

**WEST VIRGINIA:**

At a regular meeting of the Raleigh County Commission held on the 20<sup>th</sup> day of October, 2020 in the Commission Courtroom thereof:

**CALL TO ORDER**

President Tolliver called the meeting to Order.

-0-

**ROLL CALL**

Present: David Tolliver, President  
Linda K. Epling, Commissioner  
Ron Hedrick, Commissioner  
Carl Roop, County Attorney  
Jay Quesenberry, County Administrator  
Billy Michael, Assistant County Administrator

-0-

**INVOCATION AND PLEDGE OF ALLEGIANCE**

Meeting was opened with the invocation by R. D. Tolliver and the recitation of the Pledge of Allegiance.

-0-

**EXONERATIONS**

Commissioner Epling made a motion to approve 2 exonerations, 1 cancellation and 2 refunds for personal property; and 1 exonerations, 76 cancellations and 0 letters of correction for real property as presented today. Motion was seconded by Commissioner Hedrick and motion carried unanimously. (SEE EXHIBIT A)

-0-

**BUDGET REVISIONS**

A motion was made by Commissioner Epling to approve the payroll reimbursements of the Sheriff. Seconded by Commissioner Hedrick and motion carried unanimously. (SEE EXHIBIT B)

Commissioner Epling moved to approve the revisions of the Sheriff's Law Enforcement Budget in the amount of \$35,370.76. Seconded by Commissioner Hedrick and motion carried unanimously. (SEE EXHIBIT C)

-0-

**APPROVAL OF LEASE PURCHASE FINANCING IN THE AMOUNT OF \$176,000.00 FOR A 2021 FREIGHTLINER PIERCE 3,000 GALLON TANKER TRUCK FOR THE SOPHIA AREA VOLUNTEER FIRE DEPARTMENT**

Commissioner Epling moved to approve the Lease-Purchase Agreement to finance one 2021 Freightliner Pierce 3,000 Gallon Tanker Truck in an amount not to exceed \$176,000.00. Seconded by Commissioner Hedrick and motion carried.  
(SEE EXHIBIT D)

-0-

**ACCEPTANCE AND APPROVAL OF A DONATION FOR \$12,000.00 TO THE CARPENTER'S CORNER TO SUPPORT THE PROGRAM THAT PROVIDES FOOD DISTRIBUTION TO THE CITIZENS**

A motion was made by Commissioner Epling to approve a donation of \$12,000.00 to the Carpenter's Corner to support the program that provides food distribution to the citizens. Seconded by Commissioner Hedrick and motion carried.

-0-

**RALEIGH COUNTY SHERIFF'S DUI GRANT AGREEMENT**

Commissioner Epling moved to approve the Agreement with the West Virginia Commission on Drunk Driving Prevention in the amount of \$5,000 for the period of October 21, 2020 until January 21, 2021. The motion was seconded by Commissioner Hedrick and motion carried. (SEE EXHIBIT E)

-0-

**OLD BUSINESS**

None

-0-

**PUBLIC PARTICIPATION**

Ms. Lester presented the Commission with a list of residents concerned about the blocking of Route 44 connecting Fireco to Josephine . The Commission asked Ms. Lester to meet the Commission today at 1:00 p.m. to travel the roads. She stated the roads are extremely rough with downed trees and damaged culverts.

-0-

**APPROVAL OF MINUTES**

None

-0-

VACATION ORDERS

Commissioner Epling moved to approve the Vacation Orders from October 6, 2020 to October 19, 2020, inclusive. Seconded by Commissioner Hedrick and motion carried unanimously. (SEE EXHIBIT F)

-0-

FINAL ACCOUNTINGS AND WAIVERS OF FINAL SETTLEMENT

The following Final Accountings and Waivers of Final Settlement of the Fiduciary Supervisor (SEE EXHIBIT G) and the Final Accountings and Waiver of Final Settlement of the County Clerk (SEE EXHIBIT H) were read into the minutes and approved.

