

**A G E N D A**  
**PRESTON COUNTY COMMISSION**  
**June 21, 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** – Nothing at this time

**Apportionments** – Nothing at this time

**Recognition of Scheduled Appointments**

**9:31am** – Sheriff & Chief Tax Deputy – approve adjustments to the General County Account

**Approval of Minutes** – May 16, 2023 – Regular Meeting

**Estate Settlements List – June 5, 2023 thru June 9, 2023**

ESTATE NAME: **NOLA R. CHAMBERS**

ESTATE NAME: **DAVID J. ESMAY**

ESTATE NAME: **HOWARD V. LIPSCOMB**

ESTATE NAME: **BONNIE ELLEN NELSON**

ESTATE NAME: **DENISE D ROWAN**

ESTATE NAME: **PAUL EDWARD SISLER**

ESTATE NAME: **PATRICIA C. TAYLOR AKA PATRICIA M. CUNNINGHAM TAYLOR**

**Proceedings in Vacation/Clerk's Fiduciary Report** – June 8, 2023 through June 14, 2023

**Fiduciary Commissioner Report** – None

**Old Business – Consideration and/or action**

**New Business – Consideration and/or action**

**Facility Manager's Report – Consideration and/or action**

A. Personnel – executive session anticipated

**County Coordinator's Report – Consideration and/or action**

A. Update Daily Building

B. 2023-2024 FY Annual Salary Statement (revised)

C. Request for Reimbursement CFIA grant and final report – Courthouse Sealing

D. Request for Reimbursement Court Security and final report

E. Budget Revisions

F. 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., June 21, 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: Hunter Thomas and Samantha Stone.

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

The following persons registered their attendance during the meeting:

Theresa Marthey - PCN&J	Jennifer Graham-The Dominion Post
Joe LaRue-Facilities Manager	Roy Watkins
Nichole Larew	

No one registered prior to the meeting to address the Commission.

### **Review of Bills**

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

### **Assessor's Office – Consideration and/or action**

#### **Tax Correction List**

There was no Tax Correction List, Notice of Apportionments, Consolidation of Land or County Court Splits.

### **Recognition of Scheduled Appointments –**

9:31 a.m. Sheriff & Chief Tax Deputy – approve adjustments to the General County Account

President Stone recognized Melissa Hardy, Chief Tax Deputy, who asked that, at the direction of the State Auditor, the General County balance be adjusted in the amount of \$1,357.48 due to charge backs from stop payments on checks that there are duplicates of and from deposits in transit that have been on the books for 10 years.

Kathy Mace noted there will be notes added, for the auditors, to substantiate what was done.

Commissioner Thomas moved to approve the adjustments to the General County Account in the amount of \$1,357.48 due to the recommendation of the State Auditors Office. Commissioner Stone seconded the motion. A roll call vote was taken with Commissioners Thomas and Stone voting yes. Motion carried.

### **Approval of Minutes – May 16, 2023 – Regular Meeting**

Commissioner Thomas moved to approve the minutes of May 16, 2023. Commissioner Stone seconded the motion. A roll call vote was taken with Commissioners Thomas and Stone voting yes. Motion carried.

**Estate Settlements – June 5, 2023 thru June 9, 2023**

Commissioner Thomas moved that the foregoing estate settlement and/or waivers thereof, having been filed for a period of the (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 06/05/2023 thru 06/09/2023 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 Wednesday, June 21, 2023.

ESTATE NUMBER: **4465**  
SETTLEMENT TYPE: Affidavit and Waiver of Final Settlement  
SETTLEMENT RECORDED: June 06, 2023  
ESTATE NAME: **NOLA R. CHAMBERS**  
EXECUTRIX: CHERYL D. MURRAY

ESTATE NUMBER: **4356**  
SETTLEMENT TYPE: Affidavit and Waiver of Final Settlement  
SETTLEMENT RECORDED: June 07, 2023  
ESTATE NAME: **DAVID J. ESMAY**  
EXECUTRIX: LISA MICHELLE ESMAY

