

A G E N D A
PRESTON COUNTY COMMISSION
May 9, 2023
9:30 A.M.

Call to order by President and Pledge of Allegiance.

Roll call of Commissioners.

Recognition of Public.

Review of Bills.

Assessor's Office

Tax Correction List – Huggins Randall E & Linda, Personal Property
Poling Brandon D, Personal Property
Schaffer Stephen V Jr, Personal Property
Wolfe Harold R & Jana Rae, Personal Property

Apportionments – None

Recognition of Scheduled Appointments

- 9:31 a.m. LaDeana Teets, Farmland Protection – Report/Update
- 9:35 a.m. Public Service District 1, Rodney Liston, Jason Saurino, Trasher Engineering, Paige Hatch, Chief Operator and Eric Williams, Operator – Discussion on Territory Expansion
- 9:45 a.m. Jay Shay, Prosecuting Attorney
 - A. Order Addressing Monthly Financial Statements
 - B. Deed - Wrestling Barn
- 9:50 a.m. Linda Huggins, County Clerk – Employee Hire
- 9:55 a.m. Duane Hamilton, OEM/E911 Discussion - New Vehicle/K-9 Unit

Approval of Minutes – April 26, 2023

Estate Settlements List – April 24, 2023 thru April 25, 2023
ESTATE NAME: **HAROLD DENNIS CUNNINGHAM, JR.**
ESTATE NAME: **CATHERINE E. GALUSKY**

Proceedings in Vacation/Clerk's Fiduciary Report – April 27, 2023 through May 3, 2023

Fiduciary Commissioner Report – None.

Old Business – Consideration and/or action

New Business – Consideration and/or action

- A. Invitation to Ribbon Cutting Ceremony Kingwood Trail Head
- B. Application to use Courthouse Lawn - Blueprint Communities – Kingwood

Facility Manager's Report – Consideration and/or action

- A. Family Court - Update
- B. Sheriff Department - Update
- C. Courthouse New Chiller - Update

County Coordinator's Report – Consideration and/or action

- A. Schedule Work Session for EMS for June 14, 2023 at 9:30am meeting Room
- B. Update from IT Committee Monthly Meeting
- C. Approve purchase of a Server for County Clerk and Sheriff Offices
- D. Budget Revisions
- E. Miscellaneous Correspondence

Personnel Matters- Consideration and/or action

Legal Matters- Consideration and/or action

Information

- A. Miscellaneous Correspondence

Commissioners' Comments

STATE OF WEST VIRGINIA, COUNTY OF PRESTON, Ss:

The Preston County Commission met in Regular Session at 9:30 a.m., May 9, 2023 in the County Commission Meeting room.

The meeting was called to order by President Samantha Stone who invited those present to join in the Pledge of Allegiance.

Commissioner Stone then declared the following Commissioners present: Don Smith, Hunter Thomas and Samantha Stone.

Recognition of Public

Also, present was Interim Administrator, Kathy Mace and Linda Huggins, County Clerk.

The following persons registered their attendance during the meeting:

- | | |
|---------------------------|---------------------------------------|
| Theresa Marthey-PCN&J | Jennifer Graham-The Dominion Post |
| Connie Ervin-Assessor | Cullin Cutright-Thrasher Group |
| Joe Larue | Douglas Smith-Thrasher Group |
| Deanna Lively | Eric Williams-Preston PSD#1 |
| Nichole Larew | LaDeanna Teets-PC Farmland Protection |
| Melissa Hardy | Paige Hatch-Preston PSD#1 |
| Jay Shay-Prosecuting Atty | Duane Hamilton-OEM/E911 |

Review of Bills

Commissioner Thomas moved to pay the bills that have been properly presented and reviewed. Commissioner Smith seconded the motion. A roll call vote was taken with Commissioners Thomas, Smith and Stone voting yes. Motion carried.

Assessor’s Office – Consideration and/or action

Tax Correction List –

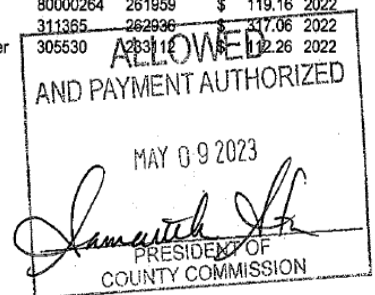
Assessor Connie Ervin presented the Tax Correction List dtd May 9, 2023 in the amount of \$647.96.

