

UPSHUR COUNTY COMMISSION MEETING

June 1, 2023

The County Commission of Upshur County, West Virginia, held their regular meeting on Thursday, June 1, 2023 at 9:00 a.m. Kristie Tenney called the meeting to order. Present were: Kristie G. Tenney, Commission President; Samuel R. Nolte, 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 Doug Bush, seconded by Sam Nolte, the Commission approved the meeting minutes of May 18, 2023, as submitted.

Kristie Tenney reviewed scheduled appointments and agenda items.

After discussion, on motion by Sam Nolte, seconded by Doug Bush, the Commission approved and authorized the Commission President to sign the Oath and Certificates for the Personal Property Books and Real Land Books.

After discussion, on motion by Doug Bush, seconded by Sam Nolte, the Commission approved and authorized the Commission President to sign the FY 24 Victim of Crime Act (VOCA) Victim Assistance Grant Application, Standard Conditions and supporting documents for victim advocate services. (copy included)

After discussion, on motion by Sam Nolte, seconded by Doug Bush, the Commission approved and authorized the Commission President to sign a Proposal for Financing provided by Country Roads Leasing, LLC. and Resolution Authorizing the Execution and Delivery of a Master Lease Equipment Lease-Purchase Agreement and Related Instruments and determining other matters in connection therewith. The tax-exempt lease-purchase financing for the acquisition of a 2023 Grand Cherokee Laredo and ancillary equipment will cost \$13,444.66 annually over a period of four years. (copy included)

After discussion, on motion by Sam Nolte, seconded by Doug Bush, the Commission approved and authorized the Commission 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, 2022. This is a revision to the previous agreement; however, the fee for the audit services remains \$38,100. (copy included)

After discussion, on motion by Doug Bush, seconded by Sam Nolte, the Commission approved and authorized the Commission President to sign the Section 125 Flexible Benefit Plan Adoption Agreement by and between American Fidelity Assurance Company and the Upshur County Commission. Tabatha Perry explained that this is an annual procedure. (copy included)

After discussion, on motion by Sam Nolte, seconded by Doug Bush, the Commission approved and authorized the Commission President to sign the Election and Release Form for West Virginia Participating Local Governments resolving opioid-related claims against Mylan Pharmaceuticals, Inc., found within the Mylan Pharmaceuticals, Inc. West Virginia State-Wide Opioid Settlement Agreement, executed on May 22, 2023. (copy included)

After discussion, on motion by Sam Nolte, seconded by Doug Bush, the Commission approved and authorized the Commission President to sign the Election and Release Form for West Virginia Participating Local Governments resolving opioid-related claims against Amneal found within the Amneal West Virginia Opioid Settlement Agreement, executed on May 25, 2023. (copy included)

After discussion, on motion by Doug Bush, seconded by Sam Nolte, the Commission approved an Order to Appoint Shari Zalaznik as Trustee De Bonis Non for the John Porter Siron, Jr. Trust for Shirley Lea Casto. (copy included)

After discussion, on motion by Sam Nolte, seconded by Doug Bush, the Commission approved an Order to Appoint Shari Zalaznik as Trustee De Bonis Non for the John Porter Siron, Jr. Trust for Judy Marie Strader. (copy included)

After discussion, on motion by Doug Bush, seconded by Sam Nolte, the Commission approved the reappointment of Kessa Thorpe as District 2 Republican Representative to the Upshur-Buckhannon Board of Health. Ms. Thorpe's term will be effective July 1, 2023 to June 30, 2028.

After discussion, on motion by Doug Bush, seconded by Sam Nolte, the Commission approved the reappointment of Virgil D. LaRosa as County Representative to the Buckhannon-Upshur Airport Authority. Mr. LaRosa's term will be effective July 1, 2023 to June 30, 2026.

After discussion, on motion by Doug Bush, seconded by Sam Nolte, the Commission approved the reappointment of Todd Payne as Farmer Representative to the Upshur County Farmland Protection Board. Mr. Payne's term will be effective July 1, 2023 to June 30, 2026.

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

After discussion, on motion by Sam Nolte, seconded by Doug Bush, the Commission approved an employment status change from full-time to part-time, for temporary training purposes.

UPSHUR COUNTY COMMISSION MEETING

June 1, 2023

After discussion, on motion by Sam Nolte, seconded by Doug Bush, the Commission approved the request from Kimbra Wachob, Assistant Director for the Upshur County Emergency Communications Center, for the employment of Beatrice Simmons as a full-time Emergency Telecommunicator for the Upshur County Emergency Communications Center, effective June 5, 2023.

After discussion, on motion by Doug Bush, seconded by Sam Nolte, the Commission approved the request from Sheriff J. Michael Coffman for employment of Tyler A. Gordon as a full-time Deputy in the Upshur County Sheriff's Department, effective June 11, 2023.

