

# UPSHUR COUNTY COMMISSION MEETING

## August 16, 2018

The County Commission of Upshur County, West Virginia, held their regular meeting at the Courthouse Annex on Thursday, August 16, 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 and Tabatha Perry, Assistant County Administrator. 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 August 9, 2018 as submitted.

Sam Nolte reviewed scheduled appointments and agenda items.

The Commission reviewed correspondence from Nina Monroe, Adrian Public Service District Manager, requesting approval to proceed with “a project to replace undersized waterlines within its system, as well as booster station upgrades, and further extend water to approximately 166 potential customers,” ... (including the community of Pickens which is geographically unfeasible to be served by any Randolph County entity) ... (copy included). The project is contingent on the approval of a loan application by the USDA Rural Development in the amount of \$4,900,000; a grant in the amount of \$3,700,000 and local grant funding in the amount of \$75,000. After discussion, on motion by Terry Cutright, seconded by Troy Brady, the Commission approved submission of a letter of support for the Adrian Public Service District to proceed with the project as outlined and to be included with the USDA Rural Development and grant applications.

After discussion, on motion by Troy Brady seconded by Terry Cutright, the Commission approved the resignation of Philip L. Petrosky from the Adrian PSD Board effective September 30, 2018 and further approved the appointment of Kelly Arnold to fill the unexpired term effective October 1, 2018 through October 31, 2021 (copy included).

After discussion, on motion by Terry Cutright, seconded by Troy Brady, the Commission approved and authorized the President to sign the Environmental Assessment Determinations and Compliance Findings for HUD assisted Projects 24 CFR Part 58 for the Elkins Road Public Service District Phase III Water Extension (copy included).

After discussion, on motion by Terry Cutright, seconded by Troy Brady, the Commission approved and authorized the President to sign the 2018 Application and Schedule for Excess Loss Insurance with Gerber Life Insurance Company, effective July 1, 2018 through June 30, 2019 (copy included).

After review and discussion, on motion by Terry Cutright, seconded by Troy Brady, the Commission approved and authorized the President to sign the maintenance contract with Software Systems, Inc. which includes program updates, telephone support and time spent performing data conversions and other on-site tasks, depending on the level requested for each system (copy included).

After discussion, on motion by Troy Brady seconded by Terry Cutright, the Commission approved a request from Lori Ulderich Harvey, Upshur County Family Resource Network Director, to place a table in the Upshur County Courthouse Annex foyer during the month of September for the “Baby Safe Sleep Awareness Month” and “Diaper Awareness Week” (copy included).

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After discussion, on motion by Terry Cutright, seconded by Troy Brady, the Commission approved a donation of 10 one-day pool passes for the upcoming 2018 Upshur County Children's Festival (copy included).

The Commission reviewed correspondence from J. Burton Hunter, III regarding a civil complaint concerning the blockage and encroachment of an ingress/egress and 30-foot County right of way which provides access to his client's property. Mr. Hunter is requesting a meeting to develop a plan for maintenance of the road. Commissioner Cutright advised that the Commission budget does not include funds for county road maintenance. Carrie Wallace noted that duplicate correspondence was sent to Ron Hooton, WV DOT District Engineer. After discussion, the Commission requested Carrie Wallace and/or Tabatha Perry to follow up with Mr. Hooton for confirmation/review of the stated complaint.

After discussion, on motion by Troy Brady seconded by Terry Cutright, the Commission approved Carol J. Smith, Upshur County Clerk, to enter into an agreement with the Buckhannon-Upshur High School to accept placement of two paid interns to be utilized in her office during the 2018-2019 school year, commencing August 20, 2018. Ms. Smith advised that there is money in her budget to cover the expense due to the vacancy of Quayla Bennett. Each intern will be paid \$8.75 per hour and their combined hours will not exceed 19.5 hours per week.

Mike Cozad, Community Liaison for the Atlantic Coast Pipeline, provided an update regarding the Atlantic Coast Pipeline timeline and project expectations. Mr. Cozad provided information concerning a Court ordered work stoppage. The stop work order is related to endangered species and permit specifications and issues involving the boring of a mountain in Virginia. Mr. Cozad reported that environmental controls are being maintained, workers are still being paid, local hotels are still full and "no one is leaving". He is hoping for a quick resolution and to have the project back up in running within the next few weeks.

April Pierson Keating, county resident, inquired if a "Stabilization Plan" has been turned in (it has, but not yet been approved and finalized) and commented about gas availability, fracking and water contamination. Ms. Keating provided information concerning the 2<sup>nd</sup> Annual Riverfest, August 25<sup>th</sup> at the Riverwalk Park.

