

# UPSHUR COUNTY COMMISSION MEETING

## November 8, 2018

The County Commission of Upshur County, West Virginia, held their regular meeting at the Courthouse Annex on Thursday, November 8, 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 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 Troy Brady, seconded by Terry Cutright, the Commission approved the regular meeting minutes of November 1, 2018 as submitted.

Sam Nolte reviewed scheduled appointments and agenda items.

After discussion, on motion by Troy Brady, seconded by Terry Cutright, the Commission approved the resignation and the removal of Dr. Joseph Reed as County Coroner from the contact list of the Office of the Chief Medical Examiner. On October 18, 2018, the Commission appointed Brian Shreves to serve as County Coroner (copy included).

The Commission discussed the recommendation from Rick Harlow, President of the Upshur County Firefighters Association for the appointment of Tom Bennett as board member to serve on the Enhanced Emergency Telephone Advisory Board. Commissioner Brady expressed concerns that interested parties were not given the opportunity to apply for the position. Sam Nolte and Terry Cutright expressed that the appointment should be made by the recommendation of the UC Firefighters Association as the position is for a fire service representative. After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved the appointment of Tom Bennett as Enhanced Emergency Telephone Advisory Board member per recommendation (copy included). (Note: Cutright and Nolte for, Brady against)

At 9:25 a.m., Sam Nolte opened a public hearing for the first reading of suggested revisions to the Upshur County Safe Structures and Sites Ordinance, excluding the municipality of Buckhannon, previously adopted on April 13, 2000. Carrie Wallace provided the reading. County residents appeared and voiced objections to the ordinance stating that people should be allowed to do as they wish with their own property. Sam Nolte pointed out that this is not a new ordinance, but just amendments to the ordinance which was adopted on April 13, 2000 to define reasonable time, procedures clarification and to add language concerning methamphetamine violations. The ordinance was put in place to protect residents, not to hurt them. Carrie Wallace cited WV Code § 7-1-3FF for reference. Copies of the amendments to the Ordinance are on file in the Upshur County Administrative offices and online at [www.upshurcounty.org](http://www.upshurcounty.org). On motion by Terry Cutright seconded by Troy Brady, the Commission approved the first reading of the revisions. The second reading of the Ordinance will take place on November 15, 2018 with the final reading and consideration for adoption on December 6, 2018

At 10:00 a.m. Carrie Wallace opened and reviewed bids for a new radio console system and equipment room radio upgrade for the E911 Communications Center. Doyle Cutright provided an update and review of options for system upgrades. Carrie Wallace reviewed 2 bids. 1.) Staley-BearCom Motorola Option 1 (1 year) in the amount of \$565,328 or Option 2 (5 years) in the amount of \$767,800. The second bid, CRS (Mindshare) was in the amount of \$143,967. Mr. Cutright noted that both systems are brand new with multiple features and new equipment. Carrie Wallace requested that the item be tabled for further review. On motion by Troy Brady, seconded by Terry Cutright, the Commission approved to table the item.

Patty Adams appeared on behalf of the Pancreatic Cancer Action Network and provided a reading of a Proclamation declaring November as "Pancreatic Cancer Awareness Month" in Upshur County,

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WV. After discussion, on motion by Troy Brady, seconded by Terry Cutright, the Commission approved and authorized the signing of the Proclamation.

Upshur County resident, Kevin Nicholson appeared before the Commission on behalf of the Upshur County Youth Soccer Association, Inc. and provided an update regarding UCYS and the use of the Wellness Complex property and outlined future projects which include brush hogging, parking lot development, walking trails and a playground. Long term goals are to correct drainage problems. Mr. Nicholson reported that Atlantic Coast Pipeline has partnered with the UCYS and provided a lot of help in developing the property. Commissioners expressed their appreciation for the development and use of the property.

Sam Nolte reviewed the following “For Your Information” items:

1. Notice to the Board of Education regarding the number of sets of Republican and Democratic workers needed for the January 19, 2019 Special School Levy Election.
2. Correspondence from Emily Laird, Cultural Resources Specialist for Environmental Resources Management, seeking comments on historic properties that may be impacted by the proposed 120-foot, Raw Land-New Monopole Cartier Valve Site. The referenced site is North of the intersection of Adrian-Abbott Gould and 10 Mile Creek, Tallmansville.
3. Correspondence from Ingrid Ferrell, Director of the Executive Secretary Division of the Public Service Commission of WV, enclosing a copy of a Commission Order issued November 1, 2018 in the matter of Rules Governing E-911 Fees, 150 C.S.R. Series 25, to provide further guidance regarding E-911 fee requirements.
4. Correspondence from David W. McCauley, Mayor for the City of Buckhannon, extending a sincere thanks for the prompt kindness and professionalism exhibited by the members of the Elkins Fire Department on Saturday, November 3<sup>rd</sup>.
5. Newsletters and/or Event Notifications:
  - #BuckhannonRecycles campaign: November 1<sup>st</sup> through November 15<sup>th</sup>
  - Literacy Volunteers of Upshur County Book Sale on November 16<sup>th</sup> and 17<sup>th</sup> at the Holy Rosary Catholic Church
6. Agendas and/or Notice of Meetings:
  - Buckhannon River Watershed Association-November 1, 2018
  - Safe Sites and Structures Enforcement Board-November 8, 2018
  - Buckhannon-Upshur Airport Authority-November 8, 2018
  - Upshur County Solid Waste Authority-November 12, 2018
  - Upshur County Public Library-November 13, 2018
7. Meeting Minutes:
  - Buckhannon River Watershed Association-October 10, 2018
8. 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

