

UPSHUR COUNTY COMMISSION MEETING

March 17, 2022

The County Commission of Upshur County, West Virginia, held their regular meeting on Thursday, March 17, 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; 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 Sam Nolte, seconded by Terry Cutright, the Commission approved the meeting minutes of March 3, 2022, as submitted.

Kristie Tenney reviewed scheduled appointments and agenda items.

Correspondence from Jennifer K. Bennett, on behalf of the Splashers Buckhannon Swim Club, requesting use of the Upshur County Pool for swim practice and home swim meets during the 2022 pool season. A Certification of Insurance will be provided and the Club is able to pay \$50 for each home meet to cover the expense of a lifeguard. Upon approval, payment will be made after July 7th upon receipt of an invoice from the Office of the Upshur County Commission. In addition, the Splashers are requesting a discount for an end of year team pool party. Jeremiah McCourt, Upshur County Parks and Recreation Facilities Director, explained that this would need to be reviewed with Ms. Bennett to make sure all costs were covered for life guards and clean up. Terry Cutright made a motion to table this item until Mr. McCourt could review with Ms. Bennett. This motion died due to lack of a second. After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved granting permission to Mr. McCourt to make decisions on matters pertaining to the park facilities. (copy included)

Correspondence from Craig D. Presar, WVU Extension Agent, requesting use of the large pavilion June 28th, 29th and 30th, free of charge. The Upshur County Extension Service plans to host a 4-H Cloverbud Day Camp and anticipates that 25 area youth will be in attendance. In addition to the aforementioned request, Mr. Presar is also requesting to utilize the pool for one hour each afternoon and for the pool entry fees for the camp participants and registered staff to be waived. No action was taken by the Commission as this item was referred to Mr. McCourt per the previous motion giving Mr. McCourt authority over decisions for the park facilities. (copy included)

Correspondence from Kasey Baisden, Principal, French Creek Elementary School, requesting a monetary donation or donation for their school carnival basket to be held on April 24, 2022. Terry Cutright explained that in the past the Commission has donated ten one-day pool passes to French Creek Elementary School. No action was taken by the Commission as this item will also fall under the previous motion giving Mr. McCourt jurisdiction over decisions for the park facilities. (copy included)

At 9:15 a.m., David W. Bolyard, Jr. appeared before the Commission to present a Take Back Our Community presentation. He will be teaming up with Trilolgy and CESD to hold town hall meetings to discuss actions needed to reduce computer internet fraud and misinformation.

At 9:40 a.m., on the motion by Sam Nolte, seconded by Terry Cutright, the Commission approved the employment of Stephen C. Wykoff as part-time DHSEM Director. This position is not to exceed 1039 hours per calendar year, however, weekly hours will vary significantly due to emergencies and training. Mr. Wykoff, the Commissioners, Carrie Wallace and Tabatha Perry, went to Carol Smith's office to witness Mr. Wykoff's swearing in.

At 10:00 a.m., Allen Stagers, Allegheny Highlands Chapter Board Chair, and Allen Nash, Blood Donor Ambassador and Disaster Response Volunteer, appeared before the Commission. Mr. Stagers reviewed Upshur County's information for 2021. There were 15 blood drives, resulting in 277 units of blood, 28 cases of assistance to military families, and 27 families assisted with disaster services. These included the Adrian apartment building fire, the Edmonston building fire, and a house fire. The local Red Cross volunteers assisted in three National disasters, such as hurricane relief. After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved the signing of the Proclamation declaring March as Red Cross Month, as read by Carrie Wallace. (copy included)

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved and authorized the President to sign Amendment #1 to the Administrative Agreement between the Upshur County Commission and the Region VII Planning & Development Council for the Elkins Road PSD Water Project. (copy included)

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved the poll workers and emergency ballot 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 request from Joseph A. Tenney, Chairman of the Tennerton Public Service District, to accept Mike Hyre's resignation and the appointment of Robert Heater to Mr. Hyre's unexpired term to the Tennerton Public Service District Board. Mr. Heater's term will expire July 31, 2027. (copy included)