ESTATE NUMBER: **4316**  
SETTLEMENT TYPE: Affidavit and Waiver of Final Settlement  
SETTLEMENT RECORDED: June 06, 2023  
ESTATE NAME: **HOWARD V. LIPSCOMB**  
EXECUTOR: ROGER A. METHENY  
FIDUCIARY COMMISSIONER WOODROW E. TURNER  
P.O. BOX 585  
KINGWOOD, WV 26537-0585

ESTATE NUMBER: **4521**  
SETTLEMENT TYPE: Affidavit and Waiver of Final Settlement  
SETTLEMENT RECORDED: June 09, 2023  
ESTATE NAME: **BONNIE ELLEN NELSON**  
ADMINISTRATRIX: BARBARA ANN LAMAR

ESTATE NUMBER: **4334**  
SETTLEMENT TYPE: Affidavit and Waiver of Final Settlement  
SETTLEMENT RECORDED: June 05, 2023  
ESTATE NAME: **DENISE D ROWAN**  
ADMINISTRATOR: PAUL R ROWAN

ESTATE NUMBER: **4541**  
SETTLEMENT TYPE: Affidavit and Waiver of Final Settlement  
SETTLEMENT RECORDED: June 09, 2023  
ESTATE NAME: **PAUL EDWARD SISLER**  
EXECUTRIX: CONNIE DARLENE SISLER

ESTATE NUMBER: **4428**  
SETTLEMENT TYPE: Affidavit and Waiver of Final Settlement  
SETTLEMENT RECORDED: June 07, 2023  
ESTATE NAME: **PATRICIA C. TAYLOR AKA PATRICIA M. CUNNINGHAM TAYLOR**  
EXECUTRIX: LINDA CUNNINGHAM  
FIDUCIARY COMMISSIONER OLIVIA DEVALL  
P.O. BOX 516  
KINGWOOD, WV 26537-0516

Subscribed and sworn to before me on 06/14/2023.

*Linda Higgins*

Clerk of the Preston County Commission

By: *Ashley Cole*  
Ashley Cole Deputy Clerk

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

**Proceedings in Vacation – June 8, 2023 through June 14, 2023**

Under **New Business** Commissioner Thomas moved to dispense with the reading in open court of the Proceedings of the Clerk of this Commission, had in vacation on June 8, 2023 thru June 14, 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, June 8, 2023, through Wednesday, June 14, 2023**

The County Commission of Preston County this 21<sup>st</sup> day of June, 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, June 8, 2023, the following matters were disposed of in the presence of the Clerk:**

The last will and testament of **BEVERLY CLARK CONLEY**, deceased, was proved by the affidavit of the attesting witnesses and the same was admitted to probate and record and a Small Estate Affidavit Testate was filed.

**SHANNON CATHLEEN CONLEY**, was named as **SUCCESSOR** thereof, qualified as such. No bond was required.

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

**On, Friday, June 9, 2023, the following matters were disposed of in the presence of the Clerk:**

More than 60 days since the date of death or the surviving spouse or heir, upon a motion, **PAYTON CASTEEL** was appointed and qualified as **SUCCESSOR** of the Small Estate Intestate Affidavit of **BARBARA JEAN CASTEEL**, deceased. No bond was required.

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

**KARIN SPHAR**, who was named in the last will and testament of **JEFFREY R. DELANEY**, deceased, as **EXECUTRIX** thereof, qualified as such. No bond was required.

**On, Monday, June 12, 2023, the following matters were disposed of in the presence of the Clerk:**

More than 30 days since the date of death or the surviving spouse or heir, upon a motion, **RONDA DALTON** was appointed and qualified as **ADMINISTRATRIX** of the estate of **JOSEPH C. TURNLEY**, deceased. Bond was 25,000.00.

The said estate of **LYDIA MARDELLE FORMAN AKA MARDELLE H. FORMAN**, deceased was referred to **WOODROW E. TURNER**, a **FIDUCIARY COMMISSIONER** for the Preston County Commission, for settlement thereof.

The last will and testament of **DAISY R. MARTIN**, deceased, was proved by the affidavit of the attesting witnesses and the same was admitted to probate and record and a Small Estate Testate Affidavit was filed.

