

UPSHUR COUNTY COMMISSION MEETING

June 3, 2021

The County Commission of Upshur County, West Virginia, held their regular meeting on Thursday, June 3, 2021 at 9:00 a.m. Kristie Tenney called the meeting to order. Present were: Terry B. Cutright, Commissioner; Samuel R. Nolte, Commissioner; Kristie G. Tenney, Commissioner; Carol J. Smith, County Clerk; Carrie L. Wallace, County Administrator; Tabatha R. Perry, 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 regular meeting minutes of May 20, 2021 and May 27, 2021, 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 a Memorandum of Agreement between the Upshur County Board of Education and First Responders with Access to Confidential Student Information. This agreement will be effective immediately and terminate on June 3, 2022. (copy included)

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved and authorized the President to sign the Release of Judgment against Richadeen Gardner (Case Number 010920-01). Carrie Wallace explained that this releases Ms. Gardner from liability but the new owner is still responsible. Ms. Gardner has paid her fine through the date of the sale of the property. (copy included)

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved the resignation of Buckhannon-Upshur Recreational Park employee.

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved the employment of additional Buckhannon-Upshur Recreational Park Staff, effective June 6, 2021.

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

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

1. Correspondence from Upshur Property LLC enclosing the legal advertisement for Upshur Property LLC, Permit No. P-698 increment No. 1, 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 Tenmile Creek of the Tygart Valley River.
2. Public Service Commission of West Virginia Commission Order increasing the wireless enhanced 911 fee from \$3.47 to \$3.51 per month, per subscriber, effective July 1, 2021 and shall be billed separately from the wireless tower fee of \$0.08, the public safety fee increment for the WV State Police of \$0.10 and the public safety fee increment for the Division of Homeland Security and Emergency Management of \$0.19 each month.
3. Lewis-Upshur Animal Control Facility Reports for the month of April, 2021
 - Adoption Financial Transactions
 - Cat Report
 - Animal Report
 - Animal Control/Humane Officer Animal Report
4. Public Notices:
 - a) Newsletters and/or Event Notifications: (none)
 - b) Agendas and/or Notice of Meetings:
 - Elkins Road PSD June 1, 2021
 - City Council of Buckhannon June 3, 2021
 - c) Meeting Minutes:
 - Upshur County Youth Camp April 6, 2021
 - d) Meetings:
 - 05/26/21-10:00 a.m.-James W. Curry Advisory Board
 - 06/01/21-4:00 p.m.-Hodgesville PSD
 - 06/01/21-5:00 p.m.-Elkins Road PSD
 - 06/03/21-3:00 p.m.-Adrian PSD
 - 06/03/21-7:00 p.m.-Banks District VFD
 - 06/03/21-7:00 p.m.-Selbyville VFD
 - 06/08/21-4:00 p.m.-Buckhannon Upshur Airport Authority
 - 06/08/21-7:00 p.m.-Warren District VFD
 - 06/08/21-7:30 p.m.-Adrian VFD

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- 06/09/21-12:00 p.m.-Upshur County Senior Center Board
- 06/09/21-1:15 p.m.-Upshur County Farmland Protection Board
- 06/09/21-3:00 p.m.-Tennerton PSD
- 06/09/21-3:00 p.m.-Upshur County Conventions & Visitors Bureau
- 06/09/21-6:00 p.m.-Buckhannon River Watershed Association – Farm Bureau
- 06/09/21-7:00 p.m.-Ellamore VFD
- 06/10/21-3:00 p.m.-Upshur County Safe Sites & Structures Enforcement Board
- 06/10/21-7:30 p.m.-Buckhannon VFD
- 06/13/21-6:00 p.m.-Washington District VFD
- 06/14/21-12:00 p.m.-Upshur County Family Resource Network
- 06/14/21-4:30 p.m.-Upshur County Solid Waste Authority
- 06/14/21-5:30 p.m.-Buckhannon-Upshur Recreational Park Advisory Board
- 06/16/21-7:00 a.m.-Upshur County Development Authority – Executive Board
- 06/16/21-12:00 p.m.-Lewis Upshur LEPC
- 06/16/21-4:00 p.m.-Upshur County Public Library Board
- 06/17/21-6:30 p.m.-Upshur County Youth Camp Board
- 06/17/21-7:00 p.m.-City Council of Buckhannon
- 06/18/21-10:00 a.m.-Wes-Mon-Ty Resource Conservation & Development Council
- 06/21/21-12:00 p.m.-Buckhannon-Upshur Chamber of Commerce
- 06/22/21-5:00 p.m.-UC Enhanced Emergency Telephone Advisory Board
- 06/22/21-6:30 p.m.-Upshur County Fire Board, Inc.
- 06/28/21-10:00 a.m.-Mountain CAP of WV, Inc., a CDC.
- 06/28/21-7:00 p.m.-Upshur County Fire Fighters Association
- 07/01/21-6:00 p.m.-Buckhannon-Upshur Board of Health
- 07/12/21-6:00 p.m.-Lewis-Upshur Community Corrections Board-Upshur County

