

GRANT COUNTY COMMISSION  
PETERSBURG, WEST VIRGINIA 26847

GRANT COUNTY COMMISSION MINUTES

Date: December 14, 2021 Time: 9 a.m. Location: Conference Room  
Grant County Courthouse

Reporting:  
Erin Camp, Grant County Press

Commissioners:  
Scotty Miley, President  
Jeff Berg  
Tyson Riggleman

Michelle Sites, County Administrator

**1. Call to Order**

President Miley called the regular meeting to order at 9 a.m.

**2. Consent and Approval – County Administrator**

**a. Minutes**

Presented for approval were the minutes from the regular meeting held on November 23, 2021.

A Motion was made to approve the minutes from the regular meeting held on November 23, 2021. **MOTION: Riggleman / unanimously approved**  
Presented for approval were the minutes from the work session meeting held on November 29, 2021.

A Motion was made to approve the minutes from the work session meeting held on November 29, 2021. **MOTION: Riggleman / unanimously approved**  
Presented for approval were the minutes from the work session meeting held on December 6, 2021.

A Motion was made to approve the minutes from the work session meeting held on December 6, 2021. **MOTION: Riggleman / unanimously approved**  
Presented for approval were the minutes from the work session meeting held on December 13, 2021 with the modification to reflect that President Miley was present.

A Motion was made to approve the minutes from the work session meeting held on December 13, 2021 with the modification to reflect that President Miley was present. **MOTION: Riggleman / unanimously approved**

**b. Budget Revisions**

There were no budget revisions presented for approval.

**c. Board Appointments/Removals/Resignations**

There were no board appointments presented for approval.

**3. Actions of the Clerk, Exonerations, Estates**

Commission approved the following actions of the County Clerk:

-Wills lodged in Clerk's Office: Thomas Mario Dawson  
Mary Margaret Michael

-Wills admitted to probate: Delores M. Secrist  
Judith L. Hyre  
Hazel Leona Dawson  
Wanda J. Wimer  
Gerald Neil Judy

-Qualification orders granted in the following estates:

Estate

Delores M. Secrist  
 Judith L. Hyre  
 Dwight David Beck  
 Dee Lower  
 Millie Jean Kuykendall  
 Hazel Leona Dawson  
 Natale Louis Rao  
 Wanda J. Wimer  
 Maurice Mowery  
 Gerald Neil Judy  
 Ollie Willie Whetzel  
 Flora Jean Kisamore  
 Dora Mable Miller-Whetzel  
 Kevin John Morse

Person Qualifying

Debra Shreve & Dale E. Secrist, Jr., Co-Executors  
 Patricia Megan Hedrick Goldizen, Executrix  
 Marilyn Beck, Administrator  
 Aniqua Lower, Administratrix  
 Jena Watchford, Administratrix  
 Sharon R. See, Executrix  
 Annette Landis, Administratrix  
 Kermit E. Wimer, Executor  
 Sherri Parsons, Administratrix  
 Carolyn West & Neil Judy, Co-Executors  
 Bonnie Bland, Administratrix  
 Justin J. Kisamore, Administrator  
 Helena Sue Miller-Twigg, Debra K. Miller-Dove, Faye Mable Miller, Co-Executrices  
 Gail E. Morse- Administratrix

Ancillary Administrations granted in the following estates:

Barbara Jane Wilson

-Small Estate Certificates and Authorizations granted in the following estates:

Chauncey D. Lafferree, Jeffrey Lafferree, Affiant in the Estate

**MOTION: Riggelman / unanimously approved**

Waiver of Final Settlement in the estate of William Franklin Lower **MOTION: Berg / unanimously approved**

The following exoneration was presented this day:

OPNAD FUND INC OP-N 13744 Petersburg Corp 2021 \$18.22 per half  
**MOTION: Berg / unanimously approved**

**4. Comments from the Public**

There were no comments from the public.

