

A G E N D A
PRESTON COUNTY COMMISSION
September 8, 2020
9:00 A.M.

Call to order by President and Pledge of Allegiance.

Roll call of Commissioners.

Recognition of Public.

Review of Bills.

Assessor's Office – Consideration and/or action

Tax Correction List – Mason Run Estates Homeowners, Real Estate

County Court Split –None

Recognition of Scheduled Appointments

9:03 a.m. Preston County Health Department – COVID-19 Virus Update
9:05 a.m. Frank Goines Permission to use Courthouse Lawn for Rally –Police Reform
9:10 a.m. Linda Huggins, County Clerk – Discussion Employee Raises
9:15 a.m. Connie Ervin, Assessor – Discussion Employee Raises
9:20 a.m. Duane Hamilton, OEM/911 – approve use of WEX Card
11:00 a.m. Executive Session – see Personal Matters on agenda

Approval of Minutes – July 21, 2020, Zoom Meeting with DOH

Proceedings in Vacation – August 27, 2020 through September 2, 2020

Estate Settlements – August 25, 2020 thru August 27, 2020

ESTATE NAME: BONNYLIN L. LANTZ

ESTATE NAME: GARY FRANCIS MCDANIEL

Fiduciary Commissioner – None

Old Business – Consideration and/or action –

New Business – Consideration and/or action –

Administrator's Report – Consideration and/or action

- A. Update COVID-19 Virus, Policy and Procedure and Protocols
- B. Update on Election Center
- C. Enterprise Taxability ruling
- D. Budget Revisions
- E. Miscellaneous Correspondence

Personnel Matters- Consideration and/or action

- A. Executive Session - County Commission Personnel

Legal Matters- Consideration and/or action

Information

- A. Minutes – July 28, 2020
- B. Miscellaneous Correspondence

Commissioners Comments

STATE OF WEST VIRGINIA, COUNTY OF PRESTON, Ss:

The Preston County Commission met in Regular Session at 9:00 a.m., September 8, 2020 at the Preston County Extension Office located at 115 Court Street, Kingwood, WV.

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

President Stone then declared the following Commissioners present: Don Smith, Dave Price and Samantha Stone.

Also present was Kathy Mace, County Administrator and Linda Huggins, County Clerk.

The following persons registered their attendance during the meeting:

V.J. Davis, Director - Preston County Health Department

Joseph Hauger – Preston County Journal

Kathy Plum – The Dominion Post

Connie Ervin-Assessor

Jamie Stemple

Crystal Bolyard

Duane Hamilton

Recognition of Public:

At this time Linda Huggins briefly introduced her new employee, Jamie Stemple, to the Commissioners and added she will be working in the payroll/bookkeeping departments.

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

Commissioner Price moved to approve the Tax Correction List, dated September 8, 2020 in the amount of \$85.06 as presented by Assessor Connie Ervin. Commissioner Smith seconded the motion. A roll call vote was taken with Commissioners Price, Smith and Stone voting yes. Motion carried.

There were no Notice of Apportionments, Consolidation of Land or County Court Splits.

Recognition of Scheduled Appointments

9:03 a.m. - Preston County Health Department-COVID-19 Virus Update

President Stone recognized V.J. Davis, Director of the Preston County Health Department with a COVID-19 Virus update.

Mr. Davis reported that one additional case came in over the weekend. Currently there are 120 confirmed total cases, 20 probables, 134 individuals that have recovered, 4 deaths, and 2 active cases that they are tracking.

Today he's sending out a press release that updates the weekend and addresses school starting this week. He encourages everyone, the teachers, bus drivers, parents, the general public and faculty to be very cautious. Encouraging parents to be vigilant with their children and not send them to school if they are sick, making sure they wear their face coverings when they're supposed to and stay away from large group gatherings.

He said when school starts that will be the largest concentration of people in any one building in Preston County and has the recipe for a lot of spread when you put that many people in one spot.

Commissioner Stone asked about kids with seasonal allergies or an ear infection, that can sometimes mimic the symptoms of COVID, what is the school's protocol when a child gets sick at school?

