

GRANT COUNTY COMMISSION
PETERSBURG, WEST VIRGINIA 26847

GRANT COUNTY COMMISSION MINUTES

Date: April 25, 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.

Commissioner Riggleman stated that the following agenda item would be heard at this time: 5 (c) Shawna Cole to discuss the Forman School Lease

Commissioner Riggleman asked Brad Goldizen, Asst. Prosecutor, to speak with regard to his findings in this matter.

Mr. Goldizen stated that there was a question with regard to a party wanting to lease the Forman School building. Mr. Goldizen stated that an opinion from the Attorney General, Patrick Morrissey, was requested.

Mr. Goldizen referred to opinions in other counties with regard to similar situations. Mr. Goldizen stated that in those instances it was found that the property in question was unable to be leased due to it being needed for a profit organization. County buildings may be rented to people for non-profit only.

Mrs. Cole stated that she is now registered at a non-profit organization.

Several people from the community spoke with regard to this matter.

Commissioner Riggleman asked Mr. Goldizen if he could consult the Attorney General for an official opinion. Commissioner Miley stated that he would like to have business plan stated what will be paid, management, organization set up, number of children, etc.

Shawna Cole presented the Commission with an outline. She inquired of the Commission received any of the money from any activities held at the Forman School, as well as other questions regarding the use and expenses of the building.

Becky Stephens appeared before the Commission to discuss the value of a building. She presented the Commission with pictures of the Forman School which showed improvements that need to be made.

Mrs. Cole stated that she is willing schedule activities to be held at the Forman School, and she will not interfere in any way with such activities. She further stated that she will make improvements through grants, fund raisers and donations. She will carry liability insurance on the building and the property inside the building.

Mrs. Cole stated that she applied and has been approved for a non-profit status for The Learning Tree Preschool.

At this time Commissioner Riggleman opened the floor for public comments, which is agenda item 4.

Thomas Butcher appeared before the Commission to introduce himself. Mr. Butcher works for First Energy.

Maria Keplinger appeared before the Commission to give some of the history of the Forman School. She spoke regarding grants and improvements done to the property by the Patterson Creek Ruritan Club.

Jane Kite Keeling appeared before the Commission. She stated that some action should have been taken since the February meeting.

Ms. Keeling stated that she previously appeared before the Commission regarding minutes and the chicken houses on Roby Road.

Ms. Keeling stated she has previously complained regarding the minutes and nothing has been done to change them.

Ms. Keeling explained that she her concerns regarding the chicken houses were the back-up water source, the effect on tourism, the effect on the health of the citizens and lastly the safety of children on the school bus.

The next concern that Ms. Keeling expressed was why the ballots were not canvassed according to the WV Code.

Becky Kessel appeared before the Commission expressing her concern with regard to sharing the use of the building.

Bob McCauley appeared before the Commission to give a trail update. He stated they have had two meetings with the DOH; they have spoken with the US Forest Service regarding a trail in Smoke Hole; they are trying to form a trail club; and they are beginning to work with some organizations involved with wellness and healthcare.

Aaron Kessel appeared before the Commission to express his support for Shawna Cole. Commissioner Hagerty stated that he had to leave the meeting in order to catch a flight. Kathy Smith appeared before the Commission to express her support for Shawna Cole. Kayla Warner appeared before the Commission to express her support for Shawna Cole.

Mary Jo Carr appeared before the Commission to express her support for Shawna Cole. Linda Kimble appeared before the Commission to express her concerns regarding the share used of the Forman School.

Becky Smith appeared before the Commission to express her support for Shawna Cole. Tim Bagley appeared before the Commission to express his support for Shawna Cole.

2. Consent and Approval – County Administrator

a. Minutes

- Presented for approval were the minutes from the meeting held on April 11, 2023.
- Presented for approval were the minutes from the work session meeting held on April 17, 2023.
- Presented for approval were the minutes from the special meeting held on April 18, 2023.

