

STATE OF WEST VIRGINIA

RANDOLPH COUNTY COMMISSION SS:

At a regular session of the County Commission in and for the aforesaid County and State, at the James F. Cain Court House Annex, on the 15<sup>th</sup> day of February, 2024 at 1:30 p.m.

Present: Randolph County Commission President Chris Siler, and Commissioners Chris See and David Kesling

Meeting called to order by Commissioner Siler

PUBLIC COMMENT:

B. Manning, aka BJ Manning appeared before the Commission. He said he lives in Faraway Knolls near Ward Road. He said the subject he wanted to talk about was the Elkins City sales tax being applied for purchases on citizens living outside the city boundary. He said he recently made a purchase from a company known as Real Truck who is designated as a remote seller. Commissioner Siler said they have a rule on public comment that anything that is being discussed has to be an item on that day's Agenda. Commissioner Kesling said if none of the Commissioners have a problem with Mr. Manning speaking he can continue. All three Commissioners said it was fine for him to continue. Mr. Manning said the company he made the purchase through uses a third party billing company called Tax Jar. He said there is no way to edit that bill and since his mailing address is an Elkins address they automatically added the 1% City Tax. He said he lives outside the City limits and should not have to pay that tax. He said on this item the City Tax was \$11.00. He said he asked Real Truck for a refund and they could not provide that as Tax Jar was the responsible party for the billing. He could not find any way to contact Tax Jar by searching the internet. He said he reached out to the City of Elkins City Clerk, Sutton Stokes, and provided him an email of the transaction which he passed it along to the City Treasurer. He said the City Treasurer advised that the WV State Tax Department would handle all refunds and provided him with the necessary forms. He said the average person would not stand a chance in filling out this form. He said he was contacted by someone from the State Tax Department who offered to assist him in filling out the form. He said the main issue here is, why should an average citizen be put through such a process by the Government of West Virginia to get back money from a tax that was misapplied? He said to be clear Mr. Stokes and Ms. Judy from the City of Elkins were helpful in his quest for justice, but the average person would not seek justice under such circumstances. He said he filed a dispute with his credit card company over the \$11.00 misappropriation and was credited by them but he should not have to be. He said third party billers who do business in the State of West Virginia need to be compelled to provide residence information. He said when doing the bill there should be a way to designate whether or not the person lives in an area with municipal tax or not. He said zip codes do not identify it. He said there needs to be a way the customer can provide that information before the bill is implied so that can be modified. He said the State Tax Department should hold these third party billers liable for the misappropriation fees. He asked the County Commission to reach out to elected officials to readdress the tax refund process through the WV Tax Department. He said he thinks the City of Elkins should also provide an annual accounting for their tax reprocessing activity to the State. He said

he thinks this will continue to be a problem if not addressed. He left copies of the forms and paperwork with the Commission.

#### MINUTES:

Commissioner Kesling moved to approve the minutes from the regular meeting that was held on February 1, 2024, as submitted. All yes – Motion passed unanimously

#### REPORTS:

Sheriff Elbon said he was contacted this morning by Captain Swisher that his mother passed away. He said he was supposed to be here today for an Agenda item but cannot attend so Deputy Channell will be here for that.

Rhett Dusenberry from Congressman Alex Mooney's Office was present and said the Congressman would help with any Grants that the County is seeking.

Deputy County Clerk, Karla Mahanes reported that the ballot drawing for positions on the May 14, 2024 Primary Election ballot will be held on Tuesday February 20, 2024 at 9:00 a.m. at the County Clerk's Office and any candidate that would like to come to draw is welcome to come and this is open to the public if anyone would like to come watch.

Commissioner See said Erin Golden, Director of North Central Community Corrections, could not attend the meeting but dropped off a report for the Commissioners to review.

#### CORRESPONDENCE:

Commissioner Siler said they have one correspondence which is a letter from Brooke Hinzman, Administrative Assistant for the Commission. He read the letter out loud. This letter is her formal resignation which will be effective March 8, 2024. (See copy attached) Commissioner Siler said we don't like this. He thanked Brooke and said he hates to see her leave and wishes her well wherever she goes.

#### ANNOUNCEMENTS:

Commissioner Siler announced that the next regular meeting will be held on March 7, 2024 at 1:30 p.m. and the Courthouse will be Closed on Monday February 19, 2024 for President's Day.

