

# UPSHUR COUNTY COMMISSION MEETING

## May 17, 2018

The County Commission of Upshur County, West Virginia, held their regular meeting at the Courthouse Annex on Thursday, May 17, 2018 at 9:00 a.m. Sam Nolte called the meeting to order. Present were Sam Nolte, Commissioner; Troy A. Brady, Commissioner; Terry Cutright, Commissioner; Carol Smith, Upshur County Clerk; Carrie Wallace, Upshur County Administrator; Tabatha Perry, Assistant County Administrator; Jacqueline Dinklocker, Secretary; 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.

After discussion, on motion by Troy A. Brady seconded by Terry Cutright, the Commission approved the regular meeting minutes of May 3, 2018 and May 10, 2018 as submitted and the 2018 Primary Election Canvassing Minutes with typographical corrections.

After discussion, on motion by Troy A. Brady seconded by Terry Cutright, the Commission approved the appointment of the Sheriff of Upshur County as the Administrator of the Estate of Garry D. Adams, deceased.

After discussion, on motion by Terry Cutright seconded by Troy A. Brady, the Commission approved and authorized the President to sign a DEP Voluntary Remediation Program Application for the Upshur County Youth Camp Archery Range Project (copy included).

Carrie Wallace provided a review of the WV Counties Risk Pool proposal dated May 3, 2018, for the renewal of coverage for FY19. Ms. Wallace advised that an increase in the cost of the policy in the amount of \$1,000 was due to additional coverage for voting machines, the CAD system and wheelchair lift. After discussion, on motion by Troy A. Brady seconded by Terry Cutright the Commission approved and authorized the President to sign the WV Counties Risk Pool 2018-2019 Acceptance to Renew Coverage at a total annual contribution of \$181,309 (copy included). The Commission rejected the inclusion of the Selbyville Bridge into the policy at an additional cost of \$800.

After discussion, on motion by Troy A. Brady seconded by Terry Cutright, the Commission approved and authorized the signature of correspondence to Captain Benson, WV DNR Wildlife Resources representative, requesting DNR Officer(s) to visit properties owned by Thomas Moates and Todd Spencer Walter Gould and submit a report to the Commission prior to June 7, 2018 per previous conversation with Tabatha Perry (copy included).

After discussion, on motion by Terry Cutright seconded by Troy A. Brady, the Commission approved the appointment of Chris Cook to the Upshur County Safe Structures and Sites Enforcement Board (copy included). Mr. Cook's appointment will be effective immediately to fill an unexpired vacancy and will terminate on June 30, 2020.

After discussion, on motion by Terry Cutright seconded by Troy A. Brady, the Commission approved to waive fees for the rental of the large pavilion and pool entry fees for participants and registered staff of the 4-H Cloverbud Day Camp during the week of June 25<sup>th</sup> through 29<sup>th</sup> as requested by Craig D. Presar, WVU Extension Service Agent (copy included). Mr. Presar anticipates the event to be attended by approximately 25 area youth.

After discussion, on motion by Terry Cutright seconded by Troy A. Brady, the Commission approved the advertisement for the "Memorial Day Bash at the Pool". The Upshur County Recreational Park Pool will be open on Memorial Day from 1 p.m. to 5 p.m. free of charge.

After discussion, on motion by Troy A. Brady seconded by Terry Cutright, the Commission approved the resignation of Taylor Powell as Buckhannon-Upshur Recreational Facility lifeguard effective immediately and approved the seasonal employment of Cade Garrett as lifeguard effective May 20, 2018, at the rate of \$9.35 an hour.

On motion by Sam Nolte, seconded by Terry Cutright, the Commission entered executive session per WV Code § 6-9A-4 at 9:15 a.m. to discuss a request from Craig Presar concerning job title, responsibilities and pay rate changes for Stacie Wentz, 4-H Assistant(copy included). Present were

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Sam Nolte, Troy A. Brady, Terry Cutright, Carrie Wallace and Tabatha Perry. On motion by Sam Nolte, seconded by Troy A. Brady, the Commission returned to open session at 9:21 a.m. No decisions were made in executive session.

After discussion, on motion by Terry Cutright seconded by Troy A. Brady, the Commission approved the change of job title for Stacie Wentz, from 4-H Assistant to Extension Program Assistant and a salary increase of 50 cents per hour effective immediately, per request from Craig Presar.

