

A G E N D A

**PRESTON COUNTY COMMISSION
NOVEMBER 26, 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 – Millers Appalachian Land Svcs - Personal Property

Apportionments – None

Recognition of Scheduled Appointments –

9:33 a.m. Caroline Davis, Executive Director – Northern Appalachian Coal Mining Heritage Association

9:35 a.m. Brent Crogan – Request for 2019-2023 Tax Relief

9:40 a.m. Duane Hamilton, OEM/E911 – Budget Revisions

9:45 a.m. Preston County VFW Regarding Flags for Veteran's Gravesites

**Approval of Minutes – November 12, 2024, General Election Canvass November 12, 2024 and
November 19, 2024**

Estate Settlements List – November 15, 2024 thru November 15, 2024

ESTATE NAME: JAMES CHARLES BURBRIDGE

ESTATE NAME: DALLAS WOLFE JR

**Estate Settlement filed for a period of thirty (30) days – Waiver of Final Settlement
Estate of Harrison Runner**

Proceedings in Vacation/Clerk's Fiduciary Report – November 14, 2024 through November 20, 2024

Fiduciary Commissioner Report – None

Old Business – Consideration and/or action

New Business – Consideration and/or action

County Administrator's Report – Consideration and/or action

- A. Letter of Support Frontier BEAD "Extension Round"
- B. Removal of Fiduciary Commissioner from the Estate of Erma Grace Heis
- C. ARPA Extensions
- D. AED Backup Pads
- E. Budget Revisions
- F. 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., November 26, 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 people registered their attendance during the meeting:

Sheriff Jim Fields. Jeniffer Graham - DP Deanna Lively
 Logan Cottrell-WV News Caroline Davis Jon Brent Crogan
 Larry Kisner

No one registered before the meeting to address the commission.

Review of Bills

Commissioner Stone recused herself from voting on the bills citing a conflict of interest.

Commissioner Thomas moved to pay the bills that have been properly presented and reviewed. Commissioner Smith seconded the motion. A roll call vote was taken with Commissioners Thomas and Smith voting yes. Motion carried. (See attached.)

SYSTEM DATE 11/26/2024 COUNTY OF PRESTON PAGE 1
 REPORT DATE 11/26/2024 TRANSACTION EDIT LIST TIME 8:03:39
 FILES ID W BATCH NUMBER 0907 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
			VENDOR NAME	ACCOUNT NAME	FAYEE VENDOR NO		FAYEE VENDOR NAME		POSTDATE
VC	20240907-001		5737	07273136100		1353115	11/12/2024	BC72	2660.00
N	NA	.00	MICRO DISTRIBUTING II	TESTING	11/26/2024	11/12/2024			P
				COMM CORR DRUG TEST	5737		MICRO DISTRIBUTING II		11/2024
VC	20240907-002		5580	07273121900		6502634	11/12/2024	BC72	117.43
N	NA	.00	XEROX FINANCIAL	COPIER	11/26/2024	11/12/2024			P
				COMM CORR-RENT	5580		XEROX FINANCIAL		11/2024
VC	20240907-003		3765	07273121800			10/28/2024	BC72	5.75
N	NA	.00	CLEAR MOUNTAIN BANK	POSTAGE	11/26/2024	10/28/2024			P
				COMM CORR POSTAGE	3765		CLEAR MOUNTAIN BANK		11/2024
VC	20240907-004		3765	00173134121			10/28/2024	AG01	14.98
N	NA	.00	CLEAR MOUNTAIN BANK	SUPPLIES	11/26/2024	10/28/2024			P
				COMM CORR SUPPLIES-GRANT	3765		CLEAR MOUNTAIN BANK		11/2024
VC	20240907-005		1033	00140621400			11/26/2024	AG01	71.69
N	NA	.00	CONNIE ERVIN	REIMB-ELKINS	11/26/2024	11/26/2024			P
				ASSESSOR TRAVEL	1033		CONNIE ERVIN		11/2024
VC	20240907-006		0230	00140421200		201918	07/25/2024	AG01	9075.00
N	NA	.00	MORGANTOWN PRINTING &	TAX STATEMENTS	11/26/2024	07/25/2024			P
				TAX OFFICE-PRINTING	0230		MORGANTOWN PRINTING &		11/2024
WARNING: INVOICE NUMBER EXISTS MORE THAN ONCE IN THIS BATCH FOR SPECIFIED VENDOR									
VC	20240907-007		0230	00140421800		201918	07/25/2024	AG01	19849.42
N	NA	.00	MORGANTOWN PRINTING &	TAX STATEMENTS	11/26/2024	07/25/2024			P
				TAX OFFICE POSTAGE	0230		MORGANTOWN PRINTING &		11/2024
WARNING: INVOICE NUMBER EXISTS MORE THAN ONCE IN THIS BATCH FOR SPECIFIED VENDOR									
VC	20240907-008		4236	00140421200		334336	11/15/2024	AG01	46.75
N	NA	.00	HART OFFICE SOLUTIONS	PRINTS	11/26/2024	11/15/2024			P
				TAX OFFICE-PRINTING	4236		HART OFFICE SOLUTIONS		11/2024
VC	20240907-009		4236	00140421200		332182	10/23/2024	AG01	91.20
N	NA	.00	HART OFFICE SOLUTIONS	PRINTS	11/26/2024	10/23/2024			P
				TAX OFFICE-PRINTING	4236		HART OFFICE SOLUTIONS		11/2024
VC	20240907-010		4236	00140421200		3329345	09/20/2024	AG01	351.35
N	NA	.00	HART OFFICE SOLUTIONS	PRINTS	11/26/2024	09/20/2024			P
				TAX OFFICE-PRINTING	4236		HART OFFICE SOLUTIONS		11/2024
VC	20240907-011		4236	00140421200		325924	08/12/2024	AG01	21.10
N	NA	.00	HART OFFICE SOLUTIONS	PRINTS	11/26/2024	08/12/2024			P
				TAX OFFICE-PRINTING	4236		HART OFFICE SOLUTIONS		11/2024
VC	20240907-012		4236	00140421200		325104	08/01/2024	AG01	69.38
N	NA	.00	HART OFFICE SOLUTIONS	PRINTS	11/26/2024	08/01/2024			P
				TAX OFFICE-PRINTING	4236		HART OFFICE SOLUTIONS		11/2024

