

FAYETTE COUNTY COMMISSION

July 15, 2015

REGULAR SESSION

COURTHOUSE

FAYETTEVILLE, WV 25840

MEMBERS Present: Denise A. Scalph, John H. Lopez, Matthew D. Wender

The Fayette County Commission met in a regular session on this 15th day of July, 2015.

President Scalph called the meeting to order at 9:15 a.m.

Buren Renick appeared for the Assessor to present exonerations for real property for Nafissatou Wattie-Touunkara \$378.94; Ruda Ann & Steven E. Tolbert \$711.74; Gerald A. & Kathleen Petro \$485.76; Gladys Williams etal \$100.44; Aimee Ladale Cline \$545.70; Darrell H. Simms \$103.76; Don J. Yvette Barrett \$331.12; Carolyn J. Newhouse \$86.08; Carolyn W. Rexroad \$212.12; James & Abra Minter \$215.88; Wilbert & Sharon Sizemore \$209.64; Carol A. Ruleman \$180.66; Kimberly Ann Taylor \$103.62; Abigail L. Greenwood \$159.56; Karen Lynn Anderson \$210.60; Cary Huffman \$142.20; Mary Woodson \$435.04; Raymond K. & Andrea Coleman \$1,053.74; Michael E. Underwood \$317.76; Jack & Nathan Johnson \$1,674.03; Carlos R. Stackhouse etal \$813.18; Leona Mullins \$523.60; Larry A. Sr., & John D. Robinson \$215.20; Sandra K. Lilly \$62.46 & \$ 3.84; Christy R. Thomas \$112.78; Billy G. & Betty Ruth \$189.96; Carl E. Syner \$335.88; Barry Blackburn \$381.56 & \$884.30; Fayette County National Bank \$1,675.88; Big Creek Land Company \$3,521.98; Carol J. Newhouse etal \$47.66; Charles Vance \$153.72; Jane Faye Hackworth \$6.42 & \$6.42; Driggs Family Trust \$3,428.00; W.C. Adkins \$6.42; Dennis L. & Cheryl Scarbro \$63.68; Bonnie Sparks-Flint \$685.40; Margaret Wren Wilson \$198.42 & 396.84; Kenneth K. Kruger \$444.24; Andrew & Amanda Worthington \$417.26; Mary Ellen & Orval Coffey \$534.58; Karen Crist \$471.96; Helen A. Ford \$435.80; Jeremiah SD. & Kelly Ann Borsman \$140.88; Jonathan L. & Rachel Roode \$332.80 & \$342.02; Robert & Judith Fischer \$305.68;

Karen Lynn Anderson \$210.60; Thomas E. Berry \$325.88; Mark A. Grimmett \$393.52. Commissioner Wender motioned to approve the exonerations for real property. Commissioner Lopez seconded. Unanimous decision.

Mr. Renick presented exonerations for personal property for 4-WayTrucking \$480.38; Chris J. & April D. Vaughn & Jonathon Issacs \$262.12; Carl R. Stone Jr. & Esther Steele \$7.54; Anita D, Jackson \$60.04; David Michael & Jessica A. Berry \$236.32; James William, & Kendra D. Mullins \$578.54; Brenda S. Lambi \$88.44; Phillip S., Scherrie & Phillip J. Odell \$645.24; Joshua P. & Shannon Lephew \$24.18; Glenda E. Cooper \$216.08; Teresa L. Or Eddie Ramsey \$130.26 & 118.98; Eddie or Teresa L. Ramsey \$91.42; Gerald A. David \$23.44; Paula J. Fox \$105.28; Joseph Scott & Janet F. Nicholas \$107.46; Richard Wood Sr. \$10.76; Okey D. Jr., & Mary Schrader \$160.64, \$121.44, \$107.22; Mary Schrader \$53.02; Christa A. Simpson \$53.02; Karen Crist \$192.26; Jinnie L. Vanness \$25.66; Patriot Painting \$17.45; Kelly D. & David Ellis \$384.54, \$195.22; John Bruce & Teresa M. Arthur \$335.30; Nellie & Herb (Hubert) Moore \$118.74; Darrell H. or Teresa Cole \$855.54; Deloris McDonald \$0; Mark K. Laffeety \$215.10; Juanita Elizabeth Howell \$428.88; Lester Homes & Tammie Lee Marks \$220.20. Commissioner Wender motioned to approve the exonerations for personal property. Commissioner Lopez seconded. Unanimous decision.

