

UPSHUR COUNTY COMMISSION MEETING

August 11, 2022

The County Commission of Upshur County, West Virginia, held their regular meeting on Thursday, August 11, 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 Sam Nolte, seconded by Terry Cutright, the Commission approved tabling the meeting minutes of July 28, 2022, as submitted, until the August 18, 2022 meeting.

Kristie Tenney reviewed scheduled appointments and agenda items.

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission adopted Policy Extending Emergency Absentee Voting. Carol Smith explained that there are no changes from the last election. (copy included)

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved Order to Approve the Number of Election Officials and Election Commissioners for the November 8, 2022 General Election. Carol Smith added that there are no changes from the last election. (copy included)

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved Order to Approve the Number of Sets of Emergency Absentee Voting Commissioners for the November 8, 2022 General Election. Carol Smith added that there are no changes from the last election. (copy included)

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved tabling Consideration of Mutual Aid Agreement by and between the Elkins Police Department, Philippi Police Department, Buckhannon Police Department, Randolph County Sheriff's Department, Upshur County Sheriff's Department, Barbour County Sheriff's Department and the Tucker County Sheriff's Department. Tabatha Perry explained that Bryan Hinkle, Prosecuting Attorney, reviewed this agreement and recommended tabling until further review. Ms. Perry stated that this issue arose in preparation for the 2023 World Marching Band event. (copy included)

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved the SMIC renewal quote in the amount of \$235.50 for volunteer accident medical insurance for term period October 20, 2022 to October 20, 2023. Tabatha Perry reported that this is the same amount as last year. (copy included)

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the request from Lewis-Upshur Animal Control Staffing for \$5,000 donation from the Spay and Neuter Fund to continue pre-adoption spay and neuter services. Tabatha Perry stated it is her understanding that Lewis County Commission has also approved a \$5,000 donation from the Spay and Neuter Fund. (copy included)

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission agreed to table the request from Elizabeth J. Gribble, representative for Stargazer Garden Club, for funding to complete work at the Veteran's Park in Rock Cave until we receive more information. Tabatha Perry stated that this funding was to help pay for a Gold Star Memorial Plaque. (copy included)

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved the request from Lisa Lamb for appointment to the James W. Curry Library Advisory Board. Ms. Lamb's term will be effective immediately and expire on December 31, 2026. (copy included)

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved Cynthia Pounds and Linda Coyner as Lewis-Upshur Animal Control Facility Volunteers.

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved the request from Kimbra L. Wachob, Assistant Director of the Upshur County Emergency Communications Center, to employ Bailey Walton as Telecommunicator, effective August 15, 2022.

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

1. Filing of the Upshur County Comprehensive Litter and Solid Waste Control Plan, Revised 2022 and approved by the Solid Waste Management Board on March 16, 2022. Available for public inspection at 91 West Main Street.
2. Correspondence from Eastern Gas Transmission and Storage outlining Damage-Prevention, Integrity Management and Emergency Preparedness programs.
3. Upshur County E911 Communications Reports – June, 2022
 - Monthly Department Summary Report
 - Monthly Wrecker Report
 - YTD Wrecker Report
4. Upshur County Building & Floodplain Permits for the months of June and July, 2022

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5. Correspondence from Brian P. Gaudet, Circuit Clerk, regarding the WV Supreme Court's placement of a temporary employee, Kasey Currence, in the Upshur County Circuit Clerk's office to scan criminal records from 1992-2005.
6. Public Notices:
 - a) Newsletters and/or Event Notifications:
 - James W. Curry Library Calendar of Events August, 2022
 - Annual Green Bean Celebration August 12 & 13, 2022
 - Lunch & Learn-Regulatory-Licensing Tax-WV's One Stop Business Center August 23, 2022
 - b) Agendas and/or Notice of Meetings:
 - Buckhannon-Upshur Parks and Recreation Advisory Board July 26, 2022
 - Elkins Road Public Service District August 2, 2022
 - City Council of Buckhannon August 2, 2022
 - Buckhannon-Upshur Airport Authority August 8, 2022
 - Buckhannon-Upshur Chamber of Commerce August 10, 2022
 - Upshur County Safe Structures and Sites Enforcement Board August 11, 2022
 - Meeting Minutes:
 - Upshur County Emergency Telephone Advisory Board April 26, 2022
 - Buckhannon-Upshur Chamber of Commerce June 8, 2022
 - Lewis/Upshur LEPC June 16, 2022
 - Adrian PSD July 7, 2022
 - Upshur County Solid Waste Authority July 11, 2022
 - Elkins Road PSD – Regular Meeting July 12, 2022
 - c) Meetings:
 - 08/02/22-5:00 p.m.-Elkins Road PSD
 - 08/02/22-7:00 p.m.-City Council of Buckhannon
 - 08/04/22-3:00 p.m.-Adrian PSD
 - 08/04/22-7:00 p.m.-Banks District VFD
 - 08/04/22-7:00 p.m.-Selbyville VFD
 - 08/08/22-12:00 p.m.-Upshur County Family Resource Network
 - 08/08/22-4:00 p.m.-Buckhannon-Upshur Airport Authority
 - 08/08/22-4:30 p.m.-Upshur County Solid Waste Authority
 - 08/08/22-5:30 p.m.-Buckhannon-Upshur Recreational Park Advisory Board
 - 08/09/22-12:00 p.m.-Upshur County Senior Center Board
 - 08/09/22-4:00 p.m.-Hodgesville PSD
 - 08/09/22-7:00 p.m.-Warren District VFD
 - 08/09/22-7:30 p.m.-Adrian VFD
 - 08/10/22-12:00 p.m.-Buckhannon-Upshur Chamber of Commerce
 - 08/10/22-3:00 p.m.-Upshur County Convention and Visitors Bureau
 - 08/10/22-3:00 p.m.-Tennerton PSD
 - 08/10/22-6:00 p.m.-Buckhannon River Watershed Association
 - 08/10/22-7:00 p.m.-Ellamore VFD
 - 08/11/22-3:00 p.m.-Upshur County Safe Structures & Sites Enforcement Board
 - 08/11/22-7:30 p.m.-Buckhannon VFD
 - 08/14/22-6:00 p.m.-Washington District VFD
 - 08/15/22-6:00 p.m.-Lewis-Upshur Community Corrections Board-Upshur Co
 - 08/16/22-6:30 p.m.-Upshur County Fire Board, Inc. *at Selbyville Fire Dept*
 - 08/17/22-4:00 p.m.-Upshur County Public Library Board
 - 08/18/22-6:00 p.m.-Upshur County Farmland Protection Board
 - 08/18/22-6:30 p.m.-Upshur County Youth Camp Board
 - 08/19/22-10:00 a.m.-Wes-Mon-Ty Resource Conservation & Development Council
 - 08/19/22-10:00 a.m.-James W. Curry Library Advisory Board
 - 08/23/22-3:00 p.m.-UC Enhanced Emergency Telephone advisory Board
 - 08/24/22-7:00 p.m.-Upshur County Fire Fighters Association
 - 08/26/22-7:00 a.m.-Upshur County Development Authority - *Annual Meeting*
 - 09/01/22-6:00 p.m.-Upshur-Buckhannon Board of Health

