

UPSHUR COUNTY COMMISSION MEETING

March 28, 2024

The County Commission of Upshur County, West Virginia, held their regular meeting on Thursday, March 28, 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; 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 Kristie Tenney, seconded by Doug Bush, the Commission approved the meeting minutes of March 14, 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 Upshur County Commission 2024-2025 fiscal year budget as certified by Carol J. Smith, County Clerk. (copy included)

After discussion, on motion by Doug Bush, seconded by Kristie Tenney, the Commission approved and authorized the Commission President to sign the Upshur County Emergency Medical Services Salary Enhancement Fund Agreement by and between the Upshur County Commission and the Upshur County Emergency Medical Services, Inc. (copy included)

After discussion, on motion by Kristie Tenney, seconded by Doug Bush, the Commission approved a Request for Proposals for Removing Slate Stair Treads and Rehabilitating Rear Stairwell Project in the Courthouse, funded by the Courthouse Facilities Improvement Authority. A mandatory pre-bid conference will be held on Tuesday, April 16, 2024, at 1:00 p.m. Sealed bids must be received no later than 4:00 p.m. on Wednesday, April 24, 2024, at the Administrative Annex, located at 91 West Main Street, Suite 101. Proposals received by the deadline will be publicly opened, reviewed and read aloud by the Commission at 9:15 a.m. on Thursday, April 25, 2024. (copy included)

After discussion, on motion by Doug Bush, seconded by Kristie Tenney, the Commission approved and authorized the Commission President to sign a Planned Maintenance Agreement, effective immediately through December 31, 2024, with All State Clock & Bell, to provide a one-time service to the bell ringing equipment and tower clock, located at the Courthouse. The total cost is \$650. (copy included)

After discussion, on motion by Kristie Tenney, seconded by Doug Bush, the Commission approved a Recommendation to Release Fiduciary Commissioner for the Estate of Dusty E. Caputo, deceased. Carol Smith, County Clerk, explained the reasoning behind this request. (copy included)

After discussion, on motion by Doug Bush, seconded by Kristie Tenney, the Commission approved property acquisition for the expansion of the 26th Judicial Circuit Community Corrections Program, as approved by the Lewis-Upshur Community Corrections Board during their meeting on March 11, 2024. Tabatha Perry explained that this property is at 83 West Main Street and is adjacent to the current building. The purchase price of \$225,000 will be paid by the Community Corrections Board. If the property is no longer used, it will be sold and the money split between Upshur County and Lewis County.

After discussion, on motion by Doug Bush, seconded by Kristie Tenney, the Commission approved the reappointment of Sidney Huffman to the Upshur County Fire Board. This will be his second term and will be effective July 1, 2024 through June 30, 2027. (copy included)

After discussion, on motion by Kristie Tenney, seconded by Doug Bush, the Commission approved Elizabeth Shahan as a volunteer at the Department of Homeland Security and Emergency Management.

After discussion, on motion by Doug Bush, seconded by Kristie Tenney, the Commission approved April Huskey as a volunteer at the Lewis-Upshur Animal Control Facility.

At 9:10 a.m., Kristie Tenney requested the Commission to go into Executive Session per *WV Code §6-9A-4 (A)*. On motion by Kristie Tenney, seconded by Doug Bush, the Commission went into Executive Session to discuss the request from Sheriff J. Michael Coffman to hire Robert M. Francis, as a full-time Animal Control Officer, effective April 8, 2024.

At 9:21 a.m., the Commission exited Executive Session, with no decisions being made.

After discussion, on motion by Kristie Tenney, seconded by Doug Bush, the Commission approved the request from Sheriff J. Michael Coffman to hire Robert M. Francis, as a full-time Animal Control Officer, effective April 6, 2024.

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At 9:22 a.m., John Waltz, Vice President for Enrollment and Marketing, West Virginia Wesleyan College, appeared before the Commission to provide an update on the college. Enrollment is up 5% in both undergraduate and graduate programs. The Clinical Mental Health Program, which is partnered with Community Care of West Virginia, was double the expectations for student enrollment. West Virginia Wesleyan College has reduced housing fees for local students in Upshur and surrounding counties by \$2,000 per year, which will continue throughout their time at West Virginia Wesleyan College. The stadium lighting project is continuing thanks to generous donations from WVWC Alumni. The college will be hosting a Board Meeting, Hall of Fame Induction, and Alumni visitors the weekend of April 18-21, 2024, which will bring many people to Buckhannon. Graduation will be held in early May. Many camps will be held on campus this summer, such as Camps for Gifted Students and the Governor's School for the Arts.

At 9:30 a.m., Carrie Wallace, representing Region VII Planning & Development Council, appeared before the Commission to request a grant modification for the FY22 Community Oriented Policing Services (COPS) Grant. In mid-2023, there was \$243,000 unused on this grant. Ms. Wallace consulted with the State and she was advised that with a modification, this money could be used for additional projects. Matthew Sisk, Director of Safety and Emergency Preparedness for the Upshur County Schools, has reviewed and recommends purchasing additional cameras for each entrance and exit and kitchen areas. Mr. Sisk also stated that more disk storage space would be beneficial in saving data for one year. After discussion, on motion by Doug Bush, seconded by Kristie Tenney, the Commission approved the modification to the FY22 Community Oriented Policing Services (COPS) Grant.

