

UPSHUR COUNTY COMMISSION MEETING

June 27, 2019

The County Commission of Upshur County, West Virginia, held their regular meeting at the Courthouse Annex on Thursday, June 27, 2019 at 9:00 a.m. Sam Nolte called the meeting to order. Present were Sam Nolte, Commission President; Terry Cutright, Commissioner; Kristie Tenney, Commissioner; Carol Smith, County Clerk; Carrie Wallace, County Administrator, Tabatha Perry, Assistant Administrator and Prissilla Peggs, 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 June 13, 2019 and the special meeting minutes of June 24, 2019 as submitted.

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved and authorized the President to sign the Federal Aviation Administration Outlay Request Number 7 in the amount of one hundred seventy four thousand eight hundred forty five dollars (\$174,845) for the Airport Improvement Program Project No. 3-54-0039-032-2018 at the Upshur County Regional Airport in Buckhannon, WV. (copy included)

After discussion, on motion by Kristie Tenney, seconded by Terry Cutright, the Commission approved the Weyerhaeuser Giving Fund Grant Application in the amount of \$310,508.91 on behalf of the Upshur County Youth Camp. (copy included)

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved the County Financial Institutions as Depositories as Required by WV Code §7-6-1 --- Freedom Bank, First Community Bank, JP Morgan-Chase Bank, Premier Bank, Community Bank, and Citizens Bank of WV. (copy included)

Patrick Marozzi, Account Executive for Advantage Technology – appeared before the Commission to provide a company overview and a review of projects Advantage Technology has provided to K-12. Mr. Marozzi provided the website advantage.net for more details surrounding Advantage Technology. Carrie Wallace advised Mr. Marozzi that the Commission would add the IT firm to their bid list but at this time Global Science and Technology is currently contracted for IT services.

After discussion, on motion by Kristie Tenney, seconded by Terry Cutright, the Commission approved and authorized the President to sign the Letter of Support for the City of Buckhannon's Abandoned Mine Lands (AML) Economic and Community Development Pilot Program Grant Application for the purpose of extending the Elizabeth J. "Binky" Poundstone River Walk Trail to the High School. (copy included)

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved the donation of 10 one day pool passes (for next season) for the Upshur County Children's Festival to be held on September 14th. Commissioner Tenney also suggested that the Commission participate by setting up a station wherein they could use the outdoor games that were purchased for the B-U Recreational Park Pool. (copy included).

After discussion, the bid opening, presentation and award for the Upshur County Former Jail Facility Project was put on hold until Tabatha Perry, Assistant Administrator could receive a confirmation from Melissa Garretson-Smith, CFIA Executive Director, that the Commission could award a bid given that they had only received two (2) of three (3) required bids as stated in the agreement.

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved and authorized the President to sign the correspondence to Terry Gould providing both Hodgesville PSD and Tennerton PSD with final notice to remit a copy of their most recent audit to the Upshur County Commission. (copy included)

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved and authorized the President to sign the application of acknowledgement/endorsement for the Fraternal Order of Eagles, Inc. Non-Intoxicating Floor Plan Extension On-Premise Application. The establishment would like to extend their floor plan on July 4th in order to have a community cook out. The application requires a letter signed by at least one County Commissioner. (copy included)

After discussion, on motion by Kristie Tenney, seconded by Terry Cutright, the Commission approved and authorized the President to sign the revised letter from Jonathan Vickers, Assistant Director, and 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, 2018. The fee of the audit services will be \$32,230. (copy included)

UPSHUR COUNTY COMMISSION MEETING

June 27, 2019

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved and authorized the President to sign the Change Order #1 for the Upshur County Youth Camp Brownfields Project. This Change Order reflects costs associated with additional services required to perform environmental site remediation services and includes contractor bid support, an extensive field study consisting of both Environmental Standards time and services provided by Envirocheck of Virginia, Inc., preparation of an Addendum to the Remedial Action Work Plan and direct oversight of the remediation activities. In total, additional costs of \$20,036 were incurred. The new contract amount will be \$62,936. Assistant Administrator, Tabatha Perry advised the Commission, the cost they will be paying is not more than before because of in-kind matches. (copy included)

