

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 November, 2023 at 1:30 p.m.

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

Meeting called to order by Commissioner Kesling

PUBLIC COMMENT: None

MINUTES:

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

REPORTS:

Sheriff Rob Elbon presented the Delinquent tax list to the Commissioners. He also reported that Sondra Channell retired yesterday after serving 23 years and 5 months as a County employee.

CORRESPONDENCE: None

ANNOUNCEMENTS:

Commissioner Kesling announced that the next regular meeting will be on December 7, 2023 at 1:30 p.m. He said the audit committee will meet today after this meeting. He also announced that the Courthouse complex will be closed on Thursday November 23rd and Friday November 24th for the Thanksgiving Holiday.

ITEMS FOR DISCUSSION/ACTION:

INFORMATIONAL PRESENTATION AND FUNDING REQUEST FROM OUR TOWN (See copy attached)

Priscilla Gay, Our Town Treasurer, appeared before the Commission. She said she was there to ask for funding for the 2024 4th of July fireworks. She said 2023 was the first year that Our Town was in charge of the fireworks. She said they made a lot of changes and have had nothing but positive comments about it. She said she knows it's early to be thinking about the fireworks but if they order them before December 1st they can get a 15% discount. She said they are asking for \$5,000.00 in funding from the Commission. Commissioner Kesling said the fireworks show was awesome and he has heard a lot of positive comments too. He said the Commission is very happy to be a partner on this. Commissioner Siler moved to approve the funding request from Our Town, Inc. in the amount of \$5,000.00 and that is to be taken out of Hotel/Motel Tax funds. All yes – Motion passed unanimously

CONSIDER APPROVAL OF FUNDING REQUEST FROM CITY OF ELKINS FOR WHITMER WATER ASSOCIATION (See copy attached)

Wes Lambert from the City of Elkins appeared before the Commission. He said he was there to ask the Commission to consider the requisition summary that has been presented to them regarding the Whitmer Water Association. He said there are 3 areas they need help with. He said they were able to get a \$151,000.00 critical needs grant but that was the extent of funding they were able to find. He said they still owe a bond payment of \$225,000.00. He said if that bond is not paid off the customers will have to pay more on their bill each month. He said it would be \$77.00 a month for the minimal bill and if the bond is paid off it would be \$62.00 a month for the minimal bill. He said the next area they need help with is with the four water taps, which one of those is for the Whitmer Fire Department which will have to be a fire service tap. He said the next area they need help with is to help cover the cost of the City of Elkins expenses which is now at \$72,323.16. Commissioner Kesling said the Commission met with the City of Elkins and had a somewhat productive meeting and came up with a partnership. He said the Commission will contribute \$60,270.67. He said the Commission is not in a position to pay for the bond. He said this money would be for the four taps and half of the City of Elkins fees. Commissioner Siler said the Commission's budget has been affected by the TIFF so they don't have the money to pay for it all. Commissioner Siler moved to approve the funding request from the City of Elkins in the amount of \$60,270.67 and that is to be taken out of the Community Development line. All yes – Motion passed unanimously

INFORMATIONAL PRESENTATION AND FUNDING REQUEST FROM RANDOLPH COUNTY OUTDOOR EDUCATION

Commissioner Kesling said they could not make it today so this item is tabled.

INFORMATIONAL PRESENTATION AND FUNDING REQUEST FROM TYGARTS VALLEY WRESTLING FEDERATION (See copy attached)

Ben Simmons with the Tygarts Valley Wrestling Federation appeared before the Commission. He said they have been doing wrestling shows in Randolph County since 2019. He said they have had shows at the Phil Gainer Center and Tygarts Valley High School. He said the next show is scheduled for December 8th at the Phil Gainer Center. He said he was there to ask the Commission for funding. He said a lot of people come in from other states to compete in these shows and some bring family members with them who stay at the hotels and eat at the restaurants. He said usually 400-500 people attend the shows. He said each show costs about \$8,000.00 to put on. He said he would like to host shows at other events such as the Randolph County Fair, Beverly Days, the Mountain State Forest Festival and the annual 4th of July Celebration. Commissioner See moved to approve the funding request from Tygarts Valley Wrestling Federation in the amount of \$5,000.00 and that is to be taken out of Hotel/Motel Tax funds. All yes – Motion passed unanimously

