

REGULAR ADJOURNED SESSION OF THE COUNTY COMMISSION OF BROOKE COUNTY,  
WEST VIRGINIA, HELD TUESDAY, SEPTEMBER 29, 2020

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The County Commission of Brooke County, West Virginia met in regular adjourned session this 29<sup>th</sup> day of September, 2020 at 10:30 a.m. at the Courthouse.

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Present: Tim Ennis, President  
Stacey Wise, Commissioner  
Andrew J. Thomas, Commissioner  
Kimberly M. Barbetta, County Clerk

The Commission held their preliminaries before the meeting including a prayer and the pledge of allegiance.

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A motion was made by Andrew J. Thomas, seconded by Stacey Wise and unanimously passed to approve the minutes of the meeting held on September 22, 2020.

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A copy of the following correspondences was given to each of the Commissioner's for their review:

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BHJ gave an update on Broadband, and introduced CityNet (Chris Morris & Tim Mauck), this Company will help to bring broadband to all of Brooke County.

Mr. Paul Lattamus - Lattamus Communication addressed the Commission regarding the inability to bid on the New Radio System for Brooke County, however, the intergovernmental agreement does not require multiple bids. Mr. Lattamus, would like to be included in any bids for the New 911 Center. He also requested that his remarks letter be included in the minutes. Please see attachment #1.

We received the final valuation of the GASB 75 for fiscal year ending June 30, 2020.

A motion was made Andrew J. Thomas, and seconded by Stacey Wise and unanimously passed to the hiring Jeff Wood as a full-time dispatch beginning October 1, 2020. Pending a Drug test and background check.

A letter from WV Department of Agriculture: Assessor's Certificate of Compliance-Tom Oughton has completed the Farm Census of 2020.

Minutes were received:  
Brooke County Libraries - July & August  
Hammond PSD - September

A motion was made by Andrew J. Thomas, seconded by Stacey Wise and unanimously passed to accept the resignation for Alexandra L. Schneider as a board member for the Brooke County EDA, and as their recording secretary effective October, 2020. (This term will expire January 2022)

A motion was made by Andrew J. Thomas, seconded by Stacey Wise and unanimously passed to approve the purchase of 3029 Pleasant Avenue property in the amount of \$12,500.00. If this purchase is accepted then the Commission will also try to purchase 3027 Pleasant Avenue. These properties will be used for a centralized Ambulance Station. However, this being contingent on the purchase of both properties.

An invitation from Follansbee Chamber of Commerce regarding - A BLUE MASS at St. Anthony Church at 6PM, tonight September 29, 2020.

A motion was made by Andrew J. Thomas, seconded by Stacey Wise and unanimously passed to approve the annual contribution in the amount of \$1,500.00 to the WV Route 2/I-68

A motion was made by Stacey Wise, seconded by Andrew J. Thomas and unanimously passed to approve the appointment of Susan Donathan as a board member to the Hammond PSD. She will be replacing David McGowan who resigned June 10, 2020. (Term ending 9/14/2022)

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The above correspondence was ordered filed in the County Clerk's office.

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Chief Ferguson, Wellsburg Police, attended the BOE meeting on the 28<sup>th</sup> of September. He is very discouraged that there are not PRO Officers in the schools. He said he would be happy to be a liaison between the County and the BOE. Furthermore, he wanted to make the Commission and Brooke County citizens aware that the superintendent of schools has disabled the Police Officers key fobs. This means Police Officers CAN NOT gain entry in an emergency situation. This is so disheartening, and shameful to put our students, teachers and staff at such a risk.

Commissioner Ennis gave an update on the PRO Officers. They are \$90,000.00 per year, per Officer-this includes their benefits. Just tell us how many you need; we are ready to provide as many Officers as they would need.

Commissioner Thomas gave an update about Brooke Power - the State of WV is now vested in the project. \$5.6 million direct loan. This is a huge step forward in development.

BHJ the agency helping to get the potential wastewater project has attempted to send out a survey to certain areas in Broke County, however, they did not receive enough returned surveys. The Brooke County PSD has contracted with WV Community Action Partnership, Inc., a division of the Rural Community Assistance Program to go door-to-door to get this information. This will take place on the Rockdale Road and Chapman Height Area.

