

A G E N D A
PRESTON COUNTY COMMISSION
JANUARY 9, 2024
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 – Goff, Terry A Personal Property 2023

Apportionments – None

Recognition of Scheduled Appointments -

9:31 a.m. Connie Ervin, Assessor – Bretz School Property

9:35 a.m. Linda Huggins, County Clerk—Emergency Absentee Voting Policy

Approval of Minutes - None

Estate Settlements List – December 28, 2023 thru December 28, 2023

ESTATE NAME: BEATRICE MARIE BEVER

ESTATE NAME: VERNON DALE DARNELL

Proceedings in Vacation/Clerk's Fiduciary Report – December 28, 2023 through January 3, 2024

Fiduciary Commissioner Report – None

Old Business – Consideration and/or action

New Business – Consideration and/or action

A. CRASE Active Shooter Training

B. SpyGlass

C. Preston County Board of Education School Levy

D. Preston County Parks and Recreation Request Board Members Reappointments - Carl Ervin, Jennifer Kelly and Kevin Dixon three-year terms retroactive to January 1, 2023 and expiring December 31, 2025 - Devra Deems and Sara Saurino three-year terms commencing on January 1, 2024 and expiring December 31, 2026

OEM Central Garage Report – consideration and/or action -

County Coordinator's Report – Consideration and/or action

A. New Employee Hire, Animal Shelter

B. Revised Board of Equalization Dates

C. Letter to WV Department of Tax Allowing Assessor to make appraisal changes

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., January 9, 2024 in the County Commission Meeting room.

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

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

Recognition of Public

Also, present was County Administrator Nate Raybeck and County Clerk Linda Huggins.

The following persons registered their attendance during the meeting:

Nichole Larew	Deanna Lively
Jacob Martin	Connie Ervin-Assessor
Christine Bolyard	

No other persons registered before the meeting to address the commission.

Review of Bills

Commissioner Thomas moved 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 – Consideration and/or action

Tax Correction List –

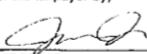
Commissioner Thomas moved to approve the Tax Correction List as presented by the Assessor, Connie Ervin in the amount of \$293.58. Commissioner Stone seconded the motion. A roll call vote was taken with Commissioners Thomas, Stone and Smith voting yes. Motion carried. (See attached.)

TAX CORRECTION LIST

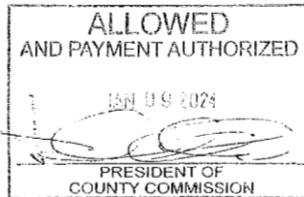
January 9, 2024

DIST	NAME	DESCRIPTION	REASON FOR EXONERATION	TICKET#	ACCT #	AMOUNT	YR	APPR	DENI
01	GOFF TERRY A	Personal Property	Taxpayer error - put ex-wife's vehs on form in error	300419	00230551	\$ 293.58	2023		


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


 Jay Shay, PROSECUTING ATTORNEY
 (received notice)

TOTAL: \$ 293.58



Apportionments –None

Recognition of Scheduled Appointments –

9:31 a.m. Connie Ervin, Assessor – Bretz School Property

Connie Ervin, Assessor recognized Christine Bolyard, a Paralegal from the Assessors Office, to answer any questions they might have concerning the Bretz School Property and presented the commission with a memo of events that occurred with the property over the years. After some discussion, it is still not clear who owns the property.

Commissioner Stone made a motion to move forward to contract with Everhart, Brown & DeVall to look at the Bretz Property. Commissioner Thomas seconded the motion. A roll call vote was taken with Commissioners Stone, Thomas and Smith voting yes. (Motion carried.)

MEMO

TO: File

FROM: Christine G. Bolyard

DATE: December 20, 2023

RE: Valley District, Map 30, Parcel 69, 2 A Bretz School
Preston County Commission (Bretz Community Association, Inc.)

