

FAYETTE COUNTY COMMISSION

May 23, 2014

COURTHOUSE

FAYETTEVILLE, WV 25840

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

The Fayette County Commission met in a regular meeting on this 23<sup>rd</sup> day of May, 2014.

Commissioner Scalph called the meeting to order at 9:04am.

Assessor Eddie Young presented exonerations. Commissioner Wender approved one real property exoneration. Commissioner Lopez seconded. Unanimous decision.

Commissioner Lopez offered a motion to approve vouchers and invoices. Checks to be released today. Approved 2<sup>nd</sup> half payrolls, checks to be released May 30<sup>th</sup>, 2014. Commissioner Wender seconded. Unanimous decision.

President Scalph motioned to approve minutes of March 11<sup>th</sup>, March 21<sup>st</sup>, April 11<sup>th</sup>, April 15<sup>th</sup> and April 25<sup>th</sup>. Commissioner Lopez seconded. Unanimous decision.

Debbie Berry, County Administrator, presented a budget revision for the General County Fund. Commissioner Wender motioned to approve the Budget Revision. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented information on the Belinda Morton property that was provided to her by Fayette County National Bank. The Commission authorized Ms. Berry to get an appraisal on that lot and the lot beside for parking. Commissioner Wender motioned approval of obtaining the appraisals. Commissioner Lopez seconded. Unanimous decision.

Rachel Davis appeared to discuss funding for the URA. They are in need of a rough cut gravel road in the amount of \$340,000.00. They requested that the Commission co-sign a loan, then use Reallocated Coal Severance money to pay back the loan for the infrastructure. This road will give access to a proposed distribution center wanting to be placed at Wolf Creek. The Commission can only guarantee for a year. This will need to be reviewed every budget session. Prosecuting Attorney Carl Harris suggested giving the bank a copy of a prior resolution for reallocated money to show the bank the Commission's approval.

Commissioner Wender suggested transferring the Trinity settlement money of \$79,000.00 to the URA. Commissioner Lopez says the money should be used for various Courthouse improvement projects. Commissioner Wender motioned to approve the guarantee allocation from Reallocated Coal Severance for payment on the loan for the road for \$340,000. Commissioner Lopez seconded. Unanimous decision.

Tim Richardson, Zoning, appeared to discuss two amendments to the Unified Development Code. Minutes attached.

Planning Commission unanimously voted to accept these additions and requests that the Commission accept them as well. Commissioner Wender motioned to accept these amendments regulating Class D landfills as they relate to rezoning application. Commissioner Lopez seconded. Unanimous decision.

Bill Lanham, Town of Fayetteville Superintendant, appeared to update the Commission with the results of the Keep America Beautiful Great American Clean Up held April 11 - 12<sup>th</sup> and April 19<sup>th</sup>, 2014. 38.89 tons of trash, appliances and electronics were collected from

501 Fayette County participants. Fayette County Commission's portion of the cost of the clean up was \$850.00.

Shawn Wolford, Director of Emergency Management, appeared to update the Commission on water issues. Mr. Wolford presented new legislation to the Commission.

Joe Crist, Fire Coordinator, Sheriff Steve Kessler, Mark Bass, Fire Association President and Tim Richardson appeared to discuss a project at the Fayette County Park between the Fire Association and the Fayette County Sheriff's Department.

Mr. Bass presented a request to the Commission to use an area (old Horse Creek area) for a fire training site and shooting range. The area is already gated off from the public.

Carl Harris requested that research into whether there are restrictions on the use of the property be conducted. Mr. Harris said he will research whether the County will have to lease the property or if there is another way it should be handled. This proposal is feasible but they need time to determine the best way to proceed. Mr. Harris told the Commission he will have the research completed by the June 6, 2014 meeting and the group will return at 11:00am that day to further discuss the project.

Pat Gray, Ansted Volunteer Fire Department, appeared to discuss the department's Substation. They have purchased the old Mid-State building body-shop to renovate into their new substation. Mr. Gray told the Commission they are not requesting an allocation. The State Fire Commission requires approval from the County Commission and a letter stating that they do not object.

Commissioner Wender asked Mr. Gray how the Ansted Volunteer Fire

Department can afford two buildings on one budget. Mr. Gray said that the old fire station use will decrease which will decrease expenses overall.

Commissioner Wender offered a motion to draft a letter to be in agreement with Ansted's Substation and authorized President Scalph to sign on behalf of the Commission. President Scalph seconded.

Unanimous decision.

Ms. Berry presented a grant agreement between the Division of Culture and History and on behalf of Records Management and Preservation Board and the Fayette County Commission for signature. The Fayette County Assessor will receive \$9,091.00 to purchase an oversized color scanner that will enhance access to the County's property maps. The County Clerk will receive \$4,539.00 to rebind deed, assignment, birth and death books, and to encapsulate and rebind map books. Commissioner Wender offered a motion to authorize President Scalph to sign on behalf of the Commission. Commissioner Lopez seconded. Unanimous decision.

Ron Cantley, Director of Operations for Fayette County Schools, appeared to discuss the tennis court repair at Oak Hill, Valley, Midland Trail and Fayetteville High Schools.

Discussion focused on who will maintain the tennis courts. Mr. Cantley said that there are no formal agreements between the Fayette County Board of Education and other separate entities to fix Oak Hill and Fayetteville High Schools' tennis courts, but he foresees this happening. Mr. Cantley mentioned that Valley High School does not use their courts as half the area was used for their new gym. Midland Trail High School is not in playable condition. There are not

complaints about these courts; they are not used.

