

UPSHUR COUNTY COMMISSION MEETING

October 28, 2021

The County Commission of Upshur County, West Virginia, held their regular meeting on Thursday, October 28, 2021 at 9:00 a.m. Kristie Tenney called the meeting to order. Present were: Terry B. Cutright, Commissioner; Samuel R. Nolte, Commissioner; Kristie G. Tenney, Commissioner; Carol J. Smith, County Clerk; Carrie L. Wallace, County Administrator/DHSEM Director; Tabatha R. Perry, Assistant County Administrator/Assistant DHSEM Director 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 Sam Nolte, seconded by Terry Cutright, the Commission approved the regular meeting minutes of October 21, 2021, as submitted.

Kristie Tenney reviewed scheduled appointments and agenda items.

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved the request by Dean Craft, Regional Manager for Shield Roofing and Construction, LLC, for change order to extend the completion deadline of the former jail facility roof replacement project from November 1, 2021 to November 30, 2021. Tabatha Perry explained that the reason for the delay was a problem obtaining materials and obtaining permits. Ms. Perry stated that the grant deadline is December 31, 2021 and if the job is completed and bills submitted to her for payment by December 15, 2021, everything would be okay. (copy included)

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved the request from Fiduciary Commissioner Daya Masada Wright's Recommendation to Amend the Appraisal for the Estate of Naomi G. Given. All three heirs were present plus Steve Woodford, attorney for Mary Given. Carol Smith, County Clerk, explained that Johnny Given does not agree with the appraisal which resulted in this meeting. Terry Cutright stated that after the Commission approves the Fiduciary Commissioner's recommendation, any of the heirs have 14 days to file an official complaint with the Circuit Court. (copy included)

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved and authorized the President to sign the State of West Virginia Emergency Management Division Performance Grant Award. The sub-grant period is January 1, 2019 – December 31, 2019 and is in the amount of \$38,000. (copy included)

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, 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 2022-2023. The Upshur County Clerk requested \$9,795.45 with a 10% cash match by the Upshur County Commission for all grant funds expended. The total project cost is \$10,775. The grant will allow for preservation and maintenance of county records for public and county use. Carol Smith, County Clerk, stated that this is the first year she has applied for a grant and she will require no additional money from the Commission. Carrie Wallace said that the deadline for all departments has passed and no other departments applied for this grant. (copy included)

At 9:15 a.m., Justin Bowers, on behalf of Appalachian Impact, appeared before the Commission to request the use of the Hampton Community Building. Mr. Bowers explained that Appalachian Impact works with at risk kids from ages kindergarten through high school, in a three-fold way: one on one meetings, summer camps, and facilitators. Appalachian Impact struggled through Covid, but are trying to revitalize. Mr. Bowers stated that they had received a \$10,000 grant a few years ago, and have not used any of the funds. These funds would be utilized for utilities and upkeep of the building. Carrie Wallace explained if rented, this property will be taxed and insurance will be required on the building. Mr. Bowers assured the Commission that they will obtain liability insurance. Terry Cutright said there is another group interested and the Commission will get back to Mr. Bowers after they have made a decision. (copy included)

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved Heather Ogden, Garrett Davis, Hali Westcott, Charity Warder, Victoria Sisson, Chrystal "Chrissy" Batten, and Ripley Cottrell as Lewis-Upshur Animal Control Facility Volunteers.

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

1. Correspondence from Samantha L. Woods, Deputy State Auditor for the WV State Auditor Chief Inspector Division, enclosing the audit report of the Upshur County Commission for the fiscal year ended June 30, 2020. Report is available for public review in the Upshur County Commission Office.

