

GRANT COUNTY COMMISSION
PETERSBURG, WEST VIRGINIA 26847

GRANT COUNTY COMMISSION MINUTES

Date: August 10, 2021

Time: 9 a.m. Location: Conference Room
Grant County Courthouse

Commissioners:
Scotty Miley, President
Jeff Berg
Tyson Riggleman

Reporting:
Erin Camp, Grant County Press

1. Call to Order

Commissioner 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 July 27, 2021.

A Motion was made to approve the minutes from the regular meeting held on July 27, 2021. **MOTION: Riggleman**

Presented for approval were the minutes from the special meeting held on July 30, 2021.

A Motion was made to approve the minutes from the special meeting held on July 30, 2021. **MOTION: Riggleman**

b. Budget Revisions

There were no budget revisions presented for approval.

c. Board Appointments/Removals/Resignations

The following appointment was presented:

- Robert McCulloh to the Grant County Planning Commission

A Motion was made to approve the above-board appointment. **MOTION: Riggleman**

3. Actions of the Clerk, Exonerations, Estates

Commission approved the following actions of the County Clerk:

-Wills lodged in Clerk's Office: Norma J. Cleaver

-Wills admitted to probate: David W. Brown

-Qualification orders granted in the following estates:

Donnie G. Brown, Executor in the Estate of David W. Brown

- Ancillary Administrations granted in the following estates:

None

-Small Estate Certificates and Authorizations Granted in the Following Estates:

None

MOTION: Riggleman

Commission approved the following estate for closure:

Waiver of Final Settlement in the Estate of Helen M. Fritzman **MOTION: Berg**
 Waiver of Final Settlement in the Estate of John Henry Fritzman, Jr. **MOTION: Berg**
 Waiver of Final Settlement in the Estate of Lucinda F. Crites **MOTION: Berg**

Commission approved the following exonerations:

Dennis A. & Erika D. Alt	Milroy Corp.	2021	\$34.91 per half
Wells Fargo Equipment Finance	Union Corp.	2021	\$233.87 per half
Matthew J. & Jessica M. Wilkins	Grant Corp.	2021	\$93.18 per half
Harvey W. & Bernice Carr	Union Corp.	2021	\$68.02 per half
Joshua T. & Madison A. Evans	Petersburg Corp.	2021	\$45.58 per half
Reginald W. Kimble	Grant Corp.	2021	\$11.68 per half
Debbie Barger	Milroy District	2021	\$80.26 per half
Barry A. Durst	Union District	2021	\$165.18 per half

4. Comments from the Public

None

5. Scheduled Appointments

a) Nick Benjamin, Dan Hendrick and Jim Cookman to give an update on the Clearway Wind Project

Clearway acquired the Mt. Storm project, which is now well underway.

This project started in the early 2000's, and was approved by the PSC for 164 turbines. In 2017, the number was changed to 77 larger turbines. Once again, a request will be made to the PSC for fewer, larger turbines.

There is a community benefit fund which is set up for grants that may be given to local non-profit businesses.

The Catamount project is near Bayard. All turbines have been approved by the PSC. The turbines will be approximately the same size as the Black Rock turbines. There has been a demand for the power in that particular area.

Catamount will be a total investment of approximately \$250/\$260-million-dollars. There will be several construction jobs due to this project.

b) Mark Geary to present a Proclamation for the Lunice Creek Pump Station for Levee Certification

A map is being put together that goes along with the evacuation plan, which has to meet FEMA requirements for a safe evacuation.

An interior drainage analysis was done to prove all the water from a 100 year storm/flood event could be adequately contained, and that the Lunice Creek pump station could properly pump out the water.

A certification is needed from the county and city stating that the pump station will be properly operated and maintained through the course of time. An ad will run in the local paper, which will give the community time to see the ad and make comments. If too many comments are made then a public hearing must be held.

A Motion was made to approve and sign the Proclamation for Responsibility for Operation and Maintenance of the Petersburg Flood Protection Project Lunice Creek Stormwater Pump Station. **MOTION: Berg**

c) Jim Reel, Parks & Recreation Manager, to give an update on the Parks & Recreation Department and to discuss tree trimming at Welton Park

- Jim stated that they have been unable to mow for several weeks.

