

UPSHUR COUNTY COMMISSION MEETING

January 13, 2022

The County Commission of Upshur County, West Virginia, held their regular meeting on Thursday, January 13, 2022 at 9:00 a.m. Kristie Tenney called the meeting to order. Present were: Terry B. Cutright, Commissioner; Samuel R. Nolte, Commissioner; Kristie G. Tenney, Commissioner; Carol J. Smith, County Clerk; Carrie L. Wallace, County Administrator/DHSEM Director; Tabatha R. Perry, Assistant County Administrator/Assistant DHSEM Director 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 Terry Cutright, seconded by Sam Nolte, the Commission approved the regular meeting minutes of January 6, 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 and authorized Carrie L. Wallace, County Administrator/DHSEM Director, to use Kristie G. Tenney's official signature stamp to sign required documentation on behalf of the Upshur County Commission. (copy included)

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved and authorized Tabatha R. Perry, Assistant County Administrator/Assistant DHSEM Director, to use Kristie G. Tenney's official signature stamp to sign required documentation on behalf of the Upshur County Commission. (copy included)

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved and agreed to sign correspondence to Emiel Butcher, President of Micrologic, Inc., expressing support of a grant application being submitted to the State of WV Broadband Investment Plan's "Major Broadband Strategies" Program. (copy included)

The Commission discussed the Procedure to Dispatch Wrecker Service, which was amended on August 26, 2021, and potential changes thereto. Carrie Wallace explained that the Commissioners have received a few complaints and comments about the procedure. After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission agreed to table the proposed changes to the Procedure to Dispatch Wrecker Services until Carrie Wallace can discuss the changes with Doyle Cutright, Upshur County Emergency Communications Director.

The Commission reviewed the Upshur County Safe Structures and Sites Enforcement Board Petition for Order filed December 16, 2021 – Case Number 070821-02 (Banks Tax District – Tax Map 4 – Parcel 2) owned by David W. Bolyard, Jr. Tabatha Perry explained that Mr. Bolyard does not own the property but is the Administrator of the estate of David Lee Miller, who owns the property. Mr. Bolyard stated that there are no funds to pay for the clean-up of this property. Ms. Perry reported that Greg Harris, SS&S Compliance Officer, stated that there is garbage that needs removed plus the house openings need to be closed. Ms. Perry contacted Bryan Hinkle, Upshur County Prosecuting Attorney, and he stated that Mr. Bolyard could not be sued in his or her individual capacity but still represents the estate and will have to deal with the issue. After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission agreed to table this item until Tabatha Perry concludes gathering information regarding the estate and procedures. (copy included)

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved the resignation of Adam Brumley from the Wes-Mon-Ty Resource Conservation & Development Council as the Commission representative and the Mountaineer Trail Network Authority as the recreation industry representative, effective January 16, 2022. (copy included)

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved the resignation of Rick Harlow from the Upshur County Safe Structures and Sites Enforcement Board as Fire Chief representative effective immediately. Mr. Harlow is no longer a Fire Chief and under WV Code, he is not eligible to be their representative. (copy included)

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved the request from James B. Kimble, Chief of the Buckhannon Volunteer Fire Department, to fill the Fire Chief representative vacancy on the Safe Structures and Sites Enforcement Board. Chief Kimble will serve the unexpired term through June 30, 2022. (copy included)

At 9:30 a.m., Adam Brumley, Upshur County Recreational Park Director, appeared before the Commission to discuss the 2022 Buckhannon-Upshur Recreational Park Seasonal Hours of Operation and the Fee Schedule. Mr. Brumley stated that he was in the process of creating a website which will allow reservations for the pavilions and swim lessons. The URL code will be tested and should be available for use next week. After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved the pool open date is May 28, 2022 and close date is August 5, 2022. The close date could be extended depending on availability of personnel. (copy included)

