

UPSHUR COUNTY COMMISSION MEETING

May 19, 2022

The County Commission of Upshur County, West Virginia, held their regular meeting on Thursday, May 19, 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; 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 Sam Nolte, seconded by Terry Cutright, the Commission approved the meeting minutes of May 5, 2022, as submitted.

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 an agreement by and between the State of West Virginia, the Department of Arts, Culture and History, and the Records Management and Preservation Board and the Upshur County Commission for a Records Management and Preservation Grant in the amount of \$9,795 to digitize grantee/grantor deed index books (1984-1988) located in the Upshur County Clerk's Office. The term of the project is July 1, 2022 – June 30, 2023. (copy included)

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved and authorized the President to sign a proposal between the Upshur County Commission and Landmark geospatial to provide "as needed" GIS technical support services for the Upshur County Office of Addressing and Mapping for a twelve-month period from date of execution. This agreement shall automatically renew for consecutive annual terms unless terminated by either party via 30 day written notice. Services will be billed at \$80.00 per hour and will bill in thirty minute increments. Tabatha Perry explained that she confirmed with Terri Jo Bennett there had previously been no formal agreement for these services and Landmark geospatial is the only provider available. (copy included)

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved the WYK Associates, Inc. scope of work and fee schedule for Architectural/Engineering services for the Upshur County Courthouse Annex HVAC Upgrade Project. The stipulated sum to be paid is \$57,450. (copy included)

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission reviewed the request from Laura B. Meadows, Executive Director of the Upshur County Convention & Visitors Bureau (CVB) to reappoint Tabatha Perry as the County Commission representative to the CVB Board of Directors. This second term will be effective July 1, 2022 through June 30, 2025. (copy included)

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

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved the request from Virgil D. Miller, Sheriff of Upshur County, for advertisement of (1) part-time Courthouse Security position. This position will work no more than 19.5 hours per week and will begin employment on June 6, 2022. Applications will be due no later than Tuesday, May 31, 2022. (copy included)

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved the employment of the Upshur County Youth Camp Staff, effective May 23, 2022.

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved correspondence from Barry Lynn Row, contract counselor, terminating his contract with the 26th Judicial Circuit Community Corrections Day Report Center, effective June 5, 2022. The Commission previously approved the hiring of a contract counselor during the regularly scheduled Commission Meeting held on October 25, 2018. (copy included)

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved the request from Cheyenne Troxell, 26th Judicial Circuit Community Corrections Program Director, to transfer Andrew Pinkney from part-time to full-time Drug Court Counselor for Upshur and Lewis Counties, effective June 6, 2022.

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved the advertisement for a full-time Case Aide position with the 26th Judicial Circuit Community Corrections Day Report Center. The position is 40 hours per week with a beginning rate of pay of \$16.50 per hour. Applications are due on or before close of business on June 3, 2022. (copy included)

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved the request from Cheyenne Troxell, 26th Judicial Circuit Community Corrections Program Director, for a pay increase for Cheyenne Troxell, Tom Posey, Samantha Ribeiro Matos, Linda Barnhouse, Kelly Bowyer, Cody Hannah, Brooklyn Queen, Chad Simmons and Taylor Rolenson as approved by the 26th Judicial Community Corrections Board during their meeting on May 9, 2022. The increase will take effect July 1, 2022 and be paid out of the Community Corrections Funds.

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

1. Standard Form of Agreement Between the Upshur-Buckhannon Board of Health and City Construction Company, Inc. and Change Order #1 for the renovations to the Upshur-Buckhannon Health Department. The original contract sum was \$298,601 and the new contract sum, including the change order, will be \$307,530. Tabatha Perry explained that the Commission previously appropriated \$150,000 of ARP funds for this project, the Board of Health will be contributing \$150,000 of their funds, and the remaining balance will be paid by the Board of Health through COVID grant funding. Kristie Tenney stated that the Upshur-Buckhannon Health Department will be relocating to a facility at West Virginia Wesleyan College on May 31, 2022 while renovations are being made.
2. Review correspondence related to the Upshur County Safe Structures and Sites Enforcement Board Case Number 070821-02 (Banks District – Tax Map 4 – Parcel Number 2) previously owned by the Estate of David Miller.
3. Notice from Columbia Gas Transmissions, a wholly owned indirect subsidiary of TC Energy Pipeline USA, Ltd., plans to patrol its WB Loop pipeline using an Unmanned Aerial Vehicle (UAV), also known as a “drone”, on or near Commission owned property, with the presence of workers and vehicles. Tabatha Perry explained that this was the James W. Curry Library property.
4. Statewide Transportation Improvement Program (STIP) FFY 2020-2025 Program Amendment #9.
5. Upshur County Sheriff’s Financial Statement for period ending April, 2022
6. Public Notices:
 - a) Newsletters and/or Event Notifications:
 - James W. Curry Library May, 2022 Calendar of Events
 - b) Agendas and/or Notice of Meetings:

• Buckhannon-Upshur Airport Authority	May 9, 2022
• Upshur County Farmland Protection Board	May 11, 2022
• Upshur County Safe Structures and Sites Enforcement Board	May 12, 2022
• City Council of Buckhannon	May 17, 2022

