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FAYETTE COUNTY COMMISSION

REGULAR SESSION

JANUARY 3, 2024

FAYETTE COUNTY COURTHOUSE

PRESENT: TOM LOUISOS, JOHN G. BRENNEMEN, ALLISON R. TAYLOR

The Fayette County Commission met this 3rd day of January, 2024.

President Louisos called the meeting to order at 9:00 a.m.

Anthony Ciliberti leads the Pledge of Allegiance.

Organizational Order: Commissioner Brenemen nominates President Louisos to remain president. Commissioner Taylor seconds. Unanimous decision. President Louisos will step down from NRGDA board. Commissioner Brenemen nominates Commissioner Taylor for NRGDA board. President Louisos seconds. Unanimous decision. Commissioner Taylor motions to approve the rest of the order to remain the same, with Ruth Lanier as the Authorized Purchasing Agent except for the sheriff's department, and Commissioner Taylor will approve their expenses. Commissioner Brenemen seconds. Unanimous decision.

Exonerations, Orders to Combine or Divide Land, Refunds - Eddie Young: Tara Tyree presents Real Property exonerations for: Zachary Gage Branham \$115.26; Wayne & Mary Fernatt \$687.66; Lafayette Dexter \$16.90; Robert W. or Evelyn Tucker \$120.34; Patrick O. & Eudora Hambrick \$15.36; Christopher J. Kirk \$289.36; and Seth Pack \$2,478.76. Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Approve Payroll for January 12th and 26th Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Approve Vouchers and Invoices: President Louisos motions to approve. Commissioner Taylor seconds. Unanimous decision.

Approve Prior Meeting Minutes for December 20, 2023: Commissioner Brenemen motions to approve the minutes. President Louisos seconds. Unanimous decision.

Approve Estate Settlements: Charles Joseph Belmont II; Alice Faye Boggus; David Emon Boggus; Brenda Kay Butcher; Tana Jean Halstead, AKA Tana Jean Halstead Cotellesse; Dixie Lee Harvey; Mary Phyllis Hess; June Bernease Houchins; Franklin Delano Jacks; Jerry Eugene Kincaid; Janet Lee Steele; James Edward Treadway; and Terry Dale Wriston. President Louisos motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Approve Fiduciary Commissioner Report, Hresan Estate Commissioner Taylor and Prosecuting Attorney both reviewed. No family is present.

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Executrix is from a law firm. Commissioner Taylor motions to approve partial settlement. Commissioner Brenemen seconds. Unanimous decision.

Approve Fiduciary Commissioner Report, James Estate Kevin Burgess is present to answer questions. There was an issue with attorney fees requested to pay out of estate. Conflict of which fees were beneficial for the estate. Executor Marvin Johnson asked for \$100,000 in attorney fees. Fiduciary Commissioner Gavin Ward only found \$56,000. Mr. Ciliberti states that the Fiduciary Commission made findings, so there is no reason to object. Commissioner Taylor motions to approve findings of Fiduciary Commissioner. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: Budget Memo to Elected Officials Ms. Lanier presents the memo and that the 2nd page shows PEIA increases - family coverage is over \$18,000 (14% increase). Commissioner Taylor motions to approve. President Louisos seconds. Unanimous decision.

Discussion & Decision: 2024 Mileage Reimbursement Order IRS issued their mileage rates increasing to \$0.67. Commissioner Taylor motions to adopt this increase. President Louisos seconds. Unanimous decision.

Discussion & Decision: Board of Equalization & Review Legal Advertisement and Letters to Assessor and Prosecuting Attorney President Louisos motions to approve the letters. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: Plan 3 Scheduled Maintenance & Repair Agreement with Casto Technical Services for Courthouse and Annex President Louisos motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: GST Annual Agreement for computer support Commissioner Taylor motions to postpone until 1/31 meeting. President Louisos seconds. Unanimous decision.

Discussion & Decision: Michelle Holly, County Clerk, Re: MOUs with Municipalities requesting to be on County Ballot This is for Montgomery & Mt. Hope. FCC will be the Board of Canvassers for their ballots. Code allows to charge up to 1.5% of the cost of the election based on their population. For example, Mt. Hope could be charged \$4,000 but the amount of work would only be about \$3-400. President Louisos motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: Lease for Park House Brian Good, Park Director, has ideas about how to use the facility for off season things, meetings, weddings... There are currently no venues at the park with heat. House is currently occupied by a county employee and this arrangement was supposed to be temporary. Given the housing situation in the area, Commissioner Taylor motions to give a 3 month notice and allow the park to start planning. Commissioner Brenemen asks when

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lease was signed. Ms. Lanier states December of 2022. Commissioner Brenemen seconds. Unanimous decision. Commissioner Taylor asks Mr. Ciliberti to give the current resident notice of 90 days.

Introduction of New Leadership: Jonathan Frame, Southern Regional Jail and Correctional Facility Mr. Frame was double booked and will reschedule.

Discussion & Decision: Fayette Gun Club Lease Renewal Commissioner Brenemen visited the gun club and feels it is extremely safe and they do a great job educating and using the notification flags. Doesn't see issues. Feels they should have the lease and make sure it's extended annually. Opportunity for the deputies to target shoot and qualify. Commissioner Taylor had concerns as a commissioner due to Animal Shelter employees claiming people and property were being hit by bird shot. AC sent a letter. Commissioner Taylor figured this was an errant user and the club could address it. Commissioner Taylor also said she was led to believe that tax payers were kept from using a tax payer funded facility but there is proof that this is incorrect. 3rd issue deputy qualifying range. Mr. Ciliberti visited and believed an outdoor gun range could be built. Commissioner Taylor asks that deputies be given precedence when they show up to qualify. Would still like to find a location for an indoor range. Sheriff Fridley appreciates the efforts and understands the issues with finding land. Commissioner Taylor's concerns about the gun range have been resolved. Motions to rescind previous motion and approve lease. President Louisos seconds. Unanimous decision.

Tom Simmons, Sportsman Gun Club Member, is concerned about insurance for the deputies. President Louisos states it is county property and we have insurance on it. Mr. Simmons is concerned about interference. Concerned about affording their insurance with the deputies there. Kevin Biggs is present and states that anything drawing the shooters eye would nullify the insurance. This was a misunderstanding based on thinking a building would be built. There is another piece of property they are looking at for the sheriff's range. The gun club states they be good neighbors to the animal shelter. Gave them phone numbers for issues. Someone mentioned there are hunters using that land and that could have been where the shot came from. Marion Roberts, gun club officer, introduced herself. Mr. Ciliberti will send a letter rescinding the previous letter.

Discussion & Decision: Voluntary Demolition Discussion and Action

Ms. Gerald presents the consent to enter property for inspection form.

8001 Mossy Milburn Rd. Scarbro, WV 25917 Valley District Tax Map 73G Parcel 59 Lisa Jackson is present via Zoom. Mr. Ciliberti asks about their financial status. Her husband, Shawn Olds, works and she does not. They live next door to the dilapidated structure. Initial plan was to renovate the white house and move in as its larger. Gravel road has pushed the foundation in so they are considering tearing it down for safety.

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The Commission states that Ms. Gerald can publish bids for any volunteer application for demolition.

Shilo Dr. Plateau District Tax Map14M Parcel 71; and Shilo Dr. Plateau District Tax Map 14S Parcel 1

David Hylton is present. President Louisos' plan fits well with Mr. Hylton's redevelopment plan, especially on outskirts of municipalities and places that already have infrastructure. Would like Mr. Hylton to work with NRGDA and LRA for redevelopment.

Adjudication and Disposition Order for

- **Anthony Hosea 1072 Pea Ridge Rd. Oak Hill, WV 25901 Plateau District Tax Map 22R Parcel 51** Mr. Ciliberti presents this is on the involuntary tract. Mr. Hosea has not made contact. Mr. Ciliberti used a private process server. Mr. Hosea was living at the address as everyone thought. The 30 days to comply has expired. Order is prepared and ready for signature. Will give 30 days to demolish and dispose. If no action, Mr. Ciliberti will serve suit. Property caught fire after last letter. President Louisos motions to adopt the Beautification Committee's recommendations and assess the civil penalties per the commission's policy. Commissioner Brenemen seconds. Unanimous decision. Commissioner Taylor motions to approve the order. President Louisos seconds. Unanimous decision.
- **Par Mar Properties, LLC 1077 Armstrong Creek Rd. Kimberly, WV 25118 Valley District Tax Map 36F Parcel 31** Also chose to ignore communications. Will give 30 days to demolish and dispose. If no action, Mr. Ciliberti will serve suit. This property also caught fire after last letter. Commissioner Taylor motions to adopt Beautification Committee's recommendations, approve the order, and assess the civil penalties per the commission's policy. President Louisos seconds. Unanimous decision.

Orders will be recorded in the County Clerk's office.

Discussion & Decision: Greentown Loop Property agreement with Benjamin Howington - approval of proposed sale The property was demolished and a lien was placed. Property was sold for taxes and the lien was not enforced. The lien is more expensive than the property is worth. Adjoining neighbor, Van Burks, has offered \$6,000 to purchase it. Mr. Ciliberti asked Mr. Howington to split his purchase price in lieu of the lien. Commissioner Brenemen motions to approve to accept \$3,000 from the purchase price in lieu of the lien. Commissioner Taylor seconds. Unanimous decision.

