

REGULAR SESSION

April 18, 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 18, 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
Deanna Lively
Crystal Bolyard
Melissa Hardy
Richelle Layman
Shelly Moreland
Lynn Housner
Stacy Greaser
Mel Snyder
JoAnne Peterson

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

Commissioner Smith moved to approve the Preston County Tax Correction List dated April 18, 2017 in the amount of \$35.36 as presented and explained by Assessor Connie Ervin, Commissioner Jennings seconded the motion. A roll call vote was taken with Commissioners Smith 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 Kathy Mace for the Administrator's report.

Commissioner Smith moved to authorize President Jennings to sign the Reimbursement Grant for the Tunnelton Ambulance Service and its Certification of Completion in the amount of \$6,280.,

**GOVERNOR'S COMMUNITY PARTICIPATION GRANT PROGRAM
FINANCIAL REPORT/REQUEST FOR PAYMENT**

Submit with original signature to:
West Virginia Development Office
Governor's Community Participation Grant Program
1900 Kanawha Boulevard, East
Building 6, Room 553
Charleston, West Virginia 25305
304-558-4010

Local Governing Agency (Grantee): Preston County Commission
Chief Elected Official: T. Craig Jennings
Street Address: 106 W. Main Street, Suite 202
City: Kingwood Zip: 26537
Phone: 304-329.1805 Fax: 304-329.1805
Form Completed By: Kathy Mace, County Administrator
Email: kmace@prestoncountywv.gov

Project Title: Tunnelton Ambulance Service Grant No.: 17-573 Project No.: 07LEDA0615N

Period Covered by this Document: July 1, 2016 to: April 3, 2017 (present date) Payment Request Number: 1

Percent of Work Completed: 99% (Only 90 percent of grant funds can be reimbursed before the project is complete. The final 10% can be requested when you also submit certification of grant completion and proof of 10% local match.)

COST CATEGORIES	Approved Budget Amount	Amount Requested to Date	Amount Requested This Draw	Total Amount Requested	Local Match (Required for Final Payment)
Construction/Improvements	\$ 6,280	\$0.00	\$6,280	\$6,280	\$628.00
Materials, Supplies, Equipment	\$				
Other:	\$				
Total Project Cost	\$ 6,280	\$0.00	\$6,280	\$6,280	\$628.00

A progress report must be provided. Progress reports will be filed in the West Virginia Development Office for inspection.

The work for the helipad is nearly complete. The concrete pad has been installed excavation work is not complete due to winter weather. The remaining work will be completed when weather permits. These grants funds were used in conjunction with matching funds from the Tunnelton Ambulance Service and grant funds from DHR.

I certify costs claimed by this report are correct and just and based upon actual requirements; that all applicable laws and regulations regarding payment of state prevailing wages for construction and competitive bidding were followed in accordance with the contract for this project; that work and services are in accordance with the approved project agreement; and that work and services are satisfactory and consistent with the amount claimed. Supporting documents are attached to verify costs claimed and are available locally for audit and inspection. City, county or other direct recipients of funds are not involved in any court litigation or lawsuit involving any applicable laws contained in the grant contract.


MAYOR OR COUNTY COMMISSION PRESIDENT
ORIGINAL SIGNATURE REQUIRED-USE BLUE INK

April 17, 2017
DATE

**GOVERNOR'S COMMUNITY PARTICIPATION GRANT PROGRAM
CERTIFICATION OF GRANT COMPLETION**

Local Governing Agency (Grantee): Preston County Commission Chief Elected Official: T. Craig Jennings
 Project Title: Tunnelton Ambulance Service Form Completed by: Kathy Mace, County Adm.
 Grant Number: 17-573 Project Number: 07LEDA0615N Amount of Grant: \$6,280 Phone: 304.329.1805

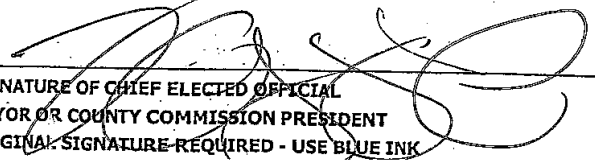
I HEREBY CERTIFY THE FOLLOWING REGARDING THE ABOVE-REFERENCED PROJECT:

1. All activities included in the scope of services have been completed, as follows:

The scope of the grant was to construct a heli-pad to be used by the Tunnelton Ambulance Service. This grant was used along with grant funds of an equal amount from the DHHR and matching funds from the Tunnelton Ambulance Service. Pictures have been provided to show the completed work. The only work remaining is some excavation which has not been completed due to the winter weather. As soon as weather permits the work will be completed. Invoices provided show that the Tunnelton Ambulance Service provided more than the 10% required. The entire project including these grant funds, other grant funds and matching funds exceeds \$12,000. Labor and material Tunnelton Ambulance Service has all paperwork associated with this project.

