

UPSHUR COUNTY COMMISSION MEETING

April 7, 2022

The County Commission of Upshur County, West Virginia, held their regular meeting on Thursday, April 7, 2022 at 9:00 a.m. Kristie Tenney called the meeting to order. Present were: Kristie G. Tenney, Commission President; Terry B. Cutright, Commissioner; Carol J. Smith, County Clerk; Carrie L. Wallace, County Administrator; Tabatha R. Perry, Assistant County Administrator and Lois A. Marsh, Secretary. Samuel R. Nolte, Commissioner, joined the meeting via teleconference.

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 Terry Cutright, seconded by Sam Nolte, the Commission approved the meeting minutes of March 24, 2022 and special meeting minutes of April 1, 2022, as submitted.

Carrie Wallace informed the Commission that the 9:15 a.m. appointment with Dirk Burnside on behalf of the Enhanced Emergency Telephone Advisory Board (EETAB) – Request to add Carrie Wallace as a voting member to the Board, had been cancelled. Ms. Wallace also said that the 10:15 a.m. appointment with Trecie Coleman, Region 6 Youth Ready – Approval and Signature of On the Job “OJT” Agreement for the LUACF had also been cancelled.

Kristie Tenney reviewed scheduled appointments and agenda items.

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved and authorized the President to sign the Statement of Interest in Multi-Hazard Mitigation Planning for Region VII Planning and Development Council. (copy included)

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved and authorized the President to sign the WV CDBG Small Cities Block Grant Program Grant Amendment No. 5 for the Elkins Road PSD Phase III Water System Improvement Project. This amendment will reallocate funding to a different line item in order to cover the Council’s cost overrun due to the project taking longer to complete than originally anticipated. (copy included)

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved and authorized the President to sign a Community Development Block Grant – Small Cities Block Grant Request for Payment for the Elkins Road PSD Phase III Water System Improvements in the amount of \$7,788.10. This is for Request for Funds #29. (copy included)

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved signing a letter of support for the Upshur County Regional Airport proposed expansion project. (copy included)

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved and authorized the President to sign correspondence to the WV Courthouse Facilities Improvement Authority requesting permission to utilize the remaining funds from the former jail facility roof replacement project to complete Phase III of the project which consists of rehabilitating the front arcaded brick porch. Tabatha Perry explained that in order to complete this project, after using the \$45,015 remaining funds, the Commission will be responsible for \$4,500 over the required twenty percent match for the original grant. This project will cover removing mortar joints, damaged and fractured bricks, power washing, replace porch roof. (copy included)

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved and authorized the President to sign the Renewal Agreement between the Upshur County Commission and Stanton Lawn Service for grounds keeping services for the 2022 season. Per the renewal clause, Owner and Contractor agree that all terms set forth in the Agreement dated February 24, 2020 are in full force and effect for another one-year period effective April 7, 2022, and continuing through September 30, 2022. Owner shall pay the Contractor, upon completion of the work, no more than the sum of \$17,360, which includes one additional area at the B-U Recreational Park added last season. (copy included)

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved the Electronic Pollbook Sales Order Agreement Sales Quotation #S2242 between ESS and the Upshur County Commission in the amount of \$13,165.00. Carol Smith explained that the new pollbooks will not be available for the May 10, 2022 primary election, but will be ready for the November 8, 2022 general election. This is for four books to be used for early voting only. (copy included)

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved and authorized the President to sign the Employer Referral Verification Checklist by and between the Upshur County Commission and PayFlex Systems USA, Inc. Changes are being made to the contact information, HRA run-out period and rollover provisions. (copy included)

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved the job description for a part-time Deputy Director of Emergency Management, Upshur County Office of Emergency Management. Carrie Wallace stated that this job description had been drafted in 2015 but there is no record of approval at that time. (copy included)

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On motion by Terry Cutright, seconded by Sam Nolte, the Commission approved Resignation of Employee. Later in the meeting, Carrie Wallace reported that Sheriff Virgil Miller stated that the employee had withdrawn this resignation and would continue as a fill-in court security officer and would be utilized as necessary. Carrie Wallace further stated that since the Commission had already voted to accept the Resignation, the rescinding of the Resignation would appear on the April 14, 2022 meeting agenda.

