

# UPSHUR COUNTY COMMISSION MEETING

July 29, 2021

The County Commission of Upshur County, West Virginia, held their regular meeting on Thursday, July 29, 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.

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved the regular meeting minutes of July 15, 2021, and special meeting minutes of July 20, 2021, as submitted.

Kristie Tenney reviewed scheduled appointments and agenda items.

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved the request from Judith L. Williams, Director of James W. Curry Public Library, for approval of the expenditure of \$175 payable to Skateland for rink rental on August 10<sup>th</sup>. This is for the grand finale event for the "Tails and Tales" 2021 summer reading program. (copy included)

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved and authorized the President to sign the WVDOH MM-109 Right-of-Way Encroachment Permit Application for the Middlefork River Boat launch area. Carrie Wallace explained that this request was for additional gravel and a kiosk. (copy included)

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved and authorized the President to sign the U.S. Department of Housing and Urban Development Office Section 3 Summary Report and Annual Reporting Form for period July 1, 2020 to June 30, 2021. This reporting is a requirement of the Community Development Block Grant which funds the Elkins Road PSD Phase III Water Extension Project. (copy included)

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved and authorized the President to sign a Proposal for Financing provided by Country Roads Leasing, LLC and Resolution Authorizing the Execution and Delivery of a Master Lease Equipment Lease-Purchase Agreement, and Related Instruments, and Determining Other Matters in Connection Therewith. The tax-exempt lease-purchase financing for the acquisition of a 2021 Dodge Charger will cost seven thousand seven hundred five dollars and eighty-nine cents (\$7,705.89) annually over a period of four years resulting in a total acquisition cost of thirty thousand eight hundred twenty-three dollars and fifty-six cents (\$30,823.56). Carrie Wallace explained that two vehicles had previously been approved and ordered but will not be delivered until FY22. This cost is for the vehicles only and does not include lights and other accessories. (copy included)

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved correspondence from Joseph Armstrong, WV Court Security Board Chairperson, announcing a grant award in the amount of \$14,320 to be used for the purpose of enhancing and upgrading the county's court security. Approval and signature of FY22 Court Security Grant (Project No. 21-CS-07) Contract Agreement, Resolution, Certifications, Standard Conditions and Assurances and Special Conditions. Carrie Wallace stated that this includes tasers for security, new monitors for 911, and an I-pad for security in the Circuit Courtroom (copy included) After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved and authorized the President to sign a Notice to Purchase E-911 Integrated Computer System and Support Agreement – Telephone Replacement System. This purchase will be considered during the regularly scheduled Commission Meeting to be held on August 26, 2021. (copy included)

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved and authorized the President to sign a Consulting Agreement between USI Insurance Services LLC and the Upshur County Commission, effective July 1, 2021. During the term of the agreement, the fee will be \$5,000 quarterly. (copy included)

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved the request from Tasha Harris, WVU Extension Agent, requesting a donation of 10 one-day pool passes for 2022 to be utilized as prizes for the quiz bowl that will take place during the Upshur County Youth Livestock Association annual livestock show. (copy included)

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved the request from Arley Robinson for reappointment to the Upshur County Farmland Protection Board as the Farm Bureau representative, effective July 1, 2021. Mr. Robinson's new term will expire on June 30, 2025. (copy included)

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved the request from J.C. Raffety to be appointed to the vacant county resident seat on the Upshur County

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Farmland Protection Board. Mr. Raffety's term will be effective immediately and extend through June 30, 2025. (copy included)

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved Thomas O'Neill's resignation as a community member of the Upshur County Fire Board. This term is set to expire on June 30, 2022. (copy included)

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission agreed to table the request from Thomas J. O'Neill expressing an interest in the vacant seat on the Corridor H Authority until the new Director of the Upshur County Development Authority commences employment. Kristie Tenney explained that this position on the Corridor H Authority Board has been previously held by the Director of the Upshur County Development Authority.

At 9:15 a.m. Ty Landis and Cameron Zuliani, representing the Youth Environmental Club of the BuckhannonUpshur High School, presented a proposed amphitheater renovation project at the Upshur County Recreational Park. The Youth Environmental Club would like to improve the conditions at the amphitheater area for student multi-purpose use. After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved tabling this item until after the property inspection which is scheduled for August 10, 2021.

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved the resignation of an employee.