The Commission took a break at 10:19 a.m. and returned at 10:31 a.m.

Discussion & Decision: Fire Training Center Bid Review for Turnout Gear Shannon Estep presents the only bid received from All American Fire services for \$43,125 total for 15 sets of gear. Sealed bids were

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opened Dec. 14 at County Fire Association meeting. Commissioner Taylor motions to approve. President Louisos seconds. Unanimous decision.

The meeting was adjourned at 10:34 a.m.

FAYETTE COUNTY COMMISSION

SPECIAL SESSION

JANUARY 19, 2024

FAYETTE COUNTY COURTHOUSE

PRESENT: TOM LOUISOS, JOHN G. BRENEMEN, ALLISON R. TAYLOR *all via Zoom*

The Fayette County Commission met this 19th day of January, 2024 for a special meeting.

President Louisos called the meeting to order at 10:00 a.m.

President Louisos presented that this is to approve the purchase of 3 Ford Explorer Police Interceptors. It is on a special agenda because Sheriff Fridley said they are currently available. Instead of waiting until FY 25, the commission would like to authorize the expenditure today from the FY 25 budget. Commissioner Taylor stated we needed to hold this special session because if don't move quickly when the vehicles become available, we lose them.

President Louisos motions to authorize the purchase of 3 Ford Explorer Police Interceptors in the amount of \$154,830. Commissioner Brenemen asks about the 2 previously approved vehicles, if they were ever purchased. Sheriff Fridley stated he presented at the last meeting that they were purchased. There has been a delay in getting the equipment procured and installed and they will be ready in 2 weeks. Commissioner Taylor seconds. Unanimous decision.

Sheriff Fridley thanks the commission and County Administrator Lanier for their assistance.

The meeting was adjourned at 10:02 a.m.

FAYETTE COUNTY COMMISSION

REGULAR SESSION

JANUARY 31, 2024

FAYETTE COUNTY COURTHOUSE

PRESENT: TOM LOUISOS, JOHN G. BRENEMEN, ALLISON R. TAYLOR

The Fayette County Commission met this 31st day of January, 2024.

President Louisos called the meeting to order at 9:00 a.m.

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Ruth Lanier leads the Pledge of Allegiance.

Exonerations, Orders to Combine or Divide Land, Refunds - Eddie Young:

Mr. Young presents Real Property exonerations for Robert W. or Evelyn Tucker \$120.34; Shane Albert Hammack \$35.34, \$20.74; Tammy L. Treadway-Bench & Bryan Bench \$65.18; Michael W. or Benjamin Howington \$52.62; and Terry Joe Holbrook \$153.16. Commissioner Brenemen motions to approve. Commissioner Taylor seconds. Unanimous decision.

Approve Payroll for February 9th President Louisos motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Approve Vouchers and Invoices President Louisos motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Approve Prior Meeting Minutes for January 3 & 19 Commissioner Brenemen motions to approve. President Louisos seconds. Unanimous decision.

Approve Estate Settlements Lester Cleveland Allen; Doris Jean Edelman; Carolyn Jane Guckert; Mary Long Lawson; Leon Franklin Toney, Jr.; Gail Patsy Wilson; David Lewis Zimmerman. Commissioner Taylor motions to approve. President Louisos seconds. Unanimous decision.

Discussion & Decision: Foremost Flood Insurance Renewal County Administrator Ruth Lanier recommends Option B for increased coverage. Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: Software Systems Annual Maintenance Agreement Discussion of 1 vs 3 years. Commissioner Taylor motions to postpone. President Louisos seconds. Unanimous decision.

Board of Equalization & Review Assessor Young has no petitions No one in the room has a petition. President Louisos motions to approve. Commissioner Taylor seconds. Unanimous decision.

Discussion & Decision: GST Agreement There are still issues with website, but we need this agreement renewed for all other services. Commissioner Taylor motions to move it till the 6th if GST can be here. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: CDBG Grant Amendment for Deepwater & Powellton Upgrade - Commissioner Taylor motions to approve retroactively. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: Letters to Mountaineer Challenge Academy Graduates - Commissioner Taylor wants to recognize these cadet graduates with honors. Elija Canada and Annie Taylor. Commissioner Brenemen motions to approve. Commissioner Taylor seconds. Unanimous decision.

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Discussion & Decision: Letter Responding to Fayette County Humane Society - Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: Letter for Camp Soar Commissioner Taylor would still like to consider paying for the participants. Asks Brian Good to put together a proposal to assist with increased participation and cut out people not applying because the cost is prohibitive. Commissioner Taylor motions to approve. President Louisos seconds. Unanimous decision.

Discussion & Decision: ADP Benefit Agreement- *part of initial package, but postponed* Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: Judicial Annex Roof Replacement Invitation to Bid Approval for Courthouse Facilities Improvement Authority Grant Award Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: New Haven PSD Board Appointment due to the resignation of Roma Lively. Sharon Light, term to expire July 31, 2027 Commissioner Brenemen recognizes his length of service for New Haven PSD & Dothan PSD, and would like to have a letter of appreciation sent to Mr. Lively. Commissioner Brenemen motions to approve. Commissioner Taylor seconds. Unanimous decision.

Sheriff Deputy Promotions President Louisos swears in Corporal Gerald Rinehart with the Fayette County Sheriff's Department to sergeant.

Discussion & Decision: Reappointment of David Smith to Page Kincaid PSD - *to approve nunc pro tunc* Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: Ballot Commissioners Notification Letter Presented from Michelle Holly Clerk notifying of who the executive committees chose. Dem Edna Wriston and Rep William Vest.

Discussion & Decision: Response to Solid Waste Authority Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Recognition: Rebecca Jones Retirement Ms. Jones and several admin employees from 911 attended. Becky states that working with the firemen in the county has been great and would like to recognize them as well.

Discussion & Decision: Dilapidated Housing Bid Opening

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One of the 3 structures is owned by LRA as a donation and other 2 are voluntary demolitions and are ready be demolished.

Each bid was for: Gauley River Road; Midland Trail; Deepwater, respectively:

Empire Salvage -\$14,000 \$10,000; \$5,000; **Total: \$29,000**

Reclaim -\$12,000; \$1,200; \$8,900 - **Total: \$32,900**

Echo - **\$12,450; \$11,300; \$10,700 - Total \$34,450**

Smokey Joe -\$16,500; \$18,255; \$15,600 - **Total \$50,355**

President Louisos motions to approve Empire as the low bid. Commissioner Brenemen seconds. Unanimous decision.

President Louisos calls for break at 9:39 until 9:45

Discussion & Decision: Response to Legal Rep

There were 4 responses: Steptoe & Johnson; Spillman, Thomas and Battle; Lewis Gianola; Schuman McCusky, Slicer. Commissioner Taylor read all of the proposals and likes Steptoe and Johnson. President Louisos also reviewed and motions to approve Steptoe & Johnson. The President Louisos' significant reasons are that they are representing contiguous counties for the same project and these are also counties where our broadband would be coming from. No conflicts of interest. Doesn't like that they are more costly, but given their expertise would like to go with them. Commissioner Brenemen defers to the other two commissioners. President Louisos motions to postpone till February 6 to give Commissioner Brenemen time to review. Commissioner Taylor seconds. Unanimous decision.

The commission took a break from 9:49 a.m. till 10:00 a.m.

Park Roof Repair Bid Opening:

Brian Good and Jerry Adkins are present. The commissioners opened the following bids:

Alpha Construction - \$69,770.00

WV Design Build, LLC - \$31,750

Lee Reger Builds - \$45,365

Dan Hill Construction - \$73,855.66

Roof Doctor - \$34,959.60

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Mr. Good and Mr. Adkins will review the specs and bring back to award on February 6.

Discussion & Decision: Official Response to Judge Blake Accepting his Proposal - Commissioner Taylor presents the letter responding to Judge Blake, stating the commission accepts his offer of how to move the probation department, and allocate 7 parking spaces. As well as informing him the building is ready for occupancy and to have the Supreme Court and Probation reach out to Ms. Lanier to coordinate the move. Commissioner Taylor motions to approve and send the letter. President Louisos seconds. Unanimous decision.

The meeting was adjourned at 10:15 a.m.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
February 6, 2024
FAYETTE COUNTY COURTHOUSE
PRESENT: TOM LOUISOS, JOHN G. BRENEMEN, ALLISON R. TAYLOR

The Fayette County Commission met this 6th day of February, 2024.

President Louisos called the meeting to order at 9:00 a.m.

Ruth Lanier leads the Pledge of Allegiance.

Board of Equalization & Review Mr. Young does not have any petitions. No one appears to present a petition. President Louisos motions to recess and reconvene at 10:15 for mineral and industrial hearings. Commissioner Brenemen seconds. Unanimous decision.