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved Resignation of Employee.

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

1. Correspondence from Michael V. Coleman, Director, State of West Virginia Department of Homeland Security, Division of Administrative Services, relating to jail per diem rates. HB4497 relating to WV State Code 15A-3-16(g) passed and subsequently approved by the Governor on March 28, 2022, extended the statutory per diem cap of \$48.25 paid by counties and municipalities to incarcerate inmates in regional jails, through July 1, 2023.
2. Tri-County Child Exchange & Visitation Program is accepting applications for part-time Site Supervisor & Monitor positions.
3. After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved the Toshiba MFP Maintenance/Lease Agreement between Hart Office Solutions and the Upshur County Clerk for a new copier installed on March 18, 2022. This lease will be in the amount of \$9,685.62 and will be billed monthly at \$153.74. All services and supplies will be billed monthly based on use.
4. Upshur County Building and Floodplain Permits for the month of March, 2022.
5. Public Notices:

a) Newsletters and/or Event Notifications:

- Free Paper Shred Event (*sponsored by the Upshur County Solid Waste Authority*) April 23, 2022
- Disc Golf Tournament May 28, 2022

b) Agendas and/or Notice of Meetings:

- James W. Curry Library/Park Advisory Board March 23, 2022
- Elkins Road PSD April 5, 2022
- Buckhannon Historic Landmarks Commission –*Special Meeting* April 5, 2022
- SUBA Meeting April 6, 2022
- City Council of Buckhannon April 7, 2022

Meeting Minutes - none

c) Meetings:

- 04/05/22-5:00 p.m.-Elkins Road PSD
- 04/07/22-3:00 p.m.-Adrian PSD
- 04/07/22-6:00 p.m.-Buckhannon-Upshur Board of Health
- 04/07/22-7:00 p.m.-Banks District VFD
- 04/07/22-7:00 p.m.-City Council of Buckhannon
- 04/07/22-7:00 p.m.-Selbyville VFD
- 04/10/22-6:00 p.m.-Washington District VFD
- 04/11/22-12:00 p.m.-Upshur County Family Resource Network
- 04/11/22-4:00 p.m.-Buckhannon Upshur Airport Authority
- 04/11/22-4:30 p.m.-Upshur County Solid Waste Authority
- 04/11/22-5:30 p.m.-Buckhannon-Upshur Recreational Park Advisory Board
- 04/11/22-6:00 p.m.-Lewis-Upshur Community Corrections Board – Upshur Co
- 04/12/22-7:00 a.m.-Upshur County Development Authority – Full Board
- 04/12/22-12:00 p.m.-Upshur County Senior Center Board
- 04/12/22-4:00 p.m.-Hodgesville PSD
- 04/12/22-7:00 p.m.-Warren District VFD
- 04/12/22-7:30 p.m.-Adrian VFD
- 04/13/22-12:00 p.m.-Buckhannon-Upshur Chamber of Commerce
- 04/13/22-3:00 p.m.-Upshur County Conventions & Visitors Bureau
- 04/13/22-3:00 p.m.-Tennerton PSD
- 04/13/22-6:00 p.m.-Buckhannon River Watershed Association - Farm Bureau
- 04/13/22-7:00 p.m.-Ellamore VFD
- 04/14/22-7:00 a.m.-Upshur County Development Authority – Executive Board