After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved Termination of two employees.

After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved Katrina Grose as a Lewis-Upshur Animal Control Facility Volunteer.

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

1. Upshur County Sheriff's Financial Statement for period ending June 2021
2. Upshur County Sheriff's Settlement, Reconciliation of Cash and Commission – Fiscal Year Ending June 30, 2021
3. Correspondence from Samantha L. Woods, Deputy State Auditor, enclosing a copy of the Report on Applying Agreed-Upon Procedures of the Upshur County Magistrate Court for the period ending December 31, 2020. Report is available for public review in the Upshur County Commission Office.
4. FY2022 REAP Covered Electronic Devices Recycling Grant Application Announcement, due no later than August 31, 2021
5. Upshur County Mileage Reports – June 2021
  - Upshur 911
  - Maintenance
  - Emergency Management
  - Sheriff
  - Addressing and Mapping
  - Community Corrections
  - Dog Pound
6. Public Notices:
  - a) Newsletters and/or Event Notifications: (none)
  - b) Agendas and/or Notice of Meetings:
    - Upshur County Senior Center July 14, 2021
    - Upshur County Farmland Protection Board July 15, 2021
    - Special Meeting of City Council of Buckhannon July 21, 2021
    - Upshur County Public Library July 21, 2021
  - c) Meeting Minutes:
    - Upshur County Youth Camp Board May 20, 2021
    - Tennerton PSD June 9, 2021
    - Upshur County Solid Waste Authority June 14, 2021
    - Upshur County Fire Board June 15, 2021
    - Upshur County Fire Board June 27, 2021
  - d) Meetings:
    - 08/03/21-4:00 p.m.-Hodgesville PSD

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- 08/03/21-5:00 p.m.-Elkins Road PSD
- 08/05/21-3:00 p.m.-Adrian PSD
- 08/05/21-6:00 p.m.-Buckhannon-Upshur Board of Health
- 08/05/21-7:00 p.m.-Banks District VFD
- 08/05/21-7:00 p.m.-Selbyville VFD
- 08/08/21-6:00 p.m.-Washington District VFD
- 08/09/21-12:00 p.m.-Upshur County Family Resource Network
- 08/09/21-4:00 p.m.-Buckhannon Upshur Airport Authority
- 08/09/21-4:30 p.m.-Upshur County Solid Waste Authority
- 08/09/21-5:30 p.m.-Buckhannon-Upshur Recreational Park Advisory Board
- 08/09/21-6:00 p.m.-Lewis-Upshur Community Corrections Board-Lewis County
- 08/10/21-7:00 p.m.-Warren District VFD
- 08/10/21-7:30 p.m.-Adrian VFD
- 08/11/21-12:00 p.m.-Upshur County Senior Center Board
- 08/11/21-3:00 p.m.-Tennerton PSD
- 08/11/21-3:00 p.m.-Upshur County Conventions & Visitors Bureau
- 08/11/21-6:00 p.m.-Buckhannon River Watershed Association – Farm Bureau
- 08/11/21-7:00 p.m.-Ellamore VFD
- 08/12/21-3:00 p.m.-Upshur County Safe Sites & Structures Enforcement Board
- 08/12/21-7:30 p.m.-Buckhannon VFD
- 08/16/21-12:00 p.m.-Buckhannon-Upshur Chamber of Commerce
- 08/18/21-7:00 a.m.-Upshur County Development Authority – Exec. Board
- 08/18/21-12:00 p.m.-Lewis Upshur LEPC
- 08/18/21-4:00 p.m.-Upshur County Public Library Board
- 08/19/21-6:30 p.m.-Upshur County Youth Camp Board
- 08/19/21-7:00 p.m.-City Council of Buckhannon
- 08/20/21-10:00 a.m.-Wes-Mon-Ty Resource Conservation & Development Council
- 08/23/21-7:00 p.m.-Upshur County Fire Fighters Association
- 08/24/21-5:00 p.m.-UC Enhanced Emergency Telephone Advisory Board
- 08/24/21-6:30 p.m.-Upshur County Fire Board, Inc.
- 08/25/21-10:00 a.m.-James W. Curry Advisory Board
- 09/16/21-6:00 p.m.-Upshur County Farmland Protection Board