-0-

ADJOURNMENT

Commissioner Epling moved to adjourn this meeting until the next Commission Meeting on November 10, 2020 at 10:00 a.m. Seconded by Commissioner Hedrick and motion carried.

s/s \_\_\_\_\_  
David Tolliver  
President

-000-



RALEIGH COUNTY

SCOTT VANMETER, SHERIFF

History Report

From Date 10/02/2020 From Year 2017 Print Date 10/15/2020  
Thru Date 10/15/2020 Thru Year 2020 Print Time 1:54:38PM  
Date Type Transaction Tax Type Real Page 4 of 4

Type Year	Ticket/Suff	Tax Name1/Tax Name2	Date	First Half	Second Half	Transaction Total
R	2020	19912 SALAMY ALFRED	2020/10/09	-48.59	-48.59	-97.18
R	2020	19913 SALAMY ALFRED	2020/10/09	-224.68	-224.68	-449.36
R	2020	19914 SALAMY ALFRED	2020/10/09	-6.53	-6.53	-13.06
R	2020	21920 GLADE SPRINGS VILLAGE PROPERTY OWNERS ASSOCIATION INC	2020/10/09	-58.74	-58.74	-117.48
R	2020	21921 GLADE SPRINGS VILLAGE PROPERTY OWNERS ASSOCIATION INC	2020/10/09	-25.38	-25.38	-50.76
R	2020	21922 GLADE SPRINGS VILLAGE PROPERTY OWNERS ASSOCIATION INC	2020/10/09	-8.70	-8.70	-17.40
R	2020	21923 GLADE SPRINGS VILLAGE PROPERTY OWNERS ASSOCIATION INC	2020/10/09	-2.42	-2.42	-4.84
R	2020	27965 GLADE SPRINGS VILLAGE PROPERTY OWNERS ASSOCIATION	2020/10/09	-21.88	-21.88	-43.76
R	2020	27967 GLADE SPRINGS VILLAGE PROPERTY OWNERS ASSOCIATION	2020/10/09	-17.89	-17.89	-35.78

**Total For PENDING EXONERATION**

-2,736.64      -2,736.64      -5,473.28

*[Signature]*  
Assessor

*[Signature]* 10/16/20  
Prosecuting Attorney

*[Signature]*  
County Commission

At a regular session of the County Commission of Raleigh County, West Virginia, held at the Courthouse of said County, the County Commission did approve these exonerations on 10/20/20



RALEIGH COUNTY

SCOTT VANMETER, SHERIFF

History Report

From Date 10/07/2020 From Year 2019 Print Date 10/15/2020
Thru Date 10/15/2020 Thru Year 2020 Print Time 2:20:57PM
Date Type Transaction Tax Type Personal-Supplement Page 1 of 1

Table with columns: Type Year, Ticket/Suff, Tax Name1/Tax Name2, Date, First Half, Second Half, Transaction Total. Includes rows for EXONERATION and PENDING EXONERATION with various taxpayer names and amounts.

Signature of Linda Swanson, Assessor

Signature of Christine Killebrew, Prosecuting Attorney

Signature of David J. Yell, County Commission

At a regular session of the County Commission of Raleigh County, West Virginia, held at the Courthouse of said County, the County Commission did approve these exonerations on 10-20-2020



SCOTT VAN METER

**Sheriff - Treasurer of Raleigh County**

**Raleigh County Courthouse**

215 Main Street  
Beckley, West Virginia 25801

Telephone: 304-255-9195

Fax: 304-255-9307


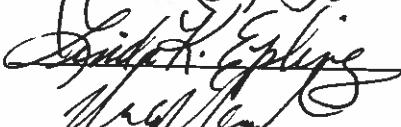
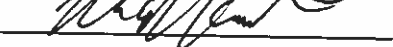
TO: Jay Quesenberry, County Administrator  
FROM: Sheriff Scott Van Meter SVM  
DATE: October 16, 2020  
RE: Law Enforcement Budget Revision

I have attached a list of monies receipted for reimbursement in the amount of \$35,370.36 for services provided by our office and request the Law Enforcement Budget for FY 2020-2021 to be funded as follows:

01-700-40	Reimbursements	\$ 27,104.77
01-700-41	Materials & Supplies	\$ 8,265.59

Thank you for your assistance in this matter.

