an administrator may be difficult. Larry Harrah, Prosecuting Attorney, suggested removing Mr. Fast if agreeable and give Mr. Harrah time to discuss with the family and devise the best solution. Commissioner Wender motioned to relieve Tom Fast from his duties in the estate of Lois Bowyer. Commissioner Lopez seconded. Unanimous decision. Commission signed the order prepared by Mr. Fast.

The Commission took a short recess at 10:15 a.m.

Discussion was held on the upcoming levy election. Joe Crist, Fire Coordinator, has been attending fire department meetings to discuss the importance of voting in this election. He has been leaving voter's registration sheets at each meeting.

Sheriff Kessler encourages his deputies and families to vote. We inquired about how much he is allowed to advertise the levy. He suggested going on local broadcasting stations to promote the levy. The Commission agrees.

Judy Gunsaulis stressed the need for this levy. If it does not pass, libraries will have to close.

Kelly Jo Drey, Resource Coordinator, appeared to discuss the vacant assistant position in her department as well as Angela Gerald's duties with the Fayette County Solid Waste Authority.

Ms. Drey does not feel that Ms. Gerald has the time to fulfill the FCSWA needs. Ms. Drey, Allen Ballard and Tim Richardson feel that the RC Assistant position needs to be filled. Commissioner Wender suggested advertising for an Assistant Resource Coordinator position with the same job description and approximately the salary that was approved for July 2014 budget. Salary will be negotiable. Ms. Berry and Ms. Drey will assemble an interview panel.

Theresa White and James Bennett appeared to discuss personnel and budget for the Office of Emergency Services. The OEM Director is reimbursed 50% and the Program Manager Planner Deputy Director is reimbursed 100% through EMPG funding. Titles have to be titled Director and Planner to receive funding. Ms. White requests that a Planner be hired. Commissioner Wender suggested hiring a planner with the knowledge that the position is 100% reimbursed through the EMPG.

Commissioner Wender motioned to authorize to hire a planner that will be paid a salary (out of the General Fund) compensable to job requirements and with the understanding that it is reimbursed by the state and the person will be aware that this is not a forever position, just as long as the state can fund it. Commissioner Lopez seconded. Unanimous decision.

Commissioner Wender motioned that Theresa White will assume the title of Director of Emergency Management. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry and Ms. White will assemble an interview panel.

James Bennett and Stephanie Sears, Staff Accountant, presented the 911 budget. Commissioner Wender suggested that Mr. Bennett supply a chart detailing the call volume to the number of employees.

Ms. Sears will write a letter to the legislature regarding decreasing cell phone fees and their usage increasing. Discussion was held regarding possible other sources of funding: hotel/motel tax, foreign out of state student user fees or college tuition fees.

Commissioner Wender offered a motioned to approve the 911 budget presented by Mr. Bennett and Ms. Sears today, based on a fiscal year and adjusted on a yearly basis. Commissioner Lopez seconded. Unanimous decision.

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

FAYETTE COUNTY COMMISSION

January 23, 2015

COURTHOUSE

FAYETTEVILLE, WV 25840

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

The Fayette County Commission met for a regular meeting on this 23rd day of January, 2015.

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

Early Voting and Election Day tests were held.

Todd Gunter, field representative from Shelley Moore Capito's office, appeared to introduce himself. Commissioner Wender invited the Capito office to attend the Danny Webb Injection Well meeting on February 19th at 6:30 at Oak Hill High School.

Danny Scalise was introduced as the new Administrator of the Fayette County Health Department.

Eddie Young, Assessor, appeared before the Commission to present exonerations for real and personal property.

Mr. Young presented exonerations for real property for Charlotte Kidd - \$125.28; Darrell Gene Harris - \$128.96; Ricky & Ramona Goodall - \$667.34. Commissioner Wender motioned to approve the real property exonerations. Commissioner Lopez seconded. Unanimous decision.

Mr. Young presented exonerations for personal property for Lonnie Dale & Angela Riffe - \$351.30; Kenneth & Krystle Chadwell - \$321.86; Edward & Rebecca Hutchens - \$612.92; Angela D. Turner - \$99.52; Brian & Megan Kirk - \$176.92; Brian A. Evans - \$178.46; William C. or Yvonne Washburn - \$340.34; Vincent C. Menei - \$553.38; Carl J. Stewart - \$187.78; Robert Charles Davis - \$433.60. Commissioner Lopez motioned to approve the personal property exonerations. Commissioner Wender seconded. Unanimous decision.

Mr. Young presented a refund for Matthew Wriston & Lindsey Pack for \$197.09. Commissioner Wender motioned to approve the refund. Commissioner Lopez seconded. Unanimous decision.

Debbie Berry, County Administrator, presented an order to Combine or Divide and Segregate Land for Penny R. & Iris Mayfield for the Commission to sign. Commissioner Wender motioned to approve the request. 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 January 30th. Commissioner Wender seconded. Unanimous decision.

President Scalph motioned to approve minutes from November 21st and December 12th 2014. Commissioner Wender seconded. Unanimous decision.

Ms. Berry presented a request for John David, SALS to come before the Commission to make a budget request prior to March 2015. The Commission approved the request. The Commission would like to check

with Larry Harrah, Prosecuting Attorney, regarding the allocation of \$5,000.00 to assist with boiler repair at the Oak Hill School.

Ms. Berry presented a request from Oak Hill Little League for an emergency allocation of \$1,000.00 to help with start up costs, prepare the field and turn lights on. Commissioner Wender motioned to reappropriate unused community project monies to Oak Hill Little League. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a letter from Carl L. Kennedy et al concerning a request for "The Park at 5th and Lee": in Montgomery. Commissioner Lopez motioned to reappropriate \$5000.00 from unused community project monies to the City of Montgomery for the "Park on 5th and Lee." Commissioner Wender seconded. Unanimous decision.

Papers were then presented to the Commission to sign to complete the election test.

Earl Pauley, Peggy Bennett, Susie Dufour and Alex Moore appeared from the Fayette County Park to discuss Lacy's Lights reports.

Discussion was held regarding monies received. Commission requests putting a lock box on a pole so visitors can donate money themselves. Mr. Pauley said this is doable. Commission asks that deposits be made more frequently during Lacy's Lights, similar to how money is deposited during the summer. This is to protect the employees so that there is not a lot of money on the grounds.

Sheriff Steve Kessler appeared to discuss courthouse security. The Sheriff suggests putting a deputy on the 1st floor of the courthouse and the 1st floor of the annex. He requests an increase in his budget for two additional deputy sheriffs. Sheriff Kessler suggests meeting with each office to discuss how to handle situations and where to go for safety.

Discussion was held regarding ID cards for each employee. Panic buttons need to be upgraded. Currently, there is a delay because the signals travel through the phone lines.

Commissioner Wender stated that he feels the public should think of this as their house, that they should come and go as they please. Commissioner Wender suggested hiring a consulting firm to research security at other courthouses and while this research is being conducted, that the Sheriff implement his stated plan as soon as possible.

The meeting adjourned at 11:44 a.m.

FAYETTE COUNTY COMMISSION
January 28, 2015
SPECIAL SESSION
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS Present: Denise A. Scalph, Matthew Wender

The Fayette County Commission met in a special meeting on this 28th day of January 2015.

President Scalph called the meeting to order at 9:32 a.m.

Special Election Levy Emergency Test took place. The first day of Early Voting, Saturday, January 24, 2015, the video board of the IVotronic failed and had to be replaced.

A new machine was loaded and was ready to be tested Tuesday morning.

Test was held.

President Scalph suggested talking with Election Systems and Software before the 2016 election to have machines checked.

Commissioner Wender suggested asking the company about warranties we have on the machines and about the cost to replace the video board.

Richard Meadows, Ballot Commissioner, suggested checking the

service plan to see if the video boards are covered.

Traci Johnson, County Clerk Chief Deputy, suggested checking into different service plans with Casto and Harris because they are closer and can arrive here in two hours rather than sending the IVotronics to Omaha, Nebraska.

The Emergency Test was completed and the IVotronic was prepared to be taken to the Fayette County memorial Building that afternoon.

The meeting was adjourned at 10:30 a.m.

FAYETTE COUNTY COMMISSION

January 30, 2015

COURTHOUSE

FAYETTEVILLE, WV 25840

MEMBERS Present: Denise A. Scalph, Matthew Wender

The Fayette County Commission met in a regular meeting on this 30th day of January 2015.

President Scalph called the meeting to order at 9:12 a. m.

The Commission convened as the Board of Equalization and Review. No cases were present. Commissioner Wender motioned to recess as the Board of Equalization and Review and reconvene on February 3rd. President Scalph seconded. Unanimous decision.

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

Debbie Berry, County Administrator, presented an order for the Commission to sign for the Board of Equalization and Review giving Eddie Young permission to make corrections in books. Commissioner Wender motioned to approve. President Scalph seconded. Unanimous decision.

Ms. Berry presented a drawdown for Community Corrections for the month of December, 2014 in the amount of \$13,791.39 for President

Scalph to sign. Commissioner Wender motioned to authorize President Scalph to sign the drawdown. President Scalph seconded. Unanimous decision.

The Commission then made a formal decision whether to continue sponsoring a Small Cities Block Grant application for next year for Armstrong Public Service District. Commissioner Wender motioned for the Fayette County Commission to submit Armstrong PSD's SCBG application as the top priority. President Scalph seconded. Unanimous decision.

Ms. Berry presented a request from Early Voting staff at the Fayette County Memorial Building for short nap carpet and a handrail on the steps on the left side entrance to the building, closest to the Voting room. Commissioner Wender motioned to approve these requests with expenditure not to exceed \$2,500.00. President Scalph seconded. Unanimous decision.

Ms. Berry presents a hazardous mitigation property lease agreement for President Scalph to sign. Commissioner Wender motioned to approve entering into a property lease with Joseph Criss and authorize President Scalph to sign. President Scalph seconded. Unanimous decision.

Ms. Berry presented approval of camp rates at Fayette County Park for this year. Commissioner Wender motioned to approve the presented rate. President Scalph seconded. Unanimous decision.

Ms. Berry presented a memo of understanding for President Scalph to sign with the Violence Against Women Act (VAWA) agreeing to continue support of all initiatives directly related to the quality and professional service to victims of domestic violence, sexual assault, dating violence and stalking crimes.

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

Ronn Thompson, AEP & Jeff Maynor, Project Engineer appeared to give an update. Discussion was helped on investing money to harden the system to ensure reliability. Since October 2013 the following was invested:

\$1.7 million on poles, etc...

\$9.7 million on substations

\$343,548.00 on transmission

\$12 million just in maintenance upgrades alone

These updates are just in Fayette County. The total cost spent on all investments in Fayette County is right now \$16 million.

Chad Wykle, New River Gorge Regional Development Authority appeared to discuss the Promise Zone. There were 18 applications for the role designee. The government will only choose a maximum of two but possibly only one. We are the most eastern and most northern applicant. The decision will be made in the spring. When an area is designated a Promise Zone, it receives financial assistance and also receives 10-15 Americorp Vista Workers at no cost. Businesses who agree to come to a Promise Zone receive a federal tax incentive for 10 years.

President Scalph suggests inquiring about businesses already here getting an incentive as well. NRGRDA strategic plan 2015-2017 is presented for the Commission to review.

The Commission requests more hard copies be sent out especially the ones that attend the meeting at Tamarack.

Angela Gerald appeared to discuss some dilapidated complaints. Ms. Gerald presented two new cases: Aleta Freeman, 95 Jones Street, Oak Hill. Notice was sent over a year ago, on the list for contractors, and final notice sent 3 months ago. Commissioner Wender motioned to notify Ms. Freeman that she is entitled to come before the Commission with a plan before we proceed to tear down the property. President Scalph seconded. Unanimous decision.

Ms. Gerald then presented Hannah Hanna Chitrik 205 N. Errington Rd. Oak Hill. Commissioner Wender motioned to notify Ms. Chitrik that she is entitled to come before the Commission with a plan before we proceed to tear down the property. President Scalph seconded. Unanimous decision.

Ms. Gerald told the Commission that Michael Ienello and Yvette Brown were both called with no response.

The Ienello property on Prudence Road burned. Commissioner Wender motioned to tear down the house. President Scalph seconded. Unanimous decision.

The Brown property, also on Prudence Rd. Ms. Gerald received no responses on the 3-4 notices that were sent. Commissioner Wender motioned to tear down the house. President Scalph seconded. Unanimous decision.

Municipalities can adopt a vacant registration ordinance which they can charge a fee for any vacant property. This builds up funds to help pay for demolition. Commissioner Wender requests we look into if there is any leeway in loaning money to these municipalities to help them tear buildings down. Larry Harrah, Prosecuting Attorney, requested if we discover that the county can loan funds, which the municipalities will have to adopt the mirroring ordinances. Mr. Harrah

and Ms. Gerald will look into this further.

Commissioner Wender suggests that Mr. Harrah and Ms. Gerald come back in late February with some answers to move forward.

Ms. Berry presented a request from SALS to help with a boiler of \$5,000.00. This has been tabled twice while former Prosecuting Attorney Carl Harris researched. Mr. Harrah feels that funding a community center is a just allocation of funds because it is for the community. It is agreed that that the funds can now be paid pursuant the motion made November 21, 2014.

Ms. Berry presented letters to the legislators regarding HB2208. Commissioner Wender motioned to sign the letters in opposition of House Bill 2208. President Scalph seconded. Unanimous decision.

Ms. Berry presented 2 quotes for the Building Code Office door. Crown Vinyl for \$1,900.00 and AAA Glass for \$3,000.00. Commissioner Wender motioned to approve the low bid of Crown Vinyl. President Scalph seconded. Unanimous decision.

The Commission entered into an executive session at 11:00 a.m. to discuss personnel matters. Commissioner Wender motioned to enter into executive session. President Scalph seconded. Unanimous decision.

The meeting adjourned at 11:50 a.m.

A public hearing regarding the Oak Hill annexation of Minden will be held later today at 5:00 p.m. in Judge Hatcher's courtroom.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
FEBRUARY 3, 2015
COURTHOUSE

FAYETTEVILLE, WV 25840

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

The Fayette County Commission met for a regular meeting on this 3rd day of February 2015.

President Scalph reconvened the Commission as the Board of Equalization and Review on mineral hearings at 9:15 a.m.

Since no persons were present at that time, Commissioner Lopez offered a motion to recess as Board of Equalization and Review until February 9, 2015. Commissioner Wender Seconded. Unanimous decision.

Commissioner Lopez offered a motion to approve vouchers and invoices for release today. Commissioner Wender seconded. Unanimous decision.

Debbie Berry, County Administrator, presented letters for the Commissioners to sign for all Elected Officials and Department Heads of the Fayette County Commission, requesting each to submit a detailed request for appropriations for anticipated or expected expenditures for its office by March 1, 2015. The letter also requested that the officials schedule through the Commission office, a time on March 4, 2015 to present their budget requests.

Commissioner Wender offered a motion to go into executive session to obtain legal advice regarding a criminal investigation at 9:40 a.m. Commissioner Lopez seconded. Unanimous decision.

The Commission exited the executive session at 10:17 a.m.

Ms. Berry presented a letter for the Commissioners to sign for Joe Geiger, Jr., Director of the West Virginia Archives and History, informing that the Commission will pursue the Records Preservation Grant to purchase open steel shelving for the Fayette County Memorial Building. Commissioner Wender offered a motion to sign for the grant and use it for purposes appropriated. Commissioner Lopez seconded. Unanimous decision.

Steve Rawlings appeared to discuss the West Virginia Risk Pool. 45 out of 55 county commissions and 85 authorities (SWA, PSD, Parks and Recreations) are members. The WV Risk Pool is a self-insurance program that allows counties to have another option for coverage as properties, liability, and workers compensation. The Commissioners requested a quote from the West Virginia Counties Risk Pool Association for Fiscal Year 2016. Mr. Rawlings will forward this quote to Ms. Berry.

Robert Wagner, Kanawha Falls PSD, appeared with a request for funding. Lesley Taylor, Region IV, appeared on behalf of the Kanawha Falls PSD to make a formal request. The Small Cities Block Grant does not cover lines from meters to houses. The project is on hold until funding can be secured. This project was deemed from the beginning at no charge to the customer because of how the project was structured. Kanawha Falls PSD had some money saved up but then had two major breakdowns. West Virginia Infrastructure and Jobs Development Council could be approached but it would delay the project even more.

President Scalph made a request that if the money was up-fronted could the Fayette County Commission be reimbursed. Ms. Taylor said the Kanawha Falls PSD can put in a request but no promises can be made at this time. Commissioner Wender posed the question about what would have taken place had these major breakdowns happened after the money that had been saved was used for the extensions. Mr. Wagner stated that they look everywhere they can to get money. A request has also been put into the Public Service Commission for a rate increase.

Commissioner Wender makes a point about how money has been spent out by the Kanawha Falls PSD over the past few years. He also stated that the Department of Environmental Protection fines have depleted a

lot of funds.

Mr. Wagner stated that the Department of Environmental Protection fines were before the new General Manager came on board. He also mentioned how much the Kanawha Falls PSD has improved in the past two years. Commissioner Wender suggested that Kanawha Falls PSD have a discussion with their attorney H. Wyatt Hanna, III to see if the allocation can be included in rate the increase.

Commissioner Wender motioned to approve the request for \$36,080 as part of water extension project that would bring water lines to housed, making this allocation contingent upon funding being repaid by Kanawha Falls PSD by any means, even the proposed rate increase. Commissioner Lopez Seconded. Unanimous decision.

Commissioner Wender excuses himself from meeting at 12:10 p.m.

Ms. Berry presented a letter from Bill Lanham, Town of Fayetteville, requesting to be placed on the agenda for the next Fayette County Commission agenda to discuss the possibility of a Second Community Wide Cleanup Day, following the Annual Earth Day Celebration April 24-25, 2015. The project cost would be \$1,200.00. The event could involve the Town of Fayetteville and surrounding communities again. The Commissioners approved for him to come in.

Ms. Berry presented an Underground Injection Control Industrial/Commercial Permit application for Septic Tank/Leach Field Systems for the Fayette County Park for President Scalph to sign. Commissioner Lopez motions to authorize President Scalph to sign the permit. President Scalph seconded. Unanimous decision.

Ms. Berry presents a complaint received from Jamie Bennett, Director of 911, regarding wrecker service in Montgomery. The complaint was given to the Larry Harrah, Prosecuting Attorney, to

review.

Ms. Berry presents a letter of support for Page-Kincaid Public Service District's attempt to procure Appalachian Regional Commission funding for wastewater treatment facilities in the Robson/Mulberry areas along Loop Creek in Fayette County FOR THE Commissioners to sign.

The meeting was adjourned at 12:35 p.m.

FAYETTE COUNTY COMMISSION

REGULAR SESSION

FEBRUARY 9, 2015

COURTHOUSE

FAYETTEVILLE, WV 25840

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

The Fayette County Commission met for a regular meeting on this 9th day of February 2015.

President Scalph reconvened the Commission as the Board of Equalization and Review at 9:04 a.m.

Since there were no hearings scheduled, President Scalph recessed the Board of Equalization and Review. The next Board of Equalization and Review hearing is scheduled for February 13, 2015 at 1:00 p.m.

Commissioner Wender offered a motion to approve vouchers and invoices, checks to be released today. President Scalph seconded. Unanimous decision.

Jamie Bennett, Director of 911, appeared to discuss reallocating costs for the 911 facility and overtime issues.

Stephanie Sears, Staff Accountant, will create a spreadsheet to figure out reallocation cost amounts.

Discussion was then held on 911 employee overtime. Commissioner Wender motioned to move 4 part-time 911 employees to full-time at \$10.00 an hour with benefits. President Scalph seconded. Unanimous

decision.

The meeting was adjourned at 10:15 a.m.

FAYETTE COUNTY COMMISSION

FEBRUARY 10, 2015

SPECIAL SESSION

COURTHOUSE

FAYETTEVILLE, WV 25840

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

The Fayette County Commission met in a special meeting on this 10th day of February 2015.

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

Discussion on Oak Hill Annexation of Minden. Larry Harrah opened the meeting by reminding everyone that this is not a comment and question session.

Commissioner Wender spoke about how this annexation discussion cannot take place without mentioning the issues with Arbuckle PSD. Arbuckle PSD has been a discussion before the Commission for years. The financial situation of Arbuckle, the open sewage that flows out and the public water that is just downstream from Arbuckle.

Two things can happen: Oak Hill can acquire Arbuckle or Arbuckle can be left alone to fight for itself. Arbuckle has many deficiencies with no access to capital. Rates would skyrocket if left alone to cover these deficiencies. Commissioner Wender feels this is a finding of fact that receivership is not the answer for Arbuckle PSD.

Finding of Facts:

-Property tax in Minden and Rock Lick will increase

-Rates will not increase as much with Oak Hill than with receivership

-Pollution from Arbuckle

-Comments from DEP

-Oak Hill has received funding to fix these issues

President Scalph stated that facts from letters from the Department of the Interior and the New River Conservancy, who completed water studies both state water quality is poor. Mr. Lopez stated we have eight public service districts in Fayette County. Seven are self supporting. The Commission partnered with the state for \$75,000.00 to fix some minor issues. Mr. Lopez does not feel this is possible without annexation.

Seven items for the Commission to consider - as presented by Larry Harrah and commented on by the Commissioners:

1. Whether territory is contiguous to municipality.

Response: City of Oak Hill submitted maps with plenty of details.

2. Department of Highways is limited to the DOH

Response: Not Applicable

3. Hearing opposition or support for annexation

Response: That was the purpose of the January 30th public hearing. Residents from Minden and Rock Lick spoke with their concerns of the annexation.

4. Annexation has street or highway for free holder

Response: It clearly does

5. Annexation had street or highway for emergency services

Response: Annexation will improve these services.

6. Whether another municipality made an application

Response: no other application

7. Whether annexation is best for county as a whole

Response: Reiterating findings and facts that the commission

stated earlier.

Commissioner Wender stated that the annexation does not benefit the county as a whole but the acquisition of Arbuckle PSD cannot happen without the annexation.

This acquisition is not a profitable acquisition for the City of Oak but the economic benefits are what everyone is looking towards. Special recognition is made to the Arbuckle PSD commissioners for their hard work over the past few years.

Commissioner Wender feels the Commission has no choice if they are ready to remedy this issue. Commissioner Wender motions to approve the annexation of Arbuckle and they will support the finding of facts to make the annexation happen. Commissioner Lopez seconds. Unanimous decision.

An order will be prepared with the Finding of Facts for the Commission to sign.

Kelly Jo Drey, Resource Coordinator, appeared to discuss Kanawha Falls PSD. The \$36,080.00 will more likely be repaid if the money is not used for extension of water lines but to replace one of the pumps. The Public Service Commission will more than likely approve the issue in the rate increase if money is used for a pump. The Rate increase application takes 4-5 months for approval.

Commissioner Wender motioned to amend a previous motion made during the last meeting on February 3, 2015 to read that the Fayette County Commission is agreeable to enter into a loan with the Kanawha Falls PSD to replace the pump and to be repaid by the Kanawha Falls PSD for \$36,080. Commissioner Lopez seconded. Unanimous decision.

The meeting adjourned at 10:09 a.m.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
FEBRUARY 13, 2015
COURTHOUSE

FAYETTEVILLE, WV 25840

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

The Fayette County Commission met for a regular meeting to canvass the general election on this 13th day of February 2015.

President Scalph called the Canvass to order at 9:15 a.m.

Commissioner Lopez drew precincts 5 and 23 to be hand counted.

Kelvin Holliday, County Clerk, swore in all canvass personnel.

Traci Johnson, Chief Deputy of the County Clerk, told the Commission that precincts 37 and 48 were not counted on election night due to poll worker errors with the keys. The precinct material was presented and documented.

The canvass was completed at 11:15 a.m.

Fayette County Commission reconvened as the Board of Equalization and Review at 1:10 p.m.

Doug McKenzie appeared to discuss his properties. Eddie Young, Assessor, discussed the two ways to protest, the first being Board of Equalization and Review in February and the second being Board of Equalization and Assessment in October. Mr. Young also stated that Mr. McKenzie cannot protest in both. Mr. McKenzie, representing Walter Industries, stated he wanted to be heard today and was sworn in along with Mr. Young.

Mr. McKenzie stated his case regarding the property near Horseshoe Creek. The issue is whether the property should be classified as T-20 or T-40. The state said it is T-20 however Mr. McKenzie feels it is not and presents evidence to show his point. The state has rolled back two other properties to T-40 but they still

feel this one is T-20. Mr. McKenzie also worked up a mining plan. Mr. McKenzie can only see one way in getting into this property and he doesn't feel it could happen in the next twenty years.

Mr. Young did present that the appraisal did decrease.

The adjacent joining properties are T-20's. Mr. McKenzie inquires about how the state calculated the answers. The Commission said they will take this information under advisement and respond by February 20th, 2015.

James R. Sheatsley, Jay Enterprises, is sworn in. Mr. Sheatsley stated his case regarding the property on Mall Road in Oak Hill. The Commission said they will take this information under advisement and respond by February 20th, 2015.

Discussion was held regarding the water and sewer rates in Mount Hope due to the Dunloup Creek Project. Commissioners discussed if a formal meeting was needed or could it be a workshop. Larry Harrah, Prosecuting Attorney, said it could be a workshop because no decision will be made. A workshop is to be scheduled for a later date. Patricia Connelly will be beneficial to the meeting. Commissioner Wender suggests a doodle poll to set the meeting date.

The Commission held a discussion regarding the shooting range near the animal shelter. The Commission wants to bulldoze the old shooting range considering the Fayette County Sheriff's department is not using it. Commissioner Wender made a motion to approve and to inform the Fayette County Park to use the equipment necessary for the job and possibly Day Report Center clients to remove the shooting range. Commissioner Lopez seconded. Unanimous decision.

Commissioner Wender made a motion to enter into an executive session at 2:30 p.m. Commissioner Lopez seconded. Unanimous

decision.

Executive session ended at 3:00 p.m.

The meeting adjourned at 3:15 p.m.

FAYETTE COUNTY COMMISSION

REGULAR SESSION

FEBRUARY 20, 2015

COURTHOUSE

FAYETTEVILLE, WV 25840

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

The Fayette County Commission met for a regular meeting on this 20th day of February 2015.

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

The Commission reconvened as the Board of Equalization and Review. There were two properties in question. The Assessor's office corrected Jay Enterprise's property. Doug McKenzie's property had no change. The Commission received a response from the state saying that they do not feel the assessment should change. Jay Enterprise's property had no change. Letters were signed for the two properties. Commissioner Wender motioned to adjourn as the Board of Equalization until 2016. Commissioner Lopez seconded. Unanimous decision.

Commissioner Lopez motioned to approve invoices and release checks today and approve 2nd half payroll for February to be released on February 27th. Commissioner Wender seconded. Unanimous decision.

Theresa White appeared to introduce the new Program Manager/Planner/Deputy Director, Kevin Walker, to start on March 1st, 2015. Commissioner Wender motioned to approve the recommendation of Theresa White that Kevin Walker be hired as Program Manager/Planner/Deputy Director based on the panel of interviewers, starting salary of \$26,000 and after 6 months increasing to \$29,000,

upon approval and evaluation. Commissioner Lopez seconded. Unanimous decision.

Commissioner Wender congratulated our Office of Emergency Services, Fayette County Sheriff, Fire Departments, Ambulance Services and Fayette County Board of Education for their great work during the CSX train derailment disaster that occurred in Adena Village on Monday, February 16, 2015.

Commissioner Wender would also like to revisit the storage building for the 911 center.

The Commission certified the Special Levy Election held on February 7th, 2015. President Scalph motioned to certify the results. Commissioner Wender seconded. Unanimous decision.

