

REGULAR SESSION

April 24, 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., April 24, 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: Don Smith and Craig Jennings, Commissioner Price on vacation.

Also present were Linda Huggins County Clerk, and Kathy Mace, Administrator/Grant Writer.

The following persons registered their attendance during the meeting:

Assessor Connie Ervin
Theresa Marthey-Preston N& J
Kathy Plum-Dominion Post
Penny S Kelly
Monk Tasker
Rick Ketterman
William Greaser
Rick Dotson
Deanna Lively
Crystal Bolyard

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

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

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

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.

United States of America



State of West Virginia

County of Preston, ss:

Clerk's Fiduciary Report

Estate from Tuesday, April 11, 2017, through Tuesday, April 18, 2017

The County Commission of Preston County this 24th of April, 2017 day 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, Tuesday, April 11, 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, **TIMOTHY R. DEBERRY** was appointed and qualified as ADMINISTRATOR DBN of the estate of **JAMES W. DEBERRY SR.**, deceased. Bond was 20,000.00.

On, Wednesday, April 12, 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, **BRENDA WALTERS** was appointed and qualified as ADMINISTRATRIX of the estate of **JOHN S. LAMBERT**, deceased. Bond was 10,000.00.

On, Friday, April 14, 2017, the following matters were disposed of in the presence of the Clerk:

The said estate of **LORA A. BOLYARD**, deceased was referred to **OLIVIA S. HARRIS-DEVALL ATTORNEY AT LAW**, a FIDUCIARY COMMISSIONER for the Preston County, for settlement thereof.

On, Monday, April 17, 2017, the following matters were disposed of in the presence of the Clerk:

The said estate of **HOWARD L PARSONS**, deceased was referred to **OLIVIA S. HARRIS-DEVALL ATTORNEY AT LAW**, FIDUCIARY COMMISSIONER for the Preston County, for settlement thereof.

More than 30 days since the date of death or the surviving spouse or heir, upon a motion, **CHRISTOPHER L. ROSENBERGER** was appointed and qualified as ADMINISTRATOR of the estate of **CARLOS E. ROSENBERGER**, deceased. Bond was 6,500.00.

On, Tuesday, April 18, 2017, the following matters were disposed of in the presence of the Clerk:

The last will and testament of **SYLVIA L. BOLYARD**, deceased, was proved by the affidavit of the attesting witnesses and the same was admitted to probate and record.

MORREL M. BOLYARD, who was named in the last will and testament of **SYLVIA L. BOLYARD**, deceased, as EXECUTOR thereof, qualified as such. No bond was required.

The last will and testament of **GARY R. SISLER**, deceased, was proved by the affidavit of the attesting witnesses and the same was admitted to probate and record.

LISA A. SISLER, who was named in the last will and testament of **GARY R. SISLER**, deceased, as ANCILLARY ADMINISTRATOR thereof, qualified as such. No bond was required.

The last will and testament of **BERLIN D. CUPPETT**, deceased, was proved by the affidavit of the attesting witnesses and the same was admitted to probate and record.

CAROLYN ANN CUPPETT, who was named in the last will and testament of **BERLIN D. CUPPETT**, deceased, as EXECUTRIX thereof, qualified as such. No bond was required.

Subscribed and sworn to before me on 4/19/2017.

Linda Huggins

Linda Huggins
Clerk of the Preston County Commission

By: *Tammy Johnson*
Tammy Johnson, Deputy

Commissioner Jennings seconded the motion. A roll call vote was taken with Commissioners Smith and Jennings voting yes. Motion carried.

Commissioner Smith moved that the foregoing estate settlements and/or waivers thereof, having been filed for a period of ten (10) days prior to the commencements of this term and there being no exceptions or objections filed thereto, be approved and confirmed.

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 04/10/2017 thru 04/13/2017 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, April 24, 2017.

