

**A G E N D A**  
**PRESTON COUNTY COMMISSION**  
**NOVEMBER 28, 2023**  
**10:30 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-** Belanger Brian A & Becky L, Personal Property  
Feldmeier Jacob, Personal Property  
Feldmeier Jacob, Personal Property  
McNemar Gina, Personal Property  
Walls Brenda, Personal Property

**Apportionments -** Otto Terry J Jr. and Otta Samantha Marie

**Recognition of Scheduled Appointments –** No appointments at this time

**Approval of Minutes –** November 7, 2023

**Estate Settlements List –** November 14, 2023 thru November 15, 2023  
ESTATE NAME: **KENNETH L. FIKE**  
ESTATE NAME: **BETTY RAE WEIFORD**

**Proceedings in Vacation/Clerk's Fiduciary Report –** November 16, 2023 through November 22, 2023

**Fiduciary Commissioner Report –** None

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

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

**OEM Central Garage Report – Consideration and/or action –**

**County Administrator's Report – Consideration and/or action -**  
A. Mills Group SOQ Contract  
B. December 26, 2023 Regular Session Meeting Cancelled  
C. Facilities Updates  
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 10:30 a.m., November 28, 2023 in the County Commission Meeting room.

The meeting was called to order by President Pro-Tem Don Smith who invited those present to join in the Pledge of Allegiance.

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

**Recognition of Public**

Also, present was Administrator Nathan Raybeck and Assessor Connie Ervin.

The following persons registered their attendance during the meeting: Deanna Lively

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

**Review of Bills**

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

**Assessor’s Office**

**Tax Correction List –**

Commissioner Thomas moved to approve the Tax Correction List dtd November 28, 2023 in the amount of \$1,105.68 as presented by the Assessor. Commissioner Stone seconded the motion. A roll call vote was taken with Commissioners Thomas, Stone and Smith voting yes. Motion carried. (See attached.)

**TAX CORRECTION LIST**  
November 28, 2023

DIST	NAME	DESCRIPTION	REASON FOR EXONERATION	TICKET#	ACCT#	AMOUNT	YR	APPR	DENI
08	BELANGER BRIAN A & BECKY L	Personal Property	Clerical Error - incorrect vehicle assessed	307856	00248141	\$ 319.68	2023		
01	FELDMER JACOB	Personal Property	Taxpayer Error - Paid under 2 diff people	80002038	00258757	\$ 262.70	2022		
01	FELDMER JACOB	Personal Property	Taxpayer Error - Paid under 2 diff people	80000359	00258757	\$ 290.52	2023		
11	MCNEMAR GINA	Personal Property	Clerical Error - reg ticket & supp	80000002	00285849	\$ 189.88	2023		
02	WALLS BRENDA	Personal Property	Clerical Error - paid under both Charles & Brenda Walls	80000780	00285628	\$ 32.92	2021		



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

*Jay Shay*  
Jay Shay, PROSECUTING ATTORNEY  
(received notice)

TOTAL: \$ 1,105.68

**Apportionments –**

Commissioner Thomas moved to approve the apportionment presented by the Assessor for Terry J. Otto Jr. and Samantha Marie Otto. Commissioner Stone seconded the motion. A roll call vote was taken with Commissioners Thomas, Stone and Smith voting yes. Motion carried.

**Recognition of Scheduled Appointments – No appointments at this time.**

**Approval of Minutes – November 7, 2023**

Commissioner Thomas made a motion to approve the Minutes of November 7, 2023. Commissioner Stone seconded the motion. A roll call vote was taken with Commissioners Thomas, Stone and Smith voting yes. Motion carried.

**Estate Settlements – November 14, 2023 thru November 15, 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 11/14/2023 thru 11/15/2023 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, November 28, 2023.

ESTATE NUMBER: **4706**  
SETTLEMENT TYPE: Affidavit and Waiver of Final Settlement  
SETTLEMENT RECORDED: November 15, 2023  
ESTATE NAME: **KENNETH L. FIKE**  
ADMINISTRATOR: KEVIN D. FIKE

ESTATE NUMBER: **4648**  
SETTLEMENT TYPE: Affidavit and Waiver of Final Settlement  
SETTLEMENT RECORDED: November 14, 2023  
ESTATE NAME: **BETTY RAE WEIFORD**  
EXECUTOR: JEFFREY WEIFORD

Subscribed and sworn to before me on 11/22/2023.

*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, Stone and Smith voting yes. Motion carried.

**Proceedings in Vacation/Clerk's Fiduciary Report – November 16, 2023 thru November 22, 2023**

Commissioner Thomas moved to dispense with the reading in open court of the Proceedings of the Clerk of this Commission, had in vacation on November 16, 2023 thru November 22, 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, November 16, 2023, through Wednesday, November 22, 2023

The County Commission of Preston County this 28th day of November, 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, November 16, 2023, the following matters were disposed of in the presence of the Clerk:

The said estate of ELEANOR MARIE BREWER, deceased was referred to WOODROW E. TURNER, a FIDUCIARY COMMISSIONER for the Preston County Commission, for settlement thereof.

The last will and testament of GEORGE F. ALBRIGHT, deceased, was proved by the affidavit of the attesting witnesses and the same was admitted to probate and record.

BRANDI L. NINE, who was named in the last will and testament of GEORGE F. ALBRIGHT, deceased, as EXECUTRIX thereof, qualified as such. No bond was required.

