REGULAR SESSION

MARCH 13, 2017

6:30 P.M.

STATE OF WEST VIRGINIA, COUNTY OF PRESTON, Ss:

The Preston County Commission met in Regular Session at 6:30 p.m., March 13, 2017, in the County Commission Meeting Room.

The meeting was called to order by President Craig Jennings who invited those present to join in the Pledge of Allegiance.

President Jennings then declared the following Commissioners present: Dave Price, Don Smith and Craig Jennings.

Also present were Dianna Hartman, County Clerk’s Office and Kathy Mace, Administrator/Grant Writer.

The following persons registered their attendance during the meeting:

Jeniffer Graham

Roy Watkins

Connie Ervin

Jennifer Lewis

No one registered prior to the meeting to address the Commission.

Commissioner Price moved to authorize payment of all properly presented and approved invoices. Commissioner Smith seconded the motion. Discussion called for. Question called for. A roll call vote was taken with Commissioners Price, Smith and Jennings voting yes. Motion carried.

There were no Tax Corrections, Notices of Apportionment for Jointly Owned Motor Vehicles, Consolidations of Land or County Court Splits presented.

Under Old Business, Commissioner Smith moved to dispense with the reading in open court of the minutes of the County Commission meetings held on February 14, 17 and 21, 2017, and to approve the same as presented. Commissioner Price seconded the motion. Discussion called for. Question called for. A roll call vote was taken with Commissioners Smith, Price and Jennings voting yes. Motion carried.

Ms. Hartman advised that Commissioners have been furnished, by e-mail, copies of the minutes from the February 27, 2017 County Commission meeting.

Commissioner Smith moved to dispense with the reading in open court of the proceedings of the Clerk of this Commission, having been no exceptions or objections filed thereto. Commissioner Price seconded the motion. Discussion called for. Question called for. A roll call vote was taken with Commissioners Smith, Price and Jennings voting yes.

United States of America



State of West Virginia County of Preston, ss:

Clerk's Fiduciary Report

Estate from Thursday, February 23, 2017, through Tuesday, March 7, 2017

The County Commission of Preston County this 13th day of March, 2017, proceeded to examine the report of the Clerk of the Commission of the Fiduciary and Probate matters had before her during the vacation of the Commission, and it appearing to the Commission that all of the proceedings had therefore ordered that the said report and matters thereto contained be and the same is hereby ratified and confirmed. Said report is in words and figures as follows, to‑wit:

On, Thursday, February 23, 2017, the following matters were disposed of in the presence of the Clerk:

More than 30 days since the date of death or the surviving spouse or heir, upon a motion, GERALD E. NEWSOME was appointed and qualified as ADMINISTRATOR of the estate of GERALD L. NEWSOME, deceased. Bond was 25,000.00.

A duly copy of the last will and testament of ARGLE COLEBANK, deceased, late a resident of PRESTON, WEST VIRGINIA, was admitted to record.

On, Friday, February 24, 2017, the following matters were disposed of in the presence of the Clerk:

The last will and testament of CHESTER WAYNE CURRY, deceased, was proved by the affidavit of the attesting witnesses and the same was admitted to probate and record.

BRENDA JOYCE (CURRY) BECKMAN, who was named in the last will and testament of CHESTER WAYNE CURRY, deceased, as EXECUTRIX thereof, qualified as such. No bond was required.

On, Monday, February 27, 2017, the following matters were disposed of in the presence of the Clerk:

The last will and testament of DONOVAN C. SHAFFER, deceased, was proved by the affidavit of the attesting witnesses and the same was admitted to probate and record.

CATHERINE E. CASTLE‑SHAFFER, who was named in the last will and testament of DONOVAN C. SHAFFER, deceased, as EXECUTRIX thereof, qualified as such. No bond was required.

On, Tuesday, February 28, 2017, the following matters were disposed of in the presence of the Clerk:

More than 30 days since the date of death or the surviving spouse or heir, upon a motion, JEANNIE L. STRAHIN was appointed and qualified as ADMINISTRATRIX of the estate of MABEL E. ZINN, deceased. Bond was 25,000.00.

On, Thursday, March 2, 2017, the following matters were disposed of in the presence of the Clerk:

More than 30 days since the date of death or the surviving spouse or heir, upon a motion, JANET GROVES was appointed and qualified as ADMINISTRATRIX of the estate of STEPHANIE LYNN GROVES, deceased. Bond was 7,500.00.

The said estate of STEPHANIE LYNN GROVES, deceased was referred to OLIVIA S. HARRIS‑DEVALL ATTORNEY AT LAW, a FIDUCIARY COMMISSIONER for the Preston County, for settlement thereof.

On, Monday, March 6, 2017, the following matters were disposed of in the presence of the Clerk:

The last will and testament of RAYMOND KENNETH HAUSER, deceased, was proved by the affidavit of the attesting witnesses and the same was admitted to probate and record.

RAYMOND KENNETH HAUSER, JR, who was named in the last will and testament of RAYMOND KENNETH HAUSER, deceased, as EXECUTOR thereof, qualified as such. No bond was required.