SYSTEM DATE 11/26/2024 COUNTY OF PRESTON PAGE 2
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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	FAYEE VENDOR NO		FAYEE VENDOR NAME		POSTDATE
VC	20240907-013		4236	00140421200		321197	06/14/2024	AG01	51.18
N	NA	.00	HART OFFICE SOLUTIONS	PRINTS	11/26/2024	06/14/2024			P
				TAX OFFICE-PRINTING	4236		HART OFFICE SOLUTIONS		11/2024
VC	20240907-014		4236	00140421200		310815	02/15/2024	AG01	61.28
N	NA	.00	HART OFFICE SOLUTIONS	PRINTS	11/26/2024	02/15/2024			P
				TAX OFFICE-PRINTING	4236		HART OFFICE SOLUTIONS		11/2024
VC	20240907-015		4236	00140421200		308491	01/17/2024	AG01	43.71
N	NA	.00	HART OFFICE SOLUTIONS	PRINTS	11/26/2024	01/17/2024			P
				TAX OFFICE-PRINTING	4236		HART OFFICE SOLUTIONS		11/2024
VC	20240907-016		4236	00140421200		291563	06/14/2023	AG01	102.44
N	NA	.00	HART OFFICE SOLUTIONS	PRINTS	11/26/2024	06/14/2023			P
				TAX OFFICE-PRINTING	4236		HART OFFICE SOLUTIONS		11/2024
VC	20240907-017		4236	00140421200		284161	03/15/2023	AG01	63.68
N	NA	.00	HART OFFICE SOLUTIONS	PRINTS	11/26/2024	03/15/2023			P
				TAX OFFICE-PRINTING	4236		HART OFFICE SOLUTIONS		11/2024
VC	20240907-018		5648	00140434100			10/26/2024	AG01	111.33
N	NA	.00	CRYSTAL SPRINGS	WATER	11/26/2024	10/26/2024			P
				TAX DEPART MAT/SUPPLIES	5648		CRYSTAL SPRINGS		11/2024
VC	20240907-019		0055	00141321200		117612	11/06/2024	AG01	7779.40
N	NA	.00	CASTO-HARRIS	BALLOTS	11/26/2024	11/06/2024			P
				CO CLK-ELECTIONS PRINTING	0055		CASTO-HARRIS		11/2024
WARNING: INVOICE NUMBER EXISTS MORE THAN ONCE IN THIS BATCH FOR SPECIFIED VENDOR									
VC	20240907-020		0055	00141334100		117612	11/06/2024	AG01	2657.04
N	NA	.00	CASTO-HARRIS	SUPPLIES	11/26/2024	11/06/2024			P
				CO CLK-ELECTIONS MAT/SUPP	0055		CASTO-HARRIS		11/2024
WARNING: INVOICE NUMBER EXISTS MORE THAN ONCE IN THIS BATCH FOR SPECIFIED VENDOR									
VC	20240907-021		6087	00142823000		26881	10/29/2024	AG01	1209.00
N	NA	.00	THE SPYGLASS GROUP LLC	FEES	11/26/2024	10/29/2024			P
				DATA PROCESS CONT SERVICE	6087		THE SPYGLASS GROUP LLC		11/2024
VC	20240907-022		0280	00142034100			11/19/2024	AG01	38.32
N	NA	.00	CINTAS CORPORATION	INV #4211985206	11/26/2024	11/19/2024			P
				CUSTODIAL MAT/SUPPLIES	0280		CINTAS CORPORATION		11/2024
VC	20240907-023		0280	00142022500			11/19/2024	AG01	161.13
N	NA	.00	CINTAS CORPORATION	INV #4211985206	11/26/2024	11/19/2024			P
				CUSTODIAL LAUN/DRY CLEAN	0280		CINTAS CORPORATION		11/2024
VC	20240907-024		0280	00142034500			11/19/2024	AG01	31.60
N	NA	.00	CINTAS CORPORATION	INV #4211985206	11/26/2024	11/19/2024			P
				CUSTODIAL UNIFORMS	0280		CINTAS CORPORATION		11/2024

TYPE SEPARATE	TRANS-CHK	NUMBER BOX	P.O. NUMBER	VENDOR	ACCOUNT NUMBER	PROJECT-TASK-COST	INVOICE	TRANDATE	CASH-CODE	TRANS-AMOUNT
DISCOUNT-AMT	LIQUIDATE-AMT	DESCRIPTION	DUE-DATE	DISCDATE	CHECK	CHK-DATE	SELECT	POSTDATE		
VENDOR NAME	ACCOUNT NAME	PAYEE VENDOR NO	PAYEE VENDOR NAME							
VC	20240907-025	NA	5986	00181334100	ACCT #287323242654	11/26/2024	11/05/2024	11/05/2024	AG01	38.24
			.00	.00	LITTER CONTROL MAT/SUPPLY	5986				11/2024
					AT&T MOBILITY					
VC	20240907-026	NA	0017	00142023000	SERVICE & EQUIPMENT	11/26/2024	104997	11/13/2024	AG01	486.17
			.00	.00	CUSTODIAL CONT SERVICES	0017				11/2024
					FIRE PROTECTION PRODUCTS					
VC	20240907-027	NA	1513	001420234100	FILTERS	11/26/2024	66754	11/19/2024	AG01	877.57
			.00	.00	CUSTODIAL MAT/SUPPLIES	1513				11/2024
					FILTERSOURCE					
VC	20240907-028	NA	1513	001420234100	FILTERS	11/26/2024	66756	11/19/2024	AG01	59.94
			.00	.00	CUSTODIAL MAT/SUPPLIES	1513				11/2024
					FILTERSOURCE					
VC	20240907-029	NA	4236	00371621900	PRINTS	11/26/2024	334337	11/15/2024	AS03	9.43
			.00	.00	DOG KENNEL BLDG/EQUIP REN	4236				11/2024
					HART OFFICE SOLUTIONS					
VC	20240907-030	NA	4236	00140121900	PRINTS	11/26/2024	334318	11/15/2024	AG01	.92
			.00	.00	CO COMM BLDG/EQUIP RENTS	4236				11/2024
					HART OFFICE SOLUTIONS					
VC	20240907-031	06	1802	00180122300	R HILEMAN	11/26/2024	1802	10/31/2024	AG01	150.00
			.00	.00	MENTAL HEALTH PROF SERV					11/2024
					VALLEY HEALTHCARE SYSTEM					
VC	20240907-032	06	1802	00180122300	M CHIDESTER	11/26/2024	1802	10/31/2024	AG01	300.00
			.00	.00	MENTAL HEALTH PROF SERV					11/2024
					VALLEY HEALTHCARE SYSTEM					
VC	20240907-033	NA	4277	00144523000	POWERS	11/26/2024	4277	11/20/2024	AG01	5518.50
			.00	.00	LITIGATION CONT SERVICES					11/2024
					WVCORP					
VC	20240907-034	NA	4277	00144523000	GOINS	11/26/2024	4277	11/11/2024	AG01	15000.00
			.00	.00	LITIGATION CONT SERVICES					11/2024
					WVCORP					
VC	20240907-035	NA	5390	00142034100	SUPPLIES	11/26/2024	24-13533	11/20/2024	AG01	658.33
			.00	.00	CUSTODIAL MAT/SUPPLIES	5390				11/2024
					TT&S SUPPLY INC					
VC	20240907-036	NA	0223	00140121302	ACCT #110 080 536 664	11/26/2024	0223	11/19/2024	AG01	75.02
			.00	.00	UTILITIES MON POWER					11/2024
					MON POWER					