Debbie Berry, County Administrator, presented bills that should be paid from the Dog Tax Fund in the amount of \$1,091.00. The Dog Tax Fund does not have enough to cover these bills. Commissioner Wender suggested scheduling two meetings with the new Humane Society president, Felicia McKenny, on March 4th after the last elected official. Commissioner Wender motioned to pay the bills for the Dog Tax Fund from General County. Commissioner Lopez seconded. Unanimous decision.

A bid opening was held for the Courthouse Roof Replacement, Phase II. There were two bids:

| | |
|-----------------|--------------|
| Tri State | \$182,883.00 |
| Harris Brothers | \$197,250.00 |

Commissioner Wender motioned to have Dan Snead review and make a recommendation. Commissioner Lopez seconded. Unanimous decision.

Larry Harrah, Prosecuting Attorney, brought up an issue of his file back-up system.

Judicial Dialog quote was \$35,000.00 without the server - software only.

John Veltrey of Morgantown quoted \$33,069.00 with server, external hard drive and off site back up.

The Prosecuting Attorney's Office negotiated a better price of \$18,000.00. The Commission suggested splitting the payments between fiscal years.

Commissioner Wender motioned to pay \$10,000.00 out of the current fiscal year for the Prosecuting Attorney's system with the remaining \$8,000.00 to be paid out of next fiscal year's budget. Commissioner Lopez seconded. Unanimous decision.

Andrea Mender appeared to discuss the proposed Parks and Recreations Board. She described the differences between a Parks and Recreations Commission and a Parks and Recreation Board. The Parks and Recreation Commission would have sole responsibilities. The Board would still answer to the Fayette County Commission and whatever governing body is involved.

Greenbrier County has an Arts and Recreation Committee where the committee makes recommendations of who should get use of the hotel/motel tax by way of submitted grant applications.

The Commission is going to explore these options and asks Ms. Mender to contact other counties that have this Board regarding their lessons learned. Ms. Mender will report back with her recommendation of who should serve on the Board.

Ms. Berry will also pose these questions on the County Administrators listserve.

Ms. Mender will come back on April 8th at 9:30 a.m. to discuss the Parks and Recreation Board and emergency planning for the Fayette

County Park.

Bill Lanham, Town of Fayetteville, appeared to discuss the town Clean-Up Days on April 24-25. The rate for disposal through Oak Hill Garbage is \$41.75 a ton.

An Electronics Pick Up Day will be held April 18th in the Lowe's parking lot.

The town is once again asking the Commission to partner on this event. Adam Hodges will contact all the municipalities to see if they have anyone available to participate.

Commissioner Wender motioned to authorize up to \$1,000.00 to partner with the Town of Fayetteville for the Clean-Up Day and Electronics Pick Up. Commissioner Lopez seconded. Unanimous decision.

Anthony Salvatore, Attorney, appeared to let the Commission know that he and three other law firms have filed a class action law suit against CSX regarding the recent train derailment and wanted to let the County know they have experts available today to answer any questions we might have. A time was arranged, however the lawyers declined to meet with the Commission.

Ray Tilley appeared to discuss the water extension to Avigen and to give an update about its progress. The original project did not include the Crickmore Road area. The Division of Abandoned Mine Lands did deem this road good, but in April 2014, the AML ceased all projects. They just recently received a letter to continue.

Commissioner Wender asked Mr. Tilley to write a letter to the Commission with a timeline for this project.

Jamie Blankenship appeared to reschedule for a later date regarding his application to close an unused street off of Gatewood

Road.

Commissioner Wender motioned to enter into an executive session at 11:45 a.m. regarding a personnel matter. Commissioner Lopez seconded. Unanimous decision.

The executive session ended at 12:25 p.m.

The meeting was adjourned at 12:30 p.m.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
MARCH 4, 2015
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS Present: Denise Scalph, Matthew Wender, John H. Lopez
Others: Donald Carte

The Fayette County Commission met for a regular meeting on this 4th day of March, 2015.

President Scalph called the meeting to order at 9:20 a.m.

The Commissioners were late calling the meeting to order due to placing calls to the Legislators voicing their opposition to the HJH 13 amendment that would double figures for Homestead exemption.

Eddie Young, Assessor, presented exonerations for personal property for John F. Sr. and Kena S. Kincaid 471.10; Michael J. & Robin S. Sims 282.28; Wanda Whittington \$26.58; Brandon Edward Isaacs \$233.54; Karen & Howard Anderson \$433.38; Jeffrey A. & Catherine Styers \$831.20; Lincoln T. & Danielle N. Hall \$123.66; Levi & Lisa Hall \$836.02; Mark & Gwendolyn Bess \$116.84. Commissioner Wender motioned to accept the exonerations. Commissioner Lopez seconded. Unanimous decision.

Mr. Young presented exonerations for real property for Lewis T. Shockey & Jo Smith \$145.52; Emmett & Minda Schoolcraft \$ 187.76; Timothy Carroll \$56.88; 12 & 6 Partners LLC \$428.88. Commissioner Wender motioned to accept the exonerations. Commissioner Lopez

seconded. Unanimous decision.

Mr. Young presented a real property refund for Arrow, WV Inc. (Boy Scouts) in the amount of \$418.16. Commissioner Wender offered a motion to approve. Commissioner Lopez seconded. Unanimous decision.

Commissioner Lopez motioned to approve invoices and release checks today and approve 1st half payroll to be released on March 13. Commissioner Wender seconded. Unanimous decision.

Resource Coordinator Kelly Jo Drey presented her budget request for FY 2015-2016. It did not include the increase of her salary after the agreed upon job performance review or Assistant Resource Coordinator salary. The Commission will consider and make a decision.

Ms. Drey also presented information from Lesley Taylor with Region IV to use \$1,820.50 towards archaeological work for the Winona project. These funds will come from the loan the Commission approved for this project.

Eddie Young, Assessor, presented his budget for FY 2015-2016 and informed his budget is basically the same. He is only switching one employee from Assessor's Valuation fund to General County. The Commission will review and make a decision before March 25, 2015.

Steve Kessler, Sheriff, appeared to discuss his budget for FY 2015-2016. First, a discussion was held regarding the current Concealed Weapon Bill.

The budget for the County Treasurer is the same as last year as is Law Enforcement (which covers salaries and partial uniform allowance.)

Sheriff Kessler requested a new copier and body wear cameras. \$3,500.00 for Project Lifesaver and 4 new vehicles.

The Commission asked if Sheriff Kessler would consider half for

cameras, and changed the vehicles request to 3 new and 1 used.

Sheriff Kessler informed he would be agreeable.

Sheriff Kessler reported that the Excess Levy covers 19 deputies and 1 courthouse security officer.

Law Enforcement service of process is the same as 2014-2015.

Office of Transportation is the same.

When discussing Animal Control Program, the suggestion was offered to add extra help and overtime together for 2015-2016.

Community Corrections budget will depend on their grant approval. Space for this program was also discussed and the former East End Elementary property in Oak Hill was mentioned as a possibility.

Sheriff Kessler wants to wait and see how the program grows. President Scalph encouraged Community Corrections to consider using an acquainted counselor to perform programs and counseling for Community Corrections.

Commissioner Wender suggested that Ms. Berry check with WVCRP regarding discounts for using Law Enforcement cameras. Suggested having them mention yes or no in the quote.

Commissioner Wender also requested that a survey be taken on copier maintenance. Suggest requesting a group discount for using the same company county wide.

Commissioner Lopez then discussed with Mr. Young if he may be able to retire any of his vehicles.

County Clerk appeared to discuss his budget. He informed he is requesting 4 additional computers for his office. Everything else is the same as his previous budget.

Clerk Holliday also presented information for Fayette County High School Voter registration Programs for 2015. The Commissioners will

review and take into consideration.

Brian Parsons, Assistant Prosecuting Attorney, appeared to request to reschedule Larry Harrah, Prosecuting Attorney, for his budget presentation. He was in Morgantown due to the illness of his father-in-law.

Discussion was then held to have a future meeting with the Prosecuting Attorney's Office to review a solution to reduce the Regional Jail cost. Commissioner Wender requested a 4 year history of the jail cost and to send all copies of invoices for the Regional Jail to the Prosecuting Attorney's office.

Brian Sparks and Andrea Mender, WVU Extension office to present their 2015-2016 budget. There is an increase of \$1,250.00. The Fayette County Commission will take this into consideration and make a decision.

Susan Dufour presented the budget for the Fayette County Park Garage Department. No increases were requested. Ms. Dufour presented a quote to repair the snow plow blade. Commissioner Wender offered a motion to approve an amount not to exceed \$2,500.00. Commissioner Lopez seconded. Unanimous decision.

Earl Pauley and Peggy Bennett presented a budget request for the Fayette County Park. Mr. Pauley explained that the only changes made were requesting salary increases for 2 full time employees and to change some employees' statuses. The Commission informed that there will be no salary increases this year but the other requests will be decided before the end of budget session.

The Fayette County Park Pool was discussed. Commissioner Wender informed that the Commission will have to consider opening this year without the repairs needed because more than likely grant funds will

not be available until after pool season. Consideration of leaks, water and chemical costs need to be addressed. The Commission requested contacting West Virginia American Water Company to invite them for a meeting to request credit for the loss of water.

Gary Redden, NRCS, appeared to discuss drafted agreements related to expenses incurred as a result of sewer line work to the Dunloup Creek Watershed Buyout Project between the White Oak PSD and Fayette County Commission and the City of Mt. Hope and the Fayette County Commission. Agreements are attached.

Commissioner Wender motioned to approve the agreements subject to approval of Prosecuting Attorney Larry Harrah. President Scalph seconded. Unanimous decision.

Mr. Redden informed that the White Oak PSD has approved but Mt. Hope has not. Mr. Redden also informed that the bookkeeping aspect of the project would be the same as the buyout project.

Each will be invoiced monthly and payments would be made by direct deposit in the FEMA Buyout account.

The Commission then discussed the resource Coordinator Assistant position. President Scalph informed that Gabe Pena was the overall choice from the job selection committee. Commissioner Wender offered a motion to approve employment of Gabe Pena at a salary of \$26,000.00 for a probation period of six months. After the probation and job review his salary could increase to \$29,000.00.

The Commission also discussed probation periods of Kelly Jo Drey and Jamie Bennett. When both employees were hired, they were told they could receive increases in salaries after their probation periods. Commissioner Wender approved for Debbie Berry to conduct job performance reviews for both employees and make salary increases

effective after their probation periods. President Scalph seconded. Unanimous decision.

The Commission discussed the job vacancy in the maintenance department due to the illness of Jim Moore. Commissioner Wender offered a motion to hire Robert "Jake" Johnston at a salary of \$22,000.00. The position is full time with benefits and will have a six month probation period. President Scalph seconded. Unanimous decision.

The meeting adjourned at 2:40 p.m.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
MARCH 12, 2015
COURTHOUSE

FAYETTEVILLE, WV 25840

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

The Fayette County Commission met for a regular meeting on this 12th day of March, 2015.

Commissioner Wender suggested that a nepotism policy be added to the personnel manual. He asked that the elected officials be made aware and let them know when it will be voted on so that they may voice their opinions. The nepotism policy will come to a vote on March 18th. A letter will be written to each elected official. The Commission reviewed the policy during the current meeting.

Commissioner Wender suggested a revision to replace Department Heads with Elected Office Holder.

Jeff Mauzy, Assistant Prosecuting Attorney, stated that an entire revision is necessary to have the policy read as the Commission wants.

Mr. Mauzy will revise.

The Commission states that the March 18th meeting will be budget, John David from SALS and the nepotism policy, only.

Debbie Berry, County Administrator, presented a letter of support Carri Strunk to apply for future federal funding for Teen Pregnancy Prevention work for the Commissioners to sign. Commissioner Wender motioned to approve and sign the letter of support. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presents Right of Way Certificate for the Meadow River Rail Trail Construction Project for President Scalph to sign. Commissioner Lopez motioned to approve President Scalph to sign. Commissioner Wender seconded. Unanimous decision.

Ms. Berry presented a proclamation for Commission to sign proclaiming April as Fair Housing Month in Fayette County. Commissioner Wender motioned to approve signing the proclamation. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented invoice from Ferrallgas in the amount of \$3,166.94 for the Fayette County Animal Shelter to pay out of General County Fund due to insufficient funds in the Dog Tax account.

Commissioner Wender suggested having Camco go to the Fayette County Animal Shelter to evaluate the heating system for improvements to save on heating costs. Ms. Berry suggested putting on the listserv what kind of money the animal shelter spends on heat. Commissioner Wender motioned to approve payment out of General County Fund for Ferrallgas invoice. Commissioner Lopez seconded. Unanimous decision.

Ms Berry presented the resignation of County Surveyor Dale Tomlin. The Commission has 30 days to fill his position. The Commission suggested contacting Jack Booda to fill the vacancy. Larry

Harrah, Prosecuting Attorney, stated for it to be put on the agenda for March 25, 2015.

Commissioner Lopez stated the Commission meeting set for the April 24, 2015 needs to be changed. The Commission meeting set for April 24, 2015 was moved to April 28, 2015.

Charles Bryant, Community Corrections, appeared to present Community Corrections draw down for President Scalph to sign. Commission requested setting up a meeting with Judge Blake to talk about Regional Jail issues.

Fayette County Commission enters Budget Work Session.

The meeting adjourned at 3:30 p.m.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
MARCH 13, 2015
COURTHOUSE

FAYETTEVILLE, WV 25840

MEMBERS Present: Denise Scalph, Matthew Wender, John H. Lopez
Others: Donald Carte

The Fayette County Commission met for a regular meeting on this 13th day of March, 2015.

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

Eddie Young, Assessor, presented exonerations for real property for Margaret Wren Wilson 192.46; Margaret Wren Wilson 384.90; James & Abra Minter 188.68; Wilbert & Sharon Sizemore \$205.68. Commissioner Wender motioned to accept the exonerations. Commissioner Lopez seconded. Unanimous decision.

President Scalph motioned to approve prior minutes from November 10th, 2014 and December 19th 2014. Commissioner Wender seconded. Unanimous decision.

James Blankenship appeared to discuss an abandonment case and

presented an order to sign. Ralph Bragg has requested that a portion of a front street on Gatewood Road be closed. No one uses this portion. Mr. Blankenship supplied the Commission with paperwork to review for the hearing on March 25th at 11:00. Commissioner Lopez motioned to approve and accept the application and sign the order. Commissioner Wender seconded. Unanimous decision.

Debbie Berry, County Administrator, presented an order to Combine and Divide or Segregate Land for Margaret Wren Wilson. Commissioner Wender motioned to approve and sign the order to combine on behalf of Mr. Wilson. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a letter of support for Family Resource Network funding. Commissioner Lopez motioned to approve and sign the letter. Commissioner Wender seconded. Unanimous decision.

Commissioner Wender motioned to sign an order including the Finding of Facts regarding Oak Hill's request for the annexation of Minden. Commissioner Lopez seconded. Unanimous decision.

The Commission entered into a budget work session at 9:30 a.m.

Discussion was held regarding the last meeting in April. The meeting will change from April 29th to April 24th.

The meeting adjourned at 2:20 p.m.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
MARCH 18, 2015
COURTHOUSE

FAYETTEVILLE, WV 25840

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

The Fayette County Commission met for a regular meeting on this 18th day of March, 2015.

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

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

Debbie Berry, County Administrator, presented an order for the Commission to sign for the Election Levy Fund. Commissioner Lopez motioned to approve the transfer and sign order. Commissioner Wender seconded. Unanimous decision.

Commissioner Wender suggested drafting a letter to legislators to let them know we print enough ballots for every vote but never have over 50% of voters. He suggested asking the Secretary of State to lessen the restrictions on ballots.

Ms. Berry presented a Service Agreement between White Oak PSD, Fayette County Commission, and Mount Hope for President Scalph to sign.

Ms. Berry presented Conditions of Use/Rental of Facilities for the Commissioners to adopt, approve and sign. Commissioner Wender motioned to adopt, approve and sign the additional application for rental/use of facilities. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a letter for Commissioners to sign thanking Kathy Calhoun for serving Urban Renewal Authority. Commission signed letter. Commissioner Lopez motioned to approve letter. Commissioner Wender seconded. Unanimous decision.

Ms. Berry presented a request for use of the Memorial Building by the Amateur Athletic Union from Phil Samples. Commissioner Lopez motioned to approve Phil Samples' request. Commissioner Wender seconded. Unanimous decision.

Commission opened discussion regarding the nepotism policy with elected officials, Danny Wright, Circuit Clerk and Kelvin Holliday,

County Clerk. Commissioner Wender motioned to approve and adopt the nepotism policy. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented request from Gauley River PSD. Ms. Berry will write a letter for the Gauley River PSD to let them know that the Commission will not be able to fund their request.

Ms Berry presented invoices for Fayette County Animal Shelter to be paid out of General County Fund. Commissioner Wender motioned to pay for the invoices out of General County Fund. Commissioner Lopez seconded. Unanimous decision.

Mr. Holliday presents a letter from Serena Starcher formally informing Commission of the Special Election for Board of Education on June 13. Commissioner Wender motioned, having been notified, for the County Commission to notify the Republican and Democratic Party representatives of the Special Election. Mr. Lopez seconded. Unanimous decision.

Commissioner Wender commented on how well Dr. Starcher has handled all the situations that have come to light.

The 10:00 meeting was pushed back to 10:30 until Council can return.

Commissioner Lopez requested payments be made to City of Smithers, Local Union Hall and Valley Baseball. Commissioner Wender motioned to pay for ramp construction at the Local Union Hall in Cannelton in the amount of \$3,500.00 in anticipation of the Special Levy Election in June. Commissioner Lopez seconded. Unanimous decision.

Commissioner Wender motioned to enter into an executive session at 10:30 a.m. Commissioner Lopez seconded. Unanimous decision.

Commission reconvened regular session at 11:05 a.m.

Commission held discussion regarding Fayette County Park and additions for Fire Association and Fayette County Sheriff's Department.

Mark Bass, Fire Association, appeared to give the Commission an update on what will happen at the Fayette County Park. The pond area will not be used much; maybe a concrete pad for a truck but that would be the extent of use for it. The FC Fire Association, Fayette County Sheriff's Department and Park will continue sharing the hillside where the Park has already started to use fill dirt to make a two-way road. They will also provide a new gate and drainage system as well. Commissioner Wender suggested an engineering study be done on the road going in over top of dam or changing their path for the road. Mr. Bass will look into it. Sheriff Steve Kessler and Mr. Bass presented their plans for Park.

Commissioner Wender suggested Mr. Bass give an update every other week via email to all parties involved. Mr. Bass says Joe Crist, Fire Coordinator, will give updates.

John David, SALS, appeared to discuss SALS Budget Request. He handed out a copy of their newsletter. The Commission held discussion on SALS Budget Request for 2015-2016. Commissioner Wender made John David aware of the decreasing monies in Coal Severance and Commission has been unable to increase any of the outside agencies allocations because of this situation.

The Commission entered in a Budget Work Session at 12:20 p.m.

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

FAYETTEVILLE, WV 25840

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

The Fayette County Commission met for a regular meeting on this 25th day of March, 2015.

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

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

President Scalph introduced Gabe Pena as the new Assistant Resource Coordinator.

Eddie Young, Assessor, appeared before the Commission to present exonerations for real property. Commissioner Lopez motioned to approve refunds for real property. Commissioner Wender seconded. Unanimous decision.

Kelvin Holliday, County Clerk and Dr. Serena Starcher, Fayette County Board of Education Interim Superintendent, appeared to discuss the Special Bond Election. Dr. Starcher discussed early voting for the Special Bond Election. As of now, the Board of Education does want all three of the early voting sites to be open. Mr. Holliday will begin the process for these locations. Dr. Starcher will inform the Board of Education Members of the costs associated with three sites and then call Mr. Holliday with a final decision. Dr. Starcher gave an overview of the Special Election, with 3 major projects and 4 small projects.

The 3 major projects will be:

1. New Mount Hope Elementary School-No SBA money
2. Replace Collins Middle School and take 7th and 8th back to campus - \$15 Million bond \$12 Million State

3. Merger of 3 High Schools; Close Fayetteville High School and Meadow Bridge High School and merge schools with Midland Trail- \$5 Million Bond \$12 Million State

All of which would be taking place at the same time.

The 4 smaller projects will be:

1. Renovations to Oak Hill High School where Mount Hope High School merged that were not completed then
2. HVAC at Ansted Middle School-\$400,000.00 bond and \$1 Million SBA
3. Valley High School Athletic Field-combine football and baseball - bond/local funds
4. Addition to Fayette Institute- one classroom-\$650,000.00 bond/local funds

Dr. Starcher read from page 8 to page 9 of overview.

Total project cost is \$66,500,000.00 - \$38,900,000.00 paid for with bonds.

Mr. Holliday stated that by the end of the week he will have an agenda with specific dates. Dr. Starcher expressed her appreciation for the work of the County Clerk's office and all involved.

Funding will not be secured and approved by SBA until December 2015, and then if approved, bond work will start.

Ms. Berry presented the poll worker order. Commissioner Lopez motioned to approve poll workers and notify Democratic and Republican party representatives. President Scalph seconded. Unanimous decision.

The Commission approved and adopted the order submitted by the Board of Education. The order will be filed in the County Clerk's office. The results must be 50% of election plus one vote for the

bond to pass.

Kelly Jo Drey, Resource Coordinator, appeared to discuss the masonry repair grant. She presented forms for the Commissioners to sign so the grant could be submitted by the end of March. The Commission acknowledged that they had read and understand the statements of grant. Commissioner Lopez motioned to approve President Scalph to sign grant application. President Scalph seconded. Unanimous decision.

The Commission signed to commit to a \$60,000.00 match, 50/50 grant. Ms. Drey presented a letter of support for the Commission to sign for Plateau Action Network and West Virginia American Water. Ms. Drey read the support letter. Commissioner Lopez motioned to sign the letter of support. President Scalph seconded. Unanimous decision.

Dan Snead appeared to discuss the Courthouse roof project. Mr. Snead gave handouts for the Commission to review. Two bids were received, Tri State Roofing and Harris Brothers Roofing and HVAC Mechanical. Tri State was the low bid at \$182,883.00. Deleting a section will reduce cost to \$149,282.00, however to go back and finish it later would cost more than the savings. One option would be to rebid, a second option would be to take Tri-State's reduced price, and a third option would be to drop the project. Since the third option is not feasible, Commissioner Lopez stated to hold off until Commissioner Wender can discuss and give other options. President Scalph asked about prevailing wage. The Commission discussed doing a rebid without prevailing wage or going to the low bidder and asking to take out prevailing wage. Research is to be done on how to handle this.

Tim Houston appeared for the Walker Estate to file a petition

with Commissioners to substitute the executrix. The petition substitutes Sheila Walker for Ethel Adkins as administratrix of James L. Adkins. Larry Harrah, Prosecuting Attorney, said the petition for substitute of executrix was allowable. The order was presented, Commissioner Lopez motioned to approve and sign the order. President Scalph seconds. Unanimous decision.

The Commission took a recess at 10:25 a.m.

Commissioner Wender arrived at 10:30 a.m.

The Commission reconvened at 10:35 a.m.

Debbie Berry, County Administrator, presented an order to divide and segregate land for Johnny & Edith Davis. Commissioner Wender motioned to approve the combining of land. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a support letter for the New River Recreation Trail Project for the Commission to sign. Commissioner Wender motioned to sign the letter. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a letter from Lita Eskew requesting to use the Courthouse lawn for the National Day of Prayer ceremony on May 7th. Commissioner Lopez motioned to approve the use of the Courthouse lawn. Commissioner Wender seconded. Unanimous decision.

Ms. Berry presented a request to allow maintenance workers to assist with moving the UKVEDC records and files from City National Bank in Montgomery to the current UKV offices at the Technology Building on 3rd Avenue in Montgomery. The Commission approved.

Ms. Berry presented a request to use the Fayette County memorial Building from Fayetteville Elementary School on March 26, 2015.

The scheduled Commission meeting for April 8, 2015 has been moved

to April 6, 2015 because of impending election deadlines. The scheduled Commission meeting for April 24, 2015 has been moved to April 28, 2015.

James Bennett, 911 Coordinator, appeared to discuss 911 center budget issues. Commissioner Wender discussed the decline in 911 fees. The Commission held a discussion on how to control labor costs. Mr. Bennett stated that the 911 center must have 3 dispatchers at all times.

Joe Geiger, WV Division of Culture and History, appeared to discuss Fayette County Memorial Building Records Management Grant. Ms. Berry read the award from the Governor's office in the amount of \$22,243.00 for the Prosecuting Attorney's Office and Fayette County Commission.

The Commission and Mr. Geiger walked to the Fayette County Memorial Building to assess the basement at 11:30 a.m.

The Commission reconvened at Courthouse at 12:15 p.m.

Ms. Berry presented a letters regarding the following: Mt. Hope water and sewer; use of lights at Boomer Ballfield for organized sports; West Virginia University regarding West Virginia University Institute of Technology in Montgomery and requesting a meeting. The Commission signed and approved all letters.

Stephanie Sears presented General County Fund and Coal Severance Fund budgets to discuss and approve. Commissioner Wender motioned to approve General County 2015/2016 at \$10,115,064.00. Commissioner Lopez seconded. Unanimous decision. Commissioner Wender motioned to approve Coal Severance 2015/2016 at \$1,271,414.00. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented two Dog Tax invoices to be paid out of the

General County Fund. Commission Wender motioned to approve.

Commissioner Lopez seconded. Unanimous decision.

The meeting adjourned at 1:05 p.m.

FAYETTE COUNTY COMMISSION

REGULAR SESSION

April 6, 2015

COURTHOUSE

FAYETTEVILLE, WV 25840

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

The Fayette County Commission met for a regular meeting on this 6th day of April, 2015.

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

President Scalph motioned to approve Fayette County Commission Meeting minutes from January 7th, 23rd, 28th, 30th and February 3rd, 9th, 10th, 13th, 20th of 2015. Commissioner Wender seconded. Unanimous decision.

Commissioner Lopez motioned to approve invoices and release checks today and approve 1st half of payroll for April to be released on April 15th. Commissioner Wender seconded. Unanimous decision.

The Commission recessed to go upstairs to Judge Hatcher's Courtroom for the swearing in of Jack Booda, County Surveyor. Commissioner Wender motioned to approve and sign order. Commissioner Lopez seconded. Unanimous decision.

The Commission reconvened at 9:30 a.m.

The Commission held the first reading of the ordinance authorizing the advance refunding of the Fayette County Building Commission Lease Revenue Bond. Commissioner Wender motioned to

approve the first reading. Commissioner Lopez seconded.

Unanimous decision

Eddie Young, Assessor, appeared before the Commission to present exonerations for personal property taxes and refunds for real property taxes. Commissioner Lopez motioned to approve exonerations for personal property taxes. Commissioner Wender seconded. Unanimous decision. Commissioner Wender motioned to approve refunds for real property taxes. Commissioner Lopez seconded. Unanimous decision.

Adam Hodges, WV State Institute Agent and Mike King appeared to request funding for Morris Creek Water Shed. The request was for \$5,000.00; \$3,000.00 will go towards travel expenses and \$2,000.00 will be used for salary. The Morris Creek Water Shed proposed hiring an agent. Upper Kanawha Valley Economic Development Corporation and the New River Gorge Regional Development Association will be giving the Morris Creek Water Shed \$6,000.00 for salary. Commissioner Wender motioned to approve a change in Morris Creek Water Shed allocation for 2014/2015 to \$2,000.00 for salary and \$3,000.00 to go toward travel expenses, and to also approve \$2,000.00 for salary for the 2015/2016 budget. Commissioner Lopez seconded. Unanimous decision.

