

# UPSHUR COUNTY COMMISSION MEETING

## September 5, 2019

The County Commission of Upshur County, West Virginia, held their regular meeting at the Courthouse Annex on Thursday, September 5, 2019 at 9:00 a.m. Sam Nolte called the meeting to order. Present were Sam Nolte, Commission President; Kristie Tenney, Commissioner; Terry Cutright, Commissioner; Carol Smith, County Clerk; Carrie Wallace, County Administrator; and Prissilla Peggs, Secretary. The meeting began with a moment of silent meditation and prayer followed by the Pledge of Allegiance. All motions passed unanimously unless otherwise stated.

Sam Nolte reviewed scheduled appointments and agenda items.

After discussion, on motion by Kristie Tenney, seconded by Terry Cutright, the Commission approved the regular meeting minutes of August 29, 2019 as submitted with Court Security Board Meeting at 1:00 pm. as an addition to the minutes.

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved to table the approval of the Lincoln Financial Group Amendments and revised policies to reflect: Voluntary life, life and AD&D, voluntary vision and dental for further review with Joseph Stanton, Broker.

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved a ninety (90) day extension regarding the the Petition/Complaint of the Upshur County Safe Sites and Structures Enforcement Agency - Humphrey Case Number 121318-01 (Washington Tax District - Map 6L - Parcel 11.3).

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved and authorized the President to sign the resolution gifting the two (2) Commission owned fire trucks (1996 Smeal Freightliner Pumper Vin # 1FV6JLCB6TL682573; 2003 Kenworth Pumper Vin # 2NKMHZ8X33M387293) located within the Buckhannon Fire Department to the Buckhannon Volunteer Fire Department per WV Code 7-3-3 in exchange for fire service outside of the City limits within the Buckhannon Fire Department's first due area. (copy included)

After discussion, on motion by Kristie Tenney, seconded by Terry Cutright, the Commission approved and authorized the President to sign the ESRI renewal quote in the amount of \$4,450 for term period October 1, 2019 to September 30, 2020. Of this amount, \$1,200 is to be paid by the Assessor's Revaluation Fund. (copy included)

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved and authorized the President to sign the SMIC renewal quote in the amount of \$235.50 for volunteer accident medical insurance for term period October 20, 2019 to October 19, 2020. (copy included)

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved the reconsideration from Cheyenne Troxell, Program Director for Community Corrections, granting permission for Rodney Rolenson to teach Parenting Classes in Upshur County for six (6) months at the pay wage rate of \$100.00 per class with \$25.00 per class payable to the Community Corrections Board for use of their office space. Mr. Rolenson will be conducting one (1) parenting class a month. (copy included)

After discussion, on motion by Kristie Tenney, seconded by Terry Cutright, the Commission approved the resignation of Janet G. McCourt, Case Manager, Community Corrections, effective September 8, 2019.

Sam Nolte reviewed the following "For Your Information" items: (copies included)

1. Correspondence from Governor Jim Justice announcing the STOP Violence Against Women Act grant award to the Upshur County Commission in the amount of \$28,000. These funds provide for the enhancement and the continuation of the Upshur County STOP Team to improve the criminal justice system's response to victims of domestic violence, sexual assault, stalking and dating violence.
2. Correspondence from Lydia M. Work, Licensed Remediation Specialist (LRS), announcing a project update on the Upshur County Youth Camp Archery Range soil cap improvement project at the Upshur County Youth Camp Tar Pit Property.
3. Correspondence from James A. Dodrill, Insurance Commissioner with the WV Offices of the Insurance Commissioner, notifying WV state and local governmental entities and non-profit organizations that flood insurance may be available through the National Flood Insurance Program (NFIP).
4. Public Notices:
  - a. Newsletters and/or Event Notifications:
    - James W. Curry Public Library Calendar of Events for September, 2019
    - Prevention Summit Training – The Power of Prevention, Erin's Law, at the Robert Mollohan Research Center, Fairmont, WV on September 10<sup>th</sup> 9:00

# UPSHUR COUNTY COMMISSION MEETING

## September 5, 2019

a.m. to 3:30 p.m. and September 11<sup>th</sup> 8:30 a.m. to 3:30 p.m.

