

WEST VIRGINIA:

At a regular meeting of the Raleigh County Commission held on the 28th day of November, 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 Kevin Cormican of Cranberry Baptist Church and the recitation of the Pledge of Allegiance.

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EXONERATIONS

Commissioner Epling moved to approve 1 exoneration, 1 cancellation and 0 refunds for personal property; and 1 exoneration, 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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CONSIDERATION OF, AND POSSIBLE ACTION ON, THE FOLLOWING SUPPLEMENTAL RESOLUTION OF THE COUNTY COMMISSION OF RALEIGH COUNTY, WEST VIRGINIA ("THE COUNTY COMMISSION") PROVIDING SUPPLEMENTAL APPROVAL OF THE ISSUANCE OF LEASE REVENUE BONDS BY THE NEW RIVER GORGE REGIONAL DEVELOPMENT AUTHORITY (THE "AUTHORITY") FOR THE ACQUISITION, CONSTRUCTION, IMPROVEMENT, DEVELOPMENT, EQUIPPING, RENOVATING, EXPANDING AND LEASING OF A PLASTICS MANUFACTURING FACILITY (COLLECTIVELY, SUCH FACILITY, INCLUDING BOTH THE EXISTING AND THE RENOVATED AND EXPANDED FACILITY, IS SOMETIMES REFERRED TO AS THE "FACILITY" OR THE "PROPERTY") FOR USE BY KLÖCKNER PENTAPLAST OF AMERICA, INC. ("KLÖCKNER"), AND TO PAY OTHER COSTS IN CONNECTION THEREWITH; PROVIDING SUPPLEMENTAL AUTHORIZATION FOR THE EXECUTION AND DELIVERY OF A LEASE AGREEMENT BETWEEN THE AUTHORITY, AS LESSOR, AND THE COUNTY COMMISSION, AS LESSEE, AND A SUBLEASE AGREEMENT BETWEEN THE COUNTY COMMISSION, AS SUBLESSOR, AND KLÖCKNER, AS SUBLESSEE; AND PROVIDING SUPPLEMENTAL AUTHORIZATION FOR THE TAKING (OR OMITTING TO TAKE) ALL SUCH OTHER ACTIONS, AND THE EXECUTION, DELIVERY AND PERFORMANCE OF SUCH OTHER ACTIONS OR DOCUMENTS, AS MAY BE REASONABLY NECESSARY OR ADVISABLE, IN CONNECTION WITH THE CARRYING OUT OF THE TRANSACTIONS CONTEMPLATED BY THIS SUPPLEMENTAL RESOLUTION AND/OR ANY OF THE DOCUMENTS AUTHORIZED HEREUNDER

A motion was made by Commissioner Epling to approve the Supplemental Resolution approving the issuance of Lease Revenue Bonds by the New River Gorge Regional Development Authority. The motion was seconded by Commissioner Duckworth and motion carried unanimously. (SEE EXHIBIT B)

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CONSIDERATION OF A GRANT TO THE VETERANS CEMETERY FOR \$3,000

Commissioner Epling moved to approve a \$3,000.00 Grant to VFW Post 32 for maintaining the Veterans Cemetery. Seconded by Commissioner Duckworth and motion carried unanimously. (SEE EXHIBIT C)

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CONSIDERATION OF A \$4,000 GRANT TO CLEAR A BLOCKAGE IN THE CLEAR FORK RIVER; DOROTHY, WV IN A JOINT EFFORT WITH THE USDA SOIL CONSERVATION SERVICE

A motion was made by Commissioner Epling to approve a \$4,000.00 Grant to clear a blockage in the Clear Fork River in Dorothy. This will be a joint effort with the USDA Soil Conservation Service. The motion was seconded by Commissioner Duckworth and motion carried unanimously. (SEE EXHIBIT D)

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CONSIDERATION OF THE CREATION AND OPENING OF A BANK ACCOUNT FOR FUND 42 THE EMS SALARY ENHANCEMENT

Commissioner Epling moved to approve the creation and opening of a bank account for Fund 42 – The EMS Salary Enhancement. The motion was seconded by Commissioner Duckworth and motion carried unanimously.

