

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 2nd day of February, 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:

Craig Fortney appeared before the Commission. He said on January 5<sup>th</sup> he spoke in favor of proposed TIF at the City Council meeting. He said he doesn't feel it's a City versus County issue. He said there will be no change in funds collected in ad valorem property tax. He said 25 million is what is requested in the TIF, which is the lending limit, they can't use it unless the project costs that much. He said we all have the same goal, we want the City and County to succeed.

Lamar Weese appeared before the Commission. He said he has been in Elkins 20 years now. He said the railroad depot has fertile ground and we should take advantage of that. He said the bondholders are wanting to take a risk on this, so let them. He said the County taxes won't change. He said this is just an argument over who has control of the purse strings with tax money that we don't even have yet. He thinks the TIF is a good idea. He said the City and County should get together and figure out how to use it. He said get people to come here. He said this will never happen again and this is our chance. He said the Commission should do the right thing.

Sheriff Elbon introduced the Elkins Christian Academy who came to the meeting for visit.

MINUTES:

Commissioner Siler moved to approve the minutes from the regular meeting that was held on January 19, 2023, as submitted. All yes – Motion passed unanimously

REPORTS:

Hannah Fincham from the WVU Extension Office introduced Carrie Cochran to the Commission. She is going to be the new 4-H program assistant.

Steve Wamsley, Principal of Tygart Valley High School, appeared before the Commission. He said they are interested in a piece of property in Huttonsville. They would like to make a softball field and track there. He said they tried to reach out to Tygart Valley Parks and Recreation who owns the property but got no response. He asked if the County Commission could help with that and possibly set up a meeting

grants to help with this but they are running out of time. Commissioner See asked how much property are they talking about? Mr. Wamsley said it is 7.8 acres and nothing has been done with it since the Tygart Valley Parks and Recreation Board got it in 1994. Commissioner Kesling said they will get on it and reach out to them again.

#### CORRESPONDENCE:

Commissioner Kesling read a letter the Commission received from Valley Soccer thanking the Commission for funding the league.

#### ANNOUNCEMENTS:

Commissioner Kesling announced that the next regular meeting will be held on Thursday February 16, 2023 at 1:30 p.m.

#### ITEMS FOR DISCUSSION/ACTION:

##### INFORMATIONAL PRESENTATION AND FUNDING REQUEST FROM THE RANDOLPH COUNTY COMMUNITY ARTS CENTER (See copy attached)

Mary Smakula, President of the Board of Directors of Randolph County Community Arts Council, Inc. appeared before the Commission. She said with much work Elkins was chosen as the fourth location in West Virginia for the Ascend program. She said they have been here for 22 years and have year round arts for the students. She said they provide entertainment for bus tours, the building is available for parties, weddings etc. She said in April a band from Nashville will be coming. She said they are proud of the local musicians and that is who they use to entertain the bus tour crowds. She said approximately 15,000 people a year come through their doors. She said they really appreciate the past support from the Commission. She said they are requesting \$15,000.00 for the 2023 calendar year. She quoted Governor Jim Justice when he said "every dollar we put into arts turns into 23 back to us as a state". Commissioner Kesling asked if anyone else gives them funding? Ms. Smakula went over the list of everyone that contributes to them. Commissioner Siler moved to approve the funding request in the amount of \$15,000.00 and that is to be taken out of Hotel/Motel tax funds. All yes – Motion passed unanimously

##### CONSIDER APPROVAL OF FUNDING REQUEST FROM MID-OHIO VALLEY REGIONAL COUNCIL (See copy attached)

Commissioner Kesling read a letter out loud that was received from the Mid-Ohio Valley Regional Council. He said this is for the Senior Companion Program which is in part federally funded but requires a 10% non-federal match. He said they are asking the Commission for \$250.00 for that non-federal match. Commissioner Siler moved to approve the funding request in the amount of \$250.00 and that is to be taken out of Courthouse Contractual funds. All yes – Motion passed unanimously



#### CONSIDER ACCEPTANCE OF STATE LEDA GRANT AND PAYMENT TO THE BEVERLY HERITAGE CENTER

A representative from the Beverly Heritage Center appeared before the Commission. He thanked the Commission for their support. He said he dropped off some recent literature and a rack card for an escape room at the old Randolph County Jail. He said they had issues with the HVAC system and asked Cody Thompson for help in getting a grant. He said they received the grant but since Cody was not re-elected the check was made payable to the Randolph County Commission. Commissioner Kesling said they will need to do a State Budget Revision to take care of this and get a check back to them.

