WEST VIRGINIA:

At a regular meeting of the Raleigh County Commission held on the 21st day of May, 2024 in the Commission Courtroom thereof:

CALL TO ORDER

President Tolliver called the meeting to Order.

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ROLL CALL

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

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INVOCATION AND PLEDGE OF ALLEGIANCE

Meeting was opened with the invocation by RD Tolliver, Deputy Clerk for the Raleigh County Clerk's Office and Pastor of Cornerstone Free Will Baptist, and the recitation of the Pledge of Allegiance.

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EXONERATIONS

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

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BUDGET REVISIONS

A motion was made by Commissioner Epling to approve the in-house Budget Revisions of Law Enforcement in the amount of $14,000.00. Seconded by Commissioner Duckworth and motion carried unanimously. (SEE EXHIBIT B)

A motion was made by Commissioner Epling to approve the in-house Budget Revisions of the Courthouse in the amount of $17,000.00. The motion was seconded by Commissioner Duckworth and motion carried unanimously. (SEE EXHIBIT C)

(continued page 2)

Commissioner Epling moved to approve the Budget Revisions of Law Enforcement – Overtime in the amount of $38,809.40. The motion was seconded by Commissioner Duckworth and motion carried unanimously. (SEE EXHIBIT D)

Commissioner Epling moved to approve the Budget Revisions of Law Enforcement – Mat & Supplies in the amount of $5,142.41. The motion was seconded by Commissioner Duckworth and motion carried unanimously. (SEE EXHIBIT E)

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NEW EMPLOYEE RALEIGH COUNTY SHERIFF'S DEPARTMENT - LAW ENFORCEMENT – JACOB PETTRY, DEPUTY

A motion was made by Commissioner Epling to approve the hiring of Jacob Pettry as Deputy Sheriff for the Raleigh County Sheriff's Office. Seconded by Commissioner Duckworth and motion carried unanimously. (SEE EXHIBIT F)

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CONSIDERATION OF THE CLOSING OF A PORTION OF HANCOCK DRIVE

Commissioner Epling moved to approve closing of a .65 acre portion of Hancock Drive owned by Petitioner Stewart Williams. There were no objections. Commissioner Duckworth seconded the motion and the motion carried unanimously.

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2023 DELINQUENT REAL ESTATE LIST

A motion was made by Commissioner Epling to approve the 2023 Delinquent Real Estate List. The motion was seconded by Commissioner Duckworth and carried unanimously. (SEE EXHIBIT G)

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CONSIDERATION OF PROJECT SAFE NEIGHBORHOOD GRANT

Commissioner Epling moved to approve the Grant Contract Agreement with the Division of Administrative Services, Justice and Community Services to receive and administer Grant funds for the Project Safe Neighborhoods Grant Program for the purchase of surveillance cameras in the amount of $24,055.00. The motion was seconded by Commissioner Duckworth and motion carried unanimously. (SEE EXHIBIT H)

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CONSIDERATION OF DISSOLVING THE TOWN OF RHODELL

A motion was made by Commissioner Epling to approve the Order of Dissolution to declare the charter of the Town of Rhodell dissolved and terminated. Seconded by Commissioner Duckworth and motion carried unanimously. (SEE EXHIBIT I)

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CONSIDERATION OF MT. HOPE ANNEXATION – CONTINUED UNTIL TUESDAY, JUNE 4, 2024

Continued until June 4, 2024

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CONSIDERATION TO REZONE .65 ACRES OF PROPERTY FROM R1 TO B1 AT 6928 HARPER RD, GLEN DANIEL

A motion was made by Commissioner Epling to approve the Order, on the petition of Opportunity Knocks, Inc., to rezone .65 acres from Rural/Residential to Business/Commercial for a Video Lottery Establishment. The motion was seconded by Commissioner Duckworth and carried unanimously. (SEE EXHIBIT J)

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CONSIDERATION OF A GRANT TO THE SOIL CONSERVATION FOR $30,000 FOR FLOOD CONTROL

A motion was made by Commissioner Epling to approve the Grant Award in the amount of $30,000.00 for flood control on the Little Whitestick Channel and the Soak Creek Channel. Seconded by Commissioner Duckworth and motion carried unanimously. (SEE EXHIBIT K)

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CONSIDERATION OF A GRANT TO NRGDA IN THE AMOUNT OF $350,000 FOR UTILITIES ON UNIVERSITY DRIVE

Commissioner Epling moved to approve the Grant Award to the New River Gorge Regional Development Authority in the amount of $350,000.00 for a site-ready pad located on University Drive. The motion was seconded by Commissioner Duckworth and motion carried unanimously. (SEE EXHIBIT L)

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CONSIDERATION OF THE ESTATE OF LEONA M WEATHERHOLT – MOTION TO APPOINT SHERIFF AS ADMINISTRATOR CTA

Commissioner Epling moved to appoint the Raleigh County Sheriff as Administrator CTA of the Estate of Leona M. Weatherholt. The motion was seconded by Commissioner Duckworth and motion carried unanimously.
(SEE INSTRUMENT 50830388)

