

WEST VIRGINIA:

At a regular meeting of the Raleigh County Commission held on the 21st 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 – per phone conference
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 Knight, Pastor of First Baptist Church of Beckley, and the recitation of the Pledge of Allegiance.

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EXONERATIONS

There were no Exonerations or Cancellations for Real or Personal Property.

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BUDGET REVISIONS

None

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CONSIDERATION OF CONSOLIDATION OF THE BECKLEY RALEIGH COUNTY CVB INTO VISIT SOUTHERN WV

A motion was made by Commissioner Epling to approve the Agreement between the New River Travel Council, Inc., Doing Business as Visit Southern West Virginia, (VSWV) and the Raleigh County Commission. This Agreement will consolidate Beckley-Raleigh County CVB and Visit Southern West Virginia. Seconded by Commissioner Duckworth and motion carried unanimously. (SEE EXHIBIT A)

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ESTATE OF GERALDINE JACKSON

Canceled

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ESTATE OF HARLESS GENE LAMBERT – APPOINTMENT OF SHERIFF AS PERSONAL REPRESENTATIVE

Michael Lambert Jr., grandson of Harless Gene Lambert, expressed a desire to be appointed Administrator of the estate of Harless Gene Lambert. Mr. Roop stated if Michael Lambert can get affidavits from the heirs of Harless Gene Lambert within the next two weeks supporting his appointment to serve as Administrator of the Estate of Harless Gene Lambert, then the appointment of the Sheriff will be void. In the meantime, County Attorney Roop recommended appointing the Sheriff as Personal Representative. The motion was seconded by Commissioner Duckworth and motion carried unanimously.

(SEE BOOK 5079 PAGE 0375)

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CONSIDERATION TO SEEK AN ETHICS RULING ON HARPER ROAD TIF

A motion was made by Commissioner Epling to direct County Attorney Carl Roop to seek an ethics ruling on the TIF Contract regarding the Harper Road properties known as “Governor Smith’s Property” and the Brier Patch Golf Course. The “Governor Smith Property” is now owned by James C. Justice III and the Brier Patch Golf Course is owned by James C. Justice III and Jill Justice. The motion was seconded by Commissioner Duckworth and motion carried unanimously.

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MONTHLY COSAP REPORT FROM THE DAY REPORTING CENTER

A motion was made by Commissioner Epling to approve the January 2023 Monthly Report from the Day Report Center. Seconded by Commissioner Duckworth and motion carried unanimously. (SEE EXHIBIT B)

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APPROVAL OF ARPA GRANT PAYMENT #2 FOR THE PINEY VIEW/BATOFF MOUNTAIN SEWER PROJECT IN THE AMOUNT OF \$173,972.50

Commissioner Epling moved to approve the ARPA Grant Requisition #2 for the Piney View / Batoff Mountain Sewer Project in the amount of \$173,972.50. Seconded by Commissioner Duckworth and motion carried unanimously.

(SEE EXHIBIT C)

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APPROVAL OF AML QUARTERLY FINANCIAL REPORT FOR CLEAR FORK RAIL TRAIL PROJECT

Commissioner Epling moved to approve the AML Quarterly Financial Report for the Clear Fork Rail Trail Project. Seconded by Commissioner Duckworth and motion carried unanimously. (SEE EXHIBIT D)

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APPROVAL OF AML PILOT QUARTERLY GRANT FOR WHITE OAK WATER PROJECT

Commissioner Epling moved to approve the AML Pilot Quarterly Grant for the White Oak Water Project. Seconded by Commissioner Duckworth and motion carried unanimously. (SEE EXHIBIT E)

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CONSIDERATION OF A RATE INCREASE FOR THE SHADY SPRING PSD

Jerry Smith, Shady Spring Public Service District Board Member
Mike Griffith, CPA
Jim Kelsh, Attorney with Bowles Rice Law
Myron Amick – Engineer

Mr. Kelsh stated the purpose of the meeting is to inform the Commission of the process to adopt a rate increase and to hear the concerns of the public. Funding is needed for the Glen Morgan Wastewater Plant upgrade and the Country Roads Station needs replaced. Mr. Kelsh explained the funding package and the project progress schedule.

Commissioner Tolliver asked Jerry Smith and Myron Amick if the upgraded Glen Morgan Wastewater Plant would be able to handle the additional new homes in Grandview. Both men answered yes. Commissioner Tolliver also inquired if the plant could handle Country Roads Estates. Mr. Smith said there are less than 10 homes that would be added. The majority of homes in Country Roads has septic systems. Both men assured Commissioner Tolliver the plant could also accommodate Country Roads Estates.

Mike Griffith stated Shady Spring PSD is unable to meet current debt obligations due to inflation. Part of the rate increase will go to current obligations. Mr. Griffith explained the rate increase will be in two phases. The first 7% will be in June or July 2023, then an additional 7% in 2024.

Mr. Smith stated out of 315 PSDs in the State, Shady Spring ranks at 115 with one of the lowest rates in the State.

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OLD BUSINESS

None

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PUBLIC PARTICIPATION

Juanita Brooks Ross of 151 Frontman St. in Mabscott was in attendance to follow up on the flooding of Whitestick Creek. Mr. Tolliver stated the Commission recently met with Southern Soil Conservation regarding the problem. Detlef Uifers stated removing blockages and debris, without dredging, would be a big help. Another option would be a Water Shed Project. Detlef recommended following up with Southern Soil Conservation. Commissioner Tolliver will set up a meeting with David Parkulo, Supervisor for Southern Soil Conservation.

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APPROVAL OF MINUTES

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

A motion was made by Commissioner Epling to approve the minutes of the January 17, 2023 Regular Meeting of this Commission. The motion was seconded by Commissioner Duckworth and carried unanimously.

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VACATION ORDERS

Commissioner Epling moved to approve the Vacation Orders from February 14, 2023 to February 20, 2023, inclusive. Seconded by Commissioner Tolliver and motion carried unanimously. (SEE EXHIBIT F)

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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 Re-close Order for the Estate of Theresa Amato Edwards (SEE EXHIBIT H) were read into the minutes.

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BILLS, COMMUNICATIONS AND APPOINTMENTS

A motion was made by Commissioner Epling to approve the reappointment of Jan Datsko to the North Beckley Public Service District for the term expiring February 21, 2029. Seconded by Commissioner Tolliver and motion carried unanimously. (SEE EXHIBIT I)

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ADJOURNMENT

Commissioner Epling moved to adjourn this meeting until the next regular scheduled meeting of this Commission on March 7, 2023 at 10:00 a.m. Seconded by Commissioner Duckworth and motion carried.

s/s



David Tolliver
President

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