WEST VIRGINIA:

At a regular meeting of the Raleigh County Commission held on the 2nd day of February, 2021 in the Commission Courtroom and per conference call thereof:

CALL TO ORDER

President Dave Tolliver called the meeting to Order.

-0-

ROLL CALL

Present: David Tolliver, President
Linda K. Epling, Commissioner
Greg Duckworth, Commissioner
Carl Roop, County Attorney
Billy Michael, Assistant County Administrator

-0-

INVOCATION AND PLEDGE OF ALLEGIANCE

Meeting was opened with the invocation by R.D. Tolliver, Deputy Clerk for the Raleigh County Clerk, and the recitation of the Pledge of Allegiance.

-0-

PRESENTATION – SALLY CHAPMAN

Commissioner Tolliver presented a plaque to Sally Chapman, Chief Deputy Clerk for the Clerk of the Raleigh County Commission, in recognition of 30 plus years of service. Ms. Chapman stated she was honored to serve Raleigh County.

-0-

NEW BUSINESS

EXONERATIONS

Commissioner Duckworth made a motion to approve 0 exonerations, 1 cancellation and 0 refunds for personal property; and 2 exonerations, 0 cancellations and 0 letters of correction for real property as presented today. Motion was seconded by Commissioner Epling and motion carried unanimously. (SEE EXHIBIT A)

-0-

BUDGET REVISIONS

A motion was made by Commissioner Epling to approve the Levy Estimate Budget Revision for multiple departments in the amount of $496,855. Seconded by Commissioner Duckworth and motion carried unanimously. (SEE EXHIBIT B)

Commissioner Epling moved to approve the in- house budget revisions for the General County Fund for multiple lines in the amount of $23,768.00. Seconded by Commissioner Duckworth and motion carried unanimously. (SEE EXHIBIT C)

Commissioner Epling moved to approve the Law Enforcement Budget Revision for services in the amount of $61,927.07. Seconded by Commissioner Duckworth and motion carried unanimously. (SEE EXHIBIT D)

-0-

NEW EMPLOYEE RALEIGH COUNTY PROSECUTING ATTORNEY OFFICE – TOM TRUMAN, ASSISTANT PROSECUTOR

A motion was made by Commissioner Epling to approve the re-hiring of Tom Truman as Assistant Prosecutor for the Raleigh County Prosecuting Attorney's Office. Seconded by Commissioner Duckworth and motion approved unanimously.
(SEE EXHIBIT E)

-0-

NEW EMPLOYEE RALEIGH COUNTY PROSECUTING ATTORNEY OFFICE – LEIGH LEFFLER, ASSISTANT PROSECUTOR

A motion was made by Commissioner Epling to approve the hiring of Leigh Leffler as Assistant Prosecutor for the Raleigh County Prosecuting Attorney's Office. Seconded by Commissioner Duckworth and motion approved unanimously.
(SEE EXHIBIT F)

-0-

NEW RALEIGH COUNTY SHERIFF'S DEPARTMENT – JUSTIN HENSLEY DEPUTY SHERIFF

A motion was made by Commissioner Epling to approve the hiring of Justin Hensley as Deputy Sheriff for the Raleigh County Sheriff's Department. Seconded by Commissioner Duckworth and motion approved unanimously.
(SEE EXHIBIT G)

-0-

CONDITIONAL APPROVAL OF PROPOSAL TO FORM A TRAIL AUTHORITY WITH SEVEN WEST VIRGINIA COUNTIES

Bill Wells, President of Mountain State Trail Alliance, presented a handout to the Commission. Mr. Wells updated the Commission on the duties of the trail authority and their role in maintaining a regional trail system.

A motion was made by Commissioner Epling to approve entering into Phase 1 of the Trail Authority Formation. Seconded by Commissioner Duckworth and motion carried unanimously.
(SEE EXHIBIT H)

-0-

PUBLIC HEARING FOR THE PROPOSED AMENDMENT TO THE RALEIGH COUNTY CODE ENFORCEMENT ORDINANCE

Commissioner Tolliver declared the public hearing open. Billy Michael and Bill Vest informed the Commission of the proposed Amendments and stated the County Building Code is being updated to match the State Building Code. Amendments will be made for Page 7, Items 7, 8 and 9; Page 11, Section 13.01.02; Page 15 Article 7. Fees. Commissioner Tolliver called for objections to the Amendments. There being no objections, Commissioner Duckworth moved to close the hearing. Seconded by Commissioner Epling and motion carried unanimously.

Commissioner Epling moved to approve the Raleigh County Building Code Ordinance Amendments: Page 7, Items 7, 8 and 9; Page 11, Section 13.01.02; Page 15 Article 7. Fees. Seconded by Commissioner Duckworth and motion carried unanimously. (SEE EXHIBIT I)

-0-

APPROVAL OF DUI GRANT APPLICATION FROM THE SHERIFF'S DEPARTMENT

A motion was made by Commissioner Epling to approve the DUI Enforcement & Prevention Grant Application for February 23, 2021 through May 26, 2021 in the amount of $5,000. Seconded by Commissioner Duckworth and motion carried unanimously. (SEE EXHIBIT J)

-0-

APPROVAL OF DUI GRANT REIMBURSEMENT FROM THE SHERIFF'S DEPARTMENT

Commissioner Epling moved to approve the West Virginia Commission on Drunk Driving Prevention Expenditure Report and Reimbursement Request in the amount of $5000 for October 21, 2020 to January 21, 2021. Seconded by Commissioner Duckworth and motion carried unanimously. (SEE ESHIBIT K)

-0-

OLD BUSINESS

None

-0-

PUBLIC PARTICIPATION

Tim Kosut, newly elected County Surveyor, introduced himself and offered his services to the County Commission.

-0-

(intentionally left blank)

APPROVAL OF MINUTES

A motion was made by Commissioner Epling to approve the minutes of the November 10, 2020 meeting of this Commission. Seconded by Commissioner Duckworth and motion carried unanimously.

A motion was made by Commissioner Epling to approve the minutes of the December 1, 2020 meeting of this Commission. Seconded by Commissioner Duckworth and motion carried unanimously.

A motion was made by Commissioner Epling to approve the minutes of the December 15, 2020 meeting of this Commission. Seconded by Commissioner Duckworth and motion carried unanimously.

A motion was made by Commissioner Epling to approve the minutes of the December 22, 2020 Special Session of this Commission. Seconded by Commissioner Duckworth and motion carried unanimously.

A motion was made by Commissioner Epling to approve the minutes of the January 5, 2021 meeting of this Commission. Seconded by Commissioner Duckworth and motion carried unanimously.

-0-

VACATION ORDERS

Commissioner Epling moved to approve the Vacation Orders from January 19, 2021 to February 1, 2021, inclusive. Seconded by Commissioner Duckworth and motion carried unanimously. (SEE EXHIBIT L)

-0-

FINAL ACCOUNTINGS AND WAIVERS OF FINAL SETTLEMENT

The Objections and Exceptions of the Fiduciary Supervisor (SEE EXHIBIT M) Reclosure of the Estate of Alice Rowles (SEE EXHIBIT N), the Special Re-Open Order for the Estate of Georgena Zyto (SEE EXHIBIT O), Fiduciary Supervisor Order for the Estate of William Roscoe Turner (SEE EXHIBIT P) and Certificates of Completion of Ancillary Administration (SEE EXHIBIT Q) were presented to the Commission and approved unanimously.

-0-

ADJOURNMENT

A motion was made by Commissioner Epling to adjourn until the next Commission Meeting on February 16, 2021 at 10:00 a.m. Seconded by Commissioner Duckworth and motion carried unanimously.

s/s David Tolliver
President

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Type	Year	Ticket/Suff	Tax Name1/Tax Name2	Date	First Half	Second Half	Transaction Total
PENDING EXONERATION							
R	2018	2212	CORNETT PROPERTIES INC	2021/01/28	-524.22	-524.22	-1,048.44
R	2019	2157	CORNETT PROPERTIES INC	2021/01/28	-524.22	-524.22	-1,048.44
			Total For PENDING EXONERATION		-1,048.44	-1,048.44	-2,096.88

Linda Summers (DAH)
Assessor

Prosecuting Attorney

County Commission

At a regular session of the County Commission of Raleigh County, West Virginia, held at the Courthouse of said County, the County Commission did approve these exonerations on 2/2/21

LGSD BR (Ver. 2020)

REQUEST FOR REVISION TO APPROVED BUDGET

Subject to approval of the state auditor, the governing body requests that the budget be revised prior to the expenditure or obligation of funds for which no appropriation or insufficient appropriation currently exists. (§ 11-8-26a)

CONTROL NUMBER
FY: 2020-2021
Fund: 01
Rev. No. 3
Pages: 2

Ora Ash, Deputy State Auditor
West Virginia State Auditor's Office
200 West Main Street
Clarksburg, WV 26301
Phone: 627-2415 ext. 5114
Fax: 304-340-5090
Email: lgs@wvsao.gov

RALEIGH COUNTY COMMISSION
GOVERNMENT ENTITY

Person To Contact Regarding Request:
Name: R.D. TOLLIVER
Phone: 304-255-9115
Fax: 304-255-9352
Email: RTOLLIVER@RALEIGHCOUNTY.C

215 MAIN STREET
STREET OR PO BOX

BECKLEY — CITY
25801 — ZIP CODE

COUNTY
Government Type

REVENUES: (net each acct.)