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CONSIDERATION OF THE DATES FOR THE 2024 BOARD OF REVIEW AND EQUALIZATION HEARINGS

Commissioner Epling moved to approve the tentative Board of Review and Equalization Schedule for 2024. The motion was seconded by Commissioner Duckworth and motion carried unanimously. (SEE EXHIBIT E)

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CONSIDERATION OF UPDATES TO THE PLANNING AND ZONING ORDINANCE

A motion was made by Commissioner Epling to approve the updates to the Planning and Zoning Ordinance as presented by Billy Michaels. The motion was seconded by Commissioner Duckworth and motion carried unanimously. (SEE BOOK 5081 PAGE 7404)

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CONSIDERATION OF AN APPLICATION TO THE WV DEP FOR A GRANT TO TEAR DOWN DILAPIDATED BUILDINGS

A motion was made by Commissioner Epling to approve an Application to the West Virginia Department of Environmental Protection for a grant to tear down 38 dilapidated structures within Raleigh County in the amount of \$554,981.50. Seconded by Commissioner Duckworth and motion carried unanimously. (SEE EXHIBIT F)

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CONSIDERATION OF DRAWDOWN #4 FOR THE WEST RALEIGH SEWER EXTENSION PROJECT PHASE 1 IN THE AMOUNT OF \$690.00

Commissioner Epling moved to approve Drawdown #4 in the amount of \$690.00 for the West Raleigh Sewer Extension Project Phase 1. Seconded by Commissioner Duckworth and motion carried unanimously. (SEE EXHIBIT G)

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CONSIDERATION OF CLEAR FORK RAIL TO TRAIL CHANGE ORDER #4 IN THE AMOUNT OF \$9,400.00 (AMENDED)

A motion was made by Commissioner Epling to approve the Clear Fork Rail to Trail Change Order #4 in the amount of \$14,400.00. Seconded by Commissioner Duckworth and motion carried unanimously. (SEE EXHIBIT H)

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CONSIDERATION OF COMPREHENSIVE OPIOID STIMULANT AND SUBSTANCE ABUSE PROGRAM GRANT FROM THE WV DEPARTMENT OF HOMELAND SECURITY

A motion was made to approve the Comprehensive Opioid Stimulant and Substance Abuse Program Grant from the WV Department of Homeland Security in the amount of \$63,010.00. The motion was seconded by Commissioner Duckworth and motion carried unanimously. (SEE EXHIBIT I)

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OLD BUSINESS

None

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PUBLIC PARTICIPATION

Leonard Abrams – Mr. Abrams complained of rain water flooding his property in Raleigh due to a large pipe in the ground above his residence. Commissioner Tolliver recommended Detlef Ulfers consult with Mr. Peploski of the City of Beckley to determine whose responsibility this issue belongs to and to discuss how this problem can be remedied.

Sherie Hunter – Ms. Hunter thanked the Commission for the Grant for the Veterans Cemetery and the \$5,000 Grant to New Salem Baptist Church. Preservation Alliance of WV nominated New Salem Baptist Church as one of the 11 Most Historical structures in the United States. Ms. Hunter invited all to the Candlelight Christmas Service at 6:30 on December 7, 2023 at the New Salem Baptist Church.

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APPROVAL OF MINUTES

A motion was made by Commissioner Epling to approve the minutes of the September 19, 2023 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 October 3, 2023 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 October 17, 2023 Regular 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 November 7, 2023 to November 27, 2023, inclusive. Seconded by Commissioner Duckworth and motion carried unanimously. (SEE EXHIBIT J)

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FINAL ACCOUNTINGS AND WAIVERS OF FINAL SETTLEMENT

The following Final Settlements and Accountings and Waivers of Final Settlement of the Fiduciary Supervisor (SEE EXHIBIT K) and Reclose for the Estate of Frances Gallagher (EXHIBIT L) were read into the minutes.

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ADJOURNMENT

Commissioner Epling moved to adjourn this meeting until December 5, 2023 at 10:00 a.m. The motion was seconded by Commissioner Tolliver and motion carried unanimously.

s/s   
David Tolliver  
President