

FAYETTE COUNTY COMMISSION
REGULAR SESSION
JANUARY 4, 2019
COURTHOUSE

FAYETTEVILLE, WV 25840

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

The Fayette County Commission met in a regular session on this 4th day of January, 2019.

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

Debbie Berry, County Administrator, presented an order regarding the Organization of the County for 2019. Ms. Berry read the order. Commissioner Brenemen nominated Denise A. Scalph for president. Commissioner Scalph seconded. Unanimous decision. President Scalph nominated John G. Brenemen for purchasing agent. Commissioner Louisos seconded. Unanimous decision. Commissioner Brenemen nominated Ruth Lanier as Assistant Purchasing Agent, and motioned to authorize Deborah A. Berry, County Administrator, Renee Harper, Park Director, Joe Crist, Fire Coordinator, and Kevin Walker, OEM Director, to make purchases up to \$600.00 without prior County Commission approval for the year 2019. Commissioner Louisos seconded. Unanimous decision. Commissioner Brenemen motioned to approve and sign the organizational order. Commissioner Louisos seconded. Unanimous decision.

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

Estate settlements were presented for Fred Odell Berry; James Ralph Criniti; Albert Daniel Boothe; William Lovette Turner, Sr.; Danny Jay Skaggs; Marvin Gerald Higginbotham; Marlene Gertrude Price;

Charles Edward Bennett; and Iva June Skaggs. Commissioner Brenemen motioned to approve the estate settlements. Commissioner Louisos seconded. Unanimous decision.

Carla Atha, Probate Clerk, was present to explain estate settlements. Estates take a minimum of four months to close. A settlement is the part completed by the estate administrator. A will is required to be presented within 30 days, but that does not always happen. Some may stay open due to law suits, annuities, etc...

Ms. Atha presented the settlement for the Charles Edward Bennett estate that Tom Ewing was originally assigned as curator. James Blankenship, Fiduciary Commissioner, requested the estate be closed. Amounts were assigned to two claims that were more than the total amount of the estate. The estate needs to be closed as there is no more money available. Commissioner Brenemen motioned to approve the order on the Estate of Charles Edward Bennett. Commissioner Louisos seconded. Unanimous decision.

Ms. Atha presented a letter from Judge Tom Ewing regarding the Freddy Dennler estate. Judge Ewing has resigned as Special Fiduciary Commission due to being appointed as Circuit Judge. Ms. Atha spoke with Attorney John F. Hussell, IV, Charleston, who has previously presided in other Fayette County estate cases. Commissioner Brenemen motioned to approve Mr. Hussell to take over the Freddy Dennler estate. Commissioner Louisos seconded. Unanimous decision

William Hughes, Mayor of Pax presented information regarding their water and sewer issues. Pax has a bank erosion problem that resulted in a major water leak. Approximated 100 feet of line was

exposed due to erosion. Their review indicates they can move approximately 300 feet of the line. The larger problem is bank erosion in the whole area affecting residents. There is a potential for landslides in the area. The erosion problem is also encroaching on the sanitation system. CSX has repaired some of the erosion problem. Mayor Hughes also spoke with Department of Highways and they replied it is outside of their right of way. Town of Pax is responsible for 50% of cost along with Soil Conservation Association and needs \$3,171.00 for a temporary fix. Commissioner Brenemen motioned to approve a \$3,171.00 allocation to the Town of Pax to address water and sewer line issues. Commissioner Louisos seconded. The Town of Pax will provide and itemized accounting of invoices paid and copies of checks written. The County will include a copy of the expense breakdown with the check copy for our records. Unanimous decision.

Ali Mitchell, representative from Senator Manchin's office, offered to perform a Congressional inquiry to agencies involved to assist and perhaps get a better solution to the problem.

Assessor Eddie Young presented information to the Commission as an overview on county taxes and explained the Assessor's job.

Ms. Berry presented 2 Combine or Divide & Segregate Orders for Tammy L. & Lawrence L. Thompson and Rita F. Campbell, respectively. Commissioner Brenemen motioned to approve and sign the orders. Commissioner Louisos seconded. Unanimous decision.

Ms. Berry presented letters to Assessor Eddie Young and Prosecuting Attorney Larry Harry, and a legal for approval setting

dates for 2019 Board of Equalization and Review Hearings. Commissioner Brenemen motioned to approve schedule. Commissioner Louisos seconded. Unanimous decision

Ms. Berry presented an order for approval and signature of the Commission advising that effective January 1, 2019 the rate of reimbursement set by the U.S. General Service Administration (GSA) for mileage allowance will increase to fifty-eight cents (58) from fifty-four and one half cents (54.5) per mile. Commissioner Brenemen motioned to accept and sign the order. Commissioner Louisos seconded. Unanimous decision

Ms. Berry presented a Fayette County Fire Levy Pumper/Ladder Replacement Agreement for approval and signature of the Commission for Town of Fayetteville Fire Department. Commissioner Brenemen motioned to approve and sign the contract. Commissioner Louisos seconded. Unanimous decision

Bill Wells, President of New River Trail Alliance and Billy Strasser, Project Manager for ARC Grant, appeared for discussion regarding an MOU for trail maintenance. Mr. Wells stated that the NR Trail Alliance covers 6 counties. They are trying to develop and construct a regional trail system and have received grants totaling approximately \$2 mill. John Tuggle from Region IV is also involved. The MOU sets out ownership and maintenance responsibilities. The vision is that government entities have ownership and maintenance responsibilities. Prosecuting Attorney Larry Harrah stated that when discussing maintenance, the county does not have the capability to perform heavy maintenance. Mr. Wells stated that most of the trail

will initially be a dirt surface. Major maintenance would include fixing a culvert that washes out, and maybe freshening up gravel. Mr. Wells said that the Trail Alliance will perform the title work and the trail would be transferred as a right of way to county or fee basis to county. The Commission requested follow-up information and an adjustments to the MOU for their next meeting.

A public hearing was held on the Anti-Tethering Ordinance. Mr. Harrah asked if there has been any consideration as to how this is any different from existing laws which already address adequate food, water, and shelter. Mr. Harrah doesn't see where this is going and how it is any different from what is already in place under current law. President Scalph stated that this is creating redundancy based on what is already in place. There is new legislation regarding Winston's Bill which gives authority to counties regarding what can be done to offenders.

Commissioner Brenemen, in light of this information, motioned to table this until the legislature has time to address Winston's Bill. Commissioner Louisos seconded. The Commission called for comments. Kathryn Gerancer, New River Humane Society President, stated this bill addresses specific requirements as to how an animal should be cared for; no log chains, proper collars. Commissioner Louisos asked if she was saying law enforcement does not understand adequate. Ms. Gerancer stated that adequate is subjective. President Scalph stated that all parties agreed this was discretionary. There are some who cannot afford to have an expensive shelter and specific footage, etc.. which does not mean they are not good to their animals. If you start

putting too many restrictions on people with good intent, there will be unintended consequences. The ordinance has not been completely thought out. Mr. Harrah suggested tabling it for later discussion. There is no problem waiting until the legislature has discussed it. Sheriff Fridley has assigned a deputy for animal cruelty. WV Code 61-8-9H covers cruelly tethering or chained animals. When you have the right person in place it will take care of the issues. A lot of this is already covered. Ms. Gerancer stated they see many that are living on a chain without shelter. Sheriff Fridley stated he had a dog that had to be chained because he could climb the fence. There are people on both sides of the issue. WV Code defines they must be out of the elements, out of the weather, inside something enclosed. President Scalph stated we need to hold further discussion. The decision has been made to table this discussion. President Scalph admires the NRHS's follow through, however the Commission must make it work as well. President Scalph reminded that a motion was made to table with further research regarding legislation and definition. She commended the Sheriff for dedicating a deputy to this issue. Mr. Harrah stated the County does a fairly good job addressing this when it comes up. Commissioner Louisos seconded. Unanimous decision.

The Commission recessed briefly to meet with Judge Blake regarding extra space on the 3rd floor.

Ms. Berry presented a letter from Bill Lanham, Fayetteville Town Superintendent, requesting support for efforts of the Kapplers of Wild Blue Adventures, Tabitha Stover of Fayetteville CVB, and Maura Kistler of Waterstone Outdoors, for a WWII reenactment event in downtown

Fayetteville on May 4, 2019. The application requests use of the courthouse lawn, walkways, front porch and parking lots and use of the Memorial Building in the event of rain. Commissioner Brenemen motioned to approve the request. Commissioner Louisos seconded. Unanimous decision.

Ms. Berry presented a letter for approval and signature of the Commission approving the request from Anne Cavalier, Mayor of Smithers, for funds for bids received for the removal of two houses owned by the City of Smithers. One at \$9,500.00 for the smaller home, which includes asbestos removal and \$12,650.00 for the larger home and also includes asbestos removal. The Commission signed the letter.

Ms. Berry presented a letter for approval and signatures to the WV Supreme Court from the Commission requesting reimbursement for rent for the Family Law Judge for the month of January, 2019 in the amount of \$3,375.00. Commissioner Louisos motioned to approve and sign the letter. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented for approval Robert Bandy with Kaye, Casto and Chaney to continue tax collection efforts for the Fayette County Sheriff's office to replace Tom Ewing, who has been appointed as Circuit Judge for Fayette County. Sheriff Fridley will discuss with Mr. Bandy and ensure that terms are the same. Commissioner Brenemen motioned to approve Mr. Bandy as long as the original agreement is honored. Commissioner Louisos seconded. Unanimous decision.

Ms. Berry presented for discussion Fayette County Commission appointments for local authorities, commissions and boards. This discussion was continued till January 18th.

The meeting was adjourned at 12:20 p.m.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
JANUARY 18, 2019
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: DENISE A. SCALPH, JOHN G. BRENEMEN, TOM LOUISOS

The Fayette County Commission met in a regular session on this 18th day of January, 2019.

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

Ms. Berry presented a Combine or Divide & Segregate Order for Keri Christina Conte. Commissioner Brenemen motioned to approve and sign the order. Commissioner Louisos seconded. Unanimous decision.

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

Commissioner Brenemen motioned to approve prior minutes from December 21, 2018 and January 4th, 2019. Commissioner Louisos seconded. Unanimous decision.

Commissioner Brenemen motioned to approve 2nd half payroll for January and release checks on January 30th. Commissioner Louisos seconded. Unanimous decision.

Estate settlements were presented for Helen Delores Petitt; Larry Gene Dotson; Mark Christopher Dickson; and Della Wanda Moore.

Commissioner Brenemen motioned to approve the estate settlements.

Commissioner Louisos seconded. Unanimous decision.

Debbie Berry, County Administrator, presented a thank you card from Tally Richmond for their annual allocation to the Children's Toy Fund.

Ms. Berry presented a drawdown request for Fayette County Community Corrections Grant for approval and signature of President Scalph for the month of December, 2018 in the amount of \$13,659.20. Commissioner Brenemen motioned to approve and authorize President Scalph to sign. Commissioner Louisos seconded. Unanimous decision.

Ms. Berry presented a Fayette County Fire Levy Pumper replacement Agreement for the City of Oak Hill for approval and signature of the Commission for FY 7/1/2018 - 6/30/2019. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a WV Sales and Use Tax Return from the Fayette County Park for the quarter ending 12/31/18 for approval and signature of President Scalph. Commissioner Brenemen motioned to approve and authorize President Scalph to sign. Commissioner Louisos seconded. Unanimous decision.

Ms. Berry presented a request for appointment of Cliff Sullivan to the Fayette County Parks and Recreation Board to replace Dennis Feazell who resigned. Term to expire June 30, 2019. Commissioner Brenemen motioned to approve. Commissioner Louisos seconded. Unanimous decision.

Ms. Berry presented a request for reappointment of Tommy Harris, Angela Gerald, Tim Richardson, Allen Ballard, and Aletha Stolar to the

Fayette County Beautification Committee and to appoint Keri Conte to replace Phillip Perone. Terms to expire January 6, 2021.

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

Ms. Berry presented a request from Stacy Harrison from Fayetteville Elementary School to use the Memorial Building to hold the Fayetteville Elementary School 2019 Social Studies Fair on March 5-6, or March 13-14, 2019, in case of inclement weather. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a request from Renee Harper, Park Director, to purchase a salt spreader. The lowest quote is \$2,100.00. Commissioner Brenemen motioned to approve. Commissioner Louisos seconded. Unanimous decision.

Lesley Taylor from Region IV appeared to give an explanation of PSD requirements regarding monies. SB234 (effective June 12, 2015) modified WV Code 24-1-1 by the addition of subsection (k). The code language states that each PSD and municipal water & sewer utility shall maintain a cash working capital reserve of no less than one-eighth of annual operation and maintenance expenses. It is not optional. PSDs file an annual report each year which are filed with PSC. Ms. Taylor provided water and sewer rates to the Commission.

Ms. Taylor explained what Regional Councils do in WV. There are 11 in the state and they focus on expansion and improvement of infrastructure of our areas, such as water, sewer, and broadband.

Todd Gunther, representative from Senator Shelly Moore Capito's office appeared to introduce himself to Commissioner Louisos.

Kevin Sneed and Elizabeth Ranson, WV Department of Homeland Security appeared for a presentation. Mr. Sneed and Ms. Ranson explained that there is a community rating system and communities are rewarded for flood plain management. Fayette County has participated since January 15, 1988 and has made strides in enforcement and improvement. As of October 1, 2018, Fayette County citizens began receiving a 5% discount on flood insurance policies due to the work in the county and advancing from level 10 to level 9. Only 13 municipalities/counties have this distinction. Mr. Sneed and Ms. Ranson are here to present a plaque and congratulate Fayette County for flood plain management, as well as to thank Allen Ballard and Angela Gerald for all their hard work.

Kelvin Holliday, County Clerk, and Alicia Treadway, Voters' Registration, appeared to discuss polling places. There are a number of issues with disability access at polling places. Five sites require more extensive modifications and some can be moved to other locations. Mr. Holliday will recommend the locations.

Mr. Holliday then presented his personnel request. Probate Clerk Carla Atha will be leaving the county at the end of March. Mr. Holliday requested a minimum of one month training for her replacement. President Scalph asked how to fund having the second person to train with Ms. Atha still on the payroll. Funding can be used from the extra help line item, however there will be no money for part time help for the rest of the fiscal year. Mr. Holliday

requested that the Commission fund the month of training. The Commission will discuss this information in an executive session regarding a personnel matter which will be continued when the Prosecutor is available.

Ms. Berry presented quotes for exterminator for the courthouse buildings.

Metric Pest Control - 7 Buildings	\$3,440.00	Quarterly
Mitchel Exterminating - 7 Buildings	\$1,950	6 Month
	Service	\$2,809.00
Phillips Termite & Pest Control, Inc. - 6 Buildings	Monthly	\$326.00 -
		\$3,912.

Commissioner Brenemen motioned to approve Metric Pest Control. Commissioner Louisos seconded. Unanimous decision.

Ms. Berry presented a Substantial Completion for approval and signature of President Scalph for Fayette County Courthouse Masonry Repair Phase II. Commissioner Brenemen motioned to approve and authorize President Scalph to sign. Commissioner Louisos seconded. Unanimous decision.

Ms. Berry presented a memo for review and consideration from Sheriff Michael Fridley to allow for a signing bonus for the position of Deputy Sheriff to help remedy the problem of recruiting applicants. Sheriff Fridley has two openings for Deputy. The signing bonus for a certified candidate would be a cost savings. The total cost of Academy training is \$13,666.00. The signing bonus requested is \$5,000.00 with a signed contract of one year. Sheriff Fridley asked that this be revisited with each testing cycle. He does not want to make this an automatic bonus each time. There are restrictions and if the one year contract is not fulfilled, the signing bonus will be

repaid. Commissioner Brenemen motioned to approve the \$5,000.00 signing bonus as long as specifications are met. There will be a savings of \$8,666.00 being limited to this two year testing cycle and be presented again after that time. Commissioner Louisos seconded. Unanimous decision.

Kelly Jo Drey, Resource Coordinator, and Gabe Pena, Deputy Resource Coordinator, appeared to discuss coal reallocated funds. In the past the coal reallocated severance revenue was allocated to the URA. They are asking if the Commission will approve using those funds to pay invoices for Broadband and cold storage for Whitlock Farm. Commissioner Louisos asked questions related to funding and debt. When was the URA formed for Wolf Creek? 2004. Which projects would this be used for? The invoices are \$20,000. One is for Spillman for legal fees related to Broadband. The cold storage buildout at the farm is the second. Commissioner Brenemen motioned to move \$22,000.00 from coal reallocated fund to cover bills for the Broadband and Whitlock initiatives, as long as the projects are for economic development. Commissioner Louisos seconded. Unanimous decision.

The Commission entered into an executive session at 11:27 for a personnel matter. The Commission exited Executive Session at 11:57.

Commissioner Brenemen motioned for a budget revision of \$2,500.00 from part time salary and \$1,658.58 from books, pending a letter from Kelvin Holliday asking for this revision. Commissioner Louisos seconded. The position will start full time on March 1st. Starting salary of \$32,020.00 as requested was approved. Unanimous decision.

Ms. Drey reappeared and presented grant agreements for signature. NRRDA is giving \$50,000.00 to support the Whitlock Farm, half paying for the farm manager's salary, \$20,000.00 will go toward cold storage, and \$7,000.00 for office supplies and miscellaneous expenses. Ms. Drey will invoice them monthly with the check submitted to accounting. Commissioner Breneman motioned to sign the grant with NRRDA and authorize President Scalph to sign. Commissioner Louisos seconded. Unanimous decision.

Mr. Peña presented a resolution to enter into an agreement with the Development Office for Flex-E grant funding. Funding will help update planning documents to continue work at Wolf Creek Park, with current economic factors. \$10,000.00 total in funds. The Commission will have to match \$1,000.00. This is considered a slum and blighted area. For the URA to operate, this area had to be designated a slum and blighted area and the URA must develop a redevelopment plan for the area, as designated by State Code 16-18-6. Commissioner Breneman motioned to accept the Flex-E Grant application and authorize President Scalph to sign. Commissioner Louisos seconded. Unanimous decision. The Commission passed a resolution to go into an agreement with the NRRDA which authorizes Mr. Pena to apply for Flex-E Grant funds and also authorizes Ms. Drey to act on their behalf. (attached)

Mr. Pena presented a contract with Downstream Strategies for services regarding the Brownsfield grant. There is no match required from this grant. Commissioner Breneman motioned to go into an agreement with Downstream Strategies under the Brownsfield Agreement for the environmental consulting services for the estimated amount of

\$180,500.00 and authorize President Scalph to sign. Commissioner Louisos seconded. Unanimous decision.

Ms. Drey presented an agreement for consulting services with Downstream Strategies for Whitlock Farm Project with the sprouting Farms Turnrow Project. This is a half million dollar grant to support expansion of regional food distribution. There is a contract for \$30,000.00 for a logistical analysis of existing operations for the Food Hub to provide specific data and analysis on how the business will expand, such as staffing, operations, and etc. It will be invoiced in installments and the URA will ask for reimbursement from USDA. Commissioner Brenemen motioned to enter into an agreement for Environmental Consulting Services with Downstream Strategies for \$30,000.00 for tech and expert support for the USDA LFPP Project and authorize President Scalph to sign. Commissioner Louisos seconded. Unanimous decision.

Discussion was held regarding board appointments for the Commissioners.

Ms. Berry presented a letter to elected officials and office holders regarding a special meeting on 1/31/19 regarding budgets and submission of budgets in March.

The meeting was adjourned at 2:01 p.m.

REGULAR SESSION
JANUARY 31, 2019
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: DENISE A. SCALPH, JOHN G. BRENEMEN, TOM LOUISOS

The Fayette County Commission met as the Board of Equalization and Review on this 31st day of January, 2019.

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

No appointments were made.

The Commission recessed as the Board of Equalization & Review at 9:01 am until 9:00 a.m. February 5th, 2019.

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

Mayors Greg Ingram and Anne Cavalier were present to introduce the new UKV Strategic Initiative Director, John Giroir.

Mayor Cavalier thanked the Commission for their assistance with property demolitions in Smithers and pointed out that others around the houses removed structures on their own. She introduced John Giroir as the new Executive Director of the Strategic Initiatives Council. He previously worked with the National Youth Science Foundation and the Kanawha Valley YMCA. The investment the Commission made is making a significant difference. Mr. Giroir thanked the Commission for their support and gave an overview of his background with non-profits, grants, and youth. Mr. Giroir also gave an overview of plans and ideas to help the valley.

A budget discussion was held with elected officials and department heads regarding the upcoming budget year and being conservative when planning. Eddie Young, Assessor, presented estimated numbers for this upcoming year and there will be a reduction in property values. The assessments for this year will be down \$51.3 million. On our regular levy we will lose \$245,062.00. On our excess levy we will lose \$122,531.00 for a total of \$367,593.00. Current legislation could also have a major impact on our county as they are working toward eliminating inventory taxes among others. These numbers do not affect potential results of bankruptcies that will also reduce these numbers.

Commissioner Brenemen motioned to approve signature of estate settlements for Joan B. McDaniel, Nellie F. Scarbro, and Violet Joetta Meadows. Commissioner Louisos seconded. Unanimous decision.

Ms. Berry presented appointments and reappointments to the Enhanced Emergency Telephone System Advisory Board for Jerry Long, Joe Crist, Kevin Walker, Mike Fridley, Denise Scalph, Chad Neal, Ricky Cornett, James Bennett, Jonathan Grose, and Libby Lucas. Commissioner Louisos motioned to approve appointments and reappointments. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a request from Sheriff Mike Fridley to appoint Richard Meadows to the Fayette County Sheriff's Civil Service Commission to replace Tom Ewing who has resigned. Commissioner Louisos motioned to approve the appointment. Commissioner Brenemen seconded. Unanimous decision

Ms. Berry presented an order for approval and signature of the Commission to designate the New River Gorge Regional Development

Authority to represent Fayette County in the Certified Development Community Program to become better prepared for industrial and related economic development for 2019. Commissioner Louisos motioned to approve and sign the order. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented Fayette County Commission appointments for local authorities, commissions and boards. Commissioner Louisos motioned to approve Commissioner Brenemen be appointment to the WVU Extension Board. President Scalph seconded. Unanimous decision.

Commissioner Brenemen motioned to approve Commissioner Louisos to be appointed to Central Appalachian Empowerment Zone, New River Transit Authority and Fayette Raleigh Metropolitan Planning Organization. President Scalph seconded. Unanimous decision.

Tyler Cannon, new employee for the Whitlock Farm appeared to introduce himself and give his background.

Jessie Parker, resident, appeared regarding Page Kincaid PSD Water Issues with Novagene Lowry and David Miller. Leslie Taylor, Region 4 was also present for discussions. Ms. Parker volunteers and works with a grass roots program for protection and has been coordinating community meetings in the area. Discussion was held regarding water bills and rates raising in the area. Ms. Parker showed photos of the water down Rt. 61 that is Page Kincaid PSD's responsibility. There are things being done in the community. Ms. Parker asked what people are supposed to do with water until the project is completed in 2020. President Scalph stated we have been working with Page Kincaid since last July to come up with a solution.

The Commission has agreed to help with media replacement up to \$40,000.00. We are working on agreements with the Commissioners from the PSD to address the issue. There is also a temporary solution in the works to receive assistance from WV American Water (WVAW). We have been tremendously concerned and actively addressing this issue. Not everything can be discussed but work is being done. Prosecuting Attorney Larry Harrah stated the commission's role with public service districts is to appoint commissioners to the boards. Beyond that, what the commission does is extra. They have been very active with PSD's around the county. This problem at Page Kincaid has been years in the making. The media is leaking out of tanks and with the equipment being old, this is a serious issue. This instance will be a major engineering project to fix the actual problem. WVAW has agreed to do an assessment of the system and detail how they can potentially help. Discussions of portable water treatment systems have happened, but are extremely expensive. There was a meeting last week with WVAW, PKPSD, Region IV, and all involved to try to address the problem. President Scalph stated the commission has very little authority over the PSD and just try to step in and help. A lot of the compliance issues come from the Public Service Commission in Charleston. If you have a voice there, they can do things the commission cannot. The PSC is the regulatory body in this situation and they can help.

Ms. Taylor works with PSDs to administer projects. We are working with them on an assistance project. These things take time since it is through federal and state funding. Engineers have applied for the required permit. WVAW is also working on a temporary solution

that may preliminarily address the issue, but it is not yet settled.

Ms. Parker understands that; they just want to make sure everyone is aware of what is going on. Ms. Taylor encourages all to attend the PSD meetings and voice concerns as well as answer questions. Mr. Harrah stated that anything they can do to make their voices heard is positive. Ms. Parker stated they appreciate the help. President Scalph suggested talking with the Fayette County Seniors Program for elderly people in the area that may need assistance. Ms. Berry will email the contact information to Ms. Parker.

Mr. Harrah stated funding repayment from PKPSD cannot be based on contingent funds from the grant. Their current suggestion of \$100.00 per month would result in a repayment term over 33 years.

The Commission instructed that a letter be drafted to Page/Kincaid PSD to inform that the repayment plan they submitted for a loan could not be approved. The plan would take more than 33 years for repayment. The Commission also informed they would need approval from the funding agency to allow the PSD to use grant funds to pay back the loan.

Discussion was held regarding the MOU for the New River Trail Alliance with Commissioners and Mr. Harrah. The county owns the property and is responsible for accounting and legal fees, maintenance and washouts. Mr. Harrah believes these costs would be minimal. Major events would be covered by our insurance. The county owns easements through the property only. This will only be for one year with options for renewal.

There were questions regarding terms with the NRTA MOU. The only change is that the county cannot enter into an agreement for longer than a year. Region 4 did change the agreement to only state the Fayette County Commission. Each entity involved has a separate agreement in the event of any language changes. Commissioner Brenemen motioned to approve the MOU with DOH Region 4, FCC, and NRTA contingent upon the Town of Oak Hill, Town of Fayetteville, and City of Richwood being removed and changing to a one year agreement with annual reconsideration. Commissioner Louisos seconded. Unanimous decision.

Angela Gerald appeared for a hearing regarding a dilapidated building complaint for Billy and Wanda King. In October there was a hearing on this property and the grandchildren were present. They paid the back taxes on the property and were given until the first of the year to become executors of the estates and clean up the property. As of now, no cleanup has been attempted and they have not filed to be executors. Ms. Gerald stated there have been multiple law enforcement complaints regarding drug activity at the property. All notices have been given. Mr. Harrah stated that the County has met our requirements regarding notification and time given ample to clean the property. All legal requirements have been met. The County can proceed with demolition and place a lien on the property. Commissioner Brenemen motioned to approve the demolition of the property at 300 Berry Street for Billy and Wanda King, both deceased, as all proper notifications were given. A lien will be placed on the

property and a call for bids will be posted. Commissioner Louisos seconded. Unanimous decision.

The meeting was adjourned at 12:05 p.m.

FAYETTE COUNTY COMMISSION
SPECIAL SESSION
FEBRUARY 5, 2019
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: DENISE A. SCALPH, JOHN G. BRENEMEN, TOM LOUISOS

The Fayette County Commission met in a special session as the Board of Equalization and Review on this 5th day of February, 2019.

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

President Scalph called for applications or if anyone was present to present any issues. No appointments were made and no one was present.

The Commission recessed as the Board of Equalization & Review at 9:01 am until 9:00 a.m. February 8th, 2019.

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

Commissioner Brenemen motioned to approve and sign the letter to be sent to James J. Bennett regarding his termination on Saturday, February 2, 2019 and attach a copy of the personnel manual. Commissioner Louisos seconded. Unanimous decision.

Deborah Berry, County Administrator, read a letter addressed to John David, SALS. Discussion was held regarding the next steps. Commissioner Brenemen motioned to sign the letter concerning Mr. David/SALS not purchasing building permits for projects alleged in a news article by The Register Herald. The article will be attached. The letter requires Mr. David to meet with Allen Ballard regarding required building permits for SALS projects. Commissioner Louisos seconded. Unanimous decision.

Commissioner Brenemen motioned to approve minutes from the meeting held January 18, 2019. Commissioner Louisos seconded. Unanimous decision.

The meeting was adjourned at 10:04 a.m.

FAYETTE COUNTY COMMISSION
SPECIAL SESSION
FEBRUARY 8, 2018
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: DENISE A. SCALPH, JOHN G. BRENEMEN, TOM LOUISOS

The Fayette County Commission met in a regular session on this 8th day of February, 2019.

President Scalph called the meeting to order at 9:00 a.m. for the Board of Equalization and Review. President Scalph formally thanks Mr. Young for the excellent work he does and for his help making these Review meetings run so smoothly. Mr. Young stated that they mail

increase letters each February if there is an increase of 10% or more to help alleviate issues prior to these hearings. Often those calling in only need clarification of the letter, as it comes from the state and people often do not understand the language. President Scalph asked if there were any hearings scheduled or anyone present. County Administrator Debbie Berry stated none were scheduled and no one was present. Having nothing presented, the Commission adjourned as the Board of Equalization and Review at 9:05 until 9:00 a.m. on February 13, 2019.

Eddie Young, Assessor, appeared to present personal property exonerations for Cecil R. or Sharon (Sherry) Evans \$416.84; Daonna A. Fox \$337.02; Walter M. Sr. & Susan Underwood \$19.20; Juanita A. Elizabeth Howell \$3.84; Billy J. Butler \$3.84; Roy E. Bovee \$145.88; Orville Hagan Jr. \$318.94, \$313.82 & \$322.90; Brian E. & Stephanie Harvey \$664.16; Patricia Fischer Gilkerson \$142.26; Lawrence Cox \$202.14; Jerry O. & Brandon C. Wickline \$466.90; Michael A. or Lisa M. Nelson \$385.78; Tyler B. Wilshire \$80.24; Dolly I. & David L. Bostic \$42.26; Jose G. Solis \$17.90; Jeremy M. or Jessica Knight \$256.30 & \$16.14; Michael Andrew & Kyrstin L. Smith \$337.78; and Douglas L. Kincaid \$3.84. Commissioner Louisos motioned to approve the exonerations. Commissioner Brenemen seconded. Unanimous decision.

Mr. Young presented an issue with Mary & Roger Childers. Mr. Childers sent in a letter and survey to show that his property boundaries were different than those shown on the tax map. He has not recorded the survey, hence the difference between the map and actual property lines. The information has been corrected and a correct

property tax ticket has been created. Mr. Childers is requesting a credit on future assessments in the amount of \$351.50 for the prior taxes he has paid that were incorrect. Mr. Young recommends we give the \$351.50 tax credit over the next few years. The commission will allow the Prosecutor's office to review and decide further steps. This will require an order from the Commission and can be finalized at the next meeting after the Prosecutor has time to review.

Mr. Young presented a refund of \$73.82 to Mary and Roger Childers. Commissioner Brenemen motioned to approve the refund. Commissioner Louisos seconded. Unanimous decision.

Mr. Young presented a real property exoneration for Mary & Roger Childers for the amount of \$151.42. Commissioner Brenemen motioned to approve the real estate exoneration. Commissioner Louisos seconded. Unanimous decision.

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

Estate settlements were presented for Margaret Ann Hensley; Betty M. Feazell; Sandra Lay Holliday; Evelyn Abbott; Jesse Charles Sumpter; Mary Pearl Larocco; Gary Wayne Stegel; and Genevieve Dalma Sandor (Sandoro). Commissioner Brenemen motioned to approve the estate settlements. Commissioner Louisos seconded. Unanimous decision.

Renee Harper, Park Director, appeared to give an update. The Park has drafted a 2019 calendar of events and highlighted a few of those, the first being the 2nd Annual Trout Derby in April. The WV DNR will attend as will WVU Extension Services to provide educational

programs for the kids. Prosecuting Attorney Larry Harrah has committed to provide fishing poles and tackle to the kids who participate and Sheriff Mike Fridley will provide hot dogs as he did last year.

Other new events at the park will include senior swim events in June, July and August. The pool will open June 1. They are not able to open prior to that due to a lack of available life guards. They are also developing professional brochures for the park for marketing purposes. A Committee was started to plan a county festival for May 16, 2020. The overall theme is to highlight some things relevant to the park, such as disc golf with a potential demo, maybe a tournament. There will be 4H activities and exhibits, cornhole, food vendors and a park history booth and info. Hoping for Smokey the Bear and a demonstration with a falcon from the National Park Service. It is still in the early stages, but lots of ideas are being presented. They are also working on trail maintenance at the park in the spring with the help of NRTA and FIT students. Also hopeful to receive the design for the natural play space in the next few weeks which will have a theme that ties into coal mining.

An upcoming maintenance item is that the park house needs painted. Also working with the Health Department for an early assessment for the park assessment. They may have to paint the pool this year. President Scalph recommends potentially finding grant money to help in updating the pool facilities. A deck was also built at the pond for people with mobility issues. They have started

cleaning out the garage and eliminating things that no longer function.

President Scalph asked for any updates on the Memorial Building. Ms. Harper stated they have discussed the Memorial Building and they think they are at a point with the park that they can shift focus there. There was a facilities committee, but with the loss of one of their members, the building has not been at the forefront. They discussed this at the last meeting to put focus back on the building. Looking at activities there as well as less expensive ways for improvement. President Scalph asked Ms. Berry contact Darnold Lyons regarding the installation of the water heater at the Memorial Building.

Ms. Harper discussed the Winter Wonderland Lights held the month of December. The numbers were up this year. Ms. Harper thinks that it helped to have Collins Middle School students sing and play music. They had the Grinch, Elsa and Olaf visit to attract more visitors. Had approximately 800 visitors. Commissioner Brenemen mentioned finding a way to pay the pool fees, canteen fees, etc... other than cash. Ms. Harper and Ms. Berry will research.

Anna Frost, Chief Tax Deputy, and Sheriff Mike Fridley appeared to discuss the hotel/motel tax. Presented state code and fees. Presented examples of what other counties are doing in terms of fees. Gave examples of forms and code used by other counties. Delinquency charges in other counties are higher and use percentages of the total instead of the current \$1 per day in Fayette County. Hotel taxes are due by the 15th of each month. If the taxes aren't paid on time a

delinquency fee based on a percentage would be higher and might get them to pay on time. Commissioners have agreed to take a look at this. President Scalph asked if a letter will be sent. Mr. Harrah stated it will be required to publish this as it is a revenue generator and will also require a notice and public hearing. This will be planned for the first meeting in April.

Ms. Berry gave information from the Division of Forestry to the Commission. Discussion was held regarding the timbering information as well as next steps. Types of wood can change the initial estimates. The access to the property will have to be examined. The bridge at the Animal Shelter has a weight limit, already examined by the DOH. This should be posted.

A short discussion was held with Chief Deputy Rod Perdue regarding the P225 digital communications system. Not only did techs and engineers suggested P225 system, but it will be our best option in the future as well. This will be our own digital system that can work off the state systems. Will cover fire, EMS, and law enforcement. The 911 center did not realize we are already P225 compliant. Tones can be sent out on analog and transferred to P225 once the radio has been picked up. President Scalph stated we will implement training to ensure everyone can use it. A meeting is being scheduled with Ohio County who currently uses P225. They said it works well up to and including radio communications working inside buildings. Will have a special meeting in March with Commissioners and those involved for a dedicated discussion.

Discussion with Mr. Harrah was held regarding the regional jail bill. Based on our average bill, we are projected to be more than \$102,000.00 over budget. Mr. Harrah stated they are considering better monitoring on DRC and trying to put as many people as we can there if it is feasible. Some do not belong there.