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUSLY APPROVED AMOUNT	(INCREASE)	(DECREASE)	REVISED AMOUNT
323	State Grants		458,855		458,855
382	Refunds/Reimbursements (External Sources)		38,000		38,000
	#N/A				
	#N/A				
	#N/A				
	#N/A				

NET INCREASE/(DECREASE) Revenues (ALL PAGES) 496,855

COUNTIES-TRANSFERS TO THE GENERAL FUND FROM OTHER FUNDS MUST HAVE PRIOR APPROVAL OF AUDITOR'S OFFICE

EXPENDITURES: (net each account category)

(WV CODE 7-1-9)

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUSLY APPROVED AMOUNT	(INCREASE)	(DECREASE)	REVISED AMOUNT
401	County Commission	2,462,411		289,275	2,173,136
402	County Clerk	1,032,760	7,536		1,040,296
403	Circuit Clerk	1,153,651	8,074		1,161,725
404	Sheriff-Treasurer	665,480	4,306		669,786
405	Prosecuting Attorney	1,414,848	8,074		1,422,922
406	Assessor	932,493	12,918		945,411
411	Fiduciary Supervisor	180,690	1,615		182,305
413	Elections-County Clerk	411,254	227,153		638,407
424	Courthouse	1,325,368	4,845		1,330,213
433	Geographic Information System	98,904	539		99,443
436	Rehabilitation of Property	145,402	1,615		147,017

NET INCREASE/(DECREASE) Expenditures 496,855

APPROVED BY THE STATE AUDITOR

BY:

Deputy State Auditor, Local Government Services Div. — Date

AUTHORIZED SIGNATURE OF ENTITY — APPROVAL DATE

XPENDITURES (CONT'D) RALEIGH COUNTY COMMISSION

LGSD: BR RALEIGH COUNTY COMMIS: CONTROL NUMBER 2020-2021 01 3

BUDGET REVISION REQUEST-SUPPLEMENT FY FUND REV#

ACCOUNT NUMBER	ACCOUNT CATEGORY	PREVIOUSLY APPROVED AMOUNT	INCREASE	DECREASE	REVISED AMOUNT
438	Building Inspection	280,430	2,153		282,583
698	Transfers/Reim. (Audit Findings)	289,000	461,547		750,547
700	Sheriff-Law Enforcement	4,820,237	35,525		4,855,762
701	Sheriff-Service of Process	128,733	1,077		129,810
705	Home Confinement	185,167	1,615		186,782
714	Fire Coordinator	73,485	539		74,024
717	Central Garage	375,366	1,077		376,443
731	Community Based Corrections Program	594,913	4,845		599,758
813	Litter Control	113,816	1,077		114,893
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				

NET INCREASE/(DECREASE) Expenditures (this page) 509,455

County Commission of Raleigh County

116 ½ North Heber Street
Beckley, West Virginia 25801-4522

At a regular session of the Raleigh County Commission, held on the 2nd day of February, 2021, the following order was made and entered:

SUBJECT: The revision of the Levy Estimate (Budget) for the County of Raleigh $289,275 from 01-401 (County Commission); $458,855 to 01-323 (State Grants); $38,000 to 01-382 (Refunds/Reimbursements - External Sources); $7,536 to 01-402 (County Clerk); $8,074 to 01-403 (Circuit Clerk); $4,306 to 01-404 (Sheriff-Treasurer); $8,074 to 01-104 (Prosecuting Attorney); $12,918 to 01-406 (Assessor); $1,615 to 01-411 (Fiduciary Supervisor); $227,153 to 01-413 (Elections-County Clerk); $4,845 to 01-424 (Courthouse); $539 to 01-433 (Geographic Information System); $1,615 to 01-436 (Rehabilitation of Property); $2,153 to 01-438 (Building Inspection); 461,547 to 01-698 (Transfers/Reim. – Audit Findings); $35,525 to 01-700 (Sheriff-Law Enforcement); $1,077 to 01-701 to Sheriff-Service of Process; $1,615 to 01-705 (Home Confinement); $539 to 01-714 (Fire Coordinator); $1,077 to 01-717 (Central Garage); $4,845 to 01-731 (Community Based Corrections Program); $1,077 to 01-813 (Litter Control).

The following resolution was offered:

RESOLVED: That subject to the 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 General Fund budget revision number 3 a copy of which is entered as part of this record.

The adoption of the foregoing resolution having been moved by Linda K. Epling duly seconded by Gregory A. Duckworth, the vote thereon was as follows:

Linda K. Epling	Yea
Gregory A. Duckworth	Yea
David L. Tolliver	Yea

Whereupon, David L. Tolliver, 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 President is authorized to fix his signature on the attached "Request for Revision to Approved Budget" to be sent to the State Auditor for Approval.

Phone 304-255-9146 Fax 304-255-9166 ralcom@raleighcounty.com

Sheriff - Treasurer of Raleigh County
Raleigh County Courthouse
215 Main Street
Beckley, West Virginia 25801

Telephone: 304-255-9195
Fax: 304-255-9307

SCOTT VAN METER

TO: Jay Quesenberry, County Administrator

FROM: Sheriff Scott Van Meter SVM

DATE: January 21, 2021

RE: Law Enforcement Budget Revision

I have attached a list of monies receipted for reimbursement in the amount of $61,927.07 for services provided by our office and request the Law Enforcement Budget for FY 2020-2021 to be funded as follows:

01-700-41	Law Enforcement - Materials & Supplies	$ 61,927.07

Thank you for your assistance in this matter.

Approved By: _____ Commissioner

_____ Commissioner

_____ Commissioner

SVM/ab
cc: R. Tolliver

Attachment

RALEIGH COUNTY SHERIFF'S OFFICE

FISCAL YEAR 2020/2021

Supplement Vendor / Receipt List

VENDOR	AMOUNT	DESCRIPTION
AEP	$ 11,419.85	Work Site Overnight Security
Board of Education	$ 50,202.22	School Safety Official
FBI	$ 305.00	VCAC Task Force
	$ 61,927.07	**(Total Receipted Reimbursements)**

To: Raleigh County Commission

From: Jay Quesenberry

Subject: Budget Revisions

Date: February 2, 2021

I am requesting the following in house budget revisions for the General County Fund's 2020/2021 fiscal year:

Account Number	Line Number	Object Number		Increase	Decrease
01	401	03	County Commission-Salaries & Wages	3,500.00	-
01	401	04	County Commission-FICA Tax-Social Security	268.00	-
01	401	20	County Commission-Advertising Legal Pubs	5,000.00	-
01	401	23	County Commission-Professional Services	5,000.00	-
01	401	41	County Commission-Materials & Supplies	10,000.00	-
01	401	58	County Commission-Capital Outlay-Oth Improv	-	23,768.00
				23,768.00	23,768.00

APPROVED:

County Commission of Raleigh County

116 ½ North Heber Street
Beckley, West Virginia 25801-4522

February 2, 2021

At a regular session of the Raleigh County Commission on the 2nd day of February, 2021, Tom Truman, was presented to the Commission by Benjamin Hatfield, Prosecuting Attorney, as an Assistant Prosecutor for employment by Raleigh County.

David L. Tolliver, President

Linda K. Epling, Commissioner

Gregory A. Duckworth, Commissioner

cc: Gloria Tolbert, Payroll Dept.

Phone 304-255-9146 Fax 304-255-9166 ralcom@raleighcounty.com

County Commission of Raleigh County

116 ½ North Heber Street
Beckley, West Virginia 25801-4522

February 2, 2021

At a regular session of the Raleigh County Commission on the 2nd day of February, 2021, Leigh Leffler, was presented to the Commission by Benjamin Hatfield, Prosecuting Attorney, as an Assistant Prosecutor for employment by Raleigh County.

David L. Tolliver, President

Linda K. Epling, Commissioner

Gregory A. Duckworth, Commissioner

cc: Gloria Tolbert, Payroll Dept.

Phone 304-255-9146 Fax 304-255-9166 ralcom@raleighcounty.com

County Commission of Raleigh County

116 ½ North Heber Street
Beckley, West Virginia 25801-4522

February 2, 2021

At a regular session of the Raleigh County Commission on the 2nd day of February, 2021, Justin Hensley, was presented to the Commission by Scott Van Meter, Sheriff, as Deputy Sheriff for employment by Raleigh County.

David L. Tolliver, President

Linda K. Epling, Commissioner

Gregory A. Duckworth, Commissioner

cc: Gloria Tolbert, Payroll Dept.

Phone 304-255-9146 Fax 304-255-9166 ralcom@raleighcounty.com

RALEIGH COUNTY BUILDING CODE ORDINANCE
AMENDED EFFECTIVE FEBRUARY 2, 2021

Article I – Authority

Title 87, Legislative Rule, State Fire Commission, Series 4, State Building Code, Effective August 1, 2016

Article II – Purpose

The purpose of this document is to amend the Raleigh County Building Code Ordinance to reflect changes in the WV Code updating the content, editions and amendments to the State Building Code and content of portions of the Raleigh County Building Code Ordinance of April 15, 2003, that established the administrative procedures for promulgating these codes and regulating the department.

Article III - Building Code Official, Department

Section 1-301- The Raleigh County Code Enforcement Department is directed by the appointed Chief Building Code Official who is responsible for the enforcement of the state building code and such other responsibilities as assigned by the County Commission of Raleigh County.