After discussion, on motion by Kristie Tenney, seconded by Terry Cutright, the Commission approved and authorized the President to sign the Sirius America Insurance Company Stop-Loss Proposal for proposed policy term July 1, 2019 to June 30, 2020, Plan Sponsor Disclosure Statement and Contract Addenda. Wherein they accepted the first (1) proposal. (copy included)

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved and authorized the President to sign the Nationwide Guaranteed Minimum Interest Rate Change: Options Form and Fixed Account Amendment to Group Flexible Purchase Deferred variable Annuity Contract. The Commission discussed option 1 with higher interest and a 20% transfer limit per year and option 2 with less interest and a 40% transfer limit per year. The Commission agreed that option 2 allowed more participant control, and therefore, selected option 2 for plan participants.. (copy included)

After discussion, on motion by Kristie Tenney, seconded by Terry Cutright, the Commission approved the reappointment of Brian Shreves, Upshur County Department of Homeland Security Director to the Upshur County Enhanced Emergency Telephone Advisory Board. Mr. Shreves' term will expire on June 30, 2022. (copy included)

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved the reappointment of Thomas J. O'Neill to the Upshur County Fire Board as a Community representative. Mr. O'Neill's term will expire on June 30, 2022. (copy included)

After discussion, on motion by Kristie Tenney, seconded by Terry Cutright, the Commission approved the payment and advertisement for a temporary part-time position in the Upshur County Assessor's Office. The Records Management and Preservation Grant funded position will be for a 30 week period with the employee working no more than 19.5 hours per week at the pay wage of \$10 an hour. (copy included)

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved the resignation of Barb Smarr, Tri County Child Exchange & Visitation Program Monitor, effective May 3, 2019, as submitted by Bethany Kirchberg Program Coordinator. (copy included)

After discussion, on motion by Kristie Tenney, seconded by Terry Cutright, the Commission approved the resignation of Kaly Ocheltree, Tri County Child Exchange & Visitation Program Monitor, effective June 2, 2019. (copy included)

After discussion, on motion by Kristie Tenney, seconded by Terry Cutright, the Commission approved hiring Emily Hawkins as a part-time program monitor at the Tri County Child Exchange & Visitation Center, effective June 28, 2019. As program monitor, Ms. Hawkins will be paid \$8.75 an hour and work a maximum of 19 hours per week. (copy included)

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved the resignation of Renee Carr, Buckhannon-Upshur Recreational Park Assistant Manager, effective June 20, 2019. (copy included)

Sheriff, David H. Coffman and Lt. Paul Mark Davis discussed their wish to re-implement the Drug Abuse Resistance Education (D.A.R.E.) program back into the Upshur County School System. The new D.A.R.E. program would be K-12 with classes offered to 5th, 7th and 10th grades. Sheriff Coffman and Lt. Davis are looking for resources to fund the program and would like for the Upshur County Commission and the Upshur County Board of Education to enter into a partnership. The plan would be for the Prevention Resource Officers in the Buckhannon-Upshur Middle and Buckhannon- Upshur High School to be trained as the Instructors. The training is an 80 hour course, which will be held in Maryland on September 8th through the 20th, the course is a free training for facilitators but a cost of \$550.00 is required per facilitator for the cost of lodging, breakfast and lunch. The plan for the program is to have

UPSHUR COUNTY COMMISSION MEETING

June 27, 2019

the PRO from the Middle School trained in September and have the program implemented by January 2020 then in the fall of 2020 have the second and possibly a third Officer trained to ensure the program at all grade levels. After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved the implementation of the D.A.R.E. Program and stated that they would be willing to enter into a partnership with the Upshur County Board of Education. Sheriff Coffman and Lt. Davis will be meeting with the Board of Education on July 23rd.

