

UPSHUR COUNTY COMMISSION MEETING

July 11, 2019

The County Commission of Upshur County, West Virginia, held their regular meeting at the Courthouse Annex on Thursday, July 11, 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 Kristie Tenney, seconded by Terry Cutright, the Commission approved the regular meeting minutes of June 27, 2019 as submitted.

Laura B. Meadows, Executive Director of the Upshur County Convention and Visitors Bureau – appeared before the Commission to provide an Annual Report and discussed 2019 goals which include: the use of new eye catching photos and images, a focus on the outdoors, their ADitorial and the increase rental revenue projection for the Event Center. Ms. Meadows stated their partnerships with the Event Center and My Buckhannon are very helpful with promotion and advertising to help increase tourism to Buckhannon.

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved and authorized the President to sign the Management Representation Letter for a Non-Single Audit for period ending June 30, 2018. (copy included)

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved and authorized the President to sign the Prevention Resource Officer Agreement between the Upshur County Board of Education, the Upshur County Sheriff's Office and the Upshur County Commission. This agreement is for fiscal year 2019-2020 to have a Deputy Sheriff assigned as Prevention Resource Officer at the Buckhannon-Upshur Middle School. (copy included)

After discussion, on motion by Kristie Tenney, seconded by Terry Cutright, the Commission approved and authorized the President to sign the Prevention Resource Officer Agreement between the Upshur County Board of Education, the Upshur County Sheriff's Office and the Upshur County Commission. This agreement is for fiscal year 2019-2020 to have a Deputy Sheriff assigned as Prevention Resource Officer at the Buckhannon-Upshur High School. (copy included)

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved and authorized the President to sign the Addendum to Prevention Resource Officer Agreement for Fiscal Year 2019-2020 Canine Officer. This agreement will supplement the above referenced Prevention Resource Officer Agreement and allow for the PRO to be in possession of a male Labrador retriever/German shorthaired pointer fully trained in narcotics detection and obedience to be utilized at the Buckhannon-Upshur High School. Once executed, this agreement will be reviewed by the Board of Education for approval. (copy included).

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved for Samuel R. Nolte, President to execute any and all documents necessary for the Promissory Note and Business Loan Modification Agreement between the Upshur County Commission, Buckhannon Upshur Airport Authority and Community Bank. The outstanding principal balance as of June 26, 2019 was one hundred fifty seven thousand three hundred ninety four dollars and forty six cents (\$157,394.46). The maturity date will be extended from July 14, 2019 to July 14, 2020. (copy included)

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After discussion, on motion by Kristie Tenney, seconded by Terry Cutright, the Commission approved and authorized the President to sign the Specified Disease – Organ & Tissue Transplant Application, effective July 1, 2019. (copy included)

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved the expenditure of \$175.00 payable to Skateland for rink rental on August 6th, 2019 for the grand finale event for the “Universe of Stories” summer reading program as requested by Judith L. Williams, Director of James W. Curry Public Library. (copy included)

After discussion, on motion by Kristie Tenney, seconded by Terry Cutright, the Commission approved the use of the large pavilion on August 1, 2019, free of charge for the “wrap-up party” for the month long summer reading program as requested by Beth Rogers, Upshur County Public Library Assistant Director. (copy included)

After discussion, on motion by Kristie Tenney, seconded by Terry Cutright, the Commission approved and appointed Terry Cutright as County employee to serve on the Board of the Emergency Food and Shelter Program (EFSP), as requested by Kristi L. Wilkerson, Director of the Upshur Parish House and Crosslines. (copy included)

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved the reappointment of Katie Loudin to serve on the Buckhannon-Upshur Parks and Recreation Advisory Board with recommendations from Dr. Sara Lewis-Stankus, Superintendent of Upshur County Schools. Ms. Loudin’s term will expire on June 30, 2021. (copy included)

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved the reappointment of Lowell Peterson to the Upshur County Farmland Protection board as a “county resident”. Mr. Peterson’s term will expire on June 30, 2021. (copy included)

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission appointed Mary Hull to the Buckhannon-Upshur Parks and Recreation Advisory Board, effectively immediately. Ms. Hull’s Term will expire on June 30, 2021. (copy included)

After discussion, on motion by Kristie Tenney, seconded by Terry Cutright, the Commission approved the appointment of Bobby Gompers, Lori Meadows, Bob Skinner, Doyle Tenney, and Aaron Harris to the Upshur County Development Authority Board as requested by Kathy McMurray, President of the UCDA. Terms will begin July 1, 2019 and expire on June 30, 2022. (copy included)* *President Sam Nolte recused himself from voting due to appointee being a relative.*

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved the applications of Lewis-Upshur Animal Control Facility Volunteers, Sharon M. Vinson and Sandra C. Craig. (copy included)

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved the resignation of Michael Campbell, maintenance employee, effective July 5, 2019. (copy included)

After discussion, on motion by Kristie Tenney, seconded by Terry Cutright, the Commission approved the advertisement for a full-time maintenance department position. Applications must be received by 4:30 p.m. on July 24, 2019. A Journeyman’s Electrical License and HVAC License are preferred and the starting salary will be based upon experience. (copy included)