**ROBERT STEPHEN MARTIN, SR.**, was named, as **SUCCESSOR** thereof, qualified as such. No bond was required.

**On, Tuesday, June 13, 2023, the following matters were disposed of in the presence of the Clerk:**

The last will and testament of **GARY CARL WIESEPAPE**, deceased, was proved by the affidavit of the attesting witnesses and the same was admitted to probate and record.

**SHAWN GALUSKY**, who was named in the last will and testament of **GARY CARL WIESEPAPE**, deceased, as **ANCILLARY ADMINISTRATOR** thereof, qualified as such. No bond was required.

**On, Wednesday, June 14, 2023, the following matters were disposed of in the presence of the Clerk:**

More than 30 days since the date of death or the surviving spouse or heir, upon a motion, **BRITTANY KELLY** was appointed and qualified as **ADMINISTRATRIX** of the estate of **JAMES T. WILES**, deceased. No bond was required.

Subscribed and sworn to before me on 06/14/2023.

*Linda Huggins*

Clerk of the Preston County Commission

By: *Ashley Cole*  
Ashley Cole Deputy Clerk

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

**Fiduciary Commissioner Report – None**

**Old Business- Consideration and/or action -**

**New Business- Consideration and/or action –**

**Coordinator’s Report-Consideration and/or action**

President Stone recognized Kathy Mace with the Coordinator’s Report.

**A. Update Dailey Building**

Met with the owners of the building, had a productive meeting. The total cost, with the moving and all will be around \$21K or \$22K for all equipment and renovations.

Responsibilities of the owner are the parking lot, to be finished by October 31<sup>st</sup> and some interior improvements to include painting, flooring and ceiling tiles.

Move in is the week of July 24<sup>th</sup>.

**B. 2023-2024 FY Annual Salary Statement (revised)**

**C. Request for Reimbursement CFIA grant and final report – Courthouse Sealing**

Commissioner Thomas moved to approve the request for reimbursement for the CFIA Grant and final report for the courthouse sealing in the amount of \$100K and authorize the President to sign the document. Commissioner Stone seconded the motion. A roll call vote was taken with Commissioners Thomas and Stone voting yes. Motion carried. (See attached.)

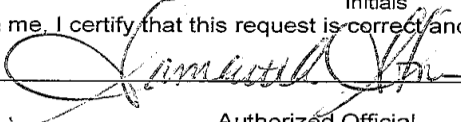
<b>WEST VIRGINIA Courthouse Facilities Improvement Authority</b>	<b>INVOICE INVOICE INVOICE 19<sup>th</sup> Cycle - Request for Reimbursement</b>
RECEIVED	<b>Funds Recipient: Preston County Commission</b>
	<b>Address: 106 W. Main Street, Suite 202 Kingwood, West Virginia 26537</b>
	<b>Grant ID #: 19cycPreston2022</b>
	<b>FEIN #:55 6000384</b>
<b>CFIA Use Only</b> Invoice #:	<b>Funds are hereby requested to cover expenditures FROM: February 7, 2022 TO: June 5, 2023</b>

**VENDOR INFORMATION** - Please list below all invoices associated with this request for reimbursement. **List the vendor name, the invoice date, the invoice number and the check number** in this column. Attach a copy herein of the corresponding vendor invoice(s) marked “paid” and proof of payment for services (copy of county check).

See attached list

Total Dollar  
Amount of  
Each Invoice

The CFIA reimburses for 80% of total invoices up to the maximum amount of the grant award. County matches with 20%.

<b>FUNDS RECIPIENT REIMBURSEMENT REQUEST:</b>		
This request is in the amount of \$100,000.00	SS	June 29, 2023
	Initials	Date
Pursuant to the authority vested in me, I certify that this request is correct and proper for reimbursement.		
June 29, 2023		
Date	Authorized Official	

**CFIA USE ONLY CERTIFICATION:**

I certify that this report presents expenditures of funds for the period covered and for the total project budget to date, made in accordance with the approved application for this funding program.

BY: Melissa K. Smith, Executive Director  
TYPED NAME & TITLE  
(Authorized Official or Financial Officer Only.)

