

UPSHUR COUNTY COMMISSION MEETING

August 23, 2018

The County Commission of Upshur County, West Virginia, held their regular meeting at the Courthouse Annex on Thursday, August 23, 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 August 16, 2018 as submitted.

Sam Nolte reviewed scheduled appointments and agenda items.

The Commission discussed the scheduling of a hearing for the removal of Michael E. Vest as Administrator of the Estate of Ernest Junior Vest, deceased. After discussion, on motion by Terry Cutright, seconded by Troy Brady, the Commission tabled the item until an Order can be drafted for consideration at an upcoming meeting.

Buckhannon Volunteer Center Coordinator, Sarah Campbell appeared before the Commission and provided information and a request for Upshur County residents to support the "Spread the Love Peanut Butter Drive". Ms. Campbell requested the Commission to approve the Courthouse Annex foyer as a drop off location for the collection of peanut butter which will be donated to the Parish House for distribution to low income families. After discussion, on motion by Terry Cutright, seconded by Troy Brady, the Commission approved the request. The drive will run from Monday, September 10th through Saturday, September 15th (copy included).

After discussion, on motion by Terry Cutright, seconded by Troy Brady, the Commission approved and authorized the signing of a letter of support for the Adrian Public Service District's submission for funds through the USDA Rural Utilities Service to make improvements to the existing water distribution system as discussed at the regular meeting of the Upshur County Commission on August 16, 2018 (copy included).

After discussion, on motion by Troy Brady seconded by Terry Cutright, the Commission approved and authorized the President to sign the FY 19 WV Community Corrections Grant Contract Agreement, Resolution, Certifications and Standard and Special Terms and Conditions (copies included). The grant award in the amount of \$190,000 will be used for the continued operation of a community corrections program in Upshur and Lewis Counties.

After discussion, on motion by Troy Brady seconded by Terry Cutright, the Commission approved and authorized the President to sign the FY 19 PRO Grant Application, Agreement and WV DJCS Standard Conditions and Assurances in the amount of \$28,000.00 for the Prevention Resource Officer (PRO) at the Buckhannon-Upshur Middle School (copy included).

After discussion, on motion by Terry Cutright, seconded by Troy Brady, the Commission approved and authorized the signing of the WV Secretary of State HAVA Grant Application, Resolution, required statements and supporting documentation for the purchase/reimbursement of election equipment, physical security systems and network upgrades (copies included).

After discussion, on motion by Troy Brady seconded by Terry Cutright, the Commission approved a donation of ten 1-day pool passes as requested by the Upshur County EMS, Inc. for an upcoming 2018 Safety Expo that is scheduled to take place on October 13th at the Buckhannon-Upshur High School (copy included).

After discussion, on motion by Troy Brady seconded by Terry Cutright, the Commission approved the appointment of Dr. Joel Thierstein, President of WVWC, to the Region VII Planning &

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Development Council, effective immediately. The appointment is for a period of one year (copy included).

Sam Nolte reviewed the following “For Your Information” items:

1. Correspondence from Patrick D. Boyle, Lewis County Commission President, inviting area County Commissions to attend the Lewis County Commission meeting on Monday, August 27, 2018 at 10:20 a.m. The Humane Society will be discussing an upcoming training on identifying animal cruelty.
2. Proclamation by Jim Justice, Governor of the State of WV, declaring that the unexpired term of office for Justice of the WV Supreme Court of Appeals be filled by the voters of WV at an election to be held concurrently with the general election on November 6, 2018.
3. Correspondence from Tabatha R. Perry, Assistant County Administrator, to J. Burton Hunter, III, Esq., in response to his letter dated August 8, 2018 regarding a civil complaint relative to the maintenance of County roadways.
4. Updated Contract Administration Notes for Millsite Run South '16 TS – Curry Park – Submitted by Nate Kennedy, Forester.
5. Upshur County Sheriff’s Financial Statement for Period Ending July 2018
6. Upshur County Animal Control/Humane Officer Monthly Dog Report for the month of July 2018
7. Newsletters and/or Event Notifications:
 - Pressley Ridge Treatment Foster Care Open House from 6-8 pm on August 27th
 - Career and Graduate Fair – September 27th from 10 am to 1 pm at WVWC
 - Upshur County Recreation Complex 5K – 8 a.m. on September 30th at Jawbone Park
 - HBHS 4th Annual Conference – November 2, 2018 – Morgantown
8. Agendas and/or Notice of Meetings:
 - Upshur County Public Library-August 21, 2018
 - Upshur County Building Commission – Special Meeting-August 22, 2018
9. Meeting Minutes:
 - James W. Curry Library/Park -May 23, 2018
 - James W. Curry Library/Park-June 27, 2018
 - Elkins Road PSD-July 9, 2018
 - Upshur County Solid Waste Authority-July 9, 2018
 - Adrian PSD-August 13, 2018
10. Meetings:
 - 08/22/18-10:00 a.m.-James W. Curry Advisory Board
 - 08/27/18-10:00 a.m.-Mountain CAP of WV, Inc. a CDC
 - 08/27/18-6:00 p.m.-Upshur County Fire Fighters Association
 - 09/04/18-5:30 p.m.-Elkins Road PSD
 - 09/04/18-4:00 p.m.-Hodgesville PSD
 - 09/06/18-7:00 p.m.-Banks District VFD
 - 09/06/18-7:00 p.m.-Selbyville VFD
 - 09/10/18-12:00 p.m.-Upshur County Family Resource Network
 - 09/10/18-4:30 p.m.-Upshur County Solid Waste Authority
 - 09/10/18-5:30 p.m.-Buckhannon-Upshur Recreational Park Advisory Board
 - 09/10/18-6:00 p.m.-Lewis-Upshur Community Corrections Board-Upshur County

