

## Upshur County Commission Meeting Agenda

Agenda packets are available electronically at [http://www.upshurcounty.org/agenda\\_and\\_minutes/index.php](http://www.upshurcounty.org/agenda_and_minutes/index.php) or by request to the Upshur County Commission Office at 304-472-0535

Location: Upshur County Courthouse Annex  
If you prefer to participate by telephone, please dial 1-408-650-3123 Access Code: 272 564 045 to enter the conference call

Date of Meeting: January 20, 2022

9:00 a.m. Moment of Silent Meditation --- Pledge of Allegiance  
Approval of Minutes:  
• January 13, 2022

9:30 a.m. Discuss potential property acquisition  
*Item may lead to Executive Session per WV Code §6-9A-4*

### Items for Discussion / Action / Approval:

1. Approval and signature of correspondence to Andrea Hull and Larry W. Brown regarding compliance with the Upshur County Building Permit Ordinance and Upshur County Floodplain Ordinance for the property originally discussed during the August 13, 2020 Commission Meeting. \* Page 4
2. Consider resignation or termination of employee. \*  
*Item may lead to Executive Session per WV Code §6-9A-4 (A)* Under separate cover
3. Approve Invoices for Payment, Purchase Card Invoices for Payment, Budget Revisions / Financial Reports or Information, Correction of Erroneous Assessments, Exonerations/Refunds, Grant Updates / Requests for Reimbursements, Final Settlements, Vacation Orders, Consolidation of Land Tracts, Facility Maintenance Concerns or Updates, Road Name Requests, Project Reports / Updates, Request to Attend Meetings, Request for Day(s) Off, Remote Work Request(s).

### For Your Information:

**(Certain Items May Require Discussion, Action and/or Approval by the Commission)**

1. Correspondence from Governor Jim Justice declaring a state of preparedness for all 55 counties Pages 5-6
2. NACo Prescription Drug Discount Card Program breakdown from January 2021 to December, 2021 Page 7
3. Public Notices:
  - a) Newsletters and/or Event Notifications:
  - b) Agendas and/or Notice of Meetings:
 

• Upshur County Family Resource Network	January 10, 2022	Page 8
• Buckhannon-Upshur Airport Authority	January 10, 2022	Page 9
• Upshur County Farmland Protection Board	January 20, 2022	Page 10
• City Council of Buckhannon	January 20, 2022	Page 11

## Meeting Minutes:

• Tennerton Public Service District	December 8, 2021	<a href="#">Page 12</a>
• Upshur County Solid Waste Authority	December 13, 2021	<a href="#">Pages 13-14</a>
• Upshur County Safe Structures & Sites Enforcement Board	December 16, 2021	<a href="#">Pages 15-16</a>

## c) Meetings:

• 01/04/22 5:00 p.m.	Elkins Road PSD
• 01/04/22 4:00 p.m.	Hodgesville PSD
• 01/06/22 7:00 p.m.	Banks District VFD
• 01/06/22 7:00 p.m.	City Council of Buckhannon
• 01/06/22 7:00 p.m.	Selbyville VFD
• 01/10/22 12:00 p.m.	Upshur County Family Resource Network
• 01/10/22 4:30 p.m.	Upshur County Solid Waste Authority
• 01/10/22 5:30 p.m.	Buckhannon-Upshur Recreational Park Advisory Board
• 02/07/22 6:00 p.m.	Lewis-Upshur Community Corrections Board – Upshur Co
• 01/11/22 7:30 p.m.	Adrian VFD
• 01/06/22 6:00 p.m.	Buckhannon-Upshur Board of Health
• 01/11/22 7:00 a.m.	Upshur County Development Authority – Full Board
• 01/11/22 12:00 p.m.	Upshur County Senior Center Board
• 01/12/22 3:00 p.m.	Upshur County Conventions & Visitors Bureau
• 01/11/22 7:00 p.m.	Warren District VFD
• 01/06/22 3:00 p.m.	Adrian PSD
• 01/12/22 3:00 p.m.	Tennerton PSD
• 01/13/22 3:00 p.m.	Upshur County Safe Sites & Structures Enforcement Board
• 01/13/22 7:30 p.m.	Buckhannon VFD
• 01/10/22 4:00 p.m.	Buckhannon Upshur Airport Authority
• 01/20/22 6:30 p.m.	Upshur County Youth Camp Board
• 01/09/22 6:00 p.m.	Washington District VFD
• 01/12/22 12:00 p.m.	Buckhannon-Upshur Chamber of Commerce
• 01/19/22 4:00 p.m.	Upshur County Public Library Board
• 01/21/22 10:00 a.m.	Wes-Mon-Ty Resource Conservation & Development Council
• 01/18/22 6:30 p.m.	Upshur County Fire Board, Inc.
• 01/25/22 3:00 p.m.	UC Enhanced Emergency Telephone Advisory Board
• 01/12/22 7:00 p.m.	Ellamore VFD
• 01/19/22 12:00 p.m.	Lewis Upshur LEPC – Upshur Co.
• 01/20/22 6:00 p.m.	Upshur County Farmland Protection Board
• 01/26/22 7:00 p.m.	Upshur County Fire Fighters Association
• 01/12/22 6:00 p.m.	Buckhannon River Watershed Association - Farm Bureau
• 01/24/22 12:00 p.m.	Region VII Planning and Development Council