**5. Scheduled Appointments**

a) Jeffrey Hartley, Thrasher Engineering, to discuss the GigReady & LEAD Grant Applications for Broadband funding. Mr. Hartley appeared by telephone.

The LEAD project is in the Sunrise Drive area. Shentel currently owns the area before this neighborhood. There is a minimum of \$500 match per home that is **passed with a route**. There are approximately 166 homes that will be impacted. There are two phases to this project. The first phase gets fiber to the home throughout the entire neighborhood. There is an area off Sunrise Drive that includes Military Lane and Army Lane that has approximately 72 structures.

The next area is the Corner Road expansion. There are approximately 109 structures eligible for service. There are another 38 structures could potentially be picked up if branching off of Corner Road.

There are some homes on the right side of Welton Orchard Road that are deemed as underserved. Hardynet was contacted to do some expansion. There are approximately only 20 homes that would qualify for the grant.

South Mill Creek is an option for the grant at this time. There are approximately 148 homes.

The matching funds for Sunrise Drive would be approximately \$83,000.00; Corner Road would be approximately \$54,500.00; South Mill Creek Road would approximately \$74,000.00, making the total for the LEAD application \$211,500.00.

Next is the GigReady applications. There is an area along Route 50 from Mt. Storm to Gormanias is an underserved area, along with Mt. Storm to Bismark along Route 42. That will roughly include 740 homes.

The original cost estimate for the GigReady grant was a little over 1.5 million. Since it was expanded to Cherry Ridge Road, Bismark Road, Bayard Cemetery Road and the industrial park, including the homes there, the costs is now approximately 4 million dollars. Matching funds will be a little less than 1 million dollars.

Michelle Sites inquired if the ARP funds could be used for the matching funds for the grants. Mr. Hartley stated that was correct.

Mr. Hartley stated that the total matching funds for the projects is around 1.3 million dollars. Mr. Hartley further stated that the project may be scaled back if the Commission sdesires.

President Miley asked when the grant applications are due. Mr. Hartley replied that he is hoping to have the GigReady application ready before Christmas. The LEAD application is due December 31, 2021.

b) Joe Harvey, MTPSD Chief Operator, to discuss source water protection involving Poultry Houses

Mr. Harvey stated that the State is requiring public utilities to map out a water shed area. Mr. Harvey stated the State will not back their watershed plan, so there is nothing they can do legally to prevent someone from moving in and setting up something in the watershed.

Mr. Harvey stated that he would like for the Commission to adopt an ordinance regarding the watershed so that the PDS will have more control as to what goes in the watershed.

Michelle Sites suggested that Planning Commission could possibly assist in developing the ordinance to present to the County Commission. The next meeting is the fourth Thursday in January at 7 p.m.

President Miley stated that this matter would be submitted to the Planning Commission.

c) Callie Dayton, EDA Executive Director, to present WV LED Grant Program Resolution & Investment Pledge

Mrs. Dayton stated that the pledge from the Commission is the same as previous years which is \$35,000.00.

A Motion was made to pledge \$35,000.00 for the EDA, and to authorize President Miley to sign the documents. **MOTION: Riggleman / unanimously approved**

d) Seymour Fisher, County Clerk, to discuss possible merger of precepts  
Clerk Fisher stated that due to redistricting, some of the voters in Precinct 15 were going to be moved to Precinct 9. After discussion, Clerk Fisher stated that it was determined that it would be best to combine Precinct 9 and Precinct 15. Clerk Fisher stated that he needed approval from the Commission to merge the two precincts.