A Motion was made to approve the minutes. **MOTION: Miley/unanimously approved**

MOTION Miley/unanimously approved

b. Budget Revisions

| | | |
|-----|--------------------|----------------------|
| 699 | Contingency Fund | Decrease \$25,000.00 |
| 900 | Parks & Recreation | Increase \$25,000.00 |

c. Board Appointments/Removals/Resignations

-None

3. Actions of the Clerk, Exonerations, Estates

Commission approved the following actions of the County Clerk:

Wills lodged in Clerk's Office:
-None

Wills admitted to probate:

- Mary Ann Brill
- Marvin Bible
- Elaine Smith Soltzberg

Qualification orders granted in the following estates:

| <u>Estate</u> | <u>Person Qualifying</u> |
|----------------------|------------------------------------|
| -Mary Ann Brill | Donna Alexander, Executrix |
| -Marvin Bible | Susan Barger, Executrix |
| -Harlin Lee Kesner | Ricky Kesner, Administrator |
| -Fannie V. Aronhalt | William D. Aronhalt, Administrator |
| -Elaine S. Soltzberg | Harold E. Smith, Executor |
| -Joseph Heavener | Michelle Heavener, Administratrix |

Ancillary Administrations granted in the following estates:

| <u>Estate</u> | <u>Person Qualifying</u> |
|---------------|--------------------------|
| -None | |

Small Estate Certificates and Authorizations granted in the following estates:

| <u>Estate</u> | <u>Person Qualifying</u> |
|-----------------------|---------------------------|
| -Patricia Funkhouser | Taylor Kiggins, Successor |
| -Roger Lee Pennington | Trevor Knight, Successor |

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 Wendell Bobo Sr.

MOTION: Riggleman/ unanimously approved

-Waiver of Final Settlement in the estate of Philip W. Inskeep.

MOTION: Riggleman/ unanimously approved

4. Comments from the Public

- See above

5. Scheduled Appointments

a) Peggy Alt, 911/OES Director, to request hiring of employees & personnel changes.

Ms. Alt stated that she would like to hire a new dispatcher. **MOTION: Riggleman/unanimously approved**

Ms. Alt further stated that she has lost an administrator and another employee is retiring soon. Ms. Alt would like to have permission to increase the wages for the administrators and move a current employee to an administrator position. Ms. Alt stated that she would like to develop a new team. In order to do so Ms. Alt would like to have \$15,776.00 from the Commission.

One of dispatchers has taken on the duties of the administrator that resigned. Ms. Alt stated she has the money in her budget to give him a raise now.

A motion was made to accept the recommendation to give the dispatcher that is now an administrator a raise. **MOTION: Miley/unanimously approved**

b) Lora Bennett, County Clerk, to present the HAVA Grant Application paperwork & Resolution for signature.
 Clerk Bennett was had to leave the meeting early so Joann Harper, Elections Clerk, spoke on her behalf. Mrs. Harper stated that money has become available through a HAVA grant for election materials. Mrs. Harper stated she has a quote from ES&S for the purchase of six new express vote machines in the amount of \$25,675.00, which the county would only have to pay 50%. Commissioner Miley asked if more machines were needed. Mrs. Harper explained that she feels more people are starting to use the machine over paper ballot. A Motion was made to approve and sign the HAVA Grant Application paperwork and Resolution.