CONSIDER APPROVAL OF PROCLAMATION FOR NATIONAL HOSPICE MONTH (See copy attached)

Nancy Dotson appeared before the Commission. She said their goal is to help people when needed. She read the Proclamation out loud. Commissioner Siler moved to approve the Proclamation for National Hospice Month, as presented. All yes – Motion passed unanimously

CONSIDER APPROVAL OF RESOLUTION FOR LOCAL ECONOMIC DEVELOPMENT PARTNERSHIP GRANT FOR RCDA

Commissioner Kesling said this is something they do every year. He read the Resolution out loud. Commissioner Siler moved to approve the Resolution, as presented. All yes – Motion passed unanimously

CONSIDER APPROVAL OF ESCROW AGREEMENT REGARDING DAVIS HEALTH SYSTEM 2016 SERIES BONDS (See attached copy)

Tom Piercy, Attorney with Bowles, Rice appeared before the Commission. He said this is regarding the merger with Davis Health System and Vandalia Health. He said there was a bond issued back in 2016 that the County Commission was a part of, and the last payment is November 1, 2024. He said there is nothing in the documents that allow for that bond to be paid back early. He said what they would like to do is put the money in escrow and still make the payments in May and November 2024. He said Mr. Parker, Randolph County Prosecuting Attorney, has reviewed the documents and has been very helpful with this. Michael Parker said they have been very good to work with and the documents are in order except for exhibit B on the 2nd paragraph on page 2 which is the amounts, which they have already discussed. He said he feels like this is the only way to do this and this is the appropriate way to proceed. Commissioner See moved to approve the County Commission President's signature on the escrow agreement, as presented and to execute all documents and Resolution. All yes – Motion passed unanimously

CONSIDER PURCHASE OF TASERS FOR RANDOLPH COUNTY SHERIFF'S OFFICE

Sheriff Elbon appeared before the Commission. He said he is requesting that they enter into an agreement with Axon Enterprises, Inc. for the purchase of Tasers and Body Cams. He said this is for the new Court Security Officers and the new Deputies. He had two quotes which totaled \$13,202.19. Commissioner Siler moved to approve the funding request from the Randolph County Sheriff's Office in the amount of \$13,202.19 to purchase tasers and body cams, as presented. That is to be taken out of Courthouse Contractual funds. All yes – Motion passed unanimously

CONSIDER APPROVAL OF VEHICLE PURCHASE FOR THE RANDOLPH COUNTY SHERIFF'S OFFICE

Sheriff Elbon appeared before the Commission. He said as the Commission knows one of the cruisers was totaled during the forest festival. He said they received a settlement for that in the amount of \$9,800.00 but after the deductible they received \$8,800.00. He said he has been searching for cars but they are hard to find right now. He said he found some Dodge Durango's in Pennsylvania. He said these cost \$45,437 each and he needs three of them. He said some of the cruisers the deputies are driving now are getting up into the 100,000 mile range. He said they need to keep the vehicles fresh. He said

they have no spares right now if one of the older ones breaks down. Commissioner Siler moved to approve the funding request from the Sheriff's Office in the amount of \$136,311.00 for three new Dodge Durango's and that is to be taken out of Courthouse Equipment line. Discussion followed: Commissioner Kesling said this is being approved with the understanding that there will be no more vehicles bought this year. This depletes the funds that were set aside for vehicles. All yes – Motion passed

CONSIDER APPROVAL OF 2024 BOARD OF REVIEW AND EQUALIZATION DATES (See copy attached)

Randolph County Assessor, Phyllis Yokum appeared before the Commission. She said every year the County Commission is required to set as the board of review and equalization to hear appeals from taxpayers. She went over the list of dates. Commissioner See moved to approve the dates for the 2024 Board of Review and Equalization, as presented. All yes – Motion passed unanimously

