

# UPSHUR COUNTY COMMISSION MEETING

August 26, 2021

The County Commission of Upshur County, West Virginia, held their regular meeting on Thursday, August 26, 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; 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 August 19, 2021, and the special meeting minutes of August 20, 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 adopted the Updated Procedures to Dispatch Wrecker Services, effective September 1<sup>st</sup>, pursuant to the meeting held on August 12, 2021. Carrie Wallace explained the revisions, including the transition to an alphabetical wrecker service dispatch list and more stringent refusal policy. Ms. Wallace also said there was an addition to the policy requiring insurance and registration information on each vehicle used. (copy included)

At 9:15 a.m., the Commission presented a Certificate of Appreciation to Kenneth “Brian” Shreves, UCDHSEM Director, upon his resignation. Rhett Dusenbury, representing Congressman Alex Mooney, conveyed thanks and appreciation from the Congressman. (copy included)

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved the James W. Curry Library and Park FY22 budget and a request from the James W. Library Board for an additional distribution of the James W. Curry Trust, held by Fulton Financial Advisors, for operations in fiscal year 2022. Ms. Wallace explained that the James W. Curry Library Board met on August 25, 2021, and approved the budget with a deficit of \$90,000. Carrie Wallace will correspond with Brenton Haykes to request the additional distribution of the James W. Curry Trust. There are three immediate needs: a new server, two new public access computers, and a zero-turn lawn mower. Terry Cutright suggested that the Board should apply for a Weyerhaeuser grant. (copy included)

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved the resignation of Brian Shreves as a community representative on the Upshur County Safe Sites and Structures Enforcement Board, effective immediately. This term expires on June 30, 2022. (copy included)

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved the appointment of Jennifer M. Bostian, Upshur County Development Authority Executive Director, to the Upshur County Farmland Protection Board, effective immediately, for a term of office of four years. (copy included)

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved the resignation of J.C. Raffety from his position as county representative on the Upshur County Farmland Protection Board, effective immediately. This term is through June 30, 2025. (copy included)

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved the request from Jennifer M. Bostian, Upshur County Development Authority Executive Director, to serve on the Corridor H Authority, effective immediately. This term will expire on June 30, 2025. This position had previously been held by the Upshur County Development Authority Executive Director. (copy included) Carrie Wallace will send a letter to Tom O’Neill, who had previously requested appointment to this board.

At 9:15 a.m. Laura B. Meadows, Executive Director of the Upshur County Convention and Visitors Bureau, presented the Annual Report. The Upshur County Convention and Visitors Bureau will continue maintaining website and requests for brochures, update travel guides to be given to hotels and rest areas, maintain and update social media, special projects with James W. Curry Library, river access rack cards, produce a new WV Strawberry Festival website, Festival Fridays rack cards, and the management of the Event Center.

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved the request from Carol J. Smith, County Clerk, for approval to hire Lesa Lipscomb as a full-time Deputy County Clerk, effective September 26, 2021.

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved the request from Cheyenne Troxell, 26<sup>th</sup> Judicial Circuit Community Corrections Program Director, to employ Taylor Rolenson as a full-time counselor/case manager, effective September 5, 2021.

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After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved the request from Sheriff Virgil D. Miller, to transfer Timothy Bennett from part-time Court Security Officer to fill-in Court Security Officer, effective August 15, 2021.

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved the advertisement for a full-time Tax Deputy. Applications must be received by 4:00 p.m. on September 3, 2021. (copy included)

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved continuing advertisement for a full-time entry level Deputy Sheriff position. This advertisement will run three times for one week. Applications will be accepted until position is filled. (copy included)

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

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved Christy Riffle as a Lewis-Upshur Control Facility Volunteer.

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved the request from Sheriff Virgil D. Miller to employ John Slaughter as Animal Control Officer, effective August 29, 2021.

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved the request from Sheriff Virgil D. Miller to hire Timothy Menendez as Supervisor for the Prevention Resource Officer Program, effective August 29, 2021. Carrie Wallace stated that they are currently working on the sign-on incentive bonus.

At 9:35 a.m., Sam Nolte made a motion, seconded by Terry Cutright, to go into Executive Session to discuss the creation of a full-time Parks & Recreation Director position and job description for the same.