Camp Echo:

- the road is being fixed
- having new roof placed on building

Mt. Storm Park

- parking lot/handicap lines were painted
- the rails in the front of the parking lot are going to be removed and parking blocks will be installed

Turner Park:

- 8 trees have been removed
- playground equipment and pavilion have been painted and fixed

Michael Field:

- asphalt was redone
- Jim would like to remove the rails in the parking lot and place parking blocks
- Jim would like to create more parking spaces

Welton Park:

- planted two trees and plaques
- installed a new volleyball net and new basketball rim/nets
- currently in the process of trimming trees

City Park:

- replacing the roof on shelter #5

Health Department:

- sign was replaced

d) Randy Parsons, Maintenance Manager, to give an update on maintenance of county buildings

Randy was unable to attend today's meeting. Jim stated that they started the ambulance project. Jim stated that they are going to be running drain lines for hot water in the building at the soccer field.

6. Correspondence

- a) Thank you card from the historical society
- b) Invitation to an informative meeting with Division of Highways District 5 Personnel and Central Office Management
- c) Minutes of the Grant County PSD regular board meeting of 7/8/2021
- d) Sheriff's Statement for period of July 1, 2020 through June 30, 2021
- e) Grant County Public Service Annual Audit for Fiscal Year ended 6/30/2020

7. Unfinished Business

There was no unfinished business

8. New Business

There was no new business.

9. Reports from Elected Officials

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 **Alt, Dennis A. or Erika D. in Milroy Corp.** amounting to **\$ 34.91 p h Class 3** being taxes for the year of **2021** on **Personal Property number 20140300** valued at **4,350** for the following reason:

Taxpayers removed the 2006 Chry 300 and the 2006 Chev Silv but office deputy left them on.

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 301510**

REFUND

Exonerate: Value: 4,350 Taxes: \$ 34.91 p h Class III

Pay: Value: 5,007 Taxes: \$ 40.19 p h Class III

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 08/09/21
Taxpayer Date

Ralph G. Layton
Assessor Date

[Signature]
Prosecuting Attorney Date 8/9/21

[Signature]
President Date 08/10/2021

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 Wells Fargo Equipment Finance in **Union Corp.** amounting to \$ 233.87 p h Class 3 being taxes for the year of **2021** on **Personal Property no: 20160086** valued at **29,139** 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 305550***

Exonerate: Value: 29,139 Taxes: \$ 233.87 p h Class III

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 08/06/21
 Taxpayer
Ralph G. Layton
 Assessor

Date
 08/06/21
 Date

Shirley D. Moore 8/9/21
 Prosecuting Attorney Date
Scotty W. Muthy 08/10/2021
 President Date

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 **Wilkins, Matthew J. & Jessica M.** in **Grant Corp.** amounting to **\$ 93.18 p h p h Class 3** Being taxes for the year of **2021** on **Personal Property number 20120091** valued at **11,610** for the following reason:

Taxpayers divorced and asked that the tax ticket be split so each can pay their share of taxes.

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 301429**

Ticket A.

Wilkins, Matthew J.
 105 Kansas Dr.
 Maysville, WV 26833
 16 Dodg Ram
 Value: 11,610
 Taxes: \$ 93.18 p h Class 3

Ticket B:

Wilkins, Jessica M.
 108 Mountain View St.
 Petersburg, WV 26847
 19 Dodg Ram
 Value: 19,725
 Taxes: \$ 158.32 p h Class 3

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 08/06/21

Taxpayer

Date

Ralph G. Layton

08/06/21

Assessor

Date

Prosecuting Attorney

Date

Scotty W. Wilky
 President

Date

08/10/2021

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 **Carr, Harvey W. & Bernice in Union Corp.** amounting to \$ **68.02 p h Class 3** being taxes for the year of **2021** on **Personal Property no: 04288637** valued at **8,475** for the following reason:

Taxpayer reported a 2020 Ford Escape and forgot to remove the 2017 Ford Escape on her personal property return. The 2017 vehicle is reported in Mineral County to the new owner.

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 304701**

Exonerate: Value: 8,475 Taxes: \$ 68.02 p h Class III
Pay On: Value: 22,404 Taxes: \$ 179.82 p h Class III

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 08/05/21

Taxpayer Date

Ralph G. Layton 08/05/21

Assessor

Date

Anthony W. Nitay 08/10/2021
 Prosecuting Attorney Date

Anthony W. Nitay 08/10/2021
 President Date

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 **Evans, Joshua T. & Madison A. in Petersburg Corp.** amounting to \$45.58 p h, Class 2 being taxes for the year of 2021 on map 2, parcel 227 valued at 7,980 for the following reason:

Taxpayer was transferred the full parcel from Solid Ground Land Management LLC in error. The Evan's only purchased 1,272 sq ft. Split ticket so both can pay their share.

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 8028**

Ticket A:

Solid Ground Land Mgt LLC
190 S. Grove St.