Exonerations, Orders to Combine or Divide Land, Refunds - Eddie Young:

Mr. Young presents Orders to Combine Divide and Segregate Land for Steven J. & Tanja Davis. Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Mr. Young presents real property exonerations for Howard E. or Diana S. Wood \$1,302.98; Tammy L. or Bryan Treadway \$247.08; Destin Kaincaid \$20.20; Robert M. Jr. or Susan Gilkerson \$511.88. Commissioner Brenemen motions to approve. Commissioner Taylor seconds. Unanimous decision.

Approve Payroll for February 23 Commissioner Taylor motions to approve. President Louisos seconds. Unanimous decision.

Approve Prior Meeting Minutes for January 31 Commissioner Brenemen motions to approve. President Louisos seconds. Unanimous decision.

Approve Estate Settlements None presented.

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Discussion & Decision: Support Agreement GST Commissioner Taylor motions to approve. President Louisos seconds. Unanimous decision.

Discussion & Decision: Award of Bid for Park Rec Hall Roof WV Design Build LLC was the lowest with \$31,750 and is bonded. Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Introduction of New Leadership: Jonathan Frame, Southern Regional Jail and Correctional Facility Postponed from January 3rd. Mr. Frame introduces himself, former sheriff's deputy Andy Hudson as the Major, and Sherry Davis, as the Interim Deputy Director. The facility is now fully staffed. National Guard will leave at end of March. Many upgrades have been completed. Invites the commissioners to come see the facility.

Discussion & Decision: Gigready RFP for Legal Services Commissioner Brenemen reviews Commissioner Brenemen presents that all 4 firms have the ability to perform the job. Spillman and Steptoe are their top choices. Agrees with Commissioner Taylor's assessment of Steptoe that they have other counties in our area as clients and no conflict of interest. Commissioner Brenemen motions to approve Steptoe & Johnson. President Louisos seconds. Unanimous decision.

Discussion & Decision: White Oak PSD Board Reappointment Eddie Chornabay Commissioner Brenemen motions to approve. Commissioner Taylor seconds, nun pro tunc. Unanimous decision.

Discussion & Decision: Eddie Young- Assessor Budget Presentation Just asking for salary, benefits, dues, subscriptions, travel and education. Asks the commissioners to consider pay and that the world is not the same as it was in 2020. Mr. Young is down an employee can't hire in someone at the same amount as 4 years ago, nor can he pay them more than veteran employees.

The Commission took a 4-minute break at 9:26 to 9:30 a.m.

Discussion & Decision: Bid Opening for Dilapidated Home Demolition - Multiple Properties Angela Gerald presents that the REAP grant has \$146,000 left. President Louisos asks to award the low bid and then create a priority list for the 12th.

Empire \$190,863

Reclaim - \$289,910

Toms Tear Down and Take Away \$175,000

Ms. Gerald will review the bids for specifications and return on the 12th for the award.

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Vouchers and Invoice - Commissioner Taylor has questions for Chief Tim Richardson regarding invoices from Thrasher. Wants to make sure it's not from the pre-engineering report (PER), which was already paid.

Commissioner Taylor motions to approve all invoices except Thrasher, pending more info and the gym equipment. President Louisos seconds. Unanimous decision.

The commission took a break from 9:38 to 10:00 a.m.

Discussion & Decision: Public Hearing Sara Tucker presents about the creation of Precinct 24. Precinct 23 will be just city limits for Mt. Hope for their municipal elections placed on our county ballot. Precinct 24 will be all non-city limits and Turkey Knob. They are also moving Precinct 2 and 16 to New River Convention Center, away from Lochgelly Baptist. The church was not totally ADA accessible. People could get in the building, but once in, could not access the polling area. Commissioner Taylor motions to approve the creation and move. Commissioner Brenemen seconds. Unanimous decision.

Commissioner Taylor presents that during the break, she discussed the invoice with Chief Richardson about the Thrasher invoiced them late for the initial work for the Geotech work for the PER, so the City of Oak Hill will absorb that \$19,000.

The Commission took a break from 10:07 to 10:15 a.m.

Discussion & Decision: Board of Equalization and Review Mineral Hearing - President Louisos reconvenes the Board of Equalization & Review for Mineral hearings. Mr. Young has no mineral hearings. The state did not appear because there were no petitions. President Louisos motions to recess as the Board of Equalization & Review until 2/12. Commissioner Brenemen seconds. Unanimous decision.

Commissioner Taylor motions to go into executive session at 10:15 am for legal counsel for the response to the fire association questions which counsel drafted on their behalf. President Louisos seconds. Unanimous decision.

The commission exits the executive session at 10:45 with no decisions made.

Discussion & Decision: Letter of Response to Fire Association Questions President Louisos motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: Letter to Municipalities Regarding Budget Collaboration Commissioner Taylor presents the letter to the mayors of municipalities with fire departments. Asking those fire departments to submit annual budgets. The commission is standardizing the process for all agencies receiving funding. Commissioner Taylor motions to approve the letter. Commissioner Brenemen seconds. Unanimous decision. These

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letters will also go to the non-municipal fire chiefs and can be stamped.

Attorney Michael Taylor reads the responses. Commissioner Taylor motions to limit each speaker to 3 minutes. Commissioner Brenemen seconds. Unanimous decision.

Oak Hill Chief Tim Richardson: In regard to engine and aerial replacement, they have a distribution through levy of 3 or 4 fire departments. There is a formula for recommending distribution. Asks if the FCC would honor that. President Louisos and Commissioner Taylor asks for the formula to review.

Fayetteville Chief John Vernon - Regarding Question #5 - This question came from their meeting with the FCC attorney. They have contracts. The attorney suggested signing an MOU but they haven't gotten anything since. Sounds like they are supplementing the MOU with the submission of a budget to be approved. Asks about invoice inside or outside of budget. Mr. Taylor clarifies. Mr. Vernon asks when the budget is due. Commissioner Taylor says February is best but there can be some grace into March. It's too cumbersome currently. Would like to let them run their departments and come to the commission for the larger things. Want to get this implemented for this coming year. Run it like the sheriff budget. Approve it and then when other things come up there can be special consideration. Questions about moving around line items amounts. Ms. Lanier says they have a bottom line dollar value to spend. Will still need invoices for reimbursement to satisfy the auditors.

Also asks about job duties being reassigned and to whom. Commissioner Taylor said they found two people employed working on the invoices and they still had to come work it out with Gia Tyree, Accountant. So, taking the middle employees out, cuts that step. That is the only one being reassigned. If something comes up that is an issue they can readdress.

Shannon Estep, Armstrong Chief, asks about hose and pump testing to coordinate. Who will do that? Commissioner Taylor states that's the responsibility of the Fire Association. Even if they need to hire someone to do that, they can ask for reimbursement. Commissioner Taylor states there was not enough work for one full time employee, let alone two. A lot of redundancy. Mr. Estep says they are lucky at this point that they have a retired person doing the job.

Mr. Vernon asks if the Fire Association should present a budget and include an employee. Brad Wolfe, resident, states these are volunteers and not employees. He is frustrated that there are more demands here now with the county growing and the National Park, and their employee is now gone. If you had \$2 million for Wolf Creek Park, 10% of the budget, they should be ashamed to put more pressure on the volunteers.

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Mr. Estep said he doesn't know why this commission has a problem all of a sudden. They've never operated in the red. Commissioner Taylor states this is about transparency and being good stewards of the tax payers' excess levies. This is not just with the fire department. They have asked the same from the humane society and URA. This commission wants to know about every large purchase before it's spent. This is just about transparency to the tax payers.

Fayetteville Fireman Josh Davis asks if the training center needs to submit a separate budget and President Louisos thinks it would be a good idea. Question about the lack of answer about the levy call. Commissioner Taylor states it hasn't been on the agenda yet, so they cannot legally discuss it. But each commissioner independently stated that they support putting it on the primary agenda. Question about when to present the budgets. The fire levy budgets do not have to be sent to the state by a certain deadline, so they don't have the same limitations of general fund budgets. A March presentation would be best, though.

Mr. Wolfe doesn't think this is about transparency. Mentions a two-minute special meeting to spend \$2 million. Commissioner Taylor states it's their job by code to be over tax payer funds. The emergency meeting was dictated by an expiring contract.

Commissioner Brenemen asks how many fire departments have registered on WV Checkbook. Only one, through Town of Fayetteville. There is a deadline within the next year or two for all fire departments to use it. Some have gone to a workshop about it.

Gauley River Chief Todd Bush asks about funding that they no longer want to give them. Asked about Fire Training Center. President Louisos corrects that the problem with the training center is because the fire marshal didn't sign off on it. Not because they didn't want to pay. The funds don't go away. President Louisos says it can't be spent on anything else but fire services dictated by the levy.

Discussion of firefighters being compensated per call. Commissioner Taylor states President Louisos has presented a plan, and would like to implement this as part of the levy. Asks them to write that expense into their budgets. Question about the added expense to the smaller departments to have to do the extra paperwork for those expenses. Suggestion to put that expense in their budget for a payroll service. Or have the Fire Association contract with a company for all departments. There were no more questions.

Commissioner Brenemen congratulates Montgomery, Smithers and Oak Hill on their recently received recognition for swift water rescue.