Commissioner Smith moved to approve the Tax Correction List as presented by the Assessor in the amount of \$647.96. Commissioner Thomas seconded the motion. A roll call vote was taken with Commissioners Smith, Thomas and Stone voting yes. Motion carried. (See attached.)

TAX CORRECTION LIST

May 9, 2023

DIST	NAME	DESCRIPTION	REASON FOR EXONERATION	TICKET#	ACCT #	AMOUNT	YR	APPR	DENI
11	HUGGINS RANDALL E & LINDA	PP	Clerical Error-2016 taxed but not owned July 1 of 2021	210944	2185717	\$ 99.48	2022		
2	POLING BRANDON D	PP	Taxpayer Error -2011 Chev reported in error	80000264	261959	\$ 119.16	2022		
11	SCHAFFER STEPHEN V JR	PP	Taxpayer Error- 2018 Chev reported in error	311365	262936	\$ 317.06	2022		
4	WOLFE HAROLD R & JANA RAE	PP	Taxpayer Error- 2011 Chev was not marked out by taxpayer	305530	233112	\$ 12.26	2022		



GRAND TOTAL \$ 647.96

Connie R. Ervin

 Connie R. Ervin, ASSESSOR
 (submitted for the taxpayer by)

Jay Shay

 Jay Shay, PROSECUTING ATTORNEY
 (received notice)

Apportionments –None

Recognition of Scheduled Appointments

9:31 a.m. LaDeana Teets, Farmland Protection – Report/Update

Commissioner Thomas moved to allow Farmland Protection to proceed to start the process of putting a Farmland Protection Easement at the farm in Reedsville that has 170AC owned by Bill

Bjorkman and the 64AC farm in Bruceton Mills owned by Gregory Moran. Commissioner Smith seconded the motion. A roll call vote was taken with Commissioners Thomas, Smith and Stone voting yes. Motion carried. (See attached.)

**Preston County Commission Report
May 9, 2023**

Summary of Easements in the Program

- Preston County has eight farms protected with easements with a total of 1,108 acres.
- Two farms are located in Gladesville, one in Aurora, one in Kingwood, two in Terra Alta and two in Bruceton Mills area.
- PCFPB is working on one farm in Kingwood with 230 acres, one in Eglon with 148 acres, one in Aurora with 120 acres, one Reedville with 170 acres and one in Bruceton Mills with 64 acres at this time. These five farms will add another 730 acres when completed.

Current Board Members are:

Name	Office Held	Board Member	Beginning Term	Term Expires
Samantha Stone	Advisor	County Commissioner	January 1, 2019	N/A
Roberta Baylor	Secretary	EDA Director	July 1, 2005	N/A
Carrie See	Member	Farm Bureau	July 1, 2022	June 30, 2026
William Grose	Chairman	Public Member	Sept. 15, 2016	June 30, 2024
Kevin Lyons	Treasurer	Public Member	July 1, 2020	June 30, 2024
Art Mouser	Vice Chairman	Mon Conservation	July 1, 2022	June 30, 2026
Luke Seese	Member	Farmer	July 1, 2020	June 30, 2024

I would like to ask your blessing on two properties, one in Reedsville on Dogtown Road and one in Bruceton Mills on Little Sandy Road that has been approved by the Board. The farm in Reedsville has 170 acres is owned by Bill Bjorkman. The other one in Bruceton Mills has 64-acre farm owned by Gregory Moran. I would like your vote of approval to move forward with the easement process on these two properties.

The Board currently has a total of \$850,000.00 in all bank accounts which after running the numbers we feel is adequate to cover the cost on these five properties that we are currently working to protect. We will be holding off on taking anymore applications until we get one or more of these easements completed.

The Preston County Farmland Protection Board would like to thank the County Commission for making our job possible to save and set aside Preston County farmland for future generations by supporting us with a part of the transfer tax.

Sincerely,

LaDeana Teets
PCFPB Director

9:35 a.m. Public Service District 1, Rodney Liston, Jason Saurino, Thrasher Engineering, Paige Hatch, Chief Operator and Eric Williams, Operator – Discussion on Territory Expansion

Cullin Cutright, Special Engineer with The Thrasher Group came before the commission with maps and information on a service territory expansion and to discuss what PSD#1's intentions were as well as anything that would be required for official submission and to learn the process and steps to take to pursue the service territory expansion.