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Invoices and vouchers were approved and the following checks were ordered written:

Payroll Withholdings	ACH - \$337.98
	CKS - 25089-25098 for \$3,462.56
General County Fund	001 CKS - 25070-25088 for \$32,538.88
	CKS - 25099 for \$36,315.00
Dog	003 CKS - 1515-1516 for \$412.22
E-911 Communications	007 CKS - 2412-2417 for \$2,428.17
Ambulance	025 CKS - 4804-4812 for \$76,091.57
Shelter Levy	030 CKS - 1135-1137 for \$2,401.16
Valuation Fund	056 CKS - 1570-1571 for \$88.90

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No further business to come before the Commission a motion was made by Andrew Thomas, seconded by Stacey Wise and unanimously passed to adjourn.

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Tim Ennis, President

Teste:

Kimberly M. Barbetta, Clerk

## **ATTACHMENT #1**

**Brooke County Commission Meeting  
September 29, 2020**

**Remarks - Paul Luttamus**

**Thank You Commissioners**

**Over at least the last 4 years, I have communicated with the Brooke County Commission about Luttamus Communications being your service provider for ALL two-way radio communications services, including towers, subscriber units, 911 Center, and maintenance. I worked with your consultant Bryan Harris to put together many options for the Brooke County First Responders in which the Commission always promised it would go out to bid. I put together a list of every radio the county owned. All along I believed in the Tool Box Approach to Communications that included the WVSRIN system, upgrading your legacy system, and cellular phones.**

**I have further articulated our capabilities to meet your needs, provided references, and explained the states system, legacy system and cell phones.**

**I have also educated you on Luttamus Communications significant capital investments in Brooke County and plans for expansion and adding jobs.**

**I have explained our full and complete commitment to Brooke County through in-kind and financial contributions to many different community causes and organizations.**

**I have maintained records and/or notes of numerous conversations, texts, emails, and letters with you individually and collectively.**

**Background Information and Your Promise to Luttamus Communications**

**As far back as 2017, I was told that even if you opted to sign on to Ohio County's tower system which was part of the Tool Box Approach, Luttamus Communications would still be "your preferred vendor" for radios, 911 Center and other projects, but it would have to go out to bid. In fact, in previous meetings, Brooke County pledged to solicit RFP's for the Counites radio project. Brooke County Commissioners repeatedly assured Luttamus Communications would have bid opportunity to bid on all future projects.**

**While I did not agree with the Commissioners logic or reasons for selecting Ohio County's two-way radio system as the primary system for First Responders because it only had two towers, I respected your decision.**

**I simply reinforced my interest in bidding on the portable radios, mobile radios, and 911 center upgrade.**

**As for the Commissioners decision, to use the Ohio County Radio System let me remind you according to Bob Fowler the Ohio County system is built for 80% coverage for mobile radios and 60% coverage for portables. How can you allow only 60% coverage on your Portable Radios for your First Responders? According to first responders they are concerned about the portable coverage. I am not sure how you can risk the lives of our first responders and spend 1.7 million on radios when you need more towers. I am also very concerned with the in-building two-way radio coverage for First Responders. I am not even sure you can enter into a 5-Year Agreement, and I know you are not allowed to pay monthly for the Ohio County system because it is tied**

into the WVSIRN system. According to the WVSIRN bylaws each county is not allowed to pay for usage of the system. <https://lsirn.wv.gov/Pages/fag.aspx>

Your First Responders will ONLY have 2 Towers covering Brooke County while only 1 of the towers is located in Brooke County. In comparison Verizon has 4 towers and AT&T has approximately 8 towers that provide service in Brooke County. We designed you a system that would have 4 towers and was designed for 95% Portable Coverage. Bryan Harris the Consultant recommended a VHF P25 System with 4 sites. My concern is you will ultimately spend millions more of tax payers money in order for Brooke County to have Two Way Radio Coverage for our First Responders.

Further, The Commission's action on 9/22 to partner with Ohio County and not seek any other bids contradicts the July 21 Commission Meeting and the August 18, 2020 Commission meeting in which I was present. It also contradicts the letter I received on July 1, 2020 in which all 3 Commissioners signed the letter stating "We will be putting out an RFQ for two-way radios, accessories, and options in the very near future and will keep you abreast of this time frame". How are you fulfilling your fiduciary responsibilities to our residents and local taxpayers when the County never solicited or received any other bids or proposals to ensure tax payers received the best purchase price and that you will NOT have ongoing local support to maintain quality of service for the safety of our first responders & tax payers.

