

# UPSHUR COUNTY COMMISSION MEETING

## February 29, 2024

The County Commission of Upshur County, West Virginia, held their regular meeting on Thursday, February 29, 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; Tabatha R. Perry, County Administrator; Cindy M. Hughes, Assistant County Administrator and Lois A. Marsh, Secretary. Carol J. Smith, County Clerk, was absent.

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 February 15, 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 the Notice of Public Auction. (copy included)

After discussion, on motion by Doug Bush, seconded by Kristie Tenney, the Commission approved and authorized the Commission President to sign the 2024 Board of Review and Equalization (BORE) meeting minutes.

After discussion, on motion by Kristie Tenney, seconded by Doug Bush, the Commission approved and authorized the Commission President to sign correspondence from Samantha Woods, Deputy State Auditor Chief Inspector Division for the West Virginia State Auditor's Office, confirming understanding of the terms of the compliance examination engagement and the services to be provided to the Upshur County Commission. The objective is to examine compliance of the Coronavirus State and Local Fiscal Recovery Funds during the year ended June 30, 2023. The fee for the service will be \$2,990. (copy included)

After discussion, the Commission left A&S Recovery on the Upshur County Wrecker Rotation List maintained by the Upshur County E911 Communications Center. Sam Nolte reported that A&S Recovery had completed all paperwork and is now in compliance with the Procedures to Dispatch Wrecker Services. (copy included)

After discussion, on motion by Doug Bush, seconded by Kristie Tenney, the Commission approved the sale of a 2021 Toyota Tacoma to the Barbour County Commission for the sum of \$14,500. This vehicle was seized by the Upshur County Sheriff's Department. (copy included)

After discussion, on motion by Doug Bush, seconded by Kristie Tenney, the Commission approved the Service Proposal provided by Battalion 1 Consultants (B1C) for Phases I and II for Regional Mental Health Wellness Program Development, Peer Support Group Development and Organizational Improvement. Crisis Response funds, designated through the Emergency Medical Services Salary Enhancement Fund, will be utilized for this project, as previously discussed on November 2, 2023. (copy included)

After discussion, on motion by Kristie Tenney, seconded by Doug Bush, the Commission approved the funds received from the County Fire Protection Fund, established through WV Senate Bill 1021, to be disbursed equally to the seven fire departments in the county. The total amount received to date is \$86,612.05, which equals \$12,373.15 for each of the seven fire departments. These funds are to be used for training classes, truck and equipment needs, or for recruitment and retention of volunteer firemen. Tabatha Perry clarified that no lump sum checks would be issued directly to fire departments. Each fire department should submit invoices to the County Commission for reimbursement from these funds. Tabatha Perry will send a Memorandum of Understanding to each fire department outlining the reimbursement procedure. (copy included)

After discussion, on motion by Doug Bush, seconded by Kristie Tenney, the Commission approved the retirement of an employee.

After discussion, on motion by Doug Bush, seconded by Kristie Tenney, the Commission approved an advertisement for a full-time Animal Control Officer in the Upshur County Sheriff's Department. Applications received on or before the close of business on Friday, March 15, 2024, will be reviewed; however, applications may be considered until the position is filled. (copy included)

At 9:15 a.m., Jason Keeling, on behalf of the American Red Cross Allegheny Highlands Chapter, appeared before the Commission to provide an overview of services provided locally, request funding of \$2,000 for next year, and present a Proclamation declaring March as American Red Cross Month. Dawn Onesto, Zach Byers, and John Bess were also in attendance. In 2023, the Red Cross gathered 345 units of blood in Upshur County. Mr. Keeling stated that Upshur County is the first county in his district to declare March as American Red Cross Month and that Upshur County is the only county that has a Red Cross Club in a local high school. The Commission will consider the request for funding during the budget review. After discussion, on motion by Doug Bush, seconded by Kristie Tenney, the Commission approved and authorized signing the Proclamation declaring March as American Red Cross Month. (copy included)

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At 9:30 a.m., the Commission recognized Ian Strader for his heroic act of bravery during a February 24, 2024 residential fire. Mr. Strader entered a burning house to rescue a disabled person. Chief John Roby, of the Banks District Volunteer Fire Department, contacted Commissioner Nolte, requesting the County Commission to recognize this young man for his bravery. Ken Tyree, State Fire Marshall, presented a Life Saving Award to Mr. Strader, recognizing his heroic act, which exemplifies the purpose of this award. Others in attendance for the commendation were: Ian's mother, Roberta Hatcher; Banks District Fire Chief, John Roby; Mayor of Buckhannon, Robbie Skinner; Buckhannon Fire Chief, J.B. Kimble; Upshur County Sheriff, J. Michael Coffman; and Director of Homeland Security and Emergency Management, Steve Wykoff. After discussion, on motion by Doug Bush, seconded by Kristie Tenney, the Commission approved signing the Certificate of Recognition for Ian Strader for his Act of Bravery in a structure fire. (copy included)

