

**A G E N D A**  
**PRESTON COUNTY COMMISSION**  
**JANUARY 24, 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** – Cox, Charles W - Personal Property  
Marie Michael & Zalenski – Real Estate  
Marie Michael & Zalenski - Real Estate

**Apportionments – None**

**Recognition of Scheduled Appointments -**

9:31 Duane Hamilton, OEME911 – Employee Promotion

**Approval of Minutes – January 2, 2024**

**Estate Settlements List – January 7, 2024 thru January 8, 2024**

ESTATE NAME: **DORIS A. GROVES**

**Waivers of Final Settlement – Thirty (30) Days - Estate of Charles F. Paugh**

**Proceedings in Vacation/Clerk's Fiduciary Report – January 11, 2024 through January 17**

**Fiduciary Commissioner Report – None**

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

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

A. Employee Handbook

**OEM Central Garage Report – consideration and/or action -**

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

A. Facilities Update  
B. Budget Revisions  
C. Miscellaneous Correspondence

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

A. Executive Session-Personnel

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

A. Executive Session-Legal

**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 24, 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 Assessor Connie Ervin.

The following persons registered their attendance during the meeting:

Duane Hamilton	Justin Wolfe	Deanna Lively
Jacob Martin	Jennifer Graham	

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**

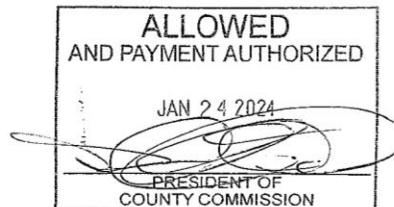
**Tax Correction List –**

Commissioner Stone moved to approve the Tax Correction List dtd January 24, 2024 as presented by the Assessor Connie Ervin in the amount of \$658.12. Commissioner Thomas seconded the motion. A roll call vote was taken with Commissioners Stone, Thomas and Smith voting yes. Motion carried. (See attached.)

**TAX CORRECTION LIST**

January 24, 2024

DIST	NAME	DESCRIPTION	REASON FOR EXONERATION	TICKET#	ACCT #	AMOUNT	YR	APPR I
03	COX CHARLES W	Personal Property	Taxpayer Error - Incorrectly reported 02 Ford & 06 Suba	303936	00228681	\$ 49.62	2023	
01	MARIE MICHAEL & ZALENSKI	Real Estate	Clerical Error - Should be billing for stone only not surface	1682	06188369	\$ 306.98	2022	
01	MARIE MICHAEL & ZALENSKI	Real Estate	Clerical Error - Should be billing for stone only not surface	1699	06188369	\$ 301.52	2023	



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

TOTAL: \$ 658.12

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

**Apportionments –None**

**Recognition of Scheduled Appointments –**

9:31 a.m. Duane Hamilton, OEM/E911-Employee Promotion

This appointment was cancelled.

**Approval of Minutes – January 2, 2024**

Commissioner Thomas moved to approve the Minutes of January 2, 2024. Commissioner Stone seconded the motion. A roll call vote was taken with Commissioners Thomas, Stone and Smith voting yes. Motion carried.

**Estate Settlements – January 7, 2024 thru January 8, 2024**

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 01/07/2024 thru 01/08/2024 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, January 24, 2024.

ESTATE NUMBER: 4357  
SETTLEMENT TYPE: Affidavit and Waiver of Final Settlement  
SETTLEMENT RECORDED: January 08, 2024  
ESTATE NAME: DORIS A. GROVES  
EXECUTOR: LOIS MARTIN

Subscribed and sworn to before me on 01/17/2024.

*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.

**Waivers of Final Settlement – Thirty (30) Days – Estate of Charles F. Paugh**

**MOTION FOR ESTATE SETTLEMENTS** – January 24, 2024  
(Retain one copy for minutes; return completed copy to Clerk with original settlements)

It was moved by Commissioner Thomas that the following estate settlements, having been filed for a period of thirty (30) days since the date of first publication of notice thereof, and there being no exceptions or objections filed thereto, be approved and confirmed:

**Waivers of Final Settlement, as follows:**

**Estate of Charles F. Paugh**, deceased –filed by Lucille Crogan, Administratrix, c.t.a., d.b.n.

Said motion was seconded by Commissioner Stone.  
Discussion called for. Question called for. A roll call vote was taken with Commissioners Hunter Thomas, Samantha Stone & Don Smith voting yes.  
Motion carried.

**Proceedings in Vacation – January 11, 2024 through January 17, 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 January 11, 2024 thru January 17, 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, January 11, 2024, through Wednesday, January 17, 2024**

The County Commission of Preston County this 24<sup>th</sup> 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, January 11, 2024, the following matters were disposed of in the presence of the Clerk:**

The said estate of **KITTY LOU HILL**, deceased was referred to **HILIARY M. BRIGHT**, a FIDUCIARY COMMISSIONER for the Preston County Commission, for settlement thereof.

