

WEST VIRGINIA:

At a regular meeting of the Raleigh County Commission held on the 1st day of August, 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 Raleigh County Deputy Clerk R. D. Tolliver and the recitation of the Pledge of Allegiance.

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EXONERATIONS

Commissioner Epling moved to approve 15 exonerations, 17 cancellations and 4 refunds for personal property; and 11 exonerations, 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

None

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CONSIDERATION OF AML DRAWDOWN NUMBER 13 FOR CLEAR FORK RAIL TRAIL IN THE AMOUNT OF \$327,475.00

A motion was made by Commissioner Epling to approve the AML Request for Payment #13 in the amount of \$327,475.00 for the Clear Fork Rail Trail Project. Seconded by Commissioner Duckworth and motion carried unanimously. (SEE EXHIBIT B)

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CONSIDERATION OF CLEAR FORK RAIL TRAIL CHANGE ORDER #1 FOR \$61,400.00

Commissioner Epling moved to approve the Change Order #1 in the amount of \$61,400.00 for the Clear Fork Rail Trail. The motion was seconded by Commissioner Duckworth and motion carried unanimously. (SEE EXHIBIT C)

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CONSIDERATION OF PLANNING AND ZONING ORDINANCE UPDATES

Upon the recommendation of the Raleigh County Planning and Zoning Commission, a motion was made by Commissioner Epling to approve the amendments to the Raleigh County Planning and Zoning Ordinance as presented by Billy Michaels. The motion was seconded by Commissioner Duckworth and motion carried unanimously. (SEE EXHIBIT D)

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CONSIDERATION OF SUBDIVISION ORDINANCE UPDATES

Upon the recommendation of the Raleigh County Planning and Zoning Commission, a motion was made by Commissioner Epling to approve the amendment to the Raleigh County Planning and Zoning Subdivision Ordinance as presented by Billy Michaels. The motion was seconded by Commissioner Duckworth and motion carried unanimously. (SEE EXHIBIT D)

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CONSIDERATION OF LOCAL FUNDS REQUEST FOR CLEAR FORK RAILS TO TRAILS PROJECT PAYMENT NUMBER 11 IN THE AMOUNT OF \$2056.39

Commissioner Epling moved to approve the Clear Fork Rail Trail Project Local Funds Requisition #11 in the amount of \$2,056.39. The motion was seconded by Commissioner Duckworth and motion carried unanimously. (SEE EXHIBIT E)

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CONSIDERATION OF MONEY TO BECKLEY BABE RUTH

A motion was made by Commissioner Epling to approve a \$4,000.00 donation to the Beckley Babe Ruth Baseball Team to assist in the expenses of participating in the Babe Ruth World Series. The motion was seconded by Commissioner Duckworth and motion carried unanimously.

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TODD KIRBY

Delegate Todd Kirby – Funding for Raleigh County Composite

Mr. Kirby informed the Commission that WV Tech Professor Rowe had approached him about funding a Youth Cycling Group, Raleigh County Composite. The cycling team is for ages 13-17. Mr. Kirby was able to secure funds through the legislature for purchasing mountain bikes. The Commission awarded a \$3500 grant to Raleigh County Composite.

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OLD BUSINESS

ABANDONED BUILDING, UNSAFE PROPERTY, REFUSE, PROPERTY SAFETY COMPLAINT HEARINGS AND ISSUE ORDER

**AB414** - 105 Keese Dr., Helen, WV, Slab Fork Dist., Tax Map 7A, Parcel 124 (owner Winding Gulf Restoration Organization Inc.);

A motion was made to approve the Order directing the owner, Winding Gulf Restoration Organization Inc., to demolish the structure(s), cut overgrown vegetation, and lawfully dispose of all the debris and other trash/junk within 30 days of entry of this Order. Seconded by Commissioner Duckworth and motion carried unanimously. Seconded by Commissioner Duckworth and motion carried unanimously. (SEE EXHIBIT F)

**AB451** - 328 Burmeister Ave., Raleigh, WV, Town Dist., Tax Map 28C, Parcels 73&74 (owner TBLF Properties LLC);

A motion was made to approve the Order directing the owner, TBLF Properties LLC, to demolish the structure(s), cut overgrown vegetation, and lawfully dispose of all the debris and other trash/junk within 60 days of entry of this Order. Seconded by Commissioner Duckworth and motion carried unanimously. Seconded by Commissioner Duckworth and motion carried unanimously. (SEE EXHIBIT G)

