

UPSHUR COUNTY COMMISSION MEETING

January 21, 2021

The County Commission of Upshur County, West Virginia, held their regular meeting on Thursday, January 21, 2021 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; Carrie L. Wallace, County Administrator; Tabatha R. Perry, 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.

Kristie Tenney reviewed scheduled appointments and agenda items.

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved the regular meeting minutes of January 14, 2021, as submitted.

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved the request from Shanna Collins for reappointment to the James W. Curry Library Advisory Board. Ms. Collins's new term will expire December 31, 2025. (copy included)

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved and authorized the President to sign the lease agreement between Carl J. Martin Family Gift Trust and the Lewis-Upshur Day Report Center for the use of the first and second floors in the building located at 43 WBUC Road, Buckhannon, WV. The lease is effective February 1, 2021 through February 1, 2022 in the amount of \$1,400 per month. (copy included)

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved the request from Sheriff Virgil D. Miller to appoint Chief Deputy John Michael Coffman as the Sheriff Department's representative on the Court Security Advisory Board. (copy included)

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved the request from Sheriff Virgil D. Miller to hire Dale Lee Thorne as a part-time Court Security Officer, effective January 31, 2021.

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved the request from Sheriff Virgil D. Miller to transfer Kirsten D. Howes from fill-in Court Security Officer to part-time Court Security Officer, effective January 31, 2021. Due to her current position as a COVID-19 sanitation employee, all hours accrued in this position will be counted towards her 1040 allowable hours per year. (copy included)

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved the Termination of Employee.

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved the advertisement for a full-time maintenance department position. Applications must be received by 4:00 p.m. on February 1, 2021.

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

1. Correspondence from Dan O'Brien, Authorized Representative for Dominion Energy Transmission, Inc. providing the Atlantic Coast Pipeline disposition and restoration plan update.
2. Correspondence from Richard Clemens announcing his resignation as City representative on the Buckhannon-Upshur Airport Authority, effective January 20, 2021.
3. Upshur County Sheriff's Financial Statement for period ending December, 2020
4. Upshur County Building Permits for the month of December, 2020
5. Public Notices:
 - a) Newsletters and/or Event Notifications: (none)
 - b) Agendas and/or Notice of Meetings:
 - Upshur County Public Library January 20, 2021
 - c) Meeting Minutes:
 - Tennerton PSD December 9, 2020
 - d) Meetings:
 - 01/05/21-4:00 p.m.-Hodgesville PSD
 - 01/05/21-5:00 p.m.-Elkins Road PSD
 - 01/07/21-3:00 p.m.-Adrian PSD
 - 01/07/21-6:00 p.m.-Buckhannon-Upshur Board of Health
 - 01/07/21-7:00 p.m.-Banks District VFD
 - 01/07/21-7:00 p.m.-City Council of Buckhannon
 - 01/07/21-7:00 p.m.-Selbyville VFD
 - 01/10/21-6:00 p.m.-Washington District VFD

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- 01/11/21-12:00 p.m.-Upshur County Family Resource Network
- 01/11/21-4:00 p.m.-Buckhannon Upshur Airport Authority
- 01/11/21-4:30 p.m.-Upshur County Solid Waste Authority
- 01/11/21-5:30 p.m.-Buckhannon-Upshur Recreational Park Advisory Board-Cancelled
- 01/12/21-7:00 p.m.-Warren District VFD
- 01/12/21-7:30 p.m.-Adrian VFD
- 01/13/21-12:00 p.m.-Upshur County Senior Center Board
- 01/13/21-1:15 p.m.-Upshur County Farmland Protection Board
- 01/13/21-3:00 p.m.-Upshur County Conventions & Visitors Bureau
- 01/13/21-3:00 p.m.-Tennerton PSD
- 01/13/21-6:00 p.m.-Buckhannon River Watershed Association – Farm Bureau
- 01/13/21-7:00 p.m.-Ellamore VFD
- 01/14/21-3:00 p.m.-Upshur County Safe Sites & Structures Enforcement Board
- 01/14/21-7:30 p.m.-Buckhannon VFD
- 01/15/21-10:00 a.m.-Wes-Mon-Ty Resource Conservation & Development Council
- 01/18/21-12:00 p.m.-Buckhannon-Upshur Chamber of Commerce
- 01/19/21-6:30 p.m.-Upshur County Fire Board, Inc.
- 01/20/21-7:00 a.m.-Upshur County Development Authority – Full Board
- 01/20/21-12:00 p.m.-Lewis Upshur LEPC
- 01/20/21-4:00 p.m.-Upshur County Public Library Board
- 01/21/21-6:30 p.m.-Upshur County Youth Camp Board
- 01/25/21-12:00 p.m.-Region VII Planning and Development Council
- 01/25/21-7:00 p.m.-Upshur County Fire Fighters Association
- 01/26/21-5:00 p.m.-UC Enhanced Emergency Telephone Advisory Board
- 03/08/21-6:00 p.m.-Lewis-Upshur Community Corrections Board-Upshur County

6. Appointments Needed or Upcoming:

- Upshur County Fire Board, Inc. (Linn Baxa-6/30/2020) - Fire Association Representative
- James W. Curry Library and Park Advisory Board (Shanna Collins-12/31/2020)
- Buckhannon-Upshur Airport Authority (unexpired term - 6/30/2021) - City 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.****

Tabled items:

1. Consider request made by Julia Kastner on behalf of the Upshur County Trails Volunteer Group to utilize a portion of the Upshur County Recreational Park for progressive bike drops (January 21, 2021).

The Commission approved all Invoices for Payment. (list included)

The Commission approved all Vacation Orders. (copies included)

The Commission approved the following Settlements. (as listed)

- Kenneth Ray Hobbs, Sr. – Final Settlement Waiver
- Madison Paige Jack – Final Accounting by David H. Coffman as Sheriff of Upshur County
- Lois Dorothy Pickens – Dismissal Order

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/or Refunds: (none)

The Commission approved the following 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.

Erasmio Rizo (Project Manager), Greg Linder (Structural and Transportation Engineer) and Andrew Darnell (Project Manager) of Civil & Environmental Consultants, Inc. (CEC) attended the Commission meeting to present the findings of the Hydrologic and Hydraulic study for Brushy Fork and an unnamed tributary of Brushy Fork on the 13.84-acre property (the Wellness Complex) located off of Ridgeway Road in Buckhannon, WV. The study provides options to the Commission and Upshur County Development Authority (UCDA) for future development of the property, including the placement of fill on approximately

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6 acres on each side of the stream. Terri Jo Bennett, Upshur County Addressing and Mapping, Building Permit and Flood Plain Coordinator, explained that FEMA regulations for property located within the Special Flood Hazard Area, such as this one, allow for fill to cause up to a 1% rise of water on adjoining property owners; however, CEC's findings require two containment ponds which ensure there is no effect on properties up or down stream. Mike Ross also attended the meeting. After discussion, by general consensus, the Commission agreed to schedule a follow-up meeting with Rob Hinton, Upshur County Development Authority, to discuss their plans for their adjoining acreage.

The Commission attended the Supervisor Meeting, the Policy Board Meeting and the Court Security Advisory Board Meeting at 1:00, 2:00 and 3:00 pm.

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With no further business, on motion by Sam Nolte, seconded by Terry Cutright, the Commission meeting adjourned at 4:30 p.m.