MOTION: Miley/unanimously approved

c) Shawna Cole to discuss the Forman School Lease (see above)

6. Correspondence

- a) Letter of Approval of the Levy Estimate from the WV State Auditor's
- b) Grant Memorial Hospital March 2023 ER Transfers.
- c) Sheriff's Monthly Settlement dated March 31, 2023.
- d) Letter from Hayley Kessel in reference to the Forman School Building.
- e) Coal County Reallocation Severance Tax Distribution for January 1, 2023 through March 31, 2023.
- f) An invitation from the WV Department of Transportation to an informative meeting with District 5 Personnel and Central Office Management.
- g) A copy of the Public Service Commission of West Virginia, General Order No. 187.62 in the matter of revisions to the Rules Governing Emergency Telephone Service.
- h) Minutes of the Grant County Parks & Recreation Board Meeting of January 25, 2023.
- i) Grant County Arts Council, Inc. March 14, 2023 Minutes.
- j) Landes Arts Center Association Meeting Minutes of January 18, 2023 & February 22, 2023.
- k) Minutes of the Grant County PSD Regular Board Meeting of 2/24/23, 3/9/23, 3/23/23 and Special Board Meeting of 4/5/23.

7. Unfinished Business

- a) Consideration for Approval the Deed of Release between IWG Towers Assets I, LLC, and the Grant County Commission. (Tabled)

A Motion was made to remove this item from the table. **MOTION: Riggleman/unanimously approved**

A Motion was made to approve the deed of release IWG Towers Assets I, LLC, and the Grant County Commission. **MOTION: Miley/unanimously approved**

8. New Business

- a) Bid Opening for Harvesting Hay at the Grant County Airport & Dog Pound.

The following bids were received:

Dog Pound:

| | |
|-----------------|------------|
| Bruce Alt | \$855.00 |
| Bruce Hyre, Jr. | \$650.00 |
| David Flanagan | \$1,620.00 |
| Allen Goff | \$901.00 |

A motion was made to accept the bid from David Flanagan in the amount of \$1,620.00.

Airport:

| | |
|-----------------|------------|
| Allen Goff | \$4,005.00 |
| Bruce Hyre, Jr. | \$1,650.00 |
| Bruce Alt | \$1,700.00 |
| Bill Waddy | \$4,120.00 |

A motion was made to accept the bid from Bill Waddy in the amount of \$4,120.00.

b) Bid Opening for Paving at Michael Field.

The following bids were received:

| | |
|-------------------------------|-------------|
| A & J Development | \$33,177.00 |
| White's Paving & Seal Coating | \$11,005.00 |

A Motion was made to accept the bid from Whites Paving & Seal Coating in the amount of \$11,005.00.

c) Consideration for signature the Sunrise Sanitation Services contact for trash removal at Mountaintop Public Library and Mt. Storm Community Center.

A Motion was made to approve the contract from Sunrise Sanitation Services.

MOTION: Riggleman/ unanimously approved

d) Consideration for Signature a Letter of Support for the MBPS Grant submission by Shenandoah Telecommunications Company.

A Motion was made to approve the Letter of Support for the MBPS Grant. **MOTION: Miley/unanimously approved**

e) Discuss Forman School Building. (see above)

9. Reports from Elected Officials

None

10. Reports from County Commissioners

None

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: Miley/ unanimously approved

12. Adjourn

A Motion was made to adjourn.

MOTION: Miley/ unanimously approved

ATTEST:



 PRESIDENT

5/9/23

 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:

-None

2. Wills Admitted to Probate:

- Mary Ann Brill
- Marvin Bible
- Elaine Smith Soltzberg

3. Qualification Orders Granted in the Following Estates:

Estate

- Mary Ann Brill
- Marvin Bible
- Harlin Lee Kesner
- Fannie V. Aronhalt
- Elaine S. Soltzberg
- Joseph Heavener

Person Qualifying:

- Donna Alexander, Executrix
- Susan Barger, Executrix
- Ricky Kesner, Administrator
- William D. Aronhalt, Administrator
- Harold E. Smith, Executor
- Michelle Heavener, Administratrix

4. Ancillary Administrations Granted for the following Decedents:

Estate:

-None

Person Qualifying:

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


Estate:

- Patricia Funkhouser
- Roger Lee Pennington

Person Qualifying:

- Taylor Kiggins, Successor
- Trevor Knight, Successor

Approved this the 25th day of April, 2023.



 President