Complaints have been received about Oak Hill High School and Fayetteville High School and the condition of their courts. Oak Hill High School hosts tournaments and the condition of the courts is embarrassing. Mr. Cantley told the Commission that several schools are in need of new roofs and these are considered big needs. Because of this, the condition of the tennis courts is affected. Big needs are crucial and must be addressed and corrected. The Fayette County Board of Education can possibly participate in the tennis court renovation to some degree. Mr. Cantley recommends updating Oak Hill High School and Fayetteville High School because Midland Trail High School and Valley High School are not used.

Commissioner Wender spoke about the Commission's interest in this project due to the public use and he stated that the Commission will participate to the length our budget allows. The project is estimated at \$19,720.00 for crack repair and resurfacing and \$8,000.00 to reset net posts and other repairs. It is recommended to do this as one project.

Mr. Harris stated that there has to be assurance that the courts will remain open to the public or the Commission cannot allocate money.

The Fayette County Board of Education, Fayette County Commission, legislators, City of Oak Hill and Town of Fayetteville should be interested in updating these courts.

Commissioner Wender offered a motion to approve the allocation of \$8,000.00 from the Fayette County Commission to improve Oak Hill High School and Fayetteville High School's tennis courts. The Commission's

part is contingent on the Fayette County Board of Education and legislators allocating the same amounts, the City of Oak Hill allocating \$6,800.00 and the Town of Fayetteville allocating \$1,200.00. An agreement will be drawn up to ensure availability to the public. Letters will be sent out to each entity. Should the total amount of the project change, the ratio for each entity will hold for the total cost. Commissioner Lopez seconded. Unanimous decision. Carl Harris then suggested that businesses are asked for donations.

John Kuhn with Eastern Electric appeared before the Commission to discuss the outdoor lighting problem at the Courthouse. The fixtures are outdated and Mr. Kuhn is very concerned with the high temperature readings. The frame registered 185° and the lens registered between 365° and 385° and the bulbs were in excess of 600°. Mr. Kuhn recommends replacing the fixtures with LED fixtures, especially around an area where lights are on the ground. Mr. Kuhn presented 4 options: 1) ground lights; 2) tower lights; 3) light outside Judge's chambers; 4) all lights. The Commission requested a list concerning this issue to see where we can obtain funding, possible grants. Ms. Berry will research.

Commissioner Wender motioned to approve the repair of the Courthouse light fixture that is not working. This is estimated at \$300-\$400.00. Commissioner Lopez seconded. Unanimous decision.

Commissioner Scalph suggests that a letter be written to the Southern Soil Conservation and copy Mr. Randy Prince to correct the Farmland Protection Agency appointment issue.

The Commission then discussed the Resource Coordinator position.

Commissioner Wender presented a draft of the job duties for the Resource Coordinator that will run in the newspaper. They then discussed the interview board. The Commission suggested Margaret Pennington, Guy Dooley, Debbie Berry, Denise Scalph and Alice King.

Ms. Berry presented Change Order No. 005 in the amount of \$1,122.00 for the electrical upgrade. This will provide and install additional wire mold and receptacles in the Circuit Clerk's office as requested by Danny Wright. Commissioner Lopez motioned to approve Change Order No. 005. President Scalph seconded. Unanimous decision.

Ms. Berry presented a Governor's Participation Program Grant application for the Upper Kanawha Valley Community Center for \$10,000.00 to forward to Judson Wallace to compete for consideration of funding. Commissioner Lopez offered a motion to authorize the Upper Kanawha Valley Grant application. President Scalph seconded. Unanimous decision.

Ms. Berry presented a final drawdown of the Sportsman Recreation grant. Commissioner Lopez motioned to approve the drawdown for \$521.00. President Scalph seconded. Unanimous decision.

Ms. Berry presented a drawdown request for a Governor's Participation Grant for the Fayette Nicholas Chapter of the American Red Cross in the amount of \$2,500.00. Commissioner Lopez motioned to approve the drawdown request for \$2,500.00. Commissioner Scalph seconded. Unanimous decision.

Ms. Berry presented a drawdown request for a Governor's Participation Grant for the Fayette County 911 Center in the amount of \$15,000.00. Commissioner Lopez motioned to approve the drawdown request for \$15,000.00. Commissioner Scalph seconded. Unanimous

decision.

Ms. Berry presented a request from Nikki Lucas, Fayetteville Elementary School Principal, asking to use the Fayette County Memorial Building for an awards ceremony on Monday, June 9, 2014. Commissioner Lopez motioned to approve the request of Fayetteville Elementary School to use the Fayette County Memorial Building, Monday, June 9, 2014. Commissioner Scalph seconded. Unanimous decision.

Discussion was held concerning the West Virginia Jail Agency local meeting covering costs and services on Tuesday, June 3, 2014. President Scalph and Ms. Berry will attend.

The Commission read and reviewed a letter from Michael Baker, Jr., Inc concerning the retaining wall design for the Henry Street parking lot renovation.

The Commission recessed at 1:25pm to wait for the certifying of the Primary Election results.

The Commission reconvened at 2:30pm to certify the Primary Election results, from the Primary Election held on May 13, 2014. The Certificates of Results were signed as well as the overall results.

The meeting was adjourned at 3:00pm.