

**A G E N D A**

**PRESTON COUNTY COMMISSION**

**September 3, 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 –**

Bishop, Robbie - Personal Property

Bryson, William J - Personal Property

Hall, Karli - Personal Property

Snyder, David C & Peggy S - Personal Property

**Apportionments – None**

**Recognition of Scheduled Appointments –**

9:31 a.m. Robbie Baylor, EDA – Resolution and Funding Request

9:35 a.m. Kevin Fike, Combined Insurance Company - Volunteer Benefit Package

9:50 a.m.. Stacy Greaser, Victim Advocate/Paralegal – Proclamation – National Day of Remembrance for Murder Victims Declaration

9:55 a.m. Justin Wolfe, OEM/E911 – EMPG – Grant Document

Duane Hamilton, OEM/E911 – Sale of two police cruiser Town of Masontown

10:00 a.m. Linda Huggins, County Clerk – Employee Hire

**Approval of Minutes – August 27, 2024**

**Estate Settlements List – August 19, 2024, thru August 23, 2024**

ESTATE NAME: **RAYMOND ROSCOE GIBSON**

ESTATE NAME: **LEMUEL J. MAYLE**

ESTATE NAME: **PHILIP K. SKIDMORE**

ESTATE NAME: **PAUL SOMERRUK III**

ESTATE NAME: **CURTIS ALAN TEETS**

**Proceedings in Vacation/Clerk's Fiduciary Report – August 22, 2024, through August 28, 2024**

**Fiduciary Commissioner Report – None**

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

A. EMS Advisory Board

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

**Courthouse Reconfiguration Project Update-Consideration and/or action**

A. Courthouse Reconfiguration Update

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

A. KVFD letter requesting permission use courthouse lawn – 2024 Buckwheat Festival

B. Financial Statement Discussion

C. Budget Revisions

D. Miscellaneous Correspondence

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

A. Executive Session

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

A. Executive Session

**Information**

**Commissioners' Comments**

**STATE OF WEST VIRGINIA, COUNTY OF PRESTON, Ss:**

The Preston County Commission met in Regular Session at 9:30 a.m., September 3, 2024, in the County Commission Meeting room.

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

President 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:

Sheriff Jim Fields.	Deanna Lively	Stacy Greaser-RDVIC
Jacob Martin-WV News	Matt Porter-PCEDA	Robbie Baylor-PCEDA
Duane Hamilton-OEM/911	Justin Wolfe-OEM/911	Drew Toth-Combined Ins.
Kevin Fike-Combined Ins.		

No one 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. (See attached.)

SYSTEM DATE 09/03/2024	COUNTY OF PRESTON	PAGE 1
REPORT DATE 09/03/2024	TRANSACTION EDIT LIST	TIME 7:23:37
FILES ID W	BATCH NUMBER 0822	USER WVPRRMAR

TYPE	TRANS. NUMBER	P.O. NUMBER	VENDOR	ACCOUNT NUMBER	PROJECT-TASK-COST INVOICE	TRANDATE	CASH-CODE	TRANS-AMOUNT
SEPARATE-CHK BOX	DISCOUNT-AMT	LIQUIDATE-AMT	DESCRIPTION	DUE-DATE	DISCDATE	CHECK	CHK-DATE	SELECT POSTDATE
VC	20240822-001		0223	07273121300	09/03/2024	08/23/2024	08/23/2024 BC72	247.60
N	NA	.00	MON POWER	.00 ACCT #110 162 679 531	0223	08/23/2024	MON POWER	09/2024
VC	20240822-002		3171	00140634100	09/03/2024	10262	08/27/2024 AG01	35.22
N	NA	.00	CONCORD QUALITY	.00 NAME PLATE	3171	08/27/2024	CONCORD QUALITY	09/2024
VC	20240822-003		5661	00140121900	09/03/2024	551	09/01/2024 AG01	2500.00
N	01	.00	CGP DEVELOPMENT CO	.00 RENT	5661	09/01/2024	CGP DEVELOPMENT CO INC	09/2024
VC	20240822-004		4068	00198645900	09/03/2024	10/02/2024	10/02/2024 AG01	10842.62
N	NA	.00	BANK OF THE OZARKS	.00 LEASE PAYMENT	4068	10/02/2024	BANK OF THE OZARKS	09/2024
VC	20240822-005		0130	00541534100	09/03/2024	09/01/2024	09/01/2024 WM05	549.00
N	NA	.00	GENERAL COUNTY FUND	.00 SEPT J&S	0130	09/01/2024	GENERAL COUNTY FUND	09/2024
VC	20240822-006		0280	00142034100	09/03/2024	08/27/2024	08/27/2024 AG01	226.37
N	NA	.00	CINTAS CORPORATION	.00 INV #4203253013	0280	08/27/2024	CINTAS CORPORATION	09/2024
VC	20240822-007		0280	00142022500	09/03/2024	08/27/2024	08/27/2024 AG01	202.75
N	NA	.00	CINTAS CORPORATION	.00 INV #4203253013	0280	08/27/2024	CINTAS CORPORATION	09/2024
VC	20240822-008		0280	00142034500	09/03/2024	08/27/2024	08/27/2024 AG01	23.70
N	NA	.00	CINTAS CORPORATION	.00 INV #4203253013	0280	08/27/2024	CINTAS CORPORATION	09/2024
VC	20240822-009		5104	00140123000	09/03/2024	24-42043	08/23/2024 AG01	11080.00
N	NA	.00	EMERGENCY SERVICES	.00 I AM RESPONDING SUB RENEW	5104	08/23/2024	EMERGENCY SERVICES MARKET	09/2024
VC	20240822-010		0223	00140121302	09/03/2024	08/28/2024	08/28/2024 AG01	518.71
N	NA	.00	MON POWER	.00 ACCT #110 110 115 984	0223	08/28/2024	MON POWER	09/2024
VC	20240822-011		3839	05640723000	09/03/2024	94789066	08/26/2024 AA56	4400.00
N	NA	.00	ESRI	.00 MAINTENANCE	3839	08/26/2024	ESRI	09/2024
VC	20240822-012		X426	00141322300	09/03/2024	05/14/2024	05/14/2024 AG01	200.00
N	NA	.00	DAVID G PAULY	.00 2024 PRIMARY ELECTION	X426	05/14/2024	DAVID G PAULY	09/2024

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SEPARATE-CHK BOX	DISCOUNT-AMT	LIQUIDATE-AMT	DESCRIPTION	DUE-DATE	DISCDATE	CHECK	CHK-DATE	SELECT POSTDATE
VC	20240822-013		X426	00141322100	09/03/2024	05/14/2024	05/14/2024 AG01	35.00
N	NA	.00	DAVID G PAULY	.00 2024 PRIMARY-TRAINING	X426	05/14/2024	DAVID G PAULY	09/2024
VC	20240822-014		X426	00141322300	09/03/2024	05/14/2024	05/14/2024 AG01	35.00
N	NA	.00	DAVID G PAULY	.00 2024 PRIMARY-SUPPLY	X426	05/14/2024	DAVID G PAULY	09/2024
VC	20240822-015		X426	00141321400	09/03/2024	05/14/2024	05/14/2024 AG01	13.40
N	NA	.00	DAVID G PAULY	.00 2024 PRIMARY-20 MILES	X426	05/14/2024	DAVID G PAULY	09/2024
VC	20240822-016		6065	00171145900	09/03/2024	08/08/2024	08/08/2024 AG01	10.00
N	NA	.00	VA ELECTRIC & POWER CO	.00 PURCHASE OF BLDG & EQUIP	6065	08/08/2024	VA ELECTRIC & POWER CO	09/2024
VC	20240822-017		2389	00771222300	09/03/2024	44024	08/28/2024 AE07	300.00
N	NA	.00	BUSINESS RADIO LICENSING	.00 LICENSE APP	2389	08/28/2024	BUSINESS RADIO LICENSING	09/2024
VC	20240822-018		4685	00140521400	09/03/2024	08/27/2024	08/27/2024 AG01	15.00
N	NA	.00	STACY L GREASER	.00 REIMB-BRIDGEPORT	4685	08/27/2024	STACY L GREASER	09/2024
VC	20240822-019		4685	00140522100	09/03/2024	08/27/2024	08/27/2024 AG01	62.58
N	NA	.00	STACY L GREASER	.00 REIMB-BRIDGEPORT	4685	08/27/2024	STACY L GREASER	09/2024
VC	20240822-020		5253	00140521400	09/03/2024	08/27/2024	08/27/2024 AG01	15.00
N	NA	.00	MEGAN FIELDS	.00 REIMB-BRIDGEPORT	5253	08/27/2024	MEGAN FIELDS	09/2024
VC	20240822-021		5253	00140522100	09/03/2024	08/27/2024	08/27/2024 AG01	56.28
N	NA	.00	MEGAN FIELDS	.00 REIMB-BRIDGEPORT	5253	08/27/2024	MEGAN FIELDS	09/2024
VC	20240822-022		1515	00541521100	09/03/2024	08/29/2024	08/29/2024 WM05	59.96
N	NA	.00	P.L. GRIMM	.00 REIMB-SEPT 2024	1515	08/29/2024	P.L. GRIMM	09/2024
VC	20240822-023		5823	00170022300	09/03/2024	08/18/2024	08/18/2024 AG01	8.79
N	NA	.00	BREEZELINE	.00 SERVICE	5823	08/18/2024	BREEZELINE	09/2024
VC	20240822-024		3017	00170021102	09/03/2024	08/16/2024	08/16/2024 AG01	262.36
N	NA	.00	US CELLULAR	.00 ACCT #832451359	3017	08/16/2024	US CELLULAR	09/2024