The service territory expansion is proposed to be performed to update the service area maps for PSD#1 to encompass their existing infrastructure, as well as areas where residents have expressed interest in receiving water service.

He presented maps created in 1964 to show the original territory of the Arthurdale region, Reedsville areas up to the southern part of Masontown and out to the Preston/MonCounty line and the 1989 expansion area that encompassed the Gladesville areas.

After some discussion, he was asked to engage with Newburg first to make sure everything is order and come back in two weeks with the legal description and everything needed to do an official submission for the territory increase and go from there.

9:45 a.m. Jay Shay, Prosecuting Attorney

A. Order Addressing Monthly Financial Statements – action tabled for further discussion with the Auditors Office.

B. Deed – Wrestling Barn

Mr. Shay prepared a deed for the commissioners on the Wrestling Barn and noted the deed listed as consideration the demolition of the existing barn.

Commissioner Thomas moved to approve the deed presented and prepared by Prosecuting Attorney Jay Shay and authorize the President, Samantha Stone, to sign. Commissioner Smith seconded the motion. A roll call vote was taken with Commissioners Thomas, Smith and Stone voting yes. Motion carried.

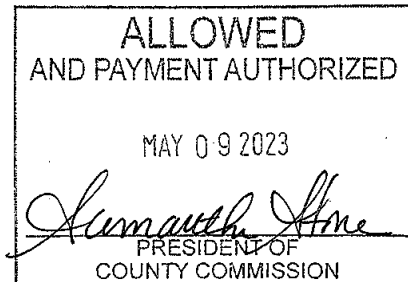
To view the deed, go to Preston County Clerk Document Inquiry and view Instrument #21635808; Bk/Pg 860/90.

9:50 a.m. Linda Huggins, County Clerk – Employee Hire

Commissioner Smith moved to approve the hire of Ashley McCabe at \$13/hr as a deputy clerk beginning May 15, 2023. Commissioner Thomas seconded the motion. A roll call vote was taken with Commissioners Smith, Thomas, and Stone voting yes. Motion carried. (See attached.)

Preston County Clerk
Linda Huggins
106 W Main St. Suite 103
Kingwood WV 26537

May 9, 2023



Dear Preston County Commissioners,

For your consideration, I am requesting your advice and consent to hire Ashley McCabe, from Kingwood, WV as a Part-Time Deputy County Clerk.

This position will be considered part-time at \$13.00 per hour beginning May 15, 2023.

A Probationary Period will be recognized.

Respectfully,
Linda Huggins
Preston County Clerk

9:55 a.m. Duane Hamilton, OEM/E911 Discussion – New Vehicle/K-9 Unit

Mr. Hamilton noted that on April 21st, one of the K-9 Units was involved in an accident and believes it to be totaled. He hasn't received any information back from the insurance adjuster at this time but has found a new vehicle in Philadelphia that he would like to purchase.

The cost for the new Tahoe is \$49,859 and the estimate for the cost of the upfit is about \$29,904. His ask is to buy the vehicle in this budget year instead of next budget year but it be considered as one of the two that he has budgeted for next year.

After some discussion, Commissioner Stone asked for time to look for the money but in the meantime if the dealer would call and say someone else was looking at the vehicle then a meeting could be called and they would make a decision then.

Approval of Minutes – April 26, 2023

Commissioner Thomas moved to approve the minutes of April 26, 2023. Commissioner Smith seconded the motion. A roll call vote was taken with Commissioners Thomas, Smith and Stone voting yes. Motion carried.

Estate Settlements – April 24, 2023 thru April 25, 2023

Commissioner Thomas moved that the proceeding estate settlements and/or waivers thereof, having been filed for a period of ten (10) days prior to the commencements of this term and there being no exceptions or objections filed thereto, be approved and confirmed. (See attached.)

United States of America



State of West Virginia

County of Preston, ss:

Settlement List

Notice is hereby given that the following estate(s) have been submitted for settlement from 04/24/2023 thru 04/25/2023 in the Preston County Clerk's Office at 106 West Main Street, Suite 103, Kingwood, WV 26537-1131. For approval by the Preston County Commission on Tuesday, May 9, 2023.

