

UPSHUR COUNTY COMMISSION MEETING

November 18, 2021

The County Commission of Upshur County, West Virginia, held their regular meeting on Thursday, November 18, 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 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 November 4, 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 for Proposals" for pest control services for various Commission owned properties. Sealed bids must be received no later than 4:00 p.m. on Wednesday, December 15, 2021 at the Administrative Annex located at 91 W. Main Street, Suite 101. Proposals received by the deadline will be publicly opened, reviewed and read aloud by the Commission at 9:05 a.m. on Thursday, December 16, 2021. (copy included)

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved and authorized the President to sign correspondence to Andrea Hull and Larry W. Brown regarding requirements of the Upshur County Building Permit Ordinance and Upshur County Floodplain Ordinance for the property originally discussed during the August 13, 2020 Commission meeting. Ms. Hull and/or Mr. Brown must provide an update/status report on the requested compliance with the minimal requirements noted in the correspondence dated January 26, 2021 within five (5) business days of receipt of the letter. Carrie Wallace stated that Terri Jo Bennett, Upshur County Addressing and Mapping, Building Permits and Floodplain Coordinator, visited the property on November 17, 2021 and found that the anchoring system is inadequate per guidelines.

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved and authorized the President to sign the State of West Virginia Emergency Management Division Performance Grant COVID-19 Supplemental Award #EMPGS-49. The sub-grant period is February 1, 2020 – December 31, 2020 and is in the amount of \$12,500. (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 FY 2021 Homeland Security Grant Program Award #21-SHS-60, Conditions and Assurances and the Federal Lobbying, Debarment, Suspension, and Drug-Free Workplace Certifications. The sub-grant period is September 1, 2021 – December 31, 2022 and is in the amount of \$200,000 for the SORN Microwave Link between the Tallmansville Radio Tower and the Upshur County E911 Communications Center. Carrie Wallace stated that this grant was written by Brian Shreves. (copy included)

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved and authorized the President to sign the Victims of Crime Act (VOCA) Grant #19-VA-048 Contract Agreement, Revised Standard and Federal Conditions and Assurances, Certifications and Resolution for the grant award in the amount of \$29,118. Carrie Wallace stated that this is a pass-through grant from the Federal Government that resulted in a 23% decrease from last year; however, Governor Justice has committed to fill in the gap. (copy included)

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved and authorized the President to sign the FAA Outlay Request #1-Final for Airport Authority Improvement Program (AIP) Project No. 3-54-0039-037-2021 for the Upshur County Regional Airport. The request is in the amount of \$61,394 to reimburse the Airport Authority for a portion of the cost incurred for the construction of two 100' x 100' box hangars. Sam Nolte explained that these box hangars had been built many years ago. (copy included)

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved the resignation of Robert N. Skinner, II from the Corridor H Authority as one of three Upshur County representatives, effective December 30, 2021. This term expires on December 31, 2024. (copy included)

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved the request from Shane Whitehair, Executive Director of the Region VII Planning and Development Council, to fill the Corridor H Authority vacancy. Mr. Whitehair would fulfill the unexpired term of Robert N. Skinner, II through December 31, 2024. (copy included)

UPSHUR COUNTY COMMISSION MEETING

November 18, 2021

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved the request from Cheyenne Troxell, 26th Judicial Circuit Community Corrections Program Director, for the employment of Chad Simmons, as a full-time case manager in the Lewis County Office, effective December 5, 2021 pending an acceptable background check.

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved the Application for Donated Leave.

At 9:15 a.m., Chris Armstrong appeared before the Commission to give an update on the Youth Camp Timber Sale Bid Opening and Potential Award. Mr. Armstrong stated that there is currently no interest in purchasing this timber and therefore, he has received no bids. Mr. Armstrong suggested that this be revisited in the Spring to see if there is any interest. No action was taken.

Carol Smith, County Clerk, stated that the Commission needed to establish a timeline for Magisterial and Precinct changes due to the WV Legislature's 2021 redistricting process, which resulted in new political boundaries for Congressional, State Senate and House of Delegates Districts. Ms. Smith explained the procedure for notifying the public regarding these changes and a timeline for changes to be implemented. After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved the timeline presented by Ms. Smith.

