

GRANT COUNTY COMMISSION  
PETERSBURG, WEST VIRGINIA 26847

GRANT COUNTY COMMISSION MINUTES

**Date:** February 28, 2023    **Time:** 3:30 p.m.    **Location:** Conference Room  
Grant County Courthouse

**Commissioners:**

Tyson Riggleman, President  
Scotty Miley  
Kevin Hagerty

**Reporting:**

Erin Camp, Grant County Press

Michelle Sites, County Administrator

**1. Call to Order**

Commissioner Riggleman called the regular meeting to order at 3:30 p.m.

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

**a. Minutes**

- Presented for approval were the minutes from the meeting held on February 14, 2023.
- Presented for approval were the minutes from the Work Session meeting held on February 27, 2023.
- A Motion was made to approve the minutes.

**MOTION: Hagerty/unanimously approved**

**b. Budget Revisions**

-None

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

The following re-appointments were presented:

- George Ford was re-appointed to Corridor H
- Let the record show that Commissioner Miley abstained from the vote.  
A Motion was made to approve the board re-appointment above.

**MOTION: Hagerty/unanimously approved**

- Freddie Baker was re-appointed to the Airport Authority.

A Motion was made to approve the board re-appointment above.

**MOTION: Miley/unanimously approved**

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

Commission approved the following actions of the County Clerk:

Wills lodged in Clerk's Office:

- Bobby A. Barger
- Wilma E. Thompson
- Ray Thompson

Wills admitted to probate:

- Edward Lee Keeling
- Terrie Lee Foley
- Gary Kitzmiller

Qualification orders granted in the following estates:

<u>Estate</u>	<u>Person Qualifying</u>
Edward Lee Keeling	Jane Keeling, Executrix
David John Evans	Teresa Harold, Administratrix
Terrie Lee Foley	Gregory W. Foley, Executor
Gary Kitzmiller	Shirley J. Kitzmiller, Executrix

Ancillary Administrations granted in the following estates:

<u>Estate</u>	<u>Person Qualifying</u>
Maynard G. Muntzing	William B. Muntzing, Administrator CTA

Small Estate Certificates and Authorizations granted in the following estates:

-None

A Motion was made to approve the actions of the Clerk.

**MOTION: Miley / unanimously approved**

Waiver of Final Settlement

- Waiver of Final Settlement in the estate of Pauline M. Mongold  
**MOTION: Hagerty/ unanimously approved**
- Waiver of Final Settlement in the estate of John Leslie Zimmerer  
**MOTION: Hagerty/ unanimously approved**
- Waiver of Final Settlement in the estate of Ruth Ann Columbia  
**MOTION: Hagerty/ unanimously approved**

**4. Comments from the Public**

Jill Long appeared before the Commission regarding concerns about the Commission Minutes and building of the chicken houses on Roby Rd.

Jane Kite-Keeling appeared before the Commission regarding the Commission Meeting Minutes and the impending chicken houses in regards to the water source and Roby Road being wide enough.

**5. Scheduled Appointments**

a) John Sylvia, CEO of Grant Memorial Hospital, to give introduction.

Grant Memorial Hospital CEO, John Sylvia, appeared before the Commission. He stated that things are looking good at Grant Memorial Hospital. Financials are starting to turn around, they are looking to get new radiology equipment, implementing different patient satisfaction processes and looking for ways to grow.

b) James Reed to discuss funding for Tri-County Fair Electrical Upgrade.

James Reed appeared before the Commission to ask for funding. Mr. Reed stated that they had an engineer and inspector to examine the electrical system and suggest upgrades needed at the Tri-County Fair Grounds for the future. The total project cost is \$756,000. The project might have to be done in phases instead of all at once because of the cost. They have also asked Hardy and Pendleton Counties for funding as well.

c) Brad Goldizen, Assistant Prosecutor, to discuss Deed of Release between the Grant County Commission and IWG Towers Assets, LLC.

Bradley Goldizen appeared before the Commission. A Deed of Release has been received between Grant County Commission and IWG Towers Assets, LLC. Brad looked over the release and it is resolved. Grant County will have to pay \$20,000 to get out of the non-compete. In 2004, this property on Charlie's Knob, was sold. It was encumbered into the deed that we would not be allowed to use this tower for anything other than 911. BeaconNet threatened to sue the Commission in 2015 or 2016 because we had other things on other towers.

d) Shawna Cole to discuss Forman School.