ESTATE NUMBER: 4479
SETTLEMENT TYPE: Affidavit and Waiver of Final Settlement
SETTLEMENT RECORDED: April 24, 2023
ESTATE NAME: HAROLD DENNIS CUNNINGHAM, JR.
CO ADMINISTRATOR: ANDREW T. CUNNINGHAM
CO ADMINISTRATOR: LUCAS CUNNINGHAM

ESTATE NUMBER: 4180
SETTLEMENT TYPE: Affidavit and Waiver of Final Settlement
SETTLEMENT RECORDED: April 25, 2023
ESTATE NAME: CATHERINE E. GALUSKY
EXECUTOR: MARC SEAN GALUSKY

Subscribed and sworn to before me on 05/03/2023.

Linda Huggins

Linda Huggins
Clerk of the Preston County Commission

By *Tammy Johnson*

Tammy Johnson
Deputy Clerk/Probate

Commissioner Smith seconded the motion. A roll call vote was taken with Commissioners Thomas, Smith and Stone voting yes. Motion carried.

Proceedings in Vacation – April 27, 2023 through May 3, 2023

Commissioner Smith moved to dispense with the reading in open court of the Proceedings of the Clerk of this Commission, had in vacation on April 27, 2023 thru May 3, 2023 inclusive, and to approve and confirm the same as presented by the County Clerk, there having been no exception or objections filed thereto. (See attachment.)

United States of America



State of West Virginia

County of Preston, ss:

Clerk's Fiduciary Report

Estates from Thursday, April 27, 2023, through Wednesday, May 3, 2023

The County Commission of Preston County this 9th day of May, 2023 proceeded to examine the report of the Clerk of the Commission of the Fiduciary and Probate matters had before her during the vacation of the Commission, and it appearing to the Commission that all of the proceedings had therefore ordered that the said report and matters thereto contained be and the same is hereby ratified and confirmed. Said report is in words and figures as follows, to-wit:

On, Thursday, April 27, 2023, the following matters were disposed of in the presence of the Clerk:

The last will and testament of **DORIS A. GROVES**, deceased, was proved by the affidavit of the attesting witnesses and the same was admitted to probate and record. A Small Estate Testate Affidavit was established, however further administration is now required.

LOIS MARTIN, who was named in the last will and testament of **DORIS A. GROVES**, deceased, as EXECUTRIX thereof, qualified as such. No bond was required.

The last will and testament of **PATTY ELAINE WILDASIN, AKA PATTY E. WELDOSIN**, deceased, was proved by the affidavit of the attesting witnesses and the same was admitted to probate and record.

NANCY HARSH GLOTFELTY, who was named in the last will and testament of **PATTY ELAINE WILDASIN, AKA PATTY E. WELDOSIN**, deceased, as EXECUTRIX thereof, qualified as such. No bond was required.

On, Friday, April 28, 2023, the following matters were disposed of in the presence of the Clerk:

The last will and testament of **DELROY R. DAVIS JR.**, deceased, was proved by the affidavit of the attesting witnesses and the same was admitted to probate and record.

JULIE L. DAVIS WHETSELL, who was named in the last will and testament of **DELROY R. DAVIS JR.**, deceased, as EXECUTRIX thereof, qualified as such. No bond was required.

On, Monday, May 1, 2023, the following matters were disposed of in the presence of the Clerk:

The said estate of **ARLENE YVONNE WHETSELL**, deceased was referred to **WOODROW E. TURNER**, a FIDUCIARY COMMISSIONER for the Preston County Commission, for settlement thereof.

On, Tuesday, May 2, 2023, the following matters were disposed of in the presence of the Clerk:

The said estate of **JERRY SCOTT WILES**, deceased was referred to **OLIVIA DEVALL**, a FIDUCIARY COMMISSIONER for the Preston County Commission, for settlement thereof.

The said estate of **BRADLEY KAYLOR STEMPL**, deceased was referred to **OLIVIA DEVALL**, a FIDUCIARY COMMISSIONER for the Preston County Commission, for settlement thereof.

Subscribed and sworn to before me on 05/03/2023.