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- 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
  - 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
9. Appointments Needed or Upcoming:
- Upshur County Enhanced Emergency Telephone Advisory Board – (June 30, 2021 Fire Service Provider Representative)

### Tabled Items

1. Approval of Upshur County Addressing and Mapping, Building Permit and Floodplain Coordinator Job Description
2. Approval of Addressing and Mapping Assistant Job Description

The Commission approved all Vacation Orders.

The Commission approved the following “Settlements” (copies included):

- Myron B. Hymes, Jr.—First Annual Settlement
- Venice Beth Swihart—Final Settlement Waiver

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The Commission further discussed the bid proposals for the new radio console system and equipment room radio upgrade for the E911 Communications Center. Carrie Wallace confirmed that all documentation submitted fulfilled requirements. Doyle Cutright commented that both systems will be acceptable. Commissioner Brady asked, "Will both systems, do what needs to be done?" and Mr. Cutright confirmed that they would. After discussion, on motion by Troy Brady, seconded by Terry Cutright, the Commission approved the low bid from CRS (Mindshare) in the amount of \$143,967 (copy included). Commissioners expressed appreciation to Staley-BearCom and CRS representatives and to Doyle Cutright.

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

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

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### Items for Discussion / Action / Approval:

1. Memorandum from Tabatha R. Perry, Assistant County Administrator, announcing the resignation of Dr. Joseph B. Reed as County Coroner, per his verbal resignation received previously.\*
2. Correspondence from Rick Harlow, President of the Upshur County Firefighters Association, recommending the appointment of Adrian VFD Assistant Chief Tom Bennett to the Enhanced Emergency Telephone Advisory Board, effective immediately. Upon approval, Mr. Bennett's term will expire on June 30, 2021.\*
3. Approve Invoices for Payment, Purchase Card Invoices for Payment, Budget Revisions / Financial Reports or Information, Correction of Erroneous Assessments, Exonerations/Refunds, Grant Updates / Requests for Reimbursements, Final Settlements, Vacation Orders, Consolidation of Land Tracts, Facility Maintenance Concerns or Updates, Road Name Requests, Project Reports / Updates, Request to Attend Meetings, Request for Day(s) Off.

### For Your Information: (Certain Items May Require Discussion, Action and/or Approval by the Commission)

1. Notice to the Board Of Education regarding the number of sets of Republican and Democratic workers needed for the January 19, 2019 Special School Levy Election.
2. Correspondence from Emily Laird, Cultural Resources Specialist for Environmental Resources Management, seeking comments on historic properties that may be impacted by the proposed 120-foot, Raw Land-New Monopole Cartier Valve Site. The referenced site is North of the intersection of Adrian-Abbott Gould and 10 Mile Creek, Tallmansville.
3. Correspondence from Ingrid Ferrell, Director of the Executive Secretary Division of the Public Service Commission of WV, enclosing a copy of a Commission Order issued November 1, 2018 in the matter of Rules Governing E-911 Fees, 150 C.S.R. Series 25, to provide further guidance regarding E-911 fee requirements.
4. Correspondence from David W. McCauley, Mayor for the City of Buckhannon, extending a sincere thanks for the prompt kindness and professionalism exhibited by the members of the Elkins Fire Department on Saturday, November 3rd .

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5. Appointments Needed or Upcoming: • Upshur County Enhanced Emergency Telephone Advisory Board – (June 30, 2021 Fire Service Provider Representative)

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[http://www.upshurcounty.org/agenda\\_and\\_minutes/index.php](http://www.upshurcounty.org/agenda_and_minutes/index.php) Tabled Items (Certain Items May Require Discussion, Action and/or Approval by the Commission) 1. Approval of Upshur County Addressing and Mapping, Building Permit and Floodplain Coordinator Job Description.

2. Approval of Addressing and Mapping Assistant Job Description. Next Regular Meeting of the Upshur County C