

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 16th day of March, 2023 at 1:30 p.m.

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

Meeting called to order by Commissioner Kesling

PUBLIC COMMENT:

Stacy Putzulu appeared before the Commission. She said she has been helping with abandoned animals and has rescued animals for over 10 years. She said she has taken in dogs, cats, pigs, ducks, chickens etc. She said there is a crisis in Randolph County and another facility could help combat this dilemma. She said there have been several instances where people have been turned away at the shelter and given her name to help. She said she has also encountered many instances where the dog warden asked for her help. She discussed an incident in Mill Creek where the owner died and left animals in a trailer. She helped with that. She said she helped pay vet bills for an elderly dog that the owner could not afford to pay. She said the animals are not getting help in Randolph County but in other Counties and States. She said the animal shelter is known as a non kill shelter but that is not true, they do euthanize. She encourages the Commission to move forward with building another facility to help these animals. She said she doesn't feel the current administration of the shelter has the ability to take opinion or suggestions from outside sources to help their own crisis within their facility. She suggested the Commission reach out to surrounding facilities to see how their operations work.

Tina Louk appeared before the Commission. She said rescue is not easy and it takes a team. She is hopeful a new facility with help the animals in this County. She said the shelter has turned down taking animals numerous times. She said this prohibits the dog warden from responding to calls because he has no facility to take the animals to. She said they select what animals they want to take. She said she is pleased the Commission is exploring other options because she feels the shelter we have now does not always meet the needs of the citizens. She discussed an incident in which a elderly man passed away and left 40 plus animals behind to fend for themselves. There were dogs locked in trailers with windows boarded shut, countless cats running around all over the property, animal carcasses on the property. She said in one shed they found a dog locked in a building with the remainder of his companion there because that is what he was eating. She said family members contacted the shelter but they were not able to take that large volume of animals and especially because they needed medical care. She said the family members reached out to Stacy Putzulu and herself and they were able to put together a team of private people. She said other county shelters and out of state rescues were able to help. She said an additional facility in this County definitely would have helped this situation. She discussed another incident where a dog was shot and left for dead in the woods. She said in 2021 the Randolph County

Randolph County Humane Society took in 517 dogs and cats and 27 of those were euthanized. She said they are not a non kill shelter.

Abigail Hahn appeared before the Commission. She said she runs Kitten Holler cat rescue based in Mill Creek since 2021. She said she tentatively supports the plan for another shelter but she would like to see the plans, including the budget, housing capacity, intake policies, placement policies and euthanaza policy. She said she admires the work that the existing animal shelter does, they serve animals and they care very well for them. She said in 2022 Kitten Holler took in and placed 130 cats either with other shelters or with homes. She said most of the people that contacted them with cats said they already tried the Randolph County Humane Society shelter. She said she researched some County run shelters and gave the statistics to the Commission.

Cody Thompson appeared before the Commission. He said he is highly invested in the success of Randolph County. He said he is adamantly opposed to a County run animal shelter. He said the Randolph County Humane Society is a truly wonderful facility. He said it is reported that not much change has happened there in years, but this is just not true. He said his uncle ran the facility in the 80's and 90's and he has seen the major improvements to expand and upgrade the facilities since that time. He said he is opposed to the proposal that this would not be a kill shelter. He said he just doesn't believe this. He said he knows how government works and things can change when new legislators or commissioners are elected. He said he feels there is no guarantee that can be put into place to solidify that. He said he also believes that the Randolph County Humane Society should be receiving more funding from the County, not less and certainly not to be in competition with a County run facility. He said with more funding the issue with animals being turned away would not happen as they would have more funding to expand. He said as Commissioners they entrust them to be good stewards of their tax dollars, this is not that. He said this is absurd and he respectfully requests that this Resolution be tabled.

