

UPSHUR COUNTY COMMISSION MEETING

October 10, 2019

The County Commission of Upshur County, West Virginia, held their regular meeting at the Courthouse Annex on Thursday, October 10, 2019 at 9:00 a.m. Sam Nolte called the meeting to order. Present were Sam Nolte, Commission President; Kristie Tenney, Commissioner; Terry Cutright, Commissioner; Carol Smith, County Clerk; Carrie Wallace, County Administrator; Prissilla Peggs, Secretary and Lois 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.

Sam Nolte reviewed scheduled appointments and agenda items.

After discussion, on motion by Kristie Tenney, seconded by Terry Cutright, the Commission approved the regular meeting minutes of October 3, 2019 as submitted.

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved the request by Randall L. Saunders, Nelson Mullins Riley & Scarborough LLP, Attorneys and Counselors at Law to Consolidating the Greylock Energy LLC BOAA protests with three other counties (Barbour, Randolph and Taylor), utilization of a hearing examiner, the utilization of John Montgomery as the hearing examiner and setting a hearing date once the hearing Commissioner is in place. (copy included)

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved the request from Paul Norko, Upshur County Library Director, to fund up to \$4,000 from the Coal Reallocation Fund for new street lights at the Upshur County Public Library. The Commission will revisit at a later date if additional funds are required. Carol Smith explained that the piling and the base coat for the parking area will be complete around mid-November and the final coat will be completed in 1-3 years per normal construction procedures; however, for safety concerns lighting needs to be installed as soon as possible. (copy included)

After discussion, on motion by Kristie Tenney, seconded by Terry Cutright, the Commission approved Whitney Marsh as Lewis-Upshur Animal Control Facility volunteer.

Sam Nolte reviewed the following "For Your Information" items: (copies included)

1. Lewis-Upshur Animal Control Facility Adoption Finance Transactions – September 2019
2. Lewis-Upshur Animal Control Facility Cat Report for the month of September 2019
3. Lewis-Upshur Animal Control Facility Animal Report for the month of September 2019
4. Upshur County Animal Control/Humane Officer Monthly Animal Report for the month of September 2019
5. Upshur County Building Permits for the month of September 2019
6. Correspondence from the Stockert Youth & Community Center Children's Festival Committee thanking the Commission for the donation to the 2019 Children's Festival and for being a supporter of SYCC.
7. Public Notices:
 - a. Newsletters and/or Event Notifications:
 - Region VI Job & Resource Fair 2019 on October 11th, 2019 from 10:00 a.m. – 2:00 p.m. at the Robert H. Mollohan Research Center in Fairmont, WV.
 - Trunk or Treat – Wednesday, October 30th from 6:00 p.m. to 8:00 p.m. at the Public Safety Complex.
 - b. Agendas and/or Notice of Meetings:
 - Buckhannon-Upshur Airport Authority October 10, 2019
 - Buckhannon Upshur Board of Health October 21, 2019
 - c. Meeting Minutes:
 - Elkins Road PSD September 3, 2019
 - d. Meetings:
 - 10/01/19-4:00 p.m.-Hodgesville PSD
 - 10/01/19-5:30 p.m.-Elkins Road PSD
 - 10/03/19-6:00 p.m.-Buckhannon-Upshur Board of Health
 - 10/03/19-7:00 p.m.-Banks District VFD
 - 10/03/19-7:00 p.m.-Selbyville VFD
 - 10/08/19-7:30 p.m.-Adrian VFD
 - 10/09/19-3:00 p.m.-Tennerton PSD
 - 10/09/19-6:00 p.m.-Buckhannon River Watershed Association - WVWC
 - 10/09/19-7:00 p.m.-Ellamore VFD
 - 10/09/19-7:00 p.m.-Warren District VFD

