

OHIO COUNTY COMMISSION

8/3/2021

The Ohio County Commission met in regular session on Tuesday, August 3, 2021, at 6:00 p.m.

Present at the meeting was President Randy Wharton, Commissioner Don Nickerson, Commissioner Zach Abraham, Administrator Randel Russell, Finance Director Rodd Archey and Solicitor Don Tennant.

Public Hearing- MCTV Franchise Application

President Wharton asked if there is anyone here who wishes to speak either for or against the application. Katherine Gessner, President of MCTV introduced herself and Jeremy Layman the construction manager. She indicated that she was obviously in favor of the franchise and, if anyone had any questions, she reported that she would be glad to answer them. Administrator Russell reported that when the Commission was talking about the broadband expansion in Ohio County, MCTV stepped up to the plate and reported that they were very interested in doing the Stone and Shannon area as they were already out in various parts of the County. So, they worked to get an application together, and this is where they are. Commissioner Abraham thanked Ms. Gessner for being here and their willingness to help, speaking from an education perspective. Katherine Gessner reported they purchased a cable system in Ohio and Brooke Counties last year in June, and through their research there was no franchise agreement with the County, so that is the reason for the application. President Wharton thanked them for being here. President Wharton adjourned the public hearing.

Approval of Minutes

Commissioner Abraham made a motion to approve the minutes from the July 20, 2021, Commission meeting. Second by Commissioner Nickerson. Motion carried with all voting in favor.

Delegations

Circuit Clerk Brenda Miller reported that she wanted to bring the Commission up to date on changes and updates in her office, including some financial changes too. Commissioner Abraham earlier in the year asked if there was a way to contact jurors electronically, and she reported that she is proud to say that she does now. We can send emails, text messages and her office is getting good response back from that. The name of the company is Jury Calling. The cost is \$700.00 but helps with all the time spent calling jurors. Circuit Clerk Brenda Miller reported the website has been made much better, there are more links and information on there which assists the attorneys and public to file the case, information on Judges, addresses, phone numbers, forms etc. The website is circuitclerk.ohiocountywv.org. Circuit Clerk Brenda Miller reported she is asking Administrator Russell if they can connect this website to the County website, then the public could view it there. Circuit Clerk Brenda Miller reported that

the last issue she would like to talk about is E-Filing in the Court system. As of August 30, 2021, Ohio County will go live with electronic filing. The last few months have been crazy trying to get everything situated for the change. She has been told in the last week that Ohio County has the most data. We will be County thirty-two of the fifty-five Counties, and our County has the most data of the thirty-two. The goal is to make sure that everybody has access to their cases. Solicitor Tennant asked Circuit Clerk Miller when an Attorney goes to a case file, will the Attorney be able to look all the documents that have been filed or just the docket sheet. The Circuit Clerk responded, all documents. Solicitor Tennant asked how about the public. Circuit Clerk Miller responded not unless they are attached to the case, so if they have an Attorney they can go strictly through the Attorney. You will have it through your bar association number. If somebody files things themselves, they will have to file paperwork and we will scan everything for them and then give them their paperwork back with a case number and a Judge assignment. This will also give us a way to have charge card/ debit card usage, but if someone files a case in the wrong County, they will not be able to get a refund so we will need to be very careful. Solicitor Tennant asked if there is a charge to copy things out of the files. Circuit Clerk Miller reported she does not think there is a copy charge associated with the system at the present time. Circuit Clerk Miller reported she has always used software computer group. This will cut down on our maintenance costs drastically, probably the savings will be \$20,000.00 a year by going to the WV Supreme Courts system. There are a few issues though and they want to send someone up from their office to look at our equipment. She appreciates the funds that the Commission contributed to keep up with technology, and our equipment is only a few years old. They know they cannot take over our equipment and that they must provide us with new equipment. So, once were finished with all of that, we will have excess computers in case they are needed anywhere else in the Courthouse. She reported that with all this said she is very nervous about it so she would like to keep one of the computers hooked up to Software Computer Group for the next six months to make sure everything was transferred over.