## 4. Appointments Needed or Upcoming:

None

\*\*\*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 St., Suite 101, Buckhannon, WV 26201 or [trperry@upshurcounty.org](mailto: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. \*\*\*

Newsletters and/or Event Notifications, Agendas and/or Notices of Meetings, Meeting Minutes and Scheduled Meetings can all be found by visiting: [http://www.upshurcounty.org/agenda\\_and\\_minutes/index.php](http://www.upshurcounty.org/agenda_and_minutes/index.php)

**Tabled Items**

**(Certain Items May Require Discussion, Action and/or Approval by the Commission)**

1. Upshur County Safe Structures and Sites Enforcement Board Petition for Order filed December 16, 2021 – Case Number 070821-02 (Banks Tax District – Tax Map 4 – Parcel Number 2) **(tabled 1.13.2022 meeting)**
2. Discuss the Procedure to Dispatch Wrecker Services amended on August 26, 2021 and potential changes.\* **(tabled 1.13.2022 meeting)**

The Upshur County Commission will meet as the Board of Canvassers on  
Friday January 21, 2022 at 9am  
in the County Clerk's Hallway

Next Regular Meeting of the Upshur County Commission  
January 27, 2022 --- 9:00 a.m.  
Upshur County Courthouse Annex

UPSHUR COUNTY COMMISSION  
Upshur County Administrative Annex  
91 West Main Street, Suite 101 • Buckhannon, West Virginia 26201  
*Equal Opportunity Employer (EOE)*

Telephone: (304) 472-0535  
Telecopier: (304) 473-2802

TDD Numbers  
Business: 472-9550  
Emergency: 911

January 20, 2022

Andrea Hull  
2329 Hackers Creek Rd  
Philippi, WV 26416

Re: Property located in Banks District, Tax Map 5T, Parcel 24

Dear Ms. Hull:

Per correspondence dated December 2, 2021 and after a site visit on January 5, 2022, the Upshur County Commission would like to thank you for your cooperation in bringing the above referenced property into compliance with the Upshur County Building Permit and Floodplain Ordinances. The Upshur County Commission Office considers this compliance case closed.

If you have any questions, please feel free to contact the office at 304.472.0535.

Sincerely,

Kristie G. Tenney  
Commission President

CC: Larry Brown

**STATE OF WEST VIRGINIA**

**EXECUTIVE DEPARTMENT**

At Charleston

**A PROCLAMATION**

By the Governor

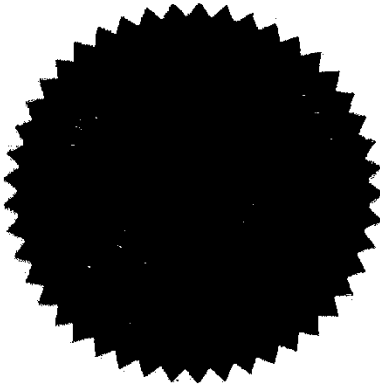
**WHEREAS**, beginning on or about the 12th day of January, Two Thousand Twenty-Two, developing weather patterns prompted the National Weather Service to commence prediction of a significant winter storm event that is likely to impact West Virginia; and

**WHEREAS**, the National Weather Service predicts potentially heavy precipitation throughout the weekend and into the coming week, causing a threat to the health, safety, welfare, and property of the citizens of West Virginia; and

**WHEREAS**, it has been deemed necessary and beneficial to declare a State of Preparedness, pursuant to West Virginia Code § 15-5-6, for all 55 counties of the State of West Virginia to prepare for such adverse conditions; and