At 9:45 a.m., on motion by Sam Nolte, seconded by Terry Cutright, the Commission exited Executive Session with no decision being made.

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved the creation of a full-time Parks & Recreation Director position and job description for the same. (copy included)

At 10:03 a.m., Terry Cutright made a motion, seconded by Sam Nolte, to go into Executive Session to discuss DHSEM Director Replacement – Appointment of Interim Director or Permanent Director.

At 10:17 a.m., on motion by Terry Cutright, seconded by Sam Nolte, the Commission exited Executive Session with no decision being made.

Sam Nolte made a motion, seconded by Terry Cutright, to recess until 1:45 p.m.

At 1:45 p.m., the Commission returned from recess and went into Executive Session on motion by Sam Nolte, seconded by Terry Cutright, to further discuss the DHSEM position.

At 2:25 p.m., on motion by Terry Cutright, seconded by Sam Nolte, the Commission exited Executive Session with no decision being made.

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved absorbing the Office of Emergency Management under the Commission with Carrie L. Wallace as Upshur County Administrator and DHSEM Director and Tabatha R. Perry as Upshur County Assistant County Administrator and Assistant DHSEM Director, effective at 4:00 p.m. on August 27, 2021. Sheila Adams will provide clerical support to both offices.

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

1. Correspondence to entities requesting American Rescue Plan (ARP) funds announcing that the Commission will not consider requests until the final guidance for ARP fund utilization is received from the U.S. Treasury, unless an emergency arises.
2. Upshur County Mileage Reports - July, 2021
  - Upshur 911
  - Maintenance
  - Emergency Management
  - Sheriff
  - Addressing and Mapping
  - Community Corrections
  - Dog Pound
3. Public Notices:
  - a) Newsletters and/or Event Notifications:

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- WV Dept. of Arts, Culture & History Press Release – Restrictions lifted on the Rural Youth Engagement through Public Art Grant – Applications due October 1, 2021
- St. Joseph’s Hospital and the Rotary Club of Buckhannon-Upshur to Hold Blood Screenings by Appointment Only beginning in August

b) Agendas and/or Notice of Meetings:

- Upshur Next Lunch Meeting August 26, 2021

c) Meeting Minutes:

- Upshur County Parks & Recreation Advisory Board June 28, 2021
- Upshur County Parks & Recreation Advisory Board July 12, 2021
- Upshur County Youth Camp Board July 22, 2021

d) Meetings:

- 08/16/21-12:00 p.m.-Buckhannon-Upshur Chamber of Commerce
- 08/18/21-12:00 p.m.-Lewis Upshur LEPC
- 08/18/21-4:00 p.m.-Upshur County Public Library Board
- 08/19/21-6:30 p.m.-Upshur County Youth Camp Board
- 08/20/21-10:00 a.m.-Wes-Mon-Ty Resource Conservation & Development Council
- 08/24/21-5:00 p.m.-UC Enhanced Emergency Telephone Advisory Board - *Cancelled*
- 08/24/21-6:30 p.m.-Upshur County Fire Board, Inc.
- 08/25/21-7:00 a.m.-Upshur County Development Authority – Annual Meeting
- 08/25/21-10:00 a.m.-James W. Curry Advisory Board
- 08/25/21-7:00 p.m.-Upshur County Fire Fighters Association
- 09/02/21-3:00 p.m.-Adrian PSD
- 09/02/21-7:00 p.m.-Banks District VFD
- 09/03/21-7:00 p.m.-Selbyville VFD
- 09/07/21-4:00 p.m.-Hodgesville PSD
- 09/07/21-5:00 p.m.-Elkins Road PSD
- 09/08/21-12:00 p.m.-Upshur County Senior Center Board
- 09/08/21-3:00 p.m.-Tennerton PSD
- 09/08/21-3:00 p.m.-Upshur County Conventions & Visitors Bureau
- 09/08/21-6:00 p.m.-Buckhannon River Watershed Association – Farm Bureau
- 09/08/21-7:00 p.m.-Ellamore VFD
- 09/09/21-3:00 p.m.-Upshur County Safe Sites & Structures Enforcement Board
- 09/09/21-7:30 p.m.-Buckhannon VFD
- 09/12/21-6:00 p.m.-Washington District VFD
- 09/13/21-12:00 p.m.-Upshur County Family Resource Network
- 09/13/21-4:00 p.m.-Buckhannon Upshur Airport Authority
- 09/13/21-4:30 p.m.-Upshur County Solid Waste Authority
- 09/13/21-5:30 p.m.-Buckhannon-Upshur Recreational Park Advisory Board
- 09/14/21-7:00 p.m.-Warren District VFD
- 09/14/21-7:30 p.m.-Adrian VFD
- 09/16/21-6:00 p.m.-Upshur County Farmland Protection Board
- 09/16/21-7:00 p.m.-City Council of Buckhannon
- 10/18/21-6:00 p.m.-Lewis-Upshur Community Corrections Board-Upshur County
- TBD-6:00 p.m.-Buckhannon-Upshur Board of Health