Mr. Renick presented 2 petitions for consolidation for assessment purposes for properties owned by Barbara B. Stuart and Lee Roy Nicholas, respectively. Commissioner Wender motioned to approve the consolidation of properties for real property. Commissioner Lopez seconded. Unanimous decision.

President Scalph motioned to approve the minutes of the meeting held on March 27, and June 22. Commissioner Lopez seconded. Unanimous decision.

Commissioner Wender motioned to approve the minutes of the meeting held on June 8th, due to the absences of President Scalph from that meeting. Commissioner Lopez seconded. Unanimous decision.

Debbie Berry, County Administrator, presented Fayette County Fire Levy Protection Agreements for July 1, 2015 through June 30, 2016 for approval and signature for Ansted Certified Fire Department, Inc, Armstrong Creek Volunteer Fire Department, Boomer Volunteer Fire Department, Gauley Bridge Volunteer Fire Department, Gauley River Volunteer Fire Department, Loup Creek Volunteer Fire Department, Meadow Bridge Volunteer Fire Department, Mount Hope Volunteer Fire Department, Nuttall Volunteer Fire Department, Pax Volunteer Fire Department, Town of Fayetteville for Fayetteville Fire Department, City of Oak Hill for Oak Hill Fire Department, and Smithers Volunteer Fire Department. Commissioner Lopez motioned to approve and sign agreements with fire departments. Commissioner Wender seconded. Unanimous decision.

Ms. Berry presented an inspection agreement for the Commission to approve and sign for Stone Inspection Service. Commissioner Wender motioned to approve the agreement. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented an inspection agreement for the Commission to approve and sign for Appalachian Electrical Group. Commissioner Wender motioned to approve the agreement. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a letter for signatures to the WV Supreme Court of Appeals requesting reimbursement for rent, for the Family Law Judge for the month of July, 2015. Commissioner Wender motioned to sign the letter. Commissioner Lopez seconded. Ms. Berry presented an inspection agreement for the Commission to approve and sign for Stone Inspection Service. Commissioner

Wender motioned to approve the agreement. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a request from Allen Ballard, chairman of the Fayette County Beautification Committee to reappoint Allen Ballard, Joseph Carelli, Tim Richardson, Phil Perone and Tommy Harris to the Fayette County Beautification Committee. Commissioner Lopez motioned to approve the reappointments to the Beautification Committee. Commissioner Wender seconded. Unanimous decision.

Ms. Berry presented a request from Chad Wykle, New River Gorge Regional Development Authority, to reappoint Dave Arnold to the NRGRDA Board of Directors. Commissioner Lopez motioned to approve reappointing Dave Arnold. Commissioner Wender seconded. Unanimous decision.

Ms. Berry presented a letter from Danny Scalise, Health Department Administrator, requesting the reappointment of Rose Anne Michaels to the Fayette County Board of Health. Commissioner Lopez motioned to approve the reappointment of Rose Anne Michaels. Commissioner Wender seconded. Unanimous decision.

Ms. Berry presented a letter from Mike Smith, Chairman of the Urban Renewal Authority, to reappoint Mike Smith and James Criniti and to appoint Gene Kistler to Kathy Calhoun's unexpired term, due to resignation, on the URA. Commissioner Lopez motioned to approve the reappointments and

Ms. Berry presented a support letter for the Commission to sign for John David with SALS to seek USDA Section 523 Mutual Self Help Grant funds. Commissioner Lopez motioned to approve and sign the support letter. Commissioner Wender seconded. Unanimous decision.

