

UPSHUR COUNTY COMMISSION MEETING

October 22, 2020

The County Commission of Upshur County, West Virginia, held their regular meeting on Thursday, October 22, 2020 at 9:00 a.m. Terry Cutright called the meeting to order. Present were: Terry B. Cutright, Commissioner; Samuel R. Nolte, Commissioner; Kristie G. Tenney, Commissioner; Carrie L. Wallace, County Administrator and Lois A. Marsh, Secretary. Members of the public also participated in the meeting via teleconference. The meeting began with a moment of silent meditation and prayer followed by the Pledge of Allegiance. All motions passed unanimously unless otherwise stated.

Terry Cutright reviewed scheduled appointments and agenda items.

After discussion, on motion by Sam Nolte, seconded by Kristie Tenney, the Commission approved the regular minutes of October 1, 2020, the Emergency Meeting minutes of October 5, 2020, and the Emergency Meeting minutes of October 7, 2020, as submitted.

Carrie Wallace, County Administrator, read the proclamation which designates October 2020 as “Domestic Violence Awareness Month” in Upshur County. After discussion, on motion by Sam Nolte, seconded by Kristie Tenney, the Commission approved and authorized the signing of the Proclamation. (copy included)

After discussion, on motion by Sam Nolte, seconded by Kristie Tenney, the Commission approved the request from Donnie Tenney to extend the Land Use Agreement for one additional year on the FEMA property located off of Norvell Drive on parcel number 7-3-14. The property is being used for a garden and the current lease agreement expires on December 31, 2020. Mr. Tenney is also requesting permission to plant two Hybrid American Chestnut trees within the fenced areas. (copy included)

After discussion, on motion by Kristie Tenney, seconded by Sam Nolte, the Commission approved and authorized the President to sign a Proposal for Financing provided by Country Roads Leasing, LLC and Resolution Authorizing the Execution and Delivery of a Master Equipment Lease-Purchase Agreement, and Related Instruments, and Determining Other Matters in Connection Therewith. The tax-exempt lease-purchase financing for the acquisition of a 2020 Ford F-250 Supercab Truck at 3.35% interest will cost \$8,290.71 annually over a period of four years resulting in a total acquisition cost of \$33,162.84. (copy included)

After discussion, on motion by Sam Nolte, seconded by Kristie Tenney, the Commission approved Lewis-Upshur Animal Control Facility Volunteers, Jarid Rutter and Justine Heaton.

Terry Cutright reviewed the following “For Your Information” items: (copy included)

1. Correspondence to Brenton Haykes requesting an additional ten percent distribution of the James W. Curry Trust, held by Fulton Financial Advisors, for operations through fiscal year 2025. Carrie Wallace, County Administrator stated this letter was sent per the Commission’s vote during their meeting on September 24, 2020.
2. Upshur County Fire Board, Inc. Cumulative Financial Reports FY21 – July 1, 2020 through September 30, 2020.
3. Correspondence from the Weyerhaeuser Giving Fund, announcing the award of \$4,201.22 to the Upshur County Youth Camp. Terry Cutright thanked Weyerhaeuser for the third straight year for this gift.
4. Lewis-Upshur Animal Control Facility Reports for the month of September, 2020
 - Adoption Financial Transactions
 - Cat Report
 - Animal Report
 - Animal Control/Humane Officer Animal Report
5. Public Notices:
 - Newsletters and/or Event Notifications: (none)
 - Agendas and/or Notice of Meetings:
 - James W. Curry Library/Park Advisory Board September 23, 2020
 - Buckhannon-Upshur Airport Authority October 12, 2020
 - Upshur County Senior Center October 14, 2020
 - Upshur County Convention & Visitors Bureau October 14, 2020
 - City Council of Buckhannon October 15, 2020
 - Upshur County Fire Board, Inc. October 20, 2020
 - Special Session of City Council of Buckhannon October 22, 2020
 - Elkins Road PSD November 4, 2020

