

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 Commission Annex, on the 3rd day of September, 2026 at 1:30 p.m.

Present: Randolph County Commission President, David Kesling and Commissioners Chris Siler and Kenna Barger.

Meeting called to order by Commissioner Kesling

PUBLIC COMMENT: None

MINUTES:

Commissioner Barger moved to approve the minutes from the regular meeting that was held on August 20, 2026, as submitted. All yes – Motion passed unanimously

REPORTS:

Rhett Dusenbury, Senior Field Representative for Congressman Riley Moore appeared before the Commission. Dusenbury spoke on the Coal Community Webinar. The webinar was in reference to what the EDA and PRC will be able to contribute and help the impacted coal communities, as well as grants that go to them. There is a QR available for those to scan and it places them on a list for project funding. Dusenbury also mentioned a Miner Monument that is going to be on display at the National Mall. Senator Justice introduced this to the Senate, named the Hershel "Woody" Williams National Medal of Honor Monument Location Act Bill. The bill has passed thru the Congress.

Karla Mahanes, Interim County Clerk appeared before the Commission. She said that the Clerk's office is preparing for the upcoming General Election in November. The office has sent out 1,229 letters to voters who were affected by the closure of North Elementary School, precincts 80 and 160 were both affected by that closure. Voters will now vote at Elkins High School on Election Day. Mrs. Mahanes, stated that letters are coming back undeliverable and encourages voters to update their addresses with the Clerk's Office in order to get the records correct and voters in the correct precincts. Mrs. Mahanes also stated that the window to request an absentee ballot is open for voters. The deadline to request an absentee ballot is October 28, 2026. Ballots are set to be delivered to the Clerk's Office on September 18, 2026. Mrs. Mahanes also noted that the Republican Executive Committee is still in need of Republican Poll Workers for the upcoming Election as well. Carolyn Jackson the President of the Republican Executive Committee was still in need of 9 workers. If anyone is interested in working, Mrs. Mahanes stated to contact the Clerk's Office or Carolyn Jackson.

Dog Warden Zach Judy appeared before the commission. Mr. Judy stated since starting on Tuesday he has been on 4-5 calls. 3 of the 4 have been calls on cats. Also, Mr. Judy is wanting to meet with Commission and Prosecutor Parker about implementing a foster program for the county. Space is limited at the shelter, so he would like to have a program in place where fostering could be an option for so long then they can go the shelter for adoption. Mr. Judy plans on reaching out to the Tucker County Humane officer as well this week to meet with them. Commissioner Kesling would like to have a report roughly once a month with some numbers and figures on the rescues and services. Commissioner Siler asked that Mr. Judy keep a record of those that are accepted and rejected by shelter as well. Mr. Judy stated he has a log system on his computer that he can keep track of those figures for the county.

CORRESPONDENCE: None

ANNOUNCEMENTS:

Commissioner Kesling announced that the next County Commission meeting will be held on Thursday September 17, 2026 at 1:30 pm.

ITEMS FOR DISCUSSION/ACTION:

INFORMATIONAL PRESENTATION ON AMBULANCE AUTHORITY FEE/LEVY

Mr. Parker, spoke on behalf of the letter that was sent from the Attorney General, in regards to the EMS fee. Following the response, we received regarding the taxation issue and the interpretation. Mr. Parker, said had sought an opinion from the Attorney General's Office to determine whether the county could apply and pursue a transaction fee rather than a percentage from the amount of the sale. Mr. Parker said they indicated in summary that as long as certain conditions were met that the County Commission could pursue some type of transaction fee rather than the percentage of the transaction. Mr. Parker said as a result from that they had a conference call with attorneys from Spillman, Thomas & Battle to go over the tax law and how the transaction fee will work and discuss concerns and assure there are no issues going forward. Mr. Parker stated himself, Commissioner President Kesling, Executive Director Gainer, and Commissioner Barger participated in the call with the attorneys, they asked questions and got some information on how to proceed. Mr. Parker, stated essentially the meeting was to make sure that in the event the Commission decides to go forward with the ordinance that they won't have challenges with that in the future. Commissioner Kesling, stated they had the original ordinance and they ran into some road blocks with it. The Commission was then faced with a timeline whether or not a levy was a possibility. However, the deadline for getting the levy on the ballot was 71 days prior to the Election. A meeting was held with the EMS board to determine if they wanted to proceed with the levy on the ballot. The Commission then met to get the levy approved to be on the ballot. Commissioner Kesling stated in the meantime we received the letter from the Attorney General, that the transactional tax could be done in place of the levy. Commissioner Kesling said they took this new information back to the EMS Board, giving them the updated information in regards to the transactional fee. EMS Board decided against the levy. Commissioner Kesling stated in order to get this stopped from being placed on the ballot, they needed this confirmation from EMS. Today we are rescinding the levy decision. Commissioner Kesling stated Commissioner Barger made some good suggestions in recommending they meet with the Chamber of Commerce to let the business become more educated in this new process. The first step is to officially rescind the levy, and then pursue the ordinance. Commissioner Siler state the transaction fee rather than the levy is a speedier way to get money back into the EMS and allows them to keep their head above water. Commissioner Siler said with the transaction fee the Commission and County has more control over the money, if in a year we see the money is over what is needed they can adjust and the same with if they aren't seeing enough money for funding adjustments can be made. Commissioner Siler said the hope is to get the EMS in a position to where they can fund themselves without government assistance and we can remove the transaction fee altogether. If a levy is done, we are looking at a year out before the money is available to the EMS. Commissioner Kesling stated the transaction fee is for anyone traveling thru Randolph County as well, and is fairer and not just focused on property owners, or added as an additional fee on property taxes. Commissioner Siler stated this will also be clearer and easier for business owners. Commissioner Kesling stated the money will be housed at the Courthouse and not automatically dispersed to EMS. The EMS has to submit certain criteria to the EMS board and present to Commission stating the amount and the intent of the money being requested. The Commission wants to make sure everything is crystal clear. Commissioner Kesling stated they appointed new board members at the EMS to handle those specific requests. Those 3 members of the board for the EMS that have been appointed all have financial backgrounds as well as 2 with medical backgrounds, dealing with medical finances and billing. Commissioner Barger stated she would go back to what Kesling stated. The benefit of the transaction fee is that it is spread out to all potential beneficiaries. Any tourist that comes thru our county and has a transaction and has a possible accident they are a potential beneficiary of the ambulance service. Commissioner Barger said there is a need, and it is evident. The checks and balances that were described will help with oversight of expenses. Commissioner Barger moved to rescind the levy on the November Ballot. All yes- Motion passed unanimously. Commissioner Siler moved to approve and continue with the tax attorneys on the transaction fee. When brought for questions and comments, an individual from the audience asked, "will the transaction fee be a certain amount on every transaction, like a sales fee"? Commissioner Kesling stated it will be on every transaction. It will be a flat fee across every transaction. Commissioner Siler stated if we put a 10-cent fee in place, it will be on that one transaction. Second question, "you mentioned the fee could be raised or lowered, does that mean her EMS can get more or less based of

their needs"? Commissioner Kesling stated at the moment the EMS is coming up about \$70,000 short a month, so we need to try to bring in that amount. If we start to bring in more than that and it becomes excessive then the Commission can lower the transaction fee. Finally, the individual questioned, "if you end up with \$100,000 and the EMS doesn't need it, where does that money go"? Commissioner Kesling answered that the money would stay at the Courthouse. The money can not be spent on anything other than the EMS and their needs. Commissioner Kesling asked if there was any further discussion- none. All in favor- Motion passed unanimously.