CONSIDER APPROVAL OF SCHEDULE OF PAYMENTS FOR VOCA GRANT

Mindy Planakis, Victim Services Coordinator, with the Randolph County Prosecuting Attorney's Office, appeared before the Commission. She said the VOCA Grant will be done differently this year. She said they were under Federal Funds and now will be under State Funds. She said the money will be reimbursed to us instead of being paid up front. Commissioner Kesling said the County will pay for everything and submit it and get reimbursed. Ms. Planakis said yes and presented the Commission with a schedule of the payments. Commissioner See moved to approve the schedule of payments for the VOCA Grant, as presented. All yes – Motion passed unanimously

CONSIDER APPROVAL OF WAGE ADJUSTMENT FOR 911 CENTER (See copy attached)

Sydney Tate from Randolph County 911 Center appeared before the Commission. She read a letter from Shonna Fox, director of the 911 Center. Ms. Fox is asking for Christopher Wymer to have a pay adjustment from \$12.86 per hour to \$13.97 per hour. Mr. Wymer is now operating on the floor as a stand-alone telecommunicator. These wages are covered in her budget. Commissioner Siler moved to approve the wage adjustment for Christopher Wymer, as presented. All yes – Motion passed unanimously

CONSIDER CREATION OF FUND 42 (See attached copy)

Commissioner Kesling said this is something the Auditor's Office says we need to do. This is to create a fund for the EMS Salary Enhancement Funds which the County will be a pass thru agency on. He said it is approximately \$125,000.00. Commissioner Siler moved to approve the creation of Fund 42, as presented. All yes – Motion passed unanimously

FINAL SETTLEMENTS/ANNUAL ACCOUNTINGS:

Commissioner Siler moved to approve the (2) Final Settlements, as submitted.

Edna Myrtle Jenkins

Michael Benton Williams

All yes – Motion passed unanimously

BUDGET REVISIONS: (See copy attached)

Commissioner See moved to approve an In House budget revision for the North Central Community Corrections Office in the amount of \$350.00. All yes – Motion passed unanimously

DIVISION OF PROPERTY/ERRONEOUS ASSESSMENTS:

Commissioner Siler 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 (3) three fire fee adjustments, as submitted. All yes – Motion passed unanimously

PAYMENT OF BILLS:

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

ADJOURN THE MEETING:

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

Attest: _____



5,000
H/m
Tax

October 31, 2023

Randolph County Commission
4 Randolph Ave Suite 102
Elkins, WV 26241

RE: Our Town Request for Fireworks Funding

Dear Commissioners:

With your generous financial support last year Elkins experienced the best 4th of July fireworks show ever this year. Now it's time to prepare for next year. By paying for the fireworks no later than December 1, 2023 Our Town will receive a 15% discount. We plan to pay \$10,000 by the due date. With the discount we get a better show for the money spent. We are asking that you consider making a \$5,000 donation to support the next 4th of July fireworks. Our Town has two other funding requests totaling \$4,500 pending. Hopefully these will both come to fruition and Our Town will pay the remaining \$500 to reach the \$10,000 total.

We anticipate being able to set off the fireworks show once again from the Railyard. The flat surface makes for a much better show that can be more easily seen. The fireworks show will be part of a three-day celebration which includes three concerts and the annual car show. Planning those activities will begin after the new year but ideas are already being put forth to increase participation and bring more people to the events.

We thank you for the support you have provided to Our Town and for your consideration of this request.

