

UPSHUR COUNTY COMMISSION MEETING

October 24, 2019

The County Commission of Upshur County, West Virginia, held their regular meeting at the Courthouse Annex on Thursday, October 24, 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 Terry Cutright, seconded by Kristie Tenney, the Commission approved the regular meeting minutes of October 10, 2019 as submitted.

Larry Lance, Upshur County Schools Counselor, appeared before the Commission with teachers and students from each of the Upshur County schools and provided a presentation of Red Ribbon Week events and themes. The national anti-drug program “promotes family and individual responsibility for living healthy, drug-free lifestyles” with this year’s theme “Send a Message-Stay Drug Free”. Suzanne Bowman, Counselor at Hodgesville and Tennerton, read the history of National Red Ribbon Week and Shauna Jones, Dean of Students at Buckhannon-Upshur High School presented the proclamation. After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved and authorized the President to sign the Red Ribbon Week Proclamation, which designates October 28-31, 2019 as Red Ribbon Week in Upshur County. Members of the Commission along with school representatives and students went to the front steps of the Courthouse for a photograph. (copy included)

Alan Tucker, Bill Nicholson, and Tim Rock, representing the Band of Brothers, discussed the 2020 Calendar Campaign Kickoff. Proceeds from the sale of the calendars will be focused on the disadvantaged youth in Upshur County. Tim Rock stated that 100% of the proceeds would go toward youth programs.

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved and authorized the President to sign the WV Records Management and Preservation Board Resolution, Certification Form with priority ranking, and Grant Applications for Fiscal Year 2020-2021. The Upshur County Circuit Clerk requested \$10,000 and the Upshur County Assessor requested \$8,414 for a total amount of \$18,414 with a 10% cash match by the Upshur County Commission for all grant funds expended. Carrie Wallace presented what each grant request entailed. The Circuit Clerk has received funds for the past eight years and Assessor has received funds for the past two years. The Circuit Clerk will receive first priority this year with priorities likely rotating among offices that make application thereafter. (copy included)

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved and authorized the President to sign the Letter of Agreement between the Upshur County Commission and Nate Kennedy, Consulting Engineer for Kennedy Forest Management Services, setting forth the terms of agreement for marking and selling timber on the Oscar Sayre Road property owned by the Upshur County Commission with a fee of 9% of the timber sale value. (copy included)

After discussion, on motion by Kristie Tenney, seconded by Terry Cutright, the Commission approved and authorized the President to sign the Upshur County Fire Board, Inc. incentive for the four Tax Deputies who process Fire Fees collected in the Sheriff’s Office. Each Tax Deputy will be compensated with an annual \$520.00 supplement to be divided over 26 pay periods. The total cost to the Fire Board for one year is \$2,467.92. This supplement will begin with the first pay period in October and will be contingent upon an annual review in September each year. (copy included)

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved and authorized the President to sign the Federal Aviation Administration Outlay Request Number 9-Final in the amount of fifty-one thousand three hundred thirty-three dollars (\$51,333) for the Airport Improvement Program Project No. 3-54-0039-032-2018 at the Upshur County Regional Airport in Buckhannon, WV. (copy included)

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

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

1. Correspondence from Kathy Yates, WVACo, announcing possible eligibility for West Virginia livestock farmers impacted by the recent drought conditions to apply for cost-share funding to assist in purchasing water tanks and fittings needed to provide their animals with water.

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2. Correspondence from David E. Godwin, Upshur County Prosecuting Attorney, announcing his retirement effective November 30, 2019. On motion by Terry Cutright, seconded by Kristie Tenney, the Commission entered Executive Session per WV Code §6-9A-4 at 10:02 a.m. On motion by Terry Cutright, seconded by Kristie Tenney, the Commission exited Executive Session at 10:26 a.m. No motions or decisions were made.
3. Revised 2019 Board of Assessment Appeals Agenda.
4. Upshur County Sheriff's Financial Statement for period ending September 2019.
5. Public Notices:
 - a. Newsletters and/or Event Notifications:
 - James W. Curry Library Calendar of Events for November 2019.
 - b. Agendas and/or Notice of Meetings:
 - Upshur County Youth Camp Board September 19, 2019
 - Buckhannon-Upshur Parks and Recreation Advisory Board October 7, 2019
 - Upshur County Fire Board, Inc. October 15, 2019
 - Upshur County Public Library October 16, 2019
 - Lewis/Upshur LEPC – Lewis location October 16, 2019
 - Upshur County Farmland Protection October 17, 2019
 - City Council of Buckhannon October 17, 2019
 - James W. Curry Library / Park Advisory Board October 23, 2019
 - c. Meeting Minutes:
 - Upshur County Safe Sites & Structures Enforcement Board August 8, 2019
 - Upshur County Family Resource Network September 9, 2019
 - Upshur County Fire Board, Inc. September 17, 2019
 - Upshur County Youth Camp Board September 19, 2019
 - Upshur County Public Library Board of Trustees September 25, 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
 - 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

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- 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

6. 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):

- Judith Ann Bennett - Final Settlement
- Oral J. Boudman - Final Settlement Waiver
- Henry Marvin Corbitt - Final Settlement Waiver
- Ray J. Cutright - Final Settlement Waiver
- Etta Darleen Gillum - Final Settlement Waiver
- Stewart J. Gould - Final Settlement Waiver
- Delma Cleo Iden - Final Settlement
- Gale L. Marple - Final Settlement Waiver
- James Kenneth Phillips - Final Settlement Waiver
- Dallas Jackson Tacy - Final Settlement
- Rose Marie Talbott - Amended Final Settlement

The Commission approved an Order waiving any and all estate commission due to the Sheriff of Upshur County in his capacity as Co-Administrator De Bonis Non with the Will Annexed of Virginia Lee Reed, deceased.

The Commission approved the following "Requests to Attend Meeting" (copies included):

- Stacie Wentz – 11/14/2019 -11/16/2019

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

- Linda Lattea or Richard Summers - #600000192S - \$2.10 - Exoneration Order
- Jennifer K. Smith - #30269 - \$-583.66 - Exoneration Order
- Witte William C. Trust C/O Laura J. Mottram - #18004 - \$542.44 - 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.

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

The Commission attended meetings at 1:00 p.m. for the Department Supervisors, 2:00 p.m. for the Upshur County Policy Board and 3:00 p.m. for the Court Security Advisory Board.

The Commission reconvened at 3:30 p.m.