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- 10/10/19-10:00 a.m.-Adrian PSD
- 10/10/19-3:00 p.m.-Upshur County Conventions & Visitors Bureau
- 10/10/19-4:00 p.m.-Upshur County Safe Sites & Structures Enforcement Board
- 10/10/19-4:00 p.m.-Buckhannon Upshur Airport Authority
- 10/10/19-7:30 p.m.-Buckhannon VFD
- 10/14/19-12:00 p.m.-Upshur County Family Resource Network
- 10/14/19-4:30 p.m.-Upshur County Solid Waste Authority - CANCELLED
- 10/14/19-5:30 p.m.-Buckhannon-Upshur Recreational Park Advisory Board
- 10/14/19-6:00 p.m.-Lewis-Upshur Community Corrections Board-Lewis County
- 10/15/19-10:00 a.m.-Wes-Mon-Ty Resource Conservation & Development Council
- 10/15/19-6:30 p.m.-Upshur County Fire Board, Inc.
- 10/16/19-12:00 p.m.-Upshur County Senior Center Board
- 10/16/19-12:00 p.m.-Lewis Upshur LEPC - Lewis location
- 10/16/19-4:00 p.m.-Upshur County Public Library Board
- 10/16/19-7:00 p.m.-Upshur County Fire Fighters Association
- 10/17/19-2:00 p.m.-Upshur County Farmland Protection Board
- 10/17/19-6:30 p.m.-Upshur County Youth Camp Board
- 10/20/19-6:00 p.m.-Washington District VFD
- 10/21/19-12:00 p.m.-Buckhannon-Upshur Chamber of Commerce - Wildlife Center
- 10/22/19-5:00 p.m.-UC Enhanced Emergency Telephone Advisory Board
- 10/23/19-7:00 a.m.-Upshur County Development Authority
- 10/23/19-10:00 a.m.-James W. Curry Advisory Board
- 10/28/19-10:00 a.m.-Mountain CAP of WV, Inc., a CDC
- 12/13/19-11:00 a.m.-Region VI Local Elected Officials

8. Appointments Needed or Upcoming: (none)

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

The Commission approved all Vacation Orders. (copies included)

The Commission approved the following "Settlements" (as listed):

- Mark Colet Mullens - Final Settlement
- Joyce Ann Rose - Final Settlement Waiver
- Phyllis Sue Shreve - Final Settlement

The Commission approved the following "Exonerations and/or Refunds" (copies included):

- Conley & Carolyn Smith - #17484 - \$418.19 - Refund Order
- FLAMCO - #2073 - Exoneration Order

Tabled items:

1. Hearing upon the Petition/Complaint of the Upshur County Safe Sites and Structures Enforcement Agency -- Chapman Case Number 101118-01 (Warren Tax District - Tax Map 6B Parcel Number 11). Case remains open in Magistrate Court. No action was taken.
2. After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission gave approval to Delmas Woody to paint the property lines between property owned by the Woody's and Commission on Oscar Sayer Road. Nate Kennedy reported the property lines had been measured and were approximate with the exception of the north end corner which possibly was off by 60 feet. He will be moving the timber boundaries away from the property line to compensate for this discrepancy. Carrie Wallace confirmed that there is no written property line agreement between the two parties, but the Commission has a letter detailing the arrangements. Sam Nolte agreed that the letter would suffice for this timber sale and in the future an official survey may be necessary in the event that property owners do not agree on the discussed property lines. Carrie Wallace will notify Delmas Woody regarding the approval. (copies included)

Addie Helmick, Center Against Violence (formerly Women's Aid in Crisis) representative, appeared before the Commission and read the "Domestic Violence Awareness Month Proclamation" which designates the month of October 2019 as Domestic Violence Awareness Month. After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved Ms. Helmick to place a table in the Upshur County Courthouse Annex during the month of October.

Gwyn Thorn, author of "Love Blue – Amanda's Story", appeared before the Commission to discuss her book regarding the 1994 events of an Upshur County 3-year old resident which sustained abuse but overcame it to live an amazing life. The Family Resource Network was started as a result of Amanda's abuse. A portion of the proceeds from the sale of this book during October will be donated

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to the Upshur County Family Resource Network. Ms. Thorn will have a book signing at the Upshur County Public Library on Saturday, October 12, 2019 from 10:00 a.m. to 2:00 p.m., at Sweet-a-licious on Sunday, October 13, 2019 at 2:00 p.m., and will be speaking at the Family Resource Network meeting on Monday, October 14, 2019.

The Commission reviewed agenda items for future meetings, received project updates and discussed administrative business items,

With no further business, on motion by Terry Cutright, seconded by Kristie Tenney the Commission meeting adjourned at 12:30 p.m.