CONSIDER APPOINTMENT OF INTERIM TO FILL VACANT COUNTY CLERK SEAT

Commissioner Kesling stated as mentioned earlier, Brenda Wiseman retired and she made us fully aware of that about a month ago. With this retirement, we will be looking for a replacement for her. The only stipulation in the State Code is that the replacement has to be the same political party. This replacement would have to be a Democrat. Commissioner Kesling said the state code says the County Commission can place someone that position for 30 days, while they look for a permanent replacement. Commissioner Kesling announced they will be appointing Karla Mahanes for that interim position for 30 days. We are announcing today until the October 1st Commission meeting, anyone who is interested and is a Democrat, has until the 18th to get a resume or letter of interest in to them. They can reach out the Commission Office. The week of the 21st they will interview and meet with anyone interested. Commissioner Kesling stated they will make an announcement of the replacement at the October 1st meeting. Commissioner Barger to clarify this replacement would just be until Brenda's term would expire. Commissioner Kesling stated that yes this would just be filling the unexpired term for Brenda which runs thru January 2028, when filing begins in 2028. Commissioner Siler moved to approved the interim appointment of Karla Mahanes to County Clerk for 30 days. All yes- Motion passed unanimously.

INFORMATIONAL PRESENTATION FROM LIVEABILITY

Brenda Dasher, Community Integration Specialist / IL Manager with Liveability appeared before the Commission. Liveability, works with individuals with disabilities. Mrs. Dasher, brought one of her clients with her today, Megan. Megan has autism. She is Independent and lives on her own. Mrs. Dasher wanted to inform the Commission of some of the things that the program offers and does for those with disabilities. Liveability does a lot of advocating for those with disabilities, one of the main areas lately is with technology and electronics. Those with disabilities struggle with technology, for example using a debit card and using a computer. Mrs. Dasher stated most clients live off of around \$800 dollars a month and can't afford a computer or a cell phone. Mrs. Dasher stated that the most important programs they offer at the moment is a peer support group for the individuals. A lot of clients feel they don't blend in when they leave school. This group meets once a week so they can share stories and their day-to-day life. Due to low funding, they haven't been able to do many activities with them. Mrs. Dasher stated one issue they are having lately is walk ins. This is due to the increase in homelessness in the county. They try to direct them to the proper places like the DHHR for assistance and help with filling our paperwork and documents that can help assist them. Mrs. Dasher has her own personal experience when dealing with someone with a disability. Her son became disabled at the age of 12. Her home was not handicap accessible, his school life changed, and at the time she was unaware of any assistance provided to individuals in her situation. Mrs. Dasher stated Liveability offers that support to people who need it. They help with the school system and IEP's; they offer ADA compliance assistance at no charge. The list for assistance and help is 3 years long at the moment, due to low funding. Supplies are available for those to try and see if it works for them and helps them to function better, if not they have other items available to make sure it's a good fit for the individual. Donations are always accepted, walkers, potty chairs and wheelchairs can be lent out to the community. Mrs. Dasher encouraged the Commission to come and visit and see what they have to offer to the community. Mrs. Dasher introduced Megan to the Commission to speak. Megan spoke to the Commission about her story and background. Megan is originally from Baltimore. Liveability helped her get her finances and living situation better here in Randolph County. In closing, Mrs. Dasher stated she just wanted to appear before the Commission to go over the services they offer and would appreciate any funding, they would

be able to provide would be greatly appreciated. Commissioner Kesling thanked Mrs. Dasher for coming and they will take her presentation into consideration and see if they have any funding to provide.