4. Appointments Needed or Upcoming:

- Buckhannon-Upshur Airport Authority (unexpired term - 6/30/21) - City Representative
- Upshur County Fire Board (7/1/21-6/30/24) – Fire Association Representative
- Upshur County Farmland Protection Board (7/1/21-6/30/25)-Farm Bureau Representative
- Corridor H Authority (7/1/21-6/30/25)
- Upshur County Fire Board (unexpired term 6/30/22)-Community Representative - 1<sup>st</sup> Mag. District
- Wes-Mon-Ty Resource Conservation & Development (6/1/21-6/30/23)-County Commission

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*\*\*\*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](mailto: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.\*\*\**

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved and authorized the President to sign a Software License and Implementation Agreement between Central Square Technologies LLC and the Upshur County 911 Communications Center for the license of an integrated Computer System on a subscription basis consisting of a 911 system and any additional applications described in the Agreement and the Addenda. The total amount of this contract is one hundred fifty-three thousand two hundred twenty-three dollars and twenty-four cents (\$153,223.24). This agreement was reviewed by Bryan Hinkle, Upshur County Prosecuting Attorney. *(tabled 7/15/2021)*

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved and authorized the President to sign a CentralSquare 911 Support Agreement between Central Square Technologies LLC and the Upshur County 911 Communications Center for annual maintenance services and support. The annual Maintenance and Support Fee for year 1 will be nineteen thousand two hundred fifty-six dollars and seventy-five cents (\$19,256.75). *(tabled 7/15/2021)*

Correspondence from Thomas J. O'Neill expressing an interest in the vacant seat on the Corridor H Authority. Upon approval, this term will be effective immediately and extend through June 30, 2025. *(tabled 7/29/2021)* After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission denied the request from Thomas J. O'Neill for the vacant seat on the Corridor H Authority since Jennifer D. Bostian, the new Upshur County Development Authority Executive Director, was approved by the Commission for this position earlier in this meeting.

Tabled items:

1. Ty Landis, Youth Environmental Club – Presentation of proposed amphitheater renovation project at the Upshur County Recreational Park *(tabled 7/29/2021)* Property inspection was delayed. Job Description for a Parks & Recreation Director was approved August 26, 2021.
2. Bid award - COPS Grant #2020-SVWX-0033 Notification System Upgrade Project *(tabled 8/12/2021)* Carrie Wallace explained that Jeff Harvey of the Upshur County Board of Education has requested this item be put on hold until the September 9<sup>th</sup> meeting due to delays related to the start of the school year. The Upshur County Board of Education will be conducting interviews over the next two weeks and will present their decision to the Commission at that time.

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)

- Joanna Jeffries – Final Settlement
- Ellen Lynn Johnson – Final Settlement Waiver
- Ora L. Kimble – Final Settlement Waiver
- Rodger David Lundell – Final Settlement Waiver
- David L. Withrow – Final Settlement Waiver

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: (none)

The Commission approved the following Consolidation of Land Tracts:

- Meade District – Map 5Q Parcel 15.1 and Map 5 Parcel 15.5 to make Map 5Q Parcel 15.1 – Jimmie G Adams

The Commission received project updates and reviewed Administrative business items.

With no further business, on motion by Terry Cutright, seconded by Sam Nolte, the Commission meeting adjourned at 4:30 p.m.