ESTATE NUMBER: 1325
ESTATE NAME: EDWARD RICHARD FLETCHER
EXECUTRIX: CATHERINE MARIE TODESKO
FIDUCIARY COMMISSIONER: WOODROW E TURNER ATTORNEY AT LAW
P. O. BOX 585
KINGWOOD, WV 26537-0585
SETTLEMENT: WAIVER OF FINAL SETTLEMENT
FILED: 4/10/2017

ESTATE NUMBER: 2557
ESTATE NAME: WILBUR MORRIS HACKETT, JR.
ADMINISTRATRIX: CYNTHIA D. HACKETT
ATTORNEY: JEFFERY L ARNETT, ATTORNEY AT LAW
711 GREENBAG ROAD
MORGANTOWN, WV 26508-1589
SETTLEMENT: WAIVER OF FINAL SETTLEMENT
FILED: 4/10/2017

ESTATE NUMBER: 2490
ESTATE NAME: ERIC CLINTON MEDDINGS
ADMINISTRATRIX: BRENDA MEDDINGS
SETTLEMENT: WAIVER OF FINAL SETTLEMENT
FILED: 4/10/2017

ESTATE NUMBER: 2417
ESTATE NAME: DAISY B. RUDE
ADMINISTRATOR CTA CHARLES M. RESSLER
ATTORNEY C. PAUL ESTEP, ATTORNEY AT LAW
ESTEP AND SHAFFER
212 WEST MAIN STREET
KINGWOOD, WV 26537
SETTLEMENT: WAIVER OF FINAL SETTLEMENT
FILED: 4/13/2017

ESTATE NUMBER: 2305
ESTATE NAME: WILLIAM VINCENT STEMPL
ADMINISTRATRIX IMA L. STEMPL
SETTLEMENT: WAIVER OF FINAL SETTLEMENT
FILED: 04/13/2017

Subscribed and sworn to before me on 04/19/2017

Linda Huggins

Linda Huggins
Clerk of the Preston County Commission

By: *Tammy Johnson*
Tammy Johnson, Deputy Clerk

Commissioner Jennings seconded the motion. A roll call vote was taken with Commissioners Jennings and Smith voting yes. Motion carried.

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

Ms. Mace advised, 3 Ash trees were in need of being cut down at the McGrew House. An estimate was given from Bill's Tree Service in the amount of \$3,750.00 for stump removal, chip brush and wood removal. Sheriff's office to conduct traffic control. Mr. Greaser could do the job by May 8, 2017. Commissioner Smith moved to authorize removal of trees, Commissioner Jennings seconded the motion. A roll call vote was taken with Commissioners Smith and Jennings voting yes. Motion carried. (See attachment)

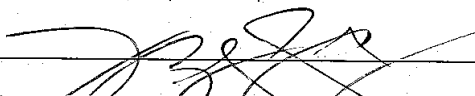


- Pruning
- Dangerous Tree Removal
- Overhang
- Dead Wood Removal
- Obstructions
- Storm Damage
- Stump Grinding
- Lot Clearing

Customer Name: <i>Mc Grew House</i>	Date: <i>4/20/17</i>
Contact Number: <i>304 329 1805</i> <i>288 5030</i>	Estimate Price *: \$ <i>3750</i>
Mailing Address:	
Site Address: <i>111 East Main Street Kingwood WV</i>	

Description of Bid: <i>Remove 3 Ash Trees along bank facing Rt. 7 Chip brush</i> <i>Remove wood Flush stumps</i>
<i>* Customer Responsible for traffic Control.</i>

Your signature is authorizing Bills Tree Service to complete the work in the Description of Bid section, and you are agreeing to pay the Estimate Price. 13% interested will be applied to all unpaid balances 30 days after completion date.

Client Authorization: 	Date: <i>4-24-17</i>
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*Estimate does not include Sales Tax

A grant application for the Terra Alta Betterment, Inc. "Park Community Building Renovation Project" in the amount of \$2,000.00. Money to be received by week of May 1st, 2017. Commissioner Smith moved to authorize Commissioner Craig Jennings to sign grant for the Town of Terra Alta. Commissioner Jennings seconded the motion. A roll call vote was taken with Commissioner Smith and Jennings voting yes. Motion carried. (See attachments)

Kathy Mace

From: cdmcv@frontiernet.net
Sent: Friday, April 21, 2017 7:33 AM
To: Kathy Mace
Subject: Terra Alta parks Grant Application

Preston County Commission and Kathy Mace, Administrator:
April 20, 2017

To All It May Concern:

Preston County Parks and Recreation Commission met in a Special Meeting on Wednesday, April 19, 2017 to review and discuss Community Grant applications.