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- 04/14/22-3:00 p.m.-Upshur County Safe Structures & Sites Enforcement Board
- 04/14/22-7:30 p.m.-Buckhannon VFD
- 04/19/22-6:30 p.m.-Upshur County Fire Board, Inc.
- 04/20/22-12:00 p.m.-Lewis-Upshur LEPC – Upshur Co
- 04/20/22-4:00 p.m.-Upshur County Public Library Board
- 04/21/22-5:00 p.m.-Upshur County Farmland Protection Board
- 04/21/22-6:30 p.m.-Upshur County Youth Camp Board
- 04/26/22-10:00 a.m.-Wes-Mon-Ty Resource Conservation & Development Council
- 04/26/22-3:00 p.m.-UC Enhanced Emergency Telephone Advisory Board
- 04/27/22-7:00 p.m.-Upshur County Fire Fighters Association

6. 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 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.****

Tabled Items: (none)

At 9:30 a.m., Jennifer Bostian, UCDA Executive Director, appeared before the Commission to discuss the Leadership Upshur development program and request formal support from the County, use of the county's logo on marketing materials and sponsorship. The Leadership Upshur Planning Committee is planning a nine-month program for mid-management level employees. The Planning Committee is made up of Upshur County Development Authority, Chamber of Commerce, St. Joseph's Hospital, Community Care of WV, Create Buckhannon, City Council and County Commission. The hope is to have 15-20 students and the inaugural class would begin in October. After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved the request from Jennifer Bostian. (copy included)

At 9:45 a.m., Addie Helmick on behalf of Women's Aid in Crisis appeared before the Commission and read the Presentation of Sexual Assault Awareness Month Proclamation. After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved the Proclamation making April Sexual Assault Awareness Month. (copy included)

At 9:50 a.m., Lori Ulderich Harvey, Upshur County Family Resource Network Director and team leader for Upshur County Partners in Prevention, appeared before the Commission to request the Commission to proclaim the month of April, 2022 to be Child Abuse Prevention and Awareness Month. Addie Helmick and Ginny Dixon were also present. After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved the month of April, 2022 to be proclaimed as Child Abuse Prevention and Awareness Month. (copy included)

At 10:30 a.m., Leah Barbor, of Solar United Neighbors, appeared before the Commission to explain the goal of the solar co-op process and encouraged the Commission to go to solarunitedneighbors.org/West Virginia to find out more about solar energy's impact.

At 11:00 a.m., Jeanne Zickefoose, who was representing Terri Jo Bennett, appeared before the Commission for a public meeting to assign a name to a private right-of-way per the requirements of the 911 Addressing and Mapping Ordinance adopted on September 18, 2003. This request regards a driveway that comes off of the Harvey Golden Road. Two property owners requested Whippoorwill Lane, with second choice being Turkey Creek. Ms. Zickefoose explained that the name Whippoorwill had already been used. After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved the road name of Turkey Creek Lane. (copy included)

At 11:18 a.m., Terry Cutright made a motion, seconded by Sam Nolte, to go into Executive Session to discuss the resignation of Carrie L. Wallace, County Administrator, effective May 2, 2022, and discuss the employment of her successor.

At 11:22 a.m., the Commission exited Executive Session. No decision was made.

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved the resignation of Carrie L. Wallace, County Administrator, effective May 2, 2022.

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved the promotion of Tabatha R. Perry to the position of County Administrator, effective May 2, 2022.

At 11:45 a.m., Terry Cutright made a motion, seconded by Sam Nolte, to go into Executive Session to discuss potential property acquisition.

At 11:58 a.m., the Commission exited Executive Session. No decisions were made.

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

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The Commission approved all Vacation Orders (list included)

The Commission approved the following Settlements: (as listed)

- Ronald Neal Bone – Final Settlement
- John Junior Levier – Final Settlement Waiver
- Charles W. McIe – Final Settlement

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:

- Daniel J or Dakota J McCourt - #400000420S - \$96.76 – Exoneration Order
- Hayes Max L & Leslie C - #12140 - \$154.62 – Exoneration Order

The Commission approved Requests to Attend Meeting: (none)

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 Terry Cutright, seconded by Sam Nolte, the Commission meeting adjourned at 12:20 p.m.