

UPSHUR COUNTY COMMISSION MEETING

August 6, 2026

The County Commission of Upshur County, West Virginia, held their regular meeting on Thursday, August 6, 2026, 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; 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 Doug Bush, the Commission approved the Emergency meeting minutes of July 21, 2026, and the regular meeting minutes of July 30, 2026, as submitted.

Kristie Tenney reviewed scheduled appointments and agenda items.

After discussion, on motion by Doug Bush, seconded by Sam Nolte, the Commission approved two West Virginia Department of Transportation Grant submissions through the West Virginia Division of Highways Transportation Alternatives Program. If approved, funding would be utilized for perimeter walking/biking and a BMX/mountain bike course at the John C. Allen Regional HUB.

After discussion, on motion by Sam Nolte, seconded by Doug Bush, the Commission approved and authorized the Commission President to sign Change Order No. 1 for the James W. Curry Campground Dump Station Project, consisting of the additional concrete and rebar ballast "Deadman" required to meet buoyancy safety factor for the Granby underground tank, at a cost of \$10,313.61. Tabatha Perry, County Administrator, informed the Commission that Fulton Financial Advisors agreed to supplement the \$10,313.61 cost. (copy included)

After discussion, on motion by Doug Bush, seconded by Sam Nolte, the Commission approved and authorized the Commission President to sign a Certificate of Substantial Completion of the James W. Curry Campground Dump Station Project, in the amount of \$224,268.61 (including the change order). Tabatha Perry, County Administrator, stated that this is procedural only as the project was completed and finalized in July. Two or three campers have already utilized the dump station. Ms. Perry also stated that the James W. Curry Advisory Board is reviewing the need to increase camping fees in 2027, with the addition of the dumping station features. A drop box near the dump station is also being considered for non-campers to utilize the dump station. (copy included)

After discussion, on motion by Sam Nolte, seconded by Doug Bush, the Commission approved the James W. Curry Library and Park FY2027 budget. Tabatha Perry, County Administrator, reported that because of the timber sale proceeds and other fundraising events, the expenses can be managed with the budget this year, but several maintenance issues need addressed such as a new roof and additional stone at the campground. After discussion on motion by Sam Nolte, seconded by Doug Bush, the Commission approved a request from the James W. Curry Advisory Board, for an additional distribution from the James W. Curry Trust, held by Fulton Financial Advisors, for improvements in the amount of \$30,200.00. (copy included)

After discussion, on motion by Sam Nolte, seconded by Doug Bush, the Commission approved and authorized the Commission President to sign a Letter of Support for One Unique Recovery House's Direct Funding Application to the West Virginia First Foundation. The County Administrator was requested to draft a letter for the Commission President's signature. (copy included)

After discussion, on motion by Doug Bush, seconded by Sam Nolte, the Commission approved the request by Glenn Davis to be appointed to the Upshur County Farmland Protection Board as the farmer representative, beginning July 1, 2026, and ending June 30, 2030. (copy included)

After discussion, on motion by Doug Bush, seconded by Sam Nolte, the Commission approved the request from Tabatha Perry, County Administrator, to extend Rena J. Zirkle's employment as the Buckhannon-Upshur Recreational Park Facilities Director through September 5, 2026, to conclude pool closing duties. With this extension of employment, Ms. Zirkle will return to being paid at an hourly wage. Ms. Perry stated that the Buckhannon-Upshur Recreational Park pool will be closing on August 8, 2026, but the Maintenance Department has requested Ms. Zirkle to complete some pool closing tasks plus administrative activities.

After discussion, on motion by Sam Nolte, seconded by Doug Bush, the Commission approved the request from Tabatha Perry, County Administrator, to extend the employment of the seasonal employees at the Buckhannon-Upshur Recreational Park, through pay period ending August 22, 2026. The pool will be closing to the public on August 8, 2026. The seasonal employees will assist the Director with pool closure duties.

After discussion, on motion by Doug Bush, seconded by Sam Nolte, the Commission approved the resignation of Christina Riley, part-time Community Corrections Case Aide.

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At 9:15 a.m., the Commission discussed the status of the Hampton Community Building property as no bid submissions were received. Tabatha Perry, County Administrator, reported that a Class II Legal Advertisement was published on July 15, 2026, and July 22, 2026, with the final bid submission date being 4:00 p.m., on July 31, 2026, but no bids were received. Kathy McMurray, with Mountain CAP of WV, stated that they would like to discuss possible acquisition of this property. The propane tank will need to be refilled in September in preparation for winter. The Commission decided to take no action on this item at this time but will revisit in 120 days.