TYPE	TRANS	NUMBER	P.O. NUMBER	VENDOR	ACCOUNT NUMBER	PROJECT-TASK-COST	INVOICE	TRANDATE	CASH-CODE	TRANS-AMOUNT
SEPARATE-CHK	BOX		DISCOUNT-AMT	LIQUIDATE-AMT	DESCRIPTION	DUE-DATE	DISCDATE	CHECK	CHK-DATE	SELECT
			VENDOR NAME	ACCOUNT NAME		PAYEE VENDOR NO		PAYEE VENDOR NAME		POSTDATE
VC	20240822-025			5867	00142023000		3145497	08/16/2024	AG01	1514.37
N	NA		.00		.00 CH BURGLARY SYSTEM	09/03/2024	08/16/2024			P
			MONITRONICS	CUSTODIAL CONT SERVICES	5867			MONITRONICS		09/2024
VC	20240822-026			5867	00142023000		3145440	08/21/2024	AG01	7003.43
N	NA		.00		.00 CH FIRE SYSTEM	09/03/2024	08/21/2024			P
			MONITRONICS	CUSTODIAL CONT SERVICES	5867			MONITRONICS		09/2024
VC	20240822-027			5390	00142034100		24-12969	08/21/2024	AG01	859.85
N	NA		.00		.00 SUPPLIES	09/03/2024	08/21/2024			P
			TT&S SUPPLY INC	CUSTODIAL MAT/SUPPLIES	5390			TT&S SUPPLY INC		09/2024
VC	20240822-028			4896	00140421900		17038396	08/23/2024	AG01	244.68
N	NA		.00		.00 COPIERS	09/03/2024	08/23/2024			P
			LEAF	TAX OFF - BLDG/EQUIP RENT	4896			LEAF		09/2024
WARNING: INVOICE NUMBER EXISTS MORE THAN ONCE IN THIS BATCH FOR SPECIFIED VENDOR										
VC	20240822-029			4896	00140121900		17038396	08/23/2024	AG01	119.53
N	NA		.00		.00 COPIER	09/03/2024	08/23/2024			P
			LEAF	CO COMM BLDG/EQUIP RENTS	4896			LEAF		09/2024
WARNING: INVOICE NUMBER EXISTS MORE THAN ONCE IN THIS BATCH FOR SPECIFIED VENDOR										
VC	20240822-030			4896	00140521900		17038396	08/23/2024	AG01	186.15
N	NA		.00		.00 COPIER	09/03/2024	08/23/2024			P
			LEAF	PROS ATTY-BLDG/EQUIP RENT	4896			LEAF		09/2024
WARNING: INVOICE NUMBER EXISTS MORE THAN ONCE IN THIS BATCH FOR SPECIFIED VENDOR										
VC	20240822-031			4896	00141221900		17038396	08/23/2024	AG01	193.64
N	NA		.00		.00 COPIER	09/03/2024	08/23/2024			P
			LEAF	CO AGENT - EQUIP RENT	4896			LEAF		09/2024
WARNING: INVOICE NUMBER EXISTS MORE THAN ONCE IN THIS BATCH FOR SPECIFIED VENDOR										
VC	20240822-032			4277	00140122601		110172	09/01/2024	AG01	11128.50
N	NA		.00		.00 WORKERS' COMP	09/03/2024	09/01/2024			P
			WVCORP	CO COMM INS WORKERS COMP	4277			WVCORP		09/2024
VC	20240822-033			4277	00140122600		110170	09/01/2024	AG01	82283.00
N	NA		.00		.00 GENERAL LIABILITY	09/03/2024	09/01/2024			P
			WVCORP	CO COMM INS GEN LIAB	4277			WVCORP		09/2024
TOTAL TRANSACTION AMOUNT										135232.49

WARNING: 2025 BUDGET HAS BEEN EXCEEDED FOR ACCOUNT 00541521100  
 WARNING: 2025 BUDGET HAS BEEN EXCEEDED FOR ACCOUNT 00541534100  
 WARNING: 2025 BUDGET HAS BEEN EXCEEDED FOR ACCOUNT 07273121300

List of invoices approved for payment  
 this 3rd day of Sept, 2024  
 Int. MR

**Assessor's Office**

**Tax Correction List –**

Commissioner Thomas moved to approve the Tax Correction List dtd September 3, 2024, in the amount of \$769.00 as presented by Assessor Connie Ervin. Commissioner Stone seconded the motion. A roll call vote was taken with Commissioner Thomas, Stone and Smith voting yes. Motion carried. (See attached.)

**TAX CORRECTION LIST**

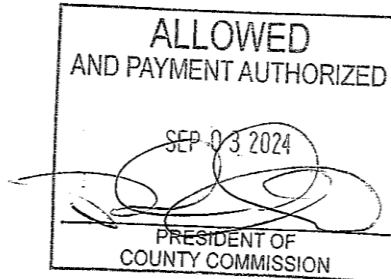
September 3, 2024

DIST	NAME	DESCRIPTION	REASON FOR EXONERATION	TICKET#	ACCT #	AMOUNT	YR
03	BISHOP ROBBIE	Personal Property	System error - Homestead removed	303847	00263377	\$33.18	2024
01	BRYSON WILLIAM J	Personal Property	Taxpayer error - Did not own 20 Chev Silv July 1, 2023	300150	00253222	\$381.08	2024
02	HALL KARLI	Personal Property	Taxpayer error - 17 Chev double assessed on 2 diff accts	302279	00267970	\$297.76	2024
08	SNYDER DAVID C & PEGGY S	Personal Property	Clerical error - MH belongs to David Snyder SR	80000007	2090917	\$56.98	2024

TOTAL: \$769.00

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

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



**Apportionments – None**

**Recognition of Scheduled Appointments –**


9:31 a.m. Robbie Baylor, EDA – Resolution and Funding Request

Commissioner Stone moved to approve a Resolution that recognizes and endorses the application for an industrial access road to serve Bionic Tire, located in Masontown, WV and authorize the President to sign. 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

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



**RESOLUTION**


**WHEREAS**, the Preston County Commission hereby recognizes and endorses the application for an industrial access road to serve Bionic Tire, located in Masontown, West Virginia, as submitted to the West Virginia Department of Economic Development for funding consideration; and

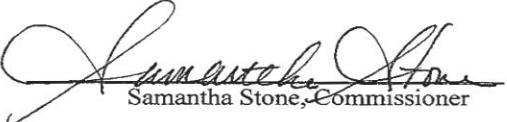
**WHEREAS**, Bionic Tire has requested up to \$400,000 of Preston County’s FY 2025 State Industrial Access Road Fund monies for an industrial road which will give access to new business endeavors;

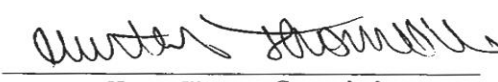
**THEREFORE, BE IT RESOLVED** that the Preston County Commission supports the funding of this project from Preston County’s FY 2025 State Industrial Access Road Fund monies as allocated by the West Virginia Department of Economic Development and the West Virginia Division of Highways.