Section 1-302 - Same — Nomination, appointment term of office, qualifications

(a) The County Commission shall appoint a qualified individual as Chief Building Code Official, qualified under the legislative rules adopted by the State Fire Commission for Building Code Official(s). The chief, inspectors, plans examiners, permit technicians, administrative specialists and other department employees shall serve at the will and pleasure of the County Commission.

(b) The Chief shall employ such number of inspectors, plans examiners, permit technicians or other employees as shall be necessary for the administration of the code enforcement department as authorized by the County Commission. Each inspector, plans examiner, permit technician, administrative specialist or other employee shall be qualified under the legislative rules adopted by the State Fire Commission or the Raleigh County Commission for Inspectors, Plans Examiners, Permit Technicians, Administrative Specialists or other employees.

(c) Each Employee shall have two attempts to pass any required certification examination at county expense. Thereafter, exams shall be paid for by the employee. Study materials shall be paid for by the department.

(d) Each certified building code official, inspector, plans examiner, permit technician, administrative specialist, or other employee shall maintain such certification in good standing by complying with State Fire Commission continuing education requirements.

(e) All required State Fire Commission certification and certification renewal shall be at county expense.

Section 1-303 - Same — Administrative powers and duties generally; records

(a) The administrative powers and duties of the Code Enforcement Department shall include receiving, processing and issuing building permits; performing inspections; and issuing or denying certificates of occupancy.

(b) The code official and/or inspectors, to enforce the state building code and/or Raleigh County Building Code Ordinance, shall issue such notices and orders as may be necessary to affect the removal of illegal conditions, secure necessary safeguards during construction, require adequate exit facilities or any other necessary building code or ordinance requirement.

(c) The code enforcement department shall keep comprehensive records of applications, permits, inspections, rejections and certificates issued, building plans and related documents, and retain same as required. All applicable building records are open for public inspection during normal business hours. Such records shall not be removed from the Code EnforcementDepartment.

Section 1-3-4 - Same — Powers and duties as to inspections

(a) The building code official and building inspectors shall have the power to inspect structures and construction sites, where building permits are issued or where such work is underway without a building permit, to ensure the State Building Code, the Raleigh County Building Code Ordinance and related laws and ordinances are complied with and construction is prosecuted safely. The building code official and/or any other duly appointed inspector when requested by proper authority or when the interests of the county so require, shall make inspections and/or investigations pertaining to the State Building Code or Raleigh County Building Code Ordinance and file written reports thereon to the County Commission.

(b) When a building permit is obtained all required inspections will be made and documented. Upon completion a final inspection will indicate minimum compliance with the West Virginia State Building and Fire Codes and a Certificate of Occupancy issued. No structure may be lawfully occupied until the CO is issued.

c) Inspection fees are part of the building permit fee, except: (1) the second and all other re-inspections (on any failed items) are at $35.00 for each re-inspection; (2) inspections not ready, when scheduled, shall be considered in the same category as a second re-inspection and the $35.00 fee shall apply to each.

(d) Upon completion it shall be the responsibility of the owner or designated agent to schedule the final inspection, within three business days. Failure will result in the imposition of a $35.00 administration fee. The provisions of subsection (c) above shall also apply.

(e) The following are required (but not limited to) inspections: NEW (on site) CONSTRUCTION

1. Footing/foundation/slab-after excavation, prior to pouring concrete REQUIREMENTS: minimum footer _depth 24", width to accommodate block width; rebar minimum 3" from bottom & sides; bulkheads per specs, grade stakes to show footer thickness (minimum 8"); interior girder pier minimum depth 12", width 8"; vapor barrier & reinforcement wire per slab specs; plumbing & electrical stubs in place. APPROVAL REQUIRED BEFORE PROCEEDING

2. Rough-in-after footing/foundation/slab, before covering

   REQUIREMENTS:

   ELECTRICAL: two ground rods, six feet apart, approved ground rod clamps, wiring protection, smoke detectors interconnected in each bedroom & each landing, GFI/arc fault protection where required, proper wiring size and load rating, proper outlet spacing, proper location and clearance for all electrical equipment, isolated circuits for all major appliances, disconnects within sight of all major appliances, proper wiring securing.

   MECHANICAL: first and final can be simultaneous, except when any part of the supply or return trunk line is permanently enclosed; flex connects not exceeding 14', light and receptacle within 25' of furnace/air handler, catwalk for attic installations with drain pan and primary and secondary drains; floor joist support/furnace/air handler not less than 6" above pad, cinderblock or concrete pad support not less than 3" above pad, gas appliance shut-off valve & drip leg, disconnect within 25' & in pan view of all HVAC equipment, no returns in kitchen or baths, proper size supply & return trunk lines, venting per mfg. requirements.

   PLUMBING: proper framing, drilling and/or notching; proper protection or piping thru walls; proper backfill for underground plumbing (12" tamped dirt minimum, no rocks or frozen dirt), proper piping support; proper unions, slip joints, ferrule and flange connections, proper sizing, cut off valves, drains 1K" or larger (lavatory drains 1 Y*"), proper venting, discharge line cleanouts, proper installation of wyes, traps, strainers, cross bars, floor drains not less than 2", proper supply line sizing (not less than %"); proper shut off valve sizing, location and accessibility; proper supply testing (water system not less than 100 psi-30 minutes—PVC drain systems 5 psi), proper drain direction changes, drain stacks, vents and traps.

   FRAMING: proper joist and girder spans; sizing, bearing, lapping, bridging, drilling and/or notching locations, proper stud spacing, top plate splicing, stud drilling, and notching, header sizing, jack location, ceiling joist bearings and spans, beam support, rafter sizing and notching; truss design, bracing and support; proper roof sheathing, knee walls.

   INSULATION: proper "R" values, locations and securing; proper vapor barriers.

GREASE INTERCEPTORS: where grease interceptors are required dishwashers may not be connected to a grease interceptor and shall be installed and connected as required by the PSD having jurisdiction.

3. Final Inspection - completed work on all elements to verify compliance with the minimum standards of the State Building and Fire Codes, reviewed and approved construction drawings, public utility requirements, prior to the issuance of a Certificate of Occupancy. All elements are in proper working order, testing where applicable. All licensure, addressing, zoning, flood plain, storm water requirements must be completed prior to issuance of the CO and structure occupancy.

Article IV - Building Code – Adoption

Section 1-401 Adoption of the State Building Code

(a) Pursuant to WV Code 29-3-5b, the Raleigh County Commission adopts the State Building Code as adopted by the WV State Legislature by Legislative Rule promulgated by the State Fire Commission and hereby incorporates the rule into this Ordinance. A copy of the State Building Code and the Legislative Rule is available in the office of the Raleigh County Code Enforcement Dept., available to the public during regular business hours

(b) Any existing county ordinance that is more stringent or imposes a higher standard than is required by the above referenced code shall govern, provided such ordinance is not inconsistent with the laws of West Virginia and is not contrary to recognized standards and good engineering practices.

(c) Any existing county ordinance that is less stringent or imposes a lower standard than is required by the above referenced code is hereby amended to comply therewith.

(d) The standards and requirements are as set out and published:

STATE BUILDING CODE

GENERAL

Authority: WV Code 29-3-5b Agency: WV State
Fire Commission Legislative Rule: Title 87.
Series 4
Effective date: August 1, 2016

Incorporation of other Documents - - This does not include a reprinting of all the requirements imposed by statute or by incorporation of various nationally recognized standards and codes cited. For ascertaining these additional standards and requirements, it is necessary to make reference to the other document.

DEFINITIONS

"ANSI" means American National Standards Institute, 25 West 43rd St., Fourth Floor, New York, NY 10036.

"Building Inspection" means a visual examination of any structure under construction or renovation or any appurtenances, components or systems therein, for the purpose of determining compliance or non-compliance with any of the provisions of the Raleigh County/West Virginia State Building Code.

"Building Inspector" means any person certified, pursuant to the West Virginia State Fire Commission Legislative Rules, Title 87, and Series 7, who performs building inspections and writes building inspection reports verifying compliance or noting non-compliance with the Raleigh County/West Virginia State Building Code.

"Fire Commission" means the thirteen (13) appointed members of the West Virginia State Fire Commission.

"Fire Marshal" means the West Virginia State Fire Marshal and/or his or her designated representatives.

"Home Inspection" means a visual analysis for the purpose of providing a professional opinion on the condition of an existing building and its carports and garages, and reasonable accessible installed components and the operation of the building systems, including controls normal operated by the owner, for the following components of a residential dwelling of four units or less: heating system, cooling system, electrical system, plumbing system, structural components, foundation, roof covering, exterior and interior components and the site aspects that affect the dwelling, pursuant to the West Virginia State Fire Commission Legislative Rules, Title 87 Series 5.

"Home Inspector" means any person who is certified pursuant to West Virginia State Fire Commission Legislative Rule, Title 87, Series 5, and who engages in the business of performing home inspections for compensation and who writes home inspection reports. A home inspector is not a building inspector and does not perform construction or renovation (building) inspections. A home inspector shall not write a report or render an opinion on compliance or non-compliance with any codes, statutes, regulatory requirements, special utility, insurance or restrictions relating to a residential structure or any of its components or system

"ICC" or "International" means International Code Council, 500 New Jersey Ave. NW, 6th Floor, Washington, DC 20001.