In response to questions regarding the Bretz School property currently assessed to the Preston County Commission at a Commission meeting on December 19, 2023:

In September 2011, the ownership of the Bretz School property was questioned. By letter dated September 26, 2011, to Mel Snyder, Prosecuting Attorney, the Assessor, Terri Funk, requested his opinion regarding the ownership of this parcel. The above referenced parcel was purportedly conveyed from the County Commission of Preston County, West Virginia, a statutory corporation, to Bretz Community Association, Inc., a corporation, by deed dated December 17, 1984, of record in Deed Book 516, page 610. However, the existence of this entity could not be confirmed with a search of the records in the Preston County Clerk's office or with a search of the records of the WV Secretary of State's office.

By letter dated October 21, 2011, Mel Snyder, Prosecuting Attorney, provided a Legal Opinion regarding the ownership of the Bretz School property. This letter indicates that a copy was provided to the Preston County Commission. His primary conclusion was that the 1984 deed was not effective because Bretz Community Association, Inc., had not been legally created at that time.

According to a search of the WV Secretary of State's records, Bretz Community Association, Inc., became a legal entity November 20, 2012. Please note that this entity did not exist prior to November 20, 2012, and specifically did not exist at the time of the December 17, 1984, deed.

In a letter dated November 13, 2013, to Janice Polce, Mel Snyder, Prosecuting Attorney, further addressed the ownership of the Bretz School property. His primary conclusion was that the 1984 deed was not effective because Bretz Community Association, Inc., had not been legally created at that time. His opinion was that the Bretz School property was still owned by the County Commission. This letter also references a November 4, 2013, Commission meeting and indicates that a copy of the letter was provided to the Preston County Commission.

A "Legal Status and Options for Bretz School Property" was provided to the Preston County Commission by letter dated January 7, 2014, from Mel Snyder, Prosecuting Attorney. This letter described five options for the Commission with regard to the property. This letter states that its purpose is to document his comments at a Commission meeting the prior day. Again, he states that the County Commission owns the property.

By letter dated February 25, 2014, Terri Funk, Assessor, informed Mel Snyder, Prosecuting Attorney, that the owner for the property would be listed as Preston County Commission for the 2014 tax year as per his letter of November 13, 2013. A copy of this letter was provided to the Preston County Commission.

By Lease Agreement dated August 3, 2015, of record in Deed Book 780, page 554, the County Commission of Preston County, WV, a statutory corporation and political subdivision of the State of West Virginia, leased to the Bretz Community Association, a WV nonprofit corporation, the Bretz School property as described in "Exhibit A". Exhibit A is a copy of the deed to the County Commission of Preston County describing the 2 acres formerly known as Bretz School. No release of this lease was found of record.

Based upon the above information, the County Commission has been aware of the issues with this property since 2011. Since the Commission leased this property to the Bretz Community Association in 2015, they apparently believed that they owned the property at that time.

This analysis is for the use and benefit of the Preston County Assessor's Office for the purpose of assessing interests in real property. This memorandum is not intended to be, and should not be construed as, a legal opinion for any purpose, and should not be used or relied upon by any other person or entity as evidence of ownership or for any other purpose. The analysis provided herein is not intended to serve as a substitute for the findings and conclusions of a court of competent jurisdiction reached after due consideration of competing interests.

9:35 a.m. Linda Huggins, County Clerk – Emergency Absentee voting Policy

Commissioner Thomas moved to approve the Emergency Absentee Voting Policy for Preston County, West Virginia. Commissioner Stone seconded the motion. A roll call vote was taken with Commissioners Thomas, Stone and Smith voting yes. Motion carried. (See attached.)

**EMERGENCY ABSENTEE VOTING POLICY
PRESTON COUNTY, WEST VIRGINIA**

In accordance with WV code §3-3-5c(a), the Commission of Preston County agree that emergency absentee voting shall be extended to voters who submit a proper request for voting and emergency absentee ballot and who are confined to a health care facility that is located within a 30 mile radius of the county seat of Kingwood, WV including all licensed nursing homes and licensed health care facilities within that radius provided that the voter has resided in the nursing home for a period of less than 30 days per WV Code §3-3-1(2).

