

**GRANT COUNTY COMMISSION
PETERSBURG, WEST VIRGINIA 26847**

GRANT COUNTY COMMISSION MINUTES

Date: March 10, 2020 **Time:** 9 a.m. **Location:** Conference Room
Grant County Courthouse

Commissioners:
Doug Swick
Jeff Berg
Scotty Miley

Reporting:
Erin Camp, Grant County Press

AGENDA ITEM: Commissioner Swick called the regular meeting to order at 9 a.m.

AGENDA ITEM: Approval of Minutes

DISCUSSION: Presented for approval were the minutes from the regular meeting held on February 25, 2020. Commissioner Berg pointed out that "Presentation of Plaques" needed changed to "Presentation of Plaque".

ACTION: A Motion was made to approve the minutes from the regular meeting held on February 25, 2020 with the above correction. **MOTION: Berg-Miley**

AGENDA ITEM: Discuss AT&T Smartlink Tower Lease Exhibit

DISCUSSION: Joey Prieto and Ryan Foltz from Smartlink AT&T appeared before the Commission. The current plan is to move the existing tower and replace it with a new tower. The current equipment will be placed on a temporary device while the new tower is being constructed. The new tower will have FirstNet capabilities from AT&T.

Commissioner Swick stated that he would like for the county to retain ownership of the tower since the taxpayers paid for the current tower. However, he stated that negotiations would be very flexible with regard to the tower lease.

ACTION: No action needed.

AGENDA ITEM: Discuss Opioid Law Suit

DISCUSSION: Hunter Mullins appeared before the Commission.

ACTION: A Motion was made to go into executive session pursuant to WV Code §6-9A-4 at 10:05 a.m. **MOTION: Miley-Berg**

The Commission was out of executive session at 10:40 a.m., with no action taken.

A Motion was made to enter into a Contingent Award Fee Agreement with Mullins & Mullins, PLLC and Chafin Law Firm, PLLC for the opioid litigation subject to final review by the Prosecuting Attorney's office. **MOTION: Miley-Berg**

AGENDA ITEM: Discuss Mountaineer Trail Network Authority

DISCUSSION: Jenny Newland, Downstream Strategies was to appear before the Commission but was unable to so Sara Cottingham appeared. The Mountaineer Trail Network Authority is composed of 15 counties across northern West Virginia, including Grant County. They want to create a non-motorized trail network across the northern part of the state. Each county will have two board members.

ACTION: A Motion was made to draft a letter of support for the Downstream Strategies Trail Authority and the Mountaineer Trail Network Authority. **MOTION: Miley-Berg**

AGENDA ITEM: Medicaid Letter for Grant Memorial Hospital

DISCUSSION: Commissioner Swick read a letter on the record which states that the County Commission owns Grant Memorial Hospital and will be legally and financially

responsible in the event there is any outstanding debt owed to Medicare by Grant Memorial Hospital.

ACTION: A Motion was made permitting the Commission to sign the letter to Medicare. **MOTION: Miley-Berg**

AGENDA ITEM: Resolution Not to Condemn Land

DISCUSSION: Commissioner Swick stated that there was a public meeting held regarding this matter and the landowners were opposed to the hydropower project. The Commission did not ever want to go against the landowners. Since Freedomworks, LLC is a privately owned company, they cannot declare condemnation to any property. The Commission is going to sign a resolution stating that they will not condemn any property. Freedomworks, LLC will withdraw the petition.

ACTION: A Motion was made permitting the Commission to sign a resolution stating that no land will be condemned. **MOTION: Berg-Miley**

AGENDA ITEM: Bid Opening for Annex Building Renovations

DISCUSSION: No bids were submitted. Randy Parsons is now trying to obtain three bids for the renovations.

ACTION: No Action needed.

AGENDA ITEM: CDBG Updates & Approvals

DISCUSSION: There were no updates and approvals to present to the Commission.

ACTION: No action needed.

AGENDA ITEM: Actions of the Clerk

DISCUSSION: None required.

ACTION: Commission approved the following actions of the County Clerk:

-Wills lodged in Clerk's Office: None

-Wills admitted to probate: John T. Martin, Jr.
Mary Faye Wilkinson
Daniel D. Alt

-Qualification orders granted in the following estates:

Robert T. Martin, Sr., Executor in the Estate of John T. Martin, Jr.
Roger A. Wilkinson, Executor in the estate of Mary Faye Wilkinson
Lori Ann Western, Administratrix in the Estate of Dorothy Harman
Robert R. Sites, Executor in the Estate of Elizabeth G. Sites
Derek C. Alt, Executor in the Estate of Daniel D. Alt

MOTION: Miley-Berg

AGENDA ITEM: Approval of Estates

DISCUSSION: No discussion required.

ACTION: Commission approved the following estates for closure:

Affidavit and Waiver of Final Settlement in the Estate of John Bruce Enders **MOTION: Berg-Miley**

AGENDA ITEM: Exonerations

DISCUSSION: There were no exonerations this day presented.