TYPE SEPARATE	TRANS-CHK	NUMBER BOX	P.O. NUMBER	VENDOR	ACCOUNT NUMBER	PROJECT-TASK-COST	INVOICE	TRANDATE	CASH-CODE	TRANS-AMOUNT
DISCOUNT-AMT	LIQUIDATE-AMT	DESCRIPTION	DUE-DATE	DISCDATE	CHECK	CHK-DATE	SELECT	POSTDATE		
VENDOR NAME	ACCOUNT NAME	PAYEE VENDOR NO	PAYEE VENDOR NAME							
VC	20240907-037	NA	0223	00140121302	ACCT #110 162 822 297	11/26/2024	0223	11/19/2024	AG01	138.59
			.00	.00	UTILITIES MON POWER					11/2024
					MON POWER					
VC	20240907-038	NA	6080	001443568UW	LEDA GR-PLAYGROUND COSTS	11/26/2024	6080	11/26/2024	AG01	7500.00
			.00	.00	LEDA-UP WITH TUNNELTON					11/2024
					UP WITH TUNNELTON					
VC	20240907-039	NA	6079	001443568PC	LEDA GR-BLDG COSTS	11/26/2024	6079	11/26/2024	AG01	12500.00
			.00	.00	LEDA-PC LIVESTOCK ASSOC					11/2024
					PRESTON CO LIVESTOCK ASSO					
VC	20240907-040	NA	1987	00240156800	CONTR-1939 WALL REPAIR	11/26/2024	1987	11/26/2024	AC02	2000.00
			.00	.00	CONTRIBUTIONS					11/2024
					TOWN OF ROWLESBURG					
VC	20240907-041	NA	1033	00140621400	REIMB-CLARKSBURG	11/26/2024	1033	11/26/2024	AG01	67.00
			.00	.00	ASSESSOR TRAVEL					11/2024
					CONNIE ERVIN					
VC	20240907-042	NA	0055	00140234200	RECORDING PAPER	11/26/2024	117661	11/20/2024	AG01	431.22
			.00	.00	CO CLERK-RECORD BOOKS	0055				11/2024
					CASTO-HARRIS					
VC	20240907-043	NA	0055	00140234200	RECORDING PAPER	11/26/2024	117660	11/20/2024	AG01	431.26
			.00	.00	CO CLERK-RECORD BOOKS	0055				11/2024
					CASTO-HARRIS					
VC	20240907-044	NA	1157	00141321600	INV #CD2110239	11/26/2024	1157	11/15/2024	AG01	31897.15
			.00	.00	CO CLK-ELECTIONS MR EQUIP					11/2024
					ES&S					
VC	20240907-045	NA	1157	00141321200	INV #CD2109842	11/26/2024	1157	11/13/2024	AG01	6038.25
			.00	.00	CO CLK-ELECTIONS PRINTING					11/2024
					ES&S					
VC	20240907-046	NA	0223	00140121302	ACCT #110 080 534 768	11/26/2024	0223	11/19/2024	AG01	21.93
			.00	.00	UTILITIES MON POWER					11/2024
					MON POWER					
VC	20240907-047	NA	0223	00140121302	ACCT #110 080 533 703	11/26/2024	0223	11/19/2024	AG01	97.48
			.00	.00	UTILITIES MON POWER					11/2024
					MON POWER					
VC	20240907-048	NA	0223	00140121302	ACCT #110 088 637 100	11/26/2024	0223	11/19/2024	AG01	1215.66
			.00	.00	UTILITIES MON POWER					11/2024
					MON POWER					

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DISCOUNT-AMT	LIQUIDATE-AMT	DESCRIPTION	DUE-DATE	DISCDATE	CHECK	CHK-DATE	SELECT	POSTDATE		
VENDOR NAME	ACCOUNT NAME	PAYEE VENDOR NO	PAYEE VENDOR NAME							
VC	20240907-049	NA	0223	00140121302	ACCT #110 083 937 554	11/26/2024	0223	11/21/2024	AG01	18.46
			.00	.00	UTILITIES MON POWER					11/2024
					MON POWER					
VC	20240907-050	NA	6088	00142021500	INV #12106 & 12115	11/26/2024	6088	11/26/2024	AG01	7008.12
			.00	.00	CUSTODIAL M&R BLD & GRD					11/2024
					A DURER INC					
VC	20240907-051	NA	5979	20744256809	ARPA-WATERLINE	11/26/2024	5979	11/26/2024	AR207	25800.00
			.00	.00	ARPA-PRESTON CO PSD #1					11/2024
					PRESTON CO PSD #1					
VC	20240907-052	NA	5979	20744256809	ARPA-WATERLINE	11/26/2024	5979	11/26/2024	AR207	75000.00
			.00	.00	ARPA-PRESTON CO PSD #1					11/2024
					PRESTON CO PSD #1					
VC	20240907-053	NA	5682	00140122100	CFR CLASS	11/26/2024	5682	11/18/2021	AG01	930.00
			.00	.00	CO COMM TRAIN/EDUCATION					11/2024
					MOUNTAIN STATE ESC					
VC	20240907-054	NA	6043	00198645700	COURTHOUSE PROJECT	11/26/2024	6043	11/26/2024	AG01	44891.17
			.00	.00	CAPITAL OUTLAY BLDGS					11/2024
					JARRETT CONSTRUCTION					
VC	20240907-055	NA	1313	00771221900	INV #1800040743	11/26/2024	1313	01/01/2022	AE07	960.00
			.00	.00	E911 BLDG & EQUIP RENTS					11/2024
					US CELLULAR					
VC	20240907-056	NA	1313	00771221900	INV #1800041941	11/26/2024	1313	01/01/2023	AE07	878.47
			.00	.00	E911 BLDG & EQUIP RENTS					11/2024
					US CELLULAR					
VC	20240907-057	NA	5867	00142021500	SERVICES	11/26/2024	5867	11/26/2024	AG01	17400.26
			.00	.00	CUSTODIAL M&R BLD & GRD					11/2024
					MONITRONICS					
VC	20240907-058	NA	5895	20744256808	ARPA-CONSTRUCTION	11/26/2024	5895	11/26/2024	AR207	19872.15
			.00	.00	ARPA-PRESTON YOUTH CENTER					11/2024
					PRESTON CO YOUTH CENTER					
VC	20240907-059	NA	0223	00140121302	ACCT #110 088 635 294	11/26/2024	0223	11/22/2024	AG01	1713.96
			.00	.00	UTILITIES MON POWER					11/2024
					MON POWER					
VC	20240907-060	NA	0223	00140121302	ACCT #110 086 272 223	11/26/2024	0223	11/22/2024	AG01	1205.99
			.00	.00	UTILITIES MON POWER					11/2024
					MON POWER					