The last will and testament of **JESSE B. WEAVER**, deceased, was proved by the affidavit of the attesting witnesses and the same was admitted to probate and record.

**DAVID RUSSELL WEAVER**, who was named in the last will and testament of **JESSE B. WEAVER**, deceased, as EXECUTOR 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, **CATHERINE TODESKO** was appointed and qualified as ADMINISTRATRIX of the estate of **MICHAEL ANGELO TODESKO**, deceased. No bond was required.

Subscribed and sworn to before me on 01/17/2024.

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. Employee Handbook**

Commissioner Stone made a motion to move forward with an Agreement with Pullin, Fowler, Flanagan, Brown & Poe PLLC to redo/take a look at/update our current handbook that has been established and also would like to not exceed \$3,000 in the process and for the money to come out of Professional Line Item #223. Commissioner Thomas seconded the motion. Discussion called for.

Commissioner Stone noted she has been working with Wendy Greve on an agreement and because the elected officials do not have to adopt the handbook, it would be the County Commissions Handbook and elected officials would be required to sign off as to whether they will be adopting it for their office, or not, or they can add an addendum and Ms. Greve will have a training session with all the elected officials on the handbook.

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

Commissioner Stone also noted that the Commission has a retention with the Law Firm of Pullin, Fowler, Flanagan, Brown & Poe PLLC and because their hourly rate has changed an updated letter would need approved. It was decided to put on the agenda for next week.



JAMESMARK BUILDING  
901 QUARRIER STREET  
CHARLESTON, WV 25301  
PHONE: (304) 344-0100  
FAX: (304) 342-1545

252 GEORGE STREET  
BECKLEY, WV 25801  
PHONE: (304) 254-9300  
FAX: (304) 255-5519

2414 CRANBERRY SQUARE  
MORGANTOWN, WV 26508  
PHONE: (304) 225-2200  
FAX: (304) 225-2214

261 AIKENS CENTER  
SUITE 301  
MARTINSBURG, WV 25404  
PHONE: (304) 260-1200  
FAX: (304) 260-1208

REPLY TO: Charleston  
SENDERS E-MAIL: [WGREVE@PFFWV.COM](mailto:WGREVE@PFFWV.COM)  
[www.pffwv.com](http://www.pffwv.com)

January 24, 2024

Don Smith, President  
Preston County Commission  
106 West Main Street  
Kingwood, WV 26537

**RE: Preston County Commission - Handbook**

Dear Don:

Please allow the following to serve as our proposed retention letter to address the preparation of the Preston County Commission Handbook. The handbook will be prepared on a flat fee basis in the amount of \$3,000.00 payable upon completion of the handbook. The flat rate includes meeting with you and the Commission as necessary, via telephone conferences, in creating the updated and revised handbook. In the event travel is required we will bill for travel.

If the terms presented in this Agreement are acceptable to you, please sign a duplicate of this letter and return it to me. If you have any questions, please feel free to call me. As always, I look forward to working with you.

Very truly yours,

Wendy E. Greve, Esq.

WEG/jah

Don Smith, President

1/24/2024  
Date

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

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

A. Facilities Update

Panhandle finished with the downstairs floor and painting the stairwell. Should be complete by tomorrow with the final punch list beginning on Friday. Next week is scheduled to finish the punch list and do all the final cleaning.

Following up with Edison Electric today to get a timeline on finishing the electrical boxes.

B. Budget Revisions - none

C. Miscellaneous Correspondence

Reminder of next meeting dates and times:

- Commission meeting Tuesday, January 30<sup>th</sup>, 2024 at 10:30 a.m.
- Commission meeting Wednesday, February 7<sup>th</sup>, 2024 at 9:00 a.m.

**RECESS**

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

A. Executive Session – Personnel

At 10:00 a.m., Commissioner Stone made a motion to go into Executive Session for personnel. Commissioner Thomas seconded the motion. A roll call vote was taken with Commissioners Stone, Thomas and Smith voting yes. Motion carried.

Those in attendance for the Executive Session were: Don Smith, Samantha Stone, Hunter Thomas, Nate Raybeck, Duane Hamilton and Justin Wolfe.

**EXECUTIVE SESSION**

At 10:57 a.m., Commissioner Thomas moved to come out of Executive Session and reenter the regular session. Commissioner Stone seconded the motion. A roll call vote was taken with Commissioners Thomas, Stone and Smith voting yes. Motion carried.

President Smith advised that no action was taken as a result of the Executive Session.

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

A. Executive Session – Legal

**Information**

A. Miscellaneous Correspondence

**Commissioners Comments**

At 10:57 a.m., there being no further business to come before the Commission, President Smith declared the Regular Session adjourned.

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*Commissioner*

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*Commissioner*

\_\_\_\_\_  
*Commissioner*

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01/24/2024

