Ohio County Commission
September 5, 2023

The Ohio County Commission met in regular session on Tuesday, September 5, 2023, at 6:00 p.m. The meeting was called to order by President Donald A. Nickerson. The Pledge of Alliance was recited.

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

Grants:

- Justice Assistance Grant (JAG) – We have applied for $56,000.00 through the program, which will require an $18,667.00 match. The true cost of match is closer to $85,000.00 because the position is not fully funded. At the next meeting, the application will be presented. Motion to approve made by Mr. Abraham, seconded by Mr. Wharton. Motion carried.
- Airport, Division of Multimodal Transportation Facilities – To date, the Airport has accumulated $37,500.00 in grant funding. A proposal will be submitted to cover most of the costs associated with purchasing the Ventrac Tractor. Motion to approve the application made by Mr. Abraham, seconded by Mr. Wharton. Motion carried.
- Federation of Humane Organizations of West Virginia – The Ohio County Animal Shelter was approved for $17,700.00, which will be used to paint the kennels and purchase a grooming sink for the facility. This grant has no required match. No further action is needed.

Community Grants:

- United Way of the Upper Ohio Valley – The United Way is seeking support for their fall fundraising campaign. Mr. Abraham suggested the Commission look into an Annual Campaign for the organization. Mr. Wharton made a motion to contribute $1,000.00 to the event, with a second by Mr. Abraham. Motion carried.
- Miracle League – Mr. Wharton made a motion to approve $250.00 for the event, with a second by Mr. Abraham. Mr. Nickerson abstained from the vote. Motion carried.

Old Business:

- Travel Policy – After review, Mr. Tennant would like to see the $25,000.00 minimum coverage, as required by the state, to be at least $50,000.00. The policy was tabled for Mr. Archey to review.
- EMS Agreement – Mr. Tennant stated we completed a similar agreement with WVNCC. He highlighted four points. Motion to approve the agreement made by Mr. Abraham, with a second by Mr. Wharton. Motion carried.
    - 1) The agreement has one million dollars in liability coverage.
    - 2) Indemnification clause.
    - 3) Our staff fill out the forms that are reviewed nationally (Pierpont grades the student)
    - 4) The agreement has a 90-day termination clause.

- Airport T-Hanger Lease – The Airport's current lease prohibits commercial use, such as a pilot storing a plane in a T-Hanger he is using to train and teach students. The lease has been amended to state they can store aircraft for usage as listed above. The lease will also now state a mechanic can do minor work on the aircraft. Mr. Tennant has reviewed and approved the amended agreement. Motion to approve made by Mr. Abraham, seconded by Mr. Wharton. Motion carried.

New Business:

- Northern Panhandle Workforce Development Board – The Commission discussed nominating Dr. Cathy Monteroso to the board to fill the vacancy left by Mr. Michael Crown. Motion to approve made by Mr. Abraham, seconded by Mr. Wharton. Motion carried.
- Jacobs Engineering – The FAA requires a contract with an Engineering firm. The Commission entered into a three-year agreement with Jacobs Engineering, which will be expiring. By FAA rules, the Airport is allowed to renew the contract for two one-year terms. Motion to approve the contract for one year made by Mr. Abraham, seconded by Mr. Wharton. Motion carried.
- Footprint of County Clerk's Office – The County Clerk would like to reduce his footprint by 50%. To be able to do this, the books from the office and the Ohio County Public Library, which total 26 tons, would need to be stored in a temperature-controlled facility. The online records search has been a huge success and the printing services are brining in good revenue. There have been no complaints about the online services and we continue to improve. Currently, the County Clerk occupies 4,400 sq. feet and they would like to retain 2,400 square feet.
- Middle Creek Dam – The DNR will purchase stone for the access road from the Dam to the lake. Brian Taylor, of the OCDA, will look at how much stone is needed. The ODCA crew will have to lay the stone. Mr. Taylor will have crews available in October.

Staff / Elected Officials Reports:

- Administrator Russell – Mr. Russell commented on the topics below:
    - A vehicle take home policy will be available by the end of the week for review. The policy will be brought to the next meeting.
    - P-Card Policy – The State Auditor's Office requires the Couty Commission to have a P-Card Policy, but the Travel Policy must be completed first.
    - The Ohio County Development Authority will meet on Wednesday, September 13, 2023.
    - The County Commission is interviewing for a Finance Director to replace Mr. Archey when he retires.
    - A member is still being sought for the Fire Board from the third magisterial district.
    - On September 18, 2023, the Courthouse will be the site of a murder trial. The facility will have extra security during this time.
- Facilities – Ms. Marco provided the Commissioners with an HVAC update. The elevator in the Annex continues to work well after the repairs. The Health Department had a pipe leaking. The repair was made but new carpet will be needed in the office.