Discussion & Decision: Josh Davis Fire Expenditure Report

Presentation Mr. Davis created a spreadsheet based on allowable

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expenditures through contract a of the levy. About \$60,000 a year per department. This should assist with the budgets moving forward. This is exactly what President Louisos wanted and wanted the people to see. Mr. Richardson asks if the commission has any questions regarding the documents. No questions were asked. President Louisos has read through it carefully and wanted it for the people to see.

Discussion & Decision: Budget Presentation Public Library Board

Rebecca Kellum, Director, appears to present the budget. Commissioner Taylor mentions they would like for this to be an annual presentation during budget season. There are five branches currently open. Commissioner Taylor asks about stats and consideration for closing branches. Ms. Kellum doesn't have Meadow Bridge's information with her, but it was continually declining and the building was deteriorating. Commissioner Taylor asks about it being located in the new school. They asked and spoke with the architect. It was going to be \$600-700,000 for a room. They were offered the old school which was slated for demo. Would have to take financial responsibility. They would need to still spend \$600-700,000 to renovate it per the requirements of the board. Just not in the budget and it was too big for them anyway. And if the library left, it would go back to the school board. Looked at other buildings and even homes and a restaurant. Everything would need to be gutted and renovated outside of their budgets. They send the bookmobile once a week. Josie Kincaid from town council was present and said the bookmobile terrifies children. She said they offered a 50-year lease for a nominal amount for the building and told them the library they would need to renovate. The branch was supposed to be open till 7:00 but the librarian would close to go to her daughter's basketball games. Commissioner Taylor asks if the city council has ideas or has tried other options, are they willing to help. Ms. Kincaid thinks they can do it for less than \$100,000, but the library said they would just close. Ms. Kellum states the library was scheduled to be opened till 7:00 on Tuesdays. Commissioner Taylor calls for decorum and suggests this be a separate discussion later. Ms. Kincaid asks for funding to make their own library. That can't happen. Questions about including it in the proposed community center. They need another \$400,000 to open the center. Another councilwoman spoke and thinks hours should be 12:00-7:00 for school children. President Louisos asks if they will be willing to come back and speak about the library and community center later. They would need to coordinate with their engineer. Everyone agrees to return to discuss this topic.

The state has cut funding to all libraries, and they were able to backfill with a supplemental grant. The state funding reduction is to be reassessed. Montgomery Library is now on Ferry Street in a house.

Wes Toney, Assistant Prosecuting Attorney, asks if they run background checks. Asks if anything prohibits people working at the library. Nothing in state code. If there is something on the background check, they don't hire them. Commissioner Taylor asks if they have a requirement to report criminal activity after hiring.

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The commission took a 5-minute break at 12:26 p.m.

Discussion & Decision: Assistance with Flood Debris Removal for Carbondale Baptist Church

Allen Ballard and Carbondale Baptist Pastor William Floyd are present. The creek is starting to turn black. There are seven miles of broken sewage lines and misplaced manholes. Kanawha Falls PSD says there are no FEMA funds released yet. Commissioner Taylor asks it to be put on the next agenda and ask the governor for assistance. Mr. Ballard says design is still 1.5 years out. Should be able to get expedited funding due to declaration by governor.

Mr. Floyd states they need \$6,000 to move the dirt berm so that FEMA can continue the work. Commissioner Taylor motions to approve the \$6,000. Commissioner Brenemen seconds. Unanimous decision.

Mr. Ballard asks about future issues, especially people needing HVAC replacements. Kevin Walker was developing criteria for the \$40,000 allocated to be administered by the United Way. Mr. Ballard will make a list for when the United Way is ready. Asked that homeowners obtain bids to be ready when the allocations are ready.

The meeting was adjourned at 12:37 p.m.

FAYETTE COUNTY COMMISSION
REGULAR SESSION

February 12, 2024

FAYETTE COUNTY COURTHOUSE

PRESENT: TOM LOUISOS, JOHN G. BRENNEMEN, ALLISON R. TAYLOR

The Fayette County Commission met this 12th day of February, 2024.

President Louisos called the meeting to order at 9:00 a.m.

Brian Good leads the Pledge of Allegiance.

Board of Equalization & Review Assessor Eddie Young doesn't have any petitions. President Louisos motions to recess and reconvene at 9:00 am on February 16, 2024. Commissioner Taylor seconds. Unanimous decision.

Exonerations, Orders to Combine or Divide Land, Refunds - Eddie Young:
None presented.

Vouchers and Invoices: Postpone till 2/16 - Check

Ruth Lanier- Exhibit A

Discussion & Decision: Order Adopting for Voting an Emergency Absentee Ballot by Qualified Voters Michelle Presents this is required for

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every election. Allows for emergency absentee ballots to be taken to hospital or home confined voters. Commissioner Brenemen motions to approve. President Louisos seconds. Unanimous decision.

Discussion & Decision: REAP Grant Extension Letter Commissioner Taylor motions to approve. President Louisos seconds. Unanimous decision.

Discussion & Decision: Letter to Roma Lively Commissioner Brenemen motions to approve the letter to Mr. Lively thanking him for his service on Dothan and New Haven PSDs. Commissioner Taylor seconds. Unanimous decision.

Discussion & Decision: Software Systems Contract *postponed from January 31, 2024*, Commissioner Taylor motions to approve a contract renewable yearly for 3 years. President Louisos seconds. Unanimous decision.

Budget Presentation: New River Transit Authority Heather Lilly, assistant director is present. NRTA has to ask for an increase. Used to be funded by toll credits but after Covid, the state removed this funding and only uses it for state projects. NRTA has to have 50% of their funding from local agencies. They've expanded routes. Fayette County is the Blue Route. Expanded from 2 to 4 routes to and from Crossroads Mall. They have larger buses for these routes, too. Used to run 8 hours a day, now they run 12. All vans/busses are ADA accessible. Commissioner Taylor asks about the old buses. Raleigh County Community Action is the servicer. Old vehicles would either go to a homeless shelter, or another program through RCCA. Commissioner Taylor says we could use one for teen court, other youth activities, or for the DRC. Ms. Lilly says they haven't yet retired any from NRTA. They are still building fleet, but would keep Fayette County in mind when there is a surplus.

SOR (State Opioid Response) has rides for recovery appointments. Participants can get bus passes. DHHR has a contract and funds this program. After Covid, ridership increased 60%. Buses were \$70,000 but are now \$130,000.

NRTA is going to all municipalities and counties requesting increases. Beckley and Raleigh County doubled their allocation. Commissioner Brenemen asks about the weekend "party bus" which used to assist with recreational trips. They are asking parks, resorts for assistance to get the routes to those places. Have added bike racks at the front of busses for parks and visitor centers. Commissioner Taylor asks about train stations, but Ms. Lilly states they do not have the demand for dedicated routes. They have an MOU with local prisons.

Discussion & Decision: Special Levy Call President Louisos has recommendations for changes. Present levy runs from 2020 - 2024, July 1 - Jun 30. It has been the same since 1980. Would like to move from a five-year cycle to 4 to be in the same path to renew 1 year ahead of each expiration and line up with elections. Would like to put a clause in for conservative spending and only raise rates when necessary. Would like to reallocate percentages for Law and Fire to be

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equal percentages. Over last 4 years, Law has had a deficit of \$17,000 annually. Fire's 4-year average is an annual \$400,000 surplus. President Louisos asked Josh Davis to check with the Fire Association to see about paying their debt off. Mr. Davis will get this information to County Administrator Ruth Lanier.

Steve Cruikshank speaks about the levy. It started in 1981/2. Purpose was there was a little bit of revenue sharing which would be ending. His first year as chief he received \$2,500 from town and \$3,500 from county. The levy was reduced once to give more to Law Enforcement. There were 8 deputies on the levy then. Mr. Cruikshank states that over the years, the county commission took deputies off of the general fund and put them on the levy, pocketing that money for themselves. President Louisos says the plan is to move all deputies back to general fund and off the levy, to not have law enforcement and public safety dependent on a levy. Commissioner Taylor says we should not need an extraordinary tax to pay employees. President Louisos agrees deputies were moved to the levy so there was more money to spend on special interests. Fayette County assesses a maximum tax and maximum levy and it shouldn't be that way. 23 deputies, or 2/3 of the force, are paid off of the levy. The plan is to transition a certain number each year. Mr. Cruickshank says past commissioners allowed departments to save their money to pay off a truck quickly to avoid interest. \$800,000 in savings. That the funds were encumbered and if you don't use it, you lose it. Commissioner Taylor states that's not correct. They ask that they don't spend on things not needed to save that budget amount. Commissioner Taylor says that is why they ask for budgets, to see which department has needs each year, and to not excessively tax people. Mr. Cruikshank is concerned about politics being involved if the county commission is in charge of spending. Commissioner Taylor clarifies that this balancing of percentages is to get the salaries off of the levy and use the law enforcement levy for equipment, in which they are lacking. They are behind 6 vehicles. Mr. Cruikshank wants it to be understood that they have held back years' worth of levy funding to be able to operate for a year in case the levy fails. They have an excess in the levy too because they can't move forward on the training center. Commissioner Taylor says the training center board should come present to the commission because they don't have a comprehensive understanding of that process. Trying to do things under state code and abide by the law for bids, etc... and be transparent for tax payers with their money. Commissioner Taylor states that putting an employee in the budget as a fire association employee is acceptable. The commission does not want to be the employer for the fire association position. Mr. Cruikshank questions what happens to the library percentages. Library will stay the same and the remainder will be split evenly between fire and law enforcement.

