

# UPSHUR COUNTY COMMISSION MEETING

## September 22, 2022

The County Commission of Upshur County, West Virginia, held their regular meeting on Thursday, September 22, 2022 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 Sam Nolte, seconded by Doug Bush, the Commission approved the meeting minutes of September 15, 2022, as submitted.

Kristie Tenney reviewed scheduled appointments and agenda items.

After discussion, on motion by Sam Nolte, seconded by Doug Bush, the Commission approved October 31, 2022 from 6:00 p.m. to 7:30 p.m., as the date and time for Trick or Treat in the county, which coincides with the City of Buckhannon.

After discussion, on motion by Sam Nolte, seconded by Doug Bush, the Commission approved and authorized the Commission President to sign the Management Representation Letter for a Single Audit for period ending June 30, 2021. (copy included)

After discussion, on motion by Sam Nolte, seconded by Doug Bush, the Commission approved and authorized the Commission President to sign the Victims of Crime Act (VOCA) Supplemental Grant #23-SVA-072 Contract Agreement, Resolution, Subgrantee Schedule of Payments and Request for Funds Form for the grant award in the amount of \$13,147.00. (copy included)

After discussion, on motion by Sam Nolte, seconded by Doug Bush, the Commission approved and authorized the President to sign correspondence to Jade Jones Chickerell regarding improper utilization of Commission owned FEMA property located on Camp Road. Commissioner Bush inspected the property and reported that nothing had been removed. (copy included)

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

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After discussion, on motion by Sam Nolte, seconded by Doug Bush, the Commission approved an advertisement for a full-time Tax Deputy position in the Upshur County Sheriff's Tax Office. Applications are due by 4:00 p.m. on Monday, October 3, 2022. (copy included)

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

1. Weyerhaeuser Giving Fund Grant Application in the amount of \$2,004,050 on behalf of the Upshur County Youth Camp. After discussion, on motion by Sam Nolte, seconded by Doug Bush, the Commission approved using potentially awarded funds to complete renovations, repairs and upgrades at the Upshur County Youth Camp.
2. Upshur County Sheriff's Financial Statement for period ending August, 2022.
3. Upshur County Building & Floodplain Permits for the month of August, 2022.
4. Lewis-Upshur Animal Control Facility Reports for the month of August, 2022.
  - Adoption Financial Transactions
  - Cat Report
  - Animal Report
  - Animal Control/Humane Officer Animal Report
5. Upshur County Mileage Reports – August, 2022
  - Addressing and Mapping
  - Community Corrections
  - Dog Pound
  - Emergency Management
  - Maintenance
  - Sheriff
  - Upshur 911
6. Public Notices:
  - a) Newsletters and/or Event Notifications: (none)

b) Agendas and/or Notice of Meetings:

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- Upshur County Fire Board, Inc. September 20, 2022
- Buckhannon-Upshur Parks and Recreation Advisory Board September 20, 2022
- Lewis/Upshur LEPC September 21, 2022
- City Council of Buckhannon – *Special Meeting* September 21, 2022
- Upshur County Farmland Protection Board – *Special Meeting* September 22, 2022

### Meeting Minutes:

- Upshur County Farmland Protection Board June 1, 2022
- Upshur County Farmland Protection Board June 29, 2022
- Upshur County Convention & Visitors Bureau Board August 10, 2022

