Ohio County Commission
May 16, 2023

The Ohio County Commission met in regular session on Monday, May 16, 2023, at 6:00 p.m. The meeting was called to order by President Donald A. Nickerson. The Pledge of Alliance was recited.

Present at the meeting: President, Donald A. Nickerson, Commissioner Zach Abraham, Commissioner Randy Wharton, Solicitor Don Tennant, Finance Director Rodd Archey, Administrator Randy Russell, Sheriff Tom Howard, Emergency Management Director Lou Vargo, 911 Director Theresa Russell, and Facilities Director Melissa Marco.

Delegations:

- An Economic Development Assistance Grant in the amount of $5,000 was presented to the American Legion Post 89. Delegate Shawn Fluharty and Commission President Don Nickerson presented the check to the Post.
- Students from Wheeling Park, Triadelphia, and Bridge Street attendend the meeting to thank the Commissioners for their recent donation to help send students to the global competition in Dallas, Texas. The students were represented by JoJo Shay, Dr. Luke Shepard, Amber Bishop, and Karen Butine.
- John Powell from American Legion Post 1 addressed the Commissioners concerning the Elm Grove Fireworks. In the past, organizations have supported the $10,000 fireworks display but this year prior donors have backed out. The American Legion Post 1 is asking the Commissioners for a donation so they can continue the annual tradition.
- Margaret Brennen and Debbie Jones spoke to the Commissioners concerning the Arthur Boreman statue they would like to place at Independence Hall. Mr. Boreman was the first Governor of West Virginia. The statue costs $178,000, and to date, $158,000 has been raised with support from the State of West Virginia, State Senators, and the City.

The minutes were reviewed. Motion to approve made by Mr. Abraham, seconded by Mr. Wharton. Motion carried.

Grants:

- Records Management - The grant was recommended for approval by Mr. Abraham, seconded by Mr. Wharton. Motion carried.
- HAVA – Through the Help Americans Vote Act, we were awarded $63,680.00 to purchase new poll book stands which are obsolete. To finalize the purchase, the Commission will have to provide a match of $89,000.00. Motion to approve the grant made by Mr. Wharton, seconded by Mr. Abraham. Motion carried.

Community Grants:

- Youth Services Celebrate Youth – A motion was made by Mr. Abraham, seconded by Mr. Wharton, to contribute $2,000.00 to the event. Motion carried.
- Moundsville Country Club – No action.
- Elm Grove Baseball – A motion was made by Mr. Wharton, seconded by Mr. Abraham, to contribute $250.00. Motion carried.

- West Liberty University – The University Police Department is asking for approximately $4,200.00 to purchase breaching packs and tactical shields. The request was tabled.
- Ohio Valley Street Survivors – A motion was made by Mr. Wharton, seconded by Mr. Abraham to provide $500.00 for their upcoming show.
- Italian Festival – A motion was made by Mr. Abraham, seconded by Mr. Wharton, to provide $3,500.00 to their annual festival.
- Mountaineer Brewfest – The request was tabled at this time. A budget was requested from the group and was not made available at the time of the meeting.

Old Business:

- ARPA Update – A budget was provided to Commissioners. No action is needed.

New Business:

- TIF District – Carrie Cecil from Frost Brown Todd and Jonathan McCoy from Piper Sandler spoke to the Commissioners concerning a second TIF district near the Highlands which would be created for future development. A public hearing must be held to discuss the TIF application which broadly defines projects and accounting of dollars that could be used for development. The public hearing will cover:
    - The new, proposed TIF district.
    - Combining the new, proposed district with the first district for one consolidated district that would last for thirty years.
    - Frost Brown Todd is the bond council and stated the state of West Virginia must review and determine if compliance was met concerning the statute.
    - The TIF district is currently in the application process.
- Ohio County Animal Shelter Rabies Clinics - Mr. Russell stated the Ohio County Animal Shelter would be holding several Rabies clinics throughout Ohio County in July.
- Ohio County Public Service District – Mr. Daniel Dikinson, Jr.'s term is set to expire. Mr. Wharton made the motion to extend Mr. Dikinson's term to December 31, 2029. Seconded by Mr. Abraham. Motion carried.