More than 30 days since the date of death or the surviving spouse or heir, upon a motion, WILLIAM EUGENE RAKES was appointed and qualified as AFFIANT of the Ancillary Affidavit Intestate of DIANNA LEE RAKES, deceased. No bond was required.

On, Friday, November 17, 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, PAUL MCGILL was appointed and qualified as ADMINISTRATOR of the estate of RICHARD LEE MCGILL, deceased. Bond was 50,000.00.

On, Monday, November 20, 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, DONNA BOHON FRITZ was appointed and qualified as SUCCESSOR of the Small Estate Affidavit Intestate of CHERYL LORRAINE BOHON AKA CHERRY BOHON, deceased. No bond was required.

On, Tuesday, November 21, 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, ROBERT A. MCINTYRE was appointed and qualified as ADMINISTRATOR of the estate of ROBERT H. MCINTYRE, deceased. Bond was 100,000.00.

The last will and testament of BARRY MILTON ADKINS, 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.

CONNIE SUE ADKINS, was named, as SUCCESSOR thereof, qualified as such. No bond was required.

Subscribed and sworn to before me on 11/22/2023.

Linda Higgins

Clerk of the Preston County Commission

By: Ashley Cole, Deputy Clerk

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

Fiduciary Commissioner Report – None

Old Business- Consideration and/or action -

New Business – Consideration and/or action -

OEM Central Garage Report – Consideration and/or action –

**County Administrator’s Report-Consideration and/or action**

President Stone recognized Nate Raybeck with the County Administrator’s Report.

**A. Mills Group SOQ Contract**

Due to the Thanksgiving holiday the SOQ Contract, with the Mills Group, is still being finalized and should be ready to be presented at the next meeting.

**B. December 26, 2023 Regular Session Meeting Cancelled**

**C. Facilities Updates**

- The fire alarm system and the entire third floor of the Sheriff’s Office will be done by this Thursday.
- Brewer is finished doing their part and all extra materials have been removed from the premises. In a couple of weeks, they will return to do testing on the monitoring.
- All plaster work is to be completed by the end of December, anticipating it to be done sooner.
- The office is completely usable now and will be complete once the floor is done.
- Waiting on a timeline from Edison for when the electrical portion will be done.

**D. Budget Revisions**

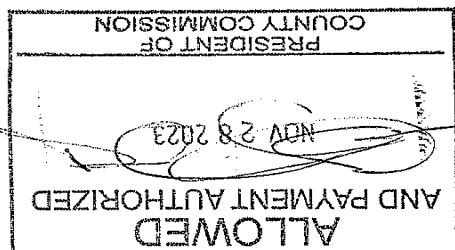
Commissioner Thomas moved to approved the budget revisions for the LEDA Grant Funding as presented by the County Administrator. Commissioner Stone seconded the motion. A roll call vote was taken with Commissioners Thomas, Stone and Smith voting yes. Motion carried. (See attached.)



**MEMORANDUM  
Preston County Commission**

Date: November 28, 2023  
 To: Bookkeeping  
 From: Nate Raybeck, Administration  
 Subject: Budget Revision—LEDA Grant Funding

INCREASE	001-443-568-01 (LEDA GR-PC HIST)	\$2,000
INCREASE	001-323-101 (LEDA GR-PC HIST)	\$2,000
INCREASE	001-443-568-02 (LEDA GR-P MAT)	\$10,000
INCREASE	001-323-102 (LEDA GR-P MAT)	\$10,000
INCREASE	001-443-568-03 (LEDA GR-VV)	\$1,000
INCREASE	001-323-103 (LEDA GR-VV)	\$1,000
INCREASE	001-443-568-06 (LEDA GR-PC CAMP)	\$10,000
INCREASE	001-323-106 (LEDA GR-PC CAMP)	\$10,000




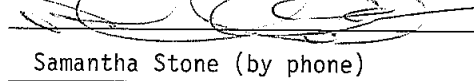
RESOLUTION

At a regular session of the county commission, held (Month, day and year) November 28 , 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 12 , 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:

 _____	<input checked="" type="radio"/> Yes or No
 _____	<input checked="" type="radio"/> Yes or No
Samantha Stone (by phone) _____	<input checked="" type="radio"/> Yes or No

**WHEREUPON,** President Pro-tem Don Smith , 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

Mr. Raybeck noted it is required by the Auditor's Office to create funds as well as instruct the Sheriff's Office to set up bank accounts for the following:

1. 42 – EMS Salary Enhancement Fund
2. 41 – County Fire Protection Fund
3. 40 - Opioid Settlement Fund

Commissioner Thomas gave the go ahead to authorize the Sheriff's Office to begin the process and stated once the funds were established, they needed to be presented to the County Commission for signatures.

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

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

**Information -**

A. Miscellaneous Correspondence

**Commissioners' Comment**

- Commissioner Thomas and Mr. Raybeck continue to work on fringe benefits. Emailing a document to the office holders for their review and ask that any changes be back to them by Friday. Working with the County Clerk to find an electronic mileage log.
- Supreme Court close to finalizing the Reconfiguration Plan for the Courthouse.
- Commissioner Smith noted Robbie Baylor is replacing Kerry Gnik on the CVB Board.

At 10:49 a.m., there being no further business to come before the Commission, President Pro-Tem Smith declared the Regular Session adjourned.

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*Commissioner*

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*Commissioner*

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*Commissioner*

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*11/28/2023*