Debbie Berry, County Administrator, presented Hazard Mitigation leases for Cassandra Davis, and James and Patsy Willis for President Scalph to sign. Commissioner Wender motioned to approve leases and for President Scalph to sign.

Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a grant application for the Lillian James Learning Center in the amount of \$2,315.75. Commissioner Wender motioned to approve grant. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a letter from Barbara Hickman-Toombs, President of Friends of Lewis House, requesting funds in the amount of \$5,000.00 for the Friends of Lewis House out of the 2015/2016 budget. Commissioner Lopez motioned to approve request for \$5,000.00 from the Friends of Lewis House. Commissioner Wender seconded. Unanimous decision.

The Commission approved the appointment of Adam Hodges to the New River Recreation Trail Committee.

Ms. Berry presented a request from Eric Hambrick, Music Director at Fayetteville Elementary School, to use the Fayette County Memorial Building for holding a spring musical concert on May 14th and 19th of 2015. Commissioner Lopez motioned to approve the request. Commissioner Wender seconded. Unanimous decision.

Lesley Taylor, Region IV, appeared to discuss the Armstrong Deepwater PSD Small Cities Block Grant for a water distribution upgrade. Commissioner Wender motioned for the Fayette County Commission to endorse the Armstrong Deepwater PSD Small Cities Block Grant application and make it their number one priority. Commissioner Lopez seconded. Unanimous decision. Commissioner Wender requested for Gabe Peña and Kelly Jo Drey, Assistant and Resource Coordinators, to write a letter to the legislators

requesting support for Armstrong Deepwater PSD Small Cities Block Grant.

Commissioner Wender motioned to approve the 2014/2015 budget revision in the amount of \$695,477.00. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a letter to Governor Tomlin regarding Senate Bill No. 488 and the creation of the Broadband Enhancement Council for the Commission to sign. Commissioner Wender motioned to sign the letter. Commissioner Lopez seconded. Unanimous decision.

The Commission held a discussion regarding the Courthouse Facilities Improvement Grant for the roof project. They discussed whether the roof project should be completed in 3 phases or 2 phases. The Commission agreed to write a letter for an extension and then apply for monies next year so the project can be completed all at once. Commissioner Wender motioned to make a formal request to have the funds awarded for this year be held for next year, while making note that the Commission is not forfeiting the money, just holding until the Commission can apply for money next year. This is in hopes of saving the state up to \$30,000.00. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented and read a letter to the WV DEP officials from the Commission requesting information regarding the two injection wells operated by Danny Webb Construction in Lochgelly.

Ms. Berry presented a letter from Gabe Peña resigning from the Fayette County Solid Waste Authority. Commissioner Wender motioned to accept the resignation of Gabe Peña from the Fayette County Solid Waste Authority. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a proclamation declaring the week of April 12-18, 2015 as National Public Safety Telecommunications Week. The telecommunicators being acknowledged are: James Bennett, Jordan Neal, Stephanie Key, Emma E. Kelly, Anna K. Gillman, Andrea Coleman, Amanda Arthur, Rebecca S. Hutchens, Steve Hylton, Kevin S. White, Tonja S. McMullen, Charles F. Bennett, Jewell Donnelson, Lisa Neff, Charles Williams III, Paul Morris and Melissa Via. Commissioner Lopez motioned to sign the proclamation. Commissioner Wender seconded. Unanimous decision.

The Commission entered into an executive session at 11:14 a.m. Commissioner Wender offered a motion to discuss an personnel matter. Commissioner Lopez seconded. Unanimous decision.

The Commission reconvened at 11:50 a.m.

Commissioner Wender motioned to have the 2 individuals who are actively out of Personnel Manual Guidelines to be suspended for 3 days without pay, effective as soon as notices can be prepared. Commissioner Lopez seconded. Unanimous decision.

Sharon Cruikshank, New River CVB, and Doug Maddy, Southern WV CVB, appeared to give the Commission a local and regional marketing update. Ms. Cruikshank and Mr. Maddy presented a

check to show what tourists have spent in Fayette County in the amount of \$5,990,000.00. Ms. Cruikshank gave an update on the changes to the Bridge Day Commission bylaws. The changes made by the Bridge Day Commission to the bylaws consist of: changes in advisory seats and 3 additional non-voting seats; one for the community at large preferably from the Vendor Segment of the event; and one for BASE community and one for the Rappel community due to their long standing importance to the event and community. Commissioner Wender motioned to accept recommendation of Bridge Day Commission adding 3 non-voting advisory seats for the term of 2 years. Commissioner Lopez seconded. Unanimous decision.

The meeting recessed at 12:15 p.m.

The Commission reconvened at 3:46 p.m. Commissioner Lopez motioned to approve the Democratic and Republican poll worker list. President Scalph seconded. Unanimous decision.

The meeting adjourned at 3:50 p.m.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
April 14, 2015
COURTHOUSE
FAYETTEVILLE, WV 25840

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

The Fayette County Commission met for a regular meeting on this 14th day of April, 2015.

President Scalph called the meeting to order at 9:12 a.m.

Commissioner Lopez motioned to approve invoices and release

checks today. Commissioner Wender seconded. Unanimous decision.

The Commission held the second reading of the ordinance to authorize the advertisement of the refinancing of the Fayette County Building Commission Lease Revenue Bonds. Commissioner Wender motioned to acknowledge the second reading of the ordinance. Commissioner Lopez seconded. Unanimous decision.

Debbie Berry, County Administrator, presented a Consumer Sales Tax Report for President Scalph to sign. Commissioner Lopez motioned to approve. Commissioner Wender seconded. Unanimous decision.

Ms. Berry presented a drawdown request for Lillian James Learning Center and completion report. Commissioner Wender motioned to approve and sign the drawdown and completion report of \$3,000.00. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a letter to the Supreme Court requesting reimbursement of rent for the Family Law Judge in the amount of \$3,375.00 for the months of March, April and May 2015 for the Commission to sign. Commissioner Wender motioned to approve and sign the letter of request. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a quote for carpeting the second floor of the Prosecuting Attorney's office. This matter was tabled until Larry Harrah, Prosecuting Attorney arrived.

Ms. Berry presented a request from Kelvin Holliday, County Clerk, for a desktop scanner in the amount of \$1,075.38.

Commissioner Wender motioned to approve. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a request to change the polling place for the 18th precinct Dothan/Kingston from T & C Midway to Fairview Methodist Church. Commissioner Wender motioned to change polling place. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a drawdown from Community Corrections for January and February for President Scalph to sign.

Andrea Mender, WVU Extension Service, appeared to discuss the Parks and Recreation Board. Ms. Berry received some responses via ListServ. Ms. Mender stated she has tried to contact some counties with no response. Commission held a discussion on state code provisions. A Parks and Recreation Board is a good option for the Fayette County Commission. Commissioner Wender asked Ms. Mender to get a list of organizations that should be included in the mix, 5 to 9 members. Mr. Harrah stated it should be a Parks and Recreation Advisory Board to come up with policies to submit to the Commission to approve. Commission held a discussion on how the Board should be organized.

The Commission discussed the matter of the Prosecuting Attorney's carpet that was previously tabled. Commissioner Wender motioned to approve Prosecuting Attorney's carpet with the understanding that the person who installs the carpet is to make sure the carpet is compliant with the Fire Marshal's

Office. Commissioner Lopez seconded. Unanimous decision.

The Commission held discussion regarding memorial benches for the main hallway. The Commission will think about how to handle the Commission Memorial Bench.

Ms. Berry presented and read a letter from Kelly Jo Drey, Resource Coordinator, to Mountaineer Food Bank for the Commission to sign. Commissioner Lopez motioned to sign letter. Commissioner Wender seconded. Unanimous decision.

Ms. Berry presented and read a letter from Gabe Peña, Assistant Resource Coordinator, to the West Virginia Development Office, regarding Armstrong-Deepwater PSD, for the Commission to sign. Commissioner Wender motioned to sign letter. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a letter of support to John David, SALS, regarding partnership commitment. Commissioner Wender motioned to sign the letter. Commissioner Lopez seconded. Unanimous decision.

The Commission scheduled a special meeting for April 21st to lay the Levy.

James Bennett, 911 Coordinator, appeared to discuss the 911 budget. Commissioner Wender motioned to approve the 911 Budget as previously submitted. Commissioner Lopez seconded. Unanimous decision.

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

The meeting was adjourned at 11:06 a.m.

FAYETTE COUNTY COMMISSION
SPECIAL SESSION
April 21, 2015
COURTHOUSE

FAYETTEVILLE, WV 25840

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

The Fayette County Commission met in a special session on this 21st day of April 2015.

President Denise Scalph called the meeting to order at 9:33 a.m.

Buren Renick, for Eddie Young, Assessor, presented exonerations for personal property for Jennifer (Hughes) Painter \$30.62; Robert Lane & Sandra Morton \$45.28; Marvin Bernard Fitzpatrick \$128.74; Kathy L. Pena \$269.30; Allen W. Phillips, Jr. \$340.14; James V. III & Cheryl A. Wood \$615.74; Tillman T. & Karen S. Slaughter \$567.36; Sabrina G. Dalton \$246.40; Michael Niday \$53.98; Whitewater Car Wash: \$758.12, \$621.14, \$475.28, \$412.44, \$389.36. Commissioner Lopez motioned to approve the personal property refunds. Commissioner Wender seconded. Unanimous decision.

Mr. Renick presented exonerations for real property for Carolyn J. Newhouse etal \$52.26; Gary C. & Kamela Walker \$156.80; Christopher Skaggs \$335.10; Don J. & Yvette T. Barrett \$331.20. Commissioner Wender motioned to approve the exonerations for real property. Commissioner Lopez seconded. Unanimous decision.

Mr. Renick presented Dennis L. & Cheryl Scarbro for a refund of \$61.76. Commissioner Wender motioned to approve the refund. Commissioner Lopez seconded. Unanimous decision.

President Scalph read the order stating that pursuant to Chapter 11, Article 8, Section 10A of the Code of the State of West Virginia, as amended, and pursuant to the rates as approved by the State Tax

Commissioner, the levy was laid for the fiscal year beginning July 1, 2015.

| | Levy Rate | Excess Rate |
|-------------|-----------|-------------|
| Class 1 | 14.3% | 7.15% |
| Class 2 | 28.6% | 14.3% |
| Class 3 & 4 | 57.20% | 28.6% |

Commissioner Wender motioned to adopt the levy for Fiscal Year 2015-2016 and the levy rates and to approve as set forth.

Commissioner Lopez seconded. Unanimous decision.

The Commission approved and signed letters to the elected officials and outside agencies approving budgets and allocations for FY 2015-2016.

Stephanie Sears, Staff Accountant, appeared before the Commission and presented a letter for the Commission to sign nominating Mike King for the Region 1 WorkForce Investment Board. Commissioner Wender motioned to approve the nomination. Commissioner Lopez seconded. Unanimous decision.

Ms. Sears presented an order and letter for the Commission to sign reappointing Morgan Bracken to the Fayette County Building Commission. Commissioner Wender motioned to approve the reappointment. Commissioner Lopez seconded. Unanimous decision.

Gabe Peña, Assistant Resource Coordinator, appeared and presented a letter to the WV Department of Environmental Protection, regarding the Danny Webb injection well for the Commission to sign. Commissioner Wender suggested President Scalph present the letter at the Public Hearing that evening and that the letter also be sent to Sarah Plummer and Ken Ward of the press. Commissioner Wender motioned to approve and sign the letter. Commissioner Lopez

seconded. Unanimous decision.

Ms. Sears read a letter of response from Chief James Martin, DEP, which the Commission received April 20th, 2015, regarding the proposed format of the Public Hearing on April 21st, 2015.

President Scalph asked Kelly Jo Drey, Resource Coordinator, about another injection well in Colorado. President Scalph stated there have been lightening strikes causing explosions, unmarked tanker trucks going in and out of the facilities with no MSDS sheets regarding the materials. Commissioner Wender suggested the companies claim trade secrets. Mr. Peña stated this falls under a Halliburton Loophole. President Scalph voiced concerns about how our EMA would deal with such an emergency without the information regarding tanker contents available.

Ms. Sears presented a request from Ms. Drey regarding a summer intern for her department. Ms. Drey told the Commissioners about the prospective intern, Zach Beard, MA in Urban and Environmental Planning, U.VA. She also said he has unique expertise and perspective for current projects. Ms. Drey asked that he be paid minimum wage. Commissioner Wender stated that it is advantageous to open our doors to such educational cases and assist with opportunities to complete degrees. Commissioner Wender said it is valuable to our county to bring in outside experience and possibly learn from them and it would subsequently benefit Fayette County. Commissioner Wender is for

hiring the summer intern.

Commissioner Lopez asked for a time frame in which the intern would be working. Ms. Drey said he would work a minimum of 12 weeks, May 5th to August 15th. Commissioner Wender motioned to approve Zach Beard for a summer internship for May 5th to August 15th (dates are flexible) being paid minimum wage for hours worked. Commissioner Lopez seconded. Unanimous decision.

The Commission recognized the noticeable difference in the condition of the floors in the Courthouse, cared for by Maintenance employee Jake Johnson.

Ms. Sears read a letter from the Probation Office acknowledging Maintenance and their hard work. Chief Judge Blake and Judge Hatcher were both copied on the letter.

Ms. Sears presented the 10 year 911 Budget for the refunding of the 911 Center bonds to look over and approve on April 28, 2015.

Eddie Young appeared to present an order to Consolidate or Divide and Segregate Land for Carla June Rogers. Commissioner Wender motioned to approve the order. Commissioner Lopez seconded. Unanimous decision.

Ms. Drey told the Commission about a program through Region 1 to teach disadvantaged youth job skills. The program puts them to work in low risk, supervised positions during the summer. Commissioner Wender suggested that the park might have projects that they need help with.

Ms. Drey presented an invoice from Kanawha Falls PSD for

their pump. The Commission had previously agreed to loan Kanawha Falls PSD \$36,000.00 for the pump which was invoiced at \$50,000.00. The Commission stated that Kanawha Falls PSD needs to write a letter officially requesting the loan. Ms. Drey will tell Kanawha Falls PSD the specifics that need to be included in the letter.

Commissioner Lopez motioned to adjourn the meeting.

Commissioner Wender seconded. Unanimous decision.

The meeting adjourned at 10:30 a.m.

FAYETTE COUNTY COMMISSION

April 28, 2015

COURTHOUSE

FAYETTEVILLE, WV 25840

MEMBERS Present: Denise A. Scalph, Matthew D. Wender

The Fayette County Commission met in a special session on this 28th day of April 2015.

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

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

Tim Richardson, Zoning, appeared to submit a request to amend the Unified Development Code, regarding injection wells. This would be similar to the Class D Landfill Amendment previously adopted. The amendment would be to add a heavy industrial and special use permit and would require 3 public hearings. Before an applicant could continue with their application, they will have to fill out a rezoning application. The rezoning application would also require 3 public

hearings before going to the DEP for final approval. Commissioner Wender asked Larry Harrah, Prosecuting Attorney, if the Commission can pass an ordinance stopping injection wells from coming to Fayette County. Mr. Harrah will research this and report the legality of such an ordinance to the Commission. Commissioner Wender suggested proceeding with the UDC and Mr. Harrah will research the other option. The Commission will make a decision which avenue to pursue when we more knowledge is gained. Commissioner Wender motioned that the Planning & Zoning Commission will study the matter of injection wells and draft language that will create an application and direct the issue on the Planning agenda for May 18, 2015. President Scalph seconded. Unanimous decision.

Deborah Berry, County Administrator, presented an Annual Memorandum of Agreement with WVU Cooperative Extension Service and the County Extension Service Committee for clerical work of Cassandra Bandy for President Scalph to sign.

Ms. Berry presented a grant agreement with the Division of Culture and History for a Records Management Grant and Preservation Board Grant for President Scalph to sign.

Ms. Berry presented a support letter for Rainelle Medical Center for a school based health center at Midland Trail High School. Commissioner Wender motioned to approve and sign the support letter. President Scalph seconded. Unanimous decision.

Ms. Berry presented a request from Lafayette Huse Veterans Memorial Commission for \$7,000.00 for the memorial at Huse Memorial Cemetery property to recognize the local men and women who have served our country so honorably. The Commission requested that more details be presented and tabled the request until later.

Ms. Berry presented a request from Michael Pilato, secretary of the Fayetteville Lions Club, to use the parking lot on Wiseman Avenue on July 4, 2015. Commissioner Wender motioned to approve the Lion's Club to use the parking lot. President Scalph seconded.

The Fayetteville Lions Club also requested an allocation of \$500.00 from next year's budget to assist with the festival. Commissioner Wender motioned to amend the current year's budget and to remove the amount in next year's budget in order to release the funds early. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a letter to Willie C. Taylor, Regional Director with the 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 & Development Council for President Scalph to sign. The Commission feels that Region 4 Comprehensive Economic Development Strategy (CEDS) adequately serve the requirements of the planning process.

Ms. Berry presented a Small Cities Block Grant Program document related to the grant application signed April 6, 2015 for Armstrong PSD that needs President Scalph's signature.

Ms. Berry presented a quote from Atlas Geological Data, Inc. in the amount of \$2,200.00 for approval to inspect the recent Pictometry fly over of Fayette County. Tyler Bragg, Fayette County GIS Specialist, recommends this service. Commissioner Wender motioned to participate in the inspection. President Scalph seconded. Unanimous decision.

Angela Gerald, Building Safety Department, appeared to discuss the dilapidated properties of Danny Rennick and Donna McAllister and to first give an overview of the progress of this program to date.

One-hundred seventeen properties have been removed by their owners. Nine properties were removed by the county. One-hundred fifty activated properties remain in the database. Twenty-four properties will be turned over to the City of Oak Hill because of the annexation of Minden. Ms. Gerald will obtain a copy of the HB 2701 that never made it past introduction. The Commission will bring this up at their next legislative meeting in June.

President Scalph asked if any of the properties removed were commercial. Ms. Gerald stated that one commercial property was removed and the Prosecuting Attorney has another commercial property to be taken down.

Ms. Gerald presented the property of Donna McAllister, 95 Judges Court, Fayetteville, off of Gatewood Road. Ms. Gerald has tried to contact Ms. McAllister four separate times with no success. Ms. McAllister's name was placed in the newspaper however she did not appear before the Commission today. Commissioner Wender requested that this case be postponed for 30 more days. Ms. Gerald will post a letter on the doorstep and try again to make contact.

Ms. Gerald presented the Danny Rennick property, 4 Fields Lane in Scarbro. Ms. Gerald has sent letters and all have returned. Mr. Rennick's name was in the newspaper as deceased. Mr. Harrah gave Mr. Rennick's heirs 30 days to clean up the property and recommends postponing for another month. The Commission agreed.

Ms. Gerald presented Barbara Molchanoff, 67 Office Street, Oak Hill. The property has been for sale for 2 years but needs to be addressed. Commissioner Wender motioned to notify Ms. Molchanoff that she has 20 days after being served to come before the commission and detail her plan. President Scalph seconded. Unanimous decision.

Ms. Gerald presented Crystal Salisbury, 226 Mountain Top Lane, Fayetteville. Commissioner Wender motioned to notify Ms. Salisbury that she has 20 days after being served to come before the Commission and detail her plan. President Scalph seconded. Unanimous decision.

Ms. Gerald explained what happens if someone wants to buy a property that the Commission has a lien on. The court would force a sale and an auction could be held for the sale of the property. The judge would send the minimum bid and the County Commission would have no say in it. The Commission would not be assured recovering the entire amount of the lien.

The Commission asked Mr. Harrah to start the process and the issue will be placed on a future agenda.

A Public Hearing was held at 10:00 a.m. regarding the Early Voting locations for the Special School Bond Election. The three locations will be Danese Community Center, Fayette County Memorial Building and Montgomery Town Hall. Commissioner Wender motioned to open the three centers. President Scalph seconded. Unanimous decision.

Donna McAllister appeared at 10:08 a.m. Ms. Gerald was called back to the meeting.

Ms. McAllister was sent 2 letters on June 13th and August 14th of 2014. Mr. Harrah asked about her plan. Ms. McAllister stated that her daughter wants to fix up the home and live in it but it will take her some time to complete.

Mr. Harrah asked how long she will need. Ms. McAllister stated that the trash can be cleaned up. The Commission agrees to give her 60 days to see improvement. Ms. Gerald will inform Ms. McAllister what needs to be done next. Ms. McAllister states that 1213

Waterplant Road is the best address to reach her.

Ms. Berry presented some materials from Chad Wykle, Executive Director of NRGDA, for a local incentive program in Fayette County.

Fayette County would like to work with applicants to work with and consider waiving property taxes. The Commission is not committing anything, only agreeing to entertain a discussion when presented. Mr. Harrah agrees and approves. Commissioner Wender motioned that the Commission will offer a letter pertaining to the Commission's commitment. President Scalp seconded. Unanimous decision.

Discussion was held regarding the Courthouse roof project. The Commission had requested that they be allowed to hold funds from one grant cycle and use them in conjunction with a second grant to combine roof phases and ultimately save money. This request was denied by the Courthouse Facilities Improvement Authority. Commissioner Wender suggested talking with Dan Snead and ask him to break down what the \$120,000.00 grant would cover.

Discussion was held regarding the memorial bench for the Courthouse hallway. No plaques will be placed on the benches.

Marshall Murray, West Virginia American Water, and Peggy Bennett, Fayette County Park, appeared to discuss the Fayette County Pool.

The Commission asked if WVAWC can help the county with the amount of water that is being lost. The County has applied for a grant but will not know anything until fall 2015. 464,000 gallons of water is needed for the initial fill. Every two days they add 4 inches of water.

Mr. Murray states that the issue is that they we have other pools in our county that had to close because of the same issues. He states that there are other funding sources that the park can apply for.

Adjustments will not be made but funds may be given to offset the costs. Laura Jordan is the person to contact regarding the application for this program.

President Scalph introduced Kelly Jo Drey, resource Coordinator, and Mr. Murray in the instance that he has further questions about the project.

Mr. Murray states that WVAWC is aware and awaiting the application.

Discussion was held regarding the pool season: June 13th will be opening day. The pool will close August 8th. The park staff is having issues finding lifeguards to work.

Commissioner Wender suggested that the Commission agree to reimburse for the lifeguard class at the end of the season. Mr. Harrah suggested talking with the Auditor's office before we proceed.

Discussion was then held about the exterminating quotes for the Fayette County Park. Three quotes were received. Commissioner Wender asked Ms. Bennett to tell Tony Sizemeore with General Exterminating (the county's usual exterminator, but highest quote) that money is important to the county and we can pay the lowest quote to see if he can quote a lower price. Ms. Bennett will report his response to the Commission.

Commissioner Wender also questioned the warranty. He asked Ms. Bennett to find out if the warranty expires and the bugs return, will the contract start over?

Commissioner Wender motioned to authorize up to \$6,500.00 for the removal of termites, beetles and other insects in the recreation hall, cabins and other buildings that were inspected. President Scalph seconded. Unanimous decision.

Discussion was held regarding a plaque for an eagle statue donated to the Commission by the estate of Pat & Helen Hamilton. The Commission is also requesting a sturdy shelf to attach the eagle, along with the plaque which will read "In Memory of Pat & Helen Hamilton." Ms. Berry will have information about this at the next meeting.

Gabe Pena, Assistant Resource Coordinator, informed the Commission of a possible conflict with the proposed medical clinic at Midland Trail High School between Rainelle Medical Center and New River Health. Commissioner Wender suggests withdrawing the support letter and discussing the issue with the Board of Education to gain clarification as to why they would propose one clinic over the other. New River Health has 7 locations in the county and Rainelle has 1. A letter will be written to the Board of Education asking for guidance. The letter will ask what factors were used to decide Rainelle over New River Health. The Commission agrees to pursue this action.

Stephanie Sears, Staff Accountant, appeared to present the E911 10 year budget. Commissioner Wender motioned to adopt the E911 10 year budget starting in 2015. President Scalph seconded. Unanimous decision.

James Bennett, 911 Coordinator, will be scheduled to attend a meeting in May to discuss the E911 phone system issue.

Ms. Berry presented a thank you letter for Jennifer Salvatore for her service on the Planning Commission for the Commissioners to sign.

The Commission entered into an executive session at 11:33 a.m.

The Commission reconvened at 11:41 a.m. after a discussion with Mr. Harrah.

Ms. Berry presented at Community Corrections drawdown for March

2015 for President Scalph to sign.

Commissioner Wender motioned to appoint 3 people to the Bridge Day Commission: Benjy Simpson as Rappel Representative, Marcus Ellison as the BASE advisory member, and Phillip Peelish as the Vendor/Community at large member. President Scalph seconded. Unanimous decision.

Mr. Harrah presented a request from the UKV Little League requesting their allocation for 2014/2015 fiscal year. The Commission approved releasing \$3,500.00 to the UKV little league out of the 2014/2015 budget.

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

FAYETTE COUNTY COMMISSION

May 15, 2015

COURTHOUSE

FAYETTEVILLE, WV 25840

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

The Fayette County Commission met in a regular session on this 15th day of May 2015.

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

Steve Kessler, Sheriff, appeared to present the Delinquent Tax List. The Commission accepted the list from Sheriff Kessler.

Eddie Young, Assessor, appeared to present exonerations for personal property tax for Jeffrey W. Mason II \$49.48; Christian N. Dennler \$139.32; Terry W. Lanham \$354.24; Brian Scott & Brenda Howells \$282.42; Robert B. Stevens, Jr. \$12.76; Millie & Le Roy Johnson \$111.04; Donnie A. Wilson \$388.32. Commissioner Lopez motioned to approve the exonerations for personal property. Commissioner Wender

seconded. Unanimous decision.

Mr. Young presented exonerations for real property for Sean E. Moses \$90.00; Janet Syner \$340.48; Katherine & Albert W. Seitzinger \$123.24; Billy G. & Betty L. Ruth \$189.98; June Higgins Beebe \$12.30; Nafissatou Wattie-Tounkara \$350.48. Commissioner Wender motioned to approve the exonerations for real property. Commissioner Lopez seconded. Unanimous decision.

Mr. Young presented two refunds for Sean E. Moses \$87.76 and Don J. & Yvette Barrett \$161.46. Commissioner Lopez motioned to approve the refunds. Commissioner Wender seconded. Unanimous decision.

Commissioner Lopez motioned to approve vouchers and invoices to be released today and approve 1st half payroll, checks to be released on today. Commissioner Wender seconded. Unanimous decision.

President Scalph motioned to approve minutes for March 4th, 12th, 13th, 18th and April 6th 14th 21st and 28th. Commissioner Lopez seconded. Unanimous decision.

James Bennett, 911 Coordinator, appeared to discuss the phone system at the 911 system. The system is no longer able to be serviced due to the company declaring bankruptcy. We will now have to purchase a new system. Larry Harrah, Prosecuting Attorney, asked what makes the system now obsolete. Mr. Bennett stated that it is called a life cycle. Phone systems have to be replaced every 3-5 years. Mr. Bennett presents a lease option.

The county is paying \$31,000.00 a year to Motorola for a system we can no longer get support or parts for. The phone system was never designed for emergency services when purchased in 2009.

Commissioner Wender requested obtaining a copy of the contract for Mr. Harrah to review. President Scalph requested asking the

listserv for assistance and to see what other counties are doing.

The Commission approved starting the process on landline increase of \$1.00.

The Commission requests having Mr. Bennett appear again to try to resolve this issue once Mr. Harrah has reviewed the contract. It is mentioned that Raleigh County uses Solocom. Mr. Bennett will meet with the Commission on June 15th at 10:00 a.m.

Commissioner Wender motioned to adjust the budget to increase overtime hours to cover until June 30, 2015. Commissioner Lopez seconded. Unanimous decision.

