

UPSHUR COUNTY COMMISSION MEETING

February 3, 2022

The County Commission of Upshur County, West Virginia, held their regular meeting on Thursday, February 3, 2022 at 9:00 a.m. Kristie Tenney called the meeting to order. Present were: Kristie G. Tenney, Commission President; Terry B. Cutright, Commissioner; Samuel R. Nolte, 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 27, 2022 and the 2022 Special School Bond Election Canvassing minutes of January 25, 2022, as submitted.

Kristie Tenney reviewed scheduled appointments and agenda items.

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved and authorized the signing of correspondence to Governor Jim Justice requesting an allocation of remaining State CARES Act Funds towards emergency medical services funding. This letter is being sent in support of the Kanawha County Commission's efforts regarding the same. (copy included)

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved the recommendation from John Roby, President of the Upshur County Firefighters Association, to appoint Brian Elmore as Fire Association representative on the Upshur County Fire Board, effective immediately. Mr. Elmore's term will expire on June 30, 2023. (copy included)

Carrie Wallace reported that the Resignation of Employee had been withdrawn; therefore, no action was taken.

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved the request from Carol Smith, County Clerk, for an advertisement for a full-time Deputy County Clerk. Applications are due no later than close of business Friday, February 18, 2022. (copy included)

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved the Application for Donated Leave.

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved the revised Upshur County Application for Employment. Carrie Wallace explained that the question regarding prior Consolidated Public Retirement Board (CPRB) participation for individuals seeking part-time or temporary full-time county employment should help ensure compliance with the new requirements of notification to the CPRB prior to an individual accepting county employment. (copy included)

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved the Employee Handbook of Personnel Guidelines policies approved by the Policy Board during their meeting on January 27, 2022.

- Dress Code Policy – *new*
- Upshur County Purchasing Policy – Cost Consciousness/Purchasing Procedures – *revision*
- Workers' Compensation Policy – *revision*
- Upshur County Courthouse Operations – Closure – State of Emergency Policy – *revision*

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission adopted the Policy Extending Emergency Absentee Voting. Carol Smith, County Clerk, explained that this allows a ballot to be taken to a hospital or nursing home for someone who has been admitted to that facility within 30 days of the election. (copy included)

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved the Order to approve the Number of Election Officials and Election Commissioners for the May 10, 2022 Primary Election. (copy included)

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved the Order to approve the Number of Sets of Emergency Absentee Voting Commissioners for the May 10, 2022 Primary Election. Carol Smith, County Clerk, explained that these are the people who take the absentee ballots to a hospital or nursing home. (copy included)

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved \$1,500 funding request from Animal Outreach Project, Inc. for the spay and neuter assistance program, contingent on the owner being a resident of Upshur or Lewis County. (copy included)

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

1. Appointment of Ballot Commissioners for a two (2) year term to begin serving February 1, 2022.
2. Correspondence in reference to the postponement of the Petition for Order on Upshur County Safe Structures and Sites Enforcement Board Case Number 070821-02 (Banks Tax District – Tax Map 4 – Parcel Number 2) for property in the Estate of David Miller. The Commission will re-evaluate the status of the property during their meeting on February 24, 2022.

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3. Lewis-Upshur Animal Control Facility Reports for the month of December, 2021
 - Adoption Financial Transactions
 - Cat Report
 - Animal Report
 - Animal Control/Humane Officer Animal Report
4. Upshur County Sheriff's Financial Statement for period ending December, 2021
5. Public Notices:
 - a) Newsletters and/or Event Notifications: (none)
 - b) Agendas and/or Notice of Meetings:
 - City Council of Buckhannon February 3, 2022
 - Lewis-Upshur Community Corrections February 7, 2022
 - City Council of Buckhannon & Planning Commission
Special Joint Working Session February 16, 2022
 - City Council of Buckhannon & Planning Commission
Special Joint Working Session February 23, 2022
 - Buckhannon Historic Landmarks Commission April 5, 2022
 - Meeting Minutes:
 - Upshur County Emergency Telephone Advisory Board October 26, 2021
 - Upshur County Fire Board Meeting December 21, 2021
 - Upshur County Fire Board Meeting January 18, 2022
 - c) Meetings:
 - 02/03/22-3:00 p.m.-Adrian PSD
 - 02/03/22-6:00 p.m.-Buckhannon-Upshur Board of Health
 - 02/03/22-7:00 p.m.-Banks District VFD
 - 02/03/22-7:00 p.m.-City Council of Buckhannon
 - 02/03/22-7:00 p.m.-Selbyville VFD
 - 02/07/22-6:00 p.m.-Lewis-Upshur Community Corrections Board-Upshur County
 - 02/08/22-7:00 a.m.-Upshur County Development Authority – Executive Board
 - 02/08/22-12:00 p.m.-Upshur County Senior Center Board
 - 02/08/22-4:00 p.m.-Hodgesville PSD
 - 02/08/22-5:00 p.m.-Elkins Road PSD
 - 02/08/22-7:00 p.m.-Warren District VFD
 - 02/08/22-7:30 p.m.-Adrian VFD
 - 02/09/22-12:00 p.m.-Buckhannon-Upshur Chamber of Commerce
 - 02/09/22-3:00 p.m.-Upshur County Conventions & Visitors Bureau
 - 02/09/22-3:00 p.m.-Tennerton PSD
 - 02/09/22-6:00 p.m.-Buckhannon River Watershed Association – Farm Bureau
 - 02/09/22-7:00 p.m.-Ellamore VFD
 - 02/10/22-3:00 p.m.-Upshur County Safe Structures & Sites Enforcement Board
 - 02/10/22-7:30 p.m.-Buckhannon VFD
 - 02/13/22-6:00 p.m.-Washington District VFD
 - 02/14/22-12:00 p.m.-Upshur County Family Resource Network
 - 02/14/22-4:00 p.m.-Buckhannon Upshur Airport Authority
 - 02/14/22-4:30 p.m.-Upshur County Solid Waste Authority
 - 02/14/22-5:30 p.m.-Buckhannon-Upshur Recreational Park Advisory Board
 - 02/15/22-6:30 p.m.-Upshur County Fire Board, Inc.
 - 02/16/22-12:00 p.m.-Lewis-Upshur LEPC – Lewis County
 - 02/16/22-4:00 p.m.-Upshur County Public Library Board
 - 02/17/22-6:00 p.m.-Upshur County Farmland Protection Board
 - 02/17/22-6:30 p.m.-Upshur County Youth Camp Board
 - 02/18/22-10:00 a.m.-Wes-Mon-Ty Resource Conservation & Development Council
 - 02/22/22-3:00 p.m.-UC Enhanced Emergency Telephone Advisory Board
 - 02/23/22-7:00 p.m.-Upshur County Fire Fighters Association
 - 02/28/22-10:00 a.m.-Mountain Cap of WV, Inc.
 - d) Appointments Needed or Upcoming:
 - Upshur County Fire Board (unexpired term: 6/30/23)–Fire Association Representative

