

FAYETTE COUNTY COMMISSION
JANUARY 6, 2017
COURTHOUSE
FAYETTEVILLE, WV 25840
Present: MATTHEW D. WENDER, DENISE A. SCALPH, JOHN G. BRENEMEN

The Fayette County Commission met in a regular session on Friday, January 6, 2017. President Wender called the meeting to order at 9:03 a.m.

President Wender welcomed John Brenemen as the new commissioner.

Deborah Berry, County Administrator, presented the organizational order for the Commission to approve and sign.

Commissioner Scalph motioned to retain Matthew Wender as President for 2017. Commissioner Brenemen seconded. Unanimous decision.

President Wender motioned for Denise Scalph as Purchasing Agent for 2017. Commissioner Brenemen seconded. Unanimous decision.

Commissioner Scalph motioned for Deborah A. Berry, County Administrator, Renee Harper, Park Director, Joe Crist, Fire Coordinator, and Kevin Walker, OEM Director, to be authorized to make purchases up to \$600.00 without prior County Commission approval. President Wender seconded. Unanimous decision.

The Commission signed the order.

Sheriff Mike Fridley appeared before the Commission. He stated that the Sheriff's department is down six deputies and he is asking to hire three. Two of the six vacancies are slated for courthouse security.

Sheriff Fridley stated that the road office will stay open on Tuesdays and Thursdays until 6:00 p.m. for two weeks on a trial basis.

Sheriff Fridley described new security measures - cameras in the parking lots and courthouse. Explained that the grant received for

these measures were for judicial use only but they were able to justify that judges are everywhere in the courthouse. Sheriff Fridley also described a plan for vehicle monitoring which would also show cost savings.

Eddie Young, Assessor, appeared to present his new Chief Deputy Mike Bone.

Mr. Bone presented real property exonerations for Cynthia Skaggs \$618.22; Nora Small Foundation Inc. \$700.96; Steven L. Grunenberg \$132.04; Marty Lee Str. & Tina Browning \$126.04; Danny Carte \$319.68, 323.36, 323.36; Douglas & Sharon Donell \$10.10, \$10.10 and \$10.10. Commissioner Scalph motioned to approve the real property exonerations. Commissioner Brenemen seconded. Unanimous decision.

Mr. Young presented a refund for Danny Carte for \$346.05. Commissioner Scalph motioned to approve the refund. Commissioner Brenemen seconded. Unanimous decision.

Debbie Berry, County Administrator, presented an amendment to the August 29, 2016 Purchase Sale Agreement between Greenbrier and Fayette Counties, WV & CSX Transportation requesting a 120 day extension for the Meadow River Trail Project. Commissioner Scalph motioned to approve and sign. Commissioner Brenemen seconded. Unanimous decision.

Kelly Jo Drey, Resource Coordinator, appeared to present an opportunity to bring Tammy Stein on as a Vista worker in the Resource Coordinator's office. Ms. Stein is currently working as a Vista for the City of Mt. Hope with the Family Resource Network; however that program has come to a stasis. Her work aligns well with RCO's office. They hope to have her work with incubator farms and the farmer's market. She could tie up loose ends and connect to other areas and at local schools.

Ms. Drey requested \$2,500.00 cost share for a year commitment. Commissioner Scalph mentioned having Ms. Stein work with the County Park to rejuvenate the County Fair.

The Coal Heritage Highway runs the Vista program in Fayette County and a MOU would need to be signed. There is flexibility on the payment times, but a decision needs to be made before February 20th. Ms. Drey is applying for grants that could cover the cost share, which needs to be paid in full by February of 2018.

President Wender stated it would benefit three areas directly. Commissioner Brenemen asked about the \$500.00 from the farmer's market. Ms. Drey stated that will be used for travel expenses and garden supplies. President Wender suggested approving the expenditure and earmark it during the next budget. Commissioner Scalph motioned to approve assigning Tammy Stein as a Vista for \$2,500.00. Half from this fiscal year and the other half set for approval in the 2018 Fiscal Year Budget. Commissioner Brenemen seconded. Unanimous decision.

Commissioner Scalph motioned to proceed with the Benedum Grant. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a Consumer Sales Tax Report from the Fayette County Park for the quarter ending 12/31/16 for approval and signature of President Wender. Commissioner Brenemen motioned to approve President Wender to sign. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented an order decreasing the rate of reimbursement for mileage allowance from fifty-four (54 cents) per mile to fifty-three (53.3 cents) per mile effective January 1, 2017 as set by the U.S. General Service Administration (GSA) and the IRS. Commissioner

Brenemen motioned to approve and sign the order. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a request from Kevin Walker to make a payment to Bays Services for flood cleanup invoices in the amount of \$69,447.83. Final inspections are not finished so money will not be released from the federal level until this process is complete. The Commission would like to wait to discuss this when Mr. Walker is here later in the meeting. Commissioner Scalph mentions a grant Mr. Walker received for \$59,000.00 and wonders if those funds could be used in the meantime.

Ms. Berry presented orders and letters for the Commission to approve and sign reappointing Gary Davis and John Hoffman to the Fayette County Board of Zoning Appeals. Commissioner Scalph motioned to approve and sign the orders and letters. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented orders and letters for the Commission to approve and sign reappointing Allen Ballard, Aletha Stolar, Phil Perone, Tim Richardson and Tommy Harris to the Fayette County Beautification Committee. Commissioner Scalph motioned to approve and sign the orders and letters. Commissioner Brenemen seconded. Unanimous decision. Commissioner Scalph also compliments Mr. Harris for the job he is doing as Litter Control Officer.

Ms. Berry presented support letters addressed to our WV State Legislators supporting the designation of Paint Creek Road in Fayette County as the Mary Draper Ingles Bicycle Trail for approval and signature. Commissioner Scalph motioned to approve and sign the letters. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented letters for signature of President Wender to Eddie Young, Assessor, and Larry E. Harrah, Prosecuting Attorney,

setting the dates for Review and Equalization of property assessments. President Wender signed the letters.

Ms. Berry presented documentation from the Fayette County Historic Landmark Commission for the Commission to review and approve related to consideration of being named to the Fayette County Wall of Honor. Commissioner Scalph motioned to approve the nomination criteria. Commissioner Brenemen seconded. Unanimous decision.

Chris Young, Oak Hill City Police and President of the Fraternal Order of Police, appeared to discuss the rent at the Day Report Center. The rent has never increased from \$6,840.00 per year (\$570.00/month) from 2004. There is a new ladies room and plans to remodel the rest. The tenants contacted the State Fire Marshal instead of the owners. The owners now have the reports from the Marshal and plan to complete upgrades. They spent \$16,000.00 last year and plan to spend \$20-25,000.00 this year. Men's room \$2,300.00 in lighting, entryway, hallway and classroom replacement. There was a water leak due to a water spigot being installed by the tenants. Plumbing was not connected correctly. It cost \$7,300.00 to fix. The septic system was repaired in the fall with \$1,200.00 for the sewer pipe. Mr. Young states they would like \$1,000.00 a month for rent. President Wender states this is a fair price as other warehouse spaces in Oak Hill are rented for \$1,800.00 per month. Commissioner Scalph motioned to approve the rent increase request. Commissioner Brenemen seconded. Mr. Wender asked about a new lease. Jamie Blankenship, Attorney, will draw up the new lease. Approved per review of the new lease. Unanimous decision.

James Bennett, 911 Coordinator and Kevin Walker, OEM Director, appeared to discuss 911 employee vacation time issues. They had to work through the flood, 2 employees quit or moved, 1 had surgery, 1

was in the hospital, another had a child with cancer and no one was able to take the time off for their vacations. Commissioner Scalph mentioned the manual and favoritism. The employees were paid for their overtime. Mr. Walker stated that this is a unique situation. Even with the natural disaster and all of the health issues, 911 had to remain fully staffed. They could not force employees to take their vacation time. They are suggesting buying out their time or extending 30 days for vacations to be taken.

Mr. Brenemen states that vacation time is a benefit. Commissioner Scalph stated that she spoke with Steve Rawlings with WV Corp and he stated that it would have to be across the board. Mr. Bennett stated that 911 isn't like other offices. They are 24/7. Commissioner Scalph asked Liz Campbell, Assistant Prosecuting Attorney, to review and suggested tabling. President Wender asked if someone had insisted on vacation. Mr. Bennett stated that he and Mr. Walker would have had to cover the shifts, effectively living at the 911 center.

Mr. Bennett told the Commission that there are 2 new employees who will be completely trained soon and the center will then be fully staffed. President Wender stated that 911 is a separate situation. Closer to law enforcement.

Commissioner Scalph mentioned that the park staff was very busy this summer with the pool and worked many hours and weren't appreciated for their efforts. Mr. Walker reminds of the difference between recreation and life and death situations.

Commissioner Scalph asked what 2 weeks will change, for tabling the issue. Mr. Walker stated not much except personnel issues that he and Mr. Bennett will have to deal with. Ms. Berry suggested writing a memo regarding the unique situation and revise the manual to deal with different kinds of employees. President Wender said that

they should allow some latitude for this situation and not revise the policy and suggests 90 days for the people who stepped up during the natural disaster and sicknesses.

Commissioner Scalph motioned to approve the request to allow a 90 day extension for employees at the discretion of the director around scheduling due to the natural disaster from the summer of 2016.

Commissioner Brenemen seconded. Unanimous decision.

Mr. Walker asked for individual letters so there is no confusion or gossip making clear that the policy isn't changing. Ms. Campbell stated that this is a good precedent; that the 911 center came to the County Commission to have a conversation.

Mr. Walker then discussed the Meadow River Rail Trail and the downstream flow mitigation. FEMA wrote all grant requests for only Fayette County and Greenbrier County was supposed to be the subgrant, but that did not happen. The ground is now too soft to get started and they've asked for an extension. There are still FEMA representatives in Charleston. President Wender asked for a meeting. Mr. Walker will try but they are not very responsive. President Wender asked to save and document and use letters and to carbon copy everyone to avoid FEMA claiming we are out of time. Mr. Walker will have to get a permit from the DEP due to muscles that are protected.

Discussion returned to the Bays Services payment. Mr. Walker stated that Bays was contracted to back up Oak Hill Garbage. FEMA reimbursed 75% but we cannot get the last 25% until the final inspection. Bays is upset and wants their payment of \$69,000.00. President Wender asked about the contract. FEMA states we must front the payment and get reimbursed. Bays has been paid nearly \$200,000.00 already. Ms. Campbell will review the contract. Tabled until Ms.

Campbell and Mr. Walker can review the contract and return on January 20th.

Mr. Walker presented that while cleaning up files, he discovered a \$59,000.00 grand from Homeland Security that were delayed due to paperwork. Mr. Walker sent in the documentation and should receive the funds next month. Mr. Walker specifies that his predecessor didn't follow through and get signatures. Mr. Walker cleaned up the application and received the grant.

Renee Harper, Park Director, appeared to discuss the Shelter Rental Increase. Ms. Harper submitted handouts to the Commission with the proposed increases. (attached) Commissioner Scalph motioned to approve the submitted shelter increase for the upcoming year. Commissioner Brenemen seconded. Unanimous decision.

Ms. Harper submitted requests for new hired. Commissioner Scalph motioned to approve hiring Victor Mender for Park Maintenance with a start date of January 9th or 15th. Starting salary will be \$20,800.00 with a 6 month probationary period. Commissioner Brenemen seconded. Unanimous decision.

Ms. Harper requested that the Commission approved an Easter Egg Hunt at the park for the weekend before Easter. She will find sponsors to help and the cost will not be much. Commissioner Scalph motioned to approve the Easter Egg Hunt at the discretion of the Park Director as to one day or two. Commissioner Brenemen seconded. Unanimous decision.

Ms. Harper discussed how the park was approve for a DOT grant for trails and have been approved to move on to the design stage.

The County Owned Vehicle Policy was postponed until the 20th.

Stephanie Sears, Staff Accountant, presented a financial update. (spreadsheets attached)

Sonny Milam, Maintenance Supervisor, appeared to request hiring two new full-time employees, Matt Clark and Michelle Worrell. Commissioner Scalph motioned to approve the recommendation of Mr. Milam to hire Mr. Clark and Ms. Worrell at \$20,800.00 for 6 month probationary periods. Ms. Worrell will start immediately and Mr. Clark will start in 2 weeks. Commissioner Brenemen seconded. Unanimous decision.

The meeting was adjourned at 1:01 p.m.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
JANUARY 20, 2017
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: MATTHEW D. WENDER, DENISE A. SCALPH, JOHN G. BRENEMEN

The Fayette County Commission met in a regular session on this 20th day of January, 2017.

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

Eddie Young, Assessor, appeared to present a refund for Billie Wayne Higginbotham, for \$248.15. Commissioner Scalph motioned to approve the refund. Commissioner Brenemen seconded. Unanimous decision.

Mr. Young presented real property exonerations for Billie Wayne Higginbotham \$509.02; Jessica Stiltner \$567.34; Lawrence E. II & Joan Brown \$435.20; and Don & Judy Jones \$256.20. Commissioner Scalph motioned to approve the real property exonerations. Commissioner Brenemen seconded. Unanimous decision.

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

Teri Harlan appeared to be introduced as the new Health Department Administrator. Ms. Harlan told the Commission she has been in the position for 2 weeks and has 16 years experience in health care. Ms. Harlan is excited to build new relationships, work with the community, Commission and her knowledgeable & experienced staff. Rose Anne Michaels is assisting in her transition and the medical director position was recently posted and they hope to fill it soon.

Jeff Mauzy, Assistant Prosecuting Attorney, appeared to present that the discussion of estate of William Lee Shepherd was canceled citing a continuance request from executrix Karen Shepherd's lawyer, Rodney Skeens, due to insufficient notice of today's hearing.

Debbie Berry, County Administrator, presented a request from Maura Kistler and the New River Gorge Learning Cooperative (NRGLC) to hold a candle lighting ceremony in honor of world peace in front of the Courthouse on February 2, 2017 from 5:30-6:00 p.m.

The Shepherd family then appeared for the William Lee Shepherd discussion. They were not notified by Mr. Skeens that he was requesting a continuance. President Wender asked Mr. Mauzy to write a letter stating to Mr. Skeens stating that he did not sufficiently contact and inconvenienced the other parties involved in the estate. Contact will be made to all parties regarding the continued hearing.

The discussion then returned to the NRGLC request. Commissioner Scalph motioned to approve the request contingent upon receipt of insurance and application form. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a drawdown request for the Community Corrections grant for the month of December in the amount of \$9,751.16. Commissioner Scalph motioned to approve and authorize

President Wender to sign. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a funding request from John David of Southern Appalachian Labor School (SALS) in the amount of \$27,000.00.

President Wender notes that the request was duly received and will be addressed during budget sessions.

Ms. Berry presented 2 letters from Renee Harper, Park Director. The first letter requested to hire Michael Suttle II for the vacant park maintenance position. Commissioner Scalph motioned to approve the hiring of Michael Suttle II, starting date January 23, 2017, salary of \$20,800.00, with a 6 month probationary period and contingent upon drug testing. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a letter from Ms. Harper regarding the Zoning Officer's vehicle. The county has spent more in maintenance costs for this vehicle than was paid to purchase it. President Wender asked if the vehicle is drivable and suggested that if it is unsafe, it should be parked. The County Owned Vehicle policy was mentioned along with Governor Justice's decision to park 5 of his office's vehicles. The County Owned Vehicle policy is still being prepared by the Prosecutor's Office and was not available for the meeting. President Wender suggests that the Commission revisit who needs County Vehicles overnight and the discussion was tabled.

Ms. Berry presented the Commission with letters approved in a prior meeting to the 911 employees regarding the extension in time to vacation from 2016 for the Commission to sign.

Sonny Milam, Maintenance Supervisor, appeared to introduce 2 new Maintenance employees, Michelle Worrell and Matt Clark.

Mr. Milam mentioned that there are 3 new handicap parking spaces, the Commissioner's spaces behind the jail, which will be covered with handicap signs when the Commission is not at the Courthouse.

Ms. Berry presented forms from banks for President Wender to sign to change sign from Sheriff Kessler to Sheriff Fridley.

Ms. Berry presented a support letter for the Farmland Protection Board. Discussion was held regarding the Whitlock Farm property owned by the Farmland Protection Board. The current plan is to sell the property to agencies that will be in charge of the incubator farms.

Kevin White from the 911 Center appeared for the UPS Back-up Battery bid opening. Two bids were received. Mr. White explained that the back-up batteries are to cover the power for the center until the generators pick up in the event of a power failure. The current batteries are nearly 4 years old and are getting failure warnings.

The bids were:

Millennium -	\$11,400.00 for the full service contract
	\$17,973.60 for full battery replacement
Gruber Tech -	\$17,820.00 for battery replacement, service, warranty, maintenance and disposal of old batteries

Mr. White stated that he believes one of these companies is a sister company of their existing service contract. He and James Bennett will need to review the bids for specifications. Commissioner Scalph motioned to approve Mr. White and Mr. Bennett to review bids for specifications and approval. Commissioner Brenemen seconded. Unanimous decision.

Discussion was held regarding the Bays Services payment from the June flood recovery. The Prosecutor's Office and Kevin Walker, OEM

Director, suggest that the bill should be paid to avoid a lawsuit. The State has still not signed off on the work or performed final inspections. President Wender is concerned that if the bill is paid before the inspections are completed, they could show the work was unsatisfactory and the County would be unable to recoup the payment. The State reserves the right to inspect before payment, and so should the County. Commissioner Scalph stated that we cannot be the only county with this issue. President Wender asked Ms. Berry to prepare a letter explaining the Commission's concerns and stance, that we must rely on the State to approve the work we contracted. President Wender also asked that Mr. Walker contact the State regarding the threat of lawsuit to the County.

Paul Farrell, Jr., Cabell County attorney, appeared to present a lawsuit against drug manufacturers involved in the prescription and sale of millions of opioids in Fayette County. He asked that the Commission wait until Senator Mike Woelfel, Cabell County Attorney, appear before presenting.

The Commission recessed at 10:13 a.m. until Senator Woelfel arrived.

The Commission reconvened at 10:30 a.m.

Attorneys Farrell and Woelfel appeared to present their case against opioids wholesalers which are being filed in Cabell, Wayne, Lincoln, and Kanawha counties. Mr. Farrell will be lead counsel and told the Commission that the previous State Attorney General McGraw got a judgment 3 years ago which set a precedent for counties to receive their own judgments and recovers costs associated with opioids arrests, namely jail costs which are currently ten percent of Fayette County's budget. Ninety percent of Fayette County's jail costs are due to drug arrests. McDowell County is pursuing a similar case with

an out of state lawyer. Mr. Farrell suggests joining the lawsuit with other counties and his firm will front the money for the suit to "do what it takes." Mr. Farrell stated that the County Commission has the authority and power to declare a public nuisance and take action to abate it and also ask for an injunction to shut down the drug facilities. Stopping the nuisance doesn't stop the problem though, so the injunction goes after the shareholders and their bottom line. Time is of the essence and Mr. Farrell asked the Commission to pass a resolution and execute a contract with other Coal Belt counties.

Mr. Farrell stated that for this to be kept in local courts, a county doctor or pharmacy would have to be named in the lawsuit. Otherwise, it would go to Federal court and be consolidated for purposes of discovery then sent to trial. The fee is 30% if settlement or if the case wins. No hourly rate or fee in the event of loss. Discussion was held regarding using a local lawyer on the team, and MR. Farrell stated that he is confident he would be respected in a Fayette County Courtroom but would be willing to use a local lawyer for research and discovery. Mr. Woelfel offers to serve as a liaison. President Wender asked about time lines and Mr. Farrell stated that he would be filing soon and would expect a resolution in 18 months or sooner. Fayette County doesn't have a doctor or pharmacy to file against to keep it in the county so he expects this will go to Federal court. Suggests putting the Fayette County case with Cabell county in the Huntington Federal queue but each county would be tried separately. Commissioner Brenemen asked about Mr. Farrell's record and Mr. Farrell stated he is undefeated, has never lost a jury trial.

President Wender stated that he will speak with Prosecuting Attorney Larry Harrah and call a Special Session if necessary. Mr. Farrell stated that the sheer number of pills (18 million in 5 years

in Fayette County) and number of wholesalers involved will be overwhelming to a jury.

Lesley Taylor, Region 4 Development & Planning, appeared to present a drawdown request for Kanawha Falls Public Service District (KFPSD).

Ms. Taylor stated that the KFPSD Small Cities Block Grant (SCBG) has kept the county from applying for Armstrong Creek. Ms. Taylor said the deadline for the Armstrong Creek application will be between the 3rd week of April and the 3rd week of May.

Commissioner Scalph motioned to approve the drawdown request of \$11,055.70 and authorize President Wender to sign. Commissioner Brenemen seconded. Unanimous decision.

Ms. Taylor told the Commission that the money loaned to the New Haven PSD out of Coal Severance will be repaid within two weeks.

Rick Wagner and Roger Wagner, KFPSD, appeared to request funds to assist with crossing private property that federal funds can't cover. The DEP recommended that KFPSD approach the County Commission to assist with a spare pump. In 2003, KFPSD picked up Smithers and the prison and it has been a problem since. FEMA would only reimburse the PSD \$27,000.00 for the lightning strike during the flood and they haven't received that yet. The PSD was also fined \$246,000.00 for not having a spare pump. Commissioner Scalph asked why there was no funding from FEMA for the flooding. Mr. Wagner will have to check with Kevin Walker about that. They are working to get the fine for the spare pump removed. They are also working on the engineering of the new lines to Gauley Bridge - they will be bored under the river instead of bolted to the river floor. They insulated the line that crosses the river above water. Ms. Taylor thinks the fine will be reduced with a 12 month payment plan for the remaining amount.

Mr. Wagner stated the back-up pump will be \$50,000.00. The PSD put in for a rate increase and ended up with a rate decrease due to the expiration of a \$4.00 sewer surcharge that was never removed. The PSD already has a \$150,000.00 deficit. The PSD is reapplying for a rate increase but they also need an upgrade for the pumping stations.

Mr. Wagner said the line extension SCBG project will take 180 days to complete. The contractor will work by setting up the line house by house instead of starting at the end of the line, working backwards and hooking everyone up at once. The contractor will invoice house by house and if an invoice is not paid, they will stop working.

President Wender suggested setting up a meeting for all parties involved to discuss. Ms. Taylor will schedule an appointment on a future agenda with Stanley Adkins and E.L. Robinson Engineering.

Tim Richardson, Zoning Officer, appeared to discuss the UKV Regional Plan Retainer. Mr. Richardson said he reviewed and recommends that the Commission sign contingent upon the Prosecutor's approval. Meetings have not yet been finalized, but each municipality will have 2 members which will assist with quorum. This retainer will work in tandem with the existing County agreement. Commissioner Scalph motioned to retain WVU Law on the recommendation of Mr. Richardson and the Prosecuting Attorney. Commissioner Brenemen seconded. Unanimous decision.

Bill Hannabass, Oak Hill City Manager, appeared to present an easement of Arbuckle PSD for the Commission to approve and sign. Commissioner Scalph motioned to approve and authorize President Wender to sign the agreement. Commissioner Brenemen seconded. Unanimous decision.

The Commission recessed at 12:45 p.m. for lunch.

The Commission reconvened at 1:30 p.m. for an executive session for legal counsel.

The Commission entered into regular session at 2:07 p.m.

Commissioner Scalph motioned to approve the signing of the retainer with Woelfel & Woelfel and Paul Farrell, Jr. to proceed with legal counsel in a lawsuit against manufacturers of opioids which have presented as a public nuisance in Fayette County. The Commission will pass a resolution and authorize President Wender to sign the contract to enter into a retainer, with attorneys taking a 30% fee if the suit is successful. Commissioner Brenemen seconded. Unanimous decision.

The meeting adjourned at 2:16 p.m.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
JANUARY 30, 2017
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: MATTHEW D. WENDER, DENISE A. SCALPH, JOHN G. BRENEMEN

The Fayette County Commission met in a special session on this 30th day of January, 2017.

President Wender called the meeting to order at 9:03 a.m. to sit as the Board of Equalization and Review. The Commission will move onto exonerations and if a petition is brought forth, they will then address it.

Eddie Young, Assessor, appeared to present a real property exoneration for Jessica Stiltner for \$0.00 so that it may be redeemed. Commissioner Scalph motioned to approve the exoneration. Commissioner Brenemen seconded. Unanimous decision.

Mr. Young presented personal property exonerations for John R. Workman & Donna P. Allen \$368.32; David Ray Williams \$31.12; Louise A.

Powell \$433.86; Pinheads Fun Center Inc. \$1,570.82; Betty Joe Bainbridge \$445.94; Janet M & Twans M. Tolliver \$562.34; Juanita Elizabeth Howell \$430.43; Robert L. or Crystal Holliday \$46.36; Andrew B. & Kelley Y. Weis \$636.36; Jack L. Jr. & Jackland Chapman \$17.28; James M. & Allison W. McQueen \$200.20; Kristen V. or Brandin Klausher \$72.62; Rachel Nicole Ennis \$428.88; Michael Lambert \$16.52; TLT \$390.00; Hatchers Music Center \$1,538.44. Commissioner Brenemen motioned to approve the personal property exonerations. Commissioner Scalph seconded. Unanimous decision.

Mr. Young presented 2 refunds for Lawrence E Brown II \$467.84 and Brian & Mollie Ray \$972.80, respectively. Commissioner Scalph motioned to approve the refunds. Commissioner Brenemen seconded. Unanimous decision.

Mr. Young presented another refund for Rodney K. & Susan Thomas \$1,578.02. This was originally ordered for credit on future taxes. However, the Thomases sold their property and moved out of county and would like a refund for the remaining amount. Credit is no longer applicable. Commissioner Brenemen motioned to refund the Thomases \$1,578.02 for the over payment on taxes. Commissioner Scalph seconded. Unanimous decision.

President Wender noted that it is 9:10 a.m. and no one appeared to present a petition. The Commission recessed as the Board of Equalization and Review to reconvene on February 2nd.

Debbie Berry, County Administrator, appeared to present an order to allow Eddie Young, Assessor, to make changes per the findings of the Board of Equalization and Review. Commissioner Scalph motioned to approve and sign the order. Commissioner Brenemen seconded.

James Bennett, 911 Director, appeared to discuss the back-up battery bids. Millennium was \$11,400.00, Snyder \$14,328.00 and Gruber

at \$9,175.00. Gruber is the current contract. President Wender asked where the other company came from. Mr. Bennett said that Snyder cannot be considered because their bid came in after the opening. He just wanted to show the bid for reference. Commissioner Scalph motioned to approve Gruber Power Source for the full service maintenance for new batteries and authorized President Wender to sign the 1 year contract. Commissioner Brenemen seconded. President Wender asked why it is so much for maintenance on new batteries. Mr. Bennett stated it is for the entire system beyond the batteries. This has 24/7 coverage within 4-8 hours of issue and 2 yearly checkups. Unanimous decision.

Mr. Bennett discussed the wrecker contract. Companies will need to show proof of residence and payment of taxes. Mr. Bennett will present these terms to the wrecker rotation committee.

Shawn Ellison, Chief, Pax Volunteer Fire Department, appeared to discuss their bid process and selection of the higher bid for a pumper truck replacement. Tom Hughes, Pax Volunteer Fire Department Board President, also appeared. They described the bid process and stated that they chose the Sutphin truck at \$432,876.00 over the All-American/Rosenbauer truck at \$423,476.00 due to better specs and previous issues with the lower bid's company. The bid opening was held on May 25th. The board voted and approved the higher bid and signed the contract in June, 2016. On January 4th, 2017, Mr. Ellison asked Joe Crist, Fire Coordinator, for the money for the pumper truck and was told he needed to present his reasoning to the Commission. Mr. Hughes stated he didn't appreciate having to explain and ask permission of the Commission. They are under contract and the truck is over half way built. There would be consequences if they canceled

the purchase at this point. Mr. Hughes also stated that they just paid off another truck 100% without county funds.

The board is asking for 3 years of pumper truck replacement funds from the county, will put \$70,000.00 down and \$50,000.00 from the sale of another truck and 10 year financing for the remainder.

President Wender is concerned about the precedent this would set. The Commission has never been involved in a pumper truck purchase discussion. They prefer to leave that expertise to the fire departments and coordinator.

Larry Harrah, Prosecuting Attorney, appeared to explain why the County Commission is involved. It is believed that the truck bidding was done during executive session. Mr. Ellison stated that this wasn't true. That they had 2 separate bids during that meeting and they asked those involved in the roofing bid to leave during the pumper truck bid discussion. Mr. Harrah stated that during open meeting, no one should be asked to leave. Mr. Hughes agreed this was a mistake but stated it was never an executive session.

Mr. Crist stated he is not trying to deny Pax their funds, but he wants the process done right. The Sutphin specs might be more, but they are unnecessary. Contract says the County Commission has the final say in disputes. Commissioner Scalph stated that it is up to them to go with the lowest bid or pay the difference for going with the higher bid. President Wender asked if the low bidder met the specs and Mr. Crist said yes, they did. The Danese truck purchase was mentioned, but the difference there was that the lower bid did not meet the minimum specs listed.

President Wender asked why Pax would set themselves up by using specs from All American. The representative from All American said it was his job to provide the specs and bid sheet and the other company

wouldn't have known it was an All American spec sheet. Mr. Hughes and Mr. Crist both agree this is common and accepted practice.

President Wender speculated that there would be a lawsuit due to the time elapsed since signing the contract. Mr. Crist says that the owner of the company agreed on January 26th to amend the specs on the current truck to come under the low bid. Mr. Ellison said they told him they would not tear up the contract and they will still end up with the same end result. This would just be correcting the precedent.

Tim Richardson, Oak Hill Fire Chief, asked to speak. Mr. Richardson said Mr. Crist is trying to uphold the integrity of the bidding process and feels that the Pax process was flawed by not being clear that higher specs would be entertained and this undercut the bidding process. Mr. Hughes stated that this should have been understood and offering higher specs is common knowledge. That less than \$9,000.00 over the low bid isn't that much of a difference.

Mr. Crist said the Fire Association is suggesting rebidding the truck to the Sutphin specs with a 60 day delivery cycle. This would clear up the bid and specs and assure that Sutphin would keep the contract. Mr. Ellison asked about the legality of that plan. Mr. Hughes speculates that Sutphin would raise the bid and All American could somehow win the bid.

President Wender restated that this process is flawed and it shouldn't be fixed with a bigger flaw. Perhaps this should just be lessons learned.

Mr. Harrah stated that he can't fault Mr. Crist for trying to keep the integrity of the process. Mr. Crist's fix could upset All American. Pax has gotten the Fire Association mixed up and Mr. Crist is trying to protect the integrity of the process. Rebidding with a

truck already in process opens up the department to a law suit. President Wender suggested correcting this now to keep it from happening again. Mr. Harrah said that Mr. Crist will do that. Rebidding or canceling will cause a lawsuit. We are too far along and this is a no win situation. Bid specs should be specific in the future. If the specs are exceeded there will be an explanation.

Commissioner Scalph asked that in the future the Fire Association be more involved in the bidding process. Mr. Richardson said that it all comes down to communication. From now on, all bids will go through Mr. Crist's office and he will be present for all bid openings.

Mr. Harrah stated that the minutes from the bid opening did not reflect the vote. Advises this to be fixed. Mr. Ellison addressed Mr. Harrah and stated procedure was followed as far as they were aware and restated the truck specs. Mr. Harrah stated that the specs are not the issue; it's the disregard of the process at issue.

President Wender stated that Pax needs to review Robert's Rules of Order and that they let too much time lapse. Mr. Richardson and Mr. Crist are planning to fix this for the future to avoid these situations. Mr. Crist's idea to rebid will open them to lawsuit.

President Wender motioned to endorse and allow Pax to move forward with the understanding that they don't agree with how any of this was handled. Commissioner Scalph seconded and asked for open communication and to not put the Commission in this position again. Mr. Harrah and the Commission are not experts in this field. This is a case of lessons learned. Unanimous decision.

Sheriff Mike Fridley and Anna Frost appeared to present about changes in the tax office. Sheriff Fridley first presented about the security and phone system. Price quote for the GPS units for county

owned vehicles is \$348.00 total per month for commission vehicles. This could allow for Wi-Fi hotspots, too. Sheriff Fridley believes this is worth the cost. President Wender asked Ms. Berry to invite the affected drivers to attend a discussion. This could take care of the proposed vehicle policy.

Sheriff Fridley reminds the Commission that the Road Office is staying open on Tuesdays and Thursdays until 6:00 p.m. to assist with gun permits and reports. There are deputies present.

Sheriff Fridley would like to have the same schedule in the Tax Office. The Tax office has been down 1 tax deputy for a while and another is on leave. Beginning March 1, the office will only accept cash for car registrations. This is due to the amount of bad checks that have been written in the past. The County has been unknowingly paying these taxes when a check bounces. Warrants can be served and licenses can be lost, but it is too much man power to retrieve the sticker.

There is an account from the General Fund that is covering the bad checks. Denise Light with Fayette County National Bank doesn't know how long the account has been open but it's been like that for a long time. The Fee for writing a bad check will be increased from \$10.00 to \$25.00 and once a bad check is written, a person can no longer write a check for property taxes, either. They have 10 days to make the payment right or the taxes are reinstated or they go delinquent. The same thing will be instated for Day Report Center payments for drug tests and GPS monitoring. There will be a press release in the newspaper and on Facebook and posted in the office. If money can't be regained, then we will have to write it off and then we will be written up by the auditor.

Sheriff Fridley mentioned the extended hours again and stated there will always be a deputy with them. He also spoke with the Assessor as they are important to the tax office business. People can call in during the day to have their tickets made in the system to be ready after hours when they arrive to pay. There is always the chance the Assessor will decide to follow a similar schedule too. President Wender suggested putting this back on the agenda with the Assessor to see what this will do to his office. Suggested hiring a part time employee until budget time. President Wender asked Ms. Frost for a proposed schedule. They are hoping to wait until the employee on leave returns in 8 weeks to keep Ms. Frost from working 8:00 a.m. - 6:00 p.m. on Tuesdays and Thursdays. The employee on leave is the assistant Chief Deputy and they will share the duty of staying in the evenings. Sheriff Fridley asked for permission to keep the Courthouse Annex open beyond 4:00 p.m. 2 days a week and the Commission agreed.

The Estate of Rita Francis Perdue was rescheduled due to no one appearing for the appointment.

Gabe Peña appeared to change the scope of the Flex-E grant. The WVU Law Clinic and Revitalize UKV received \$4,800.00 in redevelopment planning. Mr. Peña is asking to use the funds for planning and engineering for the Montgomery Fishing Pier near Montgomery General Hospital. He is also asking for an extension to spend the funds until February 28, 2017. The Commission asked Mr. Peña to revise the paperwork and return at a later meeting for authorization and signature.

Kevin Walker, OEM Director, appeared to discuss the Bays payment. The final inspection is based on federal inspection of paperwork. This inspection is based on Mr. Walker's paperwork, not the contractor's work. The Contractor's work was up to Mr. Walker to

enforce and make sure it was completed. FEMA will be inspecting the paperwork and not the physical work. All of this is understood now and complete. President Wender stated he was under the impression that it was a "kick the dirt" inspection. Mr. Walker stated that the derecho just received the final inspection, as a way to illustrate how long this process is. Bays would like to stay a vendor in the county and is gracious about the discussion. However they have been an issue and difficult to work with. There has just been miscommunication. President Wender asked that Mr. Walker write a letter stating the misunderstanding of the final inspections and send the payment. Commissioner Brenemen motioned to send the payment. Commissioner Scalph seconded sending the payment along with the letter from Mr. Walker and Ms. Berry. Mr. Harrah agrees with this arrangement. Unanimous decision.

Mr. Walker presented about the Meadow River Rail Trail. Restoring to pre-flood condition can avoid the downstream studies. They proposed resetting the steel instead of demolishing, recycling and rebuilding. Money cannot be drawn down until plans are shown. The original suggestion of raising the bridge 7 feet was not a demand. Also the original trestle plan wasn't sufficient for the desired use. Fayette County will need \$827,000.00 from FEMA and are unable to join in with Greenbrier County to receive FEMA funds. Must wait on the weather to break. Mr. Walker wishes he had more expertise assistance. President Wender suggested finding out if we can hire an engineer to assist.

Ms. Berry presented a Memorandum of Understanding for President Wender to sign for the Women's Resource Center to develop more comprehensive strategies addressing violence against women.

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

Commissioner Scalph formally resigned her positions with the New River Transit Authority and the Fayette Raleigh Metropolitan Planning Organization (FRMPO) citing scheduling conflicts with their meetings and her duties on state Executive Boards.

Ms. Berry presented a letter for the Commission to sign appointing John G. Brenemen to the New River Transit Authority. Commissioner Scalph motioned to approve and sign the letter. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a letter to appointing John G. Brenemen to the Fayette Raleigh Metropolitan Planning Organization (FRMPO) due to the resignation of Commissioner Scalph. President Wender motioned to approve and sign the letter. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a letter from Christopher S. Moorhead, Chairman of the Fayette County Deputy Sheriff's Civil Service Commission requesting the Commission to make an appointment due to the vacancy created with the passing of Eugene Hogan. The person must be a Republican because currently John Shumate and Christopher Moorhead are Democrats. Code prohibits all three members being of the same political party. Commissioner Scalph motioned to appoint Tom Ewing to the Civil Service Commission. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a letter to Sherman Bobbitt thanking him for his years of service on the Fayette County Planning Commission. The Commission signed the letter. A replacement was discussed. Commissioner Brenemen suggested John Welder from Powellton Hollow.

Ms. Berry will obtain a bio for Mr. Welder and the Commission will offer the suggestion to the Planning Commission.

Ms. Berry presented a letter for the Commission to sign to all Elected Officials and Department Heads requesting each to submit their detailed request for appropriations for FY 2017/2018 budget by March 1, 2017. The Commission signed the letters.