Approved By:

  
\_\_\_\_\_  
Commissioner  
  
\_\_\_\_\_  
Commissioner  
  
\_\_\_\_\_  
Commissioner

SVM/ab  
cc: R. Tolliver

Attachment

# RALEIGH COUNTY SHERIFF'S OFFICE

FISCAL YEAR 2020/2021

## Supplement Vendor / Receipt List

<u>VENDOR</u>	<u>AMOUNT</u>	<u>DESCRIPTION</u>
City of Beckley	\$ 6,398.64	Southern Regional Highway Safety Program
FBI	\$ 1,830.00	WV Exploitation Task Force
Glade Springs	\$ 2,460.73	Fright Night Security
HIDTA Grant	\$ 18,194.17	Detective Drug Unit
Marquee Cinema	\$ 2,581.02	Movie Theatre Security
Schools	\$ 85.13	Ballgame/Graduation/Dance Security
US Marshals	\$ 3,820.67	Fugitive Task Force
	<b>\$ 35,370.36</b>	<b>(Total Received Reimbursements)</b>

Ora Ash, Deputy State Auditor  
 West Virginia State Auditor's Office  
 153 West Main Street, Suite C  
 Clarksburg, WV 26302  
 Phone: 627-2415 ext. 5114  
 Fax: 627-2417

**REQUEST FOR REVISION TO APPROVED BUDGET**

Subject to approval of the state auditor, the governing body requests that the budget be revised prior to the expenditure or obligation of funds for which no appropriation or insufficient appropriation currently exists. (§ 11-8-26a)

CONTROL NUMBER  
 FY: 2020-2021  
 Fund: 01  
 Rev. No. 2  
 Pages: 1 of 1

RALEIGH COUNTY COMMISSION  
 GOVERNMENT ENTITY

Person To Contact Regarding Request:

Name: R.D. TOLLIVER  
 Phone: 304-255-9115  
 Fax: 304-255-9352

116 1/2 NORTH HEBER STREET  
 STREET OR PO BOX  
BECKLEY CITY 25801 ZIP CODE

COUNTY  
 Government Type

**REVENUES: (net each acct.)**

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUSLY APPROVED AMOUNT	(INCREASE)	(DECREASE)	REVISED AMOUNT
397	Payroll Reimbursements	600,000	53,466		653,466
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				

NET INCREASE/(DECREASE) Revenues (ALL PAGES) 53,466

COUNTIES-TRANSFERS TO THE GENERAL FUND FROM OTHER FUNDS MUST HAVE PRIOR APPROVAL OF AUDITOR'S OFFICE

**EXPENDITURES: (net each account category)**

(WV CODE 7-1-9)

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUSLY APPROVED AMOUNT	(INCREASE)	(DECREASE)	REVISED AMOUNT
700	Sheriff-Law Enforcement	4,768,347	51,890		4,820,237
705	Home Confinement	183,591	1,576		185,167
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				

NET INCREASE/(DECREASE) Expenditures 53,466

APPROVED BY THE STATE AUDITOR  
 BY: \_\_\_\_\_  
 Deputy State Auditor, Local Government Services Div. Date

*[Signature]*  
 AUTHORIZED SIGNATURE OF ENTITY APPROVAL DATE





# County Commission of Raleigh County

116 1/2 North Heber Street  
Beckley, West Virginia 25801-4522



At a regular session of the Raleigh County Commission, held on the 20th day of October, 2020, the following order was made and entered:

**SUBJECT:** The revision of the Levy Estimate (Budget) for the County of Raleigh \$53,466 to 01-397 (Payroll Reimbursements); \$51,890 to 01-700 (Sheriff-Law Enforcement); \$1,576 to 01-705 (Home Confinement).

The following resolution was offered:

**RESOLVED:** That subject to the 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 General County Fund budget revision number 2 a copy of which is entered as part of this record.

The adoption of the foregoing resolution having been moved by David L. Tolliver duly seconded by Ronald R. Hedrick, the vote thereon was as follows:

Linda K. Epling	Yea
Ronald R. Hedrick	Yea
David L. Tolliver	Yea

Whereupon, David L. Tolliver, 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 President is authorized to fix his signature on the attached "Request for Revision to Approved Budget" to be sent to the State Auditor for Approval.