#### ITEMS FOR DISCUSSION/ACTION:

##### INFORMATIONAL PRESENTATION BY JOSH NEASE, MON FOREST TOWNS PARTNERSHIP

Josh Nease appeared before the Commission and said he was there to represent the Mon Forest Towns Partnership. He said this partnership formed back in 2019 and originally it was leaders from 10 towns in the Monongahela National Forest region and now it is 12 towns. He said they all got together and agreed to establish themselves as a gateway to the Monongahela National Forest to work on developing an outdoor recreation economy. He said since 2019 the towns have been working together with the



Forest Service and WVU Extension Service and other regional partners to assist towns with developing strong outdoor recreation economy. He said over the past few years the towns have worked to identify needs and get funding from private and federal funds. He said trail head development and trail development itself is a goal and there is a whole host of other goals they would like to meet. He said he came today to introduce himself, he started about 10 months ago. He said they have been very busy and hopefully over the next 3-4 years they will be launching a larger project to better connect our towns to the National Forest and our towns to each other. He said they will be ramping up the communication efforts between the towns to reach out to new markets and new people across the State and the Country to attract more visitors to the Forest and to develop our towns recreation assets in a way that benefits and improves the quality of life for our residents. He said Elkins is a Mon Forest Town and they will be following up with additional projects and plans in the future. Commissioner Kesling said they are excited to hear about this and when they do have something planned come back and they might be able to help with funding. Commissioner See said for Mr. Nease to come back and give updates once in a while. Commissioner Siler said this will help increase tourism.

INFORMATIONAL PRESENTATION AND FUNDING REQUEST BY MICHELLE PHARES, WV AUTISM SUPPORTIVE CENTER (See copy attached)

Michelle Phares and Denise Campbell appeared before the Commission. Ms. Campbell said they appreciate every one of the Commissioners for what they do for the Community. She said Autism is something that if you are not affected by it then you really don't know a lot about it. She said one of their goals at the center is to provide education and awareness regarding autism. She said in 2015 they formed a non-profit organization called the WV Autism Supportive Center and they lease property at the Old Darby Farm and they lease that property from the Department of Agriculture. She said for those past 9 years they have supported themselves by doing fundraising, anything from selling meatball subs to BBQ sandwiches, 5K Walk and Halloween and Fall Parties for children with autism. She said the last 5 or 6 years they have had a break in all of that because of COVID but they have started a program with a high tunnel which was built at no cost. They also have a gardening program to help families and children learn how to grow their own food. She said her son Logan has autism and many people don't understand that these children need a place to go where they are not made fun of and where they are accepted and feel safe. She said they are all volunteers and have no paid staff whatsoever. She said they pay all their bills Ms. Phares said she has been on the board for 3 years now and she really believes in this program. She said she met a young man that just doesn't fit in and his family is concerned about where he can go this summer to fit in and be accepted. She said they want to make that possible. She said they do a lot of fundraising and will continue to do so. She said they are coming to the Commission to ask for help with funding in the amount of \$5,000.00 to offer a Summer 2024 Earth Ambassadors GROW program. The funds would be used to hire an AmeriCorps member. Commissioner Kesling said they are very passionate about this and it is a great project. Commissioner Kesling moved to approve the request from the WV Autism Supportive Center in the amount of \$5,000.00 and that is to be taken out of courthouse contractual funds. All yes – Motion passed unanimously

INFORMATIONAL PRESENTATION AND FUNDING REQUEST BY CAROL ERICKSON, AMERICAN LEGION  
RHODODENDRON GIRLS STATE (See letter attached)

Commissioner Siler read a letter out loud from Carol Erickson with the American Legion Auxiliary Unit #29. Commissioner Siler said he would like to be able to fund 5 girls to go this year. He said he thinks this is a very good program that has been around for a long time and anything we can do to help develop better citizens in our community and our County and our State and Country is a good program to support. Commissioner Kesling said it is a worthwhile project. Commissioner See moved to approve the funding request from the American Legion Rhododendron Girls State in the amount of \$1,500.00 to be taken from courthouse contractual funds. All yes – Motion passed unanimously

CONSIDER FUNDING FOR OUTFITTING OF NEW OFFICER VEHICLES (See copy attached)