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	20240907-061		0223	00140121302			11/22/2024	AG01	406.88
N	NA	.00	.00	ACCT #110 081 397 009	11/26/2024	11/22/2024			P 11/2024
		MON POWER		UTILITIES MON POWER	0223		MON POWER		
VC	20240907-062		0223	00140121302			11/22/2024	AG01	60.01
N	NA	.00	.00	ACCT #110 088 635 047	11/26/2024	11/22/2024			P 11/2024
		MON POWER		UTILITIES MON POWER	0223		MON POWER		
VC	20240907-063		5648	00140234100			11/23/2024	AG01	80.87
N	NA	.00	.00	WATER	11/26/2024	11/23/2024			P 11/2024
		CRYSTAL SPRINGS		CO CLERK MAT & SUPPLIES	5648		CRYSTAL SPRINGS		
TOTAL TRANSACTION AMOUNT									326423.16

WARNING: 2025 BUDGET HAS BEEN EXCEEDED FOR ACCOUNT 00141321200
 WARNING: 2025 BUDGET HAS BEEN EXCEEDED FOR ACCOUNT 00142023000
 WARNING: 2025 BUDGET HAS BEEN EXCEEDED FOR ACCOUNT 00181334100
 WARNING: 2025 BUDGET HAS BEEN EXCEEDED FOR ACCOUNT 00371621900
 WARNING: 2025 BUDGET HAS BEEN EXCEEDED FOR ACCOUNT 07273121800
 WARNING: 2025 BUDGET HAS BEEN EXCEEDED FOR ACCOUNT 07273121900
 WARNING: 2025 BUDGET HAS BEEN EXCEEDED FOR ACCOUNT 07273136100
 WARNING: 2025 BUDGET HAS BEEN EXCEEDED FOR ACCOUNT 20744256808
 WARNING: 2025 BUDGET HAS BEEN EXCEEDED FOR ACCOUNT 20744256809

List of invoices approved for paymt
 this 26th day of Nov, 2024
 Int. MR

Assessor's Office

Tax Correction List –Millers Appalachian Land Svcs – Personal Property

Commissioner Thomas moved to approve the Tax Correction List dtd November 26, 2024, as presented by Assessor Connie Ervin the amount of \$196.60. Commissioner Stone seconded the motion. A roll call vote was taken with Commissioners Thomas, Stone and Smith voting yes. Motion carried. (See attached.)

TAX CORRECTION LIST

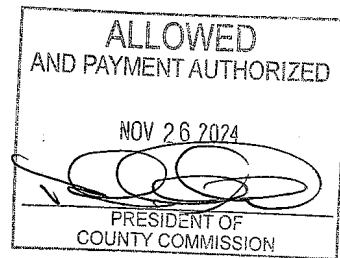
November 26, 2024

DIST	NAME	DESCRIPTION	REASON FOR EXONERATION	TICKET#	ACCT#	AMOUNT	YR	APPR
14	MILLERS APPALACHIAN LAND SVCS	Personal Property	Business acct copied - did not own 14 Jeep Wrang 7/01/25	312102	00265435	\$196.60	2024	

TOTAL: \$196.60

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 –

9:33 a.m. Caroline Davis, Executive Director – Northern Appalachian Coal Mining Heritage Association

Ms. Davis, the new Executive Director of the Northern Appalachian Coal Mining Association came before the commission with a request for funds (no specific amount) for their 2025 goals and projects, which include educational programming for local school children.

as well as a Coal Heritage Trail that they are trying to establish.

She has also been speaking with Arthurdale Heritage and Preston County Historical Society to place exhibits at their locations.

She was asked to return closer to budget time with her request to be considered later.

9:35 a.m. Brent Crogan – Request for 2019-2023 Tax Relief

Mr. Crogan explained that it came to his attention this summer that he has been paying extra corporation taxes on his vehicle in Kingwood Corp. since 2019 but has lived out of city limits during that time.

He spoke with Assessor Connie Ervin, and they went over the tax codes and she made a correction for tax year 2024 but he's asking for some tax relief for the excess taxes paid back to 2019.

After some discussion, Commissioner Thomas moved to honor Brent Crogan's request and give him a tax credit not to exceed \$227.48 over the next two years. Mr. Crogan then asked to see the assessor's math and it was discussed for her to give him a copy of how she arrived at the figure of \$227.48. Commissioner Thomas then amended his motion to say, "to honor the tax amount over the next two years with no specific amount given". Because the first motion was not seconded it died for lack of second.

Commissioner Thomas moved to honor Brent Crogan's request for a tax credit over the next two tax years. Commissioner Stone seconded the motion. A roll call vote was taken with Commissioners Thomas, Stone and Smith voting yes. Motion carried.


9:40 a.m. Duane Hamilton, OEM/E911 – Budget Revisions

See budget revisions under the County Administrator's Report (E) below.

9:45 a.m. Preston County VFW Regarding Flags for Veteran's Gravesites

Mr. Larry Kisner, a member of the Bruceton Mills VFW for over 50 years, came today with a request for the commission to support the VFW's effort in purchasing flags for the six (6) VFW posts in the county for Memorial Day celebrations at Preston County cemeteries. The purchase would be for 2,450 flags needed at a cost of \$3,848.07. The idea is for the flags to be collected after each event so they can be used year after year and replaced every 3 years.

This request will be revisited. (See attached.)



Never Forget: Honor our Veterans on Memorial Day

Organization Making Request for Funds: Preston County Veterans of Foreign Wars


Event Details: Honoring veterans by placing flags on veterans' graves for the Memorial Day celebration at Preston County cemeteries.

