

**AGENDA/Minutes  
LINCOLN COUNTY COMMISSION  
January 5, 2017 at 6:00 p.m.**

The Lincoln County Commission, Regular Session on January 5, 2017, at 6:00 p.m.in room 108 of the Lincoln County Courthouse

**PLEDGE OF ALLEGIANCE**

**I. CALL TO ORDER**

The meeting was called to Order by: **Maria Harless**

**MEMBERS**

**PRESENT**

Direl Baker, County Clerk	<u>X</u>
Phoebe Harless, President	<u>X</u>
Charles Vance, Commissioner	<u>X</u>
KK Matthews, Commissioner	<u>X</u>

**II. APPROVAL OF MINUTES**

Motion By: **KK Matthews** Second By: **Charles Vance**

To approve the minutes of the regular session of the Lincoln County Commission Meeting that was held on December 15, 2016, at 3:00 p.m.

Vote: Harless **Yes** Vance **Yes** Matthews **Yes**

Motion By: **Charles Vance** Second By: **KK Matthews**

To approve the minutes of the special session of the Lincoln County Commission Meeting that was held on December 29, 2016, at 12:30 p.m.

Vote: Harless **Yes** Vance **Yes** Matthews **Yes**

**III. APPOINTMENT OF PRESIDENT OF LINCOLN COUNTY COMMISSION**

Motion By: **KK Matthews** Second By: **Maria Harless**

To appoint **Charles Vance** as President of the Lincoln County Commission for the calendar year 2017

Vote: Harless **Yes** Vance **Yes** Matthews **Yes**

**IV. SET DATES AND TIME OF LINCOLN COUNTY COMMISSION MEETINGS FOR THE 2017 CALENDAR YEAR**

Motion By: **Maria Harless** Second By: **KK Matthews**

To set the regular schedule meetings on the 1<sup>st</sup> and 3<sup>rd</sup> Thursday of every month at 6:00 p.m. with 1 meeting through the summer months for the calendar year 2017

Vote: Harless **Yes** Vance **Yes** Matthews **Yes**

**V. SET HOLIDAYS FOR THE LINCOLN COUNTY COURTHOUSE FOR THE CALENDAR YEAR 2017**

- New Year's Day (**Monday, January 2, 2017**)
- Martin Luther King Day (Third Monday in January) (**January 16, 2017**)

- President's Day (Third Monday in February) (**February 20, 2017**)
- Memorial Day (Last Monday in May) (**May 29, 2017**)
- West Virginia Day (**June 20, 2017**)
- Independence Day (**July 4, 2017**)
- Labor Day (First Monday in September) (**September 4, 2017**)
- Columbus Day (Second Monday in October) (**October 9, 2017**)
- Veterans Day (**November 10, 2017 observed**)
- Thanksgiving (**Thursday, November 23, 2017 and Friday November 24, 2017**)
- Christmas Day (December 25) (**December 25, 2017**)

Motion By: **Maria Harless**                      Second By: **KK Matthews**

To set holiday for the 2017 calendar year as follows:

- New Year's Day (**Monday, January 2, 2017**)
- Martin Luther King Day (Third Monday in January) (**January 16, 2017**)
- President's Day (Third Monday in February) (**February 20, 2017**)
- Memorial Day (Last Monday in May) (**May 29, 2017**)
- West Virginia Day (**June 20, 2017**)
- Independence Day (**July 4, 2017**)
- Labor Day (First Monday in September) (**September 4, 2017**)
- Columbus Day (Second Monday in October) (**October 9, 2017**)
- Veterans Day (**November 10, 2017 observed**)
- Thanksgiving (**Thursday, November 23, 2017 and Friday November 24, 2017**)
- Christmas Day (December 25) (**December 25, 2017**)

Vote: Harless **Yes**              Vance **Yes**                      Matthews **Yes**

## **VI. PUBLIC COMMENT**

None.

## **VII. DISCUSSION OF CONCERN/POSSIBLE ACTION**

Ric MacDowell regarding Guyan River Grant and Farmland Protection Board – Wanted the Commission to designate Camp Lake View as the Administrator of the grant for the Guyan River Grant.

Motion By: **Maria Harless**                      Second By: **KK Matthews**

To designate Camp Lake View as the administrator of the Guyan River Grant

Vote: Harless **Yes**              Vance **Yes**                      Matthews **Yes**

Motion By: **Maria Harless**                      Second By: **KK Matthews**

To approve to advertise for the expiring terms on the Farmland Protection Board

Vote: Harless **Yes**              Vance **Yes**                      Matthews **Yes**

Judicial Annexes – We need a letter stating they want to rent the annex and when they want to move in. Also, we are planning on closing down the white building. The roof leaks, the septic

system needs completely overhauled. It would save us a significant amount on expenses to run the old outdated building.

List of Commissioners' seats on the boards and committees

Tri-River – Charles McCann \*\*

Parks and Recreation - Phoebe Harless

Farmland Protection - Phoebe Harless

Lincoln EDA – Charles Vance

WV Workforce – Phoebe Harless

Corridor G. Authority Board – Charles Vance

Community Corrections Board - Charles Vance

Region 2 – Phoebe Harless

Public Defender – KK Matthews

4-H – KK Matthews

Camp Lake View – KK Matthews

WVU Extension – KK Matthews

Motion By: **KK Matthews** Second By: **Maria Harless**

To approve the list of boards and committees as submitted with the changes that were stated

Vote: Harless **Yes** Vance **Yes** Matthews **Yes**

Requests from Gary Linville, Sheriff for hiring: Gary presented his letters regarding his hires. President Vance asked him directly if he had interviewed the applicants and their previous experience with the Sheriff's department. Gary said he reviewed Rex's personnel folder and it was clean. He found nothing in his file. He said he interviewed Zach Sowards.