Deputy Channell said he spoke with the Chief Deputy and he said everything had been presented and was just waiting for approval from the Commission. Commissioner Siler said they have two bids, one from Miller Communications in the amount of \$47,451.00 and one from Noble Response Solutions in the amount of \$44,976.15. This is for outfitting the 3 new Dodge Durango's and this was put out to bid. Commissioner Kesling moved to approve the Noble Response Solutions bid in the amount of \$44,976.15 for the outfitting of 3 new officer vehicles and that is to be taken out of the courthouse equipment line. All yes – Motion passed unanimously

CONSIDER ADDING PUBLIC NOTICE TO OUR WEBSITE OF PERMITTING AND ZONING POLICY, TO BE  
REVIEWED EACH CALENDAR YEAR

Commissioner Siler said right now we don't have anything on our website about this. Brooke Hinzman said the Commission office gets calls all the time about this and if it was on the website that might cut down on those calls. Commissioner See moved to add public notice to our website that Randolph County currently does not have policies governing permitting and zoning. This policy will be reviewed each calendar year. All yes – Motion passed unanimously

CONSIDER OPENING BIDS FOR THE DEP'S COVERED ELECTRONICS DEVICES GRANT

Commissioner Siler said they received two bids and he opened the bids. Commissioner See said it is for the electronic recycling events they have about twice a year to collect old computers and other electronic devices. Commissioner Kesling said the first bid is from PC Renewal out of Fairmont and the bid is a flat rate bid of \$2,475.00. Commissioner Siler said the second bid is from Tri State Escrap and their rate for one event for flat rate is \$10,900.00. Commissioner Kesling moved to accept the bid from PC Renewal out of Fairmont, WV in the amount of \$2,475.00 which meets our budgeted amount and grant funds. All yes – Motion passed unanimously

FINAL SETTLEMENTS/ANNUAL ACCOUNTINGS:

Commissioner Kesling moved to approve the (4) Final Settlements, as submitted.

Hazel Margaret Hankey



Teddy Mirl Harman, Jr.

Margaret Warner Hoover

Ernest Scott Romans

All yes – Motion passed unanimously

BUDGET REVISIONS: (See copies attached)

Commissioner Kesling moved to approve an In-House budget revision for the Sheriff's Office in the amount of \$5,683.00 going into the Task Force lines. All yes – Motion passed unanimously

Commissioner Kesling moved to approve an In-House budget revision for the Sheriff's Office in the amount of \$2,500.00 for Jail Uniforms. All yes – Motion passed unanimously

Commissioner Kesling moved to approve an In-House budget revision for the Sheriff's Office in the amount of \$952.00 for the Equipment Lease line. All yes – Motion passed unanimously

Commissioner Kesling moved to approve an In-House budget revision in the amount of \$100,813.62 for the County Fire Protection State Grant funds that were received. All yes – Motion passed unanimously

Commissioner Kesling moved to approve an In-House budget revision in the amount of \$143,763.21 for the EMS salary increase grant funds received. All yes – Motion passed unanimously

DIVISION OF PROPERTY/ERRONEOUS ASSESSMENTS:

Commissioner Kesling moved to approve the erroneous assessments/division of property, as submitted. All yes – Motion passed unanimously

DISTRESSED PROPERTIES: None

FIRE FEE ADJUSTMENTS:

Commissioner Kesling moved to approve the 63 fire fee adjustments, as submitted. All yes – Motion passed unanimously

Commissioner Kesling introduced the new County IT Specialist Kyle Fox to everyone. Commissioner Kesling said he will be applying for cyber grants to help County. He said Kyle being on staff will help with the cost 10 fold. He said they are trying to bring the County into the 21<sup>st</sup> century. He said we are one on the first counties to utilize IT person on site.

PAYMENT OF BILLS:

Commissioner Kesling moved to pay the bills, as submitted. All yes – Motion passed unanimously

ADJOURN THE MEETING:

Commissioner Kesling moved to adjourn the meeting. All yes – Motion passed unanimously

Attest:\_\_\_\_\_

Formal Letter of Resignation

Brooke Hinzman

215 Grant Street

St. Marys, WV 26170

February 6, 2024

Randolph County Commission

4 Randolph Avenue, Suite 102

Elkins, West Virginia 26241

Honorable Members of the Commission,

Please accept this letter as my formal resignation from my position as an Administrative Assistant in the Randolph County Commission Office tentatively effective March 8, 2024, as I have accepted a position as a Public Information Specialist with the West Virginia Department of Environmental Protection tentatively beginning March 11, 2024.