Commissioner Taylor motions to put the levy on the primary ballot. Commissioner Brenemen seconds. Unanimous decision.

Rates will be set on February 16. Commissioner Brenemen motions to approve. Commissioner Taylor seconds. Unanimous decision.

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Discussion & Decision: Jason Means, WVEM /FEMA Re: Cannelton Hollow Sewer Issues, Letter and Next Steps Mr. Means was unavailable due to a new declaration. Lesley Taylor presents for him. FEMA is reviewing documents, codes and standards, DEP level of authority and they need to verify all of the damages. This is all time consuming. Commissioner Taylor states Kanawha County is getting a lot of press saying that they are going to get their sewer fixed from this year's flood, and Cannelton Hollow is still waiting from 2022. There is raw sewage in the creek. Not sure why there isn't motivation. How can this be expedited? Ms. Taylor says Kanawha County doesn't have the funding yet. There are no dollars flowing in Kanawha County. Commissioner Taylor asks Kevin Walker about this. Mr. Walker states we are being micromanaged and nickel and dimed by FEMA over this project. All documentation has been provided. Soil Conservation is involved with creek remediation and has the insurance documents. He has provided them everything he can. Still cannot receive any leverage. He has gone above project manager's head and has only received one payment. Commissioner Taylor asks Ms. Taylor about Kanawha Falls PSD. KFPSD is handing its own documentation. Mr. Walker said there was an email from the project manager about search and rescue; wanted time sheets. Those were volunteer firemen. General time spent was listed, but not individual time sheets. There was an issue with FEMA accepting it as search and rescue when there wasn't a product of a rescue. Commissioner Taylor wants to get counsel involved.

Budget Presentation: Camp Soar - Katie Johnson presents about the scholarship idea and not having it be 100% covered. There is more buy-in from the parents for participation when there is a nominal fee. Commissioner Taylor asks for her to come up with that fee and the commission will offset the rest. Discussion of transportation and pick up locations. Camp is June 3 -August 2. They are off the week of July 4th. There are issues with Juneteenth, June 20 and 21. There is no board transportation due to the holidays. The camp has six junior counselors each week and six adult staff for the duration.

Discussion & Decision: REAP Bid Decision from February Angela Gerald presents. Each property is independently priced. Total low bid is \$175,000 from Toms Tear Down and Take Away. There are 20 properties and they need to be prioritized. President Louisos presents there is \$146,000 of REAP funds left. There is a commercial property on the list for \$40,000. President Louisos says to leave it out for next funding cycle.

Prosecuting Attorney needs to do deed searches on each property. It could be that a property owner isn't legally allowed to sign away rights. Eleven are in the city limits of Gauley Bridge, but they've signed their agreement to allow jurisdiction.

Commissioner Breneman asks for executive session at 10:35 a.m. for legal counsel. The commission returned at 10:55 a.m. No decisions made. Just legal advice.

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President Louisos motions to remove the \$40,000 commercial property and approve the rest, leaving \$11,000 in REAP grant funds. Commissioner Brenemen seconds. Unanimous decision.

Commissioner Taylor approves low bid from Tom's Tear Down and Take Away. Commissioner Brenemen seconds. Unanimous decision.

The meeting was adjourned at 10:57 a.m.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
February 16, 2024
FAYETTE COUNTY COURTHOUSE
PRESENT: TOM LOUISOS, JOHN G. BRENEMEN, ALLISON R. TAYLOR

The Fayette County Commission met this 16th day of February, 2024.

President Louisos called the meeting to order at 9:00 a.m.

Assessor Eddie Young leads the Pledge of Allegiance.

Board of Equalization & Review Mr. Young does not have any petitions. No one appears to present a petition. President Louisos motions to adjourn as the Board of Equalization & Review sine die. Commissioner Brenemen seconds. Unanimous decision.

Exonerations, Orders to Combine or Divide Land, Refunds - Eddie Young: Mr. Young presents real property exonerations for Ernest W. Murphy, Jr \$212.96; Raymond Kurt and Jennifer Lynn Lanham \$468.06; Robert L. Jr. or Mary Scott \$1,644.78. Commissioner Taylor motions to approve. President Louisos seconds. Unanimous decision.

Approve Payroll for March 6 Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Vouchers and Invoices. Commissioner Brenemen question about Steve's Auto. Ms. Lanier says this is multiple invoices. President Louisos motions to approve. Commissioner Taylor seconds. Unanimous decision.

Approve Prior Meeting Minutes for February 6 and 12 Commissioner Brenemen asks that the minutes and responses be attached to assist with the minutes. Commissioner Brenemen motions to approve the minutes for 2/6 with attachments. Commissioner Taylor seconds. Unanimous decision. Commissioner Brenemen motions to approve the minutes for 2/12. Commissioner Taylor seconds. Unanimous decision.

Approve Estate Settlements Linda Stella Louise Askins; Thomas Campbell Bazzi; Bobby Wayne Bostic; Alice Faye Dunlap; William Eugene Henson, Jr.; William Thomas Louisos, Sr.; James Cecil McGraw; and Mary G.

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Smith. President Louisos recuses himself. Commissioner Brenemen motions to approve. Commissioner Taylor seconds. Unanimous decision.

Discussion & Decision: New Deputies Oath of Office Sheriff Mike Fridley presents Dakota Shreve and Josh Warshaw. Will start the academy February 26 and graduate June 7th. President Louisos administers the oath of office to each deputy.

Discussion & Decision: Qualifications for Flood Relief Money Commissioner Taylor motions to move to special meeting on 2/23. President Louisos seconds. Unanimous decision.

Discussion & Decision: Letter to Health Department Regarding Water Testing for Cannelton Hollow Commissioner Brenemen motions to approve the letter. Commissioner Taylor seconds. Unanimous decision.

Discussion & Decision: Order Requesting Election Officials from Executive Committees Commissioner Taylor motions to approve. President Louisos seconds. Unanimous decision.

Discussion & Decision: Retirement of Debt Commissioner Taylor motions to table, pending availability of numbers from Josh Davis. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: County Clerk Budget Presentation Michelle Holly presented elections budget. Not changing anything. Will receive a small amount from Mt. Hope and Montgomery for municipal ballots. Working on shape files to WVU GIS for precinct maps. County Clerk is asking for 2-5% raises based on performance reviews and duties. Increase for travel. Clerk Holly is now on the WVACO Executive Board and County Clerk's board, so she has more meetings to attend. Will need to replace copiers - getting old and hard to find parts. Would like to get one to replace both. Presented revenue. More than doubled excise tax from 21-22 to 22-23. First ½ of 23-24 is more than 21-22 total.

Discussion & Decision: Community Corrections Budget Presentation Presents about still working on getting the satellite up and running. Has transportation opportunities. Discussion of using NRTA. Growing exponentially. 96.4% increase in 1 year. Operating costs for this fiscal year (6 months.) Decreased jail bill with GPS and day report. \$506,000 of jail bill savings. Last year just over \$1 million. For the satellite needs 2 staff - case manager and assistant both driving will open within the county. Asking raises for Kincaid, Walton, Sorrell and Sutphin. Sorrell is the priority. Supplies and Materials - drug testing materials are expensive. Also needs a new copier. New computers for staff. There is a 2020 Chevy express van at Stephens Auto. Will need it for satellite, and could use it now. Commissioner Taylor motions to approve up to \$35,000 to purchase the available transport van. Commissioner Brenemen seconds. Unanimous decision.

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Discussion & Decision: Fayette County Park Director Budget

Presentation Brian Good and Jerry Adkins present. Hasn't been closed on any holiday. Keeps the gate open every day. Disc Golf, reunions, weddings... Operating with fewer people. Would like performance-based raises. They are maintaining vehicles better. Replacing saves on maintenance. Budget should change on the bottom line, but asking to reallocate from line items. Will need some infrastructure upgrades. Dining Hall roof, shelter roofs, tree branch removals. Focusing on daily maintenance. Need people who can multi-task, that are personable and self-sufficient.

The commission took a break at 9:57 a.m. and returned at at 10:15 a.m.

Discussion & Decision: Fayette County Emergency Food Pantry Funding

Discussion Frances Sizemore presents. Husband Terry Sizemore is the Director of Pantry. She helps with fundraising. She is here to recap last year's donation given to the pantry. The funds covered 2 used 3 door coolers to replace their broken coolers. Freezers needed to be replaced and needed electrical upgrade for commercial freezers. Electrical work was completed yesterday and freezers arrive today. There are 1,500 people on registry. Had a increase in needed food so they had to use the last names and then alphabetize for traffic control on route 16. Other uses for the commission's allocation: Box truck needed new tires; body work on truck bed floor; food; furnace repair.; daily operations. They run 19 small freezers which causes a high power bill. Hoping the new freezers will assist with that. Commissioner Taylor motions to allocate an additional \$50,000 from ARPA or the General Fund. President Louisos seconds. Unanimous decision.