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After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved the Application for Donated Leave. (copy included)

After discussion, on motion by Kristie Tenney, seconded by Terry Cutright, the Commission approved the revised 2019 Holiday Schedule and Administrative Closures list. (copy included)

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved the James W. Curry Public Library and Park Budget for July 1, 2019 through June 30, 2020. (copy included)

Carrie Wallace, Upshur County Administrator, announced that no bids were received for the Upshur County Youth Camp Timber Sale after a second round of advertisements and direct mailing to 134 loggers and timber buyers in Upshur and surrounding counties. After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved to remove the Upshur County Youth Camp Timber Sale discussion from the agenda list until the Youth Camp Board decides how to proceed during their meeting next week.

After discussion, on motion by Kristie Tenney, seconded by Terry Cutright, the Commission approved the purchase of 1 sport utility vehicle for the Upshur County Sheriff's Department. The Bid opening, presentation and award received one bid from Jenkins Fords in Buckhannon in the amount of \$32,785.00. (copy included)

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

1. Proclamation made by Governor, Jim Justice on July 3, 2019 permitting public employees of this State to generally cease business the entire workday of Friday, July 5, 2019, in acknowledgement of the Fourth of July holiday. The proclamation further reads that public employees of this State may be excused from their work duties the entirety of the day without charge against accrued annual leave. In accordance with subsection c, section one, article two, chapter two of the WV Code, County Commissions may treat the days as if they were a legal holidays, and the Courts may do the same.
2. Correspondence from the 26th Judicial Circuit Court Judge Jacob E. Reger to WV Supreme Court of Appeals Court Administrator Joseph Armstrong requesting the approval of an expenditure in the amount of eight thousand five hundred forty dollars (\$8,540) from the Upshur County Worthless Check Fund to cover the cost of bailiff services for the Upshur County Magistrate Court for fiscal year 2019.
3. Correspondence from Alex Shubert, Manager of the National Processing Center regarding the recent Public Protection Classification survey for Rock Cave Fire Department, effective October 1, 2019. ISO's Public Protection Classification Program plays an important role in the underwriting process at insurance companies.
4. Fiscal Year 2019 Land and Water Conservation Fund Notice: Invitation to Submit Applications by October 31, 2019
5. Buckhannon Water Board Consumer Confidence Report 2019 - Covering Calendar Year 2018
6. Upshur County Sheriff's Financial Statement for period ending May 2019
7. Elkins Road PSD Annual Budget for July 1, 2019 through June 30, 2020
8. Public Notices:
 - a. Newsletters and/or Event Notifications:

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- Small Business Workshop - July 24th at the Event Center at Brushy Fork from 11 a.m. to 1:30 p.m.

- b. Agendas and/or Notice of Meetings:
 - James W. Curry Library/Park Advisory Board – June 26, 2019
 - Elkins Road PSD – July 2, 2019
 - Upshur County Solid Waste Authority – July 8, 2019
 - Upshur County Fire Board, Inc. – July 9, 2019
 - Upshur County Safe Structures and Sites Enforcement Board – July 11, 2019
 - Buckhannon-Upshur Airport Authority – July 11, 2019

- c. Meeting Minutes:
 - Upshur County Public Library Board – May 15, 2019
 - Elkins Road PSD – June 10, 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 - Cancelled
 - 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
 - 07/15/19-6:00 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

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- 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
- 08/12/19-12:00 p.m.- Upshur County Family Resource Network
- 08/15/19-2:00 p.m.-Upshur County Farmland Protection Board
- 09/13/19-11:00 a.m.-Region VI Local Elected Officials

9. 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.)

The Commission approved all Invoices for Payment. (copies included)

The Commission approved all Vacation Orders.

The Commission approved the following “Settlements” (copies included):

- Buck Oakie Frye-Final Settlement Waiver
- Dane I. Grubb-Final Settlement Waiver
- Myron B. Hymes, Jr.-Final Settlement Waiver
- Evelyn I. Knabenshue-Final Settlement Waiver
- Doris Ann Moss-Final Settlement Waiver
- Lois L. Oldaker-Final Settlement Waiver
- Robert L. Smallridge-Second Annual Settlement
- Allen Ray West Trust-Twelfth Periodic Settlement

The Commission approved the following “Exonerations and/or Refunds” (copies included):

- Stacey Bailey - #305796 - \$112.22 -Exoneration Order
- Stacey Bailey - #306136 - \$118.90 - Exoneration Order
- Billy J. or Billy G. or Samantha Rowan – Billy J. or Billy G. or Samantha Rowan – Samantha (Rowan) Eubank - #307979 - Apportionment/Split

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

- Carrie L. Wallace - July 19, 2019
- Carrie L. Wallace - August 4th & 5th, 2019
- Brian Shreves - June 25, 2019

Carol Smith reviewed a request for a budget revision. After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, 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 agenda items for future meetings, received project updates and discussed administrative business items.

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With no further business, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission meeting adjourned at 1:15 p.m.