The last will and testament of RITA WEINBERG, deceased, was proved by the affidavit of the attesting witnesses and the same was admitted to probate and record.

CAROL J. SHISLER, who was named in the last will and testament of RITA WEINBERG, deceased, as EXECUTRIX thereof, qualified as such. No bond was required.

On, Tuesday, March 7, 2017, the following matters were disposed of in the presence of the Clerk:

The last will and testament of CYNTHIA ANN TEIXEIRA, deceased, was proved by the affidavit of the attesting witnesses and the same was admitted to probate and record.

HATTIE M. COMP, who was named in the last will and testament of CYNTHIA ANN TEIXEIRA, deceased, as

EXECUTRIX thereof, qualified as such. No bond was required.

A duly copy of the last will and testament of BERNARD EUGENE WILT, deceased, late a resident of

PRESTON, WEST VIRGINIA, was admitted to record.

Subscribed and sworn to before me on 3/8/2017



Clerk of the Preston County

Commission

United States of America



State of West Virginia County of Preston, ss:

Settlement List

Notice is hereby given that the following estate(s) have been submitted for settlement from 02/21/2017 thru 03/03/2017 in the Preston County Clerk's Office at 106 West Main Street, Suite 103, Kingwood, WV 26537‑1131. For approval by the Preston County Commission on Monday, March 13, 2017.

ESTATE NUMBER: 440

ESTATE NAME: JOHN ELLISON BROWN

EXECUTRIX: BETTY L. BROWN

FILED: 2/27/2017

SETTLEMENT: REPORT OF RECEIPTS, DISBURSEMENTS AND DISTRIBUTION; AFFIDAVIT

ESTATE NUMBER: 2611

ESTATE NAME: MAXINE FEATHER

EXECUTOR: JOHN W. FEATHER

FILED: 2/22/2017

SETTLEMENT: REPORT OF RECEIPTS, DISBURSEMENTS AND DISTRIBUTION; AFFIDAVIT

ESTATE NUMBER: 2484

ESTATE NAME: JAMES W. GARLETTS

EXECUTRIX: CAROLYN SUE (GARLETTS) MARTIN

FILED: 2/21/2017

SETTLEMENT: REPORT OF RECEIPTS, DISBURSEMENTS AND DISTRIBUTION; AFFIDAVIT

ESTATE NUMBER: 2465

ESTATE NAME: ROGER D. MCDANIEL

ADMINISTRATRIX: MONICA M. DIXON

FILED: 2/28/2017

SETTLEMENT: AFFIDAVIT AND WAIVER OF FINAL SETTLEMENT

ESTATE NUMBER: 2615

ESTATE NAME: JAMES EDWIN PYLES AKA JAMES EDWIN PYLES, SR

EXECUTRIX: KIMBERLY LANE WOLFE PYLES

FILED: 3/1/2017

SETTLEMENT: AFFIDAVIT AND WAIVER OF FINAL SETTLEMENT

ESTATE NUMBER: 2239

ESTATE NAME: JUNIOR LEROY SHIPP

ADMINISTRATOR DAVID W. BOLYARD, JR.

FILED: 3/3/2017

SETTLEMENT: REPORT OF RECEIPTS, DISBURSEMENTS AND DISTRIBUTION; AFFIDAVIT

ESTATE NUMBER: 2608

ESTATE NAME: NINA WHITEHAIR

EXECUTRIX MARGARET A. BOLYARD

FILED: 2/24/2017

SETTLEMENT: AFFIDAVIT AND WAIVER OF FINAL SETTLEMENT

ESTATE NUMBER: 2546

ESTATE NAME: RAYANNA VIVIAN WILLIAMS

ADMINISTRATRIX: NELLIE WILLIAMS

ATTORNEY: WILLIAM FRAME

151 WALNUT STREET

MORGANTOWN, WV 26505‑5431

FILED: 2/22/2017

SETTLEMENT: AFFIDAVIT AND WAIVER OF FINAL SETTLEMENT

Subscribed and sworn to before me on 3/8/2017



Linda Huggins

Clerk of the Preston County

Commission

Commissioner Price moved that the foregoing estate settlements and/or waivers thereof, having been filed for a period of ten (10) days prior to the commencement of this term and there being no exceptions or objections filed thereto, be approved and confirmed. Commissioner Smith seconded the motion. Discussion called for. Question called for. A roll call vote was taken with Commissioners Price, Smith and Jennings voting yes. Motion carried.

There were no Fiduciary Commissioner reports presented.

President Jennings recognized Jennifer Lewis, Chief Tax Deputy, who told Commissioners that OEM Director Duane Hamilton has applied for a buy-out grant from FEMA. FEMA grant funds will allow for the purchase of a home that when originally built was not in the flood plain but now is. This will require opening a separate account titled “FEMA Account”. She presented the Account Agreement for President Jennings to execute. This Agreement will then also be executed by County Clerk Linda Huggins and Sheriff Daniel Loughrie.