ACTION: No action needed.

AGENDA ITEM: Budget Revisions

DISCUSSION: There were no budget revisions this day presented.

ACTION: No action needed.

AGENDA ITEM: Board Appointments/Removals

DISCUSSION: There were no board appointments this day presented.

ACTION: No action needed.

AGENDA ITEM: Commissioner's Packet

DISCUSSION: Commissioner Swick reviewed the commissioner's packet and presented the following information:

- Sheriff's monthly settlement
- Minutes from the Grant County PSD Board meeting held on February 13, 2020;
- Mt. Top PSD financial statement and independent auditor's report.


AGENDA ITEM: Approval of Expenses

DISCUSSION: The Commission reviewed the expenses as presented.

ACTION: Commission approved the expenses as presented. **MOTION: Berg-Miley**

AGENDA ITEM: Adjournment

ACTION: There being no further business before the Commission, the meeting adjourned. **MOTION: Berg-Miley**


PRESIDENT

ATTEST:


CLERK OF THE COUNTY COMMISSION

03-24-2020
DATE APPROVED

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:

None

2. Wills Admitted to Probate:

John T. Martin, Jr.
Mary Faye Wilkinson
Daniel D. Alt

3. Qualification Orders Granted in the Following Estates:

Estate

John T. Martin, Jr.
Mary Faye Wilkinson
Dorothy Harman
Elizabeth G. Sites
Daniel D. Alt

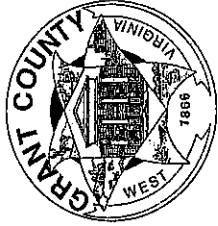
Person Qualifying:

Robert T. Martin, Sr., Executor
Roger A. Wilkinson, Executor
Lora Ann Western, Administratrix
Robert R. Sites, Executor
Derek C. Alt, Executor

Approved this the 10th day of March 2020.



President



COUNTY COMMISSION OF GRANT COUNTY

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

COMMISSIONERS:
DOUGLAS E. SWICK,
PRESIDENT
JEFFREY R. BERG
SCOTTY W. MILEY
ADMINISTRATOR:
MICHELLE SITES

Resolution of Position on Ulysses Pumped Storage Hydropower Project

WHEREAS, the Grant County Commission has been approached by Tim Williamson of Freedom Works, LLC, with the interest of making a significant investment in locating a project known as the Ulysses Pumped Storage Hydropower Project in Grant County, West Virginia; and

WHEREAS, the Grant County Commission recognizes the need for local jobs and an adequate tax base to support the needs of its citizens, and supports appropriate efforts to advance the economic development of the county; and

WHEREAS, a number of landowners impacted by the proposed hydropower project have expressed concern about whether eminent domain or condemnation of their privately owned properties can or will be used if they choose not to support this project; and

WHEREAS, at the time of approaching the County Commission with the idea of the proposed hydropower project Tim Williamson of Freedom Works, LLC stated he did not have the power of eminent domain;

NOW, THEREFORE, BE IT RESOLVED by the Grant County Commission, that it will not enact any authority of eminent domain over privately owned properties to force the Ulysses Pumped Storage Hydropower Project upon landowners who choose not to lease or sell their property; and

BE IT FURTHER RESOLVED that the outcome of this project now rests between the affected landowners and Freedom Works, LLC, in that it can move forward only if the land is secured for the project by virtue of the landowners' decisions.

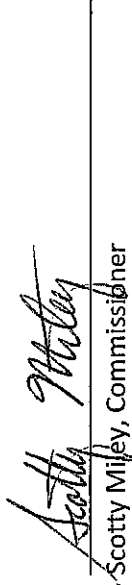
This Resolution is in full force and effect, having been adopted by unanimous vote of the Grant County Commissioners on this the tenth day of March, 2020.



Douglas Swick, President



Jeffrey Berg, Commissioner



Scotty Miley, Commissioner



COUNTY COMMISSION OF GRANT COUNTY

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ADMINISTRATOR:
MICHELLE SITES

March 10, 2020

Palmetto GBA
Attention: Provider Enrollment
Medicare Beneficiary Contact Center
P.O. Box 39
Lawrence, KS 66044

To Whom It May Concern:

This is to certify that the Grant County Commission with its office at 5 Highland Avenue, Petersburg, West Virginia, owns Grant Memorial Hospital, a Nonprofit 501 C3. The Grant County Commission attests that as the owner of the hospital, it will be legally and financially responsible in the event that there is any outstanding debt owed to CMS (Medicare) by Grant Memorial Hospital.

If you have any questions, please feel free to contact the Grant County Commission at 304-257-4422.

Sincerely,

Douglas E. Swick
President
Grant County Commission

Jeffrey R. Berg
Commissioner

Scotty W. Miley
Commissioner