Mr. Bennett presented a quote from Casto Technical to repair the software from the heating and cooling system. Commissioner Wender requested asking Dan Snead to meet with Appalachian Heating to discuss this issue. Dan Snead was scheduled to appear at 10:30 and they will discuss this then.

Andrea Mender, WVU Extension Services, appeared to discuss the Parks and Recreations Board. Ms. Mender talked with Upshur County Administrator. They did have a Parks and Recreation Board that was overstepping their boundaries. They restructured and created an advisory board. Ms. Mender will obtain a copy of Upshur County's current by-laws and email them to Debbie Berry, County Administrator.

Ms. Mender has a list of 11 organizations to be potential representatives. President Scalph suggested creating a mission statement before deciding on organization representatives.

Ms. Mender and the Prosecuting Attorney's office will work together to create the by-laws.

Commissioner Wender suggested a county employee being a supervisor over this board; suggest the WVU Extension Office.

Ms. Mender will draft by-laws then send them to Mr. Harrah to review.

Commissioner Wender wanted to set a hard date in July to approve the by-laws. Ms. Mender will let Ms. Berry know a time frame.

The Commission agreed to let some of the potential representatives help with planning a 5-9 member board.

Angela Gerald appeared to discuss the Legends Highway dilapidated apartment complex. Danny Toney and John Zink appeared. Legal notices have been sent. Mr. Toney and Mr. Zink discussed their plan for the property. The Commission requested a time frame and a firm plan. The Commission gave Mr. Toney and Mr. Zink 30 days to show progress and appear before the Commission again. President Scalph requested a plan for a structurally sound building. The Commission asked Allen Ballard to inspect the inside of the complex. Mr. Toney and Mr. Zink will return on July 7th at 10:00 a.m.

Ms. Gerald stated that they need to make sure the trash is removed from the property.

Mr. Harrah asked how many properties Mr. Zink has in proceeding. Mr. Zink stated he has 7.

Donald Carte and Kenny Hayes appeared to discuss New Haven PSD.

Mr. Carte learned that he is not eligible for the Arrowwood Creek Road Small Cities Block Grant and wants to know how to proceed.

The top four had water testing done and all areas were determined to have the same type of water contamination. Mr. Hayes has requested the Fayette County health Department to review the tests and see if they can determine if one is worse than the other.

It will be a few weeks before the Health Department will be able to look over the testing results.

Mr. Hayes requested a letter from the Health Department stating their opinion.

A new income study has been completed and Region IV is compiling the results. New preliminary results from the customer study could shuffle the top four properties. The preliminary rankings per Mr. Hayes are:

1. Sunday Road
2. Ramsey
3. King
4. Arrowwood

Final numbers will depend on Stafford Consultants and the Health Department to complete their evaluations.

Mr. Hayes hopes to have the results by the New Haven PSD meeting on June 8th.

Mr. Carte and Mr. Hayes will return on June 15th at 10:30 a.m. with results.

Dan Snead appeared to discuss the Courthouse roof project.
(handout attached)

The back corner is not included in this phase and the front corner can be included for an additional \$9,473.00.

Commissioner Wender motioned to accept the proposal from Tri State that we proceed with the Phase II yellow area for \$118,867.00 and the orange area for \$9,473.00.

Commissioner Wender requested the price for the additional section and the cost to put up and take down the scaffolding.

Ms. Berry gave the information regarding the heating and cooling system at the 911 center to Dan Snead for review.

Doug Hylton appeared to discuss the Meadow River Rail Trail. The

design plan for the 16 mile trail by Chapman Group was presented to the Commission. The design plans were left with Ms. Berry for the Commission to review.

Felicia McKinney appeared to discuss the New River Humane Society.

Discussion was held about updates and improvements at the Animal shelter. Changes have been made as to who can sign checks. Felicia McKinney, Betty Kraft and David King are on the account.

Drug tests have been completed for 9 employees and job duties have been shuffled around. Cheryl Hess and Carrie Carr share the responsibility of scheduling.

Improvements have been made to the building. Ms. McKinney states that things are better.

Ms. McKinney listed future fundraising plans.

Commissioner Wender motioned to adjust their budget with \$15,000.00 to cover payroll until the end of June 30th, 2015. Commissioner Scalph seconded. Unanimous decision.

The Commissioners commended the NRHS for their hard work. Ms. McKinney requested permission to paint the upper office. The Commission agreed.

The Commission recessed at 12:00 p.m. to attend the police memorial.

The Commission reconvened at 1:33 p.m.

Ms. Berry presented 2 Divide and Segregate Land orders for Cinda Elswick and Maynard and Rita Wills. Commissioner Wender motioned to approve the orders. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a letter from the Fraternal Order of Police

to use the courthouse lawn for the Annual Police Officer Memorial the Commission to sign.

Ms. Berry presented a letter to reappoint Randy Bowen and Donald Navarro to the Armstrong PSD Board. Commissioner Wender motioned to approve the reappointments. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a request and orders to sign from the Fayette County Planning Commission to appoint Jesse Bibb and Kevin Biggs as board members due to the deaths of Al Gannon and Diana Smallwood. Commissioner Wender motioned to accept the recommendations and sign the orders. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a permit to operate a food establishment for President Scalph to sign for the Fayette County Park dining hall. Commissioner Wender motioned to approve. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented copies of signs for the New River Transit Authority for the Commission to see.

Ms. Berry presented letters and an order for the Commission to sign designating the following banking institutions to be depositories of monies for the county: Fayette County National Bank, Chase, Bank of Mount Hope, Inc., Branch Banking and Trust, United Bank, City National Bank of WV.

Ms. Berry presented a quote from Mountain State Wildlife Control and Pest Removal Services, LLC for \$5,700.00 for bat removal at the Fayette County Park. Commissioner Wender motioned to approve the quote. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a request from Veronica M. Beverly with Minden Kwanza Community Association for an allocation for \$5,000.00

for their playground. President Scalph suggested letting them know that we should have had the request in during budget session and we need a feasible itemized request and to know if they have another funding source.

Ms. Berry presented a funding request from the CODA Mountain Academy for their summer camp and activities for \$5,000.00. Commissioner Wender suggested bringing in Ester Morey to ask her for a budget and other funding sources.

Ms. Berry presented a request from Celi Van Dyke of New River Health for a the Commission to sign a letter of support for an Affordable Care Act Grant from the Health Resources Services Administration to improve access to vital healthcare services. The grant would help establish a 340B Pharmacy in Fayetteville, WV. Commissioner Wender motioned to sign the support letter. Commissioner Lopez seconded. Unanimous decision,

Discussion was held regarding having a local contractor look at the specs for the Morton property to prepare a quote for renovations for the Fayette County Probation Department. Commissioner Wender suggested inquiring with the Fayette Institute of Technology about their services.

Ms. Berry presented a request from Circuit Clerk Daniel Wright to hire a graduate student to work in his office May 18 - August 7, 2015. Commissioner Wender motioned to approve. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a request to pay for drug testing for New River Humane Society employees. Commissioner Wender motioned to adjust their budget \$315.00. Commissioner Lopez seconded.

Ms. Berry presented a tabled request from April 28th, 2015 for

\$7,000.00 from Elmer Pritt, Co-Chairman of the LaFayette Huse Veterans Memorial. The Commission had requested more detail concerning this project and Mr. Pritt sent a letter explaining that the \$7,000.00 would provide landscaping and possibly a granite bench. President Scalph suggested asking for a breakdown of costs and to ask for a representative to attend a Commission meeting with specific numbers.

Ms. Berry presented a request from Kelly Jo Drey for a conference phone. The quote is for \$299.99 from OfficeMax. Commissioner Wender motioned to approve. Commissioner Lopez seconded. Unanimous decision.

The meeting was adjourned at 2:57 p.m.

FAYETTE COUNTY COMMISSION

May 26, 2015

SPECIAL SESSION

COURTHOUSE

FAYETTEVILLE, WV 25840

MEMBERS Present: Denise A. Scalph, Matthew D. Wender

Others present: Kelvin Holliday, Dr. Serena Starcher, Larry Dotson, Richard Meadows, Traci Johnson, Alicia Treadway, Debbie Berry

The Fayette County Commission met in a special session on this 26th day of May, 2015.

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

The Early Voting Test was conducted for the Special School Bond Election. The test was approved.

The meeting was adjourned at 9:37 a.m.

FAYETTE COUNTY COMMISSION

May 27, 2015

REGULAR SESSION

COURTHOUSE

FAYETTEVILLE, WV 25840

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

The Fayette County Commission met in a regular session on this 27th day of May, 2015.

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

Zach Beard appeared to be introduced as the Resource Coordinator intern for this summer.

Eddie Young, Assessor, appeared to present an exoneration for real property for Katherine & Albert Seitzinger \$126.06. Commissioner Wender motioned to approve the exoneration for r real property. Commissioner Lopez seconded. Unanimous decision.

President Scalph motioned to approve the minutes of March 25th and May 15th. Commissioner Wender seconded. Unanimous decision.

Commissioner Lopez motioned to approve voucher and invoice and release checks today and approve 2nd half payroll, release check on May 29th. Commissioner Wender seconded. Unanimous decision.

Normal Williams, Delores Nelson, Bobby Taylor and Bruce Williams appeared to present the keys for the Early Voting sites.

Debbie Berry, County Administrator, presented a letter from Hodge Hatcher requesting laminate wood flooring to be installed in his office. Commissioner Lopez motioned to approve up to \$2,000.00. Commissioner Wender seconded. Unanimous decision.

Ms. Berry presented a letter to Natalie Tennett, Secretary of State, with the current PSD list and contacts.

Commissioner Wender motioned to sign and send the letter and list. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a letter and order for the Commissioners to sign appointing George Tabit to the Fayette County Planning

Commission. Mr. Tabit will replace Jennifer Salvatore who resigned. Commissioner Lopez motioned to approve the appointment . Commissioner Wender seconded. Unanimous decision.

Ms. Berry presented support letters for the Commission to sign approving grant applications for the Fayette Raleigh Metropolitan Planning Organization that will request funds through the TIGER2015 program for (1) New River Parkway - 564 Falls Branch (2) Z-Way Section 1 Segment 1-Proposed Improvements to US 19 from Shady Springs, east of Beckley to 1-64 West of Beckley. Commissioner Wender motioned to sign the support letters. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented 3 Hazard Mitigation Lease Agreements for approval and signature.

Cassandra Davis (Tenant) Surface Lot 150 Kilsyth SD -
property formerly owned by Edward Boyd, and
Surface Lot 151 Kislyth SD - property formerly owned
by Betty Moroney, and
Lot 103 Kilsyth SD property formerly owned by Tony &
Jayne Ann Smith.

Mark Romage (Tenant) 53D/26/PR 53D/27VL - property formerly
owned by Emerson Mollohan

Kevin Walker (Tenant) Map 53k Parcel 59 - property formerly
owned by Cody Burdette

Commissioner Wender motioned to approve the leases from the Dunloup Creek buyout program. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a request from Sheriff Steve Kessler for a Live Scan Fingerprinting System (\$1,289.95.) The Sheriff requested

this to be an immediate urgent request and informed that if the Commission did not approve, he would pay for it with his Concealed Weapon Fund. Commissioner Lopez motioned to approve Sheriff Kessler's request. Commissioner Wender seconded. Unanimous decision.

Ms. Berry presented a request from Courtney Forbes with Crete WV to use the Courthouse Lawn for 400-500 conference guests to sit on for an outdoor concert on Friday September 25, 2015. They will request the use of the stage on Court Street from the Town of Fayetteville at their town meeting June 4, 2015. Commissioner Wender motioned to approve the use of the courthouse lawn for Create WV as long as they provide \$1 million dollar insurance liability coverage. Commissioner Lopez seconded. Unanimous decision.

Commissioner Wender request that Create WV be placed on the agenda to give an update for the event.

Ms. Berry presented a cost of cove base and installation for Magistrate Court floor for approval. The estimate is:

| | |
|------------|---------------------|
| \$1,090.00 | Materials Only |
| \$1,734.00 | Labor and Materials |

Commissioner Lopez motioned to approve the materials only and maintenance cans do this work after hours. Commissioner Wender seconded. Unanimous decision.

Ms. Berry presented a drawdown request from Community Corrections April 2015 for President Scalph to sign.

Commissioner Wender requests that air quality testing be performed at the Courthouse Annex periodically.

Commissioner Wender mentioned the issue of Scarbro/Whipple dilapidated properties and asked that Angela Gerald come once a month with updates on houses they've approved to be torn down.

Ms. Berry tells the Commission she and President Scalph are resubmitting the request to assist with the cost of the Fayette County Pool water to West Virginia American Water.

President Scalph signed an addendum for the pool grant.

Discussion was then held regarding the property at 206 Church Street, behind the Fayetteville Police Department. Commissioner Wender suggested that MS. Berry or Larry Harrah inquire about this property.

The Commission recessed at 9:35 a.m. and until the 10:00 a.m. appointment.

Bill Hannabass, Oak Hill City Manager, appeared to present an annexation by petition for David & Lynn Pollard. It was considered by Oak Hill City Council by ordinance.

Commissioner Wender motioned to authorize and approve the annexation requested by the City of Oak Hill. Commissioner Lopez seconded. Unanimous decision.

Commissioner Wender requested that the Fayette County Commission add to the agenda for June 8th that they will consider a resolution for the School Bond issue that is up for election on June 13th.

Tim Richardson, Zoning, appeared to present an amendment to the Unified Development Code (UDC).

President Scalph thanked Mr. Richardson, the Fayette County Planning Commission and the Prosecuting Attorney's Office for their hard work on this amendment to the UDC on behalf of the Fayette County Commission.

President Scalph stated that the Commission is working on a future ordinance regarding this issue.

Mr. Richardson read the public notice. The Planning Commission recommended by way of a vote of 9-0 in favor of the amendment, that the Fayette County Commission adopt the amendment to the UDC. Mr. Richardson gave a background of the amendment and read the Purpose and Intent:

Purpose and Intent

H-1 districts are hereby created and may hereafter be established by amendment to the zoning map to permit industries and commercial uses that have public nuisance potential and will therefore be subject to intensive review for location impact on surrounding land uses and environment. It is intended that H-I districts may be established in areas having all of the following characteristics:

- A. Areas served by a major highway, rail or air service, or secondary road improved to standards approved by the WVDOH;
- B. Areas either served by public water and sewer or adhering to the requirements of the County Health Department; and
- C. Areas having clearly demonstrated suitability for intended uses with regard to physical characteristics and relationship to surrounding development.

Commissioner Wender motioned to adopt the amendment for injection well permits. Commissioner Lopez seconded. Unanimous decision.

Trish Kicklighter with the National Parks Service sent a a letter addressed to the Department of the Interior for the Commission to read.

The floor was opened to comments.

Tom Rhule appeared to ask what the Commission is doing above and beyond this amendment. Mr. Rhule states that he believes the DEP will cut off the County whenever they want. Mr. Rhule is against the amendment and he thinks it is redundant. Mr. Rhule feels that the Commission already has an ordinance in place (dilapidated ordinance) that can take care of injection wells.

Larry Harrah, Prosecuting Attorney, stated his office is working on an ordinance that will ban injection wells out right.

It is suggested that this ordinance include banning any drilling on injection ponds.

Several times it is restated that this is the first step in a long process.

Unanimous decision

Ms. Berry presented the order authorizing the amendment to the UDC for the Commission to sign.

Commissioner Wender requested that Mr. Richardson research dumping into abandoned mine and also dumping into holding ponds. Mr. Richardson will defer this to the committee that is researching the next step in the process.

Ms. Berry presented Fayette County Planning Commission meeting minutes for the Commission to approve and sign.

Mary Rahall stated if there is a problem with the water, that the Fayette County Health Department will notify citizens.

Gary Hartley appeared to give an update on the Summit Bechtel Reserve (Boy Scouts of America) for 2015. He handed out brochures of what Summit will be offering this summer and reiterated all of the activities that will take place this summer.

The facility will be open to the public on Saturdays from 10 a.m. to 5 p.m., with an estimated 5,000 participants.

Rhe Girl Scout Jamboree will be held July 22nd-26th with about 700 to 1,000 participants, with the expectation of growth.

The Summit is working with 4-H.

The International Student Ambassador program will be held July 26th to August 6th, with 500 children from China

WVU and the State of West Virginia Nonprofit Youth Group Programs have partnered with the BSA for this program.

Future Events include but are not limited to: the National Boy Scout Jamboree July 19th to 28th in 2017, The World Jamboree July of 2019, (No more than 20% of hosting country), and National Boy Scout Jamboree 2021.

A Public Hearing was held third reading of the ordinance authorizing the advance refunding of the Fayette County Building Commission Lease Revenue Bond. The Commission opened the floor for comments. No comments were made. The Public Hearing was closed. The Commission held the third reading of the ordinance.

Commissioner Wender motioned to approve ordinance. President Scalph seconded. Unanimous decision.

Rob Steptoe appeared to give an update on the bonds. He stated that the interest rates are unfavorable at this time.

The meeting was adjourned at 12:04 p.m.

FAYETTE COUNTY COMMISSION
June 8, 2015
REGULAR SESSION
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS Present: Matthew D. Wender, John H. Lopez

The Fayette County Commission met in a regular session on this 8th day of June, 2015.

Commissioner Lopez called the meeting to order at 9:01 a.m.

The Election Day Test for the Special School Bond Election was held. The test was postponed until personnel from the Board of Education arrived.

Cindy Hysell appeared for Eddie Young, Assessor, to present a real property exoneration for Carlos R. Stackhouse etal, \$827.02.

Commissioner Wender motioned to approve the exoneration for real property. Commissioner Lopez seconded. Unanimous decision.

Ms. Hysell also presented the land books for the Commission to sign.

Commissioner Wender motioned to approve vouchers and invoices, checks to be released today and first half payroll, checks to be released on June 15th. Commissioner Lopez seconded. Unanimous decision.

Debbie Berry, County Administrator, presented for signature a proclamation stating the Commission supports the School Bond Election. Commissioner Wender motioned to approve signing the proclamation. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a proclamation for the Commission to approve and sign proclaiming June 29, 2015 as Public Transportation Day. Commissioner Wender motioned to approve signing the Public Transportation Day proclamation. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented an order for the Commission to approve and sign transferring pro-rata 5 year costs of \$6,800.00 from the Law Enforcement Levy Fund, \$3,200.00 from the Library Levy Fund and \$10,000.00 from the Fire Levy Fund to the Fayette County Election Expense Fund to pay for the associated cost of the Special Levy Election. Commissioner Wender motioned to approve the order authorizing the transfer of funds. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented Budget Revision Number 2 for the Coal Severance Fund for the Commission to approve and sign. Commissioner Wender motioned to approve the 2nd Budget Revision for Coal Severance,

acknowledging no increase in the budget. Commissioner Lopez seconded. Unanimous decision.

The Election Day Test was held. The Commission and the Board of Education signed off on the reports.

Angela Gerald appeared to discuss dilapidated properties. In the Whipple/Scarbro area, some houses have been cleared and the Prosecuting Attorney's office recommended scheduling hearings for 2 new houses.

Nancy Ratliff, 2579 Scarbro Road, Scarbro and Heather Jones 12 Stover Hollow, Scarbro. Ms. Gerald will schedule hearings for these two properties. Commissioner Wender suggested some other houses for Ms. Gerald to check on the Whipple area.

Discussion was held on 9 properties in Smithers. Larry Harrah, Prosecuting Attorney, suggested signing a Memorandum of Understanding with the Town of Smithers to allow the Commission to take the houses down on Route 60.

Ms. Berry presented final settlements for the Commission to sign.

Ms. Berry presented a request from Kelly Murdock with the Fayette County Volunteers, Inc. for financial assistance for 5 different events they will be having this year. The Commission recommends asking Ms. Murdock to attend a meeting with an itemized cost of each event and how much has been currently raised.

Ms. Berry presented a request from Rev. Gary W. McGuire to receive approved allocated funds for a camp for Son Rock Ministries prior to July 6, 2015. Commissioner Wender motioned that if Son Rock Miniseris is unable to wait until July 1, the allocation can be written before for the amount approved for July 1, 2015. Commissioner Lopez 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 June, 2015.

Ms. Berry presented a letter and order for the Commission to sign approving the refund of taxes in the amount of \$911.17 for Nafissatou Wattie-Touunkara due to property being assessed incorrectly as requested by Assessor Eddie Young. Commissioner Wender motioned to issue the refund to Ms. Wattie-Touunkara. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a Governor's Community Participation Grant drawdown request and Certification of Grant Completion in the amount of \$4,000.00 for the Commission to approve and sign for the Fayette County Public Libraries Books for Bookmobile grant. Commissioner Wender motioned to approve signing the drawdown. Commissioner Lopez seconded. Unanimous decision.

Esther Morey appeared to request funding for Coda Mountain Academy and to give an update. Ms. Morey requested \$5,000.00 for summer activities. Commissioner Wender asked for a breakdown for each activity the Commission allocation would be used for and stated there would be consequences if alternative funding isn't secured. \$2,500.00 will be allocated out of the current Fiscal Year, and the Commission will revisit the issue after the final numbers come in for FY 2014/2015. Commissioner Wender motioned to approve \$2,500.00 out of the current FY. Commissioner Lopez seconded. Unanimous decision.

Commissioner Wender motioned to allocate \$2,500.00 out of FY 2015/16 budget from contingencies. Commissioner Lopez seconded. Unanimous decision.

Ms. Morey requested the use of the Fayette County Memorial

Building on Wednesday, June 10, 2015 at 9:00 a.m. for a holocaust speaker for Collins and Fayetteville 5th and 6th graders. Commissioner Wender approved the use of the FCMB by the Board of Education. Commissioner Lopez seconded. Unanimous decision.

Lesley Taylor, Region IV Planning & Development, appeared to present the Notice of Intent to Bid. Ms. Berry stated she checked with Mary Scott with Kanawha Falls PSD about money being paid back for the sewer pump. The Commission is to sign the notice.

Commissioner Wender motioned for him and Commissioner Lopez to sign on behalf of the County Commissioner. Commissioner Lopez seconded. Unanimous decision.

Discussion was held on the Danny Webb permit issue and whether the Commission wants to intervene. Tom Rist, attorney, has offered his services free of charge for the meeting on July 9th.

Commissioner Wender motioned that the Fayette County Commission will intervene in the upcoming meeting on July 9th and agreed to allow Tom Rist to represent the Commission. Commissioner Lopez seconded. Unanimous decision.

Commissioner Wender acknowledged on behalf of the Commission all the hard work Tom Rist has put into this issue.

Ms. Berry presented a request form Judson Wallace to receive the allocation for the Upper Kanawha Valley Community Center earlier than July 1, 2015 from the FY 2015/16 budget. Commissioner Wender motioned to approve the allocation of \$5,000.00 from FY 2015/16 to be sent from the current FY budget. Commissioner Lopez seconded. Unanimous decision.

Commissioner Wender motioned to enter into an executive session regarding a personnel matter. Commissioner Lopez seconded. Unanimous

decision.

The Commission entered an executive session at 10:43 a.m.

The Commission reconvened at 10:57 a.m.

The meeting adjourned at 10:57 a.m.

FAYETTE COUNTY COMMISSION

June 15, 2015

REGULAR SESSION

COURTHOUSE

FAYETTEVILLE, WV 25840

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

The Fayette County Commission met in a regular session on this 15th day of June, 2015.

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

Eddie Young, Assessor, appeared to present the land book pages for President Scalph to sign; signed June 8th by Commissioners Lopez and Wender.

Commissioner Lopez motioned to approve vouchers and invoices, checks to be released today. Commissioner Wender seconded. Unanimous decision.

President Scalph motioned to approve the minutes for May 26th, Commissioner Wender seconded. Unanimous decision.

Debbie Berry, County Administrator, presented a copy of the 911 amendment to set a public hearing on July 29th.

Ms. Berry presented a resolution for Change of Control of the Cable Telephone Franchise. Commissioner Wender motioned to adopt the

resolution approving the Change of Control of Suddenlink to Cequel.
Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented Budget Revision Number 4 for the Commission to approve and sign for the Fayette County General County Fund.
Commissioner Lopez motioned to approve the Budget Revision. Commission Wender seconded.

Ms. Berry presented a letter of support for the Commission to approve and sign for John David of SALS supporting the plan to seek Housing Preservation Grant Funds. Commissioner Wender motioned to approve and sign the letter. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a letter of support for the Commission to approve and sign for a grant for the Fayetteville Outdoor Adventure Club. Commissioner Wender motioned to approve and sign. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented documents for the Commission and public to review for the Coal Field Development New Permit, Kingston Surface Mine Community Impact Statement. The operator has to provide a copy of the Impact Statement to the DEP Office of Mining and Reclamation and Office of Explosives and Blasting, the County Commissions, Office of the County Clerk of the County Commissions, the Regional Planning and Development Councils, the Economic Development Authorities and Public Libraries in those areas to be affected by the surface mining operations. The documents will be recorded in the County Clerk's office for the public to view.

Brent Pauley appeared to give an update on EnAct. Mr. Pauley discussed their Community Needs Assessment, where they ask a community about their specific needs. The Regional Priority Needs document was

distributed and Mr. Pauley directed the Commission to page 5: Fayette County Priority Needs. (attached)

1. Emergency Situations - paying water, power bills, etc...
2. Use of Income - better budgeting of money
3. Health

Mr. Pauley presented a CD with the entire report for the Commission and Administrator to review.

Mr. Pauley discussed a partnership that was started with the WVU Extension Office. There is also a partnership with Medical Transportation Management (MTM), the largest non-emergency transportation provider in WV. MTM holds the contract with DHHR to provide Non-Emergency Medical Transportation to Medicaid eligible individuals. EnAct is currently their largest contract provider.

Mr. Pauley said their year end audit showed no findings and they are no longer an at risk business with the State of WV.

Commissioner Wender suggested that Kelly Jo Drey and Gabe Peña, Resource Coordinator and Assistant, work with EnAct to find other services that are not offered in our county. EnAct is based in the Valley area of Fayette County.

Commissioner Wender also suggested bringing Mr. Pauley to future Commission meetings on a quarterly basis for updates.

Earl Smith, MountainHeart, appeared to give an update. Mr. Smith reports that the weatherization program has been cleaned up and the backlog is up to date. However, money is lacking to cover all of the needs.

Mr. Smith stated that there has been positive feedback from Fayette County and they have 2 employees from Fayette County. Mr. Smith reported that the only for-profit work that MountainHeart

performs is HVAC, and they do not offer HVAC work in Fayette County, only weatherization. Since January 2014, 15 weatherization jobs have been completed.

Gerald Brown and Dreama Padgett, also with MountainHeart, discussed a handout (attached) regarding Fayette County weatherization figures.

The Commission requested another meeting for another update and other services that are offered by MountainHeart in Fayette County.

James Blankenship, attorney, appeared to discuss the removal of the executrix for the estate of Monica Christine Miller. Mr. Blankenship stated that the hearing need to be continued due to not being able to reach the current administrator of the estate.

The Courthouse Roof Contract Agreement was then discussed. The original has not been returned from the contractor but Larry Harrah, Prosecuting Attorney, and the Commission reviewed the draft.

Commissioner Wender motioned to approve the contract as long as the original is exactly like the draft. The Commission will sign when the original is returned. Commissioner Lopez seconded. Unanimous decision.

Chad Wykle, New River Gorge Regional Development Authority, appeared to present an update. Mr. Wykle gave the Commission a packet, including their budget. The Commission reviewed the packet.

Steve Rawlings, WV County Risk Pool, appeared to discuss an insurance quote. Mr. Rawlings reviewed the insurance quote with the Commission.

