

UPSHUR COUNTY COMMISSION MEETING

November 1, 2018

The County Commission of Upshur County, West Virginia, held their regular meeting at the Courthouse Annex on Thursday, November 1, 2018 at 9:00 a.m. Sam Nolte called the meeting to order. Present were Sam Nolte, Commission President; Troy Brady, Commissioner; Terry Cutright, Commissioner; Carol Smith, Upshur County Clerk; Carrie Wallace, County Administrator; Tabatha Perry, Assistant Administrator and Jacqueline Dinklocker, 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.

After discussion, on motion by Terry Cutright, seconded by Troy Brady, the Commission approved the regular meeting minutes of October 25, 2018 as submitted.

Sam Nolte reviewed scheduled appointments and agenda items.

At 9:05 a.m., Sam Nolte opened a public hearing for the third and final reading of suggested revisions to the Upshur County Ordinance Imposing an Occupancy Tax on Hotels Located in Upshur County, WV, Which Are Not Located within the Corporation Limits of the City of Buckhannon, previously adopted on August 9, 2001 and amended on November 29, 2007. Tabatha Perry provided the reading. No objections were voiced. After discussion, on motion by Terry Cutright, seconded by Troy Brady, the Commission approved the adoption and authorized the signing of the Upshur County Ordinance Imposing an Occupancy Tax on Hotels Located in Upshur County as amended. Copies of the amendments to the Ordinance are on file in the Upshur County Administrative offices and online at www.upshurcounty.org.

The Commission recessed at 9:08 a.m.

The Commission reconvened at 9:10 a.m.

Carrie Wallace provided a review/status report on the 2018 EEOP Utilization Report and noted that the biannual report contained a few slight changes per feedback from the 2016 report. After discussion, on motion by Terry Cutright, seconded by Troy Brady, Commission approved and authorized the signing of the 2018 EEOP Utilization Report.

After discussion, on motion by Terry Cutright, seconded by Troy Brady, Commission approved and authorized the President to sign the WV Division of Homeland Security and Emergency Management Sub-Grant Award, Special Conditions and Assurances, and Certifications. This sub-grant award is in the amount of \$100,000 for Phase I of the LE SORN Mobile Radio Project and the sub-grant period is from 10/1/2018 through 8/31/2019. Carrie Wallace noted that the award does not restrict vendors.

Ginny Dixon, Upshur County Tobacco Prevention Coalition Chairperson, appeared before the Commission and provided a review of data and information concerning the American Cancer Society's "Great American Smokeout", and annual event held on the 3rd Thursday in November. Ms. Dixon reported that the Tobacco Prevention Coalition is sponsoring a "Win A Turkey" drawing with entry locations throughout the county. After the reading of the Great American Smokeout Proclamation, on motion by Troy Brady, seconded by Terry Cutright, Commission approved and authorized the signing of the Proclamation designating November 15, 2018 as "Great American Smokeout" day in Upshur County.

After discussion, on motion by Troy Brady, seconded by Terry Cutright, Commission approved and authorized the President to sign the Promissory Note and Business Loan Modification Agreement between the Upshur County Commission, Buckhannon Upshur Airport Authority and Community Bank. The outstanding principal balance as of October 25, 2018 is one hundred sixty-four thousand nine hundred ten dollars and sixty-six cents (\$164,910.66). The maturity date will be extended from November 14, 2018 to July 14, 2019.

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After discussion, on motion by Terry Cutright, seconded by Troy Brady, Commission approved Shenna Goldizen and Malik Strickland as volunteers for the Lewis - Upshur Animal Control Facility.

Carrie Wallace requested the Commission to table agenda items 5 and 6, "Approval of Upshur County Addressing and Mapping, Building Permit and Floodplain Coordinator Job Description" and "Approval of Addressing and Mapping Assistant Job Description" in order to make additional revisions. After discussion, on motion by Terry Cutright, seconded by Troy Brady, Commission approved the request to table the agenda items to be included on a future meeting agenda.

Sam Nolte reviewed the following "For Your Information" items:

1. Correspondence from Michael Sutphin, Project Manager for the WVDEP, announcing the approval of the Remedial Action Work Plan for the Upshur County Youth Camp Archery Range, dated October 3, 2018.
2. Newsletters and/or Event Notifications:
 - James W. Curry Public Library Calendar of Events for November 2018
3. Agendas and/or Notice of Meetings:
 - James W. Curry Library/Park Advisory Board-October 24, 2018
 - City Council of Buckhannon-November 1, 2018
4. Meeting Minutes:

James W. Curry Library/Park Advisory Board-September 26, 2018

5. Meetings:
 - 11/13/18-5:30 p.m.-Elkins Road PSD
 - 11/06/18-4:00 p.m.-Hodgesville PSD
 - 11/01/18-7:00 p.m.-Banks District VFD
 - 11/01/18-7:00 p.m.-Selbyville VFD
 - 11/12/18-12:00 p.m.-Upshur County Family Resource Network -- CANCELLED
 - 11/12/18-4:30 p.m.-Upshur County Solid Waste Authority
 - 11/05/18-5:30 p.m.-Buckhannon-Upshur Recreational Park Advisory – Special Meeting
 - 11/12/18-5:30 p.m.-Buckhannon-Upshur Recreational Park Advisory Board - CANCELLED
 - 12/10/18-6:00 p.m.-Lewis-Upshur Community Corrections Board-Lewis County
 - 11/13/18-7:30 p.m.-Adrian VFD
 - 11/01/18-6:00 p.m.-Buckhannon-Upshur Board of Health
 - 11/14/18-7:00 a.m.-Upshur County Development Authority – Full Board
 - 11/14/18-12:00 p.m.-Upshur County Senior Center Board
 - 11/08/18-3:00 p.m.-Upshur County Conventions & Visitors Bureau
 - 11/14/18-6:00 p.m.-Upshur County Citizens Corp – CERT
 - 11/14/18-7:30 p.m.-Warren District VFD
 - 11/08/18-10:00 a.m.-Adrian PSD
 - 11/14/18-3:00 p.m.-Tennerton PSD
 - 11/08/18-4:00 p.m.-Upshur County Safe Sites & Structures Enforcement Board
 - 11/08/18-7:30 p.m.-Buckhannon VFD
 - 11/08/18-4:00 p.m.-Buckhannon Upshur Airport Authority
 - 11/15/18-6:30 p.m.-Upshur County Youth Camp Board – WVU Extension Office
 - 11/18/18-6:00 p.m.-Washington District VFD

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- 11/19/18-12:00 p.m.-Buckhannon-Upshur Chamber of Commerce
 - 11/13/18-4:00 p.m.-Upshur County Public Library Board
 - TBD-10:00 a.m.-Wes-Mon-Ty Resource Conservation & Development Council
 - 11/20/18-6:30 p.m.-Upshur County Fire Board, Inc.
 - 11/20/18-5:00 p.m.-UC Enhanced Emergency Telephone Advisory Board
 - 11/14/18-7:00 p.m.-Ellamore VFD
 - 11/21/18-12:00 p.m.-Lewis Upshur LEPC---Lewis location
 - 11/15/18-2:00 p.m.-Upshur County Farmland Protection Board
 - 11/28/18-10:00 a.m.- James W. Curry Advisory Board
 - 11/26/18-6:00 p.m.-Upshur County Fire Fighters Association
 - 11/01/18-6:00 p.m.-Buckhannon River Watershed Association-Board of Directors
 - 01/28/19-12:00 p.m.-Region VII Planning & Development Council
 - 12/24/18-10:00 a.m.-Mountain CAP of WV, Inc. a CDC
6. Appointments Needed or Upcoming:
- Upshur County Enhanced Emergency Telephone Advisory Board – (June 30, 2021 Fire Service Provider Representative)

Tabled Items

1. Discuss property owned by Thomas Moates located in Warren Tax District – Tax Map 6C – Parcel Number 41 (*last extension was approved during April 5th meeting*- After discussion, on motion by Terry Cutright, seconded by Troy Brady, Commission approved to remove this agenda item until a future meeting, after additional information has been provided by the DEP.

Upshur County resident, Frank Becker appeared before the Commission on behalf of the Tennerton Lion's Club and provided data and information concerning diabetes awareness and prevention and Ann Slaughter provided a reading of the Proclamation for Diabetes Awareness Month (November). After discussion, on motion by Troy Brady, seconded by Terry Cutright, Commission approved and authorized the signing of the proclamation.

Lori Ulderich Harvey, Upshur County Family Resource Network Director, appeared before the Commission and provided a presentation of National Adoption Month Proclamation (November). Ms. Ulderich-Harvey provided data and information concerning the epidemic numbers of children currently in foster care situations. After discussion, on motion by Troy Brady, seconded by Terry Cutright, Commission approved and authorized the signing of the proclamation.

The Commission recessed at 10:00 a.m.

The Commission reconvened at 10:30 a.m.

The Commission approved all Vacation Orders.

The Commission approved the following "Settlements" (copies included):

- Reginald Marsh, Jr.—Final Settlement Waiver
- Duane J. Masters—Final Settlement Waiver
- Betty L. Osburn—Final Settlement Waiver
- Emelean B. Quick—Final Settlement Waiver
- Jimmie Ray Sothen II—Final Settlement
- Margaret Jane Sypolt Smith—Final Settlement Waiver

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The Commission approved the following “Correction/Exoneration Orders”: (copies included)

- Owna C. Bowden or Ann B. Mickle or Joshua Bennett-Account #-01305231—Apportionment of Assessment
- James Hoover--Tkt. #200000290S-Exoneration Order
- Sandy Autumn-Tkt. #307462-Exoneration Order
- Linda A. Luther Cronin-Tkt. #19205-Exoneration Order
- Justin M. or Jacklyn Shelley-Tkt. #700000313S-Exoneration Order
- Rexroads Auto Body-Tkt. #310286-Exoneration Order
- Scott A. Wagner of Michelle D. Bosley Waytman (Wyatman)-Tkt. #400000282S-Exoneration Order
- James Hoover--Tkt. #301711-Exoneration Order

The Commission approved the following “Consolidation of Land Tracts”: (copies included)

- Warren District-Map 2 Parcel 18 blended with Map 2 Parcel 27 to make Map 2 Parcel 18 -owners- Barry Wade Miller Jr and Jennifer Marie Lauler
- Union District-Map 9H Parcel 15.2 blended with Map 9H Parcel 15 to make Map 9H Parcel 15 -owners- Briar Ridge Estates

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

With no further business, on motion by Terry Cutright, seconded by Sam Nolte, the Commission meeting adjourned at 12:30 p.m.