**NOW, THEREFORE, I, JIM JUSTICE**, by virtue of the authority vested in me as the Governor of the State of West Virginia, and in view of the foregoing, do hereby **FIND AND DECLARE** that a State of Preparedness exists and continues throughout all 55 counties of West Virginia, said State of Preparedness to remain in effect for thirty days unless terminated by subsequent Proclamation. In response to this State of Preparedness, I have **INVOKED** the emergency powers set forth in West Virginia Code § 15-5-6; **UTILIZED** the Emergency Operations Plan, as necessary; **ORDERED** appropriate personnel and resources to prepare to mobilize and respond to any emergency that may develop; and **DELEGATED** certain administrative powers to the Director of the West Virginia Emergency Management Division, as necessary, to facilitate the provision of essential emergency services.

IN WITNESS WHEREOF, I have herunto set my hand and caused the Great Seal of  
the State of West Virginia to be affixed.



DONE at the Capitol in the City of  
Charleston, State of West Virginia, this 14<sup>th</sup>  
day of January, in the Year of our Lord, Two  
Thousand Twenty-Two, in the One Hundred  
Fifty-Ninth Year of the State.

  
GOVERNOR

By the State

  
SECRETARY OF STATE



Month	County	Plan	Priced Rx	Member Rx Cost	Member Rx Cost	Avg. Member Rx Cost	Retail Submitted Price	Avg. Retail Submitted Price	Price Savings	Avg. Price Savings	% Price Savings	Total Utilizers				
JANUARY 2021	WV, UPSHUR COUNTY	2	\$	50.78	\$	25.39	\$	81.59	\$	40.80	\$	30.81	\$	15.41	38%	2
FEBRUARY 2021	WV, UPSHUR COUNTY	0	\$	37.99	\$	19.00	\$	37.99	\$	19.00	\$	-	\$	-	0%	2
MARCH 2021	WV, UPSHUR COUNTY	1	\$	48.68	\$	24.34	\$	51.55	\$	25.78	\$	2.87	\$	1.44	6%	2
APRIL 2021	WV, UPSHUR COUNTY	4	\$	144.03	\$	28.81	\$	253.63	\$	50.73	\$	109.60	\$	21.92	43%	2
MAY 2021	WV, UPSHUR COUNTY	0	\$	10.00	\$	10.00	\$	10.00	\$	10.00	\$	-	\$	-	0%	1
JUNE 2021	WV, UPSHUR COUNTY	2	\$	144.99	\$	29.00	\$	168.53	\$	33.71	\$	23.54	\$	4.71	14%	1
JULY 2021	WV, UPSHUR COUNTY	7	\$	135.47	\$	19.35	\$	196.93	\$	28.13	\$	61.46	\$	8.78	31%	4
AUGUST 2021	WV, UPSHUR COUNTY	5	\$	50.34	\$	10.07	\$	92.18	\$	18.44	\$	41.84	\$	8.37	45%	2
SEPTEMBER 2021	WV, UPSHUR COUNTY	1	\$	10.00	\$	10.00	\$	10.00	\$	10.00	\$	-	\$	-	0%	1
OCTOBER 2021	WV, UPSHUR COUNTY	5	\$	94.78	\$	18.96	\$	154.89	\$	30.98	\$	60.11	\$	12.02	39%	1
NOVEMBER 2021	WV, UPSHUR COUNTY	6	\$	196.67	\$	32.78	\$	272.44	\$	45.41	\$	75.77	\$	12.63	28%	2
DECEMBER 2021	WV, UPSHUR COUNTY	4	\$	69.60	\$	17.40	\$	121.22	\$	30.31	\$	51.62	\$	12.91	43%	2



PO Box 2115 / 79 East Main Street, Buckhannon, WV 26201  
(304) 473.1051 upshurfrn@yahoo.com

### **UCFRN General Membership Meeting ~ Zoom**

*January 10, 2022 12:00 PM*

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#### **Agenda Topics**

- Introduction and opening prayer
- Updates:
  - Helped Band of Brothers and Upshur County Schools connect for Christmas project
  - Received a donation from Band of Brothers to help a few other children for Christmas as well
  - Great Healthy Grandfamilies session - will be starting again in March – please help spread info
  - No baby shower in March – will decide new date at PIP meeting
- Speaker:
  - Jami Stewart – Home Ownership Center of West Virginia
- Any other information Lori or board forgot
- Information Sharing