- Wheeling-Ohio County Airport – The air conditioning was installed in the equipment room.
- Emergency Services
    - Mr. Vargo – Mr. Vargo stated EMS and the Health Department are monitoring local and state COVID levels. The Department of Education has provided protocols for COVID, and the CDC will be issuing new guidelines next week. A full-scale exercise with Wheeling Hospital will be moved to the Spring, although a small drill will be offered to meet JCAHO requirements. A Patriot Day service will be held at Heritage Port at 12:00 p.m. Some 911 Centers have lost connectivity, although we are fully functional. Frontier is the only carrier in the state with trunk lines. Mr. Abraham would like answers from Frontier on how these issues can be curtailed in the future. He also stated Frontier should communicate with the 911 Centers and the Commission concerning outages.
    - Sheriff Howard – Two are set for graduation on September 15, 2023. They will move straight into a 12–16-week training program.
        - Body Camera Grant – The Small Rural Tribunal Body Worn Camera grant is a 1 for 1 match program. Through Safe Fleet, the body camera will sync with the in-car camera system. Safe Fleet also allows storage locally, as opposed to Axion and Motorola. The cost is $2,000.00 per camera and the office needs 30 cameras. The $60,000.00 match over three years can also be paid for by purchasing and installing in-car cameras. Every Deputy would be issued a camera and the purchase would require a budget revision. It was stated that camera systems last, but the peripherals fail. Dispatch would not have access to the body camera and there would be no ability to remote in and activate a camera. Mr. Wharton inquired if this was in the budget or if it would require a budget revision. Mr. Russell further asked if the Department is asking for the County Commission to match the funds. Maj. Vaught stated they would be asking the County Commission to match the funds. Mr. Abraham asked if the match was compounding – does it include the installation of other in car cameras? Maj. Vaught stated it did, and the average cost to equip a vehicle with a camera system was $5,000.00. The following questions were asked:
            - Mr. Nickerson – does this require a budget revision? Mr. Russell stated it would require a budget revision.
            - Mr. Abraham – Would these only be for those on patrol? Major Vaught stated no, they would be for everyone. If he were to work at a football game, he would need a body camera.
            - Mr. Wharton – Is a new camera system required every time a new car is purchased? Major Vaught answered yes, due to peripheral failures it is hard to get replacement parts.
            - Mr. Wharton – Did the last round of vehicles receive a new car camera? Major Vaught answered yes and vehicles last approximately six to seven years.
            - Major Vaught stated the body cameras have a five-year warranty and that Axion, Motorola, and Safe Fleet were compared. Safe Fleet was cheaper and integrated with the in-car system. If they

were to go with Axion or Motorola it would be more expensive, and they would have to maintain two camera systems.

- Mr. Abraham asked for a side-by-side comparison with the benefits, costs, and warranty be provided.
- Mr. Wharton asked if Dispatch has access? Major Vaught stated no, but he would be able to distribute the information after receiving a request and approval. There would be no ability to remote in and activate the camera. Mr. Wharton stated he was thinking about a critical incident where Dispatch could provide additional support. Major Vaught asked if he was inquiring into live feed and stated he would look into the matter.
- Mr. Abraham inquired into a policy for the car camera and body camera usage. Major Vaught stated he is working on such a policy.
- Sheriff Howard stated they are trying to get a grant because the camera systems will be mandated for use either by the state or a federal agency.
- Mr. Abraham stated he has read several articles on why policies are needed. Major Vaught stated Phase II of the grant requires they submit a policy.
- Mr. Abraham stated the policy should be provided to Don Tennant for review.
- Mr. Tennant asked if the camera has retroactivity. Major Vaught stated they can set the times but theirs are currently set for 60 seconds. The Sheriff stated they are always recording but when a Deputy flips on the lights they pull back 60 seconds. Mr. Tennant further inquired if the body camera can be activated by the Deputy. Major Vaught stated once the lights come on, the body camera would be activated. The Sheriff stated he would send the policy to Mr. Tennant to review.
- Mr. Wharton asked if the footage could be manipulated. Major Vaught stated they do not have access and he maintains the system. They cannot delete or alter video but they can view the video. Mr. Wharton asked if it is on the server and if it is secure. Major Vaught stated yes, it was secure. Chief Deputy Shultz stated they would define what videos the officer must review before writing their reports.
- There were two take-aways from the questions: 1. A policy is needed. 2. A side-by-side comparison (as described above) is needed.
- Mr. Wharton asked if the Wheeling Police Department has deployed body cameras? The Sheriff said they have, as well as the State Police.