Ms. Berry presented a request from Adriane Heatherly, Counselor for Fayetteville and Gatewood Elementary Schools to use the Fayette County Soldiers and Sailors Memorial Building on Wednesday, March 20, 2019 from 8:00 - 12:30 p.m. for a career fair for students PK-6th grade. Commissioner Louisos 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 of rent for the Family Law Judge for the month of February 2019. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a maintenance agreement between Region 4 Planning and Development Council, New River Gorge Trail Alliance, Inc. and the Fayette County Commission for signature of President Scalph with changes approved at the Fayette County Commission meeting on January 31, 2019. President Scalph signed.

Ms. Berry presented for discussion the commission's appointment to the Local Elected Officials (LEO) Board with Region 1 Workforce Board. Commissioner Louisos motioned to appoint John Brenemen. President Scalph seconded. Unanimous decision.

Ms. Berry presented a job descriptions for the Deputy Director/E911 Coordinator, Training Coordinator, Telecommunicator and Telecommunication Shift Supervisor for review.

Ms. Berry presented a help wanted advertisement for Deputy Director/E911 Coordinator for review and approval. Commissioner Louisos motioned to approve the advertisement. Commissioner Brenemen seconded. Unanimous decision.

Commissioner Louisos motioned to approve posting the position of Deputy Director/E911 Coordinator position posting on Indeed and social media. Commissioner Brenemen seconded. Unanimous decision.

Discussion was held with Mr. Harrah regarding a newspaper article referencing the 911 Center.

It was noted that both the TIF and Broadband monies are currently being deposited into new separate funds as required by code.

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

FAYETTE COUNTY COMMISSION
SPECIAL SESSION
FEBRUARY 13, 2019
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: DENISE A. SCALPH, JOHN G. BRENEMEN
ABSENT: TOM LOUISOS

The Fayette County Commission met in a special session as the Board of Equalization and Review on this 13th day of February, 2019.

Commissioner Scalph called the meeting to order at 9:00 a.m. as the Board of Equalization and Review.

President Scalph called for applications or if anyone was present to present any issues. No appointments were made and no one was present.

The Commission recessed as the Board of Equalization & Review at 9:01 am until 9:00 a.m. February 19th, 2019.

Commissioner Brenemen motioned to approve vouchers and invoices and release checks today. Travel must be turned in monthly or it will not be reimbursed. Staff Accountant Ruth Lanier will find a way to notate grants on the check register to eliminate questions. President Scalph seconded. Unanimous decision.

Sheriff Mike Fridley appeared to ask about the state bid process for vehicle purchases. Not sure how much cruisers will be since the state sets the prices. He cannot complete his budget without this information. Commissioner Brenemen suggested a 10% increase that line item to cover his request.

Commissioner Brenemen motioned to approve prior meeting minutes for January 31st and February 5th, 2019. President Scalph seconded. Unanimous decision.

Discussion was held regarding upcoming meetings. President Scalph requested financial reports from the Solid Waste Authority (SWA) prior to their scheduled update and budget meetings. Discussion was held regarding how the SWA operates, budgetary planning, and future plans. President Scalph requested a job description for the Litter Control Officer.

Ami Dangerfield, County Commission Assistant, relayed a message from City Attorney Anthony Ciliberti regarding the third building the

City had taken down. Mr. Ciliberti called yesterday and requested to be placed on the agenda to request that funding. This was discussed in a prior meeting and the Commission cannot agree to fund this retroactively.

The Commissioners want to revisit the Dilapidated Building account during budget sessions. Would also like to look for grant funding to fund demolitions. Discussion was held stating that the initial intention of the account was to keep main thoroughfares clear, such as Rt. 60. The County has deviated from that by assisting with municipal projects. The Commission would like to look at dilapidated buildings and funds during the next meeting.

Discussion was held regarding upcoming budget meetings and who is scheduled. Some elected officials have not yet scheduled.

President Scalph requested that County Administrator Debbie Berry contact Page Kincaid PSD regarding their payment plan.

The Commission would like to send a letter to the Delegates to hold a round table discussion after their session ends. Elected officials would also be invited to participate in the discussion.

Ms. Berry presented a drawdown for the Community Corrections grant for \$14,438.40 for the month of January. Commissioner Brenemen motioned to approve and authorize President Scalph to sign. President Scalph seconded. Unanimous decision.

The Commission agreed to change the May 10th meeting to May 14th and the May 24th meeting to May 30th.

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

FAYETTE COUNTY COMMISSION
SPECIAL SESSION
FEBRUARY 19, 2019
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: DENISE A. SCALPH, JOHN G. BRENEMEN, TOM LOUISOS

The Fayette County Commission met in a special session as the Board of Equalization and Review on this 19th day of February, 2019.

President Scalph called the meeting to order at 9:00 a.m. as the Board of Equalization and Review.

President Scalph called for applications or if anyone was present with issues. No appointments were made and no one was present.

The Commission recessed as the Board of Equalization & Review at 9:01 am until 9:00 a.m. February 22nd, 2019.

Debbie Berry, County Administrator, presented an order approving credit of prior years' taxes for Roger Childers due to error in the Assessor's office for the Commission to approve and sign.

Commissioner Brenemen motioned to approve the order and follow the recommendation presented by Mr. Young. A credit of \$351.50 will be given on his account to be used toward future tax assessments.

Commissioner Louisos seconded. Unanimous decision.

Ms. Berry presented an order approving to substitute securities pledged to the Fayette County Commission from Fayette County National Bank for approval and signatures. Commissioner Louisos motioned to accept the order approving the substitute securities. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a discussion regarding the engineering test for the new 911 communications systems. Commissioner Brenemen stated that the test is necessary in order to receive proper pricing on the new contract. All 6 of our mountains are different heights and must be measured and presented. The cost is \$2,000.00 per tower and it is required to get an accurate cost. This request came from Two Way Communications and Kevin Walker. Commissioner Louisos motioned to accept the \$2,000.00 engineering test for the 911 communication system. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a list of duties requested by Mike Callaghan which he would like the County Administrator's office to perform for the Code Enforcement Agency. President Scalph stated that in initial discussions Mr. Callaghan said there would be no additional work for Commission staff and this puts an additional burden on our staff.

Mr. Callaghan presented the lawsuit from Seminole Mining lawsuit.

Discussion was held regarding Gauley River PSD and Kanawha Falls PSD. Gauley River would like to consolidate, but they have a lot of debt and KFPSD is unsure about this idea.

Discussion was held regarding Page Kincaid PSD and WV American Water (WVAW). It was recommended that Page Kincaid PSD fix the media issue. WVAW says it would take 9 months to a year for this fix. WVAW would charge a \$300-500.00 per month connection fee for each month they are using their service. President Scalph stated she thought they agreed to give the water to the PSD wholesale and doesn't see how PKPSD can ever get out of this hole. Commissioner Brenemen stated the Public Service Commission has to agree to a takeover and the County

Commission does not have a leg to stand on with the PSC. The PSC would have to evaluate and if the PSD is deemed too bad, WVAW can then take over. However, this is long term process and they need a short term solution. President Scalph stated everyone agreed that opening the discussion with WVAW was the best solution. However we have to figure out where to go from there.

President Scalph brought up the tethering ordinance for discussion. If the state code passes which says the same thing as the ordinance, the Commission will revert and adopt the state code. This will be on the agenda Friday, February 22nd, 2019.

The Commission entered an executive session with legal counsel at 9:45 a.m.

The Commission exited the executive session at 11:13 a.m.

The Commissioners had a Cyber Security Training session with Mike Rezac with WV Counties Risk Pool from 11:20 a.m. to 12:20 p.m.

The Commission held discussion regarding open bills in the Legislature and potential impacts.

Discussion was held regarding county budget comparisons and allocations state wide.

Discussion was held with Sheriff Mike Fridley regarding regional jail bill and recouping costs. Also discussed the state bid process for vehicles. So far, Chevy Tahoes are in at \$38,000.00 range which is \$10,000.00 more than expected.

The meeting was adjourned at 3:42 p.m.

FAYETTE COUNTY COMMISSION
SPECIAL SESSION
FEBRUARY 22, 2019
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: DENISE A. SCALPH, JOHN G. BRENEMEN, TOM LOUISOS

The Fayette County Commission met in a special session as the Board of Equalization and Review on this 22nd day of February, 2019.

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

President Scalph called for applications or if anyone was present with issues. No appointments were made and no one was present.

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

Eddie Young, Assessor, was present and the Commission thanked him for all his hard work to keep our Board of Equalization Review process running so smoothly. Mr. Young said thank you and gave credit to his staff.

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

Commissioner Brenemen motioned to approve 2nd half payroll and release checks on February 28th. Commissioner Louisos seconded. Unanimous decision.

Estate settlements were presented for Henry Clayton Mosely, Jr.; Harry Wayne Martin; Eugene Auxier; and Teresa Thomson. Commissioner Brenemen motioned to approve estate settlements. Commissioner Louisos seconded. Unanimous decision.

Carla Atha, Probate, appeared to present the estate of Daniel Ross Ewing which is with the fiduciary commissioner due to several claims against the estate that the administrator did not believe were valid. Mr. Blankenship was assigned and reviewed the issues. All notifications were sent and Claims 1, 2 & 3 were denied. The claim deadline expires March 29th. Since there were no objections, the order can be signed. Commissioner Brenemen motioned to approve and sign. Commissioner Louisos seconded. Unanimous decision.

Debbie Berry, County Administrator, presented a lease for approval and signatures of the Commission with the Fraternal Order of Police Memorial Lodge No. 118 for Community Corrections Building on Summerlee Road, Plateau District, Oak Hill WV. There are no changes from the current year. This has been sent to the Prosecuting Attorney's Office for review. It is a one year lease with yearly renewal. Commissioner Louisos motioned to approve signature. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a letter for approval and signatures of the Commission to the West Virginia Archives and History Office informing the Commission does intend to pursue our records management grants. Commissioner Louisos motioned to approve signing. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a Lease and Funding Agreement with the New River Humane Society, Inc. for review and discussion.

Commissioner Brenemen motioned to approve prior meeting minutes for February 13th. Commissioner Louisos seconded. Unanimous decision.

Aletha Stolar, Chair of Solid Waste Authority (SWA), Gabriel Peña, Secretary, Ami Dangerfield, Bookkeeper, Tommy Harris, Litter Control Officer and Bill Lanham, member, appeared to give an update on the SWA. Ms. Stolar gave an overview of the Litter Control Officer's job description. His authority is given by WV code 7-1-3ff(d). He is certified by the DEP to write violations for citizens not having trash service, open dumping and littering. This is a permanent certification unless codes change. Mr. Harris helps in multiple cases across the county: cutting grass, photographing dilapidated buildings, hauling food for pantries, Adopt a Highway, etc...

Ms. Stolar gave information of how much Mr. Harris cleans up each month. 50-75% of the people he deals with will get on trash service. However, it often does not continue due to the person having a lack of income to pay for the service. The SWA is looking at ways to maybe provide free pick up dates. Mr. Peña stated they are looking at realistic ways to eliminate open dumps, but they need ways to enforce it. Need conversations with the Magistrate and Prosecutor's office about making consequences stiffer. If a citizen remembers the penalty it might alleviate some of the violations. They would also like to sentence them to community service to help clean-up other areas.

Ms. Dangerfield gave a financial update to the Commission for SWA including things that SWA is required to pay for. The SWA hopes to revisit their previous allocation from coal severance to help support Mr. Harris' payroll and associated costs. The previous allocation of \$5,000.00 could probably be cut in half. It will be submitted on a Funding Request Application. The Committee meets on Thursday the 28th

and will submit it to the Commission on Friday morning. There is also an upcoming audit that will be an extra expense.

Mr. Peña discussed grant funding for education programs, composting, and other projects. The biggest grant received was from the Solid Waste Management Board to get Mr. Harris a dump trailer and winch to help clean up dump sites. His efforts have been hampered somewhat by a lack of help. President Scalph suggested maybe speak with the General from National Guard regarding the potential for them to help with stream cleanup in some areas. They seem to be eager to help.

Mr. Lanham, who is also Fayetteville Town Manager, will also be asking for a community wide clean-up ahead of this summer's International Boy Scout Jamboree.

Angela Gerald appeared to give a dilapidated properties update. Discussed the Brownfield Grant from 2010 for asbestos testing which helped with testing 52 homes. President Scalph asked for ordinance overview and history. Ms. Gerald stated the original focus was on main routes where there is a lot of traffic such as 612, Rt. 60 and Rt. 61 to remove eye sores. They have deviated from that to try and help municipalities that have began requesting funding assistance. There are two buildings that were demolished in Smithers that have promissory notes through the Prosecuting Attorney's Office and have been repaying the fund. There is \$46,000.00 remaining in the fund.

The Prosecuting Attorney's Office clarified that we require municipalities to adopt beautification ordinances in return for our help. This allows them to work on their own to clean up their towns.

Fayetteville, Oak Hill, Ansted, Smithers and Montgomery all have ordinances. Ms. Gerald presented a list of all houses outside of municipalizes that are a concern.

Commissioner Brenemen asked if everyone on this list have been notified. Ms. Gerald stated that the ordinance requires that they send one letter, but they often send more than one. Mr. Harrah stated they try to get citizens to take care of these properties before we go through the legal process to have them removed. There are several properties owned by one person that were sold on land contracts but are in very bad shape. The Commission can order a property demolished and perform the demolition at a later date when funding becomes available.

The Commission took a break from 10:25 - 10:32 a.m.

President Scalph called the meeting back to order. The 2nd Reading for the Amended Canine Restraint and Outdoor Enclosure Ordinance was held. President Scalph thanked Heather Severt from the State Humane Society for being present and stated this was previously tabled for further work. Mr. Harrah gave a brief overview of Ordinance 19-1. A copy of this ordinance will be attached. Mr. Harrah mentioned highlights such as types of restraint, times of effectiveness from 10:00 p.m. to 6:00 a.m., requirements of type of tether, no logging chains, etc... There is an exception to the ordinance when it comes to hunting dogs, as well as farm or herding dogs as long as the dog is at least 6 months of age. It also defines what is considered appropriate shelter. There are penalties for non-compliance and it does give the officer a lot of discretion in terms

of enforcement. It begins with a written notice and moves on to misdemeanor charges and fines; requires a cost of care bond by the Humane Society. It shall become effective 30 days from passage. This allows the public who may be affected by this ordinance to comply with the requirements. Mr. Harrah worked with the Sheriff and the State Humane Society to address the original ordinance, which while thoughtful, was overreaching in parts. This is what we believe to be acceptable and enforceable. It does give officers discretion and Mr. Harrah urges the passage of this ordinance. President Scalph stated there has been time for comments and input over a period of months. President Scalph thanked Ms. Severt for her assistance as well as Mr. Harrah and the Sheriff's department. President Scalph called for a motion. Commissioner Brenemen motioned to approve Ordinance 19-1 as presented today in Fayette County which will be effective 30 days from today. Commissioner Louisos seconded. Unanimous decision. A copy of the sign in sheet and the signed approved ordinance will be attached to the minutes. Unanimous decision.

The meeting was adjourned at 12:52 p.m.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
MARCH 1, 2019
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: DENISE A. SCALPH, JOHN G. BRENEMEN, TOM LOUISOS

The Fayette County Commission met in a regular session on this 1st day of March, 2019.

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

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

Commissioner Brenemen voted to approve prior meeting minutes for February 8th and 19th, 2019 and authorize President Scalph to sign. Commissioner Louisos seconded. Unanimous decision.

Debbie Berry, County Administrator, presented a letter from Jeff Proctor, Vice Chair of the FCURA requesting the appointment of Commissioner John G. Brenemen to replace Guy Dooley who has resigned. Commissioner Louisos asked for clarification of the vacancy. Kelly Jo Drey, URA Assistant, researched the requirements of a Commissioner sitting on the URA board. Her research shows State Code does not require that the URA have a County Commissioner on their board. She reviewed the orders from previous appointments. Former Commissioner Matthew Wender is a regular member of the URA and functions in a voting capacity on the board. In contrast, President Scalph is on the Farmland Protection Board but as non-voting Commissioner seat. Ms. Drey spoke with Assistant Prosecuting Attorney Liz Campbell and they determined that Mr. Wender was a regular sitting member on the board, not a Commissioner's seat. Commissioner Louisos asked if he was voted in. Ms. Drey said yes, in February 2017. Commissioner Louisos asked if the minutes are available online? Ms. Drey stated they are not required to be posted online. Commissioner Louisos requested that the

URA members come to a meeting prior to the end of March so he can ask questions. President Scalph suggested this should be scheduled outside of budget sessions. Commissioner Louisos motioned to approve the appointment of Commissioner Brenemen to replace Guy Dooley as a member of the URA. Term to expire March 1, 2021. President Scalph seconded. Unanimous decision.

Ms. Berry presented a letter from Benjy Simpson requesting the use of the Fayette County Memorial Building for Bridge Day Rappel Safety Orientation on Friday, October 18, 2019 for approval. This request was tabled until the next meeting.

Discussion was held regarding a potential fee schedule for the for-profit entities requesting to use the Memorial Building to assist with upkeep of the property.

Ms. Berry presented an order approving the demolition of the building located on 300 Berry Street, Oak Hill, WV by the Fayette County Dilapidated and Beatification Committee and assurance that the debris be legally and property removed and the Committee take all steps necessary to pursue remedies for reimbursement. Commissioner Louisos motioned to approve signing the order. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a grant application from Jeri Sarafin, Community Corrections Director, to the WV Division of Corrections for approval and signature of President Scalph. This would allow them to hire a full time case worker. Commissioner Louisos motioned to approve and authorize President Scalph to sign. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a recommendation for Deputy Director/E911 Coordinator. Commissioner Brenemen motioned to extend an offer of employment to Jimmy Saddler for \$38,500.00/year and a six month probationary period. This is within the budget, so no additional funds are needed. Commissioner Louisos seconded. Unanimous decision.

Larry Harrah, Prosecuting Attorney, appeared to present his budget which is the same as last year with no changes. Extra help is used for summer help from law students. Compensation is via book purchases, not an hourly salary. The training and education portion of his budget is a requirement of the bar to remain lawyers. Attorneys must have 24 hours every two years. Computer maintenance is for the department's stand alone, secure server which is completely separate from the Courthouse.

Sheriff Mike Fridley appeared to present his budget request. Sheriff Fridley presented information regarding calls: 11,389 911 calls were answered by deputies; they had 476 drug arrests. Sheriff Fridley gave statistics regarding their business hours and presented a comparison of pay with other counties. Fayette County is 31st in the state in terms of salary. President Scalph requested budget numbers in each counties with a percentage of comparison, as well as benefit package. Ami Dangerfield, County Commission Assistant, has this information available. Commissioner Brenemen asked where other departments get their funding. Sheriff Fridley stated Montgomery gets part of their salaries from the settlement with WVU. Mr. Harrah stated most funding comes from B&O taxes.

Additional budget requests for the Sheriff's Department include six body armor suits, \$3,927.42. Commissioner Brenemen asked about the rating and Sheriff Fridley stated they are level 3. Sheriff Fridley is requesting an increase in overtime: \$15,000.00 from General County and \$15,000.00 from Law Enforcement for a total of \$30,000.00. The Regional Jail portion is \$1.6 million. Sheriff Fridley requested funding for copiers in the Tax Office to replace desktop models. This is a yearly lease at a cost of \$5,808.00 per year. Requested a \$2,000.00 increase per year for all deputies and forensic specialist at a cost of \$88,498.00. Requested five new vehicles and gave an overview of maintenance costs. Total for new vehicles, equipment, and radios is \$236,425.00. Commissioner Brenemen asked if the radios are compatible with P425. Chief Deputy Rod Perdue stated yes, fully compatible with the system. Also requested a \$2,000.00 increase in training for deputies and \$2,000.00 for uniforms. May be able to decrease supplies to \$73,000.00 if needed. Capital outlay increased to \$128,170.00. Sheriff Fridley reminded the Commission that that Conservatorship Deputy salary is reimbursed to the County through fees collected from his conservators. Sheriff Fridley is planning to have a Resource Officer in another school this year, which will result in more reimbursement funding. This will be \$134,670.29 in reimbursement. There will be one each at Midland Trail and Oak Hill High Schools. This will leave \$46,470.29 to be used.

Cathy Jarrett, Circuit Clerk, appeared to present her budget request. Ms. Jarrett requested increases in salaries for her seven employees to match what other offices offer. Also requesting a new

copier that will save \$900.00 per year and the company will also include a commercial shredder for free.

Tyler Bragg, GIS Specialist, appeared to give the Commission information on Pictometry. He is requesting a new aerial photography shoot. Our photos are very out of date; a three to four year recapture cycle is ideal and the last one was in 2015. The proposal is \$91,327.50. President Scalph mentioned that originally we spoke with municipalities about buying in and cost-sharing. Mr. Bragg stated most can't afford to pay their portion. How do we ask for one to pay and not others? President Scalph stated we also discussed percentages in terms of each municipality's budget. Detailed information was given regarding software and costs.

Kelvin Holiday, County Clerk, appeared to present his budget request. There are no changes from the last year. Commissioner Brenemen asked if the County uses record books. Mr. Holliday stated not for new entries, but we do require repairs or replacements of old books. President Scalph asked about mandatory training. Mr. Holliday stated only the state training is mandatory. Commissioner Brenemen asked if Mr. Holliday is requesting a new server. Mr. Holliday stated yes, and a quote is provided.

Mike Bone, Assessor Chief Deputy, appeared for Eddie Young. The Assessor's requested budget has been reduced for this year.

Ms. Berry presented a letter to the DOT from the Commission to sign urging the Halstead Street access road project for the Oak Hill School complex to be completed before the beginning of the 2019/20 school year for the safety of the students. Commissioner Louisos

motioned to sign the letter. Commissioner Brenemen seconded.

Unanimous decision.

Ms. Berry presented a letter for the Commission to sign to Kelvin Holliday regarding social media use and necessary cross training of employees in light of the ensuing departmental changes. The Commission wants to ensure the public has access to all services at all times during Courthouse business hours, regardless of vacations or other absences.

Ms. Berry presented a letter for the Commission to sign to be provided to all offices regarding cell phone usage during work hours.

President Scalph welcomed John David, SALS and Debby Campbell, EnAct for a discussion. President Scalph stated that the Commission would defer to Mr. David regarding this meeting. Mr. David introduced Kenna Bass and Jadah South and stated they are requesting a letter of support from the Commission for funding from EnAct. They discussed the history of schools closing in Page and surrounding areas and how SALS obtained Beards Fork Elementary School and began offering educational support to those children. They stated this program currently receives no funding from EnAct.

President Scalph stated that the correspondence the Commission received was in regards to why previous funding was no longer available from EnAct. President Scalph stated as she understands, SALS did not provide the necessary information for continued funding from EnAct. The program guidelines have not been followed and the required paperwork was not provided. The Commission cannot encourage support if the guidelines EnAct has set forth have not been followed.

Mr. David stated that SALS feels all guidelines were followed and claimed to have examples and their main issue is the confusing nature of the application form.

President Scalph stated that the Commission would allow EnAct to speak to that. The agreements are with EnAct and the Commission will not encourage them to go outside their guidelines.

President Scalph asked Ms. Risk if SALS complies and provides documentation, does she think the program would be a future consideration. Ms. Risk stated they may consider it for a later year if the documentation is provided.

President Scalph asked for other comments. Mr. David stated they appreciate the money that was served through SALS and would like to go forward with a new agenda to be good partners. President Scalph stated everyone must put their feelings and personalities aside to provide services for those who need them. A public comment was offered stating that they do a lot of paperwork and HIPAA makes it rough. The commenter has had people scream at them and refuse to provide the requested information. Maybe if the approach was changed, it would go easier. President Scalph stated that is understandable but we have to educate people on the required information.

Discussion moved onto questions regarding Page Kincaid PSD (PKPSD) and WVAW. Commissioner Brenemen stated they had a discussion regarding a due diligence study and asked Mr. David about that relationship.

Mr. David stated WVAW came to the last PKPSD meeting and it was a friendly meeting. However they indicated the cost would be very high.

Mr. David requested that PKPSD plant manager Bart Jackson and board member John Kincaid participate in this conversation. Commissioner Brenemen restated that he would like to know how the meeting went and if WVAW offered to supply water, help with possible water leaks, locate leaks, or perform a study to get the cost. Mr. David restated he thinks the costs were very high.

President Scalph stated there was a request for a number of things. A couple of letters have been returned to them unopened, including a certified letter. No matter what happened, they were going to come and identify the leaks at no cost.

Mr. David stated he didn't have knowledge of these issues. Commissioner Louisos asked why they are buying equipment to find leaks when WVAW is offering it for free. Mr. David stated that a letter they sent to WVAW was returned unopened.

President Scalph stated that the Commission did issue a \$20,000.00 check to pay for the necessary materials and Mr. Jackson picked it up. If there was need for \$20,000.00 for media, how is the PSD buying equipment?

Mr. David stated they made efforts three years ago to find leaks and asked if he could call Mr. Jackson or someone else with more information.

Commissioner Louisos stated that since Mr. David said he does not understand the letter and stated the PSD was going to buy equipment to test for the water leaks, he would like to see everyone from the PSD here to ask the questions Mr. David cannot answer.

Mr. David stated he doesn't know if they are buying or borrowing the equipment.

Mr. David stated he does not want to be excluded from that discussion as he was previously. President Scalph stated Mr. Kincaid was asked to attend a previous meeting as the chairperson. Fayette County Commission meetings are open meetings. Anyone can attend.

This will be added to the March 8th agenda at 2:00 p.m.

Mr. David stated the problem is that the hub is at the Page Kincaid Station. You cannot tie an 8 inch line to a smaller line, which would be the case. The water pressure would not be there. We have also tried to get water from Fayetteville which would be a great connection in an emergency.

President Scalph stated that this is currently an emergency. The residents do not have water. WVAW made it clear they are not trying to take over, they want to help. But without communication, nothing can be accomplished. Where are the numbers and figures? Prior requests resulted in numbers from 2008. Mr. David stated the people that attended from WVAW received what they needed. President Scalph stated that if two letters were sent and returned unopened, then they did not get the information they need.

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

FAYETTE COUNTY COMMISSION
REGULAR SESSION
MARCH 8, 2019
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: DENISE A. SCALPH, JOHN G. BRENEMEN, TOM LOUISOS

The Fayette County Commission met in a regular session on this 8th day of March, 2019.

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

Eddie Young, Assessor, presented real property exonerations for H3 LLC \$7.70; Frank Falbo 2011 BT \$8.34, \$7.96, \$7.56, \$7.20 & \$6.80; and Frank Falbo 2018 Reg Ticket \$7.70. Commissioner Brenemen motioned to approve the real property exonerations. Commissioner Louisos seconded. Unanimous decision.

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

Commissioner Brenemen motioned to approve 1st half payroll and release checks on March 15th, 2019. Commissioner Louisos seconded. Unanimous decision.

Commissioner Brenemen motioned to approve signing minutes from February 8th and 19th, and approve minutes from February 22nd and authorize President Scalph to sign. Commissioner Louisos seconded. Unanimous decision.

Estate settlements were presented for Robert Lee Flanagan; Anna Francine Combs; Bruce Lawson Webb; Leon Craig Wolfe; Rowena Priscilla Perry; and Carl Emzie Burrows. Commissioner Brenemen motioned to approve the estate settlements. Commissioner Louisos seconded. Unanimous decision.

Debbie Berry, County Administrator, presented a letter for approval and signature of the Commission to the WV Supreme Court requesting reimbursement of \$3,375.00 for the rent of our Family Law Judge for the month of March, 2019. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a request from Bill Lanham, Fayetteville Town Superintendent, to use the parking lot on the south side of the Fayette County Memorial Building for this year's annual community wide cleanup and appliance recycling event on Friday, April 19th and Saturday, April 20th, 2019. The dumpster would be removed Monday, April 22nd, 2019. Commissioner Louisos motioned to approve the request. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a request from Maura Kistler to use courthouse lawn, courthouse entryway and front porch and walkway on Saturday, May 4th, 2019 from 1:30 - 3:30 p.m. for a WWII Fashion Show. Commissioner Brenemen motioned to approve. Commissioner Louisos seconded. Unanimous decision.

The Commission approved the hire of James Saddler for 911 Deputy Director/Coordinator with amended terms as negotiated: \$41,000.00/year to allow for certification and experience and no review after 6 months.

Amanda Smarr, Region 4, presented drawdown Resolution #3 to pay Design 9 \$6,175.00 for work completed on Broadband Project #17CDBG0007. Ms. Smarr gave a project update. Design 9 is getting ready to present their final draft. Some things have been changed due to recent changes in lines being installed across the state by Facebook. There is potential for multiple providers to use the same towers. Commissioner Brenemen motioned to approve Drawdown #3 in the amount of \$6,175.00 for the broadband study. Commissioner Louisos seconded. Unanimous decision.

Ms. Berry presented a letter from Mike Pilato, Secretary of the Fayetteville Lions Club, to use the county parking lot on Wiseman Avenue adjacent to the courthouse and courthouse lawn for their Fourth of July Festival of July 4th, 2019. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Kathy Gerancer, New River Humane Society Board President, appeared to present 2019-2020 NRHS Budget Request. Ms. Gerancer presented that in the last year, 1,759 animals came to the shelter; 1,761 left the facility. They received a \$37,500.00 grant from the USDA for a spay/neuter program; a \$2,100.00 grant for small animal cages; and a \$5,700.00 grant for materials and construction of a new play yard.

They were able to sterilize over 80 community cats (feral) in Fayette County and partnered with veterinarians to hold low cost vaccine clinics. They have applied for multiple other grants to help the shelter. They are hoping to expand the cat colony sterilization and to get businesses and citizens to sponsor the program. They are also

hoping to participate in a Virginia Tech grant to study the impacts of fostering dogs.

The NRHS will be also be partnering on a community service project at the shelter with the Boy Scouts during the Jamboree.

Ms. Gerancer presented their budget request. The County Commission has funded the shelter's payroll needs through reimbursement for wages and compensation. The NRHS oversees the operations of the shelter and this eliminates the County from paying for health insurance and retirement. It is estimated that it would cost an additional 44% to provide these benefits as County employees.

President Scalph asked for clarification on the hourly rates. Ms. Gerancer verified that the payroll expense is the same as last year.

Teresa Workman, NRHS board member, has compiled financial information and a comparison of functional expenses from the previous fiscal years and projected expenses for the upcoming year. This includes staffing, vet bills, medications, pet supplies, and everything required to run the shelter. President Scalph asked about reimbursements from adoptions. Ms. Gerancer stated that not all of their expenses are covered by adoption fees. Adoption fees are \$125.00 for puppies up to 6 months, and over 6 months \$100.00; cats and kittens are \$70.00. President Scalph asked about rescues. Board Member Kiley Price stated the rescues do cover the expenses for vetting for those animals and they pay the vet office directly.

Ms. Workman stated Form 990 includes a schedule of expenditures. They are trying to show the expenses from 2017, 2018 and expected for

2019. The other column shows the fees reimbursed to the county for adoption fees. Wages are paid before they are reimbursed. They also include the value of food and supplies that are donated and the value of volunteer times. Shelter operations include expenses related to operating the shelter.

Ms. Gerancer stated supplies, dog food, cat food, litter, and vaccinations are things for which they fundraise. Vet bills last year were \$40,372.00 and that does not include spay/neuter. Transportation costs and insurance on the van are also taken care of by the shelter.

President Scalph asked about utilities. None are shown. Ms. Gerancer stated no, they are not shown.

Commissioner Brenemen asked about donated foster care. Is this always the same since the cost did not change? Ms. Gerancer stated they based this on a per day rate of estimates.

Commissioner Brenemen asked about donated food and supplies. Where did that number come from? Ms. Gerancer stated it is a two bags per day estimate. Volunteer hours are also estimated as is the cost of fostering.

President Scalph also sees an increase in the cost of pay and benefits. Ms. Gerancer stated this is an annualized amount. The 2019 number is a projection. President Scalph asked if that includes overtime. Ms. Workman stated she just provided an estimate based on the average to date. Commissioner Louisos asked who the accountant is and Ms. Workman stated it is Kevin Rock, CPA.

Ms. Gerancer closed with an overview of how they serve the county and discussed their success in providing adoptions and rescues. Less

than 15% of the animals that found homes were adopted locally. They asked the Commission to continue supporting their efforts to protect the animals. Ms. Gerancer will also be providing updated copies of the bylaws.

President Scalph asked about the current lease agreement. Ms. Gerancer stated the former director is looking for an updated agreement. The majority of the board was not aware of the update. Ms. Gerancer reported the Fur Ball raised over \$10,000.00. This amount was down some from last year. President Scalph thanked the board for their work.

Kelly Jo Drey, Resource Coordinator, appeared to present the budget for the Resource Coordinator's Office. Ms. Drey presented an overview of office program areas and impacts. This is a cumulative impact. Grant funding provided by her department was over \$1.1 million dollars since 2014. Her budget for the upcoming year has been reduced overall by \$819.00 due to lowered travel requests and eliminating the Maintenance and Repair of Equipment line item. The Commission thanked Ms. Drey for the reduction and for the hard work her office does in getting grant money.

Brian Sparks, WVU Extension Services, appeared to present his budget proposal. The only increase is in the clerical line item to reflect insurance coverage increases for the dependent. They hope to have a new 4H agent hired by May 15th. President Scalph discussed upgrades to the WVU Extension building such as paint and roof and mentioned plans to finish in the spring. Mr. Sparks thanked the Commission for the updates and also for their acknowledgement of his

recent award. Commissioner Brenemen stated Mr. Sparks has been a great asset and we are fortunate to have him.

Renee Harper, Park Director, appeared to present the park and garage budgets. Ms. Harper asked for continued funding for improvements and to offer public programs. This budget is 23% less than last year. 18% from the park budget and 5% from the garage budget. Ms. Harper is requesting the Commission to please consider two items. A small modest increase for four employees. Also to allow to hire a part-time recreation planner to coordinate events and special programs at the park and senior centers. With those small increases and the recreational planner, it is still an 18% reduction the overall budget. Using the recreational director part-time lets us look at the impact and see if we get an increase in park visitors. The park also needs upgrades to some facilities. Extra help line includes recreation planner, so that reflects the difference. Discussion was held regarding a fee structure that the Parks and Recreation Board put together for the Memorial Building. Ms. Harper will be forwarding those to the Commissioners for review. Ms. Harper believes this was voted on and approved in the past.

Commissioner Brenemen motioned to go into an executive session for a personnel matter at 10:58 a.m. Commissioner Louisos seconded. Unanimous decision.

The Commission returned from the executive session regarding a personnel issue with no decision made at 12:09 a.m.

John David, John Kincaid, members of the Page Kincaid PSD Board, Bart Jackson PKPSD Manager, Lesley Taylor, Region 4, and Jesse Alden

and Tom Oxley, Thrasher Engineering, were present to discuss issues and the PSD's current status. President Scalph stated we have been in continued discussion about the issues. The Commission recognizes there are a lot of issues. The Commission has paid \$20,000.00 to the media supply company to assist with costs and continue operations. WVAW is willing to assist but they need numbers. Up to this point there have not been any updates.

Commissioner Brenemen stated there were a lot of things accomplished. Ms. Taylor did provide good news about receiving a grant for a new filter.