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

1. Correspondence from officials representing Lewis and Upshur Counties, requesting Governor Patrick Morissey to grant a 30-day extension of the current State of Emergency associated with the severe flooding that occurred on July 21, 2026.
 2. 18th Judicial Circuit Administrative Order regarding Emergency Closures on July 22, 2026 and July 23, 2026.
 3. West Virginia Department of Environmental Protection, Rehabilitation Environmental Action Plan, Dilapidated Properties Program’s 2026 Final Comprehensive Report on Upshur County Safe Structures and Sites Enforcement Board’s project on Jack Lane.
 4. FY2024 DLAP Sub Grant Quarterly Performance Report.
 5. Correspondence from Maria Larry, Executive Director, Region VI Workforce Development Board (WDB), announcing the PY 2026-2028 Business Plan for the Region VI WDB is available for public comment beginning August 1, 2026, through August 15, 2026.
 6. Correspondence to the West Virginia Department of Highways on behalf of the Upshur County Commission and the City of Buckhannon, requesting assistance with hauling flood debris to the debris sorting site.
 7. Upshur County Sheriff’s Financial Statement for June, 2026.
 8. Upshur County Sheriff’s Settlement and Reconciliation of Cash for Fiscal Year ending June 30, 2026.
 9. Public Notices:
 - a) Newsletters and/or Event Notifications: (none)
 - b) Agendas and/or Notice of Meetings:
 - James W. Curry Library/Park Board July 31, 2026
 - Elkins Road Public Service District Board August 4, 2026
 - Lewis/Upshur Community Corrections Board August 4, 2026
 - Upshur County Youth Camp Board August 6, 2026
 - c) Meeting Minutes: (none)
- *Dates and times of monthly board meetings are viewable at: www.upshurcounty.org*
–Upcoming events are listed on the main page.
10. Appointments Needed or Upcoming:
 - Mountaineer Trail Network – immediate vacancy through June 30, 2028, to fill an unexpired term as landowner
 - Upshur County Parks and Recreation Board – vacancy beginning July 1, 2026, for a two-year term
 - Upshur-Buckhannon Board of Health – vacancy beginning July 1, 2026 through June 30, 2030 (Magisterial District 3)

****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 tperry@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:

1. **May 7, 2026** – Bid opening, review, and potential award of an Elevator Modernization Project at the Courthouse Annex.
2. **July 30, 2026** – Discuss waiving fees for building permits and floodplain permits in the Upshur County Addressing and Mapping, Building Permits and Floodplain Office. *Terri Jo Bennett, Upshur County Addressing and Mapping, Building Permits and Floodplain Coordinator, appeared before the Commission and stated she was supportive of waiving the fees for flood victims. After discussion, on motion by Sam Nolte, seconded by Doug Bush, the Commission approved waiving the fees for building ***and floodplain** permits for 180 days for those impacted by the recent flooding (personal and business). After 180 days, the Commission will review the waiver.*

***Amended August 27, 2026**

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At 9:30 a.m., Cadence Ringer, Convention and Visitors Bureau Executive Director, appeared before the Commission to present the Annual Report. Ms. Ringer became the new Executive Director mid-year 2026. Ms. Ringer stated that the mission for the Upshur County Convention and Visitors Bureau is to promote Upshur County's history, natural beauty, events, attractions, and to grow tourism and enhance local economic vitality. The website was visited 19,000 times last year. Upshur County has appeared in various magazines such as *Travel, Taste and Tour*, and *Unplugged Magazine*, which have nationwide distribution. Ms. Ringer provided plans for continued showcasing of Upshur County tourism and recreational opportunities.

At 10:00 a.m., Dion Wamsley, on behalf of the Upshur County Special Olympics, appeared before the Commission to discuss the use of Pringle Tree Park and request a waiver for use of the Upshur County Recreational Park pool. Mr. Wamsley gave an update on the Upshur County Special Olympic activities and their need for available practice space to prepare for competitions. Tabatha Perry, County Administrator, informed Mr. Wamsley that the Pringle Tree Park cannot be reserved as it is operated on a first come-first serve basis so the Commission cannot guarantee the space for any specific time and date. Commissioner Tenney instructed Mr. Wamsley to submit a letter to the Commission requesting a fee waiver for use of the Buckhannon-Upshur Recreational Park pool in 2027.

The next meeting will be held on August 13, 2026, at 9:00 a.m. The meeting scheduled for August 20, 2026, has been cancelled.

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)

- Allen Ray West Trust – 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:

- Armstrong John L – #146 – -\$654.84 – Exoneration Order
- Wamsley Michael W & Jacqueline S – #25790 – -\$596.44 – Exoneration Order
- Wamsley Michael W & Jacqueline S – #32900 – -\$1,302.46 – Exoneration Order
- Hyre Jeannie – #26018 – -\$6.79 - Exoneration Order
- Suder Alan – #27696 – -\$6.79 – Exoneration Order
- Suder Charles – #27701 – -\$6.79 – Correction Order
- Hyre Jeannie – #26019 – -\$6.79 – Correction Order
- Suder Alan – #27697 – -\$6.79 – Correction Order
- Suder Charles – #27702 – -\$6.79 – Correction Order
- Hyre Jeannie – #26022 – -\$6.79 – Correction Order
- Suder Alan – #27700 – -\$6.79 – Correction Order
- Suder Charles – #27705 – -\$6.79 – Correction Order
- Hyre Jeannie – #30253 – -\$6.79 – Correction Order
- Suder Alan – #32342 – -\$6.79 – Exoneration Order
- Suder Charles – #32344 – -\$6.79 – Exoneration Order
- Hyre Jeannie – #21574 – -\$6.79 – Exoneration Order
- Suder Alan – #23824 – -\$6.79 – Exoneration Order
- Suder Charles – #23839 – -\$6.79 – Exoneration Order
- Suder Alan – #23823 – -\$6.79 – Correction Order
- Suder Charles – #23838 – -\$6.79 – Correction Order
- Hyre Jeannie – #21573 – -\$6.79 – Correction Order
- Suder Alan – #23822 – -\$6.79 – Correction Order
- Suder Charles – #23837 – -\$6.79 – Correction Order
- Hyre Jeannie – #21572 – -\$6.79 – Correction Order
- Suder Alan – #23821 – -\$6.79 – Correction Order
- Suder Charles – #23836 – -\$6.79 – Correction Order
- Hyre Jeannie – #21571 – -\$6.79 – Correction Order
- Suder Alan – #23820 – -\$6.79 – Correction Order
- Suder Charles – #23835 – -\$6.79 – Correction Order
- Hyre Jeannie – #21570 – -\$6.79 – Correction Order
- Suder Alan – #23819 – -\$6.79 – Correction Order
- Suder Charles – #23834 – -\$6.79 – Correction Order
- Hyre Jeannie – #21569 – -\$6.79 – Correction Order
- Hyre Jeannie – #8402 – -\$6.79 – Correction Order
- Suder Alan – #10486 – -\$6.79 – Correction Order
- Suder Charles – #10489 – -\$6.79 – Correction Order

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- Hyre Jeannie – #8403 – -\$6.79 – Correction Order
- Suder Alan – #10487 – -\$6.79 – Correction Order
- Suder Charles – #10490 – -\$6.79 – Correction Order
- Karickhoff Mary L – #26086 – -\$6.79 – Correction Order
- Knabenshue John Michael – #26125 – -\$6.79 – Correction Order
- Lowther Johnna C – #26292 – -\$6.79 – Correction Order
- Knabenshue Thomas Patrick – #26133 – -\$6.79 – Correction Order
- Knabenshue Timothy Kirk – #26138 – -\$6.79 – Correction Order
- Earley Tonia – #25549 – -\$6.79 – Correction Order
- Knabenshue Barbara A – #26124 – -\$6.79 – Correction Order
- Nilsen Sharon – #26704 – -\$6.79 – Correction Order
- Stewart Heather – #27652 – -\$6.79 – Correction Order
- Whichard Coral – #27914 – -\$6.79 – Correction Order
- Knabenshue John Michael – #26127 – -\$6.79 – Correction Order
- Knabenshue Thomas Patrick – #26136 – -\$6.79 – Correction Order
- Lowther Johnna C – #26294 – -\$6.79 – Correction Order
- Knabenshue Timothy Kirk – #26140 – -\$679.00 – Correction Order
- Knabenshue Barbara A – #8593 – -\$6.79 – Correction Order
- Lowther Johnna C – #8851 – -\$6.79 – Correction Order
- Knabenshue Timothy Kirk – #8596 – -\$6.79 – Correction Order
- Knabenshue Thomas Patrick – #8595 – -\$6.79 – Correction Order
- Knabenshue John Michael – #8594 – -\$6.79 – Correction Order
- Earley Tonia – #7583 – -\$6.79 – Correction Order
- Nilsen Sharon – #9493 – -\$6.79 – Correction Order
- Stewart Heather – #10449 – -\$6.79 – Correction Order
- Whichard Coral – #10861 – -\$6.79 – Correction Order
- Spurgeon Robert – #18422 – -\$6.79 – Correction Order
- Sense Nancy L – #27490 – -\$6.79 – Correction Order
- Lee Beth Ann – #8664 – -\$6.79 – Correction Order
- Lee James L Jr – #8669 – -\$6.79 – Correction Order
- Lee John H – #8671 – -\$6.79 – Correction Order
- Lee Marsha Stuart – #8676 – -\$6.79 – Correction Order
- Lee Robert K – #8680 – -\$6.79 – Correction Order
- Lee Terri L – #8681 – -\$6.79 – Correction Order
- Lee Thomas W – #8682 – -\$6.79 – Correction Order
- Wright Vincent Todd & Mabel L – Apportionment/Split of Assessment and Taxes for Classification

The Commission approved the following Requests to Attend Meetings: (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 Doug Bush, seconded by Sam Nolte, the Commission meeting adjourned at 12:00 p.m.