I have been fortunate during my time with the commission for the opportunity to grow professionally and learn more about the inner workings of local government. Your guidance and support have equipped me with valuable skills and experience that I will be able to utilize throughout my career.

I hope that we will have opportunities to collaborate in the future.

Please let me know how I can best assist during the remainder of the transition period. I wish you as well as the entirety of the county government the very best going forward. I believe the county has much to look forward to in the coming years.

Sincerely,

A handwritten signature in black ink, appearing to read 'Brooke Alexa Hinzman', with a stylized flourish at the end.

Brooke Alexa Hinzman

**WEST VIRGINIA AUTISM SUPPORTIVE CENTER  
200 Weese Street Extension  
Elkins WV 26241**

February 1, 2024

Randolph County Commission  
4 Randolph Avenue  
Elkins WV 26241

Dear Commissioners Siler, See and Hinzman,

I am writing today on behalf of the West Virginia Autism Supportive Center. The WVASC is a non-profit organization that provides supportive services to increase independence of people with autism in Elkins and Randolph County.

WVASC is requesting \$5,000.00 from the Randolph County Commission to offer a Summer 2024 Earth Ambassadors G.R.O.W. Program. GROW stands for Gardening, Resources and Outdoor Wellness. Gardening is a calm, quiet activity that provides an opportunity for children with autism to follow instruction. It teaches cooperation and how to work with others and gives numerous sensory experiences and input. The curriculum for this program is written and was offered in 2020 and 2021. You will find attached a copy of the 11-module curriculum.

The requested funds would be used to hire an AmeriCorps member to facilitate the Summer 2024 program. Additionally, the WVASC has a high tunnel and funds will be used for maintenance to the tunnel and purchasing materials for the GROW program.

The Board of the West Virginia Autism Supportive Center believes that this program will support the goal of the Randolph County Commission; to create a safe and thriving community. We request your assistance so that we can offer this program; to improve the health of an underserved group of people in our county. We welcome the opportunity to meet with you to share more information about our program and how it supports our community as well as the Mission and Goals of The Randolph County Commission.

Sincerely,



Michelle Phares  
Member, WVASC  
304-614-3452  
Michellephares1@gmail.com





American Legion Auxiliary Unit #29  
326 Railroad Avenue  
Elkins, West Virginia 26241  
(304) 636-3930  
[alpost29@suddenlinkmail.com](mailto:alpost29@suddenlinkmail.com)

American Legion Rhododendron Girls State  
June 9 -15, 2024

Dear Sponsor:

Auxiliary Unit #29 is sponsoring qualified high school juniors from the county high schools to attend the American Legion Rhododendron Girls State at the Davis & Elkins College campus.

The American Legion Rhododendron Girls State is a one-week course in the operations of government and political process. Each citizen, as they are referred to, can choose one of six career paths. These paths are: Legislative, Judicial, Financial, Law Enforcement, Journalism, and Homeland Security.

The objective of the American Legion Rhododendron Girls State is to have the young women run the 51<sup>st</sup> state of the United States. They will elect all positions for state, county, and city government, while learning the valuable life lessons in how government works.

The cost of each citizen is \$300.00. We would like to send as many young women from our county as possible.

We are asking for your assistance in helping build the future of America by sponsoring a young woman from our county. Your support will be greatly appreciated. All sponsorship money should be sent to the American Legion Auxiliary at the above address (**not to State or National Legion headquarters**), or to me at 6½ First Street, Elkins, no later than April 15, 2024. Any questions, please call me at (304) 636-0130.

