

FAYETTE COUNTY COMMISSION

REGULAR SESSION

October 28, 2014

COURTHOUSE

FAYETTEVILLE, WV 25840

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

OTHER PRESENT: John Tuggle, Tom Oxley, Anthony Brown, Mary Jane Kincaid, James Kincaid, Carton Jackson

The Fayette County Commission met for a regular meeting on this 28th day of October, 2014.

The Commission convened at 8:30 a.m. at the Day Report Center for a visit.

The Commission recessed at 9:25 a.m. to travel to the Courthouse for their regular meeting.

The Commissioner reconvened at 9:45 a.m.

Steve Fox, Assessor Chief Deputy, appeared before the Commission to present a refund and exonerations for real property.

Mr. Fox presented exonerations for real property for Wilga Stover \$170.12; Mariah Hibarger \$1,063.64; Norman K. Breckenridge, Jr. \$59.94; Edwards C. Longstreth \$6.40, \$6.42; Carl & Sylvia Hopkins, Jr. \$304.54, \$315.96; Neil J. Pleasants, Jr. \$316.56; Jesse Braenovich \$222.90; Dock & Robin Holbrook \$256.20; Irene Gill \$167.56; Reva Blevins \$35.12; Nannie Alice Fruit \$22.04; Johnny Hawkins \$446.06; William C. Wolfe \$256.20; Terry & Luanne Stanley \$312.06; Elizabeth Carol Legg \$348.18; Fred H. Phyllis A. Wright \$256.20; Melissa & Charles Dunn \$170.62; James A. & Connie Ruff \$331.20; Patricia S. & David McClintic \$390.06, \$271.32; Brandy Jones \$347.78; Carol & James Sullivan \$163.36. Commissioner Wender offered a motion to approve exonerations and Commissioner Lopez seconded. Unanimous decision.

Mr. Fox presented 6 refunds: Mariah Hibarger \$518.82; Mildred A. Ellison \$3.77; Carl and Sylvia Hopkins, Jr. \$309.54, \$172.89, \$157.98;

Carl Hopkins, Jr. \$255.36. Commissioner Lopez motioned to approve refunds. Commissioner Wender seconded. Unanimous decision.

Commissioner Lopez motioned to approve vouchers and invoice and release checks today and approve 2nd half payroll to be released on October 30th. Commissioner Wender seconded. Unanimous decision.

President Scalph approved minutes of prior meetings from July 25th, August 29th September 5th and October 17th. Commissioner Lopez seconded. Unanimous decision.

Page Kincaid PSD received a Community Participation grant with efforts from our delegates for a generator, Page Kincaid PSD Board Members and Delegates David Perry, John Pino and Margaret Staggers were present in recognition of this grant and for a photo opportunity.

Debbie Berry, County Administrator, presented the Fayette County Pool grant. Kelly Jo Drey, Resource Coordinator was unavailable for the Commission Meeting but requested to be contacted to discuss the grant. The Commission decided that it wasn't necessary to contact Ms. Drey. Carl Harris, Prosecuting Attorney, has an acknowledgement that the park is used for recreational purposes for the Commission to sign to be presented with the grant. The Commission is to match \$10,000.00 in kind services and a \$62,500.00 money match. The total grant amount is \$72,500.00. Commissioner Wender motioned to sign the grant request. Commissioner Lopez seconded. Unanimous decision.

Ronn Robinson, Scott Markwell and Jeff Maynor appeared before the Commission to discuss current line situations. Commissioner Wender suggested Mr. Robinson come back to discuss preparedness and reliability of power across the county. Mr. Markwell and Mr. Maynor will also appear.

Ms. Berry resented Budget Revision Number 2 for the Fayette

County General Fund for the Commission to approve and sign.

Commissioner Wender motioned to approve the Budget Revision in the amount of \$86,921.00. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a letter to Joel Ferris who requested to use the parking lot adjacent to Water Stone Outdoors to discuss public policy on the upcoming election. Discussion was held regarding insurance. Ms. Berry will contact Mr. Ferris. Commissioner Wender suggests having a conversation with our insurance company about the county purchasing coverage for these types of events. Commissioner Wender motioned to approve the use of the parking lot provided the group can supply liability insurance. President Scalph seconded. Unanimous decision.

Ms. Berry presented a GIS software quote for ESRI for Fayette County Health Department Septic Tank Data Base in the amount of \$1,800.00 (approved at a prior meeting) for signature.

Discussion was then held concerning Courthouse handicap parking space located behind the main courthouse near the handicapped ramp. Carl Harris, Prosecuting Attorney, suggested setting a time limit on the handicap parking space. Commission approved a new sign stating 1 hour parking only. Commissioner Wender suggested putting a sign over their spots stating they are handicapped parking, and then remove the sign when the Commission meets. All approved.