Ms. Berry presented a request to appoint Jimmy D. Sadler, Jr. as the Fayette County Coroner, due to the resignation of Lisa Saddler. Commissioner Lopez motioned to appoint Jimmy D. Sadler, Jr. as the Fayette County Coroner. Commissioner Wender seconded. Unanimous decision.

Ms. Berry presented a letter drafted by Gabriel Pena to Senators William R. Laird and Ron Miller, and Delegates David Perry, Kayla Kessinger and Tom Fast for approval and signatures regarding Armstrong PSD Small Cities Block Grant application. Commissioner Lopez motioned to approve and sign the letters to the legislators. Commissioner Wender seconded. Unanimous decision.

Ms. Berry also presented a letter by Mr. Pena to The Film Posse thanking them and the production team for telling the story of the WV Mine Wars. Commissioner Wender motioned to approve and sign the letter. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented the Consumers' Sales Tax Report for President Scalph to sign for the quarter ending June 30, 2015. Commissioner Lopez motioned to authorized President Scalph to sign the report. Commissioner Wender seconded. Unanimous decision.

Ms. Berry mentioned to the Commission that Okey Skidmore, Memorial Building Manager, has concerns about using the basement of the Memorial Building for records storage. The Commission agreed to bring in a structural engineer to the Memorial Building for inspection before the storage project begins.

Ms. Berry presented a program income report for the Kanawha Falls PSD project that was funded by Small Cities Block Grant funds for President Scalph to sign. Commissioner Wender suggested having Mr. Pena to write a letter to the U.S. Congress and the Public Service District Commissioners telling them

about the delay of approvals and receipt of funding for the Small Cities Block Grant. This letter should cite Kanawha Falls PSD and Armstrong PSD specifically.

Commissioner Lopez motioned to approve and sign the program income report. Commissioner Wender seconded. Unanimous decision.

Gary Redden, NRCS, appeared to discuss an issue with a hazardous mitigation lease. The land lease holder discovered a gravestone of an infant (1904-1905) on the land. The NRCS used round radar equipment and located "something" underground. The size and placement near the headstone make them fairly certain it is the corresponding grave. This is on county owned property so how to proceed is up to the Commission. NRCS and the land lease holder do not want to disturb the grave. They want to make sure this "little guy" has a secure resting place.

Mr. Redden met with Prosecuting Attorney, Larry Harrah on Monday July 13th and they discussed the options:

Fencing off the grave area

Granting a waiver to disturb the site

Setting the tombstone in concrete to protect and preserve it.

Mr. Redden suggested having the county port the slab. The hazardous mitigation project will pay the bill via reimbursement request from the county.

Commissioner Wender suggested having Melvin Withrow from the Maintenance Department form and pour the slab and texture the surface with river pebbles.

Commissioner Wender motioned to approve County Maintenance to prepare a form over the grave, dimensions marked by NRCS, and pour a concrete slab and place the gravestone in the slab, making a nice memorial. The slab will be level with the ground. Ms. Berry will have Mr. Withrow and Mr. Redden discuss

the project. In the instance Mr. Withrow cannot perform the work, the county will hire it out. Commissioner Lopez seconded. Unanimous decision.

Mr. Redden would like another post meeting in September. He stated that these meetings need to begin happening on a regular basis again.

Commissioner Wender requested that Mr. Redden suggest a couple potential meeting dates for September. Commissioner Wender stated that the e-mail announcing the chosen meeting date should be a joint effort between NRCS and the Commission.

Angela Gerald, Building Safety Department, appeared to discuss dilapidated properties.

Dan Toney and John Zink did not appear. Ms. Gerald gave an update on Mr. Zink's property. Mr. Wender suggested scheduling Mr. Toney and Mr. Zink to come again in August. Commissioner Wender suggested Allen Ballard inspecting the inside of the building.