SIGNATURE

DATE

**Invoice - Vendor Information - 19cycPreston2022 - Request for Reimbursement**

Vendor Name	Invoice date	Invoice #	Check#	Amount
Mills Group	2/7/2022	7259	74061	\$1,600.00
Mills Group	5/2/2023	7417	74546	\$10,201.48
Mills Group	6/1/2022	7461	74678	\$776.33
Mills Group	6/5/2023	none listed	76105	\$4,250.00
Preston Publications	5/31/2020	1338902 1338901	74619	\$82.50
Keystone Waterproofing	5/10/2023	220043-1	76007	\$96,007.68
Keystone Waterproofing	5/30/2022	220043-2 22043-3	76101	\$41,140.32

<b>TOTAL COST</b>	<b>\$154,058.31</b>
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**PRESTON COUNTY COMMISSION**

Samantha Stone, President  
 Don Smith, Commissioner  
 Hunter Thomas, Commissioner



PRESTON COUNTY COMMISSION  
 West Virginia Courthouse Facilities Improvement Authority  
 Project Completion Report

GRANTEE PRESTON COUNTY COMMISSION  
 GRANT ID# 19cycPreston 2022

**Cost Comparisons:** This project – Courthouse Exterior Envelop Restoration calls for very specialized work. There are very few companies in our area that work on the exterior of historic buildings. The Preston County Commission hired an architect, Mills Group of Morgantown, West Virginia, bid specifications were developed, project was bid competitively with only one bid received that was from Keystone Waterproofing, Incorporated from Latrobe, Pennsylvania. The bid received was within the budget anticipated by the Mills Group which assisted us with this project and a contract was let. Therefore, we didn't have any cost comparisons on this project.

**Quality of workmanship & Quality of Materials Used:** Keystone Waterproofing, Incorporated's, workmanship is exemplary. This is not the first project Keystone Waterproofing has done for the Preston County Commission on the Preston County Courthouse and Preston County Commission was pleased to work with this contractor again. Their workmanship on this project was inspected and approved by our Facilities Manager, Joe LaRue and signed off by the Mills Group, architectural services hired to help with concept through construction, bidding and final inspection. All materials which were specified in bid documents were used.

**Employee/Courthouse visitor benefits:** The most significant impact of the exterior restoration project for employees and visitors at the courthouse is this project extends the building's longevity. Sealing the stone protects the exterior from the weather, which can be severe in the winter. Patching and re-pointing secures the stone by repairing and preventative maintenance to sure stone from deteriorating damaging the exterior.

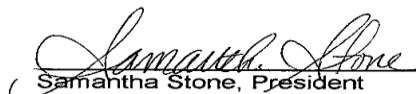
**Timeliness of contractors/materials:** The work was performed in a timely manner and all materials were available and on site as called for under the contract.

Preston County Courthouse Annex • 106 West Main Street, Suite 202, Kingwood, West Virginia 26537  
 Phone (304)329.1805 • Fax (304)329.3192 • TDD (304)329.0652  
[www.prestoncountywv.gov](http://www.prestoncountywv.gov)

**Problem areas:** The only issue we had with this project was due to a manpower problem with the contractor. The foreman who had done sealing and patching, re-pointing on our courthouse was not available until March 2023 due to a health issue, therefore we requested an extension for CFIA, which was granted, to allow for the foreman, who the Preston County Commission, the contractor, the county commission and the Mills Group desired to do the work.

**Statement of Assurance:** The Preston County Commission certifies that all contract stipulations were followed for this project including wage requirements, SHPO notification, architectural services, bidding requirements, payments, insurance, state license to do business in the State of West Virginia as well as local permits in accordance with the approved funding.

**County's project overview/recommendations:** Discussion was held with Keystone Waterproofing and Mills Group concerning a timeline to be proactive for exterior maintenance of the Preston County Courthouse. Due to the fact that the Courthouse exterior is concrete with sandstone veneer, sealing of the exterior should be done on a six to seven year cycle.