Shawna Cole appeared before the Commission. She owns a day care beside of the Forman building. Mrs. Cole is asking if she could lease the Forman School to expand her business. It would allow her to employ more people, to have an out of school center for older children and for the younger children as well. There are updates that need to be done. Opportunities for funding are available with grants and wouldn't all come from the county. It would be utilized Monday through Friday from 6:00 a.m. to 5:30 p.m. Commissioner Riggleman stated that there is currently a lease that would have to be discussed.

e) Mark Geary to discuss the survey that was done on the property behind the hospital.

Mark Geary appeared before the Commission to discuss the property behind the hospital. The surveyed tract of land, tax map 10 parcel 28.2, is 14.54 acres. The property actually lays really well for the most part. The best access will be coming off of Valley Street that would come across Gary Michael's property on the west side of the street. Gary Michael would entertain a right-of-way easement across his property. Currently there is no right-of-way to access the property.

#### **6. Correspondence**

- a) Letter from North Fork Ruritan Club requesting funding for the installation of a lighted helipad
- b) Letter from Potomac Valley Transit Authority requesting funding for FY 23/24
- c) Grant Memorial Hospital ER Transfers for January 2023
- d) Invitation to the Agriculture Winter Dinner Meeting at the North Fork Ruritan
- e) Letter from Advanced Alarm Technologies, Inc. expressing interest in bidding on any Security Systems
- f) Minutes of the Grant County PSD Regular Board Meeting of January 26, 2023

#### **7. Unfinished Business**

-None

#### **8. New Business**

- a) Consideration for Approval a request from Mettiki Coal to perform a pre-mine survey on Parcel 5-164-17 owned by the County Commission of Grant County.

A motion was made to approve the signature of the survey letter for Mettiki Coal. **MOTION: Miley/ unanimously approved**

b) Discuss potential chicken houses on Roby Road.

Commissioner Hagerly stated that a private citizen reached out regarding the chicken houses. Senate Bill 242 was passed March 2022 and became effective June 9, 2022. He stated "The Senate Bill binds our hands as a County and County Commission because we don't have zoning in this county." He would encourage everyone to read Senate Bill 242, 585 and House Bill 3313. To limit us even further, Grant County Commission has no control over Grant County PSD. By law, they must supply water (if it is available) to a business or residence. DOH was contacted. They are requiring a commercial entrance permit. As long as trucks adhere to weight limit requirements and driving laws the road is open to the public."

Commissioner Riggleman attended the PSD meeting. They are concerned about how much water they can provide. There will have to be an engineer study completed to assess this issue. The study will take approximately 2 – 3 months.

Commissioner Miley stated that this question has plagued the Commission since the very beginning-Either do you want zoning? or do you not want zoning? However, the Commission does have due diligence to protect the water and the residents' health. Ultimately, the roads are a big concern for big trucks to travel because it is a narrow road.

c) Discuss Senate Bill 242 and WV Code 8A-7-10.

Senate Bill 242 was passed March 2022 and became effective June 9, 2022. The Senate Bill binds our hands as a County and County Commission because we don't have zoning in this county.

**9. Reports from Elected Officials**

-None

**10. Reports from County Commissioners**

Commissioner Hagerly was approached by Mark from Weimer Automotive. Weimer has an additional fleet truck for sale. Mark asked if Grant County Commission would be interested in purchasing.

Commissioner Hagerly appreciated all the people on Roby Road that came to the Planning Commission Meeting. It was nice to have community members to come bind together.

Commissioner Miley attended the Grant Memorial Hospital Board Meeting on Monday, February 27, 2023. The potential ribbon cutting date for the complete transition of WVU Medicine is July 11, 2023. Grant Memorial anticipates November 1, 2023 to begin the epic system which is their major software system. The same system is used at Winchester Medical and WVU Hospitals.

Commissioner Riggleman attended the Development Authority Meeting. Grant County and Pendleton County are discussing the possibility of a Regional Development Authority. A small group has been established to approach other counties that are currently part of a Regional Development Authority in order to be informed of the pros and cons. Multiple meetings will be set up with Greenbrier Valley Economic Development, New River Gorge Regional Development Authority, Huntington Area Development Counsel and the Business Development Corporation of Northern Panhandle to get their opinions. Emails have been sent out to multiple County Commissioners to get feedback on how they feel about regionalizing.

11. Approval of Expenses to be Considered for Payment (bills paid or to be paid, the invoices are available for public review by contacting the Grant County Clerk, 5 Highland Avenue, Petersburg, WV 26847, (304)257-4550)  
A Motion was made to approve the expenses.

