

UPSHUR COUNTY COMMISSION MEETING

December 21, 2023

The County Commission of Upshur County, West Virginia, held their regular meeting on Thursday, December 21, 2023 at 9:00 a.m. Kristie Tenney called the meeting to order. Present were: Kristie G. Tenney, Commission President; Samuel R. Nolte, Commissioner; Douglas K. Bush, Commissioner; Carol J. Smith, County Clerk; Tabatha R. Perry, County Administrator; Cindy M. Hughes, 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.

After discussion, on motion by Sam Nolte, seconded by Doug Bush, the Commission approved the meeting minutes of December 14, 2023, as submitted.

Kristie Tenney reviewed scheduled appointments and agenda items.

After discussion, on motion by Doug Bush, seconded by Sam Nolte, the Commission approved and authorized the Commission President to sign a Federal Aviation Administration Outlay Report and Request for Reimbursement for Construction Programs – Request No. 4 – in the amount of four thousand six hundred seventy-nine dollars and thirteen cents (\$4,679.13) for an Airport Improvement Program Project at the Upshur County Regional Airport. (copy included)

After discussion, on motion by Doug Bush, seconded by Sam Nolte, the Commission approved and authorized the Commission President to sign a Sub-Grant Adjustment Notice for Project 21-SHS-60. This adjustment will extend the sub-grant period of completion from 12/31/2023 to 8/31/2024. (copy included)

After discussion, on motion by Sam Nolte, seconded by Doug Bush, the Commission approved the “Request for Proposals” for a Demolition Project, consisting of the removal of asbestos-containing material, demolition of buildings, removal of sidewalk/parking areas(s), and clean-up of sites or properties located at 18 South Locust Street, 12 Chancery Street and 6 Chancery Street, Buckhannon, WV. A voluntary pre-bid conference will be held on Friday, January 5, 2024 at 2:00 p.m. Sealed bids must be received no later than 4:00 p.m. on Friday, January 19, 2024. Proposals received by the deadline will be publicly opened, reviewed and read aloud by the Commission at 9:15 a.m. on Thursday, January 25, 2024. (copy included)

After discussion, on motion by Doug Bush, seconded by Sam Nolte, the Commission approved and authorized the Commission President to sign a Sales Order from KOMAX Business Systems to purchase a commercial shredder to be located in the Upshur County 911 Center. The total cost for this piece of equipment is \$5,055. (copy included)

After discussion, on motion by Doug Bush, seconded by Sam Nolte, the Commission approved and authorized the Commission President to sign and submit an Underground Injection Control Permit Application, Groundwater Protection Plan and supporting documents to the Division of Water and Waste Management’s Groundwater/UIC Program, on behalf of the Upshur County Youth Camp. The permit fee is calculated based upon a formula. This permit application and plan are designed to ensure that fluids injected underground will not endanger drinking water sources. Cindy Hughes, Assistant County Administrator, stated that the Upshur County Youth Camp had been approached during Covid regarding the need for more stringent control because of the commercial atmosphere, group gatherings, swimming pool, septic system, kitchen grease traps. There will be an annual permit fee. (copy included)

After discussion, on motion by Doug Bush, seconded by Sam Nolte, the Commission approved an advertisement for one full-time Secretary for the 26th Judicial Circuit Community Corrections Program. The office locations will be in Upshur and Lewis Counties. Applications will be reviewed on Friday, January 5, 2024; however, applications may be considered until the position is filled. Tabatha Perry, County Administrator, said that applicants can obtain an application from the Upshur County website, the County Commission Office at 91 West Main, or the Community Corrections office. (copy included)

After discussion, on motion by Sam Nolte, seconded by Doug Bush, the Commission approved an advertisement for one full-time Licensed Clinical Therapist for the 26th Judicial Circuit Community Corrections Program. Applications will be reviewed on Friday, January 5, 2024; however, applications may be considered until position is filled. (copy included)

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

1. Reminder – the Upshur County Courthouse and Annex will be closing to the public at 12:00 p.m. on Thursday, December 21, 2023.
2. 2024 Board of Review & Equalization meeting schedule that was approved by the Upshur County Commission on December 14, 2023.
3. Upshur County Sheriff’s Financial Statement for period ending November 30, 2023.
4. Correspondence from the City of Buckhannon Recorder, Randall Sanders, announcing the Call for Election.
5. Correspondence from Renetta McClure, County Administrator for the Monongalia County Commission, announcing a meeting to host local governments to discuss the

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governance structure for Region 4 of the WV First Foundation. The meeting will be held on Thursday, January 25, 2024 at 9:30 a.m. at the Monongalia County Center.