**DATED THIS 3rd DAY OF September, 2024.**

**PRESTON COUNTY COMMISSION:**

  
Don Smith, President

  
Samantha Stone, Commissioner

  
Hunter Thomas, Commissioner

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)

Her second request was for the funds allocated to the EDA for an assistant director. She then gave a brief update on what the EDA has been working on for the past year. (See attached.)

No action was taken on the allocation for fund request.

**PCEDA Presentation  
Preston County Commission  
September 3, 2024**

**Past Year -**

**Assistant Director - hired a new assistant director in May 2024. Matt Porter from Wheeling. WV grad w masters degree. Received a Workforce Innovation & Opportunity Act (WIOA) On the Job training grant to cover a portion of his salary while he is learning the position.**

**AML Pilot Grant- Completed work on the Grace Chapel (former Kinney Shoe) building. \$2.2 million to remediate building and put property through the DEP Voluntary Remediation Program, replace lighting, roof, upgrade electric system, security system, new HVAC system, new hot water heaters, parking lot replacement, lenthil repair, new 6 acre pad with road. PCEDA used our own funds for additional work at the building including exterior painting, glass repair, and repairing and replacing bathroom fixtures. Used Preston County contractors - Solid Rock, GEC, RAA Contracting. Superior Fibers has a one year lease on the building and plans to move the pad line to the building.**

**Bionic Tire - continue to support Bionic Tire with their new facility. Industrial Access Road application.**

**PCEDA Website - prestonwv.com. Have tried to make it all inclusive. Includes information on why Preston, local business information, available sites, community information, demographics, news, community calendar, jobs listings. Going to update for more focus on site selectors. In one year, tripled users, went from 16 to 6 on Google. People are coming from US, India, Germany, Ireland, NY, PA, NC, OH,**

**Infrastructure - Currently working on water and sewer projects throughout the county totaling approximately \$40 million. Tunnelton Sewer project to update WWTP plant and Sewer PSD project to build new WWTP are complete. Terra Alta water is under construction. Masontown Sewer just opened bids. Kingwood Water and Sewer and Bruceton Mills phase II are bidding now. PSD 1 will be bidding soon.**

**Ongoing work includes visits with local businesses, responding to RFPs from consultants/businesses, etc.**

**Facebook - Have started marketing local businesses on Facebook by featuring a different Preston County business every day.**

**BUILDWV - Partnered with Morgantown Area Partnership to submit a proposal for a BUILDWV district. Awarded in March. The center point is Browns Mills, so the district would pick up parts of Preston, Monongalia, Marion, and Taylor counties. Morgantown, Fairmont, Grafton, all Preston County municipalities. Program to improve workforce housing construction by providing tax incentives to developers including a building materials sales tax exemption and receiving a 10-year tax credit. Developer must spend \$3 million or construct 6 housing units. Held a session for developers/realtors etc. on August 14. Meghan Smith from WVDED**

**#YESWV Ready Sites Program - the WV DED has put the #YesWV Ready Site Program in place. Each county could submit up to 2 10-acre sites....One of our 2 sites had a site visit on August 2. One of only 19 counties to progress this far. InSite Consulting**

**ARC Power Planning Grant - We partnered with FSU, GSU, Barbour EDA for a planning grant to look at ways to strengthen communications between higher ed and industry to develop a better STEM workforce stream. Roundtables, retreat. Submitted implementation grant in April 2024. Should hear something soon. HUB could include advisory councils, intern directory and match-making, industry speakers for STEM classes course development including soft skills, one-stop career exploration, traveling rep, adult learning sessions**

**Business Training - partnered with the Chamber of Commerce to hold a workforce training program event with Tracey Kennedy of the Region VI Workforce Development Board.**

9:35 a.m. Kevin Fike, Combined Insurance Company – Volunteer Benefit Package

Kevin Fike, representing Combined Insurance, came before the commission with a request to present a package of voluntary benefits with pricing considerations to county employees.

Commissioner Stone moved to move forward authorizing Combine Insurance to put together a package to present and offer to the Preston County Commission employees. Commissioner Thomas seconded the motion. A roll call vote was taken with Commissioners Stone, Thomas and Stone voting yes. Motion carried. The following applications for group policies were signed. (See attached.)

COMBINED INSURANCE COMPANY OF AMERICA  
Home Office: 111 East Wacker Drive • Suite 700 • Chicago, Illinois 60601

APPLICATION FOR GROUP POLICY

Name of Employer:

Address:

The Employer hereby applies for the following Combined Insurance Company of America's Policy/Policies:

Listing of Combined Policies Applied for

The Employer hereby authorizes Combined, its licensed agents or enrollers, to offer all of the eligible employees the opportunity to enroll for coverage under the Policy/Policies issued to Employer.

An eligible employee is one who works at least 17 1/2 hours per week and who has been actively employed by Employer for at least months.

The Employer agrees to provide Combined's licensed agents or enrollers direct access to its employees to solicit individual applications.

The Employer further agrees to deduct any premiums for this coverage from employees' paychecks and forward these premiums to Combined when due.

Employer agrees to reimburse Combined for any and all premiums, and costs associated with the loss thereof, which are misappropriated by Employer or any of its employees, agents, or representatives.

Executed on \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_ .

  
Signature of Officer of Employer

  
Print Name and Title of Officer

Combined Insurance Company of America  
Authorized Agent

Form No. MA14059

COMBINED INSURANCE COMPANY OF AMERICA  
Home Office: 111 East Wacker Drive • Suite 700 • Chicago, Illinois 60601

APPLICATION FOR GROUP POLICY

Name of Employer:

Address:

The Employer hereby applies for the following Combined Insurance Company of America's Policy/Policies:

Listing of Combined Policies Applied for

The Employer hereby authorizes Combined, its licensed agents or enrollers, to offer all of the eligible employees the opportunity to enroll for coverage under the Policy/Policies issued to Employer.

An eligible employee is one who works at least 17 1/2 hours per week and who has been actively employed by Employer for at least months.

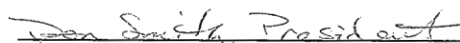
The Employer agrees to provide Combined's licensed agents or enrollers direct access to its employees to solicit individual applications.

The Employer further agrees to deduct any premiums for this coverage from employees' paychecks and forward these premiums to Combined when due.

Employer agrees to reimburse Combined for any and all premiums, and costs associated with the loss thereof, which are misappropriated by Employer or any of its employees, agents, or representatives.

Executed on \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_ .

  
Signature of Officer of Employer

  
Print Name and Title of Officer

Combined Insurance Company of America  
Authorized Agent

Form No. MA13999

APPLICATION FOR GROUP POLICY

Name of Employer:

Address:

Requested Effective Date:

Governing Jurisdiction:

The Employer hereby applies for the following Combined Insurance Company of America's Policy/Policies:

- Group Disability Income Insurance

Classes of Eligible Employees:

Deduction Method/Payroll Frequency:  Weekly  Bi-weekly  Semi-monthly  Monthly  Other: \_\_\_\_\_

Billing Frequency:  28 Day  Monthly  Other: \_\_\_\_\_

Amount Paid with Application (if any): \_\_\_\_\_

The Employer hereby authorizes Combined, its licensed agents or enrollers, to offer all of the eligible employees the opportunity to enroll for coverage under the Policy/Policies issued to the Employer.

An eligible employee is one who works at least 30 hours per week and who is actively employed by the Employer.

The Employer agrees to provide Combined's licensed agents or enrollers direct access to its employees for the purpose of enrollment.

The Employer further agrees to deduct any premiums for this coverage from employees' paychecks and forward these premiums to Combined when due. The Employer agrees to accept the terms and provisions of the Policy, including any exhibits, riders, endorsements or amendments, if any.

Employer agrees to reimburse Combined for any and all premiums, and costs associated with the loss thereof, which are misappropriated by Employer or any of its employees, agents, or representatives.

Any person who knowingly presents a false statement in an application for insurance may be guilty of a criminal offense and subject to penalties under state law.

Executed on \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_ .

