

UPSHUR COUNTY COMMISSION MEETING

February 7, 2019

The County Commission of Upshur County, West Virginia, held their regular meeting at the Courthouse Annex on Thursday, February 7, 2019 at 9:00 a.m. Sam Nolte called the meeting to order. Present were Sam Nolte, Commission President; Terry Cutright, Commissioner; Kristie Tenney, Commissioner; Carol Smith, Upshur County Clerk; Carrie Wallace, 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 Kristie Tenney, seconded by Terry Cutright, the Commission approved January 25, 2019 – Canvassing Minutes as submitted. The regular meeting minutes of January 31, 2019 were not available and will be placed on next week’s agenda for approval.

Sam Nolte reviewed scheduled appointments and agenda items.

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved and authorized the President to sign the Small Cities Block Grant #16SCBG0008, Elkins Road PSD Phase III Water System Improvements Project, drawdown request #11 in the amount of \$41,352.40 (copy included).

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved the appointment of the Sheriff of Upshur County as Administrator of the Estate of Patricia Lee Robinson, deceased.

Carol Smith, Upshur County Clerk, provided a review of concerns relating to the objection of the reopening of the Estate of Lois Dorothy Pickens, deceased. Ms. Smith advised that after consulting with legal firm representatives from Kay, Casto and Chaney, they have recommended the postponement of any action concerning the case until after pending matters are settled in court. After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved to postpone discussion concerning the reopening of the Estate until after the pending suit is settled.

After discussion, on motion by Kristie Tenney, seconded by Terry Cutright, the Commission approved the appointment of the Sheriff of Upshur County as the Administrator for the Estate of James Edward Jamison, deceased.

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved the appointment of the Sheriff of Upshur County as the Administrator for the Estate of Linnie Geneva Jamison, deceased.

After discussion, on motion by Kristie Tenney, seconded by Terry Cutright, the Commission approved a request from Casey Gilbert, Buckhannon Volunteer Center Coordinator, for the use of the Courthouse Annex foyer during the week of March 11-15 to serve as a drop off location for donations to support the Feminine Hygiene Drive (copy included). Donations will benefit the Upshur Cooperative Parish House, BUMS, BUHS and Blessing Boxes throughout the City.

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved the reappointment of A.G. Trusler to the Upshur County Building Commission. Mr. Trusler’s new term will expire on November 10, 2023 (copy included).

After discussion, on motion by Kristie Tenney, seconded by Terry Cutright, the Commission approved the reappointment of Michael Quinn to the James Curry Library and Park Advisory Board. Mr. Quinn’s new term will expire on December 31, 2021 (copy included).

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved the resignation of Seth Cutright, Deputy Sheriff, effective February 16, 2019.

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After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved the resignation of Travis Anderson, E-911 telecommunicator, effective February 18, 2019.

Commissioners commended Mr. Cutright and Mr. Anderson for their service and conveyed well wishes for their future endeavors.