"Local jurisdiction" means Raleigh County Commission.

"NFPA" means National Fire Protection Association, 1 Batterymarch Park, PO Box 9101, Quincy, MA 02269-9101.

"State Building Code" means the entire contents of this rule and the referenced national standards and codes.

"State Fire Code" means the entire contents of the State Fire Commission, State Fire Code, 87CSR1 and the referenced standards and codes.

CONFLICTS

Whenever there is a conflict between the State Fire Code and the State Building Code, the State Fire Code takes precedence.

Whenever there is a conflict between the International Plumbing Code requirements of the State Building Code and the rules of the West Virginia State Department of Health and Human Resources, the rules of DHHR take precedence.

Whenever there is a conflict between the State Building Code and the statutory laws or the State of West Virginia, the laws of the state take precedence

NATIONAL CODES AND STANDARDS

The standards and requirements as set out and published by the International Code Council, the American National Standards Institute and the National Fire Protection Association as listed in this subsection, have force and effect as if set out verbatim in this rule

1. The 2015 edition of the International Building Code, with the following exceptions:

    a. The section entitled *"Fire Protection"* and identified as *Section 101.4.5* is deleted and not Considered a part of this rule.

b. The entire subsection entitled as *"Qualifications"* and identified as *Section 113.3* is deleted and replaced with:

Section 113.3. Board of Appeals Qualifications.

The board of appeals shall consist of five members, with up to three alternates, who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction. They may include, but are not limited to, a WV Registered Professional Architect or Engineer, WV Licensed Building Contractor, Residential, Electrical, Piping, Plumbing, Mechanical or Fire Protection Contractor, with at least 10 years' experience, five of which shall be in responsible charge of work.

2. The 2015 edition of the International Plumbing Code.

3. The 2015 edition of the International Mechanical Code.

The 2015 edition of the International Fuel Gas Code, with the following exceptions:

a. Section 404.10. Underground piping systems shall be installed a minimum depth of 12 inches (305 mm) below grade. If the minim depth cannot be maintained, the piping system shall be installed in conduit or shielded in an approved manner.

4. The 2009 edition of the International Energy Conservation Code for residential Buildings. *Provided:* that this code does not become effective until November 30, 2012.

5. The ANSI/ASHRAE /IESNA Standard 90.1-2010 for all commercial buildings.

6. The 2015 edition of the International Residential Code, for One- and Two- Family Dwellings, with the following exceptions:

a. Chapter 11, entitled *"Energy Efficiency"* is exempt from this rule.

b. Section G2415.10 Minimum Burial Depth. Underground piping systems shall be installed a minimum depth of 12 inches (305 mm) below grade. If the minimum depth cannot be maintained, the piping system shall be installed in conduit or shielded in an approved manner.

c.311.7.4. Stair treads arid Risers.
Section R311.7.5.1 Riser Heights - The maximum riser height shall be 7 and 3/4 inches.
R311.7.4.2 Tread Depth - The minimum tread depth shall be ten (10) inches.

d. Section R403.1.7.1 Building Clearances from Ascending Slopes is not applicable to this rule.

e. Section R403.1.7.2 Footing Setbacks from Descending Slope Surfaces is not applicable to thisrule

7. The 2017 ICC/ANSI A117.1American National Standard for Accessibility & Usable Buildings & Facilities.

8. The 2015 edition of the International Existing Building Code, with the following exception: a. Omit references to the *International Fire Code* and substitute *NFPA 101, Life Safety Code* 2018.

9. The 2017 edition of NFPA 70, the National Electric Code
A. 2017 Amendment: For renovations in one- and two- family homes where no new square footage is involved, arc-fault circuit interrupter (AFCI) protection shall not be required, except for in bedrooms. For renovations in one- and two- family homes where square footage is added but no electrical service is installed, arc-fault circuit interrupter (AFCI) protection shall not be required.

10. Fire Protection of Floors in Residential Buildings.

New One-and Two-Family Dwellings over one level height, New One-and Two-Family Dwellings containing a basement and New One-and Two-Family Dwellings containing a crawl space containing a fuel burning appliance below the first floor, shall provide one of the following methods for fire protection of floors:

(1) a Y* inch (12.7) mm) gypsum wallboard membrane. 5/8- inch (16 mm) wood structural panel membrane or equivalent, on the underside of the floor framing member;

(2) Wood floor assemblies using dimension lumber or structural composite lumber equal to or greater than 2-inch by 10-inch (50.8 mm by 254 mm) nominal dimension, or other approved floor assemblies demonstrating equivalent fire performance; or, (3) an automatic fire sprinkler system as set forth in

Section R313.2 of the 2015 edition of the International Residential Code for One-and Two-Family Dwellings: *Provided,* that floor assemblies located directly or a space protected by an automatic sprinkler system as set forth in Section R313.2 of the 2015 edition of the International Residential Code for One-and Two-Family Dwellings are exempt from this requirement.

EXCEPTIONS.

The following structures are not subject to inspection by local jurisdictions:

Group U utility structures and storage sheds comprising an area riot more than 200 sq. ft. which have no plumbing or electrical connections and are used only for residential storage purposes. (Examples include sheds that are for the residential storage of lawnmowers, tools, bicycles or furniture.) Not included are those utility structures and storage sheds which have plumbing or electrical connections, are a non-residential use or for the storage of explosives or other hazardous or explosive materials.

ADOPTION BY LOCAL JURISDICTIONS

The Raleigh County Commission shall notify the State Fire Commission in writing of its adoption of the State Building Code. The Commission shall send a copy of the ordinance to the State Fire Marshal, West Virginia State Fire Commission, 1207 Quarrier St., 2nd Floor, Charleston, WV 25301, within 30 days of adoption.

The Raleigh County Commission shall be responsible for the enforcement of the State Building Code within its jurisdiction in Raleigh County as provided in WV Code 7-l-3n.

Throughout the national codes, adopted in this rule, there are discretionary provisions or appendices which require further action by the Raleigh County Commission in order to adopt these codes to Raleigh County conditions. The appendices are not a part of the code and must also be adopted by the Raleigh County Commission to be enforceable. It is therefore the intent of this rule to further authorize the Raleigh County Commission to further complete, by ordinance, those respective areas which are indicated to be completed and by adopting any of the appendices the Raleigh County Commission wishes to adopt.

Within the penalty sections of each of the national codes there is a penalty for imprisonment. The provision of imprisonment for any violation of this rule is optional and rejected by the Raleigh County Commission.

Each of the national codes adopted provides for a separate appeals board. However, the intent and requirements of an appeals board may be met with the creation by the Raleigh County Commission of a single appeals board for the entire State Code.

EXISTING BUILDING CODES

All building codes previously by the Raleigh County Commission are null and void

Section 1-402 Same - County Amendments

(a) 2015 International Building Code

Section 101.1 insert: Raleigh County, West Virginia

Section 1607: Ground Snow Load - = or > 30 and 30 psf roof live load

Section 1612.3 insert: Raleigh County West Virginia, October 3, 1989

The Raleigh County Commission hereby adopts the following Appendices to the IBC 2015
Appendix C - Group U, Agricultural Buildings
Appendix E - Supplementary Accessibility Requirements
Appendix F - Rodent Proofing
Appendix G - Flood-Resistant Construction
Appendix H - Signs
Appendix I - Patio Covers
Appendix J – Grading

(b) 2015 International Residential Code

Section R101.1 insert: Raleigh County, West Virginia

Table R301.2 (1) insert: Ground Snow Load - = or > 30 psf roof live load

Wind Speed - 90 mph
Seismic Design Category - C
Weathering - Severe
Frost Line Depth - 24"
Termite - M-H
Decay - S-M
Winter Design Temp -11
Ice Shield Underlayment Required - Yes
Flood Hazards - October 3, 1989
Air Freezing Index -1000
Mean Annual Temp - 50.4

Section P2603 insert: ... 24 inches private sewage disposal systems ... 24 inches building

Section P3103.1 insert: ... at least 12 inches above the roof or 12 inches above the anticipated snow accumulation ...

The Raleigh County Commission hereby adopts the following Appendices to IRC 2015

Appendix E - Manufactured Housing used as Dwellings
Appendix G- Piping Standards for Various Applications
Appendix H - Patio Covers
Appendix K - Sound Transmissions

(c) 2015 International Plumbing Code

Section 101.1 insert: Raleigh County, West Virginia

Section 305.6 insert:...24 inches private sewage disposal systems ... 24 inches building

Section 904.1 insert: ... at least 12 inches above the roof or 12 inches above the anticipated snow accumulation.

The Raleigh County Commission hereby adopts the following Appendices to the IPC 2015

Appendix D— Degree Day and Design Temperatures (Charleston)
Appendix E - Sizing of Water Pipe Systems
Appendix C - Structural Safety

(d) 2015_International Mechanical Code

Section 101.1 insert: Raleigh County, West Virginia

The Raleigh County Commission hereby adopts the following Appendices to the IMC 2015
Appendix A - Combustion Air Openings and Chimney Pass-throughs

(e) 2015_International Fuel Gas Code

Section 101.1 insert: Raleigh County, West Virginia

The Raleigh County Commission hereby adopts the following Appendices to the IFGC
Appendix A - Sizing and Capacities of Gas Piping
Appendix B - Sizing of Vent Systems
Appendix C - Exit Terminals of Mechanical Draft Systems and Direct Vent Venting Systems
Appendix D - Recommended Procedures for Safety Inspection of an Existing Appliance Installation

(f) 2009 International Energy Conservation Code (Residential) effective 11/30/13 Section 101.1 insert: Raleigh County, West Virginia

(g) 2010 ANSI/ASHRAE/IESNA Standard 90.1 Commercial Energy Code

(h) 2015 International Existing Building Code

Section 101.1 insert: Raleigh County, West Virginia

Section 1301.2 insert: April 15, 2003.

