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FAYETTE COUNTY COMMISSION

REGULAR SESSION

JANUARY 3, 2024

FAYETTE COUNTY COURTHOUSE

PRESENT: TOM LOUISOS, JOHN G. BRENEMEN, ALLISON R. TAYLOR

The Fayette County Commission met this 3rd day of January, 2024.

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

Anthony Ciliberti leads the Pledge of Allegiance.

Organizational Order: Commissioner Brenemen nominates President Louisos to remain president. Commissioner Taylor seconds. Unanimous decision. President Louisos will step down from NRRDA board. Commissioner Brenemen nominates Commissioner Taylor for NRRDA board. President Louisos seconds. Unanimous decision. Commissioner Taylor motions to approve the rest of the order to remain the same, with Ruth Lanier as the Authorized Purchasing Agent except for the sheriff's department, and Commissioner Taylor will approve their expenses. Commissioner Brenemen seconds. Unanimous decision.

Exonerations, Orders to Combine or Divide Land, Refunds - Eddie Young:

Tara Tyree presents Real Property exonerations for: Zachary Gage Branham \$115.26; Wayne & Mary Fernatt \$687.66; Lafayette Dexter \$16.90; Robert W. or Evelyn Tucker \$120.34; Patrick O. & Eudora Hambrick \$15.36; Christopher J. Kirk \$289.36; and Seth Pack \$2,478.76. Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Approve Payroll for January 12th and 26th Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Approve Vouchers and Invoices: President Louisos motions to approve. Commissioner Taylor seconds. Unanimous decision.

Approve Prior Meeting Minutes for December 20, 2023: Commissioner Brenemen motions to approve the minutes. President Louisos seconds. Unanimous decision.

Approve Estate Settlements: Charles Joseph Belmont II; Alice Faye Boggus; David Emon Boggus; Brenda Kay Butcher; Tana Jean Halstead, AKA Tana Jean Halstead Cotellesse; Dixie Lee Harvey; Mary Phyllis Hess; June Bernease Houchins; Franklin Delano Jacks; Jerry Eugene Kincaid; Janet Lee Steele; James Edward Treadway; and Terry Dale Wriston. President Louisos motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Approve Fiduciary Commissioner Report, Hresan Estate Commissioner Taylor and Prosecuting Attorney both reviewed. No family is present. Executrix is from a law firm. Commissioner Taylor motions to approve

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partial settlement. Commissioner Brenemen seconds. Unanimous decision.

Approve Fiduciary Commissioner Report, James Estate Kevin Burgess is present to answer questions. There was an issue with attorney fees requested to pay out of estate. Conflict of which fees were beneficial for the estate. Executor Marvin Johnson asked for \$100,000 in attorney fees. Fiduciary Commissioner Gavin Ward only found \$56,000. Mr. Ciliberti states that the Fiduciary Commission made findings, so there is no reason to object. Commissioner Taylor motions to approve findings of Fiduciary Commissioner. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: Budget Memo to Elected Officials Ms. Lanier presents the memo and that the 2nd page shows PEIA increases - family coverage is over \$18,000 (14% increase). Commissioner Taylor motions to approve. President Louisos seconds. Unanimous decision.

Discussion & Decision: 2024 Mileage Reimbursement Order IRS issued their mileage rates increasing to \$0.67. Commissioner Taylor motions to adopt this increase. President Louisos seconds. Unanimous decision.

Discussion & Decision: Board of Equalization & Review Legal Advertisement and Letters to Assessor and Prosecuting Attorney President Louisos motions to approve the letters. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: Plan 3 Scheduled Maintenance & Repair Agreement with Casto Technical Services for Courthouse and Annex President Louisos motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: GST Annual Agreement for computer support Commissioner Taylor motions to postpone until 1/31 meeting. President Louisos seconds. Unanimous decision.

Discussion & Decision: Michelle Holly, County Clerk, Re: MOUs with Municipalities requesting to be on County Ballot This is for Montgomery & Mt. Hope. FCC will be the Board of Canvassers for their ballots. Code allows to charge up to 1.5% of the cost of the election based on their population. For example, Mt. Hope could be charged \$4,000 but the amount of work would only be about \$3-400. President Louisos motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: Lease for Park House Brian Good, Park Director, has ideas about how to use the facility for off season things, meetings, weddings... There are currently no venues at the park with heat. House is currently occupied by a county employee and this arrangement was supposed to be temporary. Given the housing situation in the area, Commissioner Taylor motions to give a 3 month notice and allow the park to start planning. Commissioner Brenemen asks when lease was signed. Ms. Lanier states December of 2022. Commissioner

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Brenemen seconds. Unanimous decision. Commissioner Taylor asks Mr. Ciliberti to give the current resident notice of 90 days.

Introduction of New Leadership: Jonathan Frame, Southern Regional Jail and Correctional Facility Mr. Frame was double booked and will reschedule.

Discussion & Decision: Fayette Gun Club Lease Renewal Commissioner Brenemen visited the gun club and feels it is extremely safe and they do a great job educating and using the notification flags. Doesn't see issues. Feels they should have the lease and make sure it's extended annually. Opportunity for the deputies to target shoot and qualify. Commissioner Taylor had concerns as a commissioner due to Animal Shelter employees claiming people and property were being hit by bird shot. AC sent a letter. Commissioner Taylor figured this was an errant user and the club could address it. Commissioner Taylor also said she was led to believe that tax payers were kept from using a tax payer funded facility but there is proof that this is incorrect. 3rd issue deputy qualifying range. Mr. Ciliberti visited and believed an outdoor gun range could be built. Commissioner Taylor asks that deputies be given precedence when they show up to qualify. Would still like to find a location for an indoor range. Sheriff Fridley appreciates the efforts and understands the issues with finding land. Commissioner Taylor's concerns about the gun range have been resolved. Motions to rescind previous motion and approve lease. President Louisos seconds. Unanimous decision.

Tom Simmons, Sportsman Gun Club Member, is concerned about insurance for the deputies. President Louisos states it is county property and we have insurance on it. Mr. Simmons is concerned about interference. Concerned about affording their insurance with the deputies there. Kevin Biggs is present and states that anything drawing the shooters eye would nullify the insurance. This was a misunderstanding based on thinking a building would be built. There is another piece of property they are looking at for the sheriff's range. The gun club states they be good neighbors to the animal shelter. Gave them phone numbers for issues. Somone mentioned there are hunters using that land and that could have been where the shot came from. Marion Roberts, gun club officer, introduced herself. Mr. Ciliberti will send a letter rescinding the previous letter.

Discussion & Decision: Voluntary Demolition Discussion and Action

Ms. Gerald presents the consent to enter property for inspection form.

8001 Mossy Milburn Rd. Scarbro, WV 25917 Valley District Tax Map 73G Parcel 59 Lisa Jackson is present via Zoom. Mr. Ciliberti asks about their financial status. Her husband, Shawn Olds, works and she does not. They live next door to the dilapidated structure. Initial plan was to renovate the white house and move in as its larger. Gravel road has pushed the foundation in so they are considering tearing it down for safety.

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The Commission states that Ms. Gerald can publish bids for any volunteer application for demolition.

Shilo Dr. Plateau District Tax Map14M Parcel 71; and Shilo Dr. Plateau District Tax Map 14S Parcel 1

David Hylton is present. President Louisos' plan fits well with Mr. Hylton's redevelopment plan, especially on outskirts of municipalities and places that already have infrastructure. Would like Mr. Hylton to work with NRRDA and LRA for redevelopment.

Adjudication and Disposition Order for

- **Anthony Hosea 1072 Pea Ridge Rd. Oak Hill, WV 25901 Plateau District Tax Map 22R Parcel 51** Mr. Ciliberti presents this is on the involuntary tract. Mr. Hosea has not made contact. Mr. Ciliberti used a private process server. Mr. Hosea was living at the address as everyone thought. The 30 days to comply has expired. Order is prepared and ready for signature. Will give 30 days to demolish and dispose. If no action, Mr. Ciliberti will serve suit. Property caught fire after last letter. President Louisos motions to adopt the Beautification Committee's recommendations and assess the civil penalties per the commission's policy. Commissioner Brenemen seconds. Unanimous decision. Commissioner Taylor motions to approve the order. President Louisos seconds. Unanimous decision.
- **Par Mar Properties, LLC 1077 Armstrong Creek Rd. Kimberly, WV 25118 Valley District Tax Map 36F Parcel 31** Also chose to ignore communications. Will give 30 days to demolish and dispose. If no action, Mr. Ciliberti will serve suit. This property also caught fire after last letter. Commissioner Taylor motions to adopt Beautification Committee's recommendations, approve the order, and assess the civil penalties per the commission's policy. President Louisos seconds. Unanimous decision.

Orders will be recorded in the County Clerk's office.

Discussion & Decision: Greentown Loop Property agreement with Benjamin Howington - approval of proposed sale The property was demolished and a lien was placed. Property was sold for taxes and the lien was not enforced. The lien is more expensive than the property is worth. Adjoining neighbor, Van Burks, has offered \$6,000 to purchase it. Mr. Ciliberti asked Mr. Howington to split his purchase price in lieu of the lien. Commissioner Brenemen motions to approve to accept \$3,000 from the purchase price in lieu of the lien. Commissioner Taylor seconds. Unanimous decision.

The Commission took a break at 10:19 a.m. and returned at 10:31 a.m.

Discussion & Decision: Fire Training Center Bid Review for Turnout Gear Shannon Estep presents the only bid received from All American Fire services for \$43,125 total for 15 sets of gear. Sealed bids were opened Dec. 14 at County Fire Association meeting. Commissioner

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Taylor motions to approve. President Louisos seconds. Unanimous decision.

The meeting was adjourned at 10:34 a.m.

FAYETTE COUNTY COMMISSION

SPECIAL SESSION

JANUARY 19, 2024

FAYETTE COUNTY COURTHOUSE

PRESENT: TOM LOUISOS, JOHN G. BRENNEMEN, ALLISON R. TAYLOR *all via Zoom*

The Fayette County Commission met this 19th day of January, 2024 for a special meeting.

President Louisos called the meeting to order at 10:00 a.m.

President Louisos presented that this is to approve the purchase of 3 Ford Explorer Police Interceptors. It is on a special agenda because Sheriff Fridley said they are currently available. Instead of waiting until FY 25, the commission would like to authorize the expenditure today from the FY 25 budget. Commissioner Taylor stated we needed to hold this special session because if don't move quickly when the vehicles become available, we lose them.

President Louisos motions to authorize the purchase of 3 Ford Explorer Police Interceptors in the amount of \$154,830. Commissioner Brennen asks about the 2 previously approved vehicles, if they were ever purchased. Sheriff Fridley stated he presented at the last meeting that they were purchased. There has been a delay in getting the equipment procured and installed and they will be ready in 2 weeks. Commissioner Taylor seconds. Unanimous decision.

Sheriff Fridley thanks the commission and County Administrator Lanier for their assistance.

The meeting was adjourned at 10:02 a.m.

FAYETTE COUNTY COMMISSION

REGULAR SESSION

JANUARY 31, 2024

FAYETTE COUNTY COURTHOUSE

PRESENT: TOM LOUISOS, JOHN G. BRENNEMEN, ALLISON R. TAYLOR

The Fayette County Commission met this 31st day of January, 2024.

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

Ruth Lanier leads the Pledge of Allegiance.

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Exonerations, Orders to Combine or Divide Land, Refunds - Eddie Young: Mr. Young presents Real Property exonerations for Robert W. or Evelyn Tucker \$120.34; Shane Albert Hammack \$35.34, \$20.74; Tammy L. Treadway-Bench & Bryan Bench \$65.18; Michael W. or Benjamin Howington \$52.62; and Terry Joe Holbrook \$153.16. Commissioner Brenemen motions to approve. Commissioner Taylor seconds. Unanimous decision.

Approve Payroll for February 9th President Louisos motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Approve Vouchers and Invoices President Louisos motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Approve Prior Meeting Minutes for January 3 & 19 Commissioner Brenemen motions to approve. President Louisos seconds. Unanimous decision.

Approve Estate Settlements Lester Cleveland Allen; Doris Jean Edelman; Carolyn Jane Guckert; Mary Long Lawson; Leon Franklin Toney, Jr.; Gail Patsy Wilson; David Lewis Zimmerman. Commissioner Taylor motions to approve. President Louisos seconds. Unanimous decision.

Discussion & Decision: Foremost Flood Insurance Renewal County Administrator Ruth Lanier recommends Option B for increased coverage. Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: Software Systems Annual Maintenance Agreement Discussion of 1 vs 3 years. Commissioner Taylor motions to postpone. President Louisos seconds. Unanimous decision.

Board of Equalization & Review Assessor Young has no petitions No one in the room has a petition. President Louisos motions to approve. Commissioner Taylor seconds. Unanimous decision.

Discussion & Decision: GST Agreement There are still issues with website, but we need this agreement renewed for all other services. Commissioner Taylor motions to move it till the 6th if GST can be here. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: CDBG Grant Amendment for Deepwater & Powellton Upgrade - Commissioner Taylor motions to approve retroactively. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: Letters to Mountaineer Challenge Academy Graduates - Commissioner Taylor wants to recognize these cadet graduates with honors. Elija Canada and Annie Taylor. Commissioner Brenemen motions to approve. Commissioner Taylor seconds. Unanimous decision.

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Discussion & Decision: Letter Responding to Fayette County Humane Society - Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: Letter for Camp Soar Commissioner Taylor would still like to consider paying for the participants. Asks Brian Good to put together a proposal to assist with increased participation and cut out people not applying because the cost is prohibitive. Commissioner Taylor motions to approve. President Louisos seconds. Unanimous decision.

Discussion & Decision: ADP Benefit Agreement- *part of initial package, but postponed* Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: Judicial Annex Roof Replacement Invitation to Bid Approval for Courthouse Facilities Improvement Authority Grant Award Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: New Haven PSD Board Appointment due to the resignation of Roma Lively. Sharon Light, term to expire July 31, 2027 Commissioner Brenemen recognizes his length of service for New Haven PSD & Dothan PSD, and would like to have a letter of appreciation sent to Mr. Lively. Commissioner Brenemen motions to approve. Commissioner Taylor seconds. Unanimous decision.

Sheriff Deputy Promotions President Louisos swears in Corporal Gerald Rinehart with the Fayette County Sheriff's Department to sergeant.

Discussion & Decision: Reappointment of David Smith to Page Kincaid PSD - *to approve nunc pro tunc* Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: Ballot Commissioners Notification Letter Presented from Michelle Holly Clerk notifying of who the executive committees chose. Dem Edna Wriston and Rep William Vest.

Discussion & Decision: Response to Solid Waste Authority Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Recognition: Rebecca Jones Retirement Ms. Jones and several admin employees from 911 attended. Becky states that working with the firemen in the county has been great and would like to recognize them as well.

Discussion & Decision: Dilapidated Housing Bid Opening

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One of the 3 structures is owned by LRA as a donation and other 2 are voluntary demolitions and are ready be demolished.

Each bid was for: Gauley River Road; Midland Trail; Deepwater, respectively:

Empire Salvage -\$14,000 \$10,000; \$5,000; **Total: \$29,000**

Reclaim -\$12,000; \$1,200; \$8,900 - **Total: \$32,900**

Echo - **\$12,450; \$11,300; \$10,700 - Total \$34,450**

Smokey Joe -\$16,500; \$18,255; \$15,600 - **Total \$50,355**

President Louisos motions to approve Empire as the low bid. Commissioner Brenemen seconds. Unanimous decision.

President Louisos calls for break at 9:39 until 9:45

Discussion & Decision: Response to Legal Rep

There were 4 responses: Steptoe & Johnson; Spillman, Thomas and Battle; Lewis Gianola; Schuman McCusky, Slicer. Commissioner Taylor read all of the proposals and likes Steptoe and Johnson. President Louisos also reviewed and motions to approve Steptoe & Johnson. The President Louisos' significant reasons are that they are representing contiguous counties for the same project and these are also counties where our broadband would be coming from. No conflicts of interest. Doesn't like that they are more costly, but given their expertise would like to go with them. Commissioner Brenemen defers to the other two commissioners. President Louisos motions to postpone till February 6 to give Commissioner Brenemen time to review. Commissioner Taylor seconds. Unanimous decision.

The commission took a break from 9:49 a.m. till 10:00 a.m.

Park Roof Repair Bid Opening:

Brian Good and Jerry Adkins are present. The commissioners opened the following bids:

Alpha Construction - \$69,770.00

WV Design Build, LLC - \$31,750

Lee Reger Builds - \$45,365

Dan Hill Construction - \$73,855.66

Roof Doctor - \$34,959.60

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Mr. Good and Mr. Adkins will review the specs and bring back to award on February 6.

Discussion & Decision: Official Response to Judge Blake Accepting his Proposal - Commissioner Taylor presents the letter responding to Judge Blake, stating the commission accepts his offer of how to move the probation department, and allocate 7 parking spaces. As well as informing him the building is ready for occupancy and to have the Supreme Court and Probation reach out to Ms. Lanier to coordinate the move. Commissioner Taylor motions to approve and send the letter. President Louisos seconds. Unanimous decision.

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

FAYETTE COUNTY COMMISSION
REGULAR SESSION
February 6, 2024
FAYETTE COUNTY COURTHOUSE
PRESENT: TOM LOUISOS, JOHN G. BRENEMEN, ALLISON R. TAYLOR

The Fayette County Commission met this 6th day of February, 2024.

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

Ruth Lanier leads the Pledge of Allegiance.

Board of Equalization & Review Mr. Young does not have any petitions. No one appears to present a petition. President Louisos motions to recess and reconvene at 10:15 for mineral and industrial hearings. Commissioner Brenemen seconds. Unanimous decision.

Exonerations, Orders to Combine or Divide Land, Refunds - Eddie Young:

Mr. Young presents Orders to Combine Divide and Segregate Land for Steven J. & Tanja Davis. Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Mr. Young presents real property exonerations for Howard E. or Diana S. Wood \$1,302.98; Tammy L. or Bryan Treadway \$247.08; Destin Kaincaid \$20.20; Robert M. Jr. or Susan Gilkerson \$511.88. Commissioner Brenemen motions to approve. Commissioner Taylor seconds. Unanimous decision.

Approve Payroll for February 23 Commissioner Taylor motions to approve. President Louisos seconds. Unanimous decision.

Approve Prior Meeting Minutes for January 31 Commissioner Brenemen motions to approve. President Louisos seconds. Unanimous decision.

Approve Estate Settlements None presented.

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Discussion & Decision: Support Agreement GST Commissioner Taylor motions to approve. President Louisos seconds. Unanimous decision.

Discussion & Decision: Award of Bid for Park Rec Hall Roof WV Design Build LLC was the lowest with \$31,750 and is bonded. Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Introduction of New Leadership: Jonathan Frame, Southern Regional Jail and Correctional Facility Postponed from January 3rd. Mr. Frame introduces himself, former sheriff's deputy Andy Hudson as the Major, and Sherry Davis, as the Interim Deputy Director. The facility is now fully staffed. National Guard will leave at end of March. Many upgrades have been completed. Invites the commissioners to come see the facility.

Discussion & Decision: Gigready RFP for Legal Services Commissioner Brenemen reviews Commissioner Brenemen presents that all 4 firms have the ability to perform the job. Spillman and Steptoe are their top choices. Agrees with Commissioner Taylor's assessment of Steptoe that they have other counties in our area as clients and no conflict of interest. Commissioner Brenemen motions to approve Steptoe & Johnson. President Louisos seconds. Unanimous decision.

Discussion & Decision: White Oak PSD Board Reappointment Eddie Chornabay Commissioner Brenemen motions to approve. Commissioner Taylor seconds, nun pro tunc. Unanimous decision.

Discussion & Decision: Eddie Young- Assessor Budget Presentation Just asking for salary, benefits, dues, subscriptions, travel and education. Asks the commissioners to consider pay and that the world is not the same as it was in 2020. Mr. Young is down an employee can't hire in someone at the same amount as 4 years ago, nor can he pay them more than veteran employees.

The Commission took a 4-minute break at 9:26 to 9:30 a.m.

Discussion & Decision: Bid Opening for Dilapidated Home Demolition - Multiple Properties Angela Gerald presents that the REAP grant has \$146,000 left. President Louisos asks to award the low bid and then create a priority list for the 12th.

Empire \$190,863

Reclaim - \$289,910

Toms Tear Down and Take Away \$175,000

Ms. Gerald will review the bids for specifications and return on the 12th for the award.

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Vouchers and Invoice - Commissioner Taylor has questions for Chief Tim Richardson regarding invoices from Thrasher. Wants to make sure it's not from the pre-engineering report (PER), which was already paid.

Commissioner Taylor motions to approve all invoices except Thrasher, pending more info and the gym equipment. President Louisos seconds. Unanimous decision.

The commission took a break from 9:38 to 10:00 a.m.

Discussion & Decision: Public Hearing Sara Tucker presents about the creation of Precinct 24. Precinct 23 will be just city limits for Mt. Hope for their municipal elections placed on our county ballot. Precinct 24 will be all non-city limits and Turkey Knob. They are also moving Precinct 2 and 16 to New River Convention Center, away from Lochgelly Baptist. The church was not totally ADA accessible. People could get in the building, but once in, could not access the polling area. Commissioner Taylor motions to approve the creation and move. Commissioner Brenemen seconds. Unanimous decision.

Commissioner Taylor presents that during the break, she discussed the invoice with Chief Richardson about the Thrasher invoiced them late for the initial work for the Geotech work for the PER, so the City of Oak Hill will absorb that \$19,000.

The Commission took a break from 10:07 to 10:15 a.m.

Discussion & Decision: Board of Equalization and Review Mineral Hearing - President Louisos reconvenes the Board of Equalization & Review for Mineral hearings. Mr. Young has no mineral hearings. The state did not appear because there were no petitions. President Louisos motions to recess as the Board of Equalization & Review until 2/12. Commissioner Brenemen seconds. Unanimous decision.

Commissioner Taylor motions to go into executive session at 10:15 am for legal counsel for the response to the fire association questions which counsel drafted on their behalf. President Louisos seconds. Unanimous decision.

The commission exits the executive session at 10:45 with no decisions made.

Discussion & Decision: Letter of Response to Fire Association Questions President Louisos motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: Letter to Municipalities Regarding Budget Collaboration Commissioner Taylor presents the letter to the mayors of municipalities with fire departments. Asking those fire departments to submit annual budgets. The commission is standardizing the process for all agencies receiving funding. Commissioner Taylor motions to approve the letter. Commissioner Brenemen seconds. Unanimous decision. These

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letters will also go to the non-municipal fire chiefs and can be stamped.

Attorney Michael Taylor reads the responses. Commissioner Taylor motions to limit each speaker to 3 minutes. Commissioner Brenemen seconds. Unanimous decision.

Oak Hill Chief Tim Richardson: In regard to engine and aerial replacement, they have a distribution through levy of 3 or 4 fire departments. There is a formula for recommending distribution. Asks if the FCC would honor that. President Louisos and Commissioner Taylor asks for the formula to review.

Fayetteville Chief John Vernon - Regarding Question #5 - This question came from their meeting with the FCC attorney. They have contracts. The attorney suggested signing an MOU but they haven't gotten anything since. Sounds like they are supplementing the MOU with the submission of a budget to be approved. Asks about invoice inside or outside of budget. Mr. Taylor clarifies. Mr. Vernon asks when the budget is due. Commissioner Taylor says February is best but there can be some grace into March. It's too cumbersome currently. Would like to let them run their departments and come to the commission for the larger things. Want to get this implemented for this coming year. Run it like the sheriff budget. Approve it and then when other things come up there can be special consideration. Questions about moving around line items amounts. Ms. Lanier says they have a bottom line dollar value to spend. Will still need invoices for reimbursement to satisfy the auditors.

Also asks about job duties being reassigned and to whom. Commissioner Taylor said they found two people employed working on the invoices and they still had to come work it out with Gia Tyree, Accountant. So, taking the middle employees out, cuts that step. That is the only one being reassigned. If something comes up that is an issue they can readdress.

Shannon Estep, Armstrong Chief, asks about hose and pump testing to coordinate. Who will do that? Commissioner Taylor states that's the responsibility of the Fire Association. Even if they need to hire someone to do that, they can ask for reimbursement. Commissioner Taylor states there was not enough work for one full time employee, let alone two. A lot of redundancy. Mr. Estep says they are lucky at this point that they have a retired person doing the job.

Mr. Vernon asks if the Fire Association should present a budget and include an employee. Brad Wolfe, resident, states these are volunteers and not employees. He is frustrated that there are more demands here now with the county growing and the National Park, and their employee is now gone. If you had \$2 million for Wolf Creek Park, 10% of the budget, they should be ashamed to put more pressure on the volunteers.

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Mr. Estep said he doesn't know why this commission has a problem all of a sudden. They've never operated in the red. Commissioner Taylor states this is about transparency and being good stewards of the tax payers' excess levies. This is not just with the fire department. They have asked the same from the humane society and URA. This commission wants to know about every large purchase before it's spent. This is just about transparency to the tax payers.

Fayetteville Fireman Josh Davis asks if the training center needs to submit a separate budget and President Louisos thinks it would be a good idea. Question about the lack of answer about the levy call. Commissioner Taylor states it hasn't been on the agenda yet, so they cannot legally discuss it. But each commissioner independently stated that they support putting it on the primary agenda. Question about when to present the budgets. The fire levy budgets do not have to be sent to the state by a certain deadline, so they don't have the same limitations of general fund budgets. A March presentation would be best, though.

Mr. Wolfe doesn't think this is about transparency. Mentions a two-minute special meeting to spend \$2 million. Commissioner Taylor states it's their job by code to be over tax payer funds. The emergency meeting was dictated by an expiring contract.

Commissioner Brenemen asks how many fire departments have registered on WV Checkbook. Only one, through Town of Fayetteville. There is a deadline within the next year or two for all fire departments to use it. Some have gone to a workshop about it.

Gauley River Chief Todd Bush asks about funding that they no longer want to give them. Asked about Fire Training Center. President Louisos corrects that the problem with the training center is because the fire marshal didn't sign off on it. Not because they didn't want to pay. The funds don't go away. President Louisos says it can't be spent on anything else but fire services dictated by the levy.

Discussion of firefighters being compensated per call. Commissioner Taylor states President Louisos has presented a plan, and would like to implement this as part of the levy. Asks them to write that expense into their budgets. Question about the added expense to the smaller departments to have to do the extra paperwork for those expenses. Suggestion to put that expense in their budget for a payroll service. Or have the Fire Association contract with a company for all departments. There were no more questions.

Commissioner Brenemen congratulates Montgomery, Smithers and Oak Hill on their recently received recognition for swift water rescue.

Discussion & Decision: Josh Davis Fire Expenditure Report

Presentation Mr. Davis created a spreadsheet based on allowable

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expenditures through contract a of the levy. About \$60,000 a year per department. This should assist with the budgets moving forward. This is exactly what President Louisos wanted and wanted the people to see. Mr. Richardson asks if the commission has any questions regarding the documents. No questions were asked. President Louisos has read through it carefully and wanted it for the people to see.

Discussion & Decision: Budget Presentation Public Library Board

Rebecca Kellum, Director, appears to present the budget. Commissioner Taylor mentions they would like for this to be an annual presentation during budget season. There are five branches currently open. Commissioner Taylor asks about stats and consideration for closing branches. Ms. Kellum doesn't have Meadow Bridge's information with her, but it was continually declining and the building was deteriorating. Commissioner Taylor asks about it being located in the new school. They asked and spoke with the architect. It was going to be \$600-700,000 for a room. They were offered the old school which was slated for demo. Would have to take financial responsibility. They would need to still spend \$600-700,000 to renovate it per the requirements of the board. Just not in the budget and it was too big for them anyway. And if the library left, it would go back to the school board. Looked at other buildings and even homes and a restaurant. Everything would need to be gutted and renovated outside of their budgets. They send the bookmobile once a week. Josie Kincaid from town council was present and said the bookmobile terrifies children. She said they offered a 50-year lease for a nominal amount for the building and told them the library they would need to renovate. The branch was supposed to be open till 7:00 but the librarian would close to go to her daughter's basketball games. Commissioner Taylor asks if the city council has ideas or has tried other options, are they willing to help. Ms. Kincaid thinks they can do it for less than \$100,000, but the library said they would just close. Ms. Kellum states the library was scheduled to be opened till 7:00 on Tuesdays. Commissioner Taylor calls for decorum and suggests this be a separate discussion later. Ms. Kincaid asks for funding to make their own library. That can't happen. Questions about including it in the proposed community center. They need another \$400,000 to open the center. Another councilwoman spoke and thinks hours should be 12:00-7:00 for school children. President Louisos asks if they will be willing to come back and speak about the library and community center later. They would need to coordinate with their engineer. Everyone agrees to return to discuss this topic.

The state has cut funding to all libraries, and they were able to backfill with a supplemental grant. The state funding reduction is to be reassessed. Montgomery Library is now on Ferry Street in a house.

Wes Toney, Assistant Prosecuting Attorney, asks if they run background checks. Asks if anything prohibits people working at the library. Nothing in state code. If there is something on the background check, they don't hire them. Commissioner Taylor asks if they have a requirement to report criminal activity after hiring.

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The commission took a 5-minute break at 12:26 p.m.

Discussion & Decision: Assistance with Flood Debris Removal for Carbondale Baptist Church

Allen Ballard and Carbondale Baptist Pastor William Floyd are present. The creek is starting to turn black. There are seven miles of broken sewage lines and misplaced manholes. Kanawha Falls PSD says there are no FEMA funds released yet. Commissioner Taylor asks it to be put on the next agenda and ask the governor for assistance. Mr. Ballard says design is still 1.5 years out. Should be able to get expedited funding due to declaration by governor.

Mr. Floyd states they need \$6,000 to move the dirt berm so that FEMA can continue the work. Commissioner Taylor motions to approve the \$6,000. Commissioner Brenemen seconds. Unanimous decision.

Mr. Ballard asks about future issues, especially people needing HVAC replacements. Kevin Walker was developing criteria for the \$40,000 allocated to be administered by the United Way. Mr. Ballard will make a list for when the United Way is ready. Asked that homeowners obtain bids to be ready when the allocations are ready.

The meeting was adjourned at 12:37 p.m.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
February 12, 2024
FAYETTE COUNTY COURTHOUSE
PRESENT: TOM LOUISOS, JOHN G. BRENNEMEN, ALLISON R. TAYLOR

The Fayette County Commission met this 12th day of February, 2024.

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

Brian Good leads the Pledge of Allegiance.

Board of Equalization & Review Assessor Eddie Young doesn't have any petitions. President Louisos motions to recess and reconvene at 9:00 am on February 16, 2024. Commissioner Taylor seconds. Unanimous decision.

Exonerations, Orders to Combine or Divide Land, Refunds - Eddie Young:
None presented.

Vouchers and Invoices: Postpone till 2/16 - Check

Ruth Lanier- Exhibit A

Discussion & Decision: Order Adopting for Voting an Emergency Absentee Ballot by Qualified Voters Michelle Presents this is required for

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every election. Allows for emergency absentee ballots to be taken to hospital or home confined voters. Commissioner Brenemen motions to approve. President Louisos seconds. Unanimous decision.

Discussion & Decision: REAP Grant Extension Letter Commissioner Taylor motions to approve. President Louisos seconds. Unanimous decision.

Discussion & Decision: Letter to Roma Lively Commissioner Brenemen motions to approve the letter to Mr. Lively thanking him for his service on Dothan and New Haven PSDs. Commissioner Taylor seconds. Unanimous decision.

Discussion & Decision: Software Systems Contract *postponed from January 31, 2024*, Commissioner Taylor motions to approve a contract renewable yearly for 3 years. President Louisos seconds. Unanimous decision.

Budget Presentation: New River Transit Authority Heather Lilly, assistant director is present. NRTA has to ask for an increase. Used to be funded by toll credits but after Covid, the state removed this funding and only uses it for state projects. NRTA has to have 50% of their funding from local agencies. They've expanded routes. Fayette County is the Blue Route. Expanded from 2 to 4 routes to and from Crossroads Mall. They have larger buses for these routes, too. Used to run 8 hours a day, now they run 12. All vans/busses are ADA accessible. Commissioner Taylor asks about the old buses. Raleigh County Community Action is the servicer. Old vehicles would either go to a homeless shelter, or another program through RCCA. Commissioner Taylor says we could use one for teen court, other youth activities, or for the DRC. Ms. Lilly says they haven't yet retired any from NRTA. They are still building fleet, but would keep Fayette County in mind when there is a surplus.