6. Upshur County Mileage Reports – November, 2023
 - Addressing and Mapping
 - Dog Pound
 - Community Corrections
 - Emergency Management
 - Maintenance
 - Parks and Recreation
 - Sheriff
 - Upshur 911
7. Public Notices:
 - a) Newsletters and/or Event Notifications: (none)
 - b) Agendas and/or Notice of Meetings:
 - 26th Judicial Circuit Community Corrections Program December 18, 2023
 - Buckhannon-Upshur Airport Authority December 18, 2023
 - City Council of Buckhannon December 21, 2023
 - c) Meeting Minutes:
 - Tennerton Public Service District October 11, 2023
 - Lewis-Upshur Local Emergency Planning Committee October 18, 2023
 - Adrian Public Service District November 2, 2023
 - Tennerton Public Service District November 8, 2023
 - Upshur Safe Structures and Sites Enforcement Board November 9, 2023
 - Adrian Public Service District – *Project Meeting* November 15, 2023
 - d) Meetings: ****Dates and times of monthly board meetings are viewable at:***
<http://cms4.revize.com/revize/upshurwv/calendar.php> or go to www.upshurcounty.org and click on the board meetings calendar box on the main page.
8. Appointments Needed or Upcoming: (none)

****If you are interested in serving on an Upshur County Board, please submit your letter of interest to the Commission Office at 91 West Main Street, Suite 101, Buckhannon, WV 26201 or chughes@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 a board that does 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:

1. *Tabled November 30, 2023* – Consider executing a Memorandum of Understanding for Regional Task Force dedicated to optimizing funds available to political subdivisions from the WV First Foundation created as a result of the State opioid litigation and settlements. Upon entering this agreement, parties agree to cooperate and provide information and documentation to Ascension Recovery Services (Ascension). Financial contribution by the parties of this MOU for the services provided by “Ascension” is voluntary, not mandatory.

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)

- John P. Goss – Second Annual Settlement
- Gary M. Hollen – Final Settlement Waiver
- Robert H. Martin – 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 Refunds: (none)

The Commission approved Requests to Attend Meeting: (none)

The Commission approved the following Consolidation of Land Tracts:

- Meade District – Map 4M Parcel 64 and Map 4L Parcel 114 and Map 4L Parcel 117 to make Map 4L Parcel 114 – (Was French & Lois Armstrong Irrevocable Trust) As of September 19, 2023 John L. Armstrong

At 9:15 a.m., Justin Bowers, Founder of Appalachian Impact, provided an update on services being provided. Mr. Bowers stated that their annual gala brought in \$17,000 and a \$5,000 Hope Scholarship, in the name of Russ and Debbie Bush, was established. These funds, along with a grant for \$10,000, will

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provide enough funding for the coming year. After discussion, on motion by Sam Nolte, seconded by Doug Bush, the Commission approved renewing the lease agreement by and between the Upshur County Commission and Appalachian Impact, for the use and lease of the Hampton Community Building, located at 156 Hampton Road. The term of the lease shall be for one year, commencing January 1, 2024, and terminating December 31, 2024, unless renewed.

Carol Smith, County Clerk, reviewed a request for budget revision. After discussion, on motion by Doug Bush, seconded by Sam Nolte, the Commission approved and authorized the Commission President to sign the budget revision as discussed with a "Request for Revision to Approved Budget" to be sent to the Office of the State Auditor for approval. (copy included)

Carol Smith, County Clerk, reviewed a request for budget revision. After discussion, on motion by Sam Nolte, seconded by Doug Bush, the Commission approved and authorized the Commission President to sign the budget revision 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 received project updates and reviewed Administrative business items.

With no further business, on motion by Sam Nolte, seconded by Doug Bush, the Commission meeting adjourned at 11:40 a.m.