  
 Samantha Stone, President

June 21, 2023

D. Request for Reimbursement Court Security and final report

Commissioner Thomas approved the request for reimbursement in the amount of \$3,418.83 for the Court Security Grant, final report and equipment list and authorize the President to sign. Commissioner Stone seconded the motion. A roll call vote was taken with Commissioners Thomas and Stone voting yes. Motion carried. (See attached.)

<b>WEST VIRGINIA</b> Division of Administration Justice and Community Service	<b>Request for Reimbursement</b>
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<b>RECEIVED</b> (For JCS Use Only)	Subgrantee: Preston County Commission
	Address: 106 W. Main Street, Suite 202 Kingwood, WV 26537
	Project #: 23-CS-13
	FEIN#: 55-6000384
	Funds are hereby requested to cover expenditures FROM: 5/1/2023 TO: 6/30/2023


**PROJECT CASH EXPENDITURES**

Account #	Amount
Other (camera/recorder)	\$2,863.67
Under Budget Modification	
Other (building materials)	\$555.46
<b>TOTAL</b>	<b>\$3,418.83</b>

**CERTIFICATION:**

I certify that this report presents actual receipts and expenditures of funds for the period covered and for the total grant budget to date, made in accordance with the approved budget for this grant.

All documentation is available at our office.

BY: Samantha Stone, President  6/21/2023  
 TYPED NAME & TITLE SIGNATURE DATE  
 (Authorized Official or Grant Financial Officer ONLY)

JCS USE ONLY	
<b>ADMINISTRATIVE APPROVAL:</b>	
This request is approved in the amount of \$ _____	
Initials	Date
Pursuant to the authority vested in me, I certify that this request is correct and proper for payment.	
Date	Program Accountant

Subgrantee: <u>Preston County Commission</u> Address: <u>106 W. Main Street, Suite 202</u> Kingwood, West Virginia 26537	Prepared By: <u>Kathy Mace</u> Phone #: <u>304.329.1805</u> Signature: <u>Kathy Mace</u>	For Period <u>5/1/2023 to 6/30/2023</u> Date Prepared: <u>6/16/2023</u> Project #: <u>23-CS-13</u>
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CATEGORY	APPROVED BUDGET			EXPENDED THIS PERIOD			EXPENDED TO DATE			UNPAID
	Grant Funds	(If Applicable to Program) Cash Match	In-Kind Match	Grant Funds	(If Applicable to Program) Cash Match	In-Kind Match	Grant Funds	(If Applicable to Program) Cash Match	In-Kind Match	OBLIGATIONS Grant Funds ONLY
Personnel/ Contractual										
Travel/ Training										
Equipment	\$16,562.00			\$0.00			\$16,562.00			
Other	\$3963.00			\$3,418.83			\$3,925.09			
<b>TOTALS</b>	<b>\$20,525.00</b>			<b>\$3,418.83</b>			<b>\$20,487.09</b>			<b>\$37.91</b>
										Not used

**INSTRUCTIONS**

The following instructions should be observed when preparing a Project Financial Report:

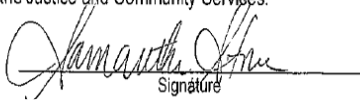
- |  |  |   |
|--|--|---|
| <p><b>DUE DATES:</b> Reports are due in the Justice and Community Services by the C.O.B. on the 20th day of the month following the period of this report.</p> <p><b>SUBGRANTEE:</b> Enter the name and address of the State Agency, Unit of Local Government, or Non-Profit Agency that is designated as the grant recipient.</p> <p><b>PREPARED BY:</b> Type the name and phone number (including extension) of the person preparing this report. The preparer must sign in the space provided.</p> <p><b>FOR PERIOD</b> ____ to ____: Enter the month(s) covered by this report.</p> <p><b>FINAL REPORT:</b> Check this block if this is the last report.</p> | <p><b>DATE PREPARED:</b> Enter the date this report was prepared.</p> <p><b>PROJECT #:</b> Enter the number assigned by the Division of Justice and Community Services.</p> <p><b>APPROVED BUDGET:</b> Enter the latest approved project budget.</p> <p><b>EXPENDED THIS PERIOD:</b> Enter expenditures made during this reporting period. Expenditure information should be based on actual disbursements and should not be rounded.<br/> <u>Copies of the appropriate documentation supporting this period's expenditures must be attached to this form.</u></p> <p><b>REPORT #:</b> Assign consecutive numbers as each report</p> | <p>is submitted.</p> <p><b>EXPENDED TO DATE:</b> Enter cumulative expenditures to date based on actual disbursements and not rounded.</p> <p><b>UNPAID OBLIGATIONS:</b> Enter all obligations that have been incurred during this reporting period that have not been paid.</p> <p>Submit <u>original</u> report to:<br/>                 Justice and Community Services<br/>                 1124 Smith Street Suite 3100<br/>                 Charleston, WV 25301-1323</p> <p><b>QUESTIONS:</b> Phone 558-8814 between 8:30 a.m. and 4:30 p.m.</p> |
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<b>Court Security Grant Program</b> DIVISION OF ADMINISTRATION JUSTICE AND COMMUNITY SERVICES STATE OF WEST VIRGINIA	<b>EQUIPMENT LISTING</b>
GRANTEE: Preston County Commission	GRANT#: 23-CS-12
PREPARED BY: (Name, Address, Phone and Fax #) Kathy Mace, 106 W. Main Street, Suite 202, Kingwood, WV 26537 304.329.1805 phone 304.329.3192 fax	PROJECT TITLE: Court Security – Family Court reconfiguration Camera/Recorder
	FOR PERIOD FROM: 5/1/23 THROUGH: 6/30/2023
	REPORT #: 11 DATE PREPARED: 6/16/2023

DESCRIPTION OF EQUIPMENT	FROM WHOM PURCHASED	TOTAL COST	FEDERAL SHARE	DATE PURCHASED	SERIAL NUMBER	CONDITION	LOCATION
4mp IP Camera	Brinks/Monitronics	\$556.22	\$556.22	5/16/2023	40511463324	New	Family Court 1 <sup>st</sup> Floor Courthouse
Wall Mount NVR (16ch)	Brinks/Monitronics	\$1,768.35	\$1,768.35	5/16/2023	4051151411	New	1 <sup>st</sup> floor Courthouse
TOTAL			\$2,324.57				

CERTIFICATION: I hereby certify (1) that the above equipment listing is accurate and true, and (2) that the equipment will continue to be used consistent with those objectives authorized by the Justice and Community Services.

Samantha Stone, President  
 Typed Name and Title

  
 Signature

June 23, 2023  
 Date



<b>Court Security Fund</b> Division of Administration Justice and Community Service STATE OF WEST VIRGINIA		<b>GRANT PROGRESS REPORT</b>	
RECEIVED (For JCS Use Only)	GRANTEE: Preston County Commission		
	GRANT #: 23-CS-13		
	PROJECT TITLE: Court Security Fund Server/Recorder Upgrade Reconfiguration Family Court Security Desk		
	PREPARED BY: (Name, Address, Phone and Fax #) Kathy Mace 106 W. Main Street, Suite 202 Kingwood, WV 26537 304.329.1805 phone 304.329.3192 fax		
	FOR PERIOD FROM: 5/1/2023 THRU: 6/30/2023 REPORT #: 11 DATE PREPARED: 6/16/2023		
<p>Describe progress, achievements, and difficulties encountered. Comments should directly relate to the accomplishments of the objectives, goals, and impact of the project.</p> <p>During this reporting period, all work for this project was completed. All technology is installed and operational which includes server and recorder upgrades for camera system in the Preston County Courthouse. In additional camera and recorder that were installed in the Family Court are up and operational. The camera and recorder had to be added due to the reconfiguration of the Family Court Waiting Area. All reconfiguration work is complete including relocating the entrance doorway into the Family court, creating a new waiting room area from the space which is currently used as a conference room, closing off the existing door into the court space and dividing the current waiting area into a waiting area and a conference room. The Security Station has been relocated to face the public entrance entry and ballistic material has been installed on the Security Station as called for under the project. This project is now complete; therefore this is the final report for the 23-CS-13 grant. Included in the report, progress report, request for reimbursement, financial recap and supporting documents.</p>			

E. Budget Revisions

Miss Mace presented a budget revision needed and approved by the State Auditor's Office to do so for an insurance claim.

