

REGULAR SESSION

**MARCH 20, 2017
9:30 A.M.**

STATE OF WEST VIRGINIA, COUNTY OF PRESTON, Ss:

The Preston County Commission met in Regular Session at 9:30 a.m., March 20, 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:

Wendy Madden
Dale McVicker
Sara Saurino
Rod Rogers
Linda Huggins-County Clerk
Theresa Marthey-Preston News & Journal
Kathy Plum-Dominion Post
Connie Ervin-Assessor
Melissa Hardy

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.

Commissioner Smith moved to approve the Preston County Tax Correction List, dated March 20, 2017, in the amount of \$138.20, as presented by Assessor Connie Ervin. 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.

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

President Jennings recognized Melissa Hardy, Sheriff's Department, who presented and explained budget revisions needed for the Sheriff's Department and Law Enforcement.

President Jennings advised that these revisions will be considered later in today's meeting when other requests are presented.

Under Old Business, Commissioner Smith moved to dispense with the reading in open court of the minutes of the County Commission meeting held on February 27, 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 March 13, 2017 County Commission meeting.

Under New Business, 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. Motion carried.

United States of America



State of West Virginia

County of Preston, ss:

Clerk's Fiduciary Report

Estate from Wednesday, March 8, 2017, through Tuesday, March 14, 2017

The County Commission of Preston County this 20th 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, Friday, March 10, 2017, the following matters were disposed of in the presence of the Clerk:

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

before me on 3/15/2017

Subscribed and sworn to

A handwritten signature in cursive script that reads "Linda Huggins".

Linda Huggins
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 03/08/2017 thru 03/08/2017 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 20, 2017.

**ESTATE NUMBER: 2629
ESTATE NAME: GRACE V. SHEETS
EXECUTRIX: CAROL E HALL
SETTLEMENT: REPORT OF RECEIPTS, DISBURSEMENTS AND DISTRIBUTION;
FILED: 3/8/2017**

AFFIDAVIT

on 3/15/2017

Subscribed and sworn to before me

A handwritten signature in cursive script that reads "Linda Huggins".

**Linda Huggins
Clerk of the Preston County
Commission**

Commissioner Smith moved that the foregoing estate of Grace V. Sheets be referred to a Fiduciary Commissioner, Commissioner Price seconded 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.

There were no Fiduciary Commissioner Reports presented.

President Jennings recognized County Clerk Linda Huggins who told Commissioners she is here to explain the 2017-2018 county budget before submitting it to the State Auditor's Office. She said that because her office is responsible for submitting the budget, she has had an opportunity to review the budget and she has questions, particularly with the fact that Commissioners have not allocated any money for employee raises. She said that she has reviewed the proposed budget and feels there may be places budgeted that could be used for raises.

President Jennings explained how the Commissioners arrived at these budget allocations. He said the amount in contingencies for the next year is down. Also, "considerably big raises" were given to employees last year – probably the largest raises given since he has been a Commissioner – approximately 5 ½ per cent. He said the Commission doesn't feel comfortable granting lifetime raises until contingencies can get above 5 per cent. He said the Commission doesn't plan for any employee raises or funding outside agencies until such time as the amount in contingencies can be at the 5 per cent level.

Mrs. Huggins replied that 3 per cent raises were given last year – not 5 per cent.

President Jennings told Mrs. Huggins that she has given raises to her employees over the past years – probably greater raises than anyone else has received.

Mrs. Huggins asked questions about specific line items to which President Jennings offered explanations to each. When Mrs. Huggins questioned the amount of 401 contributions, Ms. Mace replied that this line item is reserved mainly for grants, such as VOCA and Community Corrections, as well as miscellaneous grants.

Mrs. Huggins told Commissioners it is their position to fund county offices.

President Jennings answered that all office holders received everything they requested with

the exception of money for employee raises.

Mrs. Huggins stated that there were a “few raises offered” and she asked why some people were granted raises when others weren’t.

President Jennings said that is because Mrs. Huggins employees received raises during the mid-year. The Commission did not grant their employees those mid-year raises. According to President Jennings he said that every year the Commission finds that County Clerk employees are given raises that other employees are not.

Mrs. Huggins said that she know there is extra money in the new budget and she feels the County Commission budget should be funded in the same manner as other departments.

President Jennings reported that revenues for next year are down slightly with the total budget, including Coal Severance, coming in at \$8,471,351. as compared to last year’s total budget of \$8,675,000 No increase in levy rates has been made. Mr. Jennings also reviewed and explained some of line items and programs being funded.

President Jennings recognized Duane Hamilton, OEM/E-911 Director, who presented and explained budget revisions needed.

Commissioner Price moved to approve the following budget revisions as requested earlier by Ms. Hardy as well as those now requested by Mr. Hamilton:

Sheriff’s Department

Increase	001-382-000	by	\$ 2,610.
Increase	001-700-104	by	\$ 200.
Increase	001-700-106	by	\$ 313.
Increase	001-700-108	by	\$ 2,097.
Increase	001-382-005	by	\$ 2,275.
Increase	001-700-343-05	by	\$ 2,275.
Increase	001-382-000	by	\$ 436.
Increase	001-700-217	by	\$ 436.

