

UPSHUR COUNTY COMMISSION MEETING

October 19, 2023

The County Commission of Upshur County, West Virginia, held their regular meeting on Thursday, October 19, 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; Tabatha R. Perry, County Administrator; Cindy M. Hughes, Assistant County Administrator and Lois A. Marsh, Secretary. Samuel R. Nolte, Commissioner, was absent.

The meeting began with a moment of silent meditation and prayer, followed by the Pledge of Allegiance. All motions passed unanimously unless otherwise stated.

Tabatha Perry, County Administrator, requested the Commission table the October 5, 2023 minutes until the October 26, 2023 meeting.

Kristie Tenney reviewed scheduled appointments and agenda items.

After discussion, on motion by Doug Bush, seconded by Kristie Tenney, the Commission approved and authorized the Commission President to sign a request for funds as outlined in correspondence from the West Virginia Department of Health and Human Resources – Bureau for Public Health – Office of Emergency Medical Services for a combined award amount of \$318,181.81 for the Salary Enhancement and Crisis Response Grant 2023. (copy included)

After discussion, on motion by Doug Bush, seconded by Kristie Tenney, the Commission approved and authorized the Commission President to sign a Memorandum of Understanding (MOU) by and between the Supreme Court of Appeals of West Virginia and the Upshur County Commission to provide the framework for transfer of certain assets from the Court to the Commission. This MOU acknowledges Upshur County's commitment to the Criminal and Civil Prohibiting Records Improvement Project, which is a statewide plan detailed within the MOU. (copy included)

After discussion, on motion by Doug Bush, seconded by Kristie Tenney, the Commission approved and authorized the Commission President to sign a contract by and between the Upshur County Commission, the Upshur County Board of Education and Micrologic, based upon their lowest bid, to complete a camera upgrade and expansion project funded by the FY22 Community Oriented Policing Services (COPS) Grant. The contract sum under this Agreement is \$178,994. A separate scope of work will be prepared to utilize remaining grant funds to purchase additional cameras to upgrade antiquated models and eliminate blind spots within the nine school sites. Carrie Wallace, Region VII Planning and Development Council Project Coordinator, reported that the agreement with Micrologic was expected today and work would begin soon. (copy included)

After discussion, on motion by Doug Bush, seconded by Kristie Tenney, the Commission approved and authorized the Commission President to sign a Water System Improvement Project – Request for Payment #4 for the Mt. Hope Water System Improvement Project in the amount of \$552.09. (copy included)

After discussion, on motion by Doug Bush, seconded by Kristie Tenney, the Commission approved the revision of the 2023 Courthouse Closure Schedule to reflect early closure on December 21, 2023 at 12:00 p.m. rather than on December 15, 2023. (copy included)

After discussion, on motion by Doug Bush, seconded by Kristie Tenney, the Commission approved the reappointment of Paul A. Spencer to the Adrian Public Service District Board of Directors. Mr. Spencer's term will be effective November 1, 2023 through October 31, 2029.

After discussion, on motion by Doug Bush, seconded by Kristie Tenney, the Commission approved Wilford Syski, Evelyn Syski, Edward Brandt, and Jewel Fisher as Upshur County Department of Homeland Security and Emergency Management volunteers.

After discussion, on motion by Doug Bush, seconded by Kristie Tenney, the Commission approved the request from Sheriff J. Michael Coffman, for employment of Kayli G. Curry, as Full-time Tax Deputy, effective October 22, 2023.

After discussion, on motion by Doug Bush, seconded by Kristie Tenney, the Commission approved the request from Sheriff J. Michael Coffman for employment of John R. Davis as a Fill-in Court Security Officer, effective October 22, 2023.

After discussion, on motion by Doug Bush, seconded by Kristie Tenney, the Commission approved the request from Sheriff J. Michael Coffman to transfer Robert Wilt from Fill-In Court Security Officer to Part-time Court Security Officer, effective October 22, 2023.