Mr. Alden met with the Infrastructure Council meeting last week and asked for interim financing to install one of the three filters. They did make a motion to move forward with the interim financing and approve the \$500,000.00 amount for the big project. The PSD must pursue financing through a bank to be paid back through the grant. This would be a grant anticipation note and was approved last Tuesday with some contingencies. There is a schedule and they must bid out the project formally. They will advertise on March 20th for a single filter installation while continuing to work on the overall project. They have already started on the process for permit approval. The bid opening will be in April for the filter, and potentially begin construction on June 1st. Estimates are for a September completion.

President Scalph stated we have been dealing with this for 14 months. The people in Page Kincaid have had discolored water often enough that they must purchase water, cannot always wash clothes, and have been putting filters on showers all while still paying their

water bills. The Commission does not have a lot of authority to do anything, but we do strongly encourage moving this forward quickly.

Mr. Alden stated they have worked with WVAW and had discussions with them to tie in. This is also a very long process. The filter installation would be a significant decrease in time from the overall process.

President Scalph asked why letters are being returned unopened to WVAW. They offered to identify leaks for free and also a goodwill study at no cost. If you do not want to take advantage of the services, why not at least respond to the letter?

Mr. Alden stated he cannot comment as to why that did not happen. The leak detection was also discussed at the last meeting, as a caveat to the tie in to WVAW.

President Scalph asked about current water readouts. The last the Commission received were very old, from approximately 2012. President Scalph asked if there is a current reading and can it be scanned and emailed to Ms. Berry. Mr. Jackson said it can be. There is a significant change between 2012 and now.

Commissioner Brenemen asked if they are going to start the projects at the same time. Mr. Alden stated the overall project is ahead of schedule. However we can potentially bid the whole project toward the end of the year, provided they get through the PSC. If the bid is December, best case would be spring/summer of next year before they can even break ground.

Commissioner Brenemen asked if a contractor will install the filter system. Mr. Alden stated it requires piping, a crane, and custom fittings; the PSD cannot do this on their own.

President Scalph questioned how the PSD will pay their bills between now and then. The Commission received a copy of what was owed to the filter media company and it is \$50,000.00. The Commission paid \$20,000.00.

Mr. Jackson stated the PSD sent them a check for \$4,500.00. They are applying the \$20,000.00 to the filter media we are ordering which will be separate. The PSD also has another check to send to them but Mr. Jackson is unsure of the amount.

President Scalph asked for clarification that the PSD does have the funds to cover this. Part of the agreement was that the PSD will stay current. So they have separated this out and the \$20,000.00 payment will go toward future orders? Mr. Jackson stated yes.

Commissioner Louisos asked who is detecting the leaks. Mr. Jackson stated they are working with the PSC to detect leaks. They have been coming once a week to help find the leaks. A few leaks have been detected and fixed.

Commissioner Brenemen asked how much will this increase customer bills. Mr. Alden stated preliminary this will only be a couple of dollars. They will have to reevaluate based on 2018 numbers.

Commissioner Louisos stated he wants information on all the leaks and how they will be fixed.

Mr. Jackson stated the big problem is finding them. We have the equipment to find them. But they must fix them. The PSC is helping to identify the leaks so we can fix them.

Mr. Kincaid stated he was upset to find out the PSD did not receive mail. The employee was reprimanded. The PSD has never blatantly refused a registered letter.

President Scalph asked why the employee would do that. Refuse a letter addressed to you, the PSD board?

Mr. Jackson stated the employee did not want to sign for the letter. I told him you must sign for it. It just shows it is received.

President Scalph asked why the employee did not tell Mr. Jackson about the letter. Mr. Jackson just stated he did not let them know.

Mr. Kincaid stated the post master was also contacted as to why the letter would be sent back without letting the office know. They had no idea it was there. The board was very upset.

Mr. Jackson stated he emailed WVAW and they sent him the letters via email.

Commissioner Brenemen asked about how on their purchase orders many say PO number "Bart". Do you not use PO numbers indicating what they are for?

Mr. Jackson stated they do not, they just receive invoices after he calls and requests items.

President Scalph stated they've reviewed the request for a letter of support and reminded that they were supposed to let the Commission

know where to send it. Ms. Berry will pull the minutes to see where to send it.

Commissioner Brenemen stated that Allison Mitchell from Senator Manchin's office was present at a meeting and said she would be happy to assist in any way possible. A copy of her card was given to Mr. Alden to send to PKPSD members and employees.

Mr. David stated he was told that the Governor has access to emergency funds which he can release for special purposes. He believes contacting the Governor is the key since that money is under his control. That is why the letter should go to his office.

President Scalph stated the Commission has been very proactive trying to help PKPSD get this moving. The Commission is accountable to our residents.

Mr. Kincaid state he understands the process and they are very thankful for the assistance.

Commissioner Brenemen asked Mr. David for the name of the person who recommended he contact the Governor. Mr. David will first check with the person to see if it is alright to release his name, but the advice was given as a friendly gesture.

Mr. Oxley offered that he believed it is in part true about the Governor. He recommended that the Commission send the letter to the Governor and he and Mr. Alden will together provide additional addressees of where to forward the letter.

A support letter for approval and signatures of the Commission for Mr. David with SALS to support their proposal to construct a two-mile recreation trail on the former Norfolk Southern spur from WV 61

to Beards Fork was tabled until the Commission can speak with Building Inspector Allen Ballard regarding the status of permits to be obtained by SALS.

The meeting was adjourned at 2:07 p.m.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
MARCH 15th, 2019
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: DENISE A. SCALPH, JOHN BRENEMEN BY PHONE, TOM LOUISOS

The Fayette County Commission met in a regular session on this 15th day of March, 2019.

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

Eddie Young, Assessor, appeared to present personal property exonerations for Clarissa (Ramsey) Webb \$111.80; Enjoyed Again John Kincaid DBA \$53.28, \$57.06; Gary K. Skaggs \$265.56; Barbara F. McKinney & Michael D. Hill \$450.00; Carrie McClung Miller \$71.48; Ballard W. II or Carla Tolliver \$389.02; Eltina C. Arrington \$13.30; Raymond L. Walker \$32.28; Frank W. or Cheryl L. Coleman \$418.74; Joshua L. Taylor & Connie Meadows \$400.48; Shelba C. Underwood \$482.68; Pauline Emberson \$89.42; Elizabeth (Tyree) Yurkovich \$202.12; Tony D. & Julie M. Hinkle \$1,371.16; and Matthew Wilder \$49.34. Commissioner Louisos motioned to approve the exonerations. President Scalph seconded. Unanimous decision.

Mr. Young presented a refund in the amount of \$7.50 for H3, LLC. Commissioner Louisos motioned to approve the refund. President Scalph seconded. Unanimous decision.

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

Debbie Berry, County Administrator, presented a request from MSG Jeff Beane with the WV Army National Guard to use the Soldiers and Sailors Memorial Building for World Scout Jamboree training in April 11th and 12th for MAPEX (Map Exercises.) This would require laying out a large floor map that is approximately 23' x 23' and set up a projector with screen to display briefing slides for training. This was tabled so that Prosecuting Attorney Larry Harrah can review.

Ms. Berry presented a request from Michael G. Brown, Land Agent with DEP requesting the Commission to approve a maintenance right of entry agreement for a small tract of land the Commission owns near Block 4 of the Minden sub-division. The DEP plans construction maintenance on a reclaimed coal refuse pile on or after April 15th, 2019. This was tabled so that Mr. Harrah can review.

Ms. Berry presented a request from Chief Tax Deputy Anna Frost, to set up Fund 903 (state clearing account) for payments received from the state. This fund number was designated by the WV State Auditor's Office. Commissioner Louisos motioned to approve the request. President Scalph seconded. Unanimous decision.

Ms. Berry presented for approval including credits for hours that prisoners were supervised by the Fayette County Sheriff's Department and not at the Southern Regional Jail for the months of January and February, 2019 in the amount of \$2,538.00. The Commission will pay the entire bill and send a request for credit. Commissioner Louisos

motioned to approve the letter requesting credits. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented quotes for electrical work needed at the Fayette County Memorial Building to install the new water heater. This was tabled to obtain further quotes that matched in specifications.

Discussion was held regarding a letter to Governor Justice for Page Kincaid PSD. This letter will be clarified and signed at the next meeting.

Kelly Jo Drey, Resource Coordinator, appeared to present a contract for USDA Local Food Promotion Program Grant to be used for promotion and marketing. \$25,000 is specified for marketing for the project. The contract is with consultant Angelina Corwin to perform the work for \$10,000.00. Commissioner Louisos asked that paperwork such as this be presented at an earlier time for review. President Scalph suggested that when it is sent to the County Administrator's Office, please send it to the Commissioners as well. Commissioner Brenemen mentioned everything on the Whitlock Farm has been paid for by grants, no allocated money is being used. Commissioner Louisos mentioned that \$11,000.00 came from Coal Reallocated which was designated to pay for a freezer. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Richard Bono, Enterprise Fleet Management, appeared to give a presentation. Mr. Bono provided packets which discussed the long term plan for replacing vehicles and the associated costs, maintenance

costs, and end of life plans for vehicles. The Commission will review the provided information.

Tyler Bragg, GIS Specialist, appeared to give an update on the fly over information. Mr. Bragg met with the Pictometry sales representative who provided a new quote which was lowered by \$13,000.00.

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

FAYETTE COUNTY COMMISSION
REGULAR SESSION
MARCH 22, 2019
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: DENISE A. SCALPH, JOHN G. BRENEMEN, TOM LOUISOS

The Fayette County Commission met in a regular session on this 22nd day of March, 2019.

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

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

Commissioner Brenemen motioned to approve 2nd half payroll and release checks on March 29th, 2019. Commissioner Louisos seconded. Unanimous decision.

Estate settlements were presented for Rufus Maynard Simpson; Artie Belle George Perkins; Vivian Charlene Romans; Mary Emma McKinney; Cynthia Leigh Ashley; Janice Geraldine Light; Sallie

Aguilar; and William Raymond Taylor. Commissioner Brenemen motioned to approve the estate settlements and authorize President Scalph to sign. Commissioner Louisos seconded. Unanimous decision.

Lesley Taylor, Region 4 appeared to present the Kanawha Falls Boonesborough Waterline Extension Final Grant Amendment. Ms. Taylor first presented that Page Kincaid PSD has been approved for \$254,000.00 interim financing through BB&T to help expedite the process. Discussion was held about phone calls received by the Commission regarding water quality. The Commission has no control over the PSD, however, the public can contact the PSC in Charleston to file formal complaints against the PSD. President Scalph will start keeping a call log of people who call and their contact information.

The KFPSD water extension has been completed, under budget which left \$12,943.02 in funds remaining which will be recaptured by the Small Cities Block Grant. This will be Grant Amendment No. 6. Commissioner Brenemen motioned to approve Grant Amendment No. 6 for the Small Cities Block Grant. The final document shows an excess in funds of \$12,943.02 which will be recaptured by the grant. Commissioner Louisos seconded. Unanimous decision.

Angela Gerald, Building Safety, appeared to discuss the new building code adopted by the state legislature. There only appears to be only one change which will be an update to the energy code. The county must adopt this new standard to be compliant to state code. The new code will apply to all new residential and commercial structures. Commissioner Brenemen motioned to approve the building

code adoption order for 2019. Commissioner Louisos seconded.

Unanimous decision.

Joe Crist, Fire Coordinator, appeared to request a drawdown from the Fire Levy for 250 breathing apparatus and associated equipment. The request includes an \$88,900.00 grant match and a check for \$755,670.00. This equipment will make every department in the county up to date with 2018 standards. Old equipment is donated to departments across the state that are in need. The Fire Association is also donating equipment to the Sheriff's department and state police to assist in clean-up of meth labs.

Commissioner Brenemen motioned to approve two checks to match Montgomery Volunteer Fire Department grant funds for Rip packs and associated equipment. The first check will be \$88,590.00 and the second check \$755,670.00 to pay the remainder of the invoices for Finley Fire Equipment from Fire Levy funds. Commissioner Louisos seconded. Unanimous decision.

A bid opening was held for the Annex HVAC for the first phase which encompasses the first floor. Commissioner Brenemen abstained from this decision as he is associated with one of the companies submitting a bid.

Proposals for bids were advertised and due by 3/21 at 3:30. Four base bids were received:

Harris Brothers Roofing Company - \$122,000.00

Dan Hill Construction - \$217,875.00

Pennington Plumbing and Heating - \$144,900.00

Casto Technical Services - \$146,000.00

Alpha Mechanical and Childers Enterprises were at the pre-bid, but did not bid. Architect Dan Snead will review bids to ensure that they meet the specifications. Mr. Snead will also have additional questions for Harris Brothers since their bid is lower than expectations and they may not have included the control mechanism. This was included as an addendum so it may have been missed.

Mr. Snead also mentioned that Arch Masonry will be back in about three weeks to finish the work on the courthouse that was started last fall.

Debbie Berry, County Administrator, presented a request from MSG Jeff Beane with the WV Army National Guard to use the Soldiers and Sailors Memorial Building for World Scout Jamboree training on April 11th and 12th. Commissioner Louisos motioned to approve and ensure that Okey put down the floor covering prior to this event. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a request from Michael Brown, Land Agent with DEP requesting the Commission to approve a maintenance right of entry agreement for a small tract the Commission owns near Block 4 of the Minden Sub-Division that they plan to do construction maintenance on a reclaimed coal refuse pile. Work is expected to commence on or after April 15, 2019. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a request from Jeri Sarafin, DRC Director, for approval and signature of President Scalph for a drawdown for the Community Corrections grant for the month of February 2019 in the

amount of \$14,907.85. Commissioner Brenemen motioned to approve. Commissioner Louisos seconded. Unanimous decision.

Commissioner Brenemen motioned to approve the signature of the MOU between the FCC and the Criminal Justice Board and authorize President Scalph to sign. Commissioner Louisos seconded. Unanimous decision.

Ms. Berry presented a request from Lisa Ferrell-Kesterson, Event Coordinator, for permission to set up tent on the courthouse lawn on Wednesday, May 15, 2019 for the Annual Police Memorial Service. Commissioner Louisos motioned to approve the request. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a request from Benjy Simpson, to use the FCMB for Bridge Day Rappel Safety Orientation on Friday, October 18, 2019 which was previously tabled. Commissioner Brenemen motioned to approve and ensure that Okey puts down the complete floor covering, not just half. Commissioner Louisos seconded. Unanimous decision.

Ms. Berry presented a request from Phil Samples to use the FCMB from April 1, 2019 - March 31, 2020 for Amateur Athletic Union (AAU) basketball practices. Commissioner Louisos motioned to approve the request. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a request from Sharon Cruikshank, Fayette County Chamber of Commerce, to use the parking lot around the FCMB to organize vendors the morning of Bridge Day, Saturday, October 19, 2019. Commissioner Louisos motioned to approve the request. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a request from Melanie Seiler-Hames, Active Southern WV, to use the Memorial Building on Friday, October 18 and Saturday, October 19, 2019 for race packet information hand out and an awards ceremony (if necessary for inclement weather) for the Running on the Bridge 5K. Commissioner Louisos motioned to approve the request. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a request from Saints Peter and Paul Catholic School Principal and Athletic Director Ricky White, to use the FCMB from October 2019 through February 2020 for upcoming basketball games and practice. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a request from Jamie Baker, Project Assistant with Region 4 Planning and Development, to approve and sign a resolution for the adoption of April as Fair Housing Month. As a recipient of Community Development Block Grant Funds, Fayette County is required to affirmatively further fair housing. Commissioner Brenemen motioned to approve and sign the resolution. Commissioner Louisos seconded. Unanimous decision.

Ms. Berry presented a drawdown request from Lesly Taylor, Region 4, for Resolution No. 1 for New Haven PSD in the amount of \$6,811.34, relating to the design of the Arrowwood/Lower Dotson/Dotson Ridge/South Miller Ridge/Ramsey/Harver Road/Cane Branch (Contract 19). This comes from the \$50,000.00 originally approved. Commissioner Louisos motioned to approve and sign the drawdown. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a support letter for John David with SALS for the Appalachian Construction Development program to provide worker development, job training, and reemployment opportunities. Mr. David has complied with building permit information requests from the Commission. Commissioner Brenemen motioned to table the letter. Commissioner Louisos seconded. Unanimous decision.

Ms. Berry presented quotes for electrical work needed at the Fayette County Memorial Building to install the new hot water tank.

Four quotes were received from:

Carte Electric - 1,085.00

JP Electric & Plumbing - \$950.00

Jerry Crist - \$615.28

RDP Electric - \$480.00

After review, Allen Ballard, County Inspector, suggested Jerry Crist. Commissioner Brenemen motioned to approve the bid from Jerry Crist at \$615.28. Commissioner Louisos seconded. Unanimous decision.

Chief Deputy Rod Perdue appeared regarding vehicles for deputies through Enterprise Fleet. Ten vehicles will be \$97,000.00 based on 2020 Ford Explorer costs. This plan would save approximately \$12,000.00 to \$14,000.00 in maintenance. President Scalph would like recommendations on the vehicles.

The Commission entered into a budget work session at 11:45 a.m.

The meeting was adjourned at 2:05 p.m.

COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: DENISE A. SCALPH, JOHN G. BRENEMEN, TOM LOUISOS

The Fayette County Commission met in a budget session on this 27th day of March, 2019.

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

The Commission met to finalize the budget. The budget is a living document and will require further work. The County currently has a balanced budget to send to the auditor's office. Several things affected the bottom line. Numbers are down due to a lack of revenue. Initial budget projections had the county in the red \$192,000.00. After cuts, there is a balanced budget with less than \$600 in excess revenue over expenditures. Fortunately this does not include any layoffs. With a budget of \$9.8 million dollars that is a very small amount. With coal severance, taxes have also greatly decreased. After allocations, the county will have an estimated balance of around \$13,000.00 as of June 30, 2020. Coal severance expenditures are also restricted by state code and are limited to allocation 25% of that fund for salary expenditures.

Discussion was held regarding the Sheriff's budget with public comments made by Libby Lucas and Michael Phares.

Commissioner Brenemen motioned to approve the budget for July 1, 2019 through June 30, 2020 to sign and send to the WV State Auditor's Office for approval. Commissioner Louisos seconded. Unanimous decision.

The meeting was adjourned at 12:06 p.m.

FAYETTE COUNTY COMMISSION

REGULAR SESSION

MARCH 29, 2019

COURTHOUSE

FAYETTEVILLE, WV 25840

MEMBERS PRESENT: DENISE A. SCALPH, JOHN G. BRENNEMEN, TOM LOUISOS

The Fayette County Commission met in a regular session on this 29th day of March, 2019.

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

President signed the final request for payment from the Fayette County Park Trails Design project.

President Scalph stated that this meeting is at the request of Commission Louisos to have some of his questions answered. There are three commissioners here and all have their own opinions. Some of the questions go back to 2009, and the current commissioners don't necessarily have that information. The questions surround Wolf Creek Park, Whitlock Farm and the TIF. The questions will be coming from Commissioner Louisos with opportunities to answer. President Scalph handed the floor to Commissioner Louisos.

Commissioner Louisos held a discussion about the Fayette County Urban Renewal Authority, Wolf Creek Park (WCP), Whitlock Farm, and the WCP Tax Increment Financing (TIF). Also present for the meeting were URA Board Members Matthew Wender, Gene Kistler Holly Clark and Jeff Proctor, Resource Coordinator Kelly Jo Drey, and TIF Attorney John Stump.

Debbie Berry, County Administrator, presented a request from Lita Eskew to use the front porch, steps and lawn of the Fayette County

Soldiers and Sailors Memorial Building on Thursday May 2nd, 2019 for National Day of Prayer ceremony. This usually happens at the Courthouse, but they've decided to use the FCMB now dies to the new memorials in place on the lawn. Commissioner Louisos motioned to approve the request. Commissioner Brenemen seconded. Unanimous decision.

Eddie Young, Assessor, appeared to present real property exonerations for Brian D. Thomas & Amy E. Walker \$633.32; Charles E. Carter, Jr. & Brianna Blevins \$351.25, \$11.52, and \$6.92 . Commissioner Brenemen motioned to approve and authorize President Scalph to sign. Commissioner Louisos seconded. Unanimous decision.

The meeting was adjourned at 10:40 a.m.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
April 5, 2019
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: DENISE A. SCALPH, JOHN G. BRENEMEN, TOM LOUISOS

The Fayette County Commission met in a regular session on this 5th day of April, 2019.

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

Kevin Walker, OEM Director, appeared to introduce the new 911 Coordinator Jimmy Saddler and explain the FEMA check. Mr. Walker gave

an overview of money that will be received for reimbursement from FEMA for the 2016 flood.

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

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

Commissioner Brenemen motioned to approved prior meeting minutes from March 8th, 15th, 22nd and 27th. Commissioner Louisos seconded. Unanimous decision.

Estate settlements were presented for Jewell Leonne Kennedy; Carlos Eugene Gibson; Brenda Jean Smith; Sandra Kaye Crawford; Beverly J. Gannon; Calvin Jefferson Bickford; Charles Earl McDaniel; Delphia Burl Burton, Jr.; Mark Andrew Lilly; James Reginald Fox II/Jr.; Linda Susan Ford; Rose Ann Hayden; Richard R. Starkey; and David Lee Poff. Commissioner Brenemen motioned to approve the estate settlements. Commissioner Louisos seconded. Unanimous decision.

Jeff Proctor, URA Vice-Chair, appeared to present the USDA Grant resolution for broadband. Mr. Proctor gave details of the work and parties involved. A resolution must be signed by the Commission for the grant application due in May. Commissioner Brenemen motioned to approve and sign the resolution after the correction of the 20% guarantee is made. Commissioner Louisos seconded. Unanimous decision.

A resolution for lease of antenna placement with service provider for fixed wireless service to underserved and unserved areas of the county was presented. The lease will be on an annual basis with a renewal up to twenty years. Commissioner Brenemen motioned to approve the tower lease agreement between the URA and county pending changes approved by the Prosecutor. Commissioner Louisos seconded. Unanimous decision.

A budget discussion was held with elected officials and department heads. The Commission thanked the elected officials for their hard work. The Commission gave an overview of the budget and requirements by State Code as to how they can be spent. Eddie Young, Assessor, was present to discuss losses in property taxes and other revenues. Mr. Young explained about coal companies who work under bankruptcy and the loss of revenue, reduced property values, and businesses closing in the area that all affect tax revenue for the county. Sherriff Mike Fridley was present to discuss the tax collections in the county. Sheriff Fridley presented facts about unpaid taxes in Fayette County and the differences between 2018 and 2019.

Michelle Davis Riser appeared for public comment regarding the Animal Shelter funding. Ms. Riser commented on the number of animals helped by the Humane Society and that they have raised \$144,000.00 on their own. Ms. Riser hopes the Commission will fund the shelter.

Dave Perry, State Board of Education President and Fayette County citizen, appeared to discuss our personnel policy and encouraged the Commission to consider second chance hiring for criminal charges.

Kelly Jo Drey, Resource Coordinator was present to discuss the Appalachian Regional Council (ARC) Grant support letter for the Whitlock Farm. The letter is requesting ARC grant funds to support activities for Whitlock Farm in the amount of \$159,715.00 to expand marketing and outreach, and purchase supplies and equipment to assist in this project. Matching funds are coming from the USDA Local Food Promotion Program grant funds, and the excise tax. Commissioner Brenemen motioned to approve signing the letter. Commissioner Louisos seconded. Unanimous decision.

Debbie Berry, County Administrator, presented for approval and signature of President Scalph a grant application to the Division of Homeland Security and Emergency Management for 4 walk through screening systems, 20 screening wands, 20 hi-vis vests, and 16 extension cords to be used during the World Scout Jamboree. Kevin Walker is willing to store these at the OEM Center after the Jamboree for use in the county. No county funds will be expended for this equipment. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a request from Kevin Walker to attend a Bomb-Making Materials Awareness Program (BMAP) on May 5th - May 9th, 2019 through the WV Emergency Management Group. Mr. Walker will use the information to update Emergency Management manual and also train other first responders in the county. There will be no cost to the county. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a letter for approval and signatures of the Commission to the WV Supreme Court requesting the reimbursement of rent for the month of April in the amount of \$3,375 for the Family Law Judge. Commissioner Louisos motioned. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a drawdown request for the Community Corrections grant for the month of March, 2019 in the amount of \$14,786.30 for approval and signature of President Scalph. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented the Community Corrections Grant application for FY 2020 for approval and signature of President Scalph. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a grant agreement for approval and signature of President Scalph with the State of WV Division of Culture and History for a Records Management and Preservation Board Grant for \$3,268.00 for the Fayette County Commission to purchase a high volume micro-cut shredder and \$10,000 for the Assessor to purchase Mylar sleeves and pay personnel costs to scan and index maps. Commissioner Louisos motioned. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented for Commission approval Architect J. Dan Snead's recommendation to accept the low bid submitted for Phase One of the Judicial Annex HVAC System to Harris Brothers in the amount of

\$122,000.00. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented for discussion a letter received from Mayor Greg Ingram, Montgomery, requesting emergency funding in the form of a gift, grant or loan to demolish a building in Montgomery. The Commission stated funding is not available.

Ms. Berry presented a request from Zenda Vance, Fayetteville Town recorder, to have a ceremony to dedicate the stone and flag poles at the FCMB after the Memorial Day Parade on Monday, May 27, 2019 starting at 11:00 a.m. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a request from Denise Light, CEO of Fayette County National Bank, to substitute securities pledged on behalf of the Fayette County Commission. Ms. Berry presented an order for the Commission to sign. Commissioner Louisos motioned to approve and sign the order. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a support letter request from Joseph Brouse, NRGRDA, to the Federal EDA on behalf of the NRGRDA/WV Hive for EDA Seed Fund Support proposal for the County Roads Angel Network. Commissioner Brenemen motioned to approve and sign the letter. Commissioner Louisos seconded. Unanimous decision.

Ms. Berry presented a letter to Governor Jim Justice concerning Page-Kincaid PSD water issues, tabled from a previous meeting. Commissioner Brenemen motioned to approve and sign the letter. Commissioner Louisos seconded. Unanimous decision.

Ruth Lanier, Staff Accountant, appeared for discussion related to state issued purchasing cards. Ms. Lanier stated that the county could pay many of our invoices using the P-Card and receive bonuses and rebates, however, there is no way to track the payments to the specific vendors. Our accounting software has a module that would allow this recording of payments made on the P-Card. The module upgrade is \$1,595.00 through Avenue. Commissioner Louisos motioned to approve the upgrade. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented Orders to Combine or Divide and Segregate land for Timothy & Mona Hankins; Madge A. & Teddy Manley; William J. Deligne; and William J & Lisa K. Deligne, respectively. Commissioner Louisos motioned to approve the orders. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a letter to office holders regarding requisitions of supplies for the Commission to sign. Commissioner Louisos motioned to approve and sign. Commissioner Brenemen seconded. Unanimous decision.

The Commission decided to change the April 26th meeting date to April 30th.

The meeting was adjourned at 1:04 p.m.

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

The Fayette County Commission met in a regular session on this 16th day of April, 2019.

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

Debbie Berry, County Administrator, presented an order to lay the levy. There were no written comments or objections from the WV State Auditor's Office. Commission Brenemen motioned to approve the laying of the levy. Commissioner Louisos seconded. Unanimous decision.

Ms. Berry presented the letters for the elected officials and outside agencies regarding budgets and allocations from General County and Coal Severance for signature by the Commission. Commissioner Brenemen motioned to approve letters to elected officials and outside agencies. Commissioner Louisos seconded. Unanimous decision.

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

Commissioner Brenemen motioned to approve 2nd half payroll checks released on April 30th. Commissioner Louisos seconded. Unanimous decision.

Tyler Bragg, GIS Specialist, appeared to present an invoice for approval for online payment for Pictometry in the amount of \$2,200.00. The cost is divided between several organizations. Commissioner Brenemen motioned to approve the expenditure, a total of \$2,200.00 with invoices sent to each organization and to check with legal regarding late fees. Commissioner Louisos seconded. Invoices to

other organizations will state that if not paid within 30 days, they will lose access to the account. Unanimous decision.

Ms. Berry presented a Consumer's Sales Report from Fayette County Park for approval and signature of President Scalph. Commissioner Louisos motioned to authorize President Scalph to sign. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a Community Rating System Annual Recertification document from the Fayette County Building Code and Enforcement office for approval and signature of President Scalph. Commissioner Louisos motioned to authorize President Scalph to sign. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a contract for the HVAC system at the Courthouse Annex with Harris Brothers Roofing for approval and signature of President Scalph. This was tabled until paperwork is received.

Ms. Berry presented an invoice from WVCoRP from a Mountain Valley Pipeline Claim of \$16,202.51 for discussion and approval. Commissioner Brenemen motioned to approve. Commissioner Louisos seconded. This was previously approved with a \$25,000.00 cap. Unanimous decision.

Ms. Berry presented an invoice from the Town of Meadow Bridge for rent of the Meadow Bridge Community Center (Senior Program) for discussion. The rent is \$200.00 monthly. Commissioner Louisos motioned to approve for April, 2019, previously approved for FY 18/19. Commissioner Brenemen seconded. Unanimous decision.

Discussion was held regarding a van for Community Corrections.

Ms. Berry presented a Termite Service Agreement for discussion and approval from Metrick Pest Control for the cat room at the Animal Shelter. The quote is \$1,278.00. The Commission requested two more quotes from other companies

Ms. Berry presented for approval Sonicwall Firewall support and security with GST. Fayette County Commission has a maintenance agreement for IT Support but the antivirus software must be purchased and maintained by an annual agreement for the software licensing. Commissioner Brenemen motioned to approve internet security for one year for \$1,276.18 from GST. Commissioner Louisos seconded. Unanimous decision.

Discussion was held regarding updating the personnel manual to discuss background checks. Ms. Berry will be adding specific language approved by prosecutor.

The meeting was adjourned at 11:10 a.m.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
APRIL 30, 2019
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: DENISE A. SCALPH, JOHN G. BRENEMEN, TOM LOUISOS

The Fayette County Commission met in a regular session on this 30th day of April, 2019.

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

Commissioner Brenemen motioned to enter into an executive session at 9:15 pertaining to a personnel issue. Commissioner Louisos seconded. Unanimous decision.

The Commission exited Executive Session at 10:00 a.m. Commissioner Brenemen motioned to approve a special training session at the 911 center at a cost of \$7,611.00.

Assessor Eddie Young presented personal property exonerations for Michael S. McCormick \$53.02; David M & Melanie H Ewing \$410.80; Anthony G. or Colleen Canada \$372.02; Sabrina McKinney \$1,802.66; Connie Cole \$227.90; Michael Brittany, Mike, Shell Aicher \$293.64; Charles L. & Margaret A. Martin \$269.76; Melvin Goode \$390.86; Rosemary & Jason C. Smith \$147.56; Teresa L. Berry & Douglas Smallwood \$589.58 & \$158.72; Brian Wheeler \$158.72; Pamela Loeffler \$48.42, \$49.96, \$52.88, & 52.88; Darlene Martin \$119.90; and Percy E. & Arvella Fruit \$284.26 & \$270.80. Commissioner Louisos motioned to approve the personal property exonerations. Commissioner Brenemen seconded. Unanimous decision.

Commissioner Brenemen motioned to approve the personal property refunds for Jacqueline Lynn Richmond \$106.54, \$12.80, \$134.51, and \$15.00. Commissioner Louisos seconded. Unanimous decision.

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

Commissioner Brenemen motioned to approve prior meeting minutes from March 29th, April 5th, and 16th and authorize President Scalph to sign. Commissioner Louisos seconded. Unanimous decision.

Commissioner Brenemen motioned to approve estate settlements for Linda Faye Goddard; Myrle Jean Hudnall; John Lee Tennant; Larry Alan Tennant; Oakley Edward Vicars; Nellie E. Scarbro; Ruby Mae Evans; Clifford Hinte; Bobby Lee Willis; and Robert Edward Neely. Commissioner Louisos seconded. Unanimous decision.

Debbie Berry, County Administrator, presented an Order to Combine or Divide and Segregate Land for Ronald & Robin O. Shawver. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Sheriff Mike Fridley appeared to discuss changing the penalties for late hotel/motel tax payments to \$15.00 plus an additional 2%. Prosecuting Attorney Larry Harrah stated the auditor's office said we do not need a public hearing; however Mr. Harrah encourages a public hearing for transparency and suggested contacting the tax commissioner. Setting the penalty is up to the Commission's discretion and will require an order. A public hearing will be set on May 30th to discuss the penalty on the hotel/motel tax. Commissioner Louisos motioned to approve scheduling a public hearing to increase the fee for late hotel/motel tax payments. Commissioner Brenemen seconded. Mr. Harrah will make a recommendation to the commission on rate the rate. Unanimous decision.

Discussion was held regarding a transport van for Community Corrections. Sheriff Fridley presented information regarding the van for DRC. Judge from Drug Court said he would help cover costs. The Commission requested a report on monthly participant fees that are being paid and those being waived. They would also like drug testing

fees report monthly. Discussion with Enterprise representative Rich Bono was held regarding mileage and rates for lease of van for DRC or transport and the Commission asked for a quote for a higher mileage vehicle. The current van cannot be put back on road.

Sharon Cruikshank, New River Gorge CVB Director, appeared to present the NRGCVB Annual Report. Presented information, the newest guidebook and marketing work done by the NRGCVB. The CVB plans to appeal to Summit visitors during the International Jamboree. Ms. Cruikshank thanked the Commissioners for their help.

Kelly Jo Drey, Resource Coordinator, called in to the meeting regarding a Part Time Program Administrator Position. Ms. Drey appeared via phone regarding a part-time grant funded position to help in the Resource Coordinator's office with administrative tasks. This position is 100% grant funded. Ms. Drey budgeted \$20,000.00 per year to cover wages and employment taxes and would like to offer their candidate \$18.00 an hour. This expense was originally included in the grant and approved. Commissioner Brenemen motioned to approve. Commissioner Louisos seconded. Unanimous decision.

Discussion was held with Elected Official and Department Heads regarding purchasing procedures. Commissioner Brenemen spoke regarding budget numbers and spending. Discussed cutting costs, evaluating different vendors, and not buying stock just to have it. All requests must be submitted on a requisition form. If received by 10:00 a.m. it will be considered that day. After 10:00 a.m. it will be pushed to next day. Looking at other departments using P-cards for purchases as well.

Alicia Treadway, Voters' Registration, appeared regarding Polling Site Accessibility. Ms. Treadway gave updates on polling places. Pax City Hall changed to new location and she will need to notify voters. This will be on the next agenda. When Fayetteville Elementary moves to the High School when it closes this year, Ms. Treadway would like to move Precinct 55 from the old Fayetteville Elementary Annex to the Memorial Building with Precinct 52, and move Precinct 55 to the new Fayetteville Elementary School building (former FHS.) Precinct 37 in Boomer will need to move from the Fire Department, among others. Ms. Berry will have a list of precincts which will need to be moved to be discussed at the next meeting. Ms. Treadway is requesting \$9,407.00 from state grant money for precinct 29 and 18 and this will finish the work there to make them handicap accessible. Precinct 51, 52, 31, and 46 will all need rubber grips. Door mats 45, 74, 68, the Catholic Center, and Lewis Center will need door mats for election days.

Ms. Berry presented a contract for the new HVAC System at the Courthouse Annex with Harris Brothers Roofing for approval and signature of President Scalph. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a request from Armstrong PSD for reappointment of Velma Newman to the Armstrong PSD Board. Term expiring March 1, 2019. The Commission stated there should only be three board members. The Commission will look at the list of current members and check with Mr. Harrah. This was tabled until the next meeting

Ms. Berry presented a support letter for approval and signatures for John David with SALS to Michelle Rotellini, United Way of Southern WV

for their grant application for Community Impact and Safety Net categories programs. Commissioner Brenemen motioned to authorize signatures for the support letter upon the changes requested. Commissioner Louisos seconded. Unanimous decision.

