

UPSHUR COUNTY COMMISSION MEETING

September 14, 2023

The County Commission of Upshur County, West Virginia, held their regular meeting on Thursday, September 14, 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 August 31, 2023, as submitted.

Kristie Tenney reviewed scheduled appointments and agenda items.

After discussion, on motion by Doug Bush, seconded by Sam Nolte, the Commission approved and authorized the Commission President to sign an electronic grant award contract to accept funds in the amount of 1,838.00 for FY24 from the Wes-Mon-Ty Resource Conservation & Development Grant Program for the placement of pollinator gardens at the Pringle Tree and Upshur County Recreational Parks. (copy included)

After discussion, on motion by Sam Nolte, seconded by Doug Bush, the Commission approved and authorized the Commission President to sign the FY24 Court Security Grant Contract Agreement, Resolution, Standard Conditions & Assurances Certification Forms and Schedule of Payments for the awarded amount of \$42,412.00 for upgrades to improve the security of the court facilities in the County granted by the Division of Administrative Services, Justice and Community Services Section. (copy included)

After discussion, on motion by Sam Nolte, seconded by Doug Bush, the Commission approved an SMIC renewal quote in the amount of \$235.50 for volunteer accident medical insurance for term period October 20, 2023 to October 20, 2024. (copy included)

After discussion, on motion by Doug Bush, seconded by Sam Nolte, the Commission approved the Financial Statement – Fiscal year ended June 30, 2023.

After discussion, on motion by Sam Nolte, seconded by Doug Bush, the Commission approved October 31, 2023 from 6:00 p.m. to 7:30 p.m. for Trick or Treat outside of corporate limits, which are the same hours as the City of Buckhannon.

After discussion, on motion by Sam Nolte, seconded by Doug Bush, the Commission approved the request from Circuit Clerk, Brian Gaudet, to hire Amy B. Tenney as full-time Deputy Circuit Clerk, effective September 25, 2023, pending background check.

After discussion, on motion by Doug Bush, seconded by Sam Nolte, the Commission approved Jack Monks, Jody Light and Tammie Strong as Upshur County Department of Homeland Security and Emergency Management volunteers.

After discussion, on motion by Sam Nolte, seconded by Doug Bush, the Commission approved resignation of employee.

After discussion, on motion by Doug Bush, seconded by Sam Nolte, the Commission approved the request from Upshur County Sheriff, J. Michael Coffman, for an advertisement for a full-time Tax Deputy. Applications must be received by Friday, September 28, 2023. (copy included)

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

1. Weyerhaeuser Giving Fund Grant Application in the amount of ten thousand dollars (\$10,000) on behalf of the James W. Curry Library and Park. If awarded, the funds will be utilized to purchase gravel for campsites, tree removal, programming materials/books and miscellaneous supplies.
2. Correspondence from Matthew Sisk, Director of Safety & Emergency Preparedness for the Upshur County Board of Education, expressing intent to continue the on-going partnership between the Upshur County Commission, the Upshur County Sheriff’s Department and the Upshur County Board of Education to apply for the FY2024 Justice Administration Grant Program.
3. Correspondence from the Department of Homeland Security – Division of Corrections & Rehabilitation providing the WV Regional Jail and Correctional Facility monthly invoice for Upshur County for August, 2023. The invoice reflects 1,469 inmate days times \$43.58 per diem rate, totaling \$64,019.02. The July, 2023 invoice was \$58,658.68.
4. Upshur County Building & Floodplain Permits for the month of August, 2023

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5. Lewis-Upshur Animal Control Facility Reports for the month of August, 2023

- Revenue Report
- Account of Animals Report
- Animal Control/Humane Officer Animal Report

6. Public Notices:

a) Newsletters and/or Event Notifications:

- Residential Paper Shred Event September 23, 2023

b) Agendas and/or Notice of Meetings:

- Upshur County Public Library August 30, 2023
- Elkins Road Public Service District September 5, 2023
- City Council of Buckhannon September 7, 2023
- Buckhannon-Upshur Chamber of Commerce September 13, 2023
- Upshur County Convention & Visitors Bureau September 13, 2023
- Upshur County Safe Structures and Sites September 14, 2023
- Upshur County Fire Board September 19, 2023

Meeting Minutes:

- Upshur County Public Library – *Annual Meeting* July 20, 2023
- Upshur County Public Library June 21, 2023
- Elkins Road Public Service District August 8, 2023
- Adrian Public Service District August 11, 2023
- Adrian Public Service District – *Project Meeting* August 17, 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: (none)

****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:

1. Public Hearing to consider evidence related to possible closure of an unused travel way identified on the Ballah View Addition plat as Buckhannon Avenue, located north off of Ballah Street, and running in a north-easterly direction to a private driveway known as Private Lane on the 911 Addressing and Mapping Project, in the Buckhannon District of Upshur County. This request was submitted by Cornerstone Community Church, per *WV Code §7-1-3h*.

At 9:30 a.m., Randall and Linda Hughes appeared before the Commission to discuss the status of the property located in Meade Tax District, owned by Randall Hughes Ministry, previously owned by the Estate of John Harmon George. Mr. Hughes stated that their contractor was still having difficulties obtaining parts for his equipment and weather challenges. Their contractor, Mr. Chapman, was expected to attend the meeting, but was not present. Tabatha Perry informed Mr. and Mrs. Hughes of the WV REAP program and suggested they may get some assistance with disposal of the debris. Sam Nolte explained that because of the many complaints regarding this property, the Commission feels that clean up needs to continue. On motion by Sam Nolte, seconded by Doug Bush, the Commission approved a 60-day extension to Randall Hughes Ministry and will revisit this issue in the Commission Meeting on November 16, 2023 at 9:30 a.m.

Property inspections scheduled for 10:30 a.m. were postponed.

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)

- Charles Wayne Frum – Final Settlement Waiver
- Rosemary Annabelle Heatherly – Final Settlement Waiver
- Cecil R. McCartney – Final Settlement Waiver
- Patricia Ann Miller Trust For Suzanne Michelle Miller – Thirteenth Annual Settlement
- Fred William Wendling – Final Settlement Waiver
- Norma June Winfree – Final Settlement Waiver

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

- Zaner G. Hinkle – Certification of Completion

The Commission approved the following Corrections, Exonerations and Refunds:

- Smith Rodney D & Ashley D - #4877 - \$388.42 – Exoneration Order
- Lipscomb Patricia - #8614 - \$145.53 – Exoneration Order
- McVicker Joseph D - #21677 - \$176.00 – Refund Order
- McVicker Joseph D - #21852 - \$166.49 – Exoneration Order
- Bennett Gregory R 05-7F-10-1001 - #305667 - \$32.05 – Refund Order
- Talbott Megan Brooke - #13652 - \$567.17 – Exoneration Order
- Legg Kevin D or Angela M – Apportionment of Assessment and Taxes Per Final Divorce Order

The Commission approved Requests to Attend Meeting:

- Tabatha R. Perry – September 22, 2023
- Brittany Reinking – October 20, 2023
- Kimbra Wachob – November 1 - November 3, 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 11:38 a.m.