

# UPSHUR COUNTY COMMISSION MEETING

November 19, 2020

The County Commission of Upshur County, West Virginia, held their regular meeting on Thursday, November 19, 2020 at 9:00 a.m. Terry Cutright called the meeting to order. Present were: Terry B. Cutright, Commissioner; Samuel R. Nolte, Commissioner; Carol J. Smith, County Clerk; Carrie L. Wallace, County Administrator and Lois A. Marsh, Secretary. Kristie G. Tenney, Commissioner, 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 November 12, 2020, as submitted.

After discussion, on motion by Sam Nolte, seconded by Kristie Tenney, the Commission approved the "Request for Proposals" for the purchase of an x-ray inspection system for the Court Security Fund Grant Project. All sealed bids must be received no later than 4:00 p.m., Tuesday, December 15, 2020. Sealed bids will be opened, reviewed and read aloud by the Upshur County Commission at 9:05 a.m. on December 17, 2020. (copy included)

After discussion, on motion by Sam Nolte, seconded by Kristie Tenney, the Commission approved and authorized the President to sign the Federal Aviation Administration Outlay Request Number 2 in the amount of thirty-three thousand four hundred eight dollars (\$33,408) for the Airport Improvement Program Project No. 3-54-0039-034-2020 at the Upshur County Regional Airport in Buckhannon, WV. (copy included)

After discussion, on motion by Sam Nolte, seconded by Kristie Tenney, the Commission approved request from Andrea Hull, on behalf of Larry W. Brown, requesting an on-site meeting with the Commission and extension through May 1, 2021 to complete the requirements of the Upshur County Building Permit Ordinance and Upshur County Floodplain Ordinance pertaining to the property located in Banks District, Tax Map 5T, Parcel 24. The current deadline for bringing the property into compliance is December 12, 2020. Carrie Wallace will contact Terri Jo Bennett, Upshur County Addressing and Mapping, Building Permit and Floodplain Coordinator, and Andrea Hull to schedule an on-site meeting with the Commission after November 30, 2020. (copy included)

At 9:05 a.m., the Mr. and Mrs. Rodney McCoy appeared before the Commission to discuss Riffle Case Number 61319-02 (Banks Tax District – Tax Map 3P – Parcel 20.1) The Order Setting Forth Findings of Fact and Conclusions of Law entered on November 5, 2020, provided the property owners with fourteen (14) calendar days to have all refuse, debris, trash and non-licensed recreational vehicles removed from the property. Carrie Wallace presented photographs taken by Greg Harris, Maintenance Supervisor, on November 18, 2020. After discussion, on motion by Kristie Tenney, seconded by Sam Nolte, the Commission approved an extension until December 3, 2020, at which time the McCoy's will need to have licensed the campers and vehicles or removed them from the property. If they fail to meet this requirement, a fine of \$50 per calendar day will be imposed. Terry Cutright voted no on the resolution. Carrie Wallace will check with Dustin Zickefoose, Upshur County Assessor, to see if the unlicensed vehicles and campers are currently being taxed.

After discussion, on motion by Kristie Tenney, seconded by Sam Nolte, a request from Cheyenne Troxell, 26<sup>th</sup> Judicial Circuit Community Corrections Program Director, for a \$2.50 per hour pay increase for Cheyenne Troxell, Tom Posey, Samantha Ribeiro Matos, Shannon Helmick, Kelley Bowyer and Cory Elliott as approved the by 26<sup>th</sup> Judicial Community Corrections Board during their meeting on November 9, 2020. The increases will be effective on Sunday, November 22, 2020 and will be paid out of the Community Corrections Funds. (copy included)

After discussion, on motion by Sam Nolte, seconded by Kristie Tenney, the Commission approved a request from Carrie L. Wallace, County Administrator, for the temporary part-time employment of Breanna Perry effective immediately. Ms. Perry will provide additional sanitation efforts at the Courthouse and Annex that are necessary due to COVID-19. Ms. Perry's pay wage rate will be \$10 per hour, charged to the Governor's COVID-19 Block Grant. (copy included)

After discussion, on motion by Sam Nolte, seconded by Kristie Tenney, the Commission approved the Upshur County Employee Handbook of Personnel Guidelines current revision, November 19, 2020. The Policy Board unanimously voted to approve the final policy revision during a meeting conducted on November 5, 2020. (copy included) Policies revised:

- Employee Categories / Hours of Work
- Work Week / on Call / Record Keeping
- Group Health Insurance & Other Benefits
- Health Care Policy for Retirees