5. Appointments Needed or Upcoming:

- Buckhannon-Upshur Airport Authority (unexpired term - 6/30/2021) - City Representative
- Upshur County CVB Board of Directors (7/1/2021-6/30/24)-Commission Tourism Representative
- Upshur County Fire Board (7/1/2021-6/30/2024) – Fire Association Representative

****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)

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

The Commission approved all Vacation Orders. (as listed)

- Seth Payton Gillespie
- Ella Mae Bunner
- Timothy Marvin Hall

The Commission approved the following Settlements. (as listed)

- Violet Artie Dean – Final Settlement Waiver
- Jacob Kyle Neff – Release of Guardian

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: (none)

The Commission approved the following Requests to Attend Meeting:

- Doyle R. Cutright, II – 8/24/2021 – 8/26/2021

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

Carrie L. Wallace presented a Road Name Change petition for Jimmy or Robin Page. After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved moving forward with the process of changing the road name to Campdown Lane, effective June 3, 2021.

At 9:15 a.m., Beth Post representing the Fred Brooks Garden Club, gave an overview of the Fred Brooks Garden Club and the Star Gazers Garden Club (southern Upshur County) and thanked Greg Harris and the Maintenance Department for all of their assistance throughout the year. Garden Club members

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attending the meeting were: Beth Post, Cindy Phillips, Donna Carpenter, Patty McComas, Sandra McCutcheon, Carolyn Patterson and Kathy Hayes. Carrie L. Wallace read the Proclamation for National Garden Club Week (June 6th-12th). After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved and authorized the President to sign the Proclamation. (copy included)

At 9:30 a.m., Mel Stemple, UCDA Assistant Director, appeared before the Commission to Request Signature of Resolution for FY22 Industrial Access Road (IAR) Grant Funds. Ms. Stemple explained that this is a 100% grant. After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved signing of the Resolution for FY22 Industrial Access Road (IAR) Grant Funds. (copy included)

At 9:45 a.m., Dr. Sara Stankus, Superintendent of Upshur County Schools, and Eddie Vincent, Director of Child Nutrition and Wellness, appeared before the Commission and provided an overview of Upshur County Board of Education summer feeding program. The COVID virus presented many challenges but opportunities were also recognized. Upshur County is the only school system in West Virginia to provide this program to their students. The Upshur County Board of Education will have small wellness centers in each school for use by the Staff and Students. (copy included)

At 10:15 a.m., on motion by Terry Cutright, seconded by Sam Nolte, the Commission went into recess.

After returning from recess, on motion by Terry Cutright, seconded by Sam Nolte, the Commission went into Executive Session at 10:21 a.m. to discuss potential property acquisition.

Upon returning from Executive Session at 10:37 a.m., Kristie Tenney stated that no decision was made. Carrie Wallace read from WV Code §6-9A-4 explaining why this is an exception for public meetings. No financial amount was disclosed prior to agreement in order to ensure that negotiations can go forward. After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved and authorized the President to negotiate possible acquisition.

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 3:30 p.m.