Petersburg, WV 26847

Value: 7,980 Taxes: \$ 45.58 p h Cl 2

Ticket B:

Evans, Joshua T. & Madison A.
209 Highland Ave

Petersburg, WV 26847-1621

Value: 1,260 Taxes: \$ 7.20 p h Cl 2

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 08/02/21

Taxpayer

Date

Ralph G. Layton
 08/02/21

Assessor

Date

John D. Evans 8/6/21

Prosecuting Attorney

Date

Acely W. Whitey 08/10/2021

President

Date

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 **Kimble, Reginald W. in Grant Corp.** amounting to **\$ 11.68 p h Class 3** being taxes for the year of **2021** on **Personal Property number 04316290** valued at **1,455** for the following reason:

Taxpayer reported a 2002 Ford Explorer in Grant County and parents reported it in Pendleton County.

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 300784***

Exonerate: Value: 1,455 Taxes: \$ 11.68 p h Class III
Pay On: Value: 1,625 Taxes: \$ 16.25 p h Class III

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 08/02/21
 Taxpayer Ralph G. Layton Date 08/02/21
 Assessor

Prosecuting Attorney Date
Scotty W. Wiley 08/10/2021
 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 **Barger, Debbie** in **Mitroy District** amounting to **\$ 80.26 p h, Class 2** being taxes for the year of **2021** on **map 608, parcel 1.4** valued at **20,000** for the following reason:

Taxpayer disability removed in error when her husband passed away.

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 3534**

Exonerate: Value: 20,000 Taxes: \$ 80.26 p h Class II
Pay On: Value: 5,140 Taxes: \$ 20.63 p h Class II

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 07/30/21

Taxpayer
Ralph G. Layton Date
07/30/21

Assessor Date

John A. Claus Prosecuting Attorney Date
8/16/21

Scotty W. Miller President Date
08/10/2021

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

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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 **Durst, Barry A.** in **Union District** amounting to **\$ 165.18 p h, Class 3** being taxes for the year of **2021** on **map 207, parcel 34** valued at **20,580** for the following reason:

Taxpayers double assessed on real estate in Union Districts.

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 10287**

Exonerate: Value: 20,580 Taxes: \$ 165.18 p h Class III

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 07/30/21
Taxpayer Date

Ralph G. Layton
Assessor Date

Prosecuting Attorney Date

Scotty W. Wible 08/10/2021
President Date

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:

Norma J. Cleaver

2. Wills Admitted to Probate:

David W. Brown

3. Qualification Orders Granted in the Following Estates:

Estate

David W. Brown

Person Qualifying:

Donnie G. Brown, Executor

4. Ancillary Administrations Granted for the following Decedents:

None

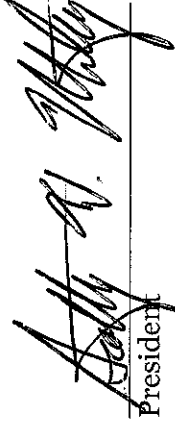
5. Small Estate Certificates and Authorizations Granted in the Following Estates:

Estate

None

Person Qualifying:

Approved this the 10th day of August, 2021.


President

PROCLAMATION OF RESPONSIBILITY
For
Operation and Maintenance of the
Petersburg Flood Protection Project
Lunice Creek Stormwater Pump Station

As Accepted and Adopted By
The County Commission of Grant County, West Virginia
And
The City of Petersburg, West Virginia

WHEREAS the COUNTY and the CITY have continuously and competently fulfilled the requirements and responsibilities of the Operation and Maintenance requirements of the Petersburg, West Virginia, Lunice Creek Stormwater Pump Station since its completed construction in January 1987.


WHEREAS the COUNTY and the CITY have performed, and will continue to perform, the practices as set forth in the Lunice Creek Stormwater Pump Station, Operation and Maintenance Manual, as developed by the pump system manufacturer, Couch Pump Company and provided by the Potomac Valley Soil Conservation District.

WHEREAS it is further stated and reiterated, that the COUNTY and the CITY accepts the ultimate responsibility for the tasks and actions as listed in the Lunice Creek Stormwater Pump Station, Operations and Maintenance Manual.

IN TESTIMONY WHERE OF the County Commission of Grant County and the City of Petersburg, West Virginia, have caused this PROCLAMATION to be executed and duly authorized by Officers of the COUNTY and Mayor of the CITY, as indicated below, on this date of August 10, 2021.

By , President, Grant County Commission

By 

By 

By , Mayor, City of Petersburg, WV