Dated this 9th day of January 2023



Don Smith, President of Preston County Commission



Samantha Stone, Preston County Commissioner



Hunter Thomas, Preston County Commissioner



Linda Huggins, Preston County Clerk

Approval of Minutes – None

Estate Settlements – December 28, 2023 thru December 28, 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:

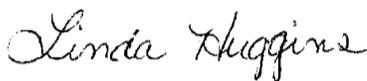
Settlement List

Notice is hereby given that the following estate(s) have been submitted for settlement from 12/28/2023 thru 12/28/2023 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, January 9, 2024.

- ESTATE NUMBER: **4690**
- SETTLEMENT TYPE: Affidavit and Waiver of Final Settlement
- SETTLEMENT RECORDED: December 28, 2023
- ESTATE NAME: **BEATRICE MARIE BEVER**
- EXECUTRIX: ROBERTA P. KNOTTS

- ESTATE NUMBER: **4229**
- SETTLEMENT TYPE: Report of Receipts, Disbursements and Distribution; Affidavit
- SETTLEMENT RECORDED: December 28, 2023
- ESTATE NAME: **VERNON DALE DARNELL**
- EXECUTOR: GARY DARNELL
- FIDUCIARY COMMISSIONER: WOODROW E. TURNER
- P.O. BOX 585
- KINGWOOD, WV 26537-0585

Subscribed and sworn to before me on 01/03/2024.



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.

Proceedings in Vacation – December 28, 2023 through January 3, 2024

Under **New Business** Commissioner Stone moved to dispense with the reading in open court of the Proceedings of the Clerk of this Commission, had in vacation on December 28, 2023 thru January 3, 2024 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, December 28, 2023, through Wednesday, January 3, 2024

The County Commission of Preston County this 9th day of January, 2024 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, December 28, 2023, the following matters were disposed of in the presence of the Clerk:

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

The last will and testament of **ROBERT L. SUMMERS**, 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.

RICHARD E. VANDYKE JR., was named as SUCCESSOR thereof, qualified as such. No bond was required.

The last will and testament of **TINA RUTH TICHNELL**, 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.

GEORGE C. TICHNELL, was named as SUCCESSOR thereof, qualified as such. No bond was required.

On, Tuesday, January 2, 2024, 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, **LEVI DEWITT** was appointed and qualified as ADMINISTRATOR of the estate of **MICHELE LEE DEWITT**, deceased. Bond was 78,000.00.

More than 30 days since the date of death or the surviving spouse or heir, upon a motion, **ERIC E. GRIBBLE** was appointed and qualified as CO ADMINISTRATOR of the estate of **DORCEY EUGENE GRIBBLE**, deceased. No bond was required.

More than 30 days since the date of death or the surviving spouse or heir, upon a motion, **WATSON. A. GRIBBLE** was appointed and qualified as CO ADMINISTRATOR of the estate of **DORCEY EUGENE GRIBBLE**, deceased. No bond was required.

Subscribed and sworn to before me on 01/03/2024.

Clerk of the Preston County Commission

By: _____
Ashley Cole, Deputy Clerk

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

Fiduciary Commissioner Report – None

Old Business- Consideration and/or action -

New Business – Consideration and/or action –

A. CRASE Active Shooter Training

Commissioner Thomas noted the opinion of the Sheriff was that the Sheriff’s Department had ample instructors and training to do the active shooter training for the county employees.

Commissioner Smith suggested meeting with the Sheriff next week to see what resources and dates are available to get the procedure moving forward and done and on a continuing rotation to filter in new employees as needed.

B. Spy Glass

Commissioner Thomas moved to approve the Agreement with SpyGlass for a snap shot audit between SpyGlass and the Preston County Commission and authorize the President to sign the Agreement. Commissioner Stone seconded the motion. A roll call vote was taken with Commissioners Thomas, Stone and Smith voting yes. Motion carried. (See attached.)

SpyGlass Snapshot Audit Agreement

This agreement, effective as of the later of the dates of signature below (“Effective Date”), is between **Preston County** (“Company”), and The SpyGlass Group, LLC, an Ohio limited liability company (“Auditor”).