Ms. Berry presented a support letter for the consent of refinancing bonds of various utilities in Fayette County held by the West Virginia Water Development Authority for the Commission to sign.

Commissioner Wender motioned to enter into an executive session at 1:07 p.m. Commissioner Lopez seconded. Unanimous decision.

The Commission reconvened at 1:20 p.m.

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

FAYETTE COUNTY COMMISSION

June 22, 2015

SPECIAL SESSION - CANVASS

COURTHOUSE

FAYETTEVILLE, WV 25840

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

The Fayette County Commission met in a special session on this 22nd day of June, 2015 to canvass the Special School Bond Election.

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

Precincts 26 and 59 were hand counted.

Precinct 19 had an extra ballot outside of the envelope. It was concluded that this ballot was counted.

Election night counts matched the previous count.

The Commission recessed at 11:30 a.m.

The Commission reconvened at 12:30 a.m.

Mike and Jimmy Lively appeared to provide the Commission with an insurance quote.

Donald Carte and Kenny Hayes appeared to discuss the water situation at New Haven PSD.

The Health Department stated that all areas tested have the same results.

Income studies have been completed for a Small Cities Block Grant.

New Haven PSD is resurveying the areas to ensure the figures are correct. To move forward, they must have 80% of user agreement.

President Scalph suggested asking Patty Giles from the Health

Department to attend a meeting and clarify some questions the Commission has regarding the letter that the Health Department sent.

New Haven PSD has a plan to combine some of the areas in effort to be more qualified for a SCBG.

Mr. Carte wanted to know what has been accomplished since 2009 and what the costs were.

Commissioner Wender suggested that this is an internal issue for New Haven PSD and the Commission can only commit to the SCBG. Mr. Wender suggested Kelly Jo Drey, Resource Coordinator, attend a meeting and tell the Commission what areas want water projects before the Commission fully commits.

Kelly Murdock appeared to give the Commission a breakdown of the request from the Fayette County Volunteers.

Commissioner Wender motioned to allocate \$500.00 to the FC Volunteers from the Fiscal Year 2015/16 budget. Commissioner Lopez seconded. Unanimous decision.

Discussion was held regarding the Annex fire alarm. The Commission asked Debbie Berry, County Administrator, to obtain quotes as soon as possible and for Ms. Berry to contact the fire marshal and tell him we are asking for quotes.

Dan Metheny, citizen, and Angela Gerald, Dilapidated Properties, appeared to discuss a property near Mount Hope. The County Line Bar burned in 2010 and since then, people have been dumping trash and the property is an eyesore. Ms. Gerald will send a final notice to the property owner, Willie Watson, and will speak with Joey Carelli, Litter Control Officer, to see if he can issue a citation for the trash.

Discussion was held regarding the insurance quotes from the Risk

Pool and Travelers. The Commission would like to call Monongalia and Kanawha Counties and ask questions.

The meeting was adjourned at 1:49 p.m.

FAYETTE COUNTY COMMISSION

June 24, 2015

REGULAR SESSION

COURTHOUSE

FAYETTEVILLE, WV 25840

MEMBERS Present: Denise A. Scalph, Matthew D. Wender

The Fayette County Commission met in a regular session on this 24th day of June, 2015.

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

The Commission certified the results of the Special School Bond election. President Scalph read the order.

Commissioner Wender motioned to accept and sign the order.

President Scalph seconded. Unanimous decision.

Commissioner Wender motioned to approve and release vouchers and invoices today and approved 2nd half payroll, to be released on June 30th. President Scalph seconded. Unanimous decision.

Commissioner Wender motioned to approve Budget Revision Number 5 for \$12,192.00. President Scalph seconded. Unanimous decision.

Debbie Berry, County Administrator, presented an order approving banking institutions in the county to be named as depositories of public monies: Fayette County National Bank, Branch Banking & Trust, Chase Bank, and Bank of Mount Hope. Commissioner Wender motioned to approve and sign the order. President Scalph seconded. Unanimous decision.

Ms. Berry presented the transfer order for end of fiscal year 2015 for Magistrate Court Fund to the General Fund, \$23,885.14.

Commissioner Wender motioned to approve the Magistrate Court Fund

transfer order. President Scalph seconded. Unanimous decision.

Ms. Berry presented the transfer order for end of fiscal year 2015 for Fayette County General School Fund to General Fund, \$107,253.74.

Commissioner Wender motioned to approve the General School Fund transfer orders. President Scalph seconded. Unanimous decision.

Ms. Berry presented the transfer order for end of fiscal year 2015 for Fayette County Worthless Check Fund to General Fund, \$2,753.94. Commissioner Wender motioned to approve the Worthless Check transfer order. President Scalph seconded. Unanimous decision.

Ms. Berry presented the budget statement for the new fiscal year beginning July 1, 2015, for the Commission to approve and sign. Commissioner Wender motioned to approve the budget statement for FY 2015/2016. President Scalph seconded. Unanimous decision

Ms. Berry presented a request from the Fayette County Solid Waste Authority to appoint Kerren Hall to replace Gabriel Peña, who resigned. Commissioner Wender motioned to appoint Kerren Hall to the FCSWA. President Scalph seconded. Unanimous decision.

Ms. Berry presented an order to reappoint Roma Lively to the New Haven PSD. Commissioner Wender motioned to approve. President Scalph seconded. Unanimous decision.

Ms. Berry presented a resolution for President Scalph to sign approving a drawdown for Kanawha Falls PSD in the amount of \$1,825.00 for construction and other services for Kanawha Falls/Boonesborough Water Line Extension Project. Commissioner Wender motioned to approve and authorized President Scalph to sign. President Scalph seconded. Unanimous decision.

Ms. Berry presented an itemized request for funding from Minden

Kwanzaa Community Association. Commissioner Wender suggested having someone take photographs of the park. The Commission tabled the issue until photos are available. The Commission also requested a priority list from the Association.

Tim Richardson appeared with the Planning Commission for a presentation regarding Arrowhead Bike Farm. Rich Ireland and Adam Angelona were present for Arrowhead.

Mr. Richardson read the public notice. The request is to rezone the area to B3 district.

Commissioner Wender motioned to approve. President Scalph seconded. Unanimous decision

James Blankenship, attorney, appeared to discuss the estate of Monica Christine Miller. Brandon Miller, spouse, is petitioning to become the administrator of the estate. Francie Jo Crist, Monica Miller's mother, appeared to petition the petition.

Mr. Blankenship recommended the probate records be updated to state Brandon Miller as sole heir in the records; Larry Harrah, Prosecution Attorney, agreed.

Commissioner Wender suggested leaving Mrs. Crist as the administrator and name Brandon Miller as sole heir. Mrs. Crist will bring proof on Monday, June 29th, that she has retained the services of Kevin B. Burgess, Esq. for her lawsuit.

Commissioner Wender motioned to acknowledge these terms. If Mrs. Crist does not supply proof that she has retained a lawyer, Paul Clay will be appointed as curator of the estate. President Scalph seconded. Unanimous decision.

Ms. Berry presented the Zoning minutes for the Commission to sign. Commissioner Wender motioned to sign the minutes. President

Scalph seconded. Unanimous decision.

Ms. Berry presented a request to write a check to Software Systems for \$26,956.52 for postage, processing, printing and mailing of tax statements for the Fayette County Tax Office. The check needs to be written after July 1st but before July 15, 2015.

Commissioner Wender motioned to approve the request to write the check before July 15th. President Scalph seconded. Unanimous decision.

Ms. Berry presented a letter from the Tax Office concerning a refund check written to Poor Boys Trucking in 2013. A clerical error was made and Poor Boys Trucking was overpaid \$209.39. The Commission needs to approve a check to be written from the General Fund to replace the overpayment in the Tax Refund Account.

Commissioner Wender motioned to approve the request. President Scalph seconded. Unanimous decision.

Ms. Berry presented a support letter for the Environmental Review for SHOP-funded Project/Southern Appalachian Labor School for the Commission to sign.

Commissioner Wender motioned to sign the letter of support for SALS. President Scalph seconded. Unanimous decision.

The Commission signed the contract for the Courthouse Roof Replacement, Phase II.

The Commission held discussion on insurance quotes.

Commissioner Wender motioned that the Fayette County Commission change to the WV Counties Risk Pool Coverage to include full coverage, less Workers' Compensation. Fayette County's Workers' Compensation will remain with Travelers through Jim Lively Insurance.

President Scalph seconded. Unanimous decision.

President Scalph suggested writing a letter to Jim Lively Insurance thanking them for their service and work they have done for the Fayette County Commission.

The meeting adjourned at 11:15 a.m.

FAYETTE COUNTY COMMISSION

July 15, 2015

REGULAR SESSION

COURTHOUSE

FAYETTEVILLE, WV 25840

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

The Fayette County Commission met in a regular session on this 15th day of July, 2015.

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

Buren Renick appeared for the Assessor to present exonerations for real property for Nafissatou Wattie-Touunkara \$378.94; Ruda Ann & Steven E. Tolbert \$711.74; Gerald A. & Kathleen Petro \$485.76; Gladys Williams etal \$100.44; Aimee Ladale Cline \$545.70; Darrell H. Simms \$103.76; Don J. Yvette Barrett \$331.12; Carolyn J. Newhouse \$86.08; Carolyn W. Rexroad \$212.12; James & Abra Minter \$215.88; Wilbert & Sharon Sizemore \$209.64; Carol A. Ruleman \$180.66; Kimberly Ann Taylor \$103.62; Abigail L. Greenwood \$159.56; Karen Lynn Anderson \$210.60; Cary Huffman \$142.20; Mary Woodson \$435.04; Raymond K. & Andrea Coleman \$1,053.74; Michael E. Underwood \$317.76; Jack & Nathan Johnson \$1,674.03; Carlos R. Stackhouse etal \$813.18; Leona Mullins \$523.60; Larry A. Sr., & John D. Robinson \$215.20; Sandra K. Lilly \$62.46 & \$ 3.84; Christy R. Thomas \$112.78; Billy G. & Betty Ruth \$189.96; Carl E. Syner \$335.88; Barry Blackburn \$381.56 & \$884.30; Fayette County National Bank \$1,675.88; Big Creek Land Company \$3,521.98; Carol J. Newhouse etal \$47.66; Charles Vance \$153.72; Jane Faye Hackworth \$6.42 & \$6.42; Driggs Family Trust \$3,428.00; W.C. Adkins \$6.42; Dennis L. & Cheryl Scarbro \$63.68; Bonnie Sparks-Flint \$685.40; Margaret Wren Wilson \$198.42 & 396.84; Kenneth K. Kruger \$444.24; Andrew & Amanda

Worthington \$417.26; Mary Ellen & Orval Coffey \$534.58; Karen Crist \$471.96; Helen A. Ford \$435.80; Jeremiah SD. & Kelly Ann Borsman \$140.88; Jonathan L. & Rachel Roode \$332.80 & \$342.02; Robert & Judith Fischer \$305.68; Karen Lynn Anderson \$210.60; Thomas E. Berry \$325.88; Mark A. Grimmatt \$393.52.

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

Mr. Renick presented exonerations for personal property for 4-WayTrucking \$480.38; Chris J. & April D. Vaughn & Jonathon Issacs \$262.12; Carl R. Stone Jr. & Esther Steele \$7.54; Anita D, Jackson \$60.04; David Michael & Jessica A. Berry \$236.32; James William, & Kendra D. Mullins \$578.54; Brenda S. Lambi \$88.44; Phillip S., Scherrie & Phillip J. Odell \$645.24; Joshua P. & Shannon Lephew \$24.18; Glenda E. Cooper \$216.08; Teresa L. Or Eddie Ramsey \$130.26 & 118.98; Eddie or Teresa L. Ramsey \$91.42; Gerald A. David \$23.44; Paula J. Fox \$105.28; Joseph Scott & Janet F. Nicholas \$107.46; Richard Wood Sr. \$10.76; Okey D. Jr., & Mary Schrader \$160.64, \$121.44, \$107.22; Mary Schrader \$53.02; Christa A. Simpson \$53.02; Karen Crist \$192.26; Jinnie L. Vanness \$25.66; Patriot Painting \$17.45; Kelly D. & David Ellis \$384.54, \$195.22; John Bruce & Teresa M. Arthur \$335.30; Nellie & Herb (Hubert) Moore \$118.74; Darrell H. or Teresa Cole \$855.54; Deloris McDonald \$0; Mark K. Laffeety \$215.10; Juanita Elizabeth Howell \$428.88; Lester Homes & Tammie Lee Marks \$220.20.

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

Mr. Renick presented 2 petitions for consolidation for assessment purposes for properties owned by Barbara B. Stuart and Lee Roy Nicholas, respectively. Commissioner Wender motioned to approve the consolidation of properties for real property. Commissioner Lopez seconded. Unanimous decision.

President Scalph motioned to approve the minutes of the meeting held on March 27, and June 22. Commissioner Lopez seconded. Unanimous decision.

Commissioner Wender motioned to approve the minutes of the meeting held on June 8th, due to the absences of President Scalph from that meeting. Commissioner Lopez seconded. Unanimous decision.

Debbie Berry, County Administrator, presented Fayette County Fire Levy Protection Agreements for July 1, 2015 through June 30, 2016 for approval and signature for Ansted Certified Fire Department, Inc, Armstrong Creek Volunteer Fire Department, Boomer Volunteer Fire Department, Gauley Bridge Volunteer Fire Department, Gauley River Volunteer Fire Department, Loup Creek Volunteer Fire Department, Meadow Bridge 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, and Smithers Volunteer Fire Department. Commissioner Lopez motioned to approve and sign agreements with fire departments. Commissioner Wender seconded. Unanimous decision.

Ms. Berry presented an inspection agreement for the Commission to approve and sign for Stone Inspection Service. Commissioner Wender motioned to approve the agreement. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented an inspection agreement for the Commission to approve and sign for Appalachian Electrical Group. Commissioner Wender motioned to approve the agreement. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a letter for signatures to the WV Supreme Court of Appeals requesting reimbursement for rent, for the Family Law Judge for the month of July, 2015. Commissioner Wender motioned to sign the letter. Commissioner Lopez seconded. Ms. Berry presented an inspection agreement for the Commission to approve and sign for Stone Inspection Service. Commissioner Wender motioned to approve the agreement. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a request from Allen Ballard, chairman of the Fayette County Beautification Committee to reappoint Allen Ballard, Joseph Carelli, Tim Richardson, Phil Perone and Tommy Harris to the Fayette County Beautification Committee. Commissioner Lopez motioned to approve the reappointments to the Beautification Committee. Commissioner Wender seconded. Unanimous decision.

Ms. Berry presented a request from Chad Wykle, New River Gorge Regional Development Authority, to reappoint Dave Arnold to the NRGRDA Board of Directors. Commissioner Lopez motioned to approve reappointing Dave Arnold. Commissioner Wender seconded. Unanimous decision.

Ms. Berry presented a letter from Danny Scalise, Health Department Administrator, requesting the reappointment of Rose Anne Michaels to the Fayette County Board of Health. Commissioner Lopez motioned to approve the reappointment of Rose Anne Michaels. Commissioner Wender seconded. Unanimous decision.

Ms. Berry presented a letter from Mike Smith, Chairman of the Urban Renewal Authority, to reappoint Mike Smith and James Criniti and to appoint Gene Kistler to Kathy Calhoun's unexpired term, due to resignation, on the URA. Commissioner Lopez motioned to approve the reappointments and

Ms. Berry presented a support letter for the Commission to sign for John David with SALS to seek USDA Section 523 Mutual Self Help Grant funds. Commissioner Lopez motioned to approve and sign the support letter. Commissioner Wender seconded. Unanimous decision.

Ms. Berry presented a request to appoint Jimmy D. Sadler, Jr. as the Fayette County Coroner, due to the resignation of Lisa Saddler. Commissioner Lopez motioned to appoint Jimmy D. Sadler, Jr. as the Fayette County Coroner. Commissioner Wender seconded. Unanimous decision.

Ms. Berry presented a letter drafted by Gabriel Pena to Senators William

R. Laird and Ron Miller, and Delegates David Perry, Kayla Kessinger and Tom Fast for approval and signatures regarding Armstrong PSD Small Cities Block Grant application. Commissioner Lopez motioned to approve and sign the letters to the legislators. Commissioner Wender seconded. Unanimous decision.

Ms. Berry also presented a letter by Mr. Pena to The Film Posse thanking them and the production team for telling the story of the WV Mine Wars. Commissioner Wender motioned to approve and sign the letter. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented the Consumers' Sales Tax Report for President Scalph to sign for the quarter ending June 30, 2015. Commissioner Lopez motioned to authorized President Scalph to sign the report. Commissioner Wender seconded. Unanimous decision.

Ms. Berry mentioned to the Commission that Okey Skidmore, Memorial Building Manager, has concerns about using the basement of the Memorial Building for records storage. The Commission agreed to bring in a structural engineer to the Memorial Building for inspection before the storage project begins.

Ms. Berry presented a program income report for the Kanawha Falls PSD project that was funded by Small Cities Block Grant funds for President Scalph to sign. Commissioner Wender suggested having Mr. Pena to write a letter to the U.S. Congress and the Public Service District Commissioners telling them about the delay of approvals and receipt of funding for the Small Cities Block Grant. This letter should cite Kanawha Falls PSD and Armstrong PSD specifically.

Commissioner Lopez motioned to approve and sign the program income report. Commissioner Wender seconded. Unanimous decision.

Gary Redden, NRCS, appeared to discuss an issue with a hazardous mitigation lease. The land lease holder discovered a gravestone of an infant

(1904-1905) on the land. The NRCS used round radar equipment and located "something" underground. The size and placement near the headstone make them fairly certain it is the corresponding grave. This is on county owned property so how to proceed is up to the Commission. NRCS and the land lease holder do not want to disturb the grave. They want to make sure this "little guy" has a secure resting place.

Mr. Redden met with Prosecuting Attorney, Larry Harrah on Monday July 13th and they discussed the options:

Fencing off the grave area

Granting a waiver to disturb the site

Setting the tombstone in concrete to protect and preserve it.

Mr. Redden suggested having the county port the slab. The hazardous mitigation project will pay the bill via reimbursement request from the county.

Commissioner Wender suggested having Melvin Withrow from the Maintenance Department form and pour the slab and texture the surface with river pebbles.

Commissioner Wender motioned to approve County Maintenance to prepare a form over the grave, dimensions marked by NRCS, and pour a concrete slab and place the gravestone in the slab, making a nice memorial. The slab will be level with the ground. Ms. Berry will have Mr. Withrow and Mr. Redden discuss the project. In the instance Mr. Withrow cannot perform the work, the county will hire it out. Commissioner Lopez seconded. Unanimous decision.

Mr. Redden would like another post meeting in September. He stated that these meetings need to begin happening on a regular basis again.

Commissioner Wender requested that Mr. Redden suggest a couple potential meeting dates for September. Commissioner Wender stated that the e-mail announcing the chosen meeting date should be a joint effort between NRCS and the Commission.

Angela Gerald, Building Safety Department, appeared to discuss dilapidated

properties.

Dan Toney and John Zink did not appear. Ms. Gerald gave an update on Mr. Zink's property. Mr. Wender suggested scheduling Mr. Toney and Mr. Zink to come again in August. Commissioner Wender suggested Allen Ballard inspecting the inside of the building.

Nancy Ratliff appeared to discuss her dilapidated property. Ms. Gerald presented photographs. Ms. Ratliff has made several attempts to have the property demolished however, was unsuccessful. She cannot afford to pay anyone to do it.

The County could demolish the structure but a lien would be placed on her property.

Commissioner Wender motioned to request the Beautification Commission to advertise for the demolition. Commissioner Lopez seconded. Unanimous decision.

Commissioner Lopez gave an update on Smithers; he and Ms. Gerald met recently to tour the properties. There are 12 properties that need to come down. Two property owners have agreed to set up payment arrangements with the county to pay for their liens.

Ten of the properties are located on Route 60, and 7 are across from Kroger.

The City of Smithers needs to complete the process to institute a Dilapidated Properties Ordinance and then present the Commission with their demolition orders.

Ms. Gerald will write a letter updating the Commission on the progress and her discussion with Mayor Skaggs.

Ms. Gerald presented 3 dilapidated cases the Beautification Committee sent forward to the Commission.

Roger Smith - 62 Ingram Branch Rd. Commissioner Wender motioned to move

forward. Commissioner Lopez seconded. Unanimous decision.

Willie Watson - County Line Bar property. Commissioner Wender motioned to move forward. Commissioner Lopez seconded. Unanimous decision.

Jeremy Lowe property in Charlton Heights - now owned by Landquest. Commissioner Wender motioned to move forward. Commissioner Lopez seconded. Unanimous decision.

Jamie Bennett, 911 Coordinator, appeared to update the Commission on the 911 phone system issue. Mr. Bennett is still waiting for Emergency Call and Emergitech to respond with quotes. Mr. Bennett completed 2 demonstrations with Solocom. Solocom sent a bid for \$267,000.00. Vesta quoted \$432,000.00.

Mr. Bennett is still waiting on an emergency call with Motorola and their emergency technician. Nicholas county has Motorola and is also moving away because they can no longer provide what their 911 center needs.

Kathy Brown, attorney, appeared regarding naming the Sheriff as administrator of the estate of Dr. Mary Coll. Commissioner Wender motioned that the Fayette County Commission will order the Sheriff to be administrator of said estate. President Scalph seconded. Unanimous decision.

Brittany Means, Create WV, appeared to give an update on the Create WV conference scheduled in Fayetteville September 24th - 26th. Ms. Means stated that there will be workshops held at the American Legion, Town Hall, Fayetteville Baptist Church, Pies and Pints and Fayetteville Methodist Church. The main meeting location will be the Memorial Building.

Ms. Berry presented a drawdown request for Community Corrections for May and June 2015. Commissioner Lopez motioned to authorize President Scalph to sign the drawdown requests. Commissioner Wender seconded. Unanimous decision.

Ms. Berry presented a request to use the Fayette County Memorial Building for a benefit gospel sing for Phillip Seacrist on September 12, 2015.

Commissioner Wender motioned to approve the request with the correct

insurance. The fee will be waived. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented three quotes for an alarm system for the Courthouse Annex. Advanced Alarm Technologies - \$20,350.00; Safe and Sound Security Systems, Inc. - \$19,487.94; NewTech Systems, Inc. - \$27,414.96.

Commissioner Wender motioned to authorize Debbie Berry to make the final decision after a discussion with Dickie Smith, Maintenance, and review of the quotes. She will spend no more than \$27,414.96. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented quotes for tree and stump removal from the Courthouse lawn by Frank's Tree Service in the amount of \$900.00. Commissioner Lopez motioned to approve the quote. Commissioner Wender seconded. Unanimous decision.

Discussion was held on the Solid Waste Employee.

The Commission recessed at 12:16 p.m.

The Commission reconvened at 12:30 p.m.

The Commission agreed to change the September 30th meeting to September 29th.

The meeting adjourned at 12:45 p.m.

FAYETTE COUNTY COMMISSION
July 29, 2015
REGULAR SESSION
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS Present: Denise A. Scalph, John H. Lopez, Matthew D. Wender

The Fayette County Commission met in a regular session on this 29th day of July, 2015.

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

Eddie Young, Assessor, appeared to present exonerations for personal property for Lester Wayne & Krystal Smallwood \$811.56;

Michelle L. & David L. Dail \$381.92, \$120.76; Donald Eugene & Martha F. McAtee \$262.86; John & Kelly Hamrick \$395.44; Heath or Leslie R. Shockey \$3.20; John N. & Connie S. Patterson \$433.28; Mary W. Kathy Moeller \$435.30; Rebecca L. Hildebrand \$33.02; Stanley or Lisa Davis \$116.86; Chandos L. Boley \$662.54; Johnn Ralph & Ellamae Davis \$570.78; Paul R. & Penny Coleman \$117.22; William & Eleanor F. Jarrell \$586.46; Christopher McClung \$201.32; Monnie Gardener \$112.22; Terry Holbrook \$69.54; H. G. Carte Inc./Mining Division \$196.76; Lester Holmes & Tammie Lee Marks \$2.00; Barry A. & Rexanna Bibb \$57.14; Thomas E. & Ellen L. Ingles \$843.24; Richard L. Nelson \$472.16; Loan C. Lewis \$76.10; Chris D. & Lisa M. Falls \$554.98. Commissioner Lopez motioned to approve the personal property exonerations. Commissioner Wender seconded. Unanimous decision.

Mr. Young presented exonerations for real property for Deborah L. Lester \$938.46; Matthew G. Bowyer \$558.76; Timara Wheeler \$176.00; Stephen Sr. & Lawrence E.S. Price \$175.24; Landquest \$294.36; Sharon Diane Sanford \$3.20, \$3.20, \$4.60, \$255.82; Jared & Sarah Adkins \$1,522.28; Randa G. Hodge \$256.20; Carol A. Ruleman \$311.02; James A. Neal & Sandra Propps \$80.70, \$3.20, \$3.20; Sandra L. Propps & James Neal \$6.14; John & Mary Davenport \$155.26; Dorothy G. Phillips \$256.20; Basil W. & Drema K. or James Bolen \$478.84; Darrell Sr. & Mary J. Elkins \$836.92; George Ramsey \$525.72; Alvin H. Ellison Jr. \$227.50, \$557.24; Arnold D. & Tilda Martin \$63.02; Jonathan A. Fowler \$918.02; Janet Nahodil etal \$256.20; Nora K. Woolwine \$172.18; Peggy A. & Andrew Warrick \$330.12; Penny M. Begley \$68.16, \$78.92; Albert M. Hogan etux \$317.76; Rodney W. Robinson \$116.82; Land Recovery Management \$382.00; Robert Lee & Linda James \$985.76; Mumma Family Trust \$29.98; Skyline Rentals, Inc. \$1,271.02; Frank L. Conn \$377.56;

Stephen A. & Cathy Broughman \$11.12; Shirley Moore, etal \$846.52.

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

Commissioner Lopez motioned to approve 2nd half payroll and release checks July 30th and approve vouchers and invoices, checks to be release July 29th. Commissioner Wender seconded. Unanimous decision.

President Scalph motioned to approve the minutes of June 15th. Commissioner Wender seconded. Unanimous decision.

Ms. Berry presented 5 orders to combine or divide and segregate land for David Mark & Rhonda P. Thomas (2 orders); Gloria Banks, Charles N. & W. Elaine Patterson; Douglas R. Dickerson. Commissioner Wender motioned for President Scalph to sign the orders. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a letter from Debby Sizemore requesting to reappoint Richard Keith Forren, Gary Harding, Doug Maddy, Van Burks and Jesse Bibb to the Fayette County Planning Commission. Commissioner Lopez motioned to approve the reappointments. Commissioner Wender seconded. Unanimous decision.

Allen Ballard appeared to discuss the Belinda Morton property renovations.

Mr. Ballard stated the Morton building needs to be rewired and needs a new mechanical system, however the plumbing is not a large issue.

Mr. Ballard gave an estimate of \$80,000.00 to \$120,000.00 for upgrades.

The Commission suggested meeting with the Supreme Court officials in Charleston to find out exactly what they will cover.

Discussion was held regarding moving forward with this project and the possibility of securing outside funding.

The Commission asked Mr. Ballard to produce some drawings for the contractors to review.

Mr. Ballard presented three bids for three different properties for demolition. These properties are abandoned and the Commission previously signed demolition orders. Essential Excavating will carry out the demolitions.

Aletha Stolar, Family Resource Network, appeared to give an update. Ms. Stolar first thanked the Commission for being a fiscal agent. And then reviewed the responsibilities of her office.

Discussion was held regarding the drug problem in Fayette County and what can be done to remedy this issue. The question was posed of how we can institute a facility or program to assist addicts.