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

1. Statewide Transportation Improvement Program (STIP) FFY 2020-2025 Program Amendment #7.
2. Correspondence from Melissa Garretson Smith, Executive Director of the WV Courthouse Facilities Improvement Authority (WVCFIA), regarding the denial of the application for WVCFIA Grant funding in the amount of \$82,560 for the replacement of the existing exterior lift with an enclosed lift located at the Courthouse. Carrie Wallace explained that the Commission office and Region VII are currently reviewing other possible funding for this project.
3. Public Notices:
 - a) Newsletters and/or Event Notifications: (none)
 - b) Agendas and/or Notice of Meetings:
 - Upshur County Family Resource Network November 8, 2021
 - Buckhannon-Upshur Airport Authority November 8, 2021
 - Upshur County Development Authority November 9, 2021
 - Buckhannon—Upshur Chamber of Commerce November 15, 2021
 - Upshur County Fire Board, Inc. November 16, 2021
 - City of Buckhannon November 18, 2021
 - c) Meeting Minutes:
 - Elkins Road PSD October 5, 2021
 - Adrian PSD October 7, 2021
 - Elkins Road PSD October 26, 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

UPSHUR COUNTY COMMISSION MEETING

November 18, 2021

- 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.
- 11/17/21-10:00 a.m.-Wes-Mon-Ty Resource Conservation & Development Council
- 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
- 11/22/21-7:00 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

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)

- Bruce H. Gibson – Final Settlement Waiver
- Dolores J. Loudin – Final Settlement Waiver
- Russell Murray – Final Settlement
- Avis L. Nine – Final Settlement Waiver
- Elizabeth Dawn Simmons – Final Settlement Waiver
- Freda G. Curtis Tolliver – Final Settlement Waiver

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

- Richard L. Bosley – Certification of Completion

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:

- Union District – Map 9H Parcel 15.7 and Map 9H Parcel 15.23 to make Map 9H Parcel 15.7 – Justin Ryan Oldaker & Erica Dawn

At 9:30 a.m., Anthony Woods, Deputy WV State Auditor, and Patsy Trecost, Harrison County Commissioner and WWSAO ARPA Liaison, appeared before the Commission to present an overview of government transparency efforts and the need for transparency in the use of American Rescue Plan Act (ARPA) funding. Mr. Woods stated that he is available to assist the Commission in any way needed and that the final guidelines for distribution of funds should be issued by the U.S. Treasury Department prior to the end of December, 2021.

At 9:48 a.m., Quinton Oldaker, Technology Director, Upshur County Board of Education, appeared before the Commission to discuss the importance of enhancing the safety of children in the school system. There were two companies that bid on this project and Alpha Technologies, Inc. was chosen. This grant will update the emergency phone system for the entire school system. After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved and authorized the President to sign the Revised Bid and Agreement between the Upshur County Commission, the Upshur County Board of Education and Alpha Technologies, Inc. for COPS Grant #2020-SVWX-0033 Notification System Upgrade

UPSHUR COUNTY COMMISSION MEETING

November 18, 2021

Project. Mr. Matthew Sisk, Upshur County Board of Education Director of Safety and Emergency Preparedness, will be in charge of this project. (copy included)

Tabled Items:

1. Justin Bowers, Appalachian Impact – request for use of Hampton Community Building. The Commission proposed leasing the Hampton Community Building to Appalachian Impact for \$1.00 per year on a year-to-year basis with option to renew. Appalachian Impact would be responsible for any updates and maintenance to the property. Mr. Bowers is to review this proposal with the Board of Directors of Appalachian Impact and submit a letter to Carrie Wallace who will then work with the Prosecuting Attorney to prepare the lease paperwork. Ms. Wallace will add this to a later agenda.

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved the request from Sheriff Virgil Miller to employ Tanner Collins as an Upshur County Sheriff's Deputy, effective November 28, 2021. Mr. Collins must remain satisfactorily employed with the Upshur County Sheriff's Office for eight (8) years to keep the full value of the Upshur County Sheriff's Sign-On Incentive Agreement between the Upshur County Sheriff's Office and the Upshur County Commission.

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved the request from Sheriff Virgil Miller to employ Norma Ways as Court Security Officer, effective November 18, 2021. Ms. Ways has many years of law enforcement experience, most recently retiring from the Federal Bureau of Prisons.

Carol Smith, County Clerk, escorted Mr. Collins and Ms. Ways to her office where they were administered the Oath of Office.

Sheriff Virgil Miller reported that 285 pieces of property were sold at the Sheriff's Land Sale on November 17, 2021, on the Courthouse steps, with approximately 45 bidders present.

Terri Jo Bennett, Upshur County Addressing and Mapping, Building Permit and Floodplain Coordinator, presented a request from Greg Phillips, Jr., West Virginia Department of Environmental Protection, to name a road DLM Treatment Road. After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved the name of DLM Treatment Road. (copy included)

Terri Jo Bennett, Upshur County Addressing and Mapping, Building Permit and Floodplain Coordinator, presented a request from Delmas Woody to name a road Woody Dugout Road. This request is concerning a road off of the Alton Ridge Road. After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved the name of Woody Dugout Road. (copy included)

Terri Jo Bennett, Upshur County Addressing and Mapping, Building Permit and Floodplain Coordinator, presented a request from Delmas Woody to name a road Plant Hollow Road. This request is concerning a road off of Panther Run Road. After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved the name of Plant Hollow Road. (copy included)

The Commission received project updates and reviewed Administrative business items.

With no further business, on motion by Sam Nolte, seconded by Terry Cutright, the Commission meeting adjourned at 12:30 p.m.