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2. Upshur County Safe Structures and Sites Enforcement Board Petition for Order filed October 22, 2021 – Case Number 011421-01 (Washington Tax District – Tax Map 7K – Parcel Number 55.3). The property owner has twenty days to request a hearing before the Upshur County Commission.
3. Public Notices:
 - a) Newsletters and/or Event Notifications: (none)
 - b) Agendas and/or Notice of Meetings:
 - Elkins Road PSD October 26, 2021
 - Upshur County Enhanced Emergency Telephone Advisory Board October 26, 2021
 - Upshur County Safe Structures & Sites Enforcement Board November 10, 2021
 - c) Meeting Minutes:
 - Upshur County Safe Structures & Sites Enforcement Board August 12, 2021
 - Upshur County Fire Board August 17, 2021
 - Tennerton PSD September 9, 2021
 - Upshur County Fire Board September 21, 2021
 - Upshur County Public Library Board of Trustees September 22, 2021
 - d) Meetings:
 - 11/02/21-4:00 p.m.-Hodgesville PSD
 - 11/02/21-5:00 p.m.-Elkins Road PSD
 - 11/04/21-3:00 p.m.-Adrian PSD
 - 11/04/21-6:00 p.m.-Buckhannon-Upshur Board of Health
 - 11/04/21-7:00 p.m.-Banks District VFD
 - 11/04/21-7:00 p.m.-Selbyville VFD
 - 11/08/21-12:00 p.m.-Upshur County Family Resource Network
 - 11/08/21-4:00 p.m.-Buckhannon Upshur Airport Authority
 - 11/08/21-4:30 p.m.-Upshur County Solid Waste Authority
 - 11/08/21-5:30 p.m.-Buckhannon-Upshur Recreational Park Advisory Board
 - 11/09/21-7:00 a.m.-Upshur County Development Authority–Executive Board
 - 11/09/21-7:00 p.m.-Warren District VFD
 - 11/09/21-7:30 p.m.-Adrian VFD
 - 11/10/21-12:00 p.m.-Upshur County Senior Center Board
 - 11/10/21-3:00 p.m.-Tennerton PSD
 - 11/10/21-3:00 p.m.-Upshur County Conventions & Visitors Bureau
 - 11/10/21-3:00 p.m.-Upshur County Safe Sites & Structures Enforcement Board-Special
 - 11/10/21-6:00 p.m.-Buckhannon River Watershed Association – Farm Bureau
 - 11/10/21-7:00 p.m.-Ellamore VFD
 - 11/11/21-3:00 p.m.-Upshur County Safe Sites & Structures Enforcement Board-CANCELLED
 - 11/11/21-7:30 p.m.-Buckhannon VFD
 - 11/14/21-6:00 p.m.-Washington District VFD
 - 11/15/21-12:00 p.m.-Buckhannon-Upshur Chamber of Commerce
 - 11/16/21-6:30 p.m.-Upshur County Fire Board, Inc.
 - 11/17/21-12:00 p.m.-Lewis Upshur LEPC – Upshur County
 - 11/17/21-4:00 p.m.-Upshur County Public Library Board
 - 11/18/21-6:00 p.m.-Upshur County Farmland Protection Board
 - 11/18/21-6:30 p.m.-Upshur County Youth Camp Board
 - 11/18/21-7:00 p.m.-City Council of Buckhannon
 - 11/19/21-10:00 a.m.-Wes-Mon-Ty Resource Conservation & Development Council
 - 11/22/21-7:00 p.m.-Upshur County Fire Fighters Association
 - 11/23/21-3:00 p.m.-UC Enhanced Emergency Telephone Advisory Board
 - 11/24/21-1:00 p.m.-James W. Curry Advisory Board
 - 12/06/21-6:00 p.m.-Lewis-Upshur Community Corrections Board-Upshur County

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Appointments Needed or Upcoming:

- Upshur County Fire Board (unexpired term 6/30/22)-Community Representative - 1st Mag. District

****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.****

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)

- Shelbia Jean Carpenter– Final Settlement Waiver
- Coy C. Chipps – Final Settlement Waiver
- Russell S. Denny – Final Settlement Waiver
- Elizabeth Kay Frey – Final Settlement Waiver
- Dorse Eugene Gillum – Final Settlement Waiver
- Thomas H. Glass, Jr. – Final Settlement Waiver
- Jared Scott Harris – Final Settlement Waiver
- Wilma Jean Phillips – Final Settlement Waiver
- Claude Marion Tenney – 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 the following Requests to Attend Meeting: (none)

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

Tabled Items: (none)

At 9:30 a.m., Senator Bill Hamilton appeared before the Commission to present a check in the amount of \$16,134.12 to the Upshur County Commission for the Upshur County Youth Camp. These funds are from the Local Economic Development Act (LEDA) Recovery Grant on behalf of Governor Jim Justice and several state senators. Youth Camp Board members present were Thanna Wentz and Debbie Hull. The funds will be utilized towards the replacement of three cabin roofs and new steps to the council circle.

At 9:35 a.m., per *WV Code §6-9A-4*, Sam Nolte made a motion, seconded by Terry Cutright, to go into Executive Session to discuss a request from Kimbra Wachob, Upshur County Emergency Communications Center Assistant Director, regarding employment issues.

At 9:48 a.m., the Commission returned from Executive Session with no decision being made.

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved the request from Kimbra Wachob, Upshur County Emergency Communications Center Assistant Director, to employ Ethan Knight (effective November 1, 2021) and Heather Wray (effective November 8, 2021).

At 9:50 a.m., Carrie Wallace read the National First Responders Day Proclamation. After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved the National First Responders Day Proclamation. The Commission then presented Certificates of Appreciation to First Responder Agencies in Upshur County. Representatives from county fire departments, police departments, EMS workers were present to receive the certificates. (copy included)

The Commission received project updates and reviewed Administrative business items.

The Commission attended the Supervisor Meeting at 2:00 p.m. and the Policy Board Meeting at 3:00 p.m.

With no further business, on motion by Sam Nolte, seconded by Terry Cutright, the Commission meeting adjourned at 4:30 p.m.