The Commission requested inviting Garrett Clyburn, Section Coordinator for Prevention Without Borders, to a meeting to give an update on what he is doing for and in Fayette County. Ms. Stolar has an upcoming meeting with him.

Kelly Jo Drey appeared to give an update from the Resource Coordinator's office. Grants recently received are: \$41,000.00 for masonry repairs to the Courthouse; \$1,500.00 Try This WV grant for New River Elementary and Valley High School vermicomposting (worm bed food refuse composting); and the office partnered with Fayette County 4H to assist the 4H Outdoor Adventure Club in securing a \$2,000.00 grant.

Ms. Drey is still waiting to hear from the grant for the Fayette County Pool. Ms. Drey suggested writing letters to other elected officials to make them aware of the delayed status and see if they can assist.

A public hearing was held to increase the 911 landline fee. President Scalph read the notice. The floor was then opened for comments. There were no comments from the public.

Commissioner Wender motioned to increase the 911 landline fee by \$1.00 raising it from \$3.50 to \$4.50. Commissioner Lopez seconded. Unanimous decision.

The public hearing closed at 10:34 a.m.

Ms. Drey reappeared to complete her update. Commissioner Wender suggested placing Ms. Drey on a future agenda with PSD and URA updates.

Ms. Berry presented a letter from Kenneth Hayes to reappoint Joseph Massie to the New Haven PSD. Commissioner Lopez seconded. Mr. Ballard presented three bids for three different properties for demolition.

Ms. Berry presented an order to appoint Renee Harper to the Public Defenders Corporation. Commissioner Wender motioned to approve the appointment. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a contract agreement and other documents for the Commission to approve and sign for the WV Community Corrections Grant. Commissioner Wender motioned to approve signing the agreement and documents. Commissioner Lopez seconded. Unanimous decision.

Bill Hannabass, Oak Hill City Manager, appeared to give a status of the agreements between Arbuckle PSD and Oak Hill Sanitary Board and Bird Dog Properties, LLC on Nick Rahall Greenway.

Mr. Hannabass presented a petition of annexation between Bird Dog Properties and the City of Oak Hill.

Commissioner Wender motioned to approve the annexation request by the City of Oak Hill by Bird Dog Properties. Commissioner Lopez

seconded. Unanimous decision.

Mr. Hannabass presented an order to the Commission council to review and advise the Commission of his response.

Ms. Berry presented the Courthouse Roof Project for discussion. Commissioner Wender motioned to approve area C & D into our Phase 2. The total cost will be \$182,883.00. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented the award letter for the \$41,000.00 masonry grant to assist with repair of finials, entry features and stone columns. Ms. Drey will attend the orientation meeting.

Ms. Berry presented a letters for approval and signature to Jimmy Gianato, Paul Howard and Theresa White naming an Interim Director of the Office of Emergency Management for the Fayette County Commission due to the resignation of Theresa White, Emergency Management Director effective July 31, 2015. Commissioner Wender motioned to accept Theresa White's resignation and sign the letters. Commissioner Lopez seconded. Unanimous decision.

Commissioner Wender motioned to accept Kevin Walker as Interim Director and for the County Administrator to advertise for the position. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented Budget Revision #1 for the Fayette County General Fund. Commissioner Wender motioned to approve the budget revision for \$70,470.00. Commissioner Lopez seconded. Unanimous decision.

The Commission moved to the Courtroom for the recognition of Judson Wallace.

The meeting adjourned at 12:30 p.m.

FAYETTE COUNTY COMMISSION

August 5, 2015

REGULAR SESSION

COURTHOUSE

FAYETTEVILLE, WV 25840

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

Also present: Jeff Mauzy, Assistant Prosecuting Attorney

The Fayette County Commission met in a regular session on this 5th day of August, 2015.

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

Commissioner Lopez offered a motion to approve the minutes of June 24th, July 15th, and July 29th. Commissioner Wender seconded. Unanimous decision.

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

Percy Fruit appeared before the Commission requesting assistance with Minden Park. The Commission agreed to assist the project by bringing in fill dirt to provide grading around the basketball court. The Commission will inquire if Community Corrections can assist with the labor.

Mr. Fruit mentioned the need for restroom facilities at the park. Commissioner Wender suggested contacting Fayette Institute of Technology to draft engineering students to assist.

Deborah Berry, County Administrator, will research ADA requirements for handicap facilities.

The Commission will review the project for a financial allocation once cost estimates have been determined.

Ms. Berry presented a drawdown request and grant completion report for the Page-Kincaid PSD in the amount of \$18,000.00 for a

Governor's Participation Grant for a generator. Commissioner Lopez motioned to approve and authorize President Scalph to sign the report. Commissioner Wender seconded. Unanimous decision.

Ms. Berry presented a letter for approval and signature to the WV Supreme Court of Appeals requesting reimbursement for rent for the months of August and September 2015 for the Family Law Judge. Commissioner Wender motioned to sign the letter. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a letter from Susan Hanson, Chairperson with the Fayetteville Woman's Club, requesting use of the Fayette County Memorial Building for a craft show on Saturday November 14, 2015. Commissioner Wender motioned to approve the use of the Memorial Building. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a request from Libby Akers, Valley High School Varsity Boosters, for funding to renovate a field for the Valley High School football program. Commissioner Lopez suggested that Commissioner Wender draft a letter asking Jim Justice for assistance.

Ms. Berry presented a request from the City of Montgomery Board of Parks and Recreation requesting the allocation of \$3,000.00 for their Fourth of July Celebration, Movie Night, UKV Bass Tournament, Welcome Back WVUIT and BridgeValley Students, Christmas parade and other functions. The Commission approved \$500.00 for festivals and \$3,000.00 for park upgrades. The \$3,000.00 must be used for park upgrades. The Commission instructed Ms. Berry to draft a letter explaining the allocation.

Ms. Berry presented a budget revision for the Office of Emergency Services. The Commission suggested restricting OES from spending

additional money until a decision is made about the full-time director.

The Commission took a break at 9:50 a.m.

The Commission reconvened at 10:11 a.m.

Andrea Mender, WVU Extension Office, appeared to discuss the Fayette County Parks and Recreations Advisory Board and the potential by-laws. The drafted by-laws were reviewed. (copy attached)

The Commission suggested listing out properties the Parks and Recreation Advisory Board would cover. For example, Fayette County Park, Fayette County Memorial Building, Boomer Ballfield, Rails to Trails, etc..

Commissioner Wender suggested the Parks and Recreations Advisory Board be included in budget planning but would not have authority to approve or set their budget.

Commissioner Wender asked Ms. Mender to insert a preamble stating the Board would complete the goals and mission statement when assembled. Commissioner Wender suggested naming all properties in the preamble. Ms. Wender also suggested removing Article 5 - Finance and Budget.

Commissioner Wender suggested Ms. Mender provide a separate sheet with which organizations should be represented by board members. The Commission will then make a final decision.

Patty Giles, Health Department, appeared to discuss New Haven PSD Water Test results. Water was labeled as red water or cloudy water. Ms. Giles suggested testing for E. coli but not others because those are additional tests and would cost \$16 per sample.

Lesley Taylor, Region IV Planning and Development gave results from her income study. Combining areas would then make them eligible

for Small Cities Block Grants.

Ms. Taylor then discussed the Arbuckle PSD Infrastructure Grant and presented an expenditure spreadsheet for the Commission's records. Ms. Taylor requested a change of scope for the remaining \$17,000.00 to be used for the following:

1. Pay Triad Engineering
2. Purchase pump for Station 4

Bruce Carson with Arbuckle PSD appeared to answer questions. President Scalph asked why the contingency funds were changed from buying pumps to paying Triad Engineering Firm.

Commissioner Wender suggested that Mr. Carson ask the board to reverse the decision to pay Triad first since they've already changed the decision once from buying the pump.

The Commission tabled the issue until Arbuckle has a chance to meet and also to allow them time to speak with Triad.

The Commission requested that Arbuckle send minutes of all meetings to the County Administrator's office.

Ms. Berry presented a letter from Christy Bailey, Executive Director of the National Coal Heritage Area Authority, requesting the Commission to provide Governor Tomblin with 3 recommendations and contact information for appointments to the National Coal Heritage Authority. The Commission suggested Ms. Berry contact Ms. Bailey to ask for recommendations.

Ms. Berry presented a letter from Mayor Romie A. Hobbs, Ansted, requesting assistance with a dilapidated structure in Ansted. The Commission and legal counsel suggested drafting a Memorandum of Understanding (MOU) between Ansted and the County. The property then could go through the County's process.

Commissioner Wender suggested that the MOU state that the Commission's lien would be paid first because the Commission is fronting real dollars.

Commissioner Wender suggested writing a letter to the Mayor to inform him the County is interested in helping with the demolition under the following conditions:

1. Property owner will sign the property over to the town
2. Ansted will allow the County to put a lien on the property for the cost of demolition. If the city then sells the property, the County will be paid off first.

Commissioner Wender motioned to cooperate with the Town of Ansted with the above stated terms. Commissioner Lopez seconded. Unanimous decision.

Sheriff Steve Kessler, Charlie Bryant and Stormy Parsons, Community Corrections, appeared to discuss the Continuing Education Agreement.

Ms. Parsons needs 16 hours a week for 3 semesters to complete her internship (Fall, Spring and half of the Summer.)

Mr. Bryant spoke about the hardship this would place on the Community Corrections office. Sheriff Kessler agreed with the hardship this will place on the program.

The Commission suggested that Ms. Parsons find another internship possibility.

Ms. Berry presented a letter for approval and signature to Gary Redden with NRCS authorizing Kevin Walker, Interim Director of Office of Emergency Management to take care of the Dunloup Program. The Commission signed the letter.

The Commission approved Kelly Jo Drey, Resource Coordinator, to

attend the State Delinquent and Non-Entered Land Sale as a URA representative on Monday August 10, 2015 to bid on and acquire a small parcel of land in between the Belinda Morton and Prosecuting Attorney buildings.

Discussion on a new Pitney Bowes postage machine was tabled until August 14th.

The meeting adjourned at 12:18 p.m.

FAYETTE COUNTY COMMISSION

AUGUST 14, 2015

REGULAR SESSION

COURTHOUSE

FAYETTEVILLE, WV 25840

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

The Fayette County Commission met in a regular session on this 14th day of August, 2015.

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

Zach Beard, Resource Coordinator Summer Intern, appeared to personally thank the Commission for the opportunity to work here.

Eddie Young, Assessor, appeared to present real property exonerations for City of Mount Hope \$6.42; Sherry Parlier \$508.04; Charlotte R. Behre \$100.42; Margaret L. Taylor \$166.02; Maureen Lynn Clemons \$195.22; Stephen G. & Katherine Slockett \$80.70; Henry & M.W. Skaggs \$406.34 & \$16.40; Donald R. Reynolds \$109.14; Bessie Goodson \$182.94; Dallas Gene & Shirley Townsend \$144.88; Kenneth Young \$690.98; Anthony J. Demarco etal \$162.18; Joseph Peyton Love \$499.80; Howard M. Naylor and Sh. Booher \$178.32; Randall Pitsenbarger \$196.00; Carl C. Martin \$ 214.62; Hazel M. Summerville \$256.20; Live WV LLC \$2,108.28; Amy Marie & Alan Baggett \$1,441.14. Commissioner Wender motioned to approve the real property exonerations. Commissioner Lopez seconded.

Unanimous decision.

Mr. Young presented a refund for Stephen G. & Katherine Slockett \$78.70. Commissioner Lopez motioned to approve the refunds. Commissioner Wender seconded. Unanimous decision.

Commissioner Lopez motioned to approve vouchers and invoices to be released today and to approve first half payroll to also be released today. Commissioner Wender seconded. Unanimous decision.

President Scalph motioned to approve the minutes of the August 5th meeting. Commissioner Wender seconded. Unanimous decision.

Kenny Hayes, New Haven PSD, appeared to discuss the Winona Sewer Project. New Haven PSD is requesting \$12,860.00 to be used for land acquisition. These funds will come out of the \$125,000.00 previously allocated. The Commission will not receive funding back for the \$12,860.00 but they remaining \$112,140.00 will be repaid.

Kelly Jo Drey, Resource Coordinator, appeared with a resolution for President Scalph to sign to refinance the URA loan.

President Scalph read the resolution.

Commissioner Wender motioned to approve the resolution and to authorize President Scalph to sign on behalf of the Commission. Commissioner Lopez seconded. Unanimous decision.

Lauren Weatherford, WVU Extension office, appeared to give an update on the Wellness Group. Ms. Weatherford stated that the group was formed 3 years ago and then supplied the Commission with a "Try This" checklist for review.

Fayette County is usually in the bottom third in health rankings. The Wellness Group focuses on physical activity and nutrition

Ms. Weatherford gave the Commission a handout (attached.)

Commissioner Wender suggested having a regular update from the Wellness

Group. Commissioner Wender would like to meet again in September to review this information again and any ideas that have emerged.

Angela Gerald, Building Safety Department, appeared to discuss dilapidated properties.

Aleta Freeman appeared for her property off of Gatewood Road. Ms. Freeman has obtained a few quotes around \$5,000.00; however, she cannot afford to have the demolition performed. She has a family member working on the property now. Her goal is to have the structure down and removed by September 18th.

The Commission agreed to give her 60 days and then Ms. Freeman will appear with an update.

Discussion was held on the John Zink property. Commissioner Wender suggested sending a certified letter stating the Commission expects him to contact Allen Ballard for an inspection inside to see if it is feasible to remodel. If after 2 weeks there is no response, the Commission will move forward with demolition.

Ms. Gerald presented the County Line Bar property. The owner stated he will have the property demolished by November 1st. Commissioner Wender suggested approving this timeline and having Ms. Gerald return mid-November to give an update.

Heather Jones did not appear. Ms. Gerald reported that Ms. Jones said the property was sold, but no deed has been recorded. Commissioner Wender motioned to demolish the property. Commissioner Lopez seconded. Unanimous decision.

Ms. Gerald presented two new properties.

Randall Morris, 9472 Gatewood Road. Ms. Gerald cannot make contact however the house has a mortgage. Larry Harrah, Prosecuting Attorney, suggested publishing this property. Ms. Gerald can proceed like normal.

Roger Smith, 62 Ingram Branch Road. Ms. Gerald contacted Mr. Smith. He is physically and financially unable to refurbish this home.

The Commission requests that Ms. Gerald proceed.

Commissioner Wender motioned to move forward with the demolition. Commissioner Lopez seconded. Unanimous decision.

Felicia McKinney appeared to discuss the New River Humane Society, Inc. (NRHS, Inc.) Funding and Lease Agreement. The Commission and NRHS, Inc. reviewed the lease agreement.

Deborah Berry, County Administrator, will contact Jim Lively Insurance to see who has paid the liability insurance in the past.

Commissioner Wender motioned to accept the Lease and Funding Agreement with NRHS, Inc. Commissioner Lopez seconded. Unanimous decision.

James Bennett, 911 Coordinator, appeared to discuss the 911 Center phone system.

Almost every county that responded to the listserv inquiry uses Vista System. The old quote for Vista was approximately \$370,000.00.

Commissioner Wender suggested Mr. Bennett check with the state to obtain a list of systems for each county. Mr. Harrah suggested that Mr. Bennett talk with Frontier about a renewable one year agreement instead of a five year.

The Commission asked Mr. Bennett to return to finalize the system.

Mr. Bennett presented a company to be put on the wrecker rotation. All paperwork was presented.

Commissioner Wender motioned to authorize the 911 Center to put Interstate Recovery Service into the wrecker rotation. Commissioner Lopez seconded. Unanimous decision.

Discussion was then held on the Mass Notification System. Through Nixel

360, it is \$7,5000.00 a year. Commissioner Wender suggested Mr. Bennett to complete a sheet with a side by side comparison of Nixel 360 and Evergreen.

Discussion was held on Smithers dilapidated buildings. The owner of 2 houses in question wants to work with the Commission. Five properties were sold at the state land sale. The City of Smithers is pursuing the process and will appear before the Commission once ready.

Commissioner Wender motioned to enter into an executive session to discuss legal counsel and a personal matter at 12:12 p.m.

The Commission received legal counsel. No decisions were made.

A discussion was then held regarding the Continuing Education Agreement with Stormy Parsons.

Mr. Harrah asked Ms. Parson to complete an internship with his office. This would not require 16 hours per week. Mrs. Parsons and Sheriff Steve Kessler will work on a schedule and how to complete the internship to allow Ms. Parsons to keep up work and not be away from the Day Report Center.

It was agreed among all parties the 2nd semester is when the internship is required and the internship will not be allowable during regular work schedule. It was determined that the nature of Ms. Parsons's work requires her to be present at the Day Report Center.

Commissioner Wender motioned to approve the request from Stormy Parsons with the county for a Continuing Education Agreement which will not exceed \$5,000.00 a semester for one year and to work with Sheriff Kessler on scheduling the internship so as not to interfere with Ms. Parsons' set hours of work at the Day Report Center. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented orders to combine or divide and segregate land for Oather Gene and Tammy Y. Jones, Paul D. and Sharon F. Williams, Teddy C. and

Joan M. Hatcher, and James H. and Brenda S. Deligne, respectively.

Commissioner Wender motioned to approve the requests to combine or divide and segregate land. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a drawdown request for the Community Corrections Grant in the amount of \$13,254.76 for the month of July, 2015. Commissioner Lopez motioned to approve the Community Corrections Grant drawdown. Commissioner Weender seconded. Unanimous decision.

Ms. Berry presented a letter for approval and signature to Governor Earl Ray Tomblin recommending Sharon Cruikshank as the Fayette County Commission representative on the National Coal Heritage Area Authority Board.

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

Ms. Berry presented a letter from Benjy Simpson, Bridge Day Rappel Coordinator, to use the Fayette County Memorial Building in Fayetteville for the 2015 Bridge Day Rappel Safety Orientation. Commissioner Wender motioned to approve this request. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a letter to Mayor Romie A. Hobbs, Ansted, with a proposal related to his request for approval and signature by President Scalph for a WV DEP Grant for Source Water Protection Planning in the amount of \$10,000.00. Commissioner Wender motioned to approve the grant application, paying half to receive the 50/50 match. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a WV Division of Highways Permit Form for President Scalph to sign to allow the placement of three historical signs without WVDOH excess right-of-way, related to the Dunloup Creek Buyout project.

Ms. Berry presented a request from the Prosecuting Attorney to allow 51 hours of sick time from the donated bank to be allocated to Cathy Morris. Commissioner Wender motioned to acknowledge that the request was received and

due to the personnel manual rules, the request was denied.

Discussion was held regarding a new Pitney Bowes postage meter. Commissioner Wender motioned to approve Lease Option 1 as long as the 36 month lease can be written as yearly contracts. Commissioner Lopez seconded. Unanimous decision.

The meeting adjourned at 1:30 p.m.

August 26

FAYETTE COUNTY COMMISSION
AUGUST 28, 2015
SPECIAL SESSION
COURTHOUSE

FAYETTEVILLE, WV 25840

MEMBERS Present: Denise A. Scalph, Matthew D. Wender

Others present: Larry Harrah, Eddie Young, Debbie Berry, Stephanie Sears

The Fayette County Commission met in a special session on this 28th day of August, 2015.

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

Eddie Young, Assessor, reviewed the handout he prepared for the Commissioners. He stated that the spreadsheet numbers are estimates.

Commissioner Wender stated that we need to find out which coal companies have filed for bankruptcy. Alpha Resources filed on August 3rd, 2015.

Larry Harrah, III, Prosecuting Attorney, stated that the companies that rely on the coal companies may have to follow in bankruptcy and that is something else we should consider.

Mr. Young's office is expecting a 25% decline in personal property taxes next year.

Discussion was held regarding the process for the commission today. They will look at coal severance to see what can be paid from that fund that was originally budgeted to be paid from General County. Then, they will make

major reductions in the general county fund.

A workshop was held for budget purposes.

The Commission recessed at 12:30 in preparation for the 1:00 p.m. meeting.

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

In attendance in addition to those from the 9:00 session: Kevin Walker, OEM Interim Director; Danny Wright, Circuit Clerk; Tim Richardson, Zoning; Brian Sparks, WVU Extension Office; Dickie Smith, Maintenance; Okey Skidmore, Memorial Building; Steve Kessler, Sheriff; Earl Pauley and Peggy Bennett, Park; Gabe Peña, Assistant Resource Coordinator; Sarah Plummer, Register Herald.

President Scalph made a statement regarding the budget changes. No employees will be affected at this time or in the near future. County Commission will decrease their departmental budget \$185,000.00. Non-emergency overtime will be eliminated. Part-time positions will be reduced. Supplies and materials purchases will be reduced; capital outlay purchases are tabled; there is a hiring freeze.

The meeting adjourned at 1:15 p.m.

FAYETTE COUNTY COMMISSION

SEPTEMBER 8, 2015

REGULAR SESSION

COURTHOUSE

FAYETTEVILLE, WV 25840

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

The Fayette County Commission met in a regular session on this 8th day of September, 2015.

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

Eddie Young, Assessor, presented exonerations for real property for John M. Zink, Jr. \$105.94; and Kevin A. and Ashley R. Knight \$63.80. Commissioner Lopez motioned to approve the real property exonerations. Commissioner Wender

seconded. Unanimous decision.

Mr. Young presented exonerations for personal property for Christina & Michael Gordon \$132.28; Emory & Joan Goode \$640.58; Danny W. Clifton \$449.50; Kelly M. & Michael S. Brown \$406.40; David Hull \$41.26; Charles A. & Rosie Nutter \$392.76; Stephen Perry \$22.14, \$21.00, and \$13.80; Professional Billing Services \$195.28; and Gary Calvert II & Peggy & Wm. Gilliam \$97.38.

Commissioner Lopez motioned to approve the personal property exonerations.

Commissioner Wender seconded. Unanimous decision.

Mr. Young presented 3 refunds for Kevin A. & Ashley R. Knight \$62.20; Terry Hicks \$115.48; and Nathan K. Calvert \$89.92. Commissioner Wender motioned to approve the refunds. Commissioner Lopez seconded. Unanimous decision.

Sheriff Steve Kessler appeared to present the Delinquent Land List to the Commission.

Debbie Berry, County Administrator, presented a memo to be added to the personnel manual stating that due to the anticipated loss of \$1.2 million in property taxes, the Commission has removed the educational payment benefit from page 40.

Commissioner Wender motioned to amend and remove the educational payment plan from the manual. President Scalph seconded. Unanimous decision.

Ms. Berry presented a letter from Armstrong Deepwater PSD requesting to appoint Thomas Gibson to fill Donald Navarro's unexpired term due to resignation. Commissioner Lopez motioned to approve the recommendation to appoint Thomas Gibson to Armstrong Deepwater PSD. Commissioner Wender seconded. Unanimous decision.

Ms. Berry presented a letter for signature to reappoint David Barnhart to the Fayette County Building Commission. Commissioner Wender motioned to reappoint David Barnhart to the Building Commission. Commissioner Lopez

seconded. Unanimous decision.

Ms. Berry presented an order for approval and signatures by the Commission to substitute securities pledged from Fayette County National Bank to the Fayette County Commission as of September 11, 2015. Commissioner Wender motioned to approve and sign the order. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a letter for approval and signatures to the Supreme Court requesting reimbursement for rent for the Family Law Judge in the amount of \$3,375.00 for the month of October 2015. Commissioner Wender motioned to approve and sign the request. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a partnership agreement between the Workforce Development Board and the Commission to organize and implement activities pursuant to and mandated by the Workforce Innovation Opportunity Act of 2014 and in accordance with requirements established by the Governor of the State of West Virginia. Commissioner Wender motioned to approve and sign the agreement. Commissioner Lopez seconded. Unanimous decision.

Angela Gerald, Building Code and Safety Department, appeared with John Zink to discuss his property. Mr. Zink was informed by the Commission at their last meeting together that he was supposed to contact Allen Ballard to inspect the interior of the building. Mr. Zink never contacted Mr. Ballard.

The Commission agreed to give them until September 15th to obtain a report from Mr. Ballard. If this does not happen, the building will be demolished.

Commissioner Wender motioned to give Mr. Zink until September 15th to have Mr. Ballard inspect the building and report to the Commission, and if he does not, the county will tear down the building. Commissioner Lopez seconded. Unanimous decision.

Discussion was held on the Ansted dilapidated property across from

Contentment House. The Commission requested that the agreement state that if Ansted does not sell the property, the Town of Ansted will be required to make monthly payments to pay back the lien.

Discussion was held on the October 15th meeting. The Commission agreed to cancel the meeting on October 15th. Angela Gerald will be rescheduled for her dilapidated update.

Ms. Berry presented a budget revision for the Coal Severance and General County funds. Commissioner Wender motioned to approve the General County budget revision #2 and Coal Severance budget revision #2, which reflect the reductions the Commission had to make due to the bankruptcy of coal companies. Commissioner Lopez seconded. Unanimous decision.

President Scalph read a letter from the Fayetteville Lions Club stating that due to an established residual fund, they should remain solvent for a while. They voted unanimously to no longer solicit contributions from the Commission, not wanting to add to budgetary shortfalls that the county may be facing. The Commission commends the Fayetteville Lions Club for their action.

Commissioner Wender motioned to enter into an executive session at 10:15 a.m. Commissioner Lopez seconded. Unanimous decision.

The Commission reconvened at 10:55 a.m.

Discussion was held on the New River Humane Society, Inc. lease. The Commission will pay for their audits but not their liability insurance. The NRHS, Inc. will be responsible for coverage for their employees, board members, volunteers, etc... The NRHS, Inc. will obtain 3 bids for the audits, choose the lowest bid and forward the audit and invoice to the Commission.

Discussion was held regarding a letter to the School Building Authority supporting the plan of Fayette County Superintendant Terry George for Fayette County Schools. Commissioner Wender and Gabe Peña will work further on the letter after the meeting. Commissioner Lopez motioned to approve signing the

final draft supporting the plan for SBA funding. Commissioner Wender seconded. Unanimous decision.

Kevin Walker, Interim OEM Director, appeared to discuss OEM office staffing. The Planner position 6 month probationary period ended on September 1st.

Mr. Walker has now been here 6 months. He discussed his accomplishments as planner under Theresa White's supervision. Mr. Walker completed 4 action plans in the past 6 months.

The Commission agrees to Kevin Walker being appointed as the permanent OEM Director with a 3 month probationary period.

Mr. Walker will have a salary of \$29,000.00 from September 1st to September 15th as the post-probation planner rate. Starting September 15th Mr. Walker will have the probationary OEM Director salary of \$36,000.00 then after 3 months, starting on December 15th, he will receive a salary of \$40,000.00.

The meeting adjourned at 12:15 p.m.

FAYETTE COUNTY COMMISSION
SEPTEMBER 15, 2015
REGULAR SESSION
COURTHOUSE

FAYETTEVILLE, WV 25840

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

The Fayette County Commission met in a regular session on this 15th day of September, 2015.

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

Steve Fox, Assessor Chief Deputy, appeared to present a real property exoneration for Whispering Oaks LLC \$576.46. Commissioner Lopez motioned to approve the 1 real property exoneration. President Scalph seconded. Unanimous decision.

Mr. Fox presented a refund for David Hull \$20.63. Commissioner Lopez motioned to approve the refund. President Scalph seconded.

Unanimous decision.

Commissioner Lopez motioned to approve 1st half payroll and release checks today and approve vouchers and invoices and release checks today. President Scalph seconded. Unanimous decision.

Debbie Berry, County Administrator, presented the annual financial statement for approval and signature of President Scalph and to be published in the newspaper. Commissioner Lopez motioned to approve the financial statement to be published. President Scalph seconded. Unanimous decision.

Commission Wender arrived at 9:07 a.m.