Increase	001-382-000	by	\$ 8.
Increase	001-700-341	by	\$ 8.
Increase	001-382-000	by	\$3,594.
Increase	001-700-343	by	\$3,594.
Increase	001-382-004	by	\$9,000.
Increase	001-736-459	by	\$9,000.

Law Enforcement

Decrease	001-704-230	by	\$1,105
Increase	001-700-108	by	\$ 923.
Increase	001-700-104	by	\$ 71.
Increase	001-700-106	by	\$ 111.
Decrease	001-704-230	by	\$ 1,642.
Increase	001-700-108	by	\$ 1,372.
Increase	001-700-104	by	\$ 105.
Increase	001-700-106	by	\$ 165.

OEM

Decrease	001-711-211-05	by	\$ 900.
Increase	001-711-222	by	\$ 400.
Increase	001-711-223	by	\$ 500.
Decrease	001-711-211-01	by	\$ 180.
Increase	001-711-211-02	by	\$ 150.
Increase	001-711-211-03	by	\$ 30.

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.

RESOLUTION

At a Regular Session of the County Commission, held on March 20, 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 18, 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 Price and duly seconded by Commissioner Smith, the vote thereon was as follows:

Don Smith	<u>Yes</u>	No
T. Craig Jennings	<u>Yes</u>	No
Dave Price	<u>Yes</u>	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.

President Jennings explained that a home was built about 15 years ago that at the time was not in a flood plain. The home is a very nice structure probably in excess of \$200,000. However, with the new flood plain area, the house has now been declared to be in a flood plain. Cost of insurance far exceeds what the owner can pay and makes the house unmarketable for resale. FEMA has agreed to provide funds to the county to purchase the home, with funds allowable for demolition of the house. The county would like to keep this house for such use as the county may see fit. If in the event the house does become devastated by a flood, the county would be agreeable to use those escrow funds to demo the structure.

Rod Rodgers, District Director for Congressman David McKinley was present at this meeting and Commissioners asked Mr. Rodgers if he would present this scenario to Congressman McKinley asking if the county can continue to maintain possession of the structure perhaps using for some county benefit.

Mr. Hamilton stated that he is sure the structure could not be used for the storage of any files or documents.

Mr. Rodgers told Commissioners that he will certainly seek an answer to their question from Congressman McKinley and report to them his findings.

President Jennings recognized Dale McVicker, representing Preston County Parks and Recreation Commission, who was accompanied by Sara Saurino.

Mr. McVicker updated Commissioners on the past year's progress as well as some future plans.

Ms. Saurino presented a draft of the WV Northern Railroad area where plans are being made to demo buildings, at a cost of approximately \$50,000. Parks & Rec is also working with the WV Department of Highways to then connect from the Civic Center to the Northern shop area, with two miles of trail to be completed.

Mr. McVicker said the Preston County Memorial Park is over seen by the Mazza Family Foundation and the proposed Argabrite Center is delayed at the current time.

Mr. McVicker said that the Parks & Recreation Commission also works with town outreach programs.

Mr. McVicker provided Commissioners with the proposed Parks & Recreation budget and requested Commission's consideration of a \$12,000. Grant in the next budget year. Also, he asked Commissioners to consider taking over the mowing on the county farm of the proposed park area.

President Jennings recognized Matthew Cook with Frontier Communications and Billy Jack Greg, Consultant with Frontier.

President Jennings told Mr. Cook and Mr. Greg that the number one complaint of county residents is the lack of internet speed. While the problem is not one that comes exclusive from Frontier, Mr. Jennings asked what the county might do to help residents get the service they need. Some areas have spotty or slow internet service while other areas have no service at all.

Mr. Cook answered that in the past, providers could not cross boundaries. However, that has change and is now allowed. He told Commissioners of the areas in the county that have been provided with fiber optic and what areas have improved in service. Future plans are also underway for extended and improved service.

Mr. Greg provided Commissioners with a CAF II Map of Preston County. The map legend provides an outline of the parts of the county that are most eligible for the CAF (Connect America Fund) and which are ineligible or have elected to be frozen. This is helpful to Commissioners in explaining to county residents where service is most likely to be improved. Mr. Greg told Commissioners that several thousand people have already received upgraded broadband in Preston County.

Mr. Cook told Commissioners that Frontier has added much technology to several areas in the county and has done a reorganization in the last few months.

Commissioner Price said that many Aurora/Eglon area residents have expressed concern in the lack of internet service. According to Mr. Gregg, help is on the way to residents in those areas.

At 11:15 a.m., President Jennings called for a short Recess.

R E C E S S

AT 11:30 a.m., President Jennings recalled the meeting to order with all Commissioners present.

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

Commissioner Smith moved to approve the following Request for Reimbursement from the Community Corrections grant for the month of February, 2017, in the amount of \$7,698.87. 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.