# County Commission of Raleigh County



116 ½ North Heber Street  
Beckley, West Virginia 25801-4522



Elected Officials Approval  
Pursuant to Section 147(f) of the  
Internal Revenue Code of 1986, as amended

I, David L. Tolliver, President, of the Raleigh County Commission, pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), hereby states that the actions taken by the Lester Volunteer Fire Department, Inc. to enter into a lease-purchase agreement in an aggregate principal amount not to exceed \$176000.00 in order to finance One (1) 2021 Freightliner Pierce 3,000 Gallon Tanker Truck, has been accomplished according to said requirements of the Code. Said equipment will be located at the Department's headquarters at 300 Main Street, Sophia, West Virginia 25921.

This approval is given following a public hearing held at 7:00 p.m. on Wednesday, September 23, 2020 at the fire department's headquarter located at 300 Main Street, Sophia, West Virginia 25921 and is solely for the purpose of satisfying the requirements of Section 147(f) of the Code.

**By the grant and execution of this approval, the undersigned authority does not become obligated for the financial obligations of the volunteer fire department.**

IN WITNESS WHEREOF, I hereto set my hand this 20th day of October, 2020.

RALEIGH COUNTY COMMISSION

Name: David L. Tolliver  
President

**GRANT AGREEMENT**

THIS AGREEMENT, made this 8<sup>th</sup> day of October, 2020, by and between the **West Virginia Commission on Drunk Driving Prevention**, hereinafter referred to as Commission and/or CDDP and the **Raleigh County Commission** hereafter referred to as Grantee.

**WITNESSETH**

WHEREAS, the West Virginia Legislature has found and declared that Drunk Driving Prevention is a public purpose and responsibility of state government for which public monies may be spent.

WHEREAS, the Commission, pursuant to Chapter 15, Article 2, Section 41, paragraph (c) of the State Code is authorized to administer the drunk driving prevention fund by providing grants to state and local law enforcement agencies for the purchase of equipment or hiring of additional personnel for the effective enforcement of laws defining drunk driving offenses and such other items as the Commission may define by legislative rule to be reasonable and necessary.

WHEREAS, the Grantee made application to the Commission on or about the 5<sup>th</sup> day of October, 2020.

WHEREAS, the Commission has approved a grant in the amount of **\$5,000.00** to the Grantee for the purpose of drunk driving prevention and/or enforcement.

NOW, THEREFORE, in consideration of the promises and mutual covenants and conditions hereafter contained, it is hereby mutually agreed by the parties hereto as follows:

1. The Grantee shall do, perform and carry out in a satisfactory manner, as determined by the Commission, all duties, tasks and functions necessary to implement the grant application which is attached hereto and made a part hereof, hereinafter referred to as Attachment A.

2. The Grantee will commence its duties under this agreement on **October 21, 2020** and shall continue said duties until **January 21, 2021**. This time period may only be modified by mutual written agreement of both parties.
3. The Commission shall work cooperatively with the Grantee in the implementation of the aforementioned approved application.
4. The Grantee agrees that all expenditures will be made in accordance with the budget set forth in the grant application (Attachment A) and other rules and regulations promulgated by the Commission under Chapter 15, Article 2, Section 41, Paragraph (e) of the State Code.
5. The Grantee, to be eligible for payment under this Agreement shall provide a statement of costs or a fiscal report on the form and at the frequency prescribed by the Commission. Upon receipt of said statement (or report), the Commission shall review the same for reasonableness and appropriateness; and if approved, will cause a warrant to be issued on that sum considered reasonable and appropriate. It is expressly understood that the total payments shall not exceed the amount of **\$5,000.00**.
6. The Grantee shall actively participate in the public awareness program provided by the Commission and shall report all activities on the appropriate form and file with the final Expenditure Report and Reimbursement Request (CDDP #2).
7. The Grantee shall maintain all purchasing, financial and other pertinent project records for a period of three years after submission of the final financial report. Furthermore, the Commission shall have unrestricted access to said books and records for the purpose of conducting examinations, compliance reviews and audits should such be deemed necessary by the Commission.