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

1. Correspondence from Joseph N. Geiger, Jr., Director of the WV Archives and History, announcing the award of \$10,737 to be used by the Assessor's office to scan and index various documents and for the Circuit Clerk's office to digitize chancery and law case files. Mr. Geiger is also requesting a response with the Commission's intent to pursue the records project.
2. Correspondence from Ora L. Ash, Deputy State Auditor, regarding the levy estimate (budget) 2019-2020, the Assessor's Valuation Fund approved percentages and a budget sequence of events.
3. NACo Prescription Drug Discount Card Program breakdown from 2015 to December 2018
4. Statewide Transportation Improvement Program (STIP) FFY 2016-2021 Program Amendment #23 dated January 15, 2019.
5. Upshur County Building Permits for the month of January 2019
6. Public Notices:
 - a. Newsletters and/or Event Notifications
 - b. Agendas and/or Notice of Meetings:
 - Elkins Road PSD-February 5, 2019
 - City Council of Buckhannon-February 7, 2019
 - Upshur County Solid Waste Authority-February 11, 2019
 - c. Meeting Minutes:
 - d. Meetings
 - 02/05/19-4:00 p.m.-Hodgesville PSD
 - 02/05/19-5:30 p.m.-Elkins Road PSD
 - 02/05/19-7:30 p.m.-Adrian VFD
 - 02/07/19-7:00 p.m.-Banks District VFD
 - 02/07/19-7:00 p.m.-Selbyville VFD
 - 02/11/19-12:00 p.m.-Upshur County Family Resource Network
 - 02/11/19-4:30 p.m.-Upshur County Solid Waste Authority
 - 02/11/19-5:30 p.m.-Buckhannon-Upshur Recreational Park Advisory Board
 - 02/13/19-12:00 p.m.-Upshur County Senior Center Board
 - 02/13/19-3:00 p.m.-Tennerton PSD
 - 02/13/19-6:00 p.m.-Buckhannon River Watershed Association-WWWC
 - 02/13/19-7:00 p.m.-Ellamore VFD
 - 02/13/19-7:30 p.m.-Warren District VFD
 - 02/14/19-10:00 a.m.-Adrian PSD
 - 02/14/19-3:00 p.m.-Upshur County Conventions & Visitors Bureau
 - 02/14/19-4:00 p.m.-Buckhannon Upshur Airport Authority
 - 02/14/19-4:00 p.m.-Upshur County Safe Sites & Structures Enforcement Board

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- 02/14/19-7:30 p.m.-Buckhannon VFD
- 02/17/19-6:00 p.m.-Washington District VFD
- 02/18/19-12:00 p.m.-Buckhannon-Upshur Chamber of Commerce
- 02/19/19-10:00 a.m.-Wes-Mon-Ty Resource Conservation & Development Council Tygart Valley Conserv. District Office in Philippi
- 02/19/19-6:30 p.m.-Upshur County Fire Board, Inc.
- 02/20/19-7:00 a.m.-Upshur County Development Authority--Executive Board
- 02/20/19-12:00 p.m.-Lewis Upshur LEPC--Lewis location
- 02/20/19-6:00 p.m.-Upshur County Citizens Corp--CERT
- 02/21/19-4:00 p.m.-Upshur County Public Library Board
- 02/21/19-2:00 p.m.-Upshur County Farmland Protection Board
- 02/21/19-6:30 p.m. -Upshur County Youth Camp Board--WVU Extension Office
- 02/25/19-10:00 a.m.-Mountain CAP of WV, Inc. a CDC
- 02/25/19-6:00 p.m.-Upshur County Fire Fighters Association
- 02/26/19-12:00 p.m.-UC Enhanced Emergency Telephone Advisory Board
- 03/04/19-6:00 p.m.-Lewis-Upshur Community Corrections Board-Lewis County
- 03/15/19-11:00 a.m.-Region VI Local Elected Officials-Lewis County
- 03/27/19-10:00 a.m.-James W. Curry Advisory Board
- TBD-6:00 p.m.-Buckhannon-Upshur Board of Health

7. Appointments Needed or Upcoming:

- Upshur County Enhanced Emergency Telephone Advisory Board (unexpired term - June 30, 2020) -- Community Member
- Buckhannon-Upshur Parks and Recreation Advisory Board (unexpired term - June 30, 2019) - City Appointee

8. Board of Review & Equalization Meeting Schedule

- 02/01/2019 1:00 p.m. - 3:00 p.m. No appointments ---Review Property Books
- 02/07/2019 1:00 p.m. - 3:00 p.m.
- 02/08/2019 1:00 p.m. - 3:00 p.m.
- 02/14/2019 9:00 a.m. - 11:00 a.m.* 9:30 a.m. - 3:00 p.m. Coal, Oil & Gas and Industrial Appointments
- 02/15/2019 9:00 a.m. - 11:00 a.m. Adjournment

Tabled Items

1. Approval and signature of correspondence to Hodgesville PSD and Tennerton PSD requesting a copy of their adopted budget and audit as required by WV Code §16-13A-10 and §16-13A-11 respectively-- After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved and authorized the President to sign a letter of request for more information.