A Motion as made to approve Clerk Fisher's recommendation to merge Precincts 9 and

15. **MOTION: Berg / unanimously approved**

#### 6. Correspondence

a) Invitation to the Petersburg Volunteer Fire Company's Annual Recognition Banquet

- b) Grant Memorial Hospital October 2021 ER transfers
- c) A copy of a Legal Advertisement for Vindex Energy, LLC Permit No 0-40-84
- d) Letter from Island Creek Coal Company LLC informing of the pending Phase 3 – Increment 1 release of Per 1070000
- e) Grant County Sheriff's Monthly Settlement dated November 30, 2021
- f) Letter from Global Science & Technology, Inc., in reference to providing a Cyber Vulnerability Scanning System in addition to our firewall & antivirus software for an additional monthly cost of \$80
- g) Letter from the State Tax Department certifying that Ralph Layton, Assessor Grant County, has substantially complied with an "assessor's additional duties: and is entitled to the additional compensation of \$15,000
- h) Minutes of the Grant County Arts Council of November 9, 2021
- i) Minutes of the Grant County PSD Regular Board Meeting of November 20, 2021

**7. Unfinished Business**

- a) For consideration changing the rate of service of the Fiduciary Commissioner. (tabled item)

A Motion was made to remove this item from the table. **MOTION: Berg**  
Michelle Sites, County Administrator, stated that she did find the Code with regard to this matter. She contacted other counties to get their rate. Hardy County pays \$125 per hour, Mineral County pays \$150 per hour, Tucker County pays \$400 flat fee, Lewis County pays \$300 per hour for attorneys and \$70 per hour for non-attorneys. Randolph County has different rates. One is \$150 per hour, one is \$300 plus expenses and one is \$170 per hour, plus an additional \$100 may be charged for expenses.

Assistant Prosecutor Bradley Goldizen suggested that Grant County pay \$250 per hour. This will include expenses incurred.

A Motion was made to set the Fiduciary Commissioner rate at \$250 per hour.

**MOTION: Miley**

It should be noted that Commissioner Berg abstained.

- b) Letter to the Honorable Governor Justice in reference to the increase of the jail per diem rate. (tabled item)

A Motion was made to remove this item from the table. **MOTION: Berg**

This letter is going to be signed by the following Commissions: Hardy, Grant, Pendleton, Hampshire and Mineral.

A Motion was made to approve signing the letter to Gov. Justice which opposes the increase of the jail bill. **MOTION: Berg**

**8. New Business**

- a) To discuss the need for a new slide gate at the Grant County Airport

Michelle Sites, County Administrator, stated that there was one estimate in the approximate amount of \$2,000.00.

A Motion was made to approve up to \$2,500.00 for a new slide gate at the Grant County Airport. **MOTION: Berg**

- b) For consideration designating the last half of Thursday, December 23 and December 30 as a half-day of time off for county employees

A Motion was made to approve the last half of December 23 and 30 as a half-day of time off for county employees. **MOTION: Riggelman**

**9. Reports from Elected Officials**

There were no reports from elected officials.

**10. Reports from County Commissioners**

Commissioner Riggleman stated that he would like to commend Mike Alt and Delegate John Paul Hott. Mike Alt went to Charleston to speak to the Committee for Fire Departments and Emergency Services to discuss reimbursement rates for trainings. John Paul Hott was instrumental in making this happen.

Commissioner Riggleman stated that some of the elected officials have been working on a new employee handbook. Also present were Michelle Sites, County Administrator, Lora Bennett, Payroll Clerk and Bradley Goldizen, Assistant Prosecuting Attorney.

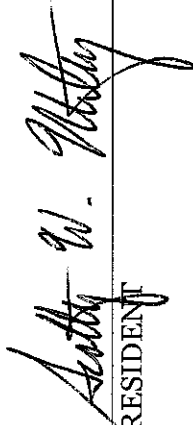
Commission Miley stated that there was a ribbon cutting ceremony for the new cancer center at Grant Memorial Hospital.