1. Primary Audit Services. Company is engaging Auditor as an independent contractor to analyze its primary telecommunications service accounts (Voice, Data, Internet, Cloud Services, SaaS Licensing, and Mobility) to seek cost recovery, service elimination and cost reduction recommendations. Company will provide Auditor with the materials required to perform its analysis and Auditor will conduct a Kickoff meeting with Company to review the materials provided and introduce Auditor’s personnel assigned to the project. Auditor will deliver the recommendations to Company at a Summary of Findings meeting, implement recommendations that Company elects for Auditor to implement, and deliver a complete telecommunications inventory to Company. Upon completion of implementation, Auditor will conduct an Industry Benchmark Analysis (“IBA”) Meeting to compare Company’s spending and audit results against industry peers as well as all SpyGlass clients, officially bringing closure to the engagement.

While Auditor is performing its analysis, Company will not make changes or perform internal cost reduction analysis with respect to provider accounts which Company has included within the scope of Auditor’s review.

2. Fees. Company will pay Auditor the applicable fee set forth below ONLY for Auditor recommendations implemented within twelve (12) months of Auditor delivering the recommendation to Company:

- 50% of any “Cost Recovery”, as defined below
- 12 times any “Service Elimination Savings”, as defined below
- 12 times any “Cost Reduction Savings”, as defined below

“Cost Recovery” is any refund, credit or compensation received by Company relating to past services or charges.

“Service Elimination Savings” is any monthly cost reduction received by Company relating to cancellation of any service, including monthly usage cost reduction (calculated as the average of the last 2 months of usage costs associated with the cancelled service).

“Cost Reduction Savings” is any monthly cost reduction received by Company relating to the modification, consolidation or negotiation of any service, account or contract, including post discount usage rate improvement (calculated as the (a) decrease in post discount per unit pricing realized by Company for any service, times (b) the average of Company’s last two (2) months usage levels measured in such units for the modified service).

3. Invoicing and Payment. Fees for Cost Recovery are due as a one-time payment within 10 days of verification that Company has been issued the refund, credit or compensation resulting in such fees. Fees for Service Elimination Savings and Cost Reduction Savings are due as a one-time payment within 10 days of verification that the cancellation or other activity resulting in the Service Elimination Savings or Cost Reduction Savings has been completed. Auditor may issue separate invoices as different fees are earned.

4. Miscellaneous. This agreement is governed by the laws of the State of West Virginia, without regard to principles of conflicts of law, and may be executed by facsimile and simultaneously in multiple counterparts. Company agrees that Auditor does not warranty the overall performance, Company satisfaction, or data accuracy of any telecommunications related carrier, provider, software manufacturer or vendor at any time whatsoever during or after the term of this agreement. Each person signing this agreement on behalf of a party represents that he or she has been duly authorized to sign this agreement and to bind the party on whose behalf this agreement is being signed by that signatory. In the event of any litigation, proceeding or legal action arising out of or relating to this agreement, the prevailing party in such action shall be entitled to recover its reasonable attorneys’ fees, court costs, and other expenses incurred in connection with such dispute or legal action, in addition to any other relief granted. AUDITOR SHALL NOT BE LIABLE TO THE COMPANY FOR INCIDENTAL, CONSEQUENTIAL, SPECIAL OR PUNITIVE DAMAGES, INCLUDING, WITHOUT LIMITATION, LOST PROFITS OR BUSINESS INTERRUPTION, WHETHER SUCH LIABILITY IS ASSERTED ON THE BASIS OF CONTRACT, TORT OR OTHERWISE, EVEN IF EITHER PARTY HAS BEEN WARNED OF THE POSSIBILITY OF ANY SUCH LOSS OR DAMAGE IN ADVANCE. IN ADDITION, IN NO EVENT SHALL AUDITOR’S LIABILITY TO COMPANY EXCEED THE FEES ACTUALLY PAID BY COMPANY TO AUDITOR.

IN WITNESS WHEREOF, the parties hereto have executed this agreement as of the Effective Date.

COMPANY

Preston County

Signature: _____

Print Name: Don Smith

Date: 1/11/2024

AUDITOR

The SpyGlass Group, LLC

Signature: _____

Print Name: Edward M. DeAngelo

Date: _____

Commissioner Thomas moved to approve the Letter of Agency authorizing SpyGlass to have access to our telephone provider records and authorize the President of the Preston County Commission to sign the form. Commissioner Stone seconded the motion. A roll call vote was taken with Commissioners Thomas, Stone and Smith voting yes. Motion carried. (See attached.)