Grants

Administrator Russell reported there are no grants for tonight's meeting.

Hotel Tax Requests

Administrator Russell reported that there are seven requests for tonight's meeting. The first request is for the Chamber of Commerce steak fry. It will be held August 25, 2021, at Sonneborn Shelter. This is a new request. There are several levels to choose from.

Commissioner Abraham made a motion to approve \$500.00 for their Steak Fry and this would be a community grant. Second by Commissioner Nickerson. Motion carried with all voting in favor. The next one will also be a community grant; it is the Foundations Baseball which is training and development for ages 6-10 starting on August 26th, 2021, and runs four consecutive weekends at the Highlands Sports Complex. Commissioner Abraham made a motion to table this request until we find out more information. Second by Commissioner Nickerson. Motion carried with all voting in favor. Next, we have the Ohio Valley Wellness

Coalition doing a Second Annual Man's Best Friend Wellness Walk on Saturday, September 18, 2021, at Oglebay Park. The proceeds benefit Remi which is the Sheriff's comfort dog. The County Commission gave them \$500.00 last year. Commissioner Abraham made a motion to approve \$500.00 for the Man's Best Friend Wellness Walk. Second by Commissioner Nickerson. Motion carried with all voting in favor.

Next, under community grants is Project Hope's Winter Walk. This event benefits medical care for the homeless. Commissioner Abraham made a motion to approve \$1,000.00 for the Winter Walk. Second by Commissioner Nickerson. Motion carried with all voting in favor. Administrator Russell reported the next is Route 2/ I 68 Authority. They are requesting \$4,000.00 as a community grant, but he asks that we table this because we have a call with them on Thursday, August 5, 2021. Commissioner Abraham made a motion to table this until we receive more information. Second by Commissioner Nickerson. Motion carried with all voting in favor.

Administrator Russell reported that Triadelphia Volunteer Fire Department is having a steak fry on September 11, 2021, this year. They are asking for any kind of donation that would be available and this goes to training, and operations cost. Commissioner Abraham made a motion to approve \$500.00 for the Triadelphia Fire department steak fry. Second by Commissioner Nickerson. Motion carried with all voting in favor. The last request is for the Valley Grove Fire Department. They would like to construct a confined space search and rescue course. They are asking us to donate materials in the amount of \$6,188.40, they will construct it and it will be open for use for all the volunteer fire departments in Ohio County. President Wharton reported he was at the Fireboard meeting last week and had heard their idea then, and there was a discussion about this. Emergency Management Director Vargo reported that he is all for this, but his biggest concern is that all the volunteer fire departments be able to use this space, but it is a very, very technical thing, and he does not know of any volunteer fire department that has the equipment to truly do, this kind of rescue. A volunteer fire department would have to have atmospheric monitors, breathing apparatus, for confined spaces. Emergency Management Director Vargo reported that he has spoken with Chief Garry about this, and he thinks this could be a start, He reported that he has tried in the past to get funding for this type of set up, and then add other props for more training. A discussion began between the Commissioners and others. Commissioner Abraham made a motion to approve funding for materials for the Valley Grove Fire Department for the startup of a confined space search and rescue course. Second by Commissioner Nickerson. Motion carried with all voting in favor.

OLD BUSINESS

Nothing from the board tonight.

NEW BUSINESS

PRO Contract

Administrator Russell reported before the Commission is the PRO contract for this coming school year. He found one error in the contract that he has spoken with the President of the Board of Education about and they're willing to correct it. In the agreement it says that the OCC receives a grant to fund the PRO program. The Ohio County Commission automatically receives a grant, and everyone was aware of that when we priced this at \$60,000.00 per officer. Any grants over and above the initial \$30,000.00 would reduce the cost of the program. Solicitor Tennant reported its just a clarification of what was baked into the numbers and what grants are available. He thinks the Sheriff is indicating that he is seeking other grants and he thinks that was what that language was to cover beyond their \$30,000.00 grant that is given annually. Commissioner Abraham made a motion to accept the PRO grant with the change that we have agreed upon and have the BOE initial also. Second by Commissioner Nickerson. Motion carried with all voting in favor.