Signature of Officer of Employer

Print Name and Title of Officer

Combined Insurance Company of America  
Authorized Agent

Form No. ICC17-MA19202

**COMBINED**<sup>™</sup>  
A Chubb Company

Combined Insurance Company of America  
Customer Service • P.O. Box 6700 • Scranton, PA 18505-0700  
Telephone 1-800-544-9382 [www.combinedinsurance.com](http://www.combinedinsurance.com)

GROUP AUTHORIZATION FOR E-DELIVERY OF POLICY DOCUMENTS  
CERTIFICATE DELIVERY ELECTION

\_\_\_\_\_  
Name of Employer/Organization

By signing below, the entity named above ("You") authorizes Combined Insurance Company of America, Combined Life Insurance Company of New York, and ACE Property and Casualty Insurance Company, each a Chubb company, and its affiliated insurers, (collectively, "Chubb") to deliver certificates of insurance to individual enrollees electronically via secure means for any and all policies applied for and approved for issuance by the underwriting company. Such electronic delivery will be made to the email address provided by the employee on his/her enrollment form (if any) or the email address provided for each employee by the Policyholder.

If you do not sign below, you can still enroll / apply for coverage, and certificates will be sent by US mail or delivered to you to distribute directly.

This authorization is voluntary and will remain in effect until withdrawn. You may withdraw at any time by sending written notice to the address above. This authorization is not part of the application or policy.

\_\_\_\_\_  
Signature of Officer

\_\_\_\_\_  
Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

9:50 a.m. Stacy Greaser, Victim Advocate/Paralegal – Proclamation – National Day of Remembrance for Murder Victims Declaration

Commissioner Stone moved to proclaim September 25, 2024, as National Day of Remembrance for Murder Victims. Commissioner Thomas seconded the motion. A roll call vote was taken with Commissioner Stone, Thomas and Smith voting yes. Motion carried. (See attached for Proclamation, read by Samantha Stone.)

# PROCLAMATION

## PRESTON COUNTY COMMISSION

WHEREAS, in 2007, the U.S. Congress declared that September 25<sup>th</sup> of every year be designated as a “National Day of Remembrance for Murder Victims”; and

WHEREAS, the Nation has set this day aside to honor the memories of murder victims and recognize the impact of homicide on surviving family members and loved ones; and

WHEREAS, the devastating impact of murder in America has far-reaching effects on individuals, families’ communities and our nation as a whole; and

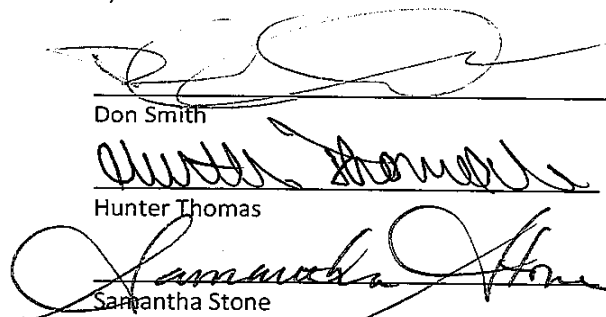
WHEREAS, the families of murder victims face immediate, short-term and lasting consequences that have a profound effect on them – emotionally, financially, physically, socially and spiritually; and

WHEREAS, the office of the Preston County Prosecuting Attorney and the Preston County Victim Advocate ask that public support and assistance continue throughout the year as these offices join with RDVIC, other Preston County officials and supporters to send a message to survivors of murder victims that we will remember their tragedy, honor their courage, and vow to do whatever we can to help them rebuild their lives.

NOW, THEREFORE, WE, Don Smith, Hunter Thomas and Samantha Stone, do hereby proclaim that we will join the Nation in recognizing September 25, 2024, as the National Day of Remembrance for Murder Victims and;

WE REMEMBER AND HONOR ALL THE MURDER VICTIMS AND THEIR COURAGEOUS SURVIVORS ON THIS DAY in Preston County, and we commend this proclamation to all citizens.

IN TESTIMONY WHEREOF WE, have hereunto Set our hand and caused the Seal of the County of Preston to be affixed this 3<sup>rd</sup> day of September in the year Two Thousand Twenty-Four.



Don Smith  
Hunter Thomas  
Samantha Stone

9:55 a.m. Justin Wolfe, OEM/E911 – EMPG – Grant Document  
Duane Hamilton, OEM/E911 – Sale of two police cruisers Town of Masontown

Commissioner Thomas moved to approve the FY2022 Emergency Management Performance Grant Award in the amount of \$44,736.00 and authorize the President of the Preston County Commission to sign the documents. Commissioner Stone seconded the motion. A roll call vote was taken with Commissioners Thomas, Stone and Smith voting yes. Motion carried. (See attached.)



State of West Virginia  
Emergency Management Division


FY 2022 Emergency Management Performance Grant Award

<u>CFDA Number</u> 97.042	<u>Federal Grant Award</u> EMP-2022-EP-00002	<u>OASIS-GG Document ID</u> GRNT2400002442
<u>Subgrant Period</u> From: 1/1/2022 To: 12/31/2022	<u>Subgrant #</u> 22-EMPG-39	Major Program: EMPGLO Program: EMPGLOC Program Period: LO2022

<u>Subgrantee Name and Address</u>  Preston County Commission 106 W MAIN ST STE 202 KINGWOOD WV 26537	<u>FEIN</u> 55-6000384
	<u>UEI</u> XCNKL4BYEAD5
	<u>OASIS ID</u> 212200

<b>TOTAL GRANT AWARD</b>	<b>\$ 44,736</b>
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By signing and accepting this award, the subgrantee agrees to comply with all conditions and assurances included in the application. I certify that this project will be implemented as described in the application.

Subgrantee Authorized Official: 

Title: President Date: 9/3/2024

**Emergency Management Program Certification**

The attached application has been reviewed and the proposed project and expenditures fall within all state and federal guidelines which govern the Emergency Management Performance Grant program, and sufficient funds exist to make this award.

EMPG Grant Representative \_\_\_\_\_ Date \_\_\_\_\_

I hereby authorize the awarding of funds to support the project as described in the attached application.

HSSAA Director \_\_\_\_\_ Date \_\_\_\_\_

DEPARTMENT OF HOMELAND SECURITY FEDERAL EMERGENCY MANAGEMENT AGENCY <b>CERTIFICATIONS REGARDING LOBBYING; DEBARMENT, SUSPENSION AND                  OTHER RESPONSIBILITY MATTERS; AND DRUG-FREE WORKPLACE REQUIREMENTS</b>	O.M.B. No. 1660-0025 Expires July 31, 2009
<b>PAPERWORK BURDEN DISCLOSURE NOTICE</b> Public reporting burden for this form is estimated to average 1.7 hours per response. The burden estimate includes the time for reviewing instructions and searching existing data sources, gathering and maintaining the data needed and completing, and submitting the form. You are not required to respond to this collection of information unless a valid OMB control number appears in the upper right corner of this form. Send comments regarding the accuracy of the burden estimate and any suggestions for reducing the burden to: Information Collections Management, Department of Homeland Security, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, Paperwork Reduction Project (1660-0001). <b>NOTE: Do not send your completed form to this address.</b>	
Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature of this form provides for compliance with certification requirements under 44 CFR Part 18, "New Restrictions on Lobbying" and 28 CFR Part 17, "Government-wide Debarment and Suspension (Nonprocurement) and Government-wide Requirements for Drug-Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Federal Emergency Management Agency (FEMA) determines to award the transaction, grant, or cooperative agreement.	
<b>1. LOBBYING</b> As required by section 1352, Title 31 of the U.S. Code, and implemented at 44 CFR Part 18, for persons entering into a grant or cooperative agreement over \$ 100,000, as defined at 44 CFR Part 18, the applicant certifies that: (a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement. (b) If any other funds than Federal appropriated funds have been paid or will be paid to any other person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or an employee of Congress, or employee of a member of Congress in connection with this Federal Grant or cooperative agreement, the undersigned shall complete and submit Stand Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions. (c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all subrecipients shall certify and disclose accordingly. <input type="checkbox"/> Standard Form-LLL "Disclosure of Lobbying Activities" attached (This form must be attached to certification if nonappropriated funds are to be used to influence activities.)	(c) Are not presently indicted for otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1) (b) of this certification; and (d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause of default; and B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.
<b>2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS (DIRECT RECIPIENT)</b> As required by Executive Order 12549, Debarment and Suspension, and implemented at 44 CFR Part 67, for prospective participants in primary covered transactions, as defined at 44 CFR Part 17, Section 17.510-A. A. The applicant certifies that it and its principals: (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency; (b) Have not within a three-year period preceding this application been convicted of a or had a civilian judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or perform a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;	<b>3. DRUG-FREE WORKPLACE (GRANTEE OTHER THAN INDIVIDUALS)</b> As required by the Drug-Free Workplace Act of 1988, and implemented at 44 CFR Part 17, Subpart F, for grantees, as defined at 44 CFR Part 17.615 and 17.620. A. The applicant certifies that it will continue to provide a drug-free workplace by: (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition; (b) Establishing an on-going drug free awareness program to inform employees about- (1) The dangers of drug abuse in the workplace; (2) The grantee's policy of maintaining a drug-free workplace; (3) Any available drug counseling, rehabilitation, and employee assistance programs; and (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace; (c) Making it a requirement that each employee to be engaged in the performance of the grant to be given a copy of the statement required by paragraph (a); (d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will- (1) Abide by the term of the statement; and (2) Notify the employee in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such convictions;

(e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position, title, to the applicable FEMA awarding office, i.e., regional office or FEMA office.