SOR (State Opioid Response) has rides for recovery appointments. Participants can get bus passes. DHHR has a contract and funds this program. After Covid, ridership increased 60%. Buses were \$70,000 but are now \$130,000.

NRTA is going to all municipalities and counties requesting increases. Beckley and Raleigh County doubled their allocation. Commissioner Brenemen asks about the weekend "party bus" which used to assist with recreational trips. They are asking parks, resorts for assistance to get the routes to those places. Have added bike racks at the front of busses for parks and visitor centers. Commissioner Taylor asks about train stations, but Ms. Lilly states they do not have the demand for dedicated routes. They have an MOU with local prisons.

Discussion & Decision: Special Levy Call President Louisos has recommendations for changes. Present levy runs from 2020 - 2024, July 1 - Jun 30. It has been the same since 1980. Would like to move from a five-year cycle to 4 to be in the same path to renew 1 year ahead of each expiration and line up with elections. Would like to put a clause in for conservative spending and only raise rates when necessary. Would like to reallocate percentages for Law and Fire to be

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equal percentages. Over last 4 years, Law has had a deficit of \$17,000 annually. Fire's 4-year average is an annual \$400,000 surplus. President Louisos asked Josh Davis to check with the Fire Association to see about paying their debt off. Mr. Davis will get this information to County Administrator Ruth Lanier.

Steve Cruikshank speaks about the levy. It started in 1981/2. Purpose was there was a little bit of revenue sharing which would be ending. His first year as chief he received \$2,500 from town and \$3,500 from county. The levy was reduced once to give more to Law Enforcement. There were 8 deputies on the levy then. Mr. Cruikshank states that over the years, the county commission took deputies off of the general fund and put them on the levy, pocketing that money for themselves. President Louisos says the plan is to move all deputies back to general fund and off the levy, to not have law enforcement and public safety dependent on a levy. Commissioner Taylor says we should not need an extraordinary tax to pay employees. President Louisos agrees deputies were moved to the levy so there was more money to spend on special interests. Fayette County assesses a maximum tax and maximum levy and it shouldn't be that way. 23 deputies, or 2/3 of the force, are paid off of the levy. The plan is to transition a certain number each year. Mr. Cruickshank says past commissioners allowed departments to save their money to pay off a truck quickly to avoid interest. \$800,000 in savings. That the funds were encumbered and if you don't use it, you lose it. Commissioner Taylor states that's not correct. They ask that they don't spend on things not needed to save that budget amount. Commissioner Taylor says that is why they ask for budgets, to see which department has needs each year, and to not excessively tax people. Mr. Cruikshank is concerned about politics being involved if the county commission is in charge of spending. Commissioner Taylor clarifies that this balancing of percentages is to get the salaries off of the levy and use the law enforcement levy for equipment, in which they are lacking. They are behind 6 vehicles. Mr. Cruikshank wants it to be understood that they have held back years' worth of levy funding to be able to operate for a year in case the levy fails. They have an excess in the levy too because they can't move forward on the training center. Commissioner Taylor says the training center board should come present to the commission because they don't have a comprehensive understanding of that process. Trying to do things under state code and abide by the law for bids, etc.. and be transparent for tax payers with their money. Commissioner Taylor states that putting an employee in the budget as a fire association employee is acceptable. The commission does not want to be the employer for the fire association position. Mr. Cruikshank questions what happens to the library percentages. Library will stay the same and the remainder will be split evenly between fire and law enforcement.

Commissioner Taylor motions to put the levy on the primary ballot. Commissioner Brenemen seconds. Unanimous decision.

Rates will be set on February 16. Commissioner Brenemen motions to approve. Commissioner Taylor seconds. Unanimous decision.

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Discussion & Decision: Jason Means, WVEM /FEMA Re: Cannelton Hollow Sewer Issues, Letter and Next Steps Mr. Means was unavailable due to a new declaration. Lesley Taylor presents for him. FEMA is reviewing documents, codes and standards, DEP level of authority and they need to verify all of the damages. This is all time consuming. Commissioner Taylor states Kanawha County is getting a lot of press saying that they are going to get their sewer fixed from this year's flood, and Cannelton Hollow is still waiting from 2022. There is raw sewage in the creek. Not sure why there isn't motivation. How can this be expedited? Ms. Taylor says Kanawha County doesn't have the funding yet. There are no dollars flowing in Kanawha County. Commissioner Taylor asks Kevin Walker about this. Mr. Walker states we are being micromanaged and nickel and dimed by FEMA over this project. All documentation has been provided. Soil Conservation is involved with creek remediation and has the insurance documents. He has provided them everything he can. Still cannot receive any leverage. He has gone above project manager's head and has only received one payment. Commissioner Taylor asks Ms. Taylor about Kanawha Falls PSD. KFPSD is handing its own documentation. Mr. Walker said there was an email from the project manager about search and rescue; wanted time sheets. Those were volunteer firemen. General time spent was listed, but not individual time sheets. There was an issue with FEMA accepting it as search and rescue when there wasn't a product of a rescue. Commissioner Taylor wants to get counsel involved.

Budget Presentation: Camp Soar - Katie Johnson presents about the scholarship idea and not having it be 100% covered. There is more buy-in from the parents for participation when there is a nominal fee. Commissioner Taylor asks for her to come up with that fee and the commission will offset the rest. Discussion of transportation and pick up locations. Camp is June 3 -August 2. They are off the week of July 4th. There are issues with Juneteenth, June 20 and 21. There is no board transportation due to the holidays. The camp has six junior counselors each week and six adult staff for the duration.

Discussion & Decision: REAP Bid Decision from February Angela Gerald presents. Each property is independently priced. Total low bid is \$175,000 from Toms Tear Down and Take Away. There are 20 properties and they need to be prioritized. President Louisos presents there is \$146,000 of REAP funds left. There is a commercial property on the list for \$40,000. President Louisos says to leave it out for next funding cycle.

Prosecuting Attorney needs to do deed searches on each property. It could be that a property owner isn't legally allowed to sign away rights. Eleven are in the city limits of Gauley Bridge, but they've signed their agreement to allow jurisdiction.

Commissioner Brenemen asks for executive session at 10:35 a.m. for legal counsel. The commission returned at 10:55 a.m. No decisions made. Just legal advice.

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President Louisos motions to remove the \$40,000 commercial property and approve the rest, leaving \$11,000 in REAP grant funds. Commissioner Brenemen seconds. Unanimous decision.

Commissioner Taylor approves low bid from Tom's Tear Down and Take Away. Commissioner Brenemen seconds. Unanimous decision.

The meeting was adjourned at 10:57 a.m.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
February 16, 2024
FAYETTE COUNTY COURTHOUSE
PRESENT: TOM LOUISOS, JOHN G. BRENEMEN, ALLISON R. TAYLOR

The Fayette County Commission met this 16th day of February, 2024.

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

Assessor Eddie Young leads the Pledge of Allegiance.

Board of Equalization & Review Mr. Young does not have any petitions. No one appears to present a petition. President Louisos motions to adjourn as the Board of Equalization & Review sine die. Commissioner Brenemen seconds. Unanimous decision.

Exonerations, Orders to Combine or Divide Land, Refunds - Eddie Young: Mr. Young presents real property exonerations for Ernest W. Murphy, Jr \$212.96; Raymond Kurt and Jennifer Lynn Lanham \$468.06; Robert L. Jr. or Mary Scott \$1,644.78. Commissioner Taylor motions to approve. President Louisos seconds. Unanimous decision.

Approve Payroll for March 6 Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Vouchers and Invoices. Commissioner Brenemen question about Steve's Auto. Ms. Lanier says this is multiple invoices. President Louisos motions to approve. Commissioner Taylor seconds. Unanimous decision.

Approve Prior Meeting Minutes for February 6 and 12 Commissioner Brenemen asks that the minutes and responses be attached to assist with the minutes. Commissioner Brenemen motions to approve the minutes for 2/6 with attachments. Commissioner Taylor seconds. Unanimous decision. Commissioner Brenemen motions to approve the minutes for 2/12. Commissioner Taylor seconds. Unanimous decision.

Approve Estate Settlements Linda Stella Louise Askins; Thomas Campbell Bazzi; Bobby Wayne Bostic; Alice Faye Dunlap; William Eugene Henson, Jr.; William Thomas Louisos, Sr.; James Cecil McGraw; and Mary G.

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Smith. President Louisos recuses himself. Commissioner Brenemen motions to approve. Commissioner Taylor seconds. Unanimous decision.

Discussion & Decision: New Deputies Oath of Office Sheriff Mike Fridley presents Dakota Shreve and Josh Warshaw. Will start the academy February 26 and graduate June 7th. President Louisos administers the oath of office to each deputy.

Discussion & Decision: Qualifications for Flood Relief Money Commissioner Taylor motions to move to special meeting on 2/23. President Louisos seconds. Unanimous decision.

Discussion & Decision: Letter to Health Department Regarding Water Testing for Cannelton Hollow Commissioner Brenemen motions to approve the letter. Commissioner Taylor seconds. Unanimous decision.

Discussion & Decision: Order Requesting Election Officials from Executive Committees Commissioner Taylor motions to approve. President Louisos seconds. Unanimous decision.

Discussion & Decision: Retirement of Debt Commissioner Taylor motions to table, pending availability of numbers from Josh Davis. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: County Clerk Budget Presentation Michelle Holly presented elections budget. Not changing anything. Will receive a small amount from Mt. Hope and Montgomery for municipal ballots. Working on shape files to WVU GIS for precinct maps. County Clerk is asking for 2-5% raises based on performance reviews and duties. Increase for travel. Clerk Holly is now on the WVACO Executive Board and County Clerk's board, so she has more meetings to attend. Will need to replace copiers - getting old and hard to find parts. Would like to get one to replace both. Presented revenue. More than doubled excise tax from 21-22 to 22-23. First ½ of 23-24 is more than 21-22 total.

Discussion & Decision: Community Corrections Budget Presentation Presents about still working on getting the satellite up and running. Has transportation opportunities. Discussion of using NRTA. Growing exponentially. 96.4% increase in 1 year. Operating costs for this fiscal year (6 months.) Decreased jail bill with GPS and day report. \$506,000 of jail bill savings. Last year just over \$1 million. For the satellite needs 2 staff - case manager and assistant both driving will open within the county. Asking raises for Kincaid, Walton, Sorrell and Sutphin. Sorrell is the priority. Supplies and Materials - drug testing materials are expensive. Also needs a new copier. New computers for staff. There is a 2020 Chevy express van at Stephens Auto. Will need it for satellite, and could use it now. Commissioner Taylor motions to approve up to \$35,000 to purchase the available transport van. Commissioner Brenemen seconds. Unanimous decision.

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Discussion & Decision: Fayette County Park Director Budget

Presentation Brian Good and Jerry Adkins present. Hasn't been closed on any holiday. Keeps the gate open every day. Disc Golf, reunions, weddings... Operating with fewer people. Would like performance-based raises. They are maintaining vehicles better. Replacing saves on maintenance. Budget should change on the bottom line, but asking to reallocate from line items. Will need some infrastructure upgrades. Dining Hall roof, shelter roofs, tree branch removals. Focusing on daily maintenance. Need people who can multi-task, that are personable and self-sufficient.

The commission took a break at 9:57 a.m. and returned at at 10:15 a.m.

Discussion & Decision: Fayette County Emergency Food Pantry Funding

Discussion Frances Sizemore presents. Husband Terry Sizemore is the Director of Pantry. She helps with fundraising. She is here to recap last year's donation given to the pantry. The funds covered 2 used 3 door coolers to replace their broken coolers. Freezers needed to be replaced and needed electrical upgrade for commercial freezers. Electrical work was completed yesterday and freezers arrive today. There are 1,500 people on registry. Had a increase in needed food so they had to use the last names and then alphabetize for traffic control on route 16. Other uses for the commission's allocation: Box truck needed new tires; body work on truck bed floor; food; furnace repair.; daily operations. They run 19 small freezers which causes a high power bill. Hoping the new freezers will assist with that. Commissioner Taylor motions to allocate an additional \$50,000 from ARPA or the General Fund. President Louisos seconds. Unanimous decision.

Discussion & Decision: Dilapidated Building assistance in City of Mount Hope

This will be rescheduled.

Discussion & Decision: Sheriff Budget Presentation Fully staffed now. Presents his revenues and expenditures. Presents on Service of Process, HIDTA, Task Force, and agreement with AEP. Asking for \$5,000 more for uniform allowance; pay increases; materials and supplies can stay the same; K9 budget can stay the same, but will add another K9. Deputy Sheriff retirement raised form 16-17%. Commissioner Taylor asks about vehicles. How many need to be replaced. There are 3 new vehicles that still need to be outfitted. One vehicle caught on fire the other day. Total loss. Would like to trade it in with a surplus donated truck and get a new detective SUV and transfer the older one to the bailiffs. Believes for road deputies are OK. Will still have 3 spares (Taurus). Replacing 3 every year would be a good plan. Commissioner Taylor asks thoughts on transitioning deputies off of the levy. Would love for that because he has to explain to new deputies that their employment is contingent on the levy. Commissioner Taylor presents changing language and the percentages for the law levy and balancing the percentages between law and fire. Sheriff Fridley would like to have the gun range.

Discussion & Decision: Fayette County Humane Society Budget

Presentation Fallyn Wakefield presents. December was her first month as director. Had an angel tree and 500 people donated. Discussion of holding more fundraisers. President Louisos would like to considered funding for spay and neuter clinics. Commissioner Taylor mentions feral cat issues in the county.

Discussion & Decision: Fayette County Land Reuse Agency Funding

Discussion Jina Belcher presents. Fayette County is currently the only county level LRA. LRAs and Land Banks are the only organizations that have first right of refusal without having to bid. Trying to streamline to process. Working with the State Auditor's office. Fayette County is getting a lot of recognition for being the first. Want to be able to support municipalities in their downtown redevelopments. Looking for funding for long term maintenance and development for these properties. The county has prioritized clean up and the LRA is looking for the best reuse. \$60K to acquire the priority properties currently available for first right of refusal. Land Negotiator - it will be paid for through commission on the sales of the properties. Need legal representation too. Cannot use a county attorney. Another \$60K for legal and accounting. Recreation Master plan fits with the LRA. Asking for \$100,000 for Recreation Master Plan. LRA will work directly with the selected firm. Total request is \$220,000. Commissioner Taylor asks about the recreation infrastructure. Ms. Belcher states there is not a state funding source for this, but is lobbying for this. Would like to plan the acquisitions for business commercial and access to recreation and use this plan to leverage more funding.

The commission took a break at 11:19 a.m. and returned at 11:26 a.m.

Discussion & Decision: Excess Levy Rates Firemen speaking: Montgomery Chief Benny Filiaggi; Fayetteville Chief John Vernon; Oak Hill Chief Tim Richardson; Oak Hill Fireman Chris Goll; Oak Hill Fireman John McGinnis; Fayetteville Fireman Josh Davis.

The Fire Levy net is \$1.4 million, and this is a low estimate with the new percentage, and based on conservative estimates considering we have increased property rates. Commissioner Brenemen asks about the formula for trucks. Mr. Davis says this was presented at a previous meeting. Commissioner Brenemen asked what the Truck interest rate was 3.5% a few years ago. Probably 5-6% now.

Mr. Filiaggi discusses issues with Motorola and the cost to supply radios for all driving units. There was a grant which funded this with a 10% match but this is gone. Foam has PFAS which causes cancer. \$1,000 per engine to replace current foam with a safer foam. \$50,000 additionally to train the fire fighters in how to use the new foam. NFPA wants this to be replaced ASAP. Trucks are now at a 4-year delivery. Air packs - received a grant in 2018 and got 15 departments

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to agree on the same vendor. This is unheard of and he credits their Fire Association's strength for that. Needs 2nd set of fire gear because their call volume has increased and he can't send firemen back out in wet gear and with contaminants, simply not safe. Battery operated fans are \$5,000 each. Gas powered fans adds CO to buildings. Needs 5 gas, explosive, and O² monitors. There are new situations they need to train for. Electric car fires are an issue. Lithium-ion batteries in phones and e-bikes are causing fires. Training is the most important thing. Then retention and recruitment. Showed a picture of the 1983 Montgomery Fire Department and 10 of the people have passed away. None lived to 70. Firefighting is listed as a carcinogen. Believes they are giving their lives.

President Louisos asks them to bring together their list and the items will be paid for out of the levy funds and sent out of the fire departments immediately. This can be placed on another agenda. President Louisos states they've never denied equipment. Even if it is \$2 million. Mr. Filiaggi would like to get with the other chiefs to develop their priorities. He does not think they should be without their equipment. President Louisos said that he would support it.

Commissioner Taylor asks why it took the levy call to bring these needs to light. Mr. Filiaggi says they try to spend moderately. That's why there is a surplus. Commissioner Taylor states that she wants them to come to the FCC for critical needs at any time of the year. Mr. Filiaggi says they've always relied on their county fire coordinator. They rely on them like it was their mom. President Louisos states this is why they've asked for budgets. The coordinator turned this in as a whole. Mr. Filiaggi states he would like to see another fire coordinator. President Louisos states he thinks the Fire Association should hire for that position. Mr. Filiaggi asked about insurance and retirement; could they piggy back on the commission. Commissioner Taylor says they don't want to be responsible for that employee. Mr. Filiaggi doesn't know how to offer insurance. Could they work with the state. Asks for advice on fringe packages. Ms. Lanier says Compliance out of Beckley handles the animal shelter. Mr. McGinnis has a contact through the state fire association, and he will reach out.

Clarification that the only budgets which need to be presented should be fire departments with municipal funding.

Question from Mr. McGinnis about continued support after this large purchase. Will they be expected to go along with the 50/50 split. The commission reiterates that no invoices have ever been denied. Some were delayed for further documentation, but none were ever denied.

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Mr. McGinnins states there will be an event at the Oak Hill Fire Department in Tuesday 2/20 at 7:00 to try to clear up some of the misinformation that is being spread.

Commissioner Taylor reiterates that the commission needs to be informed when there are equipment needs outside of the budget. But they can't approve those purchases if they are not aware of the needs. Mr. Vernon states the surplus is there due to long range planning and group purchases. This is why the Association is against taking money from the firemen to give to the sheriff. They've been asked this before because the sheriff levy didn't pass. They put the fire, sheriff and library levy on one vote, but then split it back out. Now they are asking them to give more of their percentage.

Commissioner Taylor reminds that the new levy cycle is 4 years and that anything that comes up as an issue can be revisited in the next election. They are looking at the bigger picture and see that the deputies are underfunded. The commission's priority is to get the deputies off the levy. It's a public safety issue to have any deputy on the levy. They need a qualifying range. Mayor Ingram says they have a gun range and if the deputies use it then they could possibly leverage some DNR dollars to upgrade it. But understands it's not geographically the best.

Mr. Gill states that deputies coming off of the levy frees up that funding for other expenses. Doesn't want this to be law against fire. Discussion of what happens if the levy doesn't pass. Commissioner Taylor said that it will be put it back on the general in November and even hire a PR firm if needed.

President Louisos asks how much money do you need. Mr. Gill states whatever it takes to save a life. President Louisos clarifies for equipment. And all of the chiefs say it changes annually. Without trucks, they are spending \$600-\$1million. Mr. Davis says you can't consider it without the trucks. Mr. Richardson says it's usually 3-4 engines per levy cycle.

Break at 12:31 p.m. to 12:41 p.m.

Commissioner Taylor asks if Mr. Filiaggi was able to cover all of the overarching needs. Mr. Filiaggi says he only has his needs. Would like to speak with his crew about anything he might have missed, as a critical item. Now he needs bunker gear. It expires after 10 years so he always budgets for 5-6 per year. Mr. Richardson mentions vertical construction is important. Mr. Gill asks the commission's feelings on the training center. Commissioner Taylor states as a citizen, she has a lot of pride. As a commissioner, she wants to see the return on investment. This is where she wrestles with it as a steward of county funds. Understands that when people come in to use the center, that helps the local economy. Mr. Filiaggi says you can't put a price on

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the training which will occur there for the safety for his guys. Commissioner Taylor says you don't need to convince her on the safety benefits. But as the commissioner she needs to see more for the tax payers. Not fair to ask the tax payers to fund something that doesn't benefit the tax payers

Mr. McGinnis is the vice president of the training center. The construction budget is \$1.9 million. Has a meeting with engineers next week to modify some walls and exits. Phase II is for a hazardous material. Acquired the old tram from Hawks Nest. Will inspect it when they come to inspect the new one. Will be the only tram rescue/ski lift training center on the east coast. UTV/ATV training course on the property. Hatfield and McCoy has acquired a lot of land in Fayette County. They don't want to move forward spending money until they see if they have the levy. Charleston expo wants to use the training center and will let Fayette County attend for free. Has trained over 700 firemen from outside the county. They have an MOU with the City of Charleston to come train here. Huntington is interested. Mr. McGinnis will send the commissioners a schedule of their training events. The Fayette County Board of Education gave them a school bus to train extrication for schools and rafting. Mr. Estep says that the training center gives back to everyone by increasing their ISO rating.

Mr. Gill asks the other commissioners their opinions. Commissioner Brenemen thinks it's great and a trained fire fighter is important. President Louisos states that his concerns were the same as Commissioner Taylor. President Louisos states that he's received more information today than in his last 4 years and would like to see a 5-year projection for the training center.

Mr. Gill asks about the prior statement to spend the balance that's been saved for the training center for the equipment. Fayette County states if it comes down to safety equipment, the training center won't win.

Mayor Ingram states it needs a world class entry. It's not the highest priority but it's on their list.

There will be a special meeting at 10:00 a.m. on Tuesday February 20, 2024 to revisit the levy rates.

The meeting was adjourned at 1:03 p.m.

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PRESENT: TOM LOUISOS, JOHN G. BRENNEMEN, ALLISON R. TAYLOR

President Louisos calls the emergency session to order at 10:00 a.m. this 20th day of February, 2024.

County Clerk Michelle Holly leads the Pledge of Allegiance.

Discussion & Decision: Excess Levy Rates

Commissioner Louisos motions to go back to the original figures of the 2019 - 2024 levy. The levy will cover years 2025 - 2028. The commission has been very conservative with spending and July 1, 2024, the commission commits to moving a minimum of 6 and maximum of 10 deputies off excess law levy. Commissioner Brennen asks to clarify the levy dollars as Fire \$1,740,052; Library \$535,030; Law \$1,171,000. President Louisos clarifies the levy dollars and mentions that the goal was to help law enforcements budget match the levy dollars. Once the deputies are removed from the levy by July 1, 2024, then that goal will be accomplished.

Six deputies will remove \$513,000 from the law levy. A new cruiser completely outfitted currently has a cost around \$60,000. We could afford the minimum of two new cruisers per year and start saving for a gun range.

Commissioner Taylor presents that some language has changed. It will now have a four-year cycle instead of five. Some of the language was simplified and it was vetted by legal counsel. This is for public services and they added equipment and facilities. Also added "not covered by current revenue." Library description changed to "public" libraries. The levy should not fund private libraries. Fire language has remained the same because it works. Another new provision is the ability to temporarily reduce the levy If there is excess money. Only good for that one fiscal year, then the levy will revert to the approved rate. The levy will be put on the primary ballot and the commission intends to put it on the general if it doesn't pass. No real substantive changes. Just clarifying the language. Commissioner Taylor seconds. Unanimous decision.

Discussion & Decision: Potential Equipment Purchases - This could not be discussed today because it is not an emergency for a time sensitive issue. It will be heard on a March agenda.

The meeting was adjourned at 10:08 a.m.

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PRESENT: TOM LOUISOS, JOHN G. BRENNEMEN, ALLISON R. TAYLOR

The Fayette County Commission met this 6th day of March, 2024.

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

Wes Toney leads the Pledge of Allegiance.

Exonerations, Orders to Combine or Divide Land, Refunds - Eddie Young:

Mr. Young presents real property exonerations for Cynthai Bair \$15,30, \$1,025.00; Michael & Susan Moten \$892.34; Daniel L. & Timothy G. Lightner \$476.52; Linda G. & Russell G. Weis \$1,016.48; Paul Ethan Morris \$151.78; Carolyn Cuppage \$735.54; Larry G. Jr. or Pamela Bigham \$1,292.66; Darrick Keith McDowell \$185.54; Gabrielle Ann Jones \$4,902.10; Michael K. & Jennifer Kessinger \$2,353.30, \$2,430.40, & \$2,399.58; James F. or Rebecca Sizemore \$405.76; Michelle D. & Richard Coleman \$999.54; Novelle C. Barrett etal \$579.72; Maxine Cool \$260.08; Levi Allen Blevins & Kathryn Deel \$591.84; Dillon Pomery \$93.00; and Big Diamond Trucking Inc. \$1,523.90. Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision

Mr. Young presents two refunds for Novelle C. Barrett \$578.00 and Ernest W. Murphy, Jr. \$248.09. Commissioner Brenemen motions to approve. Commissioner Taylor seconds. Unanimous decision.

Vouchers and Invoices: Commissioner Taylor mentions to hold a fire reimbursement for 5-gallon water containers and would like to speak with legal counsel about them. She also mentions that gym equipment is not listed in the fire levy terms. She's also reluctant to approve invoices for the training center until she sees a budget. Commissioner Brenemen mentions NFPA requires fitness. Commissioner Taylor says our lawyer says it's not covered by levy. Commissioner Taylor motions to approve all invoices except the 5-gallon water invoice and training center invoices. Commissioner Brenemen seconds. Unanimous decision.

Approval of Prior Meeting Minutes Commissioner Brenemen motions to approve February 16, 20 and 22. President Louisos seconds. Unanimous decision.

Approve Estate Settlements Estates Teddy Gene Gray; Mary Ann Hager; Stephen Matthrew Neff; Dorothy Lou Queen; Thomas Christopher Snyder; and Ira Shelton Workman. Commissioner Taylor motions to approve. President Louisos seconds. Unanimous decision.

Approval of Fiduciary Commissioner Recommendation in Small Estate of Jeremiah Hamilton Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Ruth Lanier- Exhibit A

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Discussion & Decision: Plum Orchard Lake Support Letter Commissioner Taylor motions approve in concept and change the language and make edits. President Louisos seconds. Unanimous decision.

Discussion & Decision: Acceptance of 2024 PPOD Grant Award President Louisos motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: Letter Regarding Reimbursement Fire Levy Reimbursement - Commissioner Taylor motions to approve the letter with the corrected amount \$1,137.41. President Louisos seconds. Unanimous decision.

Discussion & Decision: Letter Regarding Workshops These workshops are for ARPA spending. Inviting various community leaders to upcoming workshops regarding PSDs, trails, and municipalities. Commissioner Taylor motions to approve the letter. President Louisos seconds. Unanimous decision.

Fayetteville Fire Levy Budget Presentation. John Vernon, Kathy Williams, and Sharon Cruikshank. Fire Chief John Vernon presents their budget. Town of Fayetteville allocates over \$246,000. Chief Vernon said certain things couldn't be purchased with levy. Commissioner Taylor asks which things. Mr. Vernon says insurance: liability, workers comp and small life insurance and accident and injury. It is \$38,000. Commissioner Taylor states she thinks the insurance should be covered by levy and to submit the expense. Commissioner Brenemen asks about state allocation of \$60,000. Mr. Vernon says there are only 15 specific things it can be used for. They save it up to pay for large purchases like engines. Annual sprinkler and fire alarm tests. The systems are outdated and not throwing the right code to 911. Reminds the commission that Fayetteville covers across the bridge, Smailes Branch, AOTG, under the bridge, among other places.

Public Hearing & Decision: Planning Commission Case Z-539-24-1: Request of Sean Bramble (Occupant) to change land classification from non-conforming R-R (Rural Residential) to B-3 (Business, Tourism District) on property legally described as Surf 18.71 Mill Ck by Survey, New Haven District Angela Gerald presents that the Planning Commission unanimously approved the request. Sean Bramble is also present. Commissioner Taylor commends Mr. Bramble for the comprehensive application. Commissioner Brenemen and President Louisos agree. President Louisos motions to approve. Commissioner Taylor seconds. Unanimous decision.

Discussion & Decision: Dilapidated Mobile Home Demolition Ms. Gerald presents that the owner of the old Shiloh Mobile Home Park would like to still be considered for partial demolition funding. Commissioner Taylor asks if he has a plan for the remaining amount to demolish. This has not been presented to the FCC yet. Asks if he pays half, if the FCC would pay remaining from what is left over in the grant. Commissioner Taylor asks Ms. Gerald to reach out to the property owner with Wes Toney. Ms. Gerald says in the past, there has been a

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promissory note. Commissioner Taylor would prefer anything he can pay up front to be provided first. Commissioner Taylor motions to table until Ms. Gerald returns it to agenda.

Discussion & Decision: Support Letter for City of Oak Hill

Commissioner Brenemen motions to postponed till 3/13 since the letters were only received yesterday. President Louisos seconds. Unanimous decision.

Discussion & Decision: Planning Commission Reappointment Commissioner Taylor motions to reappoint Joe Re August 3, 2026, nunc pro tunc. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: Letter Regarding CVS Closure in Gauley Bridge

Commissioner Brenemen visited the site and employees state it will close at the end of March. Would like to send a letter to the corporation. Commissioner Taylor mentions reaching out to NRGDA to see if a private pharmacy provides those services. Chris Burford says that CVS put a covenant on the building in Ansted stating it could not be used for a pharmacy ever again. The commission discussed if this is the case in Gauley Bridge, asking the company to remove the covenant. CVS may not own this building. Commissioner Taylor motions to send the letter and include covenant language if necessary. Commissioner Brenemen will draft. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: Appointment of Michael Martin to the Fayette County Library Board. Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: Set Early Voting Locations for May 14, 2024

Locations are Green Valley United Methodist Church, Danese; Montgomery Community Center, 612 3rd Ave; Fayette County Soldiers and Sailor Memorial Building, Fayetteville. President Louisos motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Informational Presentation on Small Business Administration Loan Program

Arlise Green from the SBA presents the declaration which took place August 2023. This offer is for businesses and non-profits. Fayette County is considered a continuous county. Businesses and non-profits can apply for a disaster loan until 10/30/2024. This is for lack of sales, loss of income. Not for physical loss.

Discussion and Decision: Brownfield Grant: Rainelle Landfill, Inventory Selection Process and Community Involvement Matt Ford presents. In 2022, FCC received EPA Community Wide Assessment Grant. It runs from 10/1/22- 9/30/25 with a \$378,917 total budget. We've only spent \$6,000 so far on completing all the requirements of the grant. Asking for inventory sites. There are about 20 houses identified for pre demolition asbestos testing. President Louisos

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asks about an old filling station in Pax. Mr. Ford confirms that would be a good assessment project. Ms. Gerald says the tanks are gone but there are still contaminants.

Discussion of streamlining the decision process for inventory. Mr. Ford suggests applying for sites and then after being approved by the DEP, bring the list back to the FCC for final approval. Mainly just need to move forward with a list and community involvement component.

Commissioner Taylor asks that he and Ami Dangerfield return on the 13th with the preliminary site list. Will also set up a community involvement. Commissioner Taylor motions to postpone till 3/13. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: Stream Remediation Stream remediation -

Then the Commission enters an executive session at 10:18 a.m. and returns at 10:36 a.m. This was only for legal counsel. No decisions made.

Commissioner Brenemen presents. Logs are backed up in streams causing flooding. Paint Creek, White Oak, Dunloup Creek, Smithers Creek. Would like to set these as priorities. Working with Southern Soil Conservation. Commissioner Taylor motions to ask counsel to draft a letter identifying these priorities and ask if they've been assessed. Ask for these streams to be priorities. Commissioner Brenemen seconds. Unanimous decision.

Commissioner Taylor presents that a citizen reported a tree over Smithers Creek because of the flooding. FCC can address it outside of the Southern Soil. A local contractor submitted the low bid of \$6,000. Commissioner Taylor motions to approve the bid. Commissioner Brenemen seconds. Unanimous decision.

Budget Discussion Discussion that the Friends of NRG Park and Preserve are close to receiving their 5013C. Jina Belcher is involved. The FCC can allocate money to do recreation work inside the gorge, including trail development. Discussion that community members have approached the Parks Service to offer trail work and they are not receptive. Need to reach out and engage the NPS and not go through everything and then not have access. 5013C was created to fundraise for the county. Not politically minded or agenda driven except for recreation. Will set their own priorities but want to work with the FCC to accomplish things that the government can't, like fundraising.