Sincerely yours,

Priscilla Gay
Our Town Treasurer

60,210.61
Comm Dev

Whitmer Water Association Requisition Summary

Whitmer Water Association DWTRF (Drinking Water Treatment Revolving Fund) Bond: Balance as of Sept 1, 2023	Total:
Refer to "Expenses" Spreadsheets	
Monthly Payment With Bond Approximately \$77 Per Month	
Monthly Payment With County Commission Paying Bond Approximately \$62 Per Month	
Note: DWTRF loans cannot be forgiven. The loan must be paid off from something other than grant funding.	\$225,060.00
Four Water Taps, Three Road Bores, and Fire Service Installation	Total:
Refer to "COE Tap Bore and Fire Service Summary"	
Also Sheets 1A, @A, and 3A	\$24,140.09
City of Elkins Employee Expended Amount:	Total:
Refer to "COE Expended Hours @ Whitmer" Spreadsheet	\$72,323.16
Note: Over the past 5 months, the Whitmer Water Plant has been out of commission several different times due to equipment malfunctions such as SCADA plant control failure, well pump failure, and chemical pump failure. Each time this has happened, the City of Elkins has sent its Water Department personnel to remedy the situation.	
Grand Total:	\$321,523.25

Next Steps in Acquisition of Whitmer:

The actual acquisition of Whitmer Water Association is still several months away.

Currently the Whitmer Water Association is still governed by an active Board and is mainly relying on its own funds and budget.

In the meantime, the City of Elkins and Whitmer Water are working on an interim operating agreement. This Operating agreement will be in place until the acquisition takes place.

CEC Engineering is working on the completion of the preliminary engineering report (PER)

Once the PER is submitted, the Water Development Authority will begin looking for various grant funding to pay for the project.

From: Tygarts Valley Wrestling Federation <badbenne3@gmail.com>
Sent: Monday, November 13, 2023 11:39 AM
To: bhinzman@randolphctyvv.org
Subject: Request for Tygart Valley Wrestling

5,000
H/m Tax

Greetings Commissioners,

The Tygart Valley Wrestling Federation has been providing professional wrestling shows in Randolph County since 2019.

I am now seeking to expand the business for 2024 and beyond. I have devised a business plan and am seeking a commercial loan to purchase updated equipment and finance four shows scheduled in Randolph County in 2024.

Currently, we use the Phil Gainer Center and Tygart Valley High School as our venues. The next show is scheduled for Dec. 8 at the PGC and I would like to request \$5,000 from the Hotel/Motel tax funds to help with the costs associated with the event. We are working to establish the business full time. This would greatly help with our ability to produce the show and help seed the four shows in 2024.

I would like to appear before the commission and discuss how our show helps tourism and also serves as an avenue for advertising the local businesses to the visitors.

In brief, our shows draw around 400-500 people and, if properly funded, could bring even more people into the community to attend the events. In the future, we would like to host shows at other events such as the Randolph County Fair, Beverly Days, the Mountain State Forest Festival and the annual 4th of July Celebration, among other events.

Thanks for your consideration,

Ben Simmons

Sent from my U.S.Cellular© Smartphone
Get [Outlook for Android](#)

National Hospice and Palliative Care Month –

November 2023

“Courageous Conversations”

Official Proclamation

WHEREAS, hospice and palliative care are holistic, patient and family centered, provided by a team approach to treat the body, mind, and spirit. At the heart of all of this is meeting patients and families where they are living with serious, life-limiting illnesses;

WHEREAS, for more than 40 years, hospice and community-based palliative care providers have helped provide comfort and dignity to millions of people;

WHEREAS, hospice and palliative care empower people to live as fully as possible, surrounded and supported by family and loved ones, despite life-limiting illness; and

WHEREAS, the interdisciplinary team model at the core of hospice and palliative care provision involves a wholistic approach to treatment, including expert medical care and symptom control, as well as attending to the patient's emotional, spiritual, and psycho-social needs, and provides family services like respite care and bereavement counseling;

WHEREAS, over 1.5 million Medicare beneficiaries living with life-limiting illness, and their families, receive care from the nation's hospice programs through the Medicare hospice benefit every year in the country;

WHEREAS, each year, if 80 percent, as opposed to the current 50 percent, of decedent Medicare beneficiaries used hospice for 24 months, nearly \$2 billion, could be saved by the Medicare program annually; and

WHEREAS, hospice and palliative care providers encourage all people to learn more about options of care and to share their wishes with family, loved ones, and their healthcare professionals; and

WHEREAS, WV Caring Hospice, formally known as Hospice Care Corporation, has faithfully served WV for more than 40 years in Barbour, Braxton, Calhoun, Gilmer, Marion, Monongalia, Pocahontas, Preston, Randolph, Taylor, Tucker and Wetzel counties.