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is convicted-

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation act of 1973, as amended; or

(2) Requiring such an employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug free workplace through implementation of paragraphs (a), (b), (c), (d), (e) and (f).

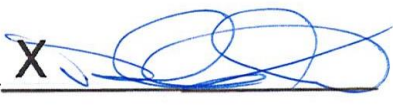
B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, City, County, State, Zip code)

Preston Co OEM  
300 Rich Walk Dr.  
Kingwood, WV 26537

Check  If there are workplaces on file that are not identified here.

Sections 17.630 of the regulations provide that a grantee that is a State may elect to make one certification in each Federal fiscal year. A copy of which should be included with each application for FEMA funding. States and State agencies may elect to use a state wide certification.

Signature of Authorized Official: X 

Date: 9/3/2024

## Conditions and Assurances

This program is conditioned upon and subject to compliance with the following Conditions and Assurances. By attaching a signature to the **Award Document** of this grant application, the applicant certifies and assures that it will comply with the following Conditions and Assurances, Regulations, Policies, Guidelines and Requirements of the Homeland Security State Administrative Agency (HS SAA), as further clarified in the Policies and Procedures Manual for this program; U.S. Department of Homeland Security guidance; and all other relevant Federal/State regulations, policies, and guidelines. These Conditions and Assurances apply to all federal and agency funds expended for purposes associated with this project. All correspondence to the HS SAA, which is required and/or occurs as a result or action of any of the following Conditions and Assurances, or as a result of the administration of any HS SAA grant program, should be addressed to:

**WV Emergency Management Division**  
Homeland Security State Administrative Agency  
1124 Smith St, Suite 3201, Charleston, WV 25301

### **1 Laws of West Virginia:**

This application/contract shall be governed in all respects by the laws of the State of West Virginia. State procedures and practices will apply to all funds disbursed by the HS SAA.

### **2 Legal Authority:**

The applicant hereby certifies it has the legal authority to apply for the grant; that a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body authorizing the filing of the application, including all understandings and assurances contained therein, and directly authorizes the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.

### **3 Relationship:**

The relationship of the sub-grantee to the HS SAA shall be that of an independent contractor, not that of a joint enterprise. The sub-grantee shall have no authority to bind the HS SAA for any obligation or expense without the express prior written approval from the HS SAA.

### **4 Operational Within 90 Days:**

If the project is not operational within 90 days of the specified project starting date, the grantee must submit a statement to HS SAA explaining the delay in implementation. Upon receipt of the 90-day letter, HS SAA may cancel the project and redistribute the funds to other project areas and/or eligible applicants.

### **5 Civil Rights Compliance:**

Sub-grantee will comply with all federal civil rights laws, including Title VI of the Civil Rights Act, as amended. These laws prohibit discrimination on the basis of race, color, religion, national origin, and sex in the delivery of services.

### **6 Written Approval of Changes:**

The sub-grantee must obtain prior written approval from HS SAA for all project changes (programmatic, fiscal, or otherwise).

## 7 Press Release:

Release of information pertaining to this sub-grant must include the following information:

1. Grant amount.
2. State involvement (WV Emergency Management Division); and
3. Federal involvement (U.S. Dept. of Homeland Security).

## 8 Compliance with Federal Rules and Regulations:

Sub-grantee will comply with Title 2, Part 200 of the Code of Federal Regulations (*Super Circular*). The Super Circular supersedes Circulars A-21, A-87, A-89, A-102, A-110, A-122, A-133.

## 9 Program Accountability - Federal Audit Requirement - Super Circular:

If an audit must be conducted pursuant to the Super Circular, a copy of the audit shall be submitted to HSSAA as well as to the Federal clearinghouse. The Federal clearinghouse address is as follows:

Federal Audit Clearinghouse Bureau of the Census  
1201 E.10th Street  
Jeffersonville, IN 47132

## 10 Program Accountability - State Audit Requirement

Chapter 12, Article 4, Section 14 of the West Virginia Code, as amended, sets forth the audit requirements of corporations, associations or other organizations which receive state funds or grants. These audit requirements do not apply to units of local and state government. If applicable, this grant shall adhere to the audit requirements set forth in §12-4-14 at the time of award. All funds disbursed by HS SM are appropriated by the WV Legislature; therefore, all funds disbursed are considered state funds. The HS SAA will notify the Legislative Auditor when a sub-grant is awarded which falls under the requirements of the WV Code.

As of 9L13L05, the requirements set forth in §12-4-14 are as follows: Any corporation, partnership, association, individual or other legal entity (not to include a state spending unit or a local government as defined in § 6-9-1a of the West Virginia Code, as amended) which receives one or more state grants or sub-grants in the amount of \$50,000 or more in the aggregate in a state fiscal year shall file with the HS SM a Report of the disbursement of these state funds. An OMB A-133 Audit or an audit conducted by a certified public accountant may be substituted for the Report. The Report shall be filed within two years of the end of the fiscal year in which the grant or sub-grant closes. The Report shall be written by an independent certified public accountant and the scope of the Report is limited to showing how the state grant or sub-grant funds were spent. The Report does not have to be a full-scope audit or review of the entity receiving state funds. Any entity failing to file a required Report is barred from subsequently receiving state grant or sub-grant funds until the Report is filed and is otherwise in compliance with the provisions of West Virginia Code. If a Report is not required under this section of the WV Code, then the grantee or sub-grantee shall file with HS SM a sworn statement of expenditures made under the grant or sub-grant.

The Sub-grantee assures that it has read, understands and is in full compliance with all requirements as set forth in Chapter 12, Article 4, Section 14 of the West Virginia Code, as amended, and is not currently debarred from receiving state grant funds as a result of noncompliance with this section of the West Virginia Code, as amended.

## 11 Access to Records, Equipment, Training, & Exercises:

The HS SM, through any authorized representative, shall have access to and the right to examine all records, books, papers, documents, equipment, training, and/or exercises related to the sub-grant and to relevant books and records of contractors.

## 12 Conflict of Interest:

No public official or employee of the sub-grantee agency, who performs any duties under the project, may participate in an administrative decision with respect to the project if such a decision can be expected to result in any private/public benefit to that individual or that individual's immediate family.

## 13 National and State Evaluation Efforts:

The Sub-grantee agrees to cooperate with any national and/or state evaluation efforts directly or indirectly related to this program as requested.

## 14 Political Activity:

The restrictions of the Hatch Act, Pub. L. 93-433, 5 U.S.C. Chapter III, (as amended), concerning the political activity of government employees are applicable to state grantee staff members and other state and local government employees whose principal employment is in connection with activities financed, in whole or in part, by Title I grants. Under a 1975 amendment to the Hatch Act, such state and local government employees may take an active part in political management and campaigns, except they may not be candidates for office.

## 15 Obligation of Project Funds

Funds may not, without prior written approval from the HS SAA, be obligated prior to the effective start date or subsequent to the termination date of the project period. All invoices must be dated within the approved sub-grant period.

## 16 Elements of a Viable Continuity Capability

The Continuity Plan is the roadmap for the implementation and management of the Continuity Program. The National Continuity Policy: Federal Continuity Directive 1 and Federal Continuity Directive 2 outline the following ten (10) overarching continuity requirements: Essential Functions, Orders of Succession, Delegations of Authority, Continuity Facilities, Continuity Communications, Vital Records Management, Human Capital, Tests-Training-Exercises, Devolution of Control & Direction, and Reconstitution. It is utilizing sub-grant funding for the development of a Continuity Plan, the Plan must address each of these ten. (101 elements in order to be eligible to be reimbursed for approved allowable costs.