Ms. Lanier asks for specifics for the general county budget. How many deputies will move over from the law levy? Will they entertain as requested items and personnel raises? Discussion of coal severance and reallocated funds which can be useful at the park. 25% payroll cap

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was removed from coal severance. Ms. Lanier needs clarifications on how to address the raises prior to entering possible figures in the spreadsheets. Merit based, percentages, across the board numbers... Ms. Lanier states not many people can objectively assess their staff for merit based, and it's too late for merit based at this point for this fiscal year. Commissioner Taylor asks Ms. Lanier to recommend the amount but would like greater amounts to go to lower paid people. Ms. Lanier states it's up to the elected officials to allocate the funds to their employees. The FCC has no say how it is allocated once an amount is approved in their budget. Commissioner Brenemen suggests making the requested pay increases and across the board amounts on a spreadsheet and moving the deputies over. Ms. Lanier suggests moving 6 this year then developing a plan to move a certain amount each year till they are all in the general county budget.

The meeting was adjourned at 10:56 a.m.

FAYETTE COUNTY COMMISSION

SPECIAL SESSION

March 6, 2024

FAYETTE COUNTY COURTHOUSE

PRESENT: TOM LOUISOS, JOHN G. BRENNEMEN, ALLISON R. TAYLOR

The Fayette County Commission met in a special session this 6th day of March, 2024.

President Louisos called the meeting to order at 1:00 p.m.

Elmer Pritt leads the Pledge of Allegiance.

Commissioner Taylor explained that a previously earmarked broadband match is now vacated due to the funding falling through at the state level. The commission invited those involved with the Fayette County Soldiers and Sailors Memorial Building here to discuss possible repairs, renovations, and uses.

Discussion of Town of Fayetteville's proposed idea to take ownership and develop a rock-climbing wall inside. Commissioner Taylor says she's been against that. Mayor Sharon Cruikshank clarified that idea was a draft of the Town Planner Study as part of their comprehensive plan and was never a plan for council.

Mr. Pritt presented about the America Legion ideas and involvement. Most concerned with its deteriorating condition. The American Legion and Ansted VFW want to work with the owners. Interested in saving it and has a list of 13 items prioritized. This building is too important to let go. It is a memorial to those who died in service, Prisoners of War, and veterans, past and present.

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Ami Dangerfield, Commission Executive Assistant, presented grants she's applied for and will be applying for. The porch was quoted as a \$70,000 fix (affecting the foundation and basement offices.) The north façade is crumbling due to water infiltration and we are expecting bids for that project by March 15. But was cautioned by the contractors it was going to be a very expensive fix as all 4 facades need remediation. Will focus on the north side as it has the library entrance, is in the worst shape and is in the most danger of causing harm. Looking at acoustic options for making the gym usable for more events.

Discussion of ideas for uses from the Park Board Members, Brian Good, PJ Stevenson, Diane Callison, Wayne Yonkelowitz, J.R. Davis and Katie Johnson: Profit center vs. community center; sound system; water infiltration issues; entertainment and sport seating; eternal flame. Discussion that the flame was fixed and rededicated but there are still issues with the gas line which allowed it to continually blow out.

Commissioner Taylor draws connection to the issues Montgomery experienced with the Baisi Center. Just couldn't afford to maintain it.

Garland Burke presents. States turning over ownership from the county would be a slap in the face to the tax payers of Fayette County who funded the building. It hasn't been taken care of by the people who were responsible for it. Worried about it being more of a Fayetteville project than a county project for the veterans. Commissioner Taylor states we have a great opportunity to use this money which we will never have again. Mr. Burke mentions the allocation by the commission to paint a flag pole Ansted for \$15,000. Commissioner Taylor states that pole is right at veteran's memorial and it is a very tall and cumbersome flagpole to repaint. Commissioner Taylor said Ansted used about half of the allocation and the FCC approved to let the VFW have the rest.

Ms. Cruikshank asks about curtains on the stage. They are ripped and need to be replaced. They are front and center for publicity and events.

Discussion of other funding. Ms. Dangerfield will apply for an ear mark. Hopefully receive a onetime investment from Congress to get the FCMB back up to speed.

Discussion of a partnership as beneficial to the building.

Commissioner Taylor asks Mr. Pritt about the Legion's role in planning. They offer to serve on committees. Jim Akers said it was ignored while being used and abused. Everything costs money. A lot of things are needed in the county and understands infrastructure is important. But this building should be a priority. Cosmetics is a secondary priority. Agrees getting it water tight is the priority.

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Russel Compton presents that it needs to be used more for events in the evenings. Things for tourists to do.

Ms. Stevenson would like more small revenue generating events with concession stands and we could charge a fee to use concession area. Knows it's a different idea for the United States, but even offer pay toilets. Long term idea - aerial park above the court for pay for activity.

Brings up park ideas: resurfacing tennis courts for pickleball; Gagaball courts, outdoor chess; Field Day Fridays; and the pool.

Also proposes events for First Fridays at the FCMB to coincide with Town of Fayetteville market days.

Mr. Davis would like to make park more ADA accessible. Hasn't had to turn anyone away for a camp or 4H yet, but is afraid it will happen. Ms. Callison says the gravel walkways are not ADA accessible. They do have 2 ADA accessible cabins but they are for older kids and females only.

Mr. Yonkelowitz states the shell of the FCMB is the priority.

Discussion of Friends of the New River Gorge 5013C formation because the county can't fundraise. But the county can augment them.

Discussion of camp SOAR which is for kids from all over the county. Ms. Johnson says we should prioritize kids and events for them to avoid addiction.

Discussion of other levies - some places have parks & recs levies. President Louisos says we are maxed on taxes for now. Hoping to reduce law levy by moving the deputies. Recreational tax on certain events is in the works. Discussion of recreation district for resorts to fund recreation board. Only 1 other in the state - Snowshoe. It is taxed on the visitors, not the residents.

Ms. Dangerfield is working on the outside. The commission invites the park board to come up with next steps for inside. Would like for the Legion to work with them.

Commissioner Brenemen asks priorities for inside the Memorial Building and the county park. Their dream list, too.

Ideas: Disc golf, kick ball, lights, trout derby, easter eggs hunt, Bike show, trials riding,

The meeting was adjourned at 2:32 p.m.

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FAYETTE COUNTY COMMISSION

REGULAR SESSION

March 13, 2024

FAYETTE COUNTY COURTHOUSE

PRESENT: TOM LOUISOS, JOHN G. BRENEMEN, ALLISON R. TAYLOR

The Fayette County Commission met on this 13th day of March 2024.

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

Michelle Holly leads the Pledge of Allegiance.

Assessor Eddie Young: Exonerations, Orders to Combine or Divide Land, Refunds - None

Approve Vouchers and Invoices - None

Approve Payroll 3/22 - President Louisos motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Approve Prior Meeting Minutes for 3/6 am and am Commissioner Brenemen motions to approve. Commissioner Taylor seconds. Unanimous decision.

Approve Estate Settlements - None

Ruth Lanier- Exhibit A

Discussion & Decision: Sheriff Request to Trade in Vehicle Toward New Cruiser Purchase - Sheriff Mike Fridley presents that he used Drug Forfeiture money to originally buy a truck from Fayetteville. Will use it as a trade and other Drug Forfeiture funds to purchase another unmarked vehicle. Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: Hiring Decision- Transport Officer Sheriff Fridley presents he would like to hire Thomas Walker. Passed background. Lives in Mt. Hope and is a veteran, will

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start on the 25th. Commissioner Taylor motions to approve.
Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: Election Official Nominations Approved -

Clerk Michelle Holly says she has only 130 of the 200 poll workers that she needs. I would like to postpone. Question about if we don't get enough poll workers. Can move around to staff to make sure there is coverage at all locations. Commissioner Taylor motions to approve. President Louisos seconds. Unanimous decision.

Discussion & Decision: Support Letter Requests:

- o **City of Oak Hill** - Alison Ibarra presents.
Commissioner Taylor motions to approve the four letters. President Louisos seconds. Unanimous decision.
- o **Region IV** Questions about who the applications are for the utilities. Lesley Taylor says they need to be written individually for each project. Will revisit after edits are made.
- o **Bridge Valley** Commissioner Taylor motions to approve. President Louisos seconds. Unanimous decision.

Commissioner Brenemen asks that the FCC write another support letter to the DOH because of an ADA issue getting to Oak Hill City Park. Ms. Ibarra will draft a letter.

Prosecuting Attorney Anthony Ciliberti Presents requests for raises for various employees. Would like extra funds for a legal intern for the summer.

Discussion & Decision: Wrecker Rotation Request- Hutch's Wrecker Service Commissioner Taylor motions to postpone until March 20. Commissioner Brenemen seconds. Unanimous decision.

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Discussion & Decision: Brownfield Inventory List President Louisos motions to approve the 14 properties on the preliminary asbestos testing list. Commissioner Brenemen seconds. Unanimous decision.

Commissioner Taylor motions to postpone the rest of the list until March 20. President Louisos seconds. Unanimous decision.

Break 9:45 to 9:57

Discussion & Decision: Skylar Wotring, State Auditor's Office to talk about Project Mountaineer, the Auditor's Transparency Initiative Ms. Lanier states we are ready to generate the report and get it live on the WV Checkbook website. Mr. Wotring presented Monongalia County.

President Louisos motions to approve Fayette County participation. Commissioner Brenemen seconds. Unanimous decision.

Budget Discussion

The commission entered executive session at 10:30 a.m. and discussed personnel matters and legal counsel and returned at 11:01 a.m. with no legal decisions made.

Commissioner Taylor continues with the proposed list. The LRA request will be from Coal Reallocated and it is not time sensitive like General Fund and Coal Severance. Doesn't need to be decided today.

Camp Soar is from Coal Severance.

NRTA comes from Coal Severance. We currently allocate \$19,500. Increased 2 routes for Fayette County this year. Commissioner Taylor suggests increasing it to \$29,500.

Humane Society - Salaries come from Coal Severance. Commissioner Taylor asks to leave it the same and consider other requests for programming as they arise. Those would be from another budget.

Summersville Airport is in the same situation as LRA.

Ms. Lanier mentions an admin position for Code Enforcement. Already in the budget when Angela Gerald moved to Zoning Officer.

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Recap: Camp Soar, Deputies moved to General Fund, eliminating deputy director of EMS, \$2K raise for all employees. Special considerations from previous budget presentations as presented.

Commissioner Taylor motions to approve all. Commissioner Brenemen seconds. Unanimous decision.

Ms. Lanier says the budget can be finalized at the March 20 meeting.

Discussion & Decision: Congressionally Directed Spending Request for Soldiers and Sailors Memorial Building and Priority List

Letter Commissioner Taylor motions to approve the application for a Congressionally Directed Spending funding request for the FCMB. Commissioner Brenemen seconds. Unanimous decision.

Break at 11:09 a.m. and returned at 12:18 p.m.

Commissioner Taylor stated that President Louisos had to step out of the meeting.

Region IV Requested Support Letters for Water Project CDS applications. Commissioner Taylor presents letters for Pax Willis & Bee Branch, Town of Pax Water Mains, and New Haven PSD Lucas and White Roads projects and that she made edits to the Town of Ansted Water Extension letter. Commissioner Brenemen motions to approve. Commissioner Taylor seconds. Unanimous decision.

The meeting was adjourned 12:20 p.m.

FAYETTE COUNTY COMMISSION
SPECIAL SESSION
March 13, 2024
FAYETTE COUNTY COURTHOUSE
PRESENT: TOM LOUISOS, JOHN G. BRENEMEN, ALLISON R. TAYLOR

The Fayette County Commission met on this 13th day of March 2024.

President Louisos called the meeting to order at 1:00 p.m.

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Dan Hill leads the Pledge of Allegiance.

Workshop with Public Service Districts and Region IV

Commissioner Taylor explains the ARPA money issue. The commission doesn't want to spend it all in one place. Asking for project lists so they can allocate to a greater number of projects throughout the county. President Louisos allocated by 2024 but spent by 2026.

Dan Hill asks about deadlines for projects. Commissioner Taylor suggests by the end of June.

Jonathan Grose presents Kanawha Falls PSD. Needs 25 hydrants, turbidity meter set (telemetry); 2024 Ford F-550. Presented in requested priority.

Matthew Peters from Thompson and Litton presents for White Oak PSD. Steve Sparks is present from the PSD. It needs a mini excavator, a trailer to haul the excavator, and a dump truck. The PSD self-funded the preliminary engineering report and is asking for reimbursement. Commissioner Taylor states that may not be allowable by ARPA. The dump truck is their priority.

Kenny Hayes presents for New Haven PSD. Priorities are Saturday Road area extensions to Richmond-Chapel Old Gwinn and Lucas Rd. Old Gwinn Rd is partially funded. PER has been completed and accepted. But need to do engineering design for Richmond-Chapel Rd., Lucas, and Old Gwinn. I would like to see the Old Gwinn Rd project completely funded. But would also accept assistance in starting the other projects.

Ralph Arthur presents for Gauley River PSD. \$305,000 for installation and wiring for Generac generators for pump stations. Commissioner Taylor asks about service from these generators. All but 1 pump services Fayette County and it does serve some of Fayette County. The engineer will get specific costs for the generators. They need \$90-100,000 for telemetry. Generators are the priority.

Page Kincaid, Danese, and Armstrong were not able to attend. They will be rescheduled for next week, March 20 at 3:00 p.m.

Mr. Hayes presents the Dig Deep program, which runs lines to meters for Contracts 18 and 19 free of charge. We will also install plumbing in homes that do not have facilities. Funded by

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private investors. Steve Harvey and Jennifer Garner have donated to help their communities in West Virginia. This will help our citizens tremendously. Commission Taylor asks Mr. Hayes to contact the program to meet with the commission. Rita Walkup from Gwinn Rd. gave the commission the contact information for the Dig Deep program.

They are working to hold a public meeting on Monday, March 25, 2024, at the Midland Trail Community Center.

Dr. Shane Eaton presents that he moved here 7 years ago. Son in law of the Walkups. Speaks to the necessity of these water extension projects. Cash being applied to the residents gives hope. This is a basic need. Commission Brenemen states that 39% of the county doesn't have running water, and 46% don't have sewer service.

Late Submissions of CDS support letters from Montgomery and Ansted, both for park equipment. Will sign today to meet the CDS application deadline and officially approve next week on the posted agenda for March 20.

The meeting was adjourned at 1:39 p.m.

FAYETTE COUNTY COMMISSION

REGULAR SESSION

March 20, 2024

FAYETTE COUNTY COURTHOUSE

PRESENT: TOM LOUISOS, JOHN G. BRENEMEN, ALLISON R. TAYLOR

The Fayette County Commission met this 20th day of March, 2024.

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

Angela Gerald leads the Pledge of Allegiance.

Assessor Eddie Young: Exonerations, Orders to Combine or Divide Land, Refunds Tara Tyree presents real property exonerations for Norman & Sheila Fergus \$7.70 & 267.48; William Joseph Crist \$1,448.28; Amanda Jean Lambert \$159.82; Arnise Joy Murray \$941.94; Tressie Humphrey \$25.36; Carl V. Nittenhorn \$643.68 & \$856.96; John M. & Bonnie Alvarran \$385.82. Commissioner Brenemen motions to approve. President Louisos seconds. Unanimous decision.

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Ms. Tyree presents an Order to Combine or Divide Land for Carl Timothy & Shirley Diana Critchley. Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Approve Payroll for 4/5 and 4/19 Commissioner Taylor motions to approve. President Louisos seconds. Unanimous decision.

Approve Vouchers and Invoices Commissioner Taylor asks to postpone till later in the meeting after an executive session with counsel.

Approve Prior Meeting Minutes for 3/13 am & pm Commissioner Brenemen motions to approve. President Louisos seconds. Unanimous decision.

Approve Estate Settlements Chelsie Lynn Horrocks; Thomas Andrew Jones; Denny Ray Large; Billy Robert Lester; Ronnie Dean Lewis; and Claire Bell Saunders. Commissioner Brenemen motions to approve, Commissioner Taylor seconds. Unanimous decision.

Order Approving Fiduciary Commissioner Findings in the Estate of Thomas Wallace Wendell Jr. Clerk Michelle Holly presents that an heir was predeceased. Heirs were in disagreement of how to deal with that share. Fiduciary Commissioner Phil Tissue offered his opinion. Commissioner Taylor motions to accept the fiduciary commissioner's recommendation. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: Budget Approval Fiscal Year 2025 County Administrator Ruth Lanier details the commission's requests: \$2,000 cost of living raises across the board. Moved 6 deputies off of the levy chosen by sheriff. Some materials & supplies moved to Coal Severance. Discussion of fire budgets. President Louisos reminds that Fayetteville requested their approval ahead of their town budget. They prepared and presented their budget several meetings ago. President Louisos motions to approve the Fayetteville budget. Commissioner Taylor seconds. Unanimous decision.

President Louisos motions to approve the General County and Coal Severance budgets. Commissioner Brenemen seconds. Unanimous decision.

Commissioner Taylor recognizes Ruth Lanier and Gia Tyree for their hard work on this budget, especially while the audit was occurring.

Ruth Lanier: Exhibit A

Discussion & Decision: Election Officials Lists Clerk Holly presents they have 160+ workers with more names coming in. A

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few precincts in the Valley have only 4 instead of 5. Montgomery only has 3. There are no alternants. Her office can appoint further people ahead of the training. Commissioner Taylor motions to approve the list presented. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: Acceptance of notification by County Clerk, number of Emergency Absentee Ballot Commissioners Needed

David Bennett is the Republican Ballot Commissioner. Democrat or non-partisan is needed. \$75 if called out and mileage. Deadline is noon on election day for absentee ballot requests. Commissioner Taylor motions to appoint the Republican Ballot Commissioner. Commissioner Brenemen seconds. Unanimous decision. Democrat will be appointed on the next meeting.

Discussion & Decision: Approval of Animal Control Officer PT to FT

Sheriff Mike Fridley thanks FCC for raises. Jameson Shuff has been part-time animal control. Would like to move him to full-time. Commissioner Taylor motions to approve. President Louisos seconds. Unanimous decision.

Discussion & Decision: Request from Prosecuting Attorney's Office for Cellebrite Funding

Sheriff Fridley states that most of the downloads are through the detective bureau. Assistant Prosecuting Attorney Wes Toney thought this was good through the end of March, but it expired March 1. Commissioner Taylor motions to pay up to \$25,000 for the subscription. A special meeting will be held if needed to approve more. President Louisos seconds. Unanimous decision.

Discussion & Decision: April Fair Housing Month Proclamation

Commissioner Taylor motions to approve. President Louisos seconds. Unanimous decision.

Discussion & Decision: Building Appeals Board This board needs 5 members. Commissioner Taylor motions to reestablish the board and make appointments on April 16 as required by code. President Louisos seconds. Unanimous decision.

Discussion & Decision: Community Corrections Grant Application for Approval President Louisos motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: Jeff Proctor's resignation and a letter thanking him for his service Commissioner Taylor presents that Mr. Proctor resigned. He has been involved with the URA and a

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chair for a long time. Commissioner Taylor motions to accept his resignation. Commissioner Brenemen seconds. Unanimous decision. Commissioner Taylor motions to approve and send a thank you letter. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: Support letters for Ansted and Montgomery nunc pro tunc from 3/13 Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: Letter to DOH for Oak Hill ADA Accessibility Commissioner Taylor motions to approve this letter in concept with her edits. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: Southern Soil Letter President Louisos motions to approve and send. Commissioner Taylor seconds. Unanimous decision.

Discussion & Decision: CDBG Resolution #6 for Armstrong PSD Commissioner Brenemen motions to approve. Commissioner Taylor seconds. Unanimous decision.

Lesley Taylor presents about KFPSD issues, which will be discussed on future agenda. A Zoom call on March 25th with state agencies regarding KFPSD and Cannelton Sewer.

Discussion & Decision: Reappointment of Board of Zoning Appeals Members Commissioner Taylor motions to approve reappointing John Hoffman, Dan Hill and William Hughes. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: March 27th Meeting Commissioner Brenemen motions to cancel. Commissioner Taylor seconds. Unanimous decision.

Discussion & Decision: Bid Openings

- Judicial Annex Roof Replacement

Commissioner Brenemen Tri State - \$122,712

Commissioner Taylor - Sutter - \$84,400

- Memorial Building Masonry Repair

Keystone - \$82,929

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Bids will be reviewed and awarded at a future meeting.

The commission entered into an executive session at 9:33 a.m. for legal on fire invoices and returned at 9:51 a.m. No decisions made.

Commissioner Taylor motions to approve invoices as presented. President Louisos seconds. Unanimous decision.

Discussion & Decision: Matt Ford: Brownfield Rainelle Landfill and Structural Assessments Matt Ford presents about the former unpermitted Rainelle Landfill. Used by town of Rainelle for about 30 years. Located in Fayette County about 2 miles from the lumber mill on Snake Island Rd. This will become the Snake Island Recreation Area. 5 acres. DEP performed a Phase 1. NRGRDA now owns the property. Started Phase 2. It is not very contaminated and a bit more sampling needs to happen. They are being cautious since the goal is recreational use. Need to make sure its not contaminating the river. Would like to add kayak launches and campgrounds.

Andy Davis, NRGRDA presents. This would be an access point for every kind of trail user. Town of Rainelle has prepared river access on flat water points. This would enhance their efforts and allow access to the rapids areas downstream. NRGRDA sees the value in this project and this is the only redevelopable property on the river. NRGRDA has an application for a Brownfield remediation grant. \$500,000 is highest amount available. Should be announced in the summer.

Mr. Ford states the DEP funded all of the previous assessment. DEP will continue, but this would be a good use of our grant so that we can then apply for more. EPA would like to see this expenditure. Surface water and sediment samples. Estimate of \$40,000. Commissioner Brenemen asks about sites 33 and 39 and high lead. How do you fix that? Mr. Ford said they would be excavated. Would be included in the site plan - has to be excavated anyway so make that an access point. Assessment needs to happen before they can use the remediation funds. Hot sample areas justify excavation which then leads to river access points. May need more ground water sampling. Eight rounds are required by DEP before you can close out a site. DEP can cover groundwater monitoring.

Commissioner Taylor motions to postpone until 4/16 till we have the costs of structural engineering.

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Presentation from Leadership Fayette County Geoff Heeter and Alex Richardson, advisors. OHHS students Ashton Prince Delaney Hames, Jordan Harris, AJ Bain, Jackson Pino, Addison Salvatore, Janesa Tilly, Rhianne Davis, Jordyn Floyd and Case Pennington; MTHS Student Telayia Hicks; and MBHS students Rhiannon Turner and Emily Carothers. All students presented about their sessions and activities through the program. Jordyn Floyd presented about her Poetry Out Loud state competition where she placed in top 10, and is currently performing in Historic Fayette Theatre Production right now. Ashton Prince presented about her FIT pre-pharmacy program and the competitive HOSA event for future health professionals. Received 1st place at the state coemption and will go to Houston in June for the Internation competition.

Commissioner Taylor presents about the FCC. Explains county versus municipalities. The FCC is responsible for the county budget, buildings, employees and projects. Explained their meeting procedures and involvement in elections.

The Commission answered questions from the participants.

The meeting was adjourned at 11:02 a.m.

FAYETTE COUNTY COMMISSION

SPECIAL SESSION

March 20, 2024

FAYETTE COUNTY COURTHOUSE

PRESENT: TOM LOUISOS, JOHN G. BRENEMEN, ALLISON R. TAYLOR

The Fayette County Commission met this 20th day of March, 2024.

President Louisos called the meeting to order at 11:10 a.m.

Chris Burford presents about the Meadow Bridge Senior Center and warming station. Received \$81,000 from Governor. Project is \$543,000. There is a road relocation portion and they need backup generator. Asking \$114,500 from FCC.

This redesign will assist with the utilities because the door lets all of their heat out.

Commissioner Taylor hopes to make a decision at the 4/24 meeting. Already has money set aside for Meadow Bridge in their plans. Mr. Burford says this is a modest request to get the project started.

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Greg Ingram, Mayor of Montgomery presents about several projects.

EDA trail grant for the old Tech Marina - 15 boat slips and bathrooms. Match is \$87,000 for a \$1.4mill total.

\$500,000 grant for indoor/outdoor event center. Tore down the entire block of Ferry Street using FEMA money.

Removal of old HS which burned - \$600-900,000. Montgomery doesn't own the property. It's a Brownfield site. Hopes to get federal funding to help with that. FCC helped to pay to knock down the walls. Old Eagles building still standing. Needs \$90,000 to tear it down.

Boat launch under Montgomery bridge. Estimate of \$80,000. Project still in infancy.

Pavilion Park on Harding Street for Highrise senior living. \$35,000. Put \$14,000 in. Needs \$22,000 to finish.

Applying for Front Street \$200,000 street light grant. \$40,000 match.

Commissioner Taylor asks about priorities. Mayor Ingram says event center is the top.

They are having trouble getting ownership of the high school. \$40,000 in liens for grass cutting and missed court fees.

Angela Gerald presents as recorder of the Town of Pax. Received \$112,000 from FCC for water project. Getting 40 customers water Horse Creek/Town Creek in a \$1.2 million project. Needs \$9,233.42 to complete the project. Replacing with radio read meters (drive by and read) for their 1 employee

This was due to cost of materials increasing because of Covid.

Commissioner Taylor and President Louisos ask for other projects. They will put the \$9,000 on 4/16 agenda to consider immediately.

Mount Hope Mayor Michael Kessinger. Bicycle trail connector is their priority. Sidewalk grant match is \$75,000. Beckley Area Foundation funded replacement of 9 windows at the community center -around \$30,000. Will discuss the trails again at 1:00 trail workshop. Will get definite numbers by 4/16

Oak Hill - Damita Johnson, City Manager and Tyler Bragg, GIS- Priority is the comprehensive plan which was due in 2022. Need

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to fix zoning and make a parks comp plan. \$150,000 for both plans. Water and drainage on Roberts Ave. Needs paved, but water problem and sewer needs fixed before or at same time. With their own labor, the cost is \$65,000 But if they need to bid, it would be more.

Public works needs zero turn mowers and a heavy truck lift. \$291,000.

Sanitary Board needs an excavator \$68,000 but they are applying for an earmark. But could use 2 excavators.

Presented that Virginia Street sidewalks is in the planning and design phase. Working on a construction grant. Match is \$200,000. Not sure when the grant will happen.

Robert Wilson recorder presents for Ansted. Needs Sidewalk funding. DOH grant for Rich Creek is \$86,000. Page Street \$91,000. Originally installed by WPA and is in dire need of repair. Would be brought down to street level.

Town Hall in the old Ansted bank building. New offices upstairs are having leaks. A new roof will be very expensive.

There is also a stormwater and paving project for around \$200,000.

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

FAYETTE COUNTY COMMISSION

SPECIAL SESSION

March 20, 2024

FAYETTE COUNTY COURTHOUSE

PRESENT: TOM LOUISOS, JOHN G. BRENNEMEN, ALLISON R. TAYLOR

The Fayette County Commission met this 20th day of March, 2024.

President Louisos called the meeting to order at 1:00 p.m.

Robert Wilson from Ansted presents about the Hawks Nest Trail Trestle project. Ansted has a DOH grant to refurbish the large

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trestle for \$600,000 with a match from town of \$129,528.12. There is a second trestle at Fox Branch. In the engineering phase now. Project cost is \$325,000, Ansted's part is \$65,000. Engineering study for bike trail from Hawks Nest State Park (HNSP), Rt. 60 up Gauley Mountain to fire tower and back around to HNSP. \$25,000 for engineering.

Andy Davis presents for rail trail project in Mt. Hope. Working on acquisition of the rail corridor with willing sellers. \$120,000 for purchase of both. Mt. Hope would own and annex into the trail corridor for a 3.5 mile trail. Acost was around \$500,000 5 years ago. Will apply for additional grant funds for any remediation, capping of the track and conversion. This would connect Mt. Hope through the BSA property up to Garden Ground.

Gene Kistler presents about the FC Soft Surface Trail Plan. Dedication next Tuesday. Mentions Needleseye and Wolf Creek Park (WCP) and asks about the title transfer to NRGRDA. Ms. Davis said it should have been recorded recently. Discussion of working with CSX and landowners and issues with getting abandoned rail beds.

Jerry Cook from ACE offers land near Woods Ferry and Sugar Creek and the tunnel for trail extensions. That trail would have to be developed, but he would give it to whomever needs it for the trail. Would also donate time.

Abbie Newell presents for the Trail Coalition. States the initial park investment is great. Cost was \$700,000 without the bridge in 2021. Closer to \$1 million with the bridge. Will phase it out. Fayette Trail Coalition and County Park are working together to build upon the work already done.

Brian Good, Park Director, mentions connecting to the Girl Scout part of the park. John Tuggle said there might be money from DOT for trail work. But then you have to consider maintenance. Commissioner Taylor says it's completely fair to ask the BSA and DRC to assist with trail maintenance.

Mr. Morgan from the NPS says the new superintendent is trying to establish a partnership with the BSA. Discussion of a connector route. Toney Hollow Road #2 could connect from WCP to ACE's property. Would need a small connector from Gatewood to ACE property

Corey Lilly presents for the WVU Brad and Alys Smith Outdoor Economic Development Collaborative. Manager of Outdoor Community Development.

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Mr. Kistler asks about percentages of the \$4.5 mill allocations. Commissioner Taylor explains the process. The FCC has some PSD project which could take the entire amount. But they want to assist as many projects as they can. Gathering wish lists now so they can prioritize where they can get the best bang for their buck for each topic. Commissioner Taylor mentions grant matches. This is an opportunity we don't usually have. They will invest in trails, just not sure where.

Ms. Newell mentions Pocahontas County Snowshoe bike trails, which are hosting Marathon World. Charleston Road Cycling Nationals. Lots of activity in surrounding areas.

Mr. Lilly presents about the 30-minute radius for a variety of biking venues and styles. Beckly outdoor and downhill biking at Winter Place and then to the National Park in Fayette Co. Mr. Cook reiterates needing trails at different levels for all kinds of bikers. President Louisos asks about the percentages of users on each level. Blue Intermediate is the greater user - core user group. Green Beginner and then Black Experienced are smaller. 50/25/25.

Discussion of difficulty - grading isn't just up and down, but also how steep the sides (drop offs) are. All of what is being discussed is also multi-use.

Mr. Lilly states our trails are a red-carpet to residency. Mr. Wilson says the Lions Club was doing trail maintenance on an Ansted trail and met a couple who the husband ran the rim to rim and ran Ansted in the dark and came back to run it in the daylight. He and his wife liked it so much they bought a house here to visit from Texas.

Discussion of the soft surface trail plan. Commissioner Taylor asks if it needs to be commissioned to update this? Mr. Davis says you couldn't ask for a better collection of minds than those in this room now. Ms. Newell asks about working with all people in room and when would they want a priority list. Commissioner Taylor states before June 1. Commissioner Taylor asks about other aspects needed. Mr. Kistler says GIS. Mr. Lilly says a contractor is needed for a comprehensive plan. Would outline priorities for years to come and identify infrastructure. Commissioner Taylor suggests incorporating it into county comprehensive plan.

President Louisos asks Mr. Morgan about how serious the National Park is about Gauley River. Mr. Morgan says the superintendent is interested and has made contacts. It has been as been discussed several times. President Louisos asks if Mr. Cook and

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ACE are willing with the land and maybe if the NPS is serious, the other landowner involved will be more committed.

The meeting was adjourned at 2:11 p.m.

FAYETTE COUNTY COMMISSION

SPECIAL SESSION

March 20, 2024

FAYETTE COUNTY COURTHOUSE

PRESENT: TOM LOUISOS, JOHN G. BRENEMEN, ALLISON R. TAYLOR

The Fayette County Commission met this 20th day of March, 2024.

President Louisos called the meeting to order at 3:00 p.m.

Melanie Cadle presents for Danese PSD. Ms. Cadle thanks the FCC for the \$25,000 allocation. The only thing Danese PSD needs is a new truck. Their vehicle is a 2011 and needs to be replaced. Presented an estimate for a similar truck (Tacoma) as they need. Their excavator is newer to than the truck. Would like to keep from passing this cost on to the customers. Commissioner Brenemen asks about their extension project. It is an \$8,000,000 project and they have \$1,000,000 of grant money. Must start digging by December to avoid losing the money. Rate increase they have now is for the grant. She's working on easements. Hoping to know the number for increase by next month. E.L. Robinson is the engineer. The materials cost increased by \$400,000.

