

UPSHUR COUNTY COMMISSION MEETING

May 28, 2020

The County Commission of Upshur County, West Virginia, held their regular meeting on Thursday, May 28, 2020 at 9:00 a.m. Terry B. 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 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 Kristie Tenney, seconded by Sam Nolte, the Commission approved the regular meeting minutes of May 14, 2020, as submitted.

After discussion, on motion by Sam Nolte, seconded by Kristie Tenney, the Commission approved and authorized the President to sign FY 20 Court Security Grant Application, Resolution and Assurances requesting the amount of \$71,289 to purchase an x-ray machine, 3 emergency exit only alarms and card readers, 6 cameras with supporting equipment, 4 camera monitors with supporting equipment and one additional panic bar. (copy included)

After discussion, on motion by Sam Nolte, seconded by Kristie Tenney, the Commission approved the request from Carol J. Smith, County Clerk, for Early Voting Poll Workers for the June 9, 2020 Primary Election. (copy included)

After discussion, on motion by Kristie Tenney, seconded by Sam Nolte, the Commission approved the reappointment of Larry Alkire to the Upshur County Fire Board, Inc. Mr. Alkire's new term will expire on June 30, 2023. (copy included)

After discussion, on motion by Sam Nolte, seconded by Kristie Tenney, the Commission approved the reappointment of Thomas J. O'Neill to the Buckhannon-Upshur Airport Authority. Mr. O'Neill's new term will expire on June 30, 2023. (copy included)

After discussion, on motion by Kristie Tenney, seconded by Sam Nolte, the Commission approved a request from Gregory B. Woody, Upshur County Youth Camp Director, for the seasonal employment of Jerry Peck as groundskeeper at the pay wage rate of \$8.75 per hour. Carrie Wallace explained that in past years many people were hired for the Upshur County Youth Camp but this year only one person will be employed due to the closure this season caused by COVID-19. Mr. Peck will assist Mr. Woody and Mr. Freeman with groundskeeping and general repair and maintenance projects at the Camp

After discussion, on motion by Sam Nolte, seconded by Kristie Tenney, the Commission approved the request from Carrie L. Wallace, County Administrator, for the part-time temporary employment of Jenna Marple, housekeeper. Ms. Marple will commence work immediately and work approximately 20 hours per week at the pay wage rate of \$10.00 per hour. (copy included)

After discussion, on motion by Kristie Tenney, seconded by Sam Nolte, the Commission approved the request from the Upshur County Sheriff, David H. Coffman, for the part-time employment of Michael W. Haler as a Court Security Officer effective May 30, 2020 at the pay wage rate of \$11.00 per hour. (copy included)

After discussion, on motion by Kristie Tenney, seconded by Sam Nolte, the Commission approved the resignation of William Nick Wilfong, E911 Telecommunicator, effective May 14, 2020. (copy included)

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

1. Correspondence from Maureen Lewis, WV Secretary of State Administrative Law Division, requesting the filing of a list of all Public Service Districts (PSD's) and their current board members along with the board member's term of office by July 1, 2020.
2. Adrian Public Service District's 2020-2021 budget for fiscal year ending June 30, 2021 and certification of customers form remitted to the Public Service Commission.
3. Memorandum from Ora L. Ash, Deputy State Auditor for the WV State Auditor's Office, outlining deadlines for submitting budget revisions.
4. Advertisement – "Upshur County Farmland Protection Board Accepting Applications" for farmland.
5. Correspondence from R. Dennis Xander announcing his resignation from the Upshur County Public Library Board, effective June 30, 2020. Mr. Xander is a Board of Education appointee and this term expires on June 30, 2022.
6. Correspondence from Mayor David W. McCauley expressing appreciation for the \$22,621 contribution that will be applied to offset some of the municipality's expenses incurred due to the pandemic.
7. Lewis-Upshur Animal Control Facility Reports for the months of March and April 2020
 - a) Adoption Financial Transactions
 - b) Cat Report
 - c) Animal Report

UPSHUR COUNTY COMMISSION MEETING

May 28, 2020

d) Animal Control/Humane Officer Animal Report

8. Public Notices:

a) Newsletters and/or Event Notifications:

- Name the New Street Contest May 2020

b) Agendas and/or Notice of Meetings:

- Upshur County Public Library May 18, 2020
- Upshur County Youth Camp May 21, 2020
- City Council of Buckhannon May 21, 2020

c) Meeting Minutes:

- Upshur County Farmland Protection Board April 18, 2019
- Upshur County Farmland Protection Board August 15, 2019
- Upshur County Farmland Protection Board September 19, 2019
- Upshur County Farmland Protection Board October 17, 2019
- Upshur County Farmland Protection Board November 14, 2019
- Elkins Road PSD March 3, 2020
- Elkins Road PSD March 5, 2020
- Upshur County Fire Board March 17, 2020
- Upshur County Public Library Board of Trustees March 18, 2020
- Elkins Road PSD March 19, 2020
- Upshur County Fire Board April 21, 2020
- Elkins Road PSD April 29, 2020

d) Meetings:

- 06/01/20-6:00 p.m.-Lewis-Upshur Community Corrections Board
- 06/02/20-4:00 p.m.-Hodgesville PSD
- 06/04/20-3:00 p.m.-Adrian PSD
- 06/04/20-7:00 p.m.-Banks District VFD
- 06/04/20-7:00 p.m.-City Council of Buckhannon
- 06/04/20-7:00 p.m.-Selbyville VFD
- 06/08/20-12:00 p.m.-Upshur County Family Resource Network
- 06/08/20-4:30 p.m.-Upshur County Solid Waste Authority
- 06/08/20-5:30 p.m.-Buckhannon-Upshur Recreational Park Advisory Board
- 06/09/20-5:30 p.m.-Elkins Road PSD
- 06/09/20-7:30 p.m.-Adrian VFD
- 06/10/20-3:00 p.m.-Upshur County Conventions & Visitors Bureau
- 06/10/20-3:00 p.m.-Tennerton PSD
- 06/10/20-6:00 p.m.-Buckhannon River Watershed Association – Farm Bureau
- 06/10/20-7:00 p.m.-Ellamore VFD
- 06/10/20-7:00 p.m.-Warren District VFD
- 06/11/20-3:00 p.m.-Upshur County Safe Sites & Structures Enforcement Board
- 06/11/20-4:00 p.m.-Buckhannon Upshur Airport Authority
- 06/11/20-7:30 p.m.-Buckhannon VFD
- 06/12/20-11:00 a.m.-Region VI Local Elected Officials – Kingwood
- 06/15/20-12:00 p.m.-Buckhannon-Upshur Chamber of Commerce
- 06/16/20-10:00 a.m.-Wes-Mon-Ty Resource Conservation & Development Council
- 06/16/20-6:30 p.m.-Upshur County Fire Board, Inc.
- 06/17/20-7:00 a.m.-Upshur County Development Authority – Exec. Board
- 06/17/20-12:00 p.m.-Upshur County Senior Center Board
- 06/17/20-12:00 p.m.-Lewis Upshur LEPC
- 06/17/20-4:00 p.m.-Upshur County Public Library Board
- 06/18/20-2:00 p.m.-Upshur County Farmland Protection Board
- 06/18/20-6:30 p.m.-Upshur County Youth Camp Board
- 06/21/20-6:00 p.m.-Washington District VFD
- 06/22/20-12:00 p.m.-Region VII Planning and Development Council
- 06/22/20-7:00 p.m.-Upshur County Fire Fighters Association

UPSHUR COUNTY COMMISSION MEETING

May 28, 2020

- 06/23/20-5:00 p.m.-UC Enhanced Emergency Telephone Advisory Board
- 06/24/20-10:00 a.m.-James W. Curry Advisory Board
- TBD-6:00 p.m.-Buckhannon-Upshur Board of Health

****NOTICE:** *All in person county board meetings may resume effective May 18th, however, teleconference meetings are encouraged and social distancing must be followed.***

9. Appointments Needed or Upcoming:

- Buckhannon-Upshur Board of Health (Teresa Kee-6/30/2020)-Commission
- Buckhannon-Upshur Board of Health (Amy Rohr-Queen-6/30/2020)-Commission
- Buckhannon-Upshur Board of Health (Larry Carpenter-6/30/2020)-City
- Upshur County Enhanced Emergency Telephone Board (Dirk Burnside-6/20/2020)-Community
- Upshur County Fire Board, Inc. (Linn Baxa-6/30/2020) -Fire Association Representative
- Upshur County Fire Board, Inc. (Larry Alkire-6/30/2020)-Community
- Upshur County Public Library (vacant position-6/30/2022)-BOE
- Upshur County Public Library (John Haymond-6/30/2020)-Commission
- Hodgesville PSD (Roger Ward-6/30/2020)
- Elkins Road PSD (Larry Heater-6/30/2020)
- Upshur County Solid Waste Authority (Joyce Harris-Thacker-6/30/2020)-Commission
- Upshur County Solid Waste Authority (Mary L. Gower-6/30/2020)-Conservation District
- Upshur County Safe Sites & Structures Enforcement Board (Rick Harlow-6/30/2020)-Fire Chief
- Upshur County Safe Sites & Structures Enforcement Board (Chris Cook-6/30/2020)-Community
- Upshur County Safe Sites & Structures Enforcement Board (Brian Shreves-6/30/2020)-Community
- Buckhannon-Upshur Airport Authority (Tom O’Neill-6/30/2020)-Commission
- Buckhannon- Upshur Airport Authority (Virgil LaRosa-6/30/2020)-Commission
- Corridor H Authority (Robert “Bob” Skinner-6/30/2020)-Commission
- Buckhannon-Upshur Parks & Recreation Advisory Board (Brett Robinson-6/30/2020)-BOE
- Buckhannon-Upshur Parks & Recreation Advisory Board (John Hinchman-6/30/2020)-Commission
- Buckhannon-Upshur Parks & Recreation Advisory Board (JJ Ford-6/30/2020)-Commission

Tabled items:

1. Chapman Case Number 101118-01 (Warren District – Tax Map 6B Parcel Number 11).
No action was taken.

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)