Chief James "JB" Kimble appeared before the Commission to discuss the Heart Safe Program and requested for an AED to be placed outside (on Courthouse property) for public access when an emergency arises. Chief Kimble provided data and information to demonstrate the lifesaving statistics in favor of having an AED unit readily available. Chief Kimble requested for one of the two AED's located inside the Upshur County Courthouse/Annex to become available for (outside) public access. Chief Kimble advised that the AED unit will be in a "lock box" which will be registered with the state and the Communications Center keeping the access code. The Fire Department will perform monthly checks on the equipment and provide training for using the equipment. Terry B. Cutright advised that the current units should remain inside the courthouse and made a motion to purchase a 3<sup>rd</sup> AED unit to be housed within a lock box for the outside of the courthouse. After discussion, on motion by Terry Cutright seconded by Troy A. Brady, the Commission approved the of purchase an AED unit and box at an approximate cost of \$1,300.00. Chief Kimble advised that if he places one bulk order, he may be able to obtain additional savings.

Donnie Tenney, Tygart Valley Conservation District representative, appeared before the Commission and provided a review of his request to plant wildflower seeds on County owned FEMA properties. Mr. Tenney provided information and data in favor of wildflower gardens to increase sources for pollination. After discussion, on motion by Troy A. Brady seconded by Terry Cutright, the Commission approved \$150.00 for the purchase of the wildflower seeds for Donnie Tenney to plant on County owned FEMA properties. Mr. Tenney volunteered to donate his time and equipment to maintain the site, sew grass seed on the location if the pollinator garden isn't successful and encouraged more public involvement.

Jeffery W. Harvey, Owner and Preparedness Division Manager of JH Consulting LLC appeared before the Commission and provided a review of his proposal for professional services for the Court Security Plan Project (copy included). Mr. Harvey explained his advisory role in the project would cover several different aspects such as mediator, researcher, administrator and documenter. Mr. Harvey stated he would be able to attend Commission Meetings to provide follow up and updates on the Court Security Plan Project. Sam Nolte advised that the Commission will take Mr. Harvey's proposal under advisement.

The Commission recessed at 9:56 a.m.

The Commission reconvened at 10:13 a.m.

Mike Cozad, Community Liaison for the Atlantic Coast Pipeline appeared before the Commission and provided a timeline, project updates, and expectations. Mr. Cozad stated he has had communications with the Department of Highways regarding the impact the heavy equipment is having on Brushy Fork and will keep up with the damage and conditions of the roadway. Commissioner Troy Brady thanked Mr. Cozad for his feedback and the work he is doing on the project.

After discussion, on motion by Troy A. Brady seconded by Terry Cutright, the Commission approved the 2018 County and Municipal Primary Election Certifications provided by Carol Smith, Upshur County Clerk. Ms. Smith stated the local county and municipal certifications were complete; however, they are waiting on the National and State results to be completed sometime next week and will be placed on a future agenda for approval.

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After discussion, on motion by Troy A. Brady seconded by Terry Cutright, the Commission approved the resignation of James Lough, Case Aide for the Community Corrections & Day Report Center, effective May 23, 2018.

After discussion, on motion by Troy A. Brady seconded by Terry Cutright, the Commission accepted the proposal submitted by JH Consulting LLC for professional services for the Court Security Plan Project. The fees for this service are not to exceed \$4,010.