Ms. Berry presented a Personnel Manual update for Background Check Policy and Procedures for approval. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a Termite Servicing Agreement for discussion and approval from Metrick Pest Control for the Cat House at Animal Shelter. Commissioner Louisos motioned to approve Metrick Pest Control for termite service agreement. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a lease contract with Enterprise Fleet for 5 cruisers for approval and signature of the Commission. This was approved in a previous meeting.

Ms. Berry presented a contract for Avenu to use with P-Card purchases for approval and signature of President Scalph. This was approved in a previous meeting. Commissioner Louisos motioned to approve signature. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a request from Calvin Swafford, Jr. to use the Fayette County Memorial Building on June 8th, 2019, 8:00 a.m. - 9:00 p.m. for a basketball tournament to raise money for the league and team for approval. Commissioner Louisos motioned to approved. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented EMPG Grant award, 2015 document in the amount of \$82,498.58 for Division of Homeland Security and Emergency Management for approval and signature of President Scalph. Commissioner Brenemen motioned to approve and authorize President Scalph to sign. Commissioner Louisos seconded. Unanimous decision.

The meeting was adjourned at 12:44 p.m.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
MAY 14, 2019
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: DENISE A. SCALPH, JOHN G. BRENEMEN, TOM LOUISOS

The Fayette County Commission met in a regular session on this 14th day of May, 2019.

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

Eddie Young, Assessor, presented exonerations for Glenn Allen and Martha Workman. Commissioner Brenemen motioned to approve. Commissioner Louisos seconded. Unanimous decision.

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

Commissioner Brenemen motioned to approve 1st half payroll and release checks on May 15th, 2019. Commissioner Louisos seconded. Unanimous decision.

Commissioner Brenemen motioned to approve prior meeting minutes for April 30th, 2019 and authorize Commissioner Scalph to sign. Commissioner Louisos seconded. Unanimous decision.

Commissioner Brenemen motioned to approve estate settlements for Faye Marie Grounds; Betty Jane Shumaker; Robert Steven Stakey; Katherine June Bayes; Charles H. Beirne; Ruth B. Picarella; Julia Elizabeth Mease; Danny Richardson Dix, Sr.; Sheryl Kaye Richardson; Connie Renee Williams; Linda Susan Dickinson; Boyd Stanley Bragg; Rueben Jackson Woolridge; and Elmer Leroy Harrell. Commissioner Louisos seconded. Unanimous decision.

Debbie Berry, County Administrator, presented a request from Erin Reid, Active Southern WV, to use the Fayette County Memorial Building on Thursdays, starting June 6, 2019 for dance aerobics classes. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a request from Sarah Coffey, Event Promoter for the Captain Thurmond's Challenge to use courthouse property for the 21st Annual Captain Thurmond event. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a request from Monica Hambrick with Appalachian Alphorn Adventure, to use the front lawn of the Courthouse on Friday June 7, 2019 4:00 - 6:00 p.m. and Saturday, June 8, 2019, 4:00-5:00 p.m. for an alphorn concert and merchant mixer. Commissioner Louisos motioned to approve the request. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented letters and order for the Fayette County Commission to approve and sign designating the following incorporated banking institutions in the county to be named as Depositories of Public Monies: Fayette County national Bank, Chase, Bank of Mount Hope, Inc., Branch Banking and Trust (BB&T), United Bank, and City National bank of WV. Commissioner Brenemen motioned to approve and sign the letters and order. Commissioner Louisos seconded. Unanimous decision.

Ms. Berry presented a drawdown request from Community Corrections for the month of April, 2019 in the amount of \$15,725.54 for approval and signature of President Scalph. Commissioner Louisos motioned to approve and authorize President Scalph to sign. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a letter and invoice for approval and signature to the WV Supreme Court requesting reimbursement for rent for the Family Law Judge in the amount of \$3,375.00 for the month of May, 2019. Commissioner Louisos motioned to approve and sign the letter. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a public notice for review which will set a date for a public hearing and decide the amount for penalty of late fees for the monthly Hotel/Motel Occupancy Tax. Assistant Prosecuting Attorney Jeff Mauzy reviewed the notice and suggested adding the percentages as well. Commissioner Brenemen motioned to approve public notice. Commissioner Louisos seconded. Unanimous decision.

Ms. Berry presented a Law Enforcement Liability Invoice in the amount of \$1,774.00 from WVCORP for a law suit filed by Ronal Terrell.

The handling of this claim is complete. This coverage has a \$10,000.00 deductible so \$1,774.00 is due. Commissioner Brenemen motioned to approve the payment. Commissioner Louisos seconded. Unanimous decision.

Ms. Berry presented a letter to Montgomery Mayor Greg Ingram informing that the county cannot allocate funding for the bad building issue in their area. Commissioner Louisos motioned to approve and sign the letter. Commissioner Brenemen seconded. Commissioner Brenemen will also call Mayor Ingram to discuss the situation. Unanimous decision.

Ms. Berry presented Thank You letters to Maura Kistler and Cindy Kappler for selecting the Fayette County Courthouse for their Living History event on May 4, 2019. Commissioner Louisos motioned to approve and sign the letters. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented Thank You letters to Maintenance employees Sonny Milam, Melvin Withrow, Jake Johnston, Matt Abbot, Allen Kowalsky and Okey Skidmore for their hard work during the storm on Friday, May 3, 2019 and assistance with the WWII event. Commissioner Louisos motioned to approve and sign the letters. Commissioner Brenemen seconded. Unanimous decision.

Also discussed was the tree that was damaged during the storm. It is a hazard. The Commission approved for Maintenance Supervisor Sonny Milam to remove the tree.

Ms. Berry presented for discussion appointments to Armstrong PSD board. Commissioner Brenemen needs to send a letter to Velma Newman

letting her know she has been reappointed. Another commissioner on the board has moved out of district and we will need to look at that to assure we are compliant with code.

Ms. Berry presented Orders to Combine or Divide and Segregate properties for George Baumgartner and Kathy Ann Taylor, respectively. Commissioner Louisos motioned to sign the orders. Commissioner Brenemen seconded. Unanimous decision.

Lesley Taylor, Region 4, appeared in regards to another PSD discussion. Commissioner Brenemen opened the discussion regarding consolidating PSDs into one. Conversations have been initiated with a PSD in Summersville and Kanawha Falls to help in getting the consolidated PSD running efficiently.

Ms. Taylor agrees that Ms. Newman should remain as a commissioner for Armstrong PSD. Ms. Taylor stated that each PSD must have a board of commissioners made up of not less than three people who reside within the district as dictated by state code. Board members must also complete the training by the PSC per state code.

Alicia Treadway, Voters' Registration, appeared regarding polling place changes. Precincts needing to move are as follows:

- 1 - in Oak Hill, from Rosedale Elementary into the Nazarene Church
- 17- in Pax, from old Pax Municipal Building; this has been moved to new City Hall
- 55- from Fayetteville Elementary Annex on High Street to Maple Avenue at old FHS/New Fayetteville Pre K-8 Building

Precincts 52/56 will remain at Memorial Building. Commissioner Brenemen motioned to approve to move these polling places. Commissioner Louisos seconded. Unanimous decision.

Precinct 4 will also have to move from Gatewood Elementary, but Ms. Treadway and Ms. Berry are still looking at potential sites. Precinct 24 must move from Mount Hope Elementary. Potential sites are the fire department and a few churches.

The Purchasing Policy was heard for adoption. Commissioner Brenemen gave a background on the reasoning behind the new policy. It will allow the county to ensure purchases are within budgets and are not excessive. We have been looking closely for ways to lower costs by using other vendors and getting quotes. Ms. Berry read the new purchasing policy. Commissioner Brenemen motioned to approve and adopt the policy set forth by the attachment to the minutes to go into effect on May 14th, 2019. Commissioner Louisos seconded. Unanimous decision.

Discussion was held regarding a decision for the Community Corrections (Day Report Center - DRC) van. They are currently using the deputy sheriff transport van and the transport officers are driving spare cruisers.

Sheriff Mike Fridley recommends DRC keep using the van. If we lease or purchase a van, it can be used for the Sheriff's transport officers due to lower mileage usage, and that will help the bottom line low at the end of the lease. The use of the DRC also helps lower costs for maintenance by utilizing the DRC participants. Also has helped lower our jail bill. Sheriff Fridley mentioned

Commissioner Brenemen will be taking a seat on the Community Corrections board.

After discussion, the decision was made to lease a van for use by the Sheriff Transport Officers. Commissioner Brenemen motioned to approve a lease of a transport van through Enterprise Fleet Management. Monthly investment is \$494.98, with it being used for the transport officers. DRC will keep the van they are currently using. Commissioner Louisos seconded. Unanimous decision.

The Commission took a break from 10:30 to 10:35 a.m.

Discussion was held regarding URA funding: Coal Reallocated allocation expiration; excise tax allocation; and repayment to FCC of loaned funds.

Commissioner Louisos discussed wanting to bring back the excise tax and coal reallocated money from URA to the county. Asked for Project Cost Estimate in 2006 for development and how much more will it cost to develop. Commissioner Louisos recommended having a developer or investor come in. Even with what is currently there, that is not enough to finish this project. And these allocations are taking away from the county, law enforcement and other departments. Commissioner Louisos stated he is not against the project, just the county funding it.

Public comments:

A recent land purchaser recommends that this property go into private development. Stated it is very unorganized.

Rick Johnson from River Expeditions stated he put an offer in but it was not accepted or considered. Suggests new members on the boards.

Geoff Heeter owns and operates Opossum Creek Retreat. Offered comments as how it has been used as an education opportunity.

Matt Wender asked what we are going to do as a county. There is a large economic challenge due to decline of coal. The county needs to reposition.

Dave Arnold on behalf of Jeff Proctor: Jeff worked on Wolf Creek Park on the initial economic development board. Must focus on small businesses first. Large business does not come without excitement, education, and developed lots.

Pete Hobbs, 3rd congressional representative for Broadband. Discussed the need for full understanding of what is needed to develop small business and drive wireless to rural areas. Working on a very large federal e-grant for broadband.

Member of NRGTA - We are an outdoor recreation state, and with that comes small business. Gear shops, guides, etc..

Nathan Herald, owner of Bridge Brew Works: Stated they are happy to host meetings with Commissioners and URA. Let the public know about the URA. Not everyone knows what the URA is or does. Let people outside this group know as well. Have a meeting just for the people of Fayette County and include them. You are not making them a part of the process.

Commissioner Brenemen stated they are looking at helping local farmers with our cold storage on Whitlock Farm. We do need small business. We need economic development.

Kelly Jo Drey, Resource Coordinator: We are only looking at money currently there.

President Scalph: we will consider going forward if we must adjust percentages. All information needs to be considered. President Scalph asked that Mr. Mauzy to let the commission know if this is something to be tabled and discussed at the next meeting.

Discussion was held regarding benefits upon termination of employment. Commissioner Brenemen discussed the payout of vacation time at the end of employment when terminated for cause. An update to our personnel manual will state that if any employee is terminated for cause, vacation days will not be paid. Commissioner Brenemen motioned to amend our personnel manual to state that any employee terminated for cause will not be paid vacation. Commissioner Louisos seconded. Unanimous decision.

Donald Carte, New Haven PSD customer, appeared to discuss the New Haven PSD Water Extension. Mr. Carte would like to get new people on the New Haven PSD board. There needs to be new input and improvement made to the current PSD situation. Mr. Carte presented photos of the PSD office in disrepair. Members of the board do not attend meetings. Commissioner Brenemen will be present at the June 10th meeting of the NHPSD.

The meeting was adjourned at 12:25 p.m.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
May 30, 2019
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: DENISE A. SCALPH, JOHN G. BRENEMEN, TOM LOUISOS

The Fayette County Commission met in a regular session on this 30th day of May, 2019.

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

Eddie Young, Assessor, appeared to present the land books for signature. Commissioner Brenemen motioned to approve signature on the land books for real and personal property. Commissioner Louisos seconded. Unanimous decision.

Mr. Young did not have exonerations to present.

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

Commissioner Brenemen motioned to approve second half payroll and release checks today. Commissioner Louisos seconded. Unanimous decision.

Commissioner Brenemen motioned to approve estate settlements for Zona Gail Hannah; Betty Jo Bainbridge; Lessie Pearl Brown; Thomas Ray Jarrett; Henry Franklin Henson; Claudia Lynn Wender; Reginald Darrell Sutphin; Mary Marilyn Colagrosso; Robert Ronald Jeffries; and Victoria Karen Caldwell. Commissioner Louisos seconded. Unanimous decision.

Debbie Berry, County Administrator, presented an order to Combine or Divide and Segregate land for Karen W. Grant. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented an order and letter for approval and signatures of the Commission reappointing Velma Newman to the Armstrong Deepwater PSD Board. Term to expire March 1, 2025. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented an order and letter for approval and signatures of the Commission reappointing Teddy Elliott to the Gauley River PSD. Term to expire December 31, 2021. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a letter from Rebecca K. Kellum, Director of the Fayette County Public Libraries requesting the appointments of Roberta Sifers of Meadow Bridge, and Stephanie Tyree of Edmond, to the Fayette County Public Library Board. Terms to expire June 30, 2020 and May 30, 2024, respectively. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a letter for approval and signature of President Scalph notifying Tracey Rowan with the Philadelphia Regional Office that the Fayette County Commission is actively involved with the planning process of Region 4 Planning and Development Council to meet Economic Development Administration requirements with (CEDS)

Comprehensive Economic Development Strategy. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a Budget Revisions from Staff Accountant Ruth Lanier for approval. Commissioner Brenemen motioned to approve. Commissioner Louisos seconded. Unanimous decision.

Ms. Berry presented an amendment to the Broadband Resolution signed 4/5/19 for approval and signatures of the Commission. This amendment will move the resolution forward. Commissioner Louisos requested the URA submit a loan structure for approval. Commissioner Brenemen motioned to approve the amendment from \$100,000.00 to \$250,000.00 from Coal Reallocated funds. URA member Jeff Proctor stated he appreciates all the help from Commission et al in moving this forward. Unanimous decision.

Ms. Berry presented for discussion a letter from Brandon Richardson, Minden Community Action Team, requesting the Commission to authorize the Sheriff's Department to pay officers to provide traffic control on June 8th, 2019 for a March for Minden parade in Oak Hill. President Scalph discussed this request with Mr. Richardson and explained that the county cannot fund security for this type of event. President Scalph suggested having sponsors pay for such controls. The county cannot pay for private event security. Larry Harrah, Prosecuting Attorney, concurred and mentioned that the event is within the City of Oak Hill and that would be their responsibility.

Becky Kellum, newly appointed Fayette County Public Library Director appeared to be introduced to the Commission.

Paul Clay, attorney, appeared to present a request for closing an unused, unnamed alleyway in Oak Hill/Plateau District, filed on behalf of Harris and Runyon, the neighboring property owners. The road is located off of Pea Ridge Road and was originally a loop, but was never opened or paved. Mr. Harrah reviewed and approved the order. Commissioner Brenemen motioned to approve the abandonment of the road discussed. Commissioner Louisos seconded. Unanimous decision.

A public hearing was held in regards to an increase in the penalty for late payment of monthly hotel/motel occupancy tax. The hearing was publicized in the newspaper. The new fee will be a \$15.00 fee as well as a penalty of 2.5% shall be assessed for the first month. Each additional month will be an additional 1.5%. Commissioner Brenemen suggested a letter outlining the new form and penalties. This will be effective July 1st, 2019. Commissioner Brenemen motioned to approve the order to increase the penalty on late payment of hotel/motel occupancy tax. Commissioner Louisos seconded. Unanimous decision.

Ms. Berry presented a letter to be signed by the Commission for Calvary Baptist Church in support of their after school learning program. Ms. Berry read the letter. Commissioner Louisos approved signing the letter of support. Commissioner Brenemen seconded. Unanimous decision.

A public hearing was held in regards to changes in polling place locations. The public hearing was advertised. The Commission voted

to approve changing polling locations for Precinct 1 Oak Hill, 15 Pax, and 55 Fayetteville and send notification to those affected.

Commissioner Brenemen motioned to approve and sign the order.

Commissioner Louisos seconded. Unanimous decision.

Tom Ballard, Co-owner of Priority Ambulance, appeared regarding pagers for his EMS personnel. Jan-Care has a contract with the county. Mr. Ballard would like Priority to be part of that contract as well to provide service. Priority is sometimes closer to an event than Jan-Care and can provide better service to the county. Priority would like to be called based on who is closest.

Kevin Walker, OEM Director, stated Jan-Care is the sole provider of EMS service in the county. Commissioner Louisos asked if they must have pagers in order for 911 dispatchers to contact the EMS service for calls. Mr. Walker stated each ambulance has a station number assigned. Priority is not set up with a provider number in the county. The county would have to recognize them as a provider in order to have the tone sent to them for calls. The current contract goes through December 2019. A meeting will be scheduled for June 21st with the parties involved in regards to the county contract. Mr. Harrah asked if there are other providers within the county, and it was answered no. Mr. Harrah reiterated we have a valid contract in place through December.

Mike Callaghan, Special Counsel, appeared regarding the civil suit with Seminole Mining. The federal case has been dismissed. The circuit court case is still pending in front of Judge Blake. This case is exempt from bankruptcy and is still pending. Murray Energy

Corporation has taken over this matter and filed a case trying to declare the county's Public Nuisance ordinance invalid. This case is pending in front of Judge Ewing.

Powellton Timber and Powellton Coal did not want to respond to the information discovery and have moved to intervene in the case with Murray claiming the ordinance is invalid.

The Commission entered into an executive session at 11:50 a.m.

The Commission exited the executive session at 12:10. No decisions were made; legal advice only.

The meeting was adjourned at 12:13 p.m.

FAYETTE COUNTY COMMISSION

REGULAR SESSION

JUNE 7, 2019

COURTHOUSE

FAYETTEVILLE, WV 25840

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

The Fayette County Commission met in a regular session on this 7th day of June, 2019.

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

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

Commissioner Brenemen motioned to approve first half payroll to release checks on June 14th, 2019. Commissioner Louisos seconded. Unanimous decision.

Commissioner Brenemen motioned to approve the minutes from May 30th, 2019 and authorize President Scalph to sign. Commissioner Louisos seconded. Unanimous decision.

County Administrator Debbie Berry presented Estate Settlements for Cecil Jennings Hicks, Sr.; Naomi Ruth Tackett; Carolin June Megimose; Steven Wayne Kessler; Phillip J. Blankenship; Jo Anne Lively; Otis Hubert Sedlock; and Sharon Less Dickinson. Commissioner Brenemen motioned to approve. Commissioner Louisos seconded. Unanimous decision.

Sheriff Mike Fridley appeared to present the May publication list for delinquent personal and real property taxes. Sheriff Fridley also mentioned he will have a new deputy starting on Monday and this will mean that the department is fully staffed. Commissioner Brenemen motioned to accept and approve the publication list from May. Commissioner Louisos seconded. Unanimous decision.

Lesley Taylor, Region 4 Planning & Development, appeared regarding the Armstrong Creek PSD CDBG Award Agreement. Discussion was held regarding PSD members and the current status of Page Kincaid PSD. WV American Water has agreed to provide water to Page Kincaid at the PSD's cost to help the pump issue there.

Ms. Taylor presented that the County Commission was awarded a Community Development Block Grant for the Armstrong PSD area for Powellton and Deepwater areas and presented a resolution and the \$1.5 million dollars for the project. The full amount was awarded in 2019. The Commission has reviewed the contract with the developers and accepted. The approval for the evidentiary documents was also presented for signature. The compliance form was presented, and Region IV will manage all funds as in the past. Ms. Taylor reviewed all documents to be signed with the Commission.

Commissioner Brenemen motioned to approve the resolution of Fayette County Commission to the Armstrong PSD with the CDBG administered by Region IV accepting a \$1.5 million grant as well as the supporting documents. Commissioner Louisos seconded. Unanimous decision.

Delegate Margaret Stagers appeared regarding a petition for assistance from the PSC for Page Kincaid PSD. Delegate Stagers is trying to address a problem with the citizens not having access to clean water. Formal complaints have been filed with the PSC by residents, however they cannot act until Page Kincaid PSD files for themselves. The state says the County Commission must petition Page Kincaid to file a failed water service. Under that code they make a petition to sell or dispose. President Scalph asked that Prosecuting Attorney Larry Harrah review the documentation and ensure it meets code and asked County Administrator Debbie Berry to ensure Delegate Stagers is kept up to date regarding the status.

Armstrong Creek PSD representatives Thomas Gibson and James Truman were in attendance in regards to a request for funding for a new river pump replacement loan. A pump located on the Kanawha River at the raw water source that brings water into the plant has failed. They are requesting \$12,734.00. Discussion was held regarding loan plans, as well as the source of funding for the loan on the county's side. Confirmation was received that grant funds cannot be used to reimburse. The Commission asked if Armstrong Creek can repay the loan at a potential payment of \$250.00 a month. Commissioner Brenemen motioned to approve \$12,734.00 for pump replacement. Commissioner

Louisos seconded. Commissioner Scalph stated they need a letter from the PSD agreeing to these repayment terms. Unanimous decision.

Kelly Jo Drey, Resource Coordinator, appeared to discuss working to assist the Wolf Creek Park Project.

Items up for discussion:

- Capital the URA/WCP has in their accounts.
- What has been spent, including what excise tax was used for
- What was spent or will be spent with TIF funding
- What Reallocated Coal will be spent on
- What are present and future expenses and where will they be paid from?
- What services are the URA/WCP receiving for the present and future expenses?
- What does the WCP new web site showcase?

Commissioner Louisos believes private investors and developers need to be involved instead of the county trying to develop property and would like a business plan developed for Wolf Creek that shows the viability of the property. The commission will also ask that John Stump come to discuss the TIF.

Ms. Berry presented a Budget Revision for General County and Coal Severance Funds were presented for approval and signatures.

Commissioner Brenemen motioned to approve the budget revisions for General County and Coal Severance. Commissioner Louisos seconded. Unanimous decision.

Ms. Berry presented a recommendation from Jimmy Sadler, E911 Coordinator/Deputy Director to hire Armon James Humphrey and Ms. Aerinique Rogers as dispatchers at the 911 center. Both are for open positions at the center and on a six month probation period. Employment was effective 5/31/19. Salary starting at \$10.10 per hour and after successful 6 month completion will advance to \$10.60 per hour. Commissioner Brenemen motioned to approve. Commissioner Louisos seconded. Unanimous decision.

Ms. Berry presented for approval a request for Michelle Worrell to go from full-time position with the Courthouse Maintenance department to part-time effective 7/1/19. She will work M-F 5:00 to 9:00 p.m., no more than 19 hours per week. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a letter to the WV Supreme Court requesting reimbursement for rent for Family Law Judge for the month of June, 2019 in the amount of \$3,375.00 for approval and signature of the Commission. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a Worker's Compensation Premium for review from Brickstreet and WVCoRP. Mike Lively with BrickStreet and Steve Rawlings with WVCRP are available for further meetings if there are questions.

Brickstreet cost of 18/19- \$71,436.00

Brickstreet- FY 19/20 \$63,317.00

WVCoRP- FY 19/20 \$70,574.00

Commissioner Louisos motioned to approve the Brickstreet quote.
Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a drawdown for the Community Corrections Grant for the month of May 2019 in the amount of \$16,166.97 for approval and signature of President Scalph. Commissioner Louisos motioned to approve and authorize President Scalph to sign.
Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a Fire Levy Pumper Replacement contract for the approval and signature of the Commission for the Smithers Fire Department. Commissioner Brenemen motioned to approve. Commissioner Louisos seconded. Unanimous decision.

Ms. Berry presented a letter for discussion regarding PSD members. Ms. Berry read the letter and asked for Assistant Prosecuting Attorney Jeff Mauzy to review. The motion to send was withdrawn after legal consultation.

Ms. Berry presented a letter for review regarding Plum Orchard Lake and improper upkeep. Ms. Berry read the letter. Commissioner Louisos motioned to approve and sign the letter. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented that the commercial Solid Waste siting and comprehensive plan updates for the Fayette County Solid Waste Authority were approved.

The meeting was adjourned at 12:39 p.m.

FAYETTE COUNTY COMMISSION
SPECIAL SESSION
JUNE 18, 2019
COURTHOUSE

FAYETTEVILLE, WV 25840

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

The Fayette County Commission met in a special session this 18th day of June, 2019.

President Scalph called the meeting to order at 9:05 a.m. Commissioner Brenemen motioned to enter into an executive session with legal counsel at 9:07 a.m. Commissioner Louisos seconded. Unanimous decision.

The Commission exited the executive session at 11:45 a.m. No decisions we made.

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

FAYETTE COUNTY COMMISSION

REGULAR SESSION

JUNE 21, 2019

COURTHOUSE

FAYETTEVILLE, WV 25840

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

The Fayette County Commission met in a regular session on this 21st day of June, 2019.

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

Assessor Eddie Young appeared to present personal property exonerations for Timothy S. & Lazenda R. Kees \$421.70; Carl Randall & Dora Brooks \$385.06; John M. & Linda K. Oliver \$140.40; Angela Humphrey \$96.84; Tyler Dysas \$188.30; Rodney L. Mullins \$549.12; David A. Sheila & Jacob Rice \$549.12; Mikel L. & Emily Hardy \$399.64 & \$384.66; Gabrielle A. Pike \$150.18 & \$127.22; Gail S. Maynor \$190.98 & \$190.98; Shamel M. Bradford \$232.10; Jamie L. & Louise M. Ward \$627.14; Anthony Thomas & Associates \$7,868.36; William C. Wright

\$67.70. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Mr. Young also discussed the mapping of the county via air for engineering purposes. A large portion has been completed already at no cost to the county.

Mr. Young presented a letter he received from Barbara Ortiz regarding a piece of property she owns and the number of acres she is being assessed for owning. She owns approximately 8 acres but was assessed for 60+ acres. Mr. Young advised that we may need to refund her \$789.36 for this year and five years past, which has been our practice. Commissioner Louisos motioned to approve the refund. Commissioner Brenemen seconded. Unanimous decision.

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

Commissioner Brenemen motioned to approve second half payroll and to release checks on June 28th, 2019. Commissioner Louisos seconded. Unanimous decision.

Commissioner Brenemen motioned to approve the minutes from March 1, 2019, May 14, 2019 and June 7, 2019 and authorize President Scalph to sign. Commissioner Louisos seconded. Unanimous decision.

County Administrator Debbie Berry presented Estate Settlements for Naomi Ruth Aquino; Maude Emogene Dangerfield; Randy Dean Dangerfield; Deanna Rose Sears; Robert Lee Underwood; David Ernest Vandall; Homer Lee Roberts; Otha Thearold Sizemore; Mabel Maxine Matics; W Ray Murdock, Jr.; and James Floyd West. Commissioner

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

Gabriel Peña, Deputy Resource Coordinator, appeared in regards to a support letter for a \$4 million Upper Kanawha Valley Abandoned Land Pilot Project to help build out trails in the area. Smithers Mayor Anne Cavalier and Montgomery Mayor Greg Ingram were in attendance. Mr. Peña read the letter to the Commission. Mayor Cavalier spoke in support of the grant and letter. Mayor Ingram discussed the upcoming improvements and business improvements in the area and told the Commission he was appointed as the new Director of the Midland Trail Association. Commissioner Brenemen motioned to approve the letter and authorized President Scalph to sign. Commissioner Louisos seconded. Unanimous decision.

Jimmy Saddler, 911 Coordinator, was in attendance to present the 911 Budget for FY 2019/20. He gave an overview of the revenues and expenses over the past year and his expectations for the upcoming year.

Commissioner Brenemen motioned to go into executive session to discuss the 911 budget questions with Prosecuting Attorney Larry Harrah at 10:00 a.m.

The Commission exited the executive session at 10:33 with no decisions made.

Commissioner Brenemen motioned to approve the 911 budget with no pay increases and without asphalt or striping expenses. The new budget will be \$1,378,543.76 with the reserved right to revisit the submitted increase at a later date. A budget workshop will be held on

August 15th at 9:00 a.m. after the World Scout Jamboree. Commissioner Louisos seconded. Unanimous decision.

Commissioner Brenemen motioned to approve hiring Amanda Arthur for the vacant mapping position. Commissioner Louisos seconded. Unanimous decision.

Commissioner Brenemen motioned to approve Jennifer Clendenin to replace Ms. Arthur as a dispatcher. Commissioner Louisos seconded. Unanimous decision.

William Hannabass, Oak Hill City Manager, appeared to discuss the GIS MOU. Commissioner Brenemen motioned to approve Kevin Walker to enter in the agreement and sign the MOU with the City of Oak Hill. Commissioner Louisos seconded. Unanimous decision. Commissioner Louisos questioned new structures and addressing.

Steve Holstein, Pax area resident, was in attendance to discuss the feral cats in our county. There is a problem with feral cats in the Pax area. Kathy Gerancer, NRHS Board President, spoke regarding the vote of the Board to not take feral cats at the shelter in 2017 due to disease, and the fact that feral cats are wild animals. There is no state code that requires the shelter to accept feral cats into the shelter, due to risk of injury and disease.

Shelter Director Nicole Harris spoke to the issue affecting the entire country, not just here. The only solution we have is the trap, neuter, release program. There aren't other solutions at this point.

Mr. Holstein would like guidance from the leadership. He will be working with the Humane Society for informational discussions and looking for ways to get the community involved.

Mike Callaghan, Special Counsel, appeared regarding legal matters with the Code Enforcement Agency. All cases are going the same, just typical brief filing. A few Code Enforcement meetings were held with discussions in regards to the Solid Waste Authority (SWA) and things they can be doing to assist. Mr. Callaghan requested that the Commission allow the SWA to work with Mike Callaghan to reinforce rules and regulations to assist with this process. Commissioner Brenemen motioned to approve Mike Callahan through the Prosecutor's office to work with the Solid Waste Authority to reinforce the Agency's actions. Commissioner Louisos seconded, provided it is presented to the Commission.

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

The Commission exited the executive session at 11:50 a.m. No decisions were made.

Ms. Berry presented discussion about the Excise Tax allocation to the New River Humane Society. A decision will be made after the ending fund balances in Coal Severance are available on July 15th.

Ms. Berry presented discussion concerning an allocation to UKV Strategic Initiates Council. This was tabled for further review.

Ms. Berry presented transfer orders for end of fiscal year 2019 for approval and signatures as follows:

Magistrate Court Fund to the General Fund \$20,850.70

Fayette County General School Fund to General Fund \$112,513.98

Fayette County Worthless Check Fund to General Fund \$1,400.30

Commissioner Louisos motioned to approve the transfer of funds and sign the orders. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented an Election Levy Transfer Order for fiscal year 2019 for approval and signatures, as follows:

Library Levy Fund \$3,200.00

Law Enforcement Levy Fund \$6,800.00

Fire Levy Fund \$10,000.00

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

Ms. Berry presented an order approving banking institutions in the county to be named as depositories of public monies. Commissioner Louisos motioned to approve the BB&T, Fayette County National and Bank of Mount Hope, Inc. as banking institutions. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented an order for approval and signatures of the Commission approving the substitution of securities held on behalf of Fayette County National Bank for deposits of the Fayette County Commission. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

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

Ms. Berry presented letters for approval and signatures of the Commission to Mac Warner, Secretary of State and to the Public Service

Commission with a list of current board members of Public Service Districts in Fayette County. Commissioner Brenemen motioned to approve the current list of board members. Commissioner Louisos seconded. Unanimous decision.

Ms. Berry presented a letter from Teddie Elliott with Gauley River PSD requesting the appointment of Juanita Phillips to replace Charles Kincaid, term to expire December 31, 2023. Commissioner Brenemen motioned to approve. Commissioner Louisos seconded. Unanimous decision.

Ms. Berry presented a letter for approval to the Public Service Districts related to Commissioners living outside their PSD footprint. Commissioner Louisos motioned to approve and sign the letter. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a support letter for approval and signatures of the Commission to SALS for the HUD Housing Counseling program. Commissioner Louisos motioned to approve and sign the letter. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented an agreement for approval and signatures between The Fayette County Commission and City of Oak Hill agreeing that City of Oak Hill can use the County Code Official and Building Inspector to do its inspections and enforcement for the time period of July 1, 2019 - June 30, 2020. Commissioner Brenemen motioned to approve. Commissioner Louisos seconded. Unanimous decision.

Ms. Berry presented a request from Thomas L. Bryant with SickNinjaBnB to use the Fayette County Memorial Building on 6/26/19, or 6/24/19 or 6/25/...19 for a Trick Shoot Exhibition utilizing

basketball, football and Frisbee to be videoed to post on the YouTube Channel. Commissioner Louisos motioned to approve based on a \$50.00 per hour fee, and that proof of insurance is provided and the FCMB is cleaned up afterwards. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a Member Agreement with WVCoRP for signature and approval of President Scalph for renewal package of insurance for FY 2019/2020.

Cost 2018/2019 - \$255,630.00

Cost 2019/2020 - \$254,289.00

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

Ms. Berry presented orders to Combine or Divide and Segregate Land for Susan and John Montgomery, and Ellery Queen, respectively. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

The meeting was adjourned at 2:00 p.m.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
JULY 12, 2019
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: DENISE A. SCALPH, JOHN G. BRENEMEN, TOM LOUISOS

The Fayette County Commission met in a regular session on this 12th day of July, 2019.

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

Eddie Young, Assessor, appeared to present exonerations for real estate for Cecil Riner \$92.22 & \$250.56; Joseph C. Critchley \$999.20; Glenn Allen & Martha Workman \$101.46 & \$45.34; Melissa McDaniel et al. \$3.84; Sharon D. Hypes \$332.82; John Shamblin \$24.60; Mt. Hope Bldg. Co \$2,286.62; Charles E. Carter, Jr. \$9.22 & \$5.38; Mary E. & Roger Childers \$305.14; James P. & Tina D. Bell \$369.70; CMBJAT LLC \$4.96 & \$454.08; and Kenneth N. & Roseanne P. Gibson \$150.04. Commissioner Brenemen motioned to approve. Commissioner Louisos seconded. Unanimous decision.

Mr. Young presented exonerations for personal property for Kristie L. Case \$72.12 & \$84.02; Patrick & Patricia Standard \$508.70; Michael & Michelle L. Riser \$299.32 & \$397.12; Christle J. Blankenship \$147.88; Cantrell Canoes & Raft Inc. \$84.02; Michael Cote & Crystal E. McGuire \$32.14; Veronica L. Buckner \$46.10; John R. Hamrick, Jr. \$232.88; Kathleen R. Medina \$155.00; Dennis L. or Debra L. Scarbro \$425.78; Andrew or Shauna Dye \$250.94. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Mr. Young presented a real estate refund for Barbara Ortiz in the amount of \$789.36. Commissioner Brenemen motioned to approve. Commissioner Louisos seconded. Unanimous decision.

Commissioner Louisos motioned to approve a refund for Kristie L. Case in the amount of \$101.03 and \$80.22. Commissioner Brenemen seconded. Unanimous decision.

Mr. Young informed the Commission they would like to extend hours one day a month to have Assessor and Tax employees available until

6:00 p.m. on the third Thursday each month. This will allow citizens extended time to pay taxes.