## 7. Appointments Needed or Upcoming:

- Buckhannon-Upshur Airport Authority (unexpired term - 6/30/21) - City Representative
- Upshur County Fire Board (7/1/21-6/30/24) – Fire Association Representative
- Buckhannon-Upshur Parks and Recreation Advisory Board (7/1/21-6/30/23)-City Representative
- Buckhannon-Upshur Parks and Recreation Advisory Board (7/1/21-6/30/23)-City Representative
- Buckhannon-Upshur Parks and Recreation Advisory Board (7/1/21-6/30/23)-BOE Representative
- Upshur County Farmland Protection Board (7/1/21-6/30/25)-County resident
- Upshur County Farmland Protection Board (7/1/21-6/30/25)-Farm Bureau Representative
- Corridor H Authority (7/1/21-6/30/25)
- Upshur County Enhanced Emergency Telephone Advisory Board (7/1/21-6/30/23)-Fire Association

*\*\*\*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](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.\*\*\**

### Tabled items:

1. Approval and signature of a Software License and Implementation Agreement between Central Square Technologies LLC and the Upshur County 911 Communications Center for the license of an integrated Computer System on a subscription basis consisting of a 911 system and any additional applications described in the Agreement and the Addenda. The total amount of this contract is one hundred fifty three thousand two hundred twenty-three dollars and twenty-four cents (\$153,223.24). (Tabled 7/15/2021)
2. Approval and signature of a CentralSquare 911 Support Agreement between Central Square Technologies LLC and the Upshur County 911 Communications Center for annual maintenance services and support. The annual Maintenance and Support Fee for

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year 1 will be nineteen thousand two hundred fifty-six dollars and seventy-five centers (\$19,256.75). (*Tabled 7/15/2021*)

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

The Commission approved all Vacation Orders. (list included)

The Commission approved the following Settlements. (as listed)

- Boni K. Adamy– Final Settlement Waiver
- Russell E. Crites – Final Settlement Waiver
- Charles Linton Cutright, Jr. – Final Settlement Waiver
- Jerry Dunlavy – Final Settlement Waiver
- Marguerite Hefner – Final Settlement Waiver
- Hayward Doyle Lewis – Final Settlement Waiver
- Jerry W. Marteney – Final Settlement Waiver
- Kenneth James Ogden – Final Settlement Waiver
- Deborah Darlene Pigott – Final Settlement
- Melvin Ray Shields – Final Settlement Waiver
- Robert E. Smith – Final Settlement Waiver
- Frederick E. Stump – Final Settlement Waiver
- Frederick Glenn Tomey – 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)

- Union District – Map 6G Parcel 16 and Map 6G Parcel 17.3 to make Map 6G Parcel 16 – Kelley, Frederick F. & Ellen J.
- Meade District – Map 5L Parcel 95.2 and Map 5L Parcel 99 to make Map 5L Parcel 99 – McCartney, Richard G. & Dianna L.

At 9:45 a.m., Jan Cochran, Lewis-Upshur Animal Control Facility Director, presented a review of the Lewis-Upshur Animal Control Facility Sunday Hours. Ms. Cochran stated that in the last year and one-half, there have only been two visitors at the facility on Sundays. After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved extending hours on Saturday until 2:00 p.m. and closing on Sundays. (copy included)

At 11:00 a.m., a Public Meeting was conducted to assign a name to a private right-of-way per the requirements of the 911 Addressing and Mapping Ordinance adopted on September 18, 2003. Terri Jo Bennett, Upshur County Addressing and Mapping, Building Permits and Floodplain Coordinator, explained that a third structure had been erected on a driveway off of the Hall Road, resulting in requiring a new street name to be approved. After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved Ms. Bennett's suggestion of Bristol Way for the new street name. (copy included)

Terri Jo Bennett also presented a request for another new street name for the same type of situation. This request is concerning a private road off of the Trainer Road. After discussion, on motion by Terry Cutright, seconded by Sam Nolte, the Commission approved the name of Hathaway Drive. (copy included)

Carol Smith, County Clerk, reviewed a request for a budget revision. After discussion, on motion by Sam Nolte, seconded by Terry Cutright, the Commission approved and authorized the President to sign the budget revision as discussed with a "Request for Revision to Approved Budget" to be sent to the Office of the Auditor for approval. (copy included)

The Commission received project updates and reviewed Administrative business items.

With no further business, on motion by Sam Nolte, seconded by Terry Cutright, the Commission meeting adjourned at 5:00 p.m.