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

1. Correspondence from Ora L. Ash, Deputy State Auditor, reminding Elected Officials of WV Code §7-7-7a pertaining to spending or obligating, before the end of a calendar year, more than 50% of the funds allocated for his or her office in the fiscal year budget, in any fiscal year where the person holding the office is leaving due to either resignation or the results of an election.
2. Correspondence from Upshur Property LLC enclosing the legal advertisement for Upshur Property LLC, Permit No. P-698 Increment No. 2, in compliance with the surface mining laws of WV. The site is located in Washington District, 3.5 miles southeast of Tallmansville and discharges into Tenmile Creek of the Tygart Valley River.
3. Upshur County E911 Communications Reports – October, 2020
  - Monthly Department Summary Report
  - Monthly Wrecker Report
  - YTD Wrecker Report
4. Public Notices:
  - a) Newsletters and/or Event Notification: (none)
  - b) Agendas and/or Notice of Meetings:
    - Upshur County Senior Center November 18, 2020
    - Upshur County Safe Structures and Sites Enforcement Board November 19, 2020
    - City Council of Buckhannon November 19, 2020
  - c) Meeting Minutes:
    - 26<sup>th</sup> Judicial Community Corrections Board September 28, 2020
    - Adrian PSD October 1, 2020
  - d) Meetings:
    - 11/24/20-5:00 p.m.-UC Enhanced Emergency Telephone Advisory Board
    - 11/30/20-7:00 p.m.-Upshur County Fire Fighters Association
    - 12/01/20-4:00 p.m.-Hodgesville PSD
    - 12/03/20-3:00 p.m.-Adrian PSD
    - 12/03/20-7:00 p.m.-Banks District VFD
    - 12/03/20-7:00 p.m.-City Council of Buckhannon
    - 12/03/20-7:00 p.m.-Selbyville VFD
    - 12/07/20-5:00 p.m.-Elkins Road PSD
    - 12/08/20-7:30 p.m.-Adrian VFD
    - 12/09/20-12:00 p.m.-Upshur County Senior Center Board
    - 12/09/20-1:15 p.m.-Upshur County Farmland Protection Board – Special Meeting
    - 12/09/21-3:00 p.m.-Upshur County Conventions & Visitors Bureau
    - 12/09/20-3:00 p.m.-Tennerton PSD
    - 12/09/20-6:00 p.m.-Buckhannon River Watershed Association – Farm Bureau
    - 12/09/20-7:00 p.m.-Warren District VFD
    - 12/09/20-7:00 p.m.-Ellamore VFD
    - 12/10/20-7:30 p.m.-Buckhannon VFD
    - 12/13/20-6:00 p.m.-Washington District VFD
    - 12/14/20-12:00 p.m.-Upshur County Family Resource Network
    - 12/14/20-4:00 p.m.-Buckhannon Upshur Airport Authority
    - 12/14/20-4:30 p.m.-Upshur County Solid Waste Authority
    - 12/14-/20-5:30 p.m.-Buckhannon-Upshur Recreational Park Advisory Board
    - 12/15/20-6:30 p.m.-Upshur County Fire Board, Inc.
    - 12/16/20-12:00 p.m.-Lewis Upshur LEPC
    - 12/16/20-4:00 p.m.-Upshur County Public Library Board
    - 12/17/20-3:00 p.m.-Upshur County Safe Sites & Structures Enforcement Board
    - 12/17/20-6:30 p.m.-Upshur County Youth Camp Board
    - 12/18/20-10:00 a.m.-Wes-Mon-Ty Resource Conservation & Development Council
    - 12/21/20-12:00 p.m.-Buckhannon-Upshur Chamber of Commerce
    - 12/28/20-10:00 a.m.-Mountain CAP of WV, Inc., a CDC

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- 01/07/21-6:00 p.m.-Buckhannon-Upshur Board of Health
- 01/11/21-6:00 p.m.-Lewis-Upshur Community Corrections Board – Lewis Co.
- 01/20/21-7:00 a.m.-Upshur County Development Authority – Full Board

## 5. 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)

- James Denver Lee Black – First Annual Settlement
- Carl Edward Campbell – Final Settlement Waiver
- Sarah Downes – Final Settlement Waiver
- Russell J. Foster – Final Settlement Waiver
- Betty Ray Rohr – Final Settlement Waiver
- Ernest Junior Vest – 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:

- Ray L. & Sheila Karlene Sines - #13210 - \$1009.53 – Exoneration Order

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

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

With no further business, on motion by Kristie Tenney, seconded by Sam Nolte, the Commission meeting adjourned at 11:00 a.m.