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- Meeting Minutes:
 - James W. Curry Library/Park Advisory Board August 26, 2020
 - Elkins Road PSD September 1, 2020
 - Adrian PSD September 3, 2020
 - Tennerton PSD September 9, 2020
- Meetings:
 - 10/01/20-3:00 p.m.-Adrian PSD
 - 10/01/20-7:00 p.m.-City Council of Buckhannon
 - 10/01/20-7:00 p.m.-Banks District VFD
 - 10/01/20-7:00 p.m.-Selbyville VFD
 - 10/06/20-4:00 p.m.-Hodgesville PSD
 - 10/08/20-2:00 p.m.-Upshur County Farmland Protection Board – Special Meeting
 - 10/08/20-3:00 p.m.-Upshur County Safe Sites & Structures Enforcement Board
 - 10/08/20-7:30 p.m.-Buckhannon VFD
 - 10/12/20-12:00 p.m.-Upshur County Family Resource Network
 - 10/12/20-4:00 p.m.-Buckhannon Upshur Airport Authority
 - 10/12/20-4:30 p.m.-Upshur County Solid Waste Authority
 - 10/12/20-5:30 p.m.-Buckhannon-Upshur Recreational Park Advisory Board
 - 10/13/20-7:30 p.m.-Adrian VFD
 - 10/14/20-12:00 p.m.-Upshur County Senior Center Board
 - 10/14/20-3:00 p.m.-Upshur County Conventions & Visitors Bureau
 - 10/14/20-3:00 p.m.-Tennerton PSD
 - 10/14/20-6:00 p.m.-Buckhannon River Watershed Association – Farm Bureau
 - 10/14/20-7:00 p.m.-Warren District VFD
 - 10/14/20-7:00 p.m.-Ellamore VFD
 - 10/15/20-6:30 p.m.-Upshur County Youth Camp Board
 - 10/16/20-10:00 a.m.-Wes-Mon-Ty Resource Conservation & Development Council
 - 10/18/20-6:00 p.m.-Washington District VFD
 - 10/19/20-12:00 p.m.-Buckhannon-Upshur Chamber of Commerce
 - 10/20/20-6:30 p.m.-Upshur County Fire Board, Inc.
 - 10/21/20-7:00 a.m.-Upshur County Development Authority – Full Board
 - 10/21/20-12:00 p.m.-Lewis Upshur LEPC
 - 10/21/20-4:00 p.m.-Upshur County Public Library Board
 - 10/26/20-10:00 a.m.-Mountain CAP of WV, Inc., a CDC
 - 10/26/20-7:00 p.m.-Upshur County Fire Fighters Association
 - 10/27/20-5:00 p.m.-UC Enhanced Emergency Telephone Advisory Board
 - 10/28/20-10:00 a.m.-James W. Curry Advisory Board
 - 11/04/20-5:00 p.m.-Elkins Road PSD
 - 11/05/20-6:00 p.m.-Buckhannon-Upshur Board of Health
 - 12/07/20-6:00 p.m.-Lewis-Upshur Community Corrections Board – Lewis Co.

6. Appointments Needed or Upcoming:

- Upshur County Fire Board, Inc. (Linn Baxa-6/30/2020) -Fire Association Representative

****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: (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)

- Sally Annette Brake – Final Settlement Waiver
- Thomas Paul Brown – Final Settlement Waiver
- Mildred Louise Dean – Final Settlement
- James A. Gompers – Final Settlement Waiver
- Lena Louise James – Final Settlement Waiver

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- Robert E. Johnson – Final Settlement
- Johnie J. Knabenshue – Final Settlement Waiver
- Bonita Nantz – Final Settlement Waiver
- Ronald Ray Phillips – Final Settlement Waiver
- James R. Posey – Fourth Annual Settlement
- Elizabeth Ann Weaver – Final Settlement
- Robert Keith Wilber – 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:

- Flanagan Ashley - #200000648S - \$19.96 – Exoneration Order
- Day Justin J - #500000298S - \$199.72 – Exoneration Order
- Vanhorn Charles E - #300000553 - \$225.66 – Exoneration Order
- Greylock Pipeline LLC - #302696 - \$8,897.73 – Exoneration Order

The Commission approved the following Requests to Attend Meeting (none)

The Commission approved the following Consolidation of Land Tracts:

- Buckhannon District – Map 5F Parcel 43 and Map 5F Parcel 64 to make Map 5F Parcel 43 – Gene F. Herbert III

Carrie Wallace, County Administrator, stated there would be public COVID-19 testing at Buckhannon-Upshur High School from 10:00 a.m. to 2:00 p.m. today. Walgreens will be offering free COVID-19 testing beginning October 29, 2020. Ms. Wallace also stated that Early Voting started on October 21, 2020 and will run through October 31, 2020 at the Upshur County Courthouse. Hours are Monday through Friday 8:00 a.m. to 4:00 p.m. and Saturdays (October 24, 2020 and October 31, 2020) from 9:00 a.m. to 5:00 p.m.

After motion by Kristie Tenney, seconded by Sam Nolte, the meeting recessed at 9:13 a.m.

At 9:45 a.m., Melissa Vaughn (via telephone) discussed road sign concern at Kraft Street. After discussion, Terry Cutright explained to Ms. Vaughn that Mr. Wyatt had a right to place any type of signage on his own property and that the home owners are responsible for placing a street sign stating “Kraft Street” at the road entrance. (copy included)

Terri Jo Bennett, Upshur County Addressing and Mapping, Building Permit and Floodplain Coordinator, presented Road Name Request Application filed by Cheryl Lewis to name the road in question Blackberry Trail. After discussion, on motion by Sam Nolte, seconded by Kristie Tenney, the Commission approved moving forward with the process of naming the roadway. (copy included)

After motion by Sam Nolte, seconded by Kristie Tenney, the meeting recessed at 9:50 a.m.

At 11:00 a.m., the Commission reconvened to discuss COVID-19 updates received to date and re-opening of the Courthouse and County owned and operated facilities to the public. Present were: Terry Cutright, Commissioner; Kristie Tenney, Commissioner; Sam Nolte, Commissioner; Dustin Zickefoose, Assessor; Carrie Wallace, County Administrator and Lois Marsh, Secretary. Joining the meeting via teleconference were Mike Coffman, Magistrate and Brian Gaudet, Circuit Clerk. After discussion, upon motion by Kristie Tenney, seconded by Sam Nolte, the Commission approved reopening the Courthouse and County owned and operated facilities to the public effective Monday, October 26, 2020 in accordance with its regular COVID-19 operations.

With no further business, on motion by Kristie Tenney, seconded by Sam Nolte, the Commission meeting adjourned at 11:30 a.m.