Participates: VFW posts from Bruceton, Masontown, Rowlesburg, Tunnelton, and Kingwood, Terra Alta

Purpose of Request: Purchase of 2,450 cemetery U.S stick flags with pointed staff from Carrot-Top Industries . Size 12" X 18"

Amount Requested: \$3,848.07

Contact Information: Larry Kisner, 304-379-7862; 1782 Cuzzart Road, Bruceton, West Virginia, 26525



Approval of Minutes – November 12, 2024, General Election Canvass November 12, 2024, and November 19, 2024

Commissioner Thomas moved to approve the Minutes of November 12, 2024, General Election Canvass November 12, 2024, and November 19, 2024. Commissioner Stone seconded the motion. A roll call vote was taken with Commissioners Thomas, Stone and Smith voting yes. Motion carried.

Estate Settlement List – November 15, 2024, thru November 15, 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 11/15/2024 thru 11/15/2024 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, November 26, 2024.

ESTATE NUMBER: **4917**
SETTLEMENT TYPE: Affidavit and Waiver of Final Settlement
SETTLEMENT RECORDED: November 15, 2024
ESTATE NAME: **JAMES CHARLES BURBRIDGE**
CO EXECUTRIX: DENISE K. WOLFE
CO EXECUTOR: STEPHEN J. BURBRIDGE
ATTORNEY: MARK EVERETT
MARK EVERETT ATTORNEY AT LAW PLLC
1756F MILEGROUND RD
MORGANTOWN, WV 26505-3785
FIDUCIARY COMMISSIONER: OLIVIA DEVALL
PO BOX 516
KINGWOOD, WV 26537-0585

ESTATE NUMBER: **4423**
SETTLEMENT TYPE: Report of Receipts, Disbursements and Distribution; Affidavit
SETTLEMENT RECORDED: November 15, 2024
ESTATE NAME: **DALLAS WOLFE JR**
EXECUTOR: DALLAS D WOLFE III
FIDUCIARY COMMISSIONER: OLIVIA DEVALL
PO BOX 516
KINGWOOD, WV 26537-0516

Subscribed and sworn to before me on 11/20/2024.

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.

Estate Settlement filed for a period of thirty (30) days – Waiver of Final Settlement
Estate of Harrison Runner

MOTION FOR ESTATE SETTLEMENTS – November 26, 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:

WAIVER OF FINAL SETTLEMENT as follows:

Estate of Harrison Runner, deceased –filed by David E. Runner, Administrator – filed 09/18/2024

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

Proceedings in Vacation/Clerk’s Fiduciary Report – November 14, 2024, through November 20, 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 November 14, 2024, through November 20, 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, November 14, 2024, through Wednesday, November 20, 2024

The County Commission of Preston County this 26th day of November, 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, November 14, 2024, the following matters were disposed of in the presence of the Clerk:

The last will and testament of **MARY ANN PONTILLO**, deceased, was proved by the affidavit of the attesting witnesses and the same was admitted to probate and record. And a Small Estate Affidavit Testate was filed. However further administration is now required. So, the Small Estate Affidavit is revoked, and a Full Estate Administration is commenced.

JOANNE WATSON, who was named in the last will and testament of **MARY ANN PONTILLO**, deceased, as EXECUTRIX thereof, qualified as such. No bond was required.

More than 60 days since the date of death or the surviving spouse or heir, upon a motion, **DANNY GROVES** was appointed and qualified as SUCCESSOR of the Small Estate Affidavit Intestate that was filed for **KENNETH GROVES**, deceased. No bond was required.

The last will and testament of **JANE SUSAN HAUGER**, deceased, was proved by the affidavit of the attesting witnesses and the same was admitted to probate and record.

JOSEPH FRANKLIN HAUGER JR., who was named in the last will and testament of **JANE SUSAN HAUGER**, deceased, as EXECUTOR thereof, qualified as such. No bond was required.

The last will and testament of **MARGARET LEE LISTON**, deceased, was proved by the affidavit of the attesting witnesses and the same was admitted to probate and record.

MARY SWECKER, who was named in the last will and testament of **MARGARET LEE LISTON**, deceased, as EXECUTRIX thereof, qualified as such. No bond was required.

On, Friday, November 15, 2024, the following matters were disposed of in the presence of the Clerk:

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

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

LINDA MARIE PRATT LILLY, who was named in the last will and testament of **JAMES EARL LILLY**, deceased, as EXECUTRIX thereof, qualified as such. No bond was required.

More than 30 days since the date of death or the surviving spouse or heir, upon a motion, **TRAVIS G. STULL** was appointed and qualified as ADMINISTRATOR of the estate of **DOUGLAS ERIC STULL**, deceased. Bond was 60,000.00.

On, Monday, November 18, 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, **JACK COMP** was appointed and qualified as ADMINISTRATOR of the estate of **HATTIE MAE COMP**, deceased. Bond was 46,000.00.

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

CRAIG WATKINS, who was named in the last will and testament of **MESHHELL WATKINS**, deceased, as EXECUTOR thereof, qualified as such. No bond was required.

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

DONLAD R. CONLEY, was named, as SUCCESSOR thereof, qualified as such. No bond was required.

On, Tuesday, November 19, 2024, the following matters were disposed of in the presence of the Clerk:

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

JAMES S. FREES, was named as SUCCESSOR thereof, qualified as such. No bond was required.

Subscribed and sworn to before me on 11/20/2024.

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.

Fiduciary Commissioner Report – None

Old Business- Consideration and/or action - None

New Business – Consideration and/or action - None

County Administrator’s Report – Consideration and/or action

Commissioner Smith recognized Nate Raybeck with the Administrator’s Report.

A. Letter of Support Frontier BEAD “Extension Round”

Mr. Raybeck stated there was some confusion on this as originally it appeared as if Frontier was asking the commission to reconsider the initial Letter of Support for the BEAD funding application that was rejected more than a month ago but it now appears that the letter is restricted to their Extension Round funding request which means that after the first round of funding was awarded, there was a second round of funding applications considered.

He noted 2 concerns: 1. It wasn’t clear that they were asking for a Letter of Support, and it presented as though no other party had applied and 2. The original language in the letter needed to be edited to specifically reference Preston County.

After some discussion, Commissioner Smith made a motion to support and sign the Letter of Support for Frontier. This motion died for lack of second.