Mr. Davis said that someone had asked Dr. Conley the same question and his response was, "In a lot of cases you can't tell because they are the exact same symptoms but you have to go by knowing yourself and knowing if you always have seasonal allergies that flare up certain times of the year and if they're the same symptoms as you would typically have then more than likely it is seasonal allergies." If the symptoms are worse or different then it could be something more and beings it's in a school setting, they are going to be overly cautious.

He said every school now has a school nurse and the schools are prepared with isolation rooms set up and the plan in place is the best it can be because there are still a lot of unknowns.

9:05 a.m. – Frank Goines Permission to use Courthouse Lawn for Rally-Police Reform

Did not show up to address the Commission.

9:10 a.m. – Linda Huggins, County Clerk – Discussion Employee Raises

County Clerk, Linda Huggins came before the Commissioners to express her concerns over some things that transpired during budget sessions. She said COVID came along and she was dealing with elections and "should have been more adamant with her concerns at that time."

She said at one meeting she remembered, that the Commission decided to give most of their employees raises and at the same time called a hiring freeze when she was currently short a person.

She said, "All of the offices, are the workings of the county government. It's just not this office and this office. We all have our duties and responsibilities that make this county work."

She said, "She has never, ever in her years of being in county government, seen where you approve pay raises for just the staff that you over see."

Clerk Huggins offered to sit at the table with the Commissioners and work with them to see if there's something somewhere which would enable them to give the employees raises.

Commissioner Stone appreciated the comments from Ms. Huggins. She said, “When we were working with the budget we were working in a time very quickly when COVID did just hit and we did approve in the budget some raises for the county commission employees which are – the nuts and bolts that keep all of our offices working so that we have a good place to work.”

Clerk Huggins didn’t agree with that. She said, “We all have our part.” She said she felt it insulting that the commission does not see that all the county offices are vital.

Commissioner Smith said, “He was not denying the fact that all county employees are needed. There is a part to be played with every piece, because if you don’t have all the pieces, you can’t do anything.”

Clerk Huggins stated that during COVID her office staff was here every day. We did everything. We did not stay home; we were essential staff. We handled the mail and took care of the filings for the attorneys’ offices and is not sure what the other counties did but we were here every day to handle it. Not to say raises are deserved because of Corona, “I’m just saying there again, you don’t know what goes on in our office.”

Commissioner Price said, “He didn’t think anybody is putting anybody down.” He said, “We made the decision and that’s what we did but every year you come on behalf of the employees to ask for a raise and there have been times when you’ve had extra money and you’ve given raises on your own.”

Clerk Huggins agreed that she had.

Commissioner Price said, “so it works both ways.”

The clerk asked if they wanted to look at the hourly rates and compare across the board and the years of experience?

Commissioner Price said, “I hope that it’s possible to do something to reward the really, really good dedicated employees with something but we’re gonna have to study this a little bit more.”

Linda acknowledged, “they are all good employees and when you pick and choose who you’re giving raises to, it’s insulting to the other employees.”

Commissioner Price said, “It’s insulting when an office- holder gives raises to their people and to certain people, and more to some than others, that’s fine.”

The Clerk advised him to go back and look at the county commissions budget and see if that’s ever been done.

Commissioner Stone mentioned one thing important to note is that the commission “did not give every county commission employee a raise.”

To conclude Commissioner Stone stressed how important it is for the office holders to come to them to go to bat for their employees. She expects every office holder to do the same. She said, “the budget time was a tough time, a very difficult time. It’s a new way of working and we’ve got to get through it and we are certainly willing to look at what you’re asking for.”

9:15 a.m. – Connie Ervin, Assessor – Discussion Employee Raises

Assessor Connie Ervin came before the Commission with some things to enlighten and inform the Commissioners a little bit about some of the things that are done in the Assessor’s office.

She said, “We are front line workers. We talk to these people every day and we talked to these people every day during COVID, it didn’t matter, we were on the phone, on the computer, we were on email and text. Anything we could do to communicate with these people, we did. We are front line and essential workers.” She said she feels like over the last 3 or 4 years she has brought the commission information about salaries and spread sheets and wage levels and disparities that she has seen and it has been totally ignored basically.”