NOW, THEREFORE, be it resolved that the Randolph County Commission in West Virginia does hereby proclaim November 2023 as **National Hospice and Palliative Care Month** and encourages citizens to increase their understanding and awareness of care at the end of life, discuss their end of life wishes with their families, and observe this month with appropriate activities and education.

ESCROW AGREEMENT

THIS ESCROW AGREEMENT (this "Agreement") is dated as of the 31st day of October 2023 (the "Effective Date"), by and among The County Commission of Randolph County, West Virginia, on behalf of itself and the City of Philippi, West Virginia (the "Issuer"), Davis Health System, Inc., on behalf itself and the Obligated Group (the "Corporation"), and The Bank of New York Mellon, a New York banking corporation having and exercising full and complete trust powers, with offices in Woodland Park, New Jersey, as escrow trustee (the "Escrow Trustee").

WITNESSETH:

WHEREAS, the Corporation, as the sole member of Davis Memorial Hospital and Broaddus Hospital Association, Inc. (collectively, together with the Corporation, the "Obligated Group") has been delegated certain responsibilities in connection with the issuance of the Series 2016 Bonds (as defined below) and the Corporation's President and Chief Executive Officer and Vice President and Chief Financial Officer, or either of them, are authorized to execute, acknowledge and deliver any certificate, instrument or other document, or give any consent which may from time to time be required on behalf of the Obligated Group in connection with the Series 2016 Bonds, as further set forth in that certain Joint Resolution of Boards of Directors of the Corporation, Davis Memorial Hospital and Broaddus Hospital Association, Inc. dated November 10, 2016;

WHEREAS, pursuant to that certain Bond Trust Indenture dated as of December 1, 2016, (as amended and supplemented, the "Bond Trust Indenture"), by and between the Issuer and The Bank of New York Mellon, as bond trustee (the "2016 Trustee"), the Issuer issued its (a) West Virginia Health System Refunding Revenue Bonds (Davis Health System Obligated Group), Series 2016 A (Tax-Exempt) in the aggregate principal amount of \$7,060,000 (the "Series 2016 A Bonds") and (b) West Virginia Health System Refunding Revenue Bonds (Davis Health System Obligated Group), Series 2016 B (Taxable) in the aggregate principal amount of \$105,000 (the "Series 2016 B Bonds", and together with the Series 2016 A Bonds, the "Series 2016 Bonds") and pursuant to that certain Loan Agreement dated as of December 1, 2016 by and among the Issuer and the Obligated Group, the proceeds of the Series 2016 Bonds were loaned to the Obligated Group;

WHEREAS, the Obligated Group and 2016 Trustee have also entered into that certain Master Trust Indenture, dated as of December 1, 2016, as supplemented by that certain Supplemental Master Trust Indenture 2016-1, dated as of December 1, 2016, by and among the Obligated Group and the 2016 Trustee (collectively, the "Master Trust Indenture", and together with the Bond Trust Indenture, the "Indenture");

WHEREAS, capitalized terms not otherwise defined herein shall have the respective meanings set forth in the Bond Trust Indenture;

WHEREAS, as of the date hereof, after the payment of principal and interest due on November 1, 2023 pursuant to that certain Series 2016 A Bond numbered AR-6, CUSIP No.

75260P AS0 (the "AR-6 Bond Payment"), the outstanding principal amount of Series 2016 A Bonds is \$540,000, consisting of only that certain Series 2016 A Bond numbered AR-7, CUSIP No. 75260P AT8 (the "Outstanding Series 2016 A Bond");

WHEREAS, the Series 2016 B Bonds have been fully paid and are no longer outstanding;

WHEREAS, after the AR-6 Bond Payment on the Effective Date in accordance with the Indenture, the balance of the Bond Fund is \$[●] and the balance of the Debt Service Reserve Fund is \$[●] (the "Remaining Debt Service Reserve Funds");

WHEREAS, the Remaining Debt Service Reserve Funds, to be deposited in the Escrow Account in accordance with this Agreement, are Available Moneys, as such term is defined in the Indenture;

WHEREAS, the Outstanding Series 2016 A Bond, being the only maturity of the Series 2016 Bonds that remains outstanding, is redeemable at maturity on November 1, 2024 (the "Redemption Date") at a price of par plus interest accrued to the Redemption Date (the "Redemption Price").