After discussion, on motion by Doug Bush, seconded by Kristie Tenney, the Commission approved the request by Nelson G. Russell to appoint the Sheriff of Upshur County as Administrator for the Estate of George E. Luther, Jr., deceased. (copy included)

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

1. Assessor’s Certificate of Compliance from Kent A. Leonhardt, Commissioner of Agriculture, regarding Dustin Zickefoose’s completion of the Farm Census of 2023, satisfactorily complying with the requirements of the Farm Statistics Law and being eligible to receive compensation from the County Court, according to Chapter 7, Article 7, Section 6C of the New Code of West Virginia.
2. Correspondence from the Department of Homeland Security – Division of Corrections & Rehabilitation, providing the WV Regional Jail and Correctional Facility monthly invoice for Upshur County for September, 2023. The invoice reflects 1,715 inmate days times \$43.58 per diem rate, totaling \$74,739.70. The August, 2023 invoice was \$64,019.02. Kristie Tenney stated this rate still reflects the 20% discount.
3. Lewis-Upshur Animal Control Facility Reports for the month of September, 2023
 - Revenue Report
 - Account of Animals Report
 - Animal Control/Humane Officer Animal Report
4. Upshur County Building & Floodplain Permits for the month of September, 2023
5. Upshur County E911 Communication Reports – September, 2023
 - Monthly Department Summary
 - Monthly Wrecker Report
 - YTD Wrecker Report
6. Public Notices:
 - a) Newsletters and/or Event Notifications: (none)
 - b) Agendas and/or Notice of Meetings:
 - Buckhannon-Upshur Airport Authority October 9, 2023
 - Upshur County Farmland Protection October 17, 2023
 - City Council of Buckhannon October 19, 2023

Meeting Minutes:

- Adrian Public Service District –
Monthly Board Meeting September 7, 2023
 - Upshur County Safe Structures and Sites September 14, 2023
 - Adrian Public Service District –
Phase VII Project Meeting September 20, 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 9:15 a.m., Becky McDaniels, Upshur County School’s Counselor, along with teachers and students from Upshur County Schools, appeared before the Commission to discuss Red Ribbon Week. Tabatha Perry read a Proclamation declaring October 23rd through 27th, 2023 as Red Ribbon Week in Upshur County. After discussion, on motion by Doug Bush, seconded by Kristie Tenney, the Commission approved signing the Proclamation declaring October 23rd through October 27th, 2023 as Red Ribbon Week in Upshur County. (copy included)

At 9:30 a.m., Addie Helmick, on behalf of Centers Against Violence, appeared before the Commission to discuss Domestic Violence. Ms. Helmick read a Proclamation declaring October, 2023 as Domestic Violence Awareness Month and requested approval to place a display in the lobby of the Courthouse Annex and to hang a banner on the fence. After discussion, on motion by Doug Bush, seconded by Kristie Tenney, the Commission approved signing a Proclamation declaring the Month of October, 2023 as Domestic Violence Awareness Month. The Commission also approved Ms. Helmick’s request to place a display in the lobby of the Courthouse Annex and to hang a banner on the fence. (copy included)

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At 10:00 a.m., Alan Tucker, on behalf of the Buckhannon Band of Brothers, appeared before the Commission to discuss the Buckhannon Band of Brothers' 2024 Calendar Campaign Kickoff. Mr. Tucker stated that this will be the eighth year of the Calendar Campaign and this year's theme is "Keeping It Local". Dr. Karl Boone, along with other Band of Brother members, have also created a home repair program for people in need. This program will be funded by the 24 Calendar Campaign project. The Band of Brothers is hosting a chicken dinner on Saturday, October 21, 2023 from 11:00 a.m. to 1:00 p.m. at the Chapel Hill United Methodist Church parking lot.

