

UPSHUR COUNTY COMMISSION MEETING

July 23, 2020

The County Commission of Upshur County, West Virginia, held their regular meeting on Thursday, July 23, 2020 at 9:00 a.m. Sam Nolte called the meeting to order. Present were: Samuel R. Nolte, Commissioner; Kristie G. Tenney, Commissioner; Carol J. Smith, County Clerk; 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.

Sam Nolte 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 July 16, 2020, as submitted.

After discussion, on motion by Kristie Tenney, seconded by Sam Nolte, the Commission approved and authorized the President to sign 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, 2020 was sixty-six thousand one hundred eighty-three dollars and thirty-seven cents (\$66,183.37). The maturity date will be extended from July 14, 2020 to July 14, 2021. (copy included)

After discussion, on motion by Kristie Tenney, seconded by Sam Nolte, the Commission approved and authorized the President to sign the Land Use Covenant for the Brownfield site located at 76 Youth Camp Road. This is an environmental covenant executed pursuant to the Voluntary Remediation and Redevelopment Act and the Uniform Environmental Covenants Act to restrict the activities on, and uses of, the property. (copy included)

After discussion, on motion by Kristie Tenney, seconded by Sam Nolte, the Commission approved the request from Dustin Zickefoose, Assessor, for the 2013 Ford Escape (VIN 5324), previously purchased by the Assessors Valuation Fund, to be sold to the Board of Education for \$1 per WV Code §7-3-3(2)(5). The vehicle will be used for the Prevention Resource Officer Program. (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 employment of Austin W. Nestor for the position of Deputy Sheriff. Mr. Nestor's employment will begin on August 9, 2020 at the pay wage rate of \$17.50 per hour. Upon completion of the WV State Police Academy, his rate of pay will be increased to 18.73 per hour, provided that his completion is within the current fiscal year. Carrie Wallace clarified that the wage increase referenced the fiscal year as it could be a different amount upon completion of the Academy if graduation takes place in FY 22 and a raise is given in the FY 22 budget. (copy included)

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

1. Frontier Communication Corporation, et al. – Notice of Hearing to Consider Confirmation of the Chapter 11 Plan Filed by the Debtors and Related Voting and Objection Deadlines.
2. Correspondence from Governor Jim Justice announcing the Community Corrections program grant award in the amount of \$161,500 to be utilized for the continued operation of the Community Corrections program in Upshur and Lewis Counties.
3. Upshur County Building permits for June, 2020.
4. Upshur County Sheriff's Financial Statement for the Period Ending June 2020.
5. Upshur County Solid Waste Authority Financial Report Fiscal Year 2020.
6. NACo Prescription Drug Discount Card Program breakdown from 2005 to May, 2020.
7. Correspondence from Steven B. Nanners, on behalf of the Civil Service Board, certifying three candidates for the vacant Deputy Sheriff position.
8. Lewis-Upshur Animal Control Facility Reports for the month of June, 2020
 - Adoption Financial Transactions
 - Cat Report
 - Animal Report
 - Animal Control/Humane Officer Animal Report
9. Upshur County E911 Communication Reports – June, 2020
 - Monthly Department Summary Report
 - Monthly Wrecker Report
 - YTD Wrecker Report
10. Public Notices:
 - a) Newsletters and/or Event Notifications:
 - b) Agendas and/or Notice of Meetings:
 - c) Meeting Minutes:
 - Upshur County Solid Waste Authority June 8, 2020
 - Upshur County Convention & Visitors Bureau June 10, 2020

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d) Meetings:

