

UPSHUR COUNTY COMMISSION MEETING

January 28, 2021

The County Commission of Upshur County, West Virginia, held their regular meeting on Thursday, January 28, 2021 at 9:00 a.m. Kristie Tenney called the meeting to order. Present were: Terry B. Cutright, Commissioner; Samuel R. Nolte, Commissioner; Kristie G. Tenney, Commissioner; Carol J. Smith, County Clerk; Carrie L. Wallace, County Administrator; Tabatha R. Perry, Assistant 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.

Kristie Tenney reviewed scheduled appointments and agenda items.

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved the regular meeting minutes of January 21, 2021, as submitted.

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved the recommended Extension of Time to File the First Annual Accounting for the Estate of Sandra Dean Holmes, deceased. Carol Smith explained that Daya Masada Wright, Fiduciary Commissioner, has requested this extension. (copy included)

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved and authorized the President to sign correspondence to Andrea Hull and Larry W. Brown regarding requirements of the Upshur County Building Permit Ordinance and Upshur County Floodplain Ordinance for the property discussed during the August 13, 2020 Commission meeting. (copy included)

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved the "Requests for Bids" and Minimum Vehicle Specifications for one 2021 Special Service Vehicle. Sealed Proposals must be received no later than 4:00 p.m. on February 22, 2021 at the Administrative Annex located at 91 W. Main Street, Suite 101. Proposals received by the deadline will be publicly opened, reviewed and read aloud by the Commission at 9:15 a.m. on Thursday, February 25, 2021. (copy included)

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the signature of the Purchase Agreement for a 2021 Dodge Charger Police AWD in the amount of \$29,412 from Stephen's Auto was denied. Carrie Wallace explained that beginning in 2021, police cruisers will not be included on the State Bid; therefore, a Request for Proposals will be included on next week's agenda.

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved the request from Cheyenne Troxell, 26th Judicial Circuit Community Corrections Day Report Center Program Director, for the employment of Linda Barnhouse as full-time Case Manager for the Lewis County office, effective January 31, 2021. Carol Smith administered the Oath of Office to Linda Barnhouse. (copy included)

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved the Retirement of Employee.

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved the request from Jan Cochran, Lewis-Upshur Animal Control Facility Director, to change Christy Riffle's employment status from "part-time" to "full-time", effective January 31, 2021. Carol Smith administered the Oath of Office to Christy Riffle. (copy included)

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved the request for the advertisement for a part-time position at the Lewis-Upshur Animal Control Facility. Applications must be received by 4:00 p.m. on February 8, 2021. (copy included)

Kristie Tenney reviewed the following "For Your Information" items: (copy included)

1. Correspondence to the WV Division of Culture and History and WV Commission on the Arts expressing the Commission's support of the Upshur County Board of Education's Cultural Facilities and Capital Resources grant application for funds to be utilized to upgrade the Buckhannon-Upshur High School sound system.
2. NACo Prescription Drug Discount Card Program breakdown from 2005 to November, 2020
3. Administrative Order entered by 26th Judicial Circuit Chief Judge Reger appointing Paul Mark Davis as Division I Magistrate of Upshur County to fill the vacancy created by J. Michael Coffman.
4. Administrative Order entered by 26th Judicial Circuit Chief Judge Reger appointing Alan M. Suder as Division II Magistrate of Upshur County to fill the vacancy created by Glenda "Kay" Hurst.
5. Upshur County Sheriff's Settlement and Reconciliation of Cash – December 31, 2020

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6. Upshur County Mileage Reports – December 2020
 - Upshur 911
 - Maintenance
 - Emergency Management
 - Sheriff
 - Addressing and Mapping
 - Community Corrections
 - Dog Pound
7. Lewis-Upshur Animal Control Facility Reports for the month of December, 2020
 - Adoption Financial Transactions
 - Cat Report
 - Animal Report
 - Animal Control/Humane Officer Animal Report
8. Public Notices:
 - Newsletters and/or Event Notifications: (none)
 - National Association of Counties – “I Love My County Because” Art Contest – submissions due May 31, 2021
 - Agendas and/or Notice of Meetings:
 - Buckhannon-Upshur Airport Authority January 25, 2021
 - Meeting Minutes:
 - Upshur County Youth Camp November 19, 2020
 - Upshur County Solid Waste Authority December 14, 2020
 - Upshur County Fire Board December 15, 2020
 - Meetings:
 - 02/02/21-4:00 p.m.-Hodgesville PSD
 - 02/02/21-5:00 p.m.-Elkins Road PSD
 - 02/04/21-3:00 p.m.-Adrian PSD
 - 02/04/21-6:00 p.m.-Buckhannon-Upshur Board of Health
 - 02/04/21-7:00 p.m.-Banks District VFD
 - 02/04/21-7:00 p.m.-City Council of Buckhannon
 - 02/04/21-7:00 p.m.-Selbyville VFD
 - 02/08/21-12:00 p.m.-Upshur County Family Resource Network
 - 02/08/21-4:00 p.m.-Buckhannon Upshur Airport Authority
 - 02/08/21-4:30 p.m.-Upshur County Solid Waste Authority
 - 02/08/21-5:30 p.m.-Buckhannon-Upshur Recreational Park Advisory Board
 - 02/09/21-7:00 p.m.-Warren District VFD
 - 02/09/21-7:30 p.m.-Adrian VFD
 - 02/10/21-12:00 p.m.-Upshur County Senior Center Board
 - 02/10/21-1:15 p.m.-Upshur County Farmland Protection Board
 - 02/10/21-3:00 p.m.-Upshur County Conventions & Visitors Bureau
 - 02/10/21-3:00 p.m.-Tennerton PSD
 - 02/10/21-6:00 p.m.-Buckhannon River Watershed Association – Farm Bureau
 - 02/10/21-7:00 p.m.-Ellamore VFD
 - 02/11/21-3:00 p.m.-Upshur County Safe Sites & Structures Enforcement Board
 - 02/11/21-7:30 p.m.-Buckhannon VFD
 - 02/14/21-6:00 p.m.-Washington District VFD
 - 02/15/21-12:00 p.m.-Buckhannon-Upshur Chamber of Commerce
 - 02/17/21-7:00 a.m.-Upshur County Development Authority – Executive Board
 - 02/17/21-12:00 p.m.-Lewis Upshur LEPC
 - 02/17/21-4:00 p.m.-Upshur County Public Library Board
 - 02/18/21-6:30 p.m.-Upshur County Youth Camp Board
 - 02/19/21-10:00 a.m.-Wes-Mon-Ty Resource Conservation & Development Council
 - 02/22/21-10:00 a.m.- Mountain CAP of WV, Inc.
 - 02/22/21-12:00 p.m.-Region VII Planning and Development Council