Commissioner Smith moved to authorize the opening with Clear Mountain Bank a special FEMA account to keep funds from a FEMA Buy-out Grant separate from county funds. Commissioner Price seconded the motion. Discussion called for. Question called for. A roll call vote was taken with Commissioners Smith, Price and Jennings voting yes. Motion carried.

Mrs. Lewis advised Commissioners that Clear Mountain Bank is offering the county a special interest rate on a current Certificate of Deposit held by the county. The current rate of interest on that COD is .51% with a maturity date of 03/02/2019. At this time, Clear Mountain Bank can offer an Annual Percentage Yield of 1.80% for 60 months if it is agreeable to move from the existing CD to a new one. All penalties and fees would be waived to make this change.

Commissioner Price moved to authorize Chief Tax Deputy Jennifer Lewis to make the appropriate changes moving the counties current Certificate of Deposit with Clear Mountain Bank with a current rate of .51% to a new 60 month CD which will yield an APR of 1.80%, Commissioner Smith seconded the motion. Discussion called for. Question called for. A roll call vote was taken with Commissioners Price, Smith and Jennings voting yes. Motion carried.

Mrs. Lewis presented and explained a budget revision needed in the Tax Office. Funds have been received from Corelogic and Lereta for an updated tax file that she sent them in January and February. She requests that the revenue from these entities be used to increase the maintenance and equipment line item.

Commissioner Smith moved to approve the following budget revision as requested by Jennifer Lewis:

Increase 001-366-000 by $ 712.

Increase 001-404-216 by $ 712.

Commissioner Price seconded the motion. Discussion called for. Question called for. A roll call vote was taken with Commissioners Smith, Price and Jennings voting yes. Motion carried.

RESOLUTION

At a Regular Session of the County Commission, held on March 13, 2017, the following order was made and entered.

SUBJECT: The revision of the Levy Estimate (Budget) for the County of Preston. The following resolution was offered.

RESOLVED: That subject to approval of the State Auditor as ex officio chief inspector of public offices, the County Commission does hereby direct the budget be revised PRIOR TO THE EXPENDITURE OR OBLIGATION OF FUNDS FOR WHICH NO APPROPRIATION OR INSUFFICIENT APPROPRIATION CURRENTLY EXISTS, as shown on budget revision number 17, of the General County Fund, a copy of which is entered as part of this record.

The adoption of the foregoing resolution having been moved by Commissioner Smith and duly seconded by Commissioner Price, the vote thereon was as follows:

Don Smith Yes No

T. Craig Jennings Yes No

Dave Price Yes No

WHEREUPON, President Jennings declared said resolution duly adopted, and it is therefore ADJUDGED and ORDERED that said resolution be, and the same is, hereby adopted as so stated above, and the County Clerk is authorized to fix her signature on the attached “Request for Revision to Approved Budget” to be sent to the State Auditor for approval.

Etta Miller, scheduled to address the Commission at 6:45 p.m. was not present for the appointment.

President Jennings recognized Kathy Mace for the Administrator’s report.

Ms. Mace told Commissioners that the courthouse garage wall repair project will be delayed waiting for better weather conditions.

Ms. Mace has received correspondence from Liz Grant, Assistant Attorney General, who advises that she has reached out to personnel from the school system to discuss the Drug Awareness Program with them. The next step is to hold a meeting with the school system so everyone is on board with the curriculum and the steps needed to implement the program. Ms. Grant will update the county on the progress and any scheduled meetings.

Ms. Mace advised that Commissioners will meet individually with each office holder beginning tomorrow morning (March 14) at 9:00 a,m.

Commissioner Price moved to authorize President Jennings to execute the following letter in support for Digital Connections pursuit of the USDA Community Connect Grant. Commissioner Smith seconded the motion. Discussion called for. Question called for. A roll call vote was taken with Commissioners Price, Smith and Jennings voting yes. Motion carried.

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Ms. Mace told Commissioners that a couple of people from Aurora have visited the County Commission Office expressing interest in having broadband in the Aurora area. Correspondence from Mickie Elliott suggests getting on the Website for NeuBeam, the sales division for Declaration Networks Group who is working on a project to cover most of Garrett County with broadband service. This could quite possibly be expanded into Preston County, particularly into the Aurora area.

President Jennings recognized Ashley Chavez, Account Executive with Enterprise Fleet Management, who spoke to Commissioners about the possibility of leasing county vehicles rather than purchasing them.

Also on speaker phone for the presentation was Marc Werner, Government Marketing Manager with Enterprise. Mr. Werner told Commissioners that the rental company has had success with leasing to government entities during the past several years.

Ms. Chavez explained the process of leasing and supplied data on savings as well. She said the key objectives for leasing would be to lower the average age of the fleet; reduce operating costs and maintain a manageable vehicle budget.

President Jennings replied that other than law enforcement vehicles, most of the county vehicles are specialized such as one used by maintenance personnel and another for the Animal Control Officer.

Following the presentation with Commissioners showing interest in the lease program, President Jennings answered that this is “something to think about and speak with the Sheriff about”. Also, the Commission will work on getting more a more realistic number of vehicles for Enterprise to work with.

There being no further business to come before the Commission, President Jennings declared the meeting adjourned at 8:15 p.m.

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