Lawrence Washington with Armstrong PSD. Discussing sanitary needs since WVAW is taking over the water. Pre-Engineering Report by E.L. Robinson is estimated at \$80,000 for sanitary evaluation survey (manhole inspections, issues with airflow, finding other weaknesses), collection system and project cost estimates and PER which can be submitted to funding agencies. Main lift station needs 2 pumps and a pump hoist. Deepwater Main Lift station has 1 rebuilt pump. Regulations require 2 operational pumps. Commissioner Taylor asks about the age. Mr. Washington says it's quite old and will need to be replaced. The burr station needs replaced also need a grinder system and 1 new pump. Also needs a truck. Their current truck has been repaired

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and repair. Not asking for a brand-new truck. But needs something more reliable than what they have. Commissioner Brenemen asks about the Rawlings property. The PSC ordered they repair it and it is a \$75,000. Mr. Washington states the issue is a boulder in a creek causing bank erosion. Only received one report about it and the next thing, they were being sued.

Diana Kincaid presents about New Haven. She is on the PSD board now and has been a resident for 33 years. Has been working to get water for decades. The Gwinn Road New Haven Project has received \$1,250,000 in funding for the extension (\$1,000,000 Congressionally Directed Spending and \$250,000 from state of WV for the non-federal match share.) Ms. Kincaid says she's not sure that Kenny Hayes, NHPD Chairman, has responded to these awards, and she's never been approached to sign a user agreement. Mentioned the Dig Deep program. Ms. Kincaid has attended meetings since 2019 and they were ready to break ground then but nothing has happened. Says it's all lip service. Commissioner Taylor states there was a meeting yesterday and Lesley Taylor attended. She is monitoring this situation and the fact that engineering costs doubled. Thompson & Litton estimated \$3,000,000. They have Project 18, 19 and then Gwinn Rd. She feels she's being put off. They have had to haul water for over 30 years. Says her road should be on Project 19, but they keep getting overlooked. She has a lot of questions and isn't sure what they are up too, and she says that as being on the board. Presented there were issues with project from 2013 which were put on hold due to no funding, but then gave water to 14 total homes in 3 separate areas across Rt. 19.

Lesley Taylor presents via Zoom. In 2019, Contract 18 and 19 were about to go to bid, PSC rescinded the permit because of WVAW Operations & Maintenance agreement. Just received signed O&M agreement for 18 last week and 19 today. Gwinn Rd. is separate. Some area qualified for Abandoned Mine Land (AML) funding. This was 100% funded by AML. That's why it went ahead. No money was taken from another project to fund it. President Louisos asks about bonds for water projects. Ms. Taylor says Region 4 doesn't deal with bonds but it's a good question for John Stump. President Louisos and Commissioner Taylor would like him here when NHPD returns on April 24 with KFSD. Question about private mines. Ms. Taylor states that the clock resets for AML if the mine restarts operations.

Ms. Kincaid says she did not get a user agreement because the house before her said no. So, they didn't come to her. No one

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ever approached her. Discussion about the process for obtaining user agreements to gauge interest and the validity of a project. Ms. Kincaid said people in Ramsey have not signed the user agreements, but are on Project 19.

Discussion about NHPSD not being eligible for USDA grants because of their partnership with WVAW (private business.) They can still apply for IDJC, Water Development, and Drinking Water Revolving funding, among others.

Commissioner Taylor motions to draft a letter and send it. Commissioner Brenemen seconds. Unanimous decision.

Becky Eaton presets her parents have been told multiple thigs, starting with money diverted to Desert Storm, then elevation problems etc... There is water at the corner, less than a mile from their house. The first person at the corner said no, and has since passed many years ago. It seems they just stopped trying to collect the agreements after that. Ms. Kincaid said there are 16 homes on Gwinn. Contract 19 has Whispering Pines with only 4 homes. Reason for not servicing Gwinn/Ramsey was cost per customers. But they are taking care of Whispering Pines. When she asks questions, she can never get answers.

The meeting was adjourned at 4:00 p.m.

FAYETTE COUNTY COMMISSION

EMERGENCY SESSION

April 5, 2024

FAYETTE COUNTY COURTHOUSE

PRESENT: TOM LOUISOS, JOHN G. BRENEMEN, ALLISON R. TAYLOR

The Fayette County Commission met this 5TH day of April, 2024.

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

Wilbert Lively leads the Pledge of Allegiance.

Office of Emergency Management Director Kevin Walker gave an update on the recent storms. There was an EF2 tornado in the Hico/Lavista area. It was nearly an EF3 with 130 mph winds.

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Working towards FEMA eligibility. The Solid Waste Authority is assisting with dumpsters. Sawyers are coming to remove trees.

Damage assessments are begin completed. They have 400 so far. He is in contact with congressional and local authorities trying to get a Federal Emergency Declaration.

Mr. Walker recommends that anyone with damage to complete a damage assessment survey. Commissioner Taylor states that any amount of damage should be reported to assist with FEMA aid qualification. The damage can be reported to show overall severity. But if you later submit it for an insurance claim, it won't be eligible for FEMA funding. Commissioner Taylor asks that Ami Dangerfield and Mr. Walker draft a press release about the damage report survey.

Anyone who cannot complete the online survey can contact 211 and they will complete one. Last resort, email a damage report to info@fayettecountywv.org.

Rick Lewis from Nuttall Fire Department states that 95% of their power is back on. Seven known displaced families. They will go door-to-door on Saturday for more assessment. Will document names, actual addresses and phone numbers. A dedicated case worker will be assigned. Donations should be held for now. They will find out immediate needs. There is a food station set up for anyone, even if they only have power loss.

Ansted Chief Mike Gray thanks Josh Davis for coordinating. Disappointed that only Phillip Pack reached out from the county. No commissioners. The Nuttall chief lost his home and he is out helping, knowing his home is gone. Deputy Pat Gray has phone numbers for those affected. Shouldn't have firemen taking care of these duties.

Commissioner Brenemen says he was onsite for seven hours. President Louisos did not want to comment specifically about all that he did. Chief Gray clarified that they weren't there the day of the event and doesn't think the commissioner know al that the firemen did.

Commissioner Taylor says that the Fayette County Commission contacted are the Office of Emergency Management and Mr. Pack. Chief Gray claims that Mr. Walker was not onsite.

Commissioner Taylor explains that FEMA is nit-picky about how remediation is handled. People shouldn't just go to the dump themselves. Mr. Walker will bring in specific dumpsters as items have to be separated by debris, metals, white goods, trash

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etc. One Technicality can negate FEAM eligibility so they need to not just form open dumps.

Mr. Walker states they will need debris monitors. Dumpsters can be delivered tomorrow. Mr. Davis states that 200 volunteers are coming whether we want them or not. President Louisos says we need to make sure they don't interfere with the FEMA reimbursement chances.

Commissioner Taylor asks that we ask representatives why there is so much FEMA bureaucracy and how to fix it.

Mr. Lewis says this is a small community. They help each other out. Getting them to understand to wait for assistance is hard. They appreciate the efforts and assistance of the 911 dispatchers. Thanks them and all other volunteers and first responders.

Ruth Lanier, County Administrator, presents that Allen Ballard Building Safety Officer, has a request regarding electrical and roof permit fees. Would like the commission to waive fees for inspections. The county would absorb the fees to the electrical companies. Permits are still required, just not the fees. And this will be on a case-by-case basis for just those affected by the storms. President Louisos motions to approve. Commissioner Brenemen seconds. Unanimous decision. The trouble ticket from AEP will be needed and it will be filed by that ticket number.

Ms. Lanier presents a request from the Sheriff about all staff who were working for the storm while the courthouse was closed. This could go through FEMA for reimbursement. Discussion as held about forming an official policy for this moving forward. President Louisos motions to approve. Commissioner Brenemen seconds. President Louisos and Commissioner Brenemen are in favor, Commissioner Taylor is opposed. Motions passes.

The meeting was adjourned at 9:52 a.m.

FAYETTE COUNTY COMMISSION

SPECIAL SESSION

April 5, 2024

FAYETTE COUNTY COURTHOUSE

PRESENT: TOM LOUISOS, JOHN G. BRENEMEN, ALLISON R. TAYLOR

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The Fayette County Commission met this 5th day of April, 2024.

President Louisos called the meeting to order at 9:52 a.m.

Approve Vouchers & Invoices Commissioner Brenemen motions to approve. President Louisos seconds. Unanimous decision.

Approve Additional Congressional Directed Spending Applications Ami Dangerfield explains that the Sheriff put forward 3 applications for 5 cruisers, a SWAT Tactical van, and portable radios. Commissioner Louisos says FCMB applications should be the first priority, cruisers will be 2, SWAT van 3 and radios 4.

President Louisos motions to approve all 4 with this priority. Commissioner Taylor seconds. Unanimous decision.

W.I.L.D. Swiftwater Institute Support Letter President Louisos motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Approve Bid for FCMB Masonry Commissioner Brenemen motions to approve. Commissioner Taylor seconds. Unanimous decision.

The meeting was adjourned at 10:03 a.m.

FAYETTE COUNTY COMMISSION

REGULAR SESSION

April 16, 2024

FAYETTE COUNTY COURTHOUSE

PRESENT: TOM LOUISOS, JOHN G. BRENEMEN, ALLISON R. TAYLOR

The Fayette County Commission met on this 16th day of April, 2024.

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

Angela Gerald leads the Pledge of Allegiance.

Assessor Eddie Young: Exonerations, Orders to Combine or Divide Land, Refunds - Mr. Young presents personal property exonerations for Thomas Ray & Christine kay Hyles \$783.18; Alan Matthew Ayers \$301.66; Homer Lewis Cooper Sr. \$49.00; Charles E. George \$217.88; Jerry L. Long \$607.80; Charles D. Renick \$20.74; Christopher Ian Horn DBA Northwater Design Co. \$918.60; Christopher Scott Murphy & Brianna H. Braenovish \$2,007.58; Michael A. Chapman \$6.50 & 47.04; Lesley Nicole Powers & Donald Ray Walker \$517.62; Batista Construction Inc \$1,457.24; Danny J. Hayden \$784.48; Gary W. Adkins & Sherry Gutierrez \$102.88; Kenneth Junior Thompson \$685.84; Aaron Sargent \$1,058.18; Donna M. & Paule E. Morris \$703.38; Joshua L. Pugh \$583.76; Raymond Holcomb \$51.86;

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Richard & Sherry & Autumn LC Hannah \$181.44; Charles Emerson & Cathy (Eliza) Skaggs \$267.84; Larry Wayne Ramsey & Diane F. Walker \$1,077.40; Steven W. Dunlap \$805.64; Mankin Sales LLC \$655.94; Tracey L. Mullins \$345.48; Aaron Rinehart \$389.48 & 389.78; Joshua Allen & Madison Faith Whetzel \$405.10; Joseph Brandon & Cynthia Marie Newhouse \$694.78; Harold D. Fankell Jr. \$848.32; Paul E. Rowe \$9.18; Clyde E. Wright III \$2,317.34; Jamie L. or Angela D. Massuccy Integrated Car Wash Sys Corp \$461.32; Virginia N. Massey \$162.16; Shirley & Ralph W. Noble \$261.08; Laura Spadaro \$231.72; James F. & Shirley Simms \$189.82; Bobbie or Robert Wayne II Johnston \$233.78; David L. Hansen II \$33.98; Joseph C. Jr. & Crystal Fox \$1,089.86; Jackie R. Fitzwater \$85.90; Dallas W. Leshar III \$212.58; Cornelius R. & Amy L. Lewis \$552.56; Rose Marie Frantz \$78.20; Jonathan Mark Evans \$161.78; Leora Perkins \$129.90; Christopher L. St. & Angela B. Perry \$72.00; City of Smithers \$115.82 & \$259.12; Michael P. Foster \$272.46; Caleb Ray Sexton \$1,018.26; Michael William Yellets & Jessica Renee Harrah \$278.60; Jeffery Lehew \$1,033; Richard P. Fiorentini \$337.14; Calvin S. Endicott \$210.26 & \$674.58; Glen D. Botkins, Jr. \$7.70; Leroy & Penny J. Zemonek \$373.70 & 373.70; Muhammad & Ladonna Nameen \$395.46 & 407.38: Commissioner Brenemen motions to approve. President Louisos seconds. Unanimous decision.

Mr. Young presents real property exonerations for Christopher L. Perry \$72.24, St.; Rainelle Medical Center \$2,770.50; Twyla D. Westfall & Sandra Brown \$30.74; Nino C. Veramessa Etux \$790.00; Muhammad & Ladonna Nameen \$407.38 & \$395.46; Glen D. Botkins, Jr \$7.70. Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Approve Vouchers and Invoices - President Louisos motions to approve. Commissioner Taylor seconds. Unanimous decision.

Approve Prior Meeting Minutes for 3/20 9:00 am, 11:00, 1:00 and 3:00, 4/5 emergency and special. Commissioner Brenemen motions to approve. President Louisos seconds. Unanimous decision.

Approve Estate Settlements - Gloria Jane Adkins; Janice Lou Adkins; Thelma Jean Barker; Woodrow Crockett, Jr.; Ernest Roy Eades; Jeremy Allen Ferrell; Alma Kathleen Harris; Mary Rosa Johns; Mary Ellen Kenney; Barbara May Kincaid; Harry Marvin Layton; William James Patrick, Jr.; Sylvia Levonne Royal; Jerrold Loraine Skaggs, Jr.; Larry Ray Sumpter AKA Larry Ray Sumpter, Jr.; and James Oliver Wilson. Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Lay the Levy & Budget Revision - levy. Commissioner Taylor motions to lay the levy. President Louisos seconds. Unanimous decision.

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Budget Revision -Revise the collectable from 9% to 7.5%. Commissioner Taylor motions to approve the budget revision. Commissioner Brenemen seconds. Unanimous decision.

Exhibit A

Discussion & Decision: WV Corp Renewal This increased \$11,000 because of the MRRT bridge addition. Commissioner Taylor motions to approve. President Louisos seconds. Unanimous decision.

Discussion & Decision: Contract with Greenbrier Environmental Group, Inc. Commissioner Taylor motions to approve. President Louisos seconds. Unanimous decision.

Discussion & Decision: Brownfields Projects for Approval Commissioner Taylor motions to approve the structural engineers. President Louisos seconds. Unanimous decision. Commissioner Taylor motions to approve. The Phase III for the Rainelle Landfill project. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: Building Appraisal President Louisos motions to approve obtaining 3 appraisals on the Blankenship Law Firm. Commissioner Taylor seconds. Unanimous decision.

Discussion & Decision: 911 Additional Equipment for Fifth Station Tonja McMullen and Phillip Pack presented. Mr. Pack is working with the company and the pricing was incorrect and was initially higher than what we will pay. This will be a training station and also act as a spillover in heavy traffic times, like emergencies. Commissioner Taylor asks which fund will pay. President Louisos motion to approve and fund out of ARPA. Commissioner Taylor seconds. Unanimous decision.

Discussion & Decision: Budget Presentation from Oak Hill VFD Damita Johnson & Tim Richardson present budget. All lines are from Fire Levy. Doesn't reflect city budget. The City does all the accounting for the FD and the City pays insurance and maintenance on the building. Building is in the city's name. They save state insurance funding to use with the levy for truck replacements. Commissioner Brenemen asks about paying for calls. Mr. Richardson says it goes back to the 1950s, per their available records. Commissioner Taylor states a decision will be on the 4/24 agenda.

Discussion & Decision: Establish Line Item and Funds for Disaster Ms. Lanier states this was President Louisos' proposal. Commissioner Taylor states she spoke with Delegate Eric Brooks who agrees this is a good idea. Can't rely on state and federal funds for disasters, since ours seem to avoid eligibility. But our people still need assistance. Commissioner Brenemen asks about a limit for spending authorities to avoid emergency meetings. Ms. Lanier can approve up to \$15,000. Commissioner Taylor is the secondary authority. Ms. Lanier states there will need to be a budget revision. President Louisos motions to

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establish the line item for \$50,000. Commissioner Taylor seconds. Unanimous decision.

Discussion & Decision: Letter to DOH Regarding High Circle Drive Commissioner Taylor motions to approve drafting and sending the letter. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: Letter to Nicholas County Commission Commissioner Taylor drafted a letter to the NCC regarding the regional Airport in Summersville and Air Tourism. The NCC asked that the FCC contribute \$35,000 for 3 years, then it will be self-sustaining. The FCC will get 3 seats on the board - 1 commission and 2 appointees. Commissioner Taylor motions to approve the letter and obligate \$105,000 for the 3-year commitment as a 1-time payment. President Louisos seconds. Unanimous decision.

Discussion & Decision: Josh Davis, Approval To Request Bids for Equipment Existing thermal cameras are timed out - very old. They scavenge old cameras for repairs and the batteries don't last. Would like 32 new cameras - 2 per location. \$4,500 - \$6,500 each. Buying 32 would be a considerable discount. Would also like to replace gas monitors. Only have 1 and they can't get it calibrated. \$3,000 each. Buying in bulk would be another substantial discount. Checking with other vendors too. Wants to use the state allotment and asking permission to bid. Commissioner Taylor agrees they should bid and states they don't need the FCC's permission to place bids.

Discussion & Decision: Request to Re-Bid Annex Roof Project Ami Dangerfield presents that after a review by architect Dan Snead, a new RFP needs to be published. President Louisos motions to approve Dan Snead writing a new roof RFP and publishing it. Commissioner Taylor seconds. Unanimous decision.

Discussion & Decision: David Hylton- Request for REAP Funds Mr. Hylton is asking for assistance for removing trailers on his recently purchased land. Asking for allocation of remaining REAP funds to remove them. Will match with his own funds. Trailers were abandoned and none belong to him. Just in the trailer park. There are bills of sales and titles, but no one claims them. Not sure taxes are being paid. Will take the responsibility of having them removed. Wes Toney, Assistant Prosecuting Attorney states there has to be documents of ownership. Commissioner Taylor asks for more diligence before demoing. Former property manager says they have been emptied for years - not paying the rent for the land, which would be more than the trailers are worth. Commissioner Taylor understands that, but there is a legal process. Mr. Toney states he should publish a notice that anyone with an interest in the property has to sign off. The FCC doesn't want that liability. Mr. Hylton states that after 90 days they

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become abandoned. But Mr. Toney states he then has to obtain a title. Mr. Hylton will publish a notice and return.

Discussion & Decision: Democratic Emergency Absentee Ballot
Commissioner Clerk Michelle Holly presents that they cannot find a democrat. Angela Gerald volunteers. Commissioner Taylor motions to approve. President Louisos seconds. Unanimous decision.

The meeting was adjourned at 9:48 a.m.

FAYETTE COUNTY COMMISSION

REGULAR SESSION

April 24, 2024

FAYETTE COUNTY COURTHOUSE & MEMORIAL BUILDING

PRESENT: TOM LOUISOS, JOHN G. BRENEMEN, ALLISON R. TAYLOR

The Fayette County Commission met on this 24th day of April, 2024, beginning at the Fayette County Soldiers & Sailors Memorial Building.

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

Michelle Holly leads the Pledge of Allegiance.

Ms. Holly conducted a public test of the early voting election equipment for the Primary Election. Seal barcodes on the machines were 24C00001 and 24C00024. Ballot Commissioners William Vest & Edna Wriston reviewed the machines. Ms. Holly introduced the new E Poll Books. We have 4 which will be used for Early Voting. Can scan a voters driver's license and pull up their previously recorded poll book signature. Mr. Vest voted a ballot to test the machine. Everything was verified and correct. The county commissioners signed the results.

The meeting was recessed to return to the courthouse at 9:30 a.m.

The meeting was reconvened at 9:41 a.m. at the courthouse.

Assessor Eddie Young: Exonerations, Orders to Combine or Divide Land, Refunds presents exonerations FOR Glen D. Botkins, Jr. \$7.70 & \$7.70; Melissa F. Midkiff \$487.70; and Robert & Crystile Dodson \$294.48. Commissioner Taylor President Louisos Unanimous decision.

Approve Payroll for May 3: President Louisos Commissioner Brenemen Unanimous decision.

Approve Vouchers and Invoices: President Louisos Commissioner Brenemen. Unanimous decision.

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Approve Prior Meeting Minutes: Commissioner Brenemen minutes 4 16
President Louisos Unanimous decision.

Approve Estate Settlements Estates: No settlements were presented.

Discussion & Decision: Tax Office Request to Make Previous Suspended Tickets Live for Certification. Terri Robinson presents that the auditor asked the Tax Office to unsuspend 6 tickets. Commissioner Taylor motions to approve. President Louisos seconds. Unanimous decision.

Discussion & Decision: Health Department Proposed Environmental Fees & Service Administrator Teri Harlan says the State is pushing control back to the county level. The environmental fees were previously set in set code. The county health department association is working to standardize fees and is also working with CCAWV. The Fayette County Health Department held a public hearing and received no comments. The Board of Health approved the fees. Now it comes to the FCC for final approval. Commissioner Brenemen asks about previous fees. Ms. Harlan states this will be a 20% increase. Had not been increased in some time. Commissioner Taylor asks about water sampling in the wake of the Paint Creek Spill. Are we billing the government rather than the public for water testing? Ms. Harlan says the district health department does water testing. These fees are for the public. Suggests to use remaining settlement to help offset these public fees. Commissioner Taylor will put on a future agenda. President Louisos motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: Lesley Taylor CDBG Grant Resolution #7 This is for Powellton Water Tank Replacement. President Louisos motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: Letter to DOH Regarding Beauty Mountain Road
Commissioner Taylor motions to approve and send the letter.
Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: CDS Applications for Senator Capito
Commissioner Taylor motions to submit the same applications to Capito as we did for Manchin. President Louisos seconds. Unanimous decision.

Discussion & Decision: Municipal Workshop Follow Up

Angela Gerald presents for Pax. Last ask was for \$9,000 which was actually \$27,000 due to an engineering math error. Building a gym in

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the town hall, and also need to pave parking lot and install a new flag pole. \$134,000 total. \$27,000 is the immediate need.

Mayor Bob Scott from Gauley Bridge states he put in a request for \$115,000. That bid has expired and is now \$130,000. Dan Hill loaned equipment and they've already started work. Fishing Tournament coming up soon.

Discussion & Decision: Approval of Fee Charged by Sheriff under WV Code 59-1-14 Sheriff Mike Fridley presents about Senate bill 240 which goes into effect 4/28. The cost for serving subpoenas is increasing by \$5.00 to \$30.00. Now \$5.00 goes to Deputy Sheriff Retirement. FCC has to approve implementing. Commissioner Brenemen motions to approve. President Louisos seconds. Unanimous decision.

Discussion & Decision: Brownfield Assessment - Additional Projects Matt Ford presents that a boundary survey needs to be conducted at a Shaffer site on Old Court Street with Brownfield funds. Will also need a Phase 2 eventually. President Louisos motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: AML Projects President Louisos asks Mr. Ford if Hawks Nest Trail Trestle Repair, Community Center in Danese (roof, library and sports complex) would be eligible. The old high school in Montgomery which burned needs to be removed. REAP grant may cover the demo and use Brownfield for pre-demo. Ami Dangerfield and Angela Gerald will send a group email about this.

Commissioner Brenemen asks what the distance is for AML properties. Mr. Ford states there is not really a specific distance. Just have to justify that the mine activity impacted the community. Commissioner Taylor asks if the strip mine in Valley with flooding and runoff. Could funding be used to get vegetation to help with erosion and flooding. Mr. Ford states yes. Suggests that we prioritize and only submit two projects. Commissioner Taylor asks Mr. Ford to make a list of the properties and which would be the best bang for our buck and return on May 7. Mr. Ford says a match isn't required but match makes it look better. They also like projects with other funding sources. Commissioner Taylor asks for recommended matches based on his experience.

Mr. Ford mentions Transportation Alternative Program. The Meadow River Rail Trail received this grant. Applications are available May 1. Speaking with the Park Service about extending from Nallen into NPS land. Would use the grant for design. Commissioner Taylor asks what else can that grant be used for. Other forms of transportation like sidewalks. Ami Dangerfield will reach out to municipalities for a sidewalk assessment.

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Discussion & Decision: Municipal Workshop Follow Up Continued

Chris Burford presents for Meadow Bridge. They've added sidewalks and ADA parking to project, which needs \$153,000 now. Meadow Bridge Sewer Department needs a mini excavator, trailer and transport. \$90,000 for that equipment. Mr. Burford will email that information to Ms. Lanier

The commission took a break at 10:20 a.m. and 10:29 a.m.

Discussion & Decision: Current & Future NHPSD Water Extension Projects. Commissioner Brenemen has questions about the areas for 18 and 19 and why specific roads were left off; and what are the PSDs intensions are to get those roads covered. The commission has the user agreements which were requested. Commissioner Brenemen asks about Gwinn Rd. Kenny Hayes, chair of NHPSD doesn't have any agreements for Gwinn Rd. Commissioner Taylor asks if it was part of Contract 18 and 19 and removed. Mr. Hayes says no. Commissioner Taylor says residents felt they were and were removed and they would like to know why they were overlooked. President Louisos says he read there was one resident who would not sign the agreement, so they moved onto another area. Residual funds from Contract 13 for Saturday Road were originally planned to be used for Gwinn Road. It was contingency funds of \$200,000. They would run lines as far as they could with those funds. First area was Ramsey. Not enough customer interest - only 50%. Then moved to Gwinn Rd. First customer on the road didn't accept. Engineer recommended to move on for more bang for their buck. Then to Hawver Road and there was acceptance there. President Louisos asks if there is a document showing that one customer denied service. Mr. Hayes states he doesn't have it, unless it is in storage. Mr. Hayes says this is from 15 years ago. President Louisos understands, but this is an important document. Commissioner Taylor asks how one user can unilaterally shut down progress for the rest of the road. Mr. Hayes says they went on the advice of the professionally. Commissioner Taylor states that this should be a board policy to service all their customers. He says it was in the best interest of the money they had to move onto Hawver Rd. Mr. Hayes says he went out and got the agreements himself. Some of the grants require a certain percentage, and if you don't have enough interest, you can't apply.

Diane Kincaid asks from Zoom if they revisited the areas, why hasn't Gwinn Road been surveyed Mr. Hayes says it's not part of a project yet. Has already determined that Gwinn Road will be part of the next project. President Louisos asks could they go ahead and get user agreements and Mr. Hayes says yes. John Walkup of Gwinn Road says there is a petition already from these users. They already have a CDS of \$1 million and \$250,000 from a state match for Gwinn Road. Mr.

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Walkup volunteers to get the user agreements signed himself. Commissioner Taylor asks Mr. Hayes to get the forms to Mr. Walkup Ms. Kincaid asks when Hawver Road was prioritized, why didn't they revisit Gwinn Road. Mr. Hayes says the engineer recommended to move on to the next road. President Louisos believes he remembers there was a lengthy distance from one home to the next on Gwinn Rd. Ms. Kincaid asks how they justify an extension to Whispering Pines area. Mr. Hayes says it's been added as an alternate on a contract if there were contingency funds. Commissioner Taylor asks why Whispering Pines and not Gwinn Road. Mr. Hayes says it was because of cost. Gwinn Road is more expensive than Whispering Pines. Commissioner Brenemen says he doesn't expect contingency funds to even exist because of increased costs. If it even covers the contract.

The commission entered into an executive session at 11:00 a.m. for legal counsel and returned at 11:41 a.m.

Discussion & Decision: Funding & Flood Requests President Louisos presents about flood request information. Commissioner Taylor says we've received five reimbursement requests. Need to set household limits and criteria. Shouldn't apply to rental properties. Set a limit for months of rent and dollar amount and provide funds for primary households only.

Commissioner Taylor motions to approve for up to 3 months at \$700 a month per family with an exception for large families, and a \$5,000 maximum per household. Commissioner Brenemen seconds. Unanimous decision.

Ms. Lanier will give the applications to Tonja McMullen for follow up. And states she will need receipts for reimbursement.

Short list of time sensitive funding for municipal requests:

Ansted - \$1,000

Camp SOAR - \$10,000

Danese Sports Complex and Library - \$232,500

Gauley Bridge Park - \$130,000

LRA - \$220,000

Pax \$27,160.21

GRPSD - \$10,000 - Generators for water to the prison. Commissioner Brenemen says this project will need much more funding. Will get actual numbers by May 7.

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Commissioner Taylor motions to approve the ARPA expenditures.
Commissioner Brenemen seconds. Unanimous decision.

Everyone will have to provide documentation proving their expenditures. Ms. Dangerfield will write a letter explaining this. Commissioner Brenemen motions to send the letter. President Louisos seconds. Unanimous decision.

Commissioner Taylor mentions that Oak Hill Fire Department was originally scheduled to have a budget answer today. Other fire departments will be discussed at the May 7th meeting, so they will hold Oak Hill until then. Commissioner Taylor feels regular state tax funding should be spent first, rather than holding it for projects and spending excess levy funds. And that municipalities should be contributing something, similar to Fayetteville.

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

FAYETTE COUNTY COMMISSION

REGULAR SESSION

MAY 7, 2024

FAYETTE COUNTY COURTHOUSE

PRESENT: TOM LOUISOS, JOHN G. BRENEMEN, ALLISON R. TAYLOR

The Fayette County Commission met this 7th day of May, 2024.

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

Clerk Michelle Holly leads the Pledge of Allegiance.

Exonerations, Orders to Combine or Divide Land, Refunds - Eddie

Young: Mr. Young presents real property exonerations for Michael Raymond Hayslett \$9.20; Elissa Morton & Floyd A. Thomas \$329.28; Dolly Sue Hicks \$125.90, \$125.90, \$125.90; \$125.90, \$125.90, 125090; Jon Michael Cobb \$539.52; Jamie Lee Pugh \$72.62 & \$74.54; Katherine A. Vance \$19.08; Shane G. & Lyndsey L. Milam \$3,228.74; and Fresca R. Jones \$658.62. Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Mr. Young presents one Order to Combine or Divide & Segregate Land for James C. IV & Caitlin C. Blankenship. Commissioner

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Brenemen motions to approve. President Louisos seconds.
Unanimous decision.

Approve Payroll for May 17 President Louisos motions to approve.
Commissioner Brenemen seconds. Unanimous decision.

Approve Vouchers & Invoices President Louisos motions to
approve. Commissioner Brenemen seconds. Unanimous decision.

Approve Prior Meeting Minutes for April 24 Commissioner Brenemen
motions to approve. Commissioner Taylor seconds. Unanimous
decision.

Approve Estate Settlements Theodore W. Carte; Carman Ann
Coleman; Rocky Dale Davis; Jolene Kay Henerson; Emery Theodore
McGuire; Catherine R. Pack; Victoria Diann Rider; Phyllis Jean
Waddell; Jean Sue Webb. Commissioner Taylor motions to approve.
President Louisos seconds. Unanimous decision.

Exhibit A

**Discussion & Decision: Support Letters for Congressionally
Directed Spending Requests- for Senator Miller and Senator
Capito Nunc Pro Tunc** Commissioner Brenemen motions to approve
the letter for Mount Hope, nunc pro tunc. President Louisos
seconds. Unanimous decision.

**Discussion & Decision: Set Priorities for AMLER and
Transportation Alternatives Grant** Matt Ford is present via Zoom.
Suggests TAP grant for Phase IV of MRRT. Spoke with DOH and
it's a good candidate. Suggests splitting the project into 2
phases and apply for the currently owned property. Apply for
another if we are able to purchase Nuttall land.

CSX acquisitions. Still unclear about the cancellation of their
property transfer ban. They did ask to see the parcels we are
interested in purchasing. This project is shovel ready if CSX is
willing to sell. If they aren't, this project is not valid.
Andy Davis will also come back with a better idea of other
funding. \$227,160 for Mount Hope Rail Trail.

TAP grant for Hawks Nest Trail Trestle. Best if Ansted is the
applicant. Design for this project used TAP grant funds.
Logical next step is construction. This application won't hurt
FCC chances for MRRT design. Construction grants have a
deadline of 10 years, or you have to repay the design phase.
\$132K from FCC. Engineer says there is another trestle and

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sidewalk projects, too. Mayor Pridemore says seconds trestle is in infancy, 1.5 years behind the other trestle. Sidewalks were proposed to FCC. DOH is waiting on Ansted to apply for this phase, as you have to repay the design grant if you do not complete construction within 10 years. Expected next step.