Nancy Tavalocci appeared before the Commission. She said Mineral County was supposed to be a model county for the new facility that the Commission wants to build. She said Commissioner Siler was quoted as saying he could run a shelter on \$125,000.00. She said he later admitted that was for a kill shelter and he was not proposing a kill shelter. She said the Randolph County Humane Society should be included in these discussions. She said Commissioner Siler's suggestion to withdraw funding should be examined. She said the RCHS has saved the County money each year by both as a drop off for the dog warden and Humane Society. The present director has been there for 22 years. She made the decision that no animal would be killed to make room for another. She said they get vet care which sometimes costs thousands of dollars, they are spayed and neutered and a home is sought for them. She said the director, staff and volunteers put their blood, sweat and tears into the care of these animals. She said she contacted some other counties that have county facilities and human societies. She said they work together and there are no restrictions. She said we need to have spay and neuter clinics. She said they need funding. She said denying them funding is moving backwards. She said they need a joint venture with common goals, pulling resources and working together.

Rose Belt appeared before the Commission. She said she has lived in Elkins since 1997. She said she has seen a lot of changes at the shelter. She said they have done an incredible job in over 26 years with what they have. She said if they had funds they could deal with all the animals. She agreed a large number are turned away due to no room. She said she has rescued animals herself. She said a lot of animals are bought by parents who don't do research on how to care for the animals so therefore they are just abandoned. She said should we build a new shelter or give them the resources they need?

Tina Vial appeared before the Commission. She said she is the President of the Randolph County Humane Society Board of Directors. She said she has been the liason between this board and this body for over a decade now. She said she is confused by the Resolution that is on the agenda today. She said the two entities have enjoyed a solid working partnership for many years and until their annual meeting in February they had no reason to believe that anything about that had changed. She said the news that they were looking into building their own animal control facility which would result in re-routing funds from RCHS came as a complete and total surprise. Until that moment they had not been approached by any of the Commissioners with questions, concerns, request for conversation, nothing. She said they stand ready to have conversations about how services can be expanded and improved with existing resources. She said she is a grant writer and accompany every request for funding she has ever written there is always a plan included for operation after the build. She said they have seen none of that. She said appears that availability of space at RCHS is a driving force in this process, as it has been mentioned a lot here today. She said this is a consequence of pet over population which is a reality nationwide, except in places where they have placed a high priority in spay and neuter services. She said they can build facility after facility after facility but it would not change the reality. She said RCHS does not euthanize healthy adoptable animals in order to make room for more healthy adoptable animals. She said that means they are generally going to be running at full capacity until the whole community takes spaying and neutering seriously. She said they heard this new facility will house animals when RCHS can't take them, will they then be spayed and neutered and available for adoption or some other disposition? Why aren't all the stakeholders sitting down to discuss meaningful and tactful ways to provide adequate resources and services? How much will it cost taxpayers after the initial build that is supposed to be funded by grants? What credentials will be required of the people running this facility? She said out of respect for this long standing partnership they would appreciate transparency and good faith opportunities to address the concerns that are motivating this proposed facility before money is spent on it. She said they have big dreams too and they are only hampered by funding. She said experience tells them that innocent animals will die if this goes forward.

Margaret Geiser appeared before the Commission. She said she volunteered at the shelter a lot and she has lived in this County a long time and yes occasionally there are animals put down there. She said sometimes if a dog is mean and not able to be placed and is not safe to be placed they need euthanized. She said you can't think that to build a whole new shelter is going to help when we already have something that is working and have served this community for 20-30 years. She said it doesn't make sense to her. She said the problem is that it is not big enough and they don't get enough money, so to put that somewhere different is not going to help at all. She said it is not the shelters fault if someone

takes a dog up in the woods and kills it because they were full and couldn't take it. She said if a hospital fills up they tell you to go to another hospital.

MINUTES:

Commissioner Siler moved to approve the minutes from the regular meeting that was held on March 2, 2023, as submitted. All yes – Motion passed unanimously

REPORTS: None

CORRESPONDENCE:

Commissioner Kesling said the Commission received a thank you letter from the Arts Center for their donation.

ANNOUNCEMENTS:

Commissioner Kesling announced that the next meeting will be April 6, 2023 at 1:30 p.m.