WHEREAS, the Issuer has the right under the Indenture to defease the Outstanding Series 2016 A Bond and, upon its defeasance, none of the Series 2016 Bonds will remain Outstanding;

WHEREAS, the Issuer, the Corporation and the Escrow Trustee are entering into this Agreement for the purpose of defeasing the Series 2016 Bonds;

WHEREAS, a portion of the Remaining Debt Service Reserve Funds in the amount of \$[●] (the "Escrow Funds") will be deposited in the Bond Fund designated and used to pay the Redemption Price and redeem the Outstanding Series 2016 A Bond on the Redemption Date; and

WHEREAS, at the request of the Corporation, the Issuer has determined to appoint the Escrow Trustee for the purposes of holding title, as trustee for the Issuer, to the Escrow Funds and disbursing to the Paying Agent for the Series 2016 Bonds such amounts as are required to redeem the Series 2016 A Bonds on the Redemption Date.

NOW, THEREFORE, IN CONSIDERATION of the mutual covenants herein contained, and in order to legally defease the outstanding Series 2016 Bonds in accordance with Indenture, the parties hereto covenant, agree and bind themselves as follows:

Section 1. Receipt of a true and correct copy of the Indenture is hereby acknowledged by the Escrow Trustee.

Section 2. The Corporation is herein providing for the payment and defeasance of the Series 2016 Bonds. At the direction of the Corporation, the Issuer is directing certain actions to be taken by the Escrow Trustee herein and the Corporation consents to the

Escrow Trustee complying with such requests, including payment of the Redemption Price on the Series 2016 Bonds on the Redemption Date.

Section 3. Section 5.01 of the Bond Trust Indenture established the "Bond Fund" as a separate deposit account in the custody of the Escrow Trustee, as the 2016 Trustee. The Escrow Trustee is hereby authorized to deposit certain moneys into the Bond Fund as set forth in Section 5 below to defease the Series 2016 Bonds. This deposit account is hereby designated as the "Escrow Account".

Section 4. The Escrow Trustee hereby acknowledges and agrees that the moneys held by the Escrow Trustee in the Debt Service Reserve Fund prior to giving effect to the terms of this Agreement constitute Available Moneys under the Bond Trust Indenture.

Section 5. Immediately following the completion of the AR-6 Bond Payment on the Effective Date, the Escrow Trustee shall cause to be transferred the Escrow Funds from the Debt Service Reserve Fund to the Escrow Account to be applied solely to the full payment of the Redemption Price on the Redemption Date, such bond being the only Outstanding maturity of the Series 2016 Bonds. [●] has certified in its verification report dated the date hereof, attached hereto as Exhibit A, that the Escrow Funds will be sufficient to pay the Redemption Price, which is an amount sufficient to pay the remaining Outstanding principal of and accrued interest on the Series 2016 Bonds on the Redemption Date.

Section 6. The Escrow Account shall be held by the Escrow Trustee and shall be used solely to pay the Redemption Price to redeem the Outstanding Series A Bond on the Redemption Date. The Escrow Trustee in its capacity as such and as 2016 Trustee under the Indenture agrees such moneys will be used solely for the purposes as above described and the deposit of such moneys in the Escrow Fund shall be irrevocable, and the Escrow Trustee agrees it will not surrender or otherwise attempt to redeem or otherwise negotiate the investments in the Escrow Fund except as they shall come due. Subject to the foregoing requirements for the use of the Escrow Fund and the moneys therein, the Issuer and the Corporation covenant and agree that the Escrow Trustee shall have full and complete control and authority over and with respect to the Escrow Fund and moneys therein, that neither the Issuer nor the Corporation shall exercise any control or authority over and with respect to the Escrow Fund and the moneys thereon.