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7. Appointments Needed or Upcoming:

- James W. Curry Library and Park Advisory Board-12/31/2021-(Sara L.Collins)

****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. Review the Upshur County Safe Structures and Sites Enforcement Board Petition for Order filed June 13, 2022 – Case Number 021121-01 (Union Tax District – Tax Map 7H – Parcel Number 76.1) owned by Bryce Chapman and consider Order Adopting Enforcement Agency Findings. (tabled 7/21/2022). Tabatha Perry stated that Bryan Hinkle, Prosecuting Attorney, and Sheriff Virgil Miller have met to discuss this issue and recommend the Commission to table for another week.

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)

- Forrest Bryan Anderson – Final Settlement Waiver
- John J. Desimone – Final Settlement
- Lawrence L. Hamner – Final Settlement Waiver
- Gaylord Ray Heavner – Final Settlement Waiver
- Mary Louise Williams – Final Settlement

The Commission approved the following Certification of Completion of Ancillary Administration of WV Real Estate Without Appointment:

- Steven Kee Zickefoose – Certification of Completion

The Commission approved the following Corrections, Exonerations and/or Refunds: (none)

The Commission approved Requests to Attend Meeting: (none)

The Commission approved the following Consolidation of Land Tracts:

- Banks District – Map 3R, Parcel 51.1 and Map 3R, Parcel 51.3 to make Map 3R, Parcel 51.1 – Hesse Jacqueline M & Robert T

At 9:15 a.m., Kathy McMurray, Mountain CAP of WV, Inc. Executive Director, appeared before the Commission to provide an annual update pertaining to the services provided throughout the year and to discuss future goals and objectives of their programs. Ms. McMurray introduced the Family Support Center Director, Lisa VanNostrand. Ms. McMurray reported that the source of \$100,000 in matching funds will need to be identified in October.

At 9:30 a.m., Justin Bowers, Appalachian Impact Director, appeared before the Commission to give an update on the Hampton Community Building. Mr. Bowers explained that the work at the Hampton Community Building is beginning again after being shut down due to Covid and they are hoping to open by fall with activities for young adults. Appalachian Impact will also be hosting “A Night in Yellow” Fundraising Gala on October 16, 2022 at Oren & Folk Event Center. (copy included)

At 9:42 a.m., Dr. Joseph Reed gave the Commission an update on the Green Bean Festival that will be happening on August 12 and August 13, 2022.

At 9:45 a.m., State Senators Bill Hamilton and Robert Karnes appeared before the Commission to present two checks from Governor Jim Justice. One check was for \$10,000 for the Upshur County Youth Camp to help with bridge repairs and the other check was for \$8,780 for the Kesling Mill Lions Club to help with costs in replacing the roof on the community building. Senator Hamilton stated that Mac McGraw had been very instrumental in this request, but did not live to see the fruition of his efforts. Craig Presar, WVU Extension Agent, and Debbie Hull were present to accept the check for the Upshur County Youth Camp. Donna Matthews was present to accept the check for the Kesling Mill Lions Club.

At 10:00 a.m., Laura B. Meadows, Executive Director of the Upshur Convention and Visitor’s Bureau, appeared before the Commission to present an annual report and an update on present and future projects.

Carol Smith reviewed a request for a budget revision. After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved and authorized the Commission 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 12:00 p.m. and reconvened at 1:30 p.m.

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 5:20 p.m.

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