

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 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.