Commissioner Taylor asks about how to maintain these trails. Mr. Ford says typically a non-profit will coordinate volunteers for maintenance. Mr. Ford is already part of a non-profit interested in the Meadow River Canyon - bikers, climbers, rafters... and they will go after funds and could ultimately take ownership. Commissioner Taylor is concerned about the expense of the new bridge at Russellville. Mr. Ford says we are obligated to maintain it, but it was designed for resiliency. Mr. Ford is working on an overall maintenance plan for grass cutting etc.... Greenbrier County mowed the entire trail last year. A special meeting will be held May 15 for further trail discussion with Gene Kistler regarding the Fayette Trail Coalition proposal and will also discuss the Ansted roof project.

Tap intent to apply May 26 June 26 app. AMLER app due May 31.

Discussion & Decision: Kay Casto and Chaney Debt Forgiveness

Request Cynthia Wilson, attorney representing Armstrong PSD to discuss loan for tank replacement. Asking FCC to forgive repayment of balance of \$16,696 loan. Every little bit helps keep rates low for the residents. Commissioner Brenemen says the rate will cost residents 4 cents. WVAW has asked for 5 increases over 5 years and got every one. Does not want to give privately owned WVAW a break. Discussion of Armstrong PSD having delinquent properties which the county is interested in.

Conversation about Velma Newman (20-year member) stepping down at the end of this month. This will take them down to 1 commissioner. Thomas Gibson passed away.

Commissioner Brenemen motions to deny the proposal. President Louisos seconds. Unanimous decision.

Discussion & Decision: Update on Midland Trail Community Center

from Bill Deligne Presents what they've done with their ARPA funds. Established in 2018. Volunteer board of 8 members. Gym, football field, cafeteria, classroom building, which is a liability. Funded through rentals, memberships and donations. Manage scholarships, mainly for Midland Trail High School students. Works with ASWV for community activity events. Appalachian Service Project, home repairs, uses the MTCC as homebase when here. ASP has had discussions of starting a

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regional branch here. They live and sleep in classroom building and shower in gym and eat at cafeteria. There is an indoor batting cage. Sheriff trainings in classroom building. Serves as a warming station and emergency shelter. Connection with teen court for volunteer services. Of their \$250,000 ARPA allocation they spent \$127,000. \$79,000 has been planned for new projects, and \$44,000 in remaining funds. Asks about expiration date to spend allocation. Could they use it for 24-25 operating costs. Confusion in the official expenditure due date of funds. Could be end of calendar year 24 or end of 26. They have a plan to spend it by 24, but 26 would be better.

Received a \$152,000 grant for HVAC from the state.

Needs to demolish the classroom building. They keep applying for CDBG and get denied. Ms. Dangerfield will send WVDEP REAP grant information to them.

Discussion & Decision: EMS Fund Distributions Agreements

Assistant Prosecuting Attorney Wes Toney presents the agreement based on Upshur County's template. Set up a spreadsheet for distributions based on calls. Recommends sending to subrecipients, review and sign, then return to FCC for final approval. Based on calls into 911 and set in code. No artistic license allowed by the FCC. Restricted by code on process and distribution. This is just an agreement. The FCC is just a passthrough for legislative funds. Commissioner Taylor motions to approve distribution agreements and send to the EMS companies. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: Review of Phone Proposals Commissioner Taylor motions to postpone till May 15th. President Louisos seconds. Unanimous decision.

Discussion & Decision: Airport Board MOU Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: Letter to Town of Fayetteville Regarding TIF and Memorial Building Commissioner Taylor motions to approve. President Louisos seconds. Unanimous decision.

Discussion & Decision: Building Permit Fee for Ascend Property This will be a \$12,000 waiver for the gym project at the old Fayetteville Elementary. Town of Fayetteville will pay for the 10 electrical permits, \$850. Commissioner Taylor motions to approve. President Louisos seconds. Unanimous decision.

Discussion & Decision: FEMA Public Assistance Program

Consultation Extension Commissioner Taylor motions to approve. President Louisos seconds. Unanimous decision.

Discussion & Decision: Review of Fire Budgets Ms. Lanier presents about master balance sheet and the allocations for this year. Steve Cruikshank, former Interim Fire Coordinator, approved budgets, but they didn't match the previous years. The FCC didn't approve the budgets. Commissioner Taylor states that OHFD went over their allocations with reimbursement requests this year. Question about whether the state funding allocations is notated in the budgets. \$60,000 for every fire department. Fayetteville Chief John Vernon said additional funding can happen if there is surplus. Oak Hill Chief Tim Richardson said there are sometimes special funding distributions from the legislature. Armstrong VFD Chief Shannon Estep says the training center is a one-time budget, won't be an annual budget, just a one time for entire expense. Instructors are paid through Public Service Training and most have not been reimbursed so far.

Discussion about why we need a training center here when there are other training centers that they can travel to. Discussion of Sissonville. They don't have their own facilities; they use the middle and high schools. This makes a more expensive training weekends for the trainees because of custodial and insurance charges. \$1,000 per day. It also diminishes the quality of the training. The facilities at training centers are purposed for the actual events/situations. Commissioner Taylor motions to move the fire budgets and fire training presentation to May 22. President Louisos seconds. Unanimous decision.

Commissioner Taylor motions to go into executive session at 11:28 after a break. The commission returned at 12:23 p.m. with no decisions being made.

Discussion & Decision: Chief of Emergency Preparedness and Operations

Interviews were held with 3 applicants. Commissioner Taylor states that Jon Kincaid was by far the best qualified for a multitude of reasons. Advertised due to a critical need, due to the OEM Director being out on extended leave. Commissioner Taylor and Ms. Lanier drafted a job description, advertised and conducted interviews.

Commissioner Taylor motions to create the position of Chief of Emergency Preparedness and Operations. Commissioner Brenemen seconds. Unanimous decision.

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Commissioner Taylor motions that the OEM Director will report to this position. President Louisos seconds. Unanimous decision.

Commissioner Taylor motions to extend an offer to hire Jon Kincaid at \$55,000 to start as soon as possible. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: Gauley River PSD Updated Generator Request \$155,000 is needed for 5 generators. Discussion of how to secure the generators from theft. This is tabled until they can devise a plan Commissioner Taylor asks about natural gas. Commissioner Brenemen will find out if natural gas is available at the sites. This could contribute to the theft prevention plan. Commissioner Brenemen will place this on the agenda once he has the information.

Discussion & Decision: Funding for Beautification Committee - postponed.

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

FAYETTE COUNTY COMMISSION

SPECIAL SESSION

MAY 15, 2024

FAYETTE COUNTY COURTHOUSE

PRESENT: TOM LOUISOS, JOHN G. BRENEMEN, ALLISON R. TAYLOR

The Fayette County Commission met this 15th day of May, 2024.

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

Brian Good leads the Pledge of Allegiance.

Discussion & Decision: Review of Phone Proposals from 5/7

Commissioner Taylor states one of the biggest issues with our current antiquated system is there is not local tech support. With that in mind and reviewing proposals, the most comprehensive proposal was from Greenbrier Technologies located in Lewisburg, but has a local office in Beckley. Greenbrier Technologies is Commissioner Taylor's recommendation. Commissioner Brenemen agrees. President Louisos motions to approve. Commissioner Taylor seconds. Unanimous decision.

Discussion & Decision: Trails Postponed from 5/7 Matt Ford, via Zoom, presents recommendations from the Fayette Trail Coalition. President Louisos mentions the comprehensive trail

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plan being created by Thrasher, hired by the LRA. Brittany Chaber, Fayette Trail Coalition (FTC) presents that Gene Kistler and Abbie Newell spoke with Mayor Pridemore of Ansted and Mayor Cavalier of Smithers, as well as Andy Davis, NRGRDA and Corey Lilly, WVU Brad & Alys Smith Outdoor Economic Development Collaborative Outdoor Community Development Manager to create a plan of the whole county to work in conjunction with their Soft Surface Trail Plan. Wanted to include other proposed projects and include municipalities. President Louisos asked Mr. Davis to talk with FTC and work together with the LRA plan. FTC is not interested in ownership. Would like to create an MOU for responsibility of weekend volunteer hours at the Fayette County Park project. Brian Good and the Park Board could manage the check-in/check-out of equipment.

Commissioner Taylor asks how long will the proposed \$50,000 for Meadow River Rail Trail (MRRT) maintenance last. Mr. Ford says at least 3 years. Greenbrier County owns most of what is open and has paid the total to date for maintenance. Commissioner Taylor asks for bridge inspection cost and schedule. Mr. Ford asked a structural engineer and Chapman Technical for that info. Devising a comprehensive maintenance plan which will show the financial needs, as well. Commissioner Taylor asks that he check with the Greenbrier County Commission to see what we need to reimburse for maintenance so far. Mr. Ford states they've been using grant funds so far. Commissioner Taylor ask that they invoice us for anything not covered by the grant.

President Louisos asks a timeline for the comprehensive maintenance plan. Mr. Ford said he could have it in the next month or so. President Louisos suggests allocating maintenance dollars from ARPA once that plan is available.

President Louisos asks about Needleseye. Ms. Chaber says the contractor was selected and they expect completion this fall. Doesn't include the downhill trail. That could be a 2025 project.

Mammoth Trail project is mostly for planning. Two Rivers isn't part of connection to the Mammoth Preserve.

Ms. Chaber asks about the ARC POWER grant through Region 4 and if it could be used for the Fayette County Park for bridge. Ami Dangerfield will check with Region 4 about the feasibility and the status of that grant.

President Louisos motions to approve the Hawks Nest Trail Trestle project. Commissioner Taylor seconds. Unanimous decision.

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President Louisos motions to approve the MRRT project.
Commissioner Taylor seconds. Unanimous decision.

Discussion & Decision: Ansted Roof Project Mayor Steve Pridemore presents that the highest bid was \$27,443. Commissioner Taylor motions to approve up to that amount for the roof. President Louisos seconds. Unanimous decision.

The meeting was adjourned at 9:21 a.m.

FAYETTE COUNTY COMMISSION
REGULAR SESSION - Canvass
MAY 20, 2024
FAYETTE COUNTY SOLDIERS & SAILORS MEMORIAL BUILDING
PRESENT: JOHN G. BRENNEMEN, ALLISON R. TAYLOR

The Fayette County Commission met this 20th day of May, 2024.

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

leads the Pledge of Allegiance.

Clerk Michelle Holly administers the oath to the canvass workers.

Commissioner Taylor motions to sets the bod for a recount at \$300.00. Commissioner Brenemen seconds. Unanimous decision.

Anthony Ciliberti drew two precincts blindly from a box of numbers. Precincts 19 and 74 were pulled.

Two teams of 4 conducted the hand counts.

The commission and staff reviewed provisional ballots. The commission voted on valid and invalid challenges, logged the invalid challenges, and sealed and signed off on all materials.

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Precinct 74's counting team experiences issues and canvass will be reconvened during the regularly scheduled commission meeting May 22, 2024. This meeting will be held at the Fayette County Soldiers and Sailors Memorial Building.

The meeting was recessed at 4:51 p.m.

FAYETTE COUNTY COMMISSION
EMERGENCY SESSION - Canvass
May 22, 2024
FAYETTE COUNTY SOLDIERS & SAILORS MEMORIAL BUILDING
PRESENT: TOM LOUISOS, JOHN G. BRENEMEN, ALLISON R. TAYLOR

The Fayette County Commission met on this 22nd day of May, 2024, at the Fayette County Soldiers & Sailors Memorial Building in an emergency session.

President Louisos reconvened canvass at 9:00 a.m. to complete the hand count.

Precinct 74 was recounted - Democrat, Republican and Non-Partisan ballots (no Mountain Party votes were cast.)

The hand count was concluded with no errors.

The meeting was adjourned at 3:53 p.m.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
May 22, 2024
FAYETTE COUNTY SOLDIERS & SAILORS MEMORIAL BUILDING
PRESENT: TOM LOUISOS, JOHN G. BRENEMEN, ALLISON R. TAYLOR

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The Fayette County Commission met on this 22nd day of May, 2024, at the Fayette County Soldiers & Sailors Memorial Building.

President Louisos reconvened canvass at 9:00 a.m. to complete the hand count.

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

Commissioner Taylor leads the Pledge of Allegiance.

Assessor Eddie Young: Exonerations, Orders to Combine or Divide Land, Refunds None presented

Approve Payroll for May 3: President Louisos motioned to approve. Commissioner Brenemen seconds. Unanimous decision.

Approve Vouchers and Invoices: Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Approve Prior Meeting Minutes: Commissioner Brenemen motions to approve the minutes from May 7 & 15th. Commissioner Taylor seconds. Unanimous decision.

Approve Estate Settlements Estates: Ronald Gene Arbaugh, Sr.; Charles Richard Dickerson AKA Charles Richard Dickerson, Jr.; Erma Marie Greathouse; Nancy Lee Johnson James; Doris Alberta Marcum; Clifford Arden Royal; Henry Chirstopher Schrader; Robert Henry Woolard II. Commissioner Brenemen motions to approve. Commissioner Taylor seconds. Unanimous decision.

Certify Election Results: Commissioner Taylor motions to postpone this until a special meeting on May 28, 2024 at 9:00 via Zoom. President Louisos seconds. Unanimous decision.

Ruth Lanier- Exhibit A

Discussion & Decision: WV Corp Renewal: Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: Sheriff Fridley Hiring Decision Deputy Sheriff Commissioner Taylor motions to approve contingent upon completion of the academy. Commissioner Brenemen seconds. Unanimous decision.

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Discussion & Decision: Records Management Preservation Board Grant 2025 Award Contract for Approval and Signature Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: CRS Community Certification for Signature Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: Airport Board Selections Commissioner Taylor presents that all entities have approved and signed the MOU. Commissioner Taylor motions to appoint Christian Kappler (HealthNet) and Chris Fussel (retired Navy Seal) as the Fayette County representatives. And volunteers to sit as the commission representative. President Louisos motions to approve. Commissioner Brenemen seconds. Unanimous decision. Commissioner Taylor abstained from the vote.

Discussion & Decision: AWAY MOU with Women's Resource Center Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: Southern Soil Conservation District Agreement Update Commissioner Brenemen states this contract is from 2021. It was sent to the FCC in this condition and the errors were pointed out. The SSC stated that the Agreement 7-1-3A was OK to sign as is. When the FCC brought up stream issues in 2024, the original agreement was returned to the FCC and told to update with correct information. Commissioner Brenemen motions to update the agreement. Commissioner Taylor seconds. Unanimous decision.

Discussion & Decision: Emergency Management Letter This letter will update the chain of command for the Emergency Management Office and 911 Center. Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: Disaster Recovery Center Agreement This was struck from the agenda. Will be rescheduled once FEMA responds.

Discussion & Decision: Present May delinquent list for newspaper publication Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

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Discussion & Decision: Bid Openings Dilapidated Buildings:
Angela Gerald mentions the 2 mobile home parks which were cut from the program and 2 sheriff's conservator houses at Sun Loop Rd. & Hunk Hill Rd. which were added in their place. Wes Toney, Assistant Prosecuting Attorney is taking the steps to evict the mobile homes for the new land owner before they can be legally removed. There is also another property on Wallace Drive previously bid and the company never did the work.

Reclaim: Hunk Hill - \$9,000; Sun Mine \$9,000; and Wallace \$19,000 - \$37,000 total

Empire: Hunk Hill - \$5,000; Sun Mine \$6,500; and Wallace \$11,500 - \$23,000 total

Commissioner Brenemen motions to approve. President Louisos seconds. Unanimous decision.

Discussion & Decision: Armstrong Creek PSD Board Members and Project Plan Their water operations are now with WVAW but sewer is still the PSD. There are no longer any active commissioners for this PSD. New commissioners have been sought but no one is willing. Checks and documents for projects need signatures. It is suggested that the commission ask Kanawha Falls PSD if they are willing to acquire Page Kincaid & Armstrong PSDs sewer operations. President Louisos motions to write a letter to KFPSD for the June 5th meeting. Commissioner Taylor seconds. Unanimous decision.

Discussion & Decision: Meadow Bridge Water Project Funding Shortfall Request Thrasher Engineering representative spoke. They have an earmark and state matches. The way the DEP calculates matching funds, they are \$50,000 hort. Commissioner Taylor motions to approve an ARPA allocation of \$50,000. Commissioner Brenemen seconds. Unanimous decision.

The commission took a break from 9:37 to 10:00 a.m.

Discussion & Decision: Bid Openings Annex Roof Project

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Harris Brothers - \$152,280

Sutter Roofing - \$123,600

Thoroughbred - \$137,208.07

Tri-State Roofing - \$157,023

These bids will be sent to Dan Snead, architect, for compliance review. Award will be announced at the June 5th meeting.

The commission took a break from 10:05 to 10:30 a.m.

Discussion & Decision: Steve Holstein Pax Coal Mine Issue Mr. Holstein presents and provides photos of his property and coal mine. Claims roadways are being destroyed by the coal trucks and they cause a lot of dirt and dust. Says Alpha plans a to create a slope 2/10 of a mile from his home. Has contacted a Mr. Gwinn in Tennessee and the CEO with no response. Would like to know the community impact of this project. States the mayor and council do not know. President Louisos asks what he wants the FCC to do about it. Mr. Holstein wants them to be aware. Not sure there is anything they can do. His parents live in Pax and he is concerned. He has contacted the Governor, Attorney General, and other State offices. He states he had been speaking with Alpha until a senior employee accosted him verbally. He calls 911 to complain about the noise and is told there is not an ordinance, but claims people are ticketed for barking dogs.

President Louisos states the FCC doesn't have jurisdiction. Mr. Holstien asks if they can act as a bully pulpit. Commissioner Taylor offers to send a letter. Mr. Holstein states the DOH reviews and never finds anything. He spoke with Jim Ratliff at DEP and claims he halted blasting due to lack of notice. Mr. Holstein states there is a train everyday with 100 cars. They do not consider the public and community. Mr. Holstien states he also spoke with Delegate Pritt who had the same position as the FCC. He is also worried about the new culvert going in.

2024 Fayette County Commission Minutes

Commissioner Taylor motioned to send a letter to the DEP and copy Mr. Ratcliff. President Louisos seconds. Unanimous decision.

Discussion & Decision: Fire Budgets John John McGinnis gave a presentation about the training center. They have 26 certified training instructors. They are sponsoring a regional grant. This year, the pumper goes through Oak Hill's department. They received an \$86-88,000 earmark for a tanker which is \$586,000. Commissioner Taylor asked about the additional PPE for the center, shouldn't each department have their own? Mr. McGinnis stated it is recommended to replace it every 10 years, and the gear at the training center lasts about 3 years.

Mr. McGinnis states they will train everyone from the departments on the cameras recently approved.

Discussion of donations. The DOH has given some. Commissioner Taylor asks if anyone else has been approached for donations. The BOE or BSA? R. McGinnis says they can't solicit more until they receive FCC approval. The FCC is the first step. There is no point in asking other entities if the FCC says no.

Commissioner Taylor reminds everyone the training center is not a county owned property. It is owned by a 501C3. The FCC must be careful with taxpayer money. President Louisos clarifies that it is not like the Memorial Building, which the county does own. The people do not own the training center.

Commissioner Taylor asks that the Association set aside \$50,000 per year for their operations.

Benny Filiaggi states that the center still needs bathrooms and classrooms. It is also the law to have fire training. And they've always understood that the fire levy money could be used for the training center.

Steve Cruikshank stated that if it is in good faith, they would consider turning the facility over, if the FCC can be trusted.

2024 Fayette County Commission Minutes

Commissioner Taylor states that everything so far has been approved and paid for except the gym equipment, which is not levy eligible.

Discussion is held about the cost of travelling for training versus paying for the training center and upkeep.

Mr. Filiaggi asks if the Association is the same as the county or not. Commissioner Taylor states, no. It is not the same as the county.

Commissioner Taylor states that the people can't put their voted-on levy money into a facility they don't own. Mr. Filiaggi then says that it's not actually owned by the Association - it is leased.

Discussion of courses. Mr. Filiaggi says basic fire fighter courses are 120 hours and the cost varies, but are usually around \$100 per hour.

President Louisos asks about grants - no one has answers.

Mr. McGinnis asks why previous things were approved. Discussion of previous administrations doing things incorrectly or being strong-armed.

The commission would like to explore non-levy finding for some of the center to keep in compliance with the levy terms.

Mr. Filiaggi says they are trying to do it the right way, under the assumption that this was cleared up in the 2015 levy.

Commissioner Taylor would like to see the center sustain itself. Somehow build the structure, raise the training fees, and remove the \$50,000 a year allocation for operations.

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Mr. Cruikshank asks for the FCC to tell them how much in debt they need to go.

The commission took a break from 11:43 to 11:48 a.m.

Skylar Wotring from the State Auditor's office presents to the firemen about WV checkbook. He explains how fire departments will need to sign up and use it for transparency.

Commission Taylor left the meeting at 12:00 p.m.

Shannon Estep asks about this being a requirement. President Louisos says this will be on the June 5th agenda.

Discussion about the timeframe for implementation. Mr. Wotring says 10 fire departments at once would take a few weeks to set up. Mr. Estep asks about training. The Auditor's office will train in person or virtually.

John Vernon asks about the budgets and when will be approved. They were only asked to present today. President Louisos speculates on June 5th. Mr. Vernon asks if they need to be reworked.

Damita Johnson asks if the ARPA decisions will be on June 5. President Louisos is not yet sure, but will not leave them out to dry.

Mr. Vernon asks about when the county will be on the checkbook. Mr. Wotring says that he and Gia Tyree have been working on the counties. Hopefully it will be live within the next month.

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

FAYETTE COUNTY COMMISSION

SPECIAL SESSION

May 28, 2024

ZOOM

PRESENT: TOM LOUISOS, JOHN G. BRENNEMEN, ALLISON R. TAYLOR

The Fayette County Commission met on this 28TH day of May, 2024, via Zoom.

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

President Louisos motioned to approve and certify the results of the 2024 Primary Election. Commissioner Taylor seconded. Clerk Michelle Holly was on the call and did not have anything to discuss regarding the election results. Unanimous decision.

The meeting was adjourned at 9:15 a.m.

FAYETTE COUNTY COMMISSION

REGULAR SESSION

2024 Fayette County Commission Minutes

June 5, 2024

FAYETTE COUNTY COURTHOUSE

PRESENT: TOM LOUISOS, JOHN G. BRENNEMEN, ALLISON R. TAYLOR

The Fayette County Commission met on this 5th day of June, 2024.

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

Michelle Holly leads the Pledge of Allegiance.

Assessor Eddie Young: Exonerations, Orders to Combine or Divide Land, Refunds - Tara Tyree presents real property exonerations for David Maynard \$8608; Posey Lewis & Mary Stum \$307.80; Larry Gill Jr. \$161.74; and Brandon J. Williams \$1,410.98. Commissioner Brennen motions to approve. Commissioner Taylor seconds. Unanimous decision.

Commissioner Taylor motions to approve the refund for Rainelle Medical Center \$2,701.24. President Louisos seconds. Unanimous decision.

Notice of Special Taxing Situation on Apartment Building - Mr. Young is on Zoom. Owned by Montgomery Presbyterian Homes. Applying for federal money to refurbish. Currently non-tax. Needs to be paying taxes to get this federal funding. Asking about PILT. If not allowed, they would like to be the ones to set the value of the property. Asked for ruling from legal of State Tax. Saying its worth \$6 million. Assessor says \$2.2 million. This has been fought in court once before to be non-taxable. Now they want to be taxable. Mr. Young just wants to the FCC to be aware.

Approve Payroll for June 14th and June 28th President Louisos motions to approve. Commissioner Taylor seconds. Unanimous decision.

Approve Vouchers and Invoices -. Commissioner Taylor wants to postpone payments on training center. Not sure where they should be paid from. President Louisos Unanimous decision.

Commissioner Taylor motions to postpone the Ansted pumper invoice and ask the chief to come in and to also postpone the training center invoices for further funding clarification. President Louisos seconds. Unanimous decision.

Commissioner Taylor motions to approve the rest of the vouchers as presented. Commissioner Brennen seconds. Unanimous decision.

Approve Prior Meeting Minutes for 5/20, 5/22 emergency, 5/22 regular, 5/28 special. Commissioner Brennen motions to approve. Commissioner Taylor seconds. Unanimous decision.

2024 Fayette County Commission Minutes

Approve Estate Settlements - Jacquelyn Blankenship; Betty Myles Blume; Carol Ann Bradley; Charles E. Elison; Mildred Arline Ellison; Madeline Betty Hamilton AKA Madeline Legg; Heidrun Elli Hill; Howard Malcom Kessell; Wanda Mae Kessell; Larry Edward Martin; William Terry Massey; Zelma L. Querry; Bertha Virginia Shelton; and Vivian Margaret Workman. Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Ruth Lanier- Exhibit A

Discussion & Decision: EMS Fund Distribution Assistant Prosecuting Attorney Wes Toney explained the EMS Salary Enhancement Fund, documentation and audit requirements. Explained EMS companies have to sign an attestation to receive the funds.

Discussion & Decision: Support Letter for Kanawha Falls PSD Commissioner Taylore motions to postpone due lack of letter from KFPSD requesting the support letter. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: Bid Award Annex Roof Commissioner Taylor motions to accept architect Dan Snead's recommendation of the low bid from Sutter Roofing. President Louisos seconds. Unanimous decision.

Discussion & Decision: Bridge Day Reappointment Request -Lori Tabit Commissioner Taylor motions to reappoint. President Louisos seconds. Unanimous decision.

Discussion & Decision: Opioid Settlement Action Request- Pharmacy Benefit Manager Mr. Toney explains that the commission must opt in or out of a class action suit against Pharmacy Benefit Managers. We are the last in our area to decide. If we sue the PBMs, ours, Express Group, may cease doing business with the county after the case. This would affect our employees. Postpone for more info. Commissioner Taylor motions to postpone to review and obtain more information. President Louisos seconds. Unanimous decision.

Discussion & Decision: Richards Estate Hearing Regarding Sheriff as Administrator Mr. Toney explains this is to void the sheriff as administrator. No assets are in the county of Fayette. Medical power of attorney is with a daughter in Arizona and his bank account is Arizona in, headquartered in Utah. Bank refused to give any info on the account. Would have to issue a subpoena. Nursing home has bill of \$21,000. This is above and beyond the purview of the sheriff as administrator. Statute does not require the sheriff to act this far as the assets are not in this county. The nursing home as a creditor can apply to be administrator. All of the out-of-state siblings said the son in Hilltop was administering everything. Bank distributed all remaining funds to the Hilltop son and split it between stepmother and

2024 Fayette County Commission Minutes

siblings. Not sure if the account was joint and the funds were distributed lawfully. Commissioner Taylor motions to void the sheriff as administrator. President Louisos seconds. Unanimous decision.

Discussion & Decision: Fred Hess Financial Statement Preparation Commissioner Taylor motions to approve. President Louisos seconds. Unanimous decision.

Discussion & Decision: Emergency Efficiency Grant Application Ms. Lanier explains we will apply to upgrade the lighting in the courthouse to LED. President Louisos motions to approve. Commissioner Taylor seconds. Unanimous decision.

Discussion & Decision: Budget Revision #2 for General County and Coal Severance Commissioner Taylor motions to approve. President Louisos seconds. Unanimous decision.

Discussion & Decision: Year-End Budget Statement President Louisos motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: Letter of Agency for New Phone System Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Commissioner Taylor motions to enter into an executive session to for legal counsel about the fire levy policy at 9:48 a.m. President Louisos seconds. Unanimous decision. The commission returned 10:28 p.m.

Discussion & Decision: 911 Retirement System Vote Prosecuting Attorney Anthony Ciliberti states at a prior meeting the FCC elected to participate. New employees would automatically be enrolled. The FCC received a letter from the retirement board about current employees asking for the FCC to give them the ability to transfer. Commissioner Taylor believes this was previously voted on. FCC will be responsible for some of the overall cost. The employees have to vote on all of this. Ms. Lanier says the county's portion for the election and computer systems upgrade is \$25,000. The commission has to notify the retirement board if our employees have the right to vote. Commissioner Taylor asks if Ms. Lanier can inquire if employees will be allowed to buy back their time.

Discussion & Decision: Local Economic Development Assistance Grant Record Keeping and Payment Requirements Commissioner Taylor says Delegate Pritt will pick up the checks. Strike from agenda.

Discussion & Decision: Fire Levy Purchasing Policy President Louisos motions to approve the purchasing policy. Commissioner Taylor seconds. Unanimous decision.

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Commissioner Taylor motions to draft and stamp a letter to fire departments, chiefs and the association and chiefs to send out with the policy. President Louisos seconds. Unanimous decision.

The meeting was adjourned at 10:36 a.m.

FAYETTE COUNTY COMMISSION

REGULAR SESSION

June 26, 2024

FAYETTE COUNTY COURTHOUSE

PRESENT: TOM LOUISOS, JOHN G. BRENEMEN, ALLISON R. TAYLOR

The Fayette County Commission met on this 5th day of June, 2024.

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

Michelle Holly leads the Pledge of Allegiance.

Assessor Eddie Young: Exonerations, Orders to Combine or Divide Land, Refunds - Mr. Young presents real and personal property exonerations for Danny W. Adkins et al \$880.82; Joey Sneed \$63.18; Mark E. Aliff \$84.48; Tyler B or Lucille Skaggs \$291.18; Lucille Ann Skaggs \$500.43; Kevin & Rebecca A. Pauley \$1,124.72; Jeffrey A. & Cynthia Phares \$2,740.92; Braden Jeffrey Chaffin \$45.00; William Melton, Tracy & Maysel Hilliard \$194.82; Christopher M. or Matthew Thomas \$264.54. Commissioner Brenemen motions to approve. President Louisos seconds. Unanimous decision.

Presentation of Land Books. President Louisos motions to approve and sign the land books. Commissioner Brenemen seconds. Unanimous decision.

Approve Payroll for July 12 President Louisos motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Approve Vouchers and Invoices President Louisos motions to approve all except the Montgomery invoice, which was included but previously paid. Commissioner Brenemen seconds. Unanimous decision.

Approve Prior Meeting Minutes for June 5 Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

2024 Fayette County Commission Minutes

Approve Estate Settlements - Drema Ruth Ballard; Margaret Ann Dalton; Gerald Lee Davis; David Edward Ellison; Homer Lawrence Jeffers; Josephine Marie Lafferty; Carols O Lewis; Mitchell Edward Lucas; Richard Aaron Murdock, Sr.; James Hurley Schrader; Anna Lara Sheehan; Hugh Robert Sims, Sr.; Madelyn Lashella Smith; and Don Wallace Walkup. Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Gia Tyree- Exhibit A

Discussion & Decision: Waiver of Fees for Home Confinement Process Commissioner Taylor says this was previously approved. Commissioner Taylor attended the public defender conference and this was discussed. The FCC approved in 2021. Prosecuting Attorney Anthony Ciliberti's office was to be in charge of managing this. The Fayette County Public Defender was unaware. Commissioner Taylor asks that Mr. Ciliberti send a letter to all involved. Sheriff Fridley brings up that there is a section of Home Confinement through the Sheriff due to the judges asking them to handle it rather than DRC. Commissioner Taylor suggests FCC absorbing those costs. Commissioner Taylor motions to send a letter regarding the FCC's willingness to absorb Home Confinement and GPS costs, which are less expensive than jail bill. President Louisos seconds. Unanimous decision.

Discussion & Decision: Reappoint Lawrence Boley Danese PSD Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: Reappoint Vivian Carrol Gauley River PSD Commissioner Brenemen motions to approve. President Louisos seconds. Unanimous decision.

Discussion & Decision: Appoint Gregory Toney Armstrong PSD Commissioner Brenemen motions to approve. President Louisos seconds. Commissioner Taylor mentions that Mr. Toney was previously appointed due to the lack of a commissioner on the PSD. Unanimous decision.

Discussion & Decision: Review and update BDC appointments for 2024 Becky Sullivan, Shannon Morris and Howard Stone.

2024 Fayette County Commission Minutes

Commissioner Taylor motions to approve the appointments.
President Louisos seconds. Unanimous decision.

