

# UPSHUR COUNTY COMMISSION MEETING

## February 9, 2023

The County Commission of Upshur County, West Virginia, held their regular meeting on Thursday, February 9, 2023 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; 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 Sam Nolte, seconded by Doug Bush, the Commission approved the meeting minutes of February 2, 2023, as submitted.

Kristie Tenney reviewed scheduled appointments and agenda items.

After discussion, on motion by Doug Bush, seconded by Sam Nolte, the Commission approved the request from Kelley C. Tierney, Vice President of the Foundation for Better Schools in Upshur County, Inc., for permission to place a 4-foot by 8-foot sign on the Upshur County Courthouse property for the month of March, 2023. The sign will be a visual reminder of a fundraising initiative for the purpose of allowing the Upshur County Schools' Weekend Backpack Program to remain self-supporting. (copy included)

At 9:02 a.m., on motion by Doug Bush, seconded by Sam Nolte, the Commission went into Executive Session, *per WV Code §6-9A-4*, to review ranking of interviews conducted with potential firms for the planning and design services of an indoor/outdoor recreational complex and determine the most qualified firm. Once negotiations have been completed, the scope of work and fee schedule will be placed on a future agenda for consideration and signature.

At 9:12 a.m., the Commission exited Executive Session, with no decision being made.

Tabatha Perry stated that a five-member committee met on January 19, 2023 and February 2, 2023, to evaluate potential firms, using a set of predetermined questions. The committee recommended Civil & Environmental Consultants, Inc. (CEC) as the most qualified firm. After discussion, on motion by Sam Nolte, seconded by Doug Bush, the Commission approved moving forward with negotiations with Civil & Environmental Consultants, Inc. (CEC).

After discussion, on motion by Sam Nolte, seconded by Doug Bush, the Commission approved the request from Cheyenne Troxell, Program Director for Community Correction, to hire two part-time case aides and to advertise for these positions. Each position would be allowed to work no more than 19.5 hours per week at the starting wage of \$16 per hour. Applications will be received until positions are filled. Kristie Tenney stated that these positions will be paid from Community Correction funds. (copy included)

After discussion, on motion by Doug Bush, seconded by Sam Nolte, the Commission approved the request from Tabatha R. Perry, County Administrator, for an extension of the temporary part-time employment of Breann N. Stanton as LUACF Attendant. Due to unforeseen circumstances, her assistance is needed through February 25, 2023.

After discussion and review of update from Fitzsimmons Law Firm PLLC regarding the pending opioid litigation, on motion by Sam Nolte, seconded by Doug Bush, the Commission approved signing the "WV Local Government Election and Release Forms."

At 9:15 a.m., Dirk Burnside, Secretary on behalf of the Enhanced Emergency Telephone Advisory Board, appeared before the Commission to recommend acquiring radio licensing to provide Ultra High Frequencies (UHF) for the use of emergency responders to enhance on-scene communications during emergency situations. J.B. Kimble, Buckhannon Fire Chief, volunteer fire chiefs from across the county and Steve Wykoff, DHSEM Director, were present. After discussion, on motion by Sam Nolte, seconded by Doug Bush, the Commission approved Mr. Burnside's recommendation to acquire radio licensing to provide Ultra High Frequencies (UHF) for the use of emergency responders to enhance on-scene communications during emergency situations. Dirk Burnside will work with Tabatha Perry to schedule a meeting with the Commission and emergency responders to discuss communication issues. (copy included)

At 9:40 a.m., Shane Whitehair, Region VII Planning and Development Council Executive Director, appeared before the Commission to discuss a Hazard Mitigation Plan Funding Request. The Hazard Mitigation Plan must be reviewed and updated every five years. The current plan will expire in July, 2023. Region VII submitted an application to FEMA for \$115,000, which would pay for preparation of the plan. This application was approved by the State in November, 2022. Previously, FEMA would pay 75% and the State of West Virginia would pay 25%. This year, the State of West Virginia will not be paying the 25%, which amounts to \$28,000. Mr. Whitehair stated that the Regional Council will pay \$12,000, leaving the balance to be paid by county commissions (\$1,500) and city municipalities (\$1,000). After discussion, on motion by Doug Bush, seconded by Sam Nolte, the Commission approved paying \$1,500 toward the cost of the Hazard Mitigation Plan Funding.

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

1. Correspondence from Susan M. Pierce, Deputy State Historic Preservation Officer, WV Department of Arts, Culture and History, regarding the use of Courthouse Facilities Improvement Authority Grant Funds for the replacement of the main exterior doors on the Courthouse and Annex.
2. Upshur County Building & Floodplain Permits for the month of January, 2023
3. Public Notices:
  - a) Newsletters and/or Event Notifications: (none)
  - b) Agendas and/or Notice of Meetings:
    - Community Corrections Board February 6, 2023
    - Elkins Road PSD Board February 7, 2023
    - Upshur County Fire Board, Inc. February 8, 2023
    - City Council of Buckhannon February 15, 2023
  - Meeting Minutes:
    - Adrian PSD Board January 5, 2023
    - Adrian PSD Board January 18, 2023
  - c) Meetings: **\*Calendar of Board Meetings is now located 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.

4. 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 W. 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 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.\*\*\**

5. Board of Review & Equalization Meeting Schedule: (**Meetings will be held at the Upshur County Administrative Annex, unless otherwise noted**)
  - 02/01/2023 1:00 p.m.-3:00 p.m. – No appointments – Review Property Books
  - 02/03/2023 1:00 p.m.-3:00 p.m.
  - 02/09/2023 10:00 a.m.-12:00 p.m. (**held in the Commission Meeting Room**)
  - 02/14/2023 10:00 a.m.-12:00 p.m. – Coal, Oil & Gas and Industrial Appointments
  - 02/16/2023 10:00 a.m.-12:00 p.m. – Adjourn Sine Die
6. Budget Hearing Schedule: **The Commission will hold budget hearings at the Upshur County Administrative Annex on the following dates.** For a detailed list of meetings, please contact Tabatha Perry at [tperry@upshurcounty.org](mailto:tperry@upshurcounty.org).
  - Tuesday, March 14<sup>th</sup> beginning at 1:00 p.m.
  - Wednesday, March 15<sup>th</sup> beginning at 8:45 a.m.
  - Thursday, March 16<sup>th</sup> beginning at 10:15 a.m.
  - Friday, March 17<sup>th</sup> beginning at 9:00 a.m.
  - Monday, March 21<sup>st</sup> beginning at 1:00 p.m.

Tabled Items: (none)

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)

- Debra A. Sands – 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:

- Meade District – Map 4K Parcel 22.5 and Map 4K Parcel 22.9 and Map 4K Parcel 22.10 and Map 4K Parcel 22 and Map 4K Parcel 14.11 to make Map 4K Parcel 14.11 – Hull Gary Allen
- Meade District – Map 3J Parcel 11.4 and Map 3J Parcel 11.3 and Map 3J Parcel 11.5 and Map 3K Parcel 59 and Map 3J Parcel 11.6 to make Map 3K Parcel 59 – Hull Gary A

The Commission received project updates and reviewed Administrative business items.

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With no further business, on motion by Doug Bush, seconded by Sam Nolte, the Commission meeting adjourned at 10:45 a.m.