Next meeting Monday, February 14, 2022 at 12:00pm - Zoom



***Buckhannon-Upshur Airport Authority Agenda***  
***Buckhannon-Upshur Airport Authority–W22 Upshur Regional Airport Terminal***  
***Building as well as Virtually via Telephony or ZOOM <sup>1</sup>***  
***Monday, January 10, 2022 at 4:00 pm***

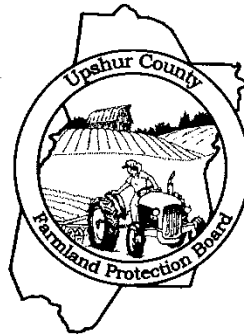
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- A. Call to order
- B. Recognized guests and public comment period
- C. Officer/Committee/Consultant Reports:
  - President's Report – Tom O'Neill
  - Treasurer's Report – Phil Loftis, Treasurer
    - Display and video conferencing equipment options for conference room
    - Path forward for self-serve credit card processing
    - Sage 50 subscription renewal is due at a cost of \$1,747.00 annually to be paid in twelve monthly installments
  - Secretary's Report – Brian Huffman, Secretary
  - Engineering Reports – Chapman Technical
  - Operations – Jamie Wilt, Jennifer Powers
    - Jamie**
      - Fence clearing contract status. J&N are inquiring about a start date.
      - Discussion about t-hangar access road
    - Jenny**
      - Rotary would like to visit the airport on March 22, 2022 around noon. We will need a volunteer to speak and give a tour to the group.
- D. Consent Agenda:
  - Approval of Minutes
  - Approval of Treasurer's Report
  - Authorization for payment of the bills
- E. Items Removed from the Consent Agenda for discussion and vote:
- F. Old Business:
  - Hangar space requests/applications/updates
  - Fuel Discount Schedule for Jet-A (review/approval/discussion)
- G. New Business:
- H. Board Member Comments and Announcements
- I. Adjournment

Notice: This (and possible future meetings) are being held using a conference call and the electronic application 'Zoom'. Should you desire to attend this meeting electronically you will need to contact the Authority ([treasurer@flyw22.com](mailto:treasurer@flyw22.com) or 304-613-9321) at least one hour prior to the meeting to gain the necessary information to join the meeting. All meetings of the Authority are open to the public and shall return to the Airport facilities when deemed safe for all participants. Thank you for your understanding.

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<sup>1</sup> Due to Covid-19 concerns and per WV Code 6-9A-2(5) "Meeting" means the convening of a governing body of a public agency for which a quorum is required in order to make a decision or to deliberate toward a decision on any matter which results in an official action. Meetings may be held by telephone conference or other electronic means.



**Notice of Special Meeting  
Upshur County Farmland Protection Board**

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Location: Upshur County Administrative Annex  
91 W Main Street, Suite 101  
Buckhannon, WV 26201  
Date: January 20, 2022  
Time: 6:00 p.m.

**AGENDA**

CALL MEETING TO ORDER / ROLL CALL

PUBLIC QUESTIONS / COMMENT PERIOD

APPROVAL OF MINUTES: December 2021

BUSINESS ITEMS – Discussion/Update/Action

- Queen easement – Status update:
  - Update on next step
- FY22 Applications for Funding Consideration

FINANCIAL MATTERS – Discussion/Update/Action

- Financial Report- Financial Spreadsheet
  - o Payment of Bills /Invoices -Turtley For You Consulting, Saddleback Services, etc

OTHER BUSINESS –

DATE OF NEXT MEETING –

ADJOURNMENT

**City Council of Buckhannon – 7:00 pm in Council Chambers  
Meeting Agenda for Thursday, January 20, 2022**

Channel 3 is Live Streaming our City Council Meetings at <https://www.facebook.com/ch3buckhannon/> Please send public comments to [buckhannon@buckhannonwv.org](mailto:buckhannon@buckhannonwv.org) via email or drop them in the mail, or drop box behind City Hall.