Discussion & Decision: Spartan Race Letter Commissioner Taylor asks that a statement is added that the request is being referred to the Zoning office. President Louisos motions to approve. Commissioner Brenemen seconds. Unanimous decision.
Letter can be stamped.

Discussion & Decision: General School, Magistrate and Worthless Check Transfer Orders. President Louisos motions to approve. Commissioner Taylor seconds. Unanimous decision.

Discussion & Decision: Amending the Opioid Litigation complaint to include the Pharmacy Benefit Managers (PBMs) nunc pro tunc to June 14. Commissioner Taylor motions to approve. President Louisos seconds. Unanimous decision.

Discussion & Decision: PSD members to PSC and SOS Commissioner Brenemen motions to approve. President Louisos seconds.
Unanimous decision.

Discussion & Decision: Agreement 7-1-3U with the WV Conservation Agency Concerning Stream Restoration, Bank Stabilization & Blocakage Removal Work. Mr. Ciliberti will review. Stated the previous agreement doesn't officially expire until February 22, 2026. Postpone till 7/24.

The Commission took a break at 9:22 until 9:30 a.m.

Discussion & Decision:

-Review and approve amended bylaws for the Bridge Day Commission

-Review NRG CVB's Annual Report Becky Sullivan presents that there will be a new National Park representative and possibly a new DOH rep.

Bylaws - Commissioner Taylor motions to approve changes.
Commissioner Brenemen seconds. Unanimous decision.

Annual Report - Ms. Sullivan presents the report. Discussion of distribution.

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Discussion & Decision: ARPA Requests

New Haven

Meadow Bridge Sports: \$30,000

Meadow Bridge Generator: \$50,000

Meadow Bridge Kitchen: \$22,750

Meadow Bridge Sidewalk: \$15,000

Meadow Bridge ADA Parking: \$20,000

Meadow Bridge Design & Construction: \$18,400

Meadow Bridge Match: \$27,250

Danese PSD Truck: \$43,646.28

Danese PSD Allotment: \$56,353.72

Midland Trail Comm. Center Generators: \$85,000

Commissioner Taylor motions to approve.- President Louisos seconds. Unanimous decision. - \$1,429,338 total for New Haven allocations to date.

Plateau

City of Oak Hill Comp Plan: \$150,000

Fayette County Trail Coalition Trailer & Tools: \$10,000

NRGRDA Feasibility Study: \$50,000

Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision. - \$854,803 (?)

Commissioner Taylor mentions that Fayetteville didn't ask for any allocations but the FCMB allocations will benefit them.

\$800,538.03 total for Plateau allocations to date.

Valley

City of Montgomery EDA Trail Match: \$87,500

City of Montgomery Ferry Street Event center: \$90,000

City of Montgomery Boat Launch: \$80,000

City of Montgomery Pavilion: \$35,000

Town of Pax Community Center: \$80,000

Town of Pax Paving: \$20,000

Town of Pax Flag Pole: \$7,809

Kanawha Falls PSD Turbidity Meter: \$27,700.57

Kanawha Falls PSD Hydrants: \$86,494

Kanawha Falls PSD Dump Truck: \$96,168

Kanawha Falls PSD Baker Truck: \$29,040

City of Mt. Hope Streetscape: \$75,000

City of Mt. Hope Comp Plan: \$14,000

City of Mt. Hope Comm. Center Windows: \$10,000

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White Oak PSD Dump Truck: \$93,013

White Oak PSD Excavator: \$62,590.86

White Oak PSD Trailer: \$8,190

Gauley River PSD: \$100,000

North Fayette Food Bank (Valley): \$50,000

Smithers didn't have specifics. Will allocate:

Starting Points Preschool: \$150,000

Smithers Senior Center: \$100,000

Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision. \$1,996,665 total for Valley allocations to date.

County Wide

Soldiers Sailors Memorial Building: \$500,000

Health Department Vehicle: \$43,225

Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision. \$1,359,809 total for county wide allocations to date.

Trail Coalition - President Louisos stated we haven't started on the other project authorized last year through the ARC grant. Nothing has moved forward. Brittany Chaber reached out to NRGRDA with no response. Brian Good, Park Director, will get everyone together.

Commissioner Taylor stated there is still around \$800,000 unallocated and it has to be paid for by 2026 end. All projects receiving funds need to have expended their funds by the end, so if a project couldn't commit to that deadline, then it couldn't be considered.

Commissioner Brenemen mentions the point of these allocations were to take care of the entire county. While people have been talking about the pool, it would only benefit a small amount of the population for 3 months of the year. The ARPA money was spread throughout the county to benefit the most of the population. Food pantries, community center, some has gone to the park, expanding the courthouse. They committed to taking care of the entire county 3 years ago and he is proud of the commission for sticking to that commitment. Commissioner Taylor describes the allocations throughout the county.

The meeting was adjourned at 9:54 a.m.

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FAYETTE COUNTY COMMISSION

REGULAR SESSION

July 10, 2024

FAYETTE COUNTY COURTHOUSE

PRESENT: TOM LOUISOS, JOHN G. BRENEMEN, ALLISON R. TAYLOR

The Fayette County Commission met this 10th day of July, 2024.

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

Pledge of Allegiance

-Assessor Eddie Young: Exonerations, Orders to Combine or Divide Land, Refunds Danny W. Adkins etal \$880.82; The City of Smithers \$128.94 & \$288.94; Teddy G. & Charlotte Gray \$200.00; Rainelle Medical Center \$2,866.04; Julie A. & Timothy Poticher \$121.44; Twyla D. Westfall & Sandra Brown \$64.6; Terrance Leggett etal \$306.20; Gelongs to Montgomery \$211.64; Kess Springs LLC \$790.00; Norman F. & Sheila Ferguson \$267.48; Robert Shannon & Roberta Schoolcraft \$256.20; Carolyn Cuppage \$589.52; Ashley N. Miller \$319.34; Dillon Pomeroy \$93.00; Corintha Shanta Higginbotham \$232.10; Super Wash Inc \$199.84; Mark E. Aliff \$89.24; David Lee Roop \$405.04; Reva Jenkins \$256.20; John & Nakesha Jones \$134.50; Rebecca Lyn Butcher \$114.82; Joshua Wayne & Casi Evans \$327.40; Todd Anthony Slezak \$198.86; and David W. & Ginger Carte \$509.58. President Louisos motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Mr. Young inquires about the vacant office in the annex. The FCC says for him to speak with the County Administrator.

-Approve Payroll for July 26 President Louisos motions to approve. Commissioner Brenemen seconds. Unanimous decision.

-Approve Vouchers and Invoices Commissioner Taylor asks about NREI Invoices. Asks for clarification from Chris Burford and asks him to call in. Commissioner Taylor motions to approve all except NREI. President Louisos seconds. Unanimous decision.

-Approve Prior Meeting Minutes for June 26 Commissioner Brenemen motions to approve. Commissioner Taylor seconds. Unanimous decision.

-Approve Estate Settlements Paul Gary Critchley and Alice Jean Osborne. Attorneys Bradford and Fast present Lilly Estate. Bradford withdrawing objection as the \$10,000 issue was resolved. Fast proposed final accounting and no longer has any

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objections. Commissioner Taylor motions to approve all settlements. President Louisos seconds. Unanimous decision.

Discussion & Decision: Reappointment Request from Fayette County Library Board Commissioner Brenemen motions to reappoint Donna Smith, term to end June 30, 2029. President Louisos seconds. Unanimous decision.

Discussion & Decision: Original ARPA Requests-Ansted Ballfield Fencing & Kanawha Falls PSD Turbidity Meter, Manifold, Panel & Mounting Hardware Commissioner Taylor motions to approve these ARPA requests which were to be approved with initial list on Juen 26 but left off. President Louisos seconds. Unanimous decision.

Discussion & Decision: Coal Severance Budget Revision # 1 President Louisos motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: State Historic Preservation Grant for the Memorial Building Porch Commissioner Brenemen motions to approve and accept the grant. President Louisos seconds. Unanimous decision.

Discussion & Decision: Memorial Building Project Prioritization Postpone until hearing back from earmark and meeting with PRAB. They meet the 2nd Wednesday of next month. Last meeting in August. The porch restoration is the priority for now.

Discussion & Decision: Letter from Kanawha Falls PSD requesting the FCC to combine sewer services with Armstrong PSD and approval of letter to PSC nunc pro tunc. Commissioner Brenemen presents he attended PSC hearing. Charlotte Lane said WVAW would be taking over APSD sewer. Waiting on meeting notes to be published. Commissioner Taylor motions to approve their letter nunc pro tunc. President Louisos seconds. Unanimous decision.

Discussion & Decision: Contract with Sutter Roofing for CFIA funded Judicial Annex Roof Replacement Project Commissioner Taylor motions to authorize once it returns and Mr. Ciliberti reviews. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: ARPA Recipient Letter and Reporting Form Mr. Ciliberti will review forms. Commissioner Taylor motions to approve once Mr. Ciliberti reviews. President Louisos seconds. Unanimous decision.

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Public Hearing: Planning Commission Case Z-540-24-2: Request of Triple T's, Inc a WV Corporation, Owner, for a change in land classification from RR(Rural Residential) to PUD (Planned Unit Development) on property legally described as Surf 53.913 PT

Davis Lands Wolf Ck, New Haven District. Commissioner Louisos will abstained from this vote since he is the applicant requesting a zoning change.

Planning Commission denied the request. Commissioner Taylor states the reasoning is similar to the complaints about the visitor's center - increased traffic at intersections with Rt. 19. If this is the case, we will never have development anywhere due to increased traffic. Commissioner Taylor asks to send it back to the Planning Commission due to Josh Davis stating there wasn't enough information in his motion. Commissioner Louisos should be allowed to provide more information. Angela Gerald, Zoning Officer, explains that the application was complete. The Planning Commission would have to see the same application. Commissioner Brenemen says we have a board for a reason, and there is a Board of Zoning Appeals for these situations.

Commissioner Taylor motions to send back to Planning Commission. Commissioner Brenemen wants to go with the board's decision but sees Commissioner Taylor's concerns. And asks if there is even a process for sending it back to the Planning Commission. Ms. Gerald says it's never happened.

Mary Parsons, adjoining property owner, speaks. Says she was in this same hearing for the same project at 2005. No plan to develop. Has issues with the property not getting infrastructure and having to go across her property.

Greg Fernet speaks. Is against the plan. Issues with traffic. Margaret Staggers tried to get a stoplight there and DOT says no. There is not a complete plan. Commissioner Taylor says DOT could reassess due to more traffic now. And plans would be nice to know, but B2 allowable businesses are fine. Can't grow the county if we restrict. Mr. Fernet says Mr. Louisos should have to tell what the plan is and to figure out infrastructure.

Commissioner Taylor explains to Mr. Ciliberti (who was previously out of the meeting) the issue of the split vote. The Planning Commission has questions and should have postponed to get the questions answered first and get the desired information. Commissioner Brenemen says we have a board for a reason and should follow their recommendation, even though he agrees with Commissioner Taylor's concerns. The applicant has an opportunity to BZA next.

2024 Fayette County Commission Minutes

Commissioner Brenemen motions to enter into an executive session for legal advice at 10:21 a.m. Commissioner Taylor seconds. President Louisos does not attend the executive session and stays in the commission chambers. The commission returns at 11:12 a.m. with no decisions made.

Commissioner Brenemen motions to close the hearing. Commissioner Taylor seconds. President Louisos abstains. Motion carries.

Mr. Ciliberti states that the FCC will take this matter under advisement and rule at a later date. The ordinance says that the FCC has 10 days. There are legal issues that the FCC wants to flesh out under advisement. No decision on the matter will be made today.

Chris Burford appears on Zoom to explain NREI invoices. He satisfactorily explains the charges and reasoning. Commissioner Taylor motions to approve those vouchers & invoices. President Louisos seconds. Unanimous decision.

Discussion & Decision: Agreement 7-1-3U with the WV Conservation Agency Concerning Stream Restoration, Bank Stabilization & Blocakage Removal Work Mr. Ciliberti reviewed and is fine with the contract. Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

The meeting was adjourned at 11:41 a.m.

FAYETTE COUNTY COMMISSION

REGULAR SESSION

July 24, 2024

FAYETTE COUNTY COURTHOUSE

PRESENT: TOM LOUISOS, JOHN G. BRENEMEN, ALLISON R. TAYLOR

The Fayette County Commission met this 24th day of July, 2024.

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

Allison Ibarra leads the Pledge of Allegiance.

Exonerations, Orders to Combine or Divide Land, Refunds - Eddie Young: Mr. Young presented an order to Combine or Divide & Segregate Land for Babbette J. Warvel. Commissioner Brenemen

2024 Fayette County Commission Minutes

motions to approve. Commissioner Taylor seconds. Unanimous decision.

Mr. Young presents real property exonerations for Leroy & Penny Zemonek \$373.70; Keith Scott Cullers \$4.60; Clifford F. Whitney \$192.90; Eric L. Minter \$973.24; Pocahontas Land LLC \$7.70; Gary W. & Sandra Wingrove \$848.16; Roy Coleman, Sr. \$100.68; Carl D. & Tressa Murdock \$741.84; Larry F. Richardson, Jr. \$578.76; Kenneth Early & Shavanna Hope Thompson \$177.94; Kimberly Maxwell High Country House \$142.62; Charles Hannigan \$342.02; Terry King \$321.50; Carl E. & Tammy S. Stone \$508.82; Mark Fain \$899.22; Cameron M. Tolley \$1,490.32; Donald Ray Peters \$326.48; Kathy Marie Humphrey \$177.00; Morgan B. Hypes \$166.02; Kathy L. Wiles & Dolly Treadway \$322.42 & \$265.92; Sandra E. Sevy \$35.74; Susan Faye Gore \$980.14; Dennis Edward Bess \$209.52 & \$654.60; Timothy E. or Selina M. Vickers \$4,081.62; David & Karen Hamrick \$311.68; Thomas & Pamela Carpenter \$405.82; Kyle E. & Bethanie Thompson \$55.94 & \$56.12; Kathryn J. Williams \$1,298.94; Keith E. & Angela Foster \$401.98; Raynell D. & Rita Toler \$1,692.06; Louella Gibson \$220.18; Gaylord E. & Suzanne Shumaker \$1,910.90 & \$1,471.10; James G. & Susie Criss \$357.00; Sharon L. Richards \$276.00; John Allen Blankenship \$115.74, \$26.64, & \$28.48; Biggs Properties LLC \$1,051.46; Danny Lee Damron \$251.10; and Shane Phillip & Cierra Treadway \$2,284.16. Commissioner Brenemen
Commissioner Brenemen seconds. Unanimous decision.

Mr. Young presents a refund for John Allen Blankenship for \$166.58. Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Approve Payroll for August 9 Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Vouchers & Invoices Question about library 4th quarter installments. These need to function like fire levy reimbursements. Questions about Armstrong Creek and Chief Shannon Estep answers. Commissioner Taylor motions to approve all invoices except library. Commissioner Brenemen seconds. Unanimous decision.

Approve Prior Meeting Minutes for July 10 Commissioner Brenemen motions to approve. Commissioner Taylor seconds. Unanimous decision.

Approve Estate Settlements Virigina Allen AKA Virginia Ford Allen; Clifford Lowell Martin; Mitchell O'Neal; Larry Carl Pennington; Watson Thomas Terry, Sr.; Phyllis Jean Waddell; Mary Alice Webster. Commissioner Brenemen motions to approve. Commissioner Taylor seconds. Unanimous decision.

Exhibit A

Discussion & Decision: New bank agreements; Fire and Library Levy Funds. No need to vote, only need signatures.

Discussion & Decision: BOE Thank You Letter Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: GC Budget Revision & Resolution Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: Armstrong Creek Board Appointment PSD recruited Justin Murry. Commissioner Brenemen motions to approve. Commissioner Taylor seconds. Unanimous decision.

Discussion & Decision: Community Corrections BIPPS grant documents nunc pro tunc Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: Community Corrections Grant Documents Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: CFIA request for extension & project completion report for 20 Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: Contract with SHPO & covenant for FCMB porch project Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: Petition to Abandon Land Pesce Properties. Louis and Beth Fish and Carl Rose and Beth Fish. Family owners on each side of the abandoned land. Current contiguous owners have been taking care of the property. Want to put a fence. Gave notice to all residents on E Street out of an abundance of caution.

Neighbors Anthony Fish and wife object, saying they live on A Street and the property isn't abandoned. Phil Tissue states they don't have standing to bring an objection, as they do not live contiguous to the property. Son Steve Fish lives on E Street. Ms. Fish states the property was given to the citizens of Boomer by Union Carbide and the community cares for the property. Claims this is community and well used public river access. Says there are 114 houses in Boomer Bottom with access to the river. Mr. Tissue states no one from E Street is here. Mr. Fish says everyone works at this time and can't attend.

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There is a misunderstanding of the term abandonment. Mr. Fish says the grassy part is part of the road. He himself would like this property for a dock and to feed the geese.

Melissa Light lives on D Street. Was always told that property was fire access. Was told 20 years ago they couldn't do this same process to their similar adjacent property because of the fire access and they have a nice cleared space with steps.

Tony Fish speaks on Zoom. This is setting a precedent. Used as river access by community.

The commission enters into an executive session for legal counsel at 9:40 and returns at 9:50 with no decisions made.

Commissioner Taylor motions to deny the petition. Commissioner Brenemen seconds. Unanimous decision.

Commissioner Taylor describes findings. It's the commission's belief that the property is the community's access to the river. Approving the abandonment would deny this access. They don't want to create a precedent of only people with river front properties having river access. Don't want to restrict river access. Commissioner Brenemen says fire service may need to use that access to obtain water for the neighborhood. They may appeal to the Circuit Court.

Discussion & Decision: IUPAT Introduction David Bland attended the CCAWV conference and was advised to present to all commissions. Spoke about Helmut's to Hard Hats Veterans Program. IUPAT has been around since 1887. Describes training programs. FTI (Finishing Trade Institute.) Members reinvest into the training center. Only certified NACE training in the state. Empowered Women Program. Partnership with Job Corps (working with troubled kids to get them workforce ready.) Hire local, money stays local. Helps find contractors to bid on jobs.

Discussion & Decision: Air Evac Lifeteam/AirMed Care Presentation Eula Harper presents about membership. Biggest competitor is lack of knowledge. Membership covers entire household. Several municipalities and counties have provided coverage for their employees. Can also provide it directly to the employees for independent coverage. Would like the FCC to check back in about their decision. Commissioner Taylor says she will let the administrators discuss and reach out.

Discussion & Decision: HAVA Grant Request Clerk Holly said they need replacement batteries for all machines which were purchased in 2018. Grant is \$28,000 and is a 50/50 grant. Commissioner

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Brenemen motions to approve. Commissioner Taylor seconds.
Unanimous decision.

Discussion & Decision: ICE Collaborative update & proposal of Opioid Funds Teri Harlan presents. Commissioner Taylor states she approached Ms. Harlan about the opioid settlement. Integrated Community Engagement based on Iceland model. Targets youth for substance use disorder prevention. Prevention coalition. 7th-12 grade surveys. WVU collates data. This is the 5th year and the original funding about to end. Harm reduction program at FCHD. Mobile clinic in Page, Smithers, twice a month. HIV testing through Ryan White program. There are currently no HIV outbreaks in Fayette County now, but there are outbreaks all around us. Sending people to treatment daily. Don't always stay. Lots of work with the legislatures, but they are not always open to these programs. Ms. Harlan has watched throughout the state what other counties have done and doesn't always agree with their decisions. But they owe it to the struggling families to keep it going.

Dr. Kristjanson is looking for more funding. Has a draft budget. Understands this is early in the discussions. Commissioner Taylor states everyone wants to just build rehabs. Believes their biggest bang for their buck is on the kids' end. Get them before they get hooked. Ms. Harlan says prevention is the key to ending the epidemic.

Dr. Kristjannson spoke. Fayette County is doing a good job at prevention.

Katie Johnson talks about funding they originally lost due to no youth programs and no data, which they have both now. Only looking for solution-based conversations.

Discussion of marijuana, marijuana induced psychosis, Delta 8 and need for continued discussions about the availability at vape shops. Not the same marijuana as the 80's and it is not safe for undeveloped brains. Parent education is key but difficult.

Dr. Kristjannson said today's is 10 times as potent. Kids are lifelong consumers. Psychosis increasing. Need for more mental health. People need to understand what they are taking.

Ms. Johnson says there is no way to test at the school level what is in a vape, so it all gets called nicotine. Confiscated vapes can be tested outside of school and are showing up as marijuana.

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Commissioner Brenemen would like to see it run another 5 years for input. Commissioner Taylor suggests workshops like for ARPA funding and get all opioid epidemic stakeholders together. Look to the experts and include law enforcement.

Carrie Carr states funding ends September 30th. Ms. Harlan states they need \$260,000 a year to run the program, and that includes half of a peer recovery specialist's salary. Dr. Kristjansson is looking at a NIH grant but it's a year out. Will bring this back on an August agenda or a special meeting.

Discussion & Decision: Loup Creek VFD Fire Levy Funding Steve Cruikshank speaks for Jake Johnston, Chief. No invoices have been sent in for levy funds since 2019 as far as Mr. Cruikshank can tell from records. Just quit submitting and they've been living off of their \$60,000 state insurance money. Chief said they had nothing in the account so can't ask for reimbursements. Can't spend ahead. Commissioner Taylor says they need to get some money in their account so they can start asking for reimbursements. Asks Mr. Cruikshank for recommendations. He and Gia suggests they submit the reimbursements that would qualify, but there is an issue of it being beyond a fiscal year. Mr. Cruikshank suggests a \$5,000 advance, but it can't be from the levy. Has some money coming in from a powerline project property rent. Just not sure what the auditor would allow them to do with it and where to put it.

Commissioner Brenemen mentions a loan like for the PSDs. A loan until you get your reimbursements and then pay back the loan. Commissioner Taylor asks John Vernon for a suggestion. Penalty factor about state insurance monies if moving it back and forth.

Commissioner Brenemen motions to give LCFD \$10,000 loan to restart bills and work out a reimbursement. Not out of the fire levy, out of General County. Commissioner Taylor seconds. Unanimous decision. Mr. Ciliberti will draw up a loan agreement.

7. Discussion & Decision: Review & Approval of Resolution #8 for Armstrong Creek PSD Powellton Water Project Tank Replacement project They have a CDBG but not enough board members to vote and sign documents. Asking FCC to approve and sign for them. Commissioner Taylor motions to approve and sign the documents. Commissioner Brenemen seconds. Unanimous decision.

10. Discussion & Decision: SUA Agreement between FC 911 and Motorola Solutions Phillip Pack says the first year with the console was under the warranty. But the state has been paying the maintenance agreements since, and is turning it back to the counties stating it's the counties' equipment. 5-year agreement

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paid annually. Ties into the infrastructure statewide. Administrators will decide which fund it should be paid out of. Mr. Pack suggests contracted services. Commissioner Taylor motions to approve the contract. Commissioner Brenemen seconds. Unanimous decision.

The meeting was adjourned at 11:18.

FAYETTE COUNTY COMMISSION

EMERGENCY SESSION

August 1, 2024

FAYETTE COUNTY COURTHOUSE

PRESENT: TOM LOUISOS, JOHN G. BRENEMEN, ALLISON R. TAYLOR

The Fayette County Commission met this 1st day of August, 2024.

President Louisos called the meeting to order at 9:01 a.m.

Discussion & Decision: Appointment of Temporary Sheriff of Fayette County President Louisos explains why it is necessary to hold an emergency session. A sheriff's signature is necessary to process checks and invoices, including payroll.

Commissioner Taylor states the commission received official notice yesterday morning from Sheriff Fridley. He had to time things specifically for his own reasons which allowed for a very short turnaround. This was predicted, but did not materialize until the official notice of his resignation was received. The commission will appoint an interim sheriff as allowed by WV State Code, and accept applications starting today through August 6 to appoint a permanent sheriff for the remainder of Sheriff Fridley's unexpired term. A decision will be announced during the commission's regular meeting on August 7.

Mr. Ciliberti mentions the county commission can't conduct a meeting without providing 3 days' notice to the public unless emergency circumstances exist. And it could not be posted prior to receiving his official notice, giving cause for an emergency session. There is a significant issue with not having a sheriff in place due to treasury responsibilities.

Commissioner Taylor motions to appoint Chief Deputy Shannon Morris as temporary sheriff effective today. Consider and vote for a permanent sheriff on August 7th. Commissioner Brenemen seconded. Unanimous decision.

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Clerk Holly will swear in the temporary sheriff today and the permanent sheriff can do a formal ceremony later.

Mike Fridley speaks. Thanks the commission for support and raises. Agrees with their decision for Chief Deputy Morris. Confident in Morris' abilities if chosen as permanent sheriff. Thanks the county for letting him serve.

The meeting was adjourned at 9:06 a.m.

FAYETTE COUNTY COMMISSION

REGULAR SESSION

August 7, 2024

FAYETTE COUNTY COURTHOUSE

PRESENT: TOM LOUISOS, JOHN G. BRENEMEN, ALLISON R. TAYLOR (via Zoom)

The Fayette County Commission met this 7th day of August, 2024.

President Louisos calls the meeting to order at 9:00 a.m.

Prosecuting Attorney Anthony Ciliberti leads the Pledge of Allegiance.

Commissioner Taylor gives permission to stamp her name on documents.

Exonerations, Orders to Combine or Divide Land, Refunds - Eddie

Young: Tara Tyree presented real and personal property exonerations for Midway Campground & Resort \$1,215.00; William Coleman & Shawn Michelle Dempsey \$337.80; Tammy A. Armbruster \$7.70; Central Barbershop \$8.98; Gladys M. Hume \$21.92; Michelle L. & Ronnie C. Cox \$1,039.20; Richard D. Ramsey \$310.82; Donnette & Elaona Pack \$140.66; Teresa Lewis /Joe Tucker \$154.34; Danie or Vicki B. Parker \$939.24; Dorothy L. Gwinn \$19.22; Jackie H. & Pamela Butler \$358.86; Peggy Lou Harper etal \$86.08 & \$75.08; Janie M. & Terry Wickline \$416.32; Dale Allen Fox \$161.68; Brucella Jordan \$186.48; Donald W. & Karen Sue Hogan \$256.20; DC Malcom \$7.70 & \$7.70; Verna Del Villar \$428.12; Chirstine Renee Holdren \$281.32; John Wesley & Della Nicholas \$7.68; Kaitlyn Oleta Coleman \$152.56; William L. & Tenia Odell \$206.00; Sarah E. & Brandon Shawver \$977.86; Judith An Harris \$7.70; Lewis C. & Mary Reynolds \$602.94; Jason D. & Stacy Thomas \$2,131.92; Chistina Renee Thomass \$287.38; Crystal Gail Arbogast \$381.38; Jimmy Louis Scott \$777.82.

Commissioner Brenemen motions to approve. President Louisos Unanimous decision.

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Commissioner Brenemen motions to approve the correction of assessment. President Louisos seconds. Unanimous decision.

Commissioner Brenemen motions to approve orders to Combine or Divide & Segregate Land for Adam Pruit, and Roy & Deta Duncan. President Louisos seconds. Unanimous decision.

Approve Payroll for August 23 President Louisos motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Vouchers & Invoices President Louisos motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Approve Prior Meeting Minutes for July 24 and Aug 1 Commissioner Brenemen motions to approve. President Louisos seconds. Unanimous decision.

Approve Estate Settlements Donzell Amrie Atha; Hershiel Hollis Hayden, Sr.; and Judith Shawkey. Commissioner Brenemen motions to approve. Commissioner Taylor seconds. Unanimous decision.

Commissioner Brenemen motions to approve the order for the estate of John Addison Alexander, Jr. being recommended by the Special Fiduciary Commissioner, Gavin G. Ward. Commissioner Taylor seconds. Unanimous decision.

Discussion & Decision: Selection and Appointment of Interim Sheriff Commissioner Brenemen motions to enter into an executive session for personnel related matter at 9:05 a.m. Commissioner Taylor seconds.

The Commission returns at 9:31 a.m. with no decisions made.

Considered the 3 applications received. John Cashion, Pat Tygrett, Jr. and Shannon Morris. Have to be a registered independent. Mr. Cashion was not registered independent until this Saturday, so has to be disqualified. Based on experience, Mr. Morris is best candidate. Competent patrolmen when Commissioner Taylor was assistant prosecutor 10 years ago. His plan to appoint sheriff candidate Jess McMullen as chief deputy is the best-case scenario for continuity. Other candidates have law enforcement experience but no treasure experience.

Commissioner Taylor motions to appoint Shannon Morris as Sheriff. Commissioner Brenemen seconds. Unanimous decision.

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Sheriff Morris thanks the commission. Says this is the best department in the state and will keep that going for the next 5 months. August 19th is the swearing in as chief for Mr. McMullen.

Discussion & Decision: ICE Collaborative Funding Commissioner Taylor recounts the issue from the last meeting. There is a gap in grant funding due to the timing of the cycles. Over \$1 million in the opioid account. Teri Harlan says they need ne\$289,953 for program for one year to buy time till more grant funding is available. The commission will advocate for any funding they need. Commissioner Taylor motions to allocate \$289,953 from opioid funding. President Louisos seconds. Unanimous decision.

Discussion & Decision: Board Discussion and Review Commissioner Taylor describes that several boards need members, reconstituting or evaluation of need. This will be revisited on 8/21. Vacancies will be advertised with state code for purpose and time commitment. A letter will be sent to each board asking to update rosters and explain the reappointment process. Commissioner Taylor motions to advertise for vacancies and draft a letter to the boards for 8/21. Commissioner Brenemen seconds. Unanimous decision.

Exhibit A

Discussion & Decision: Extend emergency absentee order & notice for election President Louisos Commissioner motions to approve the orders. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: Ansted Sidewalk Project and 2nd Health Dept. Vehicle (Original ARPA requests) Ansted Mayor Steve Pridemore says there is a disconnect between Region 4 and EL Robinson Engineering. Each thought the other was communicating with DOH about both grants. Proposed work won't be done until 2026 if they are awarded funding in the next grant cycles. Commissioner Taylor requests Region 4 t appear on 8/21 to explain.

Commissioner Taylor motions to approve a second vehicle for the Health Department using ARPA funds. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: Board Appointment to Community Corrections Commissioner Taylor motions to approve Jack Bounds as the Substance Abuse representative. Commissioner Brenemen seconds. Unanimous decision.

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Discussion & Decision: September 4th meeting Commissioner Taylor motions to cancel due to the timing with the Labor Day holiday. President Louisos Unanimous decision. A special meeting can be called later if needed.

Discussion & Decision: Contract with Frontier for Dedicated Internet Access- New Phone System Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: Letter to DOH regarding Lakota Road Repairs President Louisos motions to approve. Commissioner Taylor seconds. Unanimous decision.

Discussion & Decision: Adventures on the Gorge Music Festival letter Nunc Pro Tunc Commissioner Taylor motions to approve nunc pro tunc (due to WV ABC timing regulations of notification, the letter was provided to the vendor prior to the meeting.) Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: Coal Severance Budget Revision President Louisos motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: CFIA Completion Report President Louisos motions to approve. Commissioner Brenemen seconds. Unanimous decision.

The meeting was adjourned at 10:05

FAYETTE COUNTY COMMISSION

REGULAR SESSION

August 21, 2024

FAYETTE COUNTY COURTHOUSE

PRESENT: TOM LOUISOS, JOHN G. BRENEMEN, ALLISON R. TAYLOR (via Zoom)

The Fayette County Commission met this 21st day of August, 2024.

President Louisos calls the meeting to order at 9:00 a.m.

Gia Tyree leads the Pledge of Allegiance.

Exonerations, Orders to Combine or Divide Land, Refunds - Eddie Young: Cindy Hysell presents real property exonerations for Marilyn Louise Brown \$869.92; Robert Allen Dobson \$1,243.88; Carla J. & Kevin Garlow \$983.94; Christopher Ryan & Teresa \$1,438.38; Smokers Depot \$208.44; Rons Pawn Shop \$7.90; Doris A Broach \$101.96; John Dickerson Jr. etal \$326.48; Cody Lee Darby

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\$1,352.34; David Ray & Mary Ann Crist \$1,008.16; Chris C. or Janey M. Marty \$908.50; Terri C. Souder \$265.92; Clella R. Smith \$377.78; Joseph B. & Karen Canterbury \$469.64; Brian S. Myers \$266.38; Campsite LLC \$928.48; Ted W. Parrish \$7.68; Prestige Park LLC \$288.02; H3LLC \$7.70; Oneal Machine Repair Inc \$111.42; James & Geral Scott \$1,334.90; Paula J. Fox \$116.68; George Matthew Lechalk \$446.40; Bobby & Peggy Barger \$913.48; Shannon B. Burrell \$490.70 & \$468.80; Maurice Albert Alouf \$1,150.60; Amanda & Tomas Young \$528.66. Commissioner Brenemen motions to approve. President Louisos seconds. Unanimous decision.