MS Berry presented a request from the Fayetteville Ministerial Association for use of the Fayette County Soldiers and Sailors Memorial Building on Sunday, November 8, 2015 from 2:00 p.m. to 5:00 p.m. to honor all US Military Veterans.

Commissioner Lopez motioned to approve the use of the FCMB. Commissioner Wender seconded. Unanimous decision.

John Stump appeared to present the supplemental resolution authorizing the refunding of outstanding bonds for the 911 Center. Savings gross amount in April 2015 was \$110,000.00. In July, savings gross amount was down to \$65,000.00. Current savings gross amount is \$100,000.00.

The Commission will set a floor with savings so Crews and Associates will know whether to go forward with the offering document.

Commissioner Wender motioned to adopt the supplemental resolution. Commissioner Lopez seconded. Unanimous decision.

Commissioner Wender motioned that the Commission not hold a special meeting when the bonds go to market and to set a 3% floor on savings and authorize council to go to market if it is met.

Commissioner Lopez seconded. Unanimous decision.

Tim Richardson appeared to give the Commission an update on a matter with a development issue in the Ames Heights area. Trees were cut on National Parks Service property for a bridge view without permission. The Commission has no action in this, but Mr. Richardson wanted to keep them up to date on the issue.

Lesley Taylor appeared to discuss Arbuckle PSD. The Commission reviewed the request. Arbuckle PSD did vote at their last meeting to reverse a previous motion to pay Triad to buy a pump for Station 1. The Commission is waiting on a draft of the minutes from Arbuckle PSD.

\$8,525.00 will come from the Commission and \$8,525.00 will come from the IJDC.

Commissioner Wender motioned to allow that portion of Fayette County Funds that are not expended to be used to buy a pump for Station 1 at the cost of \$8,525.00. Commissioner Lopez seconded. Unanimous decision.

Lauren Weatherford appeared to give an update on the Wellness Group.

Vista worker is a \$5,000.00 match from the Commission. With the decreased forecast of the county budget, the Commission is not able to support the match at this time.

Discussion was held on food deserts. Ms. Weatherford is working to gather more information on this issue.

Allen Ballard, Building Code Officer, appeared to give an update on the John Zink property at Hilltop. The property is completely disintegrated.

Mr. Zink asked for 6 months to tear it down. Some of the wood is good and salvageable and he wants to keep it. Property taxes have not

been paid and the property will be on the land sale on November 13th.

The Commission feels enough time has already been given.

Commissioner Wender motioned to bid out the removal of the building.

Commissioner Scalph seconded. Motion carried 2-1.

Mark Bass appeared to discuss the 911 center rent for the fire coordinator space. Commissioner Wender and Stephanie Sears, staff accountant, will attend the next fire association meeting on October 15th at 7:30 pm at the 911 center.

Jamie Bennett appeared to discuss the 911 phone system. Mr. Bennett gave the Commission letters of recommendation from Pete Hobbs, Alvin Kincaid and Mike Todorovich for the 911 Center phone system. Mr. Bennett gave the Commission the costs to review.

Discussion was held on leasing versus buying options.

Commissioner Wender suggested bringing in a representative from Frontier to answer questions.

Mr. Bennett will contact Frontier and invite Pete Hobbs, Alvin Kincaid and Mike Todorovich to the meeting as well. Mr. Bennett will contact County Administrator's office to be placed on the agenda.

Discussion was held on the generator at the old 911 center. There is a \$5,000.00 quote from RDP to put the generator on wheels. President Scalph suggested putting this on hold and revisiting it at a later date as a budget item.

Brittany Means appeared to give an update on the Create WV conference. Provided the Commission with a packet and full agenda. The schedule is now available on the website and Ms. Means asked that the event be placed on the county website. Frontier is making the Town of Fayetteville wifi enabled.

Discussion was then held on the New River Humane Society, Inc.'s

amendment to the lease and funding agreement. Prosecuting Attorney Larry Harrah prepared the amendment for the Commission to sign. It includes 30 days notification for either party to dissolve the lease and also for the Commission to pay for the annual audit.

Commissioner Wender motioned to enter into the addendum lease agreement that says 30 days notice will be given by either party to end the NRHS, Inc.'s lease and that the Commission will pay for the annual audit. Commissioner Lopez seconded. Unanimous decision.

Discussion was held on legal action of plans for closure of WVU Tech. The Commission does have the authority to sue. The question was posed if the Commission has any standing. Mr. Harrah stated that the Commission could sue due to the economic loss on Fayette County. The Commission needs to consider if this is something to pursue.

This meeting is just to authorize pursuing the potential lawsuit. Commissioner Wender wants to move forward with the potential lawsuit.

Commissioner Wender motioned for the Fayette County Commission to be a plaintiff in a possible lawsuit against WVU Board of Governors for the relocation of WVUIT out of Montgomery. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a request from a 911 employee, who has not accrued paid leave, asking for an exception for maternity leave. The Commission did not approve this request.

The meeting adjourned at 1:35 p.m.

FAYETTE COUNTY COMMISSION
SEPTEMBER 29TH, 2015
REGULAR SESSION
COURTHOUSE

FAYETTEVILLE, WV 25840

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

The Fayette County Commission met in a regular session on this

29th day of September, 2015.

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

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

President Scalph motioned to approve the minutes from August 14th and 28th. Commissioner Lopez seconded. Unanimous decision.

Commissioner Wender entered at 9:07 a.m.

Debbie Berry, County Administrator, presented a request from the Women's Resource Center to hang ribbons on the courthouse, annex and Family Law Judge front doors. Commissioner Lopez motioned to approve the request, Commissioner Wender seconded. Unanimous decision.

Ms. Berry presented a Small Cities Community Development Block Grant drawdown and resolution for \$6,500.00 for signature and approval of President Scalph authorizing payment of invoices related to construction and other services for the Kanawha Falls-Boonesborough Waterline Extension Project. Commissioner Lopez motioned to authorize President Scalph to sign the drawdown. Commissioner Wender seconded. Unanimous decision.

Ms. Berry presented a request from Fayette County National Bank to substitute securities pledged to the Fayette County Commission as of September 25, 2015. Commissioner Wender motioned to approve the request. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a request from White Oak PSD to appoint Lawrence Bledsoe to fill Al Gannon's unexpired term as Commissioner with the White Oak PSD. Commissioner Lopez motioned to approve. Commissioner Wender seconded. Unanimous decision.

Ms. Berry presented a support letter for approval and signature

to the WV School Building Authority for funding for Fayette County Schools. Commissioner Wender motioned to approve the letter and mail it at an appropriate time. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented the application for the CFIA grant for Phase I of the masonry and brick repair to the courthouse. Commissioner Wender motioned to submit the application for repointing the brick and redecorating the masonry. Commissioner Lopez seconded. Unanimous decision.

Andrea Mender, WVU Extension Office, appeared to discuss the Parks and Recreation Authority Board. By-laws were reviewed. Discussion was held on members of the board and a secretary.

Ms. Berry will send a letter to the park requesting Susan DuFour as the secretary.

The board will meet and choose their members and draw for terms so that they are staggered.

The Commission wants to let the board know they are open to expanding the board by 2-3 members after the initial meeting and the board decides what they would like represented.

Commissioner Wender motioned to appoint the board members for the first meeting, who will draw for terms that are staggered. Commissioner Lopez seconded. Unanimous decision.

The board creation order will be prepared for the October 7th meeting for the Commission to sign. Andrea Mender will determine the 1st meeting date and let Ms. Berry know of terms.

Ms. Berry presented a letter to the New River Humane Society for approval and signature stating that the budget must be followed and the County Commission can no longer supply additional funding for

utilities. Discussion was held on the letter.

Commissioner Wender suggested hearing from them to see what they are going to conserve utilities and finances.

The Commission requested sending Melvin Withrow and Allen Ballard to the shelter to make a list of what can be fixed to take precautionary measures. Have an assessment of energy proficiency completed.

Discussion was held on the shingles at the shelter not being used. Ms. Berry will check where the shingles came from and who is supposed to fix which building.

President Scalph suggested rewording the letter. Ms. Berry will make the corrections.

Jerry Willoughby appeared to discuss space for the Drug Court. Drug Court is mandated to begin by July 1, 2016. Drug Court officers will need office space. Possible locations are in Probation, the annex or even at the Day Report Center.

Space will need to be available for drug testing which is performed twice a week. Suspects are in Drug Court for at least 12 months, on average 18 months. Space will also be needed for group counseling.

Mr. Willoughby believes the Belinda Morton property would be an ideal location.

Fletcher Adkins with the Supreme Court states there are not funds available for construction. And no reimbursement for space at all.

Mike Moore with Silling Associates stated that the Court Security Fund has grants available for security but not for construction.

Group meetings on average have 25 people but some do have more than 50. Treatment Teams meet weekly in jury rooms attached to

courtrooms.

Old school buildings have been used before for Day report Centers and Drug Court.

The Commission suggested the Fayette County Memorial Building basement as a temporary place until funds become available for other space.

The panel present will look at the FCMB basement to see if it is acceptable.

Commissioner Wender suggests 2 options:

1) Plan to fit an extra office into the Probation department now and to obtain a good drawing and bid out to fix up the Morton property.

Commissioner Wender suggested Mike Moore with Silling to conduct a feasibility study on the Morton property.

2) House Drug Court officer in the Morton property and not the entire probation department.

The Commission requested Mr. Moore to give drawings for just the Drug Court officer.

Walter Bean with the Fayette County Gun Club appeared to present quotes/bids for the new roof. The low bid is \$2,000.00. In previous meetings, the Commission approved \$2,500.00 towards the project.

The Commission requested Melvin Withrow to assist with the project.

Commissioner Wender motioned to undertake the roof project for the Sportsman's recreation center with two conditions: 1. The Fayette County Commission will purchase the material 2. In addition, the FCC will pay \$1,000.00 for labor and not to exceed \$2,000.00 in total for materials and labor. President Scalph seconded. Unanimous decision.

Eddie Young, Assessor, appeared to present exonerations for real property for Michael W. & Janice Shuck \$249.04; Marvin Lyle Barnett \$63.42; Johnny Stevens etal \$256.20; Gerald & Paul Jackson \$84.56; Latoya Ray \$167.56 & 164.50; Peggy Tolley \$30.24; Jason D. Basham \$46.12 & 102.24; Barbara E. Crist \$2564.20; Ted Tichenor \$177.56; Erma Pennington \$635.32; Shelby Jean Jeffries \$124.78; Joda & Carla Meisel \$299.76; Joyce S. Garrison \$442.72; Consol 3rd Party Gas \$6.42, 6.42 & 6.42; Orval Franklin Coffey etal \$213.04; Samuel Smith \$251.36; James F. & Drema Hanshaw \$13.08; Donna J. Grimmett \$387.76 & 397.08. Commissioner Wender motioned to approve the real property exonerations. Commissioner Lopez seconded. Unanimous decision.

Mr. Young presented 3 orders to combine or divide and segregate land for Neva P. Dixon, Marvin & Anna Morton, and Scott & Mary Robertson, respectively. Commissioner Wender motioned to approve the orders. Commissioner Lopez seconded. Unanimous decision.

Kelly Jo Drey, Resource Coordinator, appeared to present a resolution for approval and signature in support of Power Plus. Commissioner Wender motioned to sign the resolutions for Power Plus plan recognizing that the County Commission is in support of funding. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a State of West Virginia Federal Sub Recipient Disbursement Agreement for Polling Place Accessibility for the Commission to approve and sign. Commissioner Wender motioned to approve the application to the Secretary of State's office for \$37,500.00 to make two polling places ADA accessible. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a correction in the estate of Lark Scott. It changes the lawyers' names that were stated incorrectly. Commissioner

Lopez motioned to sign the corrected order. President Scalph seconded. Unanimous decision.

Discussion was held with Mike Moore with Silling Associates about the Morton property and the feasibility of the current building. Commissioner Wender's thoughts are doing what we have to do to provide the space. Mr. Moore suggested using the building as is with small tweaks or do bigger remodels.

Jerry Willoughby stated that small renovations to the Morton building would work for Drug Court.

Commissioner Wender suggested that Mr. Moore prepare drawings with notes of how to remodel then Mr. Willoughby show to Charleston and the judges for their remarks.

The meeting adjourned at 12:46 p.m.

FAYETTE COUNTY COMMISSION
OCTOBER 5th, 2015
SPECIAL SESSION
COURTHOUSE

FAYETTEVILLE, WV 25840

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

The Fayette County Commission met in a special session on this 5th day of October, 2015.

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

Discussion was held on retaining counsel and payment terms.

Prosecuting Attorney Larry Harrah has been communicating with Mountain State Justice (MSJ). Dan Hedges has represented cases like this with public education. MSJ agreed to represent Fayette County against whoever the defendant will be.

The Commission will cover expenses, not to exceed \$5,000.00. The Fayette

County Commission will not be the only plaintiffs in this lawsuit.

The Commission has an interest in this case by way of property values.

Commissioner Wender read a statement on behalf of the Commission.

(Attached.)

Commissioner Wender motioned to retain MSJ as counsel and consider entering as plaintiff and guarantee up to \$5,000.00 for expenses to the lawyers. Commissioner Lopez seconded. Unanimous decision

The meeting adjourned at 9:26 a.m.

FAYETTE COUNTY COMMISSION

OCTOBER 7th, 2015

REGULAR SESSION

COURTHOUSE

FAYETTEVILLE, WV 25840

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

The Fayette County Commission met in a regular session on this 7th day of October, 2015.

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

Eddie Young, Assessor, presented personal property exonerations for Cody & Jama Evans \$330.88; Mitchell W. or Helen K. Redman; Douglas W. Burnside \$6.38; Anita J. McClung \$6.42; Ervin Fruit \$101.44; Marylou (Boggs) & Joseph E. Johnson Jr. \$21.36; Matthew A. & Lyndsi O. Wriston \$1593.70; Bryan V. & Kathy A. Zutaut \$557.96. Commissioner Lopez motioned to approve the personal property exonerations. Commissioner Wender seconded. Unanimous decision.

Mr. Young presented exonerations for real property for David Ellison \$1402.96; Charles E. Epperly \$100.90; Michael A. Basham \$296.10; Ralph & Sharon Ann Giguere \$477.30; Mom Haven 12 LP \$1,037.62; Emmi E. Honaker \$15.38. Commissioner Wender motioned to approve the real property exonerations. Commissioner Lopez seconded. Unanimous decision.

Mr. Young presented refunds for Marvin Lyle Barnett \$30.91 and Gerald

and Paul Jackson \$83.50. Commissioner Wender motioned to approve the refunds. Commissioner Lopez seconded. Unanimous decision.

President Scalph motioned to approve the minutes of previous meetings held on September 8th and September 15th. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented three combine or divide & segregate land orders for Paul W. & Beverly Cole, William J. or Janice Whitlock, and Dale Hayden, respectively. Commissioner Lopez motioned to approve the orders. Commissioner Wender seconded. Unanimous decision.

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

Debbie Berry, County Administrator presented a letter from Page-Kincaid PSD to reappoint James A. Kincaid, Jr. Commissioner Wender motioned to approve the reappointment. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a drawdown request in the amount of \$13,205.60 for Community Corrections for the month of September 2015 for the Commission to approve. Commissioner Lopez motioned to approve. Commissioner Wender seconded. Unanimous decision.

Ms. Berry presented a Consumer Sales and Service Tax from the Fayette County Park for President Scalph to sign. Commissioner Wender motioned to approve and authorize President Scalph to sign. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented demolition orders from Angela Gerald for signature for properties owned by Heather Jones and Nancy Ratliff, approved in the August 14th, 2015 meeting.

Larry Harrah, Prosecuting Attorney, appeared to appoint a curator in

the estate of Lois A. Bowyer. Mr. Harrah recommended appointing Brandon Steele with Paul Clay's office as curator. Mr. Harrah will prepare the order for the Commission to sign. Commissioner Wender motioned to appoint Brandon Steele in the estate of Lois A. Bowyer and officially relieve Tom Fast from the position. Commissioner Lopez seconded. Unanimous decision.

Stephanie Meadows, American Red Cross, appeared and presented a plaque to the County Commission to thank them for their support over the years.

The American Red Cross' main daily operation is help families during house fires. Their Home Fire Campaign aims to decrease death by 25% by educating residents on house fires. The ARC will place fire detectors in homes for people who cannot afford detectors. They have a 5 year goal to install 5,000 fire alarms in homes.

Ms. Berry presented the order creating the Parks & Recreation Advisory Board. Commissioner Wender motioned to appoint Andrea Mender, Lauren Weatherboard, Tug Chamberlin, Kerrie Dixon, Aletha Stolar, Dennis Feazell, Les Thomas, Student seat TBD, and Melanie Seiler to the Advisory Board. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a letter and custodian & security agreement for the Commission to approve and sign authorizing the release from SunTrust to the Federal Home Loan Bank of Pittsburgh for all securities held on behalf of the Fayette County Commission.

Commissioner Wender motioned to authorize the release of SunTrust to the federal securities. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a request from Tabby Bennett who works with Orion Strategies for a statement of support for Safe and Affordable Foods for the Commission to approve and sign to advocate for federal legislation that will enact standards nationwide to provide the public with accurate

and consistent information for all products containing genetically modified ingredients.

Commissioner Wender motioned to authorize signing the statement of support for Safe and Affordable Foods. Commissioner Lopez seconded. Unanimous decision.

Kelly Jo Drey appeared to read a support letter for approval and signature regarding the West Virginia Land and Water Conservation Fund. Commissioner Wender motioned to approve and send the letter to Senators Manchin and Capito and Congressmen McKinley, Mooney and Jenkins. Commissioner Lopez seconded. Unanimous decision.

Jamie Bennett appeared with Stacy Robbins, Frontier, to discuss the 911 center telephone system. Discussion was held regarding financing options.

Option 1. Dollar Out Municipal Lease - at the end of the lease, the county could purchase the system for \$1. But will have to think about upgrading options. Will need to replace in 5-7 years.

Option 2. SHIELD - a monthly payment with updating system for 5 years, renegotiating at the end of 5 years. System replacement guarantee and GAP program.

SHIELD is more expensive than the Dollar Out option, however included in SHIELD is a 5 year maintenance on hardware and software. For year 6, there is one year auto renewal or 3 years lease renewal with a 25% discount or a buyout.

Upfront purchase cost is \$271,464.48 with a warranty for 60 months. 25% upfront and 50% when equipment is on site. The remaining 25% due after the system has been accepted by the county.

Mr. Bennett recommended the SHIELD option. Mr. Harrah will read

through the contracts.

Commissioner Wender motioned to approve SHIELD option with the provision that Mr. Harrah read over the contract and ask any questions and approve. Commissioner Lopez seconded. Unanimous decision.

Mr. Bennett also mentioned that mass notification training starts on October 8th.

Garrett Clyburn, Community Connections, appeared to discuss the Drug Take Back Box in Fayette County.

Mr. Clyburn wants to install a permanent Drug Take Back Box on courthouse grounds. These are typically stationed in the Sheriff's office.

There is a bi-annual Drug Take Back Day when the collected drugs would be disposed of.

The average West Virginian has 22 prescriptions.

The program costs an average of \$600.00 - \$900.00, which will be paid by the grant through the Community Connections office.

The Commission will need to first discuss this with the Sheriff and determine how to dispose of the drugs.

Other counties also have substance abuse programs in schools. Mr. Clyburn will meet with the Fayette County Board of Education about the potential for this program here, and then report his findings with the Commission on a future agenda.

Eddie Young, Assessor, appeared again to give a financial update for Fiscal Year 2016. Mr. Young has worked with the State Tax Department to obtain the forecasted numbers. (Handout attached.)

Fayette County can expect a 25% decrease in business property taxes.

Commissioner Wender motioned to hold a special meeting on October 14th at 3:00 p.m. They will first have an executive session with legal counsel

and then will meet to retain an attorney. Commissioner Lopez seconded.
Unanimous decision.

Commissioner Wender motioned that the Fayette County Commission will approve invoices that need to be paid before the next Commission meeting. President Scalph seconded. Unanimous decision.

The meeting was adjourned at 12:02 p.m.

FAYETTE COUNTY COMMISSION
OCTOBER 14th, 2015
SPECIAL SESSION
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS Present: Denise A. Scalph, John H. Lopez, Matthew D. Wender

The Fayette County Commission met in a special session on this 14th day of October, 2015.

President Scalph called the meeting to order at 3:06 p.m.

Commissioner Wender motioned to enter into an executive session at 3:06 p.m. for legal counsel. Commissioner Lopez seconded. Unanimous decision.

The executive session ended at 4:02 p.m.

President Scalph stated that the executive session was so that the Commission could receive legal representation with legal counsel.

Commissioner Wender motioned for the Fayette County Commission to be a plaintiff against the WV School Building Authority with legal counsel of Mountain State Justice and the Commission will guarantee up to \$5,000.00 and authorize President Scalph to sign the letter of engagement on behalf of the Commission. Commissioner Lopez seconded. Unanimous decision.

The meeting was adjourned at 4:09 p.m.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
OCTOBER 28, 2015
COURTHOUSE

FAYETTEVILLE, WV 25840

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

The Fayette County Commission met in a regular session this 28th day of October, 2015.

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

Eddie Young, Assessor, appeared to present real property exonerations for Landquest \$1,597.16; James William Ramsey \$1,549.48 & \$1,403.24; Allen M. Winebrenner \$140.52; Nettie Louise Miller \$120.68; Gary Foster \$65.08; Jerry Blair \$168.32 & \$156.02; Homer C. Jr. & Ellen E. Eastman \$65.22; Ang Real Estate Holdings LLC \$94.00 & \$579.58; Eddie O. & Teresa Ramsey \$104.52 & \$101.46; Three River Rentals Inc. \$1,597.72; Richard McVey \$45.36; Shirley M. Dunkley Treadway \$167.86 & \$167.86; Ray F. & Joann Slayton \$243.42; Justin Brewer \$166.90; Frank Ratliff \$245.95; Keith & Phyllis J. Thomas \$129.52; Cathy J. Morgan \$119.42; Dorinda Fitzwater etal \$317.44; Vintec Manufacturing LLC \$696.30 & \$429.90. Commissioner Wender motioned to approve the real property exonerations. Commissioner Lopez seconded. Unanimous decision.

Mr. Young presented 3 refunds for Landquest \$1,557.22; James William Ramsey \$1,445.33 & \$1,510.74. Commissioner Lopez motioned to approve the refunds. Commissioner Wender seconded. Unanimous decision.

Mr. Young presented an application for Correction of Assessment for Roger West. Commissioner Wender motioned to accept the application. Commissioner Lopez seconded. Unanimous decision.

The Commissioners recognized Melvin Withrow, Matt Abbott and Dickie Smith for their work on the grave at Dunloup Creek.

Commissioner Lopez motioned to approve payroll and release checks

on the 30th and approve vouchers and invoices and release checks today. Commissioner Wender seconded. Unanimous decision.

President Scalph motioned to approve the minutes of August 26, September 29th, October 5th, October 7th and October 14th. Commissioner Lopez seconded. Unanimous decision.

Gabe Peña, Assistant resource Coordinator, appeared to present the resolutions for the Records Management & Preservation Grant. The County Clerk, County Commission and the Assessor submitted requests. The Commission must prioritize the requests:

| | |
|-------------------|----------------------------|
| County Clerk | \$11,211.60 |
| County Commission | \$5,835.94 |
| Assessor | Proposal not yet submitted |

Commissioner Wender suggested next year to present a proposal to finish all of the shelving in the FCMB basement. All space in the basement of the Fayette County Memorial Building will be used for storage, as stated by the commissioners during this meeting.

Commissioner Wender motioned to set the priority as County Clerk, County Commission and Assessor (in that order) and sign the resolutions. Commissioner Lopez seconded. Unanimous decision.

Angela Gerald, Building Safety Department, appeared to discuss dilapidated properties. Ms. Gerald presented before and after photos of 3 properties the county approved for demolition.

Commissioner Wender suggested that our priority should be major highways and thoroughfares and to clean up those with the remaining money in the URA fund.

Ms. Gerald presented photos of the Aleta Freeman property that the homeowner removed.

Deborah Berry, County Administrator, presented 2 orders to

Combine or Divide & Segregate Land for Amber Brown and Melisa D. Bright with Matthew Paden, respectively. Commissioner Lopez motioned to approve the orders. Commissioner Wender seconded. Unanimous decision.

Ms. Berry presented a letter for signature to the WV Supreme Court of Appeals requesting reimbursement for rent for the Family Law Judge for the month of November, 2015 in the amount of \$3,375.00. Commissioner Wender motioned to sign the letter. Commissioner Lopez seconded. Unanimous decision.

At 10:00 a.m. a bid opening was held for the Courthouse Masonry Grant. One bid was received from Keystone for \$56,100.00 with 5 alternatives:

- 1 - \$2,670.00
- 2 - \$19,159.00
- 3 - \$5,353.00
- 4 - \$740.00
- 5 - \$300.00

Commissioner Wender motioned to accept the bid from Keystone & request the architect to review and approve and verify priorities. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented support letters for signature to John David with Southern Appalachian Labor School with notification that the Fayette County Commission has reviewed his request for the HOME Community Housing Development Organization funds from the West Virginia Housing Development Fund to construct one single family house on their property at Hilltop, WV and to construct two duplex units (four apartments) on property donated by the Fayette County Board of Education at Page, WV. Commissioner Wender motioned to approve and

sign the support letters. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a request from Cheryl Wood, Co-President of the GFWC Junior Woman's Club to use the Fayette County Soldiers and Sailors Memorial Building on Saturday, November 21, 2015 from 8:00 a.m. to 8:00 p.m. to host a "First Responder/Police-man/Fire-fighter" basketball tournament. Commissioner Lopez motioned to approve the request. Commissioner Wender seconded. Unanimous decision.

Ms. Berry presented a request from Melvin Jones, Chairman with the Greater Kanawha Valley Foundation requesting the Commission to select up to three (3) potential candidates for consideration by the Foundation's Nominating Committee for a seat on the Foundation's Board of Trustees. The Commission will think about potential candidates and decide on November 4th.

Ms. Berry presented a letter to all county employees regarding the budget outlook for FY 2016/2017. Ms. Berry will make corrections and put it on letterhead. The Commission will sign the letter on November 4th.

Ms. Berry presented a preliminary calendar for 2016. The Commission will review the calendar at home. Meetings will be held every other Friday; however, January's meetings will be on the 8th and 29th.

Discussion was held on the hiring freeze. Rehiring a position will be on a case by case basis. Commissioner Wender suggested writing a memo to office holders. If a department loses 1 employee, the Commission asks that the department not rehire. If 2 employees leave, the office holder should come to the Commission and a decision will be made on a case by case basis.

Ms. Berry presented an order for signature appointing Brandon Steele as curator in the estate of Lois A. Bowyer. This was motioned during the last meeting.

Discussion was held on WVU Tech. Commissioner Wender stated that he is very confident in the sincerity of WVU. Commissioner Wender suggested that the Commission not be a plaintiff or have anything to do with a lawsuit against WVU. Commissioner Wender motioned to withdraw a commitment made on September 15th and going forward, the Commission will not be any part of the lawsuit to force WVU to stay in Montgomery. Instead, the Commission will work with WVU to come up with ways to help the Valley's economic development. Commissioner Lopez seconded. Unanimous decision.

Larry Harrah, Prosecuting Attorney, suggested that the Fayette County Commission prepare a memorandum of understanding with the cities of Montgomery and Smithers and the Kanawha County Commission.

The meeting was adjourned at 11:15 a.m.

FAYETTE COUNTY COMMISSION

REGULAR SESSION

NOVEMBER 4, 2015

COURTHOUSE

FAYETTEVILLE, WV 25840

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

The Fayette County Commission met in a regular session this 4th day of November, 2015.