Section 7. [The Issuer and the Corporation hereby irrevocably direct the Escrow Trustee to hold the Escrow Funds in cash in a non-interest bearing account until the Redemption Date.]

Section 8. The trust and fiduciary relationship created by this Agreement is irrevocable and intended for the benefit of the holders from time to time of the Series 2016 A Bonds, and the Escrow Funds and the other moneys in the Escrow Account are hereby dedicated and pledged for the payment of the principal of and interest on the Series 2016 A Bonds, and such moneys are subject to the lien of such pledge which is valid and binding against all parties having claims of any kind against the Issuer, the Corporation, any other member of the Obligated Group or the Escrow Trustee. Such moneys shall be used solely for the purposes herein stated and the lien and security of this Agreement shall take effect from the date hereof without regard to the date of actual execution and delivery of this Agreement and shall remain in full force and

effect until the terms of this Agreement have been satisfied and the moneys and the investments in the Escrow Fund have been applied as herein contemplated.

Section 9. At the request of the Corporation, the Issuer hereby authorizes and directs the Escrow Trustee to provide within ten (10) days of the date hereof notice of defeasance should go out as soon as the conditions of defeasance are met, in the manner provided in the Indenture, Notice of Defeasance in the forms attached hereto as Exhibit B and Notice of Redemption in the form attached hereto as Exhibit C.

Section 10. The 2016 Trustee hereby (i) waives the requirement, as a condition to defeasance under the Bond Trust Indenture, of the County to deliver to the 2016 Trustee a verification or other appropriate report regarding the sufficiency of the Available Moneys, or Defeasance Obligations purchased by Available Moneys, to pay the Redemption Price on the Redemption Date issued by an independent nationally recognized expert acceptable to the 2016 Trustee and (ii) waives the requirement, as a condition to defeasance under the Master Trust Indenture, of receipt of a verification report of a nationally recognized independent certified public accountant or firm of nationally recognized independent certified public accountants to the effect that the Escrow Obligations (as defined in the Master Trust Indenture) together, if applicable, with the income or increment to accrue thereon, without consideration of any reinvestment thereof, and any uninvested cash, will be fully sufficient to pay Redemption Price and discharge the indebtedness on the Series 2016 Bonds on the Redemption Date (collectively, the "Verification Report Waiver").

Section 11. The Corporation represents that, taking into account the Verification Report Waiver, all conditions and requirements to defease the Series 2016 Bonds in full have been satisfied. The Escrow Trustee represents that, taking into account the Verification Report Waiver, all conditions precedent to the release of the Indenture have been satisfied.

Section 12. The Corporation shall be responsible for the payment of all fees and expenses of the Escrow Trustee related to the performance of its duties under this Agreement. the Escrow Trustee shall be paid its fees and expenses incurred with respect to this Agreement. In no event, however, shall the Escrow Trustee have any lien whatsoever upon any of the Escrow Funds for the payment of such fees or expenses.

Section 13. This Agreement shall continue for so long as necessary to pay monies owed to the holders of the Series 2016 A Bonds, after which it shall terminate and any monies remaining on deposit in the Escrow Fund shall be disbursed in accordance with the Indenture.

Section 14. If any one or more of the covenants or agreements provided in this Agreement to be performed on the part of any of the parties hereto should be determined by a court of competent jurisdiction to be contrary to law, such covenant or agreement shall be deemed and construed to be severable from the remaining covenants and agreements herein contained and shall in no way affect the validity of the remaining provisions of this Agreement.

Section 15. This Agreement shall inure to the benefit of and shall be binding upon the Issuer, the County and the Escrow Trustee in its capacity as such and as 2016 Trustee

under the Indenture and their respective successors and assigns subject to the provisions of this Agreement.

Section 16. This Agreement may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

[Signature page follows this page.]

IN WITNESS WHEREOF, the Issuer and the Corporation have caused this Agreement to be executed in their name and on their behalves by their duly authorized officers; and the Escrow Trustee, in token of its acceptance of the trust created hereunder, has caused this Agreement to be executed in its name by its duly authorized officer, all as of the day, month and year first above written.

