

# UPSHUR COUNTY COMMISSION MEETING

December 9, 2021

The County Commission of Upshur County, West Virginia, held their regular meeting on Thursday, December 9, 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; Tabatha R. Perry, Assistant Administrator/Assistant 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 December 2, 2021, as submitted.

Jennifer M. Bostian, Executive Director of the Upshur County Development Authority, announced that the Upshur County Development Authority has issued a business climate survey to all businesses in Upshur County, which are due back to them by December 29, 2021. This information will be used for strategic process planning in January or February, 2022.

Kristie Tenney reviewed scheduled appointments and agenda items.

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved the request from Justin R. Bowers, Appalachian Impact Director, for the use and lease of the Hampton Community Building located at 156 Hampton Road. Appalachian Impact will lease the property for \$1 per year and be responsible for any and all property taxes, liability and fire insurance, fire fees, repair and maintenance, and utilities to the property. The term of the lease shall be for a period of one year, commencing January 1, 2022 and terminating on the 31<sup>st</sup> day of December, 2022, unless renewed. Tabatha Perry explained that there is one correction in Item #16 to “related purposes” to include activities for adults. (copy included)

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved and authorized the President to sign the WV CDBG Small Cities Block Grant Program Grant Amendment No. 4 for the Elkins Road PSD Phase III Water System Improvement Project. This amendment will reallocate funding to a different line item in order to pay the remaining permit fees related to the project. (copy included)

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved and authorized the President to sign a Community Development Block Grant – Small Cities Block Grant Request for Payment for the Elkins Road PSD Phase III Water System Improvements in the amount of \$14,620.00. This is for Request for Funds #26. (copy included)

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved and authorized the President to sign correspondence to Melissa Garretson Smith, WV Courthouse Facilities Improvement Authority Executive Director, requesting to extend the deadline for the completion of the former jail facility roof project. Tabatha Perry explained that the grant period ends at the end of this year and the extension would be until February, 2022. The extension is necessary in order for the contractor to complete the project and submit all of the paperwork. Greg Harris, Maintenance Director, will inspect the roof ridge cap next week. Ms. Perry said the County has to apply for an additional grant to complete the front of the building because of major deterioration of the sandstone blocks. (copy included)

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved and authorized the President to sign the updated Section 125 Flexible Benefit Plan Adoption Agreement by and between American Fidelity Insurance Company and the Upshur County Commission. This document has been updated to reflect changes affiliated with the Coronavirus Aid Relief, and Economic Security Act, the Consolidated Appropriations Act and the American Rescue Plan Act. (copy included)

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved the resignation of Derek V. Long from the Upshur County Fire Board, effective December 31, 2021. (copy included)

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

1. Proclamation made by Governor Jim Justice on December 7, 2021, permitting public employees of this State to generally cease business the last half of the workday of Thursday, December 23, 2021 and Thursday, December 30, 2021, in acknowledgement of the holiday season. These proclamations further read those public employees of this State may be excused from their work duties the last half of the workday both days without charge against accrued annual leave. In accordance with subsection (c), section one, article two, chapter two of the WV Code, County Commissions may treat the half-days as if they were legal holidays, and the Courts may do the same. The Courthouse and Annex will be closed per the 2021 Calendar Year Legal Holiday Schedule.