- Leap into Science Family Wind Workshop at the James W. Curry Public Library on September 24<sup>th</sup> 5:45 p.m. to 6:45 p.m.

b. Agendas and/or Notice of Meetings:

- Elkins Road PSD September 3, 2019
- City Council of Buckhannon September 5, 2019
- 26<sup>th</sup> Judicial Circuit Community Corrections September 9, 2019
- Upshur County Solid Waste Authority September 9, 2019

c. Meeting Minutes:

- Upshur County Public Library Board July 17, 2019

d. Meetings:

- 09/03/19-4:00 p.m.-Hodgesville PSD
- 09/03/19-5:30 p.m.-Elkins Road PSD
- 09/05/19-6:00 p.m.-Buckhannon-Upshur Board of Health
- 09/05/19-7:00 p.m.-Banks District VFD
- 09/05/19-7:00 p.m.-Selbyville VFD
- 09/09/19-12:00 p.m.-Upshur County Family Resource Network
- 09/09/19-4:30 p.m.-Upshur County Solid Waste Authority
- 09/09/19-5:30 p.m.-Buckhannon-Upshur Recreational Park Advisory Board
- 09/09/19-6:00 p.m.-Lewis-Upshur Community Corrections Board-Lewis County
- 09/10/19-7:30 p.m.-Adrian VFD
- 09/11/19-3:00 p.m.-Tennerton PSD
- 09/11/19-6:00 p.m.-Buckhannon River Watershed Association - WWWC
- 09/11/19-7:00 p.m.-Warren District VFD
- 09/11/19-7:00 p.m.-Ellamore VFD
- 09/12/19-10:00 a.m.-Adrian PSD
- 09/12/19-3:00 p.m.-Upshur County Conventions & Visitors Bureau
- 09/12/19-4:00 p.m.-Upshur County Safe Sites & Structures Enforcement Board
- 09/12/19-4:00 p.m.-Buckhannon Upshur Airport Authority
- 09/12/19-7:30 p.m.-Buckhannon VFD
- 09/13/19-11:00 a.m.-Region VI Local Elected Officials
- 09/15/19-6:00 p.m.-Washington District VFD
- 09/16/19-12:00 p.m.-Buckhannon-Upshur Chamber of Commerce
- 09/17/19-10:00 a.m.-Wes-Mon-Ty Resource Conservation & Development Council
- 09/17/19-6:30 p.m.-Upshur County Fire Board, Inc.
- 09/18/19-12:00 p.m.-Upshur County Senior Center Board
- 09/18/19-4:00 p.m.-Upshur County Public Library Board
- 09/18/19-7:00 p.m.-Upshur County Fire Fighters Association
- 09/19/19-2:00 p.m.-Upshur County Farmland Protection Board
- 09/19/19-7:00 a.m.-Upshur County Development Authority - Full Board
- 09/19/19-6:30 p.m.-Upshur County Youth Camp Board
- 09/23/19-10:00 a.m.-Mountain CAP of WV, Inc., a CDC
- 09/24/19-5:00 p.m.-UC Enhanced Emergency Telephone Advisory Board
- 09/25/19-10:00 a.m.-James W. Curry Advisory Board
- 10/16/19-12:00 p.m.-Lewis Upshur LEPC - Lewis location

5. Appointments Needed or Upcoming:

a. Buckhannon-Upshur Airport Authority (7/1/19-6/30/22 City Rep.)