Thank you,

*Carol Erickson*

Carol Erickson  
American Legion Auxiliary Unit #29



# Noble Response Solutions

2285 Beverly Pike Ste 1 Elkins WV 26241

www.NobleResponse.com

304.940.1322



# NRS

**Noble Response Solutions**  
EQUIPPING HEROES FOR THE FRONT LINE

## BILL TO

Randolph County Sheriff's Office

Chief Deputy Brad Sharp

32 Randolph Avenue Suite 201 Elkins, WV 26241

304-636-2100

Estimate No:

1009

Date:

1.22.23

Valid For:

60 Days

## 2023 Dodge Durango Pursuit - Exterior Lightbar

DESCRIPTION	QTY	UNIT PRICE	TOTAL
Interior Components			
500 Series Blueprint Siren	1	1700.00	1700.00
Remote Node	1	400.00	400.00
Link Module	1	550.00	550.00
Sync Module	1	450.00	450.00
Extended Harness	1	150.00	150.00
2018-2022 Durango Driver/Passenger Vertical Bar Window Guards	1	450.00	450.00
Dual Weapon Mount w/ SC6 Lock, SC1 Shotgun Lock w/ No 2 Key	1	900.00	900.00
2021 - 2022 Durango Durango Partition Kit	1	1875.00	1875.00
18" Durango Console	1	975.00	975.00
2" Faceplate Prepunched w/ Holes for 2 DC Outlets	1	100.00	100.00
4" Internal Dual Beverage Holder	1	80.00	80.00
4" Faceplate Shallow w/ Sloped Floor	1	60.00	60.00
Console Mounted Height Adjustable Arm Rest	1	275.00	275.00
Height Adjustable, No Holes Drilled 1-Slot Microphone Clip Plate	1	40.00	40.00
Magnetic Mic	1	85.00	85.00
			0.00
			0.00
Exterior Components			
48" nFUSE LED Exterior Lightbar - B/W	1	3050.00	3050.00
4x2 mPower Stud Mount - Blue - Quarter	2	275.00	550.00
4x2 mPower Shroud	2	25.00	50.00
Surface Mount Intersectors - B/W - Mirrors	2	325.00	650.00
Intersector Mirror Brackets	2	35.00	70.00
Surface Mount Intersectors - R/B/W - Decklid	2	325.00	650.00
Intersector Decklid Brackets	2	25.00	50.00
Vehicle Specific Speaker Bracket	1	120.00	120.00
100W Speaker	1	350.00	350.00
4" mPower Quickmount - Grille - B/W	4	215.00	860.00
mPower Grill Brackets	4	85.00	340.00
Setina PB400 Aluminum Bumper (BK0534DUR21)	1	1200.00	1200.00
			0.00
			0.00
Decal Package			
Department Specific Decal Package (Artwork Complete)	1	450.00	450.00
			0.00
Labor			
Installation	50	50.00	2500.00
			0.00
Shipping			
Soundoff Signal Freight	1	200.00	200.00
Setina Freight	1	162.05	162.05
Troy Products Freight	1	650.00	650.00
			0.00
			0.00

## Notes & Terms

Shipping charges can change quickly and are subject to fluctuation. Upon accepting the bid, we will verify the freight costs and relay the final price to you at that time.

EQUIPMENT & DECALS \$16,480.00

LABOR \$2,500.00

DISCOUNT \$5,000.00

SUBTOTAL LESS DISCOUNT \$13,980.00

SHIPPING/HANDLING \$1,012.05

**Quote Total \$ 14,992.05**



Emailed 2/13/24

Office of the  
**SHERIFF OF RANDOLPH COUNTY**

**Law Enforcement**

32 Randolph Avenue  
Suite 201  
Elkins, WV 26241

Web: rcsowv.org  
Phone: (304) 636-2111  
Fax (304) 630-0467



**Tax Office**

4 Randolph Avenue  
Suite 100  
Elkins, WV 26241

Web: wvpropertytaxes.com  
Phone: (304) 636-2100  
Fax (304) 636-2093

**Robert R. Elbon Jr., Sheriff**

2/12/2024

The Sheriff's Office respectfully requests the following budget revisions.