Omit reference to the International Fire Code and substitute NFPA 101/2018, Life Safety Code

The Raleigh County Commission hereby adopts the following Appendix to the IEBC
Appendix B - Supplementary Accessibility Requirements for Existing Buildings and Facilities
(i) 2017 NFPA 70, National Electric Code
(j) 2017-ICC/ANSI Aii7.1 Accessible & Usable Buildings & Facilities

Article V – Permits

Section 1-501. Same - "Estimated Cost" defined

The term "estimated cost" shall mean the reasonable cost of both labor and materials involved in the prosecution and completion of work, a job or a project, and all the parts thereof, until ready for use or occupancy. The work, job or project may not be subdivided into separate projects to reduce the "estimated cost" or a permit fee or to exempt the applicant or contractor from any other provisions of this ordinance or any elements of the building code. Where no "estimated cost" is provided by the applicant or a discrepancy occurs on an application whereby the accuracy of such estimated cost figures are in question, the following will be used: $100.00 per square foot for all inhabited structures or areas; $80.00 per square foot for garages, porches, decks, accessory buildings; $60.00 per square foot for unfinished basements, sidewalks, driveways, walkways. Upon completion of any project where the "estimated cost" can be documents as being less than stated on the application, a refund of part of the building permit amount may be issued when proper, required, documentation is submitted and approved

Section 1-502. Same - Obtaining Permit Before Work Commences

No person shall do work for which a permit is required, or allow any condition to exist upon any premises owned by such person or under such a person's control when a permit is required for the maintenance of such condition, without first having obtained the permit. Any person who acts as an agent, contractor, employee or other person in violation of this section shall be guilty of an offense against this section jointly with the person committing the act which constitutes the offense. Failure to obtain the permit before the work commences will result in double the building permit fee, paid by all persons in violation of this section.

Section 1-503. Same - Workers Compensation and Public Liability Insurance

No permit shall be issued for the construction of a building or structure I the county, or for the renovation of alteration of the exterior on any building or structure unless a certificate or other proof is filed that the contractor carries workers compensation insurance and public liability insurance with general liability limits of five hundred thousand dollars ($500,000.00) per occurrence and one million dollars ($1,000,000.00) aggregate

Section 1-504. Same - Fees Payable Prior To Issuance of Permit

No permit required by this ordinance shall be issued until the fees prescribed have been paid, nor shall an amendment to a permit be approved until additional fees, if any, due to an increase in the estimated cost of the square footage of the building or structure has been paid. Provided, that upon completion of any work for which a permit has been obtained as provided and No Certificate of Occupancy shall be issued when any required fee is unpaid.

Section 1-505. Same - Exemptions from obtaining a Building Permit

The following are exempt from obtaining a building permit:

Building –

1. Commercial or residential, detach, one-story accessory buildings (no electrical or plumbing, of mechanical), not more than 200 sq. ft.

2. A deck not more than 200 sq. ft and 30 inches above grade

3. Fences not more than seven feet high

4. Oil derricks

5. Retaining walls not more than two feet above grade, unless supporting a surcharge

6. Water tanks supported directly on grade, capacity of less than 5,000 gallons and ratio of height to diameter not in excess of 2 to 1

7. Sidewalks and driveways not more than 30 inches above grade and not over any basement and not part of an accessible route

8. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work

9. Prefabricated swimming pools less than 24 inches deep, not exceeding 5,000-gallon capacity, installed completely above ground

10. Shady cloth structures for nursery or agricultural purposes, not including service systems

11. Swings and other playground equipment

12. Window awnings supported by an exterior wall not projecting more than 54 inches and not requiring additional support

13. Temporary motion picture, television and theater stage sets and scene

Electrical –

1. Minor repair work, including replacement of lamps or connections or approved portable appliances to approved permanently installed receptacles

2. Electrical equipment used for radio and television transmission (permits apply to equipment and wiring for power supply and installation of towers and antennas)
3. Any temporary system for testing or servicing electrical; equipment or apparatus

Gas –

1. Portable heating, cooking or clothes drying appliances

2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe

3. Portable fuel cell appliances not connected to a fixed piping system and not interconnected to a power grid

Plumbing –

1. The stopping of leaks n drains, water, soil, waste or vent pipes, provided that if any concealed trap, drain pipe, water, soil, waste or vent pipe becomes defective
and necessary to move and replace with new material, such work requires a permit

2. Clearing of stoppages or repairing leaks in pipes, valves or fixtures, removal and reinstallation of water closets, provided such repairs do not involve or require replacement or rearrangement of valves, pipes or fixtures

Mechanical –

1. Portable heating appliances, ventilating equipment or cooling units

2. Steam heat or chilled water piping within heating or cooling equipment regulated by the State Building Code

3. Replacement if any part that does not alter its approval or make it unsafe

4. Self-contained refrigeration systems containing 10 lbs. (4.54 kg) or less of refrigerant and actuated by motors of one horsepower (746 w) or less

Repairs –

1. Ordinary repairs to a structure, replacement of lamps or connections of approved portable electrical equipment to approved permanently installed receptacles. Repairs DO NOT include: cutting away of any wall, partition or portion thereof; removal or cutting away of structural beam or

load-bearing support; removal or change of any required means of egress; rearrangement of parts of a structure affecting egress requirements; replacement of or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring or mechanical or other work affecting public health or general safety.

Article VI. Licensure Required

Section 1-601. Same-Contractor-Mechanic Licensing Policy

It is hereby declared the policy of the Raleigh County Commission that all persons performing construction work regulated by the WV State Building Code in Raleigh County, be duly licensed as required by rules and regulations promulgated: under Chapter 21, Article 11, Title 28, Series 2, WV Contractor Licensing Act; Chapter 21, Article 14, Title 42, Series 19, Manufactured Housing Construction and Safety Standards; Chapter "12, Article 14, Title 28, Series 3, Certification of Plumbers; Chapter 29, Article 3b, Title 103, Series 1, Supervision of Electricians; to insure capable and skilled craftsmanship utilized in construction projects in this county both public and private; fair bidding practices between bidding contractors through uniform compliance with the laws of this country and state and protection of the public of unfair, unsafe and unscrupulous bidding and construction practices

Section 1-602. Same - Administrative Duties of the Department

(a) On behalf of the County, the Code Enforcement Department shall perform the following administrative duties:

1. Collect and record all fees
2. Maintain records and files
3. Accept, process applications and issue building permits
4. Accept, process applications and issue licenses
5. Issue duplicate permits and/or licenses upon written request, for a fee established by the County Commission
6. Notify licensees of renewal dates at least 30 days prior to expiration
7. Answer all routine inquiries
8. Maintain all permit and license files
9. Arrange for printing and advertising
10. Purchase supplies
11. Perform other services than may be requested by the Commission
12. Provide inspection, enforcement and investigative services to the Raleigh County Building Code Board of Appeals
13. Issue cease and desist orders to person engaging in contracting in the county without a license
14. Issue stop work orders to persons performing construction work in the county without a building permit.

(b) All authority not specifically delegated to the department shall be the responsibility of the County Commission

(c) The department may prepare rules and regulations as are necessary, for approval by the County Commission, to carry out the provisions of this ordinance. The department may disseminate educational materials designed to assist contractors and residents of the county to understand and comply with the building code provisions.

Article VII. Fees

Section 1-701. Same - Building permit, plan review fees, other requirements
A building permit for construction, alteration, renovation or demolition shall be as follows:

(a) Any work performed, regulated under this ordinance, require a building permit, effective July 1, 2019 shall be at rate of ¼ of 1% (.0025) of the estimated cost, in accordance with Section 1-501. The minimum permit fee shall be $20.00. When work has commenced before a building permit is obtained, the fee shall be double the regular permit fee. A $100.00 plan review fee payable upon the first submission of required COMMERICAL/NON-RESIDENTIAL construction documents.

Electrical service inspection is required by the power company to restore or connect power, including service upgrades.
Electrical inspection fees are as noted below:
(a) Electrical permit fee includes first inspection only.
(b) Any additional re-inspections are $40.00 per inspection.

(b) Any work performed under this ordinance shall be inspected, the cost included in the permit fee. Should an inspection fail, violations will be noted, and the first re-inspection shall be a no charge. Thereafter, any further inspections shall require a $35.00 re-inspection fee. Any element not ready for inspection when scheduled shall be considered as a failed inspection and subject to the re-inspection fee. The inspection fee for any work completed without obtaining a building permit shall be $35.00 per inspection, plus double the regular permit fee.

(c) No more than three business days from completion of any project requiring a building permit, a final inspection shall be scheduled. Failure to schedule will result in a $35.00 administrative and a $35.00 re-inspection fee.

(d) Any individual, owner or corporation or agent thereof, who commences work without a permit when one is required, shall be issued a STOP WORK ORDER. Before said order can be rescinded, all documents required shall be submitted for approval by the Building Official. An inspection shall be completed on all work already performed at a charge of $35.00 and a report from a licensed WV Design Professional may be required.