- 07/22/20-10:00 a.m.-James W. Curry Advisory Board
- 07/27/20-7:00 p.m.-Upshur County Fire Fighters Association
- 08/04/20-4:00 p.m.-Hodgesville PSD
- 08/04/20-5:30 p.m.-Elkins Road PSD
- 08/06/20-3:00 p.m.-Adrian PSD
- 08/06/20-7:00 p.m.-Banks District VFD
- 08/06/20-7:00 p.m.-City Council of Buckhannon
- 08/06/20-7:00 p.m.-Selbyville VFD
- 08/10/20-12:00 p.m.-Upshur County Family Resource Network
- 08/10/20-4:30 p.m.-Upshur County Solid Waste Authority
- 08/10/20-5:30 p.m.-Buckhannon-Upshur Recreational Park Advisory Board
- 08/11/20-7:30 p.m.-Adrian VFD
- 08/12/20-3:00 p.m.-Upshur County Conventions & Visitors Bureau
- 08/12/20-3:00 p.m.-Tennerton PSD
- 08/12/20-6:00 p.m.-Buckhannon River Watershed Association – Farm Bureau
- 08/12/20-7:00 p.m.-Warren District VFD
- 08/12/20-7:00 p.m.-Ellamore VFD
- 08/13/20-3:00 p.m.-Upshur County Safe Sites & Structures Enforcement Board
- 08/13/20-4:00 p.m.-Buckhannon Upshur Airport Authority
- 08/13/20-7:30 p.m.-Buckhannon VFD
- 08/16/20-6:00 p.m.-Washington District VFD
- 08/17/20-12:00 p.m.-Buckhannon-Upshur Chamber of Commerce
- 08/18/20-10:00 a.m.-Wes-Mon-Ty Resource Conservation & Development Council
- 08/18/20-6:30 p.m.-Upshur County Fire Board, Inc.
- 08/19/20-7:00 a.m.-Upshur County Development Authority – Annual Meeting
- 08/19/20-12:00 p.m.-Upshur County Senior Center Board
- 08/19/20-12:00 p.m.-Lewis Upshur LEPC
- 08/19/20-4:00 p.m.-Upshur County Public Library Board
- 08/20/20-2:00 p.m.-Upshur County Farmland Protection Board
- 08/20/20-6:00 p.m.-Buckhannon-Upshur Board of Health
- 08/20/20-6:30 p.m.-Upshur County Youth Camp Board
- 08/25/20-5:00 p.m.-UC Enhanced Emergency Telephone Advisory Board
- 09/07/20-6:00 p.m.-Lewis-Upshur Community Corrections Board – Lewis Co.

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

11. Appointments Needed or Upcoming:

- Upshur County Fire Board, Inc. (Linn Baxa-6/30/2020) -Fire Association Representative
- Hodgesville PSD (Roger Ward-8/05/2020)
- Elkins Road PSD (Larry Heater-9/30/2020)
- Upshur County Solid Waste Authority (Mary L. Gower-6/30/2020)-Conservation District
- Buckhannon-Upshur Parks & Recreation Advisory Board (Brett Robinson-6/30/2020)-BOE

****If you are interested in serving on an Upshur County board, please submit your letter of interest to the Commission Office at 91 W. Main Street, Suite 101, Buckhannon, WV 26201 or trperry@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 boards that do 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: (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)

- Phoebe Sharon Hyre – Final Settlement Waiver
- Donna Jean Smith – Final Settlement

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- Allen Ray West Trust – Annual Settlement

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

The Commission approved the following Exonerations and/or Refunds. (as listed)

- David A or Debra or Jason Hull - #600000115S - \$85.90 – Exoneration Order
- Sargent Betty - #302146 - \$30.74 – Exoneration Order
- James A Demastes - #200000604S - \$18.90 – Exoneration Order
- Amy Ables - #301030 - \$103.76 – Exoneration Order
- Thomas H & Amy L Botzet - #307520 - \$35.20 – Exoneration Order
- Robin A (Hinkle) Page or Jimmy Page - #301990 - \$7.57 – Exoneration Order
- Hall Carl R or Bonnie - #307692 - \$263.62 – Exoneration Order
- Heaston Cemetery Assoc C/O Alice Andrew - #2544 - \$13.66 – Exoneration Order
- Rocinda & Clifford Morrell - #16852 - \$486.57 – Exoneration Order

The Commission approved the following Correction/Exoneration/Refund Orders: (as listed)

- Lawrence Fallen Jr – Apportionment/Split of Assessment and Taxes for Classification
- Paul and Melissa Leichliter – Apportionment of Assessment and Taxes Per Final Divorce Order

The Commission approved the following Requests to Attend Meeting (none)

The Commission approved the following Consolidation of Land Tracts (none)

Carol Smith reviewed a request for a budget revision. After discussion, on motion by Kristie Tenney, seconded by Sam Nolte, the Commission approved 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)

With no further business, on motion by Kristie Tenney, seconded by Sam Nolte, the Commission meeting adjourned at 12:15 p.m.