This project meets the Mission of PCPaRC, we approved with a unanimous vote and recommend for your consideration to fund \$2000.00 to the Town of Terra Alta for their "Park Community Building Renovation Project". They are expected to provide "before and after" pictures of the project, and a copy of receipts for materials/supplies for the project. These items of verification are to be provided to Devra Deems of PCPaRC at the completion date of the project.

Dale McVicker
President,
PCPaRC

Recommended for Funding 4/19/17 DLM.

Submit Community Grant Application to: PCPaRC, PO Box 594, Kingwood, WV 26537

Grant Application Form

I. Name of applicant: Terra Alta Betterment, Inc.

Telephone: 304-789-6305

Email: kelrup@aim.com

II. Name of Project: Park Community Building Renovation

III. Date of Request: 3-22-17

IV. Grant amount requested: \$2000

V. Summary of Project including purpose and benefit: Project is an ongoing renovation of our historical community building built during the depression by WPA workers in the Tow Park. The building has been used for various activities and is situated for use of all outdoor park amenities. Our major need is to divert water run off by use of a swall to a drain away from door that now needs to be replaced. We hope to remove the door header and replace door with an added panic bar. We also need to mouseproof the area and would like to pour floors in both bathroo. as the concrete is cracked and needs leveling with new toilet and sink.

VI. Purposed start and completion date of Project:

Starting Date May 2, 2017

Completion Date June 23, 2017

VII. Budget

Itemized Estimated Cost of Proposed Project

Excavation - \$600.00

Exterior door - \$1200.00

2 Behr Concrete Floor - \$430.00

Coating 5gal

2 new toilets - \$500.00

2 new sinks - \$600.00

2 faucets \$60.00

plumbing supplies \$150.00

labor \$600.00

Community Matching Funds Commitment

(cash, donation of time, material, and/or equipment, etc.)

Exterior - 40 man hrs, x \$20 = \$800.00

5-60lb concrete mix \$17 (donated)

1 sakrete vinyl patch \$11.27 (donated)

Cash - amount needed for match plus what is needed for exceeded costs.

VII. Accountability

A photograph of the finished project submitted to the PCPaRC Commission within a month upon completion.

Sheriff Dan Loughrie presented a correspondence from Tri-Star Freight System, Inc in regards to the Sheriff Department's vehicle that was hit. Their intentions are to send an independent adjuster from our area between April 24th - 29th. They anticipate replacing the sheriff vehicle with a comparable vehicle and the equipment destroyed with comparable equipment. (See attachment)

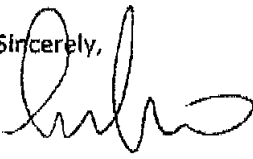


April 21, 2017

Sheriff Daniel Loughrie
Preston County Sheriff Department

Dear Sheriff Loughrie,

I have already explained to our insurance company the details that I have now regarding the Preston County Sheriff Department vehicle. We understand the police officer's vehicle what totaled and along with that much of the equipment in it has been destroyed. Our intention is to send an independent adjuster "IA" from your area that knows the type of equipment covered. This adjuster should be on sight sometime between April 24th – 29th. We anticipate replacing the sheriff vehicle with a comparable vehicle and the equipment destroyed with comparable equipment. I am in receipt of the invoices sent by Sheriff Daniel Loughrie and these will be forwarded to the IA to ensure comparable equipment is provided. We understand there are certain times to order specialty vehicles such as the Explorer that was lost. And we will move as quickly as feasible to place that order or to find a similar vehicle. I understand time is of the essence and we will work to that end to have your Deputy back in a vehicle as soon as possible. We will know more next week after the investigation and as soon as we have price points on replacement items we shall move forward to replace them as soon as can be done. Should you have any questions or concerns, please don't hesitate to contact me.

Sincerely,


Larry Kurth
Safety Director

5407 Mesa Drive * Houston, Texas 77028 * (713) 631-1095 * Fax (713) 631-1099
www.tristarfreightsys.com

Ms. Mace asked for permission to get bids for the tearing down of barn on the County farm on May 8th, 2017 at 11:30, bids would need to be submitted by June 1, 2017. Commissioner Smith moved for permission to do bids. Commissioner Jennings seconded the motion. Commissioner Smith and Jennings voting yes. Motion carried.