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

Eddie Young, Assessor, appeared to present real property exonerations for Ronald Gene & Jo Ann Null \$105.30; James Louis II & Nancy Tillette \$213.92; Frederick D. Palmer \$478.16; Wells Fargo Bank \$440.92; W.C. Adkins \$6.72. Commissioner Wender motioned to approve

the real property exonerations. Commissioner Lopez seconded.

Unanimous decision.

Mr. Young presented a refund for Keith & Phyllis J. Thomas for \$126.28. Commissioner Wender motioned to approve the refund.

Commissioner Lopez seconded. Unanimous decision.

Mr. Young suggested the Commission write a letter to the State Tax Department regarding the increase in assessment. When there is a loss in business in a county and former companies no longer file with the state, the state adds 10% to the county's overall assessment; however, the county does not receive tax dollars to match the state's assessment. The County is aware that these companies are out of business. The Commission will request real numbers of assessment from the State Tax Department. Mr. Young will give bullet points of the situation to Debbie Berry, County Administrator, to prepare the letter. Commissioner Lopez motioned to approve vouchers and invoices and release checks today. Commissioner Wender seconded. Unanimous decision.

Discussion was held regarding the Fire Association rent for their portion of the 911 Center. The Fire Association is agreeable to \$1,000.00 a month and the Commission understands this Fire Levy will be burdened due to taxes. This will take effect on December 1, 2015.

Commissioner Wender motioned that the Fayette County Commission enter into a lease with the Fire Association for one year for the occupied space in the 911 Center for \$1,000.00 a month. Commissioner Lopez seconded. Unanimous decision.

Commissioner Wender states that he will be unavailable for the December 2nd meeting.

Commissioner Wender motioned to enter into an executive session

at 9:50 a.m. to discuss a personnel matter in the maintenance department. Commissioner Lopez seconded. Unanimous decision.

The Commission reconvened at 10:10 a.m.

Commissioner Wender motioned to follow the recommendation of the maintenance department regarding the personnel matter. Commissioner Lopez seconded. Unanimous decision.

Larry Harrah, Prosecuting Attorney, presented an emergency situation regarding the estate of Roger Wayne McClung. Commissioner Wender motioned that Roger William McClung be removed as the executor in the estate of Roger Wayne McClung and Laura Kees be appointed. Paperwork will be prepared by the Prosecutor's office. Commissioner Lopez seconded. Unanimous decision.

Debbie Dunn, Priority Ambulance, appeared to request to be 911 pagers. They do answer 911 calls if JanCare is unavailable. Discussion was held regarding what must happen.

Commissioner Wender suggested the Prosecuting Attorney's office notify JanCare that their contract is about to expire and needs renewing. The County will open up the bid to other companies. They will also let JanCare know that there will be some new wording and changes in the contract regarding response times.

Mr. Bennett presented the Frontier lease agreement for the new 911 phone system, approved in a previous meeting, for President Scalph's signature.

Ms. Berry presented a budget revision for signature. Commissioner Wender motioned to approve and sign the budget revision for General County for \$214,041.00. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented Change Order Number 1 in the amount of

\$689.75 for replacing the radius wood moulding on dormers for Phase 2 of the courthouse roof project for the Commission to review and authorize President Scalph to sign. Commissioner Wender motioned to approve and authorize President Scalph to sign the change order. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a support letter for the Commission to approve and sign for the Page-Kincaid Public Service District. Commissioner Lopez motioned to approve and sign the support letter. Commissioner Wender seconded. Unanimous decision.

Ms. Berry presented a letter and order for the Commission to approve and sign appointing Cynthia Ruckpaul to fill a vacant position on the Fayette County Planning Commission. Commissioner Wender motioned to approve the order and appoint Cynthia Ruckpaul to the Fayette County Planning Commission to fill the vacancy. Commissioner Lopez seconded. Unanimous decision.

The Commission reviewed the calendar for 2016.

The meeting was adjourned at 11:33 a.m.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
NOVEMBER 13, 2015
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS Present: Denise A. Scalph, John H. Lopez

The Fayette County Commission met in a regular session this 13th day of November, 2015.

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

Eddie Young, Assessor, appeared to present personal property exonerations for Kenneth J. Young \$53.34; Crystal E. Thorne Sharpe \$226.72; Ricky Lee Bailey & Vonda Michaels \$368.78; Allen S. Ramsey

Jr. \$190.62; Matthew Lee & Janet K. Sims \$745.04; Brenda K. Suttle \$14.02; Roger D. Lanham & Montana Callison \$282.46; Brandon Williams \$35.92 & \$38.54; Ronald William Moore \$16.52; Donald W. Ellison \$329.08; Dale A. Jr. & Shannon Watkins \$698.34; Belinda C. Youell \$22.34; Kathy L. Jones \$141.80; William A. Groom \$384.20; Jordan & Alisha Trent \$306.26; Timothy D. & Vickie Hylton \$392.14; Laura L. & Anthony E. Kiser \$531.86; Thomas B. or Tina & Tonya White \$77.50; Charles D. Shawkey II \$199.08. Commissioner Lopez motioned to approve the personal property exonerations. President Scalph seconded. Unanimous decision.

Mr. Young presented real property exonerations for Wesley B. & Mary C. Williams \$553.38; Larry Gill \$82.24; Lawrence G. Bailey \$344.82 & \$344.82; Bradley T. Graybeal \$174.46; Mid State Properties LLC \$923.42. Commissioner Lopez motioned to approve the real property exonerations. President Scalph seconded. Unanimous decision.

Mr. Young presented a refund for James Louis Tillette, II for \$106.96. Commissioner Lopez motioned to approve the refund. President Scalph seconded. Unanimous decision.

Commissioner Lopez motioned to approve 1st half payroll and releases checks today and approve vouchers and invoices and releases checks today. Commissioner Scalph seconded. Unanimous decision.

Brandon Richardson, Headwaters Defense, appeared to present a draft of an ordinance for the Commission and Prosecuting Attorney to review. President Scalph stated that an amendment to the Unified Development Code was made.

Mr. Richardson brought several people to make statements:

Kristine Gilkey said that childhood cancer has spiked in the last 10 years. She is an educator and has had children with cancer in her

classroom. She commends the Commission for moving towards a result and requests that they move along with this as quickly as possible.

Ms. Gilkey read a statement from Melissa Colagrasso, owner of A Place to Grow Daycare, located very near the Danny Webb injection well site. (attached)

Mary Rahall spoke about the dumping of waste at the site. She has researched cancer statistics and leukemia has been on the rise over the last several years. Hydrologic frack waste does have cancer producing agents in it. This is what is being stored at the Danny Webb injection site. Ms. Rahall stated "overall, we want to protect public health." She clarified that she is speaking for all injection wells, not just a particular site. Some of the sludge has been removed and stored in Raleigh County.

Brittany Huerta read a quote from Commissioner Wender from the April 20th DEP public hearing stating that the Commissioners were in support of removing the well.

Sarah Metrick said that Fayette County citizens deserve a better life.

Eric Aurenreith commended the local community and the Commission for taking this stand. He stated that divisions created to protect the public from such hazards are run by the industry.

Mr. Richardson then stated he had a petition with 5,000 signatures. When asked, he declined to share the list with the Commission.

Tom Rhule, attorney, was the last to speak, and discussed the severity of the injection well issue.

Kenny Hayes, New Haven PSD, appeared to discuss a Small Cities Block Grant for NHPSD for a main line extension project. Mr. Hayes

presented the plans and asked the Commission for their support of the project after the Armstrong PSD commitment.

The total funding packet for this project is \$4,656,506.00 with \$50,000.00 requested from the Commission.

Commissioner Lopez motioned that the Commission will support this project and the NHPSD will be next in line for SCBG application. A letter of support will be prepared and signed and the Commission will fund \$50,000.00 of the project. President Scalph seconded. Unanimous decision.

Angela Gerald, Building Code & Safety, appeared to present the dilapidated property located at 6285 Midland Trail, Charlton Heights, owned by Landquest. President Scalph motioned to accept the property and move forward with the complaint process. Commissioner Lopez seconded. Unanimous decision.

Ms. Gerald stated that with Gabe Peña & Kelly Jo Drey of the Resource Coordinator's office, the county is applying for a Brownsfield grant. This is a \$200,000.00 grant with no match required.

Debbie Berry, County Administrator, presented the holiday list for 2016. Commissioner Lopez motioned to approve the list. President Scalph seconded. Unanimous decision.

Ms. Berry presented a contract agreement for the Land & Water Conservation Grant for the Fayette County Park Pool. Commissioner Lopez motioned to approve the contract and authorize President Scalph to sign. President Scalph seconded. Unanimous decision.

Ms. Berry presented a lease agreement for Fayette County Soldiers and Sailors Memorial Building for approval and signatures. Commissioner Lopez motioned to approve. President Scalph seconded.

Unanimous decision.

Ms. Berry presented a request from Phil Samples to use the Soldiers and Sailors Memorial Building for AAU Team and individual workouts for the next 6 months. Commissioner Lopez motioned to approve. President Scalph seconded. Unanimous decision.

Ms. Berry presented a request from Richard A. Smith, Jr. President of the Ben Argento Basketball League to use the Memorial Building for the basketball season from November, 2015 through March, 2016. Commissioner Lopez motioned to approve. President Scalph seconded. Unanimous decision.

Ms. Berry presented a letter for signatures to the Supreme Court requesting reimbursement of rent for the Family Law Judge for the month of December 2015. Commissioner Lopez motioned to approve. President Scalph seconded. Unanimous decision.

Ms. Berry presented 3 support letters for John David with SALS. Commissioner Lopez motioned to approve signing the letter of support for the Helen M. Powell apartments in Hilltop for SALS. President Scalph seconded. Unanimous decision.

Commissioner Lopez motioned to approve signing the letter of support for 2 houses on Sid's Lane in Hilltop for SALS. President Scalph seconded. Unanimous decision.

Commissioner Lopez motioned to approve signing the letter of support for the Americorps YouthBuild project for SALS. President Scalph seconded. Unanimous decision.

Ms. Berry presented a quote from Casto Technical to replace the controls on the Magistrate Court floor in the Annex for \$23,763.00. The Commission will address this during budget session.

Ms. Berry presented a letter for signature to return the 911

Tower Assistance funds that were unused from November 2012.

Commissioner Lopez motioned to approve and sign the letter to the Public Service Commission. Commissioner Lopez motioned to approve. President Scalph seconded. Unanimous decision.

Ms. Berry presented a drawdown request for the Community Corrections Grant in the amount of \$12,895.60 for the month of October 2015 for President Scalph to sign. Commissioner Lopez motioned to authorize President Scalph to sign. President Scalph seconded. Unanimous decision.

The meeting was adjourned at 11:40 a.m.

FAYETTE COUNTY COMMISSION

REGULAR SESSION

NOVEMBER 20, 2015

COURTHOUSE

FAYETTEVILLE, WV 25840

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

The Fayette County Commission met in a regular session this 20th day of November, 2015.

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

Eddie Young, Assessor, presented real property exonerations for Michael P. & Angel Shell \$209.83; New River Ledges Associates LLC \$30.50. Commissioner Wender motioned to approve the real property exonerations. Commissioner Lopez seconded. Unanimous decision.

Commissioner Lopez motioned to approve 2nd half payroll, to be released on the 30th. Commissioner Wender 2nd. Unanimous decision.

President Scalph motioned to approve minutes form October 28th, November 4th and November 13th. Commissioner Wender seconded. Unanimous decision.

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

Dave Pollard appeared on behalf of Thrasher Engineering with a letter requesting that they be considered as head designer for the project to fix the Fayette County Pool. The Commission will review the letter.

Gabe Peña, Assistant Resource Coordinator, appeared to present a resolution to be signed for the Flex-E grant for abandoned properties. Commissioner Wender motioned to endorse the resolution and for President Scalph to sign. Commissioner Lopez seconded. Unanimous decision.

Debbie Berry, County Administrator, presented a letter of support for New Haven PSD informing that the Commission will support their request for a Small Cities Block Grant funding for grant year 2017 and an allocation of \$50,000.00 for a project in the New Haven district. The Commission reviewed and decided that the letter needed to be reworded to state that the Commission's SCBG support is with Armstrong PSD until their project is funded, and then their support will go to New Haven PSD.

Ms. Berry presented a joint funding agreement of the Interior U.S. Geological Survey for the Thurmond Gauge for the Commission to approve and sign. Commissioner Wender suggested holding the agreement until the money is received from WV Whitewater from last year.

Ms. Berry presented a letter from Judy Gunsaulis requesting the appointment of Rosetta McGuire, Meadow Bridge, to the Library Board to replace Roberta Seifers who now works as a librarian for the Meadow

Bridge branch. Commissioner Lopez motioned to appoint Rosetta McGuire to the Library Board. Commissioner Wender seconded. Unanimous decision.

President Scalph intimated a discussion regarding the EMS Ambulance Agreement. Questions were posed about the substitute service and the agreement. Jamie Bennett, 911 Coordinator, addressed complaints about what the contract states and how the calls are dispatched. Mr. Bennett's office will dispatch the closest available ambulance service. He requested that the contract state that specifically.

Todd Cornett with Jan-Care Ambulance appeared before the Commission to discuss how the contract would be derived. Jan-Care has 15 ambulances in service, which used to be 10 before the contract.

The average response time before the contract was 11 minutes and now it is 7 minutes. Jan-Care, as of right now, is responsible for contacting and dispatching another ambulance service if they cannot cover the call. This is the main issue.

Commissioner Wender stated that the 911 Center should contact Jan-Care and if they are not available, then the 911 Center will dispatch another ambulance service.

Mr. Cornett stated that if Jan-Care is contracted and they are not available, another ambulance service should be dispatched by the 911 Center.

Mr. Bennett and Jerry Long with Jan-Care will work out this issue in the contract. Jan-Care and Priority both have GPS systems in their vehicles, purchased by the individual companies, not the Commission.

Priority stated that the patient is their top priority no matter what business responds.

Teresa Dickens with Best Ambulance stated that she does have an interest in Best growing in Fayette County. Ms. Dickens asked if the contract is still relevant since more ambulance services are available.

Commissioner Wender gave a brief history of how the contract came about when Shawn Wolford was OEM Director.

The Commission stated that this is an annual contract and it can be bid out to any ambulance service but the Commission prefers a main service provider and they want to keep the contract to better service the community.

Discussion was held about how the bidding process would work. Prosecuting Attorney Larry Harrah will review.

Rick Cornett, Jan-Care owner, appeared to speak before the Commission. Mr. Cornett stated that Jan-Care originated in Fayette County and has been in service for 45 years. Jan-Care's motto is "Patient care is above all other details of a business."

Kevin Walker, OEM Director, appeared to receive approval and signatures for a Communications Grant in the amount of \$278,000.00 (no match) for LE Portable APEX Radios. The Commission asked Mr. Walker to do a press release. Mr. Walker also presented an HSEEP training grant for \$12,000.00 (no match) and a 2012 EMPG reallocation grant in the amount of \$18,784.64 (no match.) Commissioner Wender motioned to approve and authorize signing the 3 grants. Commissioner Lopez seconded. Unanimous decision.

Discussion was held on the Deputy Director position. The need is there; only paperwork needs to be completed. There is no extra cost for the county with this position. Mr. Walker nominated Jamie Bennett to be named.

Mr. Walker presented a 2nd request to hire a Planner, that would only serve as a Planner not a Deputy Director and Planner.

The Commission requested that Mr. Walker determine job descriptions for the Deputy Director and Planner and the Commission will discuss and vote on the Planner on December 2nd.

Commissioner Wender motioned to appoint Jamie Bennett to fill the Deputy Director position with no extra pay. Mr. Walker will write a job description that will be effective today. Commissioner Lopez seconded. Unanimous decision.

Diane Alexander appeared regarding the Lower Dotson Ridge Road area being excluded from the SCBG project. Lesley Taylor, Region IV Planning & Development also appeared.

The project does exclude the Lower Dotson Ridge area. New Haven PSD voted to exclude the area in January. There are 2 service customers in this area.

The main concern is that the water would sit in the lines too long, and the water quality would be diminished.

Commissioner Wender suggested having Kenny Hayes and a representative from Stafford Consultants and those in attendance today, attend another Commission meeting to discuss reasons why it was excluded and if that area could be reconsidered. The meeting will be December 15th at 10:00 a.m.

The Commission entered into an executive session at 11:07 a.m. regarding a personnel matter.

The Commission reconvened at 12:00 p.m.

Commissioner Wender motioned to advertise within the courthouse to all employees for the maintenance supervisor position. Letters of

interest are due by November 30th at 8:00 a.m. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a letter from Daniel E. Wright, chair of the Fayette County Historic Landmark Commission, requesting the appointment of Ami Dangerfield to fill a vacancy on the Fayette County Historic Landmark Commission. Commissioner Lopez motioned to approve the appointment. Commissioner Wender seconded. Unanimous decision.

Ms. Berry presented a request to reappoint John Gilkerson and Randy Prince to the Fayette County Farmland Board. Commissioner Lopez motioned to approve the appointments. Commissioner Wender seconded. Unanimous decision.

Ms. Berry presented a letter from the Emergency Medical Operational Regions 3 & 4, EMSOR 3/4, requesting a recommendation for a member. Commissioner Wender motioned to appoint Jamie Bennett. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a letter from the Commission to sign to the WV State Tax Department requesting accurate figures for industrial personal property return for non-filers to give Fayette County precise figures to work with when preparing the budget for 2016/2017. Commissioner Wender motioned to sign the letter. Commissioner Lopez seconded. Unanimous decision.

The meeting was adjourned at 12:34 p.m.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
DECEMBER 2, 2015
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS Present: Denise A. Scalph, John H. Lopez

The Fayette County Commission met in a regular session this 2nd day of December, 2015.

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

President Scalph motioned to approve minutes from November 20th. Commissioner Lopez seconded. Unanimous decision.

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

Debbie Berry, County Administrator, presented a joint funding agreement of the Interior U.S. Geological Survey for the Thurmond Gauge for the Commission to approve and sign. Money from last year and this year was received by Bobby Bower. Commissioner Lopez motioned to sign the agreement. President Scalph seconded. Unanimous decision.

Ms. Berry presented a WV Courthouse Facilities Improvement Authority Grant contract for President Scalph to sign for exterior improvements including repairing the mortar, and brick on the Courthouse. Commissioner Lopez motioned to approve the contract and authorized President Scalph to sign. President Scalph seconded. Unanimous decision.

Ms. Berry presented letters for the Commissioners to sign approving Jamie Bennett as Deputy Director of the Office of Emergency Management addressed to Paul Howard, Director of Operations of the WV Department of Homeland Security and Emergency Management, Jimmy Gianato, Director, WV Department of Homeland Security and Emergency Management and Theresa White, Region 5 Liaison, WV Department of Homeland Security and Emergency Management. The Commission signed the letters.

Discussion was held on the rent for space at the 911 center for the Fireman's Association. Larry Harrah, Prosecuting Attorney, will draft an agreement and will speak with Mark Bass, Fireman's

Association President. A draft will be available for the next Fireman's Association meeting, then the Commission will discuss on December 15.

Ms. Berry presented an order to appoint Tom Ewing as Fiduciary Commissioner in the estate of Lillian Fair Hanshew. Commissioner Lopez motioned to approve the appointment. President Scalph seconded. Unanimous decision.

Ms. Berry presented a demolition order for signature for property owned by John M. Zink, Jr. The Commission signed the order.

Ms. Berry presented a letter from the Town of Ansted regarding the dilapidated Van Meter Property. The Commission will review.

Discussion was held on the FC Pool grant. Ms. Berry will speak with Rollie Robinson, East Coast Pools, to schedule a time to start working on the pool since the grant has been received.

Kevin Walker, OEM Director, appeared to discuss the OEM Planner position. Mr. Walker presented job descriptions for the Deputy Director and Planner positions; two separate job titles that were previously one. The Commission reviewed the job descriptions.

The Director and Planner positions are 100% reimbursable by the state.

The Planner position will be advertised. A panel of 5 will be assembled for the interviews. The position will be advertised for 2 weeks after the first of the year.

Mr. Walker suggested performing background checks before interviews are conducted. Mr. Harrah agreed.

Ms. Berry presented a request from 911 employee, Stephanie Key, for a donation of 72 hours of leave. Commissioner Lopez motioned to approve the request. President Scalph seconded. Unanimous decision.

Ms. Berry presented a request from Jake Johnson, Maintenance, for a donation of 56 hours of leave. Commissioner Lopez motioned to approve the request. President Scalph seconded. Unanimous decision.

Discussion was held regarding Lacy's Lights at the Fayette County Park. The Commission stated that the Park will open the Canteen and Day Report Center employees will come Thursday and Friday to help clean. Santa will also appear on December 5, 11, 12, 18 and 19 from 6-9 pm. Melvin Withrow has agreed to portray Santa.

The Commission entered into an executive session at 11:30 a.m.

The Commission reconvened at 12:00 p.m.

Commissioner Lopez motioned to send a letter of reprimand to a county employee for insubordination with a 3 day suspension without pay. President Scalph seconded. Unanimous decision.

The Commission has agreed that Debbie Berry and Stephanie Sears will be the co-supervisors of Maintenance. This can and will be revisited when budget is reviewed in depth.

As of today, Maintenance is down two employees. The Commission has agreed to replace one.

Commissioner Lopez motioned to approve hiring Sonnie Milam, after the County Administrator checks his references, starting December 16th with a starting salary of \$22,000.00 and a 6 month probationary period. President Scalph seconded. Unanimous decision.

The meeting adjourned at 12:33 p.m.

FAYETTEVILLE, WV 25840

MEMBERS Present: Denise A. Scalph, Matthew D. Wender

The Fayette County Commission met in a regular session this 15th day of December, 2015.

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

Commissioner Wender motioned to approve exonerations of real property for Bobby G. & Rosalee M. Light \$91.70; Roger Lee Foster \$134.50; Robert Nutter \$256.22; Spencer D. Gray \$1,151.58; New River Ledges Associates, LLC \$39.90; Mary Lou Sears \$136.82 & 133.74.

President Scalph seconded. Unanimous decision.

Commissioner Wender motioned to approve refunds for Roger Lee Foster \$67.25; Spencer D. Gray \$561.39 and Bobby G. & Rosalee Light \$44.70. President Scalph seconded. Unanimous decision.

Commissioner Wender motioned to approve 1st and 2nd half payroll; 1st half checks to be released today, 2nd half to be released on the 30th. President Scalph seconded. Unanimous decision.

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

Debbie Berry, County Administrator, presented an order to combine or divide & segregate land for John W. Nicholas Etal. Commissioner Wender motioned to approve the order. President Scalph seconded. Unanimous decision.

Ms. Berry presented a drawdown request for Community Corrections in the amount of \$12,447.03 for the month of November, 2015.

Commissioner Wender motioned to authorize President Scalph to sign the request. President Scalph 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

January, 2016. Commissioner Wender motioned to authorize and sign the letter. President Scalph seconded. Unanimous decision.

Ms. Berry presented a transfer order for the General School fund to the General fund in the amount of \$105,244.64. Commissioner Wender motioned to approve the transfer. President Scalph seconded. Unanimous decision.

Ms. Berry presented reappointment orders and letter for Dan Hill and Scott Pugh to the Board of Zoning Appeals for the Commission to sign. Commissioner Wender motioned to approve the reappointment. President Scalph seconded. Unanimous decision.

Ms. Berry presented a Local Government Purchasing Card Participation Agreement Addendum for President Scalph to sign. Commissioner Wender motioned to approve the agreement addendum. President Scalph seconded. Unanimous decision.

Ms. Berry presented a request from Jamie Bennett, 911 Coordinator, to hire a part-time position at the 911 center. Staff Accountant Stephanie Sears will talk with him about the position working less than 20 hours. President Scalph motioned to hire on probation a part-time employee and after he feels the employee is ready, Mr. Bennett can move the employee to full-time. Commissioner Wender seconded. Unanimous decision.

Ms. Berry presented a request from the Fayette County Parks and Recreation board for the Commission to pay \$50.00 for board membership into the WV recreation & Parks Association. This would allow for 1 free lifeguard training for the Fayette County Pool, a \$250.00 value. Commissioner Wender motioned to approve. President Scalph seconded. Unanimous decision.

Discussion was held regarding moving the January 8, 2016 meeting

to January 12th. Commissioner Wender motioned to change the date of the meeting. President Scalph seconded. Unanimous decision.

Attorney Matthew Bradford, representing Phyllis Putnam, appeared and requested that Ms. Putnam be appointed as the executor in the estate of Betty Jo Lilly. Mr. Bradford presented an order to remove John Howard Lilly as executor.

Larry Harrah, Prosecuting Attorney, suggested having a hearing in front of the fiduciary commissioner then returning to the County Commission with recommendations. Mr. Bradford asked that the assets be frozen until after the fiduciary hearing. Discussion was held.

Commissioner Wender motioned to approve the sale of property listed and freeze all other assets. The current executor will stay in place until a fiduciary hearing is held within the next 30 days. The Commission will schedule another meeting within 30 days of receiving the report from the fiduciary commissioner. President Scalph seconded. Unanimous decision.

An order will be prepared stating that all personal property will be frozen.

Secretary of State Natalie Tennant appeared to present an ADA polling place grant check to repave the Memorial Building parking lot. The check was for \$26,864.00 and will cover 100% of the Memorial Building improvements.

Gabe Peña, Assistant Resource Coordinator, appeared to present a resolution for Brownsfield grant funding. Commissioner Wender motioned to approve the resolution to apply for funding for a Brownsfield grant. President Scalph seconded. Unanimous decision.

Lesley Taylor, Region IV Planning & Development, Kenny Hayes, New Haven PSD, Ed Shutt, Stafford Consultants and residents of New Haven

appeared to discuss Lower Dotson Ridge.

Raymond Rogers, son of Lower Dotson Ridge resident Colleen Rogers, is concerned about getting water to his mother's farm. Mr. Rogers wants to find a way to get water to the property. There are two other houses in this area.

Mr. Hayes said that Stafford Consultants have been working on a plan to include in the project to extend water with a 2 inch service line.

Mr. Shutt discussed why this area was cut from the original project. On first look with an 8 inch line, Lower Dotson Ridge increased the cost per customer substantially. The area will have to be included as an alternate.

A representative from Lower Dotson Ridge needs to be present at New Have PSD meetings. The PSD meets every 2nd Monday of the month, unless it is a holiday, then they will meet the very next morning.

The first reading of the injection well ordinance was held. Larry Harrah read the ordinance that bans the storage, disposal, or use of oil and natural gas waste. (attached)

Mr. Harrah feels this can withstand legal challenge.

Tom Rhule, attorney, spoke to the section about roads.

The Commission commended Mr. Harrah for creating this ordinance.

Mary Rahall, citizen, spoke to the fines set for \$1,000.00 to \$5,000.00. She stated that in New York, lawyers set these fines for \$100,000.00 to \$5,000,000.00.

Commissioner Wender motioned to approve the first reading of the ordinance. The second reading will take place on January 12, 2016. President Scalph seconded. Unanimous decision.

John David appeared to discuss Page-Kincaid PSD. Mr. David wants

to improve the Kanawha River by way of funding the Loop Creek area. This is a big project and will require additional funding, and he would like to be included on the Community Development Block Grant list.

The Commission has no commitment for a Community Development Block Grant at this time. Commissioner Wender asked if a CDPG can be used for a sewer project. If not, the project would have to be a Small Cities Block Grant and the Commission is currently committed to Armstrong Deepwater PSD, then New Haven PSD. Mr. David asks for Page-Kincaid to be placed as 3rd if it has to be a SCBG.

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