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

1. Correspondence from Ora L. Ash, Deputy State Auditor for Local Government Services, notifying the Commission of Upshur County's classification change from Class 3 to Class 2, effective July 1, 2024, based upon assessed property values certified by the County Assessor and County Clerk. This change in Class will result in a salary increase for all elected officials.
2. Submission of the Management Representation Letter to the WV State Auditor's Office for the Compliance Examination of the Coronavirus State and Local Fiscal Recovery Funds (CSLFRF) for the year ended June 30, 2023.
3. Report on Compliance for the U.S. Department of Treasury Coronavirus State and Local Fiscal Recovery Funds Program requirements for an Alternative Compliance Examination Engagement for the fiscal year ended June 30, 2023.
4. Correspondence from Susan M. Pierce, Deputy State Historic Preservation Officer, WV Department of Arts, Culture and History, offering an opinion regarding the planned replacement of slate stair treads and rehabilitation of the rear stairwell project in the Courthouse.
5. Correspondence from Deanna Sheets, Director of the Property Tax Division for the West Virginia State Tax Department, providing a budget estimate for FY 2024-2025 for the Statewide Computer Network in the amount of \$41,085.
6. Correspondence from the Upshur County Safe Structures and Sites Enforcement Board, notifying the filing of a Petition for Order on March 18, 2024, for Case Number 020824-02 (Warren Tax District – Tax Map 5B – Parcel Number 11), located on Claypool Hollow Road.
7. Correspondence from the Region VI Workforce Development Board, announcing the reappointment of Brandon Tenney, Assistant Director of the Upshur County Development Authority, as a Full Board Member.
8. Freedom of Information Act (FOIA) request and fulfillment from TC Energy, requesting information pertaining to any recent or future development plans near the Cleveland, Frametown Pipeline in 2023 or projected for 2024/2025.
9. An Announcement of Planned Action from James Praino, Plant Manager for Novelis ALR Rolled Products, Inc., giving notice that there will be a total closure of the Buckhannon Plant on June 13, 2024.
10. Public Notice of Comment from the Upshur-Buckhannon Health Department regarding a proposed rule which establishes fees for environmental permits and services. Comments must be received no later than the close of business, on April 26, 2024 at 4:30 p.m.
11. Notification from the U.S. Small Business Administration, announcing the availability of disaster loans for businesses and non-profits.
12. Notice of Cancellation of the Public Hearing for a Zoning Variance, regarding 66 West Main Street, Buckhannon, WV.

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13. Upshur County Sheriff's Financial Statement for period ending February 29, 2024
14. Upshur County E911 Communication Reports – February, 2024
 - Monthly Department Summary Report
 - Monthly Wrecker Report
 - YTD Wrecker Report
15. Upshur County Mileage Reports – February, 2024
 - Addressing and Mapping
 - Community Corrections
 - Dog Pound
 - Emergency Management
 - Maintenance
 - Parks & Recreation
 - Sheriff
 - Upshur 911
16. Lewis-Upshur Animal Control Facility Reports for the month of February, 2024
 - Revenue Report
 - Account of Animals Report
 - Animal Control/Humane Officer Animal Report
17. Public Notices:
 - a) Newsletters and/or Event Notifications:
 - Business at Breakfast March 27, 2024
 - Inclusion Play Groups April 2 and April 23, 2024
 - Upshur County Financial Literacy Event April 8, 2024
 - State of the Corridor April 10, 2024
 - City, County & BOE Candidate Forum April 17, 2024
 - b) Agendas and/or Notice of Meetings:
 - Upshur County Youth Camp Board February 29, 2024
 - Upshur County Convention & Visitors Bureau March 13, 2024
 - City Council of Buckhannon March 21, 2024
 - James W. Curry Library/Park Advisory Board March 22, 2024
 - c) Meeting Minutes:
 - Upshur County Family Resource Network December 11, 2023
 - Tennerton Public Service District Board January 10, 2024
 - Upshur County Safe Structures & Sites Enforcement Board February 8, 2024
 - Upshur County Family Resource Network February 12, 2024
 - Upshur County Convention & Visitors Bureau February 14, 2024
 - Tennerton Public Service District Board February 14, 2024
 - Upshur County Fire Board February 20, 2024
 - Upshur County Public Library Board February 21, 2024
 - Enhanced Emergency Telephone Advisory Board February 27, 2024
 - Upshur County Youth Camp Board February 29, 2024
 - d) Meetings: ****Dates and times of monthly board meetings are viewable at:***
www.upshurcounty.org –Upcoming events are listed on the main page.

18. 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. 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.****

Tabled Items: (none)

At 9:45 a.m., Chief J.B. Kimble, Buckhannon Fire Department, appeared before the Commission to provide a presentation of the annual Gap report. Chief Kimble stated that while comparing data from 2021, 2022, and 2023, they found a decrease of 1.06 seconds for emergency response time over the three-year period. The department will continue to review all data and will work toward final accreditation in a few years. The new training facility, which already has been used for law enforcement training, should be completed in the near future.

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)

- Howard Neil Barnhart – Final Settlement
- Naomi G. Given – Final Settlement
- James Morgan Knicely – 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:

- Terri Jo Bennett – April 4, 2024
- Jeremiah McCourt – April 4 – April 5, 2024
- Steve Wykoff – April 8 – April 12, 2024
- Steve Wykoff – June 3 – June 7, 2024
- Doyle Cutright, II – July 28, 2024
- Steve Wykoff – August 26 – August 30, 2024

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 11:55 a.m.