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

1. Updated Contract Administration Notes for Millsite Run South '16 TS – Curry Park – Submitted by Nate Kennedy, Forester
2. Letter from Maureen Lewis, Administrative Law, with the Secretary of State, State of West Virginia, requesting the filing of a list of all Public Service Districts (PSD's) and their current board members along with the board member's term of office by July 1, 2018.
3. Newsletters and/or Event Notifications:
  - Town Hall Meeting sponsored by SYCC Board of Directors – July 23<sup>rd</sup> at 7 p.m. in the Stockert Youth & Community Center Gym
4. Agendas and/or Notice of Meetings:
  - Court Security Meeting-May 10, 2018
  - Buckhannon-Upshur Airport Authority-May 10, 2018
  - Upshur County Family Resource Network-May 14, 2018
  - Upshur County Solid Waste Authority-May 14, 2018
  - City Council of Buckhannon- May 15, 2018
  - Upshur County Fire Board, Inc.-May 15, 2018
  - Upshur County Farmland Protection Board- May 17, 2018
  - Buckhannon-Upshur Chamber of Commerce-May 21, 2018
5. Meeting Minutes:
  - Upshur County Family Resource Network-March 12, 2018
  - Upshur County Public Library Board of Trustees-March 20, 2018
  - Elkins Road PSD-April 3, 2018
  - Buckhannon-Upshur Parks and Recreation Advisory Board-April 9, 2018
  - Upshur County Solid Waste Authority-April 9, 2018
  - Upshur County Family Resource Network-April 9, 2018
  - Upshur Citizen Corp Council-April 11, 2018
  - Adrian PSD-April 19, 2018
6. Meetings:
  - 05/01/18-5:30 p.m.-Elkins Road PSD
  - 05/01/18-4:00 p.m.-Hodgesville PSD
  - 05/03/18-7:00 p.m.-Banks District VFD
  - 05/03/18-7:00 p.m.-Selbyville VFD
  - 05/07/18-6:00 p.m.-Lewis-Upshur Community Corrections Board-Lewis County
  - 05/08/18-7:30 p.m.-Adrian VFD
  - 05/09/18-12:00 p.m.-Upshur County Senior Center Board
  - 05/09/18-3:00 p.m.-Tennerton PSD
  - 05/09/18-4:00 p.m.-Upshur County Public Library Board -- Special Meeting
  - 05/09/18-7:00 p.m.-Ellamore VFD
  - 05/09/18-7:00 p.m.-Buckhannon River Watershed Association -Board of Directors

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- 05/09/18-7:30 p.m.-Warren District VFD
- 05/10/18-10:00 a.m.-Adrian PSD
- 05/10/18-3:00 p.m.-Upshur County Conventions & Visitors Bureau
- 05/10/18-4:00 p.m.-Upshur County Safe Sites & Structures Ordinance Board
- 05/10/18-4:00 p.m.-Buckhannon Upshur Airport Authority
- 05/10/18-7:30 p.m.-Buckhannon VFD
- 05/14/18-12:00 p.m.-Upshur County Family Resource Network
- 05/14/18-4:30 p.m.-Upshur County Solid Waste Authority
- 05/14/18-5:30 p.m.-Buckhannon-Upshur Recreational Park Advisory Board
- 05/15/18-5:00 p.m.-UC Enhanced Emergency Telephone Advisory Board
- 05/15/18-6:30 p.m.-Upshur County Fire Board, Inc.
- 05/16/18-12:00 p.m.-Lewis Upshur LEPC --- Lewis location
- 05/16/18-6:30 p.m.-Upshur County Youth Camp Board-Selbyville-Special Meeting
- 05/16/18-7:00 a.m.-Upshur County Development Authority – Full Board
- 05/17/18-2:00 p.m.-Upshur County Farmland Protection Board
- 05/17/18-6:30 p.m.-Upshur County Youth Camp Board – Selbyville – CANCELLED
- 05/20/18-6:00 p.m.-Washington District VFD
- 05/21/18-12:00 p.m.-Buckhannon-Upshur Chamber of Commerce
- 05/22/18-10:00 a.m.-Wes-Mon-Ty Resource Conservation & Development Council
- 05/23/18-10:00 a.m.-James W. Curry Advisory Board
- 06/13/18-6:00 p.m.-Upshur County Citizens Corp – CERT
- 05/28/18-6:00 p.m.-Upshur County Fire Fighters Association
- 07/12/18-6:00 p.m.-Buckhannon-Upshur Board of Health

### 7. Appointments Needed or Upcoming:

- Upshur County Safe Structures and Sites Enforcement Board (unexpired term-June 30, 2018) – Community Member

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

The Commission approved all Vacation Orders.

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

- Gilbert Wesley Knight—First and Final Settlement Waiver
- Pamala Ann Prell—Final Settlement Waiver

The Commission approved the following “Request to Attend Meeting” (copies included):

- Brian Shreves—July 10, 2018

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

- Jeffrey C. Hinkle—#4269—\$180.96
- Tracy D. Robinson—#4270—\$176.80

The Commission recessed at 12:00 p.m.

The Commission reconvened at 1:15 p.m.

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 3:45 p.m.