

UPSHUR COUNTY COMMISSION MEETING

December 3, 2020

The County Commission of Upshur County, West Virginia, held their regular meeting on Thursday, December 3, 2020 at 9:00 a.m. Terry Cutright called the meeting to order. Present were: Terry B. Cutright, Commissioner; Kristie G. Tenney, Commissioner; Samuel R. Nolte, Commissioner; Carrie L. Wallace, County Administrator; Tabatha R. Perry, Assistant County Administrator 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.

Terry Cutright reviewed scheduled appointments and agenda items.

After discussion, on motion by Sam Nolte, seconded by Kristie Tenney, the Commission approved the 2020 Board of Assessment Appeals (BOAA) meeting minutes, 2020 General Election Canvassing minutes and regular minutes of November 19, 2020, as submitted.

Correspondence from Governor Jim Justice announcing the Victims of Crime Act (VOCA) Grant Award in the amount of \$37,815 to be used to provide direct services to crime victims in Upshur County. After discussion, on motion by Kristie Tenney, seconded by Sam Nolte, the Commission approved and authorized the President to sign the Contract Agreement, Revised Standard and Federal Conditions and Assurances, Certifications and Resolution for this grant award. (copy included)

After discussion, on motion by Kristie Tenney, seconded by Sam Nolte, the Commission approved the Certification of Election Results.

After discussion, on motion by Kristie Tenney, seconded by Sam Nolte, the Commission approved the request from Sheriff David H. Coffman to hire Kirsten D. Howes as a fill-in Court Security Officer. Ms. Howes will begin employment on December 6, 2020 at the pay wage rate of \$11 per hour. Due to her current position as a COVID-19 sanitation employee, all hours accrued in this position will be counted towards her 1,040 allowable hours per year. (copy included)

After discussion, on motion by Sam Nolte, seconded by Kristie Tenney, the Commission approved the request from Sheriff David H. Coffman to transfer Amber Powers from fill-in Court Security Officer to part-time Court Security Officer effective December 6, 2020 at her current pay wage rate of \$11 per hour. (copy included)

After discussion, on motion by Kristie Tenney, seconded by Sam Nolte, the Commission approved Lewis-Upshur Animal Control Facility Volunteer Savanna Kay King. (copy included)

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

1. Notice from the City of Buckhannon Waste Collection Board providing notification of amended rates effective January 1, 2021.
2. Tennerton Public Service District Operating Budget for July 1, 2020 through June 30, 2021.
3. Assessor's Certificate of Compliance from Kent A. Leonhardt, Commissioner of Agriculture, regarding Dustin Zickefoose's completion of the Farm Census of 2020, satisfactorily complying with the requirements of the Farm Statistics Law and being eligible to receive compensation from the County Court according to Chapter 7, Article 7, Section 6C of the New Code of West Virginia.
4. Upshur County Fire Board, Incorporated Financial Statements and Independent Auditor's Report for the fiscal year ended June 30, 2020.
5. WV Secretary of State 2020 HAVA CARES Act Sub-Grant Application and required statements and supporting documentation for the reimbursement of additional election expenses related to COVID-19. The reimbursement request is in the amount of \$10,104.18.
6. Correspondence from Governor Jim Justice approving a Justice Assistance Grant (JAG) award in the amount of \$15,000 to be utilized to support the position of the Prevention Resource Officer.
7. Upshur County Sheriff's Financial Statement for period ending October, 2020.
8. Lewis-Upshur Animal Control Facility Reports for the month of October, 2020.
 - Adoption Financial Transactions
 - Cat Report
 - Animal Report
 - Animal Control/Humane Officer Animal Report

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9. Upshur County Mileage Reports – October, 2020

- Upshur 911
- Maintenance
- Emergency Management
- Sheriff
- Addressing and Mapping
- Community Corrections
- Dog Pound

10. Public Notices:

a) Newsletters and/or Event Notification: (none)

b) Agendas and/or Notice of Meetings:

- Buckhannon-Upshur Airport Authority November 9, 2020
- Upshur County Fire Board, Inc. November 17, 2020
- Upshur County Public Library November 18, 2020
- Elkins Road PSD December 1, 2020
- City Council of Buckhannon December 3, 2020

c) Meeting Minutes:

- Upshur County Safe Structures and Sites Enforcement Board August 20, 2020
- Upshur County Fire Board October 20, 2020
- Upshur County Public Library Board of Trustees October 21, 2020

d) Meetings:

- 11/24/20-5:00 p.m.-UC Enhanced Emergency Telephone Advisory Board
- 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
- 12/08/20-5:00 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
- 12/28//20-7:00 p.m.-Upshur County Fire Fighters Association
- 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

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11. 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)

- Wayne C. Sommerville – Final Settlement Waiver
- Reta Eloise Robinson – 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)

On motion by Sam Nolte, seconded by Kristie Tenney, the meeting recessed at 9:16 a.m.

At 9:26 a.m., the Commission reconvened to discuss Gardner Case Number 010920-01 (Warren Tax District – Tax Map 8D – Parcel Number 12,13,14) The Order Setting forth Findings of Fact and Conclusions of Law entered on October 1, 2020, provided the property owners with sixty (60) calendar days to take corrective action with respect to the property at issue. The Commission reviewed photographs taken by Greg Harris on December 2, 2020. Ms. Richadeen Gardner joined the meeting via teleconference and her son-in-law, William Phillips, appeared in person to discuss progress on clean-up of property. After discussion, on motion by Sam Nolte, seconded by Kristie Tenney, the Commission approved thirty (30) calendar days extension. Commission President, Terry Cutright, stated that this would be the final extension and a \$50 per day fine will be initiated on day 31.

At 9:35 a.m., the Commission reviewed photographs taken on December 3, 2020 by Greg Harris regarding Riffle Case Number 61319-02 (Banks Tax District – Tax Map 3P – Parcel Number 20.1) The Order Setting Forth Findings of Fact and Conclusions of Law entered on November 19, 2020, provided the property owners with fourteen (14) calendar days to license the vehicles situated upon the property or store/remove and properly dispose of any unlicensed vehicles owned by the property tenants. After discussion, on motion by Kristie Tenney, seconded by Sam Nolte the case was closed, but those involved were told if there are any more complaints, the case will be reopened with penalties.

The Commission received project updates and reviewed administrative business items.

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