Please join the meeting from your computer, tablet or smartphone <https://global.gotomeeting.com/join/804282709>

You can also dial in using your phone United States: [+1 \(872\) 240-3212](tel:+18722403212) Access Code: 804-282-709

**A. Call to Order**

- A.1 Moment of Silence
- A.2 Pledge to the Flag of the United States of America

**B. Recognized Guests**

- B.1 County Roads Transit-Executive Director Laura Ward
- B.2 Upshur County Development Authority-Executive Director Jennifer M. Tanner-Bostian, MBA
- B.3 City Horticulturist Dixie Green

**C. Department & Board Reports**

- C.1 Public Works Director- Jerry Arnold
- C.2 Finance Director- Amberle Jenkins
- C.3 Police Chief- Matthew Gregory
- C.4 City Attorney- Tom O'Neill

**D. Correspondence & Information**

- D.1 Notice/Update from Altice USA RE: Suddenlink/Nexstar Local Cable Programming Negotiations
- D.2 Charles Gibson Library Director's Report January 2022

**E. Consent Agenda**

- E.1 Approval of Minutes -Regular Meeting 01/06/22
- E.2 Approval of Building and Wiring Permits
- E.3 Approval of Payment of the Bills

**F. Strategic Issues for Discussion and/or Vote**

- F.1 County Roads Transit-Annual Report & Request Continued Funding
- F.2 UCDA Request Letter of Support for Grant Application to the State of WV Broadband Investment Plan's "Major Broadband Project Strategies" Program
- F.3 Approval to Accept Agreement with PublicWorks1-Municipal Pavement/ Street Assessment Management Solutions
- F.4 Approval to Accept the Recommendation from the Technology Committee to select Suddenlink as Fiber Internet Provider
- F.5 Upshur County Firefighters Association Invitation to Attend Meeting on 01/26/22
- F.6 Discussion/Possible Action Draft Ordinance No. 454 Parade Route Parking Plan
- F.7 Discussion/Possible Action Property Purchase 10 East Lincoln Street

**G. Comments and Announcements**

- G.1 Pamela Bucklew
- G.2 C J Rylands
- G.3 David Thomas
- G.4 Jack Reger
- G.5 Shelia Lewis-Sines
- G.6 Randall Sanders

**H. Mayor's Comments and Announcements**

**I. Adjournment**

Posted 01/14/2022

Next Regular Scheduled City Council Meeting Thursday, February 3, 2022

Tennerton Public Service District  
Monthly Meeting  
December 8, 2021

The regular monthly meeting of the Tennerton Public Service District was held at the district office at 188 Fayette Street, Buckhannon West Virginia on Wednesday December 8, 2021

In attendance were Joe Tenney, John Barnes, Terry Gould, and Vickie Dean.

The meeting was called to order promptly at 2:00 pm by Joe Tenney chairman. The minutes of the previous meeting held on November 10, 2021 were read, there being no corrections or additions, motion to approve was made by Joe Tenney, seconded by John Barnes.

Terry Gould presented the monthly financial reports and the bills to be paid. A motion to pay the invoices was made by Joe Tenney and seconded by John Barnes.

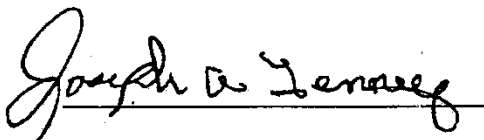
The board reviewed and approved the previous month's credit memos. No shutoffs this month.

Terry Gould reported on the following:

- Kroger Fuel has offered to do their own tap. They have been very cooperative. The tap is done, and I have done the inspection.
- We have not received any tear down of house notice from the eye doctor in Tennerton.
- NPDES Report have been completed. It has been accepted. Permit # has been issued.
- Non-lawyer Right of way agreement from Robert Rowland to Stephen Morgan has been recorded.
- There was a major problem on the Tallmansville Road / Colony Oaks / East Side. Both pumps went down. It was an electronic problem. Marteney took care of the problem before there was an overflow.

There being no other business to discuss, motion was made by Joe Tenney to adjourn and seconded by John Barnes.

Approved

A handwritten signature in cursive script, reading "Joseph A. Tenney", is written over a horizontal line.

**Upshur County Solid Waste Authority**  
**Board of Directors Meeting**  
**MINUTES**  
**December 13, 2021**

Chair Joyce Harris-Thacker called the regularly scheduled meeting of the Upshur County Solid Waste Authority to order in the Conference Room of the UCSWA (located at 380 Mudlick Road, Suite 102, Buckhannon, WV 26201) at 4:37 p.m. on December 13, 2021.

Present at the meeting were: Joyce Harris-Thacker, James S. "Jay" Hollen, III, Jackie McDaniels, Paula Stone, Mary Gower and Director Belinda Lewis. A quorum was present. There were no guests present.

