

# UPSHUR COUNTY COMMISSION MEETING

## November 7, 2019 (Amended on December 5, 2019)

The County Commission of Upshur County, West Virginia, held their regular meeting at the Courthouse Annex on Thursday, November 7, 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; Tabatha Perry, Assistant County Administrator; Prisilla 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 31, 2019 as submitted.

Ann Slaughter, Tennerton Lions Club representative, presented a proclamation and statistics on diabetes. After discussion, on motion by Kristie Tenney, seconded by Terry Cutright, the Commission approved and authorized the President to sign the Diabetes Awareness Month Proclamation, which designates November, 2019 as Diabetes Awareness Month in Upshur County. (copy included)

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved the Order appointing the Sheriff of Upshur County as the Administrator for the Estate of Tammy Kay Williams, deceased. (copy included)

After discussion, on motion by Kristie Tenney, seconded by Terry Cutright, the Commission approved the reappointment of Terry D. Reed to the Upshur County Building Commission for a term which will expire on November 10, 2024. (copy included)

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved and authorized the President to sign correspondence from the WV State Auditor's Office regarding Hodgesville and Tennerton PSD's non-compliance with WV Code §16-13A-11 by failing to remit annual audits to the County Commission and further requesting for the Auditor's Office to prioritize performing audits for these two agencies. (copy included)

After discussion on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved and authorized the President to sign the Exclusion Request Form *In re National Prescription Opiate Litigation*. *The Commission will be removed as a Class Member of the Negotiation Class and be excluded from any potential negotiated Class settlement..* (copy included)

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

1. Correspondence from Governor Jim Justice announcing the approval of a Justice Assistance Grant (JAG) award in the amount of \$15,000 to be utilized to support the position of a Prevention Resource Officer at the Buckhannon-Upshur Middle School.
2. Upshur County Building Permits – October, 2019.
3. Upshur County Mileage Reports – September, 2019.
4. Public Notices:
  - a. Newsletters and/or Event Notifications:
    - Wilson Martino Dental Coat Drive – November 1<sup>st</sup> through 29<sup>th</sup>
  - b. Agendas and/or Notice of Meetings:
    - Elkins Road PSD November 5, 2019
    - City Council of Buckhannon November 7, 2019
  - c. Meeting Minutes:
    - Adrian PSD September 12, 2019
  - d. Meetings:
    - 11/04/19-4:30 p.m.-Upshur County Solid Waste Authority – Special Meeting
    - 11/05/19-4:00 p.m.-Hodgesville PSD
    - 11/05/19-5:30 p.m.-Elkins Road PSD
    - 11/07/19-3:00 p.m.-Adrian PSD
    - 11/07/19-6:00 p.m.-Buckhannon-Upshur Board of Health
    - 11/07/19-7:00 p.m.-Banks District VFD
    - 11/07/19-7:00 p.m.-Selbyville VFD
    - 11/11/19-12:00 p.m.-Upshur County Family Resource Network - Cancelled
    - 11/11/19-4:30 p.m.-Upshur County Solid Waste Authority - Cancelled
    - 11/11/19-5:30 p.m.-Buckhannon-Upshur Recreational Park Advisory Board
    - 11/12/19-7:30 p.m.-Adrian VFD
    - 11/13/19-3:00 p.m.-Tennerton PSD
    - 11/13/19-6:00 p.m.-Buckhannon River Watershed Association – Farm Bureau
    - 11/13/19-7:00 p.m.-Ellamore VFD
    - 11/13/19-7:00 p.m.-Warren District VFD

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- 11/14/19-3:00 p.m.-Upshur County Conventions & Visitors Bureau
- 11/14/19-4:00 p.m.-Upshur County Safe Sites & Structures Enforcement Board
- 11/14/19-4:00 p.m.-Buckhannon Upshur Airport Authority
- 11/14/19-7:30 p.m.-Buckhannon VFD
- 11/17/19-6:00 p.m.-Washington District VFD
- 11/18/19-12:00 p.m.-Buckhannon-Upshur Chamber of Commerce - Innovation Center
- 11/18/19-6:00 p.m.-Lewis-Upshur Community Corrections Board
- 11/19/19-10:00 a.m.-Wes-Mon-Ty Resource Conservation & Development Council
- 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
- 11/26/19-5:00 p.m.-UC Enhanced Emergency Telephone Advisory Board
- 11/27/19-7:00 a.m.-Upshur County Development Authority – Full Board
- 11/27/19-10:00 a.m.-James W. Curry Advisory Board
- 12/13/19-11:00 a.m.-Region VI Local Elected Officials

5. 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):

- Clara Jane Bennington - Final Settlement
- Addison Boyles Carter - Partial Settlement
- Gnellia Louise Jeffers - Final Settlement Waiver
- Vera Jean Oldaker - Final Settlement Waiver
- James R. Posey – Third Annual Settlement

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

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

The Commission approved the following “Consolidation of Land Tracts” (copies included):

- Meade District-blend Map 6 Parcel 27 and Map 6 Parcel 54 to make Map 6 Parcel 27  
- Owners, Kenneth David & Vicki

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). Tabatha Perry stated the hearing that was set for this week has been postponed until 11/13/19. No action was taken.

Laura B. Meadows, Executive Director of the Upshur County Convention and Visitors Bureau presented the Quarterly Report for July – September, 2019. (copy included)

\*(Amended with addition) Carol Smith reviewed a request for a budget revision. After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved the budget revisions as discussed with a “Request for Revision to Approved Budget” to be sent to the Office of the State Auditor for approval. (copy included). The Commission recessed for lunch at 12:00 p.m.

The Commission reconvened at the Administrative Annex at 1:00 p.m. Present were Sam Nolte, Kristie Tenney, Terry Cutright, Tabatha Perry and Joe Stanton to participate in a GoToMeeting to discuss health insurance options for FY 21. On motion by Kristie Tenney, seconded by Terry Cutright, the Commission entered executive session at 1:05 p.m. and exited at 1:30 p.m per WV Code §6-9A-4 \*(Amended). No decisions were made.

The Commission reviewed administrative items.

On motion by Kristie Tenney, seconded by Terry Cutright, the Commission entered executive session at 2:35 p.m. and exited at 2:45 p.m per WV Code §6-9A-4 \*(Amended). After reviewing and discussing the one letter of interest received by the designated deadline for the appointment to Prosecuting Attorney, on motion by Kristie Tenney, seconded by Terry Cutright, the Commission moved to schedule an interview with the one interested individual. Administrative staff will coordinate a time for the interview to take place on November 14, 2019.

With no further business, on motion by Kristie Tenney, seconded by Terry Cutright, the Commission meeting adjourned at 3:18 p.m.