CONSIDER APPROVAL OF HOMESTEAD ASSOCIATION FUNDING REQUEST

Thomas Rennix the President of the Tygart Valley Homestead Association appeared before the Commission. Mr. Rennix informed the Commission of some things that have been going on at Homestead. They have added fresh paint to the dining hall, and new lights installed. Youth football and cheer practices as well as games are taking place on the field. Mr. Rennix stated they had a party for the kids with inflatables a few weeks prior. Rennix also state the Rosie the Riveter Group will be having displays in the building with pictures and literature information in regards to Rosie the Riveter during WWII. Mr. Rennix stated the display will be provided by Linda Shomo and will be permanent after questions from Commissioner Kesling and Barger. Rennix stated during the winter months, youth basketball uses the gym for games and practices almost on a daily basis. The biggest expense is the gas bill. During the summer, not much is going on in the building, but during the winter they have to have the heat on. They have sent out donor letters to local businesses for help, but not much response. Mr. Rennix stated he could provide figures to the Commission if needed. Commissioner Kesling asked what an average bill looked like, Rennix stated around \$1400.00 a month. The issue with the heating is that it is hot water heating and most have suggested turning it off in those rooms not used but Rennix stated without the water circulating, the pipes get destroyed. Any help the Commission could provide will be appreciated. Commissioner Siler stated they have done a lot at Homestead and provided a lot of services for the people of the Valley. Especially the youth with basketball and football. Rennix stated the grounds are open at all times and even a walking track for those to use. Commissioner Barger stated they have had other fundraising projects to help in the past as well. Commissioner Barger moved to approved the funding request and provide the Tygart Valley Homestead Association the amount of \$5,000.00 and that is to come from Hotel / Motel tax fund. All Yes- Motion passed unanimously

CONSIDER APPROVAL OF AUTUMN ON THE DRY FORK FUNDING REQUEST

Rex Vance President of Dry Fork Recreation Center, Inc. appeared before the Commission. Mr. Vance came to speak on upcoming Autumn on the Dry Fork, to be held on Saturday, October 10, 2026 at the Dry Fork Recreation Center. Mr. Vance stated they have always gotten support from the Commission for their Autumn on the Dry Fork and they also have a Buckwheat feed the Saturday before Deer Season. They offer apple butter, apple cider, chicken and pork dinners. Mr. Vance, stated they are having a hard time getting apples this year for the cider, due to a freeze killing a lot of the apple trees. Construction at the Recreation Center is still taking place he stated with the help of Kevin Lott. They are close to having concrete poured. Commissioner Siler moved to approve the funding request in the amount of \$2,500.00 request to come out of the Hotel / Motel tax fund. All yes- Motion passed unanimously.

CONSIDER APPROVAL OF NEW HIRE FOR SHERIFF'S DEPUTY POSITION

Sheriff Elbon appeared before the Commission. Sheriff respectfully requested the approved to hire John Burns as full time benefited uncertified probationary Deputy Sheriff. If approved his beginning salary would be the uncertified Deputy Sheriff rate of \$24.76 per hour. Mr. Burns is currently employed by the Town of Beverly as Mayor, and Varner's Outdoor. He is also Deputy Chief of the Beverly Volunteer Fire Department. An extensive background investigation was completed by our office, which he successfully passed. Sheriff state Mr. Burns was available to begin work on September 4, 2026. Commissioner Barger moved to approve the hire of John Burns as deputy sheriff. All yes – Motion passed unanimously.

CONSIDER APPROVAL OF TWO NEW HIRES FOR THE SHERIFF'S CORY SECURITY POSITION

Sheriff Elbon appeared before the Commission. Sheriff Elbon requested the hire of Austin Hunter Woods to full-time CSO position. This is a benefited position and will require a 90 probationary period. Mr. Woods is a resident of Randolph County. Mr. Woods will begin employment on September 8, 2026 with a starting salary of \$14.79 per hour. After the 90-day probation period the pay will be adjusted to \$15.57 per hour. Commissioner Siler moved to approve the hire of Austin Woods as CSO Officer. All yes- Motion passed unanimously.

Sheriff Elbon appeared before the Commission. Sheriff Elbon requested the hire of William Hanson Heater II to full-time CSO position. This is a benefited position and will require a 90 probationary period. Mr. Heater is a resident of Randolph County. Mr. Heater will begin employment on September 14, 2026 with a starting salary of \$14.79 per hour. After the 90-day probation period the pay will be adjusted to \$15.57 per hour. Mr. Heater is already a state employee at the Regional Jail with PEIA insurance so the Sheriff asks that his insurance roll over to the county without a lapse in coverage. Commissioner Barger moved to approve the hire of William Heater, II as CSO officer with the consideration of the lapse in insurance coverage. All yes- Motion passed unanimously.