Ms. Berry presented a request from Leonard H. Bickford, Chief Magistrate, to purchase 6 small benches for the Magistrate Court floor to allow police officers to sit while they are waiting for cases in Magistrate Court. Sheriff Fridley believes that 4 benches will be enough. Ms. Berry and Magistrate Bickford will work together to choose appropriate benches for around \$100.00. Commissioner Scalph motioned to approve the purchase of 4 benches. Commissioner Brenemen seconded. Unanimous decision.

Sheriff Fridley presented that a desk will be placed in the main courthouse hallway for Corporal Legg to use while acting as courthouse security and not roving. President Wender took issue with the deputy sitting at a desk. Commissioner Scalph stated she believes it shows we are being proactive.

Ms. Berry presented a request for a letter to Fayette County Mayors from the Commission regarding the Law Enforcement Memorial. Sheriff Fridley said \$7,000.00 needs to be raised and this request would be better coming from the Commission. The letter will be presented for approval at the next meeting.

Ms. Berry presented a maintenance renewal for the boiler in the Courthouse for signature of President Wender. Currently paying \$8,089.00 per year and it will increase to \$8,200.00, or by \$27.75 quarterly. Commissioner Brenemen motioned to approve and authorize

President Wender to sign. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a request from Brent Conley, Team Purpose Coach, to use the Fayette County Soldiers & Sailors Memorial Building from March 1, 2017 to August 31, 2017 for coaching the AAU Girls Basketball Team. Commissioner Brenemen motioned to approve the request. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a Fayette County Fire Levy Pumper Replacement Agreement for the Commission to approve and sign for the Smithers Volunteer Fire Department. Commissioner Scalph motioned to approve and sign the agreement. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented invoices for approval for the Fayette County Animal Control Center in the amount of \$2,388.42 for utilities. Commissioner Scalph motioned to pay the invoices. Commissioner Brenemen seconded. Unanimous decision.

President Wender mentioned finding out if the Animal Shelter's AEP bill could be put on a budget.

Ms. Berry presented a revised letter for the New River Gorge Learning Cooperative asking to move the date of their approved event. The Commission approved the change.

The meeting was adjourned at 12:33 p.m.

FAYETTE COUNTY COMMISSION
FEBRUARY 2, 2017
COURTHOUSE
FAYETTEVILLE, WV 25840
Present: MATTHEW D. WENDER, DENISE A. SCALPH, JOHN G. BRENEMEN

The Fayette County Commission met in a special session on Friday, February 2, 2017. President Wender called the meeting to order at

9:06 a.m. sitting as the Board of Equalization and Review for Industrial and Mineral Hearings.

Eddie Young, Assessor, was present, but there are no contested valuations and the State did not appear due to lack of any applications. The Commission recessed as the Board of Equalization and Review at 9:12 a.m. to enter into the regular meeting, unless someone appears with an application.

Discussion was held regarding the email about Wet the Dries Commission received from the Alloy plant. This was an informational email, and wasn't asking for anything from the Commission.

Commissioner Brenemen motioned to approve the minutes from the January 20th meeting. Commissioner Scalph seconded. Unanimous decision.

President Wender stated that he will contact Jonathon Grose, Mayor of Gauley Bridge, about sitting on the board of the Kanawha Falls PSD.

Discussion was then held about the vacancy on the Planning Commission. The Commission will recommend John Welder to the Planning Commission.

The Commission held a discussion with employees who drive county owned vehicles. The Commission has had concerns for a while about county owned vehicles. Other counties have gotten in trouble over the subject. The Commission is not anxious to change anything, but needs a way to verify accountability if ever questioned. Sheriff Fridley has a GPS monitoring system that could alleviate concerns and the necessity of a policy. The Commission makes it clear this is not a done deal.

Sheriff Fridley explained the GPS system the Sheriff's office will be using. Wi-Fi is available for employees who it would benefit.

These mid-line devices will promote safety and will provide insurance savings. There are 11 cars for the County Commission and 7 for the Assessor and a few additional vehicles for the Sheriff requiring units. President Wender stated that the Commission gets questioned frequently about suspicious abuse of county owned vehicles. This system would allow the Commission to anticipate future inquiries and assist if someone is accused of something. James Bennett asked about recording features. Larry Harrah, Prosecuting Attorney, stated that the information states there is a location stamp and the information is saved for 90 days and can be backed up by county computers.

President Wender stated this would be more for locating someone if necessary rather than checking up on employees and Commissioner Scalph commented in favor of the insurance savings.

Renee Harper, Park Director, appeared to update the Commission on the park. She is proposing an increase in pool fees. The proposed increase is based on other local pools and the recommendation of the Parks and Recreation Board.

Commissioner Scalph asked if the fees are tax exempt. President Wender asked about passes versus single use. Ms. Harper doesn't have the figures on the passes since they were not sold last year. President Wender asked about the amount of the increase and Ms. Harper stated that she believes it is fair.

Commissioner Scalph is concerned about inconsistent hours, stringent rules against toys, food and chairs. Ms. Harper stated that more chairs will be available and they are working on a canopy for shade. They are working on the other issues.

Commissioner Brenemen asked about rounding out the tax. Commissioner Scalph stated that some businesses will back off the tax to have an even payment amount. All Commissioners agree this is an

easy formula that can be kept at the register. President Wender still believes an increase in pool passes from \$85.00 to \$225.00 is too ambitious.

Ms. Harper presented that they will have a 10 visit punch card with a reduced fee if purchased before April.

Commissioner Scalph asked about concessions. Ms. Harper stated they haven't finalized the plans yet.

Ms. Harper updated the Commission on the planned Easter Egg Hunt. It will be April 8th and only be 1 day long for the 1st year. It will be for children 8 years and under from 11:00 a.m. to 3:00 p.m. They will split up the children into two groups: 4 and under and 5-8. They will also have a petting zoo with bunnies and chicks. The hunt and petting zoo will be free with other activities such as a hay ride for a fee.

President Wender asked about the possibility of offering the entire event for free. Ms. Harper stated this will all be a learning experience. If everything is free and the weather is great they might get bombarded. They should definitely be able to offer the hunt and hay rides for free.

Ms. Harper presented that the park applied to adopt Park Rd. through the Adopt a Highway Program.

The Park will hold a job fair in March on the 24th and 30th to build a pool of seasonal applications.

Ms. Harper asked the Commission about increasing lifeguard pay to \$9.25 per hour. Adventures On The Gorge pays \$9.25 as well as incentives through the resort. There is money in the budget to increase these salaries. Ms. Harper is hoping to attract older than school age kids due to scheduling conflicts with classes and sports practices. President Wender suggested maybe a bonus for completing

the season. Commissioner Scalph stated that the higher pay might mean more dedicated employees and asked about partnering with companies to offer incentives. We will need extra guards to cover vacations and time off.

Ms. Harper brought up the gun range and the use of high powered rifles; bullets are lodged in the shelter frame. The range is posted and there is not supposed to be shooting there. The gun club shoots on Sundays but there is conflict with church services being held in rented shelters. Proposed asking the club to wait till noon. Mr. Harrah and Sheriff Fridley expect this will be met with resistance since morning is the best time to shoot.

Discussion was held about moving the range to Girl Scout Lane.

Mr. Harrah asked about holding a fishing event at the park, with sponsors to offer free poles and stock the pond for the day. DNR could stock.

Ms. Harper asked about offering free lunches for volunteers twice a year. Commission will find out if this is allowed.

Commissioner Scalph presented that the Bridge Day Commission needs a place to store the 5 x 20 foot diving board used for jumpers. Sheriff Fridley believes this is owned by Marcus Ellison and not the Bridge Day Commission. Either way, the park is not sure there is a place to store it. Bridge Day Commission might have to build a structure or pay to have it stored.

Dan Pauley, Park Garage Maintenance, asked about mileage and taking his county owned vehicle home, as he is always on call for the deputies' cruisers. In some private companies, if they are not on call, they pay a flat fee for mileage. If they are on call, they don't pay a fee at all since it is part of their job description to have the car at all times. It is difficult on taxes at the end of the

year. Ms. Berry stated that by law, we can only offer exempt status to cars marked for emergency operations.

Sheriff Fridley suggested making Mr. Pauley's vehicle marked like some of the essential operations vehicles at the Board of Education who ran into this same situation. President Wender asked Ms. Berry to look into this.

Ms. Berry presented the edited letter to municipalities concerning the Law Enforcement Memorial. President Wender asked that the letter be sent to the paper as a letter to the editor. The Commission signed the letters approved in a previous meeting.

Discussion was held regarding security at the Prosecutor's office. Sonny Milam, Maintenance Supervisor, will check with Fayette Institute of Technology to see if they can make a metal fire escape for the Prosecutor's building, 3rd floor of the main courthouse and the Circuit Clerk's office.

The meeting was adjourned at 11:35 a.m.

FAYETTE COUNTY COMMISSION
FEBRUARY 7, 2017
COURTHOUSE
FAYETTEVILLE, WV 25840
Present: MATTHEW D. WENDER, DENISE A. SCALPH, JOHN G. BRENEMEN

The Fayette County Commission met in a special session on Tuesday, February 7, 2017. President Wender called the meeting to order at 9:00 a.m. sitting as the Board of Equalization and Review for Industrial and Mineral Hearings.

Eddie Young, Assessor, was present, but there are no petitions. The Commission recessed as the Board of Equalization and Review at

9:15 a.m. to enter into the regular meeting, unless someone appears with an application.

Debbie Berry, County Administrator, appeared to present a letter from Lisa Ferrell-Kesterson for the Annual Police Officer Memorial requesting permission to set up a tent on the Courthouse lawn on Monday, May 15, 2017. Commissioner Scalph motioned to approve the request. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a letter for the Commission to approve and sign authorizing the purchase of 6 panic alarms at \$189.00 each for the Fayette County Commission offices. Commissioner Brenemen motioned to approve the purchase and sign the purchase order. Commissioner Scalph seconded. Unanimous decision.

Commissioner Brenemen motioned to purchase 20 additional panic alarms to cover the campus of the courthouse. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a letter to Attorney Tom Ewing notifying him of his appointment to the Fayette County Civil Service Commission. Commissioner Brenemen motioned to approve and sign the letter. Commissioner Scalph seconded. Unanimous decision.

Discussion was held about the upcoming legislative meeting. Commissioner Scalph mentioned bringing up the time that taxpayers have to file for exonerations.

Members of the New River Humane Society appeared to present to the Commission. Sunday afternoons, there are community dog walks and it has been noticed during these events, that there are several empty cages and no dogs are living in outdoor cages. This is a great improvement. The board members have been visitng other shelters for ideas. They also state that the cat room has vacancies as well.

Casey Gioeli, Shelter Veterinarian, stated that animal rescues have been integral in keeping the population down. Last month, 100 animals were brought in, and there was only 1 reclaim and 1 adoption. Most of the intakes went to rescues. Strays must have a 5 day hold but surrenders can be adopted out immediately.

The Shelter is no longer accepting feral cats. They would like to trap, neuter and release. Trap and vasectomy/hysterectomy release would be an option too, which would allow the animal to retain its natural instincts, and cause them to defend their territories which would also assist in reducing feral cat populations. They have identified grants to assist with this program and they don't want to roll the program out prematurely. This is the best way to deal with the feral cats. No one will adopt them and it is inhumane to cage them.

Commissioner Brenemen asked about the costs of vasectomy versus neutering. Ms. Gioeli stated that needs to be determined and would also rely on grants.

Kathy Gerencer, volunteer, reported about the Fur Ball. It was sold out and the auction was a success. They had great response from area businesses for the auction.

Discussion was then held regarding the finances of the Shelter.
(handout attached)

The budget from the Commission was cut from \$200,000.00 to \$125,000.00 in 2016 with an addition of \$10,000.00 to assist with bills. The Day Report Center was supposed to assist with daily Shelter maintenance but that did not work out. Vet costs last year were over \$70,000.00 and should be better this year due to the feral cats. The veterinarian has given protocols on which animals to vet to

help with costs. Vaccinations are expensive and every animal that comes to the shelter is vaccinated.

Discussion is held about staffing. Two days a week one person is working alone with the dogs. This is not safe and ideally they need another employee. They need 7 kennel attendants and one employee might soon retire freeing up a higher salary. There is also a need for a secretary. They would like to hire the secretary by the first of March.

There is a \$33,000.00 shortfall for payroll. The NRHS is asking for \$32,932.00 to cover payroll. Commission would need to make a budget revision. Commissioner Scalph motioned to approve the request to hire additional staff and to make a Budget Revision to cover the \$32,932.00 request. Commissioner Brenemen seconded. Unanimous decision.

Active Southern West Virginia appeared to update the Commission. Present were Melanie Seiler Hames, Andy Davis, Becka Lee and Malorie Polster.

Ms. Lee, Volunteer Director, presented about Community Captains for free weekly activities. Helps people stay accountable for their activities and stay on track. They partner with the NRHS for the Community Dog Walks and other events are family friendly. Other activities include tai chi, gentle chair yoga and Saturday walking groups.

Get Active in the Park was a partnership with the New River Gorge National River. This program is to encourage locals to use the park. Last year there were 14 captains, 75 free activities and 368 participants in 5 months. This year, they would like the program to be year long and hope to add rock climbing, snowshoeing. Camp Brookside had cooking and canning classes. The only ask from the

Commission is for support and advertising. Commissioner Scalph mentioned involving the women's clubs.

Ms. Polster appeared to discuss the Kids Run Clubs. They have 4 clubs in Fayette County and are on track to have 16 total next year. These are non-competitive, team building and are designed to teach kids healthy lifestyles. Reported TV time decrease and activities increased in surveys from the participants. President Wender asked about support from the Board of Education. Ms. Polster stated that it was better to start grassroots by contacting individuals at the schools rather than going through the BOE and having it mandated to every school.

Mr. Davis appeared to discuss biking and walking. Communities must be bike friendly or having a bike is pointless. They would like to see people be able to bike to the store or school or to other ASWV activities. Mt. Hope was the first community they approached about making it bicycle friendly. The local government was very accommodating. Bike racks, outdoor exercise equipment and a bicycle repair station have been installed around town and they are connecting rail trails, fitness trails and historical interpretations throughout town. They are hoping that the proposed Coal Heritage Discovery Center will become the hub for biking around Mt. Hope. A section of town nearby is vacant due to a flood buyout and this would be the perfect location to be repurposed for biking. They are in talks with CSX to purchase 16 acres of land to create a corridor from Mt. Hope, Mill Creek, the Summit towards National Parks Service Land. Another plan is to work with the Summit to make a fenced off road on their property a bike trail from Mt. Hope to Glen Jean. Commissioner Brenemen mentioned the proposed trail in Oak Hill connecting through

Scarbro to Glen Jean. Mr. Davis said that all of those trails are to be eventually networked.

They are hoping to add bike lanes with a feasibility study and then increase bike safety education. A Bike Safety Rodeo was held at Mount Hope Elementary School and they were able to give away 24 helmets and bikes.

President Wender asked what is the next community for the bike project. Mr. Davis stated they've contacted Mayor Rappold in Beckley and they are already working on an assessment.

Ms. Seiler returned to present about Workplace Wellness. They use an 80 question, 8 topic scorecard from CDC Health to help workplaces improve and implement healthy choices during the workday. They strive for a 5 year goal for improvement. They are hoping to expand this program with an ARC grant for staffing and expansion of office space. They are also applying for a Benedum grant.

A short term goal for this program is to have a resource directory for health care so people can be proactive rather than reactive.

Ms. Seiler presented about the Bridge Day 5K. The event was a success with nearly 200 participants and they hope to increase to 500 for 2017 and use the FC Memorial Building as an ending spot. A Family Triathlon was held in Summersville and they partnered with the Dragans from Thurmond for the Summersville and Thurmond events.

ASWV is only asking for support in the way of word of mouth advertising from the Commission. Commissioner Brenemen offered to allow advertising on his White Oak Trail Depot property in Oak Hill. President Wender mentioned partnering with the Parks & Recreation Board and the County Park. Ms. Seiler states she's on the advisory board and they are working on summer events for the FCMB.

Earl Manley from A & E Towing and Shane Foster of One Stop Towing appeared with a complaint regarding the wrecker service rotation. Montgomery Auto operates from Kanawha County as a Fayette County company and also under the name of Three Rivers, which is a violation of the contract. Three Rivers is not to be called. However, City of Montgomery Police Department will request Montgomery Auto per instructions from their City Council. This puts the dispatchers at 911 in a difficult situation. The Sheriff has ordered that the dispatchers are to follow the rotation. Only the owner of a vehicle can request a specific service. Fayette County is adequately covered by this level of service from in-county, tax paying wrecker services, so Montgomery Auto would not be approved if they were applying for the service today (they've been on the service for many years.) Their equipment and stockyard are not in Fayette County and they are in violation of the contract. President Wender doesn't like that we are providing a service and the City of Montgomery is dictating the terms. From now on, if Montgomery Police want Montgomery Auto, they will need to call on their own and not use 911 dispatch. President Wender asked that Prosecuting Attorney Larry Harrah and Assistant PA Liz Campbell review the issue and contract and reschedule for another agenda.

Further discussion was held regarding Glen's Towing. They are mainly located in Kanawha and Raleigh counties but own a piece of property in Fayette County. They are the only company equipped to handle heavy duty wrecks and are contracted by the Turnpike. We need to retain their business to take care of large wrecks. Glen's and Montgomery Auto are two different issues. Ms. Campbell will see if we need to write a separate contract for the heavy duty equipment since they are officially out of county, but there are not heavy duty options in county. We will need to anticipate other companies asking

for special contracts in the future. Most important issues are clearing the roads and not taking away from Fayette County companies. Mr. Walker and Mr. Bennett will think about heavy duty contracts and report back. The Commission stated that this will be up to Mr. Walker and Mr. Bennett.

Tom Ballard and Debbie Dunn of Priority Ambulance appeared to discuss ambulance pagers. They are asking for secondary pagers for when JanCare is unavailable. Ms. Dunn stated that response times are an issue, that they have been 45 minutes for a 10 minute call. Mr. Walker stated that for 2016 there were 7,600 calls and 49 of those went to Priority due to JanCare being unavailable. Protocol adopted through 911 is to send the closest ambulance, but the county has a contract with JanCare. JanCare has the responsibility to respond or decline the call. Mr. Harrah and Mr. Walker are working on clarifying the language of the contract. The contract should reflect the best patient care.

When the contract was first implemented, JanCare was the only company with a fleet large enough to serve the entire county. Mr. Walker is checking with other counties and started to tweak this contract. Once the contract is revised they will see if it is feasible to bring other parties into the contract.

The Commission recessed for lunch at 12:14 p.m.

The Commission reconvened at 1:30 p.m. and entered into an executive session to discuss a PSD issue with legal counsel.

The Commission entered into another executive session at 2:30 p.m. to discuss a park personnel issue.

The meeting was adjourned at 3:30 p.m.

REGULAR SESSION
FEBRUARY 10, 2017
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: MATTHEW D. WENDER, DENISE A. SCALPH, JOHN G. BRENEMEN

The Fayette County Commission met in a special session on this 10th day of February, 2017.

President Wender called the meeting to order at 9:00 a.m. to sit as the Board of Equalization and Review. Eddie Young, Assessor, was present, but there were no petitions. The Commission recessed as the Board of Equalization and Review at 9:08 a.m. until February 15th, unless someone appears with an application.

Commissioner Scalph motioned to approve vouchers and invoices to be released today. Commissioner Brenemen seconded. Unanimous decision.

Commissioner Scalph motioned to approve minutes from November 1, November 18, December 6 and December 16, 2016. Commissioner Brenemen seconded. Unanimous decision.

Commissioner Scalph motioned to approve 1st half payroll and release the checks on February 15th. Commissioner Brenemen seconded. Unanimous decision.

Debbie Berry, County Administrator, appeared to present Budget Revision Number Two for Coal Severance and a resolution for approval and signatures to reflect an increase in the Dog Warden/Humane Society allocation. The increase is \$32,932.00. Commissioner Scalph motioned to approve and authorize President Wender to sign the Budget Revision. Commissioner Brenemen seconded. Unanimous decision.

Commissioner Scalph motioned to approve and sign the resolution for the Budget Revision. Commissioner Brenemen motioned to approve

and sign the resolution. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a letter to the WV Supreme Court of Appeals requesting rent for the Family Law Judge for the months of February and March 2017, \$3,375.00 per month, for approval and signature. Commissioner Scalph motioned to approve and sign the letter. Commissioner Brenemen seconded. Unanimous decision.

President Wender inquired about the additional space that was offered to Family Law Judge to rent. Judge England had stated there is currently enough space available and he didn't want to further burden the tax payers with additional rent.

Ms. Berry presented a letter from John Steadman, Fayetteville Elementary School Music Teacher, requesting use of the Soldiers and Sailors Memorial Building for a music rehearsal and performance on April 10th and 11th, 2017. Commissioner Brenemen motioned to approve the request and sign the letter. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a letter for approval and signature of President Wender notifying that the Commission reviewed the request from Southern Appalachian Labor School (SALS) for funds from the WV Housing Development Fund to construct the Helen M. Powell Apartments in Kincaid, WV. Commissioner Scalph motioned to approve and authorize President Wender to sign the letter. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a letter from EnAct asking if the Commission would like to reappoint Judson Wallace as their representative. Ms. Berry will check with Mr. Wallace to see if he is still available to serve.

Discussion regarding a quote for a backflow preventer and test for the Smithers Sheriff's Department was tabled until more quotes can be obtained.

Ms. Berry presented a letter from Jill M. Perdue requesting to be considered for a vacant position on the Kanawha Falls PSD Board. This was tabled for further review. An offer has already been extended to Mayor Jonathan Grose of Gauley Bridge.

Ms. Berry presented a message from Mayor Pete Hobbs of Ansted to be put on a list for any extra police cruisers that the County may have to spare to donate to Municipalities. The Commission will keep Ansted in mind.

Gabe Peña, Assistant Resource Coordinator, appeared to present the change of scope contract for a Flex-E grant for dilapidated structures in Montgomery. The grant will go towards building a fishing pier where dilapidated structures stood, and is adjacent to existing dilapidated structures owned by Montgomery General Hospital that are slated for demolition. Commissioner Brenemen asked about extending the length of the pier. Mr. Peña stated they are looking into that possibility. The original grant received was to compile an inventory which then allowed for further grants. Gauley Bridge has 22 dilapidated structures per square acre and 33 dilapidated structures total. Commissioner Scalph asked about if some can be salvaged by using the increase in historic preservation tax credit. Mr. Peña stated that most municipalities are not interested in historic relevance; they just want the structures down. Commissioner Brenemen asked about the old inn in Gauley Bridge that was just demolished. Mr. Peña stated that was part of this project. Commissioner Scalph motioned to approve the change of scope and authorize President Wender

to sign the contract. Commissioner Brenemen seconded. Unanimous decision.

Mr. Peña presented a letter regarding the WVU Tech and UKV Revitalization agreement delay. The letter will be sent to President Gee of WVU and will be signed by Mayor Greg Ingram of Montgomery, Mayor Tom Skaggs of Smithers, Commissioner Kent Carper of Kanawha County and President Wender. Commissioner Scalph motioned to approve and authorize President Wender to sign the letter on the approval of Prosecuting Attorney Larry Harrah. Commissioner Brenemen seconded. Unanimous decision.

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

Mr. Sparks gave an agricultural update. President Wender gave Mr. Sparks some information on the cultivation of pawpaws. Mr. Sparks will check on this. Other novelty crops are becoming popular and lucrative such as ramps, morels and popcorn on the cob. Mr. Sparks also mentioned raw materials and the governor's proposal of attracting furniture making.

The Whitlock Farm property was discussed. The plan is still to sell the property to be used as an incubator farm for new farmers.

Ms. Weatherford presented her Impact Summary.(attached) Ms. Weatherford spoke about food insecurity in our area and that she is working with Melanie Seiler from Active Southern WV in the Health Alliance. The Living Well Work Group for the County is hoping to get a Vista worker to sustain the group beyond the volunteers. The Family Resource Network will sponsor the Vista. The Commission could be a last resort for the funding match if necessary.

Ms. Weatherford presented the nutritionist, Kelsey Laubach's handout.(attached)

Ms. Mender presented about 4H. Camp will be held July 10-14th, 2017.

Ms. Mender and Ms. Weatherford will check with State Board of Education member Dave Perry about presenting at one of their meetings.

Ms. Mender then appeared before the Commission to give a Parks and Recreation Advisory Board (PRAB) update. Ms. Weatherford and Claire Rozdilski, Acting Chief of Natural Resource Outdoor Recreation Planner, both members of PRAB, also attended. Ms. Mender mentioned they were very happy to have the new park staff involved with the board. There are three new committees - facilities, marketing and activities/programming. The board needs an official secretary. They would prefer to have Renee Harper due to the sensitive nature of some conversations. The Board will discuss and report back.

Another concern is clearing up the hierarchy of the park director over the Memorial Building and manager, Okey Skidmore. Mr. Skidmore is to attend all PRAB meetings and report to Ms. Harper. Ms. Mender stated the board is interested in upgrades for the FCMB. Commissioner Scalph stated that the park should be the first focus due to the amount already spent on the pool area. The Board just wants permission to conduct an assessment. This was granted.

Discussion was held on board members unable to attend meetings. One would like to resign and a letter will be sent to him accepting the resignation and a Valley area representative will be discussed. The other is currently on National Guard duty and will be excused from the absences.

President Wender stated that the YMCA from Charleston will be taking over the recreation center at WVU Tech in Montgomery and asked the PRAB to meet with the administrators.

Mr. Harrah asked about the policy of having alcohol on premises at the parks and FCMB. There is no written policy but it should be mentioned in the rental agreements. The issue would be enforcement. It was believed that the NPS didn't allow alcohol in their parks but Ms. Rozdilski stated this is incorrect and there are special use permits granted for weddings and other events.

Mr. Harrah brought up the lease for the Day Report Center. He has reviewed and has some concerns. It needs to be documented that President Wender stated that Mr. Harrah should make edits and return it to Jamie Blankenship, attorney who drew up the lease, for finalization.

The Commission entered into an executive session at 11:52 a.m.

The Commission exited the executive session and the meeting was adjourned at 12:40 p.m.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
FEBRUARY 15, 2017
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: DENISE A. SCALPH, JOHN G. BRENNEMEN

The Fayette County Commission met in a special session on this 15th day of February, 2017.

Commissioner Scalph called the meeting to order at 9:00 a.m. to sit as the Board of Equalization and Review. President Wender was not in attendance due to a meeting in Montgomery regarding the WVU Tech Campus lease/purchase by KVC. Eddie Young, Assessor, was present, but there were no petitions. The Commission recessed as the Board of Equalization and Review at 9:10 a.m. until February 21st, unless someone appears with an application.

Mr. Young presented a financial update. Commissioner Scalph mentioned proposed legislation regarding removing personal property tax from vehicles and replacing it with a local sales tax. Commissioner Scalph stated that at the CCAWV Legislative meeting concerns about the clarity of the tax code were discussed. Specifically, how far back can a tax payer go to have taxes corrected. Mr. Young stated that standard practice is current year plus five years but suggested a better practice would be the last Commission meeting before the land sale each year in which the property in question would be sold for delinquent taxes. This is 18 months from the issue of the tax ticket. It is the responsibility of the tax payer to look at the ticket and review for errors. The current practice can be detrimental to a county's budget if a 3-4 year refund nets nearly \$1 million, as is happening in Monongalia County.

Mr. Young presented a refund for Sharon Donnel for \$10.48. Commissioner Scalph motioned to approve the refund. Commissioner Brenemen seconded. Unanimous decision.

Commissioner Brenemen motioned to approve minutes from January 6, January 30, February 2, February 7 and February 10, 2017 and to authorize President Wender to sign them at the next meeting. Commissioner Scalph seconded. Unanimous decision.

Renee Harper and Wayne Workman appeared to give a park update. Ms. Harper introduced Victor Mender and Mike Suttle, the two new maintenance staff members for the Park.

Ms. Harper presented an updated pool rates list. (attached) Originally, the season pass was increased to \$225.00 but Ms. Harper decreased it to \$150.00 for a family of 4 and \$25.00 for each additional member. This is a \$65.00 increase from last year. The single member pass is \$75.00, a \$20.00 increase from last year. Ms.

Harper stated that they will round out the tax as suggested by the Commission so that all prices are even. Commissioner Brenemen asked if the Park accepts credit cards. Ms. Harper stated that she is hoping to get to that point. Commissioner Scalph said that the fees charged by the credit card companies might not be worth the effort. Commissioner Brenemen asked Ms. Harper to inquire about a Square which only has a 1.5% transaction fee.

Commissioner Brenemen motioned to accept the amended pool rates for 2017. Commissioner Scalph seconded. Unanimous decision.

Ms. Harper asked that the Commission approve a \$0.50 per hour increase in the lifeguard hourly rate, increasing it to \$9.25. This was discussed in a previous meeting. There will be no extra incentives, the pay increase will serve as the incentive and will hopefully attract older employees that will not have as many extracurricular obstacles for scheduling. The amount for the increase would be covered by the existing budget. Commissioner Brenemen asked about the ideal hours for the pool to be open. Ms. Harper stated 7 hours a day. By code for a pool our size, we need four lifeguards on duty. However, due to our usage, the Health Department could grant a waiver allowing fewer lifeguards on duty at a time. There used to be 3 positions at the pool - lifeguards, cashier and manager. They are getting rid of the cashier and all lifeguards will be trained as cashiers and will rotate duties. Ms. Harper believes she has returning lifeguards from the previous season. Commissioner Brenemen motioned to approve the rate increase of \$0.50 per hour, increasing to \$9.25 per hour for lifeguards starting in May. Commissioner Scalph seconded. Unanimous decision.

Ms. Harper and Mr. Workman then presented that the big pool is losing water. The water level dropped 3/8 of an inch from 2:00 p.m.

on Monday to 8:00 a.m. on Tuesday. Mr. Workman believes it is a plumbing issue however there are not any blueprints for the pool plumbing. The pool is 165 ft. x 60 ft. with just under 10,000 gallons of water. Commissioner Scalph mentioned the previous problem with the trough in the bottom of the pool. Commissioner Scalph and Prosecuting Attorney Larry Harrah said that Ms. Harper should contact Eastcoast Pools right away and give them a heads up there is an issue. They will watch the level for a few days to see if the level stops dropping when it reaches the lights to rule them out as the cause.

Ms. Harper presented that she was approached by the New River Horseman Association about using the Park for horse shows and to also host a horse vaccination clinic with a vet from Mt. Nebo. Mr. Harrah stated that the vet needs to show proof of liability insurance 7 days prior to the event and provide the supplemental agreement that states who is responsible for cleanup. Ms. Harper suggested drafting a MOU. Commissioner Scalph asked Mr. Harrah to assist with drafting the MOU.

Ms. Harper presented a budget revision request to transfer funds from line items, Park Extra Help and Overtime into Park Materials and Supplies and Capital Equipment. (attached) The Park needs to replace the zero turn mower, purchase the ADA lifts for the pool and purchase various materials for repairs. Commissioner Scalph asked that the ADA lifts not be included until the pool issue is resolved. The Commission also asked that Ms. Harper obtain two more quotes for the commercial grade zero turn mower. Commissioner Brenemen motioned to approve the budget revision presented by Park Director Renee Harper to transfer \$25,000.00 from line items Park Extra Help and Overtime into Park Materials and Supplies and Capital Equipment with the changes stated by the Commission. Commissioner Scalph seconded. Unanimous decision.

Ms. Harper presented a quote to have a professional logo designed for the Fayette County Park. Commissioner Scalph stated that Ms. Harper needs to obtain two additional quotes and suggested speaking with Sharon Cruikshank at the New River CVB for advice.

Ms. Harper presented that they are still down one maintenance worker and would like to fill that position by April 1. Will get list of applications from County Administrator, Debbie Berry.

Commissioner Scalph informed Ms. Harper about the Parks and Recreation Advisory Board (PRAB) update from the previous meeting. Commissioner Scalph informed Ms. Harper that she is the director for all Park facilities including the Memorial Building and Okey Skidmore is her employee. Commissioner Scalph mentioned the assessment that PRAB would like to conduct and suggested that once the Park Foundation is set up, those funds could be used to pay for the assessment or they can try to receive another grant similar to the one we received for the pool, which also funds studies.

Sheriff Mike Fridley appeared to state that the Courthouse Security upgrades are complete. The Supreme Court will come soon to review the work. Lieutenant Shawn Campbell was responsible for obtaining the \$81,000.00 grant and coordinating all of the installations.

Sonny Milam, Maintenance Supervisor, appeared to recommend John Pemberton as the replacement for Matt Clark, who resigned. Commissioner Brenemen motioned to approve hiring John Pemberton to the Maintenance staff, starting February 16th at a salary of \$20,800.00 and with a 6 month probationary period and drug test. Commissioner Scalph seconded. Discussion was held about the drug testing. Mr. Harrah stated that unless it is warranted, testing is just an additional

expense and not necessary, but up to the Commission. A drug test will not be required for this hire. Unanimous decision.

Mr. Milam presented about the Fire Marshal's inspection of the Prosecuting Attorney's building. The addition will need to have drywall installed on the ceiling. Waiting on one more quote. They will turn a window in Jeff Mauzy's office into an exterior door. Mr. Milam is getting quotes for a ladder from the second floor.

The meeting was adjourned at 10:54 a.m.

FAYETTE COUNTY COMMISSION
SPECIAL SESSION
FEBRUARY 21, 2017
COURTHOUSE

FAYETTEVILLE, WV 25840

MEMBERS PRESENT: MATTHEW D. WENDER, DENISE A. SCALPH, JOHN G. BRENEMEN
Others attending: KFPSD - Michael Graves, W. D. Smith, Jack Ramsey,
Don Cart

The Fayette County Commission met in a special session on this 21st day of February, 2017.

President Wender called the meeting to order at 9:03 a.m. and read the order certifying any changes in valuation accomplished by the Board of Equalization and Review, of which there were none. Commissioner Scalph motioned to adjourn as the Board of Equalization and Review sine die. Commissioner Brenemen seconded. Unanimous decision.

Mr. Young presented a real property exoneration for the Estate of Dorothy Virginia Callison \$6.42. Commissioner Brenemen motioned to approve the real property exoneration. Commissioner Scalph seconded. Unanimous decision.

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

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

Commissioner Brenemen motioned to approve minutes from February 15, 2017 and to authorize President Wender to sign. Commissioner Scalph seconded. Unanimous decision.

Debbie Berry, County Administrator, appeared to present a letter from Jeff Proctor, Vice Chair, Fayette County Urban Renewal Authority, requesting the reappointment of Gene Kistler, Matt Wender, and Jeff Proctor to the URA Board. Commissioner Scalph motioned to approve the reappointments to the URA Board. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented that Mr. Proctor also requested to appoint Holly Clark to fill the vacancy left by Jim Criniti who resigned. Commissioner Scalph motioned to approve the appointment. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a letter from Richard Forren, Chair of the Fayette County Planning Commission, informing that Guy Dooley and Matthew Wender were nominated to serve on the newly enacted Upper Kanawha Valley Regional Planning Commission, an effort by WVU for the Upper Kanawha Valley. Commissioner Scalph motioned to approve signing the letter. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a letter to the Supreme Court opposing the proposal to eliminate rental payments to counties for Family Law Judges' space. The monthly rent in Fayette County is \$3,375.00 or \$40,500.00 annually. The Commission signed the letter.

Ms. Berry presented a resolution from Region 4 Planning & Development Council for consideration and approval of President Wender to sign for the region's Hazard Mitigation Plan. Commissioner Scalph motioned to approve and authorize President Wender to sign. Commissioner Brenemen seconded. Unanimous decision.

Discussion was held about moving the March 23 meeting to March 21 or 28. The Commission chose Tuesday, March 21.

The Commission recessed for 5 minutes till 9:30 a.m.

The Commission reconvened at 9:30 a.m. for the William Lee Shepherd estate hearing. Robin Chapman appeared and was sworn in. Ms. Chapman presented that she petitioned to have Karen Shepherd Pena removed due to being derelict in her duties and asked that her other sister, Barbara Cobb take over. There was no accounting and the will was not followed. Ms. Campbell alleged that an estate account was never opened and there were instances of forgery on checks. The amount of checks to the estate was in excess of \$90,000.00. This was all brought to light when a check was delivered to Phil Tissue and his office contacted Ms. Chapman to locate Ms. Pena.

President Wender gave another chance for anyone else to speak. Rodney Skeens, attorney for Ms. Pena, appeared and stated he'd advised her not to speak due to the criminal investigation by the family members. Mr. Skeens stated that the charges against Ms. Pena are serious and pose defamation of character. Mr. Skeens stated that Mr. Shepherd's intentions were for Ms. Pena to be executor and no one contested the will. Stated that Phil Tissue was retained and filed the accounting with the County Clerk. The adopted daughter, Linda, was willed the personal property and real property went to the widow, Ruby. The asbestos lawsuit checks continued to arrive made out to the estate and those were deposited into Fayette County National Bank by

Ruby. After her death, a few checks were delivered and Ms. Pena cashed them and split the amounts by 15 and distributed them to the heirs. Mr. Skeens stated there is an estate account in Raleigh County at BB&T with more than \$5,000.00 and will remain there until a resolution is reached.

Commissioner Scalph asked about the forgery claims. Mr. Skeens stated that Ms. Pena wasn't responsible for the signatures, those would have been up to Ruby. Mr. Skeens stated that the asbestos checks weren't part of the will and should be counted as personal property, and it stated that if the personal property was sold, then the proceeds would be split.

President Wender asked why Ms. Pena would want to remain as executor due to the criminal case against her. Mr. Skeens stated that being removed might be detrimental to her character in the case. She was asked to voluntarily remove herself, but since there was no abuse to the estate she declined.