Mr. Young discussed the pumping station and the potential need for an assessment there.

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

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

Commissioner Brenemen motioned to approve minutes from June 18th. Commissioner Louisos seconded. Unanimous decision.

Estate settlements were presented for Porter Williams Lewis, Sr.; Karl William Singleton, Jr.; Roger Lee Davis; Margaret Ruth Bragg; Nelly Filmon Chmara; Edith Carol Dodd; Tina M. Motley; Alma Elizabeth Burr; James Herbert Briggs; Flora Ruth Jarrett; Terry Ruffner Drennen; Betty Ann Merritt; William Walter Renovish; James S. Estep; Lowell Franklin Hodge; Orval Milburn Reed; Susan Warwick James; Betty Gay Legg; Theodore Joseph Vance; Beverly Kay Gladwell; Isabelle Dean Withrow; Jack R. Dotson; Jack Gannon; and Margie Ann Skaggs.

Commissioner Brenemen motioned to approve the settlements.

Commissioner Louisos seconded. Unanimous decision.

Kelvin Holliday, County Clerk and Alicia Treadway were in attendance to discuss merging precincts 23 and 24 into the polling place for 23 and moving precinct 28 and precinct 37 to the new Smithers City Hall. Precinct four will be moved to the Gatewood

Church of God Outreach Center. It is a one level building with a handicap accessible ramp. Discussion regarding the number of registered voters and the allowances per state code. PA Jeff Mauzy is going to read state code regarding issues with one of the precincts. Once confirmation is received, notice will be posted for public hearing regarding moving the precincts.

Commissioner Brenemen motioned to approve the recommendation of Precinct 4 from Gatewood Elementary to Gatewood Outreach Center, combining the polling locations for Precinct 23 and Precinct 24, both Mt. Hope, at Mt. Hope Fire Department (current polling place for Precinct 23) and combining the polling locations for Precincts 28 and 37 in the new Smithers City Hall (current polling place for Precinct 28). Commissioner Louisos seconded. Unanimous decision.

Mr. Holliday and Ms. Treadway presented an idea to have the special levy election with the primary election. The cost of each election is over \$40,000.00 to pay poll workers. Many of them were upset because they received over \$600 and were required to have a W-2. Many said they would not work elections if they had to have a W-2.

President Scalph agreed that it may save money. However, there is concern if the levy does not pass what the back-up plan is. If it does not pass, we will have to rerun the election again in 60 to 90 days. There must be a back-up plan on how to fund these divisions. The Commission needs to have more discussion before moving forward. The funding for fire and law enforcement is imperative. The Commission requested that the parties involved begin the conversations and ensure that there is support for this decision without undermining

the levy. The decision must be made prior to October. Mr. Holliday made comments regarding monetary savings for the county. It would save approximately \$120,000.00 for the county.

Public comment from Stanley Boyd: "I think Mr. Holliday is correct and consider this seriously. This is a prudent decision for the county to make in terms of saving \$100,000.00."

Public comment from Sylvia Allen "I agree with Mr. Holliday. We need to show support for the levy to the public."

Kelly Jo Drey, Resource Coordinator, appeared to present grant agreements for an Appalachian Sustainable Development ARC Grant for Whitlock Farm as well as an addendum to the Sprouting Farms Contract. The addendum will move money between line items and will increase the contract with Sprouting Farms. There were miscalculations in the original document showing \$75,800.00 instead of \$85,000.00 on the wage line item which will need to be corrected per the Commission's request. Assistant Prosecuting Attorney Jeff Mauzy said the original agreement must show an amendment to show the correct amount of \$85,000.00. This can be the same original agreement with AMENDMENT at the top and sign the amended original agreement. The addendum will also be changed to show the \$85,000.00 dollar original amount. Commissioner Louisos asked about increased cost. Ms. Drey confirmed there will be no additional cost to the county. This only moves the monies from one sub award agency to another. Commissioner Louisos asked for the minutes from the Farmland Board. County Administrator Debbie Berry will request this from Adam Hodges, Farmland Chairman.

Ms. Drey made the requested changes to update the original with the correct totals. Commissioner Brenemen motioned to approve the amendment to the agreement with Sprouting Farms to \$85,800.00. Commissioner Louisos seconded. Unanimous decision.

Commissioner Brenemen motioned to approve the amendment to the agreement to add \$25,000.00 to the sub award agreement with Sprouting Farms from another agreement at no additional cost. Commissioner Louisos seconded. Unanimous decision.

Ms. Drey presented a new grant agreement for the Appalachian Sustainable Development ARC Grant for Whitlock Farm. This agreement will allow the Commission to be the sub award recipient from the ASD organization. The matching funds will come from the excise tax money. Commissioner Brenemen motioned to approve. Commissioner Louisos seconded. Unanimous decision.

John Stump, Attorney from Steptoe and Johnson was in attendance for a presentation on the Wolf Creek Park and Oak Hill TIF Districts. He gave an overview of the TIF District and the intention to use the revenue for business development in the park. It specifies that the money that accrues is to be used for development of business only. The code is very broad, however what the development office will agree to is very limited. Commissioner Louisos stated most are done with a bond. Mr. Stump agreed; the money is typically used to secure a bond that will finance the project. In WV there are a fair number of counties that run Industrial Parks. Discussion was held about various parks and how they are managed. The benefits to drawing in small business versus large business are due to the smaller losses if the

business does not stay. Discussion was held regarding the State Development web site and the usefulness of being listed as a shovel ready site.

Ms. Berry presented a Consumer Sales Tax form for FC Park for approval and signature of President Scalph for the quarter ending June 30, 2019. Commissioner Brenemen motioned to approve. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a Budget Revision for approval and signature for the Coal Severance Fund. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a letter to WV Supreme Court requesting reimbursement for rent for Family Law Judge in the amount of \$3,375.00 for the month of July 2019. Commissioner Brenemen motioned to approve. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a letter from K. William Hauer, Treasurer with FC Farmland Protection Board requesting the reappointment of Adam Hodges (term expiring 5/2021), Russell Hypes (term expiring 5/2023), Steven Wheeler (term expiring 5/2023) and Denise Scalph (term expiring 5/2021). Commissioner Louisos motioned to approve. 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 Debbie Sizemore, George Tabit, and James Tucker. Terms expire 8/3/2019 and will run through August 2022. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a letter for approval and signatures of the Commission to the WV Alcohol Beverage Control Administration notifying that the Fayette County Commission is aware of the Spartan Race events taking place on August 23, 2019 - August 25, 2019. Commissioner Louisos motioned to approve and sign the letter. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a legal ad for approval to set a Public Hearing for the change in polling places for Gatewood Elementary School Precinct 4 to Gatewood Outreach Center; Mount Hope Elementary School Precinct 24 to move to Mount Hope Fire Department and merge with Precinct 23; and Precinct 28 Smithers City Hall to New Smithers City Hall (Former Valley Elementary) and merge Precinct 28 & 37. This ad will only advertise Precinct 4's change. The Precinct Map will need be redrawn to show the consolidations of Precincts 23 and 24 and Precincts 28 & 37. Commissioner Louisos motioned to approve advertising the polling place change for Precinct 4. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a quote for approval for a new 4" backflow and tie in meter to WVAW for the Fayette County Health Department. (\$6,400.00) Fire Safety Products. The Commission asked for additional quotes.

Ms. Berry presented a request from Becky Kellum, Director of Fayette County Public Libraries requesting the reappointment of Donna Smith to the FC Public Library Board. Term to expire June 30, 2024. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a support letter for approval and signatures of the Commission for John David with SALS supporting plans to develop a low-income housing project as a part of a Youth Build Project. Commissioner Brenemen motioned to approve and sign the letter. Commissioner Louisos seconded. Unanimous decision.

Ms. Berry presented Inspection Agreements for approval and signature of President Scalph for Michael T. Rose and Jason Davis for the Fayette County Building Code Enforcement Office. Agreements are for a period of one year starting July 1, 2019 and ending July 1, 2020. The Commission requested copies of their licenses first.

Ms. Berry presented a discussion about a survey for FC Detective Bureau Property. She is looking into quotes and requirements.

Ms. Berry presented for discussion complaints about fireworks and yearly permit fees for roadside vendors in non-municipality areas. More research will need to be done.

Ms. Berry presented a Yearly Building Code Official and Inspector Agreement with the Town of Fayetteville for approval and signature of President Scalph. Commissioner Louisos motioned to approve and authorize President Scalph to sign. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented approval of a drawdown for the Community Corrections grant in the amount of \$15,515.60 for June, 2019. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a Fire Levy Agreement for the Town of Fayetteville for approval and signature for the FY beginning 7/1/19.

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

Ms. Berry presented an Order to Combine or Divide and Segregate for Edward Scott, Kimberly Ann Stover and Erin Hope Wilburn, respectively. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

The meeting was adjourned at 1:23 p.m.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
JULY 26, 2019
COURTHOUSE

FAYETTEVILLE, WV 25840

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

The Fayette County Commission met in a regular session on this 26th day of July, 2019.

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

Eddie Young, Assessor, appeared to present real estate exonerations for Linda L. Estep \$328.18; Barbara Ortiz \$196.00, \$196.00, \$192.92, \$193.92, \$193.92 and 213.76; Lionel Waters \$133.20; Warm Hearts from Warm Hearts \$521.76; \$2,035.62; Melvin & Sue Ann Smith \$256.20; Eric H. Autenreith \$256.20; Ada M. Etvir Gilliam \$403.40; Charles R. & Zenda Vance \$322.56; Burton & Deborah Sims \$134.64 and \$608.80; Frances & Geneva Aide \$266.28; Terry Matthews Atal \$77.50, \$11.92 and \$19.88; George A Nichols \$201.24; Thomas Beverage \$119.42; James M. & Robert Gwinn \$510.32; and Nuttall LLC

\$16.92. Commissioner Brenemen motioned to approve. Commissioner Louisos seconded. Unanimous decision.

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

Commissioner Brenemen motioned to approve 2nd half payroll releasing checks on July 30th, 2019. Commissioner Louisos seconded.

Commissioner Brenemen approved the minutes from June 21st, 2019. Commissioner Louisos seconded. Unanimous decision.

Estate settlements were presented for Mary Tolstick; John William Bragg; Larry Lee Pugh; Daniel Leroy Lomelino; Amy Elizabeth Ewing; Brenda Kay Johnson; Peggy Jean Thomas; Nancy Leota Angel; and Kristopher Dale Arrington. Commissioner Brenemen motioned to approve and authorize President Scalph to sign. Commissioner Louisos seconded. Unanimous decision.

Debbie Berry, County Administrator, presented Orders to Combine or Divide and Segregate land for Zenda Vance, Martha E. Toney, and Gaden Gentry, respectively. Commissioner Louisos motioned to approve and sign the orders. Commissioner Brenemen seconded. Unanimous decision.

Sheriff Mike Fridley appeared to request sending tax ticket reminders. Ten notices were sent out last spring to business who were delinquent. The businesses did pay these taxes which saved the county publication fees and also saves the business late and publication fees. The cost is fifteen cents per notice. Sending out ten notices brought in \$152,000.00 of unpaid taxes from those businesses. Commissioner Brenemen motioned to approve, with the Sheriff returning

to let them know when they will be sent. Commissioner Louisos seconded. Unanimous decision. Sheriff Fridley also noted the public has had positive response to the extended hours of the Assessor and Tax offices.

Gabe Peña, Deputy Resource Coordinator appeared to present a Solid Waste Authority Funding Request. The Solid Waste Authority was one of 7 that received \$15,000.00 or more from the Solid Waste Management Board. The grant will be used to purchase a new truck for the FCSWA. The truck would cost \$25,000 according to state bid, down from \$38,000.00. The FCSWA is asking the Commission for assistance with the remaining amount to purchase the truck so Litter Control Officer Tommy Harris can continue his activities. Mr. Peña gave a breakdown of Mr. Harris' duties and amounts of litter removed in the County. The current truck has 193,000 miles and was purchased used from state surplus. It just returned from the auto repair shop for issues, and also had to be towed while hauling for the Valley food pantry. The Commission asked that Ms. Berry check insurance costs for the new truck and will review funding levels to see where the funds will come from, as well as the towing capacity of the truck. The Commission will table and resume discussion on August 9th.

A public hearing was held in regards to changing the polling place for Precinct 4. Kelvin Holliday, County Clerk, was not in attendance. President Scalph requested his presence at 10:00 a.m. for this hearing. This has been advertised per legal requirements. All are in agreement that this is a good location. The building owner is making upgrades to ensure there are no issues. Commissioner Louisos

motioned to approve moving Precinct 4 polling place from Gatewood Elementary to the Gatewood Outreach Center. Commissioner Brenemen seconded. Unanimous decision.

Commissioner Brenemen motioned to enter an Executive Session at 10:15 for legal advice. The Commission returned with no decision made at 10:50.

Debbie Sizemore, Partnership Specialist for the 2020 Census was in attendance to give a presentation. Ms. Sizemore would like a Complete Count Committee to be formed for Fayette County including mayors, commissioners, DHHR... anyone involved with the public that may be missed. Suggestions were made to contact mayors and get input from their council members to see the best way to start. Discussed way to get information such as with pay stubs, tax statements, church bulletins, food pantry distributions, utility bill inserts, newspaper inserts. The census information determines road funding, grant funding, school information, SNAP, child care assistance, etc... Ms. Berry read the proclamation recognizing the importance of the census and committing the Commission to assisting with notifying citizens of the importance. Commissioner Brenemen offered to head up the process. Commissioner Brenemen motioned to approve the proclamation to create a Complete Count Committee. Commissioner Louisos seconded. Unanimous decision.

Lesley Taylor, Region 4 Planning and Development, was in attendance to present Drawdown number 4 in the amount of \$21,225.00 and 5 in the amount of \$6,175.00 for the Broadband Study. Commissioner Brenemen motioned to approve the drawdowns presented for

the funds to pay indicated CDBG for Broadband Initiate Drawdown 4 \$21,225.00 and Drawdown 5 \$6,175.00. This is grant money to be paid through the CDBG. Commissioner Louisos seconded. Unanimous decision.

Ms. Taylor presented Grant Amendment #1 requesting a time extension due to delay in the consultant's report. This extends the period of performance to Dec. 31, 2019. Commissioner Brenemen motioned to extend the Broadband Study till 12/31/19 in amendment #1. Commissioner Louisos seconded. Unanimous decision.

Ms. Berry presented a Budget Revision for approval and signature for the General Fund. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a Fayette County Health Department Application for a Permit to Operate for approval and signature of President Scalph to sign for Boomer Ballfield. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a quote for approval for a new 4" backflow and tie in meter to WVAW for Fayette County Health Department. Bids were received from Fire Safety Products and Brewer & Co. of WV. Commissioner Louisos motioned to approve the quote for the lowest bid from Fire Safety Products for \$6,400.00. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented Inspection Agreements for approval and signature of President Scalph for Michael T. Rose and Jason Davis for the Fayette County Building Code Enforcement Office. Agreements are for period of one year starting July 1, 2019 and ending July 1, 2020.

Allen Ballard has provided proof of liability insurance and requested permits. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a Request from the Fayette County Planning Commission to appoint Carl Harris as a member due to the resignation of Guy Dooley. Commissioner Louisos motioned to approve the appointment beginning August 4th 2019 to August 3, 2022. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented reappointments of Eric Autenreith and Dr. Beverly Jo Harris to the Region 4 Planning and Development Council as Private Sector members. These appointments were previously approved and letter signed today.

Ms. Berry presented a Thank You letter to Building Code Official Allen Ballard for his assistance with handicap accessibility issues at polling places. Commissioner Louisos motioned to approve and sign. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a Family Court Memorandum of Understanding with the Supreme Court of Appeals of Fayette County Family Law Judge for approval and signature of President Scalph. The MOU was review by PA Mauzy and approved prior to the meeting. Commissioner Louisos motioned to approved. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a Flex-E Grant Agreement for \$9,000.00 for Redevelopment of the URA for approval and signature of President Scalph from Gabe Peña. Commissioner Louisos motioned to approve. Commission Brenemen seconded. Unanimous decision.

Ms. Berry presented a memo to employees related to smoking and spitting in trash cans. Commissioner Louisos motioned to approve. Commissioner Brenemen motioned to withdraw and table for further discussion. Ms. Berry will check with the health department regarding rules, as well as county vehicle prohibitions.

Ms. Berry presented a JAG grant approval. The Commission would like to see grant information before approval.

Ms. Berry presented a request from WV National Guard to use the Fayette County Soldiers and Sailors Memorial Building for a free comedy show for the soldiers working the World Scout Jamboree. No insurance certificate submitted to date; they must have to the County Administrator's office by 4:00 p.m. today or the building will not be open. Commissioner Brenemen motioned to approve as long as insurance is sent. No insurance, approval is withdrawn. Commissioner Louisos seconded. Unanimous decision.

Ms. Berry presented a quote for the precinct map cost. Westlake Inc. is \$750.00. Commissioner Louisos suggested Joe Zelesky from Syntec. Commissioner Brenemen motioned to approve for precinct map. Commissioner Louisos seconded. Unanimous decision.

Ms. Berry presented for discussion a survey for FC Detective Bureau Property. This was tabled for further review due to the cost quote given. Ms. Berry is going to email the surveyor and will be considering reaching out to another surveyor due to the excessive cost.

Discussion was held regarding the New River Humane Society allocation. President Scalph recommended \$140,000.00 from the coal

severance fund as well as the \$30,000.00 from excise and take them to \$170,000.00 for the year. Consideration needs to be given by the NRHS to adjust staff numbers, hours and cutting costs with the understanding the funding level will not be there next year due to the depletion of the State Investment Pool (SIP) account. Commissioner Brenemen motioned to increase the allocation to the NRHS from the original \$75,000.00 to increase and additional \$65,000.00 from the coal severance carryover and additional 30 from excise tax to make the total \$170,000.00 for the 2019-2020 year. Commissioner Louisos seconded. Unanimous decision.

Lesley Taylor, Region 4 Planning and Development was in attendance for the Armstrong PSD CDBG Implementation Meeting. Todd Goddard from the WV Development Office was present to explain what Region 4 will be doing for the Commission. The implementation packet was reviewed with the Commissioner. Region 4 will be responsible for the duties required for the Grant. The Commission will need to approve the drawdowns for the grant. There is a 36 month deadline for project completion.

The meeting was adjourned at 1:12 p.m.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
AUGUST 9, 2019
COURTHOUSE
FAYETTEVILLE, WV 25840

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

The Fayette County Commission met in a regular session on this 9th day of August, 2019.

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

Eddie Young, Assessor, was in attendance to present exonerations for real property for Larry F. Gill \$179.12; Charles Fitzgerald Bennett \$256.20; First Century Bank Inc. \$1,520.28; Charles Edward McComas \$745.24; Vickie L. Coleman \$272.08; Ida Lopez \$38.50; Jennifer N. Cottle Jones \$90.70; Florine Leedy Clemons \$71.22; Barry Wayne Whitt \$714.02; James William Hypes \$542.66; and John S. Syner etal \$165.24. Commissioner Brenemen motioned to approve real exonerations. Commissioner Louisos seconded. Unanimous decision.

Mr. Young presented personal property exonerations for Calvin Eugene Jr. & Joyce Ann Shuck \$836.70; Eric D. II or Alaina M. Barrett \$390.30; Sharon K. Taylor \$145.20; Michael Alan & Bernadine Sizemore \$1,362.74; Cynthia J. Fannin \$149.26; Jamie E. Johnson \$185.32; Sarah Pennington \$91.84; Danny Allen Hamilton \$1,173.98; Matthew Walker \$74.96; David A. Rowe \$129.50; Roger D. & Kathy Landers \$207.92; Clarence Wayne & Diane E. Epperly \$474.62; Jill Yvonne Creger \$35.36; Melvin H. Dove \$143.74; Susan & Gerald Walker GLW Const. \$1,078.34; Rebecca Sue Wilson \$60.18, \$63.64 & \$79.40; Morton Energy Ins Partners LLC \$59.30; Connie M. Criss \$121.68; TLT \$5,313.88; Norma M. Reed \$216.92; Connie Cole \$205.98; Diane L. Kincaid \$280.46; Roger Owen Cox & Jackie Parker \$58.14; Michael, Brittany, Mike, Shelle Aicher \$259.34; George F. Jr. & Mary Frances Smith \$1,460.30; Carrie McClung Miller \$71.48; and Charles E. Mullins \$519.60. Commissioner Louisos

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

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

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

Commissioner Brenemen motioned to approve prior meeting minutes from July 12th and July 26th and authorize President Scalph to sign. Commissioner Louisos seconded. Unanimous decision.

Estate settlements were presented for approval for Polly Jo McClung; Veola Carmella Grounds; Brenda Mae Comer; William Sanford Cox, Jr.; and Juanita E. Tanner, respectively. Commissioner Brenemen motioned to approve estate settlements. Commissioner Louisos seconded. Unanimous decision.

Debbie Berry, County Administrator, presented orders to Combine or Divide and Segregate Land for approval for Rodney & Margaret Workman; Cathy Canterbury; Robert D. & Herma A. Cook; Clarence & Mary Ann Toney; and Todd Hall Elliott, respectively. Commissioner Louisos motioned to approve and authorize President Scalph to sign. Commissioner Brenemen seconded. Unanimous decision.

Kelvin Holliday, County Clerk, was in attendance to present a precinct consolidation map for approval to move Precinct 37 into Precinct 28 and move Precinct 24 into Precinct 23 as well as permission to advertise the changes. Clerk Holliday presented a map

of the changes. Discussion was held regarding precinct changes submitted by the county surveyor and clarification needed. There is no record of prior discussion. Commissioner Brenemen motioned to approve consolidation of the precincts listed, as well as advertising of the changes. Commissioner Louisos seconded. Unanimous decision.

Discussion was held regarding fines related to animal cruelty and reimbursing the shelter for vet bills as part of restitution. Also discussion of potential legislative changes to help with funding with animal control centers.

Commissioner Brenemen presented a report to Prosecuting Attorney Larry Harrah regarding Page Kincaid PSD. Mr. Harrah stated clarification is needed regarding who wrote the report. Discussion was held regarding compliance with residency requirements for PSD commissioners. An additional letter will be sent requiring proof that state code is being followed with a response required by August 20th. Commissioner Brenemen updated that WVAW was going to submit to the Public Service Commission that they will be filing an injunction to take over Page Kincaid PSD.

The Commission took a break at 10:35 a.m.

New River Humane Society was present to discuss the lease agreement and MOU with the shelter. Kathy Gerencer, NRHS President, was present to address the Commission and give thanks regarding the efforts the Commission put forth to get the shelter where they are. It will help them remain at the shelter and be an advocate for the animals.

Discussion was held regarding MOU and lease agreement. Mr. Harrah found minimal changes to make such as code reference. Also stated to change the terms regarding euthanization of dogs. Mr. Harrah said the lease is standard, for a period of one year. Operational agreement was changed regarding management of employees, etc... These are not Commission employees and should not be directed by Commissioners. Commissioner Louisos asked for a copy of Exhibit A, which will be updated by the NRHS. Also asked questions regarding changes to MOU in terms contained in the contract such as dollar amounts, cancellation, etc... An explanation was given by Director Nicole Harris about staffing and how to cut their expenses. Discussion was held regarding updating skills of employees for more work accomplished with less and fund raising efforts and plans. Commissioner Brenemen suggested reaching out on a national level.

Commissioner Louisos asked if prayer and the Pledge of Allegiance are allowed at Commission meetings. Mr. Harrah said he would need to check on the prayer subject. He is unsure, but it may fall under free speech. He will review. Commissioner Louisos asked if the commission has ever said a prayer and the pledge. Ms. Berry said they have not, to her knowledge. Commissioner Louisos would like to have prayer at 9:00 followed by the pledge. Commissioner Brenemen motioned to start Commission meetings with the pledge of allegiance. Commissioner Louisos seconded. Unanimous decision.

Ms. Berry presented a recommendation from Rene Harper, Park Director, to approve the hiring of new employee Christian McGuire for the garage and park at the standard \$10.00 per hour and a six month

probationary period. Driver's license must be switched to WV. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a recommendation from Sonny Milam, Maintenance Supervisor, for Courthouse Maintenance worker Kimberly Jo Copa to replace one vacancy at \$10.00 per hour and a six month probationary period. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented several requests from Sharon Cruikshank, Chairman of the Bridge Day Commission, for appointments as follow:

Terry Ritterbush to serve as the Town of Fayetteville representative to the Bridge Day Commission, term to expire August 2020.

Benjy Simpson to serve as the Rappel representative to the Bridge Day Commission, term to expire July 2021.

Marcus Ellison to serve as the BASE representative to the Bridge Day Commission term to expire July 2021.

Philip Peelish to serve as the Vendor representative to the Bridge Day Commission, term to expire July 2021.

Request from Lizzie Watts, Superintendent NPS to reappoint Chief Range Duane Michael to the Bridge Day Commission, term to expire August 2021.

Commissioner Brenemen motioned to approve the appointments listed. Commissioner Louisos seconded. Unanimous decision.

Ms. Berry presented a letter to the WV Supreme Court for approval and signatures requesting reimbursement for rent for the month of

August 2019 for the Family Law Judge in the amount of \$3,375.00.

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

Ms. Berry presented a letter to Jeri Sarafin, Director of Fayette County Community Corrections, for the Commission to sign concerning the approved grant amount of \$110,500.00 for the fiscal year 2019/2020 from the Community Corrections Grant program. Requested amount was \$130,000.00. The letter requests that she adjust their budget according to the grant amount approved. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision. Discussion was held regarding the DRC grant and the entire amount of the grant not being used. With grant requests, if the funds are not spent during the grant year, the grant will be reduced by the amount not spent. During the upcoming year the Commission will not have the excess funds to supply additional personnel who were not initially replaced and resulted in funding not being used.

Ms. Berry presented a drawdown for Community Correction Grant for the month of July 2019 in the amount of \$16,007.30 for approval and signature for President Scalph. The Commission requests an in person update from Ms. Sarafin. Commissioner Brenemen motioned to approve. Commissioner Louisos seconded. Unanimous decision.

Ms. Berry presented a memo to Elected Officials and Department Heads related to the FY 19/20 Budget. Commissioner Louisos motioned to approve and sign. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a letter to municipalities regarding the 2020 Census Complete Count Committee. Commissioner Brenemen motioned to approve and sign. Commissioner Louisos seconded. Unanimous decision.

Ms. Berry presented a letter to municipalities regarding attending a Commission meeting to discuss the future of Fayette County. Commissioner Brenemen motioned to approve and sign. Commissioner Louisos seconded. Unanimous decision.

Ms. Berry presented for discussion No Smoking Rules at the Courthouse. Office holders will be invited in to discuss.

Ms. Berry presented a request from Circuit Clerk Cathy Jarrett for a new air conditioner the Circuit Clerk's office. Quotes were presented for different BTU units. Mr. Milam recommends 14,000 BTUs from Lowes. Commissioner Brenemen agrees. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a request from Kelvin Holliday, County Clerk, for a new laptop for Early Voting; Quote from GST for \$1,065.01. Software is covered under our contract. Commissioner Brenemen motioned to approve the purchase of a Dell Latitude 3500 for \$1,065.01. Commissioner Louisos seconded. Unanimous decision.

Ms. Berry presented a quote from Jack Booda with Westlake for survey of Rist Property. Mr. Harrah will research the State Code. Tabled for further review.

Ms. Berry presented a request from Sheriff Fridley to appoint Sharon Cruikshank to the Community Corrections board. Commissioner

Louisos motioned to approve. Commissioner Brenemen seconded.

Unanimous decision.

Discussion was held regarding changing meeting from August 23rd to August 21st. The Commission agreed to move the meeting to August 21st.

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

FAYETTE COUNTY COMMISSION
SPECIAL SESSION
AUGUST 15, 2019
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: DENISE A. SCALPH, JOHN G. BRENEMEN, TOM LOUISOS

The Fayette County Commission met in a special budget session on this 9th day of August, 2019.

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

Jimmy Sadler, 911 Coordinator, and Kevin Walker, OEM Director, were present to discuss and present the 911 budget.

The Commission approved the budget as presented.

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

FAYETTE COUNTY COMMISSION
REGULAR SESSION
AUGUST 21, 2019
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: DENISE A. SCALPH, JOHN G. BRENEMEN, TOM LOUISOS

The Fayette County Commission met in a regular session on this 21st day of August, 2019.

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

The Pledge of Allegiance was led by County Clerk Kelvin Holliday.

Eddie Young, Assessor, presented real property exonerations for Jane Marion Crist \$306.20; and Johnny D. & Cynthia M. Critchley \$747.00. Commissioner Brenemen motioned to approve. Commissioner Louisos seconded. Unanimous decision.

Mr. Young presented an exoneration for homeowner Larry Canterbury regarding a land contract and relief of taxes. Mr. Canterbury is requesting an exoneration. Commissioner Brenemen stated that as in previous rulings by FCC, they have used 5 years as a benchmark for all previous issues concerning tax issues and will continue to do so. Commissioner Brenemen motioned to approve refunding taxes paid to Larry Canterbury in the amount of \$6,075.07. Mr. Canterbury has requested a refund of this money rather than a credit. Commissioner Louisos seconded. Unanimous decision.

Commissioner Brenemen motioned to approve vouchers and invoices with checks being released today to pay our vendors. Commissioner Louisos seconded. Unanimous decision.

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

Commissioner Brenemen motioned to approve prior meeting minutes from August 9th and August 15th and authorize President Scalph to sign. Commissioner Louisos seconded. Unanimous decision.

Estate settlements were presented for LaConmemoracion (Amor) Hidalgo Ramirez; Pamella Estella Rhodes; David Lee Pack; Doris Jeanette Humphrey; Andrew Ray Roberts; Jordan Evans, Jr. Commissioner Brenemen motioned to approve estate settlements. Commissioner Louisos seconded. Unanimous decision.

The establishment of smoking guidelines for Fayette County Courthouse were discussed with input asked of elected officials. Sheriff Fridley and Chief Deputy Perdue were present. Commissioner Brenemen opened the discussion with concerns regarding employees smoking close to the buildings. Sheriff Fridley discussed the policies affecting law enforcement. Cannot use smokeless tobacco, smoke or any other tobacco products when dealing with the public, or when transporting offenders, etc.. We have notified our staff not to spit in trashcans or on county property. A 15 foot restriction from building entrances will be added to the personnel manual.

County Administrator Debbie Berry presented Orders to Combine Divide or Segregate for Owen E. Cales etux; Joshua & Courtney Bennett; Gene & Kathryn Glover; Dennis Sanger, Joshua E. Jr. & Rhonda Hylton; and Randolph H. Berry. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a grant contract agreement, certification, Conditions, Assurances and Resolution for the Fayette County Community Corrections Day Report Center for approval and signature of President Denise A. Scalph. Commissioner Louisos motioned to approve and authorize President Scalph to sign. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a request from Kanawha Falls PSD to reappoint Carl Harris to the KFPSD Board. Term September 1, 2019 - September 1, 2025. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a request from New Haven PSD to reappoint Kenny Hayes to the NHPSD Board. Term July 31, 2019 - July 1, 2025. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a JAG Grant match request in the amount of \$2,500.00 from Cpt. Shawn L. Campbell. Funds will be used to replace their older, failing mobile cad computer system. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a request from Christy McGraw with Fayetteville Midget League to use the Soldiers and Sailors Memorial Building Monday, Tuesday, and Thursdays, 6:00 - 8:00 p.m. from September 1, 2019 - November 18, 2019 for cheer practice. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Discussion was held regarding prayer at County Commission meetings. Prosecuting Attorney Larry Harrah found a recent case and there is cautionary language. The Commission cannot force anyone to join in prayer and it must be made as generic as possible. The Commission is opening itself to anyone coming in from other religions regardless of their beliefs, and if they contrast with your own it must be allowed. President Scalph stated the plan was to open it to

the ministerial association on a rotation. Discussion was tabled until a future meeting.

The Commission discussed deeding a piece of property erroneously placed in the name of the Commission back to the town of Ansted. Mr. Harrah will draw up the deed to move it back to the city.

Sheriff Fridley was present to discuss the current Law Enforcement Levy. This levy brought in over \$10.8 million over three years. Sheriff Fridley also attended the fire association meeting last Thursday and presented this information and will discuss this with the library. Changes made to the levy call itself in regards to reimbursements and being put back into the levy instead of the General Fund. Also discussed running the levy call with the regular election. The fire association wants the levy run by itself as a special election, as does the deputy sheriff's association.

Commissioner Louisos requested a discussion regarding mapping and accurate assessments for the county and working with the 911 center to ensure proper mapping. Jimmy Sadler, 911 Coordinator, stated that the new mapping person, Amanda Arthur, is developing paperwork to track this information and has developed a process to get the Building Department, Zoning, and Assessor working together. Commissioner Louisos stated this needs to include demolished buildings as well. President Scalph suggested the departments involved need to work together to make the process work. Amanda Arthur presented an ordinance to the county based on what other counties have. The commission, Mr. Harrah, and relevant departments will review. Ms.

Berry will also send this to the listserv to see what other counties do. This will be discussed again in the future.

Angela Gerald, Beautification Committee, appeared to discuss two vacancies. Asking the Commission for a recommendation on who can fill this position. Also must have a health official on our board, but have not received a response. We cannot meet without these members due to a lack of quorum. Also presented quotes for the Billy & Wanda King property on Berry Street. Commissioner Brenemen motioned to approve the quote from Empire Salvage and Recycling for \$9,800.00. Commissioner Louisos seconded. Unanimous decision.

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

FAYETTE COUNTY COMMISSION
REGULAR SESSION
AUGUST 21, 2019
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: DENISE A. SCALPH, JOHN G. BRENEMEN, TOM LOUISOS

The Fayette County Commission met in a regular session on this 21st day of August, 2019.

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

The Pledge of Allegiance was led by County Clerk Kelvin Holliday.

Eddie Young, Assessor, presented real property exonerations for Jane Marion Crist \$306.20; and Johnny D. & Cynthia M. Critchley \$747.00. Commissioner Brenemen motioned to approve. Commissioner Louisos seconded. Unanimous decision.

Mr. Young presented an exoneration for homeowner Larry Canterbury regarding a land contract and relief of taxes. Mr. Canterbury is requesting an exoneration. Commissioner Brenemen stated that as in previous rulings by FCC, they have used 5 years as a benchmark for all previous issues concerning tax issues and will continue to do so. Commissioner Brenemen motioned to approve refunding taxes paid to Larry Canterbury in the amount of \$6,075.07. Mr. Canterbury has requested a refund of this money rather than a credit. Commissioner Louisos seconded. Unanimous decision.

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Estate settlements were presented for LaConmemoracion (Amor) Hidalgo Ramirez; Pamella Estella Rhodes; David Lee Pack; Doris Jeanette Humphrey; Andrew Ray Roberts; Jordan Evans, Jr. Commissioner Brenemen motioned to approve estate settlements. Commissioner Louisos seconded. Unanimous decision.

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Brenemen opened the discussion with concerns regarding employees smoking close to the buildings. Sheriff Fridley discussed the policies affecting law enforcement. Cannot use smokeless tobacco, smoke or any other tobacco products when dealing with the public, or when transporting offenders, etc... We have notified our staff not to spit in trashcans or on county property. A 15 foot restriction from building entrances will be added to the personnel manual.

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approve the quote from Empire Salvage and Recycling for \$9,800.00.

Commissioner Louisos seconded. Unanimous decision.

