

WEST VIRGINIA:

At a regular meeting of the Raleigh County Commission held on the 1st day of March, 2022 in the Commission Courtroom thereof:

CALL TO ORDER

President Dave Tolliver called the meeting to Order.

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ROLL CALL

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

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INVOCATION AND PLEDGE OF ALLEGIANCE

Meeting was opened with the invocation by Dewey Lowe, Pastor of Crab Orchard Baptist Church, and the recitation of the Pledge of Allegiance.

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NEW BUSINESS

EXONERATIONS

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

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BUDGET REVISIONS

A motion was made by Commissioner Epling to approve the inhouse Budget Revision of the Sheriff for reimbursement of payroll in the amount of \$73,542.82. Seconded by Commissioner Duckworth and motion carried. (SEE EXHIBIT B)

Commissioner Epling moved to approve the Sheriff's Budget Revision in the amount of \$322,967.00 for Payroll Reimbursements. Seconded by Commissioner Duckworth and motion carried. (SEE EXHIBIT C)

A motion was made by Commissioner Dave Tolliver to approve the Law Enforcement Budget Revision in the amount of \$46,334.00. Seconded by Commissioner Duckworth and motion carried. (SEE EXHIBIT D)

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OPEN BIDS FOR NEW CAMERA SECURITY SYSTEM FOR DAY REPORT CENTER

The following 2 bids were received for a new Camera Security System for the Day Report Center:

1. Elite Security - \$58,987.07
2. A & D Technology Services - \$26,740.00

The bids were referred to Carl Roop for review and to make recommendation.

A motion was made by Commissioner Epling to approve the bid of A & D Technology Services in the amount of \$26,740.00. Seconded by Commissioner Duckworth and motion carried unanimously.

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NEW EMPLOYEE - RALEIGH COUNTY COMMISSION – KATHY L WILSON – CUSTODIAN

A motion was made by Commissioner Epling to approve the rehiring of Kathy L. Wilson as a Custodian for the Raleigh County Commission. Seconded by Commissioner Duckworth and motion approved unanimously. (SEE EXHIBIT E)

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APPROVAL OF A GRANT FOR THE COMMUNITY CORRECTIONS PROGRAM FOR \$145,000 FOR FISCAL YEAR 2023

A motion was made by Commissioner Epling to approve the Grant Agreement for the Community Corrections Program for Fiscal Year 2023 in the amount of \$192,277.00. Seconded by Commissioner Duckworth and motion approved unanimously.

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APPROVAL OF POLL WORKERS

A motion was made by Commissioner Epling to approve the Poll Workers Lists as submitted to the County Clerk by the Republican and Democratic Executive Committees. Seconded by Commissioner Duckworth and motion carried unanimously. (SEE EXHIBIT F)

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APPROVAL OF CDDP DUI GRANT AGREEMENT 22-19 FOR \$5,000

A motion was made by Commissioner Epling to approve the West Virginia Commission on Drunk Driving Prevention Grant Agreement for the period February 23, 2022 through May 26, 2022 in the amount of \$5,000.00. Seconded by Commissioner Duckworth and motion carried unanimously. (SEE EXHIBIT G)

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OLD BUSINESS

None

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PUBLIC PARTICIPATION

Commissioner Epling moved to take the National Opioid Litigation Memorandum of Understanding, as submitted by Attorney Chris Davis, under advisement. Seconded by Commissioner Duckworth and motion carried unanimously.

Robert Dunlap, Attorney for Patrick Bennett, son of Madrith Chambers, deceased, informed the Commission of his client's desire to be appointed Administrator of his mother's estate. The Sheriff of Raleigh County is currently serving as Administrator. Three additional children of Ms. Chambers have stated they desire to be a representative for the estate.

Upon the recommendation of Carl Roop, Commissioner Epling moved to take this item under advisement. Seconded by Commissioner Duckworth and motion carried unanimously.

