

**REGULAR SESSION**

**NOVEMBER 14, 2016**

**STATE OF WEST VIRGINIA, COUNTY OF PRESTON, Ss:**

The Preston County Commission met in Regular Session at 9:30 a.m. November 14, 2016, in the County Commission Meeting Room.

In the absence of President Craig Jennings, Commissioner Smith moved to authorize Commissioner Dave Price to serve as President pro-tem for today's meeting. Commissioner Price seconded the motion. Discussion called for. Question called for. A roll call vote was taken with Commissioners Smith and Price voting yes. Motion carried.

Commissioner Price was administered the Oath of Office by Dianna Hartman, County Clerk's Office.

Commissioner Price invited those present to join in the Pledge Allegiance and then declared the following Commissioners present: Don Smith and Dave Price. Commissioner Craig Jennings was absent.

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

The following persons registered their attendance during the meeting:

Kathy Plum  
Theresa Marthey  
Terri Sypolt  
Melissa Hardy

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

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

Administrator Kathy Mace told Commissioners that the demolition work is completed for the jury room renovations. There is a slight plumbing problem that will mean the position of the commode will need to be changed. Work is slightly behind schedule but the project should still be completed on schedule.

Ms. Mace reported that a walk thru will be conducted next week on the sidewalk concrete and asphalt. Railing should be installed within the next three weeks. Also, she is searching to see what deicers can be safely used on the new concrete work.

Ms. Mace advised that Mike Jenkins will be installing the fencing at the Animal Shelter kennels next.

Ms. Mace presented and explained budget revisions that are needed. They will be considered later in today's meeting.

Under Old Business, Commissioner Smith moved to dispense with the reading in open court of the minutes of the County Commission meeting held on October 31, 2016, 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 and Price voting yes. Motion carried.

Ms. Hartman advised that Commissioners have been furnished, by –mail, copies of the minutes from the November 7, 2016, 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, had in vacation on **November 3, 2016 through November 7, 2016,** inclusive, and to approve and confirm the same as presented by the County Clerk, there 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 and Price voting yes. Motion carried.

Commissioner Smith moved that the following 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.

**Estate of Gary Lee Leonard, Sr.,** deceased – Waiver of Final Settlement – filed by Connie A. Koast, Administratrix – filed on 11/02/2016

**Estate of James L. Sharp,** deceased – Waiver of Final Settlement – filed by Betty R. Sharp, Administratrix – filed on 11/02/2016

**Estate of Sharon L. Petryszk,** deceased – report of Receipts, Disbursements and Distribution – Filed by Donald R. Johnson, Jr., Administrator – filed on 11/04/2016

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

There were no Fiduciary Commissioner Reports or Referrals presented.

Under Miscellaneous Correspondence, Commissioner Smith read the state regulations regarding Sunday hunting that is allowed only on private land with permission of the land owner. Also, no hunting will be allowed on the Sunday preceding the Monday date of big game opening season.

Melissa Hardy, of the Sheriff's Department presented and explained budget revisions needed.

Commissioner Smith moved to approve the following budget revisions as have been presented by both Ms. Hardy and Ms. Mace:

Decrease	001-813-341	by	\$ 370.
Increase	001-813-221	by	\$ 370.
Increase	001-382-005	by	\$ 6,853.
Increase	001-406-217-05	by	\$ 6,853.
Decrease	001-428-230	by	\$ 29,250.
Increase	001-401-230-01	by	\$ 29,250.
Decrease	001-428-353	by	\$ 5,000.
Increase	001-401-353-01	by	\$ 5,000.

Decrease	001-428-459	by	\$ 14,000.
Increase	001-401-459-01	by	\$ 14,000.

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

### **RESOLUTION**

**At a Regular Session of the County Commission, held on Nov. 14, 2016, 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 13, 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:

Dave Price	<u>Yes</u>	No
Don Smith	<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.

Commissioner Smith moved to authorize President Jennings to execute the Request for Reimbursement from the Community Corrections grant, for the month of October, 2016, in the amount of \$9,813.09. Commissioner Price seconded the motion. Discussion called for. Question called for. A roll call vote was taken with Commissioners Smith and Price voting yes. Motion carried.

Ms. Mace advised that Johnson Controls will install, within the next couple of days, the compressor for the chiller unit in the Courthouse.

At 9:55 a.m., President pro-tem Price declared the Commission in Recess until 11 a.m., when Commissioners will reconvene as a Board of Canvassers.

### **R E C E S S**

At 11:00 a.m., President pro-tem Price recalled the meeting to order and declared the Commission in session as a Board of Canvassers from the November 8, 2016 General Election.

Commissioners Smith and Price were present as well County Clerk Linda Huggins. Also assisting with the Canvass was personnel from the following offices: Assessor, County Clerk and County Commission.

The Canvass continued until 3:38 p.m., when President Pro-tem Price declared the Regular Session and Canvass in Recess until November 15, 2016, at 9:00 a.m.