CONSIDER APPROVAL OF PARK VIEW ADDITON LOTS NO. 70-71-72 DEED TRANSFER TO COUNTY

Commissioner Kesling stated the county received a letter from Davis Troastle, Chief Credit Officer at Davis Trust Company, stating they would donate the lot numbers 70-71-72 in Park View Addition to the county, with the stipulation the county would owe the prorated taxes on that. These lots are part of the flood zone. Commissioner Siler moved to approve the deed transfer to the county. All yes – Motion passed unanimously.

CONSIDER APPROVAL OF DELPHA REBEKAH LODGE #62 USE OF WEES ANNEX SIDEWALK FOR 2026 FOREST FESTIVAL

Commissioner Kesling stated they received a letter from the Delpha Rebekah Lodge #62 requesting the use of the sidewalk at the Wees Annex for the 2026 Forest Festival. Commissioner Barger moved to approved the letter from the Delpha Rebekah Lodge #62 requesting the use of the sidewalk for the 2026 Forest Festival. All yes – Motion passed unanimously.

CONSIDER APPROVAL OF SHERIFF'S GLOBAL SECURITY CORPORATION CONTACT.

Sheriff Elbon stated this is a contract for the off-duty deputies to be contracted out and be used as security and patrol the area in Whitmer while contractors are working on gas wells. Chief Deputy Brad Sharp, stated they were contacted by this company to help provide patrols and security on the job site after having some interactions with upset residents in the area. This contract will reimburse county for all fees- benefits, use of county equipment and the wages for the deputy to provide these services. Sheriff Elbon stated we have done contracts with this company several times. Commissioner Siler moved to approve the contract with Global Security Corporation for the Sheriff's Office. All yes – Motion passed unanimously.

CONSIDER RATIFICATION OF SIGNATURE ON WEST VIRGINIA JUSTICE ASSITANCE GRANT PROGRAM APPLICATION

Sheriff Elbon appeared before the Commission. Sheriff stated this was an application for a grant that they had to have submitted to Charleston by a certain date, at this point they just need to ratify the signature. They had just been awarded the grant for \$45,000.00 for the PRO Program and it is the largest amount they have received. Commissioner Barger moved to approve the ratification of signature on the West Virginia Justice Assistance Grant Program Application. All yes- Motion passes unanimously.

FINAL SETTLEMENTS:

Commissioner Siler moved to approve the (9) final settlements, as submitted on the following estates:

Claudia Lee Johnson

Shirley Benjamin Fincham

Texie Marie Mallow

Janet Louise Miller

Annett L. Mallow

Luria Evelyn Vance

Charles Ray Pingley

Louis Henry Nefflen

Charles Dwight Varney

BUDGET REVISIONS:

Commissioner Siler moved to approve an In-House Budget Revision, line adjustment for contract services, HAVA Grant for election equipment purchase in the amount of \$24,901. All yes- Motion passed unanimously.

Commissioner Barger moved to approve an In-House Budget Revision- for the refund request of previous EMS fees in the amount of \$85,022.00. All yes – Motion passed unanimously.

Commissioner Kesling moved to approve the state budget revision for HAVA Grant County match, in the amount of \$24,901.00. Commissioner Siler voted yes, Commissioner Kesling voted yes, Commissioner Barger voted yes – Motion passed

DIVISION OF PROPERTY/ERRONEOUS ASSESSMENTS:

Commissioner Siler moved to approve the division of property and erroneous assessments, as s
DISTRESSED PROPERTIES: None

ZONING LETTERS: None

FIRE FEE ADJUSTMENTS: None

EMS FEE REFUNDS:

Commissioner Barger moved to approved the 4 EMS refunds in the amount of \$4,846.77. All yes- motion passed unanimously

PAYMENT OF BILLS:

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

ADJOURN THE MEETING:

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

Attest: _____