

UPSHUR COUNTY COMMISSION MEETING

August 10, 2023

The County Commission of Upshur County, West Virginia, held their regular meeting on Thursday, August 10, 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 July 27, 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 the appointment of Donald Scott Casto to the Tennerton Public Service District Board. Mr. Casto's appointment will be effective immediately and will expire on July 31, 2029.

After discussion, on motion by Doug Bush, seconded by Sam Nolte, the Commission approved the request from Justin Bowers, Appalachian Impact, to allow partial subletting of the Hampton Community Building to Mountainside ABA (Applied Behavior Analysis). The Mountainside ABA is looking for space to do therapy with 10-15 kids as a caseload focused on autism. Mr. Bowers also announced fund raising plans for Appalachian Impact's Annual Gala, which will be held on October 7, 2023. (copy included)

After discussion, on motion by Sam Nolte, seconded by Doug Bush, the Commission approved the request from Pastor J. Edward McDaniels to use the Courthouse steps/plaza for a county-wide worship service and walk on September 10, 2023. A Certificate of Liability Insurance will be presented. (copy included)

After discussion, on motion by Sam Nolte, seconded by Doug Bush, the Commission approved and authorized the Commission President to sign a Master Equipment Lease-Purchase Agreement and Related Instruments, by and between Country Roads Leasing, LLC and the Upshur County Commission. The tax-exempt lease-purchase financing for the acquisition of a 2023 Chevy Tahoe at 6.35% interest will cost \$10,834.30 annually over a period of four years, resulting in a total acquisition cost of \$43,337.20. (copy included)

After discussion, on motion by Doug Bush, seconded by Sam Nolte, the Commission approved an advertisement for two part-time positions (19.5 hours per week) at the James W. Curry Library and Park, located at 1721 Brooks Hill Road, Selbyville, WV. Applications must be received by 4:00 p.m. on Monday, August 21, 2023. (copy included)

Correspondence from the Cornerstone Community Church Board, requesting the closure of an unused travel way, located between parcels of land owned by the Church in Buckhannon District. This application has been submitted per *WV Code §7-1-3h*. Tabatha Perry presented an aerial map of the church and explained that the church owns the property on both sides of the unused travel way. After discussion, on motion by Doug Bush, seconded by Sam Nolte, the Commission approved scheduling a hearing with Mr. Gerry Hoover and the Commission during their meeting on August 31, 2023 at 10:00 a.m. This would allow 15 days to notify the neighbors of the request and allow them response time. (copy included)

After discussion, on motion by Sam Nolte, seconded by Doug Bush, the Commission approved correspondence from Software Systems, Inc., regarding FY 2024 maintenance levels. This maintenance includes program updates, telephone support and time spent performing data conversions and other on-site tasks depending upon which level is requested for each system. (copy included)

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

1. Weyerhaeuser Giving Fund Grant Application in the amount of \$960,800 on behalf of the Upshur County Youth Camp. If awarded, the funds will be utilized to complete renovations, repairs and upgrades at the facility.
2. Correspondence from Dustin Zickefoose, Assessor, announcing the part-time employment of Amy Burr to fill a data entry position within the Assessor's Office, effective August 21, 2023. This position will work no more than 19.5 hours per week and be paid solely from the Revaluation Fund.
3. Upshur County Sheriff's Settlement, Reconciliation of Cash and Commission – Fiscal Year Ending June 30, 2023.
4. Revised Upshur County Sheriff's Financial Statement for period ending June 30, 2023.
5. Lewis-Upshur Animal Control Facility Reports for the month of June, 2023
 - Revenue Report
 - Account of Animals Report
 - Animal Control/Humane Officer Animal Report

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6. Public Notices:

a) Newsletters and/or Event Notifications:

- James W. Curry Library – August Schedule

b) Agendas and/or Notice of Meetings:

- City Council of Buckhannon August 3, 2023
- Elkins Road Public Service District August 8, 2023
- Upshur County Farmland Protection Board-*Special Meeting* August 15, 2023

Meeting Minutes:

- Upshur County Parks & Recreation Board June 20, 2023
- Wes-Mon-Ty RC&D Board June 20, 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)

At 9:15 a.m., Dr. Joseph Reed appeared before the Commission to discuss activities scheduled for the Annual Green Bean Celebration, which will include a Green Bean Cook-off on August 11, 2023 during Festival Fridays and the 8th Annual Green Bean Stroll on Saturday, August 12, 2023 at the River Walk. After Dr. Reed read the Green Bean Weekend Proclamation, on motion by Sam Nolte, seconded by Doug Bush, the Commission approved and authorized the Commission President to sign the Green Bean Weekend Proclamation. (copy included)

At 10:00 a.m., Dr. Jeff Harvey, JH Consulting, provided an update on status of the Emergency Services Study to a joint meeting of the Upshur County Commission and the City Council of Buckhannon. Those attending from the City of Buckhannon were: Mayor Robbie Skinner, Dave Thomas, Pam Bucklew, Amberle Jenkins, Randy Sanders, Jack Reger, C.J. Rylands, and Dave McCauley. Others attending were: Fire Chief J.B. Kimble, Assistant DHSEM Derek Long, Joey Baxa, and other county emergency service personnel. Dr. Harvey reported that there were only 127 responses to the survey that was sent out to 24,000+ residents of Upshur County. A final report will be issued after all data is assembled.

At 11:50 a.m., on motion by Sam Nolte, seconded by Doug Bush, the Commission voted to enter into Executive Session per WV Code 6-9A-4 to meet with the City Council of Buckhannon to discuss property matters. The Commission exited Executive Session at 11:58 with no decisions being made.

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

At 2:30 p.m., on motion by Doug Bush, seconded by Sam Nolte, the Commission voted to enter into Executive Session per WV Code 6-9A-4 to meet with Civil & Environmental Consultants, Inc. (CEC) to discuss financial planning options for the forthcoming indoor/outdoor recreation complex in Upshur County. The Commission exited Executive Session at 3:35 p.m. with no decisions being made.

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)

- Nancy Lou Beverlin – Final Settlement Waiver
- Carolyn Ann Chapman – Final Settlement Waiver
- Lawrence H. Dean – Final Settlement Waiver
- Mason Hoover – Final Settlement Waiver
- Robert McCray – Final Settlement
- Virgil D. Miller – Final Settlement Waiver
- Karen Gale Nine – Final Settlement
- William L. O'Brien – First Annual 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:

- Brown Michael A - #467 - -\$396.12 – Correction Order

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- Brown Michael A & Steven C - #469 - \$372.74 – Correction Order
- Dustin Zickefoose - #308833 - \$97.14 – Exoneration Order
- May Billy J or Mary K - #400000170S - \$567.96 – Exoneration Order
- Black Ricky or Kara - #305506 - \$160.76 – Exoneration Order

The Commission approved Requests to Attend Meeting:

- Steve Wykoff – July 26, 2023
- Cindy Hughes – August 13-August 15, 2023
- Christy Rutter – October 6-October 8, 2023

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 Sam Nolte, seconded by Doug Bush, the Commission meeting adjourned at 4:24 p.m.