B. Removal of Fiduciary Commissioner from the Estate of Erma Grace Heis

Commissioner Stone moved to remove Woodrow Buddy Turner as the Fiduciary Commissioner from the Estate of Erma Grace Heis. Commissioner Thomas seconded the motion. A roll call vote was taken with Commissioners Stone, Thomas, and Smith voting yes. Motion carried. (See attached.)

Commissioner Thomas moved to grant the motion made by Mr. Woodrow Buddy Turner to dismiss the petition filed by Mr. Mirhoseini on behalf of James Heis for legal reasoning that the County Commission does not have the jurisdiction to consider most of the issues raised in said petition. Commissioner Stone seconded the motion. A roll call vote was taken with Commissioners Thomas, Stone and Smith voting yes. Motion carried.

**Preston County Prosecuting Attorney
James E. Shay, Jr.**

Anne M. Armstrong
Chief Assistant Prosecuting Attorney

Assistant Prosecuting Attorneys
Megan M. Fields
Claire L. Niehaus

Victim Advocate/Paralegal
Stacy Greaser



Office Administrator
Kristie Hartsell

Legal Assistants
Amy Bolyard
Pam Baker

November 15, 2024

Hon. Linda Huggins
Preston County Clerk
106 W Main St, Suite 103
Kingwood WV 26537
lhuggins@prestoncountywv.gov

RE: Review of Estate of Erma Grace Heis

Dear Ms. Huggins:

I have reviewed the email and copies of the motions filed and exhibits lodged with your office in this matter per your request. You have highlighted the areas of concern that you and your Probate Deputy have, and I share your concerns. First, I agree with Mr. Turner that he lacks jurisdiction to engage in the construction or interpretation of the will in question which is what is being sought by Mr. Mirhoseini. Second, the County Commission acting as the "County Court" does not have jurisdiction to construe or interpret a will or make a ruling with regard to claims of undue influence. That jurisdiction lies exclusively with the Circuit Court of Preston County as Mr. Turner has argued in his response. In addition to the caselaw cited by Mr. Turner, West Virginia Code §41-3-7 clearly states that "courts possessing general equity powers shall have and take jurisdiction of a suit to construe an ambiguous will at the suit of the executor, or administrator with the will annexed, or of any beneficiary thereunder whose interests are affected by a construction of the ambiguous provision." The County Commission is not a court of equity, rather the Circuit Court of Preston County is the Court of general equity.

For all of these reasons, it is my professional opinion that the County Commission should grant the motion made by Mr. Turner to dismiss the petition filed by Mr. Mirhoseini on behalf James Heis, as the County Commission does not have the jurisdiction to consider most of the issues

107 W. Court Street | Kingwood, WV 26537 | Phone: (304) 329-1885 | Fax: (304) 329-0372

raised in said petition. Further, I believe that the County Commission should grant Mr. Turner's request to be removed as Fiduciary Commissioner in this matter as he too lacks jurisdiction to rule on the issues made in said petition. Mr. James Heis, as heir, has the ability to appeal the order of the County Commission to the Circuit Court should he so choose or in the alternative, file his petition there which is likely what should have occurred in the first place. If Mr. James Heis chooses not to pursue his petition in Circuit Court, then this matter should proceed accordingly in front of the County Commission with the appointment of a new Fiduciary Commissioner.

Thank you for your attention to this matter. Please let me know if you have any questions or would like to discuss the matter further.

Best regards,

A handwritten signature in black ink, appearing to read "James E. Shay, Jr.".

**James E. Shay, Jr., Esq.,
Prosecuting Attorney**

cc: Ashley Cole,
Deputy Clerk

Tammy Johnson,
Deputy Clerk

Amanda Stewart,
Deputy Clerk

Nate Raybeck,
County Administrator

File

C. ARPA Extensions

Commissioner Stone made a motion to approve the Preston County Sewer PSD requested extension of their ARPA Project to January 31, 2025. Commissioner Thomas seconded the motion. A roll call vote was taken with Commissioners Stone, Thomas and Smith voting yes. Motion carried. (See attached.)



November 11, 2024

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

RE: Preston County ARPA Award 22 PC SLFRP 0022
Preston County Sewer PSD
Phase II Sewer Sanitary Improvements

Dear Commissioners:

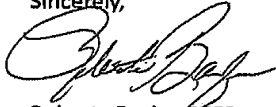
I am writing to you on behalf of Preston County Sewer PSD to request an extension to January 31, 2025 on the above-referenced project. We are requesting this extension because this project was slightly delayed due to the number of projects currently underway in West Virginia.

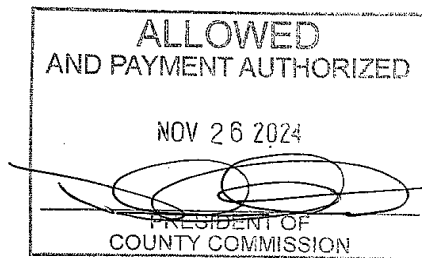
This extension will allow the project to continue to move forward. The project was recently bid and the contract will be awarded soon. Construction should start in early 2025.

This project is important to the Sewer PSD and to the northern section of Preston County.

Please let me know if you have any questions or if you need anything else.

Sincerely,


Roberta Baylor, PCED
Project Administrator



157 Plaza Court, Suite 8 • Kingwood, WV 26537 • 304.329.2299 **phone** • pceda@prestonwva.com
www.prestonwv.com

D. AED Backup Pads

The cost to purchase replacement pads for the (5) AED units is \$200 per pair, noting a pair is the equivalent to one, with the idea of setting up a 2 ½ year rotation schedule to replace them due to their 3-year life span.

Since this is under the threshold the commission has given approval to move forward with the request to purchase pads for the AED's.

E. Budget Revisions

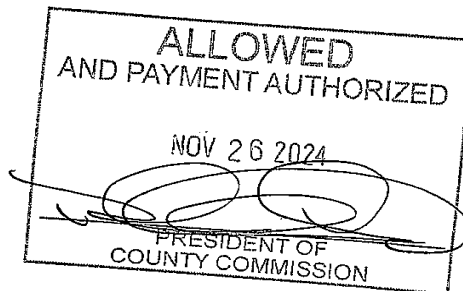
Commissioner Thomas moved to approve all budget revisions as they have been presented today. Commissioner Stone seconded the motion. A roll call vote was taken with Commissioners Thomas, Stone and Smith voting yes. Motion carried. (See attached.)