ITEMS FOR DISCUSSION/ACTION:

CONSIDER APPROVAL OF RESOLUTION TO REQUEST CONGRESSIONALLY DIRECTED SPENDING (See copy attached)

Commissioner Kesling read the Resolution out loud. He said this is funding that is open through congressional spending that we are applying for to build whatever we decide to build for an animal shelter or humane officer building. He said this just states that we will be applying for that funding. Commissioner Kesling moved to approve the Resolution, as submitted. All yes – Motion passed unanimously

CONSIDER APPROVAL OF RESOLUTION FOR ANIMAL CONTROL FACILITY

Commissioner Siler said we need to table this until we get more plans together as far as policies and procedures, with the funding of what it is going to cost to build, what it is going to cost to run. Commissioner Kesling said he agrees and thinks there needs to be total transparency of the budget and what it is going to cost and where it will be built. He said for us to say we are going to do it is reckless when we don't even have the money for it. Commissioner See agrees also. Commissioner Siler moved to table this item. All yes – Motion passed unanimously

CONSIDER APPROVAL OF PAY APPLICATION #7 FOR POOL/SPLASH PAD PROJECT

Commissioner Kesling presented a power point presentation showing the work that has been done so far on the pool/splash pad project. He said they are going with a wilderness theme. He said the pool house is now ADA accessible and the foundation for the concession stand has been added. The gutter system and drain system replaced. There is an enclosed shelter with picnic tables which are ADA accessible. He said Beverly Volunteer Fire Department filled the pool. They added lanes for lap swimming. The concrete work has been done for bulk of the area. Button system will allow splash pad

operation after hours. Dan Hill Construction will do frame for sign at entrance. He said new showers were installed with two outside showers and a shower in each bathroom. He said they are planning on opening Memorial Day Weekend . Commissioner Siler moved to approve pay application #7 for the pool/splash pad project in the amount of \$233,417.88 to Dan Hill Construction and that is to be taken out of the community development funds line. All yes – Motion passed unanimously

CONSIDER APPROVAL OF PROPOSED BUDGET FOR FISCAL YEAR 2024

Commissioner Kesling said they have spent almost a month going through the budget process and he wants to let everybody know the levy rate will remain the same at 14.07 and they are estimating \$12,639,190.00 in revenue which is down from the prior year of \$13,134,585.00. He said if you go back and look we had refunds and reimbursements of \$900,000.00 and the bulk of that came from COVID reimbursement funding. He said that is why there is a major decrease from the prior year. He said they have an increase in estimated property tax revenue of \$334,000.00 so even with the loss of COVID funding it should work out. He said each office has their own budget and he said since he has been here he has been working to decrease the County Commission budget. He said they decreased the County Commission budget by \$38,773.00 and the Courthouse budget by \$288,705.00 this year. He said by reducing and maintaining and working with the other elected officials they are again able to give a 5% raise for all employees. He said they have a regional jail bill they receive every month which is usually around \$100,000.00 or more a month. He said they have budgeted 1.5 million for that. He went over the top 3 contributions that they make every year. He said they have reallocated the money they usually give to Elkins Main Street and Elkins Parks and Recreation because they never submitted a request for funding. He said they will be relocating the Prosecuting Attorney's Office to the Jory and Smith building after June 1, 2023. He said they are working with Kurt Gainer with Randolph County EMS to search for land on Corridor H as expansion continues for a substation so they can have faster response times. He said they have budgeted to hire a second Humane Officer and have several applications for that from when they hired Ron Gooden. He thanked the elected officials and employees for not over spending and keeping the County in the black. He said Randolph County has been able to roll over 3.5 million ending fiscal year 2023 in the black once again. Commissioner Siler moved to approve the budget for fiscal year 2024, as submitted. All yes – Motion passed unanimously

INFORMATIONAL PRESENTATION FROM RANDOLPH-TUCKER CHILDREN'S ADVOCACY CENTER

Commissioner Siler moved to table this item as there was no one present to speak on it. All yes – Motion passed unanimously