**AB617** - 106 Cranston Dr., Cranberry, WV, Town Dist., Tax Map 7008, Parcel 70 (owner Sandra Sturms);

A motion was made to approve the Order directing the trustee, Sandra Sturms, to demolish the structure(s), cut overgrown vegetation, and lawfully dispose of all the debris and other trash/junk within 60 days of entry of this Order. Seconded by Commissioner Duckworth and motion carried unanimously. (SEE EXHIBIT H)

**AB631** - 6404 Tams Hwy., Amigo, WV, Slab Fork Dist., Tax Map 12B, Parcel 79 (owner Volusia Ventures, LLC);

A motion was made to approve the Order directing the respondent, Volusia Ventures LLC, to demolish the structure(s), cut overgrown vegetation, and lawfully dispose of all the debris and other trash/junk within 60 days of entry of this Order. Seconded by Commissioner Duckworth and motion carried unanimously. (SEE EXHIBIT I)

**AB646** - 153 Ernest Ave., Raleigh, WV, Town Dist., Tax Map 28C, Parcel 61 (owner P&J Real Estate LLC);

A motion was made to approve the Order directing the owner, P & J Real Estate LLC, to demolish the structure(s), cut overgrown vegetation, and lawfully dispose of all the debris and other trash/junk within 30 days of entry of this Order. Seconded by Commissioner Duckworth and motion carried unanimously. (SEE EXHIBIT J)

**AB652** - 226 Wickham Rd., Town Dist., Tax Map 2002, Parcel 97 (owner Allen Grant c/o Gail Grant);

A motion was made to approve the Order directing the owner, Allen Grant, C/O Gail Grant, to demolish the structure(s), cut overgrown vegetation, and lawfully dispose of all the debris and other trash/junk within 60 days of entry of this Order. Seconded by Commissioner Duckworth and motion carried unanimously. (SEE EXHIBIT K)

**AB653** - 180 Ernest Ave., Raleigh, WV, Town Dist., Tax Map 28C, Parcel 55 (owner Shameka Janell Jackson);

A motion was made to approve the Order directing the owner, Shameka Janell Jackson, to demolish the structure(s), cut overgrown vegetation, and lawfully dispose of all the debris and other trash/junk within 60 days of entry of this Order. Seconded by Commissioner Duckworth and motion carried unanimously. (SEE EXHIBIT L)

**AB668(a)** - 114 Dominion Drive, Crab Orchard, WV, Town Dist., Tax Map 4006, Parcel 69 (new owner Jason Robert Henderson);

**AB668(b)** - 108 Dominion Dr., Crab Orchard, WV, Town Dist., Tax Map 4006, Parcel 91 (new owner Jason Robert Henderson);

A motion was made by Commissioner Epling to approve the Order directing the owner, Jason Robert Henderson, to demolish the structure(s), cut overgrown vegetation, and lawfully dispose of all the debris and other trash/junk within 60 days of entry of this Order. Seconded by Commissioner Duckworth and motion carried unanimously. Seconded by Commissioner Duckworth and motion carried unanimously. (SEE EXHIBIT M)

**AB676** - 157 Locust Rd., Fairdale, WV, Trap Hill Dist., Tax Map 1005, Parcel 44.1 (owner NAJ LLC)

A motion was made to approve the Order directing the owner, NAJ LLC, to demolish the structure(s), cut overgrown vegetation, and lawfully dispose of all the debris and other trash/junk within 60 days of entry of this Order. Seconded by Commissioner Duckworth and motion carried unanimously. (SEE EXHIBIT N)

PUBLIC PARTICIPATION

Kent Walker of the United States Department of Agriculture Rural Development

Mr. Walker presented the Commission with a brochure showing the overview of the Rural Partners Network, Southern West Virginia Community Network. (SEE EXHIBIT O)

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APPROVAL OF MINUTES

A motion was made by Commissioner Epling to approve the minutes of this Commission for the June 13, 2023 Special Session. The motion was seconded by Commissioner Duckworth and motion carried unanimously.

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VACATION ORDERS

Commissioner Epling moved to approve the Vacation Orders from July 18, 2023 to July 31, 2023, inclusive. Seconded by Commissioner Duckworth and motion carried unanimously. (SEE EXHIBIT P)

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FINAL ACCOUNTINGS AND WAIVERS OF FINAL SETTLEMENT

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

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ADJOURNMENT

Commissioner Epling moved to adjourn this meeting until the next regular scheduled meeting of this Commission on August 15, 2023 at 10:00 a.m. Seconded by Commissioner Duckworth and motion carried.

s/s



David Tolliver  
President

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