MEMORANDUM
Preston County Commission

Date: November 26, 2024
To: Bookkeeping
From: Nate Raybeck, Administration
Subject: Budget Revision—Contract Services/Training/Supplies

DECREASE	001-420-215 (M&R Bld & Grd)	\$63,000
INCREASE	001-420-230 (Cont Services)	\$36,500
INCREASE	001-445-230 (Lit Cont Services)	\$15,000
INCREASE	001-401-459 (Equipment)	\$1,000
INCREASE	001-401-221 (Co Comm Train/Education)	\$7,500
INCREASE	001-401-341 (Co Comm Mat & Supplies)	\$3,000



PRESTON COUNTY
E-911 Communication Center

300 Rich Wolfe Dr.
Kingwood, WV 26537
Phone: 1-304-329-1855
Fax: 1-304-329-2530

Director: Duane Hamilton

Deputy Director: Justin Wolfe

November 26, 2024

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

Re: BUDGET REVISION

Increase: 001-382-005 \$3,951.00

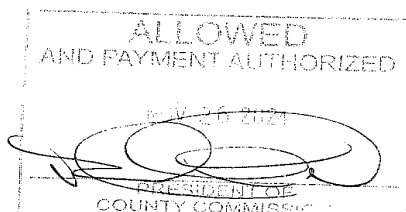
Increase: 001-717-217-05 \$3,951.00

Reason: Repairs of PCSO #15 (Pursuit)

Thank You

A handwritten signature of Duane Hamilton.

Duane Hamilton





PRESTON COUNTY

E-911 Communication Center

300 Rich Wolfe Dr.
Kingwood, WV 26537
Phone: 1-304-329-1855
Fax: 1-304-329-2530

Director: Duane Hamilton

Deputy Director: Justin Wolfe

November 26, 2024

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

Re: BUDGET REVISION

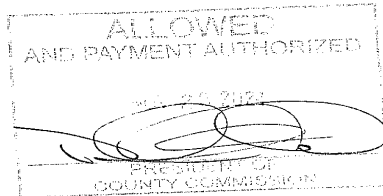
Increase: 001-382-005 \$8,853.00

Increase: 001-717-217-05 \$8,853.00

Reason: Repairs of PCSO #22 (Deer Damage x2)

Thank You


Duane Hamilton



RESOLUTION

At a regular session of the county commission, held (Month, day and year November 26, 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 8, of the General County Fund, a copy of which is entered as part of this record.

The adoption of the foregoing resolution having been moved by Commissioner Thomas, and duly seconded by Commissioner Stone the vote thereon was as follows:

<u>Hunter Thomas</u>	<input checked="" type="radio"/> Yes or No
<u>Samuel Stone</u>	<input checked="" type="radio"/> Yes or No
<u>[Signature]</u>	<input checked="" type="radio"/> Yes or No

WHEREUPON, President Smith, declared said resolution duly adopted, and it is therefore ADJUDGED and ORDERED that said resolution be, and the same is, hereby adopted as so stated above, and the County Clerk is authorized to fix his signature on the attached "Request for Revision to Approved Budget" to be sent to the State Auditor for approval.

F. Miscellaneous Correspondence

VOCA Grant Award

Commissioner Stone moved to approve and authorize the President to sign the VOCA Grant Award to the Preston County Commission in the amount of \$44,205.00. Commissioner Thomas seconded the motion. A roll call vote was taken with Commissioners Stone, Thomas and Smith voting yes. Motion carried. (See attached.)



Jim Justice
Governor of West Virginia

October 11, 2024

The Honorable Don Smith
President
Preston County Commission
106 W. Main Street, Suite 202
Kingwood, West Virginia 26537

Dear Commissioner Stone:

I am pleased to inform you that I have approved a Victims of Crime Act (VOCA) Victim Assistance grant award to the Preston County Commission in the amount of \$44,205. These funds will be used to employ a victim advocate to assist all crime victims who are predominately underserved and suffer from poor access to services either due to the rural nature of the county or their limited education.

Please let me know if our Justice & Community Services' staff or I can be of further assistance.

Sincerely,


Jim Justice
Governor

JJ/mah

Cc: James E. Shay Jr., Project Director
Linda Huggins, Fiscal Officer

GRANT CONTRACT AGREEMENT

BETWEEN

DIVISION OF ADMINISTRATIVE SERVICES
JUSTICE AND COMMUNITY SERVICES SECTION

AND THE
PRESTON COUNTY COMMISSION

25-VA-058

This **AGREEMENT**, entered into this **1st Day of October 2024** by the Assistant Director of the Division of Administrative Services, Justice and Community Services Section, hereinafter referred to as "JCS", and the Preston County Commission, hereinafter referred to as "Grantee."

WHEREAS JCS is the recipient of federal Victims of Crime Act (VOCA) Victim Assistance grant funds from the U.S. Department of Justice's Office for Victims of Crime and state supplemental funds from the State of West Virginia; and

WHEREAS the Grantee is an eligible applicant who is desirous of receiving funds for: **These funds will be used to employ a victim advocate to assist all crime victims who are predominately underserved and suffer from poor access to services either due to the rural nature of the county or their limited education.**

