

UPSHUR COUNTY COMMISSION MEETING

July 14, 2022

The County Commission of Upshur County, West Virginia, held their regular meeting on Thursday, July 14, 2022 at 9:00 a.m. Kristie Tenney called the meeting to order. Present were: Kristie G. Tenney, Commission President; Terry B. Cutright, Commissioner; Samuel R. Nolte, Commissioner; Carol J. Smith, County Clerk; Tabatha R. Perry, County Administrator; Cindy M. Hughes, Assistant County Administrator and Lois A. Marsh, 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 Sam Nolte, seconded by Terry Cutright, the Commission approved the meeting minutes of June 30, 2022, as submitted.

Kristie Tenney reviewed scheduled appointments and agenda items.

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved the Memorandum of Understanding by and between the Upshur County Department of Homeland Security and Emergency Management (UCDHSEM) and the City of Buckhannon pertaining to the Emergency Communication assets currently owned and operated by UCDHSEM, located at the Tallmansville Tower Site, and licensed by the City of Buckhannon. The intention of this memorandum of understanding is to clarify the roles and responsibilities as to the operations and management of these communication assets. Tabatha Perry reported that our legal counsel has reviewed this memorandum and has suggested no changes. The City of Buckhannon has also read and approved. (copy included)

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved the "Request for Proposals" for the Upshur County Former Jail Facility Project: porch rehabilitation project. All sealed bids must be received no later than 4:00 p.m. on Wednesday, August 17, 2022. Sealed bids will be opened, reviewed and read aloud by the Upshur County Commission at 9:15 a.m. on Thursday, August 18, 2022. (copy included)

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved and authorized the Commission President to sign correspondence to Melissa Garretson Smith, WV Courthouse Facilities Improvement Authority Executive Director, requesting to extend the deadline for the completion of the former jail facility porch rehabilitation project to December 31, 2022. (copy included)

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved the request from Donnie Tenney to extend the Land Use Agreement on the FEMA property located off of Norvell Drive on parcel number 7-3-14. (copy included)

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved and authorized Kristie G. Tenney, Commission President, to execute any and all documents necessary for the Promissory Note and Business Loan Modification Agreement between the Upshur County Commission, Buckhannon-Upshur Airport Authority and Citizens Bank. The outstanding principal balance as of July 14, 2022 is \$34,081.24. The maturity date will be extended from July 14, 2022 to July 14, 2023. (copy included)

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved the sale of the 2022 Toyota Camry owned by the Upshur County Commission to the Buckhannon-Upshur Airport Authority for the sum of \$1.00 per WV Code §7-3-3 (b).

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved Breann Stanton, Megan L. Posey, Tracy DeBarr and Tori Perkins as Lewis-Upshur Animal Control Facility Volunteers.

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved the request from Rachel Weber for appointment to the Buckhannon-Upshur Parks & Recreation Advisory Board as County Representative. Ms. Weber previously served on the board as the Board of Education Representative and will be filling J.J. Ford's seat as he will be unable to continue serving. Ms. Weber's new term will be July 1, 2022 to June 30, 2024. Kristie Tenney reported that newly elected Board of Education member, Roy Wager, would be filling the position as the Board of Education Representative. (copy included)

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved the request from Sue McKisic for reappointment to the Upshur County Enhanced Emergency Telephone Advisory Board. Ms. McKisic's term will be July 1, 2022 to June 30, 2025. (copy included)

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved the request from Shelia M. Adams, Administrative Assistant, for reappointment of James B. Kimble to the Upshur County Safe Structures and Sites Ordinance Enforcement Agency/Board as the Fire Chief representative. Mr. Kimble's term will be July 1, 2022 to June 30, 2024. (copy included)

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After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved the request from Shelia M. Adams, Administrative Assistant, for reappointment of Stephen C. Wykoff to the Upshur County Enhanced Emergency Telephone Advisory Board as the OEM representative. Mr. Wykoff's term will be July 1, 2022 to June 30, 2025. (copy included)

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved the request from Shelia M. Adams, Administrative Assistant, for reappointment of Samuel R. Nolte to the Buckhannon-Upshur Airport Authority Board as the county representative. Mr. Nolte's term will be July 1, 2022 to June 30, 2025. (copy included)

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved the request from Mitchell Shaw of Upshur County Recreation to use the Upshur County Recreational Park Basketball Court from June 27 – July 27, 2022 from 6:00 p.m. to 10:00 p.m. for the purpose of basketball games. A Certificate of Liability Insurance has been provided. Tabatha Perry stated that Jeremiah McCourt had approved this request. (copy included)

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved the resignation of employee.

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Kristie Tenney reviewed the following "For Your Information" items: (copy included)