Discussion & Decision: Dilapidated Building assistance in City of Mount Hope

This will be rescheduled.

Discussion & Decision: Sheriff Budget Presentation Fully staffed now. Presents his revenues and expenditures. Presents on Service of Process, HIDTA, Task Force, and agreement with AEP. Asking for \$5,000 more for uniform allowance; pay increases; materials and supplies can stay the same; K9 budget can stay the same, but will add another K9. Deputy Sheriff retirement raised form 16-17%. Commissioner Taylor asks about vehicles. How many need to be replaced. There are 3 new vehicles that still need to be outfitted. One vehicle caught on fire the other day. Total loss. Would like to trade it in with a surplus donated truck and get a new detective SUV and transfer the older one to the bailiffs. Believes for road deputies are OK. Will still have 3 spares (Taurus). Replacing 3 every year would be a good plan. Commissioner Taylor asks thoughts on transitioning deputies off of the levy. Would love for that because he has to explain to new deputies that their employment is contingent on the levy. Commissioner Taylor presents changing language and the percentages for the law levy and balancing the percentages between law and fire. Sheriff Fridley would like to have the gun range.

Discussion & Decision: Fayette County Humane Society Budget

Presentation Fallyn Wakefield presents. December was her first month as director. Had an angel tree and 500 people donated. Discussion of holding more fundraisers. President Louisos would like to considered funding for spay and neuter clinics. Commissioner Taylor mentions feral cat issues in the county.

Discussion & Decision: Fayette County Land Reuse Agency Funding

Discussion Jina Belcher presents. Fayette County is currently the only county level LRA. LRAs and Land Banks are the only organizations that have first right of refusal without having to bid. Trying to streamline to process. Working with the State Auditor's office. Fayette County is getting a lot of recognition for being the first. Want to be able to support municipalities in their downtown redevelopments. Looking for funding for long term maintenance and development for these properties. The county has prioritized clean up and the LRA is looking for the best reuse. \$60K to acquire the priority properties currently available for first right of refusal. Land Negotiator - it will be paid for through commission on the sales of the properties. Need legal representation too. Cannot use a county attorney. Another \$60K for legal and accounting. Recreation Master plan fits with the LRA. Asking for \$100,000 for Recreation Master Plan. LRA will work directly with the selected firm. Total request is \$220,000. Commissioner Taylor asks about the recreation infrastructure. Ms. Belcher states there is not a state funding source for this, but is lobbying for this. Would like to plan the acquisitions for business commercial and access to recreation and use this plan to leverage more funding.

The commission took a break at 11:19 a.m. and returned at 11:26 a.m.

Discussion & Decision: Excess Levy Rates Firemen speaking: Montgomery Chief Benny Filiaggi; Fayetteville Chief John Vernon; Oak Hill Chief Tim Richardson; Oak Hill Fireman Chris Goll; Oak Hill Fireman John McGinnis; Fayetteville Fireman Josh Davis.

The Fire Levy net is \$1.4 million, and this is a low estimate with the new percentage, and based on conservative estimates considering we have increased property rates. Commissioner Brenemen asks about the formula for trucks. Mr. Davis says this was presented at a previous meeting. Commissioner Brenemen asked what the Truck interest rate was 3.5% a few years ago. Probably 5-6% now.

Mr. Filiaggi discusses issues with Motorola and the cost to supply radios for all driving units. There was a grant which funded this with a 10% match but this is gone. Foam has PFAS which causes cancer. \$1,000 per engine to replace current foam with a safer foam. \$50,000 additionally to train the fire fighters in how to use the new foam. NFPA wants this to be replaced ASAP. Trucks are now at a 4-year delivery. Air packs - received a grant in 2018 and got 15 departments

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to agree on the same vendor. This is unheard of and he credits their Fire Association's strength for that. Needs 2nd set of fire gear because their call volume has increased and he can't send firemen back out in wet gear and with contaminants, simply not safe. Battery operated fans are \$5,000 each. Gas powered fans adds CO to buildings. Needs 5 gas, explosive, and O² monitors. There are new situations they need to train for. Electric car fires are an issue. Lithium-ion batteries in phones and e-bikes are causing fires. Training is the most important thing. Then retention and recruitment. Showed a picture of the 1983 Montgomery Fire Department and 10 of the people have passed away. None lived to 70. Firefighting is listed as a carcinogen. Believes they are giving their lives.

President Louisos asks them to bring together their list and the items will be paid for out of the levy funds and sent out of the fire departments immediately. This can be placed on another agenda. President Louisos states they've never denied equipment. Even if it is \$2 million. Mr. Filiaggi would like to get with the other chiefs to develop their priorities. He does not think they should be without their equipment. President Louisos said that he would support it.

Commissioner Taylor asks why it took the levy call to bring these needs to light. Mr. Filiaggi says they try to spend moderately. That's why there is a surplus. Commissioner Taylor states that she wants them to come to the FCC for critical needs at any time of the year. Mr. Filiaggi says they've always relied on their county fire coordinator. They rely on them like it was their mom. President Louisos states this is why they've asked for budgets. The coordinator turned this in as a whole. Mr. Filiaggi states he would like to see another fire coordinator. President Louisos states he thinks the Fire Association should hire for that position. Mr. Filiaggi asked about insurance and retirement; could they piggy back on the commission. Commissioner Taylor says they don't want to be responsible for that employee. Mr. Filiaggi doesn't know how to offer insurance. Could they work with the state. Asks for advice on fringe packages. Ms. Lanier says Compliance out of Beckley handles the animal shelter. Mr. McGinnis has a contact through the state fire association, and he will reach out.

Clarification that the only budgets which need to be presented should be fire departments with municipal funding.

Question from Mr. McGinnis about continued support after this large purchase. Will they be expected to go along with the 50/50 split. The commission reiterates that no invoices have ever been denied. Some were delayed for further documentation, but none were ever denied.

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Mr. McGinnins states there will be an event at the Oak Hill Fire Department in Tuesday 2/20 at 7:00 to try to clear up some of the misinformation that is being spread.

Commissioner Taylor reiterates that the commission needs to be informed when there are equipment needs outside of the budget. But they can't approve those purchases if they are not aware of the needs. Mr. Vernon states the surplus is there due to long range planning and group purchases. This is why the Association is against taking money from the firemen to give to the sheriff. They've been asked this before because the sheriff levy didn't pass. They put the fire, sheriff and library levy on one vote, but then split it back out. Now they are asking them to give more of their percentage.

Commissioner Taylor reminds that the new levy cycle is 4 years and that anything that comes up as an issue can be revisited in the next election. They are looking at the bigger picture and see that the deputies are underfunded. The commission's priority is to get the deputies off the levy. It's a public safety issue to have any deputy on the levy. They need a qualifying range. Mayor Ingram says they have a gun range and if the deputies use it then they could possibly leverage some DNR dollars to upgrade it. But understands it's not geographically the best.

Mr. Gill states that deputies coming off of the levy frees up that funding for other expenses. Doesn't want this to be law against fire. Discussion of what happens if the levy doesn't pass. Commissioner Taylor said that it will be put it back on the general in November and even hire a PR firm if needed.

President Louisos asks how much money do you need. Mr. Gill states whatever it takes to save a life. President Louisos clarifies for equipment. And all of the chiefs say it changes annually. Without trucks, they are spending \$600-\$1million. Mr. Davis says you can't consider it without the trucks. Mr. Richardson says it's usually 3-4 engines per levy cycle.

Break at 12:31 p.m. to 12:41 p.m.

Commissioner Taylor asks if Mr. Filiaggi was able to cover all of the overarching needs. Mr. Filiaggi says he only has his needs. Would like to speak with his crew about anything he might have missed, as a critical item. Now he needs bunker gear. It expires after 10 years so he always budgets for 5-6 per year. Mr. Richardson mentions vertical construction is important. Mr. Gill asks the commission's feelings on the training center. Commissioner Taylor states as a citizen, she has a lot of pride. As a commissioner, she wants to see the return on investment. This is where she wrestles with it as a steward of county funds. Understands that when people come in to use the center, that helps the local economy. Mr. Filiaggi says you can't put a price on

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the training which will occur there for the safety for his guys. Commissioner Taylor says you don't need to convince her on the safety benefits. But as the commissioner she needs to see more for the tax payers. Not fair to ask the tax payers to fund something that doesn't benefit the tax payers

Mr. McGinnis is the vice president of the training center. The construction budget is \$1.9 million. Has a meeting with engineers next week to modify some walls and exits. Phase II is for a hazardous material. Acquired the old tram from Hawks Nest. Will inspect it when they come to inspect the new one. Will be the only tram rescue/ski lift training center on the east coast. UTV/ATV training course on the property. Hatfield and McCoy has acquired a lot of land in Fayette County. They don't want to move forward spending money until they see if they have the levy. Charleston expo wants to use the training center and will let Fayette County attend for free. Has trained over 700 firemen from outside the county. They have an MOU with the City of Charleston to come train here. Huntington is interested. Mr. McGinnis will send the commissioners a schedule of their training events. The Fayette County Board of Education gave them a school bus to train extrication for schools and rafting. Mr. Estep says that the training center gives back to everyone by increasing their ISO rating.