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

FAYETTE COUNTY COMMISSION
REGULAR SESSION
SEPTEMBER 13, 2019
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: DENISE A. SCALPH, JOHN G. BRENNEMEN, TOM LOUISOS

The Fayette County Commission met in a regular session on this 13th day of September, 2019.

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

The Pledge of Allegiance was led by Assessor Eddie Young.

Mr. Young then appeared to present exonerations for John W. Johnson \$256.20; Lawrence & Carla Bryant \$21.52, \$21.52, & \$21.52; Sammy Fragale II \$9.94, \$9.94, and \$9.94; William Price \$180.06; Circle Rose Estate \$187.36 & \$372.00; Charles & Karen Berry \$1,025.32; David K. Jr. & Sandy Scarbrough \$36.90, \$28.44; and \$17.68; Larry B. Jr. & Cynthia Canterbury \$1,443.66, \$1,368.34, \$1,330.94, \$1,324.10, & \$1,283.02; and Wendi Spack \$102.88 & \$3,933.46. Commissioner Brenemen motioned to approve real estate exonerations. Commissioner Louisos seconded. Unanimous decision.

Mr. Young presented personal property exonerations for John W. Richmond Jr. \$370.08; Larry D. & Kathy Hypes \$706.34; Donald K. Navarro \$146.84; Charity S. & Gregory M. Jr. Nuckols \$487.26; Larry M. & Marjorie Rogers \$976.70; Steve & Sharon Holstein \$236.34; Wells Fargo Financial Leasing Inc. \$654.60; Jeremy N. Carroll \$230.28; Kelsey & Earl Stracener \$414.04; Sherri Lopez \$247.48; Adrienne V Cline & Tyler L. Brown \$259.32; Larry Sumpter II \$905.28; Donald Ray & Eva Kenney \$421.18. Commissioner Louisos motioned to approve the personal property exonerations. Commissioner Brenemen seconded. Unanimous decision.

Mr. Young presented refunds for Circle Rose Real Estate \$115.40; Jane Marion Crist \$149.27; David K. Scarbrough Jr. \$13.86, \$8.62 & \$17.99; and Donald Ray & Eva Kenney \$471.72. Commissioner Louisos motioned to approve refunds generated the exonerations. Commissioner Brenemen seconded. Unanimous decision.

Mr. Young also presented corrections to a tax ticket for Mountain Valley Pipeline at the request of MVP. One of their parcels did not generate a tax ticket. Commissioner Louisos motioned to approve generating a tax ticket for Mountain Valley Pipeline. Commissioner Brenemen seconded. Unanimous decision.

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

Discussion was held regarding a potential bankruptcy and a settlement with Deepwater Resources Coal Company.

Commissioner Brenemen motioned to approve first half payroll and release checks on September 13, 2019. Commissioner Louisos seconded. Unanimous decision.

Estate settlements were presented for Carlos L. Haynes; Patricia Carol Plummley Plummer; Bobby Jack Pigg, Sr.; Odella Pennington; Rodney Blayne Hostetter; Rosetta Ann Berry; Cynthia Lynne Walbrown; Gary Wayne Smith; June Marie Hornsby; Edward Prince Chambers; Phyllis Katherine Bonifacio; Marcelline Maxine Rhodes; William Earnest Rhodes, Jr.; Truman Lee Dodson; George Abbot Fisher; Loretta V. Lattie; Judson Wallace; James Crofts Kyle; and Randy Allen Hornsby. Commissioner Brenemen motioned to approve. Commissioner Louisos seconded. Unanimous decision.

Ami Dangerfield, County Commission Assistant, appeared for County Administrator Debbie Berry to present Orders to Combine or Divide and Segregate Land for Dennis Simms Etux; Russell & Beverly Legg; and Samuel Chaber, respectively. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Dangerfield presented a recommendation from Sonny Milam, Courthouse Maintenance Supervisor to hire Ricky Clyde Eastman. There will be a six month probationary period, starting wage is \$10.00 an hour and start date is September 16,

2019. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Dangerfield presented a quote for review and approval for the sidewalk repair at the Courthouse Annex. Precision Safe Sidewalk quoted \$1,588.00. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Dangerfield presented a memo to Elected Officials, Department Heads and Employees regarding smoking on the Courthouse campus. Commissioner Louisos motioned to approve the memo. Commissioner Brenemen seconded. Unanimous decision.

Ms. Dangerfield presented a letter from Roy Dale Fox of Backus Mountain, Meadow Bridge, requesting reimbursement for the loss of two young sheep and one miniature female goat at \$125.00 a head for \$300.00 total paid out of the Dog Tax Fund as is permissible by state code. Commissioner Brenemen motioned to approve. Commissioner Louisos seconded. Unanimous decision.

Ms. Dangerfield presented a request from Susan Hanson, Chair Person for the Fayetteville Woman's Club, to use the Soldiers and Sailors Memorial Building on Saturday, December 7, 2019 from 7:30 a.m. - 3:00 p.m. for the Annual Craft Show and Christmas Parade. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Dangerfield presented a request from Sheena Brown with the Mayor of Meadow Bridge's office asking direction for the

repayment of loan the Commission approved in May 2018. The Commission approved the loan with the conditions that the county would be reimbursed when the project was implemented by Region 4. The council has decided to put the project on hold since there were areas of intended extensions that were left out along with areas added that weren't discussed. The Mayor is requesting if the County Commission would set a payment schedule or wait until the project gets back on track. The project will not get approval for funding this year since it was postponed. Discussion was held regarding origins of the loan and next steps. A letter will be prepared stating an agreement to mirror payments received from other PSDs. The letter will also ask for a suggested monthly due date of payment. Commissioner Brenemen motioned to accept a \$300.00 per month payment from Meadow Bridge Sanitary Board. Commissioner Louisos seconded. Unanimous decision.

Ms. Dangerfield presented an extension request letter for signature for the CFIA grant for Courthouse Masonry Repair. The front columns have to be completed before the grant can be closed. The Commission is requesting a six month extension. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Dangerfield presented a request from Tabitha Stover, Executive Director with the Fayetteville Convention and

Visitor's Bureau to use the courthouse lawn Saturday, October 19, 2019 from 12:00 p.m. - 6:00 p.m. for Bridge Day Chili Cook-off. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Dangerfield presented a request from Zachary Montana Callison, President, Fayette County 4-H Leaders Association to use the Fayette County Sheriff's Department (Jail Museum area) as the location for the Haunted House on October 18, 19, 25 and 26, 2019 from 7:00 - 9:00 pm. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Dangerfield presented a letter for approval and signature of WV Supreme Court requesting reimbursement for rent for the Family Law Judge space for the month of September, 2019, in the amount of \$3,375.00. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Dangerfield presented an Edward Byrne Justice Assistance Grant Program Certification document for approval and signature of President Scalph. Commissioner Brenemen motioned to approve. Commissioner Louisos seconded. Unanimous decision.

Ms. Dangerfield presented a Community Corrections grant drawdown for the month of August, 2019 in the amount of \$15,548.74 and new quarterly report for July - September 2019 in the amount of \$27,625.00 for approval and signature of Commissioner Scalph. The State is moving towards a quarterly

reimbursement and will no longer require monthly drawdowns. Commissioner Brenemen motioned to approve. Commissioner Louisos seconded. Unanimous decision.

Ms. Dangerfield presented an email from Larry Villarreal, UKV YMCA, requesting permission from the Fayette County Commission to allow Bridge Valley Community College heavy equipment class students to level the field and create a path for water drainage at the Boomer Ballfield. Commission would like the students to come to the meeting and give a presentation on the project.

Ms. Dangerfield presented a request from the Women's Resource Center to use the Fayette County Memorial Building on October 9, 2019 from 12:00 - 1:00 pm for a Domestic Violence Awareness Candlelight Vigil and Awards Ceremony. They will also honor officers and Assistant Prosecuting Attorney Elizabeth Campbell for their assistance. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Dangerfield presented a Fayette County Fire Levy Pumper Replacement Agreement for Pax Volunteer Fire Department in the amount of \$39,000.00 for approval and signature of the Commission. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Dangerfield presented for discussion to have prayer at Fayette County Commission meetings. Prosecuting Attorney Larry

Harrah agrees that having prayer prior to the meeting is fine. It will not be required of anyone to attend, but will be open to all. The Commission will send out letters asking county ministers of all denominations to participate. This will be held ten minutes before each meeting. Commissioners are in agreement.

Ms. Dangerfield presented a certificate of appreciation from the WV Army National Guard to the Commission for the use of the Soldiers and Sailors Memorial Building during the World Scout Jamboree.

Gabe Peña, Solid Waste Authority, appeared to request the Commission sell a truck from park to the URA for farm use, and then the park will use those funds to purchase the old Solid Waste Authority truck. The commissioners need to sign the bill of sale for the approval. Commissioner Brenemen motioned to approve the exchange of trucks between the URA and the park in the amount of \$3,500.00 and authorize President Scalph to sign. Commissioner Louisos seconded. Unanimous decision.

Mr. Peña then presented that the SWA received a \$15,000.00 grant to purchase a new truck. The SWA will need an additional \$8,500.00. Commissioner Brenemen motioned to approve. Commissioner Louisos seconded. Unanimous decision.

A Public Hearing was held to reconfigure 4 precincts. Precinct 24, Mt. Hope Elementary (closed) will consolidate with

23 and the polling place will be at Mt. Hope Fire Department. Precinct 37, Boomer Volunteer Fire Department, will consolidate with Precinct 28, and the polling place will be at the New Smithers City Hall at the old Valley Elementary School. Call for public comment. No one was present for comment. The hearing was closed and the Commission moved forward with the order. Commissioner Brenemen approved closing Precinct 24 to merge with 23, and to close Precinct 37 to merge with 28. Commissioner Louisos seconded. Unanimous decision.

Renee Harper, Parks Director, appeared to give an update on the park and the Board. Presented the new park brochure. Discussion was held regarding the Parks and Recreation Board and current board members. The Board wants to update the bylaws to reflect a change from requiring a high school student serve to a young adult under age 25. Will be added to next Commission meeting agenda for approval.

Ms. Harper also presented information regarding the Workforce WV Transitional Worker Program. These individuals have barriers to employment. Workforce pays all costs and provides a bond for the participants. They would not fall under county liability, Workforce WV is responsible. Commissioner Brenemen motioned to approve the 16 week program with Workforce WV to allow the park to get help with no cost to county. Commissioner Louisos seconded. Unanimous decision.

Sheriff Fridley was in attendance to present budget information. He presented that the Tax Office had a good month of collections and gave an update on the Sheriff's conference and information he received there. Discussion was held regarding the designation of Fayette County as a High Intensity Drug Trafficking Area (HIDTA) and that this is a good thing. It will bring money into the task force efforts.

Sheriff Fridley discussed the budget and the reimbursement received from the BOE for the Public Resource Officers. He is requesting the commission award the remaining \$800.00 per deputy raise requested during budget session. The total cost is \$33,888.00

If this is not an option, he is requesting a change in the number of sergeant and corporal ranks available. This would instead cost \$7,800.00 per year in raises.

Commissioner Brenemen asked for the cost of dry cleaning uniforms. It costs roughly \$80.00 to \$100.00 per month and the deputies each receive \$50.00 a month in Uniform Allowances.

Commissioner Louisos asked where the BOE money comes from. What if it stops? Sheriff Fridley stated it is good for five years. After that he does not know.

Sheriff Fridley will also be checking on the vehicles for potential to add more to the lease fleet with insurance funds from totaled vehicles.

The Commission entered into executive session at 11:28 a.m. regarding a personnel matter.

The Commission exited the executive session at 12:40 p.m. No decisions were made.

Discussion was held regarding a letter discussing chain of command for the Resource Coordinator's Office and the URA from the Commission. Discussion will be tabled until the next meeting.

Commissioner Brenemen mentioned ending our relationship with Hardwood Alliance at the end of the year. There is no economic benefit.

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

FAYETTE COUNTY COMMISSION
REGULAR SESSION
SEPTEMBER 27, 2019
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: DENISE A. SCALPH, JOHN G. BRENEMEN, TOM LOUISOS

The Fayette County Commission met in a regular session on this 27th day of September, 2019.

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

The Pledge of Allegiance was led by Circuit Clerk Cathy Jarrett.

Eddie Young, Assessor, was in attendance to present exonerations for real property for Billy Wayne Dunfee \$118.38; Trina A. Blackburn \$145.56; Shirley M. Dunkley Treadway \$164.72 & \$164.72; Mollie Lee Blair \$306.20 & \$306.20; American Timber Marketing Gr \$290.52; Georgia

M. Maynor \$205.98; Ibarra Land LC \$655.40 & \$614.00; Frank & Michael Armstrong \$1,460.10; Michael Armstrong \$862.30; Thomas Jones \$7.70, \$7.70 & \$7.70; Dunwood LLC \$317.96; AWIAK \$7.70, \$7.70 & \$7.70.

Commissioner Brenemen motioned to approve real estate exonerations presented by Eddie Young and authorize President Scalph. to sign. Commissioner Louisos seconded. Unanimous decision.

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

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

Commissioner Brenemen motioned to approve prior meeting minutes from August 21st and authorize President Scalph to sign. Commissioner Louisos seconded. Unanimous decision.

Estate settlements were presented for James Gene Spadaro; Shelby Jean Canterbury; Adrian Tucker Jo Davis; Joyc Elaine Elder; Doyle Willard Ellison; William Frederick Jarvis; Margaret Mae Grubb; Yvonne Olean Hunt; Robert Henry Woollard; Dennis Lynn Criss; Arnold Dean Walker; Susan Jane Underwood; Michael Lynchford Hudnall; Michael Everette Underwood; David George Howell; Robert David Epperly; and Sharon Ann Syner. Commissioner Brenemen motioned to approve. Commissioner Louisos seconded. Unanimous decision.

Discussion was held regarding a decision for support of the Iceland Project to allow a one-time payment to the Fayette County Health Department in the amount of \$10,000.00. Commissioner Brenemen

motioned to approve a one-time support payment to the Fayette County Health Department in support of the Iceland Project in the amount of \$10,000.00. Commissioner Louisos seconded. Unanimous decision.

Lesley Taylor, Region 4 was present to discuss the environmental review for Armstrong PSD CDBG and a request for the release of funds and finding of no significant impact to historic preservation and other regulatory items.

Commissioner Brenemen motioned to approve the environmental assessment for the Armstrong PSD and Powellton Deepwater waterline distribution upgrade and also approve the request for the release of funds and finding of no significant impact. Commissioner Louisos seconded. Unanimous decision.

Discussion as held regarding board members for PSDs and moving forward with complying with code. The Commission asked Assistant Prosecuting Attorney Jeff Mauzy for his office to work on this.

County Administrator Debbie Berry presented an Order to Combine or Divide and Segregate Land for Janice Delores Arthur. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Mayors from Fayette County Municipalities were present for a discussion regarding the future of Fayette County. Commissioner Brenemen opened the discussion regarding the county and municipalities working together to keep everyone up to date and encourage collaboration. Mayor Greg Ingram of Montgomery discussed the UKV meetings and how they bring others together and would like to start that in Fayette County. Commissioner Brenemen mentioned the upcoming

census and his plans to speak to municipalities. Mayor Sharon Cruikshank of Fayetteville agreed communication and partnerships need developed, and would also like a representative from the County to be present. Commissioner Brenemen said they would like to keep more up to date with the municipalities and figure out to help them. It would be beneficial for all the municipalities. Mayor Cruikshank offered to set up a poll and determine a good meeting date and time for the initial meeting. Discussion was held regarding the Midland Trail Association and working to get more promotion of the municipalities in Fayette County. Discussed upcoming planning and ideas to help municipalities, improve communication, develop communities and help small businesses.

Joe Brouse, NRGDA Executive Director, was present to discuss strategic planning and how it can help the counties and municipalities.

Jeri Sarafin, Community Corrections Director, was present to give an update. The new grant was based on too few participants in 2017. This year, they have had 189 participants so far. Requested program improvements have been made. They are now offering three classes and they only requested one, so they are ahead of what was requested. Participants are there five days a week from 9:00 to 3:30 and start each day with meetings. They are now able to work with people to get treatment instead of just sending them to jail.

Michael Moore appeared to discuss motorcycle tourism maps. He presented a letter and maps to the commission. Would like to have a letter of support from the Commission to add Cedar Grove, Montgomery,

and Smithers to the map. The support letter will go to the Southern WV CVB. Commissioner Brenemen motioned to approve the letter of support. Commissioner Louisos seconded. Unanimous decision.

Sheriff Mike Fridley appeared regarding Drug Enforcement issues. Discussion was held regarding vehicles. The Commission entered into an executive session at 11:00 p.m. The Commission exited the executive session at 12:12 p.m. with no decision made.

David Perry was in attendance to speak to the Commission regarding a personnel matter. He would like to inform the Commission about SB769, 2nd chance hiring on the county level. He also presented a daily devotion regarding the profit Michah and second chances. Mr. Perry would like the county to reconsider the policy they have taken and put a new policy for public comment. President Scalph stated the county has a long standing policy on our hiring practices. The Prosecuting Attorney and our insurance company has reiterated that you must pass a background check prior to employment for a county position. Mr. Perry stated all policies can be rewritten and revisited.

Kelly Jo Drey, Resource Coordinator, was present to give updates on the Wolf Creek Park and legal fee invoices related to Broadband. Ms. Drey requested the invoices be paid out of the Coal Reallocated Fund. One is for \$550.00 and three from Spillman Thomas and Battle, are for \$9,263.00. Invoices are a result of research regarding authority for URA as well as the redevelopment plan. President Scalph stated they authorized the URA to seek funding for Broadband, not spend the Reallocated funds on the project. Discussion was held as to

why the invoices are so high and not approved prior to spending these funds. The Commission is requesting a copy and will decide at the next meeting. Commissioner Brenemen requested Jeff Proctor be available at the next meeting.

Ms. Drey also presented questions regarding a Freedom of Information Act request from Brad Wolfe regarding emails. Needs to know how to release information without releasing confidential information, as well as how to approach it. There is a cyber security person that can compile the information at a cost of not more than \$500.00 to gather the information. Mr. Wolfe was present and apologized for this becoming such an issue. There have been other things requested and not received and doesn't think this should be outsourced. It was submitted over a month ago, and well past the five days required in FOIA policy. Mr. Wolfe said he would be glad to delay this request for emails until the next meeting on October 11, 2019 to give time for an answer from an attorney. Ms. Drey said the other documents that have been requested are ready to be scanned and sent to Mr. Wolfe.

Ms. Drey asked if there is a question regarding signs at Wolf Creek Park. Tim Richardson was present to explain the Planning Commission meeting and that there is no expense associated with the hearing. It only approves a design, not approval of starting the project.

At 12:30 bids were to be opened for the 911 Center Paving project, however none were received. Commissioner Brenemen said no bids were received so the conversation Jimmy Sadler had with a paving

company interested does not count as a bid. Mr. Mauzy stated that bids must be received so the Commission will advertise.

Les Thomas, BridgeValley Community and Technical College and Larry Villarreal, Upper Kanawha Valley TMCA, were present to discuss the Boomer Ballfield Excavating Project. Mr. Villarreal would like to improve the field through the program at the BridgeValley Community and Technical College. This is at no cost and will be completed through a school project. Discussed the plans for updating the field, as well as making it a community area for people to use. The Commission wants to ensure it is done properly and appreciates the work.

Sheriff Mike Fridley was in attendance to seek approval for the additional \$800.00 raise to give the deputies the full \$2,000.00 initially requested during budget sessions. Also discussed the clothing allowance and raising it from \$50.00 to \$100.00. Explained the cost and the reimbursements from the Board of Education. Commissioner Brenemen motioned to approve the \$800.00 increase effective October 1, 2019. Commissioner Louisos seconded. Unanimous decision.

Letter to Fayette County Urban Renewal Authority for review and approval. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Fayette County Parks and Recreation Bylaws were presented for approval. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented requests for appointment to the Fayette County Parks and Recreation Board: Diane Callison to replace Aletha Stolar (Living Well Category) expiration of term June 30, 2021; Sam Chabers will replace Melanie Seiler (Trails/Conservation category) expiration of term June 30, 2022; and Veronica Crosier will replace Larry Villareal (Recreation Category) expiration of term June 30, 2022. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented WV Courthouse Facilities and Improvement Authority grant documents for approval and signatures. Application for Phase II of Courthouse Annex HVAC system and replacement. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented Records Management and Preservation Grant documents for approval and signature of President Scalph. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a letter from Stephanie Tyree submitting her resignation letter from the Fayette County Library Board. The resignation was accepted.

Ms. Berry presented a support letter for a CDBG Broadband grant application for the Town of Meadow Bridge for approval and signatures. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented Fayette County Park Employee raises for approval and discussion. Commissioner Brenemen motioned to approve a

\$2,000.00 increase for Renee Harper, and \$2,000.00 increase for Wayne Workman, and a \$2.00 per hour increase for Jerry Adkins. Commissioner Louisos seconded. Unanimous decision.

Ms. Berry presented Annual Financial documents for FY 2018/2019 for approval and signature of President Scalph. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a letter for approval and signatures to Timmy Killen, Mayor of Meadow Bridge outlining repayment terms for the loan from the County Commission for funds they borrowed in 2018 in the amount of \$16,900.00. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented an Authorization to Release Information Form for signature of President Scalph to Workforce Development Board for Fayette County Commission to obtain training services for the WV Development Office for the Governor's Guaranteed Work Force Program. Commissioner Brenemen motioned to approve the release. Commissioner Louisos seconded. Unanimous decision.

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

The Commission held an emergency session after the regular meeting regarding the loss of vehicles in the Sheriff's fleet. They are critically low and have no spare vehicles if there is an issue. Enterprise has provided a quote for the lease of five additional vehicles. The quote expires today and will result in an additional wait time and potentially leave law enforcement with a lack of transportation. Commissioner Louisos motioned to approve adding

additional fleet vehicles as discussed using the insurance funds from two wrecked vehicles. Commissioner Brenemen seconded. Unanimous decision.

The emergency session adjourned at 1:50 p.m.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
OCTOBER 11, 2019
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: DENISE A. SCALPH, JOHN G. BRENEMEN, TOM LOUISOS

The Fayette County Commission met in a regular session on this 11th day of October, 2019.

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

The Pledge of Allegiance was conducted, led by Sheriff Mike Fridley.

Assessor Eddie Young presented real property exonerations for Nellie & Guy Brown Campbell \$7.70; Howard Hamrick & K. Shumaker \$292.12; Federal National Mortgage \$826.02; Stephen Gianni \$826.02; Keith Young \$235.96; Delbert Ray Sutphin Sr. \$12.30 & \$12.30; Barry Baumgartner \$496.96 & \$507.50; and Wanda Ball \$308.02. Commissioner Brenemen motioned to approve. Commissioner Louisos seconded. Unanimous decision.

Mr. Young presented personal property exonerations for Edward Pannell & Ashley Malcomb \$3,278.06; Vicky A. or Dana Y. & Ryan Dixon \$195.30; William Russell Backus \$24.96; James Robert McMillion

\$173.60, \$208.96, \$238.34 & 299.16; Ashley Bond \$34.98; Freeman Bragg \$9.18; Pamela K. & Jeremy D. Phillips \$1,705.70; Shawn Michael Leshner \$143.72; Lora L. (White) Russell \$142.94; Stephen L. & Stacie L. Wolfe \$1,811.36; Lenda H. Limerick \$3.84; and Douglas L. Kincaid \$3.84. Commissioner Louisos motioned to approve the personal property exonerations. Commissioner Brenemen seconded. Unanimous decision.

Commissioner Brenemen approved two refunds for H3LLC \$7.60, and Frank & Michael Armstrong \$1,423.60. Commissioner Louisos seconded. Unanimous decision.

Mr. Young stated that his office will have a mapper in place by the 1st of November.

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

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

Commissioner Brenemen motioned to approve prior meeting minutes from September 13th and 27th and authorize President Scalph to sign. Commissioner Louisos seconded. Unanimous decision.

Commissioner Brenemen motioned to approve estate settlements for Frances Louis Dempsey; Gereld Milton Kincaid, Sr.; Nila Gay Richards; Phyllis A. Reed; Etta Pauline Harvey; Raymond Allen Duncan; Lowell Daniel Martin; Janet Kracun; Phala Lanell Adkins; and Ezra Lee Wilson. Commissioner Louisos seconded. Unanimous decision.

Brian Sparks, WVU Extension Services Director, appeared to introduce new WVU Extension employees Noelle Mitchell and Jeff J.R. Davis. Ms. Mitchell has been here since May and teaches nutrition in the schools. Mr. Davis is the new 4H and Youth Development Agent. Lauren Weatherford was also present and gave an update on cooking camp and community development. Discussion was held about the potential for rekindling the County Fair with the County Park.

Senator Stephen Baldwin appeared to give an update to the Commission. Senator Baldwin represents 4 counties and is visiting each County Commission ahead of the upcoming Legislative Session to see what needs to be worked on and what issues they have. President Scalph and Prosecuting Attorney Larry Harrah immediately mentioned the jail bill. The Commissioners mentioned additional support for Animal Shelter, 1% sales additional sales tax option for counties, opioid addiction, PSDs, Broadband. Senator Baldwin said the biggest complaint he receives from Fayette County residents is about infrastructure: roads, PSDs, and bridges. President Scalph invited Senator Baldwin to attend an upcoming Roundtable for County Commissioners at the Summit Bechtel reserve on October 22nd at 9:00 a.m. Senator Baldwin asked about an upcoming Page Kincaid PSD hearing and that will be held on the same day at 2:00 at the Courthouse in Judge Blake's courtroom.

Senator Baldwin mentioned abandoned and dilapidated buildings and a program Senator Chandler Swope in Mercer County is heading, to assist with federal funding. The Commission said this would be beneficial as abandoned properties attract opioid activity.

Prosecuting Attorney stated his two top issues are the jail bill and Broadband. Senator Baldwin asked what percentage of our annual budget is being spent on the jail bill. The general consensus was it is between 10-12% and growing. Mr. Harrah stated that a lot of people thought the change where the state began absorbing the costs between convictions and sentencing, would be a good fix, but our bill has actually increased since then. He's afraid of what our bill would be without that change. President Scalph asked about a fix for this issue. Mr. Harrah mentioned the issue about municipalities running their arrests through Magistrate Court rather than through the municipality. The County is footing the bill for every inmate going through Magistrate Court. Mr. Harrah stated this is an unstoppable force - we can't stop arresting people. The State has mandated a cost we are unable to pay for.

President Scalph asked about a 1% sales tax which is allowed for municipalities but not for counties. Senator Baldwin asked about our Coal Severance. Commissioner Brenemen stated that the bottom has dropped from over a million dollars to around \$330,000.00. The rug has been pulled out from under us. President Scalph asked about the inventory tax. Senator Baldwin stated that a recent economic assessment of corporation relocations, taxes were low on their list of concerns and agrees it should be left alone. Another important issue specific to Fayette County is funding for fairs and festivals, as we hold the largest 1 day festival in the state each year and our local businesses depend on the revenues from Bridge Day. President Scalph

also mentioned that our trail systems are also a big draw and potential for revenues.

Matt Ford, Greenbrier Environmental Group, and Meadow River Rail Trail Steering Committee, appeared to discuss the MRRT. Mr. Ford said there is a lot of out of state interest in this project. Mr. Ford has taken over for Doug Hylton's role for the Greenbrier County Commission, and is asking to take on this role for Fayette County as well, as Fayette County does not have a counterpart to his position. Mr. Hylton presented a proposal to be the Fayette County consultant for the MRRT. President Scalph asked that the Commission have time for Mr. Harrah to review this proposal and asked if there is any way to negotiate the terms. Mr. Ford stated that he is willing to work with the Commission on the terms. Debbie Berry, County Administrator, asked if there are grants available to fund administrative costs and Mr. Ford agreed to research this. Commissioner Louisos asked if these trails will be mapped and Kevin Walker, OEM Director, stated that Mr. Hylton had been working on an ARC grant to assist with these sort of administrative duties and costs, before he passed away. President Scalph remembers this grant and asked Mr. Ford to research it.

Recently it was discovered that a large portion of the trail originally deeded from CSX to Greenbrier County is actually in Fayette County. Mr. Ford asked who should he be coordinating with about updates and costs and the Commission stated it should continue to be Ms. Berry and Mr. Walker.

Jeff Proctor, Fayette County Urban Renewal Authority, appeared to discuss invoices for the Broadband project. Mr. Proctor gave a short

history of the project and grant. Mr. Proctor stated that at the time in 2017, Commissioner Wender suggested that the URA have the authority to administer the project with Spillman. Commissioner Brenemen asked if this was in a Commission or URA meeting. Mr. Proctor stated it was in a URA meeting and that at a later time, not in a Commission meeting, he apprised the 3 Commissioners that the URA had agreed to take on this responsibility. Mr. Proctor said the URA did not ask permission, they just told the Commission that they had agreed to do it. Mr. Proctor stated Spillman created a resolution to fill a vacancy. In December 2018 a large bill came in and Mr. Proctor was able to have this bill reduced. Mr. Proctor said that a \$3,000 bill came on January 11, 2019 for a resolution to give the URA the authority to manage Whitlock Farm. Question was posed about why Spillman would create a resolution. Kelly Jo Drey, Resource Coordinator, clarified that this was just to clarify the number of members on the URA at that point - not to appoint a member. One more invoice was sent for \$9,000. They hoped the USDA grant would cover this but that did not happen.

President Scalph asked about Design Nine. Mr. Proctor stated that Design Nine was through a grant administered by Region 4 and that project is complete.

President Scalph said that since they received a deduction for the invoices, they have the monies available to pay this from Coal Reallocated. Mr. Proctor reminds that the Commission asked the URA to get permission to pay invoices. Mr. Proctor mentioned the fine line between using our Prosecuting Attorney's office who represents the

Commission first. Commissioner Brenemen reminds that is the same agreement with Ms. Drey. Mr. Proctor stated that there might be another USDA grant available to assist. They think about 90% of the information they have from the last attempt will be able to be recycled.

Commissioner Louisos verified with Mr. Proctor that the URA would not spend further funds without Commission approval. Mr. Proctor agreed.

President Scalph called for a motion. Prosecuting Attorney agreed that the bills must be paid. Commissioner Brenemen motioned to approve a payment of \$9,263.00 to Spillman Thomas from the Coal Severance Reallocated account. Commissioner Louisos seconded, contingent that this is the last bill to Spillman. Mr. Proctor stated this is the final payment. Unanimous decision.

Brad Wolfe, Wolfe Vans in Wolf Creek Park, appeared to present issues with Wolf Creek Park. 6 months ago he decided to move his business here. It took 90 days to close on a \$30,000.00 cash transaction. No one on the URA board is a real estate agent. He was misled on the sewer line and driveway grading and electrical line boring. An obligation under USDA grant was for the park to have the electrical utilities in place. Other neighbors have more land for the same price Mr. Wolfe paid and had the utilities in place. Higher bids were not accepted even though that is outlined under USDA terms. There is lack of oversight and transparency and conflict of interest among board members and owners. Mr. Wolfe asked for URA minutes and was given a flash drive and 10.4.16 left out. He found that \$67,000.00

was paid to bring power to Morgan Bracken's property for the DEP. Mr. Wolfe has spoken with Mr. Harrah and he just wants his power. Would waive sewer grinder pump and driveway grading if he could just get the power. There have been too many unknown and misled costs. Today is a last ditch effort before bringing in his attorney. Mr. Wolfe asked why are adjoining properties afforded these utilities and waived the expenses? He's looking at \$15,000.00 to bore under the road for electric. Mr. Harrah stated that this was not a verbal agreement as Mr. Wolfe put it. Only a conversation to see how it could be resolved. Mr. Harrah said URA is nearly to the point of being able to present an agreement to resolve these issues. This was the first Mr. Wolfe was aware of a compromise. Mr. Harrah is finalizing language and hopes to have a proposal to Mr. Wolfe late next week. Mr. Wolfe is just trying to bring a business in. He would never have moved his business to Southern WV if he knew these issues would have to be dealt with. He's willing to drop the FOIA for the emails with a cost of \$500 to the county if this can be resolved amicably.

Beyond having his issues fixed, he would like to know how the URA will make sure this doesn't happen to other business owners. Cited issues with building permits being pulled. Cited that URA member Matt Wender's son owns land out there and minutes show he has pushed for the URA to put a road out there to increase the value. Cited a conflict between Proctor and AOTG with PJ Hambrick. Mr. Proctor, still in attendance, stated there is no conflict there. Cited WV Code that URA members should recuse themselves from votes and disclose why.

He sees little mentions of members abstaining in URA meetings. Wanted to make the Commissioners aware.

Greg Puckett, Mercer County FRN director and County Commissioner and Diane Callison, FRN, appeared to discuss Teen Court for Fayette County. Ms. Callison was introduced to the Commission. She is the new FRN director and serves as chair of the Teen Court Advisory Committee. She has 2 administrator Orders from Judge Blake naming Judge Ewing as the Teen Court Judge should it be implemented. She is here today to get the County Commission's approval. Mr. Puckett is the FRN, and implemented the first Teen Court in WV. Mr. Puckett introduced Carrie Strunk, Coalition Coordinator of the County's Prevention Coordinator; Natasha Green with Community Connections; Cheryl Jonese, Strong Communities; Elizabeth Sparks with DHHR; and Charles Taylor Director of Fayette County Youth Reporting Center.

Mr. Puckett presented about Teen Court. They use kids who have gone through Teen Court to adjudicate others. No contest pleas. Helps to build confidences. Only adults in room are the Judge and Coordinator. Bailiff, attorneys, reporters, etc... are all youth. It's all peer driven and a parent or legal guardian must be involved at all steps. They read through what's being said and do not go easy on each other. Mr. Puckett explained how cases can work and described some previous cases. Mr. Puckett described the \$5.00 fee and how it can be used only for court involved expenses, even buying a tie for someone to wear to appear in court.

Mr. Puckett presented the proposed resolution. Encouraged Fayette County to join the 14 other counties in the state who have

implemented Teen Courts. President Scalph asked Mr. Puckett to present about Prevention First Network. The harm reduction, prevention and intervention services already happening in Fayette County are being used as examples for the rest of the state.

Any kids who go through Teen Court must then sit on the jury for 2 times. Mandated by code. Moves them from one side of the experience to the other. Suspension from school does not hold them accountable; this does. Also helps keep their record clean at an early age. President Scalph asked Mr. Harrah his thoughts. He said this is a good thing and already had thought of cases that could have gone through Teen Court. Sheriff Fridley is in agreement and cited a problem near OHHS with speeding and had them all meet with Law Enforcement and their parents, write essays and perform community service rather than pay fines. Sheriff Fridley was blown away by the response and the essays. He is 100% behind this program.

Mr. Harrah asked that we place this on the 10/25 agenda for official approval of the fee.

Discussion was held regarding a decision on when to hold the election for the Law Enforcement, Library and Fire Levy renewal. There is disagreement between the County Clerk Kelvin Holliday and levying bodies of when this election should take place. The County Clerk would like the levy to be on the primary May ballot. The levy is typically a special election held in February.

Mr. Holliday stated that he would like this to be on the Primary ballot to save the \$100,000.00 it costs to perform a single issue election. He said he's made his position clear on social media. In

27 years, he's only gone over his budget once. This levy passed with 90% last time. He is very much in support of this levy though.