Mike Alkire, representative for Relay for Life, appeared before the Commission and provided a presentation of the Relay for Life Proclamation, designating July 15-20, 2019 as Relay for Life Days. After discussion and motion by Kristie Tenney, seconded by Terry Cutright, the Commission approved and authorized the signing the Proclamation. (copy included)

After discussion, on motion by Kristie Tenney, seconded by Terry Cutright, the Commission approved the promotion of Brooke Newcome from lifeguard to assistant manager at the Buckhannon-Upshur Recreational Park, effective June 30, 2019 at a pay wage increase from \$9.54 an hour to \$10 an hour. (copy included)

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved the request from the Upshur County Sheriff, David H. Coffman for the advertisement of Deputy Sheriff Positions. Applications must be received by 4 pm on July 15, 2019. The date for the physical agility test and written examination is set for Saturday August 10, 2019 at 8 am at the Buckhannon-Upshur High School Athletic Building. (copy included)

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved sending the Sheriff's invoice requesting payment for Magistrate Court Bailiff Services for the fiscal year ending June 30, 2019 from the Worthless Check Fund to Chief Circuit Court Judge Jacob E. Reger pursuant to Rule 3 of the WV Judiciary Administrative Rules for the Magistrate Courts. Upon his approval, the invoice will be forwarded to the WV Supreme Court of Appeals for consideration. (copy included)

After discussion, on motion by Kristie Tenney, seconded by Terry Cutright, the Commission approved Lewis-Upshur Animal Control Facility Volunteer, Paula Stone. (copy included)

Sam Nolte reviewed the following "For Your Information" items:

1. Correspondence from Michael A. Albert, Chairman of Public Service Commission of West Virginia, reappointing Jacqueline McDaniels as a member of the Board of Directors of the Upshur County Solid Waste Authority to a term expiring June 30, 2023.
2. Correspondence from Dustin Zickefoose, Assessor, announcing the employment of Jon Scott Wilson, as Appraiser, beginning July 1, 2019. Mr. Wilson's salary will be paid from the Revaluation Fund.
3. Upshur County Safe Structures and Sites Enforcement Board Petition for Order --- Case Number 121318-01 (Washington Tax District – Tax Map 6L – Parcel Number 11.3)
4. Lewis-Upshur Animal Control Facility Adoption Financial Transactions – May 2019
5. Lewis-Upshur Animal Control Facility Cat Report for the month of May 2019
6. Lewis-Upshur Animal Control Facility Animal Report for the month of May 2019
7. Upshur County Animal Control/Humane Officer Monthly Animal Report for the month of May 2019
8. Upshur County Mileage Reports –April and May 2019
 - Upshur 911
 - Maintenance
 - Emergency Management
 - Sheriff
 - Addressing and Mapping
 - Community Corrections
 - Dog Pound
9. Public Notices:
 - a. Newsletters and/or Event Notifications:
 - WV Coalition to End Homelessness Flyer
 - b. Agendas and/or Notice of Meetings:
 - City Council of Buckhannon – June 18, 2019
 - Upshur County Public Library – June 25, 2019

UPSHUR COUNTY COMMISSION MEETING

June 27, 2019

- Lewis-Upshur Community Corrections Board – June 25, 2019
- Elkins Road PSD – July 2, 2019
- City Council of Buckhannon – July 2, 2019
- Upshur-Buckhannon Board of Health – July 11, 2019

c. Meeting Minutes:

- Upshur County Safe Structures and Sites Enforcement Board – April 11, 2019
- Upshur County Youth Camp Board – May 2, 2019
- Tennerton PSD – May 8, 2019
- Adrian PSD – May 9, 2019
- Upshur County Fire Board – May 21, 2019

d. Meetings:

- 07/02/19-5:30 p.m.-Elkins Road PSD
- 07/02/19-4:00 p.m.-Hodgesville PSD
- 07/04/19-7:00 p.m.-Banks District VFD
- 07/04/19-7:00 p.m.-Selbyville VFD
- 07/08/19-12:00 p.m.-Upshur County Family Resource Network
- 07/08/19-4:30 p.m.-Upshur County Solid Waste Authority
- 07/08/19-5:30 p.m.-Buckhannon-Upshur Recreational Park Advisory Board
- 07/09/19-7:30 p.m.-Adrian VFD
- 07/10/19-12:00 p.m.-Upshur County Senior Center Board
- 07/10/19-3:00 p.m.-Tennerton PSD
- 07/10/19-6:00 p.m.-Buckhannon River Watershed Association - WVWC
- 07/10/19-7:00 p.m.-Warren District VFD
- 07/10/19-7:00 p.m.-Ellamore VFD
- 07/11/19-10:00 a.m.-Adrian PSD
- 07/11/19-3:00 p.m.-Upshur County Conventions & Visitors Bureau
- 07/11/19-4:00 p.m.-Upshur County Safe Sites & Structures Enforcement Board
- 07/11/19-4:00 p.m.-Buckhannon Upshur Airport Authority
- 07/11/19-6:00 p.m.-Buckhannon-Upshur Board of Health
- 07/11/19-7:30 p.m.-Buckhannon VFD
- 07/15/19-12:00 p.m.-Buckhannon-Upshur Chamber of Commerce
- 07/16/19-10:00 a.m.-Wes-Mon-Ty Resource Conservation & Development Council
- 07/16/19-6:30 p.m.-Upshur County Fire Board, Inc.
- 07/17/19-12:00 p.m.-Lewis Upshur LEPC---Lewis location
- 07/17/19-4:00 p.m.-Upshur County Public Library Board
- 07/17/19-6:00 p.m.-Upshur County Citizens Corp – CERT
- 07/17/19-7:00 a.m.-Upshur County Development Authority–CANCELLED
- 07/18/19-6:30 p.m.-Upshur County Youth Camp Board
- 07/21/19-6:00 p.m.-Washington District VFD
- 07/22/19-12:00 p.m.-Region VII Planning and Development Council
- 07/23/19-5:00 p.m.-UC Enhanced Emergency Telephone Advisory Board
- 07/24/19-10:00 a.m.-James W. Curry Advisory Board
- 07/29/19-6:00 p.m.-Upshur County Fire Fighters Association
- 08/05/19-6:00 p.m.-Lewis-Upshur Community Corrections Board-Lewis County
- 08/15/19-2:00 p.m.-Upshur County Farmland Protection Board

10. Appointments Needed or Upcoming:

- a. Buckhannon-Upshur Parks and Recreation Advisory Board (7/1/19 – 6/30/2021 County Rep.)
- b. Buckhannon-Upshur Parks and Recreation Advisory Board (7/1/19 – 6/30/2021 City Rep.)

Kent Leonhardt, Commissioner of Agriculture provided an overview of the departments activities and programs. Mr. Leonhardt stated that starting last year the Farmland Exemptions adjustments can be done online or by paper. The program is working on making a Freshfood Act requiring local Boards of Education to obtain 5% of their produce from local growers. (copies included).

UPSHUR COUNTY COMMISSION MEETING

June 27, 2019

Elissa Mills and Linda Lee White, representatives for the class of 1979, appeared before the Commission and read a Proclamation welcoming the class of 1979 back to Upshur County for their 40th class reunion. After discussion, on motion by Kristie Tenney, seconded by Terry Cutright, the Commission approved the proclamation.

The Commission approved all invoices for payment (copies included)

The Commission approved all Vacation Orders.

The Commission approved the following "Settlements" (copies included):

- James E. Alderman – Final Settlement Waiver
- Ruth Ann Poling Campbell – Final Settlement Waiver
- Margaret Kathleen Ferrell – Final Settlement Waiver
- Clifford David Golden – Final Settlement Waiver
- William E. Harris – Final Settlement Waiver
- Charles Vernon Heater – Final Settlement
- Roseann B. Marshall – Final Settlement Waiver
- Bennie Edward McCartney – Final Settlement Waiver
- Roy E. Pettitt, II – Final Settlement Waiver
- Curtis D. Rhoades – Final Settlement Waiver
- Robert Zane Shipman – Final Settlement Waiver
- Donna R. Starr – Final Settlement Waiver

The Commission approved the following "Correction/Exoneration/Refund Orders": (copies included)