PRESTON COUNTY COMMISSION



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

**Letter of Agency – Authorization to Access
Telephone Provider Records**

By signing this letter below, I am giving authorization to The SpyGlass Group, LLC and its affiliates (a) to access any and all customer service records, account information, contracts, long distance carrier information, pending order activity and/or any other information relevant to my local or long distance telecommunications service (voice or data), and (b) to establish electronic or online access to any billing for such service, if not already established, or if already established, to be provided login information for such electronic or online access. At SpyGlass' request, I give authorization to Provider to transmit customer service records and any requested documentation via email, fax to 440-348-9355 or mail to The SpyGlass Group, LLC, 25777 Detroit Rd., Ste. 400, Westlake, Ohio 44145. I represent that I have the authority to execute this form and grant this permission and I hereby desire for SpyGlass to be added as an authorized point of contact (POC) for these accounts. This permission shall remain in effect until I affirmatively revoke it. If I withdraw the authorization set forth in this Letter, I will notify Provider immediately in writing.

Client Information:

Signing Employee's Name: _____
Company Name: _____
Address: _____
City, State, Zip: _____
Telephone: _____

Provider Information:

Provider Name: _____
Account Number (s): _____

Authorized Signature: 

Date: 1/9/2024

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

C. Preston County Board of Education School Levy

This subject has been tabled until the next meeting.

D. Preston County Parks and Recreation Request Board Members Reappointments – Carl Ervin, Jennifer Kelly and Kevin Dixon three-year terms retroactive to January 1, 2023 and expiring December 31, 2025 – Devra Deems and Sara Saurino three-year terms commencing on January 1, 2024 and expiring December 31, 2026

Commissioner Stone moved to reappoint Carl Ervin, Jennifer Kelly and Kevin Dixon to three-year terms retroactive to January 1, 2023 and expiring December 31, 2025 and Devra Deems and Sara Saurino to three-year terms commencing on January 1, 2024 and expiring December 31, 2026. Commissioner Thomas seconded the motion. A roll call vote was taken with Commissioners Stone, Thomas and Smith voting yes. Motion carried.

OEM Central Garage Report – consideration and/or action -

County Coordinator’s Report-Consideration and/or action

President Smith recognized Nate Raybeck with the County Coordinator’s Report.

A. New Employee Hire – Animal Shelter

Commissioner Thomas moved to approve the hiring of John Dowd III for the position of Dog Warden effective February 1, 2024 at a salary rate of \$33,280/yr. or \$16.00/hr. contingent upon a three-month probationary period. Commissioner Stone seconded the motion. A roll call vote was taken with Commissioners Thomas, Stone and Smith voting yes. Motion carried. (See attached.)

PRESTON COUNTY COMMISSION

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



MEMORANDUM

TO: CRYSTAL BOLYARD – PAYROLL CLERK
FROM: PRESTON COUNTY COMMISSION
SUBJECT: EMPLOYEE APPROVAL – JOHN DOWD – COUNTY COMMISSION
DATE: JANUARY 9, 2024

Please be advised that on January 9, 2024 the County Commission approved the hiring of John Dowd, III for the position of Dog Warden at the Preston County Animal Shelter.

Mr. Dowd’s starting date will be effective February 1, 2024 and will be paid from 001-716-103.

He will be paid at a salary rate of \$33,280/\$16.00 annually, with benefits. Contingent upon a three-month probationary period, the position will become permanent on May 1, 2024. During this probationary period, Mr. Dowd will be paid hourly. This is a non-exempt position.

ALLOWED AND PAYMENT AUTHORIZED
JAN 19 2024
[Signature]

Preston County Courthouse Annex • 106 West Main Street, Suite 202 • Kingwood West Virginia 26537
Phone (304)329.1805 • Fax (304)329.5102 • TDD (304)329.1805
www.prestoncountywv.gov

B. Revised Board of Equalization Dates

Commissioner Stone made a motion to approve the Class II Legal Notice for the required publication for two (2) weeks in both the Preston County News and the Preston County Journal to announce the time of hearings for the Board of Equalization and Review Hearing. Commissioner Thomas seconded the motion. A roll call vote was taken with Commissioners Stone, Thomas and Smith voting yes. Motion carried. (See attached.)

