

UPSHUR COUNTY COMMISSION MEETING

November 21, 2019

The County Commission of Upshur County, West Virginia, held their regular meeting at the Courthouse Annex on Thursday, November 21, 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; 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 November 14, 2019 as submitted.

Susie Haight, Case Manager for Community Care of WV did not appear before the Commission due to family illness. In her absence, Carrie Wallace read the Lung Cancer Awareness Proclamation. After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved and authorized the President to sign the Lung Cancer Awareness Proclamation. (copy included)

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved the appointment of the Sheriff of Upshur County as Administrator for the Estate of James L. Jones, deceased. (copy included)

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved and authorized the President to sign correspondence to Senators Shelley Moore Capito and Joe Manchin III expressing appreciation for their support of the Land and Water Conservation Fund and further requesting them to co-sponsor the measure that will permanently fund the program before the end of the year. (copy included)

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved and authorized the President to sign correspondence to Department of Revenue Secretary Dave Hardy, Chief of Staff Mike Hall and DHHR Secretary Bill Crouch, supporting the Upshur-Buckhannon Health Department's endeavor to forego mid-year budget cuts by the State due to the nature of the services provided. (copy included)

After discussion on motion by Kristie Tenney, seconded by Terry Cutright, the Commission approved and authorized the President to sign correspondence to all wrecker service providers participating in the wrecker rotation within the County clarifying provisions contained within the Procedures to Dispatch Wrecker Services updated on September 19, 2019. (copy included)

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved and authorized the President to sign the Contract Agreement, Standard and Federal Conditions and Assurances, Certifications and Resolution for the Justice Assistance Grant (JAG) in the amount of \$15,000. (copy included)

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved and authorized the President to sign the Second Addendum to Prevention Resource Officer Agreement retiring the male Labrador retriever/German shorthaired pointer canine officer and transferring the canine officer to Rocky Hebb. (copy included)

After discussion, on motion by Kristie Tenney, seconded by Terry Cutright, the Commission approved hiring Jayme Burkhart at the Tri County Child Exchange & Visitation Program, effective November 21, 2019. Ms. Burkhart will be paid \$8.75 an hour and work a maximum of 19 hours per week. (copy included)

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved the appointment of Bryan Hinkle to the position of interim Prosecuting Attorney effective December 1, 2019 at 12:01 a.m. Mr. Hinkle will fulfill the remainder of David E. Godwin's term through December 31, 2020.

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

1. Executed Donation/Transfer of Equipment Agreement between the County Commission of Upshur County and the Buckhannon Volunteer Fire Department.
2. Upshur County Sheriff's Financial Statement for Period Ending October 2019
3. Upshur County E911 Communication Reports – October 2019
 - Monthly Department Summary Report
 - Monthly Wrecker Report
4. Public Notices:
 - a. Newsletters and/or Event Notifications: None
5. Agendas and/or Notice of Meetings:
 - Upshur County Development Authority

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- Upshur County Public Library November 20, 2019
- City of Buckhannon Sanitary Board November 21, 2019
- City Council of Buckhannon November 21, 2019
- Elkins Road PSD December 3, 2019

6. Meeting Minutes:

- 26th Judicial Circuit Community Corrections January 14, 2019
- 26th Judicial Circuit Community Corrections March 4, 2019
- 26th Judicial Circuit Community Corrections June 25, 2019
- Upshur County Development Authority Board of Directors September 25, 2019
- Upshur County Safe Structures and Sites Enforcement Board October 10, 2019
- Adrian PSD October 10, 2019