Linda Huggins

Linda Huggins
Clerk of the Preston County Commission

By *Ashley Cole*

Ashley Cole
Deputy Clerk/Probate

Commissioner Thomas seconded the motion. A roll call vote was taken with Commissioners Smith, Thomas and Stone voting yes. Motion carried.

Fiduciary Commissioner Report – None

Old Business- Consideration and/or action

New Business – Consideration and/or action

A. Invitation to Ribbon Cutting Ceremony Kingwood Trail Head
Saturday, May 20, 2023 @ 10:30 a.m. on West Beverly

B. Application to use Courthouse Lawn – Blueprint Communities - Kingwood

Commissioner Thomas moved to approve the Blue Print Communities - Kingwood Application for the use of the Courthouse Lawn June 17, 2023 from 4 -8 p.m. Commissioner Smith seconded the motion. A roll call vote was taken with Commissioners Thomas, Smith and Stone voting yes. Motion carried. (See attached.)

PRESTON COUNTY COMMISSION
Application to use Preston County Courthouse Lawn
Must be submitted 15 days prior to the event date

Name of Organization Blueprint Communities - Kingwood

Address 313 Tunnelton Street
Kingwood, WV 26537

Describe Event ** Kingwood Summerfest Celebration - Downtown Price Street for food, drinks, live local music, local vendors, games, Touch a Truck, and more family fun. Start the day at the Father's Day Car Show from 10a-3p then stick around to enjoy local businesses, music and vendors from 4-8pm.
(submit additional sheet if needed)

** Depending on the type of event being held and the length of the event your organization may be required to show proof of liability insurance. If Proof of Insurance is required it must be submitted to the County Commission at least 7 days prior to the date of the event

Date(s) and time(s) of event June 17th, 2023, 4-8pm


Do you want to ring the bell? yes
 no

Contact Person Name Leah Turner


Address 103 West Court Street
Kingwood, WV 26537

Phone (304) 680 - 3172 (best number to reach you)

Email address leah@casaforkidsmpc.org

 05/01/2023
Signature of Authorized Person for Organization **Date**
Blueprint Communities Member
Title


APPROVAL

 _____
Signature of Authorized Person for Organization **Date**
Preston County Commission, President

WAIVER OF LIABILITY
Must be submitted to Preston County Commission 15 days prior to the event date

The Blueprint Communities, accepts full
name of organization
responsibility and liability for the Kingwood Summerfest Celebration
name of event
held June 17th, 4-8pm
date(s) and time(s)
on the Preston County Courthouse lawn.

Therefore, the Blueprint Communities
name of organization
will hold the Preston County Commission harmless from any liability.

 05/01/2023
Signature of Authorized Person for Organization **Date**
Blueprint Communities Member
Title

Facility Manager's Report – Consideration and/or action

A. Family Court – Update

The remodeling is basically done. Yesterday the bailiff's desk was turned around to face the door for increased safety for the bailiff's and the public.

B. Sheriff Department – Update

Panhandle sent up crews last Thursday and began putting down the sub-floor.

C. Courthouse New Chiller - Update

Yesterday was the pre-bid meeting for the new chiller. Three contractors submitted bids. Pre-bid date is set for May 16th.

Courthouse - sealing/repainting-not finished; delayed due to rain. Working on the Price Street side.

Circuit Clerk- ready to move Lisa Leishmans office across the hall.

McGrew House - last week the fire department was dispatched to the McGrew House where a rubber membrane on the roof deteriorated and blew off. The City of Kingwood allowed the use of their bucket truck to enable Joe Larue to patch the area. Last fall Veritas was contacted to look at the roof and confirmed it was at the end of its usable life.

County Coordinator's Report-Consideration and/or action

President Stone recognized Kathy Mace with the County Coordinator's Report.

A. Schedule Work Session for EMS for June 14, 2023 at 9:30 a.m. meeting room Send invites to Kathy.

B. Update from IT Committee Monthly Meeting

Second meeting since it was reinstated. Ms. Mace noted it was a great meeting. The committee has been expanded to include GST, security people from Brinks Security, Prodigy, and input from Chris Herrington. Some oversights were discovered due to changes in staff and information not being communicated and corrected.