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- 02/22/21-7:00 p.m.-Upshur County Fire Fighters Association
- 02/23/21-5:00 p.m.-UC Enhanced Emergency Telephone Advisory Board
- 02/23/21-6:30 p.m.-Upshur County Fire Board, Inc.
- 03/08/21-6:00 p.m.-Lewis-Upshur Community Corrections Board-Upshur County

9. Appointments Needed or Upcoming:

- Upshur County Fire Board, Inc. (Linn Baxa-6/30/2020) - Fire Association Representative
- Buckhannon-Upshur Airport Authority (unexpired term - 6/30/2021) - City Representative

****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.****

10. Board of Review & Equalization Meeting Schedule

- 01/28//2021 1:00 p.m. – 3:00 p.m. No appointments – Review Property Books
- 02/03/2021 1:00 p.m. – 3:00 p.m.
- 02/09/2021 9:00 a.m. – 11:00 a.m. Coal, Oil & Gas and Industrial Appointments
- 02/16/2021 9:00 a.m. – 11:00 a.m. Adjournment

Tabled items:

1. Consider request made by Julia Kastner on behalf of the Upshur County Trails Volunteer Group to utilize a portion of the Upshur County Recreational Park for progressive bike drops (January 28, 2021). Ms. Kastner joined the meeting by teleconference. Tabatha Perry explained that per John McGarrity, the bike drops would be considered an enhancement rather than a modification. Therefore, approval from the Land & Water Conservation Fund was not necessary. Michael Rezac, WVCoRP, will provide information as to where the “risk signs” should be placed. After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved moving forward with this project.

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)

- W. Kathryn Boyles Carpenter – Final Settlement Waiver
- Rose G. Hicks Elbon – Final Settlement Waiver
- Loring Gabriel Eskew – Final Settlement Waiver
- Stephen Carl Hinzman, Sr. – Final Settlement Waiver
- Jeffrey A. McDaniels – Final Settlement Waiver
- Billee Scott Mick – Final Settlement Waiver
- Bernadette Marie Miller – Final Settlement Waiver
- Phillip A. Riggs – Final Settlement Waiver

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

The Commission approved the following Corrections, Exonerations and/or Refunds: (none)

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

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

The Commission received project updates and reviewed administrative business items.

At 9:15 a.m., Sheriff Virgil D. Miller discussed upcoming Tax Deputy retirement and replacement timeline and asked for an Executive Session per WV Code §6-9A-4. On motion by Terry Cutright, seconded by Sam Nolte the Commission entered Executive Session at 9:16 am. On motion by Terry Cutright, seconded by Sam Nolte, the Commission exited Executive Session at 9:30 am. No decision was made during Executive Session. After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved the request by Sheriff Virgil D. Miller for an advertisement for a full-time Tax Deputy. Applications are due no later than close of business on February 15, 2021. (copy included)

At 9:45 a.m., Leah Smith, NECCO Foster Care Recruiter, discussed the need for open foster homes in West Virginia. Mrs. Smith presented statistics regarding increased need over the last few years for host families due to drug and alcohol abuse and directed those who were considering opening their homes to foster children to visit www.necco.org for more information

After motion by Sam Nolte, seconded by Terry Cutright, the meeting recessed at 11:20 a.m.

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The Commission reconvened at 1:00 p.m. for the Board of Review and Equalization to Review Property Books at the Administrative Annex.

The hearing scheduled for 3:00 p.m., for the Commission to consider the request from Travis Riggs to remove Linda K. Wygal as Administratrix with the Will Annexed of the Estate of Mark Riggs, deceased, was cancelled by the Counsel for Travis Riggs.

The Commission received project updates and reviewed administrative business items.

With no further business, on motion by Terry Cutright, seconded by Sam Nolte , the Commission meeting adjourned at 4:00 p.m.