**IN-HOUSE BUDGET REVISION**

Reason for Revision: Adjustment to TF line items

**REVENUES:**

		PREVIOUSLY APPROVED AMOUNT	INCREASE	DECREASE	REVISED AMOUNT
ACCOUNT NUMBER	Account Name				

TOTAL INCREASE/(DECREASE) REVENUE: \$0.00 \$0.00 \$0.00 \$0.00

**EXPENDITURES:**

		PREVIOUSLY APPROVED AMOUNT	INCREASE	DECREASE	REVISED AMOUNT
ACCOUNT NUMBER	Account Name				
075-404-2-30-00	FUND 075 TF Contract Services	<del>\$424.50</del> <del>-\$0.00</del>	\$94.00		<del>-\$94.00</del>
075-404-2-33-00	FUND 075 TF Investigations	\$20,200.00	\$5,589.00		\$25,789.00
075-999-9-00-00	Fund 075 TF Contingency	\$82,775.50		\$5,683.00	\$77,092.50

\$5,683 \$5,683

TOTAL INCREASE/(DECREASE) EXPENDITURES: \$0.00

REVENUE CHANGE LESS EXPENDITURE CHANGE \$0

Respectfully,

Robert R. Elbon Jr.  
Sheriff/Treasurer

2-15-2024  
DK-moved  
DK-yes  
Csee-yes  
E siler yes



# SHERIFF OF RANDOLPH COUNTY

## Law Enforcement

32 Randolph Avenue  
Suite 201  
Elkins, WV 26241

Web: [resowv.org](http://resowv.org)  
Phone: (304) 636-2111  
Fax (304) 630-0467



## Tax Office

4 Randolph Avenue  
Suite 100  
Elkins, WV 26241

Web: [wvpropertytaxes.com](http://wvpropertytaxes.com)  
Phone: (304) 636 2100  
Fax (304) 636 2093

**Robert R. Elbon Jr., Sheriff**

2/12/2024

The Sheriff's Office respectfully requests the following budget revisions.

### In-House BUDGET REVISION

Reason for Revision: Adjustment to Jail lines.

#### REVENUES:

		PREVIOUSLY APPROVED AMOUNT	INCREASE	DECREASE	REVISED AMOUNT
ACCOUNT NUMBER	Account Name				
001-322-91-0					

TOTAL INCREASE/(DECREASE) REVENUE: \$0 \$0 \$0 \$0

#### EXPENDITURES:

		PREVIOUSLY APPROVED AMOUNT	INCREASE	DECREASE	REVISED AMOUNT
ACCOUNT NUMBER	Account Name				
001-703-3-45.00	JAIL UNIFORM	\$2,919	\$2,500		\$5,419
001-703-2-21.00	JAIL TRAINING	\$4,500		\$2,500	\$2,000
			\$2,500	\$2,500	

TOTAL INCREASE/(DECREASE) EXPENDITURES: \$2,500 \$2,500 \$0

REVENUE CHANGE LESS EXPENDITURE CHANGE \$0

Respectfully,

Robert R. Elbon Jr.  
Sheriff/Treasurer

2-15-2024  
DK moved  
CS yes  
CS iter yes  
DK yes

Office of the  
**SHERIFF OF RANDOLPH COUNTY**

**Law Enforcement**

32 Randolph Avenue  
Suite 201  
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**Tax Office**

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Fax (304) 636-2093

**Robert R. Elbon Jr., Sheriff**

2/5/2024

The Sheriff's Office respectfully requests the following budget revisions.

**In-House BUDGET REVISION**

**Reason for Revision:** To move copier lease budget to the Equipment Rental line.

**REVENUES:**

		PREVIOUSLY APPROVED AMOUNT	INCREASE	DECREASE	REVISED AMOUNT
ACCOUNT NUMBER	Account Name				

TOTAL INCREASE/(DECREASE) REVENUE: \$0 \$0 \$0 \$0

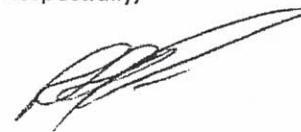
**EXPENDITURES:**

		PREVIOUSLY APPROVED AMOUNT	INCREASE	DECREASE	REVISED AMOUNT
ACCOUNT NUMBER	Account Name				
001-404-4-59.00	SHERIFF EQUIPMENT	\$3,200		\$952	\$2,248
001-404-2-19.00	SHERIFF EQUIPMENT LEASE	\$0	\$952		\$952
			\$952	\$952	

TOTAL INCREASE/(DECREASE) EXPENDITURES: \$952 \$952 \$0

REVENUE CHANGE LESS EXPENDITURE CHANGE \$0

Respectfully,

  
Robert R. Elbon Jr.  
Sheriff/Treasurer

2-15-2024  
DK moved  
C see yes  
C siler yes  
DK yes