**MOTION: Hagerty/ unanimously approved**

12. Adjourn

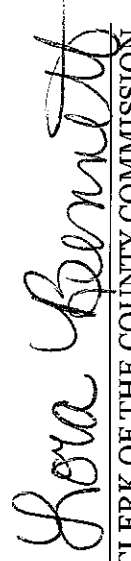
A Motion was made to adjourn.

**MOTION: Miley/ unanimously approved**

  
\_\_\_\_\_  
PRESIDENT

ATTEST:

3/14/23  
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, Lora Bennett, in vacation of the County Commission be approved:

## 1. Wills Lodged in the Clerk's Office:

Bobby A. Barger  
Wilma E. Thompson  
Ray Thompson

## 2. Wills Admitted to Probate:

Edward Lee Keeling  
Terrie Lee Foley  
Gary Kitzmiller

## 3. Qualification Orders Granted in the Following Estates:


<u>Estate</u>	<u>Person Qualifying:</u>
Edward Lee Keeling	Jane Keeling-Executrix
David John Evans	Teresa Harold, Administratrix
Terrie Lee Foley	Gregory W. Foley, Executor
Gary Kitzmiller	Shirley J. Kitzmiller, Executrix

## 4. Ancillary Administrations Granted for the following Decedents:

<u>Estate</u>	<u>Person Qualifying:</u>
Maynard G. Muntzing	William B. Muntzing, Administrator CTA

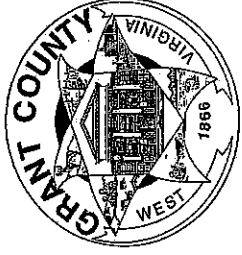
5. Small Estate Certificates and Authorizations Granted in the Following Estates:  
None

Approved this the 28<sup>th</sup> day of February, 2023.

  
\_\_\_\_\_  
President

**COUNTY COMMISSION OF GRANT COUNTY**

5 Highland Avenue  
 Petersburg, WV 26847  
 Phone: (304) 257-4422  
 Fax: (304) 257-9645  
 Email: [administrator@grantcountyvvy.org](mailto:administrator@grantcountyvvy.org)



COMMISSIONERS: TYSON K. RIGGLEMAN  
 SCOTTY W. MILEY  
 KEVIN P. HAGERTY

ADMINISTRATOR: MICHELLE SITES

**NATIONAL DRUG & ALCOHOL FACTS WEEK PROCLAMATION**

**WHEREAS**, alcohol and drug misuse is one of the nation's most pressing public health concerns; and

**WHEREAS**, National Drug & Alcohol Facts Week is a week-long national health observance designed to present teens with scientific facts about the consequences of drugs, drug abuse, alcohol and alcoholism on their brains, bodies, and behavior and to counteract the myths that they receive from media, the internet, family and friends; and


**WHEREAS**, National Drug & Alcohol Facts Week is sponsored by the National Institute on Drug Abuse (NIDA) and the National Institute on Alcohol Abuse and Alcoholism (NIAAA) at the National Institutes of Health, in the U.S. Department of Health and Human Services, and other federal and private partner organizations, to encourage teens to ask questions about drugs, drug abuse, alcohol and alcoholism and receive scientifically-based facts and answers in return; and

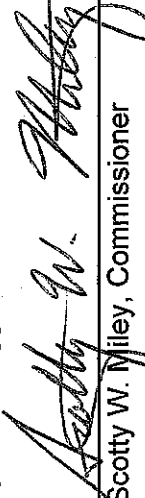
**WHEREAS**, Grant County supports the efforts to educate youth about the dangers of drug use and encourage healthy, drug-free life styles; and

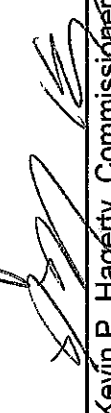
**WHEREAS**, Grant County is committed to ensuring that all students receive factual information about drugs, drug abuse, alcohol and alcoholism from reliable sources;

**NOW, THEREFORE BE IT RESOLVED**, that the Grant County Commission does hereby proclaim Monday, March 20 through Sunday, March 26, 2023 to be National Drug & Alcohol Facts Week and urges all citizens to support and participate in the drug education and prevention activities planned during the week.

Approved and adopted this 14<sup>th</sup> day of March, 2023.

  
 Tyson K. Riggleman, President

  
 Scotty W. Miley, Commissioner

  
 Kevin P. Hagerty, Commissioner