

UPSHUR COUNTY COMMISSION MEETING

July 26, 2018

The County Commission of Upshur County, West Virginia, held their regular meeting at the Courthouse Annex on Thursday, July 26, 2018 at 9:00 a.m. Sam Nolte called the meeting to order. Present were Sam Nolte, Commissioner; Troy Brady, Commissioner; Terry Cutright, Commissioner; Carol Smith, Upshur County Clerk; Carrie Wallace, County Administrator; Tabatha Perry, Assistant County Administrator; Jacqueline Dinklocker and Prisilla 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 Brady seconded by Terry Cutright, the Commission approved the regular meeting minutes of July 19, 2018 with typographical corrections.

Sam Nolte reviewed scheduled appointments and agenda items.

Dr. Joseph Reed appeared before the Commission and provided information and data concerning the Third Annual Green Bean and Volunteerism Weekend, August 9-11, 2018 (copies included). Green Bean Weekend/Green Bean Stroll is a fundraising event for the purpose of providing the Parish House with nutritious vegetables to help alleviate hunger in Upshur County. The event will take place at the RiverWalk and is an acknowledgement of volunteerism/volunteers to which the success of activities and events is attributed. After discussion, on motion by Troy A. Brady, seconded by Terry Cutright, the Commission approved and authorized the President to sign the "Green Bean Weekend 2018" proclamation.

Upshur County resident, Gary Stickley, appeared before the Commission on behalf of Kiwanis, an international organization which promotes leadership and community service. Mr. Stickley provided data and information and a pamphlet handout and encouraged the establishment and participation in Kiwanis clubs and activities throughout Upshur County.

After discussion, on motion by Troy A. Brady, seconded by Terry Cutright, the Commission approved and authorized the signing of a final Order terminating the use of the Optical Scan Voting System effective July 24th, 2018 (WV Code §3-4A-4) (copy included). The system will be replaced by the Express Vote Universal Voting System which will be utilized in the General Election of 2018.

After discussion, on motion by Terry Cutright seconded by Troy A. Brady, the Commission approved the "Recommendation to Deny a Portion of the Claim of WVU Medicine – United Hospital Center" for the Estate of Donald S. Garvin, Jr., deceased as requested by Daya Masada Wright, Fiduciary Commissioner (copy included).

After review and discussion, on motion by Troy A. Brady, seconded by Terry Cutright, the Commission approved and authorized the signing of the Upshur County Emergency Operations Plan Functional Annex: City of Buckhannon (copy included).

The Commission reviewed correspondence from Gregory B. Harris, Upshur County Safe Structures and Sites Enforcement Board Permit/Ordinance Officer, requesting that the Commission order clean-up of case number 121417-01. This property is in Union Tax District – Tax Map 9E - Parcel Number 22.8 and is owned by Clarence and Dorothy Rowan. Tabatha Perry advised that the Enforcement Board has sent notices requesting property clean-up without response from the property owners and referral to the Commission is the next step in the process. After discussion, on motion by Troy A. Brady, seconded by Terry Cutright, the Commission approved the request and will follow up with correspondence to the property owners.

After discussion, on motion by Troy A. Brady, seconded by Terry Cutright, the Commission approved a request from Craig Presar, WVU Extension Agent, on behalf of the Upshur County

UPSHUR COUNTY COMMISSION MEETING

July 26, 2018

Community Education Outreach Service (CEOS) for the use of the Courthouse Plaza to hold their annual mini fair on Friday, September 7, 2018 from 8:00 am to 3:00 pm. (copy included). A copy of the Certificate of Liability Insurance will be provided to Carrie Wallace, County Administrator, prior to the event.

After discussion, on motion by Terry Cutright seconded by Troy A. Brady, the Commission approved Lisa Critchfield as Lewis-Upshur Animal Control Facility Volunteer.