Assessor Ervin said, “Each year, the Assessor’s office set values for property on 50,000 tax bills that change every year and supplies the budget for the entire county.” They handle 2,500 transfers of ownership and sent out 2,000 classification letters, 700 managed

timberland accounts, 1,400 farm use applications every year. “She only knows of two other counties in the state that have that many applications.” They have 5,100 supplementals and affidavits and 9,000 dog tags. Those dog tag transactions are processed and the dog tags are put back in an envelope and mailed back out. She said, “In one week they had a deposit of \$5,000 for dog tags. That’s not a \$500 check here and a \$500 check there. Those are \$3.00 checks.”

She said, “Our employees work hard; they have not had a raise in 2 ½ years. I feel that they deserve a raise and if I could’ve given them a little more money, they would have stayed. One particular employee walked across the street, got thousands of dollars more, less responsibilities and less hours. That created a void. That’s when the hiring freeze went on.”

“These people work hard, they deserve more money,” she said.

Commissioners Price and Stone agreed this was good information and reiterated that they are going to look at a lot of different things.

Commissioner Stone said, “In her tenure they have not done any raises or salary adjustments or anything of that nature and it’s not because we don’t want to give more because your employees are worth what we pay and then some. Just know we are trying our best to be fiscally responsible with the tax payer dollars and want to make sure that we are making the right move.”

Assessor Ervin also noted: there were no board of equalization hearings. Nobody came in that was unhappy. There were no appointments scheduled for October.

Another point to the work that the Assessor’s office does for the commission.

Assessor Ervin then presented a Letter of Support to the commission for the Records Management Grant and relayed that she spoke with Biff Armstrong and he did calculations on the amount of space required for the scanning and said it was well within the budget.

9:20 a.m. – Duane Hamilton, OEM/911 – approve use of WEX Card

President Stone recognized Duane Hamilton with a request to approve the use of a WEX Card for every county vehicle, to purchase fuel, which is identified by every county employee that drives that vehicle.

Mr. Hamilton stated they have spent months gathering information and answers before moving forward with this.

He said the biggest thing with the WEX Card is the security of it and the ease of tracking. The card stays in the vehicle everything is listed on the invoices and no receipts are needed.

Kathy Mace specifically asked if there would be an audit finding if they did not have the slips. She said the person she spoke with was very aware of the WEX Card and knew what she was talking about.

She said the card will be fuel exclusive and marked as such. Other things needing purchased will be put on a P-Card and will require a receipt. She said traditionally there is a fee but it is waived because they are going through Enterprise. The fuel excise tax will be taken off prior to receiving the bill.

Once the cards are implemented there will be a meeting with all elected officials and the county bookkeeper to explain the system and make sure that everyone is on the same page.

Linda Huggins, County Clerk mentioned that several year ago when the county was audited, an auditor pulled one of the WEX Card Invoices and questioned it. At the time, they were told it just depends on the auditor that shows up whether they like the WEX Card or not. She thinks it would be a good idea to have something in writing from the auditor's office to be on record so there's no question.

Commissioner Price moved to approve the WEX Card use for the county fleet/county central garage. Commissioner Smith seconded the motion. A roll call vote was taken with Commissioners Price, Smith and Stone voting yes. Motion carried.

Commissioner Price moved to authorize the President to sign the WEX Card Agreement. Commissioner Smith seconded the motion. A roll call vote was taken with Commissioner Price, Smith and Stone voting yes. Motion carried.

11:00 a.m. – Executive Session – see Personnel Matters on agenda

See Personnel Matters – Consideration and/or action “A” below for Executive Session – County Commission Personnel

Approval of Minutes – July 21, 2020, Zoom Meeting with DOH

Commissioner Smith moved to approve the minutes of July 21, 2020 (Zoom Meeting with the Department of Highways.) Commissioner Price seconded the motion. A roll call vote was taken with Commissioners Smith, Price and Stone voting yes. Motion carried.