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APPROVAL OF MINUTES

None

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VACATION ORDERS

Commissioner Epling moved to approve the Vacation Orders from February 15, 2022 to February 28, 2022, inclusive. Seconded by Commissioner Duckworth and motion carried unanimously. (SEE EXHIBIT H)

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FINAL ACCOUNTINGS AND WAIVERS OF FINAL SETTLEMENT

The Objections and Exceptions of the Fiduciary Supervisor were presented to the Commission. (SEE EXHIBIT I)

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ADJOURNMENT

A motion was made by Commissioner Epling to adjourn until the next Commission Meeting on March 15, 2022 at 10:00 a.m. Seconded by Commissioner Duckworth and motion carried unanimously.

s/s



David Tolliver
President

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RALEIGH COUNTY
 SCOTT VANMETER, SHERIFF
 History Report

From Date 02/11/2022
 Thru Date 02/24/2022
 Date Type Transaction
 From Year 2001
 Thru Year 2021
 Tax Type Real

Print Date 02/24/2022
 Print Time 12:16:00PM

PENDING EXONERATION

Type	Year	Ticket/Suff	Tax Name1	Tax Name2	Date	First Half	Second Half	Transaction Total
R	2021	32896	PERSINGER	ROGER D & DEBRA S	2022/02/24	-838.34	-838.34	-1,676.68
R	2021	32897	PERSINGER	ROGER D & DEBRA S	2022/02/24	-121.10	-121.10	-242.20
Total For PENDING EXONERATION						-959.44	-959.44	-1,918.88

[Signature]
 Assessor

[Signature]
 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 March 1, 2022



RALEIGH COUNTY
 SCOTT VANMETER, SHERIFF
 History Report

From Date 02/10/2022 From Year 2020 Print Date 02/23/2022
 Thru Date 02/23/2022 Thru Year 2020 Print Time 3:29:10PM
 Date Type Transaction Tax Type Personal-Supplement Page 1 of 1

Type Year Ticket/Suff Tax Name1/Tax Name2 Date First Half Second Half Transaction Total

EXONERATION
 P 2020 711043 TOLER TYLER 2022/02/23 -228.42 -228.42 -456.84
 TOLER KATELYN
Total For EXONERATION -228.42 -228.42 -456.84

PENDING EXONERATION
 P 2020 700861 DAWDIN ALISHIA L 2022/02/10 -117.49 -117.49 -234.98
 P 2020 711043 TOLER TYLER 2022/02/23 -228.42 -228.42 -456.84
 TOLER KATELYN
Total For PENDING EXONERATION -345.91 -345.91 -691.82


 Assessor


 Prosecuting Attorney


 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 MARCH 1, 2022



Sheriff - Treasurer of Raleigh County
Raleigh County Courthouse
215 Main Street
Beckley, West Virginia 25801

Telephone: 304-255-9195
Fax: 304-255-9307

SCOTT VAN METER

TO: Jay Quesenberry, County Administrator
FROM: Sheriff Scott Van Meter *SVM*
DATE: February 24, 2022
RE: Law Enforcement Budget Revision

I am requesting the following in-house budget revision for FY 2021-2022:

		<u>DECREASE</u>	<u>INCREASE</u>
01-700-03	Law Enforcement – Salaries & Wages	\$46,334.00	
01-700-08	Law Enforcement – Overtime		\$46,334.00

Thank you for your assistance in this matter.