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

1. Correspondence from Wolf Run Mining LLC enclosing the legal advertisement for Wolf Run Mining LLC, Permit No. U-2016-98, in compliance with the surface mining laws of WV.
2. Upshur County Sheriff's Settlement and Commission – Fiscal Year Ending June 30, 2018
3. Upshur County Sheriff's Financial Statement for Period Ending: June 2018
4. Lewis-Upshur Animal Control Facility Cat Report for the month of June 2018
5. Newsletters and/or Event Notifications:
 - The Opioid Crisis: Victims, Causes, and Solutions – One Day Workshop on August 3rd from 8:30 a.m. to 4 p.m. at the Event Center at Brushy Fork
 - Grants Workshop presented by Congressman Alex Mooney at the Bridge Valley Community & Technical College on August 14th from 10 a.m. to 2 p.m.
 - Information Meeting about the Buckhannon Volunteer Center – 2:30 p.m. on August 15th at the Public Safety Complex
6. Agendas and/or Notice of Meetings:
 - Upshur County Youth Camp Board-July 19, 2018
 - Region VII Planning and Development Council-July 23, 2018
 - Buckhannon-Upshur Airport Authority--July 24, 2018
 - Elkins Road PSD-August 7, 2018
7. Meeting Minutes:
 - Region VII Planning & Development Council-April 30, 2018
 - Upshur County Youth Camp- June 12, 2018
 - Upshur County Safe Structures & Sites Enforcement Board -June 14, 2018
 - Upshur County Public Library Board of Trustees-June 19, 2018
 - Upshur County Fire Board-June 19, 2018
8. Meetings:
 - 07/25/18-10:00 a.m.-James W. Curry Advisory Board
 - 07/30/18 -6:00 p.m.-Upshur County Fire Fighters Association
 - 08/02/18-7:00 p.m.-Banks District VFD
 - 08/02/18-7:00 p.m.-Selbyville VFD
 - 08/07/18-5:30 p.m.-Elkins Road PSD
 - 08/07/18-4:00 p.m.-Hodgesville PSD
 - 08/08/18-12:00 p.m.-Upshur County Senior Center Board
 - 08/08/18-3:00 p.m.-Tennerton PSD
 - 08/08/18-6:00 p.m.-Upshur County Citizens Corp – CERT
 - 08/08/18-7:00 p.m.-Ellamore VFD
 - 08/08/18-7:00 p.m.-Buckhannon River Watershed Association - Board of Directors
 - 08/08/18-7:30 p.m.-Warren District VFD

UPSHUR COUNTY COMMISSION MEETING

July 26, 2018

- 08/09/18-3:00 p.m.-Upshur County Conventions & Visitors Bureau
 - 08/09/18-10:00 a.m.-Adrian PSD
 - 08/09/18-4:00 p.m.-Upshur County Safe Sites & Structures Enforcement Board
 - 08/09/18-4:00 p.m.-Buckhannon Upshur Airport Authority
 - 08/09/18-7:30 p.m.-Buckhannon VFD
 - 08/13/18-12:00 p.m.-Upshur County Family Resource Network
 - 08/13/18-4:30 p.m.-Upshur County Solid Waste Authority
 - 08/13/18-5:30 p.m.-Buckhannon-Upshur Recreational Park Advisory Board
 - 08/13/18-:00 p.m.-Lewis-Upshur Community Corrections Board-Lewis County
 - 08/14/18-7:30 p.m.-Adrian VFD
 - 08/15/18--7:00 a.m.-Upshur County Development Authority – Executive Board
 - 08/15/18-12:00 p.m.-Lewis Upshur LEPC --- Upshur location
 - 08/16/18-2:00 p.m.-Upshur County Farmland Protection Board
 - 08/16/18-6:30 p.m.-Upshur County Youth Camp Board – Selbyville
 - 08/19/18-6:00 p.m.-Washington District VFD
 - 08/20/18-12:00 p.m.-Buckhannon-Upshur Chamber of Commerce
 - 08/21/18-4:00 p.m.-Upshur County Public Library Board
 - 08/21/18-6:30 p.m.-Upshur County Fire Board, Inc.
 - 08/21/18-5:00 p.m.-UC Enhanced Emergency Telephone Advisory Board
 - 08/27/18-10:00 a.m.-Mountain CAP of WV, Inc. a CDC
 - 10/23/18-12:00 p.m.-Region VII Planning & Development Council
 - TBD-6:00 p.m.-Buckhannon-Upshur Board of Health
 - TBD-10:00 a.m.-Wes-Mon-Ty Resource Conservation & Development Council
9. Appointments Needed or Upcoming:
- Upshur County Public Library Board (unexpired term June 30, 2019) – Commission Appointment

