

UPSHUR COUNTY COMMISSION MEETING

January 18, 2024

The County Commission of Upshur County, West Virginia, held their regular meeting on Thursday, January 18, 2024 at 9:00 a.m. Sam Nolte called the meeting to order. Present were: Samuel R. Nolte, Commission President; Kristie G. Tenney, Commissioner; Douglas K. Bush, Commissioner; Carol J. Smith, County Clerk; Tabatha R. Perry, County Administrator; Cindy M. Hughes, Assistant County Administrator 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 Doug Bush, seconded by Kristie Tenney, the Commission approved the meeting minutes of January 11, 2024, as submitted.

Sam Nolte reviewed scheduled appointments and agenda items.

After discussion, on motion by Doug Bush, seconded by Kristie Tenney, the Commission approved and authorized additional services from Civil & Environmental Consultants Inc. These services and tasks include those forthcoming or already completed to develop a recreational complex in Upshur County on property located along West Virginia Route 33, that was donated by the J. F. Allen family. The estimated additional fee will not exceed \$76,200. (copy included)

After discussion, on motion by Kristie Tenney, seconded by Doug Bush, the Commission authorized Tabatha R. Perry, County Administrator, to use Samuel R. Nolte's official signature stamp to sign required documentation on behalf of the Upshur County Commission. (copy included)

After discussion, on motion by Doug Bush, seconded by Kristie Tenney, the Commission authorized Cindy M. Hughes, Assistant County Administrator, to use Samuel R. Nolte's official signature stamp to sign required documentation on behalf of the Upshur County Commission. (copy included)

The Commission reviewed the request from Becky Edwards, Senior Companion Program Director, Mid-Ohio Valley Regional Council, for funding in the amount of \$500.00 for the Upshur County Senior Companion Program. Sam Nolte stated the Commission will review this request during the budget review in March. (copy included)

After discussion, on motion by Doug Bush, seconded by Kristie Tenney, the Commission approved the resignation of Mike Hicks as a member of the Upshur County Farmland Protection Board, effective immediately. (copy included)

After discussion, on motion by Doug Bush, seconded by Kristie Tenney, the Commission approved the appointment of Frank White as Tygart Valley Conservation District representative to the Upshur County Farmland Protection Board. Mr. White's term will be effective immediately through June 30, 2027.

After discussion, on motion by Doug Bush, seconded by Kristie Tenney, the Commission approved the request from Cheyenne Troxell, 26th Judicial Circuit Community Corrections Program Director, for the employment of Jessica Stanley, as part-time case aid, effective January 24, 2024. Ms. Stanley will work no more than 19.5 hours per week.

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

1. Correspondence from the Public Service Commission of West Virginia releasing an Order to approve the Mount Hope Water Association's application for a certificate of convenience and necessity to construct a water distribution system improvement project in Upshur County.
2. Upshur County Building & Floodplain Permits for the month of December, 2023
3. Upshur County E911 Communication Reports – December, 2023
 - Monthly Department Summary Report
 - Monthly Wrecker Report
 - Year To Date Wrecker Report
4. Public Notices:
 - a) Newsletters and/or Event Notifications: (none)
 - b) Agendas and/or Notice of Meetings:
 - Upshur County Convention & Visitor's Bureau January 10, 2024
 - Upshur County Fire Board – *Cancelled* January 16, 2024
 - Upshur County Fire Board – *Rescheduled* January 23, 2024
 - Upshur County Farmland Protection – *Cancelled* January 16, 2024
 - Upshur County Farmland Protection – *Rescheduled* February 6, 2024
 - City Council of Buckhannon January 18, 2024
 - c) Meeting Minutes:
 - Upshur County Solid Waste Authority December 11, 2023
 - Tennerton Public Service District December 13, 2023
 - Upshur County Safe Structures and Sites Board December 14, 2023
 - Upshur County Fire Board – *Special Meeting* December 26, 2023

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****Dates and times of monthly board meetings are viewable at:***

<http://cms4.revize.com/revize/upshurwv/calendar.php> or go to 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. 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.******

6. Board of Review & Equalization Meeting Schedule – *Meetings will be held at the Upshur County Administrative Annex unless otherwise noted.*

- 02/01/2024 – 1:00 p.m. - 3:00 p.m. – No Appointments – Review Property Books
- 02/06/2024 – 1:00 p.m. - 3:00 p.m.
- 02/08/2024 – 10:00 a.m. - 12:00 p.m.
- 02/13/2024 – 1:00 p.m. - 3:00 p.m. – Coal, Oil & Gas and Industrial Appointments
- 02/16/2024 – 9:00 a.m. - 11:00 a.m. – Adjourn Sine Die

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 9:15 a.m., Christine Miller, Superintendent of Upshur County Schools, appeared before the Commission to present the \$3.8 million School Excess Levy request to be placed on the May, 2024 election ballot. The Excess Levy would replace the current levy, which will expire on June 30, 2024, and will run for 5 years. Ms. Miller stated that this is a unique situation, due to the State taking control of the Upshur County Board of Education. The local Board of Education had no authority to approve the Excess Levy request, so the State Superintendent, Michele Blatt, approved the order to place the levy on the ballot.

At 9:30 a.m., the Commission conducted a public hearing, second reading and adoption of the suggested revisions to the Upshur County Floodplain Ordinance, previously adopted on January 16, 2020. Terri Jo Bennett, Upshur County Addressing and Mapping, Building Permits and Floodplain Coordinator, reported that the only request for additional information came from the City of Buckhannon, as they are working on a similar ordinance. Ms. Bennett stated that the maps are much more accurate than in the past and encourages everyone to review the WV Flood Tool. After discussion, on motion by Doug Bush, seconded by Kristie Tenney, the Commission approved the suggested revisions to the Upshur County Floodplain Ordinance. Ms. Bennett stated that the revisions approved by the County Commission will be sent to the State of West Virginia for approval, and then FEMA will review and approve. (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)

- George Guy Davidson – Final Settlement
- Pearl Ruth Gillum – Final Settlement Waiver
- Delores J. Ross – 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: (none)

The Commission approved Requests to Attend Meeting: (none)

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

The Commission received project updates and reviewed Administrative business items.

At 10:00 a.m., the Commission held a joint work session with the Lewis County Commission to discuss Lewis-Upshur Animal Control Facility operations, personnel and policies.

On motion by Kristie Tenney, seconded by Doug Bush, the Commission recessed at 11:53 a.m.

At 1:00 p.m., the Commission reconvened for the Department Supervisor Meeting. The Policy Board Meeting scheduled for 2:00 p.m. was cancelled.

With no further business, on motion by Kristie Tenney, seconded by Doug Bush, the Commission meeting adjourned at 2:25 p.m.