INFORMATIONAL PRESENTATION AND FUNDING REQUEST FROM JOHN BALLENTYNE YOUTH GOLF ASSOCIATION

Mary Snelson, President of the Elks Lodge John Ballentyne Youth Golf Association, appeared before the Commission. She said this is a volunteer program and they do not charge the participants any fees to play. She said they are teaching the kids how to play Golf but are also teaching them core values such as honesty, integrity, responsibility, confidence, sportsmanship, perseverance, respect, courtesy, and judgment. She said for years they have had a great groups of kids participate in this program, they are

very polite and listen and it's a lot of fun to work with them. She said during the winter months they go to the Phil Gainer Community Center and work with the kids after school. She said sign-ups begin on April 15th. She said they start off by going to the driving range in Crystal Springs in May and then to the golf course in June. She said the final week they have a competition. She said they also pay for any of the kids interested to go to Stonewall Resort for a free lesson. She said this costs about \$800.00 last year. She said the kids get a putter and iron that they get to keep, practice balls and polo shirts. She said all of their funding comes from donations. She said this is open for kids from ages 6-18 and they never turn any kids away. She said last year they had three children enter a drive pit and put contest and went to Parkersburg. She said one of those children won and then went to Pennsylvania and won there and then went to New York but she was not successful there. She said this brought a lot of PR for the program and she thinks that is why more people are interested this year. She said they are requesting \$1,500.00 from the County Commission and invited the Commission to come watch the kids play. Commissioner Kesling said he can tell she really has a passion for this and he admires that. He said this is something great to get the kids involved in. Commissioner Siler discussed the scholarships that are available for this. Commissioner See asked how long have they been doing this? Ms. Snelson said for at least 10 years. Commissioner Siler moved to approve the funding request from the John Ballentyne Youth Golf Association in the amount of \$1,500.00 and that is to be taken from hotel/motel tax funds. All yes – Motion passed unanimously

CONSIDER APPROVAL OF FUNDING REQUEST FROM ELKINS ENERGY YOUTH BASKETBALL

Commissioner Siler said he received a letter from Brian Thompson regarding the Elkins Energy Youth Basketball. He said this is for students from grades 4-9 and they will compete in tournaments around the region including Bridgeport, Charleston and Deep Creek Maryland. He said they have 50 athletes and a volunteer coaching staff of 10. He said each team is in need of uniforms, basketballs and tournament fees. Commissioner Siler moved to approve the funding request from Elkins Energy Youth Basketball in the amount of \$500.00 and that is to be taken from hotel/motel tax funds. All yes – Motion passed unanimously

CONSIDER APPROVAL OF FUNDING REQUEST FROM BEVERLY HERITAGE CENTER

Commissioner Kesling said they received a letter from the Beverly Heritage Center requesting \$25,000.00 for the second half of the hotel/motel tax from January to June 2023. He said they have done this in the past and this is the second half as they have already given them the first half. Commissioner Siler moved to approve the funding request from Beverly Heritage Center in the amount of \$25,000.00 to be taken from hotel/motel tax funds. All yes – Motion passed unanimously

CONSIDER APPROVAL OF SUBMISSION FOR 2023/2024 VOCA GRANT

Allyson Smoak appeared before the Commission. She said the federal administrators haven't sent her any paperwork so it's not ready to be done yet. She will get back on the Agenda when it is ready. Commissioner Siler moved to table the 2023/2024 VOCA Grant until paperwork is ready. All yes – Motion passed unanimously

CONSIDER APPROVAL OF HIRE IN PROSECUTING ATTORNEY'S OFFICE FOR JUVENILE SERVICES
COORDINATOR

Allyson Smoak from the Randolph County Prosecuting Attorney's Office appeared before the Commission on behalf of Michael Parker. She said they would like to hire Cassie Lowery for the position of Juvenile Services Coordinator. She said they had a number of very qualified candidates, but Cassie offers a wealth of experience and after interviewing was the most qualified and best fit for their office. There was a background check done and everything was fine with that. She said they would like to hire her in a full time benefited position with a starting salary of \$30,000.00 per year. Commissioner Siler moved to approve the hiring of Cassie Lowery, as presented. All yes – Motion passed unanimously