The Commission approved all Invoices for Payment. (list included)

The Commission approved all Vacation Orders. (copies included)

The Commission approved the following "Settlements" (as listed):

- Terry Neil Hinchman - Final Settlement Waiver
- Donna Lee Williams - Final Settlement Waiver

The Commission approved the following "Requests to Attend Meeting" (copies included):

- Brian Shreves - 9/14/2019
- Stacie Wentz - 9/24/2019 - 9/26/2019
- Debbie Carlyle - 9/24/2019 - 9/26/2019

UPSHUR COUNTY COMMISSION MEETING  
September 5, 2019

The Commission approved the following "Exonerations and/or Refunds" (copies included):

- Ware, John - #305291 - \$2.10 - Exoneration Order
- Wine Seller, LLC - #304630 - \$668.08 - Exoneration Order
- Riffle, James W. II, & Terecia - #25821 - \$206.91 - Exoneration Order
- Sharon Riddle - #600000079S - \$7.60 - Exoneration Order
- Dean, Sherry or Albert Lawrence - #500000332S - \$14.70 - Exoneration Order
- Peyatt, Madeline O. & Peyatt, Orval L. - #4045 - \$132.92 - Exoneration Order

Tabled items:

1. Hearing upon the Petition/Complaint of the Upshur County Safe Sites and Structures Enforcement Agency -- Chapman Case Number 101118-01 (Warren Tax District - Tax Map 6B Parcel Number 11).

The Commission reviewed agenda items for future meetings, received project updates and discussed administrative business items.

The Commission meeting recessed at 12:00 p.m.

The Commission reconvened at 1:00 p.m. for a Review of options for utility installation along Rt. 33 west of Buckhannon. Parties present included: Joseph Tenney, on behalf of Tennerton PSD; Dave Watson and Randy Watson on behalf of Thrasher Engineering; Tom O'Neill, Jerry Arnold and Sam Ludlow on behalf of the City of Buckhannon; Rob Hinton, UCDA Director; Cary Smith, Region VII Engineer; Dustin Zickefoose, Assessor; Tom Shaw, Tim Shaw, Greg Hadjis, David Anderson and Jerry Merrell area property owners.

Thrasher Engineers explained that their last study related to the utility installation along Rt. 33 west of Buckhannon was performed in 2010 on behalf of the Tennerton PSD. Tennerton PSD is interested in providing utilities along Rt. 33 all the way to the Lewis County line(including Lorentz, Bridge Run, the Farm bureau and Red Rock Road). The PSD now has the opportunity to piggy back on a project they are beginning construction on in the near future to service the Hickory Flat area.

Sam Ludlow explained that the City is actively engaged in trying to service the area along Route 33 west of Buckhannon and that the Commission had previously removed a large section of territory from the Tennerton PSD's control, including Red Rock Road, Brushy Fork Road, the Hampton Inn and Mud Lick Road and the City has successfully installed utilities in those areas which has fostered development.

Mr. Ludlow further explained that in 2013 Tennerton PSD petitioned to have the service area in question added to their service zone; however, at that time the Commission took no action sighting the City investment in that area. The City (Sanitary Board) has identified extensions to Corridor H Tire as well as a project on the Southside as targeted projects for next summer. Benefiting party investments and/or annexation have been topics of discussion as the City does not wish to finance such costly projects; however, they are eligible to apply for the same grant monies as the PSD's. City Officials argued that the City is better equipped to handle the debt and maintenance associated with the project and questioned if Tennerton PSD is in a position to withstand more debt.

Rob Hinton suggested that a Public, Private Partnership be explored.

Mr. Ludlow invited stakeholders to the upcoming Sanitary Board Meeting on September 19<sup>th</sup> @ 4:00 p.m..

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved to give Dave and Randy Watson with Thrasher Engineering a 30 day period to develop a proposal for the project. The group will reconvene on October 3<sup>rd</sup> at 1:00 pm to review Thrasher's proposal.

With no further business, on motion by Terry Cutright, seconded by Kristie Tenney the Commission meeting adjourned at 2:30 p.m.