Sheriff Fridley stated that the levy is voted on every 5 years. Election costs are built into the levy. It costs \$30,000.00 for the Law Enforcement. This would not even cover one salary for one deputy. It's been 5 years for a few cycles. If the levy fails, 23 deputies will be gone right off the bat. The Sheriff's office is required to provide Courthouse security, transport for mental hygiene hearings and for prisoners, and to serve all civil papers. It would leave him with 13 deputies to perform these duties and they would only work 8-4 with no nighttime hours. In 2018 the Sheriff's department responded to 12,000 calls for service through 911. City of Oak Hill was the next closest with 6400.

Corporal Nick Hall: Elected President of Deputy Sheriff Association (DSA). In their October 2, 2019 meeting, the DSA was made aware of proposed changes to join the levy with the primary. This would "virtually cripple" law enforcement and fire services. The DSA voted against. It would terminally impact the FCSD to perform valuable services. They've responded to 8,000 calls this year. The State police has responded to 300 calls in the county. Raleigh County doesn't have a levy and it is night and day between the quality and quantity of their equipment.

Benny Filliagi, Montgomery Fire Chief and President of the Fireman's Association: last regular meeting they discussed. Elections are vital and in some cases their survival. A standalone election held on Saturday in February. Training requirements have increased.

Serious challenge of recruitment and retention of VFD members.

Unanimously requested to keep it the same. Why would we even want to gamble and move it? President Scalph asked about ISO. Fayette is one of the only counties in the state who has had all of their ISO reduced for insurance costs. Saves each citizen money in insurance costs. Commercial and residential.

Fridley asked how many departments would be lost if it fails. Mr. Filiaggi stated in the first couple of years they would lose a few departments. The Fire Marshal will close departments if they don't meet requirements. It would be like the entire county is living in a rural area in regards to fire services. Mr. Filiaggi took the opportunity to remind everyone it is fire prevention month and to practice your escape route.

Sheriff Fridley mentioned \$10,000.00 in levy funds from the fire services which funds Project Lifesaver. It is free of charge to all citizens in Fayette County thanks to the levy. This helps with tracking people who might wander.

Becky Kellum, Library Director, said the levy pays for the Bookmobile, and it might be able to run for a year or two. The levy provides notary, internet service, copies, and fax services to areas and people who are underserved, especially the Meadow Bridge area. Recommendation to keep it however we know it will pass.

Shannon Estep with Mt. Hope Volunteer Fire Department seconded leaving the levy as is. They will lose equipment which allows them to perform their jobs safely. They'll have to fall back on old, faulty equipment.

Mr. Filiaggi: there is a lot of tourism here in nature. Firemen are trained in recovery - they have rope, swiftwater teams and hazardous materials teams all with professional training,

Sheriff Fridley: why take a chance of losing millions over \$100K that's already built in to the levy. Everything that they've worked for over 30 years could be lost.

Sylvia Allen: she is a retired educator and senior citizen from Oak Hill. Ms. Allen praises everyone's work but wants to speak about fear. Always getting robocalls and letters in the mail, making them afraid they'll be sent to jail. Threat of congress messing with Medicare. Bible says if you don't have your faith you shouldn't fear is (?) Urging the commissioners to be good stewards of the citizen's money.

Brad Wolfe, former EMT: Fear isn't something anyone here concerned with. He's very vocal about the governor wasting money. This isn't the place to trim the fact. This isn't worth the risk.

Betty Holliday - look at the facts from the facts, don't see the reason to have a bad weather vote with only 7% turnout. Other counties do this. Save the county \$100K plus. Support is there. It will pass even on May. Stress and strain and weather. Most poll workers are seniors.

President Scalph reminds that early voting and absentee are available.

Kevin Walker OEM Director: he's done research and there are levies which have been moved to the primary and lost. How much fear would you have and you don't have the firemen and law enforcement to

come to your rescue. There is no reason to risk this. He's from another county where they had no levy, and outdated, rusty equipment. He came to Mt. Hope and it was night and day. Why risk state of the art equipment? We ARE being good stewards of tax payer's monies. Asked the Commission to do due diligence.

Deputy Sheriff Michael Sifers: The last February election had 7% turnout and there was 40%+ for the last primary. The people who vote on a special are typically *for* it. If you put it on a primary, that's 40% of people who might not know about it and vote against without knowing.

Out of the 13 deputies who would be left, how many would be nearing retirement age? Sheriff Fridley stated most because the new deputies go on the levy budget. We would lose drug task force, resource officers at schools, sex crimes and crimes against children unity, forensics, dog warden, and office staff would have to leave to pay those required by code.

Delegate Tom Fast asked what mechanisms are there to advertise. Clerk Holliday stated legal ads and they place sample ballots in newspapers. Each group issues facts sheets. Delegate Fast: are there tv or radio commercials? Sheriff Fridley stated they can't, that kind would have to go through the deputy Sheriff Association, but they don't currently purchase ads. Joe Crist, Fire Coordinator stated that they did a commercial with former Sheriff Kessler on WZTS last time. They do boots on the ground too; door to door.

Corporal Nick Hall with the Sheriff's Department: What are the other pros and cons besides saving \$100,000.00?

Clerk Holliday: it would be a healthier, better election. Doesn't think the voting turnout would affect the vote. They could still hold an emergency election if it didn't pass in May. It would be near the time of the deadline. That's his backup time.

Commissioner Louisos stated our budget has to be in at the end of March.

Deputy Sifers: why now if it's been going on for 30 years and he's been there for 27 years. Why now? Clerk Holliday said it's because he has 2 Republican commissioners and has never had that. Thought it might work this time. But he guesses not.

Pat Gray, Ansted Fire Chief: he knows about risk with elections with school board elections. When he goes out on calls, people ask how they can help and he says "vote for us in the levy." He's been in for 32 years. They used to have horrible equipment. Now they just worry about their daily job risks. Clerk Holliday's plan B is not a good plan and is not acceptable.

Commissioner Brenemen asked both associations - if moved from February to May, will they not work as hard in February to get it passed? General consensus is they work hard every day. And this would take away from their day to day energy on their calls.

President Scalph stated that if they want it in February, she supports them.

President Scalph asked for a motion. Commissioner Louisos motioned to hold the election on February 8th, 2020 with early voting. Commissioner Brenemen seconded. Unanimous decision.

John Stump appeared to discuss the Oak Hill TIF District and to present a resolution for signature. Also in attendance were Oak Hill City Manager Bill Hannabass and Assessor Eddie Young. This decision has been on hold to wait for construction of the hospital to be completed. Capture the increment from the hospital and build improvements within the TIF district. It's as large as it is to make improvements to a larger area. But the hospital will be funding it. It's to benefit the frontage - streetscapes. FCC will approve every dollar that is spent out of the TIF. Relates back to July 1, 2018 and is frozen up to 30 years. Base assessed value. A public hearing will need to take place on November 22nd at 9:00 a.m.

Louisos motioned to sign the resolution. Commissioner Brenemen seconded. Unanimous decision.

Renee Harper appeared with Hannah Saunders of Workforce WV. The Commission has already authorized signing, they just need clarification about taxpayer language on the form. Ms. Saunders said there was no liability or financial obligation to the County. Mr. Harrah reviewed and agreed that President Scalph can sign. Ms. Saunders gave clarification on the people in the program. They do not always have a criminal record. They could be someone who has been out of the workforce, doesn't have reliable transportation... This is a blanket agreement for any office in the county, not just the park.

Ms. Harper presented information about credit card processing for the Park. \$804.00 per year/\$67 per month through Heartland for hardlined processing and .5-2% fee. American Express' fee is 5-6%. Commissioner Brenemen suggested to get a cell phone and a Square.

There is a \$99.00 one-time fee, free app and cost of mobile phone. Asked Ms. Harper get a proposal written up from FCNB. Credit Card processing is in anticipation of getting new reservation software and charging for the FCMB. Ms. Harper will return October 25th for a decision.

Ms. Berry presented orders to Combine or Divide and Segregate Land for..... Commissioner Louisos motioned. Commissioner Brenemen seconded. Unanimous decision.

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

Ms. Berry presented a Consumer Sales Tax report for the Fayette County Park for President Scalph sign. Commissioner Louisos motioned to approve and authorize President Scalph to sign. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a letter to Chad Quesenberry approving his request to hold the Coalfield Conference Cheer Competition at the FCMB from 7:00 a.m. - 7:00 p.m. on October 26, 2019. Estimated cost for overtime and utilities is \$400-500.00. They are charging an entrance fee. They will pay the decided fee the day of the event. Commissioner Brenemen motioned to approve at a cost of \$500.00. Commissioner Louisos seconded. Unanimous decision.

Ms. Berry presented a letter from Danny Swank, President of the Fayetteville Youth Basketball league requesting use of the Fayette County Memorial Building from November 2019 - March 2020, for their

upcoming basketball season. Commissioner Louisos motioned to approve. Commissioner Louisos seconded. Unanimous decision.

Ms. Berry presented a request from Harry Fuller to use the Fayette County Memorial Building on Sunday, November 10, 2019 from 3:00 - 4:00 p.m. for a service to honor military veterans. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a request from Page Kincaid PSD to reappoint Robert Williams to the PSD board, term to expire 10/1/2025. The request was tabled until after the Public Service Commission public hearing on October 22nd.

Ms. Berry presented a Fayette County Fire Levy Pumper replacement Contract for the City of Oak Hill for approval and signature of the Commission. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented about the bid for the 911 Center paving. There was a bid properly postmarked to be delivered by September 26, 2019 but not delivered by the post office until October 2nd. AAA will honor the \$40,000.00 price initially discussed. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a quote for pest control treatments at the 911 Center. Maintenance Supervisor Sonny Milam asked the Commission to wait until he can get a second quote.

Ms. Berry presented a quote for repairing patches and regravell the road and parking area near the cat kennel for the New River Humane

Society. The quote is for \$3,600.00 and Wayne Workman from the Park asked the Commission to table for more quotes.

Ms. Berry presented for decision paying for phone and internet for FRN at the new office at the FCMB. Commissioner Louisos motioned to approve phone service for the new FRN office at the FCMB for \$114.00 per month. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a Right of Entry Agreement for the DEP for county owned property for the Summerlee Water Treatment Plant 1 are for the Commission to approve and sign. Commissioner Louisos motioned to approve and sign. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a request for reimbursement to the WV Department of Military Affairs & Public Safety Division of Homeland Security and Emergency Management for funds from a 2017 grant for approval and signature of President Scalph. Commissioner Brenemen motioned to approve and authorize President Scalph to sign. Commissioner Louisos seconded. Unanimous decision.

Ms. Berry presented a resolution for approval and signature of President Scalph authorizing the Fayette County Health Department to sever its Service Level Agreement with the WV Division of Personnel. Commissioner Louisos motioned to approve President Scalph to sign resolution. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented paperwork from Jeri Sarafin, Director of Community Corrections, and requesting approval of drawdowns for the months of: September 1 - 30, 2019 \$15,559.78; October 1 - December 31,

2019 \$27,625.00; January 1 - March 31, 2020 \$27,625.00; and April 1 - June 30, 2020 \$27,625.00. The requirements have changed for these drawdowns. They need the quarterly drawdowns in advance. Commissioner Louisos motioned to approve monthly and quarterly drawdowns and authorize President Scalph to sign. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a letter to Dave Perry stating that a decision regarding the hiring of people with criminal records was made in April 2019. Commissioner Louisos motioned to approve and sign the letter. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a letter to Fire Coordinator Joe Crist. Commissioner Louisos motioned to approve and sign. Commissioner Louisos seconded. Unanimous decision.

Meeting adjourned at 3:03.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
OCTOBER 25, 2019
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: DENISE A. SCALPH, JOHN G. BRENEMEN, TOM LOUISOS

The Fayette County Commission met in a regular session on this 25th day of October, 2019.

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

Joe Brouse, New River Gorge Regional Development Authority, appeared to introduce Lisa Gayle as the new Director of Public Relations and Communications for the NRGRDA.

The Pledge of Allegiance was led by Prosecuting Attorney Larry Harrah.

Assessor Eddie Young presented exonerations for real estate for Don Adkins \$59.96. Commissioner Brenemen motioned to approve. Commissioner Louisos seconded. Unanimous decision.

Mr. Young presented a refund for Howard and Kathryn Hambrick \$146.00. Commissioner Louisos motioned to approve the refund. Commissioner Brenemen seconded. Unanimous decision.

Mr. Young presented information to the Commission about the TIF regarding personal property and real estate and how it is calculated. Commissioner Brenemen motioned to approve vouchers and invoices. Commissioner Louisos brought up the payroll expense for NRHS. President Scalph would like to open a discussion with Board President Kathy Gerencer and Director Nicole Harris regarding the total amount budgeted. As is, they will be over budget. Commissioner Brenemen withdrew the motion to finish the discussion. Commissioner Louisos would like ask the NRHS to attend the next meeting.

Commissioner Louisos asked if Spillman was paid previously or is the same invoice - it was verified to be the same invoice. Commissioner Brenemen motioned to approve the vouchers and invoices and release checks. Commissioner Louisos seconded. Unanimous decision.

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

Commissioner Brenemen motioned to approve minutes from October 11th, with the addition of a comment from Commissioner Louisos regarding all expenditures be pre-approved for Coal Reallocated. Commissioner Louisos seconded. Unanimous decision.

Estate settlements were presented for Mary Ann Angel; Dolly Mae Daniel; Alice Jane May; Janet Fern Hurt; James P. Davidson, Sr.; Vanita Grace Sedlock; Mary Catherine Cumbow; Carmalee Johnson; Clarence Butleer. Commissioner Brenemen motioned to approve and authorize President Scalph to sign. Commissioner Louisos seconded. Unanimous decision.

Anna Frost, Chief Tax Deputy, appeared to present the delinquent land sale list to the Commission. This will be signed and sent to the auditor. Commissioner Brenemen motioned to approve and President Scalph to sign. Commissioner Louisos seconded. Unanimous decision.

The Commission entertained a decision regarding the teen court fee resolution. This was discussed at a previous meeting. Commissioner Louisos motioned to approve the resolution to authorize the collection of teen court fees. Commissioner Brenemen seconded. Unanimous decision.

Angela Gerald was present to present dilapidated complaints for Juanita Brown and Barry Blackburn. Ms. Gerald presented the Barry Blackburn property at 1352 Scarbro Road for approval to the start the process of serving the complaint. Commissioner Louisos motioned to start the process. Commissioner Brenemen seconded. Unanimous decision.

Ms. Gerald presented a property owned by Juanita Brown 120 Holcomb Loop in Lookout. Ms. Brown has been working on this for a couple of years, hauling off trash etc... and there are two mobile homes on the property. Commissioner Louisos motioned to start the process of serving the complaint. Commissioner Brenemen seconded. Unanimous decision.

Renee Harper, Park Director, was present for the credit card processing decision. She presented the fee schedule in writing: the \$67.50 monthly fee covers all three terminals. There will be future discussion on the fee schedule. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

President Scalph commended the park employees for their help at Bridge Day.

Ms. Harper also said they will break ground for the coal themed natural play space on October 31st. November 30th is the opening night to foot traffic for the Winter Wonderland light display for a walk/run event. December 1st is opening day.

Discussion was held regarding the fee schedule for Soldiers and Sailors Memorial Building, with consideration of costs to have building manager and assistance in attendance. President Scalph asked for further review of the fee schedule to cover the costs associated.

Discussion was held with Ms. Harper regarding cheaper solutions to gravel. Ms. Harper will return on November 8th to firm up the fee schedule.

Brad Woolf was in attendance to discuss his FOIA request regarding Wolf Creek Park. Mr. Harrah and the URA have been working

on the information. There was discussion of using electrical conduit that is in place. Mr. Woolf stated that the URA has had the knowledge for four months that he has power issues. The offer they provided is not usable due to AEP claiming a transformer is closer. Mr. Woolf would like to see if the County Commission is interest in resolving the issues. Mr. Harrah said the Commission can consider it and there is no legal reason the Commission cannot intercede.

Mr. Woolf then read a statement. He thanked everyone for their assistance and listening to his issues. He believes all are aware of the grievances. Mr. Woolf stated he has been patient, but after hundreds of hours spent, he feels he is in the right. He would like to avoid long term damage. He has been wronged, things were not handled properly and he has incurred over \$47,000.00 in damages through violations to WV Code 16-18 30-40. Mr. Woolf requested to settle. Mr. Harrah wants everything on paper, regarding the AEP refusal, including quotes and estimates and to be submitted to him so it can be resolved by the next meeting.

Commissioner Brenemen motioned to enter into an executive session with legal counsel at 10:44 a.m. Exited at 11:26 a.m. with no decisions made at that time.

Discussion was held regarding the Coal Reallocated allocation decision. Commissioner Louisos stated the allocations to the URA were stopped in May 2019. President Scalph stated the funds did not continue to go the URA. Commissioner Louisos suggested no more Coal Reallocated allocation to the URA past what was in the account in May 2019. Commissioner Brenemen would like to see funding moved to the

Dilapidated Building fund if that is possible. President Scalph discussed the Meadow River Trail potentially being a recipient of that money. There was also discussion of a contingency fund in the county for these funds. Discussion was held regarding upcoming expenses at Wolf Creek Park such as marketing and site development. President Scalph said they will send a letter to URA requesting the documents from the DEP regarding storm water run-off. Discussions are being held regarding selling the park. Commissioner Brenemen requested that we find out if there is a potential for a short sale price. Mr. Harrah stated there are things we need to do to put the property in a position for sale. Items in the works such as signage, green space identified, and trails system need to be tied up. Mr. Harrah has agreed to help with that and try to move this along.

President Scalph stated there is currently enough money to complete the storm water, marketing, signage, and trail. Mr. Woolf pointed out that a conservation easement will put a damper on a potential developer if they try to sell a piece of property.

Commissioner Louisos motioned to leave the deposited Coal Reallocated money in the fund ending May 14, 2019. All other deposits after that date will go back to the County. Commissioner Brenemen seconded. Unanimous decision.

President Scalph stated that the levy call will be moved to the date of County Clerk's return.

Gene Kistler, URA, appeared regarding Wolf Creek Park Updates and a Request for RFP approval for Trail Construction. Mr. Harrah called for public comment and asked for repetitive comments to be withheld,

encourage unique comments, and limited comment to two minutes per person. Opening comment was from Mr. Kistler regarding community, park and sustainable development and trails. Asking for the Commission to support an RFP to complete trail work. Discussion was held regarding effects, plans, etc.. Mr. Harrah will need to review the RFP prior to publication. Commissioner Louisos stated we must have a bid prior to and the DEP needs addressed first.

President Scalph stated that the issues which need addressed for this project are the same as discussed before. Asked about a target date for DEP resolution. Commissioner Louisos questioned property lines and how to address potential buyers if trails needed moved.

Mr. Harrah requested putting this on the November 8th agenda to allow him time to review.

President Scalph invited more public comment. Andrew Forren thanked the volunteers. Adam Angelona asked if there was any plan for waste management like Arrowwood Bike Farm. Mr. Kistler stated there is no current plan for that additional expense. Brad Woolf agreed with the need for waste disposal. Abbey Newell stated that they should look at Vermont as an example.

Josh Fezell started a discussion of the bicycle industry and the economic benefit. Trail quality at Wolf Creek Park is high in comparison to similar towns like Duluth, MN and Athens, OH.

Steve Jones described towns like Asheville, NC. Considering rafting and similar adventure sports, he estimates at least \$2 million per year increase. Will send copies of information to Commissioners

to review. A similar trail launched in Indiana resulted in an economic increase in 11%.

Hillary Nicolau stated a local kids mountain biking team could direct youth towards something more positive.

Adam Hodges added that this will help attract businesses which are relate to outdoor industry.

Mr. Kistler will meet with Commissioner Louisos for any questions to be answered. Mr. Harrah will review everything and come back on November 8th at 11:30 to conclude.

Debbie Berry, County Administrator, presented Orders to Combine or Divide and Segregate Land for Daniel Ewing, Teresa Reynolds et al; Flora Barrett et al; Charles F. Payne Sr. Revocable Trust et al; Lochgelly Land Company LLC; and Morgan Davis. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a quote for \$3,600.00 to repair patches, gravel road and parking area near the cat kennel for New River Humane Society. This will be tabled until the Park staff can obtain alternative costs.

Ms. Berry presented an MOU and request from Melissa Harrah, Principle at Fayetteville PreK-8 to use the Fayette County Memorial Building as a site in case of school emergencies. Commissioner Louisos motioned to approve and authorize President Scalph to sign. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a Certificate of Substantial Completion document for Fayette County Judicial Annex New HVAC- Phase 1 for

approval and signature of President Scalph. Commissioner Brenemen motioned to approve. Commissioner Louisos seconded. Unanimous decision.

Ms. Berry presented a letter from Bart Jackson, Manager of Page-Kincaid PSD requesting reappointment of Robert Williams as Commissioner at the district. Commissioner Brenemen motioned to table. He is waiting for response from three people to see if someone else would like to serve.

Ms. Berry presented a letter from Teri N. Harlan, Administrator Fayette County Health Department requesting the appointment of Jonathan Grose to fill one of the current vacancies on the health department expiring June 30, 2024. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a letter to Bob Scott, Mayor, Town of Gauley Bridge, who requested the donation of any used cruisers and a taillight for a current cruiser. The letter stated that we do not have any cruisers available but we will keep them in mind in the future. Commissioner Louisos motioned to approve signing the letter. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented for prioritization, approval and signature, two applications and documents for the Records Management Preservation Grant for 2020 from Gabe Peña. Commissioner Brenemen motioned to approve the documents for the grant giving the Sheriff's application top preference. Commissioner Louisos seconded. Unanimous decision. Commissioner Brenemen reminded Mr. Peña to look for grants for the pool and pump as well as for the Memorial Building.

Commissioner Brenemen motioned to approve the resolutions for the grants with at 10% match on each grant: \$8,500.00 for Sheriff and \$9,100.00 for County Clerk. Commissioner Louisos seconded. Unanimous decision.

Discussion was held regarding all three commissioners being aware of what the others are working on. Commissioner Brenemen has a list of items he would like to begin discussing and asked that a workshop will be added to the end of each meeting. Commissioner Brenemen would like to discuss the following: Employee vacations, hiring, evaluations and lunch breaks. To work on a tax incentive for new businesses going into existing buildings and store fronts. The dilapidated building fund and moving money from the URA to this fund. The upcoming census next year and the need to put together a letter or statement and visit each town or council to try and get extra help. Internet towers and tower fees and dead tower sites need to be addressed. Sprouting Farms and assistance from Turn Row. And it is nice to see agreement on Wolf Creek Park to get it marketed and sold.

The meeting was adjourned at 1:33 p.m.

FAYETTE COUNTY COMMISSION
SPECIAL SESSION
OCTOBER 31, 2019
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: DENISE A. SCALPH, JOHN G. BRENEMEN, TOM LOUISOS

The Fayette County Commission met in a special session on this 31st day of October, 2019.

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

County Administrator Debbie Berry presented a request from the Fayette County Planning Commission to appoint James Williams of Pax to replace Doug Maddy, who has submitted his resignation. Term to expire August 3, 2021. Commissioner Louisos motioned to approve.

Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a letter for approval and signatures of the Commissioners to Wayne Workman, Jerry Adkins and Mike Suttle, Park employees, thanking them for their assistance with the 2019 Bridge Day event. Commissioner Louisos motioned to approve and sign the letter.

Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a letter from Mayor of Montgomery Greg Ingram, requesting a letter of support for a grant application for the Midland Trail Scenic Highway funding through the Reviving American's Scenic Byways Act of 2019. Commissioner Louisos motioned to approve and sign the support letter. Commissioner Brenemen seconded.

Unanimous decision.

The levy call for Special Election was presented for approval. President Scalph read a statement regarding the special levy date and support received from the Fire Association, Law Enforcement and Library Director in regards to holding a special election. The election will be held on the 8th day in February, 2020. Commissioner Brenemen motioned to proceed with the special election for excess levies. Commissioner Louisos seconded. Unanimous decision.

The Commission motioned to enter an executive session at 9:07 a.m. The Commission exited the executive session at 9:31 a.m. A discussion was held with County Clerk Kelvin Holliday regarding a legal issue with Ms. Berry. No decisions were made.

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

FAYETTE COUNTY COMMISSION
REGULAR SESSION
NOVEMBER 8, 2019
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: DENISE A. SCALPH, JOHN G. BRENEMEN, TOM LOUISOS

The Fayette County Commission met in a regular session on this 8th day of November, 2019.

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

The Pledge of Allegiance was led by Commissioner John Brenemen.

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

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

Commissioner Brenemen motioned to approve minutes from October 31st. Commissioner Louisos seconded. Unanimous decision.

Estate settlements were presented for Grace Franklin Rudd; Dena Renee Robbins; Fumiko Sato Marshall; Richard Keith Rosiek; Lenora Evelyn Jarrett; James Edward Jarrett; Thelma Mae Greah Thurbon; Donald Edward Clay; Harold Franklin Pruden; Clarence Pannell, Jr.; Sherman

Ray Smith, Sr.; Peggy Ann Staunton; Betty May Pemberton; William Roger Wagner II; Paris L. Dulaney; Donald Eugene Ramsey; Eunice Burrell Fleming; Mary Sue Horrocks; and James William Haynes. Commissioner Brenemen motioned to approve and authorize President Scalph to sign. Commissioner Louisos seconded. Unanimous decision.

Lesley Taylor, Region 4 was present to discuss Armstrong PSD CDBG documents for the Deepwater and Powellton upgrade. There is a budget amendment request to set the line items for the \$1.5 million in CDBG funds. And a disclosure form that lists anyone with a reportable financial activity, including an EL Robinson fee of \$285,500.00, and a request for approval of evidentiary materials. There is also a letter to the Development Office which says no public comments were received during the environmental evaluation phase.

Commissioner Brenemen motioned to approve the notice of no comments received during public hearing. Commissioner Louisos seconded. Unanimous decision.

Commissioner Brenemen asked if they have submitted a request for the notice of fee increase. Ms. Taylor confirmed that has not happened. Commissioner Brenemen wants a letter sent to Armstrong Creek strongly encouraging them to request an emergency increase from the PSC. Commissioner Brenemen motioned to [send a letter](#). Commissioner Louisos seconded. Unanimous decision.

Commissioner Brenemen stated that Gauley River PSD board member Sue Gray resigned and that she did a good job. Ralph Arthur was submitted as a replacement. They are requesting over \$31,000.00 in

assistance from the Commission to cover invoices. Ms. Taylor asked if they have a reserve fund, and if so it can be paid from there.

Ms. Taylor gave an update on Page Kincaid PSD. The PSC denied their request for a withdrawal of the petition. A hearing will be held in Charleston. The PSC encouraged WVAW and Page Kincaid PSD to work on negotiations.

Commissioner Brenemen motioned to approve the WV Development Office Budget Amendment Request, the Disclosure Form for Financial Activity and the Approval of Evidentiary Materials form for Armstrong PSD. Commissioner Louisos seconded. Unanimous decision.

A public hearing was held for the 911 Mapping Ordinance first reading. Amanda Arthur, 911 Mapping, was present to read the ordinance that will help to name streets and number houses to help with 911 responses. This will allow the 911 Center to enforce compliance with homeowners and businesses to ensure proper numbering. There is also a plan to help assist with costs for house numbering for those that cannot afford the materials. Kevin Walker said Lowe's will work to assist with the costs for those less fortunate. Commissioner Brenemen asked for a timeline. Mapping project has two years to finish. The numbers project will begin later once the mapping project is further along. County addressing is an issue. President Scalph pointed out municipalities must work on this as well to continue street names, etc... The Fayette County WV 911 Mapping and Addressing ordinance is available for public review. Commissioner Brenemen motioned to approve the first reading. Commissioner Louisos seconded. Unanimous decision.

The 911 Public Safety Telecommunicators Proclamation was presented in favor of recognizing 911 Dispatchers as first responders and would allow them to get access to counseling and other services in the event of PTSD situations. The county level proclamation will give some boost to the legislative bill needed to declare them as such. Mr. Walker read the proclamation. Commissioner Brenemen motioned to approve the 911 Public Safety Communications Proclamation and make it effective 11/8/19. Commissioner Louisos seconded. Unanimous decision.

The New River Humane Society was present for a discussion of the budget, Memorandum of Understanding, and lease agreement (both attached). President Scalph opened discussions on the MOU and lease agreement and asked for input from NRHS. Attempted to make this more streamlined to follow the lease as just a lease. Kathleen Gerencer, Board President, said the Board discussed and had the following comments: Change address to 513 Shelter Road; asked about property maintenance section; would like to provide a notice of termination clause instead of at will this section to state written notice of thirty days instead of at will. Mr. Harrah said this is fine.

Section 4 regarding liability insurance says the county and the NRHS must be named. NRHS will check with insurance company. Mr. Harrah said this is a standard lease. Asked about the amount budgeted not currently specified. Commissioner Louisos does not agree that this should be allocated in the MOU or lease. It has already been allocated in the budget. Mr. Harrah said the budget document is a legal document and specifies that information.

Discussion of the MOU was held. Section 3: NRHS believes this should be specific and defined. Commissioner Brenemen says this addresses things such as not leaving doors open with air conditioner on, not kicking doors to open, etc...

Section 6: The NRHS thinks this should be better outlined as to how to communicate. President Scalph believes this should be an agreement with the Sheriff as to process, not the Commission. Mr. Harrah agrees. The County wants lists of equipment added as an attachment, as the current list is from 2015. This will be an attachment the MOU.

Section 7: The NRHS wants this better defined as they do not accept cats brought in by the Animal Control Officer. Commissioner Louisos said there are a lot of cats at the shelter, but not brought in by the Warden. Ms. Gerencer said they do not accept feral, only house cats. Commissioner Louisos said he has had complaints on how this has been addressed by the shelter. Ms. Gerencer also would like to add "if advised by a licensed veterinarian" to this section. Mr. Harrah approves.

Ms. Gerencer also wants to add information about animal seizures and those that forfeit their rights. Mr. Harrah said he is not comfortable getting rid of animals that are part of a case - they are evidence. Mr. Harrah suggested to have the cost of care analysis given to the magistrate. Mr. Harrah stated: "I want it very clear if an animal is part of a court case, I want it held." President Scalph stated this will require further discussion and also asked for information she can

present to the legislature for assistance. The time frame for this year has passed, so now it moves to next year. Commissioner Brenemen encouraged the NRHS to seek legal action regarding bills associated with animals held for court cases.

Commissioner Brenemen mentioned an issue with a county owned vehicle. The employees work for the NRHS and also used the county gas account. They cannot drive a county vehicle. Commissioner Brenemen wants the vehicle returned to the park until this is corrected. Renee Harper, Park Director, said they will pick it up. Ms. Gerencer was told that they could drive the truck if they were employed by the NRHS. The Commission stated that no one is authorized to stop and get gas on the county account unless they are a county employee. Nicole Harris, Shelter Director, stated they use the vehicle to pick up supplies or transport animals to the vet. Ms. Gerencer agreed that the county should not be providing gas.

Section 10: President Scalph stated we had a discussion early on with Ms. Harris regarding expenditures and maintenance operations of the shelter and providing documentations. Ms. Gerencer stated there was a question from the board about the Commission wanting to know their costs. This would be hard to gather. Commissioner Louisos asked if they do not have this information. Commissioner Brenemen stated this is GAAP and you are not following requirements; you must track everything. Commissioner Louisos stated the people of Fayette County want to know where their dollars go. He is not against the Board, but has an issue giving money that isn't tracked. Ms. Gerencer stated they have a

matching grant from USDA that will cover public spay neuter from the public.

Section 11: President Scalph stated this needs to be defined in an attachment. Wants to strike the sentence regarding spay and neuter funds. Section 12: Wants to add reclaim notices to adoption certificates to collect those taxes.

Section 14: NRHS requests it specify who will pay for the audit and define the scope. President Scalph asked how often they have one done and NRHS stated they don't.

NRHS stated they are not equipped to maintain farm animals. Prosecuting Attorney Larry Harrah stated if it is a court case, the animal must be kept.

Renee Harper, Park Director, was present to discuss the fee schedule for the Soldiers and Sailors Memorial Building. President Scalph asked Ms. Harper to send suggestions on rates and the Commission will review.

Mr. Harrah was present for a discussion with Brad Woolf regarding Wolf Creek Park. He is waiting on further information from Mr. Woolf and this will be tabled to a later date due to the slow moving response from AEP.

Mr. Harrah asked if the Commission got a survey for Tom Rist's property. Mr. Rist is willing to take \$500.00 for the property, but we must have it defined. Mr. Harrah will double check to see if we must use County Surveyor Jack Booda. If we must use him, the Commission will approve. Commissioner Brenemen motioned to approve on

Mr. Harrah's recommendation to move forward with the survey and purchase of Tom Rist's property once determined if we must use County Surveyor. Commissioner Louisos seconded. Unanimous decision.

Bill Wells, New River Gorge Trail Alliance, was present for a continued discussion on the trail system in the county and at Wolf Creek Park. The Commission loves the idea and are in favor. The only question is there are two different ideas so we will hear both sides.

Mr. Wells says there is an option to use the money as local matching funds to a grant through ARC. This would be a four to one match and would allow them to apply for a \$600,000.00 grant. Oak Hill has also agreed to potentially authorize funds for this as well. Money can be used for Wolf Creek Park and extend the trail from Lochgelly to downtown Fayetteville, and also from Bridge View to Needles Eye to Ace and to the Lodge. Bill Hannabass, Oak Hill City Manager, has participated in an informal discussion and thinks the council will be on board. President Scalph asked for a timeline on the grant application. Mr. Wells stated the submission is in January, August is the final answer. A disadvantage is money cannot be spent until the grant is approved. The DNR has also verbally agreed to assist with the grant. ARC requires a cash match for the construction side, in-kind works for administration side. Public comment: how much to build the trail and how many miles will grant build? Mr. Wells: about 15 miles and there is a delay. Wolf Creek Park currently has 26 fully flagged miles with 16 miles in the RFP which are constructed to fit around the existing development. Mr. Harrah believes there is an easement that preserves the trails.

Commissioner Louisos understands the delay, however six months is not a long time to wait to see if you can get \$900,000.00.

President Scalph asked if you can move forward with a smaller amount to start now until we determine the grant aspect. Public contractor will only bid based on total project, not to remove brush, or other aspects separately.

Mr. Harrah stated this must be discussed with the URA. These funds were earmarked for them. It has to be approved by URA to use funds this way first. Commissioner Louisos motioned to accept publication of the RFP for Wolf Creek Park trail constructions. Commissioner Brenemen seconded. Unanimous decision.

Gene Kistler, URA, presented a list of federal grants available for trail construction. Mr. Kistler asked Gabe Peña, Deputy Resource Coordinator, to assist with timelines for the RFP.

President Scalph stated we need open communication to make this work. Mr. Kistler agreed and we are finding ways to keep things rolling.

The RFP for pad site must be on agenda before a decision can be made.

There was a public comment regarding the Rail Trail and crime. President Scalph suggested speaking with municipalities regarding these issues, as well as the Sheriff.

The RFP for pad at will be discussed on 11/22 at 10:00 a.m.

Debbie Berry, County Administrator, presented a report of claims for approval for the estate of Helena Day. This is just approving a standard report. Commissioner Brenemen motioned to approve to adopt

the report for Helena Day. Commissioner Louisos seconded. Unanimous decision.

Ms. Berry presented an order for approval and signature of the Commission notifying the Democratic and Republican Executive Committees of the number of poll workers needed for February 8, 2020 Special Excess Levy Election and requesting their list back to the Commission by November 18, 2019. Commissioner Louisos motioned to approve and sign the order. Commissioner Brenemen seconded. Unanimous decision.