C. Approve purchase of a Server for County Clerk and Sheriff Offices

Ms. Mace stated a couple of servers were needed. One is shared by the Sheriff's Tax Office and the County Clerk. The cost estimate for the server is \$8,015.31. The Sheriff and County Clerk each agreed to pay half of the cost, which gives the commission \$4,000.00. The item has been purchased. The balance due to come from the technology budget.

D. Budget Revisions

Duane Hamilton presented budget revisions needed for the upfit of new Tahoe's and Kathy Mace presented budget revisions needed for the magistrate office's video equipment.

Commissioner Smith made a motion to approve budget revisions as they have been presented. Commissioner Thomas seconded the motion. A roll call vote was taken with Commissioners Smith, Thomas and Stone voting yes. Motion carried. (See attached.)



ALLOWED
AND PAYMENT AUTHORIZED

MAY 09 2023

Samantha Stone
PRESIDENT OF
COUNTY COMMISSION

PRESTON COUNTY

E-911 Communication Center

300 Rich Wolfe Dr.
Kingwood, WV 26537
Phone: 1-304-329-1855
Fax: 1-304-329-2530

Director: Duane Hamilton **Deputy Director: Justin Wolfe**

May 9, 2023

To: Preston County Commission
106 W Main St, Suite 202
Kingwood, WV 26537

Re: BUDGET REVISION

Increase: 001-384-000 \$17,828.00

Increase: 001-717-217-01 \$17,828.00

Reason: Upfit of New Tahoe's

Thank You,

Duane Hamilton
Duane Hamilton

State of West Virginia

Magistrates
P.L. Grimm
Cindy McCrobie
R.R. Bo Ward



Preston County Magistrate Court
101 West Main Street, Suite Room 20
Kingwood, West Virginia 26537

Clerk
Marsha L. Bolyard

Phone: 304-329-2762

~~ALLOWED~~
AND PAYMENT AUTHORIZED

MAY 09 2023

Samantha Stone
PRESIDENT OF
COUNTY COMMISSION

MEMORANDUM

Preston County Commission

Date: May 9, 2023
To: Bookkeeping
From: Marsha Bolyard – Magistrate Court Clerk
Subject: Budget Revision-

DECREASE 001-415-341 (Materials & Supplies) \$913
INCREASE 001-415-459 (Equipment) \$913

Marsha Bolyard

RESOLUTION

At a regular session of the county commission, held (Month, day and year) May 9, 2023 the following order was made and entered:

SUBJECT: The revision of the Levy Estimate (Budget) for the County of PRESTON. The following resolution was offered:

RESOLVED: That subject to approval of the State Auditor as ex officio chief inspector of public offices, the county commission does hereby direct the budget be revised PRIOR TO THE EXPENDITURE OR OBLIGATION OF FUNDS FOR WHICH NO APPROPRIATION OR INSUFFICIENT APPROPRIATION CURRENTLY EXISTS, as shown on budget revision number 17, of the General County Fund, a copy of which is entered as part of this record.

The adoption of the foregoing resolution having been moved by Commissioner Smith, and duly seconded by Commissioner Thomas the vote thereon was as follows:

<u>Quinn Thomas</u>	<input checked="" type="radio"/> Yes or No
<u>Lamarck Stone</u>	<input checked="" type="radio"/> Yes or No
<u>[Signature]</u>	<input checked="" type="radio"/> Yes or No

WHEREUPON, President Stone, declared said resolution duly adopted, and it is therefore ADJUDGED and ORDERED that said resolution be, and the same is, hereby adopted as so stated above, and the County Clerk is authorized to fix his signature on the attached "Request for Revision to Approved Budget" to be sent to the State Auditor for approval.

E. Miscellaneous Correspondence

- Wednesday, May 10, 2023 – Meeting at the 911 Center for health department design.
- Advertisement for the position of County Administrator is in the newspaper and posted on the website. Applications can be picked up at the commission office or on the county commission website.
- Rec'd information from the WV Association of Counties regarding HB2526 and personal property tax refunds.
- Updated the monitoring for all the fire, panic and burglar alarms. Assigned to the maintenance department.

Personnel Matters – Consideration and/or action

Legal Matters - Consideration and/or action

Information

A. Miscellaneous Correspondence

Commissioners' Comment

At 10:25 a.m. there being no further business to come before the Commission, President Stone declared the Regular Session adjourned.

Commissioner

Commissioner

Commissioner

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05/09/2023