CONSIDER APPROVAL OF HIRE RECOMMENDATION FOR 4H DIRECTOR

Commissioner Siler said a couple of weeks ago the 4 H Board and Randolph County Parks and Recreation Board met and did interviews for this position. He said they interviewed approximately 8 people that evening. He said the Randolph County Parks and Recreation Board is requesting that Sara Cunningham be hired as the director of Camp Pioneer with this being a full time position with a salary of \$14.00 per hour with full county benefits and a 90 day probationary period and she will begin working on March 20, 2023. Commissioner Siler moved to approve the hiring of Sara Cunningham, as presented. All yes – Motion passed unanimously

CONSIDER APPROVAL OF NEW HIRE FOR 911 CENTER (See copy attached)

Robert Daman appeared before the Commission. He said they would like to hire Devin Petrice as a full time telecommunicator trainee. This is a full time position with full county benefits and a probationary period of 6 months. His starting salary would be \$12.25 per hour with a starting date of March 22, 2023 and the current budget will cover his wages. Commissioner Siler moved to approve the hiring of Devin Petrice, as presented. All yes – Motion passed unanimously

CONSIDER APPROVAL OF PURCHASING POLICY FOR VEHICLES

Commissioner Kesling said prior to COVID they would go through a statewide contract when trying to purchase vehicles but due to COVID and now it's harder to get cars in they have modified the policy to include cars, trucks and SUV's that can be purchased outside the statewide contract. This is from section 9. Commissioner Siler moved to adopt the purchasing policy for vehicles, as submitted. All yes – Motion passed unanimously

CONSIDER APPROVAL OF VEHICLE PURCHASE FOR SHERIFF'S OFFICE

Sheriff Elbon said in November 2021 he was given permission to order 4 vehicles from Elkins Fordland. The order was cancelled. He said he also ordered a Ford F150 pickup and Fordland did not cancel that order. He said they now have the truck on their lot and the Sheriff's Department already has the push bar and light bar to fit that vehicle. He said he would like to purchase the truck and give it to his Chief Deputy and use his car as a spare. He said they are down 1 car right now. Commissioner Siler moved to approve the purchase of a 2023 Ford F150 police responder in the amount of \$44,880.00 to be taken

from courthouse equipment line which is where they budget for situations like this. All yes – Motion passed unanimously

CONSIDER APPROVAL OF QUOTE TO REPLACE FLOORING IN THE LAW ENFORCEMENT OFFICE

Sheriff Elbon said the Law Enforcement Office at the Wees Annex has carpet which was installed when the building was built. He said it is completely worn out and needs replaced. He said there is also sometimes accidents with the K9 Officer. He said it would be better to have a tile floor. He said he got two bids, one from Sonny's Carpet and one from Bates Carpet. The first bid was from Sonny's Carpet in the amount of \$17,004.02 and the second bid was from Bates Carpet in the amount of \$14,442.25. Commissioner Siler moved to approve the quote from Bates Carpet in the amount of \$14,442.25 to be taken from other buildings and maintenance line for flooring replacement in the Sheriff's Law Enforcement Office. All yes – Motion passed unanimously

CONSIDER APPROVAL OF QUOTE FOR CARPET REPLACEMENT IN ELEVATORS

Commissioner Kesling said while they are looking at replacing carpet they thought it would be a good time to replace the carpet in the elevator at the Courthouse and Wees Annex. They received one bid for that from Sonny's Carpet. Commissioner Siler moved to approve the quote from Sonny's Carpet in the amount of \$499.99 and that is to be taken from courthouse maintenance line. All yes – Motion passed unanimously

CONSIDER APPROVAL OF MURAL AND SIGN DESIGNS FOR POOL/SPLASH PAD PROJECT

Commissioner Kesling said they do not have the mural to approve but they have the sign design that he presented earlier in his presentation. Commissioner Siler moved to approve the sign design for the pool/splash pad, as presented. All yes – Motion passed unanimously