## 17 Use of Funds

Funds awarded through the HS SAA may be expended ONLY for the purposes and activities specifically covered by the sub-grantee's approved project description and budget. Any change in the project or the budget must receive PRIOR approval from HS SAA.

## **18 Release of Information**

All records, papers and other documents kept by recipients of grant funds are required to be made available to the HS SAA. These records and other documents submitted to the HS SAA and its grantees, including plans and application for funds, reports, etc., are subsequently required to be made available to the U.S. Department of Homeland Security under the terms and conditions of the Federal Freedom of Information Act, 5 U.S.C. §552. The HS SAA recognizes that some information submitted in the course of applying for funding under this program or provided in the course of its grant management activities, may be considered law enforcement sensitive or otherwise important to national or state security interests. This may include threat, risk, and needs assessment information, and discussions of demographics, transportation, public works, and industrial and public health infrastructures. While this information under federal control is subject to requests made pursuant to the Freedom of Information Act, 5 U.S.C. §552, all determinations concerning the release of information of this nature are made on a case-by-case basis by the Federal Division of Homeland Security FOIA Office and may likely fall within one or more of the available exemptions under the Act

Sub-grantees must consult applicable state and local laws and regulations regarding the release or transmittal of information to any entity which may be considered sensitive in nature. Applicants may also consult the HS SAA regarding concerns or questions about the release of potentially sensitive information under state and local laws.

## **19 Allowable and Unallowable Costs**

Allowable costs incurred under this grant shall be determined in accordance with the Super Circular.

## **20 Non-supplanting**

Federal funds must be used to supplement existing funds for program activities and may not replace (supplant) non-Federal funds that have been appropriated for the same purpose. Potential supplanting will be the subject of monitoring and audit. Violations can result in a range of penalties, including suspension of future funds under this program, suspension or debarment from Federal grants, recoupment of monies provided under this grant, and civil and/or criminal penalties. The sub-grantee hereby certifies that Federal funds made available under this grant will not be used to supplant state and local funds.

## **21 Matching Contribution**

If matching funds are allocated, the applicant assures that those funds shall be in addition to funds that would otherwise be made available for the proposed project by the recipients of grant funds and shall be provided on a project-by-project basis. Cash matching contributions are subject to the same expenditure guidelines established by the HS SAA and the U.S. Department of Homeland Security for this grant program. All sub-grantees must maintain records that clearly show the source, the amount, and the timing of all cash matching contributions. There is no waiver provision for any cash match requirements.

## **22 Project Income**

All income earned by the sub-grantee because of the conduct of this project must be accounted for and included in the total budget. Project income is subject to the same expenditure guidelines established by the HS SAA and the U.S. Department of Homeland Security for this grant program. All sub-grantees must maintain records that clearly show the source, the amount, and the timing of all project income. There is no waiver provision for the project income requirement.

## **23 Consultant Fees**

Approval of this sub-grant does not necessarily indicate an approval of specific consultant rates. Please discuss rates with the HS SAA.

## **24 Purchasing**

When making purchases relevant to the sub-grant, the sub-grantee will abide by applicable State and local laws and the organizations own purchasing procedures.

## **25 Reports**

Each sub-grantee shall submit reports as deemed reasonably necessary by the HS SAA for monitoring, stewardship, and evaluation of programmatic and fiscal responsibilities.

## **26 Environmental & Historical Preservation (EHP):**

The sub-grantee shall comply with all applicable Federal, State, and local EHP requirements and shall provide any information requested to ensure compliance with applicable laws.

## **27 Suspension of Funding:**

HS SAA may suspend, in whole or in part, terminate, or impose other sanctions on any sub-grantee funds for the following reasons:

- Failure to adhere to the requirements, standard conditions, or special conditions and assurances of this program.
- Failure to submit reports.
- Filing a false certification in this application or in another report or document; or,
- Other just cause.

## **28 Sanctions for Noncompliance:**

In the event of the sub-grantee's noncompliance with the terms, conditions, covenants, rules, or regulations of this grant, the HS SAA may impose such contract sanctions, as it may deem appropriate, including but not limited to:

- Withholding of payments to the sub-grantee until the sub-grantee complies.
  - Cancellation, termination, or suspension of the contract, in whole or in part; or,
- Refrain from extending any further assistance to the sub-grantee until satisfactory assurance of future compliance has been received.

## **29 Immigration and Naturalization Verification:**

The sub-grantee agrees to complete and keep on file, as appropriate, applicable Immigration and Naturalization Service Employment Eligibility Verification Forms. These forms are to be used by recipients of Federal funds to verify that employees are eligible to work in the United States.

## **30 Use of Grant Funds to Enact Laws:**

Sub-grantee understands and agrees that shall not use any sub-grant funds, either directly or indirectly in support of the enactment, repeal, modification or adoption of any law, regulation, or policy, at any level of government.

## **31 Property Accountability:**

The sub-grantee shall establish and administer a system to control, protect, preserve, use, maintain, and properly dispose of any property or equipment furnished with it, or made available through a sub-grant by the HS SAA. This obligation continues if the property is retained by the sub-grantee, notwithstanding the expiration of this agreement. Prior to sale, trade in or disposal of property, disposition instructions will be obtained from the HS SAA. Sub-grantee assures inventory checks will be performed annually or pursuant to guidance promulgated in the Administrative Manual for this program, with copies provided to the HS SAA. The HS SAA reserves the right to inspect and review any equipment purchased with this sub-grant.

### **32 Communications Equipment:**

With respect to communications initiatives and equipment, the sub-grantee agrees to the following: Communications equipment shall be compatible with the SAFECOM P25 trunked radio hierarchy and the WV Statewide Interoperable Radio Network. Per WV Code §15-14-4, all communications equipment requests must be reviewed and approved by the Statewide Interoperability Coordinator. [www.sirn.wv.gov](http://www.sirn.wv.gov)

### **33 Equipment**

Sub-grantees purchasing equipment with grant funds shall adhere to the established bidding procedures for their respective Organization. All equipment shall have a primary function of being used for homeland security purposes and be available statewide (if practical) for use during emergencies and training/exercise events.

### **34 Marking of Equipment and Publications:**

Sub-grantee shall ensure that, when practicable, any equipment purchased, and publications produced with grant funding shall be prominently marked as follows: "Supported with funds provided by the U.S. Department of Homeland Security and the WV EMD."

### **35 Patents and/or Copyrights and Rights in Data:**

Sub-grantee acknowledges that the HS SAA, and subsequently the U.S. Department of Homeland Security, reserves a royalty-free, non-exclusive, and irrevocable license to reproduce, publish, or otherwise use, and authorize others to use, for State or Federal government purposes: (1) the copyright in any work developed under an award or sub award; and, (2) any rights of copyright to which a recipient or sub recipient purchases ownership, in whole or in part, with State or Federal support. The sub-grantee shall consult with the HS SAA regarding the allocation of any patent rights that arise from, or are purchased with, this funding.

### **36 Time Extensions:**

Time extensions are allowable; however, the HS SAA will review and approve extension requests on a case-by-case basis only if the extension is warranted. Lack of planning by the sub-grantee is not a justified reason for an extension.

### **37 Equal Employment Opportunity Plan:**

Each sub-grantee certifies that it has been executed and has on file an Equal Employment Opportunity Plan.

### **38 Veterans Preference:**

This program includes a provision that grantees utilizing funds to hire additional personnel give suitable preference in employment to military veterans. HS SAA defines "suitable preference" as the requirement that a sub-grantee agency have in place a mechanism ensuring that veterans are given consideration in the hiring process.

### **39 Submission/Release of Proposed Publications:**

The sub-grantee shall submit one copy of all reports and proposed publications resulting from this agreement to the HS SAA twenty (20) days prior to public release. Any publications (written, visual, sound, or otherwise), whether published at the grantee's or government's expense, shall contain the following statements:

"This document [product] was prepared under a grant from the United States Department of Homeland Security and the WV Emergency Management Division. Points of view or opinions expressed in this document (product) are those of the authors and do not necessarily represent the official position or policies of the U.S. Department of Homeland Security, nor the State of West Virginia."