(e) Any individual, owner, corporation or agent thereof found in violation by obtaining a permit

fraudulently, employing an unlicensed contractor, subcontractor, electrician or plumber, shall be charged an administrative fee of $50.00, in addition to any amended or corrected permit fees. A repeat offense shall result in a $100.00 fee.

(f) A building permit shall be valid for one year from date of issuance. Permits may be renewed prior to the expiration date for a $20.00 fee. If permit expires for more than 10 days, a new permit must be obtained and the fee will be based on the remaining job cost. Ins Inspections cannot be scheduled while a building permit is expired,

(g) All building permits for any use that requires construction plans, **except one-and two-family residential dwellings**, shall require submission, review and approval of two sets of construction drawings prior to the issuance of a building permit. One set will be stamped as reviewed and approved and returned to the contractor or owner and must remain on the project site until completion. A $100.00 plan review fee payable upon the first submission of COMMERCIAL/NONRESIDENTIAL construction documents.

(h) Building permit applications also require additional information that must be completed before a final inspection can be scheduled and/or a Certificate of Occupancy is issued. This includes, but is not limited to (if applicable); tax map, parcel and lot information; zoning classification, use and setback approval; property boundaries; approved potable water and sanitary sewer service; flood plain elevation certificate; street address verification by Raleigh County EOC; storm water retention and dispersal approval; contractor and subcontractor license verification; electrician, plumber and/or mechanic license verification; fire marshal inspection and approval report.

On request of the Raleigh County Commission, a building permit inspection and/or Certificate of Occupancy may be denied for violation of any other Raleigh County Ordinance, State of West Virginia licensing or other code violation or delinquency in any duly levied tax, fee or assessment.

Article VIII - Rescission, Approval and Performance

This ordinance repeals all previous ordinances relating to building codes and code enforcement prior to the date of this signing.

All inspections and approvals are made in good faith, based on education, training, experience, licensing and certification. Anything that may be overlooked, cannot be held against the department, individual employees or the Raleigh County Commission.

Adopted on the 2nd day of February, 2021.

Dave Tolliver, President

Linda Epling, Commissioner

Greg Duckworth, Commissioner

WEST VIRGINIA COMMISSION ON DRUNK DRIVING PREVENTION
EXPENDITURE REPORT
AND
REIMBURSEMENT REQUEST

1. GRANTEE NAME AND ADDRESS	2. GRANT NUMBER	3. DATE PREPARED	4. REPORT NUMBER
Raleigh County Commission **116 ½ North Heber Street** **Beckley, WV 25801**	**21-18**	**02/01/2021**	
5. PREPARED BY	6. PERIOD COVERED		7. TYPE OF REPORT
Lieutenant J. L. Redden **Raleigh County Sheriff' Office**	From: **10/21/2020** To: **01/21/2021**		( ) Quarterly (XXX) Final

I. EXPENDITURE REPORT

8. BUDGET CATEGORY	9. BUDGET	10. PERIOD CASH EXPENDATURES	11. BALANCE	12. UNPAID OBLIGATIONS
Personal Services	$5000.00	$913.91	$4086.09	$0.00
Employee Benefits				
Equipment				
Other				
Total	$5000.00	$913.91	$4086.09	$0.00

II. REIMBURSEMENT REQUEST

I hereby request reimbursement for the period cash expenditures shown under column 10, line 8E above. With respect to expenditures shown under "EQUIPMENT" and "OTHER" categories, copies of paid invoices are attached for documentation purposes. With respect to expenditures shown under the "PERSONAL SERVICES" and "EMPLOYEE BENEFITS" categories, I certify that documentation is on file to report these expenditures. I further certify (1) that all expenditures were obligated within the grant period and they have not been included in a prior reimbursement request, (2) that all equipment and/or materials have been received and conform to approved specifications, and (3) the purchasing procedures prescribed by CDDP have been followed (documentation on file).

Dave Tolliver, President
Type Name & Title

Signature

02/02/2021
Date

CDDP USE ONLY

TOTAL BUDGET $_____

PRIOR REIMBURSEMENT $_____

THIS REIMBURSEMENT $_____

TOTAL REIMBURSEMENT $_____

BALANCE $_____

DATE PROCESSED _____

COVERSHEET NUMBER _____

FEIN _____

OFFICE CODE _____

ACCOUNT NUMBER _____

VOUCHER NUMBER _____

THIS REQUEST IS APPROVED IN THE AMOUNT OF:

$_____

I CERTIFY THIS REIMBURSEMENT REQUEST IS CORRECT AND PROPER FOR PAYMENT:

SIGNATURE DATE

( ) PARTIAL ( ) COMPLETE

CDDP GRANT # 21-18

SHERIFF S. F. VAN METER

RALEIGH COUNTY SHERIFF'S OFFICE
LAW ENFORCEMENT DIVISION
201 SOUTH EISENHOWER DRIVE, BECKLEY, WV 25801
PHONE # (304) 255-9300 FAX # (304) 255-9155
WEBSITE: www.raleighcountysheriff.com

WEEK	VEHICLES STOPPED	DUI ARRESTS	NON-DUI ARRESTS	CITATION CHARGES	SUSPENDED ADMIN	REVOKED DUI	HOURS WORKED	FUNDS UTILIZED	BALANCE $5,000.00
1 (10/31)	1	1	0	0	0	0	3	$108.99	$4,891.01
2 (11/07)	0	0	0	0	0	0	0	$0.00	$4,891.01
3 (11/14)	0	0	0	0	0	0	0	$0.00	$4,891.01
4 (11/21)	0	0	0	0	0	0	0	$0.00	$4,891.01
5 (11/28)	0	0	0	0	0	0	0	$0.00	$4,891.01
6 (12/05)	0	0	0	0	0	0	0	$0.00	$4,891.01
7 (12/12)	0	0	0	0	0	0	0	$0.00	$4,891.01
8 (12/19)	0	0	0	0	0	0	0	$0.00	$4,891.01
9 (12/26)	0	0	0	0	0	0	0	$0.00	$4,891.01
10 (01/02)	0	0	0	0	0	0	0	$0.00	$4,891.01
11 (01/09)	0	0	0	0	0	0	0	$0.00	$4,891.01
12 (01/16)	0	0	0	0	0	0	0	$0.00	$4,891.01
13 (01/23)	30	1	2	28	2	1	24	$804.92	$4,086.09
TOTAL	31	2	2	28	2	1	27	$913.91	$4,086.09

1 DUI Arrest for every [redacted] hours worked on patrol. *(TARGET = 1 DUI for every 10 hours)* ***LIMIT = $5,000.00***

Captain James E. Bare, Admin. Approval

Lieutenant Jason L. Redden, Project Director

SHERIFF S. F. VAN METER

RALEIGH COUNTY SHERIFF'S OFFICE
201 SOUTH EISENHOWER DRIVE, BECKLEY, WV 25801
PHONE # (304) 255-9300 FAX # (304) 255-9155
WEBSITE: www.raleighcountysheriff.com

DUI ENFORCEMEMT & PREVENTION GRANT APPLICATION

West Virginia Commission on Drunk Driving Prevention

February 23, 2021 through May 26, 2021

Funding Requested: $5,000.00

Scott F. Van Meter, Sheriff

Lieutenant J. L. Redden, Project Director

Raleigh County Sheriff's Office

201 S. Eisenhower Drive

Beckley, WV 25801

Phone: (304) 255 - 9300
Fax: (304) 255 - 9155

PROBLEM STATEMENT

Raleigh County, West Virginia according to U. S. Census reports as of July 1, 2019 has a population of 73,361 residents covering 605.35 square miles. Within the county is the City of Beckley, which is the business, legal, medical and governmental center for Southern West Virginia, serving a population of over one-quarter of a million people.

The Raleigh County Sheriff's Office continues to be one of the biggest law enforcement agencies in the area, with 55 sworn officers at present. The department is dedicated not only to decreasing traffic injuries and fatalities in the county, but throughout the entire region.

In 2009, approximately 32% of the traffic fatalities in West Virginia were alcohol related compared to the national average of 32%. This would tend to show that West Virginia had made progress since 2001, when the rate of alcohol related fatalities was 41%. This still represents more than 1/3 of the traffic related deaths and represents the need for additional and aggressive enforcement of WV Drunk Driving Laws.

According to a February 2017 report issued by TRIP, a national research group, a total of 1,548 people were killed in West Virginia traffic crashes from 2011 to 2015,

an average of 310 fatalities per year. West Virginia's overall traffic fatality rate of 1.35 fatalities per 100 million vehicle miles of travel in 2015 was significantly higher than the national average of 1.13. The fatality rate on West Virginia's non-interstate rural roads in 2015 was nearly three times higher than on all other roads in the state (2.24 fatalities per 100 million vehicle miles of travel vs. 0.81).

Like other law enforcement agencies in West Virginia, the Raleigh County Sheriff's Office continues to find it difficult to dedicate manpower to this important issue. While the number of calls responded to by the agency has increased dramatically this year, the sworn personnel decreased during the same time period due to personnel retiring and officers leaving the department for other employment. The department remains short staffed even though it has filled the vacancies it had with new officers. These officers have yet to attend the WV State Police Academy and obtain their certification, thus rendering them unable to conduct police operations as a one-man patrol unit. Given this, the department has continued to aggressively pursue the arrest and prosecution of drunk drivers. Therefore, in light of increased demands on the department, dwindling manpower and a strong desire

to continue to reduce the number of DUI related fatalities in our area, the Raleigh County Sheriff's Office is requesting $5,000.00 in funding from the West Virginia Commission on Drunk Driving Prevention.

