

# UPSHUR COUNTY COMMISSION MEETING

## September 26, 2019

The County Commission of Upshur County, West Virginia, held their regular meeting at the Courthouse Annex on Thursday, September 26, 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; Prissilla 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 regular meeting minutes of September 19, 2019 as submitted.

After discussion, on motion by Kristie Tenney, seconded by Terry Cutright, the Commission approved and authorized the President to sign the Order Setting Forth Findings of Fact and Conclusions of Law, Upshur County Safe Sites and Structures Enforcement Agency --- Humphrey Case Number 121318-01 (Washington Tax District – Tax Map 6L – Parcel Number 11.3). (copy included)

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved the Board of Assessment Appeals hearing schedule for Wednesday, October 23, 2019 at 11:00 a.m. with Greylock Pipeline Projects, LLC and 1:00 p.m. with Pringle House LP. (copy included)

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved the request from Carol J. Smith to hire Sandra Williams as part-time Deputy County Clerk at the pay rate of \$10.50 per hour, effective September 30, 2019, pending background check. This is a part-time position not to exceed 1039 hours in a calendar year. (copy included)

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved the resignation of Hannah Ferguson, Monitor at Tri-County Visitation Center, effective September 26, 2019. (copy included)

After discussion, on motion by Kristie Tenney, seconded by Terry Cutright, the Commission approved the request from Bethany Kirchberg, Program Coordinator, Tri-County Visitation Center, for employment of Alison Wagner to Tri-County Child Exchange & Visitation Program staff at the pay rate of \$8.75 per hour, effective September 26, 2019, pending background check. Ms. Wagner will work no more than 19.0 hours per week. (copy included)

After discussion, on motion by Terry Cutright, seconded by Kristie Tenney, the Commission approved the request from Lindsey Woody, Manager, Adrian Public Service District, to appoint Carolyn Douglas to the Adrian Public Service District Board effective November 1, 2019. Ms. Douglas' term will expire on October 31, 2025. (copy included)

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

1. Assessor's Certificate of Compliance from Kent A. Leonhardt, Commissioner of Agriculture, regarding Dustin Zickefoose's completion of the Farm Census of 2019, satisfactorily complying with the requirements of the Farm Statistics Law and being eligible to receive compensation from the County Court according to Chapter 7, Article 7, Section 6C of the New Code of West Virginia.
2. Correspondence from Dawn Keller, Senior Regulatory Analyst for SWN Production Company LLC, enclosing the Maintenance Plan/Monitoring and Emergency Action Plan for the Upshur County Freshwater impoundments. The entire Plan is available for viewing at the Upshur County Office of Emergency Management.
3. Correspondence to Carroll and Elouise Chapman providing notice that the Upshur County Safe Structures and Sites Case Number 101118-01 for property in Warren Tax District – Tax Map 6B – Parcel Number 11 has been tabled until further notification.
4. Correspondence from Robert R. Rodecker, Attorney, Kay Casto and Chaney PLLC, regarding the interest of the County Commission in facilitating sewer service to residents and business establishments along U.S. Routes 33 and 48 west of the City of Buckhannon.
5. Correspondence from Thomas J. O'Neill, Buckhannon City Attorney, announcing that the Buckhannon Sanitary Board opposes the enlargement of the Tennerton Public Service District to the west of the City of Buckhannon's corporate limits.
6. Upshur County Sheriff's Financial Statement for period ending August 2019.