Proceedings in Vacation – August 27, 2020 through September 2, 2020

Under **NEW BUSINESS** Commissioner Smith moved to dispense with the reading in open court of the proceedings of the Clerk of this Commission, had in vacation on, August 27, 2020 through September 2, 2020 inclusive, and to approve and confirm the same as presented by the County Clerk, there having been no exception or objections filed thereto. (See attachment)

United States of America



State of West Virginia

County of Preston, ss:

Clerk's Fiduciary Report

Estates from Thursday, August 27, 2020, through Wednesday, September 2, 2020

The County Commission of Preston County this 8th day of September, 2020 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, August 28, 2020, 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, **HEIDI L. FELTON** was appointed and qualified as ADMINISTRATRIX of the estate of **GRANT WILLIAM FELTON, JR.**, deceased. No bond was required.

More than 30 days since the date of death or the surviving spouse or heir, upon a motion, **JAMES A. WEISTER** was appointed and qualified as ADMINISTRATOR of the estate of **JAMES ANTHONY WEISTER**, deceased. Bond was 12,000.00.

On, Monday, August 31, 2020, the following matters were disposed of in the presence of the Clerk:

The estate of **WAYNE HOLLIS FORTNEY, SR.**, deceased, was reopened, as further administration is needed. **WAYNE H. FORTNEY, JR.**, was named as EXECUTOR DBN thereof, qualified as such. No bond was required.

On, Tuesday, September 1, 2020, 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, **TRISHA HUNN** was appointed and qualified as ADMINISTRATRIX of the estate of **MARIA CARMELLA. MCKINNEY**, deceased. Bond was 10,000.00.

On, Wednesday, September 2, 2020, 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, **JADE W. BOLYARD** was appointed and qualified as ADMINISTRATRIX of the estate of **ROY ALVIN BOLYARD, JR.**, deceased. No bond was required.

Subscribed and sworn to before me on 09/02/2020

Handwritten signature of Linda Huggins in blue ink.

Linda Huggins
Clerk of the Preston County Commission

By: Handwritten signature of Tammy Johnson in blue ink.
Tammy Johnson, Deputy Clerk/Probate

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

Estate Settlements – August 25, 2020 thru August 27, 2020

Commissioner Price moved that the proceeding 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. (See attached.)

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 08/25/2020 thru 08/27/2020 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 Tuesday, September 8, 2020.

ESTATE NUMBER: **3485**
ESTATE NAME: **BONNYLIN L. LANTZ**
CO EXECUTRIX: REBECCA LANTZ
CO EXECUTRIX: SHERI WEEKS
SETTLEMENT: REPORT OF RECEIPTS, DISBURSEMENTS AND DISTRIBUTION; AFFIDAVIT
FILED: 08/27/2020

ESTATE NUMBER: **3568**
ESTATE NAME: **GARY FRANCIS MCDANIEL**
ADMINISTRATRIX: SUZANN K. MCDANIEL
SETTLEMENT: AFFIDAVIT AND WAIVER OF FINAL SETTLEMENT
FILED: 08/25/2020

Subscribed and sworn to before me on 09/01/2020.

Handwritten signature of Linda Huggins in blue ink.

Linda Huggins
Clerk of the Preston County Commission

By Tammy Johnson, Deputy Clerk/Probate

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

Fiduciary Commissioner – None

Old Business – Consideration and/or action

New Business – Consideration and/or action

Administrator’s Report – Consideration and/or action

President Stone recognized Kathy Mace for the Administrators Report.

A. Update COVID-19 Virus, Policy and Procedure and Protocols

Kathy Mace informed the commission that the Policy and Procedures have all been distributed to the lessee parties of the Bretz Community, the McGrew Society and the Mat Club.

The McGrew Society responded by saying they will be holding an event soon and meet the guidelines of 25 or less, and are aware of the temperature taking and the mask requirement.

She said today starts the beginning of the green policy. There will no longer be someone posted at the Annex door but the face coverings will still be required and people still need to continue to social distance.

The map is updated and checked every Saturday at 9:00 p.m.. If the color would change, new signage would be put up so everyone knows what color Preston County is in.

B. Update on Election Center

Ms. Mace has met with the Security and Fire provider. All of that should be moving forward.

She plans to call Mr. Phillips this week regarding the progress being made on the facility. The plan is to occupy the space in October.

She said the equipment has been ordered. She and Clerk Huggins will be speaking with Justin Wolfe to get his input on televisions to order for the election center.

