

UPSHUR COUNTY COMMISSION MEETING

December 12, 2019

The County Commission of Upshur County, West Virginia, held their regular meeting at the Courthouse Annex on Thursday, December 12, 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; 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 December 5, 2019 as submitted.

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved and authorized the President to sign Change Order #1 for the Upshur County Former Jail Facility Project. Mortar testing was required before work could be performed. This testing was provided by Trisco Systems, Inc. in the amount of \$2,180. The revised contract amount will be \$84,743. This project is funded by the WV Courthouse Facilities Improvement Authority. (copy included)

After discussion, on motion by Kristie Tenney, seconded by Terry Cutright, the Commission approved and authorized the President to sign a letter from Johnathan Vickers, Assistant Director, Chief Inspector's Division of the WV State Auditor's Office, confirming services to be provided to the Upshur County Commission for the fiscal year ended June 30, 2019. The fee for the audit services will be \$29,740. (copy included)

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved and authorized the President to sign the Memorandum of Understanding between the Upshur County Commission and the Supreme Court of Appeals of WV regarding the arrangements essential to establishing and maintaining Family Court facilities in Upshur County. Commencing July 1, 2019, the Commission shall invoice the Court for an amount not to exceed \$706.50, which is equivalent to \$6 per square foot. The Memorandum of Understanding will automatically renew for Fiscal Year 2021. (copy included)

After discussion, on motion by Kristie Tenney, seconded by Terry Cutright, the Commission approved the reappointment of Lewis A. Simmons to the James W. Curry Library & Park Advisory Board for a term which will expire on December 31, 2024. (copy included)

After discussion, on motion by Kristie Tenney, seconded by Terry Cutright, the Commission approved the reappointment of Patricia Tolliver to the James W. Curry Library & Park Advisory Board for a term which will expire on December 31, 2024. (copy included)

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved Jade Parrish as Lewis-Upshur Animal Control Facility Volunteer.

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved increasing salaries for the Youth Camp Director and Community Corrections Director per the final rule issued by the Department of Labor increasing the salary-level threshold for white-collar exemptions to \$684 a week from \$455 a week. The final rule is effective January 1, 2020. (copy included)

After discussion, on motion by Kristie Tenney, seconded by Terry Cutright, the Commission approved an Application for Donated Leave and the granting of leave under the Family and Medical Leave Act.

Ashleigh Raeder, US Cellular Business Account Sales Executive, gave an overview of the Smart City program they provide for first responders in municipal areas. Sam Nolte suggested she should present their program to the Buckhannon City Council. Ms. Raeder will set up a meeting with Carrie Wallace and Tabatha Perry to discuss the county's account with US Cellular. (copy included)

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

1. Update from Brian K. Cooper, WVDOH District Engineer, regarding the Safety Study being conducted at the Route 33 intersections in Upshur County. Tabatha Perry stated the crash data study has been completed and a report ~~will~~is anticipated to be issued at the end of February 2020.
2. Memorandum from Stuart T. Stickel, CPA, CFE, Deputy State Auditor for the Office of the State Auditor, regarding new reporting and examination requirements for state grants. The first state's fiscal year for which these requirements will apply is for the fiscal year ended June 30, 2020.

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3. Correspondence from Tabatha R. Perry, Assistant County Administrator, to Carroll and Elouise Chapman, setting Safe Structures and Sites Case Number 101118-01 (Warren Tax District – Tax Map 6B Parcel Number 11) for hearing before the Upshur County Commission on January 30, 2020 at 9:05 a.m.
4. Upshur County Building Permits for the month of November 2019
5. Lewis-Upshur Animal Control Facility Adoption Financial Transactions – November 2019
6. Lewis-Upshur Animal Control Facility Cat Report for the month of November 2019
7. Lewis-Upshur Animal Control Facility Animal Report for the month of November 2019
8. Upshur County Animal Control/Humane Officer Monthly Animal Report for the month of November 2019
9. Public Notices:
 - a. Newsletters and/or Event Notifications:
 - Christmas Floral Arrangement Class – December 19th at 6 p.m.- WVU Extension Office
 - Upshur Arts Alliance 5th Annual Community Spelling Bee – January 24, 2020
 - b. Agendas and/or Notice of Meetings:
 - Upshur County Senior Center December 11, 2019
 - Tennerton PSD December 11, 2019
 - Buckhannon-Upshur Airport Authority December 12, 2019
 - Upshur County Convention & Visitors Bureau December 12, 2019
 - Upshur County Fire Board, Inc. December 17, 2019
 - c. Meeting Minutes:
 - Upshur County Family Resource Network October 14, 2019
 - Elkins Road PSD November 5, 2019
 - Hodgesville PSD November 6, 2019
 - d. Meetings:
 - 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
 - 12/05/19-7:00 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
 - 12/11/19-3:00 p.m.-Tennerton PSD
 - 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
 - 12/12/19-3:00 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
 - 12/17/19-10:00 a.m.-Wes-Mon-Ty Resource Conservation & Development Council
 - 12/17/19-5:00 p.m.-UC Enhanced Emergency Telephone Advisory Board
 - 12/17/19-6:30 p.m.-Upshur County Fire Board, Inc.
 - 12/18/19-7:00 a.m.-Upshur County Development Authority – Executive Board
 - 12/18/19-12:00 p.m.-Upshur County Senior Center Board
 - 12/18/19-12:00 p.m.-Lewis Upshur LEPC – Upshur location
 - 12/18/19-3:00 p.m.-Upshur County Safe Sites & Structures Enforcement Board-Special Meeting
 - 12/18/19-4:00 p.m.-Upshur County Public Library Board
 - 12/19/19-6:30 p.m.-Upshur County Youth Camp Board

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- 12/23/19-10:00 a.m.-Mountain CAP of WV, Inc. a CDC
- 12/30/19-7:00 p.m.-Upshur County Fire Fighters Association
- 01/02/20-6:00 p.m.-Buckhannon-Upshur Board of Health
- 01/16/20-2:00 p.m.-Upshur County Farmland Protection Board
- 03/25/20-1000 a.m.-James W. Curry Advisory Board
- TBD-6:00 p.m.-Lewis-Upshur Community Corrections Board

10. 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)

- Evelyn Jane Beckner - Final Settlement Waiver
- Franklin Joe Burr AKA Frankie Joe Burr – Final Settlement Waiver
- Dennis J. Crites – Final Settlement Waiver
- Robert James O’Brien – Final Settlement Waiver
- Victor R. Newman – Fifth Annual Settlement
- Virginia Lee Reed – Final Settlement
- Kendra L. Rightsell – Final Settlement Waiver
- Barbara Ann Radin Shick – Final Settlement
- James L. Simons – Final Settlement Waiver
- Betty Rae Taylor – Final Settlement Waiver
- William E. Wagner – Final Settlement Waiver

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

- Vada Tenney Beer – Certification of Completion
- Vonda Rae Beer Weeks – Certification of Completion
- Wanda Lou Beer Whittington – Certification of Completion

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

- Carol Ann Shenuski - #500000493S - \$139.22 - Exoneration Order
- Timothy B & Diana R Shaw - #17347 - \$52.10 - Refund Order
- Matthew P Morrison ET AL C/O Charles Morrison Jr - #16711 - \$312.77 - Exoneration Order

Tabled Items: (none)

Carol Smith reviewed a request for a budget revision. After discussion, on motion by Kristie Tenney, seconded by ~~_____~~ by Terry Cutright, 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 reviewed administrative items.

With no further business, on motion by ~~_____~~ by Terry Cutright, seconded by Kristie Tenney, the Commission meeting adjourned at 1:30 p.m.