

WEST VIRGINIA:

At a regular meeting of the Raleigh County Commission held on the 14th day of February, 2023 in the Commission Courtroom thereof:

CALL TO ORDER

President 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 Brian Harmon, Pastor of Life Spring Church of Cool Ridge, and the recitation of the Pledge of Allegiance.

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EXONERATIONS

Commissioner Epling moved to approve 2 exonerations, 3 cancellations and 2 refunds for personal property; and 1 exonerations, 0 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

None

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OPEN PUBLIC MEETING FOR RESUBMISSION OF CDBG APPLICATION FOR THE NBPSD PINEY VIEW/BATOFF SEWER EXTENSION PROJECT

Commissioner Tolliver declared the Public Meeting open for discussion on the resubmission of the CDBG Application for 2023 in the amount of \$2,000,000.00 for the North Beckley Public Service District Piney View / Batoff Mountain Sewer Extension Project. The 2022 Application was turned down. Eric Combs was in attendance per phone conference. The Piney View / Batoff Mountain Sewer Extension Project will service 218 customers and cost a total of \$8,047,120.00. After much discussion regarding the funding sources, Commissioner Epling moved to close the Public Meeting. The motion was seconded by Commissioner Duckworth and the motion carried unanimously. (SEE EXHIBIT B)

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APPROVAL OF AUTHORIZING RESOLUTION FOR PINEY VIEW/BATOFF MOUNTAIN SEWER EXTENSION HUD COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION

Commissioner Epling moved to approve the Fair Housing Resolution regarding the submission of an Application to the West Virginia Department of Economic Development HUD Community Development Block Grant Program to request funding for the Piney View / Batoff Mountain Sewer Extension Project. The motion was seconded by Commissioner Duckworth and motion carried unanimously. (SEE EXHIBIT C)

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APPROVAL OF FAIR HOUSING RESOLUTION

A motion was made by Commissioner Epling to approve the Resolution stating Raleigh County Commission is an applicant for a West Virginia Department of Economic Development HUD Community Development Block Grant and to affirmatively further fair housing in all public notices, ads and publications. Seconded by Commissioner Duckworth and motion carried unanimously. (SEE EXHIBIT D)

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APPROVAL OF RALEIGH COUNTY FAIR HOUSING ACTION PLAN

A motion was made by Commissioner Epling to approve the Raleigh County Fair Housing Action Plan. The motion was seconded by Commissioner Duckworth and motion carried unanimously. (SEE EXHIBIT E)

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EMPLOYEE TRANSFER – RALEIGH COUNTY COMMISSION; KEVIN HOPKINS FROM GARAGE TO LITTER CONTROL

A motion was made by Commissioner Epling to approve the transfer of Kevin Hopkins from the Garage to Litter Control. The motion was seconded by Commissioner Duckworth and motion carried unanimously. (SEE EXHIBIT F)

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CONSIDERATION OF FUNDING \$8000 TO THE RALEIGH COUNTY COMMISSION ON AGING FOR ANNUAL MEAL ASSISTANCE TO COAL CITY SENIOR CITIZENS

Commissioner Epling moved to approve funding \$8,000.00 to the Raleigh County Commission on Aging for annual meal assistance for Coal City senior citizens. The motion was seconded by Commissioner Duckworth and motion carried unanimously.

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CONSIDERATION OF PURCHASE OF UNDERCOVER VEHICLE FOR THE SHERIFF'S OFFICE FOR \$35,000.00

A motion was made by Commissioner Epling to approve the purchase of an undercover vehicle for the Sheriff's Office in the amount of \$35,000.00. Seconded by Commissioner Duckworth and motion carried unanimously.

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CONSIDERATION OF AGREEMENT FOR ADMINISTRATIVE SERVICES BY AND BETWEEN THE RALEIGH COUNTY COMMISSION AND REGION ONE PLANNING AND DEVELOPMENT COUNCIL ON THE GHENT FIBER DEPLOYMENT

Commissioner Epling moved to approve the Agreement between the Raleigh County Commission and Region I Planning and Development Council for the Ghent Fiber Deployment Project. Seconded by Commissioner Duckworth and motion carried unanimously. (SEE EXHIBIT G)

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CONSIDERATION OF BUDGET AMENDMENT REQUEST 2 TO MOVE \$5,000.00 FROM ACCOUNTING TO LEGAL ON RALEIGH COUNTY MEMORIAL AIRPORT BROADBAND PROJECT

A motion was made by Commissioner Epling to approve the Raleigh County Memorial Airport Industrial Park Broadband Amendment Number 2 in the amount of \$5,000.00. Seconded by Commissioner Duckworth and motion carried unanimously. (SEE EXHIBIT H)

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CONSIDERATION OF RALEIGH COUNTY MEMORIAL AIRPORT BROADBAND PROJECT DRAWDOWN 6 FOR LEGAL SERVICES FOR \$260.00

A motion was made by Commissioner to approve Drawdown 6 in the amount of \$260.00 for the Memorial Airport Industrial Park Broadband Project. Seconded by Commissioner Duckworth and motion carried unanimously. (SEE EXHIBIT I)

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CONSIDERATION OF REDUCING THE MAXIMUM FEE FOR LEGAL SERVICES FOR THE RALEIGH COUNTY BROADBAND PROJECT TO SPILLMAN, THOMAS AND BATTLE FROM \$30,000 TO \$10,000

Commissioner Epling moved to approve reducing the maximum legal fees and costs of Spillman Thomas & Battle from \$30,000.00 to \$10,000.00 for the Memorial Airport Industrial Park Broadband Project. Seconded by Commissioner Duckworth and motion carried unanimously. (SEE EXHIBIT J)