Commissioner Siler moved to approve a State Budget Revision in the amount of \$5,000.00.

Commissioner Kesling voted yes, Commissioner Siler voted yes, Commissioner See voted yes. Motion passed unanimously

Commissioner Siler moved to approve the payment of \$5,000.00 to the Beverly Heritage Center from the State Grant Line. All yes – Motion passed unanimously

#### CONSIDER APPROVAL OF QUOTE FOR 2023 COURTHOUSE LANDSCAPING

Commissioner Kesling said they have a quote for the courthouse landscaping from Terra Flora Landscaping. He said they did it last year and he was happy with it. He said they do tree trimming, mulch and flowers and decorations. The quote is in the amount of \$4,907.29 for the 2023/2024 year. Commissioner See moved to approve the quote from Terra Flora Landscaping in the amount of \$4,907.29. All yes – Motion passed unanimously

#### CONSIDER APPROVAL OF NEW HIRE FOR COURT SECURITY (See copy attached)

Sheriff Elbon said he has a proposal for hire of Charlie Ramsey as a Court Security Officer for the Randolph County Sheriff's Office. He said if approved Mr. Ramsey's starting wage would be \$13.45 per hour and his service pay would transfer with him from dog warden to CSO position. This would be a fully benefited position. He would like for him to begin working on February 6, 2023. Commissioner Siler moved to approve the hiring of Charlie Ramsey as a Court Security Officer, as presented. All yes – Motion passed unanimously

#### CONSIDER APPROVAL OF MILEAGE REIMBURSEMENT RATE

Commissioner Kesling said the IRS standard mileage reimbursement rate is now 65.5 cents per mile. Commissioner Siler moved to approve the standard mileage reimbursement rate of 65.5 cents per mile, as presented. All yes – Motion passed unanimously

#### CONSIDER APPROVAL OF LETTER TO THE WEST VIRGINIA DEPARTMENT OF ECONOMIC DEVELOPMENT REGARDING TIF APPLICATION FOR CITY OF ELKINS (See copy attached)

Randolph County Assessor, Phyllis Yokum appeared before the Commission. She said since this has occurred she has been trying to reach out for assistance because she has never dealt with a TIF before.

parcels that are in the TIF area. She said the City of Elkins provided a map with all of the parcels they want to be in the TIF area. She said they would set a base as of July 1, 2022 based on tax dollars. She said non-taxable property has no money value. She said when the TIF is set the County would continue to get tax money as of the July 1, 2022 values, any taxes that goes up for those properties the County would not get. This is for a 30 year period. She said for example if a new hotel was built on the old IOOF property the County would not receive any money from that. Commissioner Kesling said they have no say in this matter for future tax revenue. Commissioner Siler said this allows the City of Elkins to take the Counties money without even asking us. Assessor Yokum said this also includes the taxes for personal property for businesses. Commissioner Siler said he feels that this is money that doesn't belong to the City. Commissioner Kesling said someone mentioned control of the purse strings, it is County money. He said the City should have come to us to discuss this, not send us a letter by regular mail. He said two meetings ago the Mayor was here and a gentleman came and spoke during public comment about it. Commissioner Kesling said when he asked the Mayor about it later he said they were just getting some bonds and didn't say anything more. Commissioner Kesling said he will fight tooth and nail to stop this and to help the citizens of the County. He said some of the items the City says they will use the money for has already been paid for, such as the event center in the Railyard. He said the County already gave money for that and the Randolph County Development Authority got money for it. He said the 1% sales tax increase was to be used to beautify downtown but they are asking for money for that too. Commissioner Siler said they were informed by Charleston that the money can't be used for projects that have already been started, such as the event center. He said legalized theft is what it is. He said the legislature passed this and they don't know why. Commissioner Siler moved to approve the letter to the West Virginia Department of Economic Development, as submitted. All yes – Motion passed unanimously