- Heber Clarke Ashbrook, Jr. – Final Settlement Waiver
- Renee Dianne Bailey – Final Settlement Waiver
- Kyle Cochran – Final Settlement Waiver
- Robert Lee Elbon, Sr. – Final Settlement Waiver
- Sharron Sue Garman – Final Settlement Waiver
- Betty Estella Harvey – Final Settlement Waiver
- Gary Lynn Kimble – Final Settlement Waiver
- William Everette Mullenau – Final Settlement Waiver
- Kelcel Myron Oldaker – Final Settlement Waiver
- Ruth M. Stewart – Final Settlement Waiver

The Commission approved the following Certification of Completion of Ancillary Administration of WV Real Estate Without Appointment. (as listed) (None)

The Commission approved the following Exonerations and/or Refunds. (None)

- David M. or Delores Y. Henline - #301546 - \$22.23 - Refund Order
- Carol L. Bleigh or Roger D. Bleigh - #200000540S - \$250.32 - Exoneration Order
- Kathy J. Mayle Bailey - #306433 - \$303.20 - Exoneration Order

The Commission approved the following Correction/Exoneration/Refund Order. (None)

UPSHUR COUNTY COMMISSION MEETING

May 28, 2020

The Commission approved the following Requests to Attend Meeting (copies included)

- Janella L. Cochran – 6/26/20

At 9:13 a.m., upon motion by Kristie Tenney, seconded by Sam Nolte, the Commission recessed until 11:00 a.m.

The Commission reconvened with Elected Officials at 11:00 a.m. to further discuss continued operations as they relate to COVID-19. Present were: Terry Cutright, Commissioner; Kristie Tenney, Commissioner; Sam Nolte, Commissioner; Dustin Zickefoose, Assessor; Jacob Reger, Senior Circuit Court Judge; Bryan Hinkle, Prosecuting Attorney; Brian Gaudet, Circuit Clerk; Mike Coffman, Magistrate; Carrie Wallace, County Administrator and Lois Marsh, Secretary.

Dustin Zickefoose said his office had a short line on Tuesday when the public was allowed in but everything has smoothed out now. He said he hadn't seen any lines at offices on the first floor of the Annex.

Brian Gaudet stated that since only one person is allowed in the office at a time, he has witnessed a line outside his door, but everyone is properly social distancing. Attorneys will need to wait in line in order to check their mail boxes so that the guidelines are followed for number of people in the Circuit Clerk's office. Commissioners discussed temporarily moving boxes to another location to eliminate the possible bottleneck, but there are often confidential records in mail boxes that must be kept in a secure location.

Judge Reger stated that he had received a memo that jails will quarantine prisoners for 14 days after they have been taken to courthouse for hearings as opposed to taking shower and changing clothes upon their return to the jail. He has been conducting telecom hearings in order to cut down on crowds. He stated that the part time temporary housekeepers have been doing a good job with cleaning after each hearing. A third person has been hired to sanitize the court rooms and hallway waiting areas.

Terry Cutright said he had spoken with Carol Smith and there were 70 people who early voted on Wednesday. Carol told Terry that approximately 4,100 absentee ballots had been mailed out and approximately 1,800 had been returned.

Bryan Hinkle reported that he had a staff member who had potentially been exposed to the virus in another county and she has been quarantining at home. The person she was exposed to has tested negative for the virus. Is it okay for her to return to work? Carrie Wallace stated that since the person's results were negative, the staff member could return to work.

Brian Gaudet questioned the false thermometer readings at the front door. Carrie Wallace said they have replaced those thermometers and there should be no more problems.

After questions from Dustin Zickefoose and Brian Gaudet, Carrie Wallace restated that county employees are required to wear gloves and masks until they reach their offices and anytime they are in common areas employees should be wearing gloves and masks. Judge Reger stated that the Supreme Court had set guidelines for state employees. Sam Nolte explained that the Upshur County Commission cannot require state employees to follow county guidelines.

Mike Coffman thanked the Commission for working with courts in keeping courtrooms and waiting areas sanitized. He said he has heard no complaints from attorneys or the public regarding the social distancing requirements. Carrie Wallace asked Mike Coffman and Kay Hurst to send their dockets to her so she can schedule the part time temporary housekeepers.

Judge Reger said he will be having Grand Jury on June 16-17 which will require 15 to 20 jurors. This will require 50 to 60 people for a jury pool. We will need to prepare a plan stating how to handle this number of people in the courtroom at one time.

Bryan Hinkle said he will be bringing his entire staff back next week. Brian Gaudet said he plans to continue rotating his staff since only one person can be in the office at a time.

Mike Coffman said that they have ordered cheap disposable pens in order to cut down on spreading the virus. The Supreme Court has issued cell phones to Magistrates to be used during the pandemic for video conferencing and hearings so they are carrying these in addition to the cell phones provided by the Commission.

Terry Cutright stated that the Commission will meet with the Elected Officials each Thursday at 11:00 a.m. until we get through this virus situation.

With no further business, on motion by Sam Nolte, seconded by Kristie Tenney, the Commission meeting adjourned at 11:23 a.m.