Ms. Mace presented correspondence related to the HUD Project at Alpine Village Apartments.
(See attachments)



April 14, 2017

Mr. T. Craig Jennings, President
Preston County Commission
106 West Main Street, Suite 202
Kingwood, West Virginia 26537

Re: West Virginia Housing Development Fund's
Low-Income Housing Tax Credit Program
Notification of the Local Jurisdiction

Dear President Jennings:

The West Virginia Housing Development Fund ("the Fund"), as the allocating agency for the State of West Virginia, is responsible for the administration of the Low-Income Housing Tax Credit Program ("the Program"). As provided for in Subsection 42(m)(1)(A)(ii) of the Internal Revenue Code ("the Code"), the Fund is required to:

- ◆ notify the chief executive officer (or the equivalent) of the local jurisdiction within which the buildings in the property are located for all properties seeking an allocation of Low-Income Housing Tax Credits, and
- ◆ provide such individual with a reasonable opportunity to comment on the property.

In accordance with Subsection 42(m)(1)(A)(ii) of the Code, the Fund is hereby providing notice to you, as the President of the County Commission of Preston County (the chief executive officer of the local jurisdiction), within which the building(s) in the proposed Alpine Village Apartments property are located. The Fund is also hereby requesting your comments, if any, on this property.

Based upon the applicant's request for Low-Income Housing Tax Credits, we have prepared the following summary of the proposed property for your review and consideration in preparing your comments.

Mr. T. Craig Jennings, President
Preston County Commission
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Property Name: Alpine Village Apartments
Property Location: 500 Shaffer Avenue, Terra Alta, Preston County, WV 26764
Property Owner: Alpine Village Apartments Limited Partnership
Property Developer: REBJ, Inc.
Number of Buildings in the Property: Six (6)
Number of Residential Rental Units in the Property: Forty-Four (44)
Non-residential Facilities: None
Property Type: Multi-Family Residential Rental
Occupancy Type: Family
Building Type: Garden
Area of Site: 5.01 Acres
Credit Type: Acquisition and Substantial Rehabilitation without Federal Subsidies
Type of Financing: Conventional (USDA Rural Development-Insured), USDA Rural Development, Replacement Reserves and Developer Financing

If you need any additional information on the property that is not provided above, please do not hesitate to contact me.

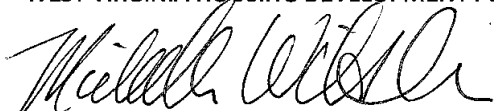
In accordance with the provisions of the Fund's Low-Income Housing Tax Credit Program 2017 and 2018 Allocation Plan, the Fund will provide you with a 60-day period within which your comments, if any, on the proposed property described above should be made to the Fund. The 60-day period will begin on the day this notification is dated (April 14, 2017).

The Fund welcomes all comments from the local jurisdiction. However, the Fund is an equal opportunity housing provider. Therefore, no comments will be considered which object to the property development based upon protected classes with the Fair Housing Act or any applicable federal or state law.

Mr. T. Craig Jennings, President
Preston County Commission
April 14, 2017
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Very truly yours,

WEST VIRGINIA HOUSING DEVELOPMENT FUND



Michelle L. Wilshere, CPA, MBA
Senior Manager of the Low-Income Housing Tax Credit Program

MLW:hmm

cc: Robert B. Margolis

C:\LHITCF\FORMS AND CORRESPONDENCE 2017\CEO LOCAL JURISDICTION NOTIFICATION LETTER ALPINE VILLAGE APARTMENTS

Ms. Mace presented, in the absence of Duane Hamilton, a budget revision for Maintenance and Repair for 911 Center. Also, a budget revision for the County Commission from contributions to Capital Outlay Equipment.

Decrease 001-711-221 by \$1,000.

Increase 001-711-216 by \$1,000.

Decrease 001-401-566 by \$3408.

Increase 001-986-459 by \$3408.

Commissioner Smith moved to approve the following budget revision as requested by Ms. Mace
Commissioner Jennings seconded the motion. Discussion called for. Question called for. A roll call vote was taken with Commissioners Smith and Jennings voting yes. Motion carried.