After discussion, on motion by Doug Bush, seconded by Sam Nolte, the Commission approved the request from Sheriff J. Michael Coffman for employment of Riley T. Lamb as a full-time Deputy in the Upshur County Sheriff's Department, effective June 12, 2023.

After discussion, on motion by Doug Bush, seconded by Sam Nolte, the Commission approved Trudy Crawford as a Lewis-Upshur Animal Control Facility Volunteer.

After discussion, on motion by Doug Bush, seconded by Sam Nolte, the Commission approved the employment of additional Buckhannon-Upshur Recreational Park Staff, effective June 1, 2023.

At 9:15 a.m., Beth Post, President of the Fred Brooks Garden Club, and Carolyn Patterson, representing the Stargazers Garden Club, appeared before the Commission to give an update on their activities. Both clubs have participated in various projects for children around Upshur County, such as planting marigolds at the fire department, city hall, river walk, dog park, library, and schools in the southern end of the county. After discussion, on motion by Doug Bush, seconded by Sam Nolte, the Commission approved the signing of the National Garden Week Proclamation designating June 4 – June 10, 2023 as National Garden Week in Upshur County. (copy included)

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

1. Proclamation made by Governor Jim Justice on May 17, 2023, permitting public employees of this State to generally cease business the entire workday of Monday, June 19, 2023, in acknowledgement of the historical significance of Juneteenth, and the fact it is to be recognized as an official federal holiday. This proclamation further reads that public employees of this State may be excused from their work duties the entirety of the day without charge against accrued annual leave. In accordance with subsection (c), section one, article two, chapter two of the WV Code, County Commissions may treat the day as if it were a legal holiday, and the Courts may do the same. The Courthouse and Annex will be closed per the 2023 Calendar Year Legal Holiday Schedule.
2. Correspondence from Karen Buckley, Executive Secretary for the Public Service Commission of West Virginia, providing a copy of a Commission General Order No. 187.63, increasing the wireless enhanced 911 fee from \$3.51 to \$3.64 per month, per subscriber, effective July 1, 2023.
3. Lewis-Upshur Animal Control Facility Reports for the month of April, 2023
 - Revenue Report
 - Account of Animals Report
 - Animal Control/Humane Officer Animal Report
4. Upshur County Sheriff's Financial Statement for period ending April, 2023.
5. Upshur County Mileage Reports – April, 2023
 - Addressing and Mapping
 - Community Corrections
 - Dog Pound
 - Emergency Management
 - Maintenance
 - Parks & Recreation
 - Sheriff
 - Upshur 911
6. Public Notices:
 - a) Newsletters and/or Event Notifications:
 - 2023 Brooks Hill Bluegrass Festival June 3, 2023
 - b) Agendas and/or Notice of Meetings: (none)
Meeting Minutes:
 - James W. Curry Library Advisory Board March 24, 2023
 - Upshur County Solid Waste Authority April 10, 2023
 - Upshur County Fire Board April 18, 2023

UPSHUR COUNTY COMMISSION MEETING

June 1, 2023

- c) Meetings: ****Dates and times of monthly board meetings are viewable at:***
<http://cms4.revize.com/revize/upshurwv/calendar.php> or go to
www.upshurcounty.org and click on the board meetings calendar box on the
main page.

7. Appointments Needed or Upcoming:

- Tennerton Public Service District – unexpired term July 31, 2023

****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)

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)

- Jimmy L. Detamore *AKA* Jimmie L. Detamore *AKA* J. L. Detamore *AKA* Jim L. Detamore – Final Settlement Waiver
- Heather Dawn Simons – Final Settlement
- Bobbie Worth Zirkle – 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 Refunds:

- Jones Jade - #600000288S - \$11.82 – Exoneration Order

The Commission approved Requests to Attend Meeting:

- Steve Wykoff – August 15 and August 16, 2023

The Commission approved the following Consolidation Land Tracts: (none)

At 9:45 a.m., State Senators Bill Hamilton and Robert Karnes, appeared before the Commission to present a check in the amount of \$10,000 for the Upshur County Youth Camp Bridge Project. The Commission commended Greg and Norma Woody for the great job on maintaining the Upshur County Youth Camp.

At 10:00 a.m., Doug Bush read an essay written by James “Brody” McDaniels, an eighth grade student at the Buckhannon-Upshur Middle School. The title of his 500-word essay is “How My County Commission Makes My Life Better.” This essay won Third Place in the 2023 County Commissioners’ Association of West Virginia’s Essay Contest. The Commission applauded Brody’s accomplishment and presented him with a check for \$200.00. (copy included)

Carol Smith reviewed a request for a budget revision. After discussion, on motion by Sam Nolte, seconded by Doug Bush, 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)

Carol Smith reviewed a request for a budget revision. After discussion, on motion by Sam Nolte, seconded by Doug Bush, 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)

The Commission recessed at 12:15 p.m.

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

The Commission received project updates and reviewed Administrative business items.

With no further business, on motion by Doug Bush, seconded by Sam Nolte, the Commission meeting adjourned at 3:30 p.m.