- The CAD system is fully operational now. Breaking and entering crimes are on the rise. The news, media, and the paper get updates.

- There were two injuries on the range. One was a bruised ankle and the Deputy is back to work, while the other Deputy broke his ankle and is not working.
- An issue occurred in Warwood when serving a warrant to seize firearms. One of the firearms was discharged causing damage to the home, but no one was hurt.
- Sheriff Howard stated they are still in need of firearms, cars, and computers and was inquiring about COLA. All of these purchases would lead to budget revisions. They currently need 10 laptops, 13 cruisers, and 60 firearms. They figure they will need at least seven cars a year.
    - Mr. Abraham stated there should be a rotation of equipment but would like a list of what needs replaced, why it needs replaced, the cost, and where the cost is coming from.
    - The Sheriff stated the pistols were seeing the end of their life and the ones they are looking at are the same ones the military uses. They have tried, and tested, several ones but agree on the SigP-320. The life expectancy of new weapons is 9-11 years.
    - The trade in value per gun will be $325.00 and they will offer them back to the officer for purchase.
    - Mr. Russell asked if they keep track of the rounds that go through the weapon. Sheriff Howard stated yes. Mr. Russell asked if they would be willing to share that information and the Sheriff stated, yes, that is easy. Mr. Abraham stated safety records would also be great to see. Mr. Wharton asked if someone has determined what the failures were with the guns. The Sheriff stated they failures are internal actions or the springs fail. Mr. Nickerson asked if this would also be a budget revision. Mr. Russell said this too would be a budget revision. The Sheriff stated they have used seizure money and the County has not paid for guns since 1990. Mr. Nickerson asked the Sheriff is he sees other ways to help the Commission pay for these purchases other than budget revisions. The Sheriff stated no, everything is tight.
- The Sheriff stated they are ten down on laptops. Mr. Abraham asked how many laptops the Department had for reporting purposes only. The Sheriff stated one. Mr. Abraham asked if this purchase was included in the original budget. The Sheriff stated it was, but it was not approved. He stated the pistols and cruisers were in the capital requests.
- The Sheriff stated 13 cruisers need replaced. Mr. Abraham asked about a replacement schedule. The Sheriff stated they started purchasing 10 a year but figures they will need seven per year.
    - Mr. Abraham asked if those on patrol have the new vehicles. The Sheriff stated they are switching them out.
- The three F150s used for the PROs will now need to be equipped for road usage. This will be approximately $7,500.00 per truck.
    - Mr. Russell stated the schools used the trucks for nine months and we use them for three months, why were they not outfitted? The

Sheriff stated the PROs took vacation during that time period or they were used for Administrative Staff. The trucks have no cameras or cages.

- Mr. Abraham asked how many cars are not equipped overall. The Sheriff stated seven do not have cages. Mr. Abraham stated he felt all vehicles should be equipped.
- Mr. Abraham stated he cannot see how the County Commission could buy 10 cars every year because they need to manage the cost component but also be helpful in the process.

- The Sheriff also inquired if all employees received $1,000.00 per year as a raise. Mr. Russell stated if an employee received a raise in the prior year, they are not eligible. Mr. Nickerson stated they received significant increases.

Finance:

- Mr. Archey reported the bills are up to date. Motion to approve the bills was made by Mr. Abraham, with a second by Mr. Wharton. Motion carried. Mr. Archey also reported the unpaid invoices were not approved at the time of the check run. No further action is needed.
- Mr. Archey presented the 37 exonerations for consideration. Mr. Nickerson raised questions concerning Ms. Nancy Shalve. He asked that Mr. Archey and the Assessor review this exoneration and bring it back to the next meeting. Motion to approve the exonerations, with the exception of Ms. Shalve, made by Mr. Abraham, seconded by Mr. Wharton. Motion carried.
- Mr. Archey also discussed a certificate of re-entry. The land was purchased at a land sale through the State Auditor's Office. Motion to send the certificate of re-entry to the State Auditor for collection made by Mr. Abraham, seconded by Mr. Wharton. Motion carried.

There being no further business to discuss, the meeting adjourned at 8:00 p.m.

Donald A. Nickerson, President

Randel A. Russell, Administrator