

UPSHUR COUNTY COMMISSION MEETING

May 26, 2022

The County Commission of Upshur County, West Virginia, held their regular meeting on Thursday, May 26, 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 Terry Cutright, seconded by Sam Nolte, the Commission approved the meeting minutes of May 19, 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 signing the Letter of Support for the City of Buckhannon's Transportation Alternatives Grant Application for the Morton Avenue and North Locust Street Sidewalk and Lighting Project. Tabatha Perry explained that the city had applied for this grant last year, but it was not funded and they are working with Region VII on the grant this year. (copy included)

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved and authorized the President to sign correspondence from Jonathan Vickers, Assistant Director, Chief Inspector's Division of the WV State Auditor's Office, confirming services to be provided to the Upshur County Commission for the fiscal year ended June 30, 2021. The fee for the audit services will be \$37,860, an increase of \$1,210 over last year. Tabatha Perry stated that the auditors arrived on Monday, May 23, 2022. (copy included)

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved the Fiscal Management of Grants Policy, which had previously been reviewed and approved by the Policy Board during the meeting on May 19th and is needed in order to be in compliance with grant requirements. Tabatha Perry reported that the draft had been presented to the Policy Board with only one change that needed to be made. This policy had previously not been in writing. (copy included)

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved and authorized the President to sign the WV Communities Risk Pool Coversheet to Member Agreement. The total annual contribution, including workers' compensation, is one hundred ninety-two thousand six hundred twenty-one dollars (\$192,621). Tabatha Perry said this was an increase of \$17,105 over last year.

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved the resignation of Brian Elmore from the Upshur County Fire Board, effective May 19, 2022. (copy included)

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved the request for the following appointments per the Upshur County Development Authority Resolution adopted on May 13, 2022: (copy included)

- 1) Bobby Gompers, Bob Skinner, Aaron Harris, Greg Hadjis, and Arria Hines to the UDCA Board. These terms will begin on July 1, 2022 and expire on June 30, 2025; and,
- 2) Dr. James Moore to the unexpired position of Joel Thierston, WVWC. This term expires June 30, 2024.

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved the "Request for Bids" and Minimum Vehicle Specifications for one new Half-Ton Truck for the Lewis-Upshur Community Corrections Program. Sealed proposals must be received no later than 4:00 p.m. on June 22, 2022, 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, June 23, 2022. Tabatha Perry explained that this bid was approved at the last Commission meeting but the dealer had notified the Commission that they would be unable to fulfill this bid due to production problems. After discussing with Cheyenne Troxell, it was decided to re-bid with new dates and hopefully attract more bidders. (copy included)

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved employment of additional Buckhannon-Upshur Recreational Park Staff, effective May 27, 2022.

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

1. Notice of Fleet Early Order Cut Off for all 2022 Ram 1500 trucks, effective May 9, 2022. This notice was provided by Elkins Chrysler Dodge Ram Jeep after the Commission approved the purchase of a 2022 Dodge Ram for Community Corrections during the meeting conducted on May 19, 2022; therefore, the bid submitted is null and void.
2. Correspondence from Upshur Property, LLC., enclosing the legal advertisement for Upshur Property, LLC., Permit No. P-698 Increment No. 13, in compliance with the surface mining laws of WV. The site is located in Washington District, 3.5 miles southeast of Tallmansville and discharges into an Unnamed Tributary of the Right Fork of Tenmile

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- Creek and Tenmile Creek, Unnamed Tributaries of Right Fork Middle Fork River and Laurel Run of the Buckhannon River and Middle Fork River of the Tygart Valley River.
3. Correspondence from Upshur Property, LLC., enclosing the legal advertisement for Upshur Property, LLC., Permit No. S-163-76 Increment No. 2 and Increment No. 4, in compliance with the surface mining laws of WV. Upshur Property, LLC. is seeking a Phase 1 release on Increment 2 and Phase 1, 2 and 3 release on Increment 4. The site is located in Washington District, 5.75 miles southwest of Tallmansville and discharges into Panther Fork of the Buckhannon River of the Tygart Valley River.
 4. Correspondence from Maureen Lewis, WV Secretary of State Administrative Law Division, requesting the filing of a list of all Public Service Districts (PSD's) and their current board members, along with the board member's term of office by July 1, 2022. Tabatha Perry said this information is kept on a spreadsheet in their office and is forwarded to the WV Secretary of State Administrative Law Division each year.
 5. Upshur County E911 Communication Reports – April, 2022
 - Monthly Department Summary Report
 - Monthly Wrecker Report
 - YTD Wrecker Report
 6. Lewis-Upshur Animal Control Facility Reports for the month of April, 2022
 - Adoption Financial Transactions
 - Cat Report
 - Animal Report
 - Animal Control/Humane Officer Animal Report
 7. Public Notices:
 - a) Newsletters and/or Event Notifications: (none)
 - b) Agendas and/or Notice of Meetings:
 - Buckhannon-Upshur Parks and Recreation Advisory Board May 24, 2022
 - Upshur County Public Library May 25, 2022
 - Upshur County Farmland Protection Board – *Special Meeting* June 1, 2022
- Meeting Minutes:
- Upshur-Lewis Community Corrections April 11, 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.-Upshur-Buckhannon 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 Conventions & 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*
 - 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.

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- 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

8. 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 Fire Fighters 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*).

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)

- Felicia Faye Dean – Final Settlement Waiver
- Carl J. Starr – 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:

The Commission approved Requests to Attend Meeting:

The Commission approved the following Consolidation of Land Tracts:

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission certified the 2022 Primary Election Results for all State and Federal contests. Carol Smith confirmed that there were no changes after Canvassing was completed.

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 11:30 a.m.