Attached to this addendum are the statistics from July 2019 through December 2019 and January 2020 to December 2020 reflecting the significant effects of traffic crashes during this time frame.

It's believed that the addition of the West Virginia Commission of Drunk Driving funding would be instrumental in possibly reducing alcohol related crashes due to the decrease in manpower. We have increased our manpower over the past couple of years, however, there are several officers having or attempting to retire, others seeking employment elsewhere and those new officers still awaiting certification. It would be hoped in the event this funding is approved that crashes would be reduced and arrests would increase accordingly.

If funded, the Raleigh County Sheriff's Office will utilize the grant funding to conduct a DUI Enforcement Program beginning immediately and continuing for 90 days thereafter.

GOALS

1. To continue to increase public awareness and perception of the DUI prevention effort, focusing on the issue of the impaired driver. This will be affected by utilizing the print, radio and television media in publicizing efforts. Media includes WOAY TV-4, WVVA TV-6, WVNS (FOX 59), Beckley Register Herald, WWNR, WJLS, WTNJ and WCIR Radio.
2. To increase the probability of detection and apprehension by continuing to emphasize and focus on the impaired driver.
3. To increase the number of arrests for the following categories:
   A. DUI Arrest
   B. DWMA Arrest
   C. Driving on Revoked OL Due to DUI / DWMA
   D. Driving on Suspended / Revoked OL - Administrative
   E. Occupant Protection Violations
   F. Underage Consumption of Alcohol
4. To continue to focus on the Criminal Courts along with the Prosecuting Attorney's Office in an effort to increase convictions of impaired driving and alcohol related offenses.

5. To reduce the fatalities, personal injuries and property damage resulting from alcohol related motor vehicle crashes.

OBJECTIVES

1. From February 23, 2020 through May 26, 2020 there were 20 DUI arrests. To increase the number of DUI arrests during this same time frame in 2020 by 10% for a total of 22.
2. From February 23, 2020 through May 26, 2020 there were 133 crashes. To reduce the number of crashes during this same time frame in 2020 by 10% for a total of 120.
3. To continue to track all DUI cases from arrest to final disposition via the DUI tracking module of the department's computer network, and to generate and provide information from that system to appropriate recipients.
4. To continue to maintain a minimum of one DUI arrest per 12 hours worked during the grant period.

IMPLEMENTATION

Lieutenant J. L. Redden will serve as the DUI Grant Project Director. The Project Director will be responsible for the following during the life of this project:

1. Identification of areas within the county in which to focus enforcement of efforts.
2. Scheduling and assignment of officers to work DUI patrols.
   A. One officer per patrol unit.
   B. Up to six-hour assignment with exception of arrest late in shift. No more than six hours per patrol unit within a 24-hour period.
3. The media effort in focusing public attention to the enforcement of DUI issues.
4. Meetings with officers assigned to this detail to ensure the goals and objectives of the project are met.
5. Tracking each arrest through the final disposition.

PROJECTED EXPENDITURES

The full amount of the requested $5,000.00 in grant funding will be used to provide overtime payment for Raleigh County Sheriff's Office deputies who work this project. They will work individually on directed patrol for a period no longer than six hours in designated areas solely dedicated to the detection and apprehension of impaired drivers or participate in a sobriety checkpoint. The overtime pay rate widely varies from the lowest to highest deputy's rate of pay. Based on the average of $30.00 per hour deputies would be projected to work a total of approximately 142 hours to expend the full amount, if granted the $5,000.00 request.

The deputies will be assigned to one-man patrol units designated to focus "only" on the DUI issue. The hours designated will be between 8:00 pm and 4:00 am. The primary focus will be Friday and Saturday. Officers working the project will be required to document all activity and contacts made during the assigned DUI patrol. Each officer will provide copies of citations and arrest information to the project director. Lieutenant J. L. Redden will provide all required documentation to the CDDP within the guidelines of the grant procedures.

SOBRIETY CHECKPOINTS

During this grant period, sobriety checkpoints will be utilized as a prevention / enforcement / education technique. DUI checkpoints have been found to increase public awareness through publicity and visibility of enforcement to the public. DUI Checkpoints physically show the public that law enforcement is activity pursing and is dedicated to the cause of removing impaired drivers from the streets and highways of Raleigh County. Although checkpoints rarely net many DUI arrests, it is a way for officers to enforce the laws of the roadway and educate the public through direct field operations. This shows the public that officers are out there and are working to combat this plague on society.

ASSESSMENT

Assessment of the grant project will occur in the following manner:

1. The command structure of the Raleigh County Sheriff's Office will assess the performance of the individual deputies who work the project (court appearances, job performance etc.).
2. Lieutenant J. L. Redden will assess the statistical outcome of the project to determine that the objectives and goals listed in the proposal were met. (Crash data, arrest numbers, court appearances, etc.).
3. The command structure of the Raleigh County Sheriff's Office will evaluate the performance of Lieutenant J. L. Redden as the Project Director at the conclusion of the project.

MATCHING FUNDS

The County of Raleigh will match a significant amount to the CDDP grant overtime project in the following manner. Below are listed an approximate breakdown of those matching benefits.

FICA / MEDICARE - - - ESTIMATED ON $5,000.00 - - - $510.00

DEPUTY RETIREMENT - - - ESTIMATED ON $5,000.00 - - - $1,050.00

MEDICAL INSURANCE - - - ANNUALLY - - - $8,400.00

WORKER'S COMP. - - - ESTIMATED ON $5,000.00 - - - $400.00

The Raleigh County Sheriff's Office will provide police patrol cruisers and all related operating expenses of those cruisers (fuel, maintenance, oil, etc.). The Raleigh County Sheriff's Office will pay all overtime that is incurred as a result of this project. We will also cover all salaries and expenses in excess of the $5,000.00 grant awarded for overtime wages. The source of these matching funds will be the operating budget of the Raleigh County Sheriff's Office and the equipment used will belong to the same.

APPLICABLE ADDITIONAL HIGHWAY SAFETY FUNDING

The Raleigh County Sheriff's Office presently receives monies from the Southern Regional Highway Safety Program and is utilized for a limited number of DUI Directed patrols throughout Raleigh County. Money to focus on seatbelt usage "Click It or Ticket" is also received in addition to grant funding for Aggressive Driving Enforcement, Speed Patrols, Distracted Driving Patrols, Work Zone Patrols and Target Red Patrols. The monies are divided among the nine (9) county region overseen by the Governor's Highway Safety / Safe Communities Program coordinator.

COURT ATTENDANCE POLICY

The Raleigh County Sheriff's Office court attendance policy is as follows at the discretion of the Sheriff of Raleigh County:

1. Verbal Reprimand (counseling and corrective action)
2. Written Reprimand
3. Suspension
4. Termination

The Chief Deputy of the department investigates each missed hearing. Those findings are then turned over to the Sheriff for disposition. Deputies who fail to attend Administrative Hearings without justifiable cause will not be permitted to work this detail.

SUMMARY

The Raleigh County Sheriff's Office continues to be committed to traffic safety, not only within the county, but also throughout the region of Southern West Virginia. As the hub of southern West Virginia, we have the ability to have a positive impact on this issue. The department also participates in the National Highway Traffic Safety (NHTSA) initiatives and events throughout the year.

Thank you for your consideration of this grant application. We look forward to the task at hand. If there are any questions or concerns regarding this application, please contact Lieutenant J. L. Redden at (304) 255-9300.

ATTACHMENTS

1. Crash Data Statistics for January 2019 to December 2019.
2. Crash Data Statistics for January 2020 to December 2020.
3. DUI Checkpoint Policy and Procedures

RALEIGH COUNTY SHERIFF'S DEPARTMENT	GENERAL ORDER:
SUBJECT: Sobriety Checkpoints	NUMBER: 2-41
EFFECTIVE DATE: April 1, 2004	REVIEW DATE: January 1, 2006
AMENDS/SUPERSEDES: January 1, 2004	APPROVED: D.W. Moore, Sheriff

NOTE: This order is for internal use only, and does not enlarge an officer's civil or criminal liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third-party claims. Violations of this directive, if proven, can only form the basis of a complaint by this department, and then only in a non-judicial administrative setting.

I. PURPOSE

The Raleigh County Sheriff's Department recognizes that abuse of alcohol is one of the greatest contributors to traffic accidents and their related deaths and injuries. Therefore, the Raleigh County Sheriff's Department has made a commitment to work toward increased highway safety by using every legal means at the Department's disposal to deter and detect alcohol and/or drug impaired drivers.

Whereas the utilization of sobriety checkpoints has been found to be an effective means of achieving the goal of counteracting the problems of alcohol related traffic accidents, the Raleigh County Sheriff's Department has promulgated this directive for the purpose of establishing procedures for the operation of sobriety checkpoints in a safe, efficient and legal manner.

It will be the policy of the Raleigh County Sheriff's Department to conduct sobriety checkpoints in such a manner as to maximize program effectiveness, enforcement uniformity, and officer/civilian safety, and at the same time, minimize any intrusion or inconvenience to the motoring public.

