

# UPSHUR COUNTY COMMISSION MEETING

April 4, 2024

The County Commission of Upshur County, West Virginia, held their regular meeting on Thursday, April 4, 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 and Cindy M. Hughes, Assistant County Administrator.

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 March 28, 2024, as submitted.

Sam Nolte reviewed scheduled appointments and agenda items.

After discussion on motion by Kristie Tenney, seconded by Doug Bush, the Commission approved and authorized the Commission President to sign the World Vision Product Resources Cooperative Agreement, on behalf of the James W. Curry Library. (copy included)

After discussion, on motion by Doug Bush, seconded by Kristie Tenney, the Commission approved and authorized the Commission President to sign an Agreement between the Upshur County Commission and WVU Medicine – St. Joseph’s Hospital. This agreement jointly engages Out On A Limb to remove trees, brush, and debris, located on property situated between 02-5G-11.1 and 02-5G-12, which is negatively impacting communications at 181 Pallottine Drive. This Agreement further creates a mutual hold harmless and cross-indemnity arrangement between them. (copy included)

After discussion, on motion by Kristie Tenney, seconded by Doug Bush, the Commission voted to table the request from Steve Wykoff, Director of Upshur County Division of Homeland Security and Emergency Management, to move an unused radio tower that is currently located outside the old jail building, to the Emergency Operations Center for use by DHSEM and CERT. The tower would be used for training for the amateur radio and emergency communications program. The Commission is requesting a cost estimate for the move prior to acting upon a decision.

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

After discussion, on motion by Kristie Tenney, seconded by Doug Bush, the Commission approved the employment of the Upshur County Youth Camp Staff, effective April 29, 2024.

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

1. Freedom of Information Act (FOIA) request and fulfillment from Tourism Economics for statistics regarding bed tax receipts and rates for Upshur County during 2021, 2022, and 2023.
2. Correspondence from Meagan James, Program Coordinator for the County Commissioner’s Association of West Virginia, announcing National County Government Month and inviting 8<sup>th</sup> Grade Students to participate in an Essay Contest on the topic “How does my County Commission make life better for me?” The deadline for submissions is 5:00 p.m. on April 19<sup>th</sup>, 2024.
3. Notification from FirstEnergy Corporation announcing tree-trimming work is underway to help prevent or minimize power outages in West Virginia.
4. Upshur County Fire Board, Inc. Financial Report for the period of January – March, 2024
5. Upshur County Building and Floodplain Permits for the month of March, 2024
6. Public Notices:
  - a) Newsletters and/or Event Notifications:
    - Upshur County Solid Waste Authority Flyer
  - b) Agendas and/or Notice of Meetings:
    - Elkins Road Public Service District Board April 2, 2024
    - City Council of Buckhannon April 4, 2024
    - City Council of Buckhannon – *Special Meeting* April 16, 2024
  - c) Meeting Minutes: (none)
  - 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.
7. 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.\*\*\****

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Tabled Items: (none)

The appointment with Addie Helmick, to present a Sexual Assault Awareness Month Proclamation, was postponed to a later date.

At 9:20 a.m., Lori Ulderich Harvey, Upshur County Family Resource Network Director, appeared before the Commission to present a Child Abuse Prevention and Awareness Month Proclamation. After discussion, on motion by Kristie Tenney, seconded by Doug Bush, the Commission approved and signed the Proclamation declaring April as Child Abuse Prevention and Awareness Month. (copy included)

At 9:30 a.m., Samantha Ribeiro Matos appeared before the Commission to present an Autism Awareness Proclamation, celebrating April, 2024, as Autism Awareness Month. After discussion, on motion by Kristie Tenney, seconded by Doug Bush, the Commission approved and signed the Proclamation declaring April as Autism Awareness Month. (copy included)

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)

- Steven M. Casto – Final Settlement
- Edward Reed Ey – 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:

- Beer Judith A - #305477 - \$184.14 – Exoneration Order
- George & Linda R Hand - #7529 - \$108.75 – Refund Order
- George & Linda R Hand - #7595 - \$108.75 – Refund Order
- George & Linda R Hand - #7623 - \$108.75 – Refund Order
- George & Linda R Hand - #7676 - \$108.75 – Refund Order
- George & Linda R Hand - #7775 - \$108.75 – Exoneration Order
- Cheryl L Dotson - #30000654S - \$31.88 – Exoneration Order
- Carr Roy C & Sharon L c/o Denver Keith or Julia Carr - #19820 - \$78.28 – Exoneration Order
- Lanham Tina M c/o Denver Keith or Julia Carr - #21454 - \$78.28 – Exoneration Order
- Regester Adeline c/o Denver Keith or Julia Carr - #22685 - \$78.28 – Exoneration Order
- Regester Garry H c/o Denver Keith or Julia Carr - #22689 - \$78.28 – Exoneration Order
- Rocks ATV Repairs & Sales LLC - #309187 - \$143.94 – Exoneration Order
- Sears James E - #300508 - \$85.63 – Refund Order
- NU Creek LLC - #307845 - \$813.94 – Exoneration Order
- Betty Jones c/o Jason Detamore - #16532 - \$690.33 – Exoneration Order
- Shawn L Workman - #500000769S - \$108.22 – Exoneration Order
- Shawn L Workman - #500000723S - \$108.22 – Exoneration Order
- Shawn L Workman - #500000546S - \$141.51 – Exoneration Order

The Commission approved Requests to Attend Meeting:

- Tabatha Perry – April 10, 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 Doug Bush, seconded by Kristie Tenney, the Commission meeting adjourned at 12:00 p.m.

At 1:00 p.m., the Commission President attended the Court Security Advisory Board meeting.