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

1. Correspondence from Brian K. Cooper, PE, WV Division of Highways, District 7 Engineer, inviting the Commission to an informative meeting with District 7 personnel and Central Office Management
2. Correspondence from Nesco, Inc. providing notice of blasting activities in accordance with all State and Federal Laws and as approved by the Department of Environmental Protection commencing August 24, 2018 and continuing through August 25, 2019 from sunrise to sunset.
3. Lewis-Upshur Animal Control Facility Cat Report for the month of July 2018
4. Lewis-Upshur Animal Control Facility Adoption Financial Transactions-July 2018
5. Upshur County E911 Communication Reports-June and July 2018
  - Monthly Call Summary Report
  - Monthly Department Summary Report
  - Monthly and YTD Wrecker Report

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6. Newsletters and/or Event Notifications:
  - USDA to Host Broadband e-Connectivity Pilot Program Planning Workshop- August 21 at 10 a.m. at the WV High Technology Foundation-Robert Mollohan Research Center Auditorium
  - Buckhannon Riverfest – August 25<sup>th</sup> at the Riverwalk Park-8 am to 5 pm for the river activities and 11 am to 6 pm for land activities.
7. Agendas and/or Notice of Meetings:
  - Lewis-Upshur LEPC-August 15, 2018
  - City Council of Buckhannon- August 16, 2018
  - Buckhannon-Upshur Chamber of Commerce-August 20, 2018
  - Upshur County Fire Board, Inc.-August 21, 2018
  - Upshur County Building Commission-Notice of Public Hearing-August 22, 2018
  - City Council of Buckhannon- Special Town Hall Meeting-September 4, 2018
8. Meeting Minutes:
  - Upshur County Family Resource Network-July 9, 2018
  - Upshur Citizen Corp Council-July 11, 2018
  - Adrian PSD-July 12, 2018
  - Buckhannon-Upshur Recreational Park Advisory Board-July 16, 2018
  - Adrian PSD-July 19, 2018
  - Buckhannon-Upshur Recreational Park Advisory Board-July 23, 2018
9. 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
  - 08/08/18-2:00 p.m. -Upshur County Senior Center Board
  - 08/08/18-6:00 p.m.-Upshur County Citizens Corp – CERT
  - 08/08/18-7:30 p.m.-Warren District VFD
  - 08/08/18-3:00 p.m.-Tennerton PSD
  - 08/08/18-7:00 p.m.-Buckhannon River Watershed Association - Board of Directors
  - 08/08/18-7:00 p.m.-Ellamore VFD
  - 08/09/18-10:00 a.m.-Adrian PSD
  - 08/09/18-4:00 p.m.-Upshur County Safe Sites & Structures Enforcement Board
  - 08/09/18-7:30 p.m.-Buckhannon VFD
  - 08/09/18-4:00 p.m.-Buckhannon Upshur Airport Authority
  - 08/09/18-3:00 p.m.-Upshur County Conventions & Visitors Bureau
  - 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
  - 08/13/18-6:00 p.m.-Lewis-Upshur Community Corrections Board-Lewis County
  - 08/14/18-7:30 p.m.-Adrian VFD

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- 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-10:00 a.m.-Wes-Mon-Ty Resource Conservation & Development Council
- TBD-6:00 p.m.-Buckhannon-Upshur Board of Health

### 10. 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 5<sup>th</sup> meeting*)—no action, still waiting for DNR report

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

The Commission approved all Vacation Orders.

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

- Martha Evelyn White Feola—Final Settlement Waiver
- John H. Fidler—Final Settlement
- Lois Nell Fidler—Final Settlement

The Commission approved the following “Correction/Exoneration Orders”: (copies included)

- Clinton Tyler Bennett & Ameka J. Ware-Correction
- Papaw & Gran, LLC-Correction
- Papaw & Gran, LLC-Correction
- Papaw & Gran, LLC-Correction
- Papaw & Gran, LLC-Correction
- Neely Family Revocable Living Trust-Correction
- Linda Detamore-Exoneration
- Cisco Systems Capital Corp. Property Tax Alliance-Exoneration
- Josephine K. & Michael D. Skidmore-Exoneration

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

- Janella L. Cochran—October 10, 2018
- Brian Shreves—March 19-20, 2019; April 16-18, 2019; May 14-16, 2019; June 11-12, 2019; July 16-18, 2019; August 13-14, 2019; and September 17-18, 2019

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

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- Buckhannon District- Map 4J Parcel 52.4 blended with Map 4J Parcel 52.3 to make Map 4J Parcel 52.4 -(owner)-Bryan V. and Amanda D. Snyder
- Meade District—Map 4N Parcel 53.2 blended with Map 4N Parcel 53.1, Map 4N Parcel 54 and Map 4N Parcel 46 to make Map 4N Parcel 52.2- owners, Richard Frank and Linda Diane Carpenter

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

With no further business, on motion by Troy Brady seconded by Terry Cutright, the Commission meeting adjourned at 12:00 p.m.