Sobriety checkpoints conducted by the Raleigh County Sheriff's Department will not be used as subterfuge to search for evidence of other crimes. However, any officer may initiate appropriate enforcement action for any violation detected while conducting a sobriety checkpoint.

II. PROCEDURE

A. SITE SELECTION

1. Justification

a. The Sheriff or his designee will choose sites for sobriety checkpoints on the basis of the following criteria:

(1) Incidents of alcohol related accidents during the previous twelve months,
(2) Incidents of DUI arrest during the previous twelve months,
(3) Proximity of drinking establishments in the general area,
(4) Ability to conduct a checkpoint safely and with minimum inconvenience to the public.

b. Other factors to be considered as secondary criteria when selecting a site include:

(1) Presence of adequate lighting, or the ability to provide sufficient supplemental lighting.
(2) Availability of sufficient space to ensure the safety of the motoring public and the officers working the checkpoints, and to provide parking for police vehicles, observers, the BAT mobile (if used), and the vehicles of any persons taken into custody.
(3) The availability of an alternate route for drivers choosing to avoid checkpoint operation.

2. Procedure

a. The site of the sobriety checkpoint must be previously approved by the Sheriff.

b. Several pre-approved sites will be available to enable the checkpoint Officer in Charge (OIC) latitude in changing locations if conditions warrant such change. Only pre-approved checkpoint sites will be used.

c. A site drawing shall be made for each site selected, indicating the location of:

(1) Screening officers,
(2) Warning signs,
(3) Barricades,
(4) Support vehicles,
(5) Field testing areas,
(6) Citation areas and,
(7) Observation areas for media or observing judicial authorities.

d. The time and duration for checkpoint operation will be determined in advance by the Sheriff.

B. OIC/STAFFING

1. OIC

a. At all times during the operation of a sobriety checkpoint, a designated officer of the Raleigh County Sheriff's Department will be in command of said operation.

b. The OIC will be the senior, ranking officer assigned to the checkpoint location.

c. The OIC will ensure that proper operational procedures are followed and that all pertinent records are maintained.

d. Prior to conducting a check point, the OIC shall brief all involved personnel as to:

(1) Site location,
(2) Checkpoint operational procedures,
(3) Individual officer assignments and,
(4) The placement and utilization of safety equipment.

e. If a shortage of uniformed officers should occur due to arrest for DUI, or if any other incident should occur which would result in staffing falling below acceptable levels, the checkpoint OIC shall have the discretion to close the checkpoint and not reopen until such as the staffing levels have been restored.

f. The checkpoint OIC shall interrupt or terminate checkpoint operation if current conditions would present a safety hazard to the officers or the motoring public if the checkpoint were to continue.

2. Staffing

a. Sufficient uniformed personnel and marked police vehicles shall be assigned to sobriety checkpoints to display the legitimate police purpose of the stop and to minimize any fear, surprise or apprehension of the motoring public.

b. To ensure safe and efficient operation of sobriety checkpoints, a minimum of eight (8) officers will be assigned to each checkpoint, with allocation of minimum manpower levels as described below. Minimum manpower levels are allocated as follows:

(1) Information handouts/driver query – a sufficient number of officers shall be assigned to the traffic lanes to handle the volume of traffic present, but as a minimum shall consist of one officer per car-single lane.

(2) Field sobriety testing – a sufficient number of officers shall be assigned to the field sobriety areas to handle the volume of drivers directed to the area for field testing. This number will be determined by the OIC

(3) Traffic control – A sufficient number of officers shall be assigned to traffic control to allow for the safe and efficient flow of traffic through the checkpoint. This number will be determined by the OIC as conditions at the scene warrant.

(4) Warning, hazardous and non-hazardous citations – a sufficient number of officers shall be assigned to the citation areas to handle the volume of drivers directed to the areas for issuance of appropriate traffic citations. This number will be determined by the OIC.

c. The above minimum levels do not preclude the assignment of additional officers to a checkpoint if the need should arise.

III. MEDIA RELATIONS/LIAISON

A. The Raleigh County Sheriff's Department will maintain an active liaison with the local news media.

B. A member of the Raleigh County Sheriff's Department will be assigned to the position of liaison officer.

C. The Raleigh County Sheriff's Department's liaison officer will be responsible for information disseminated to the media relating to checkpoint activities.

D. It will be the responsibility of the liaison officer to assure advanced media awareness and advanced publicity of all Raleigh County Sheriff's Department sobriety checkpoints.

E. Media coverage on scene at a sobriety checkpoint will be monitored and controlled by the checkpoint OIC and the liaison officer.

IV. DRIVER CONTACT PROCEDURE

A. The procedure for vehicle stops at the Raleigh County Sheriff's Department sobriety checkpoint will be as follows:

1. Every vehicle operator passing through the checkpoint will be given a handout (if available) via a short pause in traffic. Officers shall restrict

the duration of each stop to only that time required to determine if any further inquiry or investigation is warranted.

a. Optional procedure will be every third vehicle.

b. Optional procedure will be every fifth vehicle.

2. The above optional procedures shall be utilized if the primary procedure would cause an undue delay to the motoring public due to volume of traffic.

3. The above procedures do not preclude stopping a vehicle when the driver exhibits obvious signs of intoxication, or when any other violation is detected.

B. Screening Officers:

1. Shall greet all drivers of stopped vehicles, giving the reason for the delay,

2. Shall make general inquires of the driver that require a response, and will observe the subject for signs of intoxication,

3. Shall initially require the driver to produce no more than a valid operator's license,

4. Shall allow the driver to continue if no articulable signs of DUI are observed.

C. If the driver is unable to produce a valid operator's license, or other articulable traffic violations exist which would warrant further inquiry, the driver shall be directed to a previously designated area for the issuance of traffic citations.

D. In the event articulable signs of DUI are observed, the driver will be directed to the field sobriety testing area for further testing.

V. PUBLIC SAFETY/TRAFFIC CONTROL

A. The OIC will take whatever measures deemed necessary for maintaining a smooth flow of traffic and a safe working environment for the officers working the sobriety checkpoints, including temporary or permanent termination of the checkpoint, if warranted.

B. The Check point will be adequately marked as follows:

1. Prior to the checkpoint location, a sign indicating that a sobriety checkpoint is ahead shall be posted.

2. Traffic cones/flashing barricades will be used beginning at a distance that will give sufficient warning of the impending stop. Sufficient traffic cones/flashing barricades shall be used to adequately direct the flow of traffic through the checkpoint.

3. An adequate number of marked police vehicles with operating emergency lights will be used directly at the checkpoint and at points leading into and out of the checkpoint. For purposes of this directive, the BAT mobile shall be considered a marked police vehicle.

4. At the location of driver contact, a sign directing drivers to stop for the checkpoint shall be posted.

5. All officers working traffic will carry a flashlight and wear a reflective safety vest.

C. Pursuit Vehicles

1. If sufficient manpower exists, two units will be designated as pursuit vehicles and stationed at strategic locations at each end of the checkpoint site.

2. The purpose of the pursuit vehicles will be to monitor the traffic flow into and out of the checkpoint, observing for any signs of erratic driving behavior.

a. At no time shall a designated pursuit vehicle effect a traffic stop of a vehicle based solely upon the observation that the driver chose to avoid the checkpoint.

b. This shall not preclude the pursuit vehicle from stopping any vehicle which violates a traffic law while attempting to avoid the checkpoint, or any vehicle whose driver exhibits signs of intoxication, or other signs of erratic behavior while attempting to avoid the checkpoint.

VI. JUDICIAL/PROSECUTORIAL LIAISON

A. Judicial Liaison

1. All enforcement activities and programs established and conducted by the Raleigh County Sheriff's Department must be in compliance with existing court of record case law.

2. The liaison officer will obtain any current court of record rulings affecting checkpoints and forward corrected policy to the Sheriff.

B. Prosecutorial Liaison

1. The liaison officer will coordinate all sobriety checkpoint activities with a representative of the Raleigh County Prosecuting Attorney's staff.

2. The Sheriff will encourage on-scene monitoring of enforcement practices by an assistant prosecuting attorney.

3. All checkpoint DUI cases should be tracked through the court system to determine the need for policy and procedure corrections or lack of effective judicial or prosecutorial support for the goals of the program.

VII. DESIGNATED CHEMICAL TESTING LOCATIONS

A. Testing Device

1. The only breath-testing device that is authorized for the Raleigh County Sheriff's Department is the Intoxilyzer Model 5000 as certified by the West Virginia Department of Health.

2. The officers of the Raleigh County Sheriff's Department may use a preliminary breath-testing device (PBT) for determination in establishing probable cause for an arrest, if such device is available at the scene.

B. Testing Locations

1. Primary locations:

   a. Raleigh County Sheriff's Department

   b. State Police BAT mobile, if available

2. Secondary locations

   a. Beckley Police Department

   b. Sate Police Troop "6" Headquarters

VIII. LOW MANPOWER SOBRIETY CHECKPOINTS

A. Procedure

Low manpower checkpoints will be conducted in accordance with all Raleigh County Sheriff's Department policies and procedures with the exception of manpower level.

B. Staffing

To ensure safe and efficient operation of sobriety checkpoints, sufficient uniformed personnel and marked police vehicles shall be assigned to sobriety checkpoints to display the legitimate police purpose of the stop and to minimize any fear, surprise, or apprehension of the motoring public.