At 10:00 a.m., Lisa Gum, Buckhannon River Watershed Association Vice Chair, appeared before the Commission to discuss the association's efforts to obtain flat water trail designation for 45 miles of the Buckhannon River and to request support for the project. Jeremiah McCourt, Upshur County Parks and Recreation Facilities Director, was also present. Ms. Gum stated that they are hopeful that the Official Water Trail designation will be approved prior to the annual River Fest held in August at the Riverwalk Park. The majority of funding has been secured for this project, but Ms. Gum requested \$700 from the County Commission to help with signs and to develop a website. After discussion, on motion by Doug Bush, seconded by Kristie Tenney, the Commission approved signing a Resolution to Support the Designation of the Buckhannon and Tygart Valley River Water Trail project. Themonetary contribution will be discussed during upcoming budget hearings. (copy included)

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

1. Correspondence from Tabatha R. Perry, County Administrator, notifying the Office of the Upshur County Assessor and the Property Tax Division of the State Tax Department of the approval to correct valuations for real property, personal property, and/or mineral accounts through March 15, 2024.
2. Freedom of Information Act (FOIA) request from Deltek Public Records, requesting information pertaining to the James Curry Park capital improvement project engineering services contract.
3. Freedom of Information Act (FOIA) request from SmartProcure for all purchasing records from December 1, 2023 to current.
4. Correspondence from Brian Cooper, District Seven Engineer for the West Virginia Department of Transportation Division of Highways, inviting review, comments and compliance verification in relation to a proposed culvert replacement project, located on Morgan Addition Road in Buckhannon. Ben Claypool, State DOH Upshur County Supervisor, was present to explain action being taken by the Department of Highways to reduce flooding on Morgan Addition Road. The flooding is caused by outdated drainage on private property adjoining the Morgan Addition Road. After Jay Hollen, Buckhannon City Engineer, approves the project, the Department of Highways will replace 300 feet of pipe under private property, which should reduce flooding.
5. Notification of the Statewide Transportation Improvement Program (STIP) Administrative Modification #2 that pertains to Upshur County for Federal Fiscal Years 2023-2028.
6. Upshur County Sheriff's Financial Statement for period ending January 31, 2024.
7. Notification of disbursement of Wireless E-911 subscriber fees for the months of November, December 2023 and January, 2024.
8. Upshur County Mileage Reports – January, 2024
  - Addressing and Mapping
  - Dog Pound
  - Emergency Management
  - Maintenance
  - Parks & Recreation
  - Sheriff
  - Upshur 911
9. Lewis-Upshur Animal Control Facility Reports for the month of January, 2024
  - Revenue Report
  - Account of Animals Report
  - Animal Control/Humane Officer Animal Report

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### 10. Upshur County E911 Communication Reports – January, 2024

- Monthly Department Summary Report
- Monthly Wrecker Report
- YTD Wrecker Report

### 11. Public Notices:

#### a) Newsletters and/or Event Notifications:

- West Virginia University Extension Service Committee Public Notice February 28, 2024
- City of Buckhannon – Notice of Cemetery Annual Clean-Up March 25-29, 2024
- Rotary Club of Buckhannon-Upshur Spring 2024 Blood Screenings

#### b) Agendas and/or Notice of Meetings:

- Upshur County Convention and Visitor’s Bureau February 14, 2024
- 26<sup>th</sup> Judicial Circuit Community Corrections February 27, 2024
- Elkins Road Public Service District Board March 5, 2024
- City of Buckhannon City Council March 5, 2024
- Special Working Session of City Council of Buckhannon March 12, 2024

#### c) Meeting Minutes:

- Upshur County Convention and Visitor’s Bureau January 10, 2024
- Upshur County Public Library Board January 17, 2024
- Wes-Mon-Ty RC&D January 23, 2024
- Upshur County Fire Board January 23, 2024

#### d) Meetings: ***\*Dates and times of monthly board meetings are viewable at:***

[www.upshurcounty.org](http://www.upshurcounty.org) –Upcoming events are listed on the main page.

### 12. 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](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 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.\*\*\**

### 13. Budget Hearing Schedule

The Commission will hold budget hearings at the Upshur County Administrative Annex, unless otherwise noted, on the following dates. For a detailed list of meetings, please contact Tabatha Perry at [tperry@upshurcounty.org](mailto:tperry@upshurcounty.org).

- Thursday, March 7<sup>th</sup> beginning at 10:00 a.m. (*Commission Meeting Room, Courthouse Annex*)
- Friday, March 8<sup>th</sup> beginning at 8:15 a.m.
- Saturday, March 9<sup>th</sup> beginning at 9:00 a.m. and concluding no later than 12:00 p.m.
- Monday, March 11<sup>th</sup> beginning at 1:00 p.m.
- Tuesday, March 12<sup>th</sup> beginning at 9:00 a.m. (*if needed*)

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)

- Betty Lou Ashcraft – Final Settlement Waiver
- Thomas Arthur Cicalese – Final Settlement
- Phyllis Cochran – Final Settlement Waiver
- Joshua Eldon Dennison – Final Settlement Waiver
- Wanna F. Marsh – Final Settlement Waiver
- Stanley Mullins – Incompetent – Annual Settlement
- Leila Joy Ours – First Annual Settlement
- M. Mardell Stemple – 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:

- Doyle R. Cutright, II – March 19, 2024
- Doyle R. Cutright, II – March 24 – March 29, 2024
- Kimbra Wachob – March 25 – March 28, 2024
- Kimbra Wachob – July 28 – July 31, 2024

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

The Commission received project updates and reviewed Administrative business items.

With no further business, on motion by Kristie Tenney, seconded by Doug Bush, the Commission meeting adjourned at 10:37 a.m.