Minutes of the September 13<sup>th</sup> and November 8<sup>th</sup> meetings had previously been sent to the members prior to the December meeting. A motion to accept both the September 13<sup>th</sup> and November 8<sup>th</sup> minutes was made by Jay and seconded by Paula. Motion carried.

The Financial Reports for November were presented by the Treasurer, Jay. Register Reports for the four bank accounts with First Community Bank covering November 2021 were presented. The ending balances for the accounts are as follows:

	<u>October</u>	<u>November</u>
• REAP Account	\$ 100.00	\$ 100.00
• SWMB Account	\$ 10,600.00	\$ 10,530.00
• Money Mkt Account	\$ 19,568.07	\$ 19,568.55
• Operating Account	\$ 21,955.44	\$ 19,937.83

A motion to accept by Jackie and seconded by Mary. Motion carried.

**Director's Report:**

Belinda Lewis presented a written copy of the Director's Report for the period from November 9 through December 13, 2021, a copy of which is attached as part of the minutes. She talked about her continued efforts on the five year update of the Upshur County Comprehensive Litter and Solid Waste Control Plan, the time she spent obtaining quotes for the curbside recycling bins and tracking down bank statements from First Community when they were not received in the mail.

**Old Business:**

• **SWMB Budget Reallocation Request**

Due to the AWVSWA Conference being cancelled in October, it is necessary for the UCSWA to request reallocation of these funds in the SWMB Grant. Jackie made a motion to request a budget reallocation in the amount of \$1,400; taking that amount from the Conference line item and placing it in the April Make It Shine line item to purchase curbside recycling bins. This motion also authorized Chair Joyce Harris-Thacker to sign the Resolution requesting this change in funding. The motion was seconded by Jay. Motion carried.

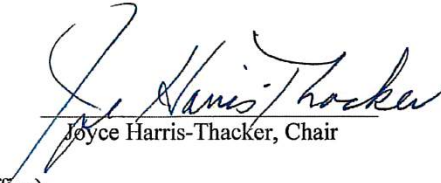
- **Upshur County Comprehensive Litter and Solid Waste Control Plan Five Year Update**  
Belinda reported that the second public hearing will be held on Monday, December 20, 2021 at 12:30 p.m.

With no further business, the meeting adjourned at 4:55 p.m.

Respectfully Submitted,



Belinda Lewis, Director  
December 13, 2021



Joyce Harris-Thacker, Chair

(Signature Copy to be maintained in the UCSWA Office)



UPSHUR COUNTY SAFE STRUCTURES AND SITES  
ENFORCEMENT BOARD

December 16, 2021

**Members Present:** Greg Harris, Chris Alkire, Chris Cook

**Members Absent:** Rick Harlow, Chris Garrett

**Others Present:** None

The meeting was called to order at 3:00 p.m. by Greg Harris.

The November 10, 2021 meeting minutes were reviewed. On motion by Chris Cook, seconded by Chris Alkire, the meeting minutes were approved as presented.

**The Enforcement Board reviewed the following cases:**

021121-01 (Chapman) No action taken. Case is pending until state action has reached its conclusion. No new updates on same.

070821-01 (David Miller) No action by the owner in response to Board's grant of a second extension. On motion by Chris Alkire, seconded by Chris Cook, the Board moved to file a Petition for Order before the Upshur County Commission.

111021-01 (Hughes) Greg Harris informed the Board that the property was being purchased by Teddy Heater under a land contract. On motion by Chris Alkire, seconded by Chris Cook, the Board gave the owner ~~this first extension~~ until March 9, 2022 to bring the property into compliance.

*A Required Action date ↑*

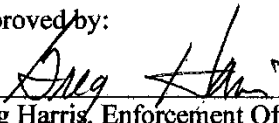
No new cases were brought before the Board.

**Other Business:**

The next meeting will be held on Thursday, January 13, 2022 at 3:00 p.m. in the Upshur County Commission Administrative Annex, 91 West Main Street, Suite 101, Buckhannon, WV.

By consensus of the Board, the meeting was adjourned at 3:15 p.m.

Approved by:

  
Greg Harris, Enforcement Officer

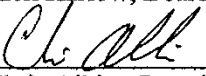
01-13-22  
Date

Chris Garrett, Board Member

          
Date

Rick Harlow, Board Member

          
Date

  
Chris Alkire, Board Member

1-13-22  
Date

  
Chris Cook, Board Member

1-13-22  
Date