- Dirk O. or Helen Burnside - Tkt #500000416 S – Exoneration \$167.48
- Joshua Beckner – Tkt #500000415 S – Exoneration \$26.26
- Philip Todd Cunningham – Tkt #300000028 S – Exoneration \$33.28
- Rodney or Allison Harrison, Harrison Transport & Hot Shots– Tkt # 700000158 S – Exoneration \$15.08
- Rodney or Allison Harrison, Harrison Transport & Hot Shots – Tkt # 309731 – Exoneration \$88.35
- Peridot Roots C/O Amy Trent – Tkt #304503 – Exoneration \$27.74
- Amber B. Tenney – Tkt #306812 – Exoneration \$21.80
- Diana S. Bennett Kitzmiller – Tkt #8106 – Exoneration \$4.38
- Glenn Davis or Kimberly M. (KimberlyM) Farry – Tkt # 301305 – Exoneration \$316.92
- Linda Renee Miller – Tkt # 8817 – Exoneration \$72.86
- Justin D. Reed – Tkt # 9220 – Correction -\$77.83
- Jason Horner – Tkt # 303569 – Exoneration \$2.78
- Howard F. and Mary E. Butcher – Tkt #11349 – Exoneration \$0.00
- Tristen T. Gray C/O WVHDF – Tkt #11917 – Exoneration \$845.90
- Lesa L. Jordan – Tkt #12266 – Correction \$0.00
- Joseph W. and Marcia D. Shipman – Tkt # 9577 – Exoneration \$1,721.44
- Joseph W. and Marcia D. Shipman – Tkt #9576 – Correction \$833.55
- Dodi Cook – Tkt #301245 – Exoneration \$676.66
- Clinton Tyler Bennett – Tkt #308430 – Exoneration \$31.50
- Carl or Lisa George – Tkt #307663 – Exoneration \$138.06
- James K or Kelly Shiflett – Tkt #302183 – Exoneration \$148.62
- Danny R. and Patricia W. Gould – Tkt #15473 – Exoneration \$55.17
- Teresa Mackey – Tkt #307833 – Exoneration \$86.06
- RVC Inc. Lean Ann Rohr – Tkt #308328 – Exoneration \$78.55
- Energy Corp of America (OR – API 02158) – Tkt # 305430 – Correction \$0.00
- Energy Corp of America (OR – API 02158) – Tkt # 309422 – Correction \$0.00
- Energy Corp of America (OR – API 02158) – Tkt # 302655 – Correction \$0.00
- Energy Corp of America (OR – API 02158) – Tkt # 305431 – Correction \$0.00
- Energy Corp of America (OR – API 02158) – Tkt # 307098 – Correction \$0.00

UPSHUR COUNTY COMMISSION MEETING

June 27, 2019

- Energy Corp of America (OR – API 02158) – Tkt # 307095 – Correction \$0.00
- Carl and Shirley A. McDaniels – Tkt # 8303 – Correction \$59.37
- Carl and Shirley A. McDaniels – Tkt # 8539 – Correction \$57.79
- Mary Ann Hope Turner-Slaughter & Elizabeth & Jason – Jason Mark Henry Slaughter & Dodi K Cook – Tkt #10133 – Apportionment/Split
- Patrick Chapman McCoy – Cara Michelle Richardson (McCoy) – Megan Elizabeth Springer (McCoy) – Tkt #28995 – Apportionment/Split
- Patrick Chapman McCoy ET AL – Cara Michelle Richardson (McCoy) – Megan Elizabeth Springer (McCoy) – Tkt #16500 – Apportionment/Split
- Patrick Chapman McCoy ET AL– Cara Michelle Richardson (McCoy) – Megan Elizabeth Springer – Tkt #16501 – Apportionment/Split
- Patrick Chapman McCoy ET AL – Cara Michelle Richardson (McCoy) – Megan Elizabeth Springer (McCoy) – Tkt #16499 – Apportionment/Split
- Heather Hutson ET AL – Tkt # 2736 – Apportionment/Split

The Commission reviewed agenda items for future meetings, received project updates and discussed administrative business items.

The Commission reconvened at 1:00 pm for the Court Security Advisory Board meeting.

The Commission received two bids for the Upshur County Former Jail Project Improvement Repair and Rebuild Old Chimneys and Dormers. Tabatha Perry, Assistant County Administrator, informed the Commission that Melissa Garretson-Smith, CFIA Executive Director, advised that they could award the bid even though they had only received two of a three bids required in the grant agreement. Trisco Systems, Inc.'s bid was \$82,563; Robert L. Grishaber & Sons, Inc.'s bid was \$102,600. After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission accepted Trisco Systems, Inc. bid in the amount of \$82,563.

The regular scheduled Commission Meeting on July 4, 2019 is cancelled due to the Courthouse being closed in Observance of Independence Day.

With no further business, on motion by Kristie Tenney, seconded by Terry Cutright, the Commission meeting adjourned at 5:15 p.m.