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2. Upshur County Mileage Reports – October, 2021
  - Upshur 911
  - Maintenance
  - Emergency Management
  - Sheriff
  - Addressing and Mapping
  - Community Corrections
  - Dog Pound
3. Lewis-Upshur Animal Control Facility Reports for the month of October, 2021
  - Adoption Financial Transactions
  - Cat Report
  - Animal Report
  - Animal Control/Humane Officer Animal Report
4. Public Notices:
  - a) Newsletters and/or Event Notifications: (none)
  - b) Agendas and/or Notice of Meetings:
    - Adrian PSD November 4, 2021
  - c) Meeting Minutes: (none)
  - d) Meetings:
    - 12/02/21-3:00 p.m.-Adrian PSD
    - 12/02/21-6:00 p.m.-Buckhannon-Upshur Board of Health
    - 12/02/21-7:00 p.m.-Banks District VFD
    - 12/02/21-7:00 p.m.-Selbyville VFD
    - 12/06/21-10:00 a.m.-Mountain CAP of WV, Inc., a CDC
    - 12/07/21-4:00 p.m.-Hodgesville PSD
    - 12/07/21-5:00 p.m.-Elkins Road PSD
    - 12/08/21-12:00 p.m.-Upshur County Senior Center Board
    - 12/08/21-3:00 p.m.-Tennerton PSD
    - 12/08/21-3:00 p.m.-Upshur County Conventions & Visitors Bureau
    - 12/08/21-6:00 p.m.-Buckhannon River Watershed Association – Farm Bureau
    - 12/08/21-7:00 p.m.-Ellamore VFD
    - 12/09/21-3:00 p.m.-Upshur County Safe Sites & Structures Enforcement Board
    - 12/09/21-7:30 p.m.-Buckhannon VFD
    - 12/10/21-11:00 a.m.-Region VI Workforce Development Board – Marion Co
    - 12/12/21-6:00 p.m.-Washington District VFD
    - 12/13/21-12:00 p.m.-Upshur County Family Resource Network
    - 12/13/21-4:00 p.m.-Buckhannon Upshur Airport Authority
    - 12/13/21-4:30 p.m.-Upshur County Solid Waste Authority
    - 12/13/21-5:30 p.m.-Buckhannon-Upshur Recreational Park Advisory Board - *Cancelled*
    - 12/14/21-7:00 a.m.-Upshur County Development Authority – *Cancelled*
    - 12/14/21-7:00 p.m.-Warren District VFD
    - 12/14/21-7:30 p.m.-Adrian VFD
    - 12/15/21-12:00 p.m.-Lewis Upshur LEPC – Upshur County
    - 12/15/21-4:00 p.m.-Upshur County Public Library Board
    - 12/16/21-6:00 p.m.-Upshur County Farmland Protection Board
    - 12/16/21-6:30 p.m.-Upshur County Youth Camp Board
    - 12/16/21-7:00 p.m.-City Council of Buckhannon
    - 12/17/21-10:00 a.m.-Wes-Mon-Ty Resource Conservation & Development Council
    - 12/20/21-12:00 p.m.-Buckhannon-Upshur Chamber of Commerce
    - 12/21/21-6:30 p.m.-Upshur County Fire Board, Inc.
    - 12/27/21-7:00 p.m.-Upshur County Fire Fighters Association
    - 12/28/21-3:00 p.m.-UC Enhanced Emergency Telephone Advisory Board
    - 02/07/22-6:00 p.m.-Lewis-Upshur Community Corrections Board - Upshur Co

# UPSHUR COUNTY COMMISSION MEETING

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## Appointments Needed or Upcoming:

- Upshur County Fire Board (unexpired term 6/30/22)-Community Representative - 1<sup>st</sup> 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](mailto: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)

- Ruby L. Bosley – Final Settlement
- Trecia Marie Everson Chidester – Final Settlement
- Germain Davis – Final Settlement
- Johnny Lee Kittle – Final Settlement
- Clell H. Thompson, II – Final Settlement Waiver

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

- Martha J. English George – Certification of Completion

The Commission approved the following Corrections, Exonerations and/or Refunds:

- Gillis Karla M - #400000350S - \$36.50 – Exoneration Order
- Johnson James I or Mary E - #500000589S - \$329.38 – Exoneration Order
- Posey Amanda - #400000258S - \$19.70 – Exoneration Order
- Kar Services John Conley - #300000588S - \$142.92 – Exoneration Order
- Cowger John E or Cowger Marcella R - #300000593S - \$172.64 – Exoneration Order

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

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

Tabled Items: (none)

At 9:15 a.m., Carol Smith, County Clerk, discussed the public comment period regarding boundary changes in the county's three Magisterial Districts, Boundary changes of thirteen county Precincts, and Consolidation with Closure of Precinct 33 and reported that she has received no feedback from the public. Ms. Smith stated that she has reviewed the number of voters in a few precincts: Precinct 37 – 1242 voters, Precinct 35 – 990 voters, Precinct 38 – 212 voters, Precinct 39 – 1096 voters. Precincts 37 and 35 will vote at Union Elementary School and Precincts 38 and 39 will vote at Hodgesville Community Building. Ms. Smith said she has posted notices in the Managerial Districts detailing the changes. Ms. Smith reported that she and Greg Harris will post signs in front of the Annex stating that voting for Precinct 09 has moved to the Buckhannon City Hall, along with signs at the Buckhannon City Hall stating that Precinct 09 will be voting at the Buckhannon City Hall.

Dustin Zickefoose, Assessor, reported that his department has received many calls regarding property valuations for the Upshur County Board of Education Bond Levy.

At 9:30 a.m., after discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved the request of Sheriff Virgil D. Miller to transfer the 2019 Dodge Ram from Community Corrections to the Sheriff's Department for \$15,000 to be paid to the Community Corrections Fund. Sheriff Miller stated that Community Corrections has decided to take this vehicle out of service and agreed to allow the Sheriff's Department to purchase it at 60% of the value.

The Commission received project updates and reviewed Administrative business items.

With no further business, on motion by Terry Cutright, seconded by Sam Nolte, the Commission meeting adjourned at 12:00 p.m.