2. Uses of Funds by Line Item	Grant Funds	Local Funds (10% Match REQUIRED for Full Reimbursement)	Final Actual Expenditures
Construction/Improvements	\$ 6,280	\$ 628.00	\$ 6,908
Materials, Supplies, Equipment	\$	\$	\$
Other:	\$	\$	\$
Other:	\$	\$	\$
TOTAL	\$ 6,280	\$ 628.00	\$ 6,908

- I certify that competitive bid procedures were followed as specified in the contract for this project, which requires three written bids for projects exceeding \$2,500 and publication of a Class II legal ad for projects exceeding \$25,000 in accordance with **West Virginia Code §59-3**.
- I certify that state prevailing wages were paid for construction as specified by the West Virginia Division of Labor and the contract for this project in accordance with **West Virginia Code §21-5A**.
- All project records have been maintained in accordance with the terms and conditions contained in the state/local contract between the West Virginia Development Office and the Grantee.
- All costs claimed against this project are necessary, reasonable, and directly allocable to the approved activities identified in the scope of services of the state/local contract for this project.
- Project records either have been or will be audited by the State Auditor's Office as a part of the grantee's annual audit. All records will be maintained for a period of three years after completion of the final audit.


 SIGNATURE OF CHIEF ELECTED OFFICIAL
 MAYOR OR COUNTY COMMISSION PRESIDENT
 ORIGINAL SIGNATURE REQUIRED - USE BLUE INK

April 17, 2017
 DATE

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

Under Old Business, Commissioner Smith moved to dispense with the reading in open court of the minutes of the County Commission meeting held on April 3, 2017, and to approve the same as presented. Commissioner Jennings seconded the motion. A roll call vote was taken with Commissioners Smith and Jennings voting yes. Motion carried.

County Clerk Linda Huggins advised that Commissioners have been furnished, by e-mail, copies of the minutes from the April 10, 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.

United States of America



State of West Virginia

County of Preston, ss:

Clerk's Fiduciary Report

Estates from Wednesday, April 5, 2017, through Friday, April 7, 2017

The County Commission of Preston County this 18th day April, 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, Wednesday, April 5, 2017, the following matters were disposed of in the presence of the Clerk:

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

WILLIAM F. ARMSTRONG, who was named in the last will and testament of **MILDRED MCGHEE**, deceased, as CO EXECUTOR thereof, qualified as such. No bond was required.

CHARLES EDGAR HARDMAN, who was named in the last will and testament of **MILDRED MCGHEE**, deceased, as CO EXECUTOR thereof, qualified as such. No bond was required.

This matter was referred to David Brown, Fiduciary Commissioner.

On, Friday, April 7, 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, **PATRICIA A. O'NEILL** was appointed and qualified as ANCILLARY ADMINISTRATRIX of the estate of **PATRICK ROLAND O'NEILL**, deceased. Bond was 500.00.

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

DOLORES JOHN, who was named in the last will and testament of **THOMAS JOHN**, deceased, as EXECUTRIX thereof, qualified as such. No bond was required.

Subscribed and sworn to before me on 4/11/2017.

Linda Huggins

Linda Huggins
Clerk of the Preston County Commission

By: *Tammy Johnson*
Tammy Johnson, Deputy

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.

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 commencement 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 04/03/2017 thru 04/07/2017 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 Tuesday, April 18, 2017.

ESTATE NUMBER: 2398
ESTATE NAME: ROBERT LEE DAY
EXECUTRIX: SUSAN DAY PERROOTS
SETTLEMENT: WAIVER OF FINAL SETTLEMENT
FILED: 4/3/2017

ESTATE NUMBER: 2508
ESTATE NAME: NATHAN LUKE SHAFFER
ADMINISTRATOR: CLARISSA SHAFFER
SETTLEMENT: WAIVER OF FINAL SETTLEMENT
FILED: 4/7/2017

ESTATE NUMBER: 2601
ESTATE NAME: BILLY LEE SLAGLE
EXECUTRIX: ELSIE E. SLAGLE
SETTLEMENT: WAIVER OF FINAL SETTLEMENT
FILED: 4/5/2017

Subscribed and sworn to before me on 04/12/2017

Linda Huggins
Clerk of the Preston County Commission

By:
Tammy Johnson, Deputy Clerk

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

Commissioner Smith moved to officially set the 2017-2018 Tax Levy Rates as follows, for the counties levied budget of \$5,524,851.

Class I	\$14.30
Class II	\$28.60
Class III	\$57.20
Class IV	\$57.20

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

Commissioner Smith moved to approve and authorize President Jennings to execute the Depository Agreement between WesBanco Bank, Inc. and the Preston County Commission, effective May 1, 2017 through April 30, 2018, and to then be appropriately recorded. Commissioner Jennings seconded the motion. A roll call vote was taken with Commissioners Smith and Jennings voting yes. Motion carried.

Commissioner Smith moved to accept the following Budget Revisions presented by Melissa Hardy form the Sheriff's Department.