President Wender referred the estate to the Fiduciary Commissioner. Mr. Skeens stated he asked the County Clerk's office to refer the estate to the fiduciary commissioner. President Wender asked Larry Harrah, Prosecuting Attorney, if the County Clerk has that power and Mr. Harrah said only if the Commission agrees. The family is agreeable to a Fiduciary Commissioner as well. The Fiduciary Commissioner will report the findings to the County Commission.

Commissioner Scalph motioned to appoint James Blankenship as the Fiduciary Commissioner. Commissioner Brenemen seconded. Mr. Harrah asked the family if they have had any dealings with Mr. Blankenship. The family stated only in some real estate closings. There were no objections to Mr. Blankenship. Unanimous decision.

Daniel Harrison, Account Manager, and Marselle Culpepper, technician, from US Cellular appeared to present the GPS tracking device for county owned vehicles. Mr. Harrison and Mr. Culpepper gave the Commission a demonstration of the equipment.

President Wender called a 15 minute recess at 10:30 a.m.

The Commission reconvened at 10:45 a.m.

Lesley Taylor, Region 4, and Kenny Hayes, New Haven PSD chairman, appeared to discuss the Winona Sewer Project. The remainder of the loan is \$95,839.46. Mr. Hayes and Ms. Taylor presented a check for the full reimbursement amount to the County Commission and thanked the Commission for assisting with the project. The project will be completed in early winter.

Ms. Taylor presented a resolution of the Kanawha Falls PSD water project for \$34,551.40. Commissioner Scalph motioned to approve and sign the resolution. Commissioner Brenemen seconded. Unanimous decision.

Ms. Taylor made mention of assistance from Tim Richardson, Zoning, and Tommy Harris, Litter Control Officer, for helping with trash removal and clean up around one of the houses in the project.

Rick Wagner, Kanawha Falls PSD Manager, appeared to discuss a KFPSD funding request and DEP fine. Pumps are needed and other lift stations need repairs.

The Commission stated that they have no authority over the PSD but are greatly concerned about the financial situation of KFPSD.

Ms. Taylor stated that 3 of the smaller FEMA claims have been paid totaling an estimated \$100,000.00. \$232,000 is still pending.

Mr. Wagner stated that KFPSD funds will have to pay for the line extensions to Boonesborough customers. President Wender is concerned that if the funds are not available that the contractors would stop

work. President Wender is also concerned about the FEMA reimbursements being used to pay invoices and fines instead of being used to make the flood related repairs. Mr. Wagner stated that funds are not separated and are kept in one account.

Discussion was held regarding late payments. The PSD attorney Wyatt Hannah stated to his knowledge, the PSD is behind one or two months on a few payments and has negotiated the DEP fine down from \$242,000.00 to around \$30,000.00 pending environmental projects.

Discussion was held on the condition of the facilities. There are 11 lift stations which need a total of \$1,422,000.00 in repairs and the plan needs \$2,463,000.00 in repairs. There are also residences, businesses and hydrants which need repairs. Commissioner Brenemen suggested that Mr. Wagner make a list and make sure all complaints are resolved.

A conference call was held with Stanley Adkins, KFPSD Accountant. President Wender stated that KFPSD has \$244,000.00 currently in pending accounts payable invoices. He is concerned that the day will come when the PSD cannot make payroll and the employees will quit. Mr. Adkins stated that they clearly have more bills than funds.

President Wender stated that what troubles him the most is that the PSD Commissioners are not running the PSD; Rick Wagner has been running the PSD since 2012. The main concern of the Fayette County Commission is that the customers receive service.

Discussion was held on a Jeep purchased by KFPSD that was titled in Rick Wagner's name.

President Wender questioned when the PSD was last audited. Mr. Hanna stated it was in 2011.

President Wender stated he hopes someone will present a concrete plan to correct these issues.

Chris Selvey, Carl Harris, Bea Arthur, Lita Eskew, David Laudig, and Jack Thomas appeared to discuss repairs to the Memorial Building Eternal Flame. Renee Harper, Park Supervisor, also attended. The Friends of the Soldiers and Sailors Memorial Building Committee stated that they will raise funds for the needed repairs; this will not cost the county anything. Barry Crist, Principal of Fayette Institute of Technology, has agreed to have students assist with the repairs. The committee is just asking for the Commission's permission to proceed. Commissioner Scalph motioned to support the endeavor of the Friends of the Soldiers and Sailors Memorial Building Committee to begin work to relight the torch. Commissioner Brenemen seconded. Unanimous decision.

Steve Slockett, Fayette County Board of Education member representing the Valley, appeared to introduce himself to Commissioner Brenemen.

Jim Kelsh, Attorney from Bowles Rice for the Oak Hill Sanitary Board, appeared to notify the Commission of the sale of the Arbuckle PSD wastewater utility assets to the City of Oak Hill. Mr. Kelsh also has a resolution for the Commission to sign approving the asset purchase sale agreement, signed by the City of Oak Hill on February 15, 2017. Commissioner Scalph motioned to approve and sign the resolution. Commissioner Brenemen seconded. Unanimous decision.

Discussion was held regarding Jonathan Grose, Mayor of Gauley Bridge, and his desire to be appointed to the Kanawha Falls PSD. Mr. Harrah advised for Mr. Grose to inquire with the Ethics Commission about being mayor and serving on a PSD concurrently.

The meeting was adjourned at 12:45 p.m.

REGULAR SESSION
MARCH 3, 2017
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: MATTHEW D. WENDER, DENISE A. SCALPH, JOHN G. BRENEMEN

The Fayette County Commission met in a regular session on this 3rd day of March, 2017. The meeting was originally scheduled for March 2nd, however was postponed due to a weather related power outage at the courthouse.

President Wender called the meeting to order at 9:21 a.m.

Eddie Young appeared to present a refund for Larry T. Sears \$100.20. Commissioner Brenemen motioned to approve the refund. Commissioner Scalph seconded. Unanimous decision.

President Wender inquired about tax revenues and valuations. Mr. Young stated that valuations are up \$19 million but that could change due to information received this week from the state. President Wender asked Mr. Young for a comparative of valuations from the last three years.

John Stump, Steptoe & Johnson, appeared on behalf of Fred Williams to discuss the Boy Scouts bond. The Commission is a pass through for the Scouts' bond; the agreement is between J. P. Morgan Chase and the Boy Scouts of America. Mr. Stump stated that covenants in the agreement are changing to become more consistent and the project has grown in scope. Commissioner Scalph motioned to adopt and approve the resolution (attached) authorizing the amendment of (A) a bond purchase and loan agreement dated as of November 5, 2010 (as amended) relating to the revenue bond (Arrow WV Project), Series 2010A and 2010B and (B) the bond purchase and loan agreement dated as of March 9, 2012 relating to the County Commission's commercial

development revenue bond (Arrow WV Project), Series 2012 and authorizing execution and delivery of such amendments and the taking of all other actions relating thereto. Commissioner Brenemen seconded. Unanimous decision.

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

Mr. Young reappeared to present his budget. A promotion in his office was funded through his PVC account (original salary still comes from General Fund) and he might need a part-time position which would be funded through PVC. He is asking for one additional full-time position from General Fund. He is also requesting \$1,000.00 raises for his General Fund employees as he can afford the same for his PVC employees. His employees are evenly split between General Fund and PVC. Mr. Young stated that even considering the raises, he is asking for less than last year due to a firing.

Discussion was held that the PEIA numbers changed after the letters were sent to the elected officials and office holders. The Commission knows that the PEIA numbers will be more than presented today.

President Wender warns that raises will be contingent on the rest of the budget requests and the valuation numbers.

Steve Kessler, Circuit Clerk, appeared to present his budget. Mr. Kessler stated that everything is the same as last year. His department is down one employee but they are managing. Mr. Kessler did not factor in raises in his budget but is presenting a verbal request of \$100.00 per month raises for each employee.

Mr. Kessler presented that his department needs a computer upgrade and included a quote from Software Systems. There is also a

quote from Software Computer Group for a credit card machine and system. This will help to eliminate accepting bad checks. He is also requesting a jury contact system.

The Commission took a 5 minute break.

Allen Ballard appeared briefly to inform the Commission that AEP is charging inspection fees to reinstate power from the outage. Mr. Ballard would like to waive the \$85.00 fee for these instances. The Commission agrees that the fees should be waived.

Sheriff Mike Fridley appeared to present his budget. Sheriff Fridley explained the Civil Service Longevity raises for deputies. He is also requesting a \$100.00 per month raise for everyone.

Discussion was held regarding the Law Enforcement Levy. Last year they moved some deputies from General Fund to Law Enforcement Levy due to a surplus in the levy but Sheriff Fridley states that this has caught up and now the levy is over budget and would like to reverse the changes. President Wender asked that Stephanie Sears, Staff Accountant (not present) look at the remainder of the levy to make adjustments to keep it level until 2020. Sheriff Fridley also stated that he is down four deputies.

Sheriff Fridley stated that he would also like \$100.00 per month raises for the tax deputies and dog warden. This led to a discussion about proposing reimbursements from the municipalities for the dog warden services.

Sheriff Fridley requested \$14,000.00 for body armor, \$26,000.00 for SWAT gear and helmets and is asking for 3 new vehicles for Amy Nibert, James Pack and Kevin Willis and an increase of \$10.00 per month for uniform allowance.

Discussion was held about the cost of repairs for the high mileage vehicles and who approves the repairs. Some cars have more

dollars in repairs than what a new car would cost. Commissioner Brenemen asked why we have 51 cars for the Sheriff's department. Sheriff Fridley will put together an inventory for the April 7th meeting with Renee Harper, Park Supervisor. Sheriff Fridley would like to discontinue purchasing sedans and only purchase Interceptor SUVs which would help with repair costs.

Sheriff Fridley stated that overtime is a problem, because of the Magistrate Court appearances.

Sheriff Fridley stated that moral has improved 110% due to the consideration of the Commission to build a qualifying range at the county park. Deputies are volunteering to work to build it. Two sites are being considered and Mr. Harper and Sheriff Fridley will present back to the Commission after more discussion.

Sheriff Fridley presented the Community Corrections budget, which at this point is uncertain. The February jail bill was \$114,000.00 and there are 52 people enrolled in the Day report Center, which keeps \$70,000.00 off of the jail bill monthly. Sheriff Fridley said that retired Senator William Laird has offered to assist with the Community Corrections grant this year. The DRC hopes to hire an aid to assist with transport. The deputies have been driving the DRC clients.

GPS home confinement is \$300.00 per month and most clients repay their fee to be allowed home confinement. Stormy Parsons, DRC Director, stated that becoming a licensed behavioral health facility would allow the DRC to bill Medicaid for services. Upgrades would need to be completed to the facility to become compliant and these will be completed this summer. President Wender asked if we are currently losing money in the billing. Ms. Parsons stated not really because the staff is not able to do billing. They cannot get a

straight answer on the reimbursable rate from the state. There are too many unknowns with this budget.

President Wender asked if anyone in WV is being reimbursed. Ms. Parsons stated there are facilities in the panhandle who do but they have professionals on staff and we cannot afford that.

Libby Akers, Valley All Sports Booster Club, appeared to discuss the condition of Boomer Ballfield. Tommy Harris, Litter Control Officer, and Ms. Harper were part of the discussion. Valley High School was permitted by the Commission to play their baseball games at county owned Boomer Ballfield after the football team took over their field. However the field is not viable for regulation play for VHS and Valley Middle School. Ms. Akers understands that the county has financial issues but there has been a lot of vandalism. Ms. Akers has estimates for the list of repairs that need to be made so the facility is viable. She also has volunteers ready to assist with the work. The most important items are the outfield net, 20 boards in the stands, and the outfield fence. Dennler Fence has quoted materials at a discount if we install. President Wender suggested asking WV Corp, the county risk pool insurance provider, to come inspect the property with Ms. Akers.

Discussion was held regarding unlocking and locking the gate. The gate must be open at 6:20 a.m. each morning because the parking lot is used for the school busses to turn around. And it needs to be locked at night. Mike Scarbro was hired to take of this but he recently resigned. It was discovered this was mainly due to miscommunication and conflicts in scheduling. Coach Larry Whittington agreed to open the gate for the buses temporarily (he is also a bus driver.)

President Wender stated that we need to have a MOU and a meeting of all parties involved to dispel the misunderstandings and conflicts. Ms. Harper will draft the MOU which will include a section to allow for complaints of unfairness regarding scheduling. The MOU must be signed by all users or they will not be allowed access to the facility. President Wender stated that the replacement for Les Thomas, former Valley representative on the Parks and Recreation Board, should also be involved.

President Wender stated that the Commission should have someone from the County overseeing the volunteer work to make sure it is completed in a timely manner. Discussion was held regarding other quotes and Ms. Akers stated these were the only quotes she could obtain. Other business didn't have the materials or were not willing to quote.

Ms. Harper will be in touch with coaches Todd Wiseman (VMS) and Larry Whittington (VHS).

President Wender stated we need to find a permanent person to be caretaker of the field.

President Wender motioned that Mr. Harris and DRC clients will mow the perimeter of the property (outside of the fence) and the County Park maintains inside the fence. Ms. Harper and Ms. Akers will meet to discuss the vendors and billing for the other repairs which include: \$1,300.00 for the fence from Dennler; \$109.00 for bathroom repairs; \$339.00 for 20 boards; \$300.00 for grass; \$200.00 for paint. Commissioner Brenemen seconded. Commissioner Scalph asked that Ms. Harper and Ms. Akers apprise the Commission of all progress made. Unanimous decision.

Brian Aluise, representative from Senator Manchin's office, appeared to introduce himself to the Commission. Mr. Aluise used to

work for Governor Tomblin and has been assigned Fayette County which was previously covered by Mike Browning.

Ms. Harper appeared to present the budgets for the park and garage. Ms. Harper stated there are no changes in the totals from Fiscal Year 2017, only some restructuring. There is one vacancy in the maintenance staff. She's asking for various raises for all staff.

Ms. Harper first stated that according the East Coast Pools, the water loss in the pool is due to evaporation and $\frac{1}{4}$ of an inch is normal, even during the winter.

Discussion is held about applying for CFIA grants which now cover parks buildings. Commissioner Scalph will get more information to Ms. Harper.

Ms. Harper presented the garage budget. Discussion was held about whether our vendors are under state contract. Ms. Harper will look into them. She will ask Sarah Kessler, assistant, to contact other counties about their garages.

Ms. Harper stated that the logo request and quote she presented in the previous meeting is the only quote she could obtain. Others that she contacts on the advice of Sharon Cruikshank from the Chamber of Commerce, were either too busy, not interested or did not respond. Discussion was held about holding a school contest to design the logo with a pool pass as the award. Discussion was held about the pros and cons of using a professional service but it will ultimately be up to Ms. Harper how to proceed. Commissioner Scalph stated that the Parks and Recreation Board should be involved and allowed to assist in developing and critiquing the design.

The Commission recessed for lunch at 1:03 p.m.

The Commission reconvened at 2:15 p.m.

James Bennett appeared to present the 911 budget.

Discussion was held on revenues. Land line fees are \$4.50 per line but the amount of users has decreased. They would prefer to move to an electric meter based fee - each AEP meter customer would have a \$2.50 fee. This will double the revenues received. The County Commissioners' Association of WV is in support of this change.

Overtime is \$47,000.00 but because of built-in mandatory overtime due to the 12 hour shifts, the overtime amount is really on \$22,000.00.

Discussion was held on capital outlay expenditures and longevity raises. Mr. Bennett would like raises similar to the deputies, based on months of service with a 1 time payout to start everyone out, then add \$170.00 each July. Discussion was held about replacing a normal fuel truck with a diesel truck to increase pulling capacity and gas usage.

Kevin Walker, OEM Director, appeared to present his budget. The budget is the same as FY 2016. Overtime is currently over budget but once reimbursed by FEMA, OT will come in under budget for FY 2017. Only OT is allowable for reimbursement by FEMA.

Mr. Walker is requesting uniforms so they will look more official when necessary.

Joe Crist, Fire Coordinator, appeared to present his budget. Discussion was held about fire levy distributions. Mr. Crist stated fire trucks are \$375,000.00 and used to only be \$70,000.00. There is a 4% increase in the cost every 5 years.

Kelly Jo Drey, Resource Coordinator, appeared to present her budget. Ms. Drey presented a salary increase request for her assistant, Gabe Peña and to also send him to Leadership WV. Ms. Drey would like to become certified through a Basic Economic Development Course (BEDC) but would ask the URA to pay for that tuition. Ms. Drey

also needs a new copier but President Wender stated we can do that now, and that will be placed on a future agenda for approval.

Ms. Berry presented a request from Ms. Drey to use the FCC Chambers for a meeting. Ms. Drey explained that this is for Our Children, Our Future, an organized training of running for office, supporting certain political office and is non-partisan. The meetings would be a few times a month in the evening and would be for 5-10 individuals. Commissioner Scalph motioned to approve the request. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented Inspection agreements from the Fayette County Building Code Official for President Wender to sign. The agreements are as of July 1, 2017 for Mike Rose, Jason Davis and Leonard Price. Commissioner Scalph motioned to approve and authorize President Wender to sign the agreements. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a MOU between the Fayette County Commission and the Fayette Day Report Center for approval signature of President Wender. Commissioner Scalph motioned to approve and authorize President Wender to sign the MOU. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented quotes for a backflow prevention assembly and test for Smithers Sheriff's Department. The low bid is from Al Marino Inc. \$1,068.33. Commissioner Scalph motioned to approve the low bid from Al Marino Inc. Commissioner Brenemen seconded. Unanimous decision. Ms. Berry will inquire with Al Marino about a lower total quote for including a backflow preventer and test for the courthouse. Ms. Berry will decide if the quote is appropriate.

Discussion was held regarding changing the June 2nd meeting to June 1st. That change was made.

Ms. Berry presented a new evaluation certification form to the Commission from Mr. Young.

The meeting was adjourned at 4:22 p.m.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
MARCH 9, 2017
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: MATTHEW D. WENDER, DENISE A. SCALPH, JOHN G. BRENNEMEN

The Fayette County Commission met in a regular session on this 9th day of March, 2017.

President Wender called the meeting to order at 9:08 a.m.

Eddie Young appeared to present real property exonerations for Jimmy N. & Gloria J. Lively \$319.40; Katherine S. Treadway \$366.52; Juanita H. Akers Peyton \$ 327.70; Larry J. Sears \$99.58; Dale Edward Maxwell \$563.76 & \$574.98. Commissioner Scalph motioned to approve real property exonerations. Commissioner Brenemen seconded. Unanimous decision.

Mr. Young presented personal property exonerations for Gary A. Foster \$385.62; Karen Curtis \$338.56; Dena Renee Mullins Lane \$372.28; Shawn M. & Stacy Cooper \$739.78; Eric A. Pack \$1,020.92 & \$915.60; Robert & Mary Stonestreet \$702.24; Paul & Brenda & Nole McClung \$556.80; Beckley IND Hydraulics \$281.22; Jennifer L. Shrewsbury \$158.32; Randall II & Regina Redden \$335.38; Charles Edward & Deborah Bryant \$202.54; Charles Edward & Ashley M. Ward \$79.14; Gary D. Jr. (Jessica) Fox \$689.08; Kenneth Van & Lisa D. Neil \$246.72; Valinda Newman \$9.00; Matthew & Nicole Roles \$916.56; Brian J. & Julie A. Hawkins \$198.68; William L. & Brandy McClellan \$185.78; Susan L. & James D. McNeely \$418.78; John D. Miller II \$415.80; Reney A. Cordial

IV \$305.48; Patrick E. & Kimberly D. Sharp \$1,540.64. Commissioner Brenemen motioned to approve personal property exonerations. Commissioner Scalph seconded. Unanimous decision.

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

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

Angela Gerald, Building Safety Department, appeared to discuss the dilapidated Zink property. Ms. Gerald presented a quote from Empire Salvage to tear down the property. Commissioner Scalph motioned to approve the complete removal of the Zink property with a quote of \$6,500.00, asbestos inspection to follow. Commissioner Brenemen seconded. Unanimous decision.

Discussion was held regarding liens and repayments. Ms. Gerald will check the status of liens. President Wender asked about the money left in the demolition account and which homes are set for demolition. Ms. Gerald stated that most are in the outskirts but one is in Belva and another on Gatewood. Its demolition has been delayed due to its involvement in a murder case. She was just given clearance from the Sheriff to proceed with demolition. The Litter Control officer has been maintaining the lawn.

Discussion was held about a vacant property registry. Based on current dilapidated list and the typical fee schedule, the County could bring in \$40,000.00 a year from registrations. The typical fee schedule is \$200.00 for the first year of a vacant property (defined as no utilities for 30 days) and the fee would double each year. Some

waivers could be available. If passed it would take 3-4 years to see revenue.

Lesley Taylor from Region 4 appeared to present Kanawha Falls PSD Resolution 24 for the PSD and Department of Highways bond repayment. Commissioner Scalph motioned to approve Resolution #24 for \$103,048.61. Commissioner Brenemen seconded. Unanimous decision.

Deborah Berry, County Administrator presented an order and letter to Johnathan Grose appointing him to the Kanawha Falls PSD due to the resignation of John Craffey. Commissioner Scalph motioned to appoint Mr. Grose and sign the order and letter. Commissioner Brenemen seconded. President Wender stated that the state Ethics Committee approved this appointment as Mr. Grose also serves as Mayor of Gauley Bridge. Unanimous decision.

Ralph Davis, Kanawha Falls PSD customer, appeared to discuss the issues with the PSD. Mr. Davis stated that until a recent newspaper article was published, the customers were in the dark about the problems with their PSD. Mr. Davis worked for the City of Fayetteville for 5 years in their water company and knows what it takes for a board to run a water plant. He has no trust in their board. Employees are unable to do their jobs with mismanagement and meetings haven't been posted. President Wender mentioned the problems Emergency Management and others have had trying to get in touch with Rick Wagner, Plant Manager. There are never any responses to calls or messages. KFPSD is the only PSD in Region 4 that has both their sewer and water service together. Money from one is not supposed to be used for the other. President Wender stated that the County Commission can remove PSD commissioners however a customer petition would hold more weight.

Barbara Hickman and Jenny Cracraft appeared to ask for help with the Lewis House in Oak Hill. Ms. Hickman thanked the FCC for sending Day Report Center workers to help with their recent fundraiser. Ms. Hickman asked for financial assistance from the upcoming budget. She did not state a figure, just asked for anything the Commission could provide. They currently only have liability insurance on the house and that is \$2,000.00 per year. President Wender asked if they'd asked the United Methodist Church for assistance, as they benefitted from a bequest from the Lewis estate. Ms. Hickman said they were not interested in helping. Ms. Hickman stated there is another fundraiser and the Friends of the Lewis House are selling tickets for a raffle for local business gift cards. Commissioner Scalph suggested that the FLH contact Preservation Alliance of WV for assistance through tax credits and grants. President Wender suggested they contact Adam Hodges about assisting with historic registry status.

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

Ms. Berry presented a resolution for the Commission to approve and sign designating the New River Regional Development Authority as the lead economic development organization for the county. Commissioner Brenemen approved signing the resolution. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a Fayette County Fire Levy Pumper Replacement Agreement for signatures for the Pax Volunteer Fire Department for Fiscal Year 2015/2016 and for FY 2016/2017. Commissioner Brenemen motioned to approve and sign both agreements. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a letter for signatures of the Commission supporting Drug Take Back project in the Loup Creek area of Fayette County for Barbara Painter with Southern Appalachian Labor School (SALS). Commissioner Brenemen motioned to approve and sign the letter. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a letter for signature of President Wender expressing support for the SALS application to continue home rehabilitation work within Fayette County. Commissioner Scalph motioned to approve and authorize President Wender to sign the letter. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a letter to the Supreme Court of Appeals requesting reimbursement for rent for the Family Law Judge for the month of April, 2017. Commissioner Brenemen motioned to approve and sign the letter. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a proposal for GPS units for Fayette County Commission vehicles for review and approval. This discussion was tabled until Sheriff Mike Fridley can be present.

Ms. Berry presented a quote for a copier for the Resource Coordinator's office for approval. Commissioner Scalph motioned to approve the quote and authorize the purchase of a new copier for no more than \$2,500.00. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a request from Tommy Harris, Litter Control Officer to purchase 2 push mowers for the Solid Waste Authority. Commissioner Scalph motioned to approve the request to purchase 2 push mowers for no more than \$500.00. Commissioner Brenemen seconded. Unanimous decision.

The Commission entered into a budget session with Staff Accountant, Stephanie Sears, at 10:37 a.m.

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

FAYETTE COUNTY COMMISSION
REGULAR SESSION
MARCH 16, 2017
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: MATTHEW D. WENDER, JOHN G. BRENNEMEN

The Fayette County Commission met in a regular session on this 16th day of March, 2017.

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

Commissioner Brenemen motioned to approve the minutes from February 21st, March 3rd, and March 9th. President Wender seconded. Unanimous decision.

Debbie Berry, County Administrator, presented the Community Corrections Grant Application for FY 2018 for approval and signature of President Wender. Commissioner Brenemen motioned to approve and authorize President Wender to sign the application. President Wender seconded. Unanimous decision.

Ms. Berry presented a drawdown request for the Community Corrections Grant for the month of January 2017 for approval and signature of President Wender. Commissioner Brenemen motioned to approve and authorize President Wender to sign the drawdown request. President Wender seconded. Unanimous decision.

Ms. Berry presented orders to Combine or Divide and Segregate Land for Gereinda Moore, Charles R. Grafton, Kenneth A. Dangerfield etux, and Kenneth D. Rogers, respectively, for signatures. Commissioner Brenemen motioned to approve and sign the orders. President Wender seconded. Unanimous decision.

Ms. Berry presented a proposal for GPS units for the Fayette County Commission vehicles for review and approval. The Commission had questions about installation. This was tabled until Sheriff Mike Fridley can be part of the discussion.

Joe Wilson and Richard Lockhart, Casto & Harris, appeared to discuss Election Software and Systems and new election equipment being used in West Virginia. County Clerk Kelvin Holliday and employees Tracie Johnson and Alicia Treadway also appeared. Mr. Wilson has 40 years of experience and believes WV has the strongest election laws in the country. ES&S listened to voters and worked to develop this new equipment and system. This new system also eliminates the need for so many poll workers, unused ballots and issues with duplicating ballots, guessing voter intent and issues with spoiled ballots.

The cost of this system is high but relative to what we paid for the old system in 2006. A demonstration was performed while discussion about troubleshooting took place.

Ms. Treadway stated that precincts with more than 1,000 voters would have 4-5 machines. All others would have 2-3. Each unit has a 4-6 hour battery back-up and can be easily changed out in the event of a broken component. Absentee and hospital ballots will run through the machines like a normal ballot. This system has already been purchased and used by many other counties in WV elections.

This system is \$69,000.00 a year for 5 years with a 10-15 year life span.

The Commission will consider this system during budget.

Discussion was held about the Early Voting sites and how much work goes into preparing a site and how little turn out these sites receive. In the last election the 2 satellite locations cost

\$11,000.00 but only received 200 voters. Kanawha County only has one Early Voting location.

Andy Austin and Kim Canterbury, New River Transit Authority, appeared to update the Commission. (attachments) Ridership is up 26% with 400 boardings per day in a 5 day week, 20-23 days per month.

Mr. Austin stated that they recently purchased a new \$70,000.00 bus and due to grants and state funding, only paid \$800.00 out of pocket. They are working to modify and adjust routes through a route analysis to find their true ridership and need. The route analysis will cost \$50,000.00 for 9-12 months of people on the ground.

Commissioner Brenemen asked about bus stop lists. Ms. Canterbury stated they are at the main office and online and she will send some for our brochure rack. Personal stops are available if a passenger calls ahead. Mr. Brenemen mentioned adding a stop at Prince Railroad Station.

President Wender stated that the Commission committed to cover Oak Hill's portion of the route for 3 years and this is the 3rd year.

NRTA has contracted with Fox59 for commercials to expand ridership.

President Wender asked about stops being marked. Mr. Austin stated that it is up to the municipalities to post the stops and some businesses have been given signs. Commissioner Wender stated that NRTA should check with BridgeValley about helping with the valley area. The Commission will consider NRTA in their budget.

Jack Booda, County Surveyor, appeared to request to be added to the County's health insurance coverage plan through PEIA. Ms. Berry stated that previous Surveyor Leon Spencer was on the plan, however, Dale Tomlin declined. President Wender stated that state code doesn't define insurance coverage as an obligation. Only that we will provide

an office, but Mr. Booda does not need office space. President Wender asked Larry Harrah, Prosecuting Attorney, why we offered coverage to Mr. Spencer and Mr. Harrah stated due to the position being an elected official. Commissioner Brenemen motioned to cover PEIA health insurance for Jack Booda, County Surveyor. President Wender seconded. Unanimous decision.

Discussion was held regarding Mr. Booda serving on the Planning Commission. President Wender was concerned about filling geographic requirements; Mr. Booda stated that, as Surveyor, he would fill the geographic requirement for the whole county. Mr. Harrah stated Mr. Booda should submit a letter to the Ethics Commission for a ruling.

Casey Gioeli, New River Humane Society, appeared with a budget request. Ms. Gioeli introduced Kathy Gerancer as a newly elected board member.

Ms. Gioeli presented that there are vacancies in the cat room due to a huge rescue effort. The shelter will not accept feral cats.

Ms. Gioeli then presented budget requests.(attached) They would like to raise the salary of the director from \$25,000.00 to \$32,000.00 through incremental phasing in tied to merit. Other directors in similar shelters make \$36,000.00. All kennel attendants who have worked 6 months would be raised to \$10.00/hour which is slightly above living wage in WV. They have 7 full time kennel assistants who work well together and they would like to retain these employees. These positions do not have benefits. They would like to offer benefits to a full time secretary when hired.

To raise everyone up to living wages, they need \$21,000.00. They do not expect to completely drawdown all allotted funds in FY 2017's budget. They are asking for \$216,000.00 for FY 2018. FY 2017 the NRHS received \$165,000.00.

Discussion was held regarding a new phone system for the shelter. Currently there is not communication between the two buildings. They would like to purchase an IP phone system which would be a one-time charge of \$1,200.00.

The Commission entered into a budget session at 11:30 a.m.

Commissioner Brenemen motioned to approve the GPS tracking through US Cellular as long as the quoted price stays the same. President Wender seconded. Unanimous decision.

The meeting was adjourned at 2:45 p.m.

FAYETTE COUNTY COMMISSION

REGULAR SESSION

MARCH 21, 2017

COURTHOUSE

FAYETTEVILLE, WV 25840

MEMBERS PRESENT: MATTHEW D. WENDER, DENISE A. SCALPH, JOHN G. BRENEMEN

The Fayette County Commission met in a regular session on this 21st day of March, 2017.

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

Commissioner Brenemen motioned to approve second half payroll and release checks on the 30th. Commissioner Scalph seconded. Unanimous decision.

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

Kelly Jo Drey, Resource Coordinator, appeared to present a State Historic Preservation Grant application for masonry repairs to the courthouse. The grant application is for \$60,000.00 and requires a \$60,000.00 match from the Commission. The last time the Commission applied for the grant, \$60,000.00 was requested but only \$40,000.00 the last application, which would have completed the project.

Commissioner Scalph motioned to approve the submission of a grant application and to set aside \$60,000.00 in our budget to cover the match. Commissioner Brenemen seconded. Unanimous decision.

Commissioner Scalph mentioned that Chief Magistrate Leonard Bickford appeared prior to the meeting to thank the Commission for putting funds in the budget for the courthouse annex climate control.

Debbie Berry, County Administrator, presented a letter from Assessor Eddie Young requesting a credit of \$377.66 to be given on future taxes for Paul McKinney of Minden due to an error in reporting a mobile home on his property that had been removed several years ago. Commissioner Brenemen motioned to approve the credit. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented an agreement for President Wender to sign for a Claude Worthington Benedum Foundation grant in the amount of \$40,000.00 for a feasibility study and business plan to capitalize on economic opportunity in the food and farm section in Southern WV. Commissioner Scalph motioned to approve and authorize President Wender to sign. Commissioner Brenemen seconded. Unanimous decision.

President Wender asked that the Farmland Protection Board wait until the study is finished to consider a sale. Commissioner Scalph motioned to send a letter to the Farmland Protection Board stating that the Fayette County Commission is in support of the Benedum Grant application and to please hold off on the sale of the property until the study has been completed. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a Budget Revision request for the Kanawha Falls waterline extension for approval and signature of President Wender. The Commission had questions about the language regarding the reduction in cost for eliminating the 16" bore under the railroad

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

Ms. Berry presented a letter of support for approval and signatures of the Commission to Region 4 Planning and Development Council recommending the approval of the Southern West Virginia Bike Trail Network Implementation grant application to the Appalachian Regional Commission. Billy Strasser and Steve Jones were also present. Mr. Strasser stated that they need an agency to sponsor the application and the Department of Highways has agreed to sponsor. The DOH needs a support letter stating the county will be the owner of the land for the trail. Mr. Strasser stated that Active Southern WV and the Trail Alliance might be willing to maintain the property and right of way agreements might be needed from landowners to avoid having to purchase land. Mr. Jones stated that they are conducting an economic study with Siebert and Marshall University, regarding Wolf Creek Park and connecting the trails. Commissioner Scalph motioned to approve and sign the letter contingent to Larry Harrah, Prosecuting Attorney, reviewing the letter. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a request from the New River Humane Society to name the dog shelter Bob and Patti Korn Canine Cottage and a letter for approval and signature of President Wender. Commissioner Scalph motioned to approve and authorize President Wender to sign. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented an order allowing Fayette County National Bank to substitute securities pledged to the Fayette County Commission. Commissioner Scalph motioned to approve and sign the order. Commissioner Brenemen seconded.

Discussion was held regarding the two vacancies on the Kanawha Falls PSD due to the resignations of Roger Wagner and Mike Graves. Commissioner Brenemen motioned to accept the resignations of KFPSD Commissioners Wagner and Graves. Commissioner Scalph seconded. Unanimous decision.

Commissioner Brenemen motioned to appoint Carl Harris and Dan Hill to the unexpired terms, Mr. Hill filling the longer of the two terms. Commissioner Scalph seconded. Unanimous decision.

Commissioner Brenemen mentioned that the Jeep has been paid off and the title is being transferred from Rick Wagner's name to KFPSD today.

Ms. Berry presented the MOU for Boomer Ballfield for review and approval. This was tabled until Steve Rawlings with WV Risk Pool Insurance can review.

Mr. Harrah presented about discussion from the November 18, 2016 meeting regarding a complaint from Ron Eagle and a barking dog ordinance. Assistant Prosecuting Attorney Jennifer Crane is researching. This will be discussed on April 7th.

The Commission entered into a budget work session at 10:15 a.m.

The Commission met with Elected Officials and Department Heads at 2:30 p.m. to discuss the approved budget.

Ms. Berry presented a Community Corrections drawdown request for February for \$10,041.07. Commissioner Scalph motioned to approve and authorize President Wender to sign the request. Commissioner Brenemen seconded. Unanimous decision.

Commissioner Scalph motioned to approve the 2017/18 Fiscal Year Budget.

General County - \$9,772,460.00

Coal Severance - \$645,112.00

Commissioner Brenemen seconded. Unanimous decision.

The meeting was adjourned at 3:20 p.m.

FAYETTE COUNTY COMMISSION

REGULAR SESSION

APRIL 7, 2017

COURTHOUSE

FAYETTEVILLE, WV 25840

MEMBERS PRESENT: MATTHEW D. WENDER, DENISE A. SCALPH, JOHN G. BRENEMEN

The Fayette County Commission met in a regular session on this 7th day of April, 2017.

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

Eddie Young, Assessor, appeared to present real property exonerations for Rebecca M. Buckland \$222.30; Timothy & Mona Hankins \$475.00; Jason Kinser \$44.58, \$19.98, \$39.98, \$176.78, and \$6.42; and Ronald K. Hardin \$209.82. Commissioner Scalph motioned to approve the real property exonerations. Commissioner Brenemen seconded. Unanimous decision.

Commissioner Brenemen motioned to approve the minutes from the March 16th and March 21st meetings. Commissioner Scalph seconded. Unanimous decision.

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

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

Justin Arvon, regional representative from the State Attorney General's office, appeared to introduce himself to the Commissioners. Mr. Arvon assists citizens with scams, consumer complaints, and the

drug epidemic. He hosts mobile offices in Fayette County 4 times a month and will also visit the municipalities. President Wender asked that Mr. Arvon make sure to visit the Valley and Meadow Bridge areas. Mr. Arvon told the Commission about grandparent, IRS and Publisher's Clearing House phone scams. He advised that you should never have to pay money to win money. Anytime someone sees a panhandler they should contact the Sheriff.

Discussion was held regarding a recent issue with a computer security breach in Monroe County. President Wender asked Debbie Berry, County Administrator, to check with our software company about our firewall. He would like our system to be as secure as possible at all costs.

Tyler Bragg, GIS Specialist appeared to discuss the Pictometry contract. It is time to renew the contract for 50 users. The company gave us a discount last year for budgetary reasons but they cannot extend that offer this year. Each department will continue to pay their part and the Commission's portion is \$572.00 with 2 users.

President Wender asked Mr. Bragg to invite municipalities to meet here and learn about the system.

Mr. Bragg said our images are 2 years old and we should recapture the area at 4 years. President Wender asked Mr. Bragg to make a map of the potential shooting range area with the closest homes. He would also like for Renee Harper, Park Director, to have Pictometry images of all of the parks.

Commissioner Scalph motioned to approve the contract and for the Fayette County Commission to pay their portion, \$572.00.

Commissioner Brenemen seconded. Unanimous decision.

The first reading of the Ordinance to Adopt a Comprehensive Plan for the Upper Kanawha Valley Regional Planning Commission was held.

The Commission will review the ordinance and hold the second reading on April 18th.

Jean Evansmore appeared to give the Commission an update on the Dubois Museum in Mount Hope. The Museum is open for the season and Ms. Evansmore is working on attracting musical events.