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

1. Correspondence from John Roby, President of the Upshur County Firefighters Association, extending an invitation to the County Commission to attend the January 26, 2022 meeting. Previous topics that have been discussed include funding, community expectations, staffing, training and a training facility.
2. Correspondence from Carol J. Smith, County Clerk, to Zachary Kelley, Advocate for Disability Rights of West Virginia, regarding a course of action to correct the issues outlined in previous correspondence dated September 24, 2021, as they pertain to the accessibility of Upshur County’s polling sites.
3. Upshur County Building & Floodplain Permits for December, 2021.
4. Summaries prepared by Terri Jo Bennett, Upshur County Addressing Mapping Coordinator, for calendar year 2021.
 - Building and Floodplain Permits issued
 - Point and Pay Collections
 - Addressing and Mapping – New Addresses Assigned & New Roads Approved and Created
5. Upshur County Road Name Index as of January, 2022 – Prepared by Terri Jo Bennett, Upshur County Addressing and Mapping Coordinator. (Available upon request)
6. Revised Lewis-Upshur Animal Control Facility Adoption Financial Transaction Report for the month of October, 2021.
7. Public Notices:
 - a) Newsletters and/or Event Notifications: (none)
 - b) Agendas and/or Notice of Meetings:
 - Upshur County Convention & Visitors Bureau January 12, 2022
 - Upshur County Safe Structures & Sites Enforcement Board January 13, 2022
 - Upshur County Fire Board, Inc. January 18, 2022
 - Meeting Minutes:
 - Buckhannon-Upshur Parks & Recreation Advisory Board October 11, 2021
 - Adrian Public Service District December 2, 2021
 - c) Meetings:
 - 01/04/22-4:00 p.m.-Hodgesville PSD
 - 01/04/22-5:00 p.m.-Elkins Road PSD
 - 01/06/22-3:00 p.m.-Adrian PSD
 - 01/06/22-6:00 p.m.-Buckhannon-Upshur Board of Health
 - 01/06/22-7:00 p.m.-Banks District VFD
 - 01/06/22-7:00 p.m.-City Council of Buckhannon
 - 01/06/22-7:00 p.m.-Selbyville VFD
 - 01/09/22-6:00 p.m.-Washington District VFD
 - 01/10/22-12:00 p.m.-Upshur County Family Resource Network
 - 01/10/22-4:00 p.m.-Buckhannon Upshur Airport Authority
 - 01/10/22-4:30 p.m.-Upshur County Solid Waste Authority
 - 01/10/22-5:30 p.m.-Buckhannon-Upshur Recreational Park Advisory Board
 - 01/11/22-7:00 a.m.-Upshur County Development Authority–Full Board
 - 01/11/22-12:00 p.m.- Upshur County Senior Center Board
 - 01/11/22-7:00 p.m.-Warren District VFD
 - 01/11/22-7:30 p.m.-Adrian VFD
 - 01/12/22-3:00 p.m.-Upshur County Conventions & Visitors Bureau
 - 01/12/22-3:00 p.m.-Tennerton PSD
 - 01/12/22-6:00 p.m.-Buckhannon River Watershed Association – Farm Bureau
 - 01/12/22-7:00 p.m.-Ellamore VFD
 - 01/13/22-3:00 p.m.-Upshur County Safe Structures & Sites Enforcement Board
 - 01/13/22-7:30 p.m.-Buckhannon VFD
 - 01/17/22-12:00 p.m.-Buckhannon-Upshur Chamber of Commerce
 - 01/18/22-6:30 p.m.-Upshur County Fire Board, Inc.
 - 01/19/22-12:00 p.m.-Lewis-Upshur LEPC – Upshur Co
 - 01/19/22-4:00 p.m.-Upshur County Public Library Board
 - 01/20/22-6:00 p.m.-Upshur County Farmland Protection Board

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- 01/20/22-6:30 p.m.-Upshur County Youth Camp Board
- 01/21/22-10:00 a.m.-Wes-Mon-Ty Resource Conservation & Development Council
- 01/24/22-12:00 p.m.-Region VII Planning and Development Council
- 01/25/22-3:00 p.m.-UC Enhanced Emergency Telephone Advisory Board
- 01/26/22-7:00 p.m.-Upshur County Fire Fighters Association
- 02/07/22-6:00 p.m.-Lewis-Upshur Community Corrections Board-Upshur Co

Appointments Needed or Upcoming:

- Upshur County Fire Board (unexpired term 6/30/23) – Fire Association Representative

****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.****

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)

- Mona G. Anglin – Final Settlement Waiver

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

- Ronald C. Ballard – Certification of Completion

The Commission approved the following Corrections, Exonerations and/or Refunds: (none)

The Commission approved Requests to Attend Meeting: (none)

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

Table Items: (none)

At 11:00 a.m., James Swiger, President/Principal-in-Charge of WYK Associates, Inc., and Vince Feidler, Principal of Scheeser Buckley Mayfield appeared before the Commission to discuss the Upshur County Courthouse Annex HVAC Assessment. Greg Harris, Maintenance Director, was also present. Mr. Feidler presented improvements to the Annex HVAC system in order of importance. In order to complete the entire project as presented, the total cost would be \$558,000. Terry Cutright questioned using the American Recovery Act funds for this project. Carrie Wallace will check into and report back to the Commission.

The Commission received project updates and reviewed Administrative business items.

With no further business, on motion by Sam Nolte, seconded by Terry Cutright, the Commission meeting adjourned at 2:15 p.m.