CONSIDER APPROVAL OF ACBA LICENSE FOR EL TORO STEAKHOUSE

Commissioner Siler moved to approve signing the no zoning permit letter for El Toro Steakhouse, as presented. All yes – Motion passed unanimously

CONSIDER SIGNING LETTER OF SUPPORT FOR ELKINS-RANDOLPH COUNTY PUBLIC LIBRARY

Commissioner Kesling read the letter of support out loud. He said they are wanting to expand and restore the old structure that was damaged due to a roof collapse. The project is going to cost \$3,483,150.00 with 18 months to complete. He said they are ready to move forward but lack funding. This letter of support is to help them get the funding they need. Commissioner Siler moved to approve the signing of the letter of support, as presented. All yes – Motion passed unanimously

CONSIDER RATIFICATION OF COMMISSION PRESIDENT'S SIGNATURE ON LETTER OF SUPPORT FOR NORTON HARDING JIMTOWN PUBLIC SERVICE DISTRICT

Commissioner Kesling read the letter of support out loud. This is for improvements to their water treatment plant. This had to be in by last Sunday at midnight. Commissioner Siler moved to ratify

Commission Presidents signature on the letter of support for the Norton Harding Jimtown PSD, as presented. All yes – Motion passed unanimously

CONSIDER RATIFICATION OF COMMISSION PRESIDENT’S SIGNATURE ON LETTER OF SUPPORT REGARDING CORRIDOR H

Commissioner Kesling said this was a letter of support that Robbie Morris called and said they needed right then. This letter of support goes to Senator Manchin. Commissioner Kesling read the letter of support out loud. Commissioner Siler moved to ratify the Commission President’s signature on the letter of support for Corridor H. All yes – Motion passed unanimously

FINAL SETTLEMENTS/ANNUAL ACCOUNTINGS:

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

Joseph Algernon Wallace

Nila G. Phillips

Michael Elliott Hendershot

Ray Columbus Bennett

All yes – Motion passed unanimously

BUDGET REVISIONS:

Commissioner Siler moved to approve an In House Budget Revision in the amount of \$5,000.00 for the Sheriff’s Office . All yes – Motion passed unanimously

Commissioner Kesling moved to approve a State budget Revision for the dog warden, state grants and litter control grant. Commissioner Kesling voted yes, Commissioner See voted yes, Commissioner Siler voted yes. Motion passed

DIVISION OF PROPERTY/ERRONEOUS ASSESSMENTS:

Commissioner See moved to approve the divisions of property and erroneous assessments, as submitted. All yes – Motion passed unanimously

DISTRESSED PROPERTIES: None

FIRE FEE ADJUSTMENTS:

Commissioner See moved to approve the (20) Fire Fee adjustments, as submitted. 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: _____

Randolph County Commission



Commissioners

David L. Kesling

Chris See

Christopher Siler

RESOLUTION

Be it resolved that the **Randolph County Commission** hereby certifies that it has legal authority to apply for and administer a Request for **Congressionally Directed Spending for FY 2024** from the Office of U.S. Senator Joe Manchin; that a resolution has been duly passed as an official act of the applicant's governing body, authorizing the filing of the application on March 12, 2023 including all understandings and assurances contained therein; and directly authorizing **the Randolph County Commission President**, the person identified as the official county representative of the applicant to plan, budget, apply, receive and administer funds, and to provide such additional information as may be required.



Randolph County Clerk



Randolph County Office of Emergency Management/911
194 Airport Road
Elkins, WV 26241
OEM: (304) 636-0483
Dispatch: (304) 636-2000
Fax: (304) 636-3298

March 16, 2023

Commissioners;

I am requesting the approval for the hiring of Devin Petrice as a telecommunicator trainee. This is a full-time position with county benefits and a probationary period of 6 months. Wage would be \$12.25 an hour with a starting date of March 22, 2023. Current budget covers his wages.

Thank you,

Shonna Fox