

UPSHUR COUNTY COMMISSION MEETING

October 5, 2023

The County Commission of Upshur County, West Virginia, held their regular meeting on Thursday, October 5, 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; Tabatha R. Perry, County Administrator and Cindy M. Hughes, Assistant County Administrator.

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 September 21, 2023, as submitted.

Kristie Tenney reviewed scheduled appointments and agenda items.

After discussion, on motion by Sam Nolte, seconded by Doug Bush, the Commission approved and authorized the Commission President to sign the Renewal Agreement between the Upshur County Commission and Quality Home & Office Cleaning for janitorial services. Per the renewal clause, Owner and Contractor agree all terms set forth in the Agreement dated October 14, 2021, are in full force and effect for another one-year period effective November 1, 2023 and continuing through October 31, 2024. Owner shall pay the Contractor no more than the sum of \$40,664.40 for the outlined general janitorial services. (copy included)

After discussion, on motion by Sam Nolte, seconded by Doug Bush, the Commission approved a Property Use Agreement renewal between the Upshur County Commission and the Upshur County Youth Soccer Association, Inc., to lease the 13.84-acre Wellness Complex Property, located on Brushy Fork. A Certificate of Liability Insurance has been received. (copy included)

After discussion, on motion by Sam Nolte, seconded by Doug Bush, the Commission approved the sale of a tract of land located in the town of Selbyville, Banks District, Upshur County, to the Selbyville Volunteer Fire Department. The property is more particularly described in the description of survey prepared by William Malcomb, dated 8/3/2023. (copy included)

After discussion, on motion by Doug Bush, seconded by Sam Nolte, the Commission approved a request from Senator Robert L. Karnes for a one-time financial contribution of \$1,000 to support a USDA project to erect a high tunnel at Buckhannon-Upshur Middle School. (copy included)

After discussion, on motion by Doug Bush, seconded by Sam Nolte, the Commission approved the Requests for Bids and Minimum Vehicle Specifications for one truck for the Upshur County Maintenance Department. Sealed proposals must be received no later than 4:00 p.m. on Wednesday, November 1, 2023 at the Administrative Annex, located at 91 West Main Street, Suite 101. Bids received by the deadline will be publicly opened, reviewed and read aloud by the Commission on Thursday, November 2, 2023. (copy included)

After discussion, on motion by Sam Nolte, seconded by Doug Bush, the Commission approved and signed the Upshur County Fire Board, Inc. Incentive for Tax Deputies who process Fire Fees collected in the Sheriff's Office. This supplement will begin with the first pay period in October and will be contingent upon an annual review each year.

After discussion, on motion by Doug Bush, seconded by Sam Nolte, the Commission approved Brianna Pearson as a Lewis-Upshur Animal Control Facility volunteer.

After discussion, on motion by Doug Bush, seconded by Sam Nolte, the Commission approved the reappointment of Jacob Mills as community representative to the Buckhannon-Upshur Parks and Recreation Advisory Board. Mr. Mills' term will be effective immediately through June 30, 2025.

After discussion, on motion by Sam Nolte, seconded by Doug Bush, the Commission approved the appointment of Randy Kirchberg as County Representative to the vacant seat on the Upshur County Farmland Protection Board. Mr. Kirchberg's term will be effective immediately through June 30, 2027.

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

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

After discussion, on motion by Sam Nolte, seconded by Doug Bush, the Commission approved an advertisement for a full-time Deputy Clerk-Bookkeeper in the Upshur County Clerk's Office. Applications received by 4:00 p.m. on Friday, October 27, 2023, will be reviewed; however, applications may be considered until position is filled. (copy included)

After discussion, on motion by Sam Nolte, seconded by Doug Bush, the Commission approved the request from Tabatha R. Perry, County Administrator, for the part-time employment of Ashley Runyon and Joan McDaniels as James W. Curry Library Attendants, effective October 8, 2023. Each employee will work no more than 19.5 hours per week.

