

# UPSHUR COUNTY COMMISSION MEETING

January 4, 2024

The County Commission of Upshur County, West Virginia, held their regular meeting on Thursday, January 4, 2024 at 9:00 a.m. Kristie Tenney called the meeting to order. Present were: Kristie G. Tenney, Commission President; Samuel R. Nolte Commissioner; Douglas K. Bush, Commissioner; Carol J. Smith, County Clerk; Cindy M. Hughes, Assistant County Administrator and Lois A. Marsh, Secretary. Tabatha R. Perry, County Administrator, was absent.

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 Doug Bush, seconded by Sam Nolte, the Commission approved the meeting minutes of December 21, 2023, as submitted.

Kristie Tenney reviewed scheduled appointments and agenda items.

Kristie Tenney nominated Sam Nolte to serve as the Upshur County Commission President for the 2024 calendar year. Sam Nolte accepted the nomination, which was seconded by Doug Bush and approved. Carol Smith, Upshur County Clerk, administered the Oath of Office to the 2024 Commission President.

After discussion, on motion by Kristie Tenney, seconded by Doug Bush, the Commission approved the Upshur County Commission meetings to be held on Thursdays at 9:00 a.m.

After discussion, on motion by Kristie Tenney, seconded by Doug Bush, the Commission approved the Local Rules for Commission Meetings, as submitted. (copy included)

After discussion, on motion by Doug Bush, seconded by Kristie Tenney, the Commission approved the registration sign-in sheet in accordance with the *WV Code §6-9A-3*, as submitted. (copy included)

After discussion, on motion by Doug Bush, seconded by Kristie Tenney, the Commission approved the agenda format and material.

After discussion, on motion by Doug Bush, seconded by Kristie Tenney, the Commission approved the 2024 hours of operation of the Upshur County Courthouse, Annex and Administrative Annex as Monday through Friday from 8:00 a.m. to 4:00 p.m., with all employees receiving one-half hour paid lunch. (copy included)

After discussion, on motion by Doug Bush, seconded by Kristie Tenney, the Commission approved the 2024 Calendar Year Legal Holiday Schedule and Administrative Closures, as submitted. (copy included)

After discussion, on motion by Kristie Tenney, seconded by Doug Bush, the Commission approved and authorized the Commission President, Sheriff and County Clerk to sign Affidavit(s) of County, Municipal or other Public Official Establishing Facsimile Signature. (copy included)

After discussion, on motion by Doug Bush, seconded by Kristie Tenney, the Commission approved the appointments/reappointments of Commissioners and administrative staff to serve on boards, as submitted.

- Court Security Advisory Board – *Nolte*
- Lewis-Upshur Community Corrections Board – *Bush*
- Upshur County Farmland Protection Board – *Bush*
- Lewis-Upshur Local Emergency Planning Committee – *Nolte*
- Region VI Work Force Investment Board – *Bush*
- Region VII Planning & Development Council – *Tenney*
- Upshur County 4-H Foundation – *Nolte*
- Upshur County Development Authority – *Nolte*
- Upshur County Enhanced Emergency Telephone Board – *Tenney*
- Upshur County Extension Service Committee – *Bush*
- Upshur County Fire Board, Incorporated – *Tenney*
- Upshur County Senior Center Board – *Bush*
- Upshur County Family Resource Network – *Tenney*
- Upshur County Youth Council, Incorporated (SYC) – *Nolte*
- Corridor H Authority – *Nolte*
- Mountain CAP of West Virginia, Incorporated – *Tenney*
- Buckhannon-Upshur Airport Authority – *Nolte*
- Emergency Food and Shelter Program – *Bush*
- Buckhannon-Upshur Parks & Recreation Board – *Tenney* (attends but not a member of the Board)

After discussion, on motion by Kristie Tenney, seconded by Doug Bush, the Commission approved the Upshur County Commission's Mission Statement for purposes of meeting grant requirements set forth by the WV Division of Justice and Community Services. (copy included)

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After discussion, on motion by Doug Bush, seconded by Kristie Tenney, the Commission approved and adopted the 2024 Standard Mileage Rates, effective January 1, 2024. (copy included)

After discussion, on motion by Doug Bush, seconded by Kristie Tenney, the Commission approved the Order Requesting the Appointment of Sheriff J. Michael Coffman as the Administrator of the Estate of Roger Allen Sears. Carol Smith, County Clerk, explained that Mr. Sears had no family to handle the estate. (copy included)

After discussion, on motion by Kristie Tenney, seconded by Doug Bush, the Commission approved and authorized the Commission President to sign a 2023-2024 school year Prevention Resource Officer Agreement by and between the Upshur County Board of Education, Upshur County Commission and Upshur County Sheriff's Office for the placement of a Prevention Resource Officer that will rotate among the seven Elementary Schools in Upshur County. Sheriff Coffman introduced Christy Miller, Upshur County Superintendent of Schools, and Matthew Sisk, Upshur County Director of Safety and Emergency Preparedness. Sheriff Coffman stated that he, Ms. Miller and Mr. Sisk were in agreement on the importance of the Prevention Resource Officer in the elementary schools. (copy included)