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)

- French Waugh Armstrong – Final Settlement Waiver
- Lois Virginia Armstrong – Final Settlement Waiver
- Edward Earl Crawford – Final Settlement
- Donald J. Galligan – Final Settlement Waiver
- Max Roy Lee – Final Settlement Waiver
- George Henry Roessing, Jr. – Final Settlement Waiver
- Frederick Matthew Seeley – First Annual Settlement
- Leo Junior Talbott – Final Settlement Waiver
- Delbert Junior Tenney – Final Settlement
- Ralph Ronsdale Wamsley – Final Settlement

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

- Ray Otis Goodwin – Certification of Completion
- Myrtlelee Goodwin – Certification of Completion
- Carol Hamilton – Certification of Completion
- Barbara L. Moeller – Certification of Completion
- Mildred R. Wilfong – Certification of Completion

The Commission approved the following Corrections, Exonerations and Refunds:

- Moore William & Naylor Natalie - #306118 - \$190.45 – Correction Order
- May Billie J & Mary K - #16926 - \$175.12 – Exoneration Order
- Nesbitt Alfred M & Nesbitt Burns Patricia J - #22070A - \$175.12 – Refund Order
- Spaur Lawrence W Jr - #302107 - \$103.76 – Refund Order
- Indian Camp Lumber LLC - #305175 - \$143.16 – Exoneration Order
- Indian Camp Lumber LLC - #305356 - \$130.16 – Exoneration Order
- Indian Camp Lumber LLC - #305371 - \$118.34 – Exoneration Order
- Indian Camp Lumber LLC - #305458 - \$107.56 – Exoneration Order
- Indian Camp Lumber LLC - #305482 - \$97.80 – Exoneration Order
- Moyle Stanton & Joyce Elite Cleaners - #304183 - \$2.78 – Exoneration Order
- Moyle Stanton & Joyce Elite Cleaners - #304355 - \$2.78 – Exoneration Order
- Moyle Stanton & Joyce Elite Cleaners - #304366 - \$2.78 – Exoneration Order
- Hymes Nicholas Wilson c/o Community Minerals - #16468 - \$0.00 – Correction Order
- Hymes Nicholas Wilson c/o Community Minerals - #16469 - \$0.00 – Correction Order
- Hymes Nicholas Wilson c/o Community Minerals - #16470 - \$0.00 – Correction Order
- Hymes Nicholas Wilson c/o Community Minerals - #16471 - \$0.00 – Correction Order
- Hymes Nicholas Wilson c/o Community Minerals - #16472 - \$0.00 – Correction Order
- Hymes Nicholas Wilson c/o Community Minerals - #16473 - \$0.00 – Correction Order
- Hymes Nicholas Wilson c/o Community Minerals - #16474 - \$0.00 – Correction Order
- Reed Robert B or Tracy - #500000084 - \$310.54 – Exoneration Order
- Crites Kevin R & Veronica - #308391 - \$275.03 – Refund Order
- Crites Kevin R & Veronica - #308380 - \$275.03 – Refund Order
- Crites Kevin R & Veronica - #308117 - \$295.52 – Exoneration Order
- Davis James W Jr & Davis Edith Darlene - #100000189 - \$79.32 – Exoneration Order
- Ash Bruce Raymond or Brenda - #307084 - \$612.78 – Exoneration Order
- Vest Catherine S - #306482 - \$137.64 – Exoneration Order

The Commission approved Requests to Attend Meeting: (none)

The Commission approved the following Consolidation of Land Tracts:

- Union District - Map 8G Parcel 5.3 and Map 8G-5 to make Map 8G Parcel 5 – Lora Loy *aka* Lora Campbell *aka* Lora Quickle

The Commission received project updates and reviewed Administrative business items.

On motion by Doug Bush, seconded by Kristie Tenney, the Commission recessed at 12:10 p.m.

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At 1:00 p.m., the Commission reconvened for the Department Supervisor Meeting and 2:00 p.m. for Policy Board Meeting.

With no further business, on motion by Krisite Tenney, seconded by Doug Bush, the Commission meeting adjourned at 3:10 p.m.