THE COUNTY COMMISSION OF
RANDOLPH, WEST VIRGINIA, on behalf
of itself and The City of Philippi, West
Virginia

By: _____
Its: President

DAVIS HEALTH SYSTEM, INC., as
Obligated Group Agent

By: _____
Its: President and CEO

THE BANK OF NEW YORK MELLON,
As Escrow Trustee

By: _____
Its: _____

Board of Review & Equalization

February, 2024

Wednesday, January 31, 2024	10:00 – 12:00	Call to order
Friday, February 2, 2024	10:00 – 12:00	
Tuesday, February 6, 2024	4:00 – 6:00	
Thursday, February 8, 2024	10:00 – 12:00	
Tuesday, February 13, 2024	10:00 – 12:00	
Thursday, February 15, 2024	10:00 – 12:00	
Tuesday, February 20, 2024	10:00 – 12:00	Adjourn



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

November 16, 2023

Commissioners;

I am requesting a pay adjustment for Christopher Wymer. He is now operating on the floor as a stand-alone telecommunicator. Please see below the new pay scale.

Current wage: \$12.86

New wage: \$13.97

Increase is to begin on pay period 11/13/2023

His wages are covered under the current budget.

Thank you,

Shonna Fox

Angie Barrickman

From: Shellie Humphrey <Shellie.Humphrey@wvsao.gov>
Sent: Wednesday, November 8, 2023 3:28 PM
To: LGS-List
Subject: Guidance for new EMS fund

In accordance with the passage of WV Code §16-4C-25, we have created a new fund in the County Uniform Chart of Accounts.

Fund 42 – EMS Salary Enhancement Fund

Your County Commission must also open up a new bank account to accompany this fund. Both the creation of the fund and opening of the bank account must be approved by the County Commission in a public meeting.

The bank account should be interest-bearing, and any interest earned will remain in the fund and be subject to the same restrictions as the other revenues in the fund. This fund is a governmental fund and therefore the account requires 3 signatures – President of the County Commission, County Clerk, and Sheriff. Invoices will be processed the same as invoices for all other county governmental funds. The County Clerk will write the checks, and the Sheriff will be responsible for the receipts and maintaining the bank accounts.

To record these revenues, you will use account #323 "State Government Grants". The expenditure accounts utilized will be based on the decisions made by the County Commission when these funds are used. Counties should refer to the County Uniform Chart of Accounts when making these decisions.

Questions regarding expenditures of this money should be directed to the state Director of the Office of Emergency Medical Services, as they are charged by code with administering and setting the rules for this fund. As a reminder, in order to be in compliance with provisions in WV Code, the county must have some sort of documentation to support all expenditures. It is up to the County Commission to determine the procedures for releasing these funds.

We have sent this to elected officials (and tax deputies). Please distribute within your office as needed.

Let us know if we can be of further service to you.

****Please note my new extension.**

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West Virginia State Auditor's Office
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A	B	C	D	E	F	G
1						
2	In House Budget Revision 11/16/2023					
3	<u>REVENUES:</u>					
4			PREVIOUSLY APPROVED			REVISED
5	Account Number	ACCOUNT DESCRIPTION	AMOUNT	INCREASE	DECREASE	
6	151-388-972	transfer from 072		\$350.00		
7						
8						
9	TOTAL INCREASE / (DECREASE) REVENUES:					
10				\$350.00	0	
11					0	
12	<u>EXPENDITURES:</u>					
13			PREVIOUSLY APPROVED			REVISED
14	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT	INCREASE	DECREASE	AMOUNT
15	151-443-110-00	NCCC Other Fringe	\$700	\$350.00		\$1,050.00
16						
17						
18						
19						
20						
21						
22						
23						
24						
25						
26	TOTAL INCREASE / (DECREASE) EXPENDITURES:					
27				\$350.00	\$0.00	
28	11-16-2023					
29	C see moved					
30	C see yes					
	C siler yes					
	D Kesting yes					
	motion passed					