

# UPSHUR COUNTY COMMISSION MEETING

## September 29, 2022

The County Commission of Upshur County, West Virginia, held their regular meeting on Thursday, September 29, 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 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 22, 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 the 2022 Board of Assessment Appeals Schedule. Tabatha Perry stated that a meeting is scheduled for October 17, 2022 at 1:00 p.m. Ms. Perry informed the Commission that this will be the last year for Board of Assessment Appeals in October, per the amended WV Code. (copy included)

After discussion, on motion by Sam Nolte, seconded by Doug Bush, the Commission approved Notice of Public Auction. (copy included)

After discussion, on motion by Doug Bush, seconded by Sam Nolte, the Commission approved the Application for Community Use of Buildings, Equipment and Grounds filed by Jason Campbell on behalf of BMC Productions, JC Films. This organization is requesting use of the Circuit Courtroom on Friday, October 14, 2022 for a movie filming. A Certificate of Liability Insurance has been included with the request. Tabatha Perry explained that Mr. Campbell has been corresponding with Judge Kurt Hall regarding use of this courtroom. Ms. Perry will coordinate with Sheriff Virgil Miller to provide security coverage after regular courthouse hours. (copy included)

After discussion, on motion by Sam Nolte, seconded by Doug Bush, the Commission approved and authorized the Commission President to sign a Resolution of Participation for the West Virginia Certified Development Community (CDC) Program for the Upshur County Development Authority. (copy included)

After discussion, on motion by Sam Nolte, seconded by Doug Bush, the Commission approved and authorized the Commission President to sign the 2022 – 20<sup>th</sup> Grant Cycle WV Courthouse Facilities Improvement Authority Application for Funding Assistance in the amount of \$27,728.51. The maximum grant award is \$100,000 with a 20% match. The project consists of removing the doors on both the main Courthouse and Annex facilities and replacing them with commercial storefront entrance replacements. Tabatha Perry explained that there exists a problem with water coming in under the doors. Ms. Perry stated that the total cost for the project is \$34,660.64. If the grant is approved, the county's share would be \$6,932.00. (copy included)

After discussion, on motion by Doug Bush, seconded by Sam Nolte, the Commission approved and authorized the Commission President to sign the 2022-2023 fiscal year Prevention Resource Officer Agreement by and between the Upshur County Board of Education, Upshur County Commission and Upshur County Sheriff's Office for the Prevention Resource Officer located at Buckhannon-Upshur High School. (copy included)

After discussion, on motion by Sam Nolte, seconded by Doug Bush, the Commission approved and authorized the Commission President to sign correspondence to Robert and Regina Crawford regarding improper utilization of Commission owned FEMA property located on Camp Road. (copy included)

After discussion, on motion by Kristie Tenney, seconded by Sam Nolte, the Commission approved the appointment of Commissioner Douglas K. Bush to the community board appointments previously assigned to the late Commissioner Terry Cutright. (copy included)

After discussion, on motion by Doug Bush, seconded by Sam Nolte, the Commission approved the request from Sheriff Virgil D. Miller to employ Cameron A. Forte as a full-time Deputy Sheriff for a period of 90 days, effective October 2, 2022, as permitted by *WV Code §7-14-12*. (copy included)

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

1. Correspondence from Samantha L. Woods, Deputy State Auditor for the WV State Auditor Chief Inspector Division, enclosing the audit report of the Upshur County Commission for the fiscal year ended June 30, 2021. Report is available for public review in the Upshur County Commission Office.
2. New River Engineering, Inc. legal advertisement for Carter Roag Coal Company. Carter Roag Coal Company is applying for Phase 1 Release for Permit No. U-1043-91, Pleasant Hill Deep Mine, currently issued for 37.59 acres, in compliance with the surface mining laws of WV. The site is located in Middle Fork District and Washington District of Randolph and Upshur County, WV.

# UPSHUR COUNTY COMMISSION MEETING

## September 29, 2022

### 3. Public Notices:

#### a) Newsletters and/or Event Notifications:

- James W. Curry Library October Calendar of Events October, 2022
- Mark Petrosky Memorial Hunger Walk October 1, 2022
- WVU Extension Office Breast Cancer Awareness Day October 3, 2022
- Upshur County Family Resource Network-  
Trunk or Treat Event October 28, 2022
- Lewis-Upshur Animal Control Brisket Dinner Fundraiser December 17, 2022

#### b) Agendas and/or Notice of Meetings:

- Upshur County Public Library Board September 21, 2022
- Lewis-Upshur Community Corrections September 26, 2022

#### Meeting Minutes:

- Upshur County Family Resource Network July 11, 2022
- Upshur County Public Library Board of Trustees July 20, 2022