### **40 Purchase of American-made Equipment/Products:**

It is the sense of the Congress, as conveyed through the FY 1997 Appropriations Act, as well as the desire of HS SAA that to the greatest extent practicable, all equipment and products purchased with Federal funds made available under this grant should be American made.

### **41 Personnel Training:**

The HS SAA reserves the right to require training as a condition of the sub-grant before or at any time during the project period. Proof of training/certification on grant-funded equipment shall be provided, upon request within 10 business days.

### **42 Accounting Requirements:**

The sub-grantee shall record all project funds and costs following generally accepted accounting procedures. A unique account number or cost recording shall separate all project costs from the sub-grantee's other or general expenditures. Adequate documentation for all project costs and income shall be maintained. Adequate documentation of financial and supporting material, as defined in the pertinent Administrative Manual, shall be retained and be available for audit purposes.

### **43 Financial Guide:**

Sub-grantee shall comply with all requirements as set forth in the Financial Guide which governs this program.

### **44 Davis-Bacon and Related Acts:**

Subgrantee agrees to comply with the Davis-Bacon and Related Acts, which applies to contractors and subcontractors performing on federally funded or assisted contracts more than \$2,000 for the construction, alteration, or repair (including painting and decorating) of public buildings or public works. Davis-Bacon Act and Related Act contractors and subcontractors must pay their laborers and mechanics employed under the contract no less than the locally prevailing wages and fringe benefits for corresponding work on similar projects in the area. The Davis-Bacon Act directs the Department of Labor to determine such locally prevailing wage rates. The Davis-Bacon Act prevailing wage provisions applies to the "Related Acts," under which federal agencies assist construction projects through grants, loans, loan guarantees, and insurance. For prime contracts more than \$100,000, contractors and subcontractors must also, under the provisions of the Contract Work Hours and Safety Standards Act, as amended, pay laborers and mechanics, including guards and watchmen, at least one and one-half times their regular rate of pay for all hours worked over 40 in a workweek. The overtime provisions of the Fair Labor Standards Act may also apply to DBA-covered contracts. For more information, check the following US Department of Labor website link. <https://www.dol.gov/whd/govcontracts/dbra.htm>

### **45 Contractor Planning Requirements:**

All subgrants utilizing a contractor will submit copies of agendas, notes/minutes, and sign-in sheets for meetings between subgrantee and contractor(s). Subgrantees MUST include a list of planned and completed meeting dates. These documents MUST be submitted with monthly progress reports. Copies of all final work products (i.e. plans, SOPs/SOGs, exercise documentation) must be submitted prior to the final request for reimbursement.

***Signature for the conditions and assurances is made on the Award Document***

Duane Hamilton presented a sales agreement for the sale of 2 cruisers to the Town of Masontown with an approval letter from the prosecuting attorney for the sale.

Commissioner Thomas moved to approve the sale of the 2 cruisers as stated below and authorize Duane Hamilton to sign the titles over to the Town of Masontown. 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 Central Garage**  
**WHOLESALE SALES ORDER**

SALE DATE \_\_\_\_\_  
CUSTOMER NO \_\_\_\_\_

PURCHASER Town of Masontown		ADDRESS 47 W. Midway Ave., Masontown, WV 26542					TELEPHONE
STOCK #	YEAR	MAKE	MODEL	VEHICLE IDENTIFICATION NUMBER	ODOMETER READING & DISCLOSURE	PRICE	
PCSO 12	2013	Ford	Explorer	1FM5K8AR1DGC82833	147,925 <input checked="" type="checkbox"/> ACCURATE <input type="checkbox"/> NOT ACCURATE	\$4,500.00	
PCSO 31	2014	Ford	Explorer	1FM5K8AR7EGA38668	156,377 <input checked="" type="checkbox"/> ACCURATE <input type="checkbox"/> NOT ACCURATE	\$4,500.00	
					<input type="checkbox"/> ACCURATE <input type="checkbox"/> NOT ACCURATE		
					<input type="checkbox"/> ACCURATE <input type="checkbox"/> NOT ACCURATE		
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					<input type="checkbox"/> ACCURATE <input type="checkbox"/> NOT ACCURATE		
					<input type="checkbox"/> ACCURATE <input type="checkbox"/> NOT ACCURATE		
<small>WARRANTY DISCLAIMER: ALL MOTOR VEHICLES LISTED ON THIS WHOLESALE SALES ORDER ARE BEING SOLD WITHOUT ANY WARRANTY OF ANY KIND. THE SELLER HEREBY EXPRESSLY DISCLAIMS ALL WARRANTIES, EXPRESS OR IMPLIED, INCLUDING ANY IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. THE SELLER NEITHER ASSUMES NOR AUTHORIZES ANY PERSON OR ENTITY TO ASSUME FOR IT ANY LIABILITY IN CONNECTION WITH THE SALE OF ANY MOTOR VEHICLE LISTED ON THIS WHOLESALE SALES ORDER.</small>						<b>TOTAL PRICE</b> \$9,000.00	
<small>IMITATION OF DAMAGES: PURCHASER UNDERSTANDS THAT SELLER SHALL NOT BE LIABLE FOR ANY DAMAGES RESULTING FROM THE FAILURE TO DELIVER A MOTOR VEHICLE OR OTHER DELAYS CAUSED BY AN ACCIDENT, THEFT, FIRE OR ANY OTHER CAUSE BEYOND THE SELLER'S CONTROL. WHERE PERMITTED BY LAW, PURCHASER SHALL NOT BE ENTITLED TO RECOVER FROM SELLER ANY CONSEQUENTIAL DAMAGES, DAMAGES TO PROPERTY, DAMAGES FOR LOSS OF USE, LOSS OF TIME, LOSS OF PROFITS OR INCOME, OR ANY OTHER INCIDENTAL DAMAGES.</small>						AMOUNT PAID \$ _____ <input type="checkbox"/> CHECK NO. _____ <input type="checkbox"/> CASH	
<small>REMARKS:</small>						RECEIVED BY _____ RECEIPT NO. _____	
<small>The person signing this Wholesale Sales Order as Purchaser agrees that he or she, acting individually or as an agent for another person or business entity, has the legal authority to engage in this transaction and will sign any and all documents necessary to complete the terms of this sale. Purchaser has read the warranty disclaimer and mitigation of damages and fully understands that all motor vehicles listed on this Wholesale Sales Order are being sold by Seller without any warranty of any kind. THIS WHOLESALE SALES ORDER IS NOT VALID UNTIL ACCEPTED BY DEALER OR ITS AUTHORIZED REPRESENTATIVE.</small>						AMOUNT DUE \$ _____ DUE BY _____	
Accepted By (Print Name): <u>James Cottrell</u>				On Behalf Of: <u>Town of Masontown</u>			
Signed: <u>[Signature]</u>				Dealer License Number: <u>N/A</u>			
Signed By Dealer or Authorized Representative: <u>[Signature]</u>				Date: <u>8-29-2024</u>			

LAW FOR NO. LAWOH-0405 REV. 10/13 2011 The Reynolds and Reynolds Company TO ORDER: www.reynolds.com; 1-800-344-6996; fax 1-800-531-9255

THE PRINTER MAKES NO WARRANTY, EXPRESS OR IMPLIED, AS TO CONTENT OR FITNESS FOR PURPOSE OF THIS FORM. CONSULT YOUR OWN LEGAL COUNSEL.

10:00 a.m. Linda Huggins, County Clerk – Employee Hire

This appointment was canceled.

**Approval of Minutes – August 27, 2024**

Commissioner Thomas moved to approve the Minutes of August 27, 2024. Commissioner Stone seconded the motion. A roll call vote was taken with Commissioners Thomas, Stone and Smith voting yes. Motion carried.

**Estate Settlements – August 19, 2024, thru August 23, 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 commencement 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 08/19/2024 thru 08/23/2024 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 Tuesday, September 3, 2024.