Discussion was held for a decision for Early Voting Sites for the Special Levy Election. Clerk Kelvin Holliday said we should run three sites to make it available to all areas of the county. Former Commissioner Matt Wender was present and believes you cannot value a vote regardless of the cost. Commissioner Louisos said this is the first time that he and Mr. Wender have agreed on anything. Commissioner Brenemen said to make that a matter of the minutes. Commissioner Louisos motioned to approve three sites. Commissioner Brenemen seconded. Unanimous decision.

Discussion was held regarding a request from the City of Mount Hope to conduct their levy election with the County Special Levy Election. The Commission is in agreement that this is not plausible and will not hold them together.

Ms. Berry presented a letter for approval and signatures of the Commission to the WV Supreme Court requesting reimbursement for rent for the Family Law Judge for the month of November 2019 in the amount

of \$3,375.00. Commissioner Louisos motioned to approve and sign the letter. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a request from Gauley River PSD for the appointment of Ralph Arthur to replace Mary Sue Gray who resigned. Term to expire December 31, 2020. The request was tabled.

Ms. Berry presented a letter from Timmy Killen, Mayor of Meadow Bridge requesting patience with the repayment of loan that the Commission provided for the Meadow Bridge Water Department. They would like to start repayment before then if financially feasible. Lesley Taylor said the project has been redefined and is back to square one and project costs have increased. The Commission agrees to go back to original agreement. No motions were made.

Drawdown request for Fayette County Community Corrections for approval and signature for the month of October, 2019 in the amount of \$17,646.00. Commissioner Louisos motioned to approve and authorize President Scalph to sign. Commissioner Brenemen questioned the quarterly request from the Day Report Center. We received a \$27,000.00 quarterly budget and then a monthly drawdown in the amount of \$17,646.00. He wants to know what this is costing versus what we are getting from the state. Sheriff Fridley stated the reporting in question has to be answered by the state. We have forty-four people there now and it saves the county about \$67,000.00 per month in jail costs. He will find an answer about who is not paying their fees. Sheriff Fridley also pointed out people in these programs have no money to pay. He will also ask Marty Hatfield to come to their

meeting to explain. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a Fayette County Fire Levy Pumper Replacement Agreement for the Town of Meadow Bridge in the amount of \$39,000.00 for approval and signatures. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a letter to Maintenance Supervisor Sonny Milam for approval and signatures, thanking him and staff for their efforts in maintaining the courthouse grounds and buildings. Commissioner Louisos motioned to approve and sign. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented the Holiday List for approval and signatures for calendar year 2020. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented the County Commission meeting dates for 2020. These will be approved at the next meeting. They will also need to decide on Commission President for next year and purchasing agent.

A workshop was held to discuss employee evaluations and starting pay.

The meeting was adjourned at 2:53 p.m.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
NOVEMBER 22, 2019
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: DENISE A. SCALPH, JOHN G. BRENEMEN, TOM LOUISOS

The Fayette County Commission met in a regular session on this 22nd day of November, 2019.

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

The Pledge of Allegiance was led by Chief Deputy Rodney Perdue.

Jason Turner, Steptoe and Johnson, was present in regards to the TIF District in Oak Hill. This is the public hearing required by law giving anyone a chance for comment. This is the second of three legal actions. President Scalph opened the floor for comment. No one was present for comment. Mr. Turner presented the resolution to submit the TIF application. Commissioner Brenemen motioned to approve the resolution for submission for the TIF District in Oak Hill and authorize President Scalph to sign. Commissioner Louisos seconded. Unanimous decision.

Assessor Eddie Young appeared to present personal property exonerations for Shawn Michael Leshner \$40.34; Amy Lanham \$59.50 & \$59.50; Colton Williams \$71.86; Steven R. Patterson \$102.84; Jesse W. or Charlese Riser \$337.48; Biddle F. & Martha E. Williams \$1,371.98; Genevieve Farley \$259.78; Brian L. Cutlip \$135.64; David B. Treadway, Sr. \$8.30 & \$7.68; Judy J. or Don Jones \$289.96; James V. Calloway \$275.90; Kelsey M. Peyatt \$125.66; Charles & Rosie Nutter \$3.84; Juanita Elixabeth Howell \$3.84; Richard L. Pannell, Jr. \$412.44; Herman & Amy L. Bryant \$785.10; Clifford R. & Trinity A. Nicholas \$835.48; and Shawna R. Moses \$155.80. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

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

Commissioner Brenemen motioned to approve 2nd half payroll and release checks on November 29th. Commissioner Louisos seconded. Unanimous decision.

Commissioner Brenemen motioned to approve minutes from October 25th and November 8th and authorize President Scalph to sign. Commissioner Louisos seconded. Unanimous decision.

Estate Settlements were presented for Freddy Ray Nickell; Lila Margaret Ballard; Walter L. Getz, Jr.; Shirley Ann Kellam; Zenda L. Vance; Matthew Laverne Lloyd; Jackie Camdon Grose; Annette Susan Williams; Elizabeth A. Harvey; Marie Lilly; and Dorothy Joyce Hanshaw. Commissioner Brenemen motioned to approve. Commissioner Louisos seconded. Unanimous decision.

Debbie Berry, County Administrator, presented an Order approving Poll Worker Lists as submitted from the Democratic and Republican Executive Committees for the Special Levy Election to be held on February 8, 2020. The Democratic list was not signed by the executive committee; Clerk Holliday signed instead. Commissioner Brenemen motioned to accept and approve the lists. Commissioner Louisos seconded. Unanimous decision.

Ms. Berry presented a request from Tally Richmond, American Legion Post 149, for an allocation of \$500.00 for underprivileged children. Commissioner Brenemen motioned to approve this allocation. Commissioner Louisos seconded. Unanimous decision.

Ms. Berry presented an invoice from Westlake Inc. for work with precincts for County Clerk Kelvin Holliday. The invoice is for \$2,023.91. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a Fayette County Fire Levy Pumper Replacement Agreement for approval and signatures for Gauley River Volunteer Fire Department. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented for discussion the rental fees for the Memorial Building. Commissioner Louisos motioned to approve the chart presented. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented letters to Gauley River PSD and Armstrong PSD for discussion. These were tabled.

Ms. Berry presented a letter from Jeri Sarafin, Director, Day Report Center, with a recommendation from the Community Corrections Board to appoint Kristy Comer, a Child Protective Service Worker, to fill a seat on the board as a non-voting member. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented letter from Fayette County Urban Renewal Authority to appoint Kim Maxwell to replace Holly Clark, who resigned. Term to expire Mar 1, 2020. Brad Wolfe commented that she should be required to abstain from voting on trail related issues due to her being a paid member of New River Trail Alliance, according to WV state code. The Commission tabled until legal counsel can be consulted.

Ms. Berry presented a letter from Debra Pemberton who works with Sheriff Mike Fridley on Conservator accounts, to set up a Christmas tree (Giving Tree) from the Sheriff's Department. Silver stars will have numbers on them representing the conservators. The stars will highlight the tree with items like house shoes, socks, throw blankets.. Commissioner Louisos motioned to approve as long as Prosecuting Attorney Larry Harrah approves. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a letter from Danny Swank related to the use of the Fayette County Memorial Building during Early Voting. The Commissioners agreed to send a letter to work out details coordinating practice and Early Voting.

Ms. Berry presented a quote for replacing AED devices for the Courthouse Complex. They will expire in early 2020. The Sheriff requested one in his office. Public comment: there is a grant available potentially from Firehouse Subs.

The Commission discussed finalizing the calendar for Fayette County Commission meetings for 2020. The Commission approved the calendar as presented.

Carol Hall of Trinity Coal did not show for her time in regards to a property valuation for Trinity Coal

John Osborne, Ansted City Council, appeared in regards to a deed for an Ansted property and another with a dilapidated lien. This has been rescheduled to December 6th at 10:00 due to conflict with Prosecuting Attorney's office and court hearings.

The RFP for a seven acre pad site at Wolf Creek Park and DEP National Pollutant Discharge Elimination System Fee was presented for approval. Gabe Peña was present to discuss. He showed the old permit which has expired, and presented information needed to bring it into compliance. President Scalph asked for clarification that we will not be doing the road work. Mr. Peña explained the steps taken to bring them into compliance. The pad is approximately \$132,000.00 however Mr. Peña thinks they can get the price reduced. There is a \$1,170.00 fee to open the application and that's what he is requesting. Commissioner Louisos motioned to approve the \$1,170.00 fee to renew the permit. Commissioner Brenemen seconded. Mr. Peña believes this will come from the URA general fund. Unanimous decision.

Mr. Peña presented the RFP for the seven acre pad site at Wolf Creek Park. The CEC will be handling this process. It will be published starting December 5th. This process fixes the problems with the site; it does not prepare it for building. Mr. Peña stated they plan to work with the contractor to get as much covered in the process, including the material needed to make it build ready. President Scalph stated that their intention is to bring it into compliance and further discuss the trail system and get it ready to sell. Commissioner Louisos motioned to approve the RFP. Commissioner Brenemen seconded. Unanimous decision.

Mr. Peña stated the URA agreed to spend \$75,000.00 for the Wolf Creek Park Trails and leave \$75,000.00 as a grant match for the ARC grant. They have also prepared the RFP for construction services. Commissioner Brenemen stated this will run two times as required.

Commissioner Brenemen suggested they set a timeline for April 1st to determine if the grant is possible. If not, move forward with the \$75,000.00 to finish the project as originally presented. Also work with Fayetteville and Oak Hill to see if they can raise the additional \$75,000.00 for the trails to meet the \$150,000.00. Commissioner Louisos asked if there is a time limit, as well as an approved cost per mile. Mr. Peña stated there is a mandatory pre-bid meeting to clarify information. Commissioner Brenemen motioned to approve a \$75,000.00 release of funds from the URA to start building Wolf Creek Park bike trails. The additional \$75,000.00 will be held for a match for the Trail Alliance. If we do not hear that they are placed on the grant short list, the \$75,000.00 match will go back to the park for the bike trail. Commissioner Louisos seconded. Unanimous decision.

Susannah Wheeler, New Roots Farm, was present for permission to advertise for a Farm Production Manager. She has a job description for this position. This is a full-time salary with benefits and all the funding comes from two ARC grants. The sub-award agreement should be available December 20th for the Commission. Commissioner Louisos asked if this grant was already approved. Ms. Wheeler stated the job description specifies that this is grant funded. There is a hope that we will have revenue to cover this once the grant is over. President Scalph stated that everything so far has been grant funded and there is an understanding the county does not fund these positions. Ms. Wheeler confirmed this. President Scalph asked if she will post the job and setup a hiring committee. Ms. Wheeler stated yes; she would like to post next week and run it for one month; start interviewing

and have the position start by February 1st. Commissioner Brenemen motioned to approve the Farm Production Manager Job listing for the New Roots Community Farm. Commissioner Louisos seconded. Unanimous decision. Job description attached to minutes.

Gabe Peña and Susannah Wheeler then appeared to discuss URA oversight, excise tax revenues, bank account revenues from the farm, and Square Stand and a compatible iPad. Commissioner Brenemen stated that there has been a request to stop the spending at the farm, but there are some things the URA will need to approve, such as utilities, water, gas, etc... Commissioner Louisos would like a monthly statement that shows the cost to operate. Ms. Wheeler presented an annual budget with the information requested and explained costs and where the funds will come from. Ms. Wheeler offered to format and show things in a more understandable way. Commissioner Louisos suggested a workshop to discuss this in the future to get a better understanding.

Discussion was held regarding Square Stand and compatible iPad. This is an expense approved by the URA and will come out of the Excise Tax account, not county funds. The question resulted from the need to use the P-card for this purchase. Commissioner Brenemen stated this does not need county approval.

They are also requesting opening an account to track the revenues from the excise tax account. This will help generate match money for grants as well and will be used for the farm. Ms. Wheeler will make the proposal to the URA and bring this to a work session on January 3rd for decision. Olivia Tygrett, Resource Coordinator Office Assistant, asked for clarification on which checks need to be approved by the

Commission prior to sending them out after the Board has approved.

Commissioner Louisos stated a monthly transaction report will work.

Jeff Proctor, URA member, thanked Mr. Peña, Ms. Wheeler and Ms. Tygrett for their hard work.

Commissioner Louisos motioned to go into executive session at 11:25 a.m. regarding a personnel issue. Exited executive session at 11:55 a.m.

The second reading of Mapping and Addressing Ordinance was held. There was one public comment: Will contact be made with people whose addresses changes? Commissioner Brenemen stated WVU has stepped in to assist with the project and provided grant funding as well. There is no opposition to the ordinance.

A workshop was held to discuss the MOU and Lease agreement with New River Humane Society regarding operations of the animal shelter:

The mailing address of the shelter was updated; notes were made for needing an addendum to show county owned versus NRHS property.

The county wishes to donate the county truck currently used to the NRHS and remove it from county insurance. Commissioner Brenemen motioned to sign the 2001 Dodge Truck over to the NRHS. Commissioner Louisos seconded. Unanimous decision.

In the MOU, they asked to change dog warden to animal control officer.

It was asked if Number 10 specific to a county ran facility. It does not take into account third party agencies that run shelters.

Discussion was held regarding financial information and providing expenses to operate the shelter.

Discussion was held regarding animals involved in court cases and how to recoup the costs of caring for them. Commissioner Brenemen proposed working with the NRHS to develop a plan to present to the magistrates regarding those costs and recouping expenditures. It was suggested to make the NRHS a party to the court case.

Commissioner Brenemen motioned to approve the gravel for the Humane Society potholes at the lower cost given by Renee Harper from the Park. Commissioner Louisos seconded. Unanimous decision.

The meeting was adjourned at 2:43 p.m.

FAYETTE COUNTY COMMISSION

REGULAR SESSION

December 6, 2019

COURTHOUSE

FAYETTEVILLE, WV 25840

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

The Fayette County Commission met in a regular session on this 6th day of December, 2019.

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

The Pledge of Allegiance was led by Commissioner Louisos.

Eddie Young, Assessor, was in attendance to present a real estate exoneration for Thomas A. and Jody L. Wilson. Commissioner Brenemen motioned to approve. Commissioner Louisos seconded. Unanimous decision.

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

Commissioner Brenemen motioned to approve 1st half payroll checks to be released on December 13th. Commissioner Louisos seconded. Unanimous decision.

Estate settlements were presented for Thomas Edward Rule; Alma Lee Crouse; Ramona Jean Williamson; Ivan Dale Crist; Mary Jane Puckett; Georgia Mae Maynor; and Wanda Jean Adkins. Commissioner Brenemen motioned to approve the estate settlements and authorize President Scalph to sign. Commissioner Louisos seconded. Unanimous decision.

Debbie Berry, County Administrator, presented an Order to Combine or Divide and Segregate Land for Tracy Hines. Commissioner Louisos motioned to approve and sign the order. Commissioner Brenemen seconded. Unanimous decision.

The third and final reading of Mapping Ordinance was held. There was no opposition to the ordinance. Commissioner Brenemen motioned to approve the Mapping Ordinance for Fayette County. Commissioner Louisos seconded. Unanimous decision.

Discussion was held regarding the decision to appoint an Interim County Clerk. This is an interim position for the period of one year. The position will be on the May primary and November General Election ballots. Any interested parties will file and run for Clerk Kelvin Holliday's unexpired term. The appointed person will serve until the new clerk is elected. The Commission believes this person must be familiar with elections and the process. This person can run or not run. However, there are three upcoming elections in 2020. After much consideration, the Commission has made a decision. Commissioner

Louisos motioned to approve the appointment of Alicia Treadway as Interim County Clerk effective January 1st, 2020 as the current County Clerk Kelvin Holiday will vacate the office as of December 31st, 2019 at midnight. Commissioner Brenemen seconded. Unanimous decision. The commissioners notified Alicia Treadway and congratulated her.

John Osborne, Councilmen and Mayor Kalispel "Bippy" Holcomb were in attendance regarding a deed, a dilapidated lien and a trail. Mr. Osborne would like to demolish the current water plant and put in an accessible fishing area. President Scalph clarified that they are here about two separate properties. Prosecuting Attorney Larry Harrah stated that this water plant property was conveyed to WVAW and once the plant was no longer feasible, WVAW erroneously conveyed it to the county; it should have been conveyed back to the town. Advised the Commission that this can be deeded back to the town with their agreement. Commissioner Louisos motioned to transfer the old water plant facility property back to the town of Ansted. Commissioner Brenemen seconded. Unanimous decision.

Mr. Osborne then stated they would like to get funding to build the accessibility to assist. Mr. Peña presented a map of the trail alliance plans for the regional trail system. He is unsure if Ansted is included. However, you would need to speak with them and get on their radar to be included with this funding. John Osborne, we have discussed his with them. Mr. Peña stated we also need to ensure that whatever funding that is allocated goes only to Fayette County, not the surrounding counties. Mr. Peña also suggested looking at the DOH grants for trails as well. President Scalph asked that Mr. Peña

assist them and provide contact information for grants. Public comment from Brad Woolf: "I think it is important the smaller communities are included such as Mount Hope and Ansted are included. Not just Fayetteville."

Mayor Holcomb discussed a property that was demolished under the dilapidated building project for the county. Ansted would like to put a station on that property. They are asking the county to release the lien as they cannot pay that off. President Scalph stated the dilapidated building fund is for demolishing properties in the county. However, they realize that municipalities often need help. If the Commission releases the lien on that property, it sets a precedent for all properties. President Scalph stated that paying for the lien can be put into the scope of work. Mr. Harrah stated that the county has worked with municipalities and entities in the past and allowed payments with a promissory note. Mayor Holcomb stated that maybe Ansted can set that up. They are working with Region IV on this. President Scalph suggested contacting Lesley Taylor for her assistance.

The Commission took a break at 10:15 a.m.

Alicia Treadway appeared to discuss election policy requirements for the Secretary of State and a discussion of Precinct 29.

Precinct 29 votes at Falls View School, and must now go through other precincts to vote, due to the closure of the bridge in their area. Fixing this would involve redrawing of lines. Last word was there would not be a new bridge constructed. President Scalph- we will get a definitive answer on the bridge reconstruction and then

make a decision. Will stay the same for February. Mr. Harrah stated that even if a vote is challenged even through the canvassing process, as long as they are a registered voter and eligible to vote in that election, it can still count. They have also contacted voters and let them know. The Commission suggested encouraging them to early vote and if you vote in another precinct, the vote will be challenged, but may be counted. Ms. Treadway will take care of this.

The policy requirements were presented. Deadlines are in January and February, must be done in each election. Must be adopted at least 90 days prior to any election for emergency election. Also for voter registration list. She presented the policy that will be filed regarding Voter registration list sales according to WV code 3-2-30 b. Commissioner Brenemen motioned to approve the list sale of names. Commissioner Louisos seconded. Unanimous decision.

Emergency absentee ballots applying to voters in a nursing home, hospital or dually licensed facility in an adjacent county 30 days prior to an election. Must do this for each election. Commissioner Brenemen motioned to approve the order in regards to the emergency absentee voting procedures, copy attached to minutes. Commissioner Louisos seconded. Unanimous decision.

Physical security requirements for voting equipment were discussed. Location has been updated, and the security system updated to include surveillance, locks, etc... Commissioner Brenemen motioned to approve. Commissioner Louisos seconded. Unanimous decision.

Kelvin Holliday, County Clerk, and Lisa Garrett, Probate, were in attendance regarding changing from Fiduciary Commissioner to Fiduciary

Supervisor. Ms. Garrett explained to the Commission that this will cover more costs by the county. Currently the county charges \$20.00 per publication. However the cost to the county is much higher. On November 14th, 2019, the cost of publication was \$623.95 and the county received \$420.00 in reimbursements. The county was left with a \$203.95 payment. Jamie Blankenship, Fiduciary Commissioner, was in attendance and was upset that he was not informed of this and feels that Mr. Holliday deliberately tried to keep this from him. Mr. Blankenship pointed out that most counties do not have this system. There are fewer than five in the state. The Commission will refer this to Prosecutor's office to review and they will also review the costs associated and what is allowable to charge.

Prosecuting Attorney Larry Harrah then read his letter of resignation to the Commission effective 12:01 am January 1st, 2020. "I hope this transition is smooth for my employees and request that you appoint Jeff Mauzy as interim Prosecuting Attorney until the public elects my replacement. For the sake of stability, and in the best interest of the county, Jeff Mauzy is the best candidate." Commissioner Louisos motioned to accept the resignation of Prosecuting Attorney Larry Harrah and his recommendation of Jeff Mauzy as interim Prosecuting Attorney effective January 1st, 2020. President Scalph seconded. Commissioner Brenemen stated "I hate to see Larry leave. I also think there should be an application process." President Scalph stated that in prior instances, the procedure has followed the recommendation of the exiting Prosecutor. She respects the opinion of Mr. Harrah and stands by her second. Commissioner Louisos and

President Scalph voted in favor; Commissioner Brenemen in opposition.
Motion passed.

Bill Strasser and Bill Wells, New River Gorge Trail Alliance, were present in support of a Non-motorized Regional Trail System. Senate Bill 317 authorized Non-motorized Trail Authorities. They require three or more contiguous counties to join with each appointing two board members. It provides superior land owner protection against liability. Gives police officers ability to enforce trail policies, and allows for state funding and permit sales. They are applying for a grant to help to be managed by a grant manager and have a letter of support they are asking the Commission to sign. The County commits to appointing a representative to the trail authority. Commissioner Louisos motioned for approval of the letter of support with no commitment for financial support. Commissioner Brenemen seconded. Unanimous decision.

A motion was made to go into executive session at 12:24 p.m. regarding real estate. The Commission exited the executive session at 12:40 p.m. with no decision made.

Commissioner Brenemen motioned to approve the minutes from November 22nd and authorize President Scalph to sign. Commissioner Louisos seconded. Unanimous decision.

Ms. Berry presented a request from Gauley River PSD for the appointment of Ralph Arthur to replace Mary Sue Gray who resigned from the Gauley River PSD. This was tabled from prior meetings. Commissioner Brenemen motioned to approve until December 31st, 2020. Commissioner Louisos seconded. Unanimous decision.

Ms. Berry presented a letter from Fayette County Urban Renewal Authority to appoint Kim Maxwell to replace Holly Clark who resigned. Term to expire March 1st, 2020. Tabled from prior meeting due to potential conflict of interest concerns as she is on the board of the Trail Alliance. Mr. Harrah suggested asking for a formal Ethics Commission opinion. Ms. Berry will prepare this request for ruling and send to the Ethics Commission. Commissioner Louisos motioned to table pending the Ethics decision. Commissioner Brenemen seconded. Unanimous decision.

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

Ms. Berry presented Change of Scope paperwork for signatures of the Commission for Gabe Peña for the Flex-E Grant. Mr. Peña was present to discuss the grant. This change of scope will consider the likelihood of trying to sell the park. A redevelopment plan is unnecessary. We are asking for a change to do an urban renewal plan for all of Fayette County. Still using to hire consultant to assist the URA. Commissioner Louisos motioned to approve the changes to the WCP redevelopment plan. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented drawdown paperwork for WV Courthouse Facility Grants for approval and signature of President Scalph for the HVAC System and Masonry Repair. This paperwork was not yet ready and was tabled.

Ms. Berry presented a WV Courthouse Facilities Improvement Authority Contract and award notice for 2nd Phase of HVAC replacement at Courthouse Annex for approval and signature of President Scalph. Commissioner Louisos motioned. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented Easement and Right of Way paperwork of property owned by the Fayette County Commission from AEP for approval and signatures of the Commission. Commissioner Louisos motioned to approve pending approval of Mr. Harrah. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented letters for signature of President Denise Scalph setting dates for Board of Equalization and Review hearings for 2020. Commissioner Louisos motioned. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented quotes for the furnace replacement for the feline building at the Animal Shelter. President Scalph said the Commission will send a letter stressing not turning thermostat up and keeping door shut, changing filters as required. Discussion of using LED instead of current lights. Commissioner Louisos motioned to approve a new 80,000 BTU HVAC system from McVey A Ok Air for \$2,885.00. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a letter for approval and signatures of the Commission to City of Oak Hill related to Hotel Motel Tax. Mr. Harrah approves the letter asking for discussion. President Scalph suggested changing the last paragraph to "any lodging facility that this may

apply to." Commissioner Louisos motioned to approve with listed changes. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented a request from Melissa Harrah, Principal at Fayetteville PK-8 to use Fayette County Memorial Building for a FC Middle School Basketball Tournament on February 19 - 21st, 2020 from 4:00 p.m. to 10:00 p.m. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Berry presented another request from Ms. Harrah for January 11th, 2020 from 7:00 a.m. - 7:00 p.m. for a Middle School Wrestling Tournament. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

A workshop was held regarding the ambulance service in Fayette County. Some of this stems from no service being provided in the Danese and Meadow Bridge areas and call response issues. Jerry Long of JanCare gave a history of the contract and the need for accountability. The contract ensures that there are resources available. Commissioner Louisos wants something that shows that other providers do get contacted. Mr. Long has contacted other providers and they typically do not have a truck available. JanCare has expanded their coverage since the initial contract, so coverage has improved. Kevin Walker, OEM Director, will provide response times to show efficiency. Mr. Long pointed out response times do not correlate to patient outcome. They track the outcomes. Commissioner Brenemen thanked JanCare and asked is there anything they want to change. Mr. Long stated it looks good for them. Mr. Walker stated he sees no changes other than grammar and additional units. President Scalph

stated unless there are changes, the contract will roll over to the next year.

The meeting was adjourned at 2:00 p.m.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
December 20, 2019
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: DENISE A. SCALPH, JOHN G. BRENEMEN, TOM LOUISOS

The Fayette County Commission met in a regular session on this 20th day of December, 2019.

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

The Pledge of Allegiance was led by President Scalph.

Mike Bone, Assessor's Office, was in attendance to present personal property exonerations for Kathleen M. White \$536.92; John D. McCune \$48.02; Billy Butler \$3.84; Carl Burros \$59.62; and Michel E. Armstrong \$510.72. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Mr. Bone presented real property exonerations for James Blackburn \$18.70, \$20.88 and \$20.88. Commissioner Brenemen motioned to approve. Commissioner Louisos seconded. Unanimous decision.

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

Commissioner Brenemen motioned to approve 2nd half payroll for December 30, 2019. Commissioner Louisos seconded. Unanimous decision.

Commissioner Brenemen motioned to approve the minutes from December 6th and authorize President Scalph to sign. Commissioner Louisos seconded. Unanimous decision.

Commissioner Brenemen motioned to approve estate settlements for Diane Lynn Blume; Diana Faye Edwards; Benton Eugene Conner; Charles Lee Kidd; Ruth Harper; Elsie Marie Withrow; and Gertrude Maxine Shuff. Commissioner Louisos seconded. Unanimous decision.

Ami Dangerfield, County Commission Assistant, presented an order to transfer \$66,760.60 from the General School Fund to the General Fund. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Dangerfield presented orders and letters for reappointment to the Fayette County Board of Zoning Appeals for John Hoffman and William Hughes, both terms to expire January 1, 2023. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Dangerfield presented for approval a quote from GST for the County Clerk Server in the amount of \$6,398.86. This purchase was previously approved in the FY 19/20 budget sessions to replace their failing server. Commissioner Louisos motioned to approve. Commissioner Brenemen seconded. Unanimous decision.

Ms. Dangerfield presented the Assessor's Records Management and Preservation Grant Final Report documents for approval and signature.

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

Ms. Dangerfield presented a WV Courthouse Facilities Improvement Authority 16th Cycle Reimbursement Request for \$100,000.00.

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

Ms. Dangerfield presented a sub award agreement for a POWER grant for approval and signature of President Scalph. Susie Wheeler, Farm Manager, was in attendance to explain that the grant is the one awarded in October and Sprouting Farms is the leading partner. This just outlines the duties and requests the money from the grant. It is for agribusiness and workforce development programs. Our portion of this grant is approximately \$151,000.00. The matching funds come from the LFPP. This is a roughly \$20,000.00 match in supplies that is matched out of the Excise Tax. Commissioner Brenemen motioned to approve the grant of \$151,000.00 with the county allowing \$51,000.00 as their total match as set in the budget. Commissioner Louisos seconded. Unanimous decision.

Ms. Dangerfield presented for discussion a Contract Renewal for GST Courthouse Network Support Administration and Consulting for 2020 and the possible addition of other departments to the contract, for approval and signature of President Scalph. The contract is \$1,300.00 per month and can be amended at a later date to add additional buildings or properties. Commissioner Louisos motioned to approve without additions at this time. Commissioner Brenemen seconded. Unanimous decision.

Ms. Dangerfield presented for discussion supplies to mark timber for sale at county owned property. This was tabled until January 3rd until the Commission receives information from the timbering company.

Ms. Dangerfield presented for discussion the need for engineering of the Wiseman Avenue Parking lot due to water runoff. Bigger drain lines are needed to prevent our water runoff from damaging adjoining properties. The Prosecuting Attorney's office will notify our insurance company that the Commission is working to address the problem.

Ms. Dangerfield presented for discussion changes to the organizational order for 2020. Assistant Prosecuting Attorney Jeff Mauzy will work on amending the order to reflect the new purchasing policy.

Discussion was held regarding personnel manual changes. No decision or changes made.

Vivian Parsons, Public Entity Specialist with the WV Counties Risk Pool was present to give an update. Things are going well; they have 50 of the 55 counties in the pool, and 112 public entities. They've recently been approved to write policies for VFDs across the state. Explained how the risk pool works and the available trainings. They provide the training at no cost to the county. Trainings include active shooter training, cyber security, and workplace harassment. The pool recommends a training rotation every two to three years. Also provides law enforcement training and can provide 14 of the required 16 hours for deputies. Also will review county contracts in terms of risk.

Adam Hodges, Farmland Protection Board, appeared regarding the White Farm Easement. This is to add additional properties to the easement. It needs to have a general motion - the last was too specific and left out part of the property. Commissioner Brenemen motioned to give final approval authority for the Fayette County Farmland Protection Board to purchase easements on the James and Patricia White properties as presented. Commissioner Louisos seconded. Unanimous decision.

A public hearing was held for Early Voting sites for the Special Levy Election. The floor was open for comment. Montgomery City Hall, Danese Community Center, and the Soldiers and Sailors Memorial Building are the locations for Early Voting to be held January 25th through February 5th for the February 8th Special Levy Election. Commissioner Brenemen motioned to approve the Early Voting locations on the dates indicated from 8:00 a.m. to 4:00 p.m. and Saturdays from 9:00 a.m. to 5:00 p.m. Commissioner Louisos seconded. Unanimous decision.

Alicia Treadway, Voters' Registration, appeared for the presentation of keys for Early Voting satellite sites. The cans were presented as empty. The cans were locked and the keys were presented to the Commissioners.

Members of the Fayette County Urban Renewal Authority were present for a discussion with Jim Lively, Jr. and Morgan Bracken, regarding the Property at Wolf Creek Park. There are questions regarding the process. Commissioner Louisos asked is there a first right of refusal? Yes, on 200 acres. Commissioner Louisos asked is it

at \$7,500.00 an acre? There are 2 deals; the first was for property already purchased. There is no price indicated on the first right of refusal. This portion is basically the residential section.

Commissioner Louisos asked how this would be disclosed. Mr. Mauzy said the Right of First Refusal should be disclosed in marketing to sell the property.

Commissioner Louisos has an issue with the Right of First Refusal. Mr. Bracken said there was a nonrefundable financial deposit made. Commissioner Louisos asked who the deposit was given to. The URA or Fayette County Commission. Discussion was held regarding money loaned the URA from the Glen Jean property. Former Commissioners Matthew Wender and Kenneth Eskew did not intend this as a loan, however John Lopez did. Mr. Mauzy will review to ensure the County can sell and ensure there are no other issues with the sell. Commissioner Louisos asks if there is anything further we need to be concerned about with this property.

URA member Gene Kistler stated two developers are interested and are planning to look at the property on January 13th. One is commercial, one is residential.

Commissioner Louisos pointed out missing items in minutes and stated he needs this information.

Mr. Mauzy said Jamie Blankenship prepared the Right of First Refusal and will check with him for further information. Believes this will not be an issue.

Mr. Wender asked the Commission what the intention is regarding funds committed to the property in the event it does not sell.

Commissioner Louisos asked how close the road is to the property on which they have a Right of First Refusal. It is a few hundred feet.

The Commission asks that the current owners be taken into account during the sell, so that the park is maintained as a park with the intention that it be maintained.

Points were made that residential properties are needed in the county. Commissioner Louisos also asked if the Right of First Refusal is recorded. Should be in the event of deed search.

A motion was made to go into Executive Session at 11:36 a.m. The Commission exited the Executive Session at 12:13 p.m. with no decision made. They stated there is a request from the Prosecuting Attorney's Office for hard copy documents from Brad Woolf regarding the costs. President Scalph stated hard copy documentation is needed for the work that was done under consideration for reimbursement and settlement.

A workshop was held with Gauley River PSD. Board Member Juanita Phillips and Administrative Assistant Stephanie Frame were present. The invoices being discussed are regarding a valve replacement which affects the water supplying the prison at Mount Olive. Only half of the \$25,000 invoice total was paid, because only one valve was installed. A note was made on the check regarding the other half would be paid after the second half of the work is completed.

Commissioner Brenemen asked about the capital improvement account. The former manager depleted the accounts and they have begun putting money in each. \$217.00 into one and \$25.00 into the other each month.

They are requesting assistance because they also have additional valves which need replaced. They are approximately 40 years old and have multiple leaks, as well as service lines that need replaced. Commissioner Brenemen asked if they have checked into grants. What happened to discussions with Summersville and Kanawha Falls? Ms. Phillips stated KFPSD is not able to assist. They believe a valve replacement would save approximately \$15,000.00 per month in leaking water based on billing and usage. Discussion was held of the rate increase not being sufficient. Ms. Phillips stated the money needs for the PSD have gone down with the exit of two employees, saving approximately \$80,000.00 per year. Commissioner Louisos requested discovery of where the money went when the last manager was there. Commissioner Brenemen asked how many customers the PSD serves and what are the commissioners paid. They serve approximately 1,100 and the commissioner are paid \$125.00 per meeting.

Gauley River PSD can repay the Commission around \$300.00 a month until they start recouping some of the water loss costs. After that a point higher amount is feasible. Commissioner Louisos motioned to loan to Gauley River PSD \$12,501.29 from Coal Reallocated with the repayment of \$300.00 per month agreed upon. Commissioner Brenemen seconded. Unanimous decision.

A workshop was held with Armstrong PSD workshop with Thomas Gibson, chairman and a representative from EL Robinson. President Scalph asked when did they apply for the emergency rate increase. Commissioner Brenemen stated that the first problem is that they are insolvent and cannot pay bills. The second is that the Commissioners

are receiving a higher amount per meeting than what is approved by state code. You can pay \$125.00 per meeting, not \$225.00. The third issue is the capital improvement account required by state code has not been started. Mr. Gibson cannot answer the financial questions. There are issues with the bill payments. Commissioner Brenemen stated they must start a capital improvements account, book, and annual report must be done. The Commission will send a letter to the secretary that is in charge of the bills stating she must come to a meeting to explain the issues presented. The Commission has requested Armstrong PSD come back on January 3rd at 10:30 with the bookkeeper, Beverly Middleton, to answer these questions.

The meeting was adjourned at 2:28 p.m.

End of 2019 meetings.