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CONSIDERATION OF THE ESTATE OF ELIZABETH J. ACORD – MOTION TO APPOINT SHERIFF AS ADMINISTRATOR CTA DBN

Commissioner Epling moved to appoint the Raleigh County Sheriff as Administrator CTA DBN of the Estate of Elizabeth J. Acord. The motion was seconded by Commissioner Duckworth and motion carried unanimously.
(SEE INSTRUMENT 50835190)

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CONSIDERATION OF AN ORDER ON THE ESTATES OF DAN EYE AND ALEXANDER GREEN TO MAKE A DATE CORRECTION

A motion was made by Commissioner Epling to approve the Orders directing the Report of Receipts for the Estate of Dan Eye (SEE INSTRUMENT 50830389) and the Estate of Alexander Green (SEE INSTRUMENT 50830390) reflect the true and correct date of presentment as February 13, 2024. The motion was seconded by Commissioner Duckworth and motion carried unanimously.

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CONSIDERATION OF DRAWDOWN #10 FOR THE RALEIGH COUNTY AIRPORT BROADBAND PROJECT IN THE AMOUNT OF $6,917.76

Commissioner Epling moved to approve Drawdown #10 in the amount of $6,917.76 for the Raleigh County Commission – Memorial Airport Industrial Park Broadband Expansion Project Administrative Services. Seconded by Commissioner Duckworth and motion carried unanimously. (SEE EXHIBIT M)

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CONSIDERATION OF DRAWDOWN #7 FOR THE BRADLEY WEST RALEIGH SEWER PROJECT IN THE AMOUNT OF $1435.00

A motion was made by Commissioner Epling to approve Grant Requisition #7 for the West Raleigh Sewer Extension Project – Phase 1 in the amount of $1,435.00. The motion was seconded by Commissioner Duckworth and motion carried unanimously. (SEE EXHIBIT N)

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CONSIDERATION OF THE CLEAR FORK RAILS TO TRAILS AML PAYMENT REQUEST #21

Commissioner Epling moved to approve the Clear Fork Rails to Trails AML Payment Request #21 in the amount of $3,172.50. Seconded by Commissioner Duckworth and motion carried unanimously. (SEE EXHIBIT O)

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OLD BUSINESS

None

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PUBLIC PARTICIPATION

Todd Swanson, Outside Counsel for Beckley Water– Mr. Swanson stated Beckley Water Company is available and able to provide water to the Appalachian Heights area.

Ann Nagay, Adjacent property owner to Appalachian Heights – Ms. Nagay opposes the annexation of the Appalachian Heights.

Gail Okes – Theatre of West Virginia – Ms. Okes updated the Commission on the 2024 schedule. This year's shows are Footloose, Honey in the Rock and Hatfield and McCoys. She also informed the Commission of many needed repairs for costumes and sets.

A motion was made by Commissioner Epling to approve a$15,000.00 Grant for improvements at the Grandview Amphitheatre / Theatre of West Virginia. The motion was seconded by Commissioner Duckworth and motion carried unanimously.

James Surratt – Adjacent property owner to Appalachian Heights – Mr. Surratt stated he is opposed to the annexation of Appalachian Heights and requested meetings be held in the evenings.

Mt. Hope resident (Did not give name) questioned why 2 water providers are bargaining for the Appalachian Heights Property

Chuck Farmer – Beckley resident – Mr. Farmer questioned if taxes would stay in Raleigh County. He was informed by Jenna Belcher that all property taxes would stay in Raleigh County and if B&O taxes were collected, they would go to Mt. Hope. She added Mt. Hope would then be in Raleigh and Fayette County and Mt. Hope could sell their water to a client and reinvest.

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MINUTES

A motion was made by Commissioner Epling to approve the minutes of the March 19, 2024 Regular Meeting of this Commission. The motion was seconded by Commissioner Duckworth and carried unanimously.

A motion was made by Commissioner Epling to approve the minutes of the April 2, 2024 Regular Meeting of this Commission. The motion was seconded by Commissioner Duckworth and carried unanimously.

A motion was made by Commissioner Epling to approve the minutes of the April 16, 2024 Regular Meeting of this Commission. The motion was seconded by Commissioner Duckworth and carried unanimously.

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VACATION ORDERS

Commissioner Epling moved to approve the Vacation Orders from May 7, 2024 to May 20, 2024, inclusive. Seconded by Commissioner Duckworth and motion carried unanimously. (SEE EXHIBIT P)

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FINAL ACCOUNTINGS AND WAIVERS OF FINAL SETTLEMENT

The following Objections and Exceptions of the Fiduciary Supervisor for Raleigh County were read into the minutes. (SEE EXHIBIT Q)

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ADJOURNMENT

Commissioner Epling moved to adjourn this meeting until the next regular scheduled meeting of this Commission on June 4, 2024 at 10:00 a.m. Seconded by Commissioner Duckworth and motion carried unanimously.

s/s _____
David Tolliver
President

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