At 9:15 a.m., Carrie Wallace opened and reviewed bids for the Upshur County Department of Homeland Security and Emergency Management LE SORN Mobile Radio Project. Two Bidders submitted options for consideration. Discount Communications and Electronics submitted the following bids: a. (Kenwood system) \$70,280; b. (Harris system) \$96,384. Lauttamus Communications &

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Security submitted a bid in the amount of \$91,884 for a Kenwood system with a monthly maintenance contract available for \$553 per month. Carrie Wallace requested to take some time to review the bids for compliance.

The Commission recessed at 9:22 a.m.

The Commission reconvened at 9:43 a.m.

After discussion, Brian Shreves, Homeland Security and Emergency Management Director, recommended the Harris system bid by Discount Communications and Electronics and advised that the system is more user friendly as it is a true dual band system.

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved the Discount Communications and Electronics bid and awarded the contract for the Harris system in the amount of \$96,384 and the additional \$2,094 (copies included) for recommended upgrade options. Carrie Wallace advised that grant funds will be used for the purchase.

Rob Hinton, Director of the Upshur County Development Authority appeared before the Commission and provided a review of his request for the allocation of funds from the Coal Reallocation Fund for use towards the Booster Station project at the Upshur County Industrial Park. Mr. Hinton is requesting assistance for a cash match for grant funding in the amount of \$90,000. Sam Nolte advised that the fund is to be used for infrastructure and economic development projects and recommended to fund the cash match amount. After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved the request for the cash match donation in the amount of \$90,000. Mr. Hinton advised that the project will create about 30 new jobs for the community.

The Commission approved all invoices for payment (copies included).

The Commission approved all Vacation Orders.

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

- Patricia Ruth Carder—Final Settlement Waiver
- Alice Garnetta Gooden—Final Settlement
- Winifred J. Hoover—Final Settlement Waiver
- Nancy Jane Loudin—Final Settlement Waiver
- David Allen McCauley—Final Settlement Waiver
- Anna Lee Posey—Final Settlement
- Deloris I. Smith—Final Settlement Waiver

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

- Doyle R. Cutright II—February 1, 2019, March 1, 2019, April 23, 2019, May 3, 2019, June 7, 2019, July 7, 2019, August 2, 2019, September 6, 2019, October 4, 2019, November 1, 2019 and December 10, 2019

The Commission approved the following "Correction/Exoneration/Refund Orders": (copies included)

- Tamara Fowler —Tkt. # 11592—Correction \$193.68
- Ernest Hamilton—Tkt. #11726—Exoneration \$193.68
- James or Cindy Long—Tkt. #306794—Exoneration \$68.82
- Ronald L. Bender or Barbara Jenkins—Tkt. #600000264S—Exoneration \$121.86
- Andrea Carrier—Tkt. #11186—Exoneration \$193.68

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

- Union District -Map 5 Parcel 25 blended with Map 5 Parcel 24.1 to make Map 5 Parcel 25 -owners- Richard C. Curry

Sheriff David Coffman and Chief Tax Deputy Heather Sparks appeared before the Commission to request an exception to the appointment procedures in the Employee Handbook of Personnel Guidelines. The Sheriff requested to move forward with the required civil service advertisement for the vacant Deputy Sheriff position created by the resignation of Seth Cutright. After discussion, on motion by Kristie Tenney, seconded by Terry Cutright, the Commission approved the request.

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

The Commission recessed at 11:45 a.m.

The Commission reconvened at 1:00 p.m. at the Administrative Offices at 91 West Main Street as the Board of Review and Equalization to review property books. The Board of Review and Equalization recessed at 3:00 p.m.

With no further business, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission meeting adjourned at 3:00 p.m.