Ms. Hysell presents order to combine or divide & segregate land for Greg L. & Angel Thomas; and Kenneth Edward Fox. Commissioner Taylor motions to approve. President Louisos seconds. Unanimous decision.

Approve Payroll for September 6 President Louisos motions to approve. Commissioner Taylor seconds. Unanimous decision.

Vouchers & Invoices President Louisos motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Approve Prior Meeting Minutes for Aug 7 Commissioner Brenemen motions to approve. President Louisos seconds. Unanimous decision.

Approve Estate Settlements Johnny Raymond Clark; Jack Eward Vance, Jr.; Jerry Don Wickline; and Audrey Frances Young. Check Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Gia Tyree- Exhibit A

Discussion & Decision: Armstrong Creek PSD Board Appointment Commissioner Brenemen motions to approve. President Louisos seconds. Unanimous decision.

Discussion & Decision: Resolution #9 for Armstrong Creek Lesley Taylor presents the drawdown for invoice from E.L. Robinson for Powellton Water Tank Project. President Louisos motions to approve. Commissioner Taylor seconds. Unanimous decision.

Ms. Taylor asks about process for drawdown now that there is a full board. FCC agrees it should go back to the normal process.

Discussion & Decision: Letter to Boards Regarding Rosters, Expired Terms, and Appointments Commissioner Taylor motions to

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approve. President Louisos seconds. Due to the quantity of letters, they will be stamped. Unanimous decision.

Discussion & Decision: Letter to Southern Soil Conservation District Regarding Pax Creek Issues President Louisos motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: Letter to Department of Highways regarding Wonderland Road Issues Revisions will be made. Commissioner Taylor motions to approve letter in theory - further edits needed. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: EMS Survey for Signature President Louisos motions to approve. Commissioner Taylor seconds. Unanimous decision.

Discussion & Decision: Prosecutor Hire for Approval Nunc Pro Tunc Prosecuting Attorney Anthony Ciliberti presents that he hired Ethan Brogan to fill a vacancy. Mr. Brogan is working to be admitted to WV Bar, which now transferring test results between states. Commissioner Taylor motions to approve the hire effective 8.19. President Louisos seconds. Unanimous decision.

Discussion & Decision: Letter to Public Service Commission Opposing Rate Increase for AEP President Louisos motions to approve. Commissioner Taylor seconds. Unanimous decision.

Discussion & Decision: Decision: September Meeting Date Change Commissioner Taylor motions to move the September 18th meeting to September 11th. President Louisos seconds. Unanimous decision.

Discussion & Decision: Recommendation to appoint Fiduciary Commissioner for Gregory Allen Stickler Estate Mr. Ciliberti advises that under the open meetings act, we have to give sufficient notice and this item is not noticed correctly. Approving recommendations of the fiduciary commissioner. Commissioner Taylor motions to postpone till 9/11 for proper notice. President Louisos seconds. Unanimous decision.

Discussion & Decision: Request from Ansted for Property Transfer Mayor Steve Pridemore states that before they put \$14 million into water upgrades, they need to fix the ownership of the land. The county commission currently owns the parcels. Asking for it to be transferred and has a deed prepared. Commissioner Taylor motions to postpone till September 11th for

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time to review the deed. President Louisos seconds. Unanimous decision.

Ansted Sidewalk Project Funding - Mayor Pridemore updates that the issue with the trestle grant application is fixed. A meeting at 2:00 p.m. today will confirm the fix.

Mayor Pridemore is requesting \$433,728.83 the town's match for the sidewalk grant. Presented months ago, and it was inadvertently left off of initial ARPA list. Commissioner Taylor approves to fund from ARPA, contingent on DOH's approval of project. President Louisos seconds. Unanimous decision.

The commission took a break from 9:22 am until 9:30 a.m.

Discussion & Decision: Fayette County Community Foundation Support Letter and Potential Funding

P.J. Stevenson presents about the foundation. She hopes to increase access to community centers, ballcourts, multipurpose fields, and improve county and town parks, and outdoor spaces. The foundation can fundraise in ways the county can't. Chapman Technical assisting with numbers for their budget. Deadline for grant submissions was extended to October 11. Ms. Stevenson needs a letter of support and financial assistance with a match. Commissioner Taylor motions to approve the support letter and allocate the \$10,000 match. President Louisos seconds. Unanimous decision.

Commissioner Taylor asks for a copy of the study once completed. Wants to work comprehensively with FCC about their properties.

The meeting was adjourned at 9:40 a.m.

FAYETTE COUNTY COMMISSION

SPECIAL SESSION

August 22, 2024

FAYETTE COUNTY COURTHOUSE

PRESENT: JOHN G. BRENEMEN, ALLISON R. TAYLOR Absent: Tom Louisos

The Fayette County Commission met this 22nd day of August, 2024.

Commissioner Brenemen calls the meeting to order at 10:00 a.m.

Prosecuting Attorney Anthony Ciliberti leads the Pledge of Allegiance.

**Vote and Decision on Planning Commission Case Z-540-24-2:
Request of Triple T, Inc., a WV Corporation, Owner, for a change
in land classification from RR(Rural Residential) to PUD**

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(Planned Unit Development) on property legally described as Surf 52.913 PT Davis Lands Wolf Ck, New Haven District.

The Public Hearing on the application was held on July 10, 2024 and no further evidence or argument will be heard on the matter. During the Special Meeting, the Fayette County Commission will vote and render its decision on the application.

Mr. Ciliberti recounted the previous meeting and explained that today's purpose is for the commission to vote on the application and announce its decision. The public was able to give comment at the July 10th meeting. Asks for civility and calm behavior.

A neighbor says this is the first he knew. Ordinance says that notification requirements are for 250 feet from property in question. Margaret Staggers says that gentleman was in Cleveland Clinic. Mr. Ciliberti says that its unfortunate reality that all effected neighbors were notified, but can't be expected to accommodate all of the public.

Steve Louisos asks about 10 days. Mr. Ciliberti explains the UDC says the County Commission should endeavor (try) to render a decision within 10 days. It's not a definite time frame. Commissioner Taylor explains due to the split decision between her and Commissioner Brenemen, Mr. Ciliberti needed to research, there were scheduling conflicts, and today was the first available date. Commissioner Brenemen spent significant time researching previous zoning cases.

Commissioner Brenemen has a handout for the public. Says casinos are not allowable by the legislature so that's a non-issue.

Zoning Officer Angela Gerald reads the rules for the reclassification requests. Planned development is requested. That means it is your plan, determined by the owner. The FCC and attendees review the parcel maps. Commissioner Brenemen reviewed the property in person. Didn't see survey stakes himself. But parcel maps are not required by code. Has car counts for surrounding areas from Region 4 on April 30, 2024 for heaviest 8-hour travel periods. Read the counts for many intersections.

Relevant counts for this property:

Turning into Sheetz- 886

Hinkle towards Dove's - 462

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Hinkle towards Exxon - 298

Appalachian toward Kroger - 578

Commissioner Brenemen says on 9/11 the FCC will have a Discussion & Decision on UDC upgrades. Too many ambiguities and corrections to be made. Would like to see what the utilities would be. Don't need to know their business plans. Too many proprietary issues there. Should have a survey. A commercial building permit in Fayette County says Zoning has to be approved, survey, detailed construction plans, structure, plumbing, HVAC, electrical and fire protection, well and septic from health department or water and sewer from a company. Contractor license number. Designs and blueprints. Assessors statement. Compliance report for energy, fire marshal approval.

Commissioner Taylor is concerned about how the Planning Commission handled their hearing. Three out of five members were present. One had a very clear conflict of interest, but she doesn't think it was intentional. Another member didn't vote. Someone voted against it because he didn't have a plan. And that's not a criterion. Agrees with what Commissioner Brenemen said. Shouldn't have to disclose proprietary information. Agrees that there are updates needed to the UDC. Reviewed other zoning. Other commercial and light industrial adjoining and residential. Considered the comp plan and the FCC has prioritized infrastructure and econ devel. Public comments - people who have competing business interest and people who live nearby. Safety issues - lights can always be put in later. The Department of Highways will have to assist and study. Disagrees with the proposed infrastructure issues. Commissioner Taylor believes that's a property owner issue. Maybe not with septic because that's a Health Department problem. Infrastructure for water and electric is the property owner's issue. Not a zoning issue. Proximity to residential homes. Property owner has included a several hundred foot buffer. Commissioner Taylor looked at it as if she were a resident. They are not being asked to put a gas station in the middle of a neighborhood. Thinks its in the best interest of the county to overturn the recommendation of the Planning Commission. This will allow tax revenue.

Commissioner Taylor motions to overturn the Planning Commission's recommendation. Mr. Ciliberti asks for clarification. Commissioner Taylor revises to motion to reject the recommendation of the planning commission and approve the rezoning application.

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Commissioner Brenemen asks Ms. Gerald to make sure the committee and chair understands what their jobs are. To make sure they know what they are looking at, and understand their jobs.

Commissioner Taylor asks that a lawyer assist Ms. Gerald with this. Commissioner Taylor wanted to send it back to Planning Commission but Mr. Ciliberti said you can't force them to re-vote. Commissioner Brenemen says that an email from applicant to zoning officer showed that the applicant had the opportunity to sell but couldn't with it zoned this way.

Commissioner Brenemen says following the UDC as it stands, the applicant asked and there is nothing stopping it. Seconds the motion. Unanimous decision.

10:39 adjourn.

FAYETTE COUNTY COMMISSION

REGULAR SESSION

September 11, 2024

FAYETTE COUNTY COURTHOUSE

PRESENT: JOHN G. BRENEMEN, ALLISON R. TAYLOR, TOM LOUISOS (via Zoom)

The Fayette County Commission met this 11th day of September, 2024.

Commissioner Taylor calls the meeting to order at 9:00 a.m.

Commissioner Taylor ask for Moment of Silence for 9/11.

Delegate Eric Brooks leads the Pledge of Allegiance.

Exonerations, Orders to Combine or Divide Land, Refunds - Eddie

Young: Tara Tyree presented exonerations for ARL Properties \$124.94, \$156.18, \$132.28, \$284.76, \$128.60, \$163.50, \$549.00, \$23.88, \$46.86, \$170.84; Phillip R. Davis \$7.70; Dorothy Jarvis \$7.70; Kristen Hoeckel \$170.98; David Bernier \$152.60; Kevin & Meliah Biggs \$4,645.98; Nissan Infiniti Lease Trust \$408.90; Ace Adventure Gear \$22,993.10; Alexis Gannon \$63.02 & \$81.46; WV Adventures LLC \$15.36, 16.90, & 12.22; Ryan Casey Richmond \$306.80; Thomas B. & Dierdre Duff \$2,127.14; Ahsley N. Scarbrough \$288.48 & \$288.60; Stephen L. & Melissa Skaggs \$330.88; CAB East LLC \$453.08; 667.00, & \$1,017.24; Debbie L. Kibler \$7.70; Daniel B. Jr. & Bruce OP. Benda \$1,295.60 & \$804.48; and Deborah G. & Mitchell A. Aide Jr. \$181.88.

Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

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Ms. Tyree presents a refund for Maurice Aliff for \$560.91. Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Ms. Tyree presents Orders to Combine or Divide & Segregate Land for Samuel Jr. & Jean B. Comer; Bryan K. & Teresa L. Bench; and Christina & John Ball. Commissioner Brenemen motions to approve. Commissioner Taylor seconds. Unanimous decision.

Approve Payroll for September 20 Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Vouchers & Invoices Commissioner Brenemen has issues with the Fire Association's request for reimbursement. Until we can get further details Commissioner Brenemen wants to hold off. Commissioner Taylor spoke of concerns with levy funding and the purpose of Fire Training facility. Commissioner Taylor suggests sending a letter to fire departments reminding them of the purchase policy. Commissioner Brenemen motions to approve all vouchers & invoices except for the fire training center request. Commissioner Taylor seconds. Unanimous decision.

Commissioner Taylor motions to approve Fire Prevention materials request, pending legal advice on which fund it will come from. Commissioner Brenemen seconds. Unanimous decision.

Approve Prior Meeting Minutes for Aug 21 Commissioner Brenemen motions to approve. Commissioner Taylor seconds. Unanimous decision.

Approve Estate Settlements Virginia Anders; Hugh Rodney Clonch; Viola Geraldine Copley; Louie Craze; Everette J. Elder; Gladys Joan Foster; Billy James; Betty Jo Lilly; Louis Martin; George Elbert Miller; Elsie Betty Parker; Charles Franklin Petry; Helen Marie Romage; Victor J. Romage; Jean Yvonne Secrist; and Garnet Ramona Simms. Commissioner Brenemen motions to approve, Commissioner Taylor seconds. Unanimous decision.

Recommendation of Fiduciary Commissioner- County Clerk Michelle Holly Ms. Holly discussed the Stickler Estate. Issue with administratrix. Asking the FCC to approve order with recommendations of Fiduciary Commissioner. Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Approve Final Order Approving Receipts, Disbursements, and Distribution Affidavit for the Estate of Nora M. Reed

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Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Ruth Lanier- Exhibit A

Discussion & Decision: Approve Election Official Lists for November Ms. Holly presents lists. Commissioner Taylor suggests a survey for poll workers to see how to improve the experience. Commissioner Taylor motions to approve the lists. Commissioner Brenemen seconds. Unanimous decision.

Approve Early Voting Locations: Memorial Building, Green Valley UMC, and Montgomery Community Center. Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: HAVA Grant Ms. Holly will replace the backup batteries for voting equipment. Asking the FCC to accept the grant. Commissioner Taylor motions to accept. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: Quote from WVU Law Clinic to Review and Update Unified Development Code. Commissioner Taylor would like to have some changes made to the quote and would like a meeting with WVU Law regarding the goals of the County Commission. Would like to have new deadline dates. Commissioner Taylor made motion to accept quote not to exceed \$40,000. Commissioner Brenemen seconds. Unanimous decision.

Discussion and Decision: Circuit Clerk Employee- Nunc Pro Tunc- Kelly Weese. Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Discussion and Decision: Appoint Board Member Bill Hauer to the Solid Waste Authority. Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Discussion and Decision: ABC Acknowledgement for Dark N Dusty Mobile Bar Service Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Authorize County Administrator to Sign ABC Acknowledgement Letters Commissioner Taylor motions to authorize the County Administrator to sign ABC acknowledgement letters. Commissioner Brenemen seconds. Unanimous decision.

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Discussion and Decision: Support Letter as a Standing Item on Each Agenda No action. Will keep as current policy that is already in place.

Discussion and Decision: MTR Electrical Service Contract Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Discussion and Decision: Transit Authority Board Discussion Commissioner Taylor motions to appoint Commissioner Brenemen. President Louisos seconds. Unanimous decision.

Discussion and Decision: CFIA Grant Application Will focus on life hazards. Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Discussion and Decision: REAP Grant Discussion Angela Gerald asks what amount the commission would like to request. And whether or not to include municipalities as part of grant application. Discussion on commercial and residential needs and which commercial structures to include. Commissioner Taylor motions to apply for a \$1 million dollar grant. Commissioner Brenemen seconds. Unanimous decision.

Discussion and Decision: Approve Publication of RFQ for Memorial Building Porch Grant Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Discussion and Decision: Emergency Purchase of Vehicles for Animal Control and Building Department Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: Armstrong PSD Lesley Taylor presents the Sanitary Sewer Survey. Cost is \$80,000 . Will apply for a WV IJDC grant, however they only fund 50%. Armstrong has to have a commitment for the other half (\$40,000.) Applications are accepted on rolling basis. Have until October 10th. Commissioner Taylor had some questions regarding the status of Armstrong PSD. Commissioner Taylor requests attorney for Armstrong Creek be present at another meeting. Commissioner Taylor motions to postpone until October 2nd. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: Ansted Property Transfer An updated deed with corrections from Prosecuting Attorney was presented.

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Commissioner Taylor motions to approve the transfer.
Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: Response to Bailey and Wyant

Commissioner Taylor motions to go into executive session at 10:00 a.m. to seek legal advice for Waiver of Conflict of Interest from Bailey and Wyant regarding the Opioid Settlement. The commission returned from executive session at 10:15 a.m. with no decisions made.

Commissioner Taylor motions to sign Waiver of Conflict of Interest. Commissioner Brenemen seconds. Unanimous decision.

The meeting was adjourned at 10:20 a.m.

FAYETTE COUNTY COMMISSION
EMERGENCY SESSION
September 13, 2024
FAYETTE COUNTY COURTHOUSE
PRESENT: JOHN G. BRENEMEN, ALLISON R. TAYLOR (via ZOOM)
Absent: Tom Louisos

The Fayette County Commission met this 13th day of September in an Emergency Session.

Commissioner Taylor called the meeting to order at 1:48 p.m.

JAK Kincaid, OEM Chief of Operations and Preparedness met with the Fayette County Firemen's Association last night and was advised by the Oak Hill Fire Chief and Nicholas County Office of Emergency Management that the Fayette County Commission should implement a countywide outdoor burning ban. Conferred with Sheriff Morris and Prosecuting Attorney Anthony Ciliberti to make sure the deputies have the authority to make arrests as needed. This is allowable by WV State Code 15-5. Mr. Kincaid will make sure the Sheriff has the code available for his deputies to reference.

Commissioner Taylor motions to issue a fire ban per the recommendation of the Fayette County Firemen's Association and Mr. Kincaid. The commission staff will prop a press release and distribute it to the media and via our social media and website. Commissioner Brenemen seconds. Unanimous decision.

The meeting was adjourned at 1:52 a.m.

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FAYETTE COUNTY COMMISSION

REGULAR SESSION

October 2, 2024

FAYETTE COUNTY COURTHOUSE

PRESENT: JOHN G. BRENNEMEN, TOM LOUISOS, ALLISON R. TAYLOR (via Zoom)

The Fayette County Commission met this 2nd of October, 2024.

President Louisos calls the meeting to order at 9:00 a.m.

Clerk Michelle Holly leads the Pledge of Allegiance.

Exonerations, Orders to Combine or Divide Land, Refunds - Eddie Young:

Mr. Young presents real and personal property exonerations for Jesse Jr. & Georgie Roark \$518.04; M & J Operation LLC \$478.48, \$520.12 & \$520.12; Vance Painting \$7.70; Kartias Klassico \$1,025.40 & \$1,051.24; Roger Lee Skaggs \$59.50; The Muddy Mosse LLC \$268.24; Lively Properties LLC \$851.70; Oil Chemical & Atomic Workers Local \$523.04 & \$474.28; Timothy Foster \$33.68 & \$31.14; Custom Creations Bakery \$26.82; Joey W. & Vivian Donelow \$126.36; Darrell Wayne or Vickie Ewing \$1,084.20; Jeremy Webb & Teresa Hypes \$1,301.20; Lisa R. or Clinton Richardson \$453.94; Tammy & Jerry Martin \$1,361.26 & \$1,398.60. Commissioner Brenemen motions to approve. President Louisos seconds. Unanimous decision.

Mr. Young presents a refund for Lively Properties LLC for \$841.05. Commissioner Brenemen motions to approve. President Louisos seconds. Unanimous decision.

Approve Payroll for October 4 President Louisos motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Vouchers & Invoices Commissioner Taylor asks about the fire storage facility in Fayetteville. Steve Cruikshank says its storage for the training facility that they've had for a long time. There are new containers at the facility but no time to move the stuff down since the Fire Coordinator was removed. Commissioner Taylor asks for clarification if this is a Fire Association or Fire Department expense. Who owns the equipment? Mr. Cruikshank says some is for the entire county, some is for individual departments. Commissioner Taylor asks whose name is on the lease. Mr. Cruikshank used to have everything under FC Fire Services. But it could be Fire Association. President Louisos suggests that the commission hires movers to move the equipment and get away from the monthly \$220 bill. Mr. Cruikshank says the Fire Association is there to protect the people of FC with fire services. If it's owned by the Fire Association, it also belongs to the fire departments. Commissioner Taylor motions to approve all invoices but storage facility until it can be ironed out. Commissioner Brenemen seconds. Unanimous decision. Commissioner Taylor motions to give Ruth Lanier permission to hire movers. President Louisos seconds. Unanimous decision.

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Approve Prior Meeting Minutes for September 11 a 13 Commissioner Taylor asks that the minutes be corrected to say Delegate Eric Brooks. Commissioner Brenemen motions to approve as amended. President Louisos seconds. Unanimous decision.

Approve Estate Settlements Sharons Louise Canterbury; Sheila Gaye Dickerson; Winfred Carl Kincaid; Jennings Dale Martin; Artheller Minnis; Rufus M. Simpson, Jr.; James Z. Smith; David Hack Tamplin; Joyce V. Willis. Commissioner Brenemen motions to approve. President Louisos seconds. Unanimous decision.

John J. Droppleman Estate Carl Harris explains the estate. There was a final settlement with Mrs. Skaggs, daughter. And account was held open to pay taxes, but she never used it to pay the taxes. Paid from her own account. She died this year and had a trust set up for her grandchildren. There is about \$11,000 in that account. Son is a physician in Utah and asked for Mr. Harris assistance. Filed a petition to become Special Commissioner to sign the necessary documents to transfer those funds to her estate. No need to reopen the estate. Just needs to close out the account. Commissioner Taylor motions to approve Carl Harris as Special Fiduciary over this estate. President Louisos seconds. Unanimous decision.

Shannon Morris to Ricky W. McMillion. Postpone to 10/16 per Anthony Ciliberti. President Louisos motions to postpone to 10/16. Commissioner Taylor seconds. Unanimous decision.

Ruth Lanier- Exhibit A

Discussion & Decision: Burn Ban Review - JAK Kincaid, Chief of Emergency Preparedness and Operations, suggests lifting. Commissioner Brenemen motions to approve lifting the ban. President Louisos seconds. Unanimous decision.

Discussion & Decision: Financial Statement. Commissioner Brenemen motions to approve and publish. President Louisos seconds. Unanimous decision.

Discussion & Decision: Armstrong Creek Resolution Kay Casto & Chaney - Commissioner Brenemen says it should only say water. Doesn't want to sign until that is corrected. Commissioner Brenemen says meeting scheduled for 10/11. Commissioner Taylor motions to postpone till 10/16. President Louisos seconds. Unanimous decision.

Ms. Lanier mentions a support letter postponed from last meeting. Lawyer was supposed to respond. That will wait till after 10/11.

Discussion & Decision: WVU Law UDC Update - Angela Gerald, Zoning Officer, and Jesse Richardson, WVU Law Clinic, gave an updated proposal. FCC would like to meet before they address the Planning Commission to articulate priorities based on comprehensive plan. Also

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confer with FCC before penultimate draft before the FCC approves. Questions about Planning Commission and utility requirements at hearings. Commissioner Taylor asks if there is a way to prevent further issues. Are there training or best practices available. For Board of Zoning Appeals, too. Mr. Richardson says yes there is training available. Assistance with bylaws. Mr. Richardson says it's common for these boards to not have had training. Commissioner Taylor would like to stay involved in conversations with Ms. Gerald and Mr. Richardson.

Discussion & Decision: Gainwell Tax Incentives - Jina Belcher, NRGDA, presents. This is the first US location, in Hico. Discussed potential incentive. PILT agreement is for 5 years. Based on real and personal property. Increase based on 5% increase. Invested \$1.5 million in the real estate. \$22.5 million in inventory. Jason Sizemore, General Manager, speaks. Felt that Fayette County as the North American headquarters would be successful and contribute back to community. \$4.5 million in payroll in 2 years. Sponsor local youth sports. Mining company and it fits well here. 60% of the 13 acres is available for development. Jina asks FCC to consider the 5-year PILT as proposed. EY these are projections and will be 75% of the actual value so that it doesn't affect the county budget. Commissioner Breneman motions to approve. President Louisos seconds. Unanimous decision.

Discussion & Decision: WV First Foundation Initial Opportunity Grant Application for Community Corrections President Louisos motions to approve. Commissioner Breneman seconds. Unanimous decision.

Discussion & Decision: Homeland Security Grant Supplemental Solicitation for OEM and LE Commissioner Taylor approves. Commissioner Breneman seconds. Unanimous decision.

Discussion & Decision: Family Resource Network Letter of Support This is the same grant as for the DRC but a different area of funding. FRN helps with New Haven area youth and school programs, primarily esports. Parent Cafes assist with the isolations of Covid, school consolidations, etc... Would like to Mega Brain for middle school presentations. Only expenses are the purchases and would be within the year timeframe. President Louisos motions to approve. Commissioner Breneman seconds. Unanimous decision.

Discussion & Decision: Seed Sowers Letter of Support Nunc Pro Tunc Commissioner Taylor motions to approve. President Louisos seconds. Unanimous decision.

Discussion & Decision: DOH Letters Regarding Gwinns Siding Road and Henry Loving Road Henry Loving Road: Commissioner Breneman says Ansted will take care of this road in the next 2 weeks. President

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Louisos motions to send Gwinns Siding Road letter. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: Letter Recognizing Fayette Student Essay Winner and Fayette Student for National Merit Scholar Award National Merit scholar is a commended student. Commissioner Taylor motions to approve and send both letters. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: Civil Service Commission Appointment Commissioner Brenemen motions to appoint Rodney Perdue, II. Commissioner Taylor seconds. Unanimous decision.

Discussion & Decision: Appoint JAK Kincaid as Commission Representative on Bridge Day Commission Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

The Commission entered into an Executive Session at 10:02 am for legal counsel and exited at 10:18 a.m. No decisions were made.

Discussion & Decision: Fire Prevention Training Center Letter of Support Commissioner Taylor motions to postpone this discussion until 10/16 and asks that Fire Association have whomever was advising them on this request appear as well. President Louisos seconds. Unanimous decision.

The meeting was adjourned at 10:19 a.m.

FAYETTE COUNTY COMMISSION

REGULAR SESSION

October 16, 2024

FAYETTE COUNTY COURTHOUSE

PRESENT: TOM LOUISOS, JOHN G. BRENEMEN, ALLISON R. TAYLOR

The Fayette County Commission met this 16th of October, 2024.

President Louisos calls the meeting to order at 8:00 a.m. at the Fayette County Soldiers and Sailors Memorial Building for Early Voting Election Machine Tests.

Clerk Michelle Holly, Prosecuting Attorney Anthony Ciliberti, Commissioners Taylor and Brenemen, Elections Clerk Sara Tucker and Ballot Commissioner Edna Wriston all cast ballots. Richard Vest, Republican Ballot Commissioner was not in attendance. All reports were zero - valid test.

The meeting was recessed until 9:00 a.m. and reconvened at the Fayette County Commission Chambers.

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Commissioner Allison Taylor led the Pledge of Allegiance.

Commissioner Brenemen states that the election test was valid.

Assessor Eddie Young: Exonerations, Orders to Combine or Divide Land, Refunds

Tara Tyree presented an Order to Combine, Divide or Segregate land for Robert & Dinah S. Bailey. Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Ms. Tyree presents Real Property exonerations for Gainwell Engineering Inc \$6,563.20 & \$16,199.02; Joel B. Jr. or Rebecca Rinehart \$508.82; Tina K. Sorrell \$702.50; Michael W. or Kimberly Adams \$252.10; James E. Thomas IV \$808.86; Jonathan L. McClannahan \$1,548.72 & \$58.42; Chase Arbogast and Sarah L. Treadway \$136.36. Commissioner Brenemen motions to approve. President Louisos seconds. Unanimous decision.

Ms. Tyree presents a refund for Joey W. & Vivian F. Donelow for \$123.20. Commissioner Brenemen motions to approve. President Louisos seconds. Unanimous decision.

Approve Payroll for 10/18/2024

President Louisos motions to approve payroll 10/18/2024. Commissioner Taylor seconds. Unanimous decision.

Approve Vouchers and Invoices

Commissioner Taylor asks about Sam's Market Ministorage. Commissioner Brenemen says it is for OEM materials for that side of the river and it is a convenience spot in order to distribute needed materials. President Louisos motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Approve Prior Meeting Minutes for 10/2/24

Commissioner Brenemen motions to approve the minutes from October 2nd. Commissioner Taylor seconds. Unanimous decision.

Approve Estate Settlements

Sharon Louise Canterbury; Sheila Gaye Dickerson; Winifred Carl Kincaid; Jennings Dale Martin; Artheller Minnis; Rufus W. Simpson, Jr.; James Z. Smith; David ack Tamplin; Joyce V. Willis; and Rhonda Marie Cox. Commissioner Taylor motions to approve. President Louisos seconds. Unanimous decision.

Discussion & Decision: Quotes for Bat Removal and Remediation

Ony 1 quote was received. Needs to be remediated to replace the HVAC in Judge Blake's courtroom. There are also bats in the

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basement of the Memorial Building. Commissioner Brenemen motions to approve: Courthouse: \$27,401; FCMB \$6,566.70. President Louisos seconds. Unanimous decision.

Discussion & Decision: Closure of EFTPS Account

Account is no longer needed. Balance will go in General County. Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: Library Levy Payment

Commissioner Taylor wants to write a letter to the library board explaining that they should create a separate levy account. Commissioner Taylor motions to approve. President Louisos seconds. Unanimous decision. Letter will be on the next agenda.

Discussion & Decision: Meadow River Rail Trail Support Letter Nunc Pro Tunc

President Louisos motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: Ansted Support Letter for Trail Study Grant

President Louisos motions to approve. Commissioner Taylor seconds. Unanimous decision.

Discussion & Decision: Just for Kids Letter Nunc Pro Tunc

President Louisos motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: Ansted Request to Expend ARPA Allocation for Additional Ballfield Upgrades

Change from 10ft to 8ft fence, so there will be a balance. Would like a change of scope for the remaining \$18,000. Commissioner Brenemen asks for these changes in writing for our records. President Louisos motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: EMPG Grant Award Document for Signature

Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

**Discussion & Decision: Records Management Preservation Board
Grant Applications Priority and Approval**

Ami Dangerfield presents. Assessor's application is for scanning labor and County Clerk's is for additional map cabinets. Assessor's amount is more and will be prioritized as #1. If the clerk's project isn't funded, Commissioner Taylor asks that it be presented for purchase by the commission. Commissioner Brenemen motions to approve. President Louisos seconds. Unanimous decision.

**Discussion & Decision: CFIA Cyc21Fayet2024 Closeout:
Reimbursement Request & Completion Report**

Ms. Dangerfield presents. President Louisos motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Bid Opening for HVAC System

Casto Technical - \$36,200
Appalachian Heating & Cooling - \$29,800
Childers Electrical Heating & Cooling - \$36,282
Rich's Refrigeration - \$33,541.73

These bids will be evaluated for compliance and awarded at the next meeting.

**Discussion & Decision: Letter to KFPSD Regarding ARPA
Expenditures**

Discussion of the draft letter. Concern is that KFPSD used ARPA money to show their accounts were flush for other projects, but those funds were earmarked for specific expenditures. And a board member now resides out of county and that needs to be addressed. Invite the board to the next meeting. Commissioner Taylor motions to approve the letter and stamp names. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: County Website Review

Independent professor at WVUIT conducted a review of the website under construction. Does not look or function the way we want it to be presented. Commissioner Taylor wrote a letter thanking Dr. Rachel Bragg for her review. Commissioner Taylor motions to approve and send and CC President Stuart. Commissioner Brenemen seconds. Unanimous decision.

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Mr. Ciliberti wrote a previous letter to GST about the website. Commissioner Taylor asks that he send another requesting credit. Commissioner Taylor motions to approve. President Louisos seconds. Unanimous decision.

Discussion & Decision: Discussion & Decision: Hearing of the Estate of Pauline Samples

Family is present. One party has representation. Dispute over who will be administratrix. Commissioner Taylor motions to refer to fiduciary commission. President Louisos seconds. Unanimous decision. There are issues with a piece of property in North Carolina. Mr. Ciliberti said if there is adverse possession claim, that is a problem to be litigated in NC. Questions about a lawsuit vs. a letter. No lawsuit to be found. Mr. Ciliberti states that the person making the claim needs to confer with a lawyer in NC, not the County Clerk in WV. Clerk Holly says it just needs to be closed. Commissioner Taylor asks why they want the change. This position has changed many times. The current executrix has sold personal property which was supposed to be divided. Other real property not dealt with. Another sister wants to be the executrix. The Commission requests a decision from the Fiduciary Commissioner by December 16, 2024 (60 days.)