**LEGAL NOTICE
CLASS II
NOTICE OF REVIEW AND EQUALIZATION OF ASSESSMENTS**

NOTICE IS HEREBY given that the County Commission of Preston County, West Virginia will be in session at the Preston County Commission Meeting Room, 103 North Price Street, Kingwood, WV for the purpose of reviewing and equalizing the assessments of Preston County for the Year 2024 as returned by the Assessor thereof, on the following dates at the time there in specified, and if necessary, at other dates to be determined by the Commission at a later date:

Thursday, February 1, 2024 - 10am - 11am
Wednesday, February 7, 2024 - 10 am - ? (State of WV Minerals)
Tuesday, February 13, 2024 - 10am - 11am
Friday, February 16, 2024 - 5pm - 6pm

The real and personal property books of said county for the current year will be open for inspection. The Commission will correct all errors in the names of persons, in the description and valuation of property, and shall cause to be done whatever else may be necessary to make the valuation comply with the provisions of Chapter II of the West Virginia Code of 1931, as amended, but in no case shall any questions of classification of taxability be considered or reviewed by the Commission.

Any person who is a taxpayer of ad valorem property taxes in any West Virginia county may protest an appraisal of property under this article for good cause alleged and shown. A person desiring to protest a reappraisal of property shall petition for a hearing before the administrative appraisal review board in the same manner as an owner would petition for hearing with regard to the appraisal of his property under the provisions of subsection (a) of this section; Provided, that a petition for protest must be filed with the county commission within forty-five days after publication of the notice required in subsection (a) section [s 11-1A-16 (a)] of this article.

All persons believing their real or personal taxation to be improper are invited to be present at one of the above stated times to make their requests for relief known. Please contact the Preston County Assessor's Office at 304-329-1220 for an appointment.

If any person fails to apply for relief, on or before February 16, 2024 [s 11-3-24b (b)], he shall have waived his right to ask for correction in this assessment list of the current year and shall not thereafter be permitted to question the correctness of his list as finally fixed by the County Commission, except on appeal to the Circuit Court [s 11-3-24 (h)].

Given under my hand this 9th day of January 2024.

Don Smith, President
Preston County Commission

- C. Letter to WV Department of Tax Allowing Assessor to make appraisal changes

A motion was made to keep the land books and personal property books open through February 16, 2024. (See attached below.)

PRESTON COUNTY COMMISSION



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

January 9, 2024

Deanna K Sheets, CPA, MPA
Director Property Tax
West Virginia Department of Tax & Revenue
Property Tax Division
P.O. Box 1345
Charleston, WV 25325-1345

Dear Ms. Sheets:

Please be advised that the following action was taken at the January 09, 2024, County Commission meeting in reference to allowing Assessor Connie Ervin and the State Tax Department to make the needed assessment and appraisal changes through February 16, 2024.

“Commissioner Stone moved that the 2024 land books and personal property tax books remain open for changes through February 16, 2024. Motion was seconded by Commissioner Thomas. Discussion called for. Questions called for. A roll vote was taken with Commissioners Stone, Thomas and Smith voting yes. Motion carried.”

If there are questions, please contact our office.

Sincerely,

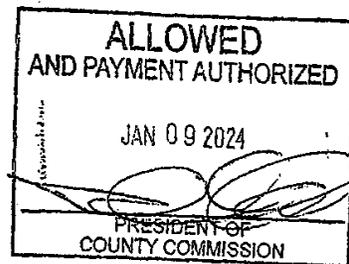
Don Smith, President
On behalf of the Preston County Commission

cc: Assessor Connie Ervin

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

D. Budget Revision -none presented

Commissioner Thomas moved to approve the budget revision as presented by Mr. Raybeck for the Preston County Commission. 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: January 9, 2024
To: Bookkeeping
From: Nate Raybeck, Administration
Subject: Budget Revision – Sheriff’s Office Restoration Project