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

UPSHUR COUNTY COMMISSION MEETING

October 5, 2023

1. Correspondence from Governor Jim Justice announcing the first allocation of funds from the All County Fire Protection Fund, established from Senate Bill 1021, passed on August 8, 2023 by the West Virginia Legislature.
2. Upshur County Sheriff's Financial Statement for period ending August, 2023.
3. Memorandum from Marty A. Hatfield, Assistant Director of Justice and Community Services, notifying entities that effective October 1, 2023 all federal grant funds administered by the Justice and Community Services (JCS) Section will be issued to subrecipients on a monthly, reimbursement-only basis.
4. Memorandum from Marty A. Hatfield, Assistant Director of Justice and Community Services, outlining the procedures for compliance in reporting requirements found within *WV Code §12-4-14*, also known as the West Virginia Grant Transparency and Accountability Act.
5. Upshur County Mileage Reports – August, 2023
 - Addressing and Mapping
 - Dog Pound
 - Emergency Management
 - Maintenance
 - Parks & Recreation
 - Sheriff
 - Upshur 911
6. Public Notices:
 - a) Newsletters and/or Event Notifications: (none)
 - b) Agendas and/or Notice of Meetings:
 - Upshur County Youth Camp Board August 17, 2023
 - Elkins Road Public Service District October 3, 2023
 - Upshur County Safe Structures and Sites Board October 12, 2023
 - Upshur County Farmland Protection Board October 17, 2023Meeting Minutes:
 - Upshur County Solid Waste Authority Board Minutes August 14, 2023
 - Upshur County Solid Waste Authority Director's Report August 14, 2023
 - Upshur County Fire Board Meeting August 15, 2023
 - Upshur County Youth Camp Board 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: (none)

At 10:00 a.m., the Commission held a public hearing to consider evidence related to the possible closure of an unused travel way identified on the Ballah View Addition. This application has been submitted by the Cornerstone Community Church, per *WV Code §7-1-3h*. A representative from the Cornerstone Community Church and an adjoining property owner, Ms. Leigh were present. Ms. Leigh shared that she would like to make a request to acquire the 20ft portion of land that adjoins her property. After discussion on motion by Doug Bush, seconded by Sam Nolte, the Commission approved moving forward with closure of the unused travel way. Tabatha Perry, County Administrator, will proceed with preparing an Order reflecting the closure of the unused travelway.

At 10:40 a.m., the Commission heard a presentation from Terri Jo Bennett, Addressing and Mapping Coordinator, regarding naming a new road. On motion by Sam Nolte, seconded by Doug Bush, the name **Raythree Road** was approved.

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)

- Ralph Junior Davis – Final Settlement Waiver
- Lillian D. Gidley – First Annual Settlement
- Rebecca Rose Koch – Final Settlement Waiver

UPSHUR COUNTY COMMISSION MEETING

October 5, 2023

- Harold A. Lewis – Final Settlement Waiver
- Shirley A. Martin – Final Settlement
- Lucy J. Wodzinski – 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 Refunds:

- Evans Wesley L & Lesa G - #2018 - \$175.12 – Refund Order
- Evans Wesley L & Lesa G - #1991 - \$175.12 – Refund Order

The Commission approved Requests to Attend Meeting: (none)

The Commission approved the following Consolidation of Land Tracts:

- Washington District – Map 7K Parcel 64 and Map 7K Parcel 91 to make Map 7K Parcel 64 – Lillian & Dominick McDonald

At 1:00 p.m., the Commission held a joint meeting with the Buckhannon City Council regarding property matters. At 1:10 p.m. a motion was made by Sam Nolte, seconded by Doug Bush, to enter into Executive Session per *WV Code §6-9A-4 (A)*. The Commission exited Executive Session at 2:41 p.m. with no decisions being made.

The Commission received project updates and reviewed Administrative business items.

With no further business, on motion by Doug Bush, seconded by Sam Nolte, the Commission meeting adjourned at 4:47 p.m.