1. Correspondence from Wolf Run Mining, LLC, enclosing the legal advertisement for Wolf Run Mining, LLC, Permit No. U-2002-01, in compliance with the surface mining laws of WV.
 2. Advertisement for a part-time Appraisal Data Entry / Deputy Assessor position in the Upshur County Assessor's Office. The employee will work no more than 19.5 hours per week and be paid solely from the Revaluation Fund. Applications are due by 4:00 p.m. on July 22, 2022.
 3. Upshur County Mileage Reports – May, 2022
 - Addressing and Mapping
 - Community Corrections
 - Dog Pound
 - Emergency Management
 - Maintenance
 - Sheriff
 - Upshur 911
 4. Public Notices:
 - a) Newsletters and/or Event Notifications:
 - James W. Curry Library July 2022 Events Calendar – July, 2022
 - b) Agendas and/or Notice of Meetings:
 - City Council of Buckhannon July 7, 2022
 - Buckhannon-Upshur Airport Authority July 11, 2022
- Meeting Minutes:
- Adrian PSD June 1, 2022
 - Adrian PSD – *Special Board Meeting* June 13, 2022
- c) Meetings:
 - 07/07/22-3:00 p.m.-Adrian PSD
 - 07/07/22-7:00 p.m.-Banks District VFD
 - 07/07/22-7:00 p.m.-City Council of Buckhannon
 - 07/07/22-7:00 p.m.-Selbyville VFD
 - 07/10/22-6:00 p.m.-Washington District VFD
 - 07/11/22-12:00 p.m.-Upshur County Family Resource Network
 - 07/11/22-4:00 p.m.-Buckhannon-Upshur Airport Authority
 - 07/11/22-4:30 p.m.-Upshur County Solid Waste Authority
 - 07/11/22-5:30 p.m.-Buckhannon-Upshur Recreational Park Advisory Board
 - 07/11/22-6:00 p.m.-Lewis-Upshur Community Corrections Board-Upshur Co-*Cancelled*
 - 07/12/22-7:00 a.m.-Upshur County Development Authority – Full Board
 - 07/12/22-12:00 p.m.-Upshur County Senior Center Board
 - 07/12/22-4:00 p.m.-Hodgesville PSD
 - 07/12/22-5:00 p.m.-Elkins Road PSD
 - 07/12/22-7:00 p.m.-Warren District VFD

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- 07/12/22-7:30 p.m.-Adrian VFD
- 07/13/22-12:00 p.m.-Buckhannon-Upshur Chamber of Commerce
- 07/13/22-3:00 p.m.-Upshur County Convention and Visitors Bureau
- 07/13/22-3:00 p.m.-Tennerton PSD
- 07/13/22-6:00 p.m.-Buckhannon River Watershed Association
- 07/13/22-7:00 p.m.-Ellamore VFD
- 07/14/22-3:00 p.m.-Upshur County Safe Structures and Sites Enforcement Board
- 07/14/22-6:00 p.m.-Upshur-Buckhannon Board of Health
- 07/14/22-7:30 p.m.-Buckhannon VFD
- 07/15/22-10:00 a.m.-Wes-Mon-Ty Resource Conservation & Development Council
- 07-19-22-6:30 p.m.-Upshur County Fire Board, Inc.
- 07/20/22-12:00 p.m.-Lewis-Upshur LEPC – Upshur County
- 07/20/22-4:00 p.m.-Upshur County Public Library Board
- 07/21/22-6:30 p.m.-Upshur County Youth Camp Board
- 07/21/22-7:00 p.m.-Upshur County Farmland Protection Board
- 07/26/22-3:00 p.m.-UC Enhanced Emergency Telephone Advisory Board
- 07/27/22-7:00 p.m.-Upshur County Fire Fighters Association

5. Appointments Needed or Upcoming: (none)

****If you are interested in serving on an Upshur County Board, please submit your letter of interest to the Commission Office at 91 W. Main Street, Suite 101, Buckhannon, WV 26201 or trperry@upshurcounty.org. Upcoming term expirations are listed in this section of the agenda; however, letters of interest can be submitted at any time. Letters of interest for boards that do not currently have a vacancy will be held until a vacancy occurs. Please note that submitting a letter of interest does not guarantee appointment.****

Tabled Items:

1. Correspondence from the Upshur County Fire Fighters Association requesting a Commission appointment to the newly created committee to address multiple critical issues the local fire departments are facing and assist in determining viable solutions. The committee will consist of two (2) private citizens; two (2) business representatives; and, two (2) elected officials, one (1) being from the Upshur County Commission and one (1) being from the Buckhannon City Council. (tabled 4/21/22). After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved the appointment of Kristie Tenney to the committee representing the Upshur County Commission.
2. Bid award – COPS Grant #15JCOPS-21-GG-03667-SSIX Transportation Surveillance Project. (tabled 6/02/22) Matthew Sisk of the Upshur County Board of Education appeared before the Commission to give an update on this project. The Board of Education invited TSA to review school security and make recommendations for improvements. Carrie Wallace of Region VII stated the grant is for \$107,518 and both Micrologic and AngelTrax were able to offer more in their bids. These came in at \$600 higher than the grant, but the Board of Education will cover this overage. After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved the Upshur County Board of Education agreements with Micrologic and AngelTrax for the Transportation Surveillance Project. (copy included)

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

The Commission approved all Vacation Orders (list included)

The Commission approved the following Settlements: (as listed)

- Ada C. Alderman – Final Settlement Waiver
- Tony Vincent Herndon – Final Settlement Waiver
- Mabel K. McKisic – Final Settlement

The Commission approved the following Certification of Completion of Ancillary Administration of WV Real Estate Without Appointment:

- Mary Lou Jones – Certification of Completion
- William R. Knight – Certification of Completion
- Gail Sue Smith – Certification of Completion
- Ronald Edward Smith – Certification of Completion

The Commission approved the following Corrections, Exonerations and/or Refunds:

- Miller Thomas Anthony - #200000095S - \$700.76 – Exoneration Order

The Commission approved Requests to Attend Meeting: (none)

The Commission approved the following Consolidation of Land Tracts: (none)

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Carol Smith reviewed a request for a budget revision. After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved and authorized the Commission President to sign the budget revision as discussed with a “Request for Revision to Approved Budget” to be sent to the Office of the State Auditor for approval. (copy included)

The Commission received project updates and reviewed Administrative business items.

With no further business, on motion by Terry Cutright, seconded by Sam Nolte, the Commission meeting adjourned at 1:20 p.m.