The commission entered into an executive session at 9:50 a.m. for legal counsel regarding the BEAD and Fire Association letters of support and a personnel discussion for the employee request for accommodation and returned at 10:39 a.m.

Discussion & Decision: Citynet BEAD Application Support Letter Request

Melissa O'Brien presents. Not asking for funding or contribution, only a letter of support. Commissioner Brenemen asks about another company asking for a letter of support. Commissioner Taylor motions to approve. President Louisos seconds. After discussion commission would like to hear the other company before voting.

Commissioner Taylor withdraws motion. President Louisos withdraws seconds.

Discussion & Decision: Frontier BEAD Application Support Letter Request

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Jordan Burgess presents. Commission will have another executive session to discuss.

Discussion & Decision: Fire Budgets Discussion

- Bid Results for Thermal Imaging Equipment and Gas Monitors

Josh Davis presents bids. \$90,864 for 2 cameras per station (one per truck), truck and station charges. 32 Cameras. Gas Monitors: Industrial Scientific: More than the Drager, but has twice the warranty with mor functions. \$87,955. This was pre-approved. 2 monitors and 1 calibration unit for each station. \$216,000 in the account from state money. Commissioner Taylor motions to approve Thermal Imaging and Gas Monitors. Commissioner Brenemen seconds. Unanimous decision.

- Fit Test Machine

3 quotes received. \$10,000 Commissioner Brenemen asks about certification - Mr. Davis says there is a training. Discussion about being cleanshaven and the masks fitting if a beard is grown. Commissioner Taylor asks where it will be located. Mr. Davis says it's portable, but could be housed at Oak Hill or Fayetteville for responsibility. Commissioner Brenemen motions to approve. Commissioner Taylor seconds. Unanimous decision.

- Support Letter for Fire Training Center

Michael Taylor asks about the ultimate goal of becoming a training center. JJ McGinnis says they do not want to be a fire station. Been working with the Fire Marshal. Opens up grant funding opportunity to avoid having a fire department sponsoring an application. Mr. Taylor's concerns lie with the county taking on the liability for this board by supporting its creation. Mr. McGinnis just wants a more streamlined way for the Fire Training Center to apply for grants. Mr. McGinnis and Mr. Taylor will discuss this together later.

The commission took a break from 11:24 a.m. to 11:32 a.m.

Commissioner Taylor presents about Fire Budgets. Next levy cycle, get Compliance or a similar bookkeeping service to help with this. Could help each fire department with financial statements. Commissioner Brenemen asks about Checkbook WV.

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Shannon Estep says they tuned everything in and haven't been contacted back. Commissioner Taylor motions to allocate 23-24 budgets plus 5% increase. Based on what Steve Cruikshank and Becky Jones were tracking. Commissioner Brenemen seconds. Unanimous decision. Ms. Lanier will give each fire department their copies. Commissioner Taylor says review for inflation and resubmit.

Commissioner Taylor motions to approve the Citynet BEAD letter of support. President Louisos seconds. Unanimous decision.

Commissioner Taylor and Commissioner Brenemen disagree with Frontier unless there is compelling data submitted. Motions to table. President Louisos seconds. Unanimous decision.

Discussion & Decision: Discussion & Decision: Evaluate Employee Request for Accommodation

Commissioner Taylor motions to decline the request for accommodations. No return-to-work release was presented. Essential job functions can't happen with requested accommodations. Counsel will send a letter to employee. Commissioner Brenemen seconds. Unanimous decision.

The meeting was adjourned at 11:59 a.m.

FAYETTE COUNTY COMMISSION

REGULAR SESSION

October 30, 2024

FAYETTE COUNTY COURTHOUSE

PRESENT: TOM LOUISOS, JOHN G. BRENEMEN, ALLISON R. TAYLOR

The Fayette County Commission met this 30th of October, 2024.

President Louisos calls the meeting to order at 9:00 a.m.

Clerk Michelle Holly led the Pledge of Allegiance.

Assessor Eddie Young: Exonerations, Orders to Combine or Divide Land, Refunds

Mr. Young presents Exonerations: Mary Gretchen Keel \$680.96; Brinda S (Brenda) Wykle \$298.08; Jaqueline Tyree \$9.20; Molly Elizabeth Green \$161.60; Backyard Builders of WV \$434.70; and James A. Jr. or Autumn Truman \$978.40. Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Mr. Young presents a refund: Johnathan L. McClanahan \$57.91 & \$755.00. Commissioner Brenemen motions to approve. Commissioner Taylor seconds. Unanimous decision.

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Mr. Young presents a Combine or Divide & Segregate Land Order: Shaun D. Olds & Lisa Jackson. Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Approve Payroll for 11/01/2024 Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Approve Vouchers and Invoices Commissioner Taylor is fine with all but Fire Association dues and turn out gear. Josh Davis explains the gear is for the new members. Commissioner Taylor explains they previously said no payments for training center. Commissioner Taylor thinks the dues should come from state funds from each department. Turnout gear for a department is an allowable expense, but not for the training center. There is also a Fire Association bill for Hutch's Wrecker Service. Commissioner Taylor motions to approve all but the dues, turn out gear for the training center and Hutch's Wrecker Service. President Louisos seconds. Unanimous decision.

Approve Prior Meeting Minutes for 10/16/24 Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Approve Estate Settlements Aubrey Carl Allen; Earl C. Boggess; Linda Leverne Foster; Margaret D. Marchio; Provie Marchio; Margaret Louise Matthew; Regina Marie Redden; and Clarence Lorane Smailes. Commissioner Brenemen motions to approve. Commissioner Taylor seconds. Unanimous decision.

Discussion & Decision: Bid Opening for Tax Office Shelving - 1 bid received from AJ Allegheny for \$16,500. All relevant documents are included. Commissioner Taylor motions to approve and award the bid. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: HVAC Bid Award - Appalachian \$29,800 was the lowest and had all relevant documents. Commissioner Taylor motions to approve and award the bid. President Louisos seconds. Unanimous decision.

Discussion & Decision: Region IV Resolution #9 for Amstrong Powellton Water Tank Project Community Development Block Grant 18SCBG004 - Lesley Taylor presents invoices for drawdown. Question about lunch receipt. Ms. Taylor says it was due to travel for labor interviews and it is permissible by the grant. Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: Letter to Boy Scouts Regarding Welcome Center Lease Commissioner Brenemen presents that he wants to notify the BSA that we appreciate the opportunity to work with them. But at this point there are not funds to pay for it now so he would like to cancel the lease. President Louisos says the funds are there from NRGCVB and Visit SWV. Commissioner Taylor agrees with both. Funds are there. But with President Louisos leaving, and the CVBs not wanting to deal with it, the county doesn't either. Concern that once this lease goes

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away, the mega site goes away. The BSA has expressed the desire to sell. Commissioner Brenemen motions to send a letter stating the FCC is no longer interested. Commissioner Taylor seconds. Unanimous decision.

Discussion & Decision: Employee Six Month Probation - Brian Good says the employee is a certified electrician and wants to keep him here. Requesting a \$2.00 increase to \$16/hr. Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: Letter to GST Regarding Website Prosecuting Attorney Anthony Ciliberti will sign and send once drafted. Commissioner Taylor asks that he reference prior conversations. Commissioner Taylor motions to request Mr. Ciliberti to send a letter to GST. President Louisos seconds. Unanimous decision.

Discussion & Decision: Letter Regarding Medical Cannabis Dispensary Commissioner Taylor motions to approve and send the acknowledgment letter. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: Letter to Library Regarding Expenditures - Commissioner Taylor explains the library should function the same as the other levy departments (Fire and Law Enforcement.) Commissioner Taylor motions to approve and send a letter. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: Presentation for Recovery Services for Delinquent Personal Property Tax Tickets Amy Qualman presents from GRS LLC. Would like to help Fayette County recover delinquent taxes. Has been working in WV with other counties to fill in the gap of chasing down the people who have moved and have outstanding taxes. President Louisos mentions working with LRA. Ms. Qualman says this is just for personal property. WV law doesn't allow for real property yet. Has technology to remove a lot of steps. Makes the process more efficient. WV also doesn't allow for payment plans once payments are delinquent. She has a 30-day clause to void the service. Terri Robinson, Chief Tax Deputy, is present and is in favor of these service - they have a lot of delinquent personal property. The company collects 25% of the cost of the delinquent taxes paid. Any information found by this company is given to the tax office to update records. Working with Kanawha, Gilmer and Logan counties and have a 60% payment rate. President Louisos asks if they can negotiate the payments of the taxes. Ms. Qualman says it's up the Tax Office. She would prefer it be a last resort - trying to get the county what they are owed. Kanawha's Assessor does some exonerations. Clarified that it's businesses, equipment and vehicles. Not real estate. Commissioner Taylor and President Louisos ask for amounts of delinquent taxes for Fayette County and it will place this back on the 11/14 agenda.

The meeting was adjourned at 9:46 a.m.

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FAYETTE COUNTY COMMISSION
SPECIAL SESSION
October 30, 2024
FAYETTE COUNTY COURTHOUSE
PRESENT: TOM LOUISOS, JOHN G. BRENEMEN, ALLISON R. TAYLOR

The Fayette County Commission met in a special session this 30th of October, 2024.

President Louisos calls the meeting to order at 9:46 a.m.

This is to discuss the Fayette County Urban Renewal Authority.

Commissioner Taylor says County Administrator Ruth Lanie brought it to her attention that the URA had noticed to disband and transfer all property to LRA, but they haven't been keeping up with their financial reports. The URA empowered Jenna Grayson to sign on their behalf. Not sure if everything has been completed. The FCC hasn't voted to disband yet.

Michael Taylor, Special Counsel, recommended to have FCC to vote to accepting the non-real property assets and then vote to allow the County Administrators office complete all financial filings.

Commissioner Taylor motions to accepts the receipt of all non-real property assets from the URA which it voted to transfer at its June 24 meeting. Commissioner Brenemen seconds. Unanimous decision.

Commissioner Taylor authorizes the County Administrator to supervise the completion of all fiscal filings with regard to the URA on behalf of the county. Commissioner Brenemen seconds. Unanimous decision.

The meeting was adjourned at 9:49 a.m.

FAYETTE COUNTY COMMISSION
GENERAL ELECTION CANVASS
November 12, 2024
FAYETTE COUNTY COURTHOUSE
PRESENT: TOM LOUISOS, JOHN G. BRENEMEN, ALLISON R. TAYLOR

The Fayette County Commission met to canvass the general election November, 2024.

Commissioner Taylor calls the meeting to order at 9:00 a.m.

Ami Dangerfield led the Pledge of Allegiance.

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Commissioner Taylor motions to set the bond for a recount at \$300. Commissioner Brenemen seconds. Unanimous decision.

Prosecuting Attorney Anthony Ciliberti blindly chose 2 precincts for the hand count. Precincts 2 and 13 were randomly selected.

Commissioner Taylor motions to pay the canvass workers on Friday November 15. Commissioner Brenemen seconds. Unanimous decision.

The successful results of canvass and the hand count were declared at 1:56 p.m.

The meeting was adjourned at 1:57 p.m.

FAYETTE COUNTY COMMISSION

REGULAR SESSION

November 14, 2024

FAYETTE COUNTY COURTHOUSE

PRESENT: TOM LOUISOS, JOHN G. BRENEMEN, ALLISON R. TAYLOR (via Zoom)

The Fayette County Commission met this 14th day of November, 2024.

Commissioner Brenemen calls the meeting to order at 9:00 a.m.

President Louisos leads the Pledge of Allegiance.

Exonerations, Orders to Combine or Divide Land, Refunds - Eddie Young:

Exonerations: Tara Tyree presents Charles Lewis Rogers \$880.86 and \$1,088.52; Joseph Lee Payne \$31.88. President Louisos motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Orders to Combine or Divide Land: Orders to Combine or Divide Land David F. Bowling. President Louisos motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Approve Payroll for November 15 Commissioner Brenemen motions to approve. Commissioner Taylor seconds. Unanimous decision.

Approve Vouchers & Invoices Commissioner Brenemen motions to approve. Commissioner Taylor seconds. Unanimous decision.

Approve Prior Meeting Minutes for October 30 Regular and Special Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

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Approve Estate Settlements Raymond William Bibb; George Adams Campbell; Ruth Ann Cavalier; Larry Davis; Deborah Arlene Franco; Duane Eugene Neely; Belinda Joyce Sharp; Travis Labron Shrout; Evelyn Ruth Stevens; Bobby Dean Stover; David Richard White. Commissioner Brenemen motions to approve. Commissioner Taylor seconds. Unanimous decision.

Commissioner Brenemen states a special meeting will be held on Tuesday November 19 at 9:00 a.m. via Zoom for election certification.

Ruth Lanier- Exhibit A

Discussion & Decision Energy Efficiency Grant Documents for Signature President Louisos motions to approve and sign. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision Mountaineer Manufacturing Brownfield Phase II Matt Ford presents that the DEP sent a work order for a Phase II at the Mountaineer manufacturing location. DEP is nearly out of Brownfields assessment grant funds. Fayette County has plenty of funds remaining and could cover the Phase II. \$65,000. Commissioner Brenemen motions to approve. Commissioner Taylor seconds. Unanimous decision.

Discussion & Decision Employee Six Month Probation

Discussion & Decision Overtime Threshold Employee Review
Overtime threshold changes to \$58,000 a year on January 1. Identified those who should be hourly vs salary. Gia Tyree, Brian Good and JAK Kincaid. Commissioner Taylor motioned to approve Ms. Tyree to \$60,000. Commissioner Brenemen seconds. Unanimous decision. Commissioner Taylor motions to approve Mr. Good and Mr. Kincaid to \$58,000. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision Letter to State of WV Regarding OEM Update letter Commissioner Taylor motions to approve, stamp her name and send. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision Letter to Chamber Regarding Boy Scouts Commissioner Taylor reminds the others that the legislature asks that every 5 years the commission certifies that the BSA tax exempt status is not unfairly competing with our local businesses by January 1. Would like to send a letter to the chamber asking for them to send something to their registered businesses asking for feedback. Commissioner Taylor motions to

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send a letter to the chamber asking for the data. Commissioner Brenemen seconds. Unanimous decision. Names can be stamped. President Louisos asks if this can be collected anonymously because the last time everyone spoke directly to the FCC after the fact. Find a way to collect the data and make sure it's verified yet keep them anonymous. Possibly the chamber can collect the information and collate it anonymously for the FCC. Some people are afraid to speak out. Mr. Ciliberti feels it the people should stand behind their statements and complaints. And the chamber may be subject to FOIAs.

Discussion & Decision Funding Requests

Lewis Community Center Commercial Freezer and refrigerator for Community Thanksgiving Day Dinner. Commissioner Brenemen motions to allocate \$14,500. Commissioner Taylor motions to second. Unanimous decision.

Ansted Ministry Center - Program that supports the entire community. Diapers, soup kitchen, thanksgiving dinner. Commissioner Taylor motions to approve \$25,000. Commissioner Brenemen seconds. Unanimous decision.

Good News Outreach Center Founded around since 1989. Provides Thanksgiving dinners, food, commodities, community activities and food pantry, formula, diapers, utilities bills. Also, services for prom. Fayette, Meadow Bridge, Springdale. Some from Summers & Greenbrier counties. Leaks in the building every time it rains. Need a drain and new sidewalks. Commissioner Brenemen motions to approve \$25,000. President Louisos seconds. Unanimous decision.

Discussion & Decision Recommendations from Planning Commission

Case Z-541-24-3: Triple T's

The Planning Commission approved the request.

Commissioner Brenemen states that the public has 2 minutes each to speak.

Mary Parsons Says it's very wrong. Nothing has been done right. All neighbors 12 haven't been notified of urban development in their back yard. Don't know how you can justify without doing your job.

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Commissioner Brenemen asked Ms. Gerald if any ordinances have changed and they have not. Commissioner Taylor asked if neighbors were notified. Mary says only 4 letters were mailed. Ms. Gerald says she mailed 20.

Jesse Bane Ms. Gerald states his property is 750 feet from Triple T's property. He is on Whispering Lane. No one got a letter there. 18 people affected. Says Sunshine Law says they should have all be notified. WV Code Section 6b-1-1. Was an All-State agent 38 years. Knows they were not properly notified. Can file a claim with Ethics Commission. Time was called.

Commissioner Taylor says the Planning Commission and the FCC meetings are publicly noticed according to Sunshine Law.

Prosecuting Attorney Anthony Ciliberti researches state code reference. Says that code has nothing to with zoning. This code has to do with ethics. Mr. Ciliberti says that the WV Code says they post a public notice 3 days ahead of the meeting day. Posted at the courthouse and on website, including the Planning Commission. Ms. Gerald states the Planning Commission meets monthly unless there is not a need for a hearing. Changes or rezoning requests have to be published in the paper 15 days before and it is posted in courthouse vestibule. Mr. Ciliberti asks Ms. Gerald about the AG 250 feet if it is per our ordinance. Ms. Gerald says yes and notified anyone who abutted the property and anyone within the 250 feet. Assessor has a measuring tool online to help measure. Notified via regular mail. Made records of anyone who was mailed a letter. Mr. Ciliberti asks if she is aware of any different distance in WV code. She is not.

Commissioner Brenemen says that Zoning Ordinance is being reviewed by WVU Law Clinic. But we have to go off of the current ordinance. Commissioner Brenemen motions to uphold the Planning Commission recommendation. Commissioner Taylor seconds. Unanimous decision. President Louisos abstains.

Commissioner Taylor asks Ms. Gerald to review distance requirement with WVU and Mr. Ciliberti says both certified and regular mail should be sent. Check with other counties with Zoning about how they notice residents.

Case Z-542-24-1: Michael D. Allen

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Planning Commission denied request based on size and spot zoning. 2 parcels 1.6 acres. Zoned as Planned Development in 1996. Wasn't distinguished then, just wanted a greenhouse. New applicant wanted to build 6 then 5 townhomes. Adjoining property owners have an attorney. Current zoning says 50 acres for planned development. Applicant not in attendance. All other properties are Rural Residential. Commissioner Taylor motions to uphold Planning Commission decision. Commissioner Brenemen seconds. Unanimous decision.

Ms. Gerald states applicant said if it was denied, he would build 2 houses, 1 on each parcel. As long as he meets setbacks, he should be allowed to proceed.

9:45 Discussion & Decision Recover Services for Delinquent Personal Property Tax Follow Up Amy Qualman from GRS LLC brought information about LRA. Doesn't have a clear answer yet. Would like to speak with President Louisos after the meeting.

Brought information about personal property tax tickets. Commissioner Taylor would like to set a limit to send those over the limit to PAO and then the others go to the service. And then if civil means don't work, then the cases can go to the service. Commissioner Brenemen motions that anything less than \$10,000 cumulative for a given tax payer goes to the service. Commissioner Taylor seconds. Unanimous decision.

10:00 Resolution for Armstrong Public Service District and WVAW Resolution now only says water. Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Commissioner Taylor motions to enter into executive session at 10:03 a.m. for building inspector discussion and returned at 10:17 a.m. with no decisions made. Just informative.

Discussion & Decision Building Inspector Selection

Ms. Lanier presented they held interviews last week with Guia Tyree and JAK Kincaid. All agreed on Dan Ooten. Would like to expand the job to eliminate outside people for pre-bids, courthouse construction oversight, inspections... Will be offered \$55,000. Stated with 5 applicants. One never answered. One was a no show, one canceled, only 2 people showed up. One interviewee did not match his resume. Commissioner Taylor motions to approve Dan Ooten. Commissioner Brenemen seconds. Unanimous decision. Commissioner Brenemen says Allen Ballard submitted his notice of retirement for Dec. 1

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The meeting was adjourned at 10:20 a.m.

FAYETTE COUNTY COMMISSION

SPECIAL SESSION

NOVEMBER 19, 2024

FAYETTE COUNTY COURTHOUSE

PRESENT: TOM LOUISOS, JOHN G. BRENEMEN, ALLISON R. TAYLOR

The Fayette County Commission met this 19th day of November, 2024 via Zoom.

President Louisos calls the meeting to order at 9:00 a.m.

Commissioner Taylor asks Clerk Michelle Holly to present the election results for certification. Clerk Holly states there are multiple copies for the commissioners to sign in person when available.

President Louisos motions to certify the election results of the 2024 General Election. Commissioner Taylor seconds. Unanimous decision.

The meeting was adjourned at 9:03 a.m.

FAYETTE COUNTY COMMISSION

REGULAR SESSION

December 4, 2024

FAYETTE COUNTY COURTHOUSE

PRESENT: TOM LOUISOS, JOHN G. BRENEMEN, ALLISON R. TAYLOR

The Fayette County Commission met this 4th day of December, 2024.

Commissioner Brenemen calls the meeting to order at 9:00 a.m.

Prosecuting Attorney Anthony Ciliberti leads the Pledge of Allegiance.

Exonerations, Orders to Combine or Divide Land, Refunds

Exonerations: Tara Tyree presents exonerations for Gary L. Holdren, Jr. \$ 7.68; Walter F. jr. and Margaret Farrish \$76.24; John P. & Tana Lyall \$1,187.78; Dustin & Kendall Shumaker \$876.18; Kevin Wayne Thomas \$993.40; Kiara N. ward \$296.44; Charles N. Williams III \$37.78; Marshall W. Wood Jr. \$613.32; Shannon Lephew \$31.70; Joshua M. Sharp \$185.22; Alesis Brianne Bowles \$207.12; James Earl Hudnall \$34.96; Camco Services Inc.

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\$1,556.26. Commissioner Brenemen motions to approve. Commissioner Taylor seconds. Unanimous decision.

Approve Payroll for December 13 and 27 President Louisos motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Approve Vouchers & Invoices Commissioner Taylor would like to look at all of the truck payoffs and look at bigger picture and decide on payoffs. Commissioner Taylor motions to approve all vouchers except the \$2,850 Mount Hope FD engineering and fire truck payoffs. Commissioner Brenemen seconds. Unanimous decision.

- **Josh Davis - Request for Additional Charger Purchase**
They bid these out a few months ago and made a mistake and bid out 2 cameras and one charger per department. Needs another charger \$685 each. \$10K something for 16. Money in the account. Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Commissioner Brenemen motions to allow ruth to write checks outside of the meetings under \$15K until next meeting. President Louisos seconds. Unanimous decision.

Approve Prior Meeting Minutes for November 12, 14 and 19
Commissioner Brenemen motions to approve. President Louisos seconds. Unanimous decision.

Approve Estate Settlements John Addison Alexander, Jr.; David Arden Crawford; Wanda Jean Lewallen; and Jayann Scollick. Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Ruth Lanier- Exhibit A

Discussion & Decision: Delinquent Tax Certification Chief Tax Deputy Terri Robinson presents. The list is down from previous years. President Louisos motions to approve. Commissioner Taylor seconds. Unanimous decision.

Discussion & Decision: Approval of Grant Amendment 5 for Community Development Block Grant 18SCBG0004 for the Armstrong PSD Powellton Water Tank Replacement Lesley Taylor presents. Commissioner Taylor motions to approve. President Louisos seconds. Unanimous decision.

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Discussion & Decision: Approval of Resolution #10 Armstrong Creek PSD CDBG Ms. Taylor presents that this is for the same project. Commissioner Brenemen motions to approve. Commissioner Taylor seconds. Unanimous decision.

Discussion & Decision: Planning Commission Board Member Appointment The commission is not ready to act on this.

Discussion & Decision: Letter to Legislature Regarding Summit Bechtel Commissioner Taylor will draft a letter and circulate it. Commissioner Taylor motions to approve the letter in concept. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: PPOD Grant for Approval- Nunc Pro Tunc Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: CFIA Grant Contract Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: General School Transfer Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: 2025 Meeting Calendar and Holiday List Commissioner Taylor motions to set first meeting for January - April. Commissioner Brenemen seconds. Unanimous decision.

Commissioner Taylor motions to adopt the holidays recognized by state including any which may be set throughout the year. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: CODA Academy Presentation Esther presents. Bussing and meals from the BOE. Summer programs. 11 programs in 7 locations for 25 weeks. 4 weeks of summer camp. Started in 2007. Hoping to assist the students living with grandparents, parents in jail or on drugs. Trying to break the cycle.

Discussion & Decision: Family Resource Network Payroll Services Diane Callison says they are ready to transition January 1. No action needed.

The commission took a break from 9:29 a.m. to 9:48 a.m.

Discussion & Decision: ARPA Funding Requests and Reallocations

- **City of Oak Hill Request for Reallocation**

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Damita Johnson, City Manager, presents that their comprehensive plan is considerably less than they requested from ARPA funds. Would like to reallocate to Hub CAP programs. President Louisos asks Stacey Henderson, HUB, if the allocated money will be spent prior to 2026 and it will. Mount Hope Montgomery and Smithers are already working with the HUB. Projects are aligned - identity, branding and wayfinding. Can include Oak Hill in these projects which aren't addressed by their comprehensive plan. This is a special opportunity for these municipalities to work together with a consultant, Destination by Design, and have cohesiveness. \$140,000 for the project and the Hub CAP is giving \$20,000. Asking reallocation for the \$92,400 for the 3 areas. Commissioner Taylor asks if they've reached out to other municipalities. Ms. Henderson says they focused on the 3 they were currently working with. But they can reach out to the consultant to see if they have the availability to take on other towns.

This would not be duplicating efforts of the CVBs. They do not do wayfinding - where to place signs, how they should look. The CVBs will be partners and stakeholders. President Louisos asks about working with trail groups to also be consistent. Ms. Johnson clarifies that the other municipalities are not Hub CAP communities. They are giving \$60K and technical assistance. Ansted, Mount Hope, and Fayetteville were approached but they said they didn't have the staff to navigate the process. Commissioner Taylor motions to reallocate the \$92,500 to the project: \$80,000 for the project and the other \$12,500 could be used for signage. The HUB is already working with Meadow River Trail.

Commissioner Taylor asks if the FCC were to fund the technical assistance and branding, could the HUB assist the other towns? Ms. Henderson says the services are available via a contract basis.

Commissioner Taylor motions to approve the reallocation. Commissioner Brenemen seconds. Unanimous decision.

- **Kanawha Falls PSD Funding Clarification**

KFPSD sent a letter stating they misspoke during testimony about how they were using their funds. Also asking for a reallocation to telemetry system. Commissioner Taylor motions to approve the reallocation. Commissioner Brenemen seconds. Unanimous decision.

- **Page Kincaid Financial Request for Grinders**

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PKPSD staff are working 7 days a week and the PSD is spending money on payroll instead of fixing the issue. Buchannon Pump can replace the machines for it \$10,200. PKPSD will install. Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

The commission took a break from 10:26 a.m. till 10:53 a.m.

Remaining ARPA allocations:

- Deputies request for body cams and tasers will come from opioid funding later in the meeting.
- City of Gauley Bridge. \$110,000 garbage jump truck, \$30,000 playground equipment, \$75,000 skid steer
- \$500 to American Legion for boys' program

Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Commissioner Taylor motions that the balance be allocated to courthouse facilities upgrades and maintenance, including potential property and building purchases. President Louisos seconds. Unanimous decision.

Discussion & Decision: Opioid Workshop

Commissioner Taylor previously asked Fayette County Health Department Executive Director Teri Harlan to put together a group of stakeholders. Dr. Adam Franks chair of Family Medicine and Dean of Rural Health at Marshall University is present and had a discussion of First Foundation about contributing to the grant match. Katie Johnston said they are supposed to hear early this month of WV First's contribution.

Dr. Franks says this is a "moonshot grant." Designed to bring a lot of money to an area to fix a specific issue. The grant is \$15 million. Trying to raise \$30 million from the 10-county area. Grant requests to decrease opioid related death calls to EMS. 2:1 matching grant. Currently have buy in from QHCs, MCOs, Healthcare, WV First and other counties. Majority of match hopefully to come from WV First. Could get all money from WV First, but the grant will fail because they require community buy in. The grant awards \$2 million up front. Certain measures

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are required to be met along the way to earn the remaining \$13 million. It's a results-based grant. Could not be spent by only Marshall in the Huntington and make a meaningful impact. The 10-county region held town hall meetings to accomplish need assessments to discover the gaps and strengths of each county. They do not want to duplicate services. Mainly for prevention and some treatment through psych departments. Most treatment is MAT and mental health. Family medicine focuses on external office visit issues: housing, employment, transportation. Try to decrease the need for drug related neonatal, penal system inpatient, ER visits.

The outcomes are already happening in Huntington, and would like to implement them in the other counties to gain the required grant outcomes. Will tailor it to the needs of each county. Won't be a rubber stamp of existing program. The money for each county would be managed by each county. Has to be transparent. There will be partners in each county. Not clear on who the partner is for Fayette County. Carrie Strunk mentions calls are not being coded correctly. If we correct them now, the call numbers are going to go through the roof. Options are either fix it within 4 months, or leave the coding as is. Commissioner Taylor asks for clarification. Narcan responses aren't called in or coded as an opioid response. Heart attacks and such.

President Louisos asks about housing. Temporary or long term? They would prefer people to stay where they are, not being shipped off to a hub. Stipulation is it has to be used to decrease opioid overdoses.

Dr. Lyn O'Connell is the grant writer. Due 12/10. Total cost of services for the 10-county region is \$59 million. \$45 million of all of the funding still doesn't cover the needs.

Timeline: 12/10 due date. Early February announcement. Start time is April 2025.

Ms. Strunk states in 2017 there were no treatment options. Overdose were through the roof. They aren't focused on decreasing calls; they are focused on increasing survivors and reuniting families.

Commissioner Taylor asks if monies already spent on ICE would count as in-kind. Dr. Franks - yes and the continued expenses will count during the life of the grant.

President Louisos asks about the person responsible in each county. There is a governance structure. May involve people from MU but there would be someone from each county as part of

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the governance. Commissioner Taylor would like that to be Teri Harlan or her delegate.

Commissioner Taylor lists the resources available in Fayette County: ICE, FRN, Prevention, Teen Court, Family Court, Drug Court, DRC.

The commission took a break from 11:42 a.m. to 12:03 p.m.

Discussion about what are the known risks for Fayette County for this grant. No risk with the in-kind. Spending those funds anyway. This is our strength. Contribution is a little risk if Fayette County is neglected (hypothetically - there is a very low chance of that.) They understand if no money is spent here and they want data from the county, then "good luck." And that's a fair assessment. If the grant isn't successful the cash contribution isn't spent.

The commission is more interested in just using the in-kind contributions instead of a cash contribution. These numbers will far outweigh the amount of a cash contribution. Diane Callison, FRN, will list her amounts and send them to the FCC to put all in one letter. Food bank contributions and grants will be included. Future workshops will be held. Commissioner Taylor motions to send a support letter for the MU grant application listing in-kind contributions. Commissioner Brenemen Unanimous decision

Ms. Callison will send numbers and it will be added to their template. Commissioner Taylor asks for numbers from ICE, Just for Kids, Camp Soar, ministries, ARPA allocations, treatment courts, DRC. Data has to be specific to call reduction.

Discussion about tasers and body cams. Lt. Willis and Cpl. Sifers from the sheriff's department present. Commissioner Taylor is against cloud storage. Lt. Willis says it's secure. All LE he knows of uses cloud. More at risk doing it themselves than having someone doing it for them. Cpl. Sifers says we have a battery backup. Commissioner Taylor prefers having a backup server. Lt. Willis says cloud takes the liability away from them. Sheriff IT is against storing data themselves. ART asks who would control the cloud. Axon Academy. All big departments use evidence.com. LAPD, NYPD.

Discussion held about how the cloud functions, downloading, sharing and questions about if videos are subpoenaed. The representative from Axon will get contact information for their legal team so Mr. Ciliberti can discuss concerns.

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There are about 20 departments with 16-40 officers in West Virginia including Montgomery, Fayetteville and Nicholas County which use this equipment.

After further discussion about cost, it is determined the equipment will have to be put out to bid.

Commissioner Taylor motions to postpone Planning Commission till the next meeting. President Louisos seconds. Unanimous decision

The meeting was adjourned at 1:43 p.m.