After discussion, on motion by Doug Bush, seconded by Kristie Tenney, the Commission approved the purchase of a 2021 Jeep Grand Cherokee Laredo from the 26<sup>th</sup> Judicial Circuit Community Corrections Program for \$12,000 for use in the Upshur County Sheriff's Department. (copy included)

After discussion, on motion by Doug Bush, seconded by Kristie Tenney, the Commission approved the Requests for Bids and Minimum Vehicle Specifications for one Sport Utility Vehicle for the Upshur County Sheriff's Department. Sealed proposals must be received no later than 4:00 p.m. on January 31, 2024 at the Administrative Annex, located at 91 West Main Street, Suite 101. Bids received by the deadline will be publicly opened, reviewed and read aloud by the Commission at 9:15 a.m. on Thursday, February 1, 2024. (copy included)

At 9:15 a.m., Tasha Carrico, representative from Special Olympics, appeared before the Commission to discuss the upcoming Polar Plunge event, which will be held on February 10, 2024. Alisa Lively and Joe Carrico were also in attendance. Ms. Carrico stated that last year's polar plunge raised \$17,000 and they were hoping to raise \$20,000 this year. Ms. Carrico also challenged the Commissioners, County Administrator, Assistant County Administrator, Sheriff, Assessor, County Clerk, Circuit Clerk, Director of 911 Center, Probation Office, and Upshur County Library to participate in the Polar Plunge. (copy included)

Sam Nolte reviewed the following "For Your Information" items: (copy included)

1. Correspondence from John S. Jenkins, CPA and WV First QSF Administrator, outlining local government settlement payment requirements for the distribution of the West Virginia opioid settlement funds, which has now begun.
2. Correspondence from Patrick Morrissey, WV Attorney General, announcing a partnership between the Attorney General's Office and the WV State Auditor's Office relating to county opioid settlement funds.
3. Memorandum from John B. McCuskey, WV State Auditor, outlining guidance and providing a mechanism to transparently track the county opioid settlement funds.
4. Public Notices:
  - a) Newsletters and/or Event Notifications: (none)
  - b) Agendas and/or Notice of Meetings:
    - City Council of Buckhannon January 4, 2024
    - Elkins Road Public Service District Board January 9, 2024
  - c) Meeting Minutes:
    - Upshur County Fire Board Meeting November 14, 2023
  - d) Meetings: ***\*Dates and times of monthly board meetings are viewable at:***  
<http://cms4.revize.com/revize/upshurwv/calendar.php> or go to [www.upshurcounty.org](http://www.upshurcounty.org) and click on the board meetings calendar box on the main page.

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 West Main Street, Suite 101, Buckhannon, WV 26201 or [chughes@upshurcounty.org](mailto:chughes@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 a board that does not currently have a vacancy will be held until a vacancy occurs. Please note that submitting a letter of interest does not guarantee appointment.\*\*\**

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## Tabled Items:

1. *Tabled November 30, 2023* – Consider executing a Memorandum of Understanding for Regional Task Force dedicated to optimizing funds available to political subdivisions from the WV First Foundation, created as a result of the State opioid litigation and settlements. Upon entering this agreement, parties agree to cooperate and provide information and documentation to Ascension Recovery Services (Ascension). Financial contribution by the parties of this MOU for the services provided by “Ascension” is voluntary, not mandatory. *The Commission agreed to continue to table this item.*

At 9:30 a.m., the Commission held the first reading of suggested revisions to the Upshur County Floodplain Ordinance, previously adopted on January 16, 2020. Cindy Hughes, Assistant County Administrator, read the proposed revisions to the Floodplain Ordinance. Terri Jo Bennett, Upshur County Addressing and Mapping, Building Permits and Floodplain Coordinator, gave the Commission a brief explanation of revisions. The second reading of the suggested revisions is scheduled for January 18, 2024 at 9:30 a.m. (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)

- Ima J. Goodwin – Final Settlement Waiver
- Linda L. Phillips – Final Settlement Waiver

The Commission approved the following Certification of Completion of Ancillary Administration of WV Real Estate Without Appointment: (none)

The Commission approved the following Corrections, Exonerations and Refunds:

- Hayward & Cynthia Barton - #231 - -\$236.13 – Exoneration Order
- Hayward & Cynthia Barton - #232 - \$698.36 – Correction Order
- Helmick Cassandra - #300000669 - \$27.21 – Exoneration Order
- Helmick Cassandra - #300000670 - \$27.21 – Exoneration Order
- Lee Wesley or Lee Barbara or Allen - #100000070S - \$625.54 – Refund Order

The Commission approved Requests to Attend Meeting: (none)

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

The Commission approved the following Separation of Land Tracts:

- Corporation District – Separate Map 11 Parcel 68 to make Map 11 Parcel 68 and Map 11 Parcel 68.1 – RJB Equity, LLC

The Commission received project updates and reviewed Administrative business items.

With no further business, on motion by Kristie Tenney, seconded by Doug Bush, the Commission meeting adjourned at 11:43 a.m.