DECREASE	001-699-999-99 (Contingences)	\$85,000
INCREASE	001-420-223-01 (Professional Services-Flood)	\$85,000

RESOLUTION

At a regular session of the county commission, held (Month, day and year) January 9, 2024 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 15, 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 Smith the vote thereon was as follows:

	<u>Yes</u> or No
	<u>Yes</u> or No
	<u>Yes</u> 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

- The opioid settlement fund work session scheduled for tomorrow is canceled and moved to February 1, 2024 at 11:30 a.m. in the commission meeting room.
- Rec'd a letter from Governor Justice regarding the second round of funding for the county fire protection fund. Commissioner Smith suggested sending a letter to the fire association to get their advice on what to do with the funds.



Jim Justice
Governor of West Virginia

January 5, 2024

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

Re: County Fire Protection Funding

Commissioners:

In August of 2023, during an Extraordinary Session of the West Virginia Legislature, I proudly signed a bill allocating \$3,000,000 to the "County Fire Protection Fund." These funds are to be distributed to those county commissions of counties which have in place a countywide excess levy, or a countywide fee, dedicated to fire or emergency services. Following the bill's enactment, my Department of Homeland Security conducted a comprehensive survey across counties to determine eligibility for allocations from the County Fire Protection Fund. The distributions are now being made in strict adherence to the legislation, apportioned relative to each county's population's percentage of the aggregate population of all such qualifying counties combined.

It is with great pleasure that I share the news that your county will be receiving \$67,068.54 from the County Fire Protection Fund.

The significance of this funding cannot be overstated. It stands as a testament to the collective commitment to ensuring the safety and well-being of our communities. These resources are specifically mandated to be utilized for the exclusive benefit of enhancing fire protection and emergency services within your county.

The allocation of these funds underscores the importance of bolstering our fire departments and emergency response teams. These services play an integral role in safeguarding our citizens, properties, and infrastructure. They are the backbone of our community's resilience in times of crisis and everyday emergencies.

I extend my sincerest gratitude for your dedication to prioritizing the safety of all West Virginians. This funding represents an investment in the continued strength and preparedness of our local emergency services, reinforcing our ability to respond swiftly and effectively to unforeseen challenges.

State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 538-2000

OFFICE OF THE GOVERNOR

From the bottom of my heart, thank you for all you do every day and for always "running to the fire" to ensure the continued safety and security of our communities.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

- Signature Stamp –

Commissioner Stone moved to approve the use of the signature stamp of the President, limiting the use to Nathan Raybeck, Commissioner Samantha Stone, Commissioner Hunter Thomas, and when directed by the President, Administrative Assistant Angie Whetsell and authorize the President to sign the Memorandum. Commissioner Thomas seconded the motion. A roll call vote was taken with Commissioners Stone, Thomas and Smith voting yes. Motion carried. (See attached.)

PRESTON COUNTY COMMISSION

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



MEMORANDUM

Date: January 9, 2024
 From: Don Smith, President
 Subject: Use of signature stamp

A handwritten signature in black ink, appearing to be "Don Smith", is written over a horizontal line.

From this date forward, the only person(s) who are authorized to use my signature stamp are County Administrator, Nathan Raybeck, Samantha Stone, County Commissioner and Hunter Thomas, County Commissioner. Administrative Assistant Angela Whetsell is permitted to use the Stamp on my direction.

Preston County Courthouse Annex • 106 West Main Street, Suite 202, Kingwood, West Virginia 26537
 Phone (304)529.1805 • Fax (304)529.3192 • TDD (304)529.0652
www.prestoncountywv.gov

- Vehicle Policy Special Session rescheduled for January 18, 2024 at 9:30 a.m.
- Summit meeting/round table discussion with elected officials January 17, 2024, from 6-8 p.m. at the Preston County Economic Development Conference Room.

Personnel Matters – Consideration and/or action
Legal Matters - Consideration and/or action

Information

A. Miscellaneous Correspondence

Commissioners Comments

At 10:41 a.m., there being no further business to come before the Commission, President Smith declared the Regular Session adjourned.

Commissioner

Commissioner

Commissioner

