

UPSHUR COUNTY COMMISSION MEETING

January 12, 2023

The County Commission of Upshur County, West Virginia, held their regular meeting on Thursday, January 12, 2023 at 9:00 a.m. Kristie Tenney called the meeting to order. Present were: Kristie G. Tenney, Commission President; Douglas K. Bush, Commissioner; Carol J. Smith, County Clerk; Cindy M. Hughes, Assistant County Administrator; and Tabatha R. Perry, County Administrator. Sam R. Nolte, Commissioner was not present until 11:30 a.m.

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 Kristie Tenney, the Commission approved the meeting minutes of January 5, 2023, as submitted.

Kristie Tenney reviewed scheduled appointments and agenda items.

After discussion, on motion by Doug Bush, seconded by Kristie Tenney, the Commission approved and authorized an electronic application submission to the West Virginia Department of Agriculture's Spay and Neuter Assistance Program on behalf of the Lewis Upshur Animal Control Facility. (copy included)

After discussion, on motion by Doug Bush, seconded by Kristie Tenney, the Commission approved the signature of the Homeland Security Grant (22-LE-23) Contract Agreement, Resolution, Certification and Standard Conditions and Assurances documents. This funding will be used for the purchase of SWAT equipment. Covering purchases from September 1, 2022 to August 31, 2025. (copy included)

After discussion and information relayed from Tabatha Perry, the Commission withdrew the request for approval and signature of the Community Development Block Grant Final Performance Report, Budget Amendment #6, Grant Amendment #6, and Request for Payment for the Elkins Road PSD Phase II Water System Improvements project due to an administrative error in the submitted financials. Ms. Perry shared that Region VII had contacted her stating the financial information contained within the documents were not accurate and they would like to submit the documents on a future Commission Agenda.

After discussion, on motion by Doug Bush, seconded by Kristie Tenney, the Commission approved to purchase and install a new AS400 system from Software Systems incorporated in the amount of \$52,472.00. This will also include a 3-year hardware warranty and software maintenance agreement. (copy included)

After discussion, on motion by Doug Bush, seconded by Kristie Tenney, the Commission approved the renewal of a Web Services Sales Agreement with Revize Superior Web Design and Content Management. This agreement will include a page refresh per Tabatha Perry, County Administrator. (copy included)

After discussion, on motion by Doug Bush, seconded by Kristie Tenney, the Commission approved the adoption of the IRS 2023 Standard Mileage Rate of 65.5 cents per mile. This is an increase of .03 cents per mile. (copy included)

At 9:08 a.m., on motion by Doug Bush, seconded by Kristie Tenney, the Commission went into Executive Session, per *WV Code §6-9A-4*, to discuss an Application for Donated Leave for an employee.

At 9:10 a.m., on motion by Doug Bush, seconded by Kristie Tenney, the Commission exited Executive Session, with no decisions being made.

After discussion, on motion by Doug Bush, seconded by Kristie Tenney, the Commission approved an Application for Donated Leave for an employee.

After discussion, on motion by Doug Bush, seconded by Kristie Tenney, the Commission approved the Retirement of an Employee.

After discussion, on motion by Doug Bush, seconded by Kristie Tenney, the Commission approved the part-time employment of Debra A. Hull as Deputy County Clerk effective January 1, 2023.

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

1. Reviewed correspondence from Kanawha County Commission regarding the increase of the Regional Jail Per Diem and the effects on county budgets. The per diem rate will increase from \$48.25 to \$54.48 on July 1, 2023.
2. Lewis-Upshur Animal Control Facility Annual Report on Euthanasia – January 1, 2022 through December 31, 2022.
3. Upshur County Building & Floodplain Permits for the month of December, 2022.
4. Upshur County Sheriff's Financial Statement for period ending November, 2022.
5. Lewis-Upshur Animal Control Facility Reports for the month of December, 2022.
 - Adoption Financial Transactions
 - Account of Cats Report
 - Animal Report

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- Animal Control / Humane Officer Animal Report
6. Public Notices:
- a) Newsletters and/or Event Notifications: (none)
 - James W. Curry Library Calendar of Events for January 2023
 - b) Agendas and/or Notice of Meetings:
 - Buckhannon-Upshur Airport Authority January 9, 2023
 - Upshur County Convention and Visitors Bureau January 11, 2023
- Meeting Minutes:
- Adrian Public Service District December 1, 2022
 - Elkins Road Public Service District December 6, 2022
 - Hodgesville Public Service District December 6, 2022
- c) Meetings: ***Calendar of Board Meetings is now located 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 W. 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 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. 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)

- Amelia E. DeRico – First Annual Settlement
- George J. Kalafat – Final Settlement Waiver
- David Leroy Myers – Final Settlement
- Ronnie Dwayne Raines, Sr. – Final Settlement Waiver

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

- Frances J. Brannon – Certification of Completion

The Commission approved the following Corrections, Exonerations and/or Refunds:

- JJM Ventures LLC – Apportionment/Split of Assessment and Taxes for Classification – New Tick A - Big Ten Property Rentals LLC - New Ticket B – Lewis Charlotte A
- Mick Thomas O Jr. – Exoneration Order Tax Year 2019
- Mick Thomas O Jr. – Exoneration Order Tax Year 2020
- Mick Thomas O Jr. – Exoneration Order Tax Year 2021
- Mick Thomas O Jr. – Exoneration Order Tax Year 2022

The Commission approved Requests to Attend Meeting: (none)

The Commission approved the following Consolidation of Land Tracts:

- None

At 9:15 a.m., Alisa Lively, representing the Upshur County Special Olympics, presented the 2023 Annual Polar Plunge to be held Saturday, February 11, 2023 at the Buckhannon Riverwalk boat ramp. Registration begins at 12:30 p.m. and the event begins at 2 p.m. Ms. Lively challenged the Commissioners to participate in the plunge.

At 9:20 a.m. Kristie Tenney read aloud a letter from the Evan's family elaborating upon the history of the Evan's family and how they became the owners of the property along Chancery Street that the Commission recently acquired.

At 9:45 a.m., Chief Tax Deputy, Heather Sparks, provided the Commission with a Final Disposition of 2021 Taxes. Ms. Sparks stated that transitioning to the new system has gone better than expected. Delinquent properties may be redeemed through the WV State Auditor's Office until March 1, 2023. The WV State Auditor's Office will hold its tax sale at the Upshur County Courthouse between April 1, 2023 and July 1, 2023.

At 11:00 a.m., the Commission met to consider the request for removal of Susie Lee as the Administratrix for the Estate of Christina Marie Rowan, deceased. Individuals that were present were:

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Susie Lee, Meredith Marie Rowan and Russell Rowan, Sr. Carol Smith, County Clerk, stated that Meredith Rowan had sent a letter to her requesting the removal of Susie Lee as Administratrix. Ms. Smith explained what needed to be completed to finalize closing of the estate of Christina Rowan, deceased. Ms. Lee stated that she had no objection to being removed from this position. After discussion, on motion by Doug Bush, seconded by Kristie Tenney, the Commission approved the removal of Susie Lee as the Administratrix of the estate, to appoint the Sheriff of Upshur County as the Administrator De Bonis Non, and upon qualification of the Sheriff, Ms. Lee has one week to provide all Estate related documentation to the Sheriff. (copy of Order included)

The interviews scheduled with the Thrasher Group, Inc. and Civil & Environmental Consultants; Inc. were postponed.

The Commission received project updates and reviewed administrative business items.

With no further business, on motion by Doug Bush, seconded by Kristie Tenney, the Commission meeting adjourned at 2:20 p.m.