Mr. Gill asks the other commissioners their opinions. Commissioner Brenemen thinks it's great and a trained fire fighter is important. President Louisos states that his concerns were the same as Commissioner Taylor. President Louisos states that he's received more information today than in his last 4 years and would like to see a 5-year projection for the training center.

Mr. Gill asks about the prior statement to spend the balance that's been saved for the training center for the equipment. Fayette County states if it comes down to safety equipment, the training center won't win.

Mayor Ingram states it needs a world class entry. It's not the highest priority but it's on their list.

There will be a special meeting at 10:00 a.m. on Tuesday February 20, 2024 to revisit the levy rates.

The meeting was adjourned at 1:03 p.m.

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PRESENT: TOM LOUISOS, JOHN G. BRENNEMEN, ALLISON R. TAYLOR

President Louisos calls the emergency session to order at 10:00 a.m. this 20th day of February, 2024.

County Clerk Michelle Holly leads the Pledge of Allegiance.

Discussion & Decision: Excess Levy Rates

Commissioner Louisos motions to go back to the original figures of the 2019 - 2024 levy. The levy will cover years 2025 - 2028. The commission has been very conservative with spending and July 1, 2024, the commission commits to moving a minimum of 6 and maximum of 10 deputies off excess law levy. Commissioner Brennen asks to clarify the levy dollars as Fire \$1,740,052; Library \$535,030; Law \$1,171,000. President Louisos clarifies the levy dollars and mentions that the goal was to help law enforcements budget match the levy dollars. Once the deputies are removed from the levy by July 1, 2024, then that goal will be accomplished.

Six deputies will remove \$513,000 from the law levy. A new cruiser completely outfitted currently has a cost around \$60,000. We could afford the minimum of two new cruisers per year and start saving for a gun range.

Commissioner Taylor presents that some language has changed. It will now have a four-year cycle instead of five. Some of the language was simplified and it was vetted by legal counsel. This is for public services and they added equipment and facilities. Also added "not covered by current revenue." Library description changed to "public" libraries. The levy should not fund private libraries. Fire language has remained the same because it works. Another new provision is the ability to temporarily reduce the levy If there is excess money. Only good for that one fiscal year, then the levy will revert to the approved rate. The levy will be put on the primary ballot and the commission intends to put it on the general if it doesn't pass. No real substantive changes. Just clarifying the language. Commissioner Taylor seconds. Unanimous decision.

Discussion & Decision: Potential Equipment Purchases - This could not be discussed today because it is not an emergency for a time sensitive issue. It will be heard on a March agenda.

The meeting was adjourned at 10:08 a.m.

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PRESENT: TOM LOUISOS, JOHN G. BRENEMEN, ALLISON R. TAYLOR

The Fayette County Commission met this 6th day of March, 2024.

President Louisos called the meeting to order at 9:00 a.m.

Wes Toney leads the Pledge of Allegiance.

Exonerations, Orders to Combine or Divide Land, Refunds - Eddie Young:

Mr. Young presents real property exonerations for Cynthai Bair \$15,30, \$1,025.00; Michael & Susan Moten \$892.34; Daniel L. & Timothy G. Lightner \$476.52; Linda G. & Russell G. Weis \$1,016.48; Paul Ethan Morris \$151.78; Carolyn Cuppage \$735.54; Larry G. Jr. or Pamela Bigham \$1,292.66; Darrick Keith McDowell \$185.54; Gabrielle Ann Jones \$4,902.10; Michael K. & Jennifer Kessinger \$2,353.30, \$2,430.40, & \$2,399.58; James F. or Rebecca Sizemore \$405.76; Michelle D. & Richard Coleman \$999.54; Novelle C. Barrett etal \$579.72; Maxine Cool \$260.08; Levi Allen Blevins & Kathryn Deel \$591.84; Dillon Pomery \$93.00; and Big Diamond Trucking Inc. \$1,523.90. Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision

Mr. Young presents two refunds for Novelle C. Barrett \$578.00 and Ernest W. Murphy, Jr. \$248.09. Commissioner Brenemen motions to approve. Commissioner Taylor seconds. Unanimous decision.

Vouchers and Invoices: Commissioner Taylor mentions to hold a fire reimbursement for 5-gallon water containers and would like to speak with legal counsel about them. She also mentions that gym equipment is not listed in the fire levy terms. She's also reluctant to approve invoices for the training center until she sees a budget. Commissioner Brenemen mentions NFPA requires fitness. Commissioner Taylor says our lawyer says it's not covered by levy. Commissioner Taylor motions to approve all invoices except the 5-gallon water invoice and training center invoices. Commissioner Brenemen seconds. Unanimous decision.

Approval of Prior Meeting Minutes Commissioner Brenemen motions to approve February 16, 20 and 22. President Louisos seconds. Unanimous decision.

Approve Estate Settlements Estates Teddy Gene Gray; Mary Ann Hager; Stephen Matthrew Neff; Dorothy Lou Queen; Thomas Christopher Snyder; and Ira Shelton Workman. Commissioner Taylor motions to approve. President Louisos seconds. Unanimous decision.

Approval of Fiduciary Commissioner Recommendation in Small Estate of Jeremiah Hamilton Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Ruth Lanier- Exhibit A

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Discussion & Decision: Plum Orchard Lake Support Letter Commissioner Taylor motions approve in concept and change the language and make edits. President Louisos seconds. Unanimous decision.

Discussion & Decision: Acceptance of 2024 PPOD Grant Award President Louisos motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: Letter Regarding Reimbursement Fire Levy Reimbursement - Commissioner Taylor motions to approve the letter with the corrected amount \$1,137.41. President Louisos seconds. Unanimous decision.

Discussion & Decision: Letter Regarding Workshops These workshops are for ARPA spending. Inviting various community leaders to upcoming workshops regarding PSDs, trails, and municipalities. Commissioner Taylor motions to approve the letter. President Louisos seconds. Unanimous decision.

Fayetteville Fire Levy Budget Presentation. John Vernon, Kathy Williams, and Sharon Cruikshank. Fire Chief John Vernon presents their budget. Town of Fayetteville allocates over \$246,000. Chief Vernon said certain things couldn't be purchased with levy. Commissioner Taylor asks which things. Mr. Vernon says insurance: liability, workers comp and small life insurance and accident and injury. It is \$38,000. Commissioner Taylor states she thinks the insurance should be covered by levy and to submit the expense. Commissioner Brenemen asks about state allocation of \$60,000. Mr. Vernon says there are only 15 specific things it can be used for. They save it up to pay for large purchases like engines. Annual sprinkler and fire alarm tests. The systems are outdated and not throwing the right code to 911. Reminds the commission that Fayetteville covers across the bridge, Smailes Branch, AOTG, under the bridge, among other places.

Public Hearing & Decision: Planning Commission Case Z-539-24-1: Request of Sean Bramble (Occupant) to change land classification from non-conforming R-R (Rural Residential) to B-3 (Business, Tourism District) on property legally described as Surf 18.71 Mill Ck by Survey, New Haven District Angela Gerald presents that the Planning Commission unanimously approved the request. Sean Bramble is also present. Commissioner Taylor commends Mr. Bramble for the comprehensive application. Commissioner Brenemen and President Louisos agree. President Louisos motions to approve. Commissioner Taylor seconds. Unanimous decision.

Discussion & Decision: Dilapidated Mobile Home Demolition Ms. Gerald presents that the owner of the old Shiloh Mobile Home Park would like to still be considered for partial demolition funding. Commissioner Taylor asks if he has a plan for the remaining amount to demolish. This has not been presented to the FCC yet. Asks if he pays half, if the FCC would pay remaining from what is left over in the grant. Commissioner Taylor asks Ms. Gerald to reach out to the property owner with Wes Toney. Ms. Gerald says in the past, there has been a

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promissory note. Commissioner Taylor would prefer anything he can pay up front to be provided first. Commissioner Taylor motions to table until Ms. Gerald returns it to agenda.

Discussion & Decision: Support Letter for City of Oak Hill

Commissioner Brenemen motions to postponed till 3/13 since the letters were only received yesterday. President Louisos seconds. Unanimous decision.

Discussion & Decision: Planning Commission Reappointment Commissioner Taylor motions to reappoint Joe Re August 3, 2026, nunc pro tunc. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: Letter Regarding CVS Closure in Gauley Bridge

Commissioner Brenemen visited the site and employees state it will close at the end of March. Would like to send a letter to the corporation. Commissioner Taylor mentions reaching out to NRGDA to see if a private pharmacy provides those services. Chris Burford says that CVS put a covenant on the building in Ansted stating it could not be used for a pharmacy ever again. The commission discussed if this is the case in Gauley Bridge, asking the company to remove the covenant. CVS may not own this building. Commissioner Taylor motions to send the letter and include covenant language if necessary. Commissioner Brenemen will draft. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: Appointment of Michael Martin to the Fayette County Library Board. Commissioner Taylor motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: Set Early Voting Locations for May 14, 2024

Locations are Green Valley United Methodist Church, Danese; Montgomery Community Center, 612 3rd Ave; Fayette County Soldiers and Sailor Memorial Building, Fayetteville. President Louisos motions to approve. Commissioner Brenemen seconds. Unanimous decision.