ESTATE NUMBER: **4829**  
SETTLEMENT TYPE: Report of Receipts, Disbursements and Distribution; Affidavit  
SETTLEMENT RECORDED: August 23, 2024  
ESTATE NAME: **RAYMOND ROSCOE GIBSON**  
EXECUTRIX: **SANDRA K. GIBSON**  
FIDUCIARY COMMISSIONER: **OLIVIA DEVALL**  
PO BOX 516  
KINGWOOD, WV 26537-0516

ESTATE NUMBER: **4712**  
SETTLEMENT TYPE: Affidavit and Waiver of Final Settlement  
SETTLEMENT RECORDED: August 23, 2024  
ESTATE NAME: **LEMUEL J. MAYLE**  
CO EXECUTOR: **VICTORIA LYNN EDWARDS**  
CO EXECUTOR: **CYNTHIA ROSE MAZZOTTA**  
FIDUCIARY COMMISSIONER: **OLIVIA DEVALL**  
PO BOX 516  
KINGWOOD, WV 26537-0516

ESTATE NUMBER: **4900**  
SETTLEMENT TYPE: Affidavit and Waiver of Final Settlement  
SETTLEMENT RECORDED: August 19, 2024  
ESTATE NAME: **PHILIP K. SKIDMORE**  
EXECUTOR: **WILLARD KINGSLEY SKIDMORE**

ESTATE NUMBER: **4727**  
SETTLEMENT TYPE: Affidavit and Waiver of Final Settlement  
SETTLEMENT RECORDED: August 23, 2024  
ESTATE NAME: **PAUL SOMERRUK III**  
ADMINISTRATOR: **PAUL A. SOMERRUK JR.**

ESTATE NUMBER: **4902**  
SETTLEMENT TYPE: Report of Receipts, Disbursements and Distribution; Affidavit  
SETTLEMENT RECORDED: August 20, 2024  
ESTATE NAME: **CURTIS ALAN TEETS**  
EXECUTRIX: **CAROLE A. CRAWFORD**

Subscribed and sworn to before me on 08/28/2024.

*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.

### Proceedings in Vacation – August 22, 2024, through August 28, 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 August 22, 2024, thru August 28, 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, August 22, 2024, through Wednesday, August 28, 2024**

The County Commission of Preston County this 3<sup>rd</sup> day of September, 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, August 22, 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, **KAYLA N. BENA** was appointed and qualified as ADMINISTRATRIX of the estate of **LANDYN JOSEPH CONLEY**, deceased. Bond was 10,000.00.

**On, Friday, August 23, 2024, the following matters were disposed of in the presence of the Clerk:**

The last will and testament of **JAMES E. SMITH**, deceased, was proved by the affidavit of the attesting witnesses and the same was admitted to probate and record.

**JEFFREY J. SMITH**, who was named in the last will and testament of **JAMES E. SMITH**, deceased, as EXECUTOR thereof, qualified as such. No bond was required.

An Ancillary Affidavit Intestate was filed for **SHARON ANN TUCKER AKA SHARON ANN JENKINS TUCKER**, deceased, a late resident of **DEKLAB CO., GEORGIA**.

**On, Monday, August 26, 2024, 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, **TERRY SANDERS** was appointed and qualified as SUCCESSOR of the Small Estate Intestate Affidavit that was filed for of **HOLLY ELIZABETH SANDERS**, deceased. No bond was required.

More than 30 days since the date of death or the surviving spouse or heir, upon a motion, **ALISA D. LARUE** was appointed and qualified as CO ADMINISTRATRIX of the estate of **SANDRA JUNE CUMMINGS**, deceased. No bond was required.

More than 30 days since the date of death or the surviving spouse or heir, upon a motion, **KIMBERLY A. CALHOUN** was appointed and qualified as CO ADMINISTRATRIX of the estate of **SANDRA JUNE CUMMINGS**, deceased. No bond was required.

**On, Tuesday, August 27, 2024, 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, **ROBIN RICE** was appointed and qualified as SUCCESSOR of the Small Estate Intestate Affidavit that was filed for **MELISSA L. YOMMER**, deceased. No bond was required.

More than 30 days since the date of death or the surviving spouse or heir, upon a motion, **MARY A. GREATHOUSE** was appointed and qualified as ADMINISTRATRIX of the estate of **DANIEL H. GREATHOUSE**, deceased. No bond was required.

A duly exemplified copy of the last will and testament of **BETTY JEAN STRAWSER**, deceased, a late resident of **GARRETT CO., MARYLAND**, was admitted to record. And an Ancillary Affidavit Testate was filed.

Subscribed and sworn to before me on 08/28/2024.

*Linda Higgins*

Clerk of the Preston County Commission

By: *Ashley Cole*  
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.



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

A. EMS Advisory Board

Commissioner Stone moved to appoint the 911 Representative as Justin Wolfe, and the Dispatcher as Amy Stratton based on the recommendation from OEM/E911 and appoint Wendy Greve as the Attorney to represent the EMS Advisory Board to review and handle all things legal. Commissioner Thomas seconded the motion. A roll call vote was taken with Commissioners Stone, Thomas, and Smith voting yes. Motion carried. (See attached.)

Commissioner Stone noted that they are still seeking an accountant or business owner and a county medical director for open positions on the EMS Advisory Board. Any interested individuals, please contact the county commission office.



**PRESTON COUNTY**  
**E-911 Communication Center**

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

**Director: Duane Hamilton**

**Asst. Director: Justin Wolfe**

August 28, 2024

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

Preston County E911/OEM would like to recommend Justin Wolfe and Amy Stratton for the EMS Advisory Board. Justin Wolfe will be representing 911/OEM administration and Amy Stratton will be representing the 911 Public-Safety Dispatchers. Please feel free to reach out with any questions or concerns.

Respectfully,

A handwritten signature in blue ink that reads 'Duane Hamilton'.

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

**Courthouse Reconfiguration Project Report-Consideration and/or action**

A. Courthouse Reconfiguration Update – Demo

Mr. Raybeck reported the demo is 99% complete and the process is on schedule with a completion date of the middle of October.

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

A. KVFD letter requesting permission use courthouse lawn – 2024 Buckwheat Festival

Commissioner Thomas moved to approve Kingwood Volunteer Fire Departments request as stated. (See attached.) Commissioner Stone seconded the motion. A roll call vote was taken with Commissioners Thomas, Stone and Smith voting yes. Motion carried.



# Kingwood Volunteer Fire Department

115 Brown Avenue  
Kingwood, West Virginia 26537

Phone (304) 329-0101

August 29, 2024

Preston County Commission  
106 West Main Street, Room 202  
Kingwood, WV 26537

RE: 2024 Preston County Buckwheat Festival

Dear Commissioners:

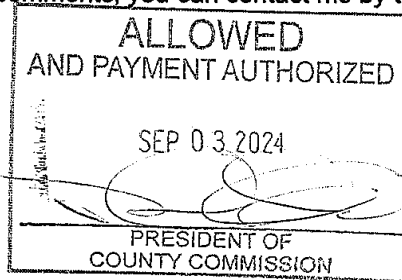
The Kingwood Volunteer Fire Department is once again asking for permission to use a portion of the Courthouse lawn for the parade reviewing stand during the upcoming 82nd Preston County Buckwheat Festival. The area for the reviewing stand is adjacent to Main Street and the Sheriff's office. The reviewing stand will be set up on Wednesday, September 25 and removed on Sunday, September 29.

In addition, I want to ask permission of the commission for the use of All-Terrain Vehicles in downtown Kingwood during the week of the Buckwheat Festival, from September 25 to September 29 as well as the use of the parking lot at the Courthouse Annex for the setup of our portable sign to promote the festival during the month of September.

If you have any questions or comments, you can contact me by the information found in the signature below.

Thank you,

Matt Borrer  
President  
C: 681-270-1905  
E: [borror04@icloud.com](mailto:borror04@icloud.com)



## B. Financial Statement Discussion

Mr. Raybeck spoke with a specialist at Baker Tilly, from the Scranton, PA office and explained the best plan moving forward to be:

To wait for a recommendation from the auditor's office for FY 2022 and 2023 and no moves should be made until that is complete. (2022 is complete; 2023 should be complete by mid-October). The recommendation from the auditors' office is put forth. He said at this point it may not be necessary to do anything else and if they can get the auditor, the sheriff and the clerk all on the same page with the numbers, they can go forward from there.

He emphasized, there is no indication of any fraud whatsoever in the audit. There's nothing that gives anybody pause as to anything other than it's an accounting error.

The commissioners agreed to wait for a final report from the auditor before moving forward.

## C. Budget Revisions - none

## D. Miscellaneous Correspondence -none

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

A. Executive Session

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

A. Executive Session

**Information**

**Commissioners Comments**

At 10:12 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*

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*Commissioner*

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*09/03/2024*