7. Meetings:

- 11/19/19-10:00 a.m.-Wes-Mon-Ty Resource Conservation & Development Council
- 11/19/19-5:00 p.m.-UC Enhanced Emergency Telephone Advisory Board
- 11/19/19-6:30 p.m.-Upshur County Fire Board, Inc.
- 11/20/19-12:00 p.m.-Upshur County Senior Center Board
- 11/20/19-12:00 p.m.-Lewis Upshur LEPC - Lewis location
- 11/20/19-4:00 p.m.-Upshur County Public Library Board
- 11/20/19-7:00 p.m.-Upshur County Fire Fighters Association
- 11/21/19-2:00 p.m.-Upshur County Farmland Protection Board
- 11/21/19-6:30 p.m.-Upshur County Youth Camp Board
- 11/27/19-10:00 a.m.-James W. Curry Advisory Board
- 12/03/19-4:00 p.m.-Hodgesville PSD
- 12/03/19-5:30 p.m.-Elkins Road PSD
- 12/05/19-3:00 p.m.-Adrian PSD
- 12/05/19-6:00 p.m.-Buckhannon-Upshur Board of Health
- 12/05/19-7:00 p.m.-Banks District VFD
- 12/05/19-7:00 p.m.-Selbyville VFD
- 12/09/19-12:00 p.m.-Upshur County Family Resource Network
- 12/09/19-4:30 p.m.-Upshur County Solid Waste Authority
- 12/09/19-5:30 p.m.-Buckhannon-Upshur Recreational Park Advisory Board
- 12/10/19-7:30 p.m.-Adrian VFD
- 12/11/19-6:00 p.m.-Buckhannon River Watershed Association – Farm Bureau
- 12/11/19-7:00 p.m.-Ellamore VFD
- 12/11/19-7:00 p.m.-Warren District VFD
- 12/11/19-3:00 p.m.-Tennerton PSD
- 12/12/19-3:00 p.m.-Upshur County Conventions & Visitors Bureau
- 12/12/19-4:00 p.m.-Upshur County Safe Sites & Structures Enforcement Board-cancelled
- 12/12/19-4:00 p.m.-Buckhannon Upshur Airport Authority
- 12/12/19-7:30 p.m.-Buckhannon VFD
- 12/13/19-11:00 a.m.-Region VI Local Elected Officials
- 12/15/19-6:00 p.m.-Washington District VFD
- 12/16/19-12:00 p.m.-Buckhannon-Upshur Chamber of Commerce – Holiday Lunch
- 12/18/19-7:00 a.m.-Upshur County Development Authority – Executive Board
- 12/18/19-3:00 p.m.-Upshur County Safe Sites & Structures Enforcement Board-Special Meeting
- 12/23/19-10:00 a.m.-Mountain CAP of WV, Inc. a CDC
- TBD-6:00 p.m.-Lewis-Upshur Community Corrections Board

8. 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)

- Marlin D. Beckner - Final Settlement
- Larry Courtney - Final Settlement Waiver
- Melvin Wayne Hosaflook - Final Settlement Waiver
- Allison Ann Hull - Final Settlement Waiver
- Ronald Scott Lewis - Final Settlement Waiver

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- Katharine Annabelle Linger - Final Settlement Waiver
- Ruth K. Lohr - Final Settlement Waiver
- Naomi Evelyn McIntyre - Final Settlement Waiver
- Cecil T. Miller - Final Settlement Waiver
- Stephen Kent Rexroad - Final Settlement Waiver
- Sarah Lee Riffle - Final Settlement Waiver
- Patricia B. Sturm - Final Settlement Waiver

The Commission approved the following Certification of Completion of Ancillary Administration of WV Real Estate Without Appointment. (as listed)

- Joseph La Rosa – Certification of Completion
- Reta D. Long – Certification of Completion

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

- Pearl M. & William B. DeLauder C/O Debra & Paul Samargo - #24127 - \$228.02 - Exoneration Order
- Nathaniel E. Loudin - #3218 - \$177.58 - Exoneration Order
- Tammy L. Loudin & William Burdette - #3223 - \$-430.80 - 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). No action was taken.

The Commission reviewed administrative items.

The Commission recessed for lunch at 11:30 a.m.

The Commission reconvened at 1:30 p.m.

The Commission held a hearing to consider acceptance of the Last Will and Testament of Steven McWhorter Casto, deceased. On motion by Kristie Tenney, seconded by Terry Cutright, the Commission admitted the Last Will and Testament prepared second in time to probate.

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