### c) Meetings:

- 09/01/22-3:00 p.m.-Adrian PSD
- 09/01/22-6:00 p.m.-Upshur-Buckhannon Board of Health
- 09/01/22-7:00 p.m.-Banks District VFD
- 09/01/22-7:00 p.m.-City Council of Buckhannon
- 09/01/22-7:00 p.m.-Selbyville VFD
- 09/06/22-5:00 p.m.-Elkins Road PSD
- 09/08/22-3:00 p.m.-Upshur County Safe Structures & Sites Enforcement Board
- 09/08/22-7:00 a.m.-Upshur County Development Authority – *Executive Board*
- 09/08/22-7:30 p.m.-Buckhannon VFD
- 09/09/22-11:00 a.m.-Region VI Local Elected Officials – *Stonewall Resort*
- 09/11/22-6:00 p.m.-Washington District VFD
- 09/12/22-12:00 p.m.-Upshur County Family Resource Network
- 09/12/22-4:00 p.m.-Buckhannon-Upshur Airport Authority
- 09/12/22-4:30 p.m.-Upshur County Solid Waste Authority
- 09/12/22-5:30 p.m.-Buckhannon-Upshur Recreational Park Advisory Board
- 09/13/22-12:00 p.m.-Upshur County Senior Center Board
- 09/13/22-4:00 p.m.-Hodgesville PSD
- 09/13/22-7:00 p.m.-Warren District VFD
- 09/13/22-7:30 p.m.-Adrian VFD
- 09/14/22-12:00 p.m.-Buckhannon-Upshur Chamber of Commerce
- 09/14/22-3:00 p.m.-Upshur County Convention and Visitors Bureau
- 09/14/22-3:00 p.m.-Tennerton PSD
- 09/14/22-6:00 p.m.-Buckhannon River Watershed Association
- 09/14/22-7:00 p.m.-Ellamore VFD
- 09/15/22-6:00 p.m.-Upshur County Farmland Protection Board
- 09/15/22-6:30 p.m.-Upshur County Youth Camp Board
- 09/16/22-10:00 a.m.-Wes-Mon-Ty Resource Conservation & Development Council
- 09/20/22-6:30 p.m.-Upshur County Fire Board, Inc.-*at Banks District VFD*
- 09/21/22-12:00 p.m.-Lewis Upshur LEPC-*Upshur County*
- 09/21/22-4:00 p.m.-Upshur County Public Library Board
- 09/27/22-3:00 p.m.-UC Enhanced Emergency Telephone Advisory Board
- 09/28/22-7:00 p.m.-Upshur County Fire Fighters Association
- 10/17/22-6:00 p.m.-Lewis-Upshur Community Corrections Board-*at Lewis County Day Report Center*

### 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 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.\*\*\*

Tabled Items: (none)

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)

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- Waid James Armentrout – Final Settlement
- Sandra Dean Holmes – Final Settlement Waiver
- Okey O. Wright – 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:

- Lee Ellis D & Debra K Lee Derek M - #8383 - \$175.12 – Exoneration Order
- Powers Amber G Powers Marshall W - #200000607S - \$58.62 – Exoneration Order
- Powers Amber G Powers Marshall W - #200000642S - \$52.76 – Exoneration Order
- Powers Amber G Powers Marshall W - #200000754S - \$47.46 – Exoneration Order
- Powers Amber G Powers Marshall W - #200000734S - \$151.46 – Exoneration Order
- Black Eric A - #304542 - \$4.20 – Refund Order
- Ball Carlton C & Stacy J - #19158 - \$533.59 – Correction Order
- Woody Timothy A & Pamela G - #23796 - -\$333.61 – Correction Order
- McCartney Barbara J & Josh D - #16819 - -\$858.88 – Correction Order
- Phillips Robert D & Lisa Dawn - #301947 - \$138.00 – Exoneration Order
- McDaniel Wendy S (Reed) & McDaniel William J - #500000211S - \$45.70 – Exoneration Order
- Acar Leasing LTD FKA: GM Financial - #302414 - \$185.71 – Exoneration Order
- Vitt Whitney Ashton (Abel) - #1320376 - \$470.86 – Exoneration Order
- Roy Jina L or Justin E - #306474 - \$343.59 – Exoneration Order

The Commission approved Requests to Attend Meeting: (none)

The Commission approved the following Consolidation of Land Tracts:

- Union District – Map 8 Parcel Number 34 and Map 8 Parcel Number 33 to make Map 8 Parcel Number 34 – Wilson, Chad E

At 9:15 a.m., Cindy Hughes, Assistant County Administrator, opened the only bid, submitted by Superior Environmental Services of Buckhannon, for the Community Corrections Roof Replacement Project. Tabatha Perry, County Administrator, stated that the bid would be forwarded to Cheyenne Troxell, Director of the 26<sup>th</sup> Circuit Court Community Corrections Day Report Center, for review. After discussion, on motion by Sam Nolte, seconded by Doug Bush, the Commission approved tabling this item until a future meeting.

At 9:30 a.m., upon motion by Sam Nolte, seconded by Doug Bush, the Commission went into Executive Session *per WV Code §6-9A-4* to discuss potential property acquisition.

At 10:50 a.m., upon motion by Sam Nolte, seconded by Doug Bush, the Commission exited Executive Session with no decision being made.

The 2:00 p.m. hearing to consider objection to the first annual settlement with a request to have personal representative removed in the Estate of Naomi Given, deceased, was postponed due to illness and will be rescheduled at a later date.

Carol Smith, County Clerk, requested that public testing of voting devices be added to the 10/20/2022 Commission agenda.

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 10:50 a.m.