The Belinda Morton property is ready to close. Discussion was held about what the building would be used for. The State did not approve using the property for the Family Law Magistrate. Commissioner Wender suggested using it as the WVU Extension Services

office and use the existing WVU Extension Services property as additional parking. Commissioner Scalph suggested that Ms. Berry send a letter to the state letting them know about the reason we are looking for a new space is due to the noise issue above the current law office. Commissioner Wender suggested continuing with the purchase of the property even though the state may not approve moving the family law magistrate and devise a plan at a later date. Commissioner Wender motioned to authorize payment for the formally called Belinda Morton Property, 106 E. Maple Ave, at a set closing. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented for discussion the box trailer on the Meadow River Rail Trail property. It is on County property. It was suggested to remove the trailer. A notice was posted for 2 weeks and Mr. Harris noted that is a significant amount of time. The County would be responsible to move the trailer. Mr. Harris said to place a notice stating that if the trailer isn't moved in one week, the County Commission will remove it.

Discussion was then held on the Mt. Hope water service issue. Patricia Connelly appeared to start the discussion. Ms. Connelly presented the Commission with a handout regarding the increases in water and sewer rates. Mayor Michael Martin and town council stated that revenues have declined due to the Dunloup Creek buyout. One-hundred four businesses and homes were lost in Mt. Hope due to the buyout. By 2016, Mt. Hope will have the highest rates in West Virginia. The residents want the Commission to reconsider the request from the City of Mt. Hope to receive compensation for utilities.

George Smith appeared to speak on behalf of the City of Mt. Hope to request the Commission to approve this compensation.

Commissioner Wender spoke on this issue. Nothing was done by Mt. Hope in the beginning stages of the buyout to secure this funding. Mr. Wender feels this request is coming in late. Funds have already been depleted.

Ms. Connelly feels the residents are being punished because Mayor Martin didn't put in a request because he didn't know the exact number of homes being purchased through the buyout.

Mr. Harris feels that if this wasn't discussed at the public meeting and ear marked from the beginning then the money cannot be given.

Mr. Smith said that no blame is given to the Commission. He states this is a failure on the city government. He said trust was put in the government on behalf of the citizens and the government did not follow through. Numerous attempts were made for a meeting with Mayor Martin but nothing has happened yet. Mr. States that the NRCS says that this is not a closed door issue. Mr. Smith asks that the Commission work with the NRCS as they devise a solution. Commissioner Wender suggest contacting Kevin Wickey, State Conservationist with the NRCS, Congressman Rahall's office, Mayor Martin's office Pam Yost with the NRCS, and Region IV and inviting them all to a meeting to decide what the amount would be and how to correct this. The Commission will also advise the state legislators and Patricia Connelly about this meeting.

Ms. Connelly read a letter she received from Kevin Wickey. The letter stated a rundown of how everything started. A formula was sent to Mayor Martin twice to help come up with an amount to request for a refund. No feedback was ever received from the Mayor's office until 2014. They are still working on this issue. Copy of the letter was

given to the Commission.

Ms. Berry presented a letter from Stuart T. Stickel, CPA with the West Virginia State Auditor's office with suggestions for improving our Purchasing Card Operations and the recent P-Card audit for the Commission to review.

Ms. Berry presented National Association of Counties (NACo) Financial Service information for the Commission to review. The Commission will decide whether to schedule a future meeting to discuss future investment opportunities after reviewing the presented materials.

Ms. Berry presented for final decision the dental and vision insurance company change from VSP to Guardian to the Commission. Discussion was held concerning benefits and changes for the new plan. Commissioner Wender motioned to approve changing to Guardian Dental and Vision Insurance as of January 1, 2015. Current plan will end December 31, 2014. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented the West Virginia Housing Development Fund Grant. Grant money is with the Fayette County Urban Renewal Authority and discussion is held regarding repayment of the loan. The Commission will pay the earmarked \$200,000.00 out of Coal Severance and a letter will be sent to the URA requesting the remaining amount to pay off the loan.

Ms. Berry presented a Hazardous Mitigation Property Leases Agreement for: Mike Fisher, Joseph Criss, Ronald Campbell, Kenneth Cottle, Eddie Bragg, Juddie Buckley and James & Patsy Wills for President Scalph to sign. Commissioner Lopez motioned to approve and authorize President Scalph to sign the property lease agreements. Commissioner Wender seconded. Unanimous decision.

Ms. Berry presented the West Virginia Homeland Security Grant Program application for President Scalph to sign. Commissioner Wender motioned to approve the grant application for the purpose of a generator. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a letter of support for the 2015 Promise Zone application for the Commission to sign. Commissioner Wender motioned to send a letter of support for 2015 Promise Zone. Commissioner Lopez seconded. Unanimous decision.

Discussion was held on the 2013 Tahoe designated for the OEM director. Theresa White, Interim OEM Director and James Bennett, 911 Coordinator suggest using the Tahoe for training and conference travel between Ms. White and Mr. Bennett and would be in charge of scheduling its use. Commissioner Wender suggests agreeing to leave the Tahoe at the 911 center but only for use to travel to conferences and training. Mr. Wender also suggested not hiring a full time replacement for the OEM Director until the budget is reviewed.

The Commission entered into an executive session at 1:15 p.m. to discuss 911 and OEM personnel.

The Commission reconvened at 1:45 p.m. The Commission added December 19th to their meeting dates.

The meeting was adjourned at 2:00 p.m.