Increase	001-382-000	by	\$ 551.
Increase	001-700-104	by	\$ 43.
Increase	001-700-106	by	\$ 66.
Increase	001-700-108	by	\$ 442.
Increase	001-382-000	by	\$ 4.
Increase	001-700-214	by	\$ 4.
Increase	001-382-005	by	\$2,285.
Increase	001-700-217-05	by	\$2,285.
Increase	001-382-000	by	\$ 64.
Increase	001-700-217	by	\$ 64.
Increase	001-382-000	by	\$ 713.
Increase	001-700-343	by	\$ 713.
Increase	001-322-004	by	\$35,000.
Decrease	001-401-566	by	\$21,080.
Increase	001-442-459-04	by	\$56,080.

Motion was seconded by Commissioner Jennings. Roll call vote was taken with Commissioners Smith and Jennings voting yes. Motion carried.

RESOLUTION

At a Regular Session of the County Commission, held on **April 18, 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 **20**, 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 Jennings, the vote thereon was as follows:

Commissioner (Price absent)

Commissioner Smith Yes

Commissioner Jennings Yes

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.

Richelle Loomis appeared representing RDVIC and presented a Proclamation which Commissioner Smith read aloud. Commission Smith moved that the County Commission hereby Proclaim April as **SEXUAL ASSULT AWARENESS MONTH**

PROCLAMATION

PRESTON COUNTY COMMISSION

WHEREAS, sexual violence against the citizens of Preston County continues; and

WHEREAS, sexual violence affects every person in Preston County as a victim/survivor, or as a family member, domestic partner, friend, co-worker or neighbor of a victim/survivor; and

WHEREAS, to prevent the future violation of our citizens, it is critical to foster greater public awareness of the causes and effects of sexual violence, and to address this problem on every civic level; and

WHEREAS, Preston County recognizes the importance of designating a time devoted to increasing the general public's awareness of sexual violence, celebrating the courage of victims/survivors, and recognizing the tireless efforts of sexual assault program advocates throughout the state; and

WHEREAS, West Virginia sexual assault programs, other professionals and supporters have joined together as the West Virginia Foundation for Rape Information and Services (WV FRIS) to support each other in their work and to provide the State of West Virginia and its citizens with a central source of information on sexual assault; and

WHEREAS, RDVIC volunteers and staff promote sexual assault prevention by offering educational services in Preston County throughout the year; and

WHEREAS, RDVIC requests public support and assistance as it continues to work toward a society where all women, children and men can live in peace, free from violence and exploitation;

NOW, THEREFORE, We, Craig Jennings, Don Smith, and Dave Price, do hereby proclaim April

SEXUAL ASSAULT AWARENESS MONTH

in Preston County, and We commend this observance to all citizens.

IN TESTIMONY WHEREOF, We have hereunto

Set our hand and caused the Seal of the Preston

County Commission to be affixed this

18th Day of April, Two Thousand Seventeen



Craig Jennings



Don Smith

Dave Price

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

Commissioner Smith moved to reappoint Kerry Shultz to the Preston County Litter Clean-Up Committee for a two year term beginning May 1, 2017 through April 30, 2019. Commissioner Jennings seconded the motion. A roll call vote was taken with Commissioners Smith and Jennings voting yes. Motion carried.

The appointment of Jim Summers to the six year term to Public Service District #4 will be tabled until April 24, 2017 commission meeting.

Region VI Planning and Development Council still have (3) vacancies that are to be filled by the public sector. Any individuals interested in serving should contact the commission office.

Lynn Houser appeared requesting the Commission support the Preston Arts Center in their upcoming budget. In 2016 the Commission gave them \$10,000. Request attached.



PO Box 54
123 S. Price Street
Kingwood, WV 26537

April 18, 2017

County Commissioners
106 West Main Street, Suite 202
Kingwood, WV 26537

Dear Commissioners Cole, Price, and Jennings:

Preston Community Arts Center is very appreciative of the support from the County Commissioners for past hotel/motel tax funds we have received. In 2016, the County Commissioners gave \$10,000 to our organization for operational and other expenses. This year, we are once again requesting \$10,000 for the promotion of the arts from the hotel/motel taxes that the County receives.

We plan to use these funds for:

1. Wages for part-time employees or interns to assist with event planning, marketing, fundraising, audio and video technology, grant writing, etc.
2. Operational expenses, such as utilities, office supplies, advertising, etc.
3. Equipment, such as lighting and sound, computer software or hardware, etc.

We warmly invite the County Commissioner to attend our events and activities to see the hotel/motel tax dollars at work.

Sincerely,

Lynn Houser
President
Preston Community Arts Center, Inc.

There being no further business, Commissioner Smith moved to Recess and go into Executive Session with Prosecutor Mel Snyder at 10:05 am, Commissioner Jennings seconded the motion. A roll call vote was taken with Commissioners Smith and Jennings voting yes. Motion carried.

---RECESS---

---EXECUTIVE SESSION---

Commissioner Smith moved to come out of Executive Session at 10:20 a.m., Commissioner Jennings seconded the motion. A roll call vote was taken with Commissioners Smith and Jennings voting yes. Motion Carried. No action was taken during Executive Session.

There being no further business to come before the Commission, Don Smith declared the meeting adjourned at 10:20 a.m.

Commissioner

Commissioner

Commissioner

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