Meeting Minutes:

• Elkins Road PSD	April 5, 2022
• Adrian PSD	April 7, 2022
• Upshur County Solid Waste Authority	April 11, 2022
• Tennerton PSD	April 13, 2022
• Upshur County Convention and Visitors Bureau Board	April 13, 2022
 - c) Meetings:
 - 05/03/22-5:00 p.m.-Elkins Road PSD
 - 05/05/22-3:00 p.m.-Adrian PSD
 - 05/05/22-6:00 p.m.-Buckhannon-Upshur Board of Health
 - 05/05/22-7:00 p.m.-Banks District VFD
 - 05/05/22-7:00 p.m.-City Council of Buckhannon
 - 05/05/22-7:00 p.m.-Selbyville VFD
 - 05/08/22-6:00 p.m.-Washington District VFD
 - 05/09/22-12:00 p.m.-Upshur County Family Resource Network
 - 05/09/22-4:00 p.m.-Buckhannon-Upshur Airport Authority
 - 05/09/22-4:30 p.m.-Upshur County Solid Waste Authority
 - 05/09/22-5:30 p.m.-Buckhannon-Upshur Recreational Park Advisory Board
 - 05/09/22-6:00 p.m.-Lewis-Upshur Community Corrections Board – Upshur Co
 - 05/10/22-12:00 p.m.-Upshur County Senior Center Board
 - 05/10/22-4:00 p.m.-Hodgesville PSD
 - 05/10/22-7:00 p.m.-Warren District VFD
 - 05/10/22-7:30 p.m.-Adrian VFD
 - 05/11/22-12:00 p.m.-Buckhannon-Upshur Chamber of Commerce
 - 05/11/22-3:00 p.m.-Upshur County Convention & Visitors Bureau
 - 05/11/22-3:00 p.m.-Tennerton PSD
 - 05/11/22-6:00 p.m.-Buckhannon River Watershed Association – *Farm Bureau*
 - 05/11/22-7:00 p.m.-Ellamore VFD
 - 05/12/22-7:00 a.m.- Upshur County Development Authority – *Executive Board*

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- 05/12/22-3:00 p.m.-Upshur County Safe Structures and Sites Enforcement Board
- 05/12/22-7:30 p.m.-Buckhannon VFD
- 05/13/22-7:00 a.m.-Upshur County Development Authority – *Full Board*
- 05/17/22-6:30 p.m.-Upshur County Fire Board, Inc.
- 05/18/22-12:00 p.m.-Lewis-Upshur LEPC – *Upshur Co*
- 05/18/22-4:00 p.m.-Upshur County Public Library Board
- 05/19/22-5:00 p.m.-Upshur County Farmland Protection Board
- 05/19/22-6:30 p.m.-Upshur County Youth Camp Board
- 05/24/22-10:00 a.m.-Wes-Mon-Ty Resource Conservation & Development Council
- 05/24/22-3:00 p.m.-UC Enhanced Emergency Telephone Advisory Board
- 05/25/22-7:00 p.m.-Upshur County Fire Fighters Association

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 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:

1. Correspondence from the Upshur County Firefighters Association requesting a Commission appointment to the newly created committee to address multiple critical issues the local fire departments are facing and assist in determining viable solutions. The committee will consist of two (2) private citizens; two (2) business representatives; and, two (2) elected officials, one (1) being from the Upshur County Commission and one (1) being from the Buckhannon City Council. (tabled on 4/21/22)

At 9:15 a.m., the Commission held a bid opening and potential award for one new half-ton truck for Lewis-Upshur Community Corrections. Tabatha Perry reported that only one bid had been received by the deadline. This bid was from Elkins Chrysler, Dodge, Jeep, Ram for \$36,313 with no estimated delivery date. After reviewing the bid with Cheyenne Troxell and Rodney Rolenson to make sure it met all of the requirements, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved the purchase of a half-ton truck from Elkins Chrysler, Dodge, Jeep, Ram for \$36,313, pending approval by the Lewis County Commission. (copy included)

At 9:30 a.m., after discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission Certified the 2022 Primary Election Results for Upshur County and the City of Buckhannon. Carol Smith explained that two counties have not completed their Canvass, so the 2022 Primary Election Results for the State and Federal contests will be certified at a later date.

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)

- Larry Gleeson Furr – Final Settlement Waiver
- Helen J. Heater – Final Settlement Waiver
- Vicki Lea Gall – Final Settlement
- Clarence C. Smarr – 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:

- Tenney Donnie R - #31225 - \$86.48 – Refund Order
- Ours Marjorie – Apportionment/Split of Assessment and Taxes for Classification
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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.

Carol Smith reviewed a request for a budget revision. After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved and authorized the President to sign the budget revision as discussed with a “Request for Revision to Approved Budget” to be sent to the Office of the State Auditor for approval. (copy included)

At 11:45 a.m., on motion by Terry Cutright, seconded by Sam Nolte, the Commission recessed.

The Commission reconvened at 1:00 p.m. and attended the Department Supervisors Meeting at 1:00 p.m. and the Policy Board Meeting at 2:00 p.m.

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With no further business, on motion by Sam Nolte , seconded by Terry Cutright, the Commission meeting adjourned at 4:00 p.m.