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7. Upshur County Mileage Reports – August 2019.
  - Upshur 911
  - Maintenance
  - Emergency Management
  - Sheriff
  - Addressing and Mapping
  - Community Corrections
  - Dog Pound
8. Public Notices:
  - a. Newsletters and/or Event Notifications: (none)
  - b. Agendas and/or Notice of Meetings: (none)
  - c. Meeting Minutes:
    - Upshur County Youth Camp August 15, 2019
    - Upshur County Fire Board, Inc. August 20, 2019
    - Upshur County Public Library Board August 21, 2019
  - d. Meetings:
    - 10/01/19-4:00 p.m.-Hodgesville PSD
    - 10/01/19-5:30 p.m.-Elkins Road PSD
    - 10/03/19-6:00 p.m.-Buckhannon-Upshur Board of Health
    - 10/03/19-7:00 p.m.-Banks District VFD
    - 10/03/19-7:00 p.m.-Selbyville VFD
    - 10/08/19-7:30 p.m.-Adrian VFD
    - 10/09/19-3:00 p.m.-Tennerton PSD
    - 10/09/19-6:00 p.m.-Buckhannon River Watershed Association - WVWC
    - 10/09/19-7:00 p.m.-Ellamore VFD
    - 10/09/19-7:00 p.m.-Warren District VFD
    - 10/10/19-10:00 a.m.-Adrian PSD
    - 10/10/19-3:00 p.m.-Upshur County Conventions & Visitors Bureau
    - 10/10/19-4:00 p.m.-Upshur County Safe Sites & Structures Enforcement Board
    - 10/10/19-4:00 p.m.-Buckhannon Upshur Airport Authority
    - 10/10/19-7:30 p.m.-Buckhannon VFD
    - 10/14/19-12:00 p.m.-Upshur County Family Resource Network
    - 10/14/19-4:30 p.m.-Upshur County Solid Waste Authority - CANCELLED
    - 10/14/19-5:30 p.m.-Buckhannon-Upshur Recreational Park Advisory Board
    - 10/14/19-6:00 p.m.-Lewis-Upshur Community Corrections Board-Lewis County
    - 10/15/19-10:00 a.m.-Wes-Mon-Ty Resource Conservation & Development Council
    - 10/15/19-6:30 p.m.-Upshur County Fire Board, Inc.
    - 10/16/19-12:00 p.m.-Upshur County Senior Center Board
    - 10/16/19-12:00 p.m.-Lewis Upshur LEPC - Lewis location
    - 10/16/19-4:00 p.m.-Upshur County Public Library Board
    - 10/16/19-7:00 p.m.-Upshur County Fire Fighters Association
    - 10/17/19-2:00 p.m.-Upshur County Farmland Protection Board
    - 10/17/19-6:30 p.m.-Upshur County Youth Camp Board
    - 10/20/19-6:00 p.m.-Washington District VFD
    - 10/21/19-12:00 p.m.-Buckhannon-Upshur Chamber of Commerce
    - 10/22/19-5:00 p.m.-UC Enhanced Emergency Telephone Advisory Board
    - 10/23/19-7:00 a.m.-Upshur County Development Authority - Full Board
    - 10/23/19-10:00 a.m.-James W. Curry Advisory Board
    - 10/28/19-10:00 a.m.-Mountain CAP of WV, Inc., a CDC
    - 12/13/19-11:00 a.m.-Region VI Local Elected Officials
9. Appointments Needed or Upcoming: (none)

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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):

- Donna Marcia Belisle - Final Settlement Waiver
- Donald Ray Corley - Final Settlement Waiver
- James Huffman Davis - Final Settlement Waiver
- James D Filbey - Final Settlement Waiver
- Dana Joyce Kochenour - Final Settlement Waiver
- Jessie V. Marsh - Second Annual Settlement
- Susan J. Osborn - Second Annual Settlement
- Shawn Douglas Tucker - Final Settlement Waiver

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

- Joseph David Hanline or Kacey Lorrain Hanline - #304884 - \$372.50 - Exoneration Order
- Burton J. Tenney - #309178 - \$65.93 - Exoneration Order
- Jerry Stalnaker - #600000165S - \$222.98 - Exoneration Order
- Alicia Bass - #300000013S - \$156.70 - Exoneration Order
- Michael W. & Janet C. Cutright - #14996 - \$431.85 - Exoneration Order
- Ronald R. Taylor - #26259 - \$175.12 - Exoneration Order
- Michael J. & Michaela M. McWhorter - #8317 - \$5.70 - Exoneration Order
- Michael J. & Michaela M. McWhorter - #8382 - \$5.70 - Exoneration Order
- Michael J. & Michaela M. McWhorter - #8364 - \$5.70 - Exoneration Order
- Michael J. & Michaela M. McWhorter - #8600 - \$5.70 - Exoneration Order
- Michael J. & Michaela M. McWhorter - #8318 - \$14.89 - Exoneration Order
- Michael J. & Michaela M. McWhorter - #8383 - \$14.89 - Exoneration Order
- Michael J. & Michaela M. McWhorter - #8365 - \$14.89 - Exoneration Order
- Michael J. & Michaela M. McWhorter - #8601 - \$14.89 - Exoneration Order
- Michael J. & Michaela M. McWhorter - #8319 - \$27.50 - Exoneration Order
- Michael J. & Michaela M. McWhorter - #8384 - \$27.50 - Exoneration Order
- Michael J. & Michaela M. McWhorter - #8366 - \$27.50 - Exoneration Order
- Michael J. & Michaela M. McWhorter - #8602 - \$27.50 - Exoneration Order
- Wagoner Jeromy or Ringer Adam - #700000211S - \$52.26 - Exoneration Order
- Berry Thoms Paul - #700000206S - \$258.98 - Exoneration Order
- Berry Thoms Paul - #700000205S - \$106.64 - Exoneration Order
- Daisy Lou Miller - #300000345S - \$32.60 - Exoneration Order
- Thomas G. & Grace G. Lynch - Thomas G. & Grace G. Lynch - Thomas G. & Grace G. Lynch - #3242 - Apportionment/Split

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). Case remains open in Magistrate Court.

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.

With no further business, on motion by Kristie Tenney, seconded by Terry Cutright the Commission meeting adjourned at 12:20 p.m.