Rex Clark, Chief Deputy

Motion By: **KK Matthews** Second By: **Maria Harless**

To approve the hire of Rex Clark as Chief Deputy

Vote: Harless **Yes** Vance **Yes** Matthews **Yes**

Zach Sowards, Process Server

Motion By: **Maria Harless** Second By: **KK Matthews**

To approve the hire of Zac Sowards as Process Server

Vote: Harless **Yes** Vance **Yes** Matthews **Yes**

and Alan Ashworth, Deputy

At the advice of the Prosecutor, President Vance read into record the WV State Code Chapter 7 that relates to the hiring practice of a Deputy under Civil Service Commission. At the advice of the prosecutor, the Commission said that Alan Ashworth needed to take a non competitive civil service exam and medical exam for a provisional hire. Then within 90 days a competitive test will have to be given and Mr. Ashworth will have to score in the top 3.

Motion By: **KK Matthews** Second By: **Maria Harless**

To approve to contact the Civil Service Commission and administer a non-competitive civil service exam for Alan Ashworth as instructed by the Prosecutor

Vote: Harless **Yes** Vance **Yes** Matthews **Yes**

**VIII. UNFINISHED BUSINESS/POSSIBLE ACTION**

Update on Lower Mud River – Mary called the LPSD and they have not started collecting tap fees yet.

**IX. NEW BUSINESS**

Motion By: **KK Matthews** Second By: **Maria Harless**

To approve the bills as submitted for payment

Vote: Harless **Yes** Vance **Yes** Matthews **Yes**

Motion By: **KK Matthews** Second By: **Maria Harless**

To approve the Appointments, Wills and Settlements as submitted by Direl Baker, County Clerk

Vote: Harless **Yes** Vance **Yes** Matthews **Yes**

Motion By: **KK Matthews** Second By: **Maria Harless**

To approve the Exoneration Orders as submitted by Guy Browning, Assessor

Vote: Harless **Yes** Vance **Yes** Matthews **Yes**

Motion By: **KK Matthews** Second By: **Maria Harless**

To approve the Inner Office Budget Revision as submitted by Sheriff Ken Farley on December 19, 2016,

**From**

Sheriff Law Enforcement FICA  
700-104-200  
\$501.00

**To**

Sheriff Law Enf. Fringe Benefit  
700-110-200  
\$501.00

Vote: Harless **Yes** Vance **Yes** Matthews **Yes**

Motion By: **KK Matthews** Second By: **Maria Harless**

To approve the EMPG grant application in the amount of \$97,993.00 for (operational expenses for 2016) as submitted by Allen Holder, OES Director

Vote: Harless **Yes** Vance **Yes** Matthews **Yes**

Motion By: **KK Matthews** Second By: **Maria Harless**

To accept the resignation of Chief JJ Napier effective December 31, 2016.

Vote: Harless **Yes** Vance **Yes** Matthews **Yes**

Motion By: **KK Matthews** Second By: **Maria Harless**

To accept the resignation of Edward Baker effective December 29, 2016.

Vote: Harless **Yes** Vance **Yes** Matthews **Yes**

Motion By: **KK Matthews** Second By: **Maria Harless**

To accept the resignation of Tara Sizemore effective December 29, 2016.

Vote: Harless **Yes** Vance **Yes** Matthews **Yes**

Motion By: **KK Matthews** Second By: **Maria Harless**

To reopen the Estate of Samuel L. Anderson without a bond as requested by Mary M. Anderson

Vote: Harless **Yes** Vance **Yes** Matthews **Yes**

Motion By: **KK Matthews**                      Second By: **Maria Harless**  
 To remove Shirley Ann Pauley due to death and appoint Reva M. Gray as administratrix of the Estate of Thomas Pauley, Jr. with a bond of \$1,000.00  
 Vote: Harless **Yes**      Vance **Yes**                      Matthews **Yes**

Motion By: **KK Matthews**                      Second By: **Maria Harless**  
 To approve to advertise for the expiring term on the Pleasant View PSD  
 Vote: Harless **Yes**      Vance **Yes**                      Matthews **Yes**

### **X. OPEN DISCUSSION**

**Commissioner Harless** – Wanted to clarify with Gary Linville, Sheriff that he shut down government day. He chose not to send his employee to collect money for taxes. She informed him without someone from the Sheriff's office to collect money then no business could be conducted. Asked Sean to report that he had chose to suspend government day.

**Commissioner Matthews** – He is working with Ric MacDowell and Senator Manchin's office regarding the flooding at Dog Bone.

### **XI. ADJOURNMENT**

Motion By: **KK Matthews**                      Second By: **Maria Harless**  
 To adjourn this session of the Lincoln County Commission at the time of 6:35p.m., until **January 19, 2017 at 6:00 p.m.**  
 Vote: Harless **Yes**      Vance **Yes**                      Matthews **Yes**