Staff / Elected Officials Reports:

- Administrator – Mr. Russell stated the City of Wheeling applied through the state to have all of Ohio County designated a Build WV district. Mr. Russell also asked for advise and consent to hire the following individuals:
    - Circuit Clerk – Lauren DeCrease – approved by Mr. Wharton, seconded by Mr. Abraham. Motion carried.
    - Sheriff's Office, Deputies – Aiden Zamborski and Brittany Carr. Mr. Wharton made a motion to approve the hires with a start date of July 1, 2023, seconded by Mr. Abraham. Motion carried.
    - Sheriff's Office, Courthouse Security – Luke Mazure – Motion to approve the hire made by Mr. Wharton, seconded by Mr. Abraham. Motion carried.
- Facilities – Ms. Marco reported the Animal Shelter roof project will finish on budget and two weeks ahead of schedule due to the nice weather. The HVAC project will commence on June 5, 2023. During the week of June 5, the contractor will bring storage containers and set up their on-site office. During the week of June 12, 2023, work will begin.
- Emergency Services / Public Safety

- Lou Vargo reported two EMS workers will receive the Gift of Life Award on Thursday, May 25 at 5:00 p.m. The award will be presented by the individuals they saved in the field. During the month of June, the Wetzel County EMA will complete a commodity flow survey.
- Sheriff Howard reported two deputies graduated from the academy. Three additional deputies should graduate by the end of the summer. Sheriff Howard also provided an update on the cars recently purchased: two are currently getting decals, two are waiting to receive decals, and one will be delivered in June. During the summer, the three Resource Officers assigned to the schools will aid the deputies.
- 911 Director Theresa Russell asked the Commissioners to enter into a special session to discuss a specific personnel matter. President Nickerson asked that this issue be moved to the end of the meeting.

- Payables – The Commissioners were provided with up-to-date bills. Several questions were raised but after receiving the information needed, a motion to approve was made by Mr. Wharton, seconded by Mr. Abraham. Motion carried.
  - Mr. Abraham inquired about the invoice for Track Solutions. Sheriff Howard reported this service was used to track individuals on home confinement.
  - Mr. Abraham also asked about an invoice from Fremouw, Siegle, and Baker. Mr. Archey reported this invoice was for the psychology exams for deputy sheriffs.
- Unpaid Invoices – The Commissioners reviewed the unpaid invoices. No action needed.
- Budget Revisions – None at this time.
- Exonerations – After review, Mr. Abraham made a motion to approve the exonerations with a second by Mr. Wharton. Motion approved.

Mr. Abraham made a motion to enter into Executive Session to speak about the personnel issue at 7:15 p.m. At 7:25 p.m., with a motion by Mr. Abraham, seconded by Mr. Wharton, President Nickerson stated the Ohio County Commission was back on the record and no action was needed to be taken pertaining to the Executive Session.

Mr. Abraham made a motion to enter into Executive Session to speak about the Ohio County Deputy Sheriff's settlement at 7:26 p.m. At 7:50 p.m., with a motion by Mr. Abraham, seconded by Mr. Wharton, President Nickerson stated the Ohio County Commission was back on the record. President Nickerson stated the Commission had approved the mediation terms with the Deputy Sheriffs and the agreement would be executed once it was signed by all Plaintiffs. After signatures, a formal settlement would be entered into. Motion to approve by Mr. Abraham, seconded by Mr. Wharton. Motion carried.

Commissioner's Reports: No report.

There being no further business to discuss, the meeting adjourned at 7:55 p.m.

Donald A Nickerson, President

Randel A. Russell, Administrator