Informational Presentation on Small Business Administration Loan Program

Arlise Green from the SBA presents the declaration which took place August 2023. This offer is for businesses and non-profits. Fayette County is considered a continuous county. Businesses and non-profits can apply for a disaster loan until 10/30/2024. This is for lack of sales, loss of income. Not for physical loss.

Discussion and Decision: Brownfield Grant: Rainelle Landfill, Inventory Selection Process and Community Involvement Matt Ford presents. In 2022, FCC received EPA Community Wide Assessment Grant. It runs from 10/1/22- 9/30/25 with a \$378,917 total budget. We've only spent \$6,000 so far on completing all the requirements of the grant. Asking for inventory sites. There are about 20 houses identified for pre demolition asbestos testing. President Louisos

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asks about an old filling station in Pax. Mr. Ford confirms that would be a good assessment project. Ms. Gerald says the tanks are gone but there are still contaminants.

Discussion of streamlining the decision process for inventory. Mr. Ford suggests applying for sites and then after being approved by the DEP, bring the list back to the FCC for final approval. Mainly just need to move forward with a list and community involvement component.

Commissioner Taylor asks that he and Ami Dangerfield return on the 13th with the preliminary site list. Will also set up a community involvement. Commissioner Taylor motions to postpone till 3/13. Commissioner Brenemen seconds. Unanimous decision.

Discussion & Decision: Stream Remediation Stream remediation -

Then the Commission enters an executive session at 10:18 a.m. and returns at 10:36 a.m. This was only for legal counsel. No decisions made.

Commissioner Brenemen presents. Logs are backed up in streams causing flooding. Paint Creek, White Oak, Dunloup Creek, Smithers Creek. Would like to set these as priorities. Working with Southern Soil Conservation. Commissioner Taylor motions to ask counsel to draft a letter identifying these priorities and ask if they've been assessed. Ask for these streams to be priorities. Commissioner Brenemen seconds. Unanimous decision.

Commissioner Taylor presents that a citizen reported a tree over Smithers Creek because of the flooding. FCC can address it outside of the Southern Soil. A local contractor submitted the low bid of \$6,000. Commissioner Taylor motions to approve the bid. Commissioner Brenemen seconds. Unanimous decision.

Budget Discussion Discussion that the Friends of NRG Park and Preserve are close to receiving their 5013C. Jina Belcher is involved. The FCC can allocate money to do recreation work inside the gorge, including trail development. Discussion that community members have approached the Parks Service to offer trail work and they are not receptive. Need to reach out and engage the NPS and not go through everything and then not have access. 5013C was created to fundraise for the county. Not politically minded or agenda driven except for recreation. Will set their own priorities but want to work with the FCC to accomplish things that the government can't, like fundraising.

Ms. Lanier asks for specifics for the general county budget. How many deputies will move over from the law levy? Will they entertain as requested items and personnel raises? Discussion of coal severance and reallocated funds which can be useful at the park. 25% payroll cap

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was removed from coal severance. Ms. Lanier needs clarifications on how to address the raises prior to entering possible figures in the spreadsheets. Merit based, percentages, across the board numbers... Ms. Lanier states not many people can objectively assess their staff for merit based, and it's too late for merit based at this point for this fiscal year. Commissioner Taylor asks Ms. Lanier to recommend the amount but would like greater amounts to go to lower paid people. Ms. Lanier states it's up to the elected officials to allocate the funds to their employees. The FCC has no say how it is allocated once an amount is approved in their budget. Commissioner Brenemen suggests making the requested pay increases and across the board amounts on a spreadsheet and moving the deputies over. Ms. Lanier suggests moving 6 this year then developing a plan to move a certain amount each year till they are all in the general county budget.

The meeting was adjourned at 10:56 a.m.

FAYETTE COUNTY COMMISSION

SPECIAL SESSION

March 6, 2024

FAYETTE COUNTY COURTHOUSE

PRESENT: TOM LOUISOS, JOHN G. BRENNEMEN, ALLISON R. TAYLOR

The Fayette County Commission met in a special session this 6th day of March, 2024.

President Louisos called the meeting to order at 1:00 p.m.

Elmer Pritt leads the Pledge of Allegiance.

Commissioner Taylor explained that a previously earmarked broadband match is now vacated due to the funding falling through at the state level. The commission invited those involved with the Fayette County Soldiers and Sailors Memorial Building here to discuss possible repairs, renovations, and uses.

Discussion of Town of Fayetteville's proposed idea to take ownership and develop a rock-climbing wall inside. Commissioner Taylor says she's been against that. Mayor Sharon Cruikshank clarified that idea was a draft of the Town Planner Study as part of their comprehensive plan and was never a plan for council.

Mr. Pritt presented about the America Legion ideas and involvement. Most concerned with its deteriorating condition. The American Legion and Ansted VFW want to work with the owners. Interested in saving it and has a list of 13 items prioritized. This building is too important to let go. It is a memorial to those who died in service, Prisoners of War, and veterans, past and present.

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Ami Dangerfield, Commission Executive Assistant, presented grants she's applied for and will be applying for. The porch was quoted as a \$70,000 fix (affecting the foundation and basement offices.) The north façade is crumbling due to water infiltration and we are expecting bids for that project by March 15. But was cautioned by the contractors it was going to be a very expensive fix as all 4 facades need remediation. Will focus on the north side as it has the library entrance, is in the worst shape and is in the most danger of causing harm. Looking at acoustic options for making the gym usable for more events.

Discussion of ideas for uses from the Park Board Members, Brian Good, PJ Stevenson, Diane Callison, Wayne Yonkelowitz, J.R. Davis and Katie Johnson: Profit center vs. community center; sound system; water infiltration issues; entertainment and sport seating; eternal flame. Discussion that the flame was fixed and rededicated but there are still issues with the gas line which allowed it to continually blow out.

Commissioner Taylor draws connection to the issues Montgomery experienced with the Baisi Center. Just couldn't afford to maintain it.

Garland Burke presents. States turning over ownership from the county would be a slap in the face to the tax payers of Fayette County who funded the building. It hasn't been taken care of by the people who were responsible for it. Worried about it being more of a Fayetteville project than a county project for the veterans. Commissioner Taylor states we have a great opportunity to use this money which we will never have again. Mr. Burke mentions the allocation by the commission to paint a flag pole Ansted for \$15,000. Commissioner Taylor states that pole is right at veteran's memorial and it is a very tall and cumbersome flagpole to repaint. Commissioner Taylor said Ansted used about half of the allocation and the FCC approved to let the VFW have the rest.

Ms. Cruikshank asks about curtains on the stage. They are ripped and need to be replaced. They are front and center for publicity and events.

Discussion of other funding. Ms. Dangerfield will apply for an ear mark. Hopefully receive a onetime investment from Congress to get the FCMB back up to speed.

Discussion of a partnership as beneficial to the building.

Commissioner Taylor asks Mr. Pritt about the Legion's role in planning. They offer to serve on committees. Jim Akers said it was ignored while being used and abused. Everything costs money. A lot of things are needed in the county and understands infrastructure is important. But this building should be a priority. Cosmetics is a secondary priority. Agrees getting it water tight is the priority.

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Russel Compton presents that it needs to be used more for events in the evenings. Things for tourists to do.

Ms. Stevenson would like more small revenue generating events with concession stands and we could charge a fee to use concession area. Knows it's a different idea for the United States, but even offer pay toilets. Long term idea - aerial park above the court for pay for activity.

Brings up park ideas: resurfacing tennis courts for pickleball; Gagaball courts, outdoor chess; Field Day Fridays; and the pool.

Also proposes events for First Fridays at the FCMB to coincide with Town of Fayetteville market days.

Mr. Davis would like to make park more ADA accessible. Hasn't had to turn anyone away for a camp or 4H yet, but is afraid it will happen. Ms. Callison says the gravel walkways are not ADA accessible. They do have 2 ADA accessible cabins but they are for older kids and females only.

Mr. Yonkelowitz states the shell of the FCMB is the priority.

Discussion of Friends of the New River Gorge 5013C formation because the county can't fundraise. But the county can augment them.

Discussion of camp SOAR which is for kids from all over the county. Ms. Johnson says we should prioritize kids and events for them to avoid addiction.

Discussion of other levies - some places have parks & recs levies. President Louisos says we are maxed on taxes for now. Hoping to reduce law levy by moving the deputies. Recreational tax on certain events is in the works. Discussion of recreation district for resorts to fund recreation board. Only 1 other in the state - Snowshoe. It is taxed on the visitors, not the residents.

Ms. Dangerfield is working on the outside. The commission invites the park board to come up with next steps for inside. Would like for the Legion to work with them.

Commissioner Brenemen asks priorities for inside the Memorial Building and the county park. Their dream list, too.

Ideas: Disc golf, kick ball, lights, trout derby, easter eggs hunt, Bike show, trials riding,

The meeting was adjourned at 2:32 p.m.
