

UPSHUR COUNTY COMMISSION MEETING

October 20, 2022

The County Commission of Upshur County, West Virginia, held their regular meeting on Thursday, October 20, 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; Cindy M. Hughes, Assistant 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 Doug Bush, seconded by Sam Nolte, the Commission approved the regular meeting minutes of October 13, 2022 and special meeting minutes of October 17, 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 request from Carol J. Smith, County Clerk, to hire temporary election workers beginning on or around October 26, 2022 and ending on or around November 14, 2022 for the General Election. (copy included)

After discussion, on motion by Sam Nolte, seconded by Doug Bush, the Commission approved correspondence from Robert Chapman, Acting Director of the U.S. Department of Justice Office of Community Oriented Policing Services (COPS), announcing the award of \$316,375 under the 2022 COPS Officer School Violence Prevention Program (SVPP). This project will install additional video surveillance equipment and replace outdated equipment at all nine public schools within Upshur County and is a joint initiative of the Upshur County Commission and the Upshur County Board of Education. Carrie Wallace of Region VII Planning and Development explained that the total amount for the project is \$421,833, of which 75% is federally funded. The Upshur County Board of Education will be responsible for \$105,458. Matthew Sisk, Upshur County Schools, Director of Safety and Emergency Preparedness, reported to the Commission that the current camera system in each school is sufficient, but with this grant, the cameras can be upgraded to actual real time, thereby making safer conditions for students and school personnel. Approval of electronic acceptance of award. (copy included)

After discussion, on motion by Sam Nolte, seconded by Doug Bush, the Commission approved the request of Lisa Lamb announcing her resignation from the James W. Curry Library Advisory Board, effective immediately. (copy included)

After discussion, on motion by Sam Nolte, seconded by Doug Bush, the Commission approved the request from James Crouse for appointment to the James W. Curry Library Advisory Board. Tabatha Perry stated that Mr. Crouse would be replacing Lisa Lamb. Mr. Crouse's term will be effective immediately and expire on December 31, 2026. (copy included)

After discussion, on motion by Sam Nolte, seconded by Doug Bush, the Commission approved the request from Janella Cochran, Lewis-Upshur Animal Control Facility Director, for temporary part-time employment of Breann N. Stanton as LUACF Attendant, effective October 23, 2022. Ms. Stanton will work a maximum of 8 weeks acquiring no more than an average of 19.5 hours per week. Tabatha Perry explained that this is a temporary replacement for an employee that is taking a short-term leave of absence.

The Commission reviewed an update from Fitzsimmons Law Firm PLLC regarding the pending opioid litigation. After discussion, on motion by Doug Bush, seconded by Sam Nolte, the Commission approved and authorized the Commission President to sign the "WV Local Government Election and Release Form (Janssen)."

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

1. Correspondence from Michael V. Coleman, Director, State of West Virginia Department of Homeland Security, Division of Administrative Services, relating to jail per diem rates. *WV Code §15A-3-16* currently extends the statutory per diem cap of \$48.25 paid by counties and municipalities to incarcerate inmates in regional jails through July 1, 2023. Absent further legislative action, jail billings will be based on the rate of \$54.48, beginning with the July, 2023 billing cycle.
2. Public Notices:
 - a) Newsletters and/or Event Notifications: (none)
 - b) Agendas and/or Notice of Meetings:
 - BU Parks & Recreation Advisory Board October 18, 2022
 - Upshur County Fire Board October 18, 2022
 - City Council of Buckhannon October 18, 2022

Meeting Minutes:

- BU Parks & Recreation Advisory Board September 20, 2022

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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 & 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 Co.*

3. Appointments Needed or Upcoming:

- James W. Curry Library Advisory Board (unexpired term 12/31/2026)
- James W. Curry Library Advisory Board (01/01/2023-12/31/2027)

****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. 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. Bid opening and potential award – Upshur County Courthouse Annex HVAC Upgrade Project (*tabled 10/13/2022*). Greg Harris, Maintenance Director, proposed using City Heating and Plumbing because of their record and reputation. After discussion, on motion by Sam Nolte, seconded by Doug Bush, the Commission approved awarding the bid, in the amount of six hundred forty three thousand five hundred dollars (\$643,500) to City Heating and Plumbing for the Upshur County Courthouse Annex HVAC Upgrade Project.
2. Approval and signature of Service Contract with Cleveland Brothers to perform semi-annual service and annual maintenance service for the engine, generator and GENSET, located at the E-911 Communications Center. The total cost for the 2023 agreement is \$2,790; the total cost for the 2024 agreement is \$2,874; and the total for the 2025 agreement is \$2,958. The agreement includes all parts, travel time, mileage and labor for two inspections each year. The Upshur County Commission has the right to terminate this agreement for any reason at any time. (*tabled 10/13/2022*). Tabatha Perry reported that this item is still under review.

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

The Commission approved all Vacation Orders (list included)

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The Commission approved the following Settlements: (as listed)

- Elsie Mae Carpenter – Final Settlement
- Danny Lee Chewning – Final Settlement Waiver
- Tony Vincent Herndon – Final Settlement Waiver
- Arden J. Lee – 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: (none)

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

At 9:30 a.m., Becky McDaniels, Counselor for Upshur County Schools, along with school counselors and students from schools in Upshur County appeared before the Commission to present a Red Ribbon Week Proclamation, which was read by Suzanne Bohman. After discussion, on motion by Doug Bush, seconded by Sam Nolte, the Commission approved and authorized the Commission President to sign the Red Ribbon Week Proclamation – October 24th through 28th, 2022. (copy included)

At 9:45 a.m., Mike Morehead, Volunteer for Lewis-Upshur Animal Control Facility, and Janella Cochran, Lewis-Upshur Animal Control Facility Director, appeared before the Commission to discuss the upcoming Winter Whisker's fundraiser, which will be held on December 17, 2022 from 6:00 p.m. to 10:00 p.m. at the Outpost Event Center. The price for the brisket meal is \$25.00 per person. This fundraiser is to assist with expenses involved in building a surgical unit at the Animal Control Facility.

At 10:07 a.m., Terri Jo Bennett, Upshur County Addressing and Mapping, Building Permits and Floorplain Coordinator, appeared before the Commission to discuss a request to change the name of a road from Wormwood Lane to Parks Way. In 2009, Wormwood Lane was assigned to this road. The non-refundable fee of \$50.00 has been paid by the property owners in accordance with the Commission procedures. After discussion, on motion by Doug Bush, seconded by Sam Nolte, the Commission approved changing the name from Wormwood Lane to Parks Way. Ms. Bennett stated that she will complete approving the name change and will bring before the Commission in 90 days.

At 10:30 a.m., via teleconference, Michael Kidd, with Kidd Private Investigation, discussed Upshur County E911 Standard Operation Procedures. Also present were Doyle Cutright II, Upshur County E911 Emergency Communication Center Director, and Dirk Burnside, WV Department of Homeland Security Region IV RIC. After discussion, Commission President Kristie Tenney stated that the Commission is reviewing the Standard Operating Procedures pertaining to the release of records and will respond to Mr. Kidd upon completion of the review.

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 11:08 a.m.