ABCC Zoning Letter

Administrator Russell reported we have a zoning ABCC letter from Bob Evan's Restaurant #543 located at the Highlands. They would like to begin serving beer and wine. Commissioner Abraham made a motion to approve the ABCC Zoning letter for Bob Evan's Restaurant #543. Second by Commissioner Nickerson. Motion carried with all voting in favor.

STAFF/ELECTED OFFICIAL REPORTS

Administrator Russell reported that he wanted to report that we have received some requests to move early voting and the election day precinct out of the courthouse downstairs. There was some concern that security may have deterred some folks from voting so we have reached out to a few establishments to see if we could use another building in the area close to the courthouse. Solicitor Tennant reported that Tony Warner who is on the Ohio County Public Library Board, brought up to him that maybe some people are intimidated by having to approach a police officer and he offered the library as an alternative. We visited the library and have reached out to a few other places. No action required tonight.

Administrator Russell reported that on July 25, 26 & 27th, he attended the County Commissioners Association meeting in Canaan. He gathered a lot of good information and brought back some good ideas. Toni Chieffalo attended the Elections Seminar in Bridgeport, West Virginia, and the following week Airport Manager Escue attended an Aeronautics Show in Osh Kosh, WI., and he returned with a lot of good ideas.

Public Meeting Notice

Administrator Russell reported next we have the public meeting notice which the Commissioners have a copy of. One of the suggestions that he came back with from the State

Auditors is that we have a formal policy of meeting notices. He did add in there the section where we would add electronic and push notification for those who signed up for such on the County's website. Commissioner Abraham made a motion with a few additions. Second by Commissioner Nickerson. Motion carried with all voting in favor.

Facilities Division

Administrator Russell reported on the Courthouse HVAC replacement project. We are meeting with CMTA, ESCO to run through the project. He has one last piece that we need to do and an RFQ on for the Building Management System and we will get that out before the end of the year and start construction early spring potentially. On the portico replacement project, we opened bids and they were well over budget; we have set those aside to see if there is a way of reworking the design to save some costs. He talked about ESCO, the annex HVAC is in working order right now, and on the runway 16-34 rehab we had a stumble. The local paver did not have the proper binder chemistry, so they had to design chemistry and send it to the FAA for approval. Last is the Airport DBE program. Every few years we must update our Disadvantaged Business Enterprise Program. We are required on the FAA guidelines that we have a DBE and that we solicit bids from disadvantaged businesses. This update is going to Jacob's Engineering who has quoted \$9,650.00 to do the update as task order #3.

Commissioner Abraham asked Administrator Russell what exactly this is. Administrator Russell reported that we must seek out disadvantaged business enterprises, minority primarily, could be woman owned businesses, could be minority owned business and we must have a program where we go out and reach out to those businesses. Commissioner Abraham reported like an affirmative action. Commissioner Abraham made a motion to accept Jacob's Engineering to write the plan. Second by Commissioner Nickerson. Motion carried with all voting in favor.

Public Safety Division

Emergency Management Director Vargo reported that as of the last meeting there were thirty Three new COVID cases since July 25, 2021. The Health Department has announced forty-six new cases in Ohio County. They are conducting contact tracing, and it hit home this week we have three employees that have been affected this week and a few Wheeling firemen tested positive. Wheeling Hospital last week terminated the testing site at Harmony House. The health Department is testing over at the old OVMC property.

Emergency Management Director Vargo reported that at a previous meeting, he had brought a memorandum of understanding that we had received from the Department of Highways for a FEMA hazard mitigation grant in 2019 for and an electronic message sign for Interstate 70. Solicitor Tennant looked at it and approved it. The total cost of the project is \$251,500.00 which is \$188, 625.00 federal share, and our portion is \$62,875.00 which will come from the Governor's contingency. The only question was transferring the money prior to that, and all FEMA grants are reimbursable. He spoke with Administrator Russell and Finance Director Archey, and he thinks we have all agreed it will work. Commissioner Abraham made a motion

to move forward with the sign to be placed on I 70. Second by Commissioner Nickerson. Motion carried with all voting in favor.