**11. Approval of Expenses to be Considered for Payment**

A Motion was made to approve the expenses as presented. **MOTION: Berg / unanimously approved**

**12. Adjourn**

A Motion was made to adjourn. **MOTION: Riggleman / unanimously approved**

  
PRESIDENT

ATTEST:

December 28, 2021  
DATE APPROVED

  
CLERK OF THE COUNTY COMMISSION

IN THE COUNTY COMMISSION OF GRANT COUNTY, WEST VIRGINIA

The Grant County Commission hereby orders the following actions taken by the Grant County Clerk, Seymour V. Fisher, in vacation of the County Commission be approved:

1. Wills Lodged in the Clerk's Office:

Thomas Mario Dawson  
 Mary Margaret Michael

2. Wills Admitted to Probate:

Delores M. Secrist  
 Judith L. Hyre  
 Hazel Leona Dawson  
 Wanda J. Wimer  
 Gerald Neil Judy  
 Dora Mable E Miller-Whetzel

3. Qualification Orders Granted in the Following Estates:

<u>Estate</u>	<u>Person Qualifying:</u>
Delores M. Secrist	Debra L. Sherve & Dale E. Secrist, Jr., Co-Executors
Judith L. Hyre	Patricia Megan Hedrick Goldizen, Executrix
Dwight David Beck	Marilyn Beck, Administrator
Dee Lower	Aniqua Lower, Administratrix
Millie Jean Kuykendall	Jena Wratachford, Administratrix
Hazel L. Dawson	Sharon R. See, Executrix
Natale Louis Rao	Annette Landis, Administratrix
Wanda Wimer	Kermit E. Wimer, Executor
Maurice Mowery	Sherri Parsons, Administratrix
Gerald Neil Judy	Carolyn West & Neil Judy, Co-Executors
Olie Willie Whetzel	Bonnie Bland, Administratrix
Flora Jean Kisamore	Justin J. Kisamore, Administratrix
Dora Mable Miller-Whetzel	Helena Sue Miller-Twigg, Debra K. Miller-Dove & Faye Mable Miller, Co-Executrixes
Kevin John Morse	Gail E. Morse, Administrator

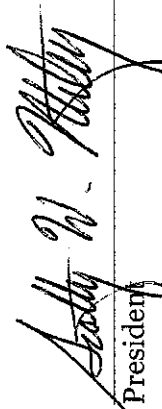
4. Ancillary Administrations Granted for the following Decedents:

Barbara Jane Wilson

5. Small Estate Certificates and Authorizations Granted in the Following Estates:

<u>Estate</u>	<u>Person Qualifying:</u>
Chauncey D. Lafferree	Jeffrey Lafferree

Approved this the 14<sup>th</sup> day of December, 2021.

  
 \_\_\_\_\_  
 President

State of West Virginia  
 County of Grant  
 5 Highland Avenue  
 Petersburg, WV 26847

To the Honorable, the County of Grant County, WV

I, **Ralph G. Layton**, Assessor hereby makes application for the correction of an erroneous assessment against **OPNAD FUND INC OP-N 13744** in **Petersburg Corp.** amounting to **\$ 18.22 p h Class 4** being taxes for the year of **2021** on **Personal Property no: 20170048** valued at **1,595** for the following reason:

***Taxpayer reported all equipment was disposed of for July 1, 2020 and it was taxed in error.***

Upon application of a taxpayer who is aggrieved by an erroneous assessment. The Prosecuting Attorney having had reasonable notice Of the intentions and character of the corrections desired in said application, and being present and defending the interest of the State, County, District and the Court having heard the evidence, it is ordered That said the applicants are exonerated from the payment of taxes for the year, if same has not been paid and if paid, the Sheriff refund the same, the court being of opinion that: ***Ticket 304162***

***Exonerate: Value: 1,595 Taxes: \$ 18.22 p h Class IV***

The Clerk is directed to furnish a copy of this order, which, when properly endorsed, shall be a voucher for the Sheriff in his settlement.

Signature on File 12/06/21  
 Taxpayer Date

*Ralph G. Layton*  
 Assessor 12/06/21  
 Date

Prosecuting Attorney Date

*John S. Clark* 12/27/21  
 Prosecuting Attorney Date  
*Andy W. Petty* 12/14/2021  
 President Date