The letter for the interconnector trail grant hadn't arrived for approval. President Wender stated that the issue may have been resolved.

Rod Perdue, Chief Deputy and Renee Harper appeared to discuss the cost of vehicle repairs and maintenance. Chief Perdue gave a report on the 36 sheriff's vehicles. 50% have more than 100,000 miles. Comparable sized counties take vehicles off the road at 100,000 miles. Chief Perdue proposes a 5 year replacement plan for cruisers that should cut maintenance costs in half. This includes selling older cruisers on Govsales.gov to recoup as much as possible to put back into purchasing new cruisers.

Ms. Harper stated there isn't currently a policy of best practices to decide which vehicles to remove from the road. She also had questions about reimbursements from the insurance company for wrecked vehicles.

President Wender would like to meet again with Ms. Harper, Chief Perdue and Stephanie Sears, Staff Accountant in May to revisit the numbers in a workshop.

The Commission recessed for a break at 10:50 a.m.

The Commission reconvened at 11:10 a.m.

Selmon Robinson appeared to present the 457B Retirement plan for county and city employees. This plan is pre-tax; a \$10.00 payment will only cost \$8.00. There is a \$10.00 minimum and \$700.00 cap per paycheck. This is not a savings account and does not payout month to

month, it pays as a lump sum. Mr. Robinson has already met with Joy Boyd, Payroll, and discussed this as a normal payroll deduction.

Commissioner Brenemen motioned to participate in the Nationwide 457B Deferred Compensation Retirement Plan. Commissioner Scalph seconded. Unanimous decision. Ms. Berry will contact employees and Mr. Robinson will visit PSDs.

Andy Davis, Active Southern West Virginia, Dave Harreston, CEO of Adventures on the Gorge, along with Steve Jones and Billy Strasser appeared to discuss the Mount Hope trail east along the Mill Creek abandoned rail trail. CSX is willing to sell land and White Oak and the Summit will allow access to their properties. The City of Mount Hope will prepare a MOU with all parties. WVU Tech engineering students have agreed to design the only bridge needed for the 3.7 mile trail. Mr. Davis is asking for \$1,500.00 to cover half of the appraisal by Goldman & Associates of the land CSX is selling.

Commissioner Scalph motioned to approve the request for our part of the CSX appraisal and write a check for \$1,500.00 to the City of Mount Hope specifically for the appraisal. Commissioner Brenemen seconded. Unanimous decision.

Russell Parker, Dog Warden, Tara Kincaid, Animal Shelter Director, and Chief Perdue appeared to discuss animals surrendered by owners. A policy needs to be instated to deal with owner surrenders. Chief Perdue suggests having the owner call into the shelter to register and one day a month will be scheduled for Mr. Parker to pick up surrendered animals. This will allow Ms. Kincaid to plan for space in the kennel. There are concerns about people lying about a viscous animal and also stating they will abandon the animal if they cannot surrender it immediately. Chief Perdue stated that abandoning an animal is illegal and those offenders will be pursued. The agreed

policy is that owners will call the shelter to register with a valid means of contact and Mr. Parker will schedule to pick up the animal within 30 days.

Discussion was held regarding municipalities paying for their portion of the Dog Warden duties. Larry Harrah, Prosecuting Attorney, stated that each municipality should be shown how much work Mr. Parker does in their limits. Mr. Parker is not obligated to serve the towns, this is just a service we provide and it is time for the towns to start helping with the costs.

Ms. Kincaid presented 3 vent fans that are needed for the Animal Shelter. These are available thorough Amazon for \$91.34 each. Commissioner Scalph motioned to approve the purchase of 3 vent fans for the Animal Shelter. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a vacancy for the Board of Health. Commissioner Brenemen motioned to appoint Terra Basham to the Board of Health for the remainder an unexpired term. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a vacancy for the Planning Commission. Commissioner Brenemen motioned to appoint James Tucker to the Planning Commission for the remainder of an unexpired term. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a Fayette County Fire Levy Pumper replacement Agreement for Meadow Bridge Fire Department for the Commission to approve and sign. Commissioner Brenemen motioned to approve and sign the agreement. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a letter from Sharon Cruikshank requesting the appointment of Mike Harper to the Bridge Day Commission due to the retirement of J.R. Brubaker for the Division of Highways.

Commissioner Scalph motioned to approve and appoint Mike Harper. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a letter from Nancy Tissue, Chair of the Women of Fayetteville Presbyterian Church, to hold a National Day of Prayer service on the Courthouse lawn on Thursday May 4, 2017.

Commissioner Scalph motioned to approve the request. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a letter for approval and signatures to the WV Supreme Court requesting reimbursement for rent for the Family law Judge for the month of May 2017. Commissioner Brenemen motioned to approve and sign the letter. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a grant agreement between the Division of Culture and History and Fayette County Commission for a Records Management and Preservation Board Grant for the Assessor's office in the amount of \$17,722.00 for movable track shelving for the county's map and property cards, 1990-present, for approval and signature of President Wender. Commissioner Scalph motioned to approve and authorize President Wender to sign. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented an order appointing James C. Blankenship, III as Fiduciary Commissioner in the Estate of William Lee Shepherd. This was approved in a prior meeting.

Ms. Berry presented a support letter for BridgeValley Community and Technical College regarding using WVU Tech buildings for BridgeValley for approval and signatures. Commissioner Brenemen motioned to approve and sign the letter. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a Memorandum of Understanding for the Commission to sign for Boomer Ballfield. Commissioner Scalph motioned to approve and sign the MOU. Commissioner Brenemen seconded. Unanimous decision.

Discussion was held to consider doing work at the Prosecuting Attorney's office prior to July 1, 2017. Commissioner Brenemen motioned to approve a Budget Revision of \$11,100.00 for work at the Prosecutor's Office. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry informed the Commission that Judson Wallace will no longer be serving on the EnAct board.

Brenda Perdue appeared for the Estate of Rita Francis Perdue. Mr. Harrah stated that estate has been finalized and she should hire a lawyer to assist with her claims.

Mr. Harrah presented a conflict of interest with Bailey & Glasser Law Firm and the opioid epidemic lawsuit. Commissioner Brenemen motioned to waive any conflict of interest with Bailey and Glasser Law Firm. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented an order to Combine or Divide and Segregate land for Gregory & Rebecca Pawlus. Commissioner Brenemen motioned to approve and authorize President Wender to sign the order. Commissioner Scalph seconded. Unanimous decision.

The meeting was adjourned at 12:58 p.m.

FAYETTE COUNTY COMMISSION
SPECIAL SESSION
APRIL 18, 2017
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: MATTHEW D. WENDER, DENISE A. SCALPH, JOHN G. BRENEMEN

The Fayette County Commission met in a regular session on this 18th day of April, 2017.

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

Commissioner Brenemen motioned to approve the minutes from April 7th. Commissioner Scalph seconded. Unanimous decision.

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

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

Pete Hobbs, Ansted Mayor, appeared to ask about a 5% allocation from the state's Small Cities Block Grant (SCBG) program for Broadband. Lesley Taylor, Region 4 Planning and Development, stated that the application is due in October and SCBGs are competitive for water and sewer projects and would compete with broadband as well. Only one SCBG can be given per unit of government per year.

Ms. Taylor presented Resolution #25 for Kanawha Falls Boonesborough; \$10,404.00 for engineering and \$38,659.77 for construction, \$49,063.77 total. Commissioner Scalph motioned to approve and authorize President Wender to sign. Commissioner Brenemen seconded. Unanimous decision.

The appointment with Leadership Fayette County was postponed due to scheduled school testing.

Renee Harper, Parks Director, appeared with Andrew Sullivan from New River Disc Golf to discuss building a disc golf course at the county park. Mr. Sullivan presented about the popularity of disc golf and the financial and tourism advantages of having a course at the park. Mr. Sullivan has the course mapped out starting at the pool,

through the woods, towards the pond and horse stables and back to the pool. This is a low cost, high return project. The equipment would cost \$7,600.00 and signage would be \$1,900.00. Ms. Harper stated that the current park budget could cover half of the hardware. Wayne Workman, Park Maintenance, stated that this would cause a minimal increase in their daily workload. Andrea Mender and Lauren Weatherford from the Parks and Recreation Advisory Board, appeared and stated the board is in favor of this project and will assist with getting sponsors. This project could happen in 3 stages: baskets, tee pads, and signage. Mr. Sullivan stated the original price was \$400.00 per basket and he negotiated to \$295.00 per basket. Commissioner Scalph motioned to begin a disc golf course and purchase the hardware through Dynamic Discs with the current park budget. \$5,310.00 for hardware and \$310.00 for shipping, total of \$5,600.00. Mr. Sullivan and Mr. Workman will collaborate on the design. Commissioner Brenemen seconded. Unanimous decision.

Stephanie Sears, Staff Accountant, appeared to present the FY 2018 budget and letters from the Auditor regarding the levy estimate. Deborah Berry, County Administrator, appeared to present the levy order for signatures.

Ms. Berry presented a letter for signature stating that the Commission will continue all necessary upkeep and maintenance on the HMMV military-surplus vehicle obtained through the LESO program for the use by the Fayette County Sheriff's office, as well as four additional armored doors provided with this vehicle for approval per request of Sheriff Mike Fridley for an audit of the Sheriff's office. Commissioner Scalph motioned to approve and sign the letter. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a letter from Eli Brown requesting the use of the Fayette County Memorial Building (FCMB) for middle school girls AAU basketball practice for review and approval. Commissioner Brenemen motioned to approve the request and sign the letter with the provision that they provide proof of insurance. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a letter from Ellen Deel, Principal of Fayetteville Elementary School, requesting permission to use the FCMB on April 26, 2017 for a free performance from the WV Dance Company. Commissioner Brenemen motioned to approve the request and sign the letter. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a letter from Ellen Deel, Principal of Fayetteville Elementary School, requesting permission to use the folding chairs from the FCMB on May 8th, 2017 in the evening to accommodate seating for the closure hearing at FES in the gym at 4:30 pm and for the sixth grade graduation on May 22, 2017 at 9:00 a.m. for approval. Commissioner Brenemen motioned to approve the request and sign the letter. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented permits to operate from the Fayette County Health Department for the Fayette County Park and Boomer Ballfield for President Wender to sign. Commissioner Brenemen motioned to approve and authorize President Wender to sign. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a letter for approval and signature of the Commission supporting the plans of Southern Appalachian Labor School (SALS) to develop a low-income housing project as part of a YouthBuild project. Commissioner Brenemen motioned to approve and sign the letter. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a drawdown request for the Community Corrections Grant for the month of March 2017 in the amount of \$8,007.08 for approval and signature of President Wender. Commissioner Scalph motioned to approve and authorize President Wender to sign the drawdown request. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a Consumer Sales Tax report for the Fayette County Park for the quarter ending on March 31, 2017 for approval and signature of President Wender. Commissioner Brenemen motioned to approve and authorize President Wender to sign the report. Commissioner Scalph seconded. Unanimous decision.

James Blankenship, Attorney, appeared for the estate of Matthew Boyd Davis. Mr. Davis' son, Brandon, would like for the executrix, Donna Davis, to be removed. Mr. Blankenship and Probate Clerk Stephanie Harrah sent various certified letters to Ms. Davis with no response. Anthony Salvatore, Attorney, was also present to represent Brandon Davis. There is a wrongful death case for the decedent. Mr. Salvatore has been in contact with Ms. Davis' attorney, Mr. Carter, and he is very surprised to learn she's not been taking care of the estate and was completely unaware of the proceedings. It was also stated that Brandon Davis hasn't been listed as an heir. Mr. Salvatore suggested to give Ms. Davis 10 days to respond and then remove her as executrix. Brandon Davis is prepared to take over the estate. Commissioner Scalph motioned to hold a ruling in abeyance for 10 days until an amended appraisal report is presented. Commissioner Brenemen seconded. Unanimous decision.

Kelvin Holliday, County Clerk, Alicia Treadway, Voters' Registration and Mac Deeson from Election Software and Systems, appeared to discuss the matter of markers and scanners for the new

election system. Scanners are not needed in each precinct. They can run 300 ballots per hour. President Wender would like to purchase the minimum needed for a low attendance election and add on to the system in the future. President Wender suggested 30 scanners and 95 markers and to redraw the contract.

The second reading of the Ordinance to Adopt a Comprehensive Plan for the Upper Kanawha Valley Regional Planning Commission was held. Commissioner Scalph motioned to adopt and sign the plan. Commissioner Brenemen seconded. Unanimous decision.

Sharon Cruikshank appeared to give an update on the New River CVB.

Mr. Blankenship reappeared with an order for the Commission to sign stating the agreed upon terms for the Matthew B. Davis estate. Mr. Blankenship and Mr. Salvatore will be responsible for the next steps.

Discussion was held regarding summer help for the County Commission office. There will not be a formal legal ad for the positions. The office is intending to hire four college students to assist with scanning work.

The Commission entered into an executive session at 11:20 a.m. for a personnel matter.

The Commission reconvened at 11:35 a.m.

Angela Gerald, Building Safety Department, appeared to give an update on dilapidated properties.

Mary Rader, Air Evac, appeared to present to the Commission about county employee plans. Ms. Rader asked permission to enroll employees in a payroll deduction plan for air evacuation medical services. President Wender has concerns about PEIA and 911 with this plan and

would like for everyone to return together to discuss at a future meeting.

Mr. Holliday returned with Mr. Deeson and a redrawn contract. Liz Campbell, Assistant Prosecuting Attorney, will review the contract before the Commission signs. Commissioner Scalph motions to approve the sales order agreement provided by ES&S and to sign the agreement upon the approval of the Prosecuting Attorney's office. Commissioner Brenemen seconded. Unanimous decision.

Commissioner Scalph motioned to approve the purchase of the materials totaling \$451,000.00 at \$86,000.00 per year for 30 scanners and 95 markers. Commissioner Brenemen seconded. Unanimous decision. The Prosecuting Attorney's office will also write a letter locking us into this contract when it is time to renew.

Ms. Campbell appeared with Mike Edelman and Larry Brown regarding their promissory notes to repay for the demolition of their properties. The terms are 2 years at 0% interest. Commissioner Scalph motioned to approve the terms and authorize President Wender to sign the notes. Commissioner Brenemen seconded. Unanimous decision.

Esther Morey, CODA Music Academy, appeared to give an update about the school program. There have been behavioral health improvements in classes, less discipline referrals and improved daily attendance in school since the CODA program was implemented. Ms. Morey stated that their grant funding from the DHHR has ended and may not be renewed and funding from the Greater Kanawha Valley hasn't been renewed either. Ms. Morey stated they can fill their camps with people who can pay, but the summer camp isn't their mission. They are asking for financial assistance from the County. Commissioner Scalph motioned to allocate \$5,000.00 from the FY 2017 budget to support CODA. Commissioner Brenemen seconded. Unanimous decision. 3rd and 4th

graders from Fayetteville Elementary and a few older CODA students gave a performance for the Commission.

The Commission gave Ms. Morey potential sources of other funding and asked that she draft a support letter for the Commission to sign.

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

FAYETTE COUNTY COMMISSION

SPECIAL SESSION

MAY 5, 2017

COURTHOUSE

FAYETTEVILLE, WV 25840

MEMBERS PRESENT: MATTHEW D. WENDER, DENISE A. SCALPH, JOHN G. BRENNEMEN

The Fayette County Commission met in a regular session on this 5th day of May, 2017.

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

President Wender addressed a group of juniors from Meadow Bridge High School that were attending due to Know Your County Government Day.

Mike Bone, Assessor Chief Deputy, appeared to present real property exonerations for Richard Canterbury \$105.40; Dwayne Franklin Adkins \$259.78; Thomas C. Bazzie \$332.04; Isabelle Withrow \$256.20; and XTO Distribution \$544.58. Commissioner Brenemen motioned to approve the real property exonerations. Commissioner Scalph seconded. Unanimous decision.

Mr. Bone presented personal property exonerations for Amy L. Bryant and Nancy C. Frank \$200.72; Gregory Harville \$161.88, \$163.34, \$152.58; Zacharian T. Roat \$44.44; Stacy or Debra A. Treadway \$206.30; Garland L. or Melissa D. Ellis \$492.66; David J. Sr. & Karen Bellamy \$242.38; James Emory & Nora E. Miller \$1,881.88; Tanya McMillion \$19.20; Dallas H. Jr. & Brooke E. Duncan \$591.76; Benny L. Redden \$497.66; Charles D. Mosses, II \$53.26, \$53.58, \$60.34; David L. &

Evalena Roop \$302.44; John M. Middleton \$713.24; Jeremy Hicks \$370.46; Derrick S. & Jennifer Hawver \$1,313.16, \$673.64; James Eli Belcher \$281.32; and Mary V. Basham \$189.86. Commissioner Brenemen motioned to approve the personal property exonerations. Commissioner Scalph seconded. Unanimous decision.

Ms. Bone presented a refund for Mary Basham \$197.89. Commissioner Scalph motioned to approve the refund. Commissioner Brenemen seconded. Unanimous decision.

Commissioner Brenemen motioned to approve the minutes from April 18th and authorize President Wender to sign. Commissioner Scalph seconded. Unanimous decision.

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

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

Kelly Jo Drey, Resource Coordinator, appeared to present a feasibility study for the Whitlock Farm by Downstream Strategies. President Wender suggested asking Larry Harrah, Prosecuting Attorney, to review the contract. Commissioner Scalph motioned to approve the contract with Downstream Strategies and authorize President Wender to sign upon approval of the Prosecuting Attorney. Commissioner Brenemen seconded. Unanimous decision.

The study should be completed by August 20th and then will be presented to the Farmland Protection Board in September. Commissioner Brenemen mentioned the potato processing plant in Cabell County and that Raleigh County is also interested in a vegetable processing

plant. Commissioner Brenemen would like to approach the Agriculture Commissioner regarding a plant in Fayette County.

Lesley Taylor, Region 4 Planning & Development, appeared for a Public Hearing for Small Cities Block Grant (SCBG) funding for Armstrong Deepwater PSD. Discussion was held regarding the application. This is the 5th submission for SCBG funding for Armstrong Deepwater PSD. Commissioner Scalph motioned to approve the application for Armstrong Deepwater PSD for SCBG funding and authorize President Wender to sign. Commissioner Brenemen seconded. Unanimous decision.

Monty Warner, Kanawha County YMCA, appeared to present about the YMCA taking over the Baisi Athletic Arena at the WVU Tech campus. The Kanawha County Commission has allocated \$50,000.00 to the cause. Montgomery and Smithers hope to help as well. The YMCA needs a letter of commitment from the Commission to send to the Senator's offices. The Senator's will also allocate \$50,000.00 if obtain other funding. BridgeValley Community College is on board to use the YMCA for their students. The Kanawha County Commission has offered a letter of intent. The YMCA is signing a 25 year lease with 5 year extensions.

Commissioner Scalph motioned to provide a letter of intent for \$10,000.00 from FY 2017 and \$15,000.00 from FY 2018. Commissioner Brenemen seconded. Unanimous decision.

Stephanie Sears, Staff Accountant, presented orders to Combine or Divide and Segregate Land for Janetta M. Settle and Neil Thompson, respectively. Commissioner Brenemen motioned to approve and authorize President Wender to sign the orders. Commissioner Scalph seconded. Unanimous decision.

Ms. Sears presented a letter from Kelly Murdock, Fayette County Volunteers, requesting financial assistance of any amount for Camp Kismet and to use the park at a reduced rate for their camp.

Commissioner Brenemen motioned to approve a \$500.00 allocation to Camp Kismet, a reduced park rental rate at the same amount from 3 years ago, and they will be required to pay a \$200.00 security deposit. The deposit is to be returned upon a clean inspection of the facilities after the camp. Commissioner Scalph seconded. Unanimous decision.

Ms. Sears presented a letter for signature giving Headwaters Defense permission to hold a rally on the courthouse lawn on May 9, 2017. This was previously approved.

Ms. Sears presented a 2017-2018 Insurance Renewal for the Commission to review.

Ms. Sears presented audit paperwork for FY 2015/2016 for President Wender to sign from the WV State Auditor's Office. Commissioner Scalph motioned to approve and authorize President Wender to sign. Commissioner Brenemen seconded. Unanimous decision.

Discussion was held regarding a vacant citizen representative seat on the Beautification Committee. The Commission will consider possible candidates.

John David, Southern Appalachian Labor School, appeared to discuss a roof emergency at the Beards Fork facility. SALS needs a \$5,000.00 contribution towards the deductible and inside materials that were destroyed due to the leak. Commissioner Brenemen asked about the age of the roof and Mr. David stated they've had the facility for 20 years and have only been patching the roof. Commissioner Scalph motioned to approve a \$5,000.00 contribution to assist with supplies and equipment and deductible to SALS. Commissioner Brenemen seconded. Unanimous decision.

Andrea Mender, Parks & Recreation Advisory Board (PRAB) appeared for an update. Discussion was held regarding the park logo. Ms.

Mender stated that there will be reduced shelter rental rates for summer holidays. There will also be a grand opening for the renovated pool on June 9th with a raffle, door prizes and media coverage. Commissioner Scalph mentioned that East Coast Pools offered to participate financially in the grand opening. Ms. Harper mentioned there are 6 lifeguards committed so far.

The disc golf course vendor cannot supply all of the inventory needed at once. President Wender suggested checking with other vendors but to not split the order between vendors.

Ms. Mender presented about the Fayette County Memorial Building. The Friends of the Flame of Freedom of the Soldiers and Sailors Memorial Building presented to the PRAB at their last meeting. President Wender asked about the repairs. Ms. Mender stated that they will form a plan and prioritize. Commissioner Scalph stated that there are areas that need painting. Gauley Mountain Moulding in Craigsville painted the courthouse doors. Ms. Mender asked about the roof. President Wender stated it is about 12 years old.

Ms. Mender needs to renew the terms of members and appoint a new student representative; she will present this at their June meeting. The Commission agrees that Sarah Kessler, Park Assistant, will serve as PRAB secretary and take meeting minutes.

Ms. Harper presented a quote from Key Telephone Security for security cameras for \$11,000.00. Ms. Harper will obtain 2 more quotes. The amount is in the current park and garage budgets. Mr. Harrah stated that the threshold for bids is \$15,000.00 but it is good practice to get 3 quotes. Commissioner Scalph motioned to approve the process of obtaining a security system for the park and for Ms. Harper to exercise her judgment for the best price and plan. Commissioner Brenemen seconded. Unanimous decision.

Discussion was held on a tenant for the house at the park, and a gatekeeper or security guard. People would like to rent the rec hall till later in the evening and the park closes at dusk and that fluctuates with the season. There is a possibility of getting a deputy to lock the gate but it would be preferable to have someone living at the house.

Ms. Harper presented an employment crisis. She has held 5 interview sessions; 1 employee left shortly after hire for a better paying position; others have been young and inexperienced and others are laid off coal miners who receive more from unemployment than from a \$10 per hour job. There has also been a problem with background checks.

Mr. Harrah stated that they should not hire someone who cannot pass a background check. President Wender stated to gather applications of those with the experience to be paid at a higher tier.

Brian Sparks, WVU Extension Office, appeared for an update. There is educational outreach with farmers with topics such as backyard chickens, fences, and traditional farming. They are working with the WIC office to give participants and senior citizens coupons for the fruits and vegetables at farmers markets. The coupons are redeemable dollar for dollar for the farmers. Seniors will be able to also use the coupons for honey.

Mr. Sparks presented a handout from the WV Foodlink seminar he attended.

Mr. Sparks would like to create a centralized resource communication center. President Wender suggested using 911 employees in their downtime with a dedicated call in number.

Commissioner Brenemen presented the potato plant idea to Mr. Sparks. Mr. Sparks mentioned the area might need a feasibility study

to see if we can fulfill a plant. Mr. Sparks also mentioned the possibility of a cannery. Mr. Sparks and Commissioner Brenemen will meet about these ideas. President Wender suggested moving Commissioner Brenemen onto the WVU Extension board role.

Kelsey Laubach, WVU Nutritionist, appeared. She is involved in school nutrition where she attends each school that has 50% free or reduced lunch which is every school in the county. She is also working with SNAP and WIC to have kids from New River Elementary and A Place to Grow visit the farmers market twice and then they will get a voucher for their family to visit the market.

Ms. Mender presented that the annual dog show in Oak Hill is next week. Energy Express still needs Americorps members to staff the camp. The proposed 3rd site did not happen this year. 4-H camp is July 10-14th.

Discussion was held on SB433, a bill to amend and reenact §11-22-2 of the Code of West Virginia, 1931, as amended, relating to permitting counties to increase the excise tax on the privilege of transferring real property. The Commission asked Mr. Harrah his opinion. There is currently a discrepancy with the date this will go into effect. Mr. Harrah will research but we will move forward in the meantime.

Billy Strasser appeared about the New River Trail system. There is a meeting with a property owner in Nutall about right of way for connector trails. The County Commission will take ownership of the right of way similar to the Meadow River Rail Trail.

Mr. Harrah presented a property issue from Van Burks and a property adjoining his. Mr. Burks would like to purchase the land, however it had a dilapidated house demolished and the County placed a lien to recover demolition costs. The property is also tied up in

heirship. The Commission has the authority to serve the heirs through Circuit Court and force the sale to recover the lien. Mr. Harrah stated that private lawyers get paid substantially to track down heirs and addresses. The Prosecutor's office has 17 murder cases and simply cannot take on this issue. Mr. Harrah has spoken with Mr. Burks.

Ms. Sears presented a lease from the Fraternal Order of Police for the Community Corrections Day Report Center for President Wender to sign. Commissioner Brenemen motioned to authorize President Wender to sign. Commissioner Scalph seconded with a change regarding the fire marshal's report. Unanimous decision.

Ms. Sears presented an order relieving Jennifer Crane as the Special Fiduciary Commissioner in the estate of Laura Lilly and settling the estate. This order was approved in a previous meeting.

President Wender signed an agreement from the Board of Education to cover the Pro Officer for Oak Hill High School.

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

FAYETTE COUNTY COMMISSION
REGULAR SESSION
MAY 19, 2017
COURTHOUSE

FAYETTEVILLE, WV 25840

MEMBERS PRESENT: MATTHEW D. WENDER, DENISE A. SCALPH, JOHN G. BRENNEMEN

The Fayette County Commission met in a regular session on this 19th day of May, 2017.

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

Commissioner Brenemen motioned to approve the minutes from May 5th and authorize President Wender to sign. Commissioner Scalph seconded. Unanimous decision.

Commissioner Scalph motioned to approve payroll and release checks on the 30th. Commissioner Brenemen seconded. Unanimous decision.

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

Eddie Young, Assessor, appeared to present real property exonerations for John Marshal Webb \$120.66; Larry M. & Ann M. Nunnery \$398.44. Commissioner Scalph motioned to approve the real property exonerations. Commissioner Brenemen seconded. Unanimous decision.

Mike Fridley, Sheriff, and Anna Frost, Chief Tax Deputy, appeared to present two copies of the delinquent tax list. One will be placed in County Clerk's office and the other will remain in the Commission Chambers.

Ms. Frost presented that the County is at 82% in tax collections, which is just ahead of last year. Sheriff Fridley and Ms. Frost are going to set up mobile offices in certain municipalities to collect taxes.

Sheriff Fridley, Chief Deputy Rod Perdue, and Renee Harper, Park Director, appeared to discuss the Sheriff's Department vehicles and the average mileage on our fleet. Since 2016, the mileage increased by 500,000. The Commission agreed that we need to purchase four vehicles for FY 2017/2018.

Commissioner Brenemen motioned to approve a Budget Revision in FY 2018 to move money set aside for vehicle in County Commission budget to the Law Enforcement budget to purchase an additional 2 cars on top of the 2 cars already budgeted in Law Enforcement. A total of 4 cars are approved for FY 2018. Commissioner Scalph seconded. Unanimous decision.

Commissioner Scalph requested having one person to make the call of how and if to fix a damaged car and to determine if it is worth the money to repair and make decisions.

Sheriff Fridley stated that he or Chief Perdue will take the responsibility for making the call for the Sheriff's vehicles. Ms. Harper stated she will handle the rest of the county vehicles.

Discussion was held regarding tires. President Wender asked how much more will C. Adam Toney charge to put the tires on the vehicles. Ms. Harper is price checking to see if we can get better prices on all things garage related. She has found some better prices and is in the process of changing vendors.

Sheriff Fridley stated that our Spillman software can be set up at the park and everything on the cars can be monitored on the system to notify the deputies of when services is due and such. It can also show abuse on the vehicles.

President Wender asked if it can track driver history for the last five years. Sheriff Fridley stated he hasn't researched the system that much but it may be able to.

Discussion was held regarding the shooting range. Sheriff Fridley handed out a range proposal layout (attached). Sheriff Fridley walked the Commission through his presentation.

The Sheriff's office is currently using the Boy Scout range until a new county range is developed. However, deputies cannot qualify when they need to because of previously scheduled events at the Boy Scout range.

Chief Perdue described the layout in detail. Chief Perdue has been to several different shooting ranges and this is the best and most efficient layout.

President Wender asked what the timeline is for the shooting range. Chief Deputy Perdue found someone to start work on the road and the shooting lanes. Ms. Harper suggested finding out how much the timber is worth and see if it would be beneficial for the county to sell the timber and pay to have the road cut out.

Phase one is getting the maps and marking what part of the property would be the range. President Wender asked Chief Deputy Perdue to meet with Kelly Jo Drey, Resource Coordinator, to discuss the National Guard timbering at that property. He also requested for 2-3 different companies to present plans.

Chief Deputy Perdue and Ms. Harper will return on June 16th to discuss the shooting range and timber companies.

Ms. Harper presented a park maintenance hire. She recommended to hire Mike Walker. Mr. Walker has 30 plus years in construction. Because of his experience, she requested starting him at \$11/hour or \$22,440.00 annually with a six month probation and evaluation.

Commissioner Scalph motioned to approve this request to fulfill an open position at the Fayette County Park starting at \$11/hour on Monday, May 22, 2016 and after a 6 month evaluation, discussion will be held for a pay increase. Commissioner Brenemen seconded. Unanimous decision.

Ms. Harper stated the pool is set to open for Memorial Day weekend.

Debbie Berry, County Administrator, appeared to present a Community Corrections drawdown for signature by President Wender. Commissioner Scalph motioned to approve and authorize President Wender to sign the drawdown. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a Fire Levy Pumper Replacement Contract for the City of Smithers for signatures of the Fayette County Commission. Commissioner Brenemen motioned to approve and sign the contract. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a letter to the Supreme Court requesting reimbursement of rent for the Family Law Judge for the month of June, 2017. Commissioner Scalph motioned to approve and sign the letter. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented letters and an order for the commission to sign designating the following Incorporated Banking Institutions in the County be named as depositories of public monies: Fayette County National Bank, Chase, Bank of Mount Hope, Inc., Branch Banking & Trust (BB&T), United Bank, and City National Bank. Commissioner Scalph motioned to approve and sign the letters and the order. Commissioner Brenemen seconded. Unanimous decision. Said banks shall file their bonds and/or securities by June 15, 2017 to be approved.

Ms. Berry presented a letter from Bryan Arthur, President of the Upper Kanawha Valley Little League, Inc., requesting support to purchase a zero turn lawn mower to maintain the field. The Commission asked who would be responsible for the mower and who would keep it and it was stated that the league contracts out the mowing. President Wender stated that there is liability if the county owns the mower and a non-employee uses it. President Wender suggested that Ms. Berry write a letter stating our concerns. The Commission may be willing to help offset the costs of the mowing contractor. The Commission will need more information about costs and the current contractor.

Ms. Berry presented a letter requesting the reappointment of Dr. Jo Harris to the Board of Directors as a Fayette County private sector representative to the New River Gorge Regional Development Authority.

Commissioner Scalph motioned to approve and sign the letter.

Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a letter to the WV Courthouse Facilities Improvement Authority for approval and signatures regarding a request for change of scope for the Masonry and Repair grant, to include repairs to the right and left side of the steps. The Commission would like to also include sidewalk repairs and asked if the masonry company would include these repairs at no additional cost. If they decline, then we will ask the CFIA to increase our allotment. Commissioner Brenemen motioned to approve and sign the letter. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented an order for the Commission to sign from Attorney James Blankenship to continue the estate hearings scheduled today for James Bragg and Charles Bennett. Commissioner Brenemen motioned to approve the order presented from Mr. Blankenship. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented invoices from Community Corrections for approval to pay at the beginning of next week. They were submitted after the check run for this meeting. Commissioner Scalph motioned to approve the Community Corrections vouchers and invoices and write the checks after the meeting. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented an Order to Combine or Divide and Segregate Land for Johnny & Clara Thorn. Commissioner Scalph motioned to approve and authorize President Wender to sign. Commissioner Brenemen seconded. Unanimous decision.

Yaron Miller, Pew Charitable Trusts, appeared to give a presentation on "Restore America's Parks" (summary attached). Mr. Miller explained about the Pew Charitable Trusts organization, based

in Washington, D.C. Mr. Miller stated that there is currently \$17.8 million total in deferred maintenance at the New River Gorge National Park and \$2.6 million total in deferred maintenance at the Gauley River National Park.

Stormy Parsons, Community Corrections, appeared to discuss Medicaid billing. Medicaid will not start paying Day Report Centers (DRCs), until July 1, 2018, if ever, since Medicaid is not approved to accept DRCs billing. The Division of Justice and Criminals is pushing DRCs to bill Medicaid now without it being approved through Medicaid. The dilemma is that DRCs are expected to hire professionals for Medicaid billing who are not covered by the grant. If this happens, we cannot afford to run the DRC. If we do not hire the professionals, we could lose all our grant funding. Medicaid cannot even tell us what the reimbursement rate will be because the billing has not been approved. The Medicaid budget was cut \$50 million. President Wender suggest Ms. Parsons to write a letter to Rick Staton informing him of the dilemma we are in regarding our budget and how we do not have the monies available to hire the required professionals in order to get Medicaid billing, and to ask for his help devising a solution.

The Commission recessed at 12:00 p.m.

The Commission reconvened at 12:37 p.m.

Janet Spry, WV Census Bureau, appeared to give a local update of census addresses. Ms. Spry presented the Commission with a handout about the Local Update Census Addresses (LUCA) (attached). April 1, 2020 has been deemed Census Day and we should be updated by then. Kevin White, Fayette County Mapping and Addressing, was also present for this presentation to make sure Fayette County is up to date. Mr. White stated that we are current and sent the information to the responsible party. Mr. White stated that he periodically sends

updates to the state. Ms. Berry has completed the paperwork for the Commission to receive the necessary forms. There will be a training that the Commission can send someone to after the information is received. If we choose to do this, we will get the complete updated list in February. The Commission can start a committee, made up of citizens, to help complete this. The committee can be appointed at any time but she suggests waiting until guidelines come out of her headquarters. They are fine-tuning the guidelines now but the Commission can start brainstorming individuals they want involved. President Wender stated that the committee should be appointed before the census and Ms. Spry agreed.

President Wender asked about our cyber security. Ms. Berry spoke with our insurance representative and reported that we are covered in the event that something happens. Ms. Berry also spoke with our software companies and they stated that we are covered as best as is possible and we have firewalls. They cannot promise 100% that it will not happen, though. President Wender asked for a third party to come in and check our security.

President Wender asked about the antennas at the Fayette County Memorial Building from the old 911 Center and if they can be taken down. Kevin Walker, OEM Director, is supposed to be checking and Ms. Berry will remind him of this. President Wender stated that we should auction them.

Lesley Taylor, Region 4 Planning & Development, appeared to present Resolution #26 for the Kanawha Falls PSD for signatures. The resolution is for \$53,586.25. Commissioner Scalph motioned to approve the submission of the resolution and authorize signatures. Commissioner Brenemen seconded. Unanimous decision.

Johnathan Grose appeared to give an update on the KFPSD board. He presented the Commission with a handout (attached). They were able to reduce the debt from \$190,000.00 to \$94,000.00 in just 60 days. They also cut overtime from around \$4,000.00 every two weeks to \$500.00 every two weeks and the morale has increased substantially.

Ms. Taylor stated that the PSD has had a complete turnaround. They are in the process of preparing a sewer ordinance which will help them recoup some monies from the prison where they have not maintained their side of the equipment, which has damaged the KFPSD sewer station. They are also working on a rate increase. KFPSD has posted for audits to be completed and they are accepting bids now. The board and staff meets every Tuesday morning at different stations of the KFPSD. This will give the staff time to address any issues and the board can visit each site at least once a month. 2.5% of revenue needs to be put in a Repair & Replace (R&R) fund. Currently, there is no money in that fund but it has been started. President Wender asked Ms. Berry to draft a letter from the Commission to the board and staff, thanking them for their hard work and to let them know the Commission is aware of their hard work.

The meeting was adjourned at 2:21 p.m.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
JUNE 1, 2017
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: MATTHEW D. WENDER, DENISE A. SCALPH, JOHN G. BRENNEMEN

The Fayette County Commission met in a regular session on this 1st day of June, 2017.

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

Mike Bone, Assessor Chief Deputy, appeared to present the real and personal property land books for the Commission to sign. Commissioner Scalph motioned to authorize the Commission to sign the land books for real and personal property. Commissioner Brenemen seconded. Unanimous decision.

Commissioner Brenemen motioned to approve minutes from the May 19th meeting. Commissioner Scalph seconded. Unanimous decision.

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

Commissioner Scalph motioned to approve 1st half payroll, checks to be released on June 15th. Commissioner Brenemen seconded. Unanimous decision.

Deborah Berry, County Administrator, presented the contract between the Fayette County Commission and Election Systems and Software for equipment and service for election equipment for approval and signature of President Wender. The Commission approved the purchase of the materials totaling \$451,000.00 at \$86,000.00 per year for 30 scanners and 95 markers at a previous meeting. Prosecuting Attorney, Larry Harrah, drafted and signed a letter to Mr. Mac Deeson with Election Systems and Software confirming the understanding that after the terms of the contract expire, and if the Commission wishes to renew a contract with the company, it will be under the same terms and conditions of the initial contract.