Deputy Director

Emergency Management Director Vargo reported to Commissioners that he had an opening for deputy director and he had three highly qualified applicants that were interviewed. He would like to introduce Tony Campbell as the Deputy Director. Tony comes with knowledge from fire and EMS. He also had twelve years with law enforcement. He was a Wheeling Firefighter and paramedic and had just retired a few weeks back. The Commissioners thanked him for coming to the meeting to be introduced.

Finance Division

Finance Director Archey reported that the Commissioners have a copy of the bills as they are up to date. Commissioner Abraham had a question about the Comcast Communications, asking if that was the final payment. Finance Director Archey reported yes. Commissioner Abraham asked about Global Science & Technologies for \$2,800.00. Finance Director Archey reported that they are the IT company for the Assessor's office. Commissioner Abraham made a motion to accept the bills. Second by Commissioner Nickerson. Motion carried with all voting in favor.

EXONERATIONS

Finance Director Archey reported to the Commissioners that they have forty-four exonerations for tonight. Forty-three are credits reducing a tax, and one is a debit increasing a tax. Commissioner Nickerson made a motion to approve the exonerations. Second by Commissioner Abraham. Motion carried with all voting in favor. Commissioner Nickerson reported that he has been trying to get in touch with the State Tax Department about a townhall meeting to discuss valuation of gas & oil interest. He reported that he cannot get the State Tax department to call him back. Commissioner Abraham maybe we could put together an invite for at least two of our four Delegates, two Senators, two Representatives here locally and just have an open house and invite those people that came to the meetings before so they can express their concerns and take that back down State. Solicitor Tennant reported maybe the groups that came years back that tried to represent many taxpayers would be the ones to invite. Commissioner Wharton reported that with being here for most of those gas & oil hearings most of the residents that had issues just do not understand their bill. It needs to be explained correctly and maybe if they had a work session to explain it, we would have a lot less residents not understanding their taxes on the gas & oil. A discussion continued about the gas & oil issue. Commissioner Nickerson made a motion to approve the exonerations. Second by Commissioner Nickerson. Motion carried with all voting in favor.

COMMISSION BOARD REPORTS

Commissioner Abraham reported that the Commissioners have a request from the Northern Panhandle Workforce Investment Board. The Commissioners need to appoint somebody to the

Executive Committee and there is a slate of three individuals from our County. We must make a motion to present our selection for this current term of July 1, 2021, through June 30, 2022. There is Kevin Coulter, Tate Blanchard, and Michelle Olejasz. Commissioner Abraham made a motion to approve Tate Blanchard for the NPWIB Executive Committee. Second by Commissioner Nickerson. Motion carried with all voting in favor.

COMMISSIONERS COMMENTS

Commissioner Abraham reported we have an update on the Airport event. Planning is coming Along for Airport Education on September 10, 2021, and Community Day on September 11, 2021, to recognize our Veterans, our EMS, first responders and our Military along with the 175th Celebration of the Airport. Those planning stages are coming along. We have a lot of support from the Symphony, POST 1, VFW, Oglebay, Wheeling Chamber and the City of Wheeling. Administrator Russell reported we had a very productive call today with Senator Capito about the interchange and he feel the Commission has her support on moving forward with the interchange. Likewise, we also discussed the Airport, and promoting and reinvigorating the Airport with additional services and businesses at the Airport. He felt we would have her support at the Airport also. Solicitor Tennant asked what time everything begins on September 11, 2021, at the Airport. Commissioner Abraham reported at 11:00 a.m.

FUTURE COMMISSION MEETINGS

President Wharton reported the next Commission meeting will be on Tuesday, August 17, 2021, at 6:00 p.m. Meeting adjourned.

President, Randy Wharton

Administrator, Randel Russell