WEST VIRGINIA Division of Justice and Community Services	Request for Reimbursement
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RECEIVED (For DJCS Use Only)	Subgrantee: Preston County Commission
	Address: Suite #202 106 W. Main Street Kingwood, WV 26537
	Project #: 17-CC-18
	FEIN#: 55-6000384
	Funds are hereby requested to cover expenditures FROM: February 1, 2017 TO: February 28, 2017

PROJECT CASH EXPENDITURES

Account #	Amount
Personnel/Contractual	\$7,698.87
Other	
TOTAL	\$7,698.87

CERTIFICATION:

I certify that this report presents actual receipts and expenditures of funds for the period covered and for the total grant budget to date, made in accordance with the approved budget for this grant.

All documentation is available at our office.

BY: **T. Craig Jennings, President**
Preston County Commission

TYPED NAME & TITLE
 (Authorized Official or Grant Financial Officer ONLY)


 SIGNATURE

March 20, 2017
 DATE

DJCS USE ONLY	
ADMINISTRATIVE APPROVAL: This request is approved in the amount of \$ _____ <div style="display: flex; justify-content: space-around; width: 100%;"> Initials Date </div>	
Pursuant to the authority vested in me, I certify that this request is correct and proper for payment.	
_____ Date	_____ Program Accountant

Commissioner Smith moved to authorize President Jennings to execute the following documents with the WV Risk Pool for the counties Worker's Compensation and Liability Insurance for the 2017-2018 Fiscal Year. 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.



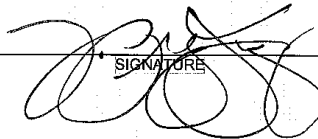
Preston County Commission

2017-18 Acceptance to Renew Coverage

After careful consideration of your proposal, we accept your coverage program subject to the following selections or changes:

YES	NO	RENEWAL ACCEPTANCE:
<input checked="" type="checkbox"/>	<input type="checkbox"/>	ACCEPT - We accept all coverages as presented in this proposal
<input type="checkbox"/>	<input type="checkbox"/>	MODIFY - We wish to request the following changes:
<input type="checkbox"/>	<input type="checkbox"/>	REJECT - We do not accept your proposal
ELECTION/REJECTION OF OPTIONAL QUOTES PROVIDED HEREIN:		
If additional quote options are provided herein, please indicate below if electing. Otherwise, coverage will be renewed based upon current coverage as you do not wish to select proposed option(s).		
BILLING TERMS		
We wish to select the following billing terms shown below -		
Coverages (if applicable):		
Property & Casualty	<input checked="" type="checkbox"/>	Annual Payment - Due and payable in full within 30 days of receipt
	<input type="checkbox"/>	Two Equal Installments - Due by July 1 st and October 1st
Workers' Compensation	<input checked="" type="checkbox"/>	Annual Payment - Due and payable in full within 30 days of receipt
	<input type="checkbox"/>	Quarterly Installments
Any additions or deletions made after the proposal and the initial billing effective up to and including July 1, 2017 will result in an endorsement and contribution adjustment.		
A late charge of 1% per month (12% per annum) will be assessed for contributions received 30 days after the due date.		

T. Craig Jennings
PRINTED NAME


SIGNATURE

March 20, 2017
DATE



Preston County Commission

Contribution Summary Form

Coverage	Deductible	Contribution
Property: Special Form; Replacement Cost (or stated otherwise); No Coinsurance; Blanket	\$1,000	\$24,529
Inland Marine: Replacement Cost if Reported, otherwise Actual Cash Value	\$1,000	Included
Computers/Electronic Data Processing (EDP)	\$1,000	Included
Equipment Breakdown	\$1,000	\$2,234
General Liability: \$1,000,000 Combined Single Limit; Occurrence Form; No Annual Aggregate	None	\$51,083
Cyber Risk	None	Included
Law Enforcement Liability: \$1,000,000 Limit Each Wrongful Act	\$15,000	Included
Public Officials Liability: \$1,000,000 Limit Each Wrongful Act	\$15,000	\$13,525
Automobile: \$1,000,000 Liability for Owned Autos; Comprehensive/Collision on All Automobiles; Automatic Coverage for Additions;	\$1,000 Comp/Coll	\$40,474
Crime: Blanket \$250,000 Faithful Performance; In/Out Robbery; Counterfeit; Forgery; Computer Fraud; Telephone Toll Fraud \$25,000 sublimit	\$250	\$950
Excess Limits - \$1,000,000	None	\$5,551
Workers' Compensation	None	\$55,016
Total Annual Contribution		\$193,362

In order to be eligible for WVCoRP membership, the following coverages must be selected: Property (where applicable), General Liability, Business Auto (where applicable), and Crime. To be eligible for Workers' Compensation coverage, Property & Casualty coverage must be in effect with WVCoRP.

Quarterly installment payment terms available for Workers' Compensation coverage only.

County Clerk Linda Huggins announced that she has received notice that the IRS will be refunding to the county any payments, plus interest, previously made to the counties account deemed owed to the IRS.

Commissioner Smith moved to tentatively approve the county budget for FY 2017-2018, as presented in the total amount of \$8,471,351. (General Fund - \$8,396,351. & Coal Severance - \$75,000.) 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.

There being no further business to come before the Commission, President Jennings declared the meeting adjourned at 11:40 a.m.

Commissioner

Commissioner

Commissioner

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