Commissioner Scalph motioned to approve the contract and authorize President Wender to sign. Commissioner Brenemen seconded. Unanimous decision. (Contract attached)

Discussion was held regarding the walk-through metal detector for Judge Hatcher's Courtroom. Sheriff Mike Fridley requested allowing him some time to research where other counties purchase their metal detectors. Commissioner Scalph motioned to approve a purchase up to \$4,200.00 for a new metal detector for Judge Hatcher's courtroom. Commissioner Brenemen seconded. Unanimous decision.

The Commission called Senator Kenny Mann on the phone to discuss legislative matters. Discussion was held on a new sales tax. Senator Mann stated the last number suggested was 6.25%. Discussion is still ongoing among the legislation. Discussion was held on the school aide formula. The Government wants to max out levy rates and decrease the school aide formula by 5%. He is still trying to negotiate so hopefully that bill is not needed. Discussion is still being held about the personal income tax reduction.

A bid opening was held for the Assessor's office Mobile Track Shelving Systems at 10:00 am. One bid was received from AJ Allegheny Systems LLC. Commissioner Scalph opened the bid. The amount of the bid was for \$20,494.00. The grant is for \$17,722.00 with a match from the Commission. The Commission requested calling Tyler Bragg over to the meeting to discuss the bid received. Mr. Bragg was not available so the matter was tabled until he can be reached.

Gary Hartley appeared to give an update on the Summit Bechtel Reserve. Mr. Hartley handed out a schedule for the 2017 National Jamboree. (attached) Mr. Hartley reviewed the schedule with the Commission.

Mr. Hartley presented a handout regarding Veterans Appreciation Day which is an open day and free to all.(flier attached)

Ms. Berry presented a request from Jennifer Williams and Ricky White, Secretary and Athletic Director/Principal of Ss. Peter and Paul School to use the Soldiers and Sailors Memorial Building for basketball games and practices between November 1, 2017 and March 15, 2018. Commissioner Scalph motioned to approve the request. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a request from Melanie Seiler Hames to use the Fayette County Memorial Building June 22, 2017 from 9:00 a.m. to 12:00 p.m. for a free and open to the public pickleball lesson. Commissioner Scalph motioned to approve the request. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a request from Brian Banks to use the Fayette County Memorial Building for a basketball shootout on June 17th, 2017, 7:30 a.m. to 8:00 p.m. Commissioner Scalph motioned to approve the request. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a request from Michael Pilato, secretary of the Fayetteville Lions Club, to use the county parking lot on Wiseman Avenue for their Fourth of July Festival July 3rd and 4th, 2017. Commissioner Scalph motioned to approve the request. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a letter from the Armstrong PSD requesting the reappointment of Stanley Garten to the PSD board. Commissioner Scalph motioned to approve the reappointment. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a letter from Melissa Linden, Western Response Branch with the EPA, requesting the signature of President Wender for permission to access parcels 11, 16, 23, 25 and 176 in

Minden to collect samples from Arbuckle Creek and adjacent properties from the Shaffer Equipment site to test for PCB contaminants.

Commissioner Scalph motioned to approve the request. Commissioner Brenemen seconded. Unanimous decision. (letter attached)

Ms. Berry informed the Commission about a letter that was sent from the Administrator's office to all elected officials and department heads requesting that all invoices dated on or before June 30th, 2017, be submitted to Stephanie Sears, Staff Accountant, as soon as possible and budget statements need to be recorded in the County Clerk's office before June 30th, 2017.

Ms. Berry presented a letter of support for approval and signatures for the Spartan Race Event to be held on August 26th to August 27th, 2017 at the Summit Bechtel Reserve. Commissioner Scalph motioned to approve the support letter and authorize the Commission to sign. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a budget revision prepared by Ms. Sears for the General County and Coal Severance funds. This budget revision will complete the budget for June 30th, 2017, as of today.

Commissioner Scalph motioned to approve and authorize President Wender to sign the budget revision for the General County Fund in the amount of \$139,083.00. Commissioner Brenemen seconded. Unanimous decision. Commissioner Scalph motioned to approve and authorize President Wender to sign the budget revision for the Coal Severance fund in the amount of \$8,143.00. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented letters for the Commission's signatures to Senator Joe Manchin, Senator Shelley Moore Capito and Senator Evan Jenkins requesting they support the National Park Service Legacy Act (H.R. 2584) to enable the staff and rangers of the NPS to address the

\$11.3 billion in deferred maintenance repair needs in our National Parks. Commissioner Scalph motioned to approve and sign letters to the Senators. Commissioner Brenemen seconded. Unanimous decision.

Lita Eskew appeared to give an update on the Friends of the Flame of Freedom. The torch is ready to be lit and a celebration for lighting the torch will be held June 20th, 2017, West Virginia Day. Ms. Eskew asked that the Commission pay for the gas to keep the torch lit. The cost will be minimal \$30-\$40.00 per month.

Commissioner Scalph recused herself from the discussion and vote because the request came from a family member. Commissioner Brenemen motioned to approve the request to pay for the gas to keep the torch lit. President Wender seconded. President Wender and Commissioner Brenemen approved.

Ms. Eskew requested that any amount be allocated to the committee that the Commission sees fit. President Wender asked how much the repairs are and how much has been raised. They have raised \$3,000.00 but cannot give a total cost at this time. President Wender stated we need to be more accurate in the request as to how much they need from the Commission. President Wender asked Larry Harrah, Prosecuting Attorney, if the Commission can guarantee payment of the invoices up to \$6,000.00 for the torch with the understanding that \$3,000.00 has already been raised. Mr. Harrah stated that would be acceptable.

Commissioner Brenemen motioned to approve that the Commission pay unpaid invoices for the torch up to \$6,000.00 knowing the committee already has raised \$3,000.00. President Wender seconded. President Wender and Commissioner Brenemen approve. Commissioner Scalph recused herself because the request came from a family member.

President Wender spoke on behalf of the Commission, thanking the individuals involved for their accomplishments.

The Wall of Distinction induction for Kenneth L. Eskew, Sr. took place.

The Fayette County Historical Landmark Commission presented the induction. Ami Dangerfield, Joseph Dangerfield, Kathleen Scott, and Susan Williams were present from the FCHLC. Daniel Wright, Landmark Commission Chairman, could not be present due to prior engagements. Ms. Dangerfield spoke on behalf of the FCHLC. Ms. Dangerfield gave a history of the Wall of Distinction and how it was created. Ms. Dangerfield read a history of the life of Mr. Eskew and family.

President Wender remarked on Mr. Eskew and their time shared together.

The floor was opened for remarks from the attendees.

Commissioner Scalph, Mr. Eskew's daughter, commented on her father and paraphrased a quote from Abraham Lincoln. She thanked everyone present for honoring her father.

Jim Akers, former Fayetteville Mayor, spoke of Mr. Eskew's military background.

Ms. Eskew and Commissioner Scalph unveiled the portrait of Mr. Eskew for the Wall of Distinction.

Ms. Eskew spoke of her late husband and thanked everyone in attendance.

The Commission recessed at 12:00 p.m. and light lunch was served.

Fayetteville Methodist pastor, Tim Bleigh, held grace.

The Commission reconvened at 12:58 p.m. President Wender and Commissioner Brenemen were present. Commissioner Scalph stepped out.

Discussion was held on the bid for the Assessor's Mobile Track Shelving System. Mr. Bragg was not available. The amount for the grant with the match of +\$1,000 is correct. The Commission requested

that Mr. Bragg contact the company to negotiate the price half way to a point which would be in compliance with the grant.

Commissioner Brenemen motioned to accept the bid with hopes that they renegotiate and, if not, the Commission will accept the bid as is. President Wender seconded. Unanimous decision.

Commissioner Brenemen motioned to approve payment of the February and April 2017 Jail bill. President Wender seconded. Unanimous decision.

Commissioner Brenemen motioned to approve payment to the County Clerk, Kelvin Holliday, to reimburse him for a conference that will take place in next year's budget, provided he submits a budget revision to Ms. Sears to cover the travel line item. He currently has \$0.91 in his travel line item. President Wender seconded. Unanimous decision.

The meeting was adjourned at 1:55 p.m.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
JUNE 16, 2017
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: DENISE A. SCALPH, JOHN G. BRENEMEN

The Fayette County Commission met in a regular session on this 16th day of June, 2017.

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

The Commission approved and signed the settlements for the County Clerk's office.

Eddie Young, Assessor, appeared to present real property exonerations for Virgil Steve Sigmon, Jr. & Lisa Lynn Whitlock \$83.46.

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

Mr. Young presented personal property exonerations for William J. Humphrey \$590.86; Alex or Virgil Payne \$1,300.16; James & Kathy Stone \$116.40; Benjamin M. & Amanda N. Dove \$36.40; Charles A. or Linda L. Scruggs \$38.46; Eddie O. Jr. or Holly R. Ramsey \$339.48; Dwayne Morton \$132.18; Robert or Toni Ruffner \$589.18; Olen K. or Shirley Ann Small \$230.58; Tammy J. Fox \$835.88; Benny Joe, Kristi or Matthew Syner \$790.64; Matilda & Jerry Webb \$636.32; Threnna S. Dorsey \$232.08; Tommy L. & Angela N. Proskin \$705.64; Doris B. Evans \$14.98; Jennifer Lynn Zamias \$109.62; Mark E. Vance \$24.42; Jacob or Lakesha Nutter \$180.84; Beth A. Tincher \$308.76; Malcolm Hamilton \$36.12; Sarah or Jon M. Bourgard \$263.22; Danny McClary \$50.92. Commissioner Brenemen motioned to approve the personal property exonerations. Commissioner Scalph seconded. Unanimous decision.

Commissioner Brenemen motioned to approve the minutes from the June 1st meeting. Commissioner Scalph seconded. Unanimous decision.

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

Commissioner Scalph motioned to approve second half payroll to be released on June 30th. Commissioner Brenemen seconded. Unanimous decision.

Deborah Berry, County Administrator, presented orders to combine or divide and segregate land from the Assessor's Office, Clarence E. Syner Trustee Rev Living Trust, Jason M. Kinser & Misty Carte, David R. McClintic Etux, and Roland M. Osbourne III & Melinda S., respectively, for signatures. Commissioner Brenemen motioned to

approve and sign the orders. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented an order for the Commission to approve and sign to continue hearing for the Estate of James Lee Bragg, Jessica Bragg, Administrator until June 30, 2017 at 9:30 a.m. per the request of James C. Blankenship, III, Esq., Fiduciary Commissioner. Commissioner Brenemen motioned to approve and sign the order. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented an order for the Commission to approve and sign to continue the hearing for the estate of Charles Edward Bennett until June 30, 2017 at 9:30 a.m. per the request of James C. Blankenship, III, Esq., Fiduciary Commissioner. Commissioner Brenemen motioned to approve and sign the order. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a drawdown request for Community Corrections for May 2017 in the amount of \$9,591.67. Commissioner Scalph motioned to approve and sign drawdown. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented orders to transfer monies out of the General School Fund, Magistrate Court Fund, & Worthless Check Fund to General County Fund. Commissioner Brenemen motioned to approve the transfer from General School Fund to General County Fund in the amount of \$91,403.74. Commissioner Scalph seconded. Unanimous decision.

Commissioner Brenemen motioned to approve the transfer from Magistrate Court Fund to General County Fund in the amount of \$24,178.65. Commissioner Scalph seconded. Unanimous decision.

Commissioner Brenemen motioned to approve the transfer from Worthless Check Fund to General County Fund in the amount of \$2,425.78. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented an order to transfer monies to the Election Levy fund from the Law Enforcement Levy Fund, Library Levy Fund, & Fire Levy Fund for the fiscal year 2017. Commissioner Brenemen motioned to approve the transfers from Law Enforcement Levy \$6,800, Library Levy Fund \$3,200 & Fire Levy Fund \$10,000 to the Election Levy Fund to cover the expenses incurred for the Special Levy Election. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented the budget statement for the County Commission new year beginning July 1, 2017. Commissioners Brenemen motioned to approve and sign the 2017/2018 budget statement. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a request from Michael Pilato with the Fayetteville Lions Club to use parking lot on Wiseman Avenue and court yard area of Courthouse on July 3rd and 4th, 2017 for the Fourth of July Festival in Fayetteville. This request was submitted in a previous meeting without the use of the court yard area. Commissioner Brenemen motioned to amend the previous motion made on June 1st, 2017 to include the use of the court yard at the Courthouse. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a request from Sarah Coffey to use the Fayette County Courthouse property for the annual Captain Thurmond's Challenge scheduled for August 5th, 2017. Commissioner Scalph requested Ms. Berry to find out the time of the event. Commissioner Brenemen motioned to approve the request for the use of the Courthouse property on August 5th, 2017. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented the 2017/2018 insurance renewal from WVCRP for approval and signatures. Commissioner Brenemen motioned to

approve and sign the 2017/2018 insurance renewal from WVCRP.

Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a letter to Mac Warner with the Secretary of State office with an updated list of the public service districts and their current board members for approval and signatures. Commissioner Brenemen motioned to approve and sign the letter. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a request from Terri N. Harlan, Fayette County Health Department Administrator, for funds to help purchase signs for parks showing area is a Smoke Free Zone. The Commission is not in favor of this request. Commissioner Scalph asked how this can be enforced. The Commission asked Ms. Berry to discuss their concerns with Ms. Harlan and explain why they are not interested in this project.

Ms. Berry presented a request from Lita A. Eskew with the Committee for the Soldiers and Sailors Memorial Torch, to use the Memorial Building grounds for a special dedication and ceremony event to relight the Torch of Freedom on June 20th, 2017. Commissioner Brenemen motioned to approve the request to use the Memorial Building grounds on June 20th, 2017. Commissioner Scalph seconded. Unanimous decision.

Commissioner Scalph commented on the excitement for the relighting of the Torch of Freedom and commends Ami Dangerfield for the decorations at the Fayette County Memorial Building and John Pino for the block work on the Memorial Building grounds. Commissioner Brenemen agreed with fellow Commissioner Scalph.

Joseph & Ami Dangerfield with the Historic Landmark Commission appeared to request funding for the Janutolo wall in Fayetteville. Dr. Dangerfield stated that this is a project that the Historic

Landmark Commission voted to take on at their last meeting on June 6th, 2017. There are two grant cycles available. The first grant cycle is in October and is a 30% match to hire an engineer to assess the property. The second grant in March is to hire individuals to fix the property and possibly make it a Boy Scout project. Before anything can take place, it needs to be surveyed. Mr. Booda has been contacted and he quoted \$1,500-\$2,000. Dr. Dangerfield requested that the Commission pay for the survey.

Commissioner Scalph stated that she agrees with the value of fixing the wall. She asked how soon Mr. Booda would know the final cost. Dr. Dangerfield suggested the Commission write a letter to Mr. Booda requesting this survey. Mr. Booda will be here at the 12 p.m. agenda item. Commissioner Scalph asked Ms. Berry to go ahead and contact Mr. Booda and tell him they are in favor of getting this survey complete and see if we can negotiate the price. The Commission is in favor of helping with this project and working with Mr. Booda and the Historic Landmark Commission. Ms. Dangerfield stated that it is not just the people in the town of Fayetteville that are displeased with this wall but she has been approached outside of the town with a citizen in Charleston stating the wall needs to be fixed.

Ron Eagle appeared before the Commission to discuss a dog noise complaint. He thanked the Commission for the opportunity to speak to them. He cannot enjoy his home due to barking dogs from the neighbor's house. He has spoken with the previous Sheriff and the Prosecuting Attorney. Both offices told him to write a letter to the Commission. Mr. Eagle stated that he did send a letter in. Jeff Mauzy with the Prosecuting Attorney's office stated that he could hire a lawyer and file a civil suit. Mr. Eagle has tried that but no lawyer will take on the case. He does feel that the Commission, with

the help of the Prosecuting Attorney and Sheriff, can write an ordinance and enforce it. Commissioner Scalph asked if he has tried to discuss this issue with his neighbor. Mr. Eagle stated that in this day and time, it is not safe to approach your neighbors. He stated he's not the only one with this issue, it is a county wide issue and he knows an ordinance can be written and enforced. Other counties in the state have passed and enforced an ordinance. Commissioner Scalph stated that we can do research on the other counties and see if there is something Fayette County can do. Commissioner Scalph suggested that Ms. Berry put this issue out on the County Administrator's list serv to see which counties have this ordinance. Mr. Eagle stated that something was supposed to be enacted through state law but the deadline was not met for the legislative session. Commissioner Scalph said she will look in to the law that was supposed to be in legislative session.

Ms. Berry presented a letter from Phil Samples requesting the use of the Soldiers and Sailors Memorial Building for AAU team and individual workouts from June 1st, 2017 to March 31st, 2018. Commissioner Brenemen motioned to approve the request for the use of the Memorial Building on June 1st, 2017 to March 31st, 2018. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a letter from Phil Samples requesting the use of the Fayette County Memorial Building for Fayetteville Class of 1977 40 year reunion the weekend of September 22nd & 23rd, 2017. Commissioner Brenemen motioned to approve the request for the use of the Memorial Building on September 22nd & 23rd, 2017. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a letter to the WV Supreme Court of Appeals requesting rent for the Family Law Judge for the month of July 2017,

\$3,375.00 per month, for approval and signature. Commissioner Brenemen motioned to approve and sign the letter. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a request from Mike Bone, President/Founder of Warm Hands from Warm Hearts, for assistance with cost of internet. This will be available to individuals to fill out online job applications and help with GED prep. Commissioner Scalph stated that the Commission cannot make that long term commitment. She also stated that a request can be made during budget session for some funds applicable to the amount needed to be allocated. In the interim, everything that he requested internet for is available at the public library.

Chief Deputy Rod Perdue and JD Nottingham with Judy Fence Craft, Inc. appeared to discuss the property set aside for the shooting range. Mr. Nottingham is the representative for the timber company that is going to timber the property at the Park for the new shooting range. They have visited the site and feel that they will be able to do everything the Sheriff's office needs completed. Before a quote can be submitted, they need to know the property line better. Renee Harper with the Fayette County Park, stated that a formal survey would serve the county well, for the shooting range and future projects at the park. Jack Booda, County Surveyor, was present for the meeting as well. Commissioner Scalph asked Mr. Booda if it would behoove the Commission to have the whole property surveyed. Mr. Booda stated he needs to meet with all parties to get more informed with the request before he could answer. The last time the Park property was surveyed was at least 1946. The Sheriff's office and Ms. Harper have spoken with neighbors and they are excited about something going on up in the area. Mr. Mauzy recommended getting the whole property surveyed.

Commissioner Brenemen asked about the tree tops that will be left behind. The company has a plan to cover with the dirt moved to build the range area. Commissioner Brenemen suggested coming up with alternative option. He recommended adding to the contract how the tree tops will be removed. Commissioner Scalph requested the Sheriff's office, Ms. Harper, and Mr. Booda to meet and discuss about what needs surveyed and return to the Commission on June 30th with a plan, if feasible. Renee will contact Ms. Dangerfield to see if there is time on the June 30th agenda.

The Commission requested Mr. Booda to come forward and discuss the Janutolo wall in Fayetteville. Commissioner Scalph asked him if he could do it for as little as feasibly possible. Mr. Booda gave the Commission some suggestions of how to cut the costs. Commissioner Scalph requested Ms. Berry to contact the Historic Landmark Commission with these suggestions from Mr. Booda to help expedite the process and lower the cost of the survey.

Renee Harper, Fayette County Park Director, appeared to discuss a budget revision for the Park and to give an update. Ms. Harper presented a report for May 2017. She requested that the money left in her budget for 16/17, about \$38,000.00, be transferred to her 17/18 budget. If not all can be transferred, at least some. The Commission is in support of transferring the money but the amount will not be decided until the July 28th, 2017 meeting. Ms. Harper asked about the garage vacant position that was requested and cut during budget session in March. She stated it was supposed to be a park/garage position. She requested transferring left over monies in the 16/17 garage budget to the 17/18 budget to cover a vacant position in that budget. Commissioner Scalph requested Ms. Harper to present some figures to justify the cost to the Commission as to why she needs that

position available. Commissioner Scalph requested Ms. Harper and Stephanie Sears to meet and come up with figures.

Cheryl Jonese appeared to discuss Substance Abuse Prevention and present her program to the Commission. She works through the Governor's office and covers 11 counties. Ms. Jonese would like to establish a coalition in Fayette County and has spoken with Aletha Stolar, Family Resource Network, Sheriff Mike Fridley, county principals and counselors.

Ms. Jonese stated that for every \$1.00 spent on prevention \$18.00 is saved on addiction treatment. She presented a packet to the Commission. Out of 18 stores checked in Fayette County for underage tobacco sales, zero facilities failed. Ms. Jonese's program also assists with drug drop boxes. Her program has partnered with FMRS with card called The Power of You described in the packet. Ms. Jonese's main focus is in the schools but she would like to work with Sheriff Fridley, Day Report and Drug Court as well. Another important aspect of her program is follow up with participants.

Jean Evansmore appeared to present about Dubois on Main Museum. She had a fundraiser with a good turnout of old high school students. On Friday, June 23rd, from 6:00 - 8:00 p.m., the Dubois on Main museum is having a bonfire and they are going to have flowers that you can throw into the fire to "get rid" of something in your life that needs burned symbolically. This fundraiser will go towards a historic marker for the museum.

John David appeared to discuss the transference of Westmoreland Hall of BridgeValley Community and Technical College to the Fayette County Commission. A resolution is presented for the Commission to sign approving the transfer. Commissioner Brenemen motioned to approve the resolution for the transference of Westmoreland Hall to

Fayette County Commission. Commissioner Scalph seconded. Unanimous decision.

Jamie Meadows with Region 4 Planning & Development appeared to present a Kanawha Falls PSD drawdown. Resolution #27 in the amount of \$212,846.44. Commissioner Brenemen motioned to approve and sign the resolution. Commissioner Scalph seconded. Unanimous decision.

Discussion was held about updating the Consolidated Project Priority List for Region 4 Planning & Development Council. Ms. Meadows reviewed the list with Gabriel Peña and the Commission.

Ms. Berry presented a request to add the date of August 25th, 2017 to a previous motion made on June 1st, 2017 notifying the WV Alcohol Beverage Control Administrator that the Fayette County Commission is aware of the Spartan Race events taking place August 25th, 2017-August 27th, 2017 at the Summit Bechtel Reserve. Commissioner Brenemen motioned to add the date of August 25th, 2017 to the previous motion on June 1st, 2017. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented the May 2017 jail bill to be written before the next meeting. Commissioner Brenemen motioned to approve payment of the invoice in the amount of \$109,045.00. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a request for a new copier/printer in the Circuit Clerk's office in the amount of \$3,792.52. The current copier/printer is not big enough to handle the work load in the office. Commissioner Scalph motioned to approve the purchase. Commissioner Brenemen seconded. Unanimous decision. The Sheriff's office will take the old copier/printer from the Circuit Clerk's office to use in their office.

The meeting was adjourned at 12:40 p.m.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
JUNE 30, 2017
COURTHOUSE

FAYETTEVILLE, WV 25840

MEMBERS PRESENT: MATTHEW D. WENDER, DENISE A. SCALPH, JOHN G. BRENEMEN

The Fayette County Commission met in a regular session on this 30th day of June, 2017.

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

The Commission approved and signed the estate settlements for the County Clerk's office.

Commissioner Brenemen motioned to approve the minutes from the June 16th meeting. Commissioner Scalph seconded. Unanimous decision.

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

Commissioner Scalph motioned to approve first half payroll, checks to be released on July 14th. Commissioner Brenemen seconded. Unanimous decision.

Paul Witt with Crime Stoppers of WV appeared to discuss the program with the Commissioners. Last year, 472 tips were received through the organization. Mr. Witt requested funds from the County Commission to help aid in running this organization. Crime Stoppers have aided in investigations in Fayette County.

Sheriff Fridley appeared to discuss the Crime Stoppers and the Fayette County Sheriff's Department's relationship past and present. Over the last four months, Crime Stoppers has assisted in solving four homicides. The Crime Stoppers organization can offer something that the FCSD cannot. They can offer rewards for tips so it helps get the information in. Sheriff Fridley stated it is beneficial to the county to have Crime Stoppers involved. President Wender asked how much

would be appropriate to allocate. Mr. Witt stated any amount would be appreciated. Commissioner Scalph stated that she's not adverse to allocating funds but she would like to see a regional buy-in. She said she would like to see a contingency on the monies with other regional buy-ins. Commissioner Brenemen stated that he has only heard of Crime Stoppers of Raleigh County. He wants proof that it is known to be in Fayette County. Until he sees that he is against committing any money. Mr. Witt stated that any money that is allocated from Fayette County can be deemed for Fayette County only. New signs that say Crime Stoppers of West Virginia are being put up all over the region. Commissioner Brenemen asked that Mr. Witt come back in two weeks with proof that it is known in Fayette County.

James Blankenship, Attorney, appeared to discuss the estates of Charles Bennett and James Bragg. Colleen McColic, attorney representing Erie Insurance Company was present as well. Discussion on the James Bragg estate takes place first. Mr. Blankenship recommended removing Jessica Bragg as executrix. He has prepared an order for the Commission to sign that will remove Ms. Bragg. If the Commission agrees, they will have to name a new executrix.

Commissioner Brenemen motioned to approve Mr. Blankenship's recommendation to remove Ms. Bragg as executrix and appoint FCSD as curator of estate. Commissioner Scalph seconded. Unanimous Decision.

Discussion on the Charles Bennett estate was held. Mr. Blankenship recommended removing Charles Robert Bennett, Jr. as executor. This case did have some assets that have been allegedly disposed of incorrectly. Commissioner Brenemen motioned to approve Mr. Blankenship's recommendation to remove Mr. Bennett as executor and appoint Tom Ewing as the curator of the estate. Commissioner Scalph seconded. Unanimous Decision.

Deborah Berry, County Administrator, presented Fire Levy Contracts for all fire departments for approval and signature for FY 2017/2018. Commissioner Brenemen motioned to approve and sign the contracts. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented an agreement for approval and signatures for the Town of Fayetteville to use the Fayette County Commission's Code Official and Building Inspector for inspections and enforcement under the Building Code for the Town. Commissioner Brenemen motioned to approve and sign the contract. Commissioner Scalph seconded. Unanimous decision.

James Blankenship appeared to discuss the estate of Matthew Boyd Davis. No action has been taken by Donna Davis, administratrix. Mr. Blankenship filed an order of recommendation to remove Ms. Davis. Mr. Blankenship has since then received a report from Ms. Davis. Mr. Blankenship will file another recommendation to amend his last recommendation to remove Ms. Davis. Discussion has been held between the heirs and an agreement has been reached to have co-administrators, Brandon Davis and Donna Davis. Lawyers will appear on July 14th, 2017, with corrected orders to be signed and approved.

Ms. Berry presented a request from Kenneth Hayes, Chairman of New Haven PSD, to reappoint Eula Ewing and Imogene Pennington to the NHPSD Board. Commissioner Brenemen motioned to approve the reappointment of Eula Ewing to the NHPSD. Commissioner Scalph seconded. Unanimous decision.

Commissioner Brenemen motioned to approve the reappointment of Imogene Pennington to the NHPSD. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a request from the Fayette County Parks and Recreation Advisory Board to appoint Kristi Atha-Rader to the board to

replace Kerrie Dixon. Commissioner Scalph motioned to approve the request. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a request from the Fayette County Parks and Recreation Advisory Board to appoint Larry Villarreal to replace Les Thomas. Commissioner Scalph motioned to approve the request. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a request from the Fayette County Parks and Recreation Advisory Board to appoint Curstin Manley as the student representative. Commissioner Scalph motioned to approve the request. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a request from the Fayette County Parks and Recreation Advisory Board to reappoint Lauren Weatherford. Commissioner Scalph motioned to approve the request. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a request from the Fayette County Parks and Recreation Advisory Board to reappoint Andrea Mender. Commissioner Scalph motioned to approve the request. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a request from Melanie Seiler-Hames to use the Fayette County Soldier and Sailors Memorial Building for additional days for Pickleball games. Commissioner Brenemen motioned to approve the request. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a request from County Clerk, Kelvin Holliday, for a lookup terminal system for the Records Room (\$1,719.00), signature pads and hardware (\$1,560.00), and new PCs for desks (\$3,435.00). The Commission asked for an explanation from the vendor as to why these expenses were overlooked. Ms. Berry will draft a letter. Commissioner Brenemen motioned to approve \$5,296.84 from FY

2018 and the remaining \$1,417.16 will be transferred from FY 2017 to FY 2018 via a budget revision to cover the costs associated with this expense. Commissioner Scalph seconded. Unanimous decision.

Kelvin Holliday, County Clerk, appeared to ask the Commission about the Special Election scheduled for October 7, 2017. Discussion was held regarding early voting staffing and the Board of Education Levy election.

James Bennett, 911 Coordinator, appeared to discuss Three Rivers Wrecker Service. Three Rivers and Montgomery Auto are both owned by Pete Lopez and Montgomery Auto has been using Three Rivers' trucks. The PSC stated that neither Three Rivers nor Montgomery Auto are in good standing with the PSC and neither have a valid business license.

Commissioner Brenemen asked about the hydraulic fluid that was going into the river. Mr. Bennett stated the DEP is investigating.

President Wender asked who covers wrecker services in the Valley. Mr. Bennett stated One Stop Towing in Deepwater and A&E. Mr. Bennett will write a letter to Mr. Lopez stating that Montgomery Auto and Three Rivers have been taken off rotation. Three Rivers operates in Kanawha County. Hutchins is out of county and they are the only company equipped to handle large 18 wheelers. T&C was originally stationed in Fayette County but has moved to Beckley. Still owns land in Fayette County but their license and taxes go to Raleigh County. Mr. Bennett will work to make all wrecker services Fayette County only. Bud Fox in Glen Jean would like back on the rotation. Mike Fox, owner, voluntarily removed the company when Bud passed away, but is ready to be put back on.

Commissioner Brenemen motioned to place Bud Fox back on rotation. Commissioner Scalph seconded. Unanimous decision.

Kevin Walker and Rick Lewis appeared to present about the Long Term Flood Recovery. There were initially 398 cases in Fayette County and about 15 more were added. 126 closed before the workers and 47 have been closed with 68 pending. 28 homes have been completely demolished.

Mr. Walker stated that 862 individuals volunteered during the June 24th, 2016 flood. A proclamation was written for the first responders and volunteers. Mr. Walker read the proclamations aloud. Commissioner Scalph motioned to approve the proclamation for the volunteers and for the Commission to sign. Commissioner Brenemen seconded. Unanimous decision. Commissioner Scalph motioned to approve the proclamation for the first responders and for the Commission to sign. Commissioner Brenemen seconded. Unanimous decision.

Mr. Walker asked the Commission to pay for a U-Haul to clear out the storage buildings used to store the supplies from the flood. This cost is 100% reimbursable from FEMA, the money just has to be spent first. Commissioner Brenemen motioned to approve up to \$300.00 to rent a U-Haul to transport supplies out of storage buildings. Commissioner Scalph seconded. Unanimous decision

Mr. Walker presented a request for the ambulance services that were used in the June 2016 flood. A project worksheet has been sent in and we cannot be reimbursed until all is expensed, but we will be reimbursed 100%. Commissioner Scalph motioned to approve to pay an invoice in the amount of \$8,712.00 for ambulance workers. Commissioner Brenemen seconded. Unanimous decision.

Mr. Walker presented a request to pay for storage at Mountaineer Junction. Commissioner Scalph motioned to approve the request to pay

Mountaineer Junction \$17,745.00 and the cost is 100% reimbursable from FEMA. Commissioner Brenemen seconded. Unanimous decision.

Mr. Walker presented a request to pay for storage at the Nuttall Middle School property. Commissioner Scalph motioned to approve the request to pay the owners of the Nutall Middle School property for \$18,000.00 in storage costs through May 31, 2017. The cost is 100% reimbursable through FEMA. Commissioner Brenemen seconded. Unanimous decision.

The Commission thanked Mr. Lewis for his work throughout this past year.

Bill Hannabass with the City of Oak Hill appeared to discuss a TIFF District creation. Mike Makosky with PMC, Adam Hodges, property owner in Oak Hill, Sharon Cruikshank, New River CVB, Gene Kistler, property owner in Oak Hill, and Tom Oxley, council member, were present as well. Mr. Hannabass presented and read aloud a resolution for the Commission to sign to create a TIFF District within Oak Hill for Plateau Medical Center. Commissioner Brenemen motioned to accept the resolution and to move forward with the process in the application. Commissioner Scalph seconded. Unanimous decision.

Jason Favor, Fayette County Health Department, appeared to inform the Commission of some potential boundary adjustments within Fayetteville for water and sewer.

Stephanie Sears, Staff Accountant, appeared to present a financial update. A handout was given to Commissioners and discussed.

Ms. Berry presented a notice from Brianna Snook, REO Alternative Disposition Asset Manager with Wells Fargo, informing of property in the Beards Fork area that is eligible for donation. Allen Ballard has reviewed and informed that it is close to property owned by SALS.

John David of SALS has been notified and is interested in the property.

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

Ms. Berry presented the WVCoRP Member Agreement for President Wender to sign for the coverage period July 1, 2017 to July 1, 2018. Commissioner Scalph motioned to approve and authorize President Wender to sign the agreement. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a budget revision for General County for \$219,561.00. Commissioner Scalph motioned to approve and sign the budget revision. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a Building Inspection contract with Oak Hill for President Wender to sign. Commissioner Brenemen motioned to authorize President Wender to sign. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a request from Mr. John Pemberton, Maintenance, to receive 16 hours from the sick bank. Commissioner Brenemen motioned to approve the request and allow President Wender to sign. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented for discussion a Freedom of Information Act request from Jennifer Campbell requesting any information in the Commission's records regarding Meadow Bridge High School and Valley High School being excluded from the consolidation plan with the Fayette County Board of Education. The Commission asked that Prosecuting Attorney Larry Harrah review the request.

The meeting was adjourned at 1:06 p.m.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
JULY 14, 2017
COURTHOUSE

FAYETTEVILLE, WV 25840

MEMBERS PRESENT: MATTHEW D. WENDER, DENISE A. SCALPH, JOHN G. BRENEMEN

The Fayette County Commission met in a regular session on this 14th day of July, 2017.

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

The Commission approved and signed the estate settlements for the County Clerk's office.

Commissioner Brenemen motioned to approve the minutes from the June 30th meeting. Commissioner Scalph seconded. Unanimous decision.

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

Commissioner Scalph motioned to approve 2nd half payroll and release check on July 28th, 2017. Commissioner Brenemen seconded. Unanimous decision.

Deborah Berry, County Administrator, presented an order for approval and signatures of the Commission notifying the Democratic and Republican Executive Committees of the number of poll workers needed. Commissioner Brenemen motioned to approve and sign the order. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented agreements for approval and signatures presented by Allen Ballard, Fayette County Building Code Inspector, approving inspectors for the term of July 1, 2017 through June 30, 2017 for Leonard Price, Mike Rose and Jason Davis. Commissioner

Brenemen motioned to approve and sign the agreements. Commissioner Scalph seconded. Unanimous decision.

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

Ms. Berry presented a Consumer Sales Tax Report for the quarter ending on June 30, 2017 for approval and signature of President Wender. Commissioner Scalph motioned to approve and authorize President Wender to sign the report. Commissioner Brenemen seconded. Unanimous decision.

The Commission entered into an executive session at 9:07 a.m. regarding a personnel matter.

The Commission reconvened at 9:56 a.m. No decision was made during the executive session and the matter was tabled until later in the meeting.

Members with the Mountain Valley Pipeline appeared to give a presentation on the pipeline. Bryan Brown, Nathaniel Manchin, Greg Hoyer, William Jones, Jamie Kerns, Jeff Klinefelter, Dave Jones (on phone) Rob Pichardo were present as representatives for the Mountain Valley Pipeline

Nathaniel Manchin and Greg Hoyer presented a PowerPoint. Next Era Energy, EQT Midstream Partners, LP ConEdison WGL Midstream, RGC Resources are the companies that make up the Mountain Valley Pipeline. Information and project overview about the pipeline can be found on the website, mountainvalleypipeline.info. President Wender asked that the representatives obtain copies of the minutes from the DEP meeting and have multiple copies available at the Courthouse as well as the FERC results. Tim Richardson, Zoning officer, spoke about what could

happen next when he receives the application. There will be 2-3 public hearings at the Courthouse once the application is received.

Eddie Young, Assessor, appeared to present real property exonerations for Callie M. or Harold Blake \$233.00; Carols R. Stackhouse \$328.84; William H. III & Jacqueline Bowling \$98.38; Virgil Steve Sigmon, Jr. & Lisa Whitlock \$105.32; Michael Matheney \$187.78; Larry M. & Ann Nunnery \$408.36; John Marshall Webb \$166.78; Neil A. Thompson \$223.54; Patricia Webb \$209.06; Sandra Phillips \$73.78; Isabelle Withrow \$256.20; Virgil Jr. & Joan Wills \$66.86; James & Brenda Prather \$353.04; Benny & Carolyn Preast \$368.16; Jeffrey Wayne & Kathy Mason \$91.86; Judy A. Epperly \$80.82; Thomas C. Bazzie \$319.72; James Jr. & Karen F. Wood \$159.22; Thomas D. Miller & Teddy Gray \$751.68; Richard D. & Kimberly Canterbury \$105.64; Linda E. Augustine \$258.76; Kanawha Valley Properties, LLC \$303.96; Ronald L. Hardin \$202.90; James E. Jr. & Cathy Lively \$659.56; Jason M. Kinser and Misty Carte \$117.98; Timothy & Mona Hankins \$505.76; Rebecca M. Buckland \$235.26; Billie Wayne & Alice Higginbotham \$108.40 & \$1.50; James P. & Tina D. Bell \$352.80; John Joines \$2,224.00 & \$554.94; Andrew E. Worthington \$106.32; Helen Ford \$75.42; Lawrence E. Brown, II \$915.92; Bobby Lee Roberts \$161.40; Craig Dewayne Johnson \$13.84; PD2J, LLC \$3,360.24; John Scott Rogers \$276.20, \$7.66, \$264.56 & \$7.36; Jennifer L. Walker \$89.10; and Robert D. Flanagan \$145.08.