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After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved Jacob Mills, resident of Upshur County, WV, to serve on the Upshur County Parks and Recreation Board. (copy included)

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved the request from Steve Wykoff to serve on the Enhanced Emergency Telephone Advisory Board. He will replace Carrie Wallace as the Emergency Management representative on the board, but Carrie will continue to attend meetings in her capacity as County Administrator. (copy included)

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved the advertisement for Lifeguards, Admission Workers, Concession Stand Workers and Assistant Managers for the 2022 season at the Buckhannon-Upshur Recreation Park Facility. The temporary positions will commence mid-May and continue through mid-August. Applications must be received on or before the close of business on Friday, April 29, 2022. At the suggestion of Sam Nolte, and seconded by Terry Cutright, the advertisement should remain open if not enough applications are received prior to the deadline. (copy included)

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved Daisy Posey and Travis Kelley as Lewis-Upshur Control Facility Volunteers.

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

1. Upshur County E911 Communication Reports – February, 2022
 - Monthly Department Summary Report
 - Monthly Wrecker Report
 - YTD Wrecker Report
2. Lewis-Upshur Animal Control Facility Reports for the month of February, 2022
 - Adoption Financial Transactions
 - Cat Report
 - Animal Report
 - Animal Control/Humane Officer Animal Report
3. Upshur County Building & Floodplain Permits for the month of February, 2022
4. Public Notices
 - a) Newsletters and/or Event Notifications: (none)
 - b) Agendas and/or Notice of Meetings:
 - Elkins Road Public Service District March 8, 2022
 - Upshur County Chamber of Commerce March 9, 2022
 - Upshur County Senior Center March 9, 2022
 - Upshur County Convention and Visitor's Bureau March 9, 2022
 - West Virginia University Extension Service Committee March 9, 2022
 - Upshur County Farmland Protection Board – *Special Meeting* March 10, 2022
 - Upshur County Safe Structures and Sites Enforcement Board March 10, 2022
 - City Council of Buckhannon – *Special Working Session #3* March 11, 2022
 - Upshur County Family Resource Network March 14, 2022
 - Community Corrections March 14, 2022
 - Buckhannon-Upshur Airport Authority March 14, 2022
 - Elkins Road Public Service District March 15, 2022
 - Upshur County Fire Board Incorporated – *Cancelled* March 15, 2022
 - Lewis-Upshur LEPC March 16, 2022
 - City Council of Buckhannon March 17, 2022

Meeting Minutes:

- Upshur County Farmland Protection Board November 4, 2021
- Upshur County Farmland Protection Board December 16, 2021
- Adrian Public Service District February 3, 2022
- Tennerton Public Service District February 8, 2022
- Upshur County Senior Center February 9, 2022
- Adrian Public Service District – *Special Board Meeting* February 9, 2022
- Upshur County Safe Structures and Sites Enforcement Board February 10, 2022
- Upshur County CVB February 12, 2022
- Adrian Public Service District February 15, 2022
- West Virginia University Extension Service Committee February 25, 2022
- Upshur-Lewis LEPC Meeting January 22, 2022

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c) Meetings:

- 03/03/22-3:00 p.m.-Adrian PSD
- 03/03/22-6:00 p.m.-Buckhannon-Upshur Board of Health
- 03/03/22-7:00 p.m.-Banks District VFD
- 03/03/22-7:00 p.m.-City Council of Buckhannon
- 03/03/22-7:00 p.m.-Selbyville VFD
- 03/07/22-6:00 p.m.-Lewis-Upshur Community Corrections Board – Upshur Co
- 03/08/22-7:00 a.m.-Upshur County Development Authority – Full Board
- 03/08/22-12:00 p.m.-Upshur County Senior Center Board
- 03/08/22-4:00 p.m.-Hodgesville PSD
- 03/08/22-5:00 p.m.-Elkins Road PSD - *Cancelled*
- 03/08/22-7:00 p.m.-Warren District VFD
- 03/08/22-7:30 p.m.-Adrian VFD
- 03/09/22-12:00 p.m.-Buckhannon-Upshur Chamber of Commerce
- 03/09/22-3:00 p.m.-Upshur County Conventions & Visitors Bureau
- 03/09/22-3:00 p.m.-Tennerton PSD
- 03/09/22-6:00 p.m.-Buckhannon River Watershed Association – Farm Bureau
- 03/09/22-7:00 p.m.-Ellamore VFD
- 03/10/22-1:00 p.m.-Upshur County Farmland Protection Board – *Special Meeting to be held at the IDEA (Innovation) Center*
- 03/10/22-3:00 p.m.-Upshur County Safe Structures & Sites Enforcement Board
- 03/10/22-7:30 p.m.-Buckhannon VFD
- 03/13/22-6:00 p.m.-Washington District VFD
- 03/14/22-12:00 p.m.-Upshur County Family Resource Network
- 03/14/22-4:00 p.m.-Buckhannon Upshur Airport Authority
- 03/14/22-4:30 p.m.-Upshur County Solid Waste Authority
- 03/14/22-5:30 p.m.-Buckhannon-Upshur Recreational Park Advisory Board
- 03/15/22-5:00 p.m.-Elkins Road PSD – *Special Meeting*
- 03/15/22-6:30 p.m.-Upshur County Fire Board, Inc. – *Cancelled*
- 03/16/22-12:00 p.m.-Lewis-Upshur LEPC – Lewis County
- 03/16/22-4:00 p.m.-Upshur County Public Library Board
- 03/17/22-6:00 p.m.-Upshur County Farmland Protection Board – *Cancelled*
- 03/17/22-6:30 p.m.-Upshur County Youth Camp Board
- 03/22/22-10:00 a.m.-Wes-Mon-Ty Resource Conservation & Development Council
- 03/22/22-3:00 p.m.-UC Enhanced Emergency Telephone Advisory Board
- 03/23/22-7:00 p.m.-Upshur County Fire Fighters Association

5. Appointments Needed or Upcoming:

- Buckhannon-Upshur Parks & Recreation Advisory Board (6/30/23) – County Commission

****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. 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 Carrie L. Wallace at clwallace@upshurcounty.org.

- Monday, March 14th beginning at 9:00 a.m.
- Tuesday, March 15th beginning at 9:00 a.m.
- Wednesday, March 16th beginning at 9:00 a.m.
- Thursday, March 17th beginning at 1:00 p.m.
- Friday, March 18th beginning at 9:00 a.m.
- Monday, March 21st beginning at 1:00 p.m.

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

The Commission approved all Vacation Orders (list included)

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The Commission approved the following Settlements: (as listed)

- Michael Berry – Final Settlement
- Carl Lee Crumrine – First Annual Settlement
- Carolyn Diane Robinson – Final Settlement
- Glenn H. Rohr – Final Settlement Waiver

The Commission approved the following Certification of Completion of Ancillary Administration of WV Real Estate Without Appointment:

- James R. Bartlett – Certification of Completion
- Joan M. Cancel – Certification of Completion
- Joseph S. Mutko – Certification of Completion

The Commission approved the following Corrections, Exonerations and/or Refunds:

- Shakia Cleavenger - #200000690S - \$9.98 – Exoneration Order
- Elizabeth Golden - #300000635S - \$15.24 – Refund Order
- Elizabeth Golden - #300000407S - \$11.78 – Refund Order
- Wilson David Scott - #700000417S - \$274.22 – Exoneration Order
- Mayhew David A - #29556 - \$180.99 – Exoneration Order
- Eskew Rebecca - #300192 - \$58.32 – Exoneration Order

The Commission approved Requests to Attend Meeting:

- Janella Cochran – April 8, 2022
- Doyle R. Cutright, II – April 17, 2022 - April 22, 2022
- May 11, 2022 - May 13, 2022

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

Tabled Items: (none)

At 10:13 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 Confidential Attorney-Client Privileged Communication regarding the WV Opioid Discovery and Verification of Interrogatory Answers – Approval and Signature of Verification and Resolution regarding the same.

At 10:20 a.m., the Commission returned from Executive Session with no decision being made.

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 12:00 p.m.