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- 09/11/18-7:30 p.m.-Adrian VFD
- 09/12/18-12:00 p.m.-Upshur County Senior Center Board
- 09/12/18-3:00 p.m.-Tennerton PSD
- 09/12/18-6:00 p.m.-Upshur County Citizens Corp – CERT
- 09/12/18-7:00 p.m.-Ellamore VFD
- 09/12/18-7:00 p.m.-Buckhannon River Watershed Association-Board of Directors
- 09/12/18-7:30 p.m.-Warren District VFD
- 09/13/18-10:00 a.m.-Adrian PSD
- 09/13/18-3:00 p.m.-Upshur County Conventions & Visitors Bureau
- 09/13/18-4:00 p.m.-Upshur County Safe Sites & Structures Enforcement Board
- 09/13/18-7:30 p.m.-Buckhannon VFD
- 09/13/18-4:00 p.m. -Buckhannon Upshur Airport Authority
- 09/16/18-6:00 p.m.-Washington District VFD
- 09/17/18-12:00 p.m.-Buckhannon-Upshur Chamber of Commerce
- 09/18/18-4:00 p.m.-Upshur County Public Library Board
- 09/18/18-6:30 p.m.-Upshur County Fire Board, Inc.
- 09/18/18-5:00 p.m.-UC Enhanced Emergency Telephone Advisory Board
- 09/19/18-12:00 p.m.-Lewis Upshur LEPC --- Lewis location
- 09/19/18-7:00 a.m.-Upshur County Development Authority – Full Board
- 09/20/18-2:00 p.m.-Upshur County Farmland Protection Board
- 09/20/18-6:30 p.m. -Upshur County Youth Camp Board – Selbyville
- 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

11. 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*)— Tabatha Perry advised that Mr. Moates continues to keep in contact and he reports that he is continuing to make progress. Ms. Perry has spoken with DNR Officer Collins who recommended contact with the DEP to see if they will provide a dumpster. No action was taken at this time. Commissioner Nolte requested Ms. Perry to follow up with the DEP (Department of Environmental Protection)

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

The Commission approved all Vacation Orders.

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

- Dallas Jackson Tacy—First Annual Settlement
- Artie Zane Rice—Final Settlement Waiver
- Vernon Lyle Harris—Final Settlement Waiver

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

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- Larosa, Dominick Revocable Trust -Tkt # 20515-Correction Order
- Larosa, Joseph-Tkt #20562-Correction Order
- Larosa, Joseph-Tkt #20564 -Correction Order
- Larosa, Dominick Revocable Trust-Tkt #24606--Correction Order
- Larosa, Dominick Revocable Trust-Tkt #24609--Correction Order
- Larosa, Dominick Revocable Trust--Tkt #24610- Correction Order
- Larosa, Dominick Revocable Trust--Tkt #24611- Correction Order
- Larosa, Joseph -Tkt #24644-Correction Order
- Larosa, Joseph-Tkt #24645-Correction Order
- Larosa, Joseph -Tkt #24646-Correction Order
- Larosa, Joseph-Tkt #24648 -Correction Order
- Larosa, Joseph -Tkt #24650-Correction Order
- Larosa, Dominick Revocable Trust-Tkt #24607-Exoneration Order
- Larosa, Joseph-Tkt #24607 -Exoneration Order
- Larosa, Dominick Revocable Trust-Tkt #20517 -Exoneration Order
- Layman, Jaime M. (Jamie) -Tkt #300000421S -Exoneration Order
- Smallridge, Shawn-Tkt #200000234S -Exoneration Order

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

- Banks District-Map 1 Parcel 23 blended with Map 1 Parcel 24 and Map 1 Parcel 25 to make Map 1 Parcel 23-owner- Patricia A. Cutright
- Banks District- Map 4P Parcel 23 blended with Map 4P Parcel 24 to make Map 4P Parcel 23 -owner-Susan McKisic
- Buckhannon Corporation District- Map 10 Parcel 171 blended with Map 10 Parcel 172.1 and Map 10 Parcel 172.2 to make Map 10 Parcel 171-owners-Joy G. Loudin and Roger K. Gregory
- Union District—Map 6H Parcel 41 blended with Map 6H Parcel 40.5 to make Map 6H Parcel 41-owners-Lemuel and Wilma L. Hamrick

Carol Smith, Upshur County Clerk, reviewed a request for budget revision. After discussion, on motion by Terry Cutright, seconded by Troy A. Brady, the Commission approved 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 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 11:30 a.m.

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