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

Mr. Young presented personal property exonerations for Tina L. Young \$366.72; George K. Bragg \$1,354.92; John Dean Joines \$238.88; Howard L. Smith Jr. \$526.62; Crystal McGuire \$42.84 & \$39.96; Larry E. & Courtney Martin \$973.40; John D. & Beverly Ann Cameron \$518.40; Dustin K. Cole \$48.68; David W. Ross \$318.20; and Kassandra I. Hendrick &

Alice Bailey-Smith \$74.40. Commissioner Scalph motioned to approve the personal property exonerations. Commissioner Brenemen seconded. Unanimous decision.

Mr. Young presented corrections of assessments. Commissioner Brenemen motioned to approve the correction of assessments. Commissioner Scalph seconded. Unanimous decision.

Mike Callahan and Larry Harrah appeared to discuss a potential enforcement action. The Commission entered into an executive session at 11:00 a.m.

The Commission reconvened at 12:08 p.m.

Angela Gerald, Dilapidated Properties, appeared to discuss the John Zink property. The demolition company is currently working on a project in Lewisburg that is on a grant. They are planning to resume work on the Zink property next week. She is on the agenda on July 28th, 2017 with three more properties to present to the Commission for demolition.

The Commission asked Angela Gerald to speak with the Town of Smithers about the 9 properties on Route 60 that are dilapidated.

Anthony Ciliberti, attorney, appeared to discuss the Matthew Davis estate. Attorney James Blankenship prepared an order naming Donna Davis and Brandon Davis as co-administrators. Commissioner Scalph motioned to approve the order as presented. Commissioner Brenemen seconded. Unanimous decision.

Paul Witt appeared to discuss the Crime Stoppers of West Virginia. President Wender stated that it still seems like it is a Raleigh County operation. Signs around the area still state Crime Stoppers of Raleigh County. No signs are around that state Crime Stoppers of WV. Mr. Witt assures that new signs are being made and will be put up as soon as possible. Their website, social media and

the 501c3 paperwork has been changed to Crime Stoppers of West Virginia. The Fayette County followers of social media have exceeded the Raleigh County followers. Crime Stoppers can earmark the money the Commission approves, if approved, for Fayette County only. Everyone in the organization is volunteer - no paid employees. 552 tips have been received this year and 15% of those tips were from Fayette County. President Wender requested that the money pledged by Fayette County will remain in the county until the Sheriff requests that a reward be distributed to Crime Stoppers. Commissioner Scalph motioned to pledge up to \$5,000 out of the Coal Severance Fund at the approval of Sheriff and Prosecuting Attorney for working cases in conjunction with Crime Stoppers. Commissioner Brenemen seconded. Unanimous decision.

Discussion was held on SB433, permitting counties to increase Excise Tax on the Privilege of Transferring Real Property. Vivian Parsons, County Commissioners Association, was present for this discussion. Publications have to be made for public hearings in order to implement the excise tax from \$1.10 to \$1.65. President Wender asks if the monies can be earmarked. Ms. Parsons stated it is general revenue and we can use it at our discretion. Commissioner Scalph motioned to approve publication for the County to increase the excise tax to \$1.65. Commissioner Brenemen seconded. Unanimous decision.

Mr. Harrah presented a resolution for the Commission to sign authorizing President Wender or Prosecuting Attorney Harrah to sign documents in relationship to the 2252 Beards Ford Road property. Commissioner Scalph motioned to approve and authorize President Wender to sign the resolution authorizing named individuals to sign regarding 2252 Beards Ford Road, Beards Fork, WV 25173. Commissioner Brenemen seconded. Unanimous decision.

The Commission entered into an executive session at 1:12 p.m. to finish their discussion on a personnel matter.

The Commission reconvened at 1:20 p.m.

Ms. Berry requested that the Commission give her permission to open up the election room for the Attorney General's office and the Secretary of State's office to look over the poll books. Commissioner Brenemen motioned to authorize Ms. Berry to open the room. Commissioner Scalph seconded. Unanimous decision.

Discussion was held regarding the differences of the job descriptions for the Deputy Resource Coordinator. Kelly Jo Drey presented to the Commission the differences in the job descriptions. Commissioner Scalph asked Ms. Drey if the incremental salary increase is an option. Ms. Drey stated after discussions with her office, it is not.

President Wender motioned to allow the FCSWA to increase Gabriel Pena's salary \$600.00 a month based on his job performance and additional duties paid through the County and reimbursed by the FCSWA. Commissioner Scalph seconded. President Wender and Commissioner Scalph approved and Commissioner Brenemen opposed.

Ms. Berry presented a request for appointment from the Farmland Protection Board. Commissioner Brenemen motioned to send a letter to the Farmland Protection Board stating that Joy Marr was appointed to fill the vacancy and to reference the nepotism issue with their recommendation. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a request from Sheriff Mike Fridley to hire Catrina Harrah Neal-McClung full-time from part-time starting Monday July 17, 2017. Commissioner Scalph motioned to approve the change in employment status. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented Change Order No. 1 for approval and signatures for Arch Masonry to provide labor and materials to repoint mortar joints of the Courthouse steps. Commissioner Brenemen motioned to approve and sign the change order. Commissioner Scalph seconded. Unanimous decision.

Discussion was held regarding cyber security for the Courthouse.

Discussion was held regarding the Fayette County Memorial Building Storage and the Belinda Morton property. Commissioner Brenemen motioned to publish an ad to auction the furniture from the basement of the FCMB. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a request from the park to leave a vacant garage position open. Commissioner Scalph motioned to approve the request. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presents a combine divide and segregate land for Sharon Donell. Commissioner Brenemen motioned to approve and sign the order. Commissioner Scalph seconded. Unanimous decision.

Meeting is adjourned at 3:12 p.m.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
JULY 28, 2017
COURTHOUSE

FAYETTEVILLE, WV 25840

MEMBERS PRESENT: MATTHEW D. WENDER, DENISE A. SCALPH, JOHN G. BRENEMEN

The Fayette County Commission met in a regular session on this 28th day of July, 2017.

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

The Commission approved and signed the estate settlements for the County Clerk's office.

The 9:00 a.m. agenda item regarding a T & C Towing matter with Kevin Walker and James Bennett was discussed. Mr. Walker is at the National Boy Scouts Jamboree and Mr. Bennett is on vacation, so neither were present. President Wender apologized to T & C Towing for the wording in the minutes on June 30, 2017. It will be corrected. The lawyer, Chris Davis, for T & C Towing presented the Commission with the Fayette County tax tickets for the business. The tickets are not in the name of T & C Towing or Glen's Towing. Commissioner Brenemen motioned to reinstate T & C Towing Services/ Glen's Towing Services, dba Hauling Reorganization, LLC to the rotation list. Commissioner Scalph seconded. Unanimous decision.

Commissioner Scalph motioned to correct page 6 on June 30th, 2017 to remove "if T & C Towing leaves." Commissioner Brenemen seconded. Unanimous decision.

Jake Johnston appeared to discuss the Loup Creek Volunteer Fire Department. They have two stations and one station is ready to fall in due to erosion from flooding. The engine has been moved out but it does store a pickup truck and a rescue truck. They need more room at their active station.

President Wender, Deborah Berry, County Administrator and Mr. Johnston held a conference call with Theresa White, WV Division of Homeland Security Region V Liaison, this week and she gave the name of someone who could help them get money. The application has to be completed August 28th, 2017. President Wender requested giving time during the Courthouse business hours for Mr. Johnson to complete this application so he can work with the individuals needed during business hours. Commissioner Scalph asked for an opinion from the Prosecuting Attorney, Larry Harrah. Mr. Harrah recommends Mr. Johnston track his hours and give them back to the county later in a way to be determined

by his supervisor, Sonny Milam. Commissioner Scalph motioned to give permission to Ms. Berry to speak with Mr. Milam to allow Mr. Johnston to track his work log while working on this application and make up the hours later as Mr. Milam sees necessary. Commissioner Brenemen seconded. Unanimous decision.

Lesley Taylor, Region 4 Planning & Development, appeared to present Kanawha Falls PSD Resolution No. 28. Ms. Taylor gave an update on the water line extension. The contractor was having issues with some properties with CSX and they need an extension to deal with these issues. Ms. Taylor had the paperwork to request the extension for the Commission to review and sign.

Ms. Taylor presented Resolution No. 28, totaling \$567,048.94 and the extension request for the Commission to approve and sign. Commissioner Scalph motioned to approve the 60 day time extension. Commissioner Brenemen seconded. Unanimous decision.

Commissioner Scalph motioned to approve and sign Resolution No. 28, totaling \$567,048.94. Commissioner Brenemen seconded. Unanimous decision.

Commissioner Scalph motioned to approve and authorize President Wender to sign the documents presented by Ms. Taylor for the Boonesborough project. Commissioner Brenemen seconded. Unanimous decision.

Commissioner Brenemen motioned to approve the minutes from the July 14th meeting. Commissioner Scalph seconded. Unanimous decision.

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

Eddie Young, Assessor, appeared to present real property exonerations for Paul McKinney \$377.76; Joseph Alan Flanagan et al

\$152.94; Clarence Toney \$103.76; Phyllis M. Tweedie \$240.06; BP Mineral Holdings, LLC \$234.70; Ida Lopez \$33.78; Gregory A. Hewitt \$818.56; Norma Crandall McKain \$1,117.02 & \$1,151.92; Elizabeth Ann Blankenship \$125.68; Wayne D. & Robert Workman \$256.20; Lula F. Fox \$231.18; Lonnie D. & Drema Johnson \$42.54; Bobby E. Toney \$256.20; John & Lila Groom \$59.96; Donald L. McMillion, Jr. \$221.63; Charles Sanford \$384.82; Nancy L. Price \$163.50; and Leroy & Barbara Gray \$21.02. Commissioner Scalph motioned to approve the real property exonerations. Commissioner Brenemen seconded. Unanimous decision.

Mr. Young presented personal property exonerations for Soan D. or Marsha L. Richmond \$84.94; Rosemary M. & Jason C. Smith \$882.70; Gary Lee & Hazel Marie Harrah \$318.98; Christopher R. Toler \$491.74; Esther Lee Bobinski \$41.50; Lucinda Caroline & Coy A. Toney \$519.48; Betty J. Keffer \$53.74; Frank Spangler, Jr. \$301.28; Brenda Blake \$62.26; and Freddie J. & Betty J. Ennis \$190.62. Commissioner Brenemen motioned to approve the personal property exonerations. Commissioner Scalph seconded. Unanimous decision.

Alicia Treadway appeared for Kelvin Holliday, County Clerk, to discuss the paper ballots for Special Election. The next two elections are paper ballots. Usually the state requires one machine in Early Voting and one on Election Day. This election does not require that because there is not federal issue on the ballot. Commissioner Scalph motioned to approve to use only paper ballots in the October 7th, 2017 Special Election. Commissioner Brenemen seconded. Unanimous decision.

Angela Gerald appeared to present some dilapidated properties. Ms. Gerald gave an update on the City of Smithers' properties. There are 7 properties that are dilapidated right on Route 60. Ms. Gerald has 4 new cases to present.

William Dixon, 530 Gatewood Road; letter has been sent with no response because the owner is deceased. The Commission needs to start the process and allow the Prosecuting Attorney to file a legal complaint and continue with the demolition process. Commissioner Scalph motioned to allow the Prosecuting Attorney's office to start the process. Commissioner Brenemen seconded. Unanimous decision.

Billy King, 300 Berry Street, Oak Hill. Commissioner Brenemen motioned to send the proper paperwork to start the process. Commissioner Scalph seconded. Unanimous decision.

County Line Bar. The owner has been given 2 years to fix the property up but nothing has been done. Commissioner Brenemen motioned to continue with the demolition of the County Line Bar. Commissioner Scalph seconded. Unanimous decision.

Eric Pack, 181 Boothe Street, Oak Hill. Commissioner Scalph motioned to approve starting the process to get the property removed due to so many complaints from neighbors. Commissioner Brenemen seconded. Unanimous decision.

Sheriff Fridley and Anna Frost, Chief Tax Deputy, appeared to discuss raising the discrepancies limit allowed to be collected by our software. As of right now, it is set at \$1.00 under and over. They want to keep \$1.00 under and raise the over to \$5.00. Commissioner Scalph motioned to approve the request of Sheriff to raise overage of discrepancies to \$5.00. Commissioner Brenemen seconded. Unanimous decision.

Renee Harper, Parks Director appeared with a request from Valley High School Boosters for permission to sow grass seed at Boomer Ballfield. Commissioner Brenemen motioned to allow VHS Boosters to sow grass seed at Boomer Ballfield with all costs assumed by VHS. Commissioner Scalph seconded. Unanimous decision.

Ms. Harper presented a request for a budget revision to carry over funds from FY 2017. President Wender asked why we prepare a budget if we are just going to revise as needed. Ms. Harper stated she is still working with an inherited budget, making repairs and catching up on deferred maintenance. Ms. Harper believes a lot of playground equipment is from the 1950s, unsafe, a liability, and unable to pass an audit. Ms. Harper stated that since we are now charging for admission to see the Christmas lights, some of the lights needs updating. Many are originals from Lacy's Lights.

President Wender stated that it's commendable that the Park is under budget and asked Ms. Harper, Ms. Berry and Commissioner Scalph to make recommendations on August 11th after making revisions to the current budget and decide what is critical. He would like to keep as much of the carry over as possible.

Ms. Harper would like to leave an amount of \$82,000.00 unspent in the garage and switch some over to the park. Ms. Harper feels it was over budgeted and they are also now down an employee. She would like to move \$40,000.00 to the park and leave the remainder as unspent. Ms. Harper, Commissioner Scalph and Ms. Berry will work together to come up with a firm amount and present it on August 11th, 2017.

Ms. Harper asked about how overtime has been paid in the past. She questioned how a person can be paid overtime in a week that sick or vacation time had been taken. The Commission wants to clarify the policy on overtime. Commissioner Scalph motioned to approve developing an amendment to our current policy addressing overtime with employees overlapping vacation/sick time used. Overtime should be paid on actual time worked without including vacation, sick and holidays. Commissioner Brenemen seconded. Unanimous decision.

Stormy Parsons, Director of Community Corrections, appeared to discuss Community Corrections. She presented a spreadsheet for the Commissioners to review. At the end of June 30th, only 68 people have been committed to our program. Most cases are being sentenced to GPS now. President Wender suggested sending the spreadsheet prepared by Ms. Parsons along with copies of the last few months of the regional jail bill, the year to year comparison spreadsheet prepared by Ms. Sears and a letter from the Prosecuting Attorney's office signed by the Commission and Prosecuting Attorney to all participating parties.

Seth Burdette and Gene Kisler appeared to discuss an agreement with WVDEP. They want to put a series of settling ponds and ditches on County owned property. The time frame is 48 months. President Wender requested them to write a narrative of what is happening on the property to be given to the paper. Commissioner Scalph motioned to approve the agreement for the use of the property and authorize President Wender to sign. Commissioner Brenemen seconded. Unanimous decision.

Commission enters into an executive session at 12:30 p.m.

Commission reconvenes at 1:56 p.m. no decision was made.

Ms. Berry presents several Orders to Combine or Divide and Segregate Land for Theodore Neely, Jr., Leas E. McComas, John Scott & Padget Settle, Phyllis M. Tweedie & Courtney Rose, Gereinder Moore, and Jerry Robert Warwick, respectively. Commissioner Brenemen motioned to approve the orders. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented an order for approval and signatures appointing the Democratic and Republican Election Officials, including Poll Clerks, Election commissioners, Alternatives, and emergency Absentee Voting Commissioners for the Special October 7, 2017

Election. Commissioner Scalph motioned to approve and sign the order. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a letter from Rick Forren, Chairman of the Fayette County Planning & Zoning Commission, requesting the reappointment of George Becker, Cynthia Ruckpaul, Kevin Biggs, Pat Day and Bobby Kirby, whose terms expire August 3, 2017. Commissioner Brenemen motioned to approve and sign the reappointment orders. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a letter to the WV Supreme Court of Appeals requesting reimbursement for rent for the Family Law Judge for the month of August, 2017. Commissioner Scalph motioned to approve and sign the letter. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a drawdown for the Community Corrections grant for the month of June, 2017 for approval and signature of President Wender. Commissioner Brenemen motioned to authorize President Wender to sign the drawdown. Commissioner Scalph seconded. Unanimous decision.

Discussion was held on a property issue related to an adjoining property of Van Burks. Mr. Harrah will write a letter for the Commission to sign, stating that Mr. Burks should hire a lawyer to proceed with this issue.

Ms. Berry presented a budget revision for the General County Fund for approval and signature. Commissioner Scalph motioned to approve and sign the budget revision. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a WorkForce Innovation and Opportunity Act Partnership Agreement and Region 1 WBD Conflict of Interest Agreement for approval of Signature Wender. Commissioner Brenemen motioned to

authorize President Wender to sign. Commissioner Scalph seconded.
Unanimous decision.

Ms. Berry presented a request from Sheriff Mike Fridley to pay the Town of Fayetteville \$1,800.00 for the cost to send Officer Amanda Keenan to the WV State Police Academy to become certified. Officer Keenan did not fulfill her employment contract with the Town of Fayetteville and is now employed by the Fayette County Sheriff's Office. Commissioner Scalph motioned to approve the payment. Commissioner Brenemen seconded. Unanimous decision.

The meeting was adjourned at 2:43 p.m.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
AUGUST 11, 2017
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: MATTHEW D. WENDER, DENISE A. SCALPH, JOHN G. BRENEMEN

The Fayette County Commission met in a regular session on this 11th day of August, 2017.

Commissioner Scalph called the meeting to order at 9:00 a.m. President Wender was scheduled to arrive late.

The Commission approved and signed estate settlements for the County Clerk's office for Mildred Ethel Whitlow, Clarence David Fitzpatrick, Pat Ray Hamilton, Michelle Lou Harmon, Jannes Catherine Londeree, Lois H. Anderson, Lewis Eugene Hedrick, Paul Randall, Una E. Carte, Timothy Lee Naylor, Mayzella Mahan, Camilla Rose Zelek, Phyllis Loraine Miller Kessler, and Bradley Raymond Lewis.

Eddie Young, Assessor, appeared to present real property exonerations for George A. Nichols \$150.60; Dolores A. Baker \$141.10;

Ramon P. & Brenda Lopez \$1,480.33; Janet W. Sutphin \$256.20; Lawrence R. & Linda G. Boley \$145.26; Gary L. & Erica D. Ellis \$275.16; Ernest K. Wriston \$140.80 & \$140.80; Erin M. Ellis \$146.98; Charles Biggs \$112.20; Betty J. Kincaid \$119.14; LCR Properties, LLC \$1,928.16; LHA Properties, LLC \$413.36; Michael Whisman \$176.26; Kim Wilson \$331.20; Robert & Thomas Bryant \$91.46; and Chris Allen Hanshew \$43.04.

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

Mr. Young presented personal property exonerations for Delmar E. & Jeanne L. Black \$1,016.42; Paul C., Karen & William P. Reynolds \$284.78; Gary W. Duffield, III \$338.58; Robert E. & Terri A. Massey \$968.52; Enterprise FM Trust \$2,916.56; Crystal & Adam Trzicak \$165.22; Phillip G. & Jeanette Humphrey \$786.98; Janet Furst \$55.54; Michael A. Chapman \$555.06; Anthony A. & Amanda Jones \$131.78; Samuel W. McKinney, II \$640.82; Carlos L. Melocoton, Jr. \$432.08; Kathryn Shumaker \$111.76; Gary D. & Tina L. Chapman \$564.60. Commissioner Brenemen motioned to approve the personal property exonerations. Commissioner Scalph seconded. Unanimous decision.

Mr. Young presented two requests for correction of assessments. Commissioner Brenemen motioned to approve the requests for correction of assessments for Tuscany Gas, LLC and Robert Dale and Pamela Grose Campbell. Commissioner Scalph seconded. Unanimous decision.

Mr. Young presented two refunds for Gary L. & Erica Ellis and Robert or Thomas Bryant, respectively. Commissioner Brenemen motioned to approve refunds. Commissioner Scalph seconded. Unanimous decision.

President Wender arrived at 9:05 a.m.

Commissioner Brenemen motioned to enter into an executive session regarding a personnel matter with Mr. Young at 9:05 a.m. Commissioner Scalph seconded. Unanimous decision.

The Commission reconvened at 9:29 a.m. Commissioner Scalph motioned to enter into a contract to remedy a retirement issue with an employee. Commissioner Brenemen seconded. Unanimous decision

Commissioner Brenemen motioned to approve the minutes from the July 28th meeting. Commissioner Scalph seconded. Unanimous decision.

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

Commissioner Scalph motioned to approve 1st half payroll and release checks on August 15th, 2017. Commissioner Brenemen seconded. Unanimous decision.

Melinda Haid appeared to discuss the estate of Kenneth Haid, Jr. She felt that she needed to be refunded the money that she funded to the Commission appointed Fiduciary Commissioner, James Blankenship. Ms. Haid said that Mr. Blankenship delayed completing the estate. Her complaint was that she wrote the check in May and Mr. Blankenship's office cashed it but did not start the process on the estate until this month. Ms. Haid stated that there are some pending agreements awaiting the closure of the estate. President Wender suggested Prosecuting Attorney Larry Harrah write a letter to Mr. Blankenship about this issue and ask that he clarify to the Commission why the estate was delayed. Commissioner Scalph motioned to request counsel to contact Mr. Blankenship to schedule a meeting with the Commission explaining the delay and Ms. Haid will be contacted with the set meeting. Commissioner Brenemen seconded. Unanimous decision.

Deborah Berry, County Administrator, presented Orders to Combine, or Divide and Segregate Land for Jayne Payne, Charlene Mosely, Annabelle Wood, Dianna L. Lilly and Michael Whisman, respectively. Commissioner Brenemen motioned to approve all orders. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a request to use the Fayette County Memorial Building for a community event for back to school haircuts by Donnie Snyder with The County Shoppe and Sheriff Mike Fridley with Deputies and Dogs. The Commission requested that the approval letter state that for future events within the county, the opportunity should be offered to other local barbers and beauticians to participate. Commissioner Brenemen motioned to approve the event. Commissioner Scalph seconded. Unanimous decision.

Commissioner Brenemen motioned to enter into an executive session to discuss an investigation/real estate matter at 9:52 a.m. Commissioner Scalph seconded. Unanimous decision.

The Commission reconvened at 9:55 a.m. Commissioner Scalph motioned to approve the Sheriff's office, Prosecuting Attorney's office, and State Police to use the back room of the Morton Building for an undefined time to solve investigations. Commissioner Brenemen seconded. Unanimous decision.

Discussion was held about the long term use of the Morton Building. Two requests have been received: a request from Kelvin Holliday, County Clerk, for storage of election equipment and a request from Sheriff Mike Fridley to use the building for the detective's bureau. President Wender suggested that the Commission visit the storage area of the election supplies on the third floor of the Courthouse to see the problem today before any decision is made.

A public hearing was held regarding the Early Voting precinct location for the October 7th, 2017 Special Election. There will only be one site at the Fayette County Memorial Building. The floor was opened for comments regarding the Early Voting site. No comments were made. Commissioner Scalph motioned to approve the Fayette County Memorial Building as the site for Early Voting for the October 7th, 2017 Special Election. Commissioner Brenemen seconded. Unanimous decision.

Libby Akers with the Valley High School Football Field Boosters appeared to request funding. Ms. Akers requested on behalf of the boosters an allocation to help fund the lights at the current Valley High School Football Field. The purchase price of the lights is \$5,175.00 and installation is estimated at around \$5,000.00. Commissioner Brenemen motioned to allocate \$3,000.00 toward the lighting situation contingent on raising the full amount for the project. Commissioner Scalph seconded. Unanimous decision. A letter will be written for our allocation with the contingencies. Ms. Akers will be required to show proof of full amount raised before the Commission allocation could be released.

Lesley Taylor, Region 4 Planning & Development, and Jonathan Grose, Kanawha Falls PSD, appeared to give an update on the Kanawha Falls PSD. Ms. Taylor presented Resolution #29 totaling \$314,765.11. Commissioner Scalph motioned to approve the resolution and authorize President Wender to sign. Commissioner Brenemen seconded. Unanimous decision.

Ms. Taylor discussed the pipe that is running above ground in Gauley Bridge. Some more costs and issues have come up in just the past few weeks. They will be going back to the infrastructure council for an additional \$212,000.00. President Wender suggested tabling the

issue until Mr. Harrah returns to discuss what action can be taken against the engineering company.

Mr. Grose presented an update on the Kanawha Falls PSD. Vendor debt is down to \$55,000.00 but does not include money owed to the commission. The board is now at the point that they need to connect new customers but they do not have the monies readily available to do so. \$36,000.00 is needed to complete this. Commissioner Brenemen motioned to approve the request for an allocation of \$36,000.00 to connect water lines with the understanding that we will be reimbursed by a set schedule. An agreement will be drawn up by the Kanawha Falls PSD as to how payments will be made and reviewed by our Prosecuting Attorney. The allocation will be paid out at the discretion of the Staff Accountant. Commissioner Scalph seconded. Unanimous decision.

Discussion was held on the water line that needs burying. President Wender asked Mr. Harrah how the Commission can handle correcting the engineer or the contractor's mistake. Mr. Harrah stated that he believes that the PSD could take legal action if needed. President Wender asked if the Commission could take part. Mr. Harrah stated the FCC could but usually there is only one plaintiff in this type of matter. President Wender requested a letter from the Board stating their intentions of handling this situation.

Mr. Grose gave an update on Gauley Bridge. There is a gentlemen that is starting a locally owned grocery store in the old Family Dollar building. Basic necessities will be available. There was discussion held on a disc golf course. Rhonda McDonald, new general manager for Glen Ferris Inn, was present and is willing to work with the Town of Gauley Bridge on projects.

Discussion was held on Election Night expenses for the Special Election. The Commission was concerned about the amount of people

that we have working on Election Night. They felt we need to have the minimal amount of workers necessary. The County Clerk's office is working on this issue already to make Election Night a better situation all around.

Stormy Parsons appeared to discuss the Community Corrections finances. She handed out an excerpt from the FY 2018 Community Corrections budget (attached). The reward was issued for \$130,000.00. As of June 30th, 2017, monies were collected in excess of \$25,501.14 over expenditures. She asked the Commission to cover an estimated \$10,000.00 over the grant for contracted services offered in the FY 2018 budget. Discussion was tabled until an executive session could take place later.

Kevin Walker, OEM Director, appeared to discuss the Meadow River Rail Trail Bridge. Mr. Walker had been working on this project with FEMA and he had answers to present to the Commission. The project worksheet was rewritten. The new cost analysis is \$1,152,874. FEMA will start dispersing monies after all approvals are made in an estimated 12-16 weeks. 75% will be paid at first then 25% will be paid when the project is complete. This is a fully funded FEMA project; no monies will be received by the state. Projected completion is estimated for a year. President Wender asked that a status report be written by Mr. Walker and attached to the minutes. He also asked that it be copied to all other partners involved. President Wender asked that the DOH and Doug Hylton return and give an update on the project that is separate of the FEMA project.

Discussion was held on the professional services retainer agreement with Environmental Remediation & Recoveries; Mike Callahan was present. President Wender asked some questions to Mr. Callahan regarding the agreement. Mr. Callahan described the agreement in

detail for the Commission. The Commission asked for a simpler version of the agreement to be written. Commissioner Scalph does not feel the county is in a position to do this at this time. President Wender stated that they understand the end game but they are unsure of how this agreement is getting us there. He asked that Mr. Callahan write a concept paper in layman's term for the Commission to review. Mr. Callahan will return with a simpler version.

Ms. Berry presented a request from the Fayette County Historic Landmark Commission to use the Courthouse on Saturday, November 18th, 2017 for a historical performance in Judge Hatcher's Courtroom. Commissioner Brenemen motioned to approve the request. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented for discussion to continue the summer help for the County Commission scanning project. Commissioner Scalph motioned to approve the scanning on a month to month basis. Commissioner Brenemen seconded. Unanimous decision.

Discussion regarding quotes received for removing the tower, antennas and lines at the Fayette County Memorial Building was tabled.

The lease agreement for the house at the Fayette County Park was tabled until; the next meeting.

A decision for the next project for the WV Courthouse Facilities Improvement Authority Grant Application, due October 6, 2017, was tabled until the August 25th meeting.

Ms. Berry presented for discussion reporting of mileage for the Dog Warden. Mr. Harrah stated that he feels he should be exempt on mileage. Commissioner Brenemen motioned to approve the Dog Warden to be exempt on mileage. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented for discussion reporting of mileage for Kevin White, OEM employee. Mr. Walker says that Mr. White is subject to call out and is the only person in the county that can resolve CAD issues. His vehicle is also marked. The Commission has further questions and tabled this decision until the August 25th meeting.

Ms. Berry presented a memo related to overtime, compensation time and an addendum to the personnel manual. This was tabled until our insurance company can review and offer their opinion.

Ms. Berry presented a request from New River Transit Authority for a \$19,000.00 allocated from the Coal Severance Fund. Commissioner Brenemen motioned to release the check to NRTA. Commissioner Scalph seconded. Unanimous decision.

Discussion was held on the Park budget. Park director Renee Harper, submitted a list (attached) detailing the request for budget carry overs from FY 2017: \$90,000.00 total; \$50,000.00 from the FY 2017 Park budget and \$40,000.00 from the FY 2017 Garage budget. The money will be added to supplies and material, maintenance & repair, and capital outlay. The biggest capital outlay project is bathroom renovations at the canteen and dining hall. Maintenance and repair will be paving, gutters, and the basketball court. Commissioner Brenemen motioned to approve the budget revision for the Park in the amount of \$90,000.00, which reflects monies carried over from last year. Commissioner Scalph seconded. Unanimous decision.

The meeting was adjourned at 2:06 p.m.

REGULAR SESSION

August 25, 2017

COURTHOUSE

FAYETTEVILLE, WV 25840

MEMBERS PRESENT: MATTHEW D. WENDER, DENISE A. SCALPH, JOHN G. BRENNEMEN

The Fayette County Commission met in a regular session on this 25th day of August, 2017.

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

Eddie Young, Assessor, appeared to present real property exonerations for Ruby Christine Smith \$122.22; David A. Boggus \$52.98; Larry B. & Brenda J. Canterbury \$575.68; Adam & Ryan E. Brown \$599.50; Donald McMillion Jr. \$57.64; Walter Martin etal \$13.84; Buren E. & Cynthia Lynn Renick \$49.92 & \$100.30; CI Realty LLC \$180.04; Norma McClannahan \$66.10; Doris J. Payne \$265.94; Donald & Karla Sanford \$298.22; Gary Madison Critchley \$156.80 & \$152.18. Commissioner Scalph motioned to approve the real property exonerations. Commissioner Brenemen seconded. Unanimous decision.

Mr. Young presented personal property exonerations for Lawrence E. Sr. & Mary H. Price \$263.90; Perry William Critchley \$201.22; Charles W. Johnson \$29.96; Timothy Radford \$491.40; Carlos Odell Jr. & Susan J. Plumley \$777.44; Wells Fargo Vendor Financial Services \$141.80, \$15.32, \$39.76; NARCO Inc \$1,857.98; Susan Jane Plumley \$204.84. Commissioner Brenemen motioned to approve the personal property exonerations. Commissioner Scalph seconded. Unanimous decision.

Mr. Young presented 2 refunds for Donald & K. Sanford \$290.76 & LCR Properties \$939.98, respectively. Commissioner Scalph motioned to approve the refunds. Commissioner Brenemen seconded. Unanimous decision.

Mr. Young presented 6 correction of assessments for Buren & Helen Renick, Donald R. Reynolds (3 assessments), Michael Reynolds, and Pepali Petroleum Company, respectively. Commissioner Brenemen motioned to approve the corrections. Commissioner Scalph seconded. Unanimous decision.

Commissioner Brenemen motioned to approve the minutes from the August 11th meeting. Commissioner Scalph seconded. Unanimous decision.

Commissioner Scalph motioned to approve 2nd half payroll and release checks on August 30th, 2017. Commissioner Brenemen seconded. Unanimous decision.

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

A bid opening was held for paving at the Park. One bid was received by email and two sealed bids arrived.

Asphalt Contractors- \$38,742.00

Dean's Paving - \$20,000.00

Jane Lee Enterprises - \$26,450.00

Commissioner Scalph motioned to move on the low bid from Dean's Paving as long as the specs meet the Park's needs. Commissioner Brenemen seconded. Unanimous decision.

Deborah Berry, County Administrator, presented an order to combine or divide and segregate land for Timothy L. & April M. Byrd. Commissioner Brenemen motioned to approve the order. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented for discussion the use of property owned by the Fayette County Commission, formally the Belinda Morton Property.

Sheriff Mike Fridley and County Clerk Kelvin Holliday have both requested to use the building.

The Commission recessed at 9:45 a.m. to visit the two locations. The Commission reconvened at 10:35 a.m.

No action was taken at this time. More site options need to be visited.

A Public Hearing was held at 10:38 a.m. regarding the increase in the Excise Tax-SB 433. The excise tax will increase \$0.55 per \$500.00 of assessed value. The floor was open for public comment. No comments were made. Commissioner Brenemen motioned to move forward with passing SB 433 and funds will be placed into a segregated fund. Commissioner Scalph seconded. Unanimous decision. The County Clerk will now advertise this new tax and it will come into effect October 1st, 2017.

John Shumate, Attorney for City of Mount Hope, appeared to present an application for a minor boundary adjustment for two different areas. One around the Georgia Pacific plant and one around the Mount Hope bypass. Criminal activity has increased in those areas and they would like it annexed so patrol can be enforced. Mr. Shumate asked the Commission to review the application so they can move forward. Commissioner Brenemen motioned to approve the order approving the petition by City of Mt. Hope for the annexation by minor boundary adjustment to be filed, and that the matter be set for a hearing and that the hearing be noticed as required by law by publication. Commissioner Scalph seconded. Unanimous decision.

Sheriff Mike Fridley appeared to discuss a matter of the pay for Fayette County Deputy Sheriff's Office. Sheriff Fridley read other starting salaries in surrounding and comparable counties as well as municipalities within the county. All area departments base salaries

start out more than FCSD. Sheriff Fridley read the statistics that the Fayette County Sheriff's Department have completed in 2016 and year to date. Commissioner Scalph motioned to approve the request for a new rank scale submitted by Sheriff Fridley including the new rank of Deputy First Class. Commissioner Brenemen seconded. Unanimous decision.

Sheriff Fridley requested an additional part-time employee in the tax office to take care of conservators and estates. Commissioner Brenemen motioned to approve the part-time employee to take care of conservators and estates and the funding will come out of the current budget. Commissioner Scalph seconded. Unanimous decision.

Jonathan Adler, Executive Director of WV Association of Counties, appeared to give an update on the association and to introduce himself in his new role.

The Commission recessed at 12:35 p.m.

The Commission reconvened at 1:12 p.m.

Stormy Parsons, Community Corrections Director, appeared to discuss the Community Corrections budget. Ms. Parsons presented a handout detailing the monies brought in that are on top of the budget revenue. She went over the handout in detail. Commissioner Brenemen motioned to approve the recommendation from the Community Corrections Board and go with the salaries presented to the Commission today. Commissioner Scalph seconded. Unanimous decision. Commissioner Brenemen motioned to approve the Community Correction Grant budget for 2017/2018. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented quotes received for removing the tower, antennas and lines at the Fayette County Memorial Building:

Sayer, LLC \$7,350.00

Premier Construction Group, LLC \$6,580.00

Two Way Radio \$5,890.00

These bids included hauling charges which are not necessary. Bids were tabled for clarification.

Ms. Berry presented a lease agreement for the residence at the Fayette County Park. Commissioner Brenemen motioned to approve Kevin Willis to live in the house at the Park, coinciding with the terms of the lease agreement prepared by Prosecuting Attorney Larry Harrah. Commissioner Scalph seconded. Unanimous decision.

Discussion was held on the proposed shooting range. President Wender stated that he is worried that the cost of this work will be more than the threshold to bid out. If we bid out, we would have to hire an engineer to create maps so the county would have to hire an engineer. This could be a costly project. Sheriff Fridley suggested talking with the National Guard to see how they can help. Renee Harper, Park Director, was present and she suggested getting the timber cruised and complete the rest of the survey of the Park. Commissioner Scalph motioned to approve continuing the process to complete the survey at the Park. Commissioner Brenemen seconded. Unanimous decision. Commissioner Scalph motioned to approve start the process of cruising the timber up to a cost of \$1,000.00. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented for decision the West Virginia Courthouse Facilities Improvement Authority Grant Application. The application is due on October 6, 2017. Commissioner Brenemen motioned to apply for work for the Fayette County memorial Building. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented reporting of mileage for Kevin White, Employee of the Office of Emergency Management. This request was withdrawn by Kevin Walker.