Commissioner Thomas moved to approve the budget revision in the amount of \$266,991, pertaining to the flooding of the Sheriff's Office. Commissioner Stone seconded the motion. A roll call vote was taken with Commissioners Thomas and Stone voting yes. Motion carried.



**MEMORANDUM**  
**Preston County Commission**

Date: June 21, 2023  
 To: Bookkeeping  
 From: Kathy Mace, Administrator  
 Subject: Budget Revision – Insurance Claim Flooding Sheriff's Dept

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INCREASE	001-382-000 (Refunds)	\$266,991
INCREASE	001-420-223-01 (Prof serv)	\$266,991

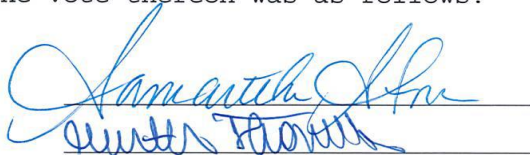

RESOLUTION

At a regular session of the county commission, held (Month, day and year) June 21, 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 20, 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 Thomas, and duly seconded by Commissioner Stone the vote thereon was as follows:

 _____	Yes or No _____
 _____	Yes or No _____
_____	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.

F. Miscellaneous Correspondence

- H/K Matter – presented the VOCA Grant Agreement with a date change. (See attached.)

**GRANT CONTRACT AGREEMENT**  
**BETWEEN**  
**DIVISION OF ADMINISTRATIVE SERVICES**  
**JUSTICE AND COMMUNITY SERVICES SECTION**  
**AND**  
**PRESTON COUNTY COMMISSION**  
**23-VA-058**

This **AGREEMENT**, entered into this **7<sup>th</sup> Day of April 2023** by the Assistant Director of the Division of Administrative Services, Justice and Community Services Section, hereinafter referred to as "JCS", and Preston County Commission, hereinafter referred to as "Grantee."

**WHEREAS** JCS is the recipient of a Victims of Crime Act (VOCA) Program Funds from the United States Department of Justice; and

**WHEREAS** the Grantee is an eligible applicant who is desirous of receiving funds for: **This grant will fund staff to provide direct services to crime victims in Preston County.**

**NOW, THEREFORE**, the parties hereto mutually agree as follows:

1. The Grantee agrees to comply with all applicable federal and state laws and rules, regulations and policies promulgated thereunder.
2. JCS agrees to assist the Grantee to perform such tasks and functions as set forth in the application, which is attached hereto and made part hereof.
3. The Grantee shall do, perform, and carry out in a satisfactory and proper manner as determined by JCS all duties, tasks, and functions necessary to implement the application which is hereto attached.
4. The Grantee will commence its duties under the Agreement on **March 1, 2023** and shall continue those services/activities until **September 30, 2023**. The terms of this Agreement may only be extended or modified by the mutual written agreement of the parties hereto.
5. In consideration of the services rendered by the Grantee, the sum of up to **\$25,737.00** shall be obligated by JCS and said amount shall be deemed to be the maximum compensation to be received for this Agreement unless a written modification is entered into between the parties amending this Agreement.
6. It is the understanding of all parties to this Agreement that JCS by joining in the Agreement does not pledge, or promise to pledge, the credit of the State of West Virginia, nor does it promise to pay all of the compensation hereunder from monies of the Treasury of the State of West Virginia.
7. Based on the program's most recent compliance audit, JCS has determined that the program is **Low Risk and will** receive an upfront scheduled allocation of funds.