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*)—no action, still waiting for DNR report
2. E-911 Center upgrade options at the Emergency Operations Center--on motion by Troy A. Brady, seconded by Terry Cutright, the Commission approved to remove the item until Doyle Cutright has gathered quotes for the different available options and is ready to make a recommendation.

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

The Commission approved all Vacation Orders.

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

- Robert Alan Ball—Final Settlement Waiver
- Floyd Vincent Cutright—Final Settlement Waiver
- Billy Joe Heater—Third Annual Settlement
- Paul Howard Tenney—Final Settlement Waiver
- Sturl Robert Waybright, Jr. —Final Settlement Waiver

UPSHUR COUNTY COMMISSION MEETING

July 26, 2018

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

- Rodney L. & Rebecca C. Hoover—#4325—\$500.68
- Mary Ann Turner-Cutright et al—#4326—\$175.12
- Dana & Linda M. Davidson & Wahneta M. Lattea—#4327—\$171.27
- Chapel Hill United Methodist Church—#4328—\$1,785.70-Clerical Error—tax exempt
- Dale Tinsley Jr.—#4329—\$317.32
- Lona B. Rowan—#4330—Corrective Ticket
- Jeffrey & Sue Owens—#4331—Corrective Ticket
- WV Division of Natural Resc. —#4332—\$5.26
- Allen Ray West Trust—#4333—\$136.18
- James D. or Jodee Wilt—#4334—\$158.66
- Robert A. Goldizen—#4335—\$188.26
- Chelsea Adams—#4336—\$91.40
- Arden Carpenter—#4337—\$2.72
- HYG Financial Services, Inc.—#4338—\$1,559.90
- Buckhannon Family Dental, PLLC—#4339—\$247.18
- Cheryl Bucklew, et al#4340—\$4.16
- Cheryl Robin Bucklew et al—#4341—\$586.59
- Heather M. Smallwood—#4359—\$246.14

Brian Huffman, Chapman Technical Group representative, appeared before the Commission on behalf of the Buckhannon Upshur Airport Authority. Mr. Huffman discussed the Application for Federal Assistance for the funding of the second phase in an overall project to construct a general aviation terminal building. The cost is estimated to be \$713,765. Mr. Huffman advised that the application requires a 5% cash match commitment. On behalf of the Airport Authority, Mr. Huffman requested that the Commission provide monetary assistance to fund the local match requirement of about \$65,000. After discussion, Terry Cutright made a motion for the Commission to fund the \$65,000 shortfall which died due to a lack of second. Commissioner Brady expressed concerns about the construction costs being too high. After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved to provide a donation in the amount of \$45,000 from the Coal Reallocation Account for the funding of the project.

The Commission recessed at 11:45 a.m.

The Commission reconvened at 2:00 p.m. at the Administrative Annex.

Terri Moxley, EBSO and Joe Stanton, Thornburg Insurance Agency representative, appeared before the Commission *via* GoToMeeting to review the FY18 medical insurance plan year. On motion by Troy A. Brady, seconded by Terry Cutright, the Commission entered executive session per *WV Code §6-9A-4(6)* at 2:00 p.m. Present were Sam Nolte, Troy Brady, Terry Cutright, Carol Smith, Carrie Wallace and Tabatha Perry. The Commission returned to open session at 3:15 p.m. No decisions were made in executive session.

UPSHUR COUNTY COMMISSION MEETING
July 26, 2018

With no further business, on motion by Terry Cutright seconded by Troy A. Brady, the Commission meeting adjourned at 3:15 p.m.