Ms. Berry presented for approval a memo related to overtime, compensation time and an addendum to the Personnel Manual (attached.) Commissioner Scalph motioned to approve the memo. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a letter for approval and signature to the WV Housing Development Fund on behalf of Recovery Point West Virginia. Commissioner Scalph motioned to approve and sign the letter. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented letters for approval and signatures to the West Virginia Legislative Delegation and Congressional Members in support of teen pregnancy prevention funding. Commissioner Scalph motioned to approve and sign the letter. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a letter from Savannah Kincaid requesting us of the jail for a fund raising event for Fayetteville High School. Commissioner Brenemen motioned to approve the request. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a letter to the WV Supreme Court requesting reimbursement of rent for the Family Law Judge for the month of September, 2017. Commissioner Brenemen motioned to approve and sign the letter. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a letter from Susan Hanson requesting to use the FCMB for the Fayetteville Women's Club's seventh annual Craft Show on Saturday, December 2, 2017. Commissioner Scalph motioned to approve the request. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a request from Melanie Seiler, Active Southern WV, to use the FCMB on October 20th, 2017 and October 21st, 2017, for the Bridge Day 5K race pack pick up and bus loading.

Commissioner Brenemen motioned to approve the request. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a request to consult and electrical engineer to prepare specs for the HVAC system for the Courthouse annex. The Commission approved.

Ms. Berry presented a Fayette County Fire Levy Pumper Agreement for approval for Pax Volunteer Fire Department. Commissioner Brenemen motioned to approve and sign the agreement. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented an application for WV Motor Fuel Tax Refund for \$12,623.97. Commissioner Brenemen motioned to approve and authorize President Wender to sign the application. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented an order to close the Courthouse from 1:00 to 4:00 pm on Tuesday, August 29, 2017 for the funeral of Circuit Clerk, Steve Kessler. Commissioner Brenemen motioned to approve the order. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented paperwork for signatures for Hazard Mitigation funding. Commissioner Brenemen motioned to sign the 3 emergency management funding request (EMPG funding). Commissioner Scalph seconded. Unanimous decision.

The meeting was adjourned at 3:35 p.m.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
SEPTEMBER 8, 2017
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: MATTHEW D. WENDER, DENISE A. SCALPH, JOHN G. BRENEMEN

The Fayette County Commission met in a regular session on this 8th day of September, 2017.

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

Eddie Young, Assessor, appeared to present real property exonerations for Jerry E. & Paulette Wood \$306.20; AMV Properties, LLC \$8,251.68; Jennifer Rena Griggs \$131.16; Ezra L. Halstead, Jr. \$219.06; and Mary Kathryn Gresham \$380.08. Commissioner Scalph motioned to approve the real property exonerations. Commissioner Brenemen seconded. Unanimous decision.

Mr. Young presented two Correction of Assessments on approximately 360 tax tickets for Pardee Minerals, LLC totaling \$4,509.90. Commissioner Brenemen motioned to approve Correction of Assessments for Pardee Minerals, LLC. Commissioner Scalph seconded. Unanimous decision. Mr. Young presented Correction of Assessments for Pardee Royalty, LLC totaling \$4,509.90. Commissioner Brenemen motioned to approve Correction of Assessments for Pardee Royalty, LLC. Commissioner Scalph seconded. Unanimous decision.

Commissioner Brenemen motioned to approve the minutes from the August 25th meeting. Commissioner Scalph seconded. Unanimous decision.

Commissioner Scalph motioned to approve 1st half payroll and release it on September 15th, 2017. Commissioner Brenemen seconded. Unanimous decision.

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

Deborah Berry, County Administrator, presented 2 orders to Combine or Divide and Segregate Land for Arless E. & Emma Lou Smith, and Michael Stanley & Judith Hess, respectively. Commissioner

Brenemen motioned to approve the orders. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented for discussion the use of the property owned by the Fayette County Commission, formally the Belinda Morton Property. The Commission has received two requests for use of the building. Sheriff Fridley and County Clerk Kelvin Holliday. Commission tabled this issue until they have time to visit the Fayette County Memorial Building.

Ms. Berry presented the lease agreement for the house at the Fayette County Park for signatures. The lease was approved pending Larry Harrah's review during the last meeting and will be signed later today.

A General County Budget Revision was set to be presented today for approval but Staff Accountant, Stephanie Sears, needed more time to gather additional information from office holders before it could be completed. The Budget Revision is now set to be presented on September 15th, 2017.

Ms. Berry presented the Financial Report for fiscal year ending June 30th, 2017 for review and signature of President Wender. This report will be published in the newspaper as per State code. Commissioner Brenemen motioned to approve the financial report presented and authorize President Wender to sign. Commissioner Scalph seconded. Unanimous decision.

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

Discussion is held on the Courthouse Facilities Improvement Authority Grant Application. In the August 25th, 2017 meeting, the

Commission approved to submit the grant for the Fayette County Memorial Building project. Since that meeting, information was received that the CFIA applications could only be used for buildings that house an elected official. The Commission decided to submit the grant application for the masonry project for the Courthouse. This would be phase II of this project. Commissioner Scalph motioned to approve moving forward with the grant application for Courthouse Phase II masonry project. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented an order for approval and signature for the Commission to grant a credit for future taxes for Lawrence R. and Linda Boley due to clerical error in the Assessor's office. Commissioner Brenemen motioned to approve and sign the order granting a credit to future taxes. Commissioner Scalph seconded. Unanimous decision.

President Wender approved and signed the estate settlements for the County Clerk's office for the estates of Emory E. Martin; Timothy Clyde Comer; Steven Lee Skaggs; Jeanette Hendrickson; Dorothy Mae Hess; Carolyn Sue Bryant; and Nellie L. Dickerson.

Public hearing was held for the amendment to the Unified Development Code for Mountain Valley Pipeline at 9:30 a.m.

Commissioner Brenemen motioned to accept Kelly Jo Drey's report and enter it into the minutes. Commissioner Scalph seconded. Unanimous decision. (attached)

Commissioner Scalph motioned to approve any written records received regarding this meeting will be accepted and entered into the minutes. Commissioner Brenemen seconded. Unanimous decision.

**See attached transcript, prepared by Judy Cottle, Certified Court Reporter. **COURT REPORTER TRANSCRIPTS AVAILABLE IN THE COUNTY ADMINISTRATOR'S OFFICE.*

The Commission recessed at 10:40 a.m. for a break.

The Commission reconvened at 10:58 a.m.

(COURT REPORTERS MINUTES CONTINUED)

The Commission recessed at 12:08 p.m.

The Commission reconvened at 12:21 p.m.

The Commission will continue this hearing Friday, September 15th, 2017 at 10:15 a.m. The Public Hearing was adjourned at 1:48 p.m.

Ms. Berry presented a request from the Parks and Recreation Board to remove Harlem Heights Park from the by-laws because it is no longer a County owned park. Commissioner Scalph motioned to approve the recommendation by Andrea Mender and the Parks and Recreation Board to remove Harlem Heights Park from the by-laws. Commissioner Brenemen seconded. Unanimous decision.

The Commission recessed at 1:51 p.m. to relocate to the Courthouse for the remainder of the meeting.

The Commission reconvened at 2:11 p.m.

Ms. Berry presented a request for Jake Johnston to receive 32 hours from the sick bank due to his infant son being hospitalized. Commissioner Scalph motioned to approve the request. Commissioner Brenemen seconded. Unanimous decision.

The Commission entered into an executive session with Sheriff Fridley at 2:14 p.m. to discuss a personnel matter.

The Commission reconvened at 2:28 p.m. by motion from Commissioner Brenemen. Commissioner Scalph seconded. Unanimous decision.

The Commission met with Sheriff Fridley to correct a pay grade issue. Commissioner Scalph motioned to approve the recommendation from the Sheriff to fix salaries of deputies in regards to rank in the

amount of \$15,147.69. Commissioner Brenemen seconded. Unanimous decision.

The meeting was adjourned at 2:33 p.m.

FAYETTE COUNTY COMMISSION
SPECIAL SESSION
SEPTEMBER 15, 2017
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: MATTHEW D. WENDER, DENISE A. SCALPH, JOHN G. BRENEMEN

The Fayette County Commission met in a special session on this 15th day of September, 2017.

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

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

Commissioner Scalph motioned to approve 2nd half payroll and release checks on September 29th, 2017. Commissioner Brenemen seconded. Unanimous decision.

Steve Cruikshank, Phyllis King, Bill Bailey, and Patricia Nichols along with County Clerk, Kelvin E. Holliday appeared to present the Early Voting keys to the Commissioners.

Commissioner Scalph motioned to approve the General County Budget Revision in the amount of \$201,342.00. Commissioner Brenemen seconded. Unanimous decision.

The Commission recessed at 9:26 a.m. to wait for John Stump arrive to start the TIF discussion.

The Commission reconvened at 9:53 a.m.

Discussion was held regarding a TIF application with John Stump. Mr. Stump presented a resolution for Wolf Creek Park. This resolution

scheduled a Public Hearing for October 13th, 2017 at 2:00 p.m. Mr. Stump reviewed the process that will happen regarding creating the TIF district. This is a 3 step process. The resolution is step 1 of the process. Any boundary adjustments would need to be made by the October 13th Public Hearing. Commissioner Scalph motioned to approve and sign the resolution presented by Mr. Stump regarding the establishing of the Public Hearing on October 13th, 2017 at 2:00 p.m. Commissioner Brenemen seconded. Unanimous decision.

Continuation of the Mountain Valley Pipeline discussion was held. President Wender requested phone calls & letters received, and one petition be put into the record. One letter received was in favor of the project and all others were in opposition.

**See attached transcript, prepared by Kathy Pack Lafon, Certified Court Reporter. **COURT REPORTER TRANSCRIPTS AVAILABLE IN THE COUNTY ADMINISTRATOR'S OFFICE.*

The Commission entered into an Executive Session by way of motion by Commissioner Scalph and seconded by Commissioner Brenemen to receive legal counsel at 11:35 a.m.

The Commission reconvened at 12:37 p.m. Commissioner Scalph motioned to continue the Hearing until permits are issued. A meeting date will be set after decisions are made by WVDEP and FERC. Commissioner Brenemen seconded. Unanimous decision.

The meeting was adjourned at 12:41 p.m.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
SEPTEMBER 29, 2017
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: MATTHEW D. WENDER, DENISE A. SCALPH, JOHN G. BRENEMEN

The Fayette County Commission met in a regular session on this 29th day of September, 2017.

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

President Wender signed the settlements for the County Clerk's office for the following estates: Patrick Paul Wills; Naomi Lura Jones; Cecil T. Stover; Katherine Crookshanks; Clayton E. White; Patrick Alan Hancock; Hazel Roberts; James Dale Henson; Mary Janice Pittsenbarger; John Dewey Stone; Anna Mabel Burgess; Cora S. Barret; Alice Leigh Edelman; Sheila Rider; Vincent Sherwood Stevenson; Thomas Alan Harlan; and Robert L. Hardy, Sr.

Eddie Young, Assessor, appeared to present real property exonerations for Fred & Maria Akerberg \$ 670.22; Carl E. Syner \$237.50; Walter & Judith Webb \$256.20; Stefan J. Penn \$221.36; Portee Lts. Corp \$97.36; Alfred F. & Mary Toney \$56.88; Melanie Adkins \$143.22; Ronnie & Michelle Cox \$63.38; Paul D. Sr. & Leona Edwards \$205.22. Commissioner Scalph motioned to approve the real property exonerations. Commissioner Brenemen seconded. Unanimous decision.

Mr. Young presented personal property exonerations for Nicholas B. & Brittany N. Miller \$23.82; Blake D. or Taylor Brown \$866.42; Citizens Asset Finance Inc. \$3,718.00; Ronald, Pamela Sarah, Katherine Smith \$149.46; Hillary J. Ratliff \$281.08; John W. Hendrickson \$360.84; Johnathan W. Bailey \$31.14; Edward M. & Bertha L. Buis \$281.66; Derry Neal \$111.82; Robert M. Gray \$810.08; Zachary & Lindsay Rebecca Wriston \$435.40. Commissioner Brenemen motioned to approve the personal property exonerations. Commissioner Scalph seconded. Unanimous decision.

Mr. Young presented three Corrections of Assessment for Angela Nicastro, Valley district. Commissioner Brenemen motioned to approve

and authorize President Wender to sign. Commissioner Scalph seconded. Unanimous decision.

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

Jamie Meadows, Region 4 Administrative Assistant, appeared for a public hearing regarding a Small Cities Block Grant application for broadband services in the Ansted area. Kelly Jo Drey, Fayette County Resource Coordinator, explained the grant. The floor was open for public comment. R. A. Hobbs spoke on behalf of the grant and why broadband is needed in this area. Commissioner Brenemen motioned to approve the application and authorize President Wender to sign. Commissioner Scalph seconded. Unanimous decision.

Gary Hough and Paula Fridley, Fayette County Board of Education personnel, appeared to request an election be held on January 20th, 2018 for the levy renewal. This levy has been in place for more than 38 years. Early Voting will be in Fayetteville only. Commissioner Brenemen motioned to accept the Board of Education's recommendation to hold the School Board Levy Election on January 20th, 2018. Commissioner Scalph seconded. Unanimous decision. President Wender requested that Ms. Fridley come to a later meeting and update the Commission on the School aid formula.

Deborah Berry, County Administrator, presented a tabled item from August 11th regarding use of the former Belinda Morton property by Sheriff Fridley or the County Clerk's office. After discussion and review of the properties, it was decided that Sheriff will use the Belinda Morton property for investigations and the County Clerk will use storage space at the Memorial Building for election equipment storage and training.

Ms. Berry presented a drawdown request for the Community Corrections Grant for the months of July 2017 in the amount of \$6,219.07 and August 2017 in the amount of \$8,060.18 for President Wender to sign. Commissioner Brenemen motioned to approve and authorize President Wender to sign the drawdowns. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a request from Teri N. Harlan, Administrator of the Fayette County Health Department, to appoint Cindy Chamberlin to the Fayette County Board of Health to replace Roy Crist who passed away. Commissioner Scalph motioned to approve the appointment. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a letter from Mike Bone, Warm Hands Warm Hearts, requesting an allocation of \$2,000.00 to help get this year's winter program started. Commissioner Scalph motioned to approve the request. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented an application for a WV Courthouse Facility Authority Grant for approval and signatures. Commissioner Scalph motioned to approve and sign the application. Commissioner Brenemen seconded. Unanimous decision.

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

The Commission reconvened at 10:45 a.m. The executive session was with FCC Legal Counsel regarding the PCB issue at Minden and other off site areas affected. President Wender requested a resolution which would appoint a law firm to tackle these issues and authorize President Wender to sign. This resolution states that Mike Callahan will be appointed as an Assistant Prosecuting Attorney at Fayette County. Prosecuting Attorney Larry Harrah stated that this is greatly needed to help the areas in Fayette County and to catch those causing

it. Commissioner Scalph motioned to approve resolution. Commissioner Brenemen seconded. Unanimous decision.

John Shumate, Attorney for City of Mount Hope, appeared to present a request to annexation and Minor Boundary Adjustment in the City of Mount Hope. All necessary criteria for annexation have been met. Mr. Shumate presented an order for the Commission to approve and sign. Commissioner Brenemen motioned to approve the resolution and authorize signatures. Commissioner Scalph seconded. Unanimous decision. Publication and legal documents were completed prior to this approval.

Renee Harper, Fayette County Parks Director, appeared to request hiring Jerry Adkins at \$10.00/hour for a maintenance position. Commissioner Brenemen motioned to extend an offer to Jerry Adkins for a position at the Fayette County Park at \$10.00 with normal probation. Commissioner Scalph seconded. Unanimous decision.

Ms. Harper presented a request for a new stone sign for the entrance of the park using the new logo. President Wender asked about a better priced sign. Commissioner Brenemen asked if Ms. Harper has looked at the sign at Oak Hill Farmers Market. President Wender mentioned Melvin Withrow and Sheriff Fridley mentioned VoTech students. Ms. Harper will research more.

Ms. Harper presented purchasing 4 new animated light displays for the Park's Christmas lights display. Since the Park now charge for admission, the displays need updating. President Wender suggested earmarking more funds for the displays and asks that Ms. Harper track the amount of time spent working on installing and maintaining the display.

Ms. Harper stated the company requested payment up front since we are a new vendor. President Wender stated we should obtain a letter

from our bank and use a purchase order. Commissioner Scalph motioned to approve \$8,405.75 for animated Christmas decorations for the Park. Commissioner Brenemen seconded. Unanimous decision.

The Commission complimented Ms. Harper on the Park's appearance. President Wender asked about a worker cleaning leaves after 4:00 p.m. Ms. Harper stated this was a seasonal employee that is there to keep the Park open to dusk.

Ms. Harper presented that they have contacted local businesses to adopt to decorate shelters. New River Health has agreed to sponsor a shelter in the theme of Doc McStuffins. 4H will decorate a tree and expand their decorating this year. President Wender cautioned putting too much emphasis on actual Christmas/religious decorations without oversight. Mr. Harrah stated he is fine with religious themed displays being at the park, but if you allow one you will need to allow any religion that applies to sponsor a shelter. Commissioner Scalph suggested a voting system like for the United Way hosts with trees at Crossroads Mall.

Ms. Harper and the Parks & Recreation Board are applying for a Try This grant for a natural playground.

Andrea Mender, appeared with Ms. Harper to discuss upgrades to the kitchen in the dining hall. Someone approached the Board about donating funds to update the kitchen in the dining hall. This led to a discussion about starting a foundation so the Board can accept donations for earmarked projects. The Board met with attorney Carl Harris to discuss the possibility of starting a foundation. Mr. Harris stated a foundation is possible. This is just in discussion, nothing has been completed at this time.

Chief Deputy Rod Perdue appeared with a request for evidence storage space in the jail. The area is two of the old jail cells on

the left just beyond holding, and the cells will need to be emptied. Commissioner Scalph motioned to approve the request of the use of the jail for storage of evidence room and approve a dumpster. Commissioner Brenemen seconded. Unanimous decision.

Discussion was held on the shooting range. The timber has been cruised and the work will be over \$15,000.00. The timber value may offset that cost but it still needs to be bid out. Those bidding will need good drawings of the range. Only 150 acres were cruised on a 380 acre parcel. President Wender requested that the Commission advertise to hire an engineering firm to prepare drawings. Sheriff Fridley asked if it would be better to get bids on the timbering at the same time that we do the engineering work, that way we know what amount of money we have to work with and if the whole project is possible. Commissioner Brenemen motioned to construct an ad for the sale of timber at the Fayette County Park. Commissioner Scalph seconded. Unanimous decision. Commissioner Brenemen motioned to authorize Ms. Berry with advisement from the Prosecuting Attorney's Office to advertise for a bid to hire a professional engineering firm. Commissioner Scalph seconded. Unanimous decision. Motion is withdrawn for timber sale and second is withdrawn. The timber will need to be auctioned.

The Commission recessed at 12:15 p.m.

The Commission reconvened at 1:14 p.m.

Teri Harlan with the Fayette County Board of Health appeared to discuss signage at parks for no smoking and harm reduction and recovery initiative.

Discussion was held for "No Smoking" signs in county parks. Ms. Harlan wants to purchase 21 signs to be placed in parks around the county. Cheryl Jones with Community Connections has agreed to donate

money to help with this expense. Ms. Harlan requested that the Commission pay half. Commissioner Brenemen motioned to approve the request of up to \$420.00 to finish the signage for parks around the county. Commissioner Scalph seconded. Unanimous decision.

Discussion was held on a harm reduction and recovery initiative. Anita Stewart, Health Officer, appeared to explain the subject. Drugs and overdoses are a big concern in the county. Harm reduction is meeting with addicts without judgment to give assistance and to set some goals. It will be held on Tuesdays from 10:00-12:00 at the Health Department. Anyone in the county is welcome to attend.

Ms. Drey appeared to present the results of the Whitlock Farm Feasibility study. Ms. Drey presented a handout to the Commission and Ms. Berry of the project components.

Jason Favor, Health Department, appeared to discuss the Fayetteville sewer issue. The issue is on Tourism Avenue Addition. 33 homes there are currently not on any kind of sewer system; they have individual septic systems. 10-12 complaints have been received by the Board of Health. Phil Perone, Sanitation Officer, tested 7 and 4 of the systems are failing. The only viable option is to extend city sewer to these individuals. The Town of Fayetteville received a quote for approximately \$280,000.00. WV American Water would be willing to front roughly \$150,000.00. Annexation in to Fayetteville is under discussion. Fayetteville would apply for the SCBG. Bill Lanham, Town of Fayetteville Manager, was present and will relay this back to his board. The Commission is in favor of the annexation.

The Commission entered into an executive session at 2:38 p.m. regarding a personnel matter.

The Commission reconvened at 2:57 p.m.

The Commission felt they have limited area allowing them to weigh in on this issue. A letter will be written to Jim Sizemore stating that according to our personnel manual, he was paid correctly while a county employee.

Ms. Berry presented an award document from the 2016 Emergency Management Performance Grant for approval and signature of President Wender. The Commission approved and the document was signed.

Discussion was held regarding dissolving Arbuckle Public Service District and legal steps to follow. This process will begin on October 13th.

Discussion was held regarding election overtime. For the hours worked between 35 and 40, regular wages will be paid. Overtime will be paid for anything over 40 hours.

The meeting was adjourned at 3:33 p.m.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
OCTOBER 13, 2017
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: MATTHEW D. WENDER, DENISE A. SCALPH, JOHN G. BRENNEMEN

The Fayette County Commission met in a special session on this 13th day of October, 2017.

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

Commissioner Wender signed settlements from the County Clerk's office for the estates of Joseph M. Cowgill; Jean Herbert Thomas; Judith Ann Hawkins; Tommy Eugene Copley; Denver G. Davis; Marynell Davis; Bobby J. Ward; Deloris Sharpe; Jennie Frayer; Bennie W. Fleshman; Anusuya Swami; Jessie E. Sowder; George H. Lockman; James Edward Brenemen; Larry Rice; Maryilyn Ann Kessler; and James Wickline.

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

Canvass was conducted.

Precinct 11 did not count their Early Voting results. The Commission will need to count these at canvass. Commissioner Scalph motioned to count Precinct 11's Early Voting results at the end of canvass. Commissioner Brenemen seconded. Unanimous decision.

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

Eddie Young, Assessor, appeared to present real property exonerations for Robert & Jillian Kinder \$288.22 & \$246.72; Eileen Hanner \$158.32; Jeffrey D. Keeney \$7.70; Donna J. Bowyer \$8.20; Charles D. & Helen Johnson; and Glennys C. Davis. Commissioner Scalph motioned to approve the real property exonerations. Commissioner Brenemen seconded. Unanimous decision.

Mr. Young presented refunds for Ronnie & Michelle Cox \$30.90; Charles D. & Helen Johnson \$156.04; and Fred & Maria Akerberg \$326.73. Commissioner Brenemen motioned to approve the refunds. Commissioner Scalph seconded. Unanimous decision.

Mr. Young presented orders to Combine or Divide & Segregate Land for Herman R. Byers; Janice F. Nunnery; William S. Fink & Peggy Lambert; Mildred Davis; Alfred D. & Mary E. Toney; Robert W. & Rhonda Hall; and Terri Jane Settle, respectively. Commissioner Brenemen motioned to approve the orders. Commissioner Scalph seconded. Unanimous decision.

Deborah Berry, County Administrator, presented an order for approval and signatures addressed to the county democrat and republican executive committees designating the total number and type of election boards for the January 20, 2018 Special School Levy

Election and requesting each to submit their list of election workers no later than November 3, 2017. Commissioner Brenemen motioned to approve and sign the order. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a letter to the WV Supreme Court of Appeals requesting the reimbursement of rent for the Family Law Judge for the months of October and November, 2017 in the amount of \$3,375.00 each, for approval and signatures. Commissioner Scalph motioned to approve and sign the letter. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a letter from Page-Kincaid Public Service District requesting the reappointment of John David as a Commissioner with the PSD. Commissioner Brenemen motioned to approve the reappointment. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a letter from Tabitha Stover, Executive Director with the Fayetteville Convention and Visitor's Bureau requesting to use the Courthouse lawn for Saturday, October 21, 2017, for the annual Bridge Day Chili Cook-Off. Commissioner Scalph motioned to approve and sign the letter. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented letters for approval and signatures to Captain Luther A. Crisp, Lieutenant Jess R. McMullen, Sergeant William K. Willis, Corporal Walter S. Casey and Corporal Andrew B. Hudson acknowledging the officers' recent promotions by Sheriff Michael A. Fridley, effective October 1, 2017. The Commissioners signed the letters.

Ms. Berry presented a drawdown request for the Community Corrections grant in the amount of \$8,908.36 for signature of President Wender. Commissioner Scalph motioned to approve and

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

Ms. Berry presented a Consumer's Sales Tax report for the Fayette County Park for President Wender to sign for the quarter ending September 30, 2017. Commissioner Brenemen motioned to approve and authorize President Wender to sign the report. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a request from Cathy Jarrett, Circuit Clerk, for a new computer for her office. President Wender asked that Ms. Jarrett inquire with the Supreme Court about supplying the computer. If they will not, the County will pay. Commissioner Scalph motioned to approve the purchase of a new computer for the Circuit Clerk's office in the event that the Supreme Court will not supply a computer. Commissioner Brenemen seconded. Unanimous decision.

Discussion regarding a vehicle for the Maintenance Department was continued until a future meeting.

Ms. Berry presented a letter from Brenda J. Moore regarding the hiring process of a Fayette County Public Libraries Director for discussion. The Commissioner reviewed the letter and had no response.

Commission entered into executive session to discuss personnel matter at 12:05 p.m.

Commission reconvenes at 12:32 p.m.

Larry Harrah, Prosecuting Attorney, appeared to present a resolution for environmental & public health protection in and affecting Fayette County & also to hold the first reading of an ordinance to establish procedures to govern the exercise of formal civil investigation proceedings by the Fayette County Commission.

Mr. Harrah presented the resolution. Commissioner Scalph motioned to approve and authorize President Wender to sign the resolution. Commissioner Brenemen seconded. Unanimous decision.

Mr. Harrah called for the first reading of the ordinance. Commissioner Scalph motioned for the reading of the ordinance and to approve the ordinance. Commissioner Brenemen seconded. Unanimous decision.

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

Commissioner Scalph motioned to approve 1st half payroll and release checks today. Commissioner Brenemen seconded. Unanimous decision.

Commissioner Brenemen motioned to approve the minutes from September 29th, 2017. Commissioner Scalph seconded. Unanimous decision.

Amanda Smarr, Region 4 Planning and Development, appeared for the 2nd public hearing for a SCBG. The public hearing took place at 1:00 p.m. The floor was opened and no comments were made.

Ms. Smarr then presented a drawdown request for Kanawha Falls PSD Resolution #30. Construction- \$204,187.50, Engineering - \$29,924.00, Legal - \$5,593.75 Total - \$239,705.25. Commissioner Brenemen motioned to approve the drawdown and authorize President Wender to sign. Commissioner Scalph seconded. Unanimous decision.

Ms. Smarr also presented an amendment for \$218,800.00. Commissioner Brenemen motioned to approve the amendment to re-pave the road. Commissioner Scalph seconded. Unanimous decision.

Billy Strasser appeared to give an update on the ARC grant. They received a \$1 million grant and work began in September on connecting

trails within Fayette, Nicholas and other surrounding areas. This will make 300-400+ miles of trails.

The Commission entered into an executive session at 1:40 p.m. regarding a personnel matter.

The Commission reconvened at 2:42 p.m.

Carl Harris, Attorney for the Town of Fayetteville, appeared to present an annexation of Second Street. 100% of homeowners agreed to the annexation. Mr. Harris presented an order for the Commission to sign regarding annexation. Commissioner Brenemen motioned to approve the order for annexation by petition of Second Street into the Town of Fayetteville. Commissioner Scalph seconded. Unanimous decision.

Gabe Pena, Deputy Resource Coordinator, appeared to present a request for the excise tax funding. Mr. Pena requested that \$0.55 of the \$1.10 increase in excise tax funding to go towards the FC Farmland Protection Board Whitlock property. Commissioner Scalph motioned to approve the allocated \$0.55 of the increased excise tax of \$1.10 to the Fayette County Farmland Whitlock property at the direction of URA pending the agreement between FCURA and FC Farmland Protection Board. Commissioner Brenemen seconded. Unanimous decision.

President Wender asked Ms. Berry to write a letter for FCFPB letting them know the Commission is in favor of this agreement.

Commissioner Brenemen motioned to approve the other \$0.55 of the \$1.10 would be used for dilapidated properties. Commissioner Scalph seconded. Unanimous decision.

*At the October 20th meeting, the following was motioned and approved:

Commissioner Brenemen motioned to amend the minutes from October 13th, 2017 to correct the issue of excise tax allocation to .55 instead of written \$1.10. The allocation will go to the Fayette County URA

for the benefit of the Whitlock Farm Project until December 31st, 2017 and then will be revisited in January, 2018. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented an order to consider dissolving the Arbuckle PSD and set a public hearing for November 3rd, 2017 at 10:45 a.m. Commissioner Scalph motioned to approve the order to consider dissolving PSD and set a public hearing on November 3rd, 2017 at 10:45 a.m. Commissioner Brenemen seconded. Unanimous decision.

The meeting was adjourned at 3:50 p.m.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
OCTOBER 20, 2017
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: MATTHEW D. WENDER, DENISE A. SCALPH, JOHN G. BRENEMEN

The Fayette County Commission met in a regular session on this 20th day of October, 2017.

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

Commissioner Brenemen motioned to amend the minutes from October 13th, 2017 to correct the issue of excise tax allocation to .55 instead of written \$1.10. The allocation will go to the Fayette County URA for the benefit of the Whitlock Farm Project until December 31st, 2017 and then will be revisited in January, 2018. Commissioner Scalph seconded. Unanimous decision.

President Wender signed settlements in the estates of Raynell Dempsey; Mae Sizemore; Katrina J. Forren; Ruth L. Wilkerson; and David Eugene Weaver.

Harvey E. Young appeared to present a real property exoneration for Daniel R. Ewing for \$758.12. Commissioner Scalph motioned to approve the real property exoneration. Commissioner Brenemen seconded. Unanimous decision.

Mr. Young presented one refund for Daniel Ewing for \$369.58. Commissioner Brenemen motioned to approve the refund. Commissioner Scalph seconded. Unanimous decision.

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

Commissioner Scalph motioned to approve 2nd half payroll and release checks on October 30th, 2017. Commissioner Brenemen seconded. Unanimous decision.

The Commission certified the election at 9:12 a.m. Commissioner Scalph motioned to approve the certification of the election results and sign the order presented. Commissioner Brenemen seconded. Unanimous decision.

Gabriel Peña appeared to present the records management preservation board grant. Three offices presented applications. The priority is as follows:

1. Circuit Clerk \$19,494.00
2. County Clerk \$10,000.00
3. County Commission \$4,500.00

Commissioner Scalph motioned to approve the above priority. Commissioner Brenemen seconded. Unanimous decision.

Deborah Berry, County Administrator, appeared to present a request from Harry Fuller to use the Fayette County Memorial Building (FCMB) on Sunday, November 12, 2017 for a program to honor US Military

Veterans. Commissioner Scalph motioned to approve the request and Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a Fayette County Fire Levy Pumper Replacement Agreement for the Commission to approve and sign for Meadow Bridge Fire Department. Commissioner Brenemen motioned to approve and sign the agreement. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a proposal from J. Dan Snead and Associates, Inc. in the amount of \$14,950.00 for mechanical, electrical and plumbing design for HVAC renovations at the Courthouse Annex for review and approval. President Wender suggested bidding out the work. Commissioner Scalph motioned to bid out for the architectural services for the Annex HVAC system. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a request from Tally Richmond for an allocation of funds for underprivileged children for consideration. Commissioner Brenemen motioned to allocate \$500.00. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented quotes for removing the antennas, towers and equipment from the FCMB:

Two Way Radio, Inc. - \$5,990.00

Premier Construction Group, LLC - \$6,580.00

Sayre LLC - \$7,450.00

Commissioner Scalph motioned to approve the lowest bid from Two Way Radio, Inc. Commissioner Brenemen seconded. Unanimous decision.

Leadership Fayette County students were present to observe the meeting.

Mayor of Smithers, Thomas Skaggs, Mayor of Montgomery, Greg Ingram and Ann Cavalier, Council Member, appeared to discuss Upper Kanawha Valley Strategic Planning. A request was made to The

Commission for some funds to help Gauley Bridge hire an individual for the UKV Strategic Planning. WVU gave \$50,000.00 to City Montgomery \$25,000.00 to City of Smithers. The request is for 3 years then they hope to be self-sustainable after that. The Strategic Innovative Committee is made up of 8 people and includes the mayors and a councilperson from each city. President Wender asked if the FCC commits, could our money be stretched over 4 years. President Wender asked the Committee to give the Commission some time to discuss the amount they would be willing to commit at a later meeting.

James Blankenship, Attorney, appeared to ask the Commission to reschedule. The property has been sold and his paperwork needs to be redone.

Scott Settle with WV DEP appeared to discuss the Green Rivers, project at Dunloup Creek. It is on property that went through a buyout with NRCS and the county owns it. He asked the Commission to submit a Compatible Use Authorization to NRCS to give WV DEP access to the property. The project is 2/3 of a mile. Andy Davis with Active WV spoke to the value of this project. Commissioner Brenemen motioned to approve the Compatible Use Authorization of Dunloup Creek to NRCS with funds paid by WV DEP pending review and approval of Prosecuting Attorney Larry Harrah and authorized President Wender to sign. Commissioner Scalph seconded. Unanimous decision.

John Stump, Attorney, appeared to conduct a public hearing for Wolf Creek Park TIF at 11:45 a.m. The floor was opened for comments. No public comments were made. The next step will be to get approval from the Development Office then it will come back to the County Commission for final approval. Mr. Stump presented a resolution and order for the Commission to sign authorizing the application for the TIF property. As long as there is no debt service committed to the

TIF funding at year end, monies can be distributed back to the levying bodies. Commissioner Brenemen motioned to approve and sign the resolution and order. Commissioner Scalph seconded. Unanimous decision.

The Commission entered into an executive session regarding a personnel matter at 11:55 a.m.

The Commission reconvened at 12:07 p.m. with no recommendations.

Ms. Berry presented a request from Sheriff Mike Fridley to hire Debbie Pemberton full time to take care of conservator paperwork for the Fayette County Sheriff's Office. Commissioner Brenemen motions to approve hiring Debbie Pemberton as a full time employee for \$24,000.00 per year to fill the position of Conservator Coordinator. Commissioner Scalph seconded. Unanimous decision.

Eric Poiries, Epic Escape Game, appeared to discuss the use of the Fayette County Jail. He presented a handout to the Commission. Mr. Poiries wants to use the County Jail as an escape room. The museum will remain intact. He has a minimum of one theme but preferably two and will need access to the ground floor and preferably the second floor. President Wender asked about County property being used for profit. Mr. Harrah stated it will have to be bid out and cannot be a partnership. Commissioner Scalph mentioned that part of the jail is an operating area with the holding cell and transporting prisoners to the courtroom.

Mr. Poiries is open to using the jail at any time of day, evenings and weekends. President Wender suggested Mr. Harrah, Sheriff Fridley, and Mr. Pories meet with Judge Hatcher regarding this issue. After meeting with Judge Hatcher, Ms. Berry can advertise for use of the jail, then come back to the Commission to decide who will use it

then that party, Mr. Harrah, and Sheriff Fridley will work on a lease. Commissioner Scalph mentioned contacting Fayetteville CVB about their use of the museum.

Ms. Berry presented an order removing the executor for the Estate of David Curtis Lester. The Prosecuting Attorney's Office reviewed the request and approved. Commissioner Brenemen motioned to remove Lynn Tolerance and replace with Fred Newick for the Estate of David Curtis Lester. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented an order for the Estate of Calvin E. Sharp to dismiss claims. Commissioner Brenemen motioned for the charges brought forth be dismissed. Commissioner Scalph seconded. Unanimous decision.

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

FAYETTE COUNTY COMMISSION
REGULAR SESSION
NOVEMBER 3, 2017
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: MATTHEW D. WENDER & JOHN G. BRENEMEN

The Fayette County Commission met in a regular session on this 3rd day of November, 2017.

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

President Wender signed settlements for the estates of Shelby Jean Harler; Mary Frances Frasier; Janet R. Hypes; George Henry Lockman II; Hilda Nuckels Richards; Jean Delores Sharp; Julia Mae McGuire; Earl M. Vickers; Anthony E. Linkous; Michael Wayne Shuck; Michael W. Polk; and Roy Allen Gilmore.

Eddie Young, Assessor, appeared to present personal property exonerations for Glen J. & Linda Carol Anderson \$76.86; Leanna Meredith \$169.86; James V. Calloway \$232.04; Genuine Parts Company \$7,044.56; Cecily A. Dufour \$37.66; Michael Ritter \$55.72; Filomena N. & Murphy Francis McCune \$151.40 and \$76.27; and GB & M Inc. \$165.64. Commissioner Brenemen motioned to approve personal property exonerations. President Wender seconded. Unanimous decision.

Mr. Young presented real property exonerations for Dorothy & Carl Walker \$197.52; Sherry L. McKnight \$256.20; Jennifer Sorrell \$141.42; Loreine Martin \$90.70; Teressa Williams \$194.20; Richard L. Jr. & Donna Boliek \$150.64; and William Joseph etal.. Clairborne \$339.72. Commissioner Brenemen motioned to approve the real property exonerations. President Wender seconded. Unanimous decision.

Mr. Young presented three refunds for Sherry L. McKnight \$124.90; Teresa Williams \$192.92; and Filomena N. & Murphy Francis McCune \$76.27, respectively. Commissioner Brenemen motioned to approve. President Wender seconded. Unanimous decision.

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

Commissioner Brenemen motioned to approve 1st half payroll and release checks on November 15th, 2017. President Wender seconded. Unanimous decision.

Commissioner Brenemen motioned to approve October 13th & October 20th, 2017 minutes. President Wender seconded. Unanimous decision.

Commissioner Brenemen motioned to publish a notice of the readings of the Fayette County Public Nuisance Civil Investigation Ordinance scheduled for November 17th and December 8th. President Wender seconded. Unanimous decision.