8. If the Grantee is not receiving an upfront scheduled allocation of funds: To be eligible for any and all payments of the grant amount, the Grantee shall submit a Request for Reimbursement of Funds once per month to JCS. Upon receipt of said request, JCS shall review the same for reasonableness and appropriateness; and if approved, will cause a warrant to be requested on that sum considered reasonable and appropriate. It is expressly understood that the total compensation shall not exceed the amount set forth in Paragraph Five hereinbefore cited and said compensation will be expended only as outlined in the budget sections of the application, unless written approval of modification of the budget is signed by the parties hereto. Grantee shall submit a fiscal report detailing expenditures to JCS by the twentieth (20th) day of each month.
9. If the Grantee is receiving an upfront scheduled allocation of funds, the Grantee hereby agrees to adopt a schedule of payments dictated by JCS: To be eligible for any and all scheduled allocation of funds of the total grant amount, the Grantee shall submit a Request for Funds to JCS which adheres to the schedule of payments. Upon receipt of said request, JCS shall review the same for reasonableness and appropriateness; and if approved, will cause a warrant to be requested on that sum considered reasonable and appropriate. It is expressly understood that the total compensation shall not exceed the amount set forth in Paragraph Five hereinbefore cited and said compensation will be expended only as outlined in the budget sections of the application, unless written approval of modification of the budget is signed by the parties hereto. Grantee shall submit a fiscal report detailing expenditures to JCS by the twentieth (20th) day of each month.
10. Grantee hereby represents that it possesses the legal authority to contract for this Agreement and that attached hereto and made a part hereof is a certified copy of the resolution, motion or similar action which was clearly adopted or passed by the Grantee's governing body; and further, that it has directed and authorized an official representative to act in connection with this Agreement. If the Grantee is a state agency, the completed application signed by the agency head is sufficient.
11. Grantee agrees to abide by the grant conditions, terms, assurances, and certifications which are attached and such other special terms and conditions that JCS has set forth is incorporated herein and made part hereof, if said Special Conditions are appropriate to this Agreement.
12. If, through any cause, the Grantee shall fail to fulfill in a necessary and proper manner, obligations under this Agreement, the JCS may withhold payments to the Grantee upon notice in writing, suspend, or cancel this Agreement and Attachments. The notice of withholding payments, suspension, or cancellation should set forth the JCS reasons for taking said action.
13. JCS and Grantee may from time to time require changes in the scope of services performed hereunder. Grantee agrees to submit a written request for modification prior to changing any budget line item. All such changes, including any increase or decrease in the amount of compensation hereunder or work to be performed, which are mutually agreed upon between the parties shall be in writing.
14. If for any reason funds received by JCS are suspended or terminated, in whole or in part, funding for this Agreement shall cease.
15. Grantee shall within the time period prescribed by grant conditions upon the termination of the Agreement, submit to JCS a final report on forms provided by JCS. Said reports shall reflect actual costs incurred or expended during the terms of this Agreement.
16. The parties hereto agree that notice shall be given electronically to the appropriate agency email addresses.
17. The Grantee shall hold and save JCS and its officers, agents, and employees harmless from liability of any nature, including cost and expense, for or on account of any suits or damages of any character whatsoever resulting from injuries or damages sustained by any persons or property resulting in whole or in part from the negligent performance or omission of any employee, agent, or representative of the Grantee.

**IN WITNESS WHEREOF**, the parties hereto attach their signatures representing that each is acting with full authority.

  
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**Samantha Stone, President**  
**Preston County Commission**

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**Marty A. Hatfield, Assistant Director**  
**Justice and Community Services Section**

**Personnel Matters – Consideration and/or action**

At 9:54 a.m., Commissioner Thomas moved to go into Executive Session for a personnel matter. Commissioner Stone seconded the motion. A roll call vote was taken with Commissioner Thomas and Stone voting yes. Motion carried.

Those in attendance for the executive session were Commissioners Hunter Thomas and Samantha Stone, Joe Larue, Facilities Manager and Kathy Mace, Adm.

At 10:35 a.m., Joe Larue and Kathy Mace came out of Executive Session.

**EXECUTIVE SESSION**

At 10:40 a.m., Commissioner Thomas moved to come out of Executive Session and reenter open session. Commissioner Stone seconded the motion. A roll call vote was taken with Commissioners Thomas and Stone voting yes. Motion carried.

Commissioner Stone advised that no action had been taken as a result of the Executive Session.

**Legal Matters - Consideration and/or action**

A. Miscellaneous Correspondence

**Commissioners Comments**

At 10:40 a.m., there being no further business to come before the Commission, President Stone declared the Regular Session adjourned.

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*Commissioner*

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*Commissioner*

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*Commissioner*

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*06/21/2022*