Approved By:

David L. Yell Commissioner
Linda R. Collins Commissioner
Allyson A. Dinkens Commissioner

SVM/ab

cc: R. Tolliver



Sheriff - Treasurer of Raleigh County
Raleigh County Courthouse
215 Main Street
Beckley, West Virginia 25801

Telephone: 304-255-9195
Fax: 304-255-9307

SCOTT VAN METER

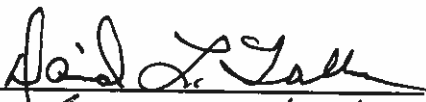
TO: Jay Quesenberry, County Administrator
FROM: Sheriff Scott Van Meter SVM
DATE: February 24, 2022
RE: Law Enforcement Budget Revision


I have attached a list of workers compensation monies receipted for reimbursement of department payroll in the amount of \$73,542.82 and request the Law Enforcement Budget for FY 2021-2022 to be funded as follows:


01-700-08	Law Enforcement – Overtime	\$ 73,542.82
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Thank you for your assistance in this matter.

Approved By:



Commissioner


Commissioner


Commissioner

SVM/ab

Enclosure

cc: R. Tolliver

RALEIGH COUNTY SHERIFF'S OFFICE

FISCAL YEAR 2021/2022

Supplement Vendor / Receipt List

<u>VENDOR</u>	<u>AMOUNT</u>	<u>DESCRIPTION</u>
WV Corp.	\$ 11,688.04	Deputy Christopher Bloxton Salary
WV Corp.	\$ 1,380.74	Deputy Raschard Cox Salary
WV Corp.	\$ 5,190.66	Deputy Ray Hall Salary
WV Corp.	\$ 11,383.82	Deputy Dale Pack Salary
WV Corp.	\$ 43,899.56	Deputy Bobby Stump Salary
	\$ 73,542.82	(Total Received Reimbursements)

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: 2021-2022

Fund: 01

Rev. No. 5

Pages: 1 of 1

Ora Ash, Deputy State Auditor
West Virginia State Auditor's Office
200 West Main Street
Clarksburg, WV 26301

Phone: 627-2415 ext. 5114

Fax: 304-340-5090

Email: igs@wvsao.gov

RALEIGH COUNTY COMMISSION

GOVERNMENT ENTITY

Person To Contact Regarding Request:

Name: R.D. TOLLIVER

Phone: 304-255-9115

Fax: 304-255-9352

Email: rtolliver@raleighcounty.com

215 MAIN 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	668,221	322,967		991,188
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				

NET INCREASE/(DECREASE) Revenues (ALL PAGES)

322,967

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	5,340,110	322,967		5,663,077
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				

NET INCREASE/(DECREASE) Expenditures

322,967

APPROVED BY THE STATE AUDITOR

BY:

Deputy State Auditor, Local Government Services Div.

Date



AUTHORIZED SIGNATURE OF ENTITY

APPROVAL DATE

County Commission of Raleigh County



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



At a regular session of the Raleigh County Commission, held on the 1st day of March, 2022, the following order was made and entered:

SUBJECT: The revision of the Levy Estimate (Budget) for the County of Raleigh \$322,967 from 01-397 (Payroll Reimbursements); \$322,967 to 01-700 (Sheriff-Law Enforcement)

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 Fund budget revision number 5 a copy of which is entered as part of this record.

The adoption of the foregoing resolution having been moved by Linda K. Epling duly seconded by Gregory A. Duckworth, the vote thereon was as follows:

Linda K. Epling	Yea
David L. Tolliver	Yea
Gregory A. Duckworth	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



March 1, 2022

At a regular session of the Raleigh County Commission on the 1st day of March, 2022, Kathy Wilson, was presented to the Commission by Billy Michael, to fill a position of Janitor for employment by Raleigh County.


David L. Tolliver, President


Linda K. Epling, Commissioner


Gregory A. Duckworth, Commissioner

cc: Gloria Tolbert, Payroll

GRANT AGREEMENT

THIS AGREEMENT, made this 10th day of February, 2022, 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 9th day of February, 2022.

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 **February 23, 2022** and shall continue said duties until **May 26, 2022**. 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 1/2 North Herber Street
Beckley, West Virginia 25801

**SIGN
HERE**

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



CHAIRMAN, CDDP

AUTHORIZED OFFICIAL, GRANTEE

DIRECTOR, CDDP