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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.

6. Board of Review & Equalization Meeting Schedule: *(meetings will be held at 91 West Main Street)*

- 02/01/2022 1:00 p.m. – 3:00 p.m. No appointments – Review Property Books
- 02/07/2022 1:00 p.m. – 3:00 p.m.
- 02/10/2022 10:00 a.m. – 12:00 p.m.
- 02/15/2022 10:00 a.m. – 12:00 p.m. Coal, Oil & Gas and Industrial Appointments
Adjournment

Table Items:

1. Discuss the Procedure to Dispatch Wrecker Services amended on August 26, 2021 and potential changes. *(tabled 1/13/2022 meeting)* Carrie Wallace reported that the PSC had no issues with potential changes, so she will review with Doyle Cutright, Upshur County Emergency Communication Center Director..

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)

- Steve M. Bodnar – First Annual Settlement
- Dorothy Louise (Leggett) Liggett aka Louise (Leggett) Liggett – Final Settlement Waiver
- James Ronnie Liggett – 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/or Refunds: (none)

The Commission approved Requests to Attend Meeting: (none)

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

At 9:15 a.m., Kevin Mullins and Charles Thompson, Secure Net, presented an Overview of their Services. Secure Net is interested in providing fiber broadband cable to all Upshur County residents. The cost would be approximately \$30 million but there are currently grants available for different population areas which can be used to finance a portion of this fiber broadband cable. The majority of cable would be underground, thereby reducing outages caused by fallen trees or wind storms. Since this would need to be a joint venture between the Upshur County Development Authority, Upshur County Commission and Secure Net, Carrie Wallace suggested the Secure Net representatives meet with Jennifer Bostian, Executive Director of the Upshur County Development Authority.

At 9:30 a.m., Sheriff Virgil Miller and Chief Tax Deputy, Heather Sparks, presented the Final Disposition of 2019 and 2020 Taxes. The 2020 property tax sale was canceled, leaving 106 properties suspended. The land sale started in May, 2021 with advertisement in the Record Delta. There were 1200 certified letters sent out to delinquent property owners. Ms. Sparks stated that 85-90% of the properties are redeemed before one year. Interest is incurred at 1% per month plus federal publication fee of \$35.00 for each property on the delinquent list. If property is redeemed within 18 months, the purchaser will be reimbursed for purchase price plus interest of 1% per month. (copy included)

At 9:48 a.m., Matthew Sisk, Director of Safety & Emergency Preparedness, Upshur County Schools, appeared before the Commission to request approval and signature of the 21-JAG-39 Grant Contract Agreement, Resolution, Certifications and Standard Conditions and Assurances. The grant award is in the sum of \$15,000 to be used to support the position of the Prevention Resource Officer assigned to the Buckhannon-Upshur Middle School. After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved and authorized the President to sign the 21-JAG-39 Grant Contract Agreement, Resolution, Certifications and Standard Conditions and Assurances. (copy included)

At 10:30 a.m., on motion by Terry Cutright, seconded by Sam Nolte, the Commission went into Executive Session per WV Code §6-9A-4 to discuss potential property acquisition.

At 10:50 a.m., on motion by Sam Nolte, seconded by Terry Cutright, the Commission exited Executive Session. Kristie Tenney explained that no decisions were made in executive session.

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 12:30 p.m.