

# UPSHUR COUNTY COMMISSION MEETING

## December 5, 2019

The County Commission of Upshur County, West Virginia, held their regular meeting at the Courthouse Annex on Thursday, December 5, 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; Carrie Wallace, 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 Kristie Tenney, seconded by Terry Cutright, the Commission approved the November 7, 2019 amended minutes and regular meeting minutes of November 21, 2019 as submitted.

After discussion, the Commission rescheduled a hearing for January 9, 2020 to discuss Humphrey Case Number 121318-01 (Washington Tax District – Tax Map 6L – Parcel Number 11.3). The Order Setting Forth Findings of Fact and Conclusions of Law entered on September 26, 2019 provided the property owner with ninety (90) calendar days to have all debris and trash removed from the property. There was a miscalculation in the dates which do not expire until December 25, 2019.

Jon and Abigail Benjamin appeared before the Commission to request appointment to the Upshur County Public Library Board in 2020, should an opening occur.

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved the Order waiving estate commission due to the Sheriff of Upshur County in his capacity as Co-Administrator of the Estate of Patricia Lee Robinson, deceased. (copy included)

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved an Order Proposing the Expansion of the Territory of Tennerton Public Service District. A hearing on the proposed expansion of the boundaries of Tennerton Public Service District will be held on January 9, 2020 at 6:00 p.m. in the Circuit Courtroom, Upshur County Courthouse, 40 West Main Street, Buckhannon, WV. (copy included)

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved and authorized the President to sign Examination and Lubrication Agreement with DC Elevator Company, Inc. DC Elevator Company, Inc. will complete maintenance on the platform lift located in the Circuit Courtroom at least four times per year and charge one hundred thirty dollars (\$130) per inspection. (copy included)

After discussion on motion by Kristie Tenney, seconded by Terry Cutright, the Commission approved the revised Expense Reimbursement Log. (copy included) The revision requires submission of the Expense Reimbursement Log within 60 days of incurring the expense and no later than July 15<sup>th</sup> of the following fiscal year. It also adds a section to be completed by the employee's immediate Supervisor, if applicable, including the GL Account number and Supervisor's signature.

After discussion, on motion by Terry Cutright, seconded Kristie Tenney by, the Commission approved David H. Coffman, Upshur County Sheriff's request for employment of Dakota Linger for the position of Deputy Sheriff. Mr. Linger will begin employment on December 8, 2019 at the starting salary of \$18.73 per hour. (copy included)

Carrie Wallace discussed the potential changes to county employee health insurance plan which could be effective July 1, 2020. Pete Thackston, USI Insurance Broker, recommending the transition to PEIA will attend the Commission Meeting on January 9, 2020 to discuss his proposal. Mr. Thackston also plans to attend the Supervisor and Policy Board Meetings on January 19, 2020 to review the same and will return the last week of January for preliminary employee meetings if the Commission votes to transition to PEIA.

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

1. Correspondence from Jeff Amburgey, Chairman of the Property Valuation Training and Procedures Commission, advising that the Assessor's Office is in compliance with all areas that were reviewed by the Property Valuation Training and Procedures Commission on November 18, 2019.
2. Lewis-Upshur Animal Control Facility Adoption Financial Transactions – October 2019
3. Lewis-Upshur Animal Control Facility Cat Report for the month of October 2019
4. Lewis-Upshur Animal Control Facility Animal Report for the month of October 2019
5. Upshur County Animal Control/Humane Officer Monthly Animal Report for the month of October 2019
6. Upshur County Mileage Reports – October 2019
  - Upshur 911

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

### 7. Public Notices:

#### a. Newsletters and/or Event Notifications:

- Free Will Consultation for WV Kinship Caregivers – December 9<sup>th</sup> through 12<sup>th</sup> Clarksburg Legal Aid of WV Office
- Upshur County Foster Care / Adoption Support Group Holiday Party – December 11<sup>th</sup> from 6:30 p.m. to 8:00 p.m.
- Notice advising public of a planned fire drill involving the Upshur County Courthouse and Annex on Friday, December 13<sup>th</sup> at 11:00 a.m. Carrie Wallace reviewed the procedure for the drill and encouraged the public to conduct their county business prior to 11:00 am that day. If members of the public are present, they will be required to participate in the fire drill.
- Notice of Closing of the Buckhannon City Hall on Monday, December 16<sup>th</sup>
- Buckhannon-Upshur Chamber of Commerce Holiday Lunch – December 16<sup>th</sup> at 12:00 p.m.

#### b. Agendas and/or Notice of Meetings:

- Elkins Road PSD December 3, 2019
- Hodgesville PSD December 3, 2019
- City Council of Buckhannon December 5, 2019
- Buckhannon-Upshur Parks and Recreation Advisory Board December 9, 2019
- Upshur County Solid Waste Authority December 9, 2019
- Upshur County Convention & Visitors Bureau December 12, 2019

#### c. Meeting Minutes:

- Hodgesville PSD October 1, 2019
- Upshur County Fire Board Special Meeting October 15, 2019
- Upshur County Public Library Board of Trustees October 16, 2019
- Upshur County Youth Camp Board October 17, 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

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- 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
- 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

## 8. 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)

- Addison Boyles Carter - Final Settlement
- Ruetta M. Hanifan - Final Settlement Waiver
- Robert D. McKisic - Final Settlement Waiver

John E. Wines - Final Settlement Waiver  
The Commission approved the following Exonerations and/or Refunds. (copies included)

- Munney, Pamela Vezinat - #700000256S - \$142.10 - Exoneration Order
- Michael or Leanna or Micah or Dustin - #304088 - \$36.41 – Refund Order
- Michael or Leanna or Micah or Dustin - #300000237S - \$106.09 – Refund Order

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). The property owner was fined in Magistrate Court on two counts, including Prohibited Areas for Salvage Yard and License Required for Salvage Yard. The total fine and court cost was \$270.25 for each offense. Carrie Wallace discussed the possibility of filing an injunction on behalf of the Department of Highways with Bryan Hinkle, Prosecuting Attorney, and he advised that they could discuss the option in further detail in January 2020. After discussion, on motion by Kristie Tenney, seconded by Terry Cutright, the Commission set a hearing date for January 30, 2020 and requested Greg Harris to take photos of property on January 29, 2020 to present to the Commission for review at the January 30 hearing.

The Commission reviewed administrative items.

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