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APPROVAL OF LOCAL FUNDS DRAWDOWN NUMBER 9 ON THE CLEAR FORK RAILS TO TRAILS PROJECT IN THE AMOUNT OF \$467.50

A motion was made by Commissioner Epling to approve Drawdown #9 on the Clear Fork Rail Trail Project in the amount of \$467.50. The motion was seconded by Commissioner Duckworth and motion carried unanimously. (SEE EXHIBIT K)

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APPROVAL OF AML DRAWDOWN NUMBER 10 ON THE CLEAR FORK RAILS TO TRAILS PROJECT IN THE AMOUNT OF \$550.00

Commissioner Epling moved to approve AML Soft Cost Sub-Recipient Request for Payment #10 in the amount of \$550.00 for the Clear Fork Rail Trail Project. The motion was seconded by Commissioner Duckworth and carried unanimously. (SEE EXHIBIT L)

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APPROVAL OF ADDENDUM FOR JEFF HARRIS TO DO CUSTODIAL SERVICES FOR THE NEW SHERIFF'S OFFICE

A motion was made by Commissioner Epling to approve the Custodial Service Agreement with J&C Cleaning & Detail for the Judicial Annex and the Raleigh County Sheriff's Office in the amount of \$5,000 monthly. Seconded by Commissioner Duckworth and motion carried unanimously. (SEE EXHIBIT M)

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OLD BUSINESS

AB 629 – DENNIS RAY SHREWSBURY (2326 Tams Highway, Soak Creek)

A motion was made by Commissioner Epling to approve the Order directing Dennis Ray Shrewsbury to demolish or repair every unsafe structure on the property and lawfully dispose of the resulting debris, junk and garbage within 180 days. Seconded by Commissioner Duckworth and motion carried unanimously. (SEE EXHIBIT N)

AB 655 – CALVIN SPENCER (129 Trump Street, Daniels)

A motion was made by Commissioner Epling to approve the Order directing Calvin Spencer to demolish or repair every unsafe structure on the property and lawfully dispose of the resulting debris, junk and garbage within 60 days. Seconded by Commissioner Duckworth and motion carried unanimously. (SEE EXHIBIT O)

AB 660 – MARK BOLEN (103 & 107 Gunter Rd)

A motion was made by Commissioner Epling to approve the Order directing Mark Bolen to demolish or repair every unsafe structure on the property and lawfully dispose of the resulting debris, junk and garbage within 90 days. Seconded by Commissioner Duckworth and motion carried unanimously. (SEE EXHIBIT P)

AB 661 – GLADE CREEK BAPTIST CHURCH (650 Mountain View Rd, Cool Ridge)

A motion was made by Commissioner Epling to approve the Order directing Glade Creek Baptist Church to demolish or repair every unsafe structure on the property and lawfully dispose of the resulting debris, junk and garbage within 60 days. Seconded by Commissioner Duckworth and motion carried unanimously. (SEE EXHIBIT Q)

AB 663 – MARTHA HONAKER ETAL (146 Upper Sandlick Rd)

A motion was made by Commissioner Epling to approve the Order directing the heirs of Martha Honaker et. al. to demolish or repair every unsafe structure on the property and lawfully dispose of the resulting debris, junk and garbage within 60 days. Seconded by Commissioner Duckworth and motion carried unanimously. (SEE EXHIBIT R)

AB 665 – BEAVER COAL COMPANY/MICHAEL WORKMAN (580 Fitzpatrick Rd)

A motion was made by Commissioner Epling to approve the Order directing Michael Workman and Beaver Coal to demolish or repair every unsafe structure on the property and lawfully dispose of the resulting debris, junk and garbage within 60 days. Seconded by Commissioner Duckworth and motion carried unanimously. (SEE EXHIBIT N)

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PUBLIC PARTICIPATION

None

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APPROVAL OF MINUTES

A motion was made by Commissioner Epling to approve the minutes of the December 6, 2022 Regular Meeting of this Commission. Seconded by Commissioner Duckworth and motion carried unanimously.

A motion was made by Commissioner Epling to approve the minutes of the December 20, 2022 Regular Meeting of this Commission. Seconded by Commissioner Duckworth and motion carried unanimously.

A motion was made by Commissioner Epling to approve the minutes of the December 27, 2022 Special Meeting of this Commission. Seconded by Commissioner Duckworth and motion carried unanimously.

A motion was made by Commissioner Epling to approve the minutes of the January 3, 2023 Organizational Meeting of this Commission. Seconded by Commissioner Duckworth and motion carried unanimously.

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VACATION ORDERS

Commissioner Epling moved to approve the Vacation Orders from January 17, 2023 to February 13, 2023, inclusive. Seconded by Commissioner Duckworth and motion carried unanimously. (SEE EXHIBIT T)

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FINAL ACCOUNTINGS AND WAIVERS OF FINAL SETTLEMENT

The following Objections and Exceptions of the Fiduciary Supervisor (SEE EXHIBIT U) were read into the minutes.

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BILLS, COMMUNICATIONS AND APPOINTMENTS

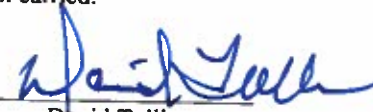
A motion was made by Commissioner Epling to approve the appointment of Debra Voloski to the Bradley Public Service District Board for the term expiring February 14, 2029. Seconded by Commissioner Duckworth and motion carried unanimously. (SEE EXHIBIT V)

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ADJOURNMENT

Commissioner Epling moved to adjourn this meeting until the next regular scheduled meeting of this Commission on February 21, 2023 at 10:00 a.m. Seconded by Commissioner Duckworth and motion carried.

s/s



David Tolliver
President

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