C. Enterprise Taxability ruling

Ms. Mace stated there was a property tax when entered into an agreement with Enterprise. She spoke with the Commissioners available and a former Commissioner that said when the agreement was entered into they were under the impression that “yes” we knew there was property tax, however, that was not going to be assessed to the county because the county is not taxed.

Enterprise asked to be reimbursed for the taxes they’re paying. She has been working with Assessor Connie Ervin on this and asked, “Can the County Commission ask for a taxability ruling?”

She said they cannot ask for a ruling because they don’t owe the tax and says it is clear that Enterprise owes the tax.

As it stands now she is going to have another discussion with Enterprise to see if anything can be worked out about the property tax.

On September 16, 2020 she will be having a conference call with their attorneys as well as Enterprise and Assessor Connie Ervin to go over what can be done to get this cleared up.

D. Budget Revisions

No budget revisions presented.

E. Miscellaneous Correspondence

- Fund requests - old list from budget time and a new list since then has been provided to the Commissioners. People are anxious to know if there are going to be changes to those statuses.
- McGrew House building to be demoed – she has an inspector coming to check it.
- The “Rally” is on the calendar because there had been a request by Mr. Goines to use the Courthouse Property and since he doesn’t appear to be coming today he won’t be able to use the courthouse lawn without the document signed by the Commission for permission. She will notify Mr. Goines to contact V.J. Davis, Director of the Preston County Health Department so he understands the gathering is 25 or less.
- Courthouse Facilities Improvement Grant due October 1 – for 3 phase courthouse facilities project that may also align with a new chiller. Need an update from the Mills Group

Ms. Mace encouraged the Commissioners to think about having a work session this week to look at their budgets and let her provide them with some information.

Commissioner Price asked Ms. Mace about roofs. She advised that the animal shelter is out for bid; the Sheriff’s building is going to need attention soon; the back of the Annex is going to need attention; the meeting room is in good shape and the wrestling facility needs attention.

Commissioner Price asked about HVAC issues. She advised that she is going to have someone assess the furnace/HVAC unit at the animal shelter; courthouse should be good; wrestling barn is one on their plate; Annex is good; deputies building is good.

At 10:15 a.m. Commissioner Stone made a motion to go into recess until the 11:00 a.m. Executive Session.

At 10:51 a.m. the meeting was called back into session.

Personnel Matters-Consideration and/or action

A. Executive Session – County Commission Personnel

At 10:51 a.m. Commissioner Price moved to go into Executive Session for a personnel matter. Those in attendance for the meeting were all three Commissioners and Kathy Mace, Administrator.

EXECUTIVE SESSION

At 11:08 a.m. Kathy Mace came out of Executive Session and Kelly Reel entered.

At 11:24 a.m. Kelly Reel came out of Executive Session and Cameron Radabaugh entered.

At 11:33 a.m. Kathy Mace re-entered Executive Session.

At 11:37 a.m. Cameron Radabaugh came out of the Executive Session .

At 11:40 a.m. Commissioner Price moved to come out of Executive Session and re-enter open session. Commissioner Smith seconded the motion. A roll call vote was taken with Commissioners Price, Smith and Stone voting yes. Motion carried.

President Stone advised that no action was taken as a result of the Executive Session.

Legal Matters-Consideration and/or action

Information

- A. Minutes – July 28, 2020**
- B. Miscellaneous Correspondence**

Commissioners Comments

Commissioner Smith – meeting with Region VI; Wednesday, September 9, 2020

Commissioner Stone – Farmland Protection meeting tonight at the EDA office

- Attended an EDA meeting in the past week. Some good things taking place with the EDA; encouraging relationships with potential things going on in the county.
- Attended a Preston County Fire Association meeting a couple weeks ago. Jennifer Lewis, Chief Tax Deputy came up with a reporting system to break down to give to the fire association board. She said it breaks down the collections and how they come in. Every month she will be sending those out to the fire association representatives.
- Friday, Sept. 11, 2020 Region VI Work Force meeting/Marion County

At 11:43 a.m., there being no further business to come before the Commission, President Stone declared the Regular Session adjourned.

Commissioner

Commissioner

Commissioner

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09/08/2020