James Blankenship, Attorney, appeared to discuss the Estate of Kenneth Jesse James. The current executor, Karen Burt, has agreed to resign and a new executor, Cody James will replace her. Commissioner Brenemen motioned to approve and sign the order to remove Karen Burt as administratrix and assign it to Cody James. Mr. James will have to post an \$8,000.00 bond. President Wender seconded. Unanimous decision.

Andrea Mender, Parks and Recreation Advisory Board, appeared to give an update. Top priorities for the Board are the Memorial Building and the camp area of the park. The Board met with camp directors yesterday to get their opinions of what needs to be updated. Only two camp directors showed up. Plumbing needs upgraded throughout the park; there is standing water in the showers. Park employees are working on it as they can. President Wender suggested Ms. Mender to meet with the Resources Coordinator's office to seek help with grants for the park to fix the plumbing. The Board is also looking at the Park Emergency Plan. The Board met with Okey Skidmore, FCMB manager. They've discussed charging a fee to use the Memorial Building and are looking at upgrades around the building.

Brian Sparks & Andrea Mender appeared to give an update on the WVU Extension office. Mr. Sparks presented the Commission with a handout about upcoming events. Ms. Mender discussed the kids' coupon project. Ms. Mender gave an update on 4-H. There are 6 active 4-H clubs and they are discussing adding a 4-H French club. There were 110 campers at the 4-H camp this summer. Energy Express had 55 kids complete 55% of the program.

A Public Hearing was held for the Early Voting sites for the School Levy Election scheduled for January 20th, 2018. Kelvin

Holliday, County Clerk, appeared to present the sites. Only one site is to be open; the Fayette County Memorial Building in Fayetteville.

Debbie Berry, County Administrator, presented an order for the Commission to sign. The floor was open for public comment. No comments were made. Commissioner Brenemen motioned to accept the FCMB as an Early Voting site from January 5th - January 17th, 2018 from 8:00am - 4:00pm Monday through Friday and 9:00am - 5:00pm on Saturdays. President Wender seconded. Unanimous decision.

A Public Hearing was held for the dissolution of the Arbuckle PSD. The floor was open for comments. Appearing for Minden were Darrell Thomas, Sue Jenkins, Carly Hundley, Jerry W. Lilly, Shelby Johnson and Susan Phinisey. Sue Jenkins spoke for Headwaters Defense and property owners of Minden. She spoke of the PCBs and dumping from the Boy Scout camp. Ms. Jenkins is not in favor of dissolving Arbuckle PSD. Minden owners cannot absorb the cost of a new septic system. President Wender asked Ms. Berry to ask Mr. Hannabass about the issue of dumping from the Boy Scout Camp into a manhole.

Shelby Johnson spoke and asked the Commission to do their own research before they vote and not to rely on other people's research. Jerry Lilly spoke and said the Arbuckle ran effectively and he feels that if maintenance had been done regularly, the plant could have stayed up and running. President Wender spoke regarding the last 17 years and how Arbuckle PSD had been an issue for the County Commission.

Ms. Jenkins spoke about how the PSD could have been maintained and would have been adequate before Oak Hill took over. People in Minden are on limited incomes and can't absorb the costs from Oak Hill's upgrades.

President Wender asked how the plant should be fixed if they decide to not dissolve. General concerns from the audience were: it should be the responsibility of the people who damaged it, the PSD Commissioners; residents should stop paying their water bills; people cannot afford the proposed \$85.00/month bill; some said they would go to the PSD office to pay their bill and were told they were not on the PSD service; there was inconsistent and incorrect billing; and concerns about having a storm water fee when they don't have that service.

Mr. Lilly stated this is due to mismanagement by the PSD Board and office staff. President Wender defended the Commission's choices of the PSD commissioners and asks for closing remarks. Mr. Lilly asked how will Minden afford to pay for the past mistakes of others? And why good, honest people can't be hired to fix the plant for less money than Oak Hill will require to absorb Minden into their system since it will be \$9 million for Minden's portion of Oak Hill fix.

Some in Minden have collection ponds but they are getting charged for storm sewage. They feel that they will be paying for increased service for Oak Hill with nothing for Minden. President Wender stated that the FCC made the PSD and it is their responsibility to dissolve it. Commissioner Brenemen stated that there is no other way to handle this situation for the safety of the residents.

Commissioner Brenemen motioned to dissolve the Arbuckle PSD. President Wender seconded. Discussion was allowed. Ms. Jenkins said that they've been asking for help from before the annexation and nothing was accomplished. She knew the outcome when she walked in the door. The vote was all in favor.

Tyler Bragg, Assessor's GIS Specialist, and Canon Wadsworth and Andy Parker with Global Science Tech (GST) appeared to discuss the

internet issue within the Courthouse. Courthouse offices are having issues with internet connectivity. Primary reason for the internet issues are because of more and more internet base use programs. The Courthouse is only on 10 megabits per second (mbps). GST is here to explain the issue and give options. Mr. Wadsworth with GST spoke about the background of their company with the county. The contract with the State was won by Verizon that was originally won by Frontier. No one serviced by Frontier can upgrade until the transition is complete between Frontier and Verizon which should be up to one year and a half. GST offers the option to connect with a local provider like Suddenlink and pick up mbps. Using the 10 mbps we have now just for the essentials. Another option is Frontier is offering alternative to the state of connecting 100 mbps with Charleston. He recommends the option with Frontier. Five year contract with Frontier is \$919.00 per month. GST is also recommending more protective measures. GST can do an assessment to see how our firewalls hold up and the have something to remedy to any kind of firewall issue. GST can prepare a proposal of what they feel needs to be fixed with in the courthouse. Mr. Bragg said the next step is getting a quote from GST as well as Suddenlink and Frontier. They will come back and present this proposal when completed. Mr. Bragg will work with all offices to make sure we get everything we need.

Larry Harrah, Prosecuting Attorney, presented the deed for Beards Fork Property to the Commission. This property was donated by Wells Fargo then given to SALS. The deed from Wells Fargo to County was recorded in the County Clerk's office. This deed is from the Commission to SALS. Commissioner Brenemen motioned to accept the deed for Beards Fork property to SALS. President Wender seconded. Unanimous decision.

The Commission entered into an executive session regarding a personnel matter at 12:29 p.m.

The Commission reconvened at 12:45 p.m.

Ms. Berry presented a contract with Buren Renick, Assessor's Officer, for retirement that was returned. Commissioner Brenemen motioned to accept the agreement between Mr. Renick and the Commission so he can pay back his portion that is owed to the Assessor Valuation Fund. President Wender seconded. Unanimous decision.

The Commission took a break at 12:50 p.m.

The Commission reconvened at 1:25 p.m.

Ms. Berry presented an order approving election officials for the January 20, 2018 Special School Levy Election. Commissioner Brenemen motioned to approve the order. President Wender seconded. Unanimous decision.

Ms. Berry presented a support letter for a Brownsfield Grant from Gabe Peña. The Commission signed the letter.

Ms. Berry presented an order for the Commission to approve removing William D. Shultz as the administrator of the Estate of Donnie Eugene Pethtel and appointing John C. Bunner, or another appropriate person as recommended by Fiduciary Commissioner Phillip J. Tissue. Commissioner Brenemen motioned to approve and sign the order. President Wender seconded. Unanimous decision.

Ms. Berry presented a drawdown in the amount of \$12,160.65 for Community Corrections for the month of October, 2017. Commissioner Brenemen motioned to approve the drawdown. President Wender seconded. Unanimous decision.

Ms. Berry presented purchasing a new vehicle for the maintenance department. Commissioner Brenemen motioned to allow up to \$8,000.00

to purchase a vehicle for the maintenance department. Ms. Berry will have final approval. President Wender seconded. Unanimous decision.

Ms. Berry presented a draft 2018 calendar. The Commission will review and discuss at the next meeting.

The meeting was adjourned at 1:46 p.m.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
NOVEMBER 17, 2017
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: MATTHEW D. WENDER, DENISE A. SCALPH, JOHN G. BRENEMEN

The Fayette County Commission met in a regular session on this 17th day of November, 2017.

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

Eddie Young, Assessor, appeared to present real property exonerations for Springleaf Home Equity LLC \$802.36 and Kathryn Streletzky \$297.68. Commissioner Scalph motioned to approve real property exonerations. Commissioner Brenemen seconded. Unanimous decision.

Mr. Young presented a refund for Kathryn Streletzky for \$290.24. Commissioner Brenemen motioned to approve refund. Commissioner Scalph seconded. Unanimous decision.

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

Commissioner Scalph motioned to approve 2nd half payroll and release checks on November 30th, 2017. Commissioner Brenemen seconded. Unanimous decision.

Commissioner Brenemen motioned to approve the minutes from November 3rd. Commissioner Scalph seconded. Unanimous decision.

The Commission approved and President Wender signed settlements for the following estates: Barbara J. Korn; Roger Dale Hammontree; Thomas Michael Causey; Lucy Virginia Davis; Marlene Patricia Long; Susie Marie Thompson, James Franklin Thompson; Frank Pino, Sr.; Sharon Sue Cavendish AKA Sharon Sue Crawford; John Thearon Jarrett; Corrine Humphrey; Dora J. Conner; and Yvonne Annette Leffel.

James Blankenship, Attorney, appeared to submit an abandoned street application. This is the first step to the two-step process. Mr. Blankenship presented the Commission with an order. Commissioner Scalph motioned to approve the order. Commissioner Brenemen seconded. Unanimous decision.

Lesley Taylor, Region 4 Planning & Development, appeared to present Kanawha Falls PSD Resolution #31: Construction - \$3,780.00; Engineering - \$2,040; totaling \$5,820.00. Commissioner Brenemen motioned to approve Resolution #31. Commissioner Scalph seconded. Unanimous decision.

Amanda Smarr, Region 4 Planning & Development, appeared to hold a public hearing and present a Memorandum of Understanding for a broadband grant application. The floor was opened for comments. No comments were made. Commissioner Brenemen motioned to approve the application and the MOU and authorize President Wender to sign. Commissioner Scalph seconded. Unanimous decision.

Deborah Berry, County Administrator, presented five Combine or Divide and Segregate Land orders for Kenneth R. & Rose C. Craddock; James & Thelma Mullins; Donald E. Jr. & Virginia Ramsey; and Robert M. & Martha Ann Vance; and Judith Ann Huckoby, respectively. Commissioner

Brenemen motioned to approve the orders and authorize President Wender to sign. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a lease agreement between the Fayette County Commission and the Fayette County Board of Education (BOE) for use of the Fayette County Soldiers and Sailors Memorial Building (FCMB). President Wender suggested that a letter be sent to the BOE to let them know we would like to have a discussion regarding the lease agreement rent amount. The current amount is several years old. Commissioner Scalph motioned to approve and sign the lease agreement. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a letter to the WV Supreme Court of Appeals requesting the reimbursement of rent for the Family Law Judge for the month of December, 2017 in the amount of \$3,375.00 for approval and signatures. Commissioner Brenemen motioned to approve and sign the letter. Commissioner Scalph seconded. Unanimous decision.

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

Ms. Berry presented the invoice for the Special Road Bond Election in the amount of \$72,824.70 for reimbursement from the state. Commissioner Brenemen motioned to approve the invoice. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented ARC Healthy Places for Healthy People Implementation Grant documents prepared by Gabe Pena for signatures. Commissioner Scalph motioned to approve and sign the documents. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a request from the Women's Resource Center to use the FCMB for a Lip Sync Battle fundraising event on April 7, 2017.

Commissioner Scalph motioned to approve the request. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a request from Richard A. Smith, Jr., President of the Ben Argento Basketball League, to use the FCMB from November, 2017 through March, 2018. Commissioner Brenemen motioned to approve the request. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented an invoice for the Law Enforcement Memorial. Commissioner Scalph motioned to pay the invoice from Coal Severance. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a WV CFIA 2016 Grant final drawdown for stone and masonry repair in the amount of \$6,452.80 for President Wender to sign. Commissioner Brenemen motioned to approve and authorize President Wender to sign. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a recommendation from Renee Harper, Fayette County Park Director, to approve employment of Charity Wysong for the office assistant position at the park. Commissioner Scalph motioned to approve the employment of Charity Wysong, starting at \$10.00 per hour with a 6 month probationary period. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a request from the Town of Fayetteville Decorating Committee to decorate some of the Courthouse for Christmas. Commissioner Scalph motioned to approve the request. Commissioner Brenemen seconded. Unanimous decision.

Monty Warner, YMCA, appeared to receive a check from the Commission for an allocation to the Montgomery YMCA. The amount was \$25,000.00.

Ms. Berry presented for discussion holding a public auction of county owned property. Ms. Berry will research holding an online auction to be scheduled in the spring.

Ms. Berry presented the 2018 holiday list for approval. Commissioner Brenemen motioned to approve the 2018 holiday list. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented the Fayette County Commission calendar for 2018 for approval. Commissioner Scalph motioned to approve the 2018 calendar. Commissioner Brenemen seconded. Unanimous decision.

Discussion was held on the UKV Strategic Planning request. Comprehensive plans are being made within each town - Gauley Bridge, Smithers, & Montgomery. The request in a prior meeting was for the Commission to allocate funds on behalf of Gauley Bridge. Smithers and Montgomery are putting in \$75,000.00 together. Gauley Bridge is not able to submit on their own. Commissioner Brenemen spoke on Mayor Grose's behalf. Mr. Grose does have reservations about where the new hire would be housed; he feels it should be a neutral location. The other two mayors do not agree. Commissioner Scalph stated she's not comfortable at this time contributing to this cause. This decision was continued until December 15th, 2017. President Wender will speak to the parties involved.

Mike Callahan, Attorney, appeared for a first reading of the Fayette County Public Nuisance Civil Investigation Ordinance. A summary of the ordinance is read by Prosecuting Attorney, Larry Harrah. The floor was opened for public comments. No comments were made. The next reading will be on December 8th at 9:30 am. The Commission will make a decision at that time.

Ms. Berry presented a request from Epic Escape Room and Eric Pories to use the Fayette County Jail. A meeting will be set up for

Mr. Pories, Judge John Hatcher, Prosecuting Attorney Larry Harrah and Sheriff Mike Fridley to discuss this request.

Ms. Berry presented a resolution for the renewal of the Shenandoah Cable Television Franchise Agreement for 15 years. Mr. Harrah stated that the County cannot enter into an agreement for more than a year. Ms. Berry will research. Discussion was tabled.

The Sheriff's Office requested to extend the deadline for the shooting range until December 5th. All four engineering offices have requested extra time. Commissioner Brenemen motioned to extend the proposals for the shooting range and training facility until Dec 5th. Commissioner Scalph seconded. Unanimous decision.

The Commission entered into an executive session at 11:04 a.m. regarding a personnel matter.

The Commission reconvened at 11:50 a.m.

Deliberation and decision was held regarding the Mountain Valley Pipeline (MVP). No additional testimony was taken. President Wender mentioned that many forms of correspondence were received by the Commission since the last hearing. The Commission was holding their decision until WVDEP and FERC made rulings. President Wender asked Tim Richardson, Zoning Official, to present the Planning Commission decision again of case Z-525-17-1. The Planning Commission recommendation was 7 for and zero against to approve the request.

President Wender noted that MVP prepared a finding of facts stating that our Comprehensive Plan included items that were supportive of the proposal.

President Wender explained the process of the vote. If the vote is to proceed with the project, the Commission will not need to provide a finding of facts. If the vote is to oppose the project, it is required that the Commission provide a basis that validates the

Commission's decision as it relates to the Comprehensive Plan.

President Wender asked Prosecuting Attorney Larry Harrah if there was anything that should be altered and Mr. Harrah stated that everything was correct.

President Wender called for a motion. Commissioner Scalph motioned to not approve the rezoning of the parcels and properties. Commissioner Brenemen seconded. Additional discussion was allowed. None was offered. Unanimous decision. President Wender then called for each Commissioner to comment on their decisions individually.

Commissioner Brenemen stated that they were tasked to see if this met our Comprehensive Plan. Our Comprehensive Plan states that Meadow Bridge is a rural community and has a huge presence in farming, agriculture and needs to be kept in that form. As far as what the Commission was tasked with, the request does not meet the current plan. The Danese/Meadow Bridge community feels that there will not be enough full-time permanent (more than 3 years) jobs created to meet the needs of their community. They stated the pipeline was not the issue; the issue is the pumping station.

Commissioner Scalph stated the Comprehensive Plan was carefully developed to identify areas which are suitable for various types of development, and those that are not. It helps maintain and enhance quality of life for current and future residents. It is a good steward and ethical guideline to achieve balance between nature and commerce in Fayette County. The heavy industrial districts are identified as US 19 between Mt. Hope and Hico and US 60 between Gauley Bridge and Montgomery. Definitions of these districts help to prevent outward sprawl of development and preserves the open character of Fayette County. Danese and Meadow Bridge are designated as rural residential and agricultural and this area is the second largest

conservation district in the county. Section 11 states that when conflicts develop regarding categories, the more specific and restrictive category should prevail. The majority of the residents have made it clear that they are strongly opposed to rezoning and reclassification. The Commission is charged to protect the land and the quality of life of its residents. Due to research on land use and compatibility, Commission Scalph had to vote no.

President Wender stated that the purpose of land use planning is to allow community leaders and residents to control land use decisions to ensure that developments are aligned with the long term vision for the growth of the community. Chapter 5 describes the specific goals of the Comprehensive Plan as to protect scenic vistas, farmland, environmental quality, and the overall rural nature of the countryside in Fayette County from the interests of developers who might devalue these assets for the sake of private profit. The Commission recognizes the need to expand the tax base in order to afford providing services to residents. The Comprehensive Plan defines the types of developments and where they can be located to remain consistent with the county's vision. Fayette County values sustainable economic development and the Comprehensive Plan emphasizes a land stewardship ethic to guide environmental ethic land development in the county. The current trajectory of development in the county is focused on advancing agriculture, tourism, light industry and telecommuting. Low impact development provides locally owned businesses that keep financial resources here in our communities, entrepreneurship that leverages the ingenuity of our people, protection of our natural and outdoor recreation resources, preservation of the beauty of our landscape, and maintains a peaceful, rural way of life. MVP has argued that the Stallworth Compressor

Station is consistent with these goals but their evidence is inadequate and relies on permits from state and federal agencies who do not have a strong track record of protecting local communities. The economy of Fayette County has historically included some industrial jobs primarily in the mining sector, and this is mentioned in the plan. Natural resource extraction, however, is not emphasized as a sector for long term economic growth and Chapter 7 details the need to retrain workers and transition to a service and tourism based economy. The Comprehensive Plan indicates that industrial and commercial development be concentrated along US 19 and US 60 to protect the rural and open character of the landscape in the rest of the county. As such, the Danese and Meadow Bridge district was zoned primarily for rural residential and land conservation. Specific community goals for identified by residents of these areas are articulated in each chapter of the plan. Chapters 6 and 7 address commercial and economic development. Residents of this community are primarily concerned with maintaining their peaceful surroundings, preserving the environmental and aesthetic quality of the district, obtaining adequate retail and emergency services to meet the needs of local residents. There is a need for jobs in the district, and opportunities to develop agriculture, retail and services, and amenities for tourists are identified as priorities. Emphasis is placed on locally owned businesses and services and recruiting retirees and telecommuters who want to enjoy the peaceful surroundings and natural beauty. An industrial development project that creates zero jobs is not consistent with the long term vision for the Danese/Meadow Bridge Planning District as described in the Comprehensive Plan. Lack of emergency services, police and fire protection is another major concern of the people in this district.

The Comprehensive Plan states that these issues must be kept in the forefront when considering rezoning requests. MVP insists that compressor stations are safe, but provided no site-specific emergency planning documents or any related information on a worst case scenario explosion during the Planning Commission review period. For these, and other reasons, President Wender felt it was incumbent upon him to vote no on the request.

President Wender stated that this is the conclusion of the process. He thanked all of those involved in the process for their time. Mr. Harrah added that the findings will need to be reduced into a single document and presented to MVP.

The Commission entered into an executive session at 12:27 p.m.

The Commission reconvened at 1:20 p.m.

Actions by the County Commission and County Clerk were determined and the matter was closed. Kelvin Holliday was present for this discussion.

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

FAYETTE COUNTY COMMISSION
REGULAR SESSION
DECEMBER 08, 2017
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: MATTHEW D. WENDER, DENISE A. SCALPH, JOHN G. BRENEMEN

The Fayette County Commission met in a regular session on this 8th day of December, 2017.

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

Eddie Young, Assessor, appeared to present real property exonerations for Lawrence & Carla Bryant \$21.52; Linda K. Martin

\$229.82; Dean A. & Kerri L. Shrewsberry \$200.26 and \$189.24; Anthony Maurice Bell \$132.20 and \$133.74. Commissioner Scalph motioned to approve real property exonerations. Commissioner Brenemen seconded. Unanimous decision.

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

Commissioner Scalph motioned to approve 1st half payroll and release checks on December 15th, 2017 and approve 2nd half payroll and release checks on December 29th, 2017. Commissioner Brenemen seconded. Unanimous decision.

Commissioner Brenemen motioned to approve November 17th, 2017 minutes. Commissioner Scalph seconded. Unanimous decision.

Estate settlements were signed for Drema June Ashley; Crystal Dawn Holliday; James Edward Pack; George R. Masters; Lewis Edward Ramsey; Ramona C. Huffman; David William Vickers, Sr.; Goldie Marie Wright; Vernon Randolph Smith; Cynthia Naomi Smith; Thelma Naomi Allport; Donald Bryant Garrett; Gary Rexford Richmond; and Ambrose Bryan. Commissioner Scalph motioned to approve settlements. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented the resolution approving the renewal of the Shenandoah Cable Television Franchise agreement. The resolution previously said 15 years, however the Commission decided to approve only 5 years. Commissioner Brenemen motioned to approve the resolution. Commissioner Scalph seconded. Unanimous decision.

The 2nd reading of Fayette County Public Nuisance Civil Investigation Ordinance was held. Commissioner Scalph read an overview of the ordinance. Commissioner Brenemen motioned to take up

the matter of this ordinance on December 15th. Commissioner Scalph seconded. Unanimous decision.

Discussion was held on the UKV Strategic plan request that was continued from the last meeting. The decision was continued again until President Wender can speak with all three mayors and come up with a plan they all agree on before the Commission will decide if they are willing to contribute.

Commissioner Brenemen motioned to approve the Combine or Divide and Segregate Land for Ralph E. Davis and Carl T. Murray, respectively. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented an order appointing Anthony Ciliberti, Jr. to serve as Special Fiduciary Commissioner in the estate of William Lee Shepherd for the Commission to approve and sign. Attorneys James Blankenship, Phil Tissue and Paul Clay resigned due to conflicts of interest. Carla Atha, Probate Officer, will call Mr. Ciliberti and others to see if there is a conflict of interest. Commissioner Brenemen motioned to approve the appointment. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a WV State Agency for Surplus Property application for renewal. Commissioner Scalph motioned to approve the application. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a drawdown request for the Community Corrections Grant for the month of November, 2017 in the amount of \$11,016.09 for approval and signature of President Wender. Commissioner Brenemen motioned to approve and authorize President Wender to sign the drawdown. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a letter from the Fayette County Board of Zoning Appeals requesting the reappointment of William Light.

Commissioner Scalph motioned to approve the reappointment.

Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a request from Stephanie Wenning, OSC with the US EPA Region III to enter county owned property Parcels 52 and 176 (Shaffer Equipment Company Site) in Minden for further testing during the week of December 11, 2017. Commissioner Brenemen motioned to approve the request. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a WV Courthouse Facilities Improvement Authority 15th Cycle Funding paperwork for approval and signature of President Wender. Commissioner Scalph motioned to approve and authorize President Wender to sign. Commissioner Brenemen seconded. Unanimous decision.

Adam Strider, Attorney with Miller & Amos appeared to discuss the adjustments made to the personnel manual. Mr. Strider reviewed the changes that were made.

Discussion was held on the proposals submitted for the new shooting range and training facility design and construction. President Wender suggested a committee of Sheriff Fridley, Ms. Berry & Commissioner Brenemen and requested a decision be presented at the January 5, 2018 meeting. Two bids were opened: S & S Engineer Corp & Terradon. The bids were given to Ms. Berry to distribute to those involved with the review. Mike Moore, a citizen from around the area of the proposed shooting range appeared to speak to the Commission. He and other neighbors have concerns of the noise level and concerns for devaluation of their property. Sheriff Fridley stated that there are things we can do to help with the noise. He also stated that the range will not be used every day. They have to qualify all deputies twice a year, in daylight and low light. Sheriff Fridley is willing

to work with neighbors and keep them in the loop of when things will take place on the range.

Adam Hodges appeared to present an easement for the White Farm. NRCS has agreed to fund the property at \$2,100.00 per acre. The cost will be shared 50/50 between Farmland and NRCS on most of the property; 152 total acres that are cleared. NRCS will not contribute to the 74 acres which are not cleared. Mr. Hodges submitted a handout for the Commission to review. Commissioner Scalph motioned to approve the request presented by the Farmland Protection Board to proceed with the conservation of 152 acres on the White Farm with NRCS. Commissioner Brenemen seconded. Unanimous decision.

Mr. Hodges presented a resolution for the Commission to sign supporting legislation giving permission to develop ATV trails in Fayette and neighboring counties. Commissioner Brenemen motioned to sign the resolution supporting legislation that would allow development of an ATV trail with 4 other counties. Commissioner Scalph seconded. Unanimous decision.

Tyler Bragg, GIS Specialist with the Assessor's office, appeared to discuss the Courthouse complex internet. Mr. Bragg presented a handout for the Commission to review. Global Science Technologies (GST) gave 2 options to fix the internet problems. Mr. Bragg will speak with GST regarding these options and ask some questions for the Commission and report back on December 15th.

John David, SALS, appeared to request funds from the Commission for a sprinkler system in the Old Oak Hill School Building.

The Commission requested that Mr. David write to the State Fire Marshal's office and ask if doing this first phase of \$50,000.00 will allow them to operate this summer. Commissioner Brenemen motioned to approve \$10,000.00 for a sprinkler system based on two contingencies.

1. SALS getting a letter from the state fire marshal's office stating the extent of the work and cost and 2. SALS raising money between FCC allocation and what the actual cost to get permission from Fire Marshal's office to operate next summer. Commissioner Scalph seconded. Unanimous decision.

The Commission entered into the executive session at 2:53 pm to seek legal counsel.

The Commission reconvened at 3:29 pm. Commissioner Scalph motioned to authorize the Lawyer to handle settlement negotiations as was discussed within the executive session. Commissioner Brenemen seconded. Unanimous decision.

Commission received another bid from SLS land and energy development for the shooting range at 2:05 p.m. It did show up within the time frame and will be considered.

Ms. Berry presented a quote for the furnace at the Belinda Morton property. This was tabled until December 15th meeting.

Ms. Berry presented a completion Project Letter for a CFIA 13th Cycle Grant for approval and signature by President Wender. Commissioner Wender signed the letter.

Ms. Berry presented proposals from engineering Architect for heating and cooling equipment for the Courthouse Annex.

ZMM Architects and Engineers - \$18,700.00

Dan Snead/Harper Engineering \$14,950.00

Mike Moore, Silling Architects - Did not provide a quote due to the nominal amount allocated by the county for this project.

Commissioner Brenemen motioned to approve the low bid - Dan Snead/Harper Engineering for \$14,950.00. Commissioner Scalph seconded.

Ms. Berry presented to hold an online auction of county owned items and vehicles. Commissioner Scalph motioned to approve holding an online auction. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented the 2018 calendar for revisions if necessary. None were stated, however another meeting might be added in November, 2018.

The meeting was adjourned at 3:45 p.m.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
DECEMBER 15, 2017
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: MATTHEW D. WENDER, DENISE A. SCALPH, JOHN G. BRENEMEN

The Fayette County Commission met in a regular session on this 15th day of December, 2017.

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

Eddie Young, Assessor, appeared to present personal property exonerations for Austin S. & Kristin N. Adkins \$926.38; Revelation Energy LLC \$6.40; George D. & Nancy R. Pritt \$220.56; Tracey D. & Terry A. Horrocks \$229.42; Carrie J. Miller & Brian W. Vance \$251.34 & 168.38. Commissioner Brenemen motioned to approve personal property exonerations. Commissioner Scalph seconded. Unanimous decision.

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

Commissioner Brenemen motioned to approve December 8th, 2017 minutes. Commissioner Scalph seconded. Unanimous decision.

Estate settlements were presented for Delbert F. Adkins; Maggie R. Elswick; Marsha Rose Smith; Frank M. Durham; Vicki Lynn Woodrum; Jane Graham Lawson; Wallace Jack Dillon; John Philip Wilkes; and Eugenia Mae Fisher. Commissioner Scalph motioned to approve and authorize the estate settlements. Commissioner Brenemen seconded. Unanimous decision.

Deborah Berry, County Administrator, presented a Budget Revision for the General School Fund for approval and signatures. Commissioner Brenemen motioned to approve the budget revision. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a transfer for General School Fund to the Fayette County General Fund in the amount of \$91,751.89. Commissioner Brenemen motioned to approve and sign the transfer order. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented for discussion adding an additional County Commission meeting in November 2018. The Commission agreed to hold an additional meeting on November 30, 2018.

Ms. Berry presented quotes for a furnace for the Belinda Morton property. Three quotes were received:

Casto Technical Service	
Replace blower -	\$1,027.10
Replace furnace -	\$3,615.70
4 ton HVAC split system -	\$6,701.20
that includes the outdoor	
condensing unit, evaporator	
coil and furnace	
Miller & Sons Heating & Cooling	
Furnace -	\$2,700.00
Furnace & AC unit -	\$4,295.00
Camco	
Furnace replacement -	\$3,350.00
Furnace & AC replacement -	\$6,550.00
Deduct \$600.00 if -	\$5,950.00
installed together	

Commissioner Scalph motioned to approve the quote from Miller & Sons to replace the full HVAC system in the Morton property for \$4,295.00. Commissioner Brenemen seconded. Unanimous decision.

Brenda Troitino, Mt. Hope Heritage & Hope, appeared to request funding for a roof repair at the Old Mt. Hope High School. The Mt. Hope Heritage and Hope, Inc. requested \$3,000.00. This is just a portion of the whole gym roof. To complete the rest is \$7,500.00. President Wender suggested holding off on the \$7,500.00 request until budget time in March. Steven Maynard with Maynard Construction is the low bid. Commissioner Scalph motioned to approve the \$3,000.00 request for roof repair and Commissioners requested a written guarantee from the construction company. Commissioner Brenemen seconded. Unanimous decision.

Tyler Bragg appeared to discuss the courthouse internet. Mr. Bragg spoke with Global Science Technologies (GST) regarding the questions the Commissioners had: would it be a bad decision to go with Suddenlink with a one year contract instead of a 5 year contract with Frontier so we can allow time for the state contract to be transferred over to Verizon? The Commission would be responsible to purchase the hardware for the security firewall. Roughly \$1,500.00. Commissioner Scalph motioned to approve the 150 mbs with Suddenlink and renewal percent is no more than 10% more than what FCC is already approving and approve the contract total support "No excuses" quote with GST. Suddenlink Service \$229.95 per month and GST Support for \$1,300.00 per month. Commissioner Brenemen seconded. Unanimous decision.

James Blankenship, Attorney, appeared to discuss abandoning an alley owned by Timothy & Lori Jones in Kanawha Falls. Mr. Jones was present. Annie L. Clark, Janice Darnold, James Keglors, Adam Keglors, Kari Keglors and Tim Foster appeared in opposition of the abandonment

of the alley. Ms. Clark and Ms. Darnold wrote letters to the Commission before the meeting. Ms. Blankenship stated that the alley lies completely within the boundaries of the property of the Jones' and there is no reason for anyone to need to use the alley. Mr. Jones owns adjoining properties by the alley and would like to consolidate his properties. The alley is grass, unapproved and unnamed. Mr. Blankenship sent letters to those living on the street as a courtesy.

There was an incident with a trailer owned by Mr. Jones parked in the alley and it blocked access to the alley. Mr. Jones was asked to move it so the others could pass, and he did.

Mr. Jones addressed the Commission and stated he plans to consolidate the properties purchased at the same time, in hopes of owning from the street to the river. Mr. Jones stated the previous owners were attempting to obtain an abandonment before he purchased the properties.

Ms. Clark addressed the Commission with her concerns. She stated that in her 59 years living in her residence, everyone has always used the alley. Ms. Clark stated that the alley was probably laid in the early 1900s. Ms. Clark stated that the alley is used as an emergency exit for the residents when their road is closed (floods, utility work...) and she uses it daily to walk.

Discussion was held regarding how much vehicle traffic the alley received in the last 5 years. Ms. Darnold states she and others have used it for 4-wheeling. Ms. Clark refrains from stating if she uses it for vehicular traffic.

Mr. Foster appeared to speak. His family uses the alley to access events on the back lot and uses it for 4 wheeling. This alley is the only way to access his back lot with his pig roaster and large lawn mower. Mr. Foster uses it for recreational vehicles regularly.

Mr. Keglors uses the alley regularly for recreation vehicles, also. Mr. Keglors stated it isn't possible to use the hard roads to move his 4-wheelers.

Mr. Harrah asked if it is grass or gravel and who maintains the alley. Someone stated it is grass and someone at the end of the road mows it.

President Wender asked Mr. Jones his thoughts after hearing his neighbors' concerns. Mr. Jones stated that the neighbors will still be able to drive 4-wheelers and mowers through without any problem. President Wender asked what is the difference between leaving it an alley way or abandoning it. Mr. Jones stated that the alley is the only good area on the property for parking and the alley is literally in his front yard. Mr. Keglors again mentioned the trailer and not wanting to be obstructed by vehicles parked in the alley.

President Wender asked Mr. Harrah if there was any legal advice to be given. The residents are not landlocked. Ms. Keglors stated that they plan to buy a back lot to build a house, which would force an easement by necessity.

Commissioner Scalph clarifies that this is not a public thoroughfare, that it is only used by the immediate residents for private use.

President Wender asked Mr. Blankenship if the ditch line can be abandoned and turned into a road since it does not serve a purpose and would allow access to the back lots. The residents all agree that it would be best for the Commission to visit the site in person. This would cause a problem for drainage. The Commission agreed to visit the property with Mr. Keglors and Mr. Blankenship and Mr. Jones will be informed of the time as well. It will remain an alley and the Commission will revisit the subject after the site inspection.

Mr. Blankenship then appeared as Fiduciary Commissioner and presented an appraisal error for the estate of John G. Dempsey. Commissioner Brenemen motioned to accept the change order from the sum of \$1,882,000.00 to the sum \$261,000.00 for the level of the surety bond for the estate of John G. Dempsey. Commissioner Scalph seconded it. Unanimous decision.

Mr. Blankenship presented an order dismissing claims of access by Belinda Tygrett due to lack of posting a bond in the estate of Vernon Ray Tygrett. Commissioner Brenemen motioned to approve the recommendation of the Fiduciary Commissioner and sign the order. Commissioner Scalph seconded. Unanimous decision.

Mike Callaghan, Attorney, appeared regarding the Public Nuisance Civil Investigation Ordinance. Roger Hanshaw, Attorney, appeared from Bowles Rice for the WV Independent Oil & Gas Association. Letters were received from the trial counsel and the oil and gas associations. Mr. Callaghan gave an overview of the contamination in Fayette County and of the ordinance. Mr. Harrah adds that we are just trying to clean up the county. Discussion was held regarding the previous ordinance and how this new ordinance will function and how it differs from the previous ordinance. Mr. Callaghan states this ordinance is fine constitutionally.

Mr. Hanshaw appeared to speak for his clients after speaking with Mr. Callaghan and Mr. Harrah. WVIOGA's principal concern is that the ordinance not paint the county in a light that deters investment from the oil and gas companies.

President Wender asked Mr. Harrah to convene interested parties regarding a possible amendment to clarify the meaning of the ordinance to land abuse which happened pre-law.

President Wender stated that there have been 2 readings and 2 public hearings of the ordinance. Commissioner Scalph motioned to approve the Public Nuisance Civil Ordinance with an understanding that discussions will be held at a later date for clarification which will be presented as an amendment. Commissioner Brenemen seconded. Unanimous decision.

The Commission recessed for the holiday gathering at 11:30 p.m.

The Commission reconvened at 12:05 p.m.

Mrs. West Virginia, Marty Rae Walker appeared to present to the Commission about her platform of agriculture and her career with the Southern Conservation District.

The Commission presented Mrs. Walker with their inaugural Certificate of Honor for her dedication to the agriculture, natural resources and love of her home state through her reign as Mrs. West Virginia, 2017.

The meeting was adjourned at 12:41 p.m. to hold a Legislative Regional Roundtable from 1:00 to 4:00 p.m. with Commissioners from Braxton and Nicholas Counties, as well as Delegate Tom Fast and Vivian Parsons and Jennifer Piercy of the County Commissioners' Association of WV.

FAYETTE COUNTY COMMISSION
SPECIAL SESSION
DECEMBER 29, 2017
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: MATTHEW D. WENDER, DENISE A. SCALPH, JOHN G. BRENNEMEN

The Fayette County Commission met in a special session on this 29th day of December, 2017.

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

Discussion was held regarding a Tax Increment Financing (TIF) District for Wolf Creek Park. Others in attendance were Assessor Eddie Young, Attorney John Stump from Steptoe & Johnson, Fayette County URA Chairman Mike Smith and member Jeff Proctor, and Fayette County Resource Coordinator Kelly Jo Drey.

Commissioner Scalph motioned to sign an order approving and creating a new tax increment financing district in Fayette County, West Virginia to be known as "Fayette County TIF District No. 1 (Wolf Creek Business Park)"; approving the Fayette County TIF District No. 1 (Wolf Creek Business Park) Project Plan, as approved by the West Virginia Development Office; establishing a tax increment financing fund and providing for other matters in connection within. Commissioner Brenemen seconded. Unanimous decision.

The meeting was adjourned at 10:00 a.m.