Frankly, the Commissions actions indicate you did not conduct this item of business in a neutral and transparent manner, thereby denying Luttamus Communications the opportunity to garner any additional business with the County and First Responder Agencies.

I am truly puzzled Commissioners. On a regular basis, Luttamus Communications company is called upon to repair radios from your old legacy system that are no longer supported by the manufacturer, repair radios, provide software and programming radios at not cost to Brooke County. And yet, Luttamus Communications is not good enough to be considered for future sales, installation and service opportunities?

In business and politics, all you have is your word and your integrity. I have always operated under the principle that if I say I will do something, I do it.

You, commissioners, have broken your promise to let my company bid, and I am deeply disappointed at this decision. Besides not knowing if you received the best price, you totally ignored nor did you attempt to calculate the overall economic impact my company has on the local economy. Allow me to briefly describe it for you:

**The Economic Impact:**

- I am investing several million dollars in a newly remodeled corporate headquarters and state of the art equipment at the ICONIC Serbian American Cultural Center.
- I will be adding as many as 15-25 new jobs; many if not all would have been in Brooke County. I am currently rethinking bringing my Corporate Headquarters to Brooke County.
- I currently employ 62 people and my annual payroll is millions of dollars each year.
- I pay significant taxes; real estate taxes, and personal property taxes on 35 Vehicles
- I just hired the leading P25 radio expert in WV to support our expansion.

- I am expanding my broadband capabilities in Brooke County. According to John Deskins Economist from WVU, every dollar spent locally generates 57% return on your investment and stays in WV. Which means for this project \$969,000.00 would have been brought back to Brooke County NOT including the annual maintenance contract. I want everyone to imagine for one second the impact this would have on Brooke County.

According to American Express Small Business Saturday study shows that 66% of every dollar spent in Brooke County stays in Brooke County which means \$1,122,000 stays in Brooke County. Imagine the impact this money could have had, instead it is going to go to Ohio County, Texas, and Back to California. Now imagine if you are an Ohio County tax payer and your money is financing Brooke Counties radios. Whatever happened to buying local?

**Community Development and Philanthropy side:**

I loaned Brooke County \$180,000 as matching money for an EMA grant when you did not have the funds. This allowed Brooke County to purchase 2 Generators for Brooke County First Responders.

- I also was able to get Brooke County Tower Rent at NO Cost at other tower sites.

- I made significant donations to Brooke Hills Park Shelter, Non-Profit Organizations, and several scoreboards throughout Brooke County.

- I even provided reduced tower rent at our Archer Heights Tower location.

- In every respect, Luttamus Communications and myself have consistently demonstrated an ongoing commitment to make Brooke County the best possible place to live, work, and do business.

- I successfully bid on and received awards on recent FCC spectrum auctions. This will position my company for future growth and help local internet service providers and cell companies to expand rural broadband in which we competed against Dish Network and Comcast and WON!

- I have offices in other counties and do business throughout the tri-state area, and yet I can't get traction or serious consideration from my home county for new business to buy local. I do business with the largest companies in the United States. All of this makes me wonder if I am doing the right thing by investing millions of dollars in Brooke County in buildings, towers, new employees and broadband spectrum.

**Closing Comments:**

For all the reasons I mentioned here today, if you have not already signed the actual contract, I hope you would allow us to bid on two-way radios and 911 center upgrade. This would have ensured Tax Payers receive the best possible pricing and service, and the possibly that Brooke County might have helped a local business, and you can still go on the Ohio County system and get the radios you wanted. If Brooke County does purchase through Ohio County, you will be buying from a dealer owned by a Texas company, who is owned by a Hedge Fund in California that pays NO taxes in Brooke County and will have NO economic impact and Creates NO JOBS!

Lastly, let me be clear that Luttamus Communications remains interested in bidding on your 911 system. I trust the Commission will give Luttamus Communications every consideration to do so.

**I just hope and pray our first responders know the capabilities of this system where it will work and not work! I want to see 2 additional towers added for our first responders.**

**God Bless Brooke & Ohio County, God Bless Our Elected Officials and God Bless Our First Responders.**

**I respectfully request that my remarks be made part of the official Commission Minutes for this meeting.**

**Paul Luttamus  
President:**

**Contact Information:  
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