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

1. The Grantee agrees to comply with all applicable federal and state laws and rules, regulations and policies promulgated thereunder.
2. JCS agrees to assist the Grantee to perform such tasks and functions as set forth in the application, which is attached hereto and made part hereof.
3. The Grantee shall do, perform, and carry out in a satisfactory and proper manner as determined by JCS all duties, tasks, and functions necessary to implement the application which is hereto attached.
4. The Grantee will commence its duties under the Agreement on **October 1, 2024** and shall continue those services/activities until **September 30, 2025**. The terms of this Agreement may only be extended or modified by the mutual written agreement of the parties hereto.
5. In consideration of the services rendered by the Grantee, the sum of up to **\$44,205.00** shall be obligated by JCS and said amount shall be deemed to be the maximum compensation to be received for this Agreement unless a written modification is entered into between the parties amending this Agreement.
6. It is the understanding of all parties to this Agreement that JCS by joining in the Agreement does not pledge, or promise to pledge, the credit of the State of West Virginia, nor does it promise to pay all of the compensation hereunder from monies of the Treasury of the State of West Virginia.
7. JCS has determined that the program **will not** receive an upfront scheduled allocation of funds.
8. If the Grantee is not receiving an upfront scheduled allocation of funds: To be eligible for any and all payments of the grant amount, the Grantee shall submit a Request for Reimbursement of Funds once per month to JCS. Upon receipt of said request, JCS shall review the same for reasonableness and appropriateness; and if approved, will cause a warrant to be requested on that sum considered reasonable and appropriate. It is expressly understood that the total compensation shall not exceed the amount set forth in Paragraph Five hereinbefore cited and said compensation will be expended only as outlined in the budget sections of the application, unless written approval of modification of the budget is signed by the parties hereto. Grantee shall submit a fiscal report detailing expenditures to JCS by the twentieth (20th) day of each month.
9. If the Grantee is receiving an upfront scheduled allocation of funds, the Grantee hereby agrees to adopt a schedule of payments dictated by JCS: To be eligible for any and all scheduled allocation of funds of the total grant amount, the Grantee shall submit a Request for Funds to JCS which adheres to the schedule of payments. Upon receipt of said request, JCS shall review the same for reasonableness and appropriateness; and if approved, will cause a warrant to be requested on that sum considered reasonable and appropriate. It is expressly understood that the total compensation shall not exceed the amount set forth in Paragraph Five hereinbefore cited and said compensation will be expended only as outlined in the budget sections of the application, unless written approval of modification of the budget is signed by the parties hereto. Grantee shall submit a fiscal report detailing expenditures to JCS by the twentieth (20th) day of each month.
10. Grantee hereby represents that it possesses the legal authority to contract for this Agreement and that attached hereto and made a part hereof is a certified copy of the resolution, motion or similar action which was clearly adopted or passed by the Grantee's governing body; and further, that it has directed and authorized an official representative to act in connection with this Agreement. If the Grantee is a state agency, the completed application signed by the agency head is sufficient.
11. Grantee agrees to abide by the grant conditions, terms, assurances, and certifications which are attached and such other special terms and conditions that JCS has set forth is incorporated herein and made part hereof, if said Special Conditions are appropriate to this Agreement.
12. If, through any cause, the Grantee shall fail to fulfill in a necessary and proper manner, obligations under this Agreement, the JCS may withhold payments to the Grantee upon notice in writing, suspend, or cancel this Agreement and Attachments. The notice of withholding payments, suspension, or cancellation should set forth the JCS reasons for taking said action.
13. JCS and Grantee may from time to time require changes in the scope of services performed hereunder. Grantee agrees to submit a written request for modification prior to changing any budget line item. All such changes, including any increase or decrease in the amount of compensation hereunder or work to be performed, which are mutually agreed upon between the parties shall be in writing.
14. If for any reason funds received by JCS are suspended or terminated, in whole or in part, funding for this Agreement shall cease.

15. Grantee shall within the time period prescribed by grant conditions upon the termination of the Agreement, submit to JCS a final report on forms provided by JCS. Said reports shall reflect actual costs incurred or expended during the terms of this Agreement.
16. The parties hereto agree that notice shall be given electronically to the appropriate agency email addresses.
17. The Grantee shall hold and save JCS and its officers, agents, and employees harmless from liability of any nature, including cost and expense, for or on account of any suits or damages of any character whatsoever resulting from injuries or damages sustained by any persons or property resulting in whole or in part from the negligent performance or omission of any employee, agent, or representative of the Grantee. This clause is not applicable to West Virginia state agencies, commissions, authorities, or boards.

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

Don Smith
President
Preston County Commission

Tina Desmond
Director
Division of Administrative Services



Division of Administrative Services
 Justice and Community Services (JCS)
 SCHEDULE OF PAYMENTS

The following Schedule of Payments is hereby recognized and adopted by the Preston County Commission.

Project Number: 25-VA-058

Total Award: \$44,205.00

<u>Payment No.</u>	<u>Date</u>	<u>Amount</u>
1	TBD	TBD (based on October 2024 incurred costs)
2	TBD	TBD (based on November 2024 incurred costs)
3	TBD	TBD (based on December 2024 incurred costs)
4	TBD	TBD (based on January 2025 incurred costs)
5	TBD	TBD (based on February 2025 incurred costs)
6	TBD	TBD (based on March 2025 incurred costs)
7	TBD	TBD (based on April 2025 incurred costs)
8	TBD	TBD (based on May 2025 incurred costs)
9	TBD	TBD (based on June 2025 incurred costs)
10	TBD	TBD (based on July 2025 incurred costs)
11	TBD	TBD (based on August 2025 incurred costs)
12	TBD	TBD (based on September 2025 incurred costs)

Don Smith
President
Preston County Commission

DISCLOSURE OF LOBBYING ACTIVITIES

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352
(See reverse for public burden disclosure.)

Approved by OMB
0348-0046

1. Type of Federal Action: <input checked="" type="checkbox"/> B a. contract b. grant c. cooperative agreement d. loan e. loan guarantee f. loan insurance		2. Status of Federal Action: <input checked="" type="checkbox"/> B a. bid/offer/application b. initial award c. post-award		3. Report Type: <input checked="" type="checkbox"/> A a. initial filing b. material change For Material Change Only: year _____ quarter _____ date of last report _____	
4. Name and Address of Reporting Entity: <input type="checkbox"/> Prime <input checked="" type="checkbox"/> Subawardee Tier _____, if known: _____ Congressional District, if known:			5. If Reporting Entity in No. 4 is a Subawardee, Enter Name and Address of Prime: West Virginia Division of Administrative Services Justice and Community Services Section 1124 Smith Street, Suite 3100 Charleston, West Virginia 25301 Congressional District, if known: WV01		
6. Federal Department/Agency: U.S. Department of Justice Office of Justice Programs Office for Victims of Crime			7. Federal Program Name/Description: OVC FY24 VOCA Victim Compensation Formula Grant CFDA Number, if applicable: 16.576		
8. Federal Action Number, if known:			9. Award Amount, if known: \$		
10. a. Name and Address of Lobbying Registrant (if individual, last name, first name, MI): N/A			b. Individuals Performing Services (including address if different from No. 10a) (last name, first name, MI): N/A		
11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.			Signature: _____ Print Name: <u>Don Smith</u> Title: <u>PRESIDENT</u> Telephone No.: _____ Date: _____		
Federal Use Only:				Authorized for Local Reproduction Standard Form LLL (Rev. 7-97)	

Personnel Matters – Consideration and/or action

A. Executive Session

Legal Matters - Consideration and/or action

A. Executive Session

Commission Stone moved to go into Executive Session for potential legal. 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 Nate Raybeck, Samantha Stone, Hunter Thomas, Don Smith and Sheriff Jim Fields.

EXECUTIVE SESSION

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

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

Information

Commissioner's Comments

The second meeting of the Opioid Advisory Committee will meet December 10, 2024, at 3:00 p.m. in the County Commission meeting room.

At 10:34 a.m., there being no further business to come before the Commission, President Smith declared the Regular Session adjourned.

Commissioner

Commissioner

Commissioner

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11/26/2024