#### c) Meetings:

- 10/06/22-3:00 p.m.-Adrian PSD
- 10/06/22-7:00 p.m.-Banks District VFD
- 10/06/22-7:00 p.m.-City Council of Buckhannon
- 10/06/22-7:00 p.m.-Selbyville VFD
- 10/09/22-6:00 p.m.-Washington District VFD
- 10/10/22-12:00 p.m.-Upshur County Family Resource Network
- 10/10/22-4:00 p.m.-Buckhannon-Upshur Airport Authority
- 10/10/22-4:30 p.m.-Upshur County Solid Waste Authority
- 10/10/22-5:30 p.m.-Buckhannon-Upshur Recreational Park Advisory Board
- 10/11/22-12:00 p.m.-Upshur County Senior Center Board
- 10/11/22-4:00 p.m.-Hodgesville PSD
- 10/11/22-5:00 p.m.-Elkins Road PSD
- 10/11/22-7:00 p.m.-Warren District VFD
- 10/11/22-7:30 p.m.-Adrian VFD
- 10/12/22-12:00 p.m.-Buckhannon-Upshur Chamber of Commerce
- 10/12/22-3:00 p.m.-Upshur County Convention and Visitors Bureau
- 10/12/22-3:00 p.m.-Tennerton PSD
- 10/12/22-6:00 p.m.-Buckhannon River Watershed Association
- 10/12/22-7:00 p.m.-Ellamore VFD
- 10/13/22-7:00 a.m.-Upshur County Development Authority – *Full Board*
- 10/13/22-3:00 p.m.-Upshur County Safe Structures and Sites Enforcement Board
- 10/13/22-7:30 p.m.-Buckhannon VFD
- 10/18/22-6:30 p.m.-Upshur County Fire Board Inc. - @ *Adrian VFD*
- 10/19/22-4:00 p.m.-Upshur County Public Library Board
- 10/20/22-6:00 p.m.-Upshur County Farmland Protection Board
- 10/20/22-6:30 p.m.-Upshur County Youth Camp Board
- 10/21/22-10:00 a.m.-Wes-Mon-Ty Resource Conservation & Development Council
- 10/25/22-3:00 p.m.-UC Enhanced Emergency Telephone Advisory Board
- 10/26/22-7:00 p.m.-Upshur County Fire Fighters Association
- 11/14/22-6:00 p.m.-Lewis-Upshur Community Corrections Board - *Upshur County*

### 4. 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.\*\*\*

UPSHUR COUNTY COMMISSION MEETING  
September 29, 2022

Tabled Items:

1. Bid opening and potential award for Community Corrections Roof Replacement Project (*tabled 9/22/2022*). Kristie Tenney stated that the Lewis-Upshur Corrections Board had conducted a special meeting to discuss the bid from Superior Environmental Services of Buckhannon in the amount of \$24,926.68, which includes labor, materials, and dump fees. The Lewis-Upshur Corrections Board approved moving forward with the project. After discussion, on motion by Sam Nolte, seconded by Doug Bush, the Commission approved accepting the bid for \$24,926.68 from Superior Environmental Services of Buckhannon. (copy included)

The Commission approved all Invoices for Payment (list included).

The Commission approved all Vacation Orders (none)

The Commission approved the following Settlements: (as listed)

- Lytle Lee Batten – Final Settlement Waiver
- Craig Anthony Helmick – Final Settlement Waiver
- John Michael McNemar – 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 Requests to Attend Meeting:

- Terri Jo Bennett – December 19 – December 20, 2022

The Commission approved the following Consolidation of Land Tracts: (none)

At 9:15 a.m., Laurel Metheney, 4-H Teen Ambassador, and Craig Presar, WVU Extension Services Agent, appeared before the Commission to read a Proclamation declaring the week of October 2-8, 2022 as 4-H Week in Upshur County. After discussion, on motion by Sam Nolte, seconded by Doug Bush, the Commission approved signing the Proclamation declaring the week of October 2-8, 2022 as 4-H Week in Upshur County. (copy included)

Craig Presar also requested to fly the 4-H flag during the week of October 2-8, 2022 in front of the Courthouse along with the American flag and the West Virginia state flag. After discussion, on motion by Doug Bush, seconded by Sam Nolte, the Commission approved flying the 4-H flag in front of the Courthouse along with the American flag and the West Virginia state flag.

At 9:20 a.m., Craig Presar, WVU Extension Services Agent, on behalf of the Community Educational Outreach Services (CEOS) appeared before the Commission to present a Proclamation declaring October, 2022 as Breast Cancer Awareness Month in Upshur County. Also present were CEOS members: Betty Hinkle and Sharon Stackpole. Mr. Presar reported that there are five active CEOS clubs in Upshur County, with 82 members. During the past year, the CEOS members volunteered 35,000 hours of community service, which amounts to \$29.95 per hour, making the total \$1,048,200. After discussion, on motion by Sam Nolte, seconded by Doug Bush, the Commission approved signing the Proclamation declaring October, 2022 as Breast Cancer Awareness Month in Upshur County. (copy included)

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 1:30 p.m.