8. The Grantee shall follow its normal purchasing procedures in the procurement of the goods and services authorized in the grant application. The Commission, however, requires that competitive bids be obtained on all purchases of \$300 or more, where possible. The Commission also requires that approval be obtained from it for all purchases that are expected to exceed \$2,000.00 for which competitive bids cannot be obtained or only one bid is received.
9. The Grantee agrees to maintain detailed inventory records for all equipment purchases. Said records shall include, as a minimum, the following items:
  - a. A description of the equipment
  - b. Serial number or other identifying number
  - c. Source of equipment, including grant number
  - d. Acquisition cost and date received
  - e. Ultimate disposition data, including date of disposal or sale. Sale price or method used to determine fair market value.
10. The Commission shall have the unrestricted use of all materials developed during or resulting from the execution of this agreement.
11. The Commission and Grantee may from time to time require changes in the scope of services performed hereunder. All such changes, including any increase or decrease in the amount of funding, budget line item changes or work to be performed, which are mutually agreed upon between the parties shall be in writing.

12. The Grantee shall hold and save the Commission and its officers, agents and employees harmless from liability of any kind or nature, including cost and expense, for or on account of any suits or damages of any character whatsoever resulting from injuries sustained by any persons or property resulting in whole or in part from the negligent performance or omission of any employee, agent or representative of the grantee.
  
13. If for any reason funds received by the Commission are suspended, reduced or terminated, in whole or in part, funding for this agreement may cease or be reduced accordingly.
  
14. The Grantee shall ensure that accurate, current and complete records adequately identify the source and use of funds for grant supported activities as follows:
  - a. Personal Service - Documentation must include time and attendance records signed by each project employee and his/her supervisor. Other required documentation includes payroll records which indicate payroll period, pay rate, hours per day and other related pertinent information.
  
  - b. Employee Benefits - Documentation should include a copy of the reports made to the various agencies to which premiums, matching contributions, etc. are made.
  
  - c. Equipment - Documentation should include audited vendor invoices approved by the appropriate authority and required purchase orders.

d. Other:

1. Travel - Documentation should include detailed expense vouchers signed by the employee and approved appropriate authority.
  
  2. Consultant Services - For individuals, documentation should include the consultant agreement and statement from the contractor indicating time period, payment rate, hours per day, signature of consultant and approval of the appropriate authority. For organizational contracts, documentation must be a detailed billing indicating service performed or product delivered, payment rate consistent with the contractual agreement and approved by appropriate authority.
  
  3. Supplies, Materials, etc. - Documentation should include audited vendor invoices approved by the appropriate authority and required purchase order.
15. The Grantee shall exercise effective control and properly account for all funds, property and other assets. Assets will be adequately safeguarded and used solely for authorized purpose.

16. The Commission may terminate this agreement, in whole or in part, at any time before the date of completion, whenever it is determined that the Grantee has failed to comply with the conditions of the agreement. The Grantee shall be promptly notified in writing of the termination and the reasons therefore, together with the effective date. Payments made to grantees or recoveries by the Commission under agreements terminated for cause shall be in accord with the legal rights and liabilities of the parties.
  
17. The Commission or the Grantee may terminate this agreement, in whole or in part, when both parties agree that the continuation of the agreement would not produce beneficial results. The two parties shall agree upon the termination conditions, the date and the portion(s) to be deleted, if partial. The Grantee agrees not to incur new obligations for the terminated portions after the effective date, and shall cancel as many outstanding obligations as possible.
  
18. The grantee will actively and fully participate in a total Administrative Hearing program in conjunction with the Division of Motor Vehicles. All officers subpoenaed to testify before Division of Motor Vehicles hearings shall appear and testify.



19. The parties hereto agree that notice shall be given by personal service or served when mailed First Class, U. S. Mail to the following addresses:

A. COMMISSION ON DRUNK DRIVING PREVENTION  
725 Jefferson Road  
South Charleston, West Virginia 25309-1698

B. RALEIGH COUNTY COMMISSION  
116 ½ North Herber Street  
Beckley, West Virginia 25801

IN WITNESS WHEREOF, the parties hereto attach their signatures representing that each is acting with full authority.

 \_\_\_\_\_  
CHAIRMAN, CDDP

  
\_\_\_\_\_  
AUTHORIZED OFFICIAL, GRANTEE

\_\_\_\_\_  
DIRECTOR, CDDP