Nancy Ratliff appeared to discuss her dilapidated property. Ms. Gerald presented photographs. Ms. Ratliff has made several attempts to have the property demolished however, was unsuccessful. She cannot afford to pay anyone to do it.

The County could demolish the structure but a lien would be placed on her property.

Commissioner Wender motioned to request the Beautification Commission to advertise for the demolition. Commissioner Lopez seconded. Unanimous decision.

Commissioner Lopez gave an update on Smithers; he and Ms. Gerald met recently to tour the properties. There are 12 properties that need to come down. Two property owners have agreed to set up payment arrangements with the county to pay for their liens.

Ten of the properties are located on Route 60, and 7 are across from Kroger.

The City of Smithers needs to complete the process to institute a Dilapidated Properties Ordinance and then present the Commission with their demolition orders.

Ms. Gerald will write a letter updating the Commission on the progress and her discussion with Mayor Skaggs.

Ms. Gerald presented 3 dilapidated cases the Beautification Committee sent forward to the Commission.

Roger Smith - 62 Ingram Branch Rd. Commissioner Wender motioned to move forward. Commissioner Lopez seconded. Unanimous decision.

Willie Watson - County Line Bar property. Commissioner Wender motioned to move forward. Commissioner Lopez seconded. Unanimous decision.

Jeremy Lowe property in Charlton Heights - now owned by Landquest. Commissioner Wender motioned to move forward. Commissioner Lopez seconded. Unanimous decision.

Jamie Bennett, 911 Coordinator, appeared to update the Commission on the 911 phone system issue. Mr. Bennett is still waiting for Emergency Call and Emergitech to respond with quotes. Mr. Bennett completed 2 demonstrations with Solocom. Solocom sent a bid for \$267,000.00. Vesta quoted \$432,000.00.

Mr. Bennett is still waiting on an emergency call with Motorola and their emergency technician. Nicholas county has Motorola and is also moving away because they can no longer provide what their 911 center needs.

Kathy Brown, attorney, appeared regarding naming the Sheriff as administrator of the estate of Dr. Mary Coll. Commissioner Wender motioned that the Fayette County Commission will order the Sheriff to be administrator of said estate. President Scalph seconded. Unanimous decision.

Brittany Means, Create WV, appeared to give an update on the Create WV conference scheduled in Fayetteville September 24th - 26th. Ms. Means stated that there will be workshops held at the American Legion, Town Hall, Fayetteville Baptist Church, Pies and Pints and Fayetteville Methodist Church. The main meeting location will be the Memorial Building.

Ms. Berry presented a drawdown request for Community Corrections for May and June 2015. Commissioner Lopez motioned to authorize President Scalph to sign the drawdown requests. Commissioner Wender seconded. Unanimous decision.

Ms. Berry presented a request to use the Fayette County Memorial Building for a benefit gospel sing for Phillip Seacrist on September 12, 2015.

Commissioner Wender motioned to approve the request with the correct insurance. The fee will be waived. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented three quotes for an alarm system for the Courthouse Annex. Advanced Alarm Technologies - \$20,350.00; Safe and Sound Security Systems, Inc. - \$19,487.94; NewTech Systems, Inc. - \$27,414.96.

Commissioner Wender motioned to authorize Debbie Berry to make the final decision after a discussion with Dickie Smith, Maintenance, and review of the quotes. She will spend no more than \$27,414.96. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented quotes for tree and stump removal from the Courthouse lawn by Frank's Tree Service in the amount of \$900.00. Commissioner Lopez motioned to approve the quote. Commissioner Wender seconded. Unanimous decision.

Discussion was held on the Solid Waste Employee.

The Commission recessed at 12:16 p.m.

The Commission reconvened at 12:30 p.m.

The Commission agreed to change the September 30th meeting to September 29th.

The meeting adjourned at 12:45 p.m.