**CONSIDER APPROVAL OF FIDUCIARY COMMISSIONERS REPORT ON THE ESTATES OF JOSEPHINE WINGFIELD AND VICTOR ARMSTRONG (See copy attached)**

Randolph County Fiduciary Commissioner, John J. Wallace, IV appeared before the Commission. He said the first estate is for Josephine Wingfield who passed away back in 2014. He said he worked with the Executrix of the estate and an attempt was made to close the estate in 2020. When the estate was advertised for closure Davis Memorial Hospital filed a claim. That claim has not been released. He said he has tried to reach out to the Executrix to get this resolved but gets no response. He said since this estate has been going on since 2014 and is unprogressed the County Commission should send notice to the Executrix and give her 30 days to respond and if she doesn't she should be removed and the Sheriff should be appointed to close the estate. He said the second estate is for Victor Armstrong who passed away in 2021. He said there is a conflict between the wife and Mr. Armstrong's kids. He said no effort has been made to close the estate. He said the same procedure should be used for this estate as the prior one. Commissioner Siler moved to approve the Fiduciary Commissioners recommendation on the estate of Josephine Wingfield, as submitted. All yes – Motion passed unanimously



CONSIDER APPROVAL OF NEW HIRE FOR OFFICE OF EMERGENCY MANAGEMENT (See copy attached)

911/OEM Director, Shonna Fox appeared before the Commission. She said she would like to move Sandy Bibey from telecommunicator to GIS/Floodplain Technician. She said her salary would be adjusted to \$16.00 per hour and this is already covered in her current budget. The effective date would be February 6, 2023. Commissioner See moved to approve the promotion of Sandy Bibey to GIS/Floodplain Technician effective February 6, 2023. Commissioner Kesling voted yes, Commissioner See voted yes, Commissioner Siler abstained from voting. Motion passed

FINAL SETTLEMENTS/ANNUAL ACCOUNTINGS:

Commissioner Siler moved to approve the (5) Final Settlements, as submitted.

John Bartlett

William Robert McWhorter

Peggy Sue Morgan

Frank J. Urso

Earl Franklin Woods

All yes – Motion passed unanimously

BUDGET REVISIONS: (See copies attached)

Commissioner Kesling moved to approve a State Budget Revision in the amount of \$222.00 to move longevity pay from Dog Warden to Court Security Officer. Commissioner Kesling voted yes, Commissioner Siler voted yes, Commissioner See voted yes. Motion passed

Commissioner Siler moved to approve an In House Budget Revision in the amount of \$2,000.00 for the Sheriff's Office to increase Law Enforcement Equipment line. All yes – Motion passed unanimously

Commissioner Kesling moved to approve a State Budget Revision in the amount of \$36,883.00 for the Sheriff's Office to adjust pay and benefit lines for LE K9 expenses. Commissioner Kesling voted yes, Commissioner Siler voted yes, Commissioner See voted yes. Motion passed

Commissioner Kesling moved to approve a State Budget Revision in the amount of \$55,435.00 from Courthouse Contractual to the State Grants line. Commissioner Kesling voted yes, Commissioner Siler voted yes, Commissioner See voted yes. Motion passed

DIVISION OF PROPERTY/ERRONEOUS ASSESSMENTS:

Commissioner Siler moved to approve the divisions of property and erroneous assessments. as

FIRE FEE ADJUSTMENTS:

Commissioner See moved to approve